

Rousselin, Jorge

From: Kay ofman [REDACTED]
Sent: Thursday, June 21, 2007 2:32 PM
To: Rousselin, Jorge
Subject: case # C814-06-0202

Mr. Jorge Rousselin:

We live on lake Austin across from Emma Long Park and we oppose the proposed development of the old Pier property. We are concerned that the proposed 180 boat dry dock marina will dramatically increase congestion on an already congested waterway. On weekends this area, which is less than 200 yards wide, is clogged with jet skiers, water skiers, boaters, and people pulling their children on tubes.

The proposed Pier project would bring noisy boatlifts, queues of idling boats waiting to dock, and greater gasoline pollution of the water. This narrow waterway, which is uncomfortably congested with three boats abreast, would easily become dangerously overcrowded at the end of the day by boats waiting to dock. All of this would unacceptably degrade the water for swimmers and the park for picnickers. The proposed public gasoline facility on the water would simply exacerbate these problems.

For these reasons we ask that PUD zoning be denied this project.

Jose and Kay Ofman
1111 N Weston LN 78733

Rousselin, Jorge

From: Lewis Talbert [REDACTED]
Sent: Wednesday, June 20, 2007 3:34 PM
To: Rousselin, Jorge
Subject: Case # C814-06-0202 Pier boat barn
Attachments: Lewis Talbert.vcf

Dear Jorge;

Please include this letter with the current case. I wanted to make sure my previous objection to the Pier redevelopment was not part of the old case file.

As many of the lake residents have stated, I am opposed to this boat barn development at the Pier.

All we ask is that the City and the ZAP allow development within the current guidelines of existing Zoning and Planning regulations. All of us made financial decisions when purchasing property near this development based on current law. To change that law drastically by allowing this flagrant deviation in the regulations devalues all our property, and degrades the quality of the lake for all.

I am specifically asking for an environmental impact study into what this development would do to the lake.

These regulations on zoning were put in place over the years to protect this lake and the surrounding properties. Throwing them out for some well connected developers who are only considering their own financial reward is not acceptable. This is not Houston.

I do not ask for any variances, or bending of the law. I ask that you use the existing laws and regulations to protect Lake Austin and this residential area from this unacceptable development. Building a boat barn in a Critical Water Quality Zone, and in the middle of Lake Austin Residential Zoning is unacceptable. Overcrowding this lake and polluting it with more boats and development is also unacceptable.

Lewis Talbert
2005 Riverhills
Austin, TX 78731
825-8246

7/12/2007

Jeffrey R. Horwitz, MD
Michael D. Josephs, MD
Tory A. Meyer, MD
Julie I. Sanchez, MD
Robert D. Schlechter, MD
Mark B. Smith, MD

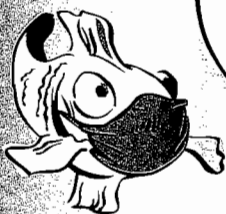
Austin Pediatric Surgery

Mr Rousselin -

This is a letter copy of an email
I sent regarding the Pier Restaurant site
(C814-06-0202). I was told that
emails don't go into the file, so this
is in letter format for this case file.

Thank you,

Tory Meyer



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Jeffrey R. Horwitz, MD
Michael D. Josephs, MD
Tory A. Meyer, MD
Julie I. Sanchez, MD
Robert D. Schlechter, MD
Mark B. Smith, MD

Austin Pediatric Surgery

June 15, 2007

Case # C814-06-0202

To Environmental and Zoning Board Members-

As an avid lover of Austin's outdoor resources including Lake Austin, I am writing with serious concern about the impact of the proposed project to redevelop the Pier Restaurant site. The new owners want to rebuild the restaurant (which is a great idea) but they also want to put a 200 boat dry stack marina and refueling station at the same location. They have applied for a number of variances in order to accomplish this, all of which threaten to endanger our water supply. As you know, intakes for two water districts flank each side of this property. It was a grandfathered crime that the old Pier Restaurant had a gas station there and fortunately this is no longer open. Imagine the impact of hundreds of boats going in and out of this location every day with their discharges so close to the water intakes and each of them spilling a little bit of gas while refueling. Imagine the increased runoff from their parking lot, their commercial forklift equipment, the chipping paint and oil from old boats all going into our water supply. As a doctor who takes care of children with birth defects, I have seen the awful repercussions of adverse exposures to developing babies. In a city as environmentally conscious as Austin, it is surprising that these kinds of variances could be waived. I am sure the media and public-at-large would look very unfavorably at a decision to grant variances which are at such odds with the public health. The fact that there has been gasoline exposure in the past is not a reasonable reason to prevent it in the future. This is an opportunity for the Environmental and Zoning Boards to do the right thing for Austin's water supply.

