

## **Perry Estate – Hancock Neighborhood Association – 5/19/2010**

LAST MOTION (full neighborhood meeting #1)

That the Hancock Neighborhood Association (HNA) commit the HNA Zoning Committee to meet with the developer to evaluate and explore zoning categories, development regulations and alternative options that would address concerns of the neighborhood association. Development regulation discussion is not to be binding and is not to indicate endorsement of the proposed development. The HNA Zoning Committee is to convene a general membership neighborhood meeting, to be held in approximately 1 month, to report progress, make more detailed recommendations, and seek resident input.

THIS MEETING'S AGENDA (full neighborhood meeting #2)

Presentations by developer, Clark Lyda, and the Hancock Zoning Committee.

Vote on approval to move forward on formal zoning negotiations for proposed preservation and development of the Commodore Perry Estate.

Motion Offered...

That the HNA gives approval to the HNA Zoning Committee to begin formal zoning negotiations for the preservation and development of the Commodore Perry Estate proposed by Clark Lyda, developer, and in doing so gives approval to the project contingent on satisfactory agreement and safeguards on land use based on concerns and requirements identified by HNA members. Final approval to be voted on by membership in a future meeting.

--

### PROCESS

1. Hear proposal (full neighborhood meeting #1)
2. Gather feedback, develop concerns (full neighborhood meeting #1)
3. Have proposer respond to concerns
4. Developer & zoning committee present responses to concerns and analysis and determine if basic principles of project have merit and if project is worth negotiations (don't negotiate in meeting but present analysis and gather more input) (full neighborhood meeting #2) (A decision has to be made on moving forward before the developer and the Zoning Committee devote the time and serious commitment to working through some complex safeguards.)
5. If project is deemed worthy of negotiations, move forward. Zoning Committee to negotiate with developer
6. Negotiation brought to membership for approval (full neighborhood meeting #3)
7. Approval needed from Central Austin Combined Neighborhood Plan Contact Team (CANPAC) to file out of cycle for a Future Land Use Map change from Civic to Commercial for the portion of the property used for hotel.
8. City of Austin public hearings.

### ZONING COMMITTEE ANALYSIS

Good input has been received from neighbors, and concerns have been compiled into a list. Concerns about noise and parking are very valid. More work is particularly needed in these areas.

The hotel idea offers a possible solution to a problematic situation. Our opinion is that business as usual for Sri Atmananda is not sustainable for mainly economic reasons. No doubt, the history of the property has a great community value.

The 10 acre property is zoned SF-3 and it could be legally subdivided into smaller lots without

needing a re-zoning. If one were to stay out of the flood plain and tear down the mansion, one could make around 40 homesites, each being large enough (7000sf) to allow a duplex use (80 total dwelling units). There may be potential for someone to preserve the mansion and develop the rest of the lot as single family or townhomes. It would still be a lot of new units and potentially duplex units. A developer could always ask for a rezoning to allow townhomes.

Considering this, the Zoning Committee feels that a limited boutique hotel preserving the mansion has some merit worth exploring.

Last meeting, the zoning committee compiled a list of neighborhood concerns and sought responses from the developer. We believe the developer is willing to continue to work to address those concerns. Some of the concerns, most particularly issues of noise, parking, and uses require more work and are not acceptable at this time. However, it is worth exploring further to see if we can make more progress with the developer.

More specific thoughts...

- If the Neighborhood Plan Future Land Use is Changed from Civic to Commercial, it should only be changed for the portion of the property housing the hotel and thus needing a Commercial land use designation. The school portion to the west should retain a Civic use.
- Proposed uses- We don't feel comfortable with Off-site Accessory Parking, Outdoor Entertainment (we believe outdoor weddings at a hotel could be an accessory use to the Hotel use and thus Outdoor Entertainment use is not necessary), Club or Lodge (we feel that if the hotel wants to sell club memberships to the hotel amenities that this can be an accessory use and a full Club/Lodge use that allows fraternity/sorority use is not necessary), Group Home uses...don't understand the need for these, though the flexibility to have a retirement home/assisted living facility may have merit and is likely covered with a Congregate Living use.
- The request for amplified music is limited to a tented structure on the southeast corner of the property, however we have concerns about how this could impact neighbors and we would want to hear what 70 decibels at the property line sounds like before drawing a conclusion. We recommend against allowing outdoor amplified music.
- An escrow account should be set up to fund neighborhood enforcement of any private restrictive covenants.
- If Hancock were to support the proposal, the Zoning Committee would recommend the developer commit to completing the following items in the first phase of construction: 1) wall, service drive, vegetative buffer; 2) water quality control measures; 3) historic zoning.

Potential tool to secure agreement

zoning conditional overlay  
 city code, restrictive covenant  
 zoning CO, city code, restrictive covenant  
 federal, state & local historic designations  
 zoning uses, city code, restrictive covenant  
 site plan note?, restrictive covenant  
 city code  
 restrictive covenant  
 restrictive covenant  
 restrictive covenant for roll-back zoning, zoning uses  
 city code, restrictive covenant  
 site plan notes?, zoning, conditional overlays  
 city code

Item to negotiate

quantity of rooms, scale of buildings  
 parking  
 noise  
 historic integrity  
 buffers (walls, vegetation), compatibility  
 service and trash  
 water quality & flood control  
 ensure a quality hotel  
 improvements to 41<sup>st</sup> or Red River  
 what if developer goes bankrupt  
 light pollution  
 assure that concept shown is built  
 construction noise & environmental impacts