

ZONING CHANGE REVIEW SHEET

CASE: C14-2025-0053 - Duval-Harris Residential

DISTRICT: 9

ZONING FROM: MF-1-NP

ZONING TO: MF-3-NP

ADDRESS: 3305, 3303 Duval Street & 501, 505 Harris Avenue

SITE AREA: 0.31 acres (13, 576 sq. ft.)

PROPERTY OWNER: 3305 Duval St LLC (Joshua Lake McGuire)

AGENT: Thrower Design, LLC (Ron Thrower & Victoria Haase)

CASE MANAGER: Cynthia Hadri 512-974-7620, Cynthia.hadri@austintexas.gov

STAFF RECOMMENDATION:

The staff recommendation is to grant multifamily residence (medium density) – conditional overlay - neighborhood plan (MF-3-CO-NP) combined district zoning. The conditional overlay is for a maximum of 6 residential units.

CITY COUNCIL ACTION:

November 6, 2025:

October 23, 2025: APPROVED THE NEIGHBORHOOD'S REQUEST FOR A POSTPONEMENT TO NOVEMBER 6, 2025.

[K. LAINE; M. SIEGEL - 2ND] (10-0) MAYOR PRO TEM (V. FUENTES) – ABSENT

PLANNING COMMISSION ACTION / RECOMMENDATION:

September 23, 2025: APPROVED THE APPLICANT'S REQUEST FOR A MF-3-NP.

*[G. ANDERSON; F. MAXWELL - 2ND] (7-1-1) – I. AHMED – ABSTAINED,
D. SKIDMORE - AGAINST*

September 9, 2025: APPROVED THE STAFF'S REQUEST FOR A POSTPONEMENT TO SEPTEMBER 23, 2025.

[A. POWELL; N. BARRERA-RAMIREZ - 2ND] (12-0) – ONE VACANCY

August 26, 2025: APPROVED THE STAFF'S REQUEST FOR A POSTPONEMENT TO SEPTEMBER 9, 2025.

[A. WOODS; A. LAN - 2ND] (10-0) F. MAXWELL AND P. BRETON – ABSENT

July 22, 2025: APPROVED THE STAFF'S REQUEST FOR A POSTPONEMENT TO AUGUST 26, 2025.

[N. BARRERA-RAMIREZ; I. AHMED - 2ND] (10-0) CHAIR AZHAR, A. LAN, A. POWELL – ABSENT

ORDINANCE NUMBER:

ISSUES:

CASE MANAGER COMMENTS:

The property in question is 0.31 acres, developed with five (5) residential units, is on the intersection of Duval Street (level 2) and Harris Avenue (level 1) and is currently zoned multifamily residence (limited density) – neighborhood plan (MF-1-NP) combined district zoning. This property is in the Central Austin Combined (Hancock) Neighborhood Plan and is characterized as residential with single family residences, townhomes, duplex residential and some multifamily complexes in the vicinity (SF-3-CO-NP, SF-3-H-NCCD-NP and SF-3-H-CO-NP, MF-2-NCCD-NP, MF-3-NCCD-NP). The neighborhood includes some public (P-NP) zoning for Lee Elementary School, Eastwoods Neighborhood Park and Hancock Recreation Center. ***Please refer to Exhibits A (Zoning Map) and B (Aerial View).***

Considering the various available modes of transportation, the proximity to the University of Texas, the surrounding zonings, and a conditional overlay with a maximum of six units with intent to be family friendly, staff is recommending multifamily residence (medium density) – conditional overlay - neighborhood plan (MF-3-CO-NP). There are surrounding properties with multifamily zoning in the Neighborhood Conservation combining district (NCCD) and the Equitable Transit Oriented Development (ETOD) Overlay. The rezoning site is one block away from the ETOD Overlay, has bike lanes and sidewalks on both sides of Duval Street along with a capital metro bus stop directly in front of the property. The residents of this property could walk or bike to the Hancock Recreation Center, Eastwoods Neighborhood Park and the UT Campus.

The applicant is requesting multifamily residence (medium density) – neighborhood plan (MF-3-NP) combining district. Per the applicant, the purpose for the rezoning is to maintain the ability for 5 units and/or to permit additional larger units to the site by demolishing the existing rear residential structure (which contains three units) and constructing four additional units in its place. The applicant has stated that the intent of this rezoning request is to allow for six units on the property. ***Please refer to Exhibit C (Applicant's Summary Letter).***

BASIS OF RECOMMENDATION:

1. *The proposed zoning is not consistent with the purpose statement of the district sought.*

The multifamily residence (medium density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable.

The conditional overlay combining district may be applied in combination with any base district. the district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

The neighborhood plan district denotes a tract located within the boundaries of an adopted neighborhood plan.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The proposed staff recommendation would promote compatibility with nearby uses as there are other multifamily zoned properties (medium density and low density) along with the ETOD Overlay. The property is also near various amenities such as the University of Texas Campus, Hancock Recreation Center, Eastwoods Neighborhood Park and Splash pad.

3. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

Approval of MF-3-CO-NP combined district zoning on this site would promote a transition of zoning districts on Duval Street. This property is adjacent to single family housing with some multifamily zonings to the south and west. The addition of a conditional overlay would allow for larger family friendly units while keeping the unit count of the property similar to the unit allowance of H.O.M.E. on two single family lots.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-1-NP	Duplex Residential
<i>North</i>	SF-3-CO-NP, SF-3-H-NCCD-NP P-NP	Single Family Residential & Duplex Residential Hancock Recreation Center
<i>South</i>	SF-3-CO-NP, SF-3-H-CO-NP MF-3-NCCD-NP	Single Family Residential & Duplex Residential Townhouse Residential
<i>East</i>	SF-3-CO-NP P-NP	Single Family Residential & Duplex Residential Elementary School
<i>West</i>	SF-3-H-NCCD-NP MF-2-NCCD-NP, MF-3-NCCD-NP	Single Family Residential & Duplex Residential Multi-Family Residential

NEIGHBORHOOD PLANNING AREA: Central Austin Combined (Hancock)

WATERSHED: Waller Creek (Urban)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Russell Lee Elementary School Kealing Middle School McCallum High School

COMMUNITY REGISTRY LIST:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Austin Regional Group
 CANPAC (Central Austin Neigh Plan
 Area Committee)
 Central Austin Community Development
 Corporation

Friends of Austin Neighborhoods Hancock
 Neighborhood Assn.
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North University Neighborhood
 Association
 North University Neighborhood
 Development
 Preservation Austin

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0023	Central Austin Neighborhood Plan (Hancock)	Approved Central Austin Neighborhood Plan (4/27/2004)	Approved Central Austin Neighborhood Plan as Commission Recommended (08/26/2004)
C14H-03-0011 – Walker Stiles House	SF-3 to SF-3-H	To Grant SF-3-H (09/10/2003)	Approved SF-3-H as planning Commission Recommended (10/30/2003)
C14-04-0022.01 - North University NCCD Amendment	Allow two family residential as a use and reduce minimum lot size to 5,750 sq. ft.	To Grant NCCD Amendment (07/12/2011)	Approved NCCD Amendment as Planning Commission Recommended (08/4/2011)
C14H-2010-0016 – Callan-Boswell House	SF-3-NCCD-NP to SF-3-H-NCCD-NP	To Deny SF-3-H-NCCD- NP (09/14/2010)	To Deny SF-3-H- NCCD-NP as Planning Commission Denied (09/30/2010)
C14-04-0022	North University Neighborhood NCCD	Approved NCCD	Approved NCCD as Commission Recommended (08/26/2004)

RELATED CASES:

C14-2024-0035 - Duval Street Residences: Zoning from SF-3-CO-NP to MF-1-NP. The staff recommendation was to recommend multifamily residence (limited density)-neighborhood plan (MF-1-NP) combined district zoning. Planning Commission and City Council Approved the applicant’s request for MF-1-NP.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

Project Name and Proposed Use: 3303 DUVAL STREET. C14-2025-0053. Project: Duval-Harris Residential. 0.31 acres from MF-1-NP to MF-3-NP. Existing: multifamily. Proposed: multifamily condominium (6 dwelling units). Demolition is proposed. 3 residential units are to be demolished, and 4 of the existing residential units are currently occupied.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures *	
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *: <ul style="list-style-type: none"> • 0.41 miles to Downtown Regional Center
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • Adjacent to bus stop along Duval ST
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Bike lane and sidewalk present along Duval ST; sidewalk present along Harris AVE
	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.4 miles to Russell Lee Elementary School; 0.5 miles to UT Austin Campus
Y	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.5 miles to Eastwoods Neighborhood Park
Y	Connectivity and Health *: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor’s office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> • 0.5 miles to Medical Clinic at intersection of 32nd and Red River, and St. David’s Medical Center is located at this intersection.
Y	Housing Choice *: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Mixed use *: Provides a mix of residential and non-industrial uses.

	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
Y	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
8	Number of “Yes’s”

Drainage:

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City’s Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental:

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire:

There are no comments.

PARD – Planning & Design Review:

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily residential with MF-3-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609, as amended.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: ann.desanctis@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan:

Site plans will be required for any new development except for residential only projects with up to 4 units.

Any new development is subject to LDC Subchapter E Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Austin Transportation Department – Engineering Review:

A transportation assessment/traffic Impact analysis shall be required at the time of site plan **if triggered**, when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1. This is unlikely given the net trips per the current TIA DW.

The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Duval ST. It is recommended that 36 feet of right-of-way from the existing centerline should be dedicated for Duval ST according to the Transportation Plan with the first subdivision or site plan application. It appears that existing right-of-way meets this requirement. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Harris AVE. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Harris AVE according to the Transportation Plan with the first subdivision or site plan application. It appears that existing right-of-way meets this requirement. [LDC 25-6-51 and 25-6-55].

Existing Street Characteristics:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Duval ST	Level 2	72'	72'	38'	Yes	Yes	Yes
Harris AVE	Level 1	58'	59'	30'	Yes	No	Yes

Austin Water Utility:

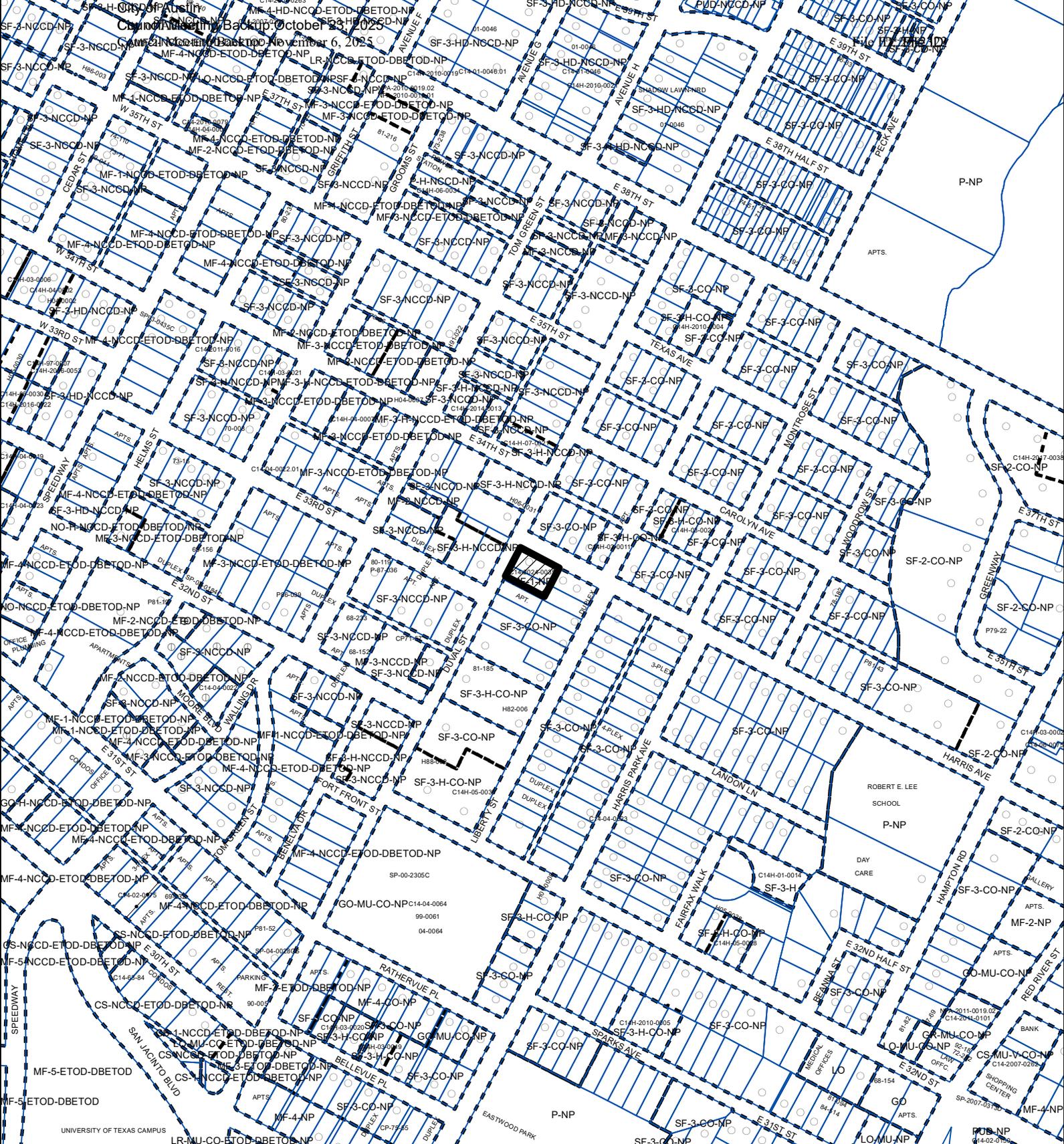
No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
 - B. Aerial Map
 - C. Applicant's Summary Letter
 - D. Ordinance from C14-2024-0035 – Related case
 - E. Valid Petition
- Correspondence from Interested Parties