There are many other concerns with this project including the dangerous overcrowding effect of so many more boats on an already packed river and the accidents that may ensue, the noise nuisance of forklifts in an otherwise quiet neighborhood, the probably destruction of more than 500 year old trees that live on this property, and many others. But the most pressing of these concerns, and the one that should prohibit the boat barn marina portion of the project from going through, is the significant adverse effect on the water supply. You have the ability and the responsibility to protect our water supply. Please do so by not allowing the variances.

Sincerely,



Tory Meyer, MD
Subspecialty Chief, Pediatric Surgery
Children's Hospital of Austin
tmeyer3@mindspring.com, toryameyer@yahoo.com



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Rousselin, Jorge

From: PJGrimme [REDACTED]
Sent: Tuesday, June 19, 2007 7:53 PM
To: Rousselin, Jorge
Subject: The Pier Development - Case # C814-06-0202

Dear Mr. Rousselin,

I'd like to take a moment to register my concerns regarding the proposed Pier project.

Upfront, I want to explain that I recently purchased property in Rob Roy on the Lake, just south of the proposed Pier development on Lake Austin. That gives me a vested personal interest in the development plans of the Pier, given the proximity I would have to it. But as a newcomer to this area, it also gives me a perspective to several concerns that I believe should merit your consideration.

1). The Pier Development proposal will create a lake use situation that should require a thorough safety evaluation as to what hazards it poses. I have witnessed on weekends and holidays, the multiple uses of Lake Austin along Emma Long Park: boats parked along the shoreline by park users that are picknicking and camping, boats and personal watercraft in the main waterway of the lake, swimmers at the park and residential users across from the park. On weekends and holidays, the congestion from these multiple uses is apparent and takes up the available width of the lake today. The structures proposed by the Pier development, built well out into the lake, consume a large amount of the lake width and compress this high volume waterway into an even narrower area. This would seem to create safety concerns for those in the main part of the lake as well as the park and residential user of the shore areas. A thorough safety evaluation should occur to establish how high the likelihood of safety incidents would be given the impact to today's normal lake useage. As many park users combine boat use with park use, there is a concentration of boat and watercraft useage already in this area. Restricting the useable lake width and adding more watercraft from the Pier's boat storage facilities would appear to compound the problem. I would hate to see an accident created by this compounding of congestion that the Pier proposal would create in this area.

2). If the Pier Development was allowed, how many others will do this? The concept of using a small amount of waterfront to leverage a lot of additional water use via large numbers of watercraft stored inland means that the water traffic the Pier will create is a high multiple relative to it's shoreline. If a development like the Pier were allowed and if the boat storage capacity were approximately 200 boats, it could develop the same traffic as the owners of nearly 4 miles of newly developed Lake Austin shoreline (200 boats x 100 ft waterfront lots per boat / 5280 ft/mile = 3.8 miles)! This precedent also means that others along Lake Austin should have the same opportunity to do something similar. How will you draw a line when too much is too much?

3). Has an environmental impact study been commissioned given that two subdivision water intakes lie close to where this is proposed (one within 1000ft downstream on the same side of the lake) ? The combination of concentrated watercraft use, and gasoline to fuel them (on the water or off) within a safe distance does not appear to be environmentally prudent. Have the constituents in the subdivisions serviced by those water districts been informed of the potential hazards this could cause? Have you reviewed the impact of the liability and probability of scenarios where spills and simply normal use can put the environment and public at risk?

For these reasons, and others, I strongly implore that the Pier development request be sent back to the Parks department for a safety review, with public input, while a thorough environmental impact study be completed prior to any further action be taken on this request.

