

Case Number:
C14-2023-0153

PETITION

Date: 11/19/2024
 Total Square Footage of Buffer: 219079.1401
 Percentage of Square Footage Owned by Petitioners Within Buffer: 26.95%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0204061310	1400 E 3 ST	1400 E 3 BUNGALOW LLC	no	3346.62	0.00%
0204061405	1400 E 4 ST 78702	1400 E 4TH STREET OWNER LLC	no	13313.66	0.00%
0204061302	1405 E 4 ST 78702	BEALL ROBERT C & BETH	no	3154.86	0.00%
0204063602 & 0204063603	1306 E 3 ST A & 1306 E 3 ST B	BOUCHER KEVIN & GATSBYGIRL LLC & COLEYB LLC	yes	8128.20	3.71%
0204052301	Address Not Found	CAPITAL METROPOLITAN TA	no	15844.67	0.00%
0204061314	1400 E 3 ST 78702	CITY OF AUSTIN	no	962.62	0.00%
0204060903	1304 E 4 ST 78702	DAYWOOD JAMES C TRUSTEE	no	16243.63	0.00%
0204060806	1310 E 3 ST 78702	FLOURNOY DONALD R	no	11732.33	0.00%
0204062402 & 0204062403	1300 E 3 ST A & 1300 E 3 ST B	IKNADIOSSIAN MARDO A & KAGAN RYAN OWEN	yes	10290.89	4.70%
0204061312	303 NAVASOTA ST 78702	JOHNSON CHRISTOPHER B & DEBRA K	yes	6143.48	2.80%
0204060801	1301 E 4 ST 78702	KUHN MICHAEL J	no	14121.72	0.00%
0204060812	1303 E 4 ST 78702	KUHN MICHAEL J	no	8504.42	0.00%
0204060802	1305 E 4 ST	KUHN MICHAEL J	no	8538.41	0.00%
0204061309	1402 E 3 ST 78702	LAWLOR KEITH & MEGAN	yes	2208.80	1.01%
0204062302 & 0204062303	1302 E 3 ST A & 1302 E 3 ST B	LLAMA & AARDVARK REAL ESTATE HOLDINGS LLC	no	8050.16	0.00%
0204060809	1304 E 3 ST 78702	LODEESEN ANDREW & RYANN MAROTTA	yes	8108.87	3.70%
0204061301	1401 E 4 ST 78702	NL LAND HOLDINGS LTD	no	22276.00	0.00%
0204061311	301 1/2 NAVASOTA ST AUSTIN 78702	OFFNER JEROME PATRICK & HANNAH SOPHIA OTALOTA-FADNER	yes	4123.27	1.88%
0204060805	1313 E 4 ST 78702	RENTERIA VICKIE H	yes	11901.72	5.43%
0204060902	1308 E 4 ST 78702	SAWYER JULIA J FAMILY L P II	no	19125.92	0.00%
0204062502 & 0204062503	1308 E 3 ST A & 1308 E 3 ST B	WUOLLETT KRISTOPHER LESLIE & ARAGON GONZALO & MONICA	yes	8125.94	3.71%
					0.00%
Total				204246.20	26.95%

PETITION

Date: July 16, 2024

File Number: C14-2023-0153

Address of Rezoning Request: 1307 & 1309 East 4th St

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than **Live/Work Flex under the Plaza Saltillo TOD Station Area Plan.**

The current proposal to change from Live/Work Flex to TOD Mixed Use is at odds with the existing Plaza Saltillo TOD Station Area Plan and introduces severe compatibility issues with the surrounding residents. The current designation allows for housing, retail, and office and there are multiple examples of successful, thoughtful projects that adhere to the existing standards.

Furthermore, we feel there was a disingenuous effort to change the offset of the properties in question to 25 feet (from the original 20), avoiding the thereby avoiding a provision aimed at affected residents: TOD section 4.3.3.B.3.a states...