ZONING

ZONING CASE#: C14-2025-0053



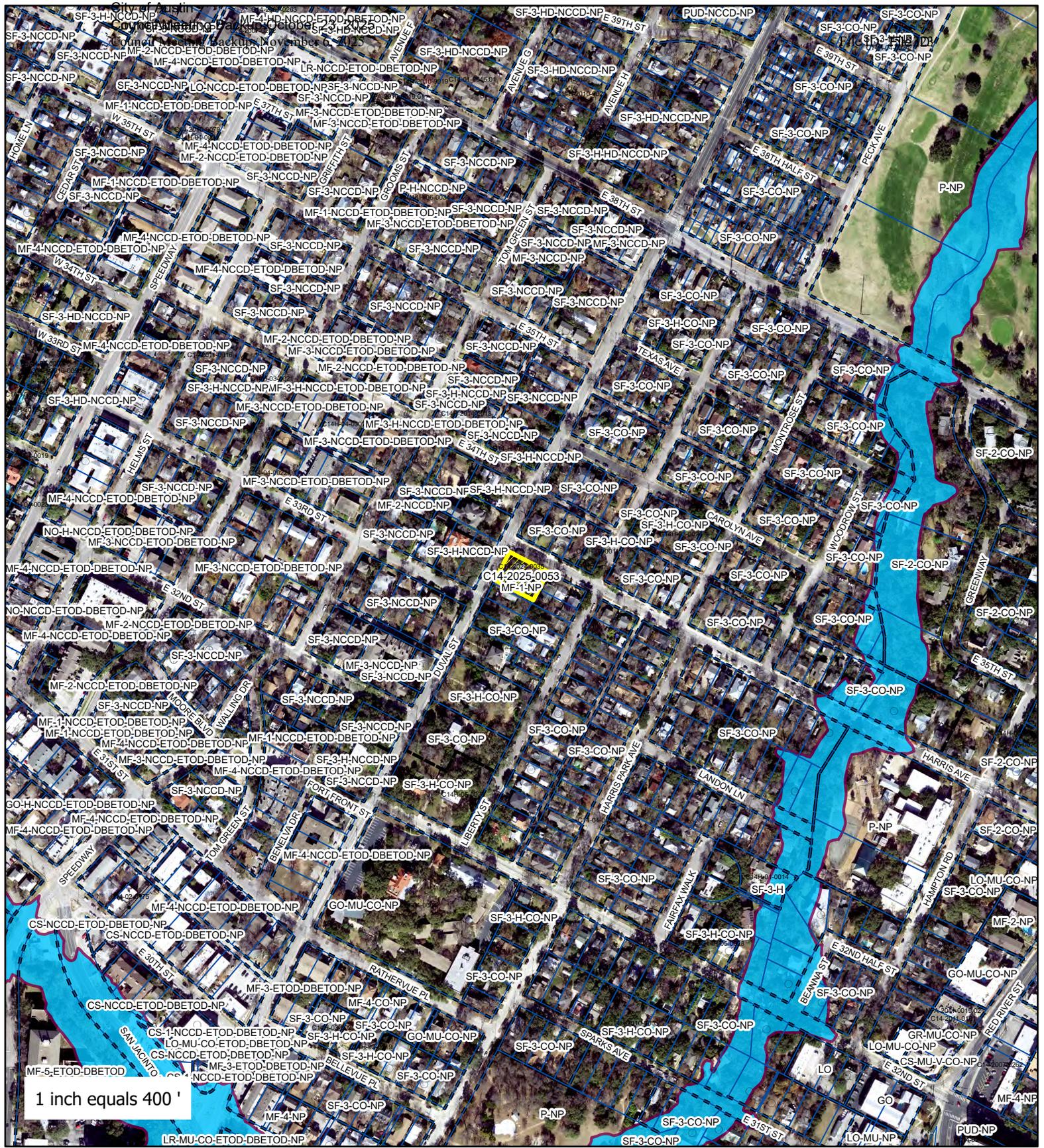
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'
Exhibit A

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





Duval-Harris Residential

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2025-0053
 LOCATION: 3303 and 3305 Duval St;
 501 and 505 Harris Blvd
 SUBJECT AREA: 0.31 Acres
 MANAGER: Cynthia Hadri





April 18, 2025

Ms. Lauren Middleton-Pratt
Director, Planning Department
City of Austin
6310 Wilhelmina Delco Drive
Austin, TX 78752

Via Electronic Delivery

Re: Rezoning Application – 3305 Duval Street

Dear Ms. Middleton-Pratt:

On behalf of the Owners of the property referenced above, we respectfully submit the enclosed Rezoning application. The subject property consists of a single, legally platted lot and a portion of the adjacent lot, platted in 1929, totaling 0.38 acres per survey submitted herein. The land area is of Council District 9, represented by Council Member Zo Qadri and is within the Hancock Neighborhood Planning Area of the Central Austin Combined Neighborhood Planning Area, adopted in 2004.

The lot was recently rezoned to MF-1-NP per Ordinance No. 20240718-170 to maintain the 5 units that have existed of the property for 30+ years. However, the site area requirements of the MF-1 zoning district for 2+ bedroom units do not permit the existing density. Hence, this rezoning application is submitted, requesting MF-3 zoning, to accomplish the original task of maintaining the ability for 5 units plus adding opportunity for an additional unit, for a total of 6, equivalent to what would be allowed on any two, SF-3 zoned properties. Furthermore, the primary structure, a 1930's 3-story duplex, is proposed for preservation and restoration and its location on the property in addition to the trees necessitates a multi-family zoning district to accomplish the desired outcome.

The subject land area fronts Duval Street, where CapMetro Route 7 service is available with a bus stop at the corner of the property, at the intersection of Duval and Harris Avenue. The newly adopted ETOD boundary is just a block to the west; The property is situated well to allow for infill density in proximity to existing transit and proposed transit improvements anticipated soon.

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

**P. O. BOX 41957, AUSTIN, TEXAS 78704
1507 INGLEWOOD ST., AUSTIN, TEXAS 78741**

A handwritten signature in black ink, appearing to read 'Victoria Haase', with a stylized, cursive script.

Victoria Haase

cc: Joi Harden, Housing & Planning Department (*via electronic delivery*)

ORDINANCE NO. 20240718-170

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3303 AND 3305 DUVAL STREET AND 501 AND 505 HARRIS AVENUE IN THE CENTRAL AUSTIN COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-3-CO-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE LIMITED DENSITY-NEIGHBORHOOD PLAN (MF-1-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district to multifamily residence limited density-neighborhood plan (MF-1-NP) combining district on the property described in Zoning Case No. C14-2024-0035, on file at the Planning Department, as follows:

LOT 44 and the North 38.2 feet of LOT 43, L.W. CARROLL'S SUBDIVISION OF A PART OF OUTLOT NO. 7, DIVISION "C", a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 3, Page 118, of the Plat Records of Travis County, Texas, being more particularly described in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 3303 and 3305 Duval Street and 501 and 505 Harris Avenue in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

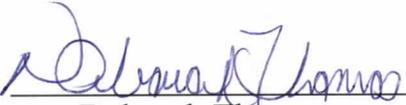
PART 2. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 040826-59 that established zoning for the Hancock Neighborhood Plan.

PART 3. This ordinance takes effect on July 29, 2024.

PASSED AND APPROVED

July 18, 2024

§
§ 
§ _____
Kirk Watson
Mayor

APPROVED: 
Deborah Thomas
Acting City Attorney

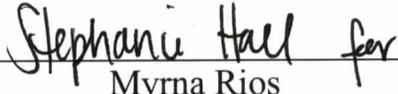
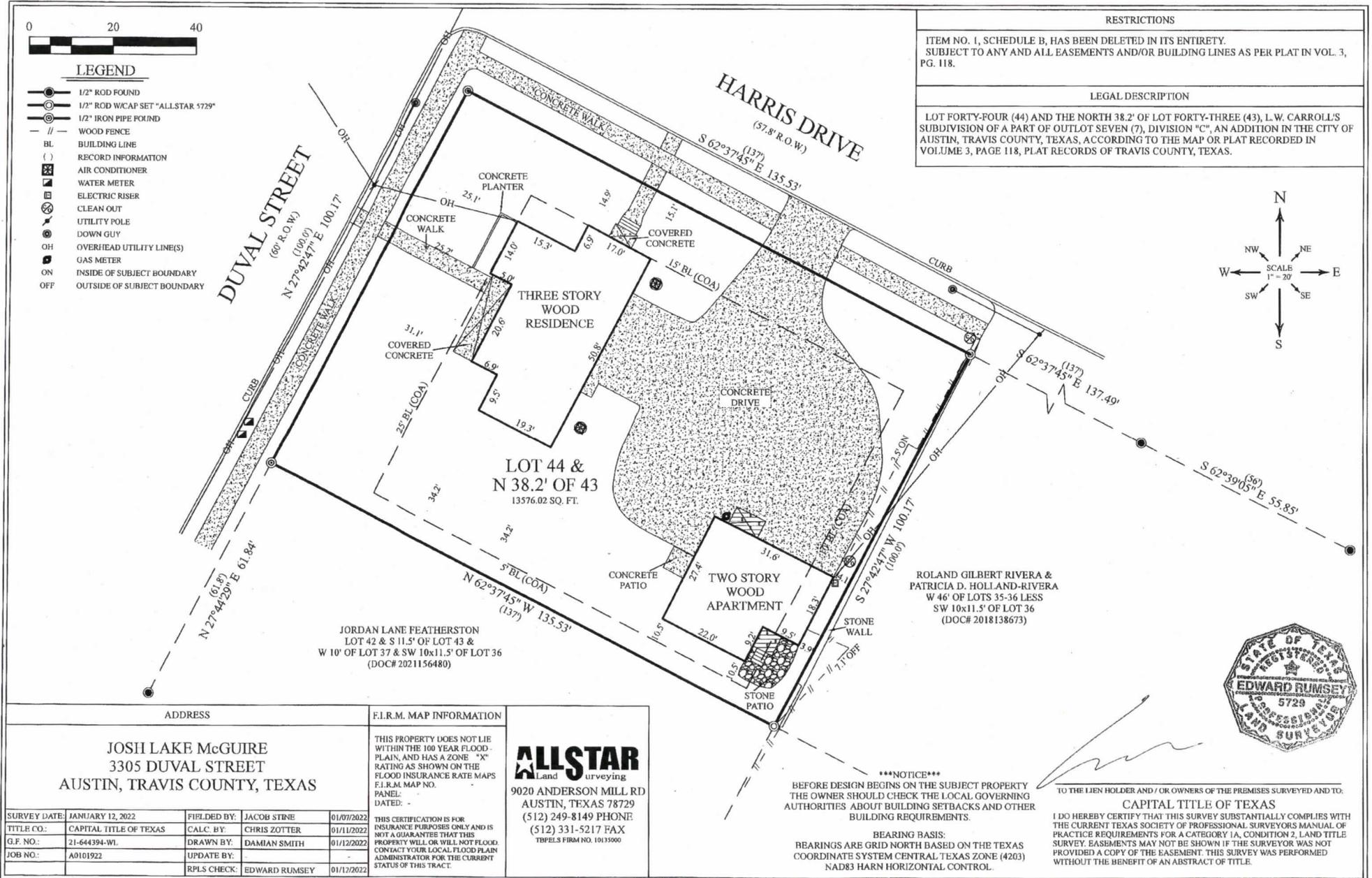
ATTEST:  for
Myrna Rios
City Clerk

EXHIBIT "A"



RESTRICTIONS
ITEM NO. 1, SCHEDULE B, HAS BEEN DELETED IN ITS ENTIRETY. SUBJECT TO ANY AND ALL EASEMENTS AND/OR BUILDING LINES AS PER PLAT IN VOL. 3, PG. 118.
LEGAL DESCRIPTION
LOT FORTY-FOUR (44) AND THE NORTH 38.2' OF LOT FORTY-THREE (43), L.W. CARROLL'S SUBDIVISION OF A PART OF OUTLOT SEVEN (7), DIVISION "C", AN ADDITION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 3, PAGE 118, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

ADDRESS			
JOSH LAKE McGUIRE 3305 DUVAL STREET AUSTIN, TRAVIS COUNTY, TEXAS			
SURVEY DATE:	JANUARY 12, 2022	FILED BY:	JACOB STINE 01/07/2022
TITLE CO.:	CAPITAL TITLE OF TEXAS	CALC. BY:	CHRIS ZOTTER 01/11/2022
G.F. NO.:	21-644394-W1	DRAWN BY:	DAMIAN SMITH 01/12/2022
JOB NO.:	A0101922	UPDATE BY:	
		RPLS CHECK:	EDWARD RUMSEY 01/12/2022

F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. PANEL: DATED: -

THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

ALLSTAR
 Land surveying
 9020 ANDERSON MILL RD
 AUSTIN, TEXAS 78729
 (512) 249-8149 PHONE
 (512) 331-5217 FAX
 TPELS FIRM NO. 10135900

NOTICE
 BEFORE DESIGN BEGINS ON THE SUBJECT PROPERTY THE OWNER SHOULD CHECK THE LOCAL GOVERNING AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS.