I thank you for your consideration in this matter.

Sincerely,
 Paul Grimme

7/12/2007

Rousselin, Jorge

From: Ann Kilby [REDACTED]
Sent: Saturday, June 16, 2007 5:10 PM
To: Rousselin, Jorge
Subject: Pier property redevelopment #C814-06-0202

Dear Mr. Rousselin,

I understand that there will be a hearing before the environmental board of the City of Austin this coming Tuesday. A group of very concerned neighbors met today, in order to discuss our best approach to the City. It appears to us that the developers have progressed a good way toward making their plans reality, without any chance for the neighborhood to have input.

It is true that the developers have attended neighborhood meetings, but they essentially were only prepared minimize our concerns, saying that the 200 capacity dry-dock facility would actually reduce road traffic since the dock would make it possible for boat-owners to leave their boats at the lake, rather than trailering them. This might be true if the boat owners only used Lake Austin as a boating spot (not very likely), and might be true if those same "only Lake Austin" boaters wanted to spend the money to house their boats there. Again, a small percentage, I would say.

My concerns are these:

- What processes are being followed to make sure that this development, and others to follow, are in conformance with the City of Austin's legal, environmental, and land-use regulations?
- Will the fact that Lake Austin has historically been a clean, safe lake for use by all the people of the area be ignored, just for the sake of hard-driving developers?
- If it is this easy to push through the rules and regulations that the City has set out, what is to keep everyone with ten feet of water frontage from creating a "keyhole" shaped lot, for whatever use they choose?

We all look forward to your response on this matter. Thank you for your consideration.

Ann Kilby, IIDA
Rockford Business Interiors
211 E. Riverside Drive
Austin, Texas 78704

512-416-4377 phone
512-442-7367 fax

7/12/2007

6/15/2007

Dear Mr. Jorge Rousselin:

I am writing to express my opposition to granting the owners of the Pier Property a zoning change (case # C814-06-0202) that would allow them to build a dry stack marina with associated maintenance facilities, restaurant, and sell fuel to the public. I have four main objections.

First, I am concerned about contamination of our potable water supply. The contamination would come from fuel spillage and the maintenance operations associated with a marina. My home is located in the Rob Roy on the Lake subdivision (served by WCID # 20). Our intake structure is less than 1000 feet from the Pier property. MUD # 20 is also opposed to the zoning change. Their intake structure is also closer than 1000 feet from the Pier property.

Second, I am concerned about the drastically increased boat traffic in a small area on Lake Austin. The Pier property is across the lake from City Park which is used by many of the residents of Austin. Visitors to the park are in the water from the boat launch area to the upper end. The shoreline of Lake Austin is being eroded by the wakeboard boats (those with ballast tanks which when filled with water provide large waves for the wakeboarder). The waves are strong enough to knock a standing adult in the water down. Children are also in the shallow water the full length of City Park. One can only imagine how many wakeboard boats will operate out of the dry stack marina. The large forklifts loading and unloading boats from the dry stack marina will be "beeping" from morning to night. One goes to City Park to enjoy the beauty of the park. Approval of the zoning change would have a detrimental effect on the enjoyment of City Park by the Austin residents. Few cities have a park as nice as City Park. Also, please note the comment about liquor under the fourth concern.

Third, I am concerned about the damage to the environment. I understand that the owners are requesting variances for numerous restrictions that were designed to protect the environment.

Fourth, I am concerned about the increased vehicular traffic on the roads leading to the Pier property. I don't know if liquor will be sold but the old Pier did and liquor is a big moneymaker for restaurants. Drinking liquor and operating a boat or a car is bad.

Thank you for considering my concerns.

Sincerely yours,

Nix O. Bodden

Rousselin, Jorge

From: [REDACTED]
Sent: Tuesday, June 12, 2007 12:32 PM
To: Rousselin, Jorge; dave.anderson.07@gmail.com; dave.anderson.07@gmail.com
Subject: Pier Development

Good Morning,

I am writing as a homeowner in Rob Roy On the Lake. I live on Weston Lane close to the old Pier location whereby the developers want to put gas tanks/marina close to our water supply. As a homeowner, I wanted to express my concern and rejection to this development. Anything that could possibly harm our water supply should not be permitted.

Beyond that, any effort to affect our gated community and open up Weston Lane to a free for all thoroughfare is strongly opposed as well. This is our neighborhood for our families, not an outlet for all those going to eat, boat and party at the corner of our street.

Thank you very much for your time and your consideration.

Best regards,

Loura Goldstick
100 S. Weston Lane

732-0333

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7/12/2007

Rousselin, Jorge

From: Tory and Karen Meyer [REDACTED]
Sent: Friday, May 25, 2007 10:44 AM
To: Rousselin, Jorge; john@bseacd.org; dave.anderson.07@gmail.com; moncadataz@sbcglobal.net; rodahart@yahoo.com; jbeall@tdiaustin.com; william.curra@sbcglobal.net; marygay@io.com; maryanneely@austin.rr.com; baker@austintexas.org; kbjackson@pbsj.com; chammond1@austin.rr.com; josephmartinez@yahoo.com; jay@jaygohilrealty.com; info@swhconsulting.com; Pinnelli@flash.net; trabago@austin.rr.com; shieh1@aol.com
Subject: Case C814-06-0202 Pier restaurant site

To Environmental and Zoning Board Members-

As an avid lover of Austin's outdoor resources including Lake Austin, I am writing with serious concern about the impact of the proposed project to redevelop the Pier Restuarant site. The new owners want to rebuild the restaurant (which is a great idea) but they also want to put a 200 boat dry stack marina and refueling station at the same location. They have applied for a number of variances in order to accomplish this, all of which threaten to endanger our water supply. As you know, intakes for two water districts flank each side of this property. It was a grandfathered crime that the old Pier Restaurant had a gas station there and fortunately this is no longer open. Imagine the impact of hundreds of boats going in and out of this location every day with their discharges so close to the water intakes and each of them spilling a little bit of gas while refueling. Imagine the increased runoff from their parking lot, their commel rcial forklift equipment, the chipping paint and oil from old boats all going into our water supply. As a doctor who takes care of children with birth defects, I have seen the awful repercussions of adverse exposures to developing babies. In a city as environmentally conscious as Austin, it is surprising that these kinds of variances could be waived. I am sure the media and public- at- large would look very unfavorably at a decision to grant variances which are at such odds with the public health. The fact that there has been gasoline exposure in the past is not a reasonable reason to prevent it in the future. This is an opportunity for the Environmental and Zoning Boards to do the right thing for Austin's water supply.

There are many other concerns with this project including the dangerous overcrowding effect of so many more boats on an already packed river and the accidents that may ensue, the noise nuisance of forklifts in an otherwise quiet neighborhood, the probably destruction of more than 500 year old trees that live on this property, and many others. But the most pressing of these concerns, and the one that should prohibit the boat barn marina portion of the project from going through, is the significant adverse effect on the water supply. You have the ability and the responsibility to protect our water supply. Please do so by not allowing the variances.

Sincerely,

Tory Meyer, MD
 Subspecialty Chief, Pediatric Surgery
 Children's Hospital of Austin
 [REDACTED]

7/12/2007

Rousselin, Jorge

From: [REDACTED]
Sent: Thursday, May 24, 2007 10:21 AM
To: Rousselin, Jorge; dave.anderson.07@gmail.com; moncadataz@sbcglobal.net; rodahart@yahoo.com; jbeall@tdiaustin.com; william.curra@sbcglobal.net; john@bseacd.org; marygay@io.com; maryanneely@ausitn.rr.com; baker@austintexas.org; kbjackson@pbsj.com; chammond@austin.rr.com; josephmartinez@yahoo.com; jay@jaygohilrealty.com; info@swhconsulting.com; Pinnelli@flash.net; trabago@austin.rr.com; Shieh1@aol.com
Subject: Peir Development Concerns

May 23, 2007

Austin City Council
Zoning and Platting Commission
c/o Jorge Rousselin, Case Manager, ZAP
P. O. Box 1088
Austin, Texas 78767

RE: C814-06-0202

Dear Honorable members of the Austin City Council and Zoning and Platting Commission:

I am writing to express my concerns about the Pier Partners Project proposed for River Hills Road in western Travis County, reference C814-06-0202.