In the TOD District **within 100 feet of the TOD boundary**, compatibility standards height limitations triggered by property outside of the TOD District **shall be waived if owners of at least 66% of triggering properties within 25 feet of the site requesting the waiver agree.** If there are no triggering properties within 25 feet, the height restriction shall be waived.

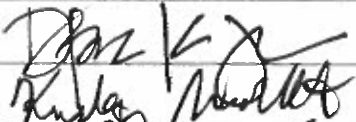
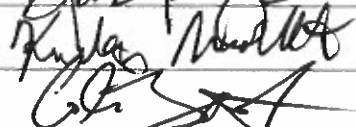
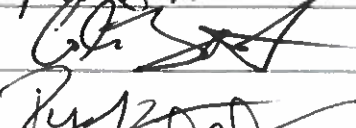
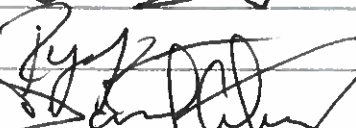
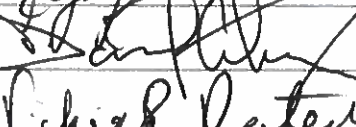
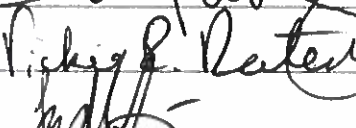
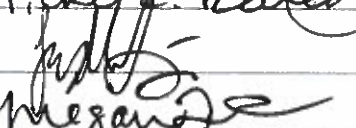
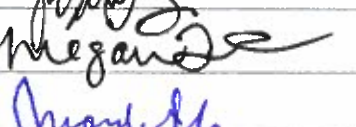
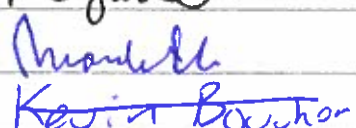
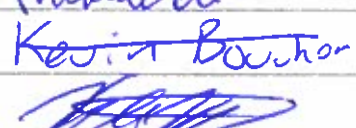
At present there is confirmed opposition from all parties within the current 20 ft and up-to-and-including 25 ft. When analyzing the TOD, the areas with the highest proportion of established, existing residential property all fall within a 20 foot alleyway. We argue the intent of the code was clearly to:

- initially limit height directly adjacent to legacy residential for compatibility
- allow for adjacent neighbor input in waiving compatibility height requirements

Both entries to the alley are 20 feet (and, far less in a "practical" sense). In fact, no points exceed 20 feet in width. A "donation" of 5 feet back to the public provides very limited benefit and, in all reality, will likely just become space for the development to use anyway for loading or garbage. This further demonstrates a maneuver should not disqualify the ability to restrict height and enforce per the TOD.

Finally, when analyzing the available plans, it is our understanding that the request for additional height (the major driver of incompatibility) is being done to accommodate above ground *parking*, not *people*. We contend that the property can achieve the *same density at lower cost and adhere to existing compatibility standards* by simply eliminating the parking, which itself is within the spirit of the TODs themselves.

Signature	Printed Name	Address
	Jerome Patrick Offner	301 1/2 Navasota Street, Austin, TX 78702
	Andrew Adreeser	1304 E 3rd St Austin TX, 78702

	DEBRA K. JOHNSON	309 NAVASOTA ST. 78702
	Kristopher Wullett	1308 E 3rd St # A 78702
	Cole Bauer	1306 E 3rd St #2 78702
	Ryan Kagan	1300 E 3rd St #B 78702
	Daniel Alvarez	1212 E 3rd St 78702
	Vickie R. Renteria	1313 E 4th St 78702
	GONZALO ARAGON	1308 E 3rd St #2 78702
	Megan Lawlor	1402 ^{#1405} E 3rd St 78702
	Mardo Ikuadiossin	1300 E 3rd St Unit A 78702
	Kevin Boucher	1306 E 3rd St #1 Austin TX

Date: July 16, 2024

Contact Name: Patrick Offner 78702
 Phone Number: 281-435-4094