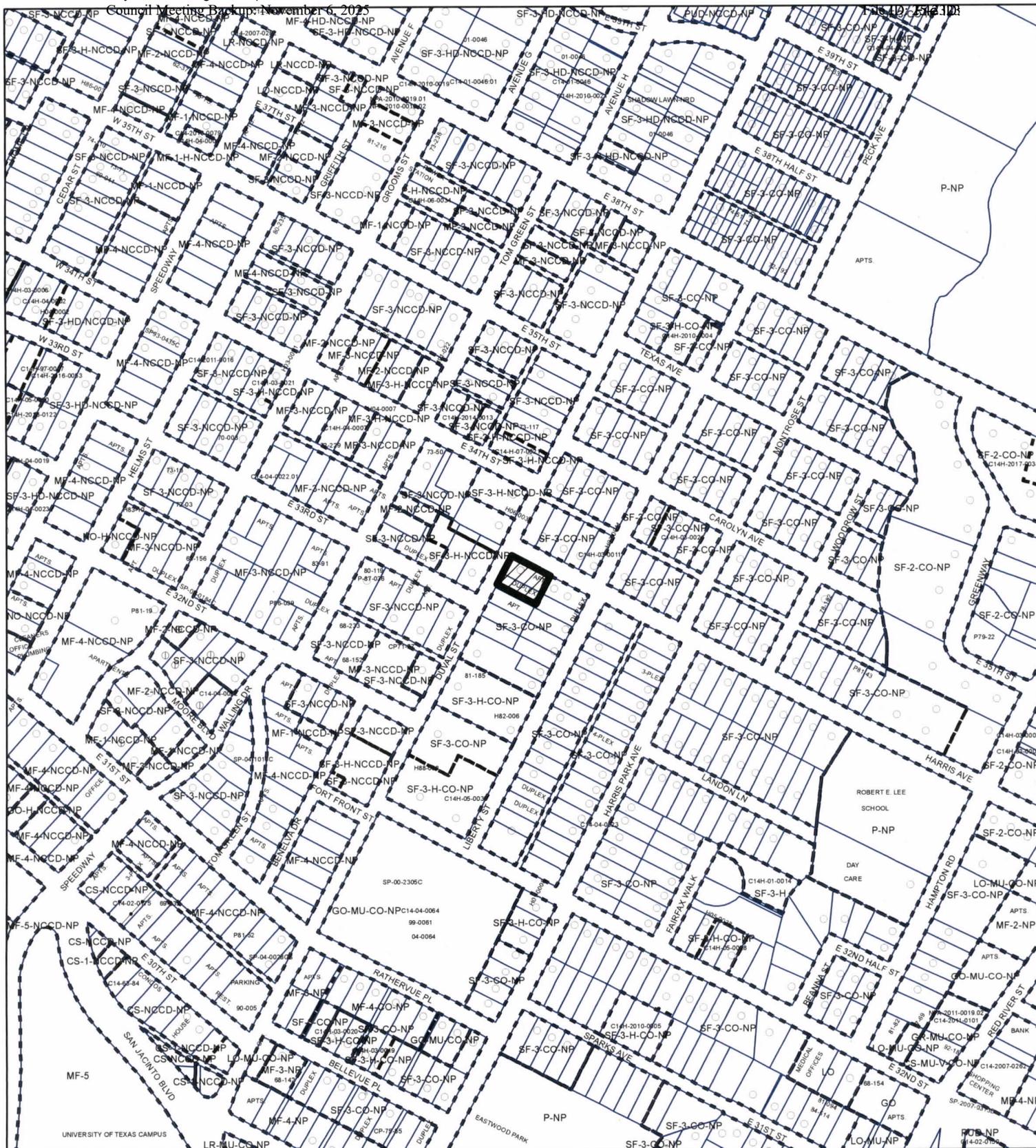
BEARING BASIS:
 BEARINGS ARE GRID NORTH BASED ON THE TEXAS COORDINATE SYSTEM CENTRAL TEXAS ZONE (4203) NAD83 HARN HORIZONTAL CONTROL.

TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO:

CAPITAL TITLE OF TEXAS

I DO HEREBY CERTIFY THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1A, CONDITION 2, LAND TITLE SURVEY. EASEMENTS MAY NOT BE SHOWN IF THE SURVEYOR WAS NOT PROVIDED A COPY OF THE EASEMENT THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.





ZONING

EXHIBIT "B"

ZONING CASE#: C14-2024-0035

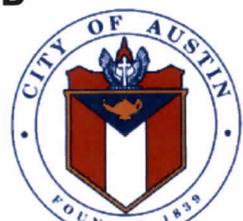


-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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P E T I T I O N

Date: October 24, 2025

File Number:

C14-2025-0053-Duval-Harris Residential

Address of Rezoning Request:

3305 Duval Street, Austin TX 78705

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 MF-3.

The owner of this property successfully sought rezoning from SF-3 to MF-1 approximately one year ago without neighborhood opposition. The explanation at the time was to bring the existing rental property, which has been there for decades, into compliance with City of Austin code. The neighborhood has no concerns with the current property and number of residents.

The same owner of this property is now asking the city to rezone the property from MF-1 to MF-3 and in doing so has indicated his plan to increase the number of units and more than double the number of occupants on the site. This increased density is incompatible with its location and will unduly burden the neighboring properties, endanger the numerous bicyclists and pedestrians utilizing this important gateway into the Hancock neighborhood, and interfere with Lee Elementary School students and other AISD students and their parents who use Harris Avenue and this corner for school transportation pick up and drop off.

There are no other properties between 32d and 38th Streets or Duval and Lee Elementary that are zoned MF-3. This request for high density spot zoning is inconsistent with the neighborhood's history and current residential mix of single-family homes, duplexes, and smaller rental properties. Unfortunately, despite repeated requests from neighbors and the neighborhood association, the owner of 3305 Duval has refused to meet and likewise has refused to authorize his agent to negotiate on his behalf regarding even the most basic concerns such as parking and garbage pick-up.

The below signed residents care deeply for our city, our neighborhood, and our neighbors and oppose this rezoning application for the above reasons.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
<i>Helen A. Gagbler</i>	Helen A. Gagbler	504 Harris Ave, Austin '05
<i>Patricia Woolery Price</i>	Patricia Woolery Price	3021 Duval St 78705
<i>Eric Starkloff</i>	Eric Starkloff	3312 Duval St.
<i>Eric Starkloff</i>	Eric Starkloff	3306 Duval St.
<i>Roland C. Rivera</i>	ROLAND C. RIVERA	507 HARRIS AVE.
<i>Catharine H Echols</i>	Catharine H Echols	508 Harris Ave

Signature	Printed Names	Address
Phyllis Day Phyllis Nicole Johnson Day	Phyllis Day	509 Harris Ave
[Signature]	Joseph Edward Piper	600 HARRIS AVE
E. Daniel Roberts	C. DANIEL ROBERTS	3210 DUVAL
Nigel Leifeste	Nigel Leifeste	3304 Liberty St
Ronald Thomas Luke	Ronald Thomas Luke	500 Harris Avenue
[Signature]	Susan J. Pryor	3300 Duval St.
William Frisbie	William Frisbie	3219 Duval St.

Date: October 24, 2025

Contact Name: Helen Gaebler

Phone Number: 520-850-3033

Case Number:
C14-2025-0053

PETITION

Date: 10/30/2025
 Total Square Footage of Buffer: 220508.5829
 Percentage of Square Footage Owned by Petitioners Within Buffer: 70.98%

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
0217061007	504 HARRIS AVE AUSTIN 78705	ADELMAN DAVID ELLIS & HELEN ANNE GAEBLER	yes	8813.20	4.00%
0217060612	3300 DUVAL ST AUSTIN 78705	BONER RICHARD & SUSAN PRYOR	yes	32001.20	14.51%
0217060907	509 HARRIS AVE AUSTIN 78705	DAY PHYLLIS MICHEL JOHNSON REVOCABLE LIVING TRUST	yes	6476.59	2.94%
0217060904	3301 DUVAL ST AUSTIN 78705	FEATHERSTON JORDAN LANE	no	11309.03	0.00%
0217060902	3219 DUVAL ST AUSTIN	FRISBIE WILLIAM P II	yes	7738.84	3.51%
0217061312	601 HARRIS AVE 78705	GALETANO BRYAN	no	5806.88	0.00%
0217060909	3308 LIBERTY ST AUSTIN 78705	GILBERT KIMBERLY D	no	7486.68	0.00%
0217060908	511 HARRIS AVE 78705	GILES SCOTT	no	9537.38	0.00%
0217061310	3307 LIBERTY ST	HRRROMO PROPERTIES SAN ANTONIO LLC SERIES B	no	960.91	0.00%
0217061311	3309 LIBERTY ST AUSTIN 78705	HUMMER MICHAEL G	no	1783.53	0.00%
0217060914	3304 LIBERTY ST 78705	LEIFESTE NIGEL	yes	7212.78	3.27%
0217060910	3306 LIBERTY ST 78705	LIBERTY STREET TRUST & ZEN INVESTMENT HOLDINGS LLC	no	7959.17	0.00%
0217061008	500 HARRIS AVE AUSTIN 78705	LUKE RONALD THOMAS	yes	23894.46	10.84%
0217061005	508 HARRIS AVE 78705	PICHE STEPHEN WILLIAM & CATHARINE HARRISON ECHOLS	yes	10394.45	4.71%
0217061409	600 HARRIS AVE AUSTIN 78705	PIPER KAREN & JOSEPH EDWARD	yes	3285.03	1.49%
0217060903	3221 DUVAL ST 78705	PRICE EDWARD WOOLERY & PATRICI	yes	16711.52	7.58%
0217060906	507 HARRIS AVE 78705	RIVERA ROLAND GILBERT & PATRICIA D HOLLAND-RIVERA	yes	6225.95	2.82%
0217060505	3210 3 DUVAL ST 78705	ROBERTS C DANIEL	yes	11005.10	4.99%
0217060911	3302 LIBERTY ST AUSTIN 78705	SCOTT ADRIENNE LILA	no	1717.93	0.00%
0217061006	506 HARRIS AVE 78705	SEPEHRNOORI KAMY	no	8804.81	0.00%
0217060607	3312 DUVAL ST AUSTIN 78705	STARKLOFF ERIC & MICHELE	yes	8534.51	3.87%
0217060617	3306 DUVAL ST AUSTIN 78705	STARKLOFF ERIC & MICHELE STARKLOFF	yes	14215.61	6.45%
Total				211875.58	70.98%



Outlook

C14-2025-0053

From Charles d'Harcourt

Date Wed 9/10/2025 9:01 AM

To Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

External Email - Exercise Caution

Dear Ms. Hadri,

I'm writing to inform you that the Hancock Neighborhood Association membership voted at our July 9th meeting to oppose the rezoning of 3305, 3303 Duval Street and 501, 505 Harris Avenue from MF-1 to MF-3.

Thanks for putting this on the record, and for your work on city planning.