My family has lived on Calle Caliche since 1981. We have watched this area change over the years, especially development and traffic on Bee Caves Road. River Hills Road is a scenic rural road that has served our community for many, many years. While the old Pier Restaurant brought many folks down the road to enjoy live music and the bar/restaurant, it was mainly a weekend occurrence. The proposed plan to build two restaurants, 200 boat slips, and 51 new homes would dramatically alter our neighborhood and endanger the quality of life in this area.


My first concern is with traffic on River Hills. If you have been out to this area, you know that River Hills Road is barely able to serve as a two-lane road. When the Pier was open, we had countless experiences with drivers crossing the middle line as they drove up or down River Hills and attempted to make the curves at a high speed. We suspect that many of the drivers were drunk if the empty beer cans along the road are any indication. The developers now plan on two restaurants that serve liquor. What will that mean to the traffic and the drunk drivers who use the road, especially at night? Added to that scenario are the deer that are frequently observed on River Hills Road. This development will make an already dangerous situation increasingly hazardous by added hundreds more cars using River Hills Road to access new homes, two restaurants, and 200 boat slips. The developers have announced that they have no plans to improve River Hills Road.

My second concern is fire danger. The fire marshal spoke to our neighborhood association a couple of years ago. He informed us that we live in one of the most dangerous wild fire areas in the country. Two restaurants in the area will only add to the danger. Added to the inherent problems caused by the restaurants, the danger of wild fires from drivers throwing cigarettes out the car window is huge. We just went through a drought and it is only a matter of time until this area endures another one. We are surrounded by a cedar forest and any fire on the lake could involve the whole area. Those of us who live on River Hills and the adjoining roads depend on wells for water. We have no fire hydrants and the fire department must travel many miles to reach us. Any new proposal for building must address this concern.

I urge you to visit our area and see first-hand what this proposal would mean to our quality of life. Thank you for your consideration.

Sincerely,
Sharon Cole

7/12/2007

2009 Calle Caliche
Austin, Texas 78733


See what's free at <http://www.aol.com>.

7/12/2007

Rousselin, Jorge

From: Sandy Blevins [REDACTED]
Sent: Wednesday, May 23, 2007 2:29 PM
To: Rousselin, Jorge
Subject: Proposed PUD on Pier property Case #C814-06-0202

Dear Mr. Rousselin,

My husband and I are homeowners on Lake Austin. We reside five houses from The Pier property. We have lived here over 19 years and have watched the ever-growing number of people and their boats enjoy this Austin treasure. The proposed "Boat Barn" requested in the PUD application referenced above has many negative implications. My main concerns involve the affects this 'dry-stack' marina will have on the overall preservation of Lake Austin.

This waterway is overcrowded today. Approving a dry-stack marina at this location will not only add traffic and pollution to this small river, but also set a precedent for additional dry-stack marinas at any number of locations along this narrow river. There are many safety issues too many to list. But a visit to City Park on any weekend would exemplify these safety concerns.

The City of Austin has shown great strength and desire over the years to provide the necessary provisions to maintain the quality of our water, parks, and wildlife. **We are asking you to oppose the proposed dry-stack marina requested by The Pier developers.**

Please help protect one of our "best city treasures" known as Lake Austin.

Respectfully,

Sandy Blevins
Bob Blevins
1309 N Weston Lane
Austin, TX 78733
512-328-2864
[REDACTED]
[REDACTED]

Sandy Blevins
[REDACTED]
1309 N Weston Lane
Austin, TX 78733
tel: 512-328-2864 [REDACTED]
fax: 512-328-1482
mobile: 512-626-2838 [REDACTED]

Always have my latest info.
Want a signature like this?