Please feel free to contact me if you have any questions about this.

Best regards,

- Charles

Charles d'Harcourt, Hancock Neighborhood Association president

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For any additional questions or concerns, contact CSIRT at "cybersecurity@austintexas.gov".

Barbara Epstein
701 Texas Ave
Austin TX 78705
512-476-5391

7 September 2025

Planning Commission
(by email)

Re: C14-2025-0053 - 3305, 3303 Duval Street and 501, 505 Harris Avenue

Dear Sirs:

As a concerned nearby neighbor, I oppose the re-zoning of 3303, 3305 Duval St. and 501 and 505 Harris Ave. for the following reasons:

1. Re-zoning to MF-3 presents significant threats to pedestrian safety, especially for anyone getting off at the corner bus stop at Duval St. and Harris Ave., walking past the current driveway; this is like developers asking for flood plain exemptions since Impatient drivers already sharply turn off Duval Street and speed down Harris Ave. MF-3 zoning would dramatically increase congestion in a small space, inviting a tragedy at the driveway entrance.
2. Public transit in Hancock hasn't solved neighborhood traffic at all, bus routes run empty because they are so poorly planned, not targeting essential destinations with one route so it is always faster to drive or even to walk a mile to the grocery store or doctor's office than to take at least two routes.
3. We need to preserve as much greenspace and tree canopy in central Austin to limit flooding and increasing heat—Austin is second only to Las Vegas for abnormally hot nights, which have increased 137% over the past three decades due to a 170% increase in population, resulting in increased impervious cover and more vehicles.
4. This location is a gateway to the neighborhood so compatible architecture is needed to preserve the character of what is now the diverse element in our city—this historic spot is also the site of the farm of Susannah Dickinson, a survivor of the Alamo---we should have architectural reminders of that history.
5. Lastly, the owner of this property has not been willing to sit down with neighbors and work out a mutually satisfying solution in writing. Instead,

Duval St. re-zoning letter

Page 2

rather than legalize problems on his SF-3 zoned site through the Architecture Review Board, instead, he chose to first get a demolition permit for the entire site, then asked for MF-1 zoning, and now MF-3 zoning. All we can expect now are increased rents due to the cost of land, construction and increased property taxes, less greenspace, less mature tree canopy, an unknown amount of ultimate height and square footage, and more impatient car drivers looking for a parking space.

Sincerely,

Barbara Epsteihn



Case Number: C14-2025-0053 for public hearing on 7/22/2025

From Karen Piper
Date Sun 7/20/2025 2:17 PM
To Hadri, Cynthia
Cc <Cynthia.Hadri@austintexas.gov> Ted Piper

External Email - Exercise Caution

Hello,

This letter is in reference to the public hearing for Case Number: C14-2025-0053 on July 22,2025.

I am writing to express my concern and objection to the upzoning of property addresses: 3303/3305 Duval Street, and 501/505 Harris Avenue. This property occupies the southeast corner of Harris Ave and Duval. The current zoning of MF-1NP was most recently upzoned and is already considered by myself, family, and neighbors to be too dense (17 units per acre) and uncharacteristic of our neighbor street. This type of zoning would be much more appropriate *south* of 32nd Street where two brand new properties similar in nature to the proposed development have been built within the last year or so.

We understand this property, with the proposed rezoning and per the communication mailed to our address, that 36 units per acre is possible. This density would severely *negatively* impact this area which is frequented by young children and teens who walk/bike to Lee Elementary as well as utilize the AISD bus stops for middle and high school at Duval and Harris. We have been home owners and residents on Harris Avenue since 2013. We are already seeing increased traffic along Harris Ave, including vehicles travelling well past speed limits as there are no speed bumps, etc. Parking on our street has also increased, and we understand there is inadequate parking allocation/requirements for the proposed density for the development which is an additional concern.

We appreciate you for taking our concerns into consideration.

Karen Piper
600 Harris Ave
Austin, TX 78705

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PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>.



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2025-0053
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: July 22, 2025, Planning Commission

RICHARD BOWER + SUSAN PRYOR

Your Name (please print)

3300 DULVAL STREET

Your address(es) affected by this application (optional)

[Handwritten Signature]

7/16/25

Signature

Date

Daytime Telephone (Optional): 512-497-2222

Comments: 1. INCREASED TRAFFIC + PARKING A DANGER TO CHILDREN WALKING ALONG HARRIS TO SCHOOL
2. BUILDING SIZE + DESIGN INCOMPATIBLE WITH THIS HISTORIC NEIGHBORHOOD

3. PROBABLE NOISE FROM HEAVY STUDENT POPULATION ADJACENT TO SINGLE RESIDENCES

4. REDUCTION IN GREEN SPACE.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Cynthia Hadri
P. O. Box 1088, Austin, TX 78767
Or email to:
cynthia.hadri@austintexas.gov

PUBLIC HEARING INFORMATION

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Case Number: C14-2025-0053
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: July 22, 2025, Planning Commission

MARKE D Blake

Your Name (please print)

I am in favor
 I object

307 East 33-d

Your address(es) affected by this application (optional)

Mark D Blake 7/12/25

Signature

Date

Daytime Telephone (Optional): *512 293 1041*

Comments: *seems like a great place to do more housing!*

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Cynthia Hadri
P. O. Box 1088, Austin, TX 78767
Or email to:
cynthia.hadri@austintexas.gov



Research and Planning Consultants, LP

September 22, 2025

Planning Commission
City of Austin
301 West 2nd Street
Austin, Texas

RE: C14-2025-0053 - Duval Harris Residential; District 9 Location: 3305, 3303 Duval Street and 501, 505 Harris Avenue, Waller Creek Watershed; Central Austin Combined (Hancock) Neighborhood Planning Area

Request: Deny MF-3 Zoning Request

Reasons:

- MF-1 allows reasonable development with 4 units and 10 bedrooms
- MF-3 is “blank check”: zoning that would allow 11 or 12 units, 36 bedrooms and 60 foot height
- Out of character for neighborhood – currently no MF-3 zoning in Hancock Subdivision
- Hancock Neighborhood Association opposition to MF-3 after supporting MF-1

Dear Commissioners:

My wife and I write to oppose the proposed zoning change on this property from MF-1-NP to MF-3-NP. We are joined in this opposition by our neighbors and the Hancock Neighborhood Association.

I have owned and lived in the house at 500 Harris Avenue since 1980. During those 45 years I have maintained and improved the property consistently with its SF-3 zoning. My wife and I plan to continue to occupy the property as my principal residence for the foreseeable future. I note the house was built in 1924 and is one of several 100+ year old homes adjacent to the subject property.

Neighborhood Association Meeting and Vote to Oppose

The owner and his planner are aware of my concerns and those of the Hancock Neighborhood Association (HNA). I and others requested this increased density request be a formal HNA

Physical Address: 6300 La Calma Drive, Suite 170 • Austin, Texas 78752

Mailing Address: P.O. Box 14464 • Austin, Texas 78761

Phone: 512-371-8000 • Fax: 512-371-8001

www.rpcconsulting.com

agenda item. The HNA considered the request for MF-3 zoning at its hybrid meeting on July 9, 2025. The owner was present for the meeting by Zoom and identified himself late in the meeting but did not choose to discuss his request. The HNA voted 18 to 6 to oppose the zoning request because of its adverse impact on traffic and the character of the neighborhood. I later spoke by phone with Victoria Haase and communicated my concerns. She did not indicate that the owner was interested in discussing his plans with me or reducing the number of units.

I am advised by Helen Gaebler (owner and resident of 502 Harris Avenue) that she has consulted the owner and asked for written commitments on future development of the property, and he has declined to do so. The owner's planner sent a June 2025 conceptual plan for 4 new 3BR units for a total of 6 units with 16 bedrooms. I understand the owner opposes even the overlay proposed by the Planning Department that is consistent with his conceptual plan. Thus the conceptual plan is just that, and any approval of the current MF-3 application would be "blank check" zoning with the potential for development of up to 11 or 12 units on the property at a height of up to 60 feet.

We also oppose the staff recommendation for MF-3 zoning with an overlay for a maximum of six residential units. The 4 new 3BR units will increase traffic and change the character of the neighborhood. Housing capacity of the property can be increased with the addition of 2, 3BR units permitted by MF-1.

What We Support

The owner indicates he intends to retain the main house with 2, 2BR units. He has a demolition permit to demolish the "garage apartment" with 3 units and 4 BR. Current MF-1 zoning allows for 4 units total. We support replacing the "garage apartment" with 2, 3BR units, for a total of 4 units and 10 BR; an increase of 2BR. As the tenants are likely to be students, the number of bedrooms means more than the number of units to total housing capacity. This would allow space for four off-street parking spaces for the new units. While not required, this is highly desirable since there is no parking on Duval and restricted parking on this block of Harris.

If the owner decides not to demolish the "garage apartment," we support a variance to make the existing structure conforming.

Reasons to Deny the MF-3 Application

Until 2024 the subject property was zoned SF-3. The subject property is now the only private property in the Hancock subdivision not zoned Single Family as shown on the City zoning map (Attachment 1).

The subject property has had five rental units since before 1980. The fact it was non-conforming because it had two more units than allowed by SF-3 zoning was never objected to by me, or to my knowledge by anyone else. The justification for the MF-1 zoning change was to make the existing structures conforming. However, everyone involved knew, or should have known, that MF-1 would allow only four units on a .33 acre lot. There was no need for MF-1 spot zoning to make the current structures conforming; the proper action by the City was a variance rather than a spot zoning change.

We now know making the existing structures conforming was not the owner's true intention. The owner has received a demolition permit for the rear 3-unit structure. This makes approving a change to MF-3 based on making the existing structures conforming moot or disingenuous.

MF-3 zoning with no overlay would let the owner overbuild the property up to 11 or 12 units with a height of 60 feet. The higher number of units would be inconsistent with the character of the surrounding properties and the zoning and character of the Hancock subdivision as a whole. Even the 6-unit conceptual plan would greatly increase the number of bedrooms on the property, with a corresponding increase in traffic and parking demand. Whether 6 or 12 units, the MF-3 development would change the character of the neighborhood for the worse.

There is no economic or public policy justification for the change to MF-3. The current zoning will let the owner develop a total of 4 units. It will let the owner replace the rear structure with 2 units of 3+ bedrooms if he chooses. This would increase the number of occupants the property can support if preservation of housing is an issue. At the rent of \$2,000 to \$3,000 per unit shown in the zoning application, there is no issue of affordable housing at either zoning level.

Please deny the request for rezoning to MF-3.

Sincerely,



Ron Luke, JD, PhD

cc: Cynthia Hadri



Re: I was shocked at the indifference shown to my neighborhood this evening by the Planning Commission

From Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Date Wed 9/24/2025 1:52 PM

To

Cc Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

Cynthia,
See Barbara's email below.
Maureen

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From: Barbara Epstein

Sent: Tuesday, September 23, 2025 10:29 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: I was shocked at the indifference shown to my neighborhood this evening by the Planning Commission

External Email - Exercise Caution

I'd like the Commissions to explain exactly what they *would* pay attention to from Hancock residents if they refused to even direct the owner of 3305 and 3307 Duval St. and 501 and 505 Harris Ave to meet with the neighborhood and commit in writing to what he plans to build. Your message tonight was, Thrower has influence---concerned Hancock residents have none.

I've been involved in neighborhood issues for 40 years, it used to be that associations could negotiate mutually satisfactory compromises; all we experience today are developers looking for a quick profit, the neighborhood be damned. It is now abundantly clear that residents have no voice in the zoning process, and you have eliminated the democratic process when you give residents two minutes to speak, but nothing they say ever changes the outcome.

As we face another abnormally hot night---at 9:15 pm, it's still 89 degrees outside, we have the Planning Commission in part to thank for that. As you promote exponential growth, you will be contributing to not only an increasing climate crisis but also Austin running out of water, probably sooner than you think, even as the city berates residents to limit their energy and water use.

a very unhappy constituent----

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Re: one more message for the Commission

From Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Date Wed 9/24/2025 1:53 PM
To
Cc Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

Cynthia,
FYI.
Maureen

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From: Barbara Epstein
Sent: Wednesday, September 24, 2025 11:11 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: one more message for the Commission

External Email - Exercise Caution

I want the Commission to know that what I've consistently asked developers to agree to over the past few years was simply to agree in writing that new construction would be architecturally compatible with our historic neighborhood. They always refused.

It is hard to understand why the Planning Commission ignored serious safety issues concerns that were raised yesterday evening about 3303, 3305 Duval St. and 501, 505 Harris Ave., or the need for architectural integrity.

I want the Planning Commission to know what they already recently unleashed. Our neighborhood association didn't get an opportunity to weigh in on the zoning case for 501 Texas Ave. after the initial hearing before the Landmark Commission, (we were told we weren't entitled to any notices after that—I don't know what notice adjacent neighbors received---they didn't bring any request to the association), But the initial application was to simply remodel the interior of the existing house and add a garage apartment. That's not at all what happened. At least the front view isn't as stark and overwhelming as the view from Duval St.; when seen from Duval St., the buildings appear to take up nearly an entire block and look like an apartment complex. You have to wonder how impervious cover limits were met. And it's difficult to understand how it's being rented out now, as one rental with sublets, or some other leasing arrangement.

before

https://www.google.com/maps/@30.2977354,-97.7302589,3a,75y,199.06h,90t/data=!3m7!1e1!3m5!1sm-mcomqnv1H9OjKFBjcl7Q!2e0!6shhttps:%2F%2Fstreetviewpixels-pa.googleapis.com%2Fv1%2Fthumbnail%3Fcb_client%3Dmaps_sv.tactile%26w%3D900%26h%3D600%26pitch%3D0%26panoid%3Dm-mcomqnv1H9OjKFBjcl7Q%26yaw%3D199.06!7i16384!8i8192?entry=ttu&g_ep=EgoyMDI1MDkyMS4wLkxMDS0ASAFAQAw%3D%3D

now

https://www.zillow.com/homedetails/501-Texas-Ave-Austin-TX-78705/29398302_zpid/

Again, I'd like to know what would it take now for the Planning Commissions to side with a neighborhood over a developer? Or is your message to the people who live here now, "don't bother to protest"????

Barbara Epstein

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For any additional questions or concerns, contact CSIRT at "cybersecurity@austintexas.gov".



Helen Gaebler <hagaebler@gmail.com>

Fwd: FW: Attached Image

Helen Gaebler

Tue, Sep 23, 2025 at 5:57 PM

To: Helen Gaebler

Bcc: alice.woods@austintexas.gov, danielle.skidmore@austintexas.gov, jessica.cohen@austintexas.gov, ann.lan@austintexas.gov, casey.haney@austin.texas.gov, felicity.maxwell@austintexas.gov, patrick.howard@austintexas.gov, nadia.ramirez@austintexas.gov, peter.breton@austintexas.gov, imad.ahmed@austintexas.gov, josh.hiller@austintexas.gov, adam.powell@austintexas.gov, candace.hunter@austintexas.gov, Ron Luke <

Dear Planning Commission Members:

Attached is a series of exhibits that I will be referencing when I speak at tonight's planning commission meeting in opposition to the request to upzone 3305 Duval from MF-1 to MF-3. I will speak in more detail this evening, but I wanted to send the following summary of my objections before the meeting. Please note that I concur in all the grounds outlined in my neighbors' letters of opposition to this application (Exhibit 1) as well as in my neighbors' letters of opposition to the previous rezoning that was approved last year for the property to go from SF-3 to MF-1 (Exhibit 2).

In addition, I would like to highlight the following bases for my opposition:

1) The current application is not consistent with what the applicant indicated his primary goals to be when he requested the MF-1 rezoning just one year ago. In his letter at that time, he indicated the desire to "maintain the housing density this lot and this neighborhood has enjoyed for close to 30 years." (Exhibit 7) And yet, just one year later, Mr. McGuire is proposing an increase from 7 bedrooms (and approximately 8-9 parking spaces) to at least 16 bedrooms (and only 6 parking spaces). (Exhibit 7)

As noted by my neighbors, this is a significant increase in density and will have a direct negative impact on the neighborhood.

2) This increased density is inconsistent with the city's current UNO overlay proposal, which recognizes the areas of west campus and north to 29th street as those neighborhoods most appropriate for this kind of development. (Exhibit 4) And while it is true that there is multifamily zoning to the west of 3305, there is none located within the quadrant that contains Lee Elementary and in which 3305 Duval is located.

3) The new housing being proposed will do nothing to positively impact the city's need for increased affordable housing. These new units are designed for maximum income potential and will be more expensive than what is currently being developed by the University or that is already available in the Hancock neighborhood. The design of all en suite bedrooms is specific for students who are willing to pay the highest rents, not for families with small children or families in need of affordable housing. In fact, when asked by the former HNA president about affordability, Mr. McGuire indicated that was not a concern of his.

4) The need for new housing in the university area is being actively addressed by the university itself. There are more than 3500 new beds already completed or in the works, all of which are located in east or west campus (or immediately across from the law school on Dean Keeton Street). The added density at this particular location is unnecessary and inconsistent with Mr. McGuire's previous rezoning request and with the historic nature of the neighborhood.

5) The location of this particular property makes this proposed density extremely dangerous given that it is down the street from an elementary school. The middle and high school buses drop / pick up students immediately across from the

property and parents need space to wait to pick up their kids. None of this will be possible once that first block of Harris Avenue is full of tenants' cars (which all of them will have). In addition, the hill from Duval down to Harris Avenue means that cars are turning too quickly at that corner. Children are encouraged to bicycle to school, but there is no bike lane on Harris Avenue. Moreover, Harris Avenue has two Living Streets connecting to it also to encourage greater pedestrian and cycling traffic in the neighborhood. There is no school crossing guard at that corner and cars will have to come in/out of the 3305 Duval property via the Harris Avenue driveway.

Finally, I want to note Mr. McGuire's outright unwillingness to engage with the HNA neighborhood at any point in this process. He attended one HNA meeting but did not speak and did not even provide his name until the end of the meeting. When invited to meet with the association, he declined. Likewise, he has been unwilling to meet with individual neighbors who have attempted to schedule a meeting with Thrower design. As I think the neighbors indicate, there is a willingness to compromise to allow Mr. McGuire to do what he originally proposed. But a MF-3 zoning is too much for this property in this location and, frankly, it is inconsistent with what Mr. McGuire himself presented to the city as his primary goal just one year ago.

I ask that the planning commission reject this MF-3 application or, in the alternative, agree with the planning commission staff's recommended limitation.

Thank you,

Helen Gaebler
504 Harris Avenue

 0284_001.pdf
2921K

EXHIBIT 1

Letters in Opposition to MF-3 Rezoning Application (2025) C14-2025-0053 Duval Harris Residential

----- Forwarded message -----

From: Charles d'Harcourt <charles.hna@icloud.com>

Date: Wed, Sep 10, 2025 at 9:00 AM

Subject: C14-2025-0053

To: Cynthia Hadri <cynthia.hadri@austintexas.gov>

Dear Ms. Hadri,

I'm writing to inform you that the Hancock Neighborhood Association membership voted at our July 9th meeting to oppose the rezoning of 3305, 3303 Duval Street and 501, 505 Harris Avenue from MF-1 to MF-3.

Thanks for putting this on the record, and for your work on city planning.

Please feel free to contact me if you have any questions about this.

Best regards,

- Charles



Research and Planning Consultants, LP

September 22, 2025

Planning Commission
City of Austin
301 West 2nd Street
Austin, Texas

RE: C14-2025-0053 - Duval Harris Residential; District 9 Location: 3305, 3303 Duval Street and 501, 505 Harris Avenue, Waller Creek Watershed; Central Austin Combined (Hancock) Neighborhood Planning Area

Request: Deny MF-3 Zoning Request

Reasons:

- MF-1 allows reasonable development with 4 units and 10 bedrooms
- MF-3 is “blank check”: zoning that would allow 11 or 12 units, 36 bedrooms and 60 foot height
- Out of character for neighborhood – currently no MF-3 zoning in Hancock Subdivision
- Hancock Neighborhood Association opposition to MF-3 after supporting MF-1

Dear Commissioners:

My wife and I write to oppose the proposed zoning change on this property from MF-1-NP to MF-3-NP. We are joined in this opposition by our neighbors and the Hancock Neighborhood Association.

I have owned and lived in the house at 500 Harris Avenue since 1980. During those 45 years I have maintained and improved the property consistently with its SF-3 zoning. My wife and I plan to continue to occupy the property as my principal residence for the foreseeable future. I note the house was built in 1924 and is one of several 100+ year old homes adjacent to the subject property.

Neighborhood Association Meeting and Vote to Oppose

The owner and his planner are aware of my concerns and those of the Hancock Neighborhood Association (HNA). I and others requested this increased density request be a formal HNA

Physical Address: 6300 La Calma Drive, Suite 170 • Austin, Texas 78752

Mailing Address: P.O. Box 14464 • Austin, Texas 78761

Phone: 512-371-8000 • Fax: 512-371-8001

www.rpcconsulting.com

The subject property has had five rental units since before 1980. The fact it was non-conforming because it had two more units than allowed by SF-3 zoning was never objected to by me, or to my knowledge by anyone else. The justification for the MF-1 zoning change was to make the existing structures conforming. However, everyone involved knew, or should have known, that MF-1 would allow only four units on a .33 acre lot. There was no need for MF-1 spot zoning to make the current structures conforming; the proper action by the City was a variance rather than a spot zoning change.

We now know making the existing structures conforming was not the owner's true intention. The owner has received a demolition permit for the rear 3-unit structure. This makes approving a change to MF-3 based on making the existing structures conforming moot or disingenuous.

MF-3 zoning with no overlay would let the owner overbuild the property up to 11 or 12 units with a height of 60 feet. The higher number of units would be inconsistent with the character of the surrounding properties and the zoning and character of the Hancock subdivision as a whole. Even the 6-unit conceptual plan would greatly increase the number of bedrooms on the property, with a corresponding increase in traffic and parking demand. Whether 6 or 12 units, the MF-3 development would change the character of the neighborhood for the worse.

There is no economic or public policy justification for the change to MF-3. The current zoning will let the owner develop a total of 4 units. It will let the owner replace the rear structure with 2 units of 3+ bedrooms if he chooses. This would increase the number of occupants the property can support if preservation of housing is an issue. At the rent of \$2,000 to \$3,000 per unit shown in the zoning application, there is no issue of affordable housing at either zoning level.

Please deny the request for rezoning to MF-3.

Sincerely,



Ron Luke, JD, PhD

cc: Cynthia Hadri

Dear Members of the Planning Commission:

I am writing to express my opposition to the rezoning of 3305 Duval from MF1 to MF3 (which, because this property was recently rezoned from SF3 to MF1, is essentially SF3 to MF3). My home is close to the property in question, but my concerns are broader than my own interests. I was in support of the original SF3 to MF1 upzoning because it was presented as a means of retaining the current non-conforming units, which could not otherwise undergo necessary renovations. Those units provided relatively affordable housing for at least one family as well as several students and other community members. The rezoning to MF3 is not only a substantial step up for a residential neighborhood, but it has been requested to accommodate a quite different project, one that removes relatively affordable housing without addressing Austin's housing needs.

There is a need for more affordable single-family-like housing for families in central city neighborhoods. With the elementary school down the street, that site would be ideal for that type of housing. In fact, a family with young children had been living in one of the units there, until the redevelopment was initiated. However, with bathrooms for every bedroom, it is clear that these units are targeted to students, not families.

Although there is a need for student housing in the area, the need is for student housing that is affordable. These units most definitely will not be affordable. The bathrooms for every bedroom also suggest that they will be rented by the room, which is designed to maximize the expense to student residents and essentially excludes families. Furthermore, the design we have seen is only a conceptual design. Once MF3 is attained, there is nothing to stop the property owner from producing a development that is even less consistent with neighborhood and community needs. The property owner has already switched their story once.

Please reject the upzoning of 3305 Duval to MF3 and encourage the property owner to devise a project that aligns better with the housing needs of our neighborhood and community, and that does not require a very substantial upzoning.

Thank you,
Catharine Echols
508 Harris Ave

Outlook

Case Number: C14-2025-0053 for public hearing on 7/22/2025

From Karen Piper

Date Sun 7/20/2025 2:17 PM

To Hadri, Cynthia

Cc <Cynthia.Hadri@austintexas.gov> Ted Piper

External Email - Exercise Caution

Hello,

This letter is in reference to the public hearing for Case Number: C14-2025-0053 on July 22, 2025.

I am writing to express my concern and objection to the upzoning of property addresses: 3303/3305 Duval Street, and 501/505 Harris Avenue. This property occupies the southeast corner of Harris Ave and Duval. The current zoning of MF-1NP was most recently upzoned and is already considered by myself, family, and neighbors to be too dense (17 units per acre) and uncharacteristic of our neighborhood. This type of zoning would be much more appropriate *south* of 32nd Street where two brand new properties similar in nature to the proposed development have been built within the last year or so.