7/12/2007

Rousselin, Jorge

From: David Wevill [REDACTED]
Sent: Wednesday, May 23, 2007 10:31 AM
To: Rousselin, Jorge
Subject: Development plans

Dear Mr. Rousselin, I'm writing as a resident of River Hills (36 years here), to express my dismay over the plans for a major development (homes plus marina/restaurant) that is coming up for discussion and approval soon. I know there are many of us, along the lake, in River Hills and on Weston Lane, who oppose these plans, at least in the form and extent that they now exist. It seems to me these plans threaten the environment, both land and water, and habitat, both human and animal, in an area that still provides natural advantages of the kind that are rapidly disappearing from the west-of-Austin landscape. Land appropriation, deforestation, water pollution and fire danger are among the threats we face. Plus the paucity of access (only one narrow, winding road in and out, and the threat of attaching Weston Lane,) makes access dangerous. The plan would near double the population of the neighborhood, human, automobile, and would add a large number of powerboats to an already boat-filled part of the river. The scale of the developer's plan is quite out of proportion to the landscape and water frontage available. I've driven River Hills Road for 36 years -- it's always been tricky, but even now, with additional traffic that's grown over the years, it's become more dangerous. I hope the developers' plan will be given full critical consideration, before anything is set in motion. Thanks for your attention, Best wishes, David Wevill.

SKELTON & WOODY
ATTORNEYS AT LAW

J. HAMPTON SKELTON
EVA C. RAMOS*
ALYSIA G. WIGHTMAN*
EDWARD F. KAYE

*OF COUNSEL

P.O. BOX 1609
AUSTIN, TX 78767-1609
TELEPHONE: (512) 651-7000
FACSIMILE: (512) 651-7001

www.skeltonwoody.com

STEPHANIE H. CLARK
MEGAN M. NEAL
W. ANDREW NEAL

May 15, 2007

VIA EMAIL

Jorge E. Rousselin
Senior Planner
City of Austin
Neighborhood Planning & Zoning Department
jorge.rousselin@ci.austin.tx.us

Re: Case C814-06-0202 -- proposed PUD on Pier property

Dear Mr. Rousselin:

My wife and I own the property located at 1411 N. Weston Lane. This is the last lot on Weston Lane and is next door to the water district (WCID #20) property on one side and Terry Barnes' on the other. My lot is the closest lot to The Pier, and thus to the proposed "boat barn" that lies at the heart of the referenced PUD application.

We bought our lot with the full knowledge that The Pier was there, a seasonal restaurant and occasional music venue. That was fine with us. We knew that under the existing zoning and regulations, the Pier would either continue as a restaurant or someday become estate lots, or conceivably a community park and boat launch like the one at the end of Cuernavaca. We counted on the city to enforce its rules, particularly those that go to environmental and water quality issues. Accordingly, we never dreamed we would find a dry-stack boat storage marina a few feet away from our property. I have met with the developers and fully understand their plans. It is for a radical change in the neighborhood, and would require the city to grant a dizzying number of variances.

I would like to echo Terry Barnes' concerns and will not repeat them here. But I would like to emphasize my reasons for opposing the PUD. Public safety, water quality and noise are my main concerns.

I have 3 boys, ages 9, 11 and 12. We spend time on the lake and enjoy it 3 seasons a year, but tend to avoid the busy times on weekends because it is already unsafe. The lake is quite overcrowded, particularly in the area of the proposed PUD. Emma Long City Park is directly across the lake and attracts a large number of boaters and swimmers. We have seen the life-flight helicopter several times as tragic accidents have occurred in this over-crowded area. Adding a

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Page 2

marina directly across the lake would exacerbate what is already a problem, especially on weekends. I don't even want to think about Memorial Day, July 4 or Labor Day weekends.

Worse still, unlike the old Pier, where boats docked directly up against the shore, the PUD developers propose a jetty and break-water, extending 40 feet out into the lake. The lake is narrow and there are many times it is like driving on a highway -- except with many boats pulling skiers or tubers. More than once, I have almost had a careless boat driver run into my boat. Another navigation hazard, sticking out into the water across from the swim area at the park, would ensure more accidents. I didn't think Austin was the kind of community that would place developer profit over the safety of citizens, and hope that it is not.