We understand this property, with the proposed rezoning and per the communication mailed to our address, that 36 units per acre is possible. This density would severely *negatively* impact this area which is frequented by young children and teens who walk/bike to Lee Elementary as well as utilize the AISD bus stops for middle and high school at Duval and Harris. We have been home owners and residents on Harris Avenue since 2013. We are already seeing increased traffic along Harris Ave, including vehicles travelling well past speed limits as there are no speed bumps, etc. Parking on our street has also increased, and we understand there is inadequate parking allocation/requirements for the proposed density for the development which is an additional concern.

We appreciate you for taking our concerns into consideration.

Karen Piper
600 Harris Ave
Austin, TX 78705

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "cybersecurity@austintexas.gov".

----- Forwarded message -----

From: **ted piper**
Date: Sun, Jul 20, 2025 at 11:50 PM
Subject: Case Number: C14-2025-0053 for public hearing on 7/22/2025
To: <cynthia.hadri@austintexas.gov>
Cc: Karen E. Piper

Hello,

This letter is in reference to the public hearing for Case Number: C14-2025-0053 on July 22, 2025.

I am writing to express my concern and **objection** to the upzoning of property addresses: 3303/3305 Duval Street, and 501/505 Harris Avenue. This property occupies the southeast corner of Harris Ave and Duval. The current zoning of MF-1NP was most recently upzoned and is already considered by myself, family, and neighbors to be too dense (17 units per acre) and uncharacteristic of our neighbor street.

We understand this property, with the most recently proposed rezoning and per the communication mailed to our address, that 36 units per acre is possible. This density is too much and would *even more severely negatively* impact this area which is frequented by young children and teens who walk/bike to Lee Elementary as well as utilize the AISD bus stops for middle and high school at Duval and Harris. We have been home owners and residents on Harris Avenue since 2013. We are already seeing increased traffic along Harris Ave, including vehicles traveling well past speed limits as there are no speed bumps, etc. Parked cars on our street has also increased, and we understand there is inadequate parking allocation/requirements for the proposed density for the development which is an additional concern. Our house was recently flooded over memorial week...we don't live in a flood plan, but the increased density, more concrete and reduced green spaces and no updates to drainage has already been detrimental to this neighborhood...this up zoning needs to be voted down.

We appreciate you for taking our concerns into consideration.

Ted Piper
600 Harris Ave
Austin, TX 78705

My name is Barbara Epstein. As a concerned nearby neighbor, I oppose the re-zoning of 3303, 3305 Duval St. and 501 and 505 Harris Ave. for the following reasons:

1. Re-zoning to MF-3 presents significant threats to pedestrian safety, especially for anyone getting off at the corner bus stop at Duval St. and Harris Ave., walking past the current driveway; this is like developers asking for flood plain exemptions since impatient drivers already sharply turn off Duval Street and speed down Harris Ave. MF-3 zoning would dramatically increase congestion in a small space, inviting a tragedy at the driveway entrance.
2. Public transit in Hancock hasn't solved neighborhood traffic at all, bus routes run empty because they are so poorly planned, not targeting essential destinations with one route so it is always faster to drive or even to walk a mile to the grocery store or doctor's office than to take at least two routes.
3. We need to preserve as much greenspace and tree canopy in central Austin to limit flooding and increasing heat—Austin is second only to Las Vegas for abnormally hot nights, which have increased 137% over the past three decades due to a 170% increase in population, resulting in increased impervious cover and more vehicles.
4. This location is a gateway to the neighborhood so compatible architecture is needed to preserve the character of what is now the diverse element in our city—this historic spot is also the site of the farm of Susannah Dickinson, a survivor of the Alamo---we should have architectural reminders of that history.
5. Lastly, the owner of this property has not been willing to sit down with neighbors and work out a mutually satisfying solution in writing. Instead, rather than legalize problems on his SF-3 zoned site through the Architecture Review Board, instead, he chose to first get a demolition permit for the entire site, then asked for MF-1 zoning, and now MF-3 zoning. All we can expect now are increased rents due to the cost of land, construction and increased property taxes, less greenspace, less mature tree canopy, an unknown amount of ultimate height and square footage, and more impatient car drivers looking for a parking space.

EXHIBIT 2

Letters in Opposition to MF-1 Rezoning Application (2024)
3305 Duval – Neighborhood Plan Amendment – NPA-2023-0019.01
C14-2024-0035 (Duval Street Residences)

CANPAC

Central Austin Neighborhood Planning Advisory Committee

April 29, 2024

To: Members of the Austin Planning Commission

From: CANPAC – Central Austin Neighborhoods Planning Advisory Committee

Re: 3305 Duval- Neighborhood Plan Amendment- NPA-2023-0019.01

CANPAC, the Neighborhood Plan Contact Team, has voted to oppose the Neighborhood Plan Amendment to revise the Future Land Use Map for the property with the following addresses: 3305, 3303 Duval, and 501, 505 Harris Ave.

The applicant is requesting the following:

1. Zoning change from SF3-CO-NP to MF1-CO-NP
2. Revise the FLUM from Single Family to Multifamily.

The project has the following problems

1. The problematic situation of 5 existing units, not permitted, and built on a single family zoned lot is not a condition that the neighborhood should be burdened to fix through a spot zoning.
2. The zoning change and FLUM change is for a single lot with no adjacent multifamily zoning. This would be a spot zoning, which is not best practice in planning, and is illegal in some situations.
3. The current owner has other recourse, such as seeking a variance through the Board of Adjustment, or subdividing the lot. A FLUM change is not necessary.
4. The applicant states MF-1 offers more restrictions on density than SF-3, due to being able to add density to SF-3 with Affordability Unlocked, Though the applicant fails to acknowledge the fact that MF-1 density may be expanded with Affordability Unlocked.

We request you oppose the applicant's request.

Sincerely,

CANPAC / Central Austin Combined Neighborhood Plan Team

Bart Whatley, Co-Chair (bart.whatley@gmail.com - 512-470-4318)

Adam Stephens, Co-Chair (adam.stephens@capstarlending.com - 512-459-2407)

CANPAC MEMBERS

Hancock/Eastwoods Neighborhood Association, Heritage Neighborhood Association, North University Neighborhood Association, Shoal Crest Neighborhood Association, Original West University Neighborhood Association, and University Area Partners

NPA-2023-0019.01 and C14-2024-0035 (Duval Street Residences)

Betsy Greenberg

Tue 5/7/2024 12:07 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Cc: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>; CANPAC <canpacaustin@googlegroups.com>

External Email - Exercise Caution

This property is surrounded by single family properties and should not be spot zoned to multifamily. Similarly, the plan amendment changing the use to multifamily should not be approved.

Rationale:

- 1) This property is 13576.04 sq ft which is more than large enough to subdivide into two properties that each could accommodate 3 units while retaining the current zoning classification. MF-1 is not required to retain the existing units.
- 2) The conversions of the garage and shed into living units were done illegally. This behavior should not be used to justify a zoning change and plan amendment.

Thank you,
Betsy Greenberg

On Thu, Apr 25, 2024 at 5:29 PM Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

Dear Central Austin Combined NPCT:

Cases **NPA-2023-00019.01 and C14-2024-0035 Duval Street Residences** will be on the **May 14, 2024 Planning Commission hearing date**. If you would like your team's letter of recommendation included in the staff case reports, please email it to me and Cynthia Hadri, the zoning case manager, **no later than Wednesday, May 8th by 5:00 pm** which is when our staff reports are due. If we get it after this date and time, we will submit it as late back-up to the Planning Commissioners. You can watch the recorded community meeting here: <https://publicinput.com/10711>.

Thanks.

Maureen

Maureen Meredith (she/her)

Senior Planner – Inclusive Planning Division

City of Austin Planning Department

6310 Wilhelmina Delco Dr. Austin, Texas 78752 (4th Floor)

P: (512) 974-2695

E: Maureen.Meredith@austintexas.gov

If you use this form to comment, it may be submitted to:

Maureen Meredith
City of Austin-PDC
Planning Department
P. O. Box 1088
Austin, TX 78767-8810

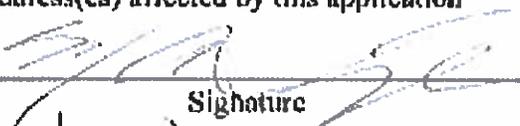
If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2023-0019.01
Contact: Maureen Meredith, 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearing: May 14, 2024 - Planning Commission

I am in favor
 I object

Mary Tuite
Your Name (please print)

3406 Duval ST
Your address(es) affected by this application


Signature

5/17/24
Date

Comments: 3305 Duval (SF3) is a clear case of "Buyer Beware." The current owner did not do due diligence before purchasing said property which has illegally built and violating units. Rewarding those who violate the law is wrong; reward the other law-abiding property owners on Duval with similar land mass and zoning, being penalized for adhering to our zoning entitlements and following the law? Rewarding those property owners who violate the law is wrong. 305 Duval has other avenues for remedies- the property owner first needs to sue the former owner; then, there is also the BOA for variances, applying for re-subdivision or tearing down the noncompliant units. Rezoning the property to MF1 is NOT the remedy. There are no other MF properties contiguous on Duval ST. By approving this rezoning to MF1, you will be rewarding bad and unlawful behavior. Deny this request since there are other remedies available to the current property owner.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2024-0035
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: May 14, 2024, Planning Commission

Stephen White

Your Name (please print)

I am in favor
 Object

3406 Duval St.

Your address(es) affected by this application (optional)

S White

Signature

5/6/24

Date

Daytime Telephone (Optional): _____

Comments: I see 2 major reasons to DENY this rezoning. One is retrospective - 3303/5 Duval already violates SF-3 duplex limits with multiple units (how many?!); Approval now would reward long-term cheating, which is fundamentally unfair to all others - The community - + encourages more law breaking. (Imagine schools rewarding cheaters: you are the school.) Two is prospective: no MF in this area now, but introducing ONE opens cases for MORE, + allows THIS (+ others) to scrape + build 17 units -> this is no "buffer zone"!

If you use this form to comment, it may be returned to:
City of Austin, Planning Department
Cynthia Hadri
P. O. Box 1088, Austin, TX 78767
Or email to:
cynthia.hadri@austintexas.gov

Case C14-2024-0035/NPA -2023-0019.01

Phoebe McCormick Lickwar

Sat 5/11/2024 10:08 AM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

[important](#)

External Email - Exercise Caution

Dear Maureen and Cynthia,

I am a home owner at 404 E 34th Street, submitting my comment for case C14-2024-0035/NPA -2023-0019.01, for the public hearing May 14, 2024 - Planning Commission. Maureen Meredith was listed as the contact person on the notice we received, but we lost the paper form so I am submitting via email instead.

We are strongly opposed to the rezoning 3305 Duval (SF3) to MF1. There are no other MF properties contiguous on Duval Street and by approving this up-zoning to MF1, you will be setting a precedent for rewarding illegally built and violating units. We believe there are other avenues for remedies and those should be pursued rather than upzoning and therefore facilitating unlawful building.

Sincerely,



Phoebe Lickwar
404 E 34th Street
Austin, TX 78705

--

Phoebe McCormick Lickwar PLA.ASLA

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PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

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Case Number: C14-2024-0035
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: May 14, 2024, Planning Commission

Tom Shuman
Your Name (please print)

3200 Duval

Your address(es) affected by this application (optional)

Tom Shuman 5/6/24
Signature Date

Daytime Telephone (Optional):

Comments: *Your neighborhood is way to busy.*

Too many cars, bikes, scooters - too many people

File ID: F14328

If you use this form to comment, it may be returned to:

City of Austin, Planning Department

Cynthia Hadri

P. O. Box 1088, Austin, TX 78767

Or email to:

cynthia.hadri@austintexas.gov

Susan J. Pryor

3300 Duval Street

Austin, TX 78705

Phone: 512 468-2536 Email: sjp@itinst.com

May 28, 2024

To: City of Austin

RE: Zoning Request for 3305 Duval Street

This is in regard to the above property requesting Multifamily Residential. I know that the Hancock Neighborhood Association has made multiple requests for what the plans are for this property.

An original request was to keep the existing 5 units which my family and the Hancock Neighborhood Association have all supported. However, the owner of this property does not seem willing to commit in writing to anything specific. Personally, it does seem to me that there exists sufficient area to have the 5 units without a zoning change.

If the City wants to make a zoning change, it should require specific plans on what is to be done with the property – otherwise, it is totally speculative zoning which has not been done in the past and dilutes the entire zoning concept.

I support a zoning change ONLY IF SPECIFIC PLANS ARE GIVEN so that we can evaluate what will happen with this property. Otherwise, I'm opposed.

This is a very critical property from a safety standpoint, it is the school crossing for Lee Elementary School with hundreds of children crossing at that corner. It is also the school bus stop for both Middle, High and Magnet schools. In addition, Capitol Metro has a stop directly in front of this property and one on the other side of the street. There are bicycle lanes on both sides of Duval as well.

Please consider the impact this may have on this corner from a safety perspective.

Thank you for your time and consideration in this matter.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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Case Number: C14-2024-0035

Contact: Cynthia Hadri, 512-974-7620

Public Hearing: May 14, 2024, Planning Commission

Your Name (please print)

JUAN TORO WILBY

I am in favor
 I object

Your address(es) affected by this application (optional)

3218 Hoppers Pond Trc - 78705

Signature

Juan Wilby

Date

5-8-24

Daytime Telephone (Optional):

Comments:

Lets keep our area nice - low ches

Let applicant go some where else - and bvt

his apartments - then sell it - run off - we

will left with owns - stealing etc just

So applicant own more & drive

If you use this form to comment, it may be returned to:

City of Austin, Planning Department

Cynthia Hadri

P. O. Box 1088, Austin, TX 78767

Or email to:

cynthia.hadri@austintexas.gov

EXHIBIT 3

Impacted Neighborhood Zoning Map C14-2025-0053 Duval Harris Residential



ZONING

ZONING CASE#: C14-2025-0053

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 400'
Exhibit A

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

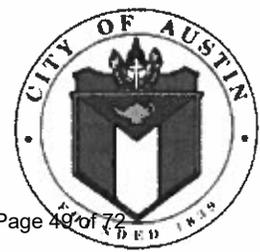


EXHIBIT 4

C20-2024-010 UNO Update Proposed Applicability and Subdistricts Maps



PLANNING
DEPARTMENT

C20-2024-010 UNO Update

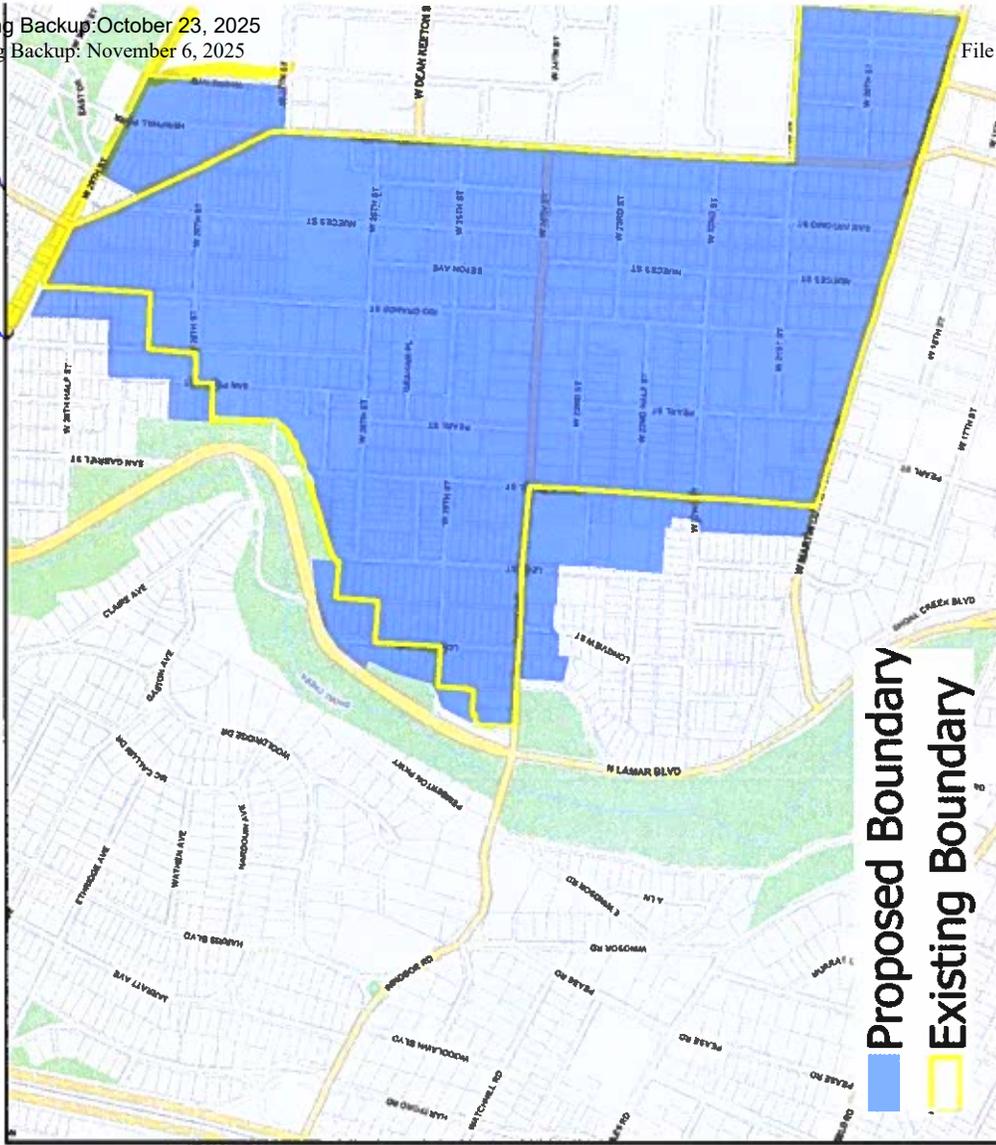
Proposal Public Review
Paul Books, Principal Planner



Proposed Applicability

- Expanded to include Commercial and Multifamily properties directly adjacent to the current boundaries
- UNO is a voluntary program
- Properties are mapped to a specific subdistrict

Granddaddy Streets 1965-2000





Proposed Subdistricts

Per Council's direction to increase height limits, height allowances will be based on an increase from the height allowed under the base zoning district of a property

- Maximum Height
 - 600ft (+540ft)
 - 420ft (+360ft)
 - 90ft (+30ft)

29th Street
Greenbelly

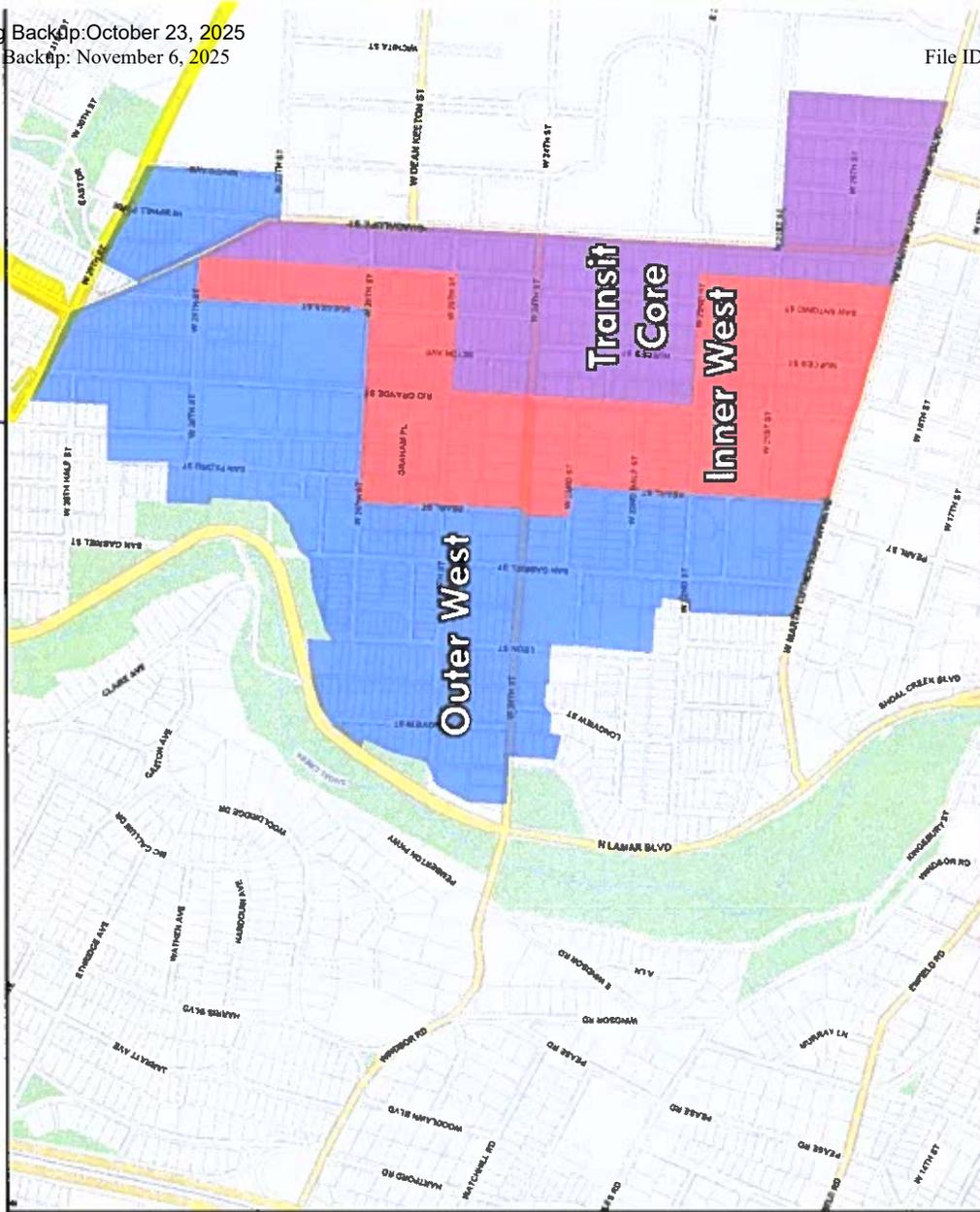


EXHIBIT 5

**Austin Statesman Articles re:
New Affordable Housing Developments
(Total of 3406 new beds in East/West Campus Areas)**



AUSTIN, Texas – A new affordable graduate student housing development is headed to East Campus after The University of Texas at Austin broke ground on the multistory building at 21st Street between Comal Street and Leona Street. The project will include 784 beds in studio, one-bedroom and two-bedroom units, and will feature public courtyards, an outdoor classroom and amphitheater, a fitness center, private and group study spaces, and a flexible multipurpose room available for graduate student and community events.

The project will offer graduate students a residential option adjacent to campus in the historical Blackland neighborhood in East Austin. The vision for graduate student housing in this area was established as part of the 2015 East Campus Master Plan, and the building is scheduled for completion for fall 2024.

“UT Austin is committed to attracting and developing talented, high-impact graduate students, and to do so, we are working to provide more affordable housing options that also promote a sense of community,” said President Jay Hartzell. “I am grateful for our ongoing conversations with the Blackland Neighborhood Association, and I am excited to collaborate as we go forward so our graduate students are both contributing to and benefiting from the vibrancy of the neighborhood. I also look forward to continuing our great work with the City of Austin as we explore and implement future affordable housing solutions together.”

→ + 1,700 beds @ Dobie Twenty 21 on Guadalupe & Comal Street graduate housing

ADVERTISEMENT

NEWS // EDUCATION

Exclusive: UT to establish housing endowment to fund more scholarships, projects

By **Lily Kepner**, *Austin American-Statesman*

Updated Dec 3, 2024 6:01 a.m.



→ +800_{new} beds in new Whittier St dorm (1000 beds total)

+ 370 new beds in UT Law School dorm on Drankerton St.

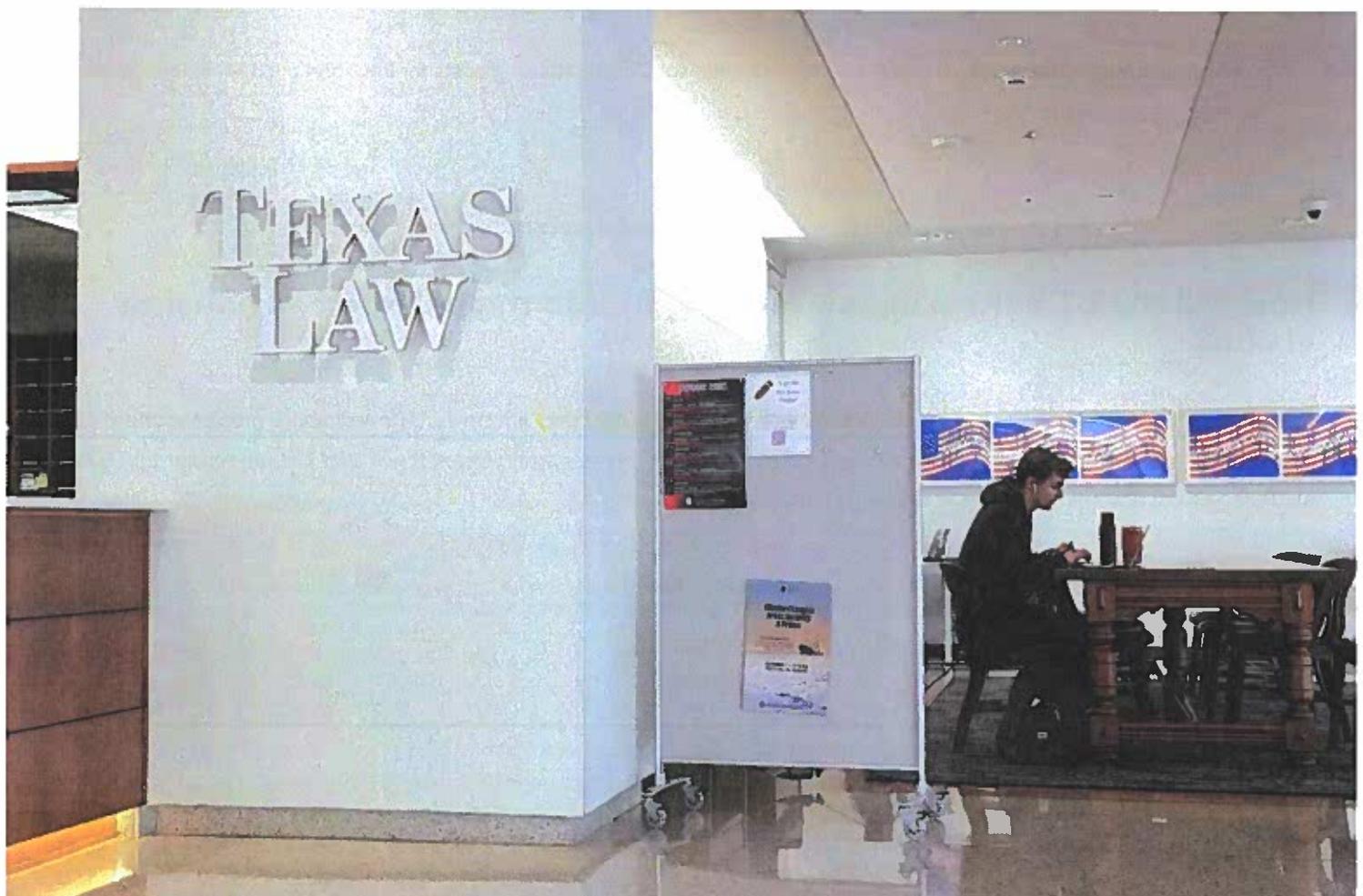
+ 576 new beds already opened ~~for~~ graduate housing development

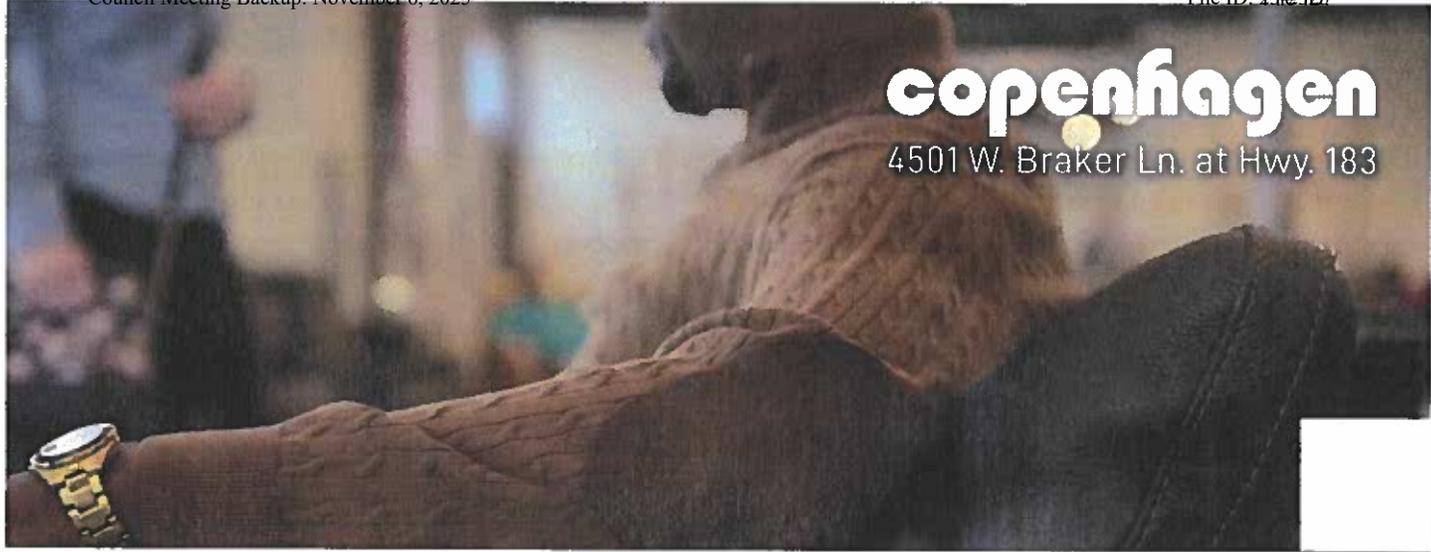
+ 1,746



"We think the ability of a student to not only get to UT and find it an affordable place to study, but also their ability to thrive once they're here, all depend on, essentially, access to housing," Hartzell said. "And so will we do our part along with the rest of the market to try to make solutions more available and really make housing not a barrier."

The new endowment will also invite a donor to name a new graduate housing complex for UT Law School students, which was announced and approved to proceed at a UT System Board of Regents meeting Nov. 21 after the UT Law School Foundation donated land.





The goal is for the to-be-named complex to open in spring 2028 and for residents to apply and move in for fall 2028.

Like the other graduate complexes, its building will be expedited by public-private partnerships that empower Hartzell and the dean of the Law School to approve design choices. The total cost is unknown but will be comparable to others, Davis said, and funded in the same ways, though it is hoped that philanthropic support will be part of that.

Davis called the plans for an endowment one of Hartzell's "real breakthrough goals," praising the vision.

"We haven't done that before at the university, where we sought to raise money to name a housing building before," Davis said. "We're exploring that opportunity here for the Law School and for our new undergraduate housing, which would be a huge benefit to our students in terms of affordability, the enduring nature of a scholarship, and then also making it more available for us to build."

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Though the housing market is decreasing, Hartzell said the university is "playing a very long game," striving to create affordable, plentiful housing options for all students in future years.

EXHIBIT 6

The University of Texas Residence Hall Rates (2025-26)

[Home](#) > [Housing](#) > [Residence Halls](#) > Residence Hall Rates

Residence Hall Rates



View the comprehensive rates, billing and payment information for our 15 on-campus residence halls, including Dobie Twenty21.

Current Rates

▼ Residence Hall Rates for 2025-26, Fall and Spring Terms

These rates are for both fall and spring terms (nine months). All rates include room, meal plan, internet service and laundry. The meal plan allows residents unlimited visits at our [dining halls](#) , \$300 Dine In Dollars per term that can be spent at the various on-campus restaurants, coffee shops and convenience stores we operate, and \$200 Beye Pay funds



See the [2025-26 Terms and Conditions](#)

Room Type	Rate per person
Shared space with community bath	\$14,044
Jester shared space with community bath	\$14,502
Shared space with connecting or private bath	\$14,961
Jester shared space with connecting or private bath	\$15,421
San Jacinto or Duren shared space with connecting or private bath	\$17,635
Dobie shared room with private bath	\$12,935
Dobie two bedroom shared room with private bath	\$13,705
Single with community bath*	\$16,123
Jester single with community bath*	\$16,560
Dobie single room with private bath	\$17,391
Dobie two bedroom single room with private bath	\$18,767
Premium single with community bath*	\$18,821
Jester premium single with community bath*	\$19,433
Premium single with connecting or private bath*	\$20,052
Duren single with private bath*	\$20,651

*Limited single spaces available

EXHIBIT 7

**Letter from Joshua McGuire to the Planning Department from his petition
for rezoning from SF-3 to MF-1 (March 24, 2024)**

And

**Concept Site Design for newly proposed configuration for the
Duval Harris Residential property (2025)**

3305 Duval St LLC
Joshua McGuire
1108 Lavaca St, Ste 110-335
Austin TX 78701

March 29, 2024

Planning Department
City of Austin
6310 Wilhelmina Delco Dr
Austin TX

As the Manager and representative for property ownership I am writing to express my intention of requesting a zoning change from SF-3-CO-NP to MF-1-NP for the property known as 3305 Duval St. The property has also been known as 3303 A & B Duval St, 501 & 505 Harris Ave.

The front structure was constructed in 1936 as a three-story duplex with enclosed parking on the first level and living areas on the second and third levels. The structure is maintained as a duplex.

The rear structure was constructed in 1947 as a one-car garage with attached storage area, with a dwelling on the second floor. Over the years this structure has been remodeled several times in order to convert the garage to a second dwelling, and later the storage area was converted to a studio apartment. The property has been maintained as a five dwelling unit property since the late 1980s or early 1990s according to addressing records reviewed in the Austin History Center.

When I purchased the property in January of 2022 the units were in need of repairs. We attempted to acquire building permits for the structural repairs and discovered changes to both structures had been completed without the proper permit reviews or inspections. The rear structure was also identified as illegal non-compliant as it encroaches into the side and rear yard setbacks. These setbacks were established after the structure was initially constructed, with permits, in 1947 but the illegal construction created hurdles for new permits to be issued to maintain the existing configuration of the structures.

The property's current zoning of SF-3 allows for three dwelling units, or if subdivided into two lots, which can be done due to the more than 13,000 square foot size of the property, six dwelling units. However, if subdivision is pursued the existing structures would need to be demolished as the new lot lines would bisect the existing front structure.

My goal for the property is to maintain the existing structures, remodel and or add on with the remaining allowable building coverage, which leads to the request for MF-1 zoning. MF-1 zoning will allow for a maximum of five units on the lot, fewer than a subdivision would allow, but would allow for the existing structures and housing density to be maintained. Demolition permits for the structures have been granted but we've not acted upon them pending the outcome of the rezoning request.

My hope is for the front unit to be maintained as a duplex with upgrades to the interior and exterior. There is no plan to drastically change the facade of the front duplex. The plan for the rear unit is to upgrade the interior and exterior and convert it to a single family or two-family unit while constructing one or two new units adjacent to it, in keeping with the scale and style of the existing structures on the lot.

My primary goal is to keep the existing structures, add one or two additional structures, and to maintain the housing density this lot and the surrounding neighborhood has enjoyed for close to 30 years. MF-1 zoning would not alter the character of the neighborhood but instead match the existing use of the property.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Josh McGuire", with a long horizontal flourish extending to the right.

Joshua Lake McGuire

EXHIBIT 8

Letter from Thrower Design to Ms. Lauren Middleton-Pratt

April 18, 2025

Re: Rezoning Application – 3305 Duval Street



April 18, 2025

Ms. Lauren Middleton-Pratt
Director, Planning Department
City of Austin
6310 Wilhelmina Delco Drive
Austin, TX 78752

Via Electronic Delivery

Re: Rezoning Application – 3305 Duval Street

Dear Ms. Middleton-Pratt:

On behalf of the Owners of the property referenced above, we respectfully submit the enclosed Rezoning application. The subject property consists of a single, legally platted lot and a portion of the adjacent lot, platted in 1929, totaling 0.38 acres per survey submitted herein. The land area is of Council District 9, represented by Council Member Zo Qadri and is within the Hancock Neighborhood Planning Area of the Central Austin Combined Neighborhood Planning Area, adopted in 2004.

The lot was recently rezoned to MF-1-NP per Ordinance No. 20240718-170 to maintain the 5 units that have existed of the property for 30+ years. However, the site area requirements of the MF-1 zoning district for 2+ bedroom units do not permit the existing density. Hence, this rezoning application is submitted, requesting MF-3 zoning, to accomplish the original task of maintaining the ability for 5 units plus adding opportunity for an additional unit, for a total of 6, equivalent to what would be allowed on any two, SF-3 zoned properties. Furthermore, the primary structure, a 1930's 3-story duplex, is proposed for preservation and restoration and its location on the property in addition to the trees necessitates a multi-family zoning district to accomplish the desired outcome.

The subject land area fronts Duval Street, where CapMetro Route 7 service is available with a bus stop at the corner of the property, at the intersection of Duval and Harris Avenue. The newly adopted ETOD boundary is just a block to the west; The property is situated well to allow for infill density in proximity to existing transit and proposed transit improvements anticipated soon.

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

P. O. BOX 41957, AUSTIN, TEXAS 78704
1507 INGLEWOOD ST., AUSTIN, TEXAS 78741

EXHIBIT 9

Photographs of Historic Homes Surrounding 3305 Duval





EXHIBIT 10

Photographs of 3305 Duval garbage cans lining Harris Avenue From Summer 2025