I was disappointed to hear a Mr. Mac Pike on television last night (KEYE TV) announcing that the new marina would actually remove traffic from the roads as people who already have boats would not have to trailer them to a launch any longer. This argument presupposes that the marina will be largely filled with the boats of existing boat owners who use a Lake Austin boat ramp such as the one at Loop 360. Yet the marketing materials these same developers have created for their Embarcadero subdivision lists "Pier Access" on the first web page. It is apparent the lots or houses (called "condos" even though they are 4000 square foot free-standing homes) will offer purchasers the opportunity to have a boat at the nearby marina. Marinas are quite scarce on Lake Austin, so many Austin residents keep boats on Lake Travis or other area lakes where marinas are abundant. So in reality, the Embarcadero would attract buyers who wanted to buy a boat and have nearby access to Lake Austin via the new dry-stack marina. To me, that spells lots of new boats, and boats moving from other area lakes to already crowded Lake Austin. It's just a bad idea and the developers' spokesman's willingness to foster an erroneous impression tells me there may be other surprises in store if the developers are granted their PUD.

I am also concerned about water quality and support my water district's opposition to the plan. No matter how many safeguards the PUD developers promise, adding another 180 or so boats, even on land, will create spillage into the ground that slopes down to the lake. My water district's intake is just a few hundred yards downstream. Again, I hope the developers' profits do not trump water quality concerns at the city.

Last, the business of a dry-stack marina is a loud one. Forklifts are used to remove boats from the racks, place them in the water then pick them back up and put them back in the racks. Even a "quiet" forklift still has to have a loud back-up beeper (like any tractor or delivery truck) when in reverse. OSHA requires it and the back-up noise is loud. It will reverberate up and down the lake. I have kept a boat at Marshall Ford Marina on Lake Travis since the 1980s and know from much personal experience that the forklifts are loud, the back-up beeper is louder, and that the noise goes

May 15, 2007
Page 3

on from early morning until well past dark. We did not buy our lot with that noise even being a possibility. It will not be a possibility if the city sticks to its rules and denies the PUD. Thank you for considering my opinion.

Very truly yours,

J. Hampton Skelton

JHS/jm

Rousselin, Jorge

From: Ann Kilby [REDACTED]
Sent: Thursday, May 17, 2007 12:03 PM
To: Rousselin, Jorge
Subject: Pier redevelopment

Dear Mr. Rousselin,

I am a long-time resident of River Hills Road, and plan to stay there indefinitely. It is a very beautiful area, and I can understand its desirability for development. I would like to express my strong disapproval of the proposed redevelopment of the Pier property. It appears to me that there is much more thought being given to profit than there is to the health, safety and quality of life of the local residents, who are almost unanimously opposed. The following issues have been great concerns in our neighborhood meetings:

- The large dry-stack marina, with its noisy operating equipment.
- The proposed 200 or so boats to be added to the lake (I question whether very many of those trailering their boats to the lake presently will be willing to pay for a spot in the marina.)
- The proposed long pier out into the lake, with its safety issues. I have heard 40' mentioned as the dock length.
- The traffic in and out of the narrow road from Bee Caves Road. The existing River Hills Road is barely wide enough for a school bus and one very careful passing car, and the old Pier Road is narrower still.
- Water consumption out of the lake and wastewater treatment issues.
- Multiple variances to zoning codes, all in the name of making the developers' scheme possible.

I will look forward to hearing back from you how the City is going to enforce its zoning and environmental controls in this case. Thank you!

Ann Kilby, IIDA
Rockford Business Interiors
211 E. Riverside Drive
Austin, Texas 78704

512-416-4377 phone
512-442-7367 fax

May 17, 2007

Mr. Dave Anderson
Chairman
City of Austin Environmental Board

Re: Case # C814-06-0202

Dear Mr. Anderson,

I will try to make this brief because I believe the case is quite simple. It should not be approved - the reasons are many. Let's start, however, with the number of variances requested and needed to make this project happen. What good are regulations and laws to protect the environment if people can circumvent them for their own financial interests?

My family and I have lived on River Hills Road for almost 25 years, and we have seen a lot of change. We moved out here to be away from the city yet still having easy access. Development along our road has exploded. While we would prefer it remain what it was when we moved here, that is not realistic. We accept it, since these are legitimate developments of properties that allow for it. Such is not the case in the above referenced development of the Pier and its effect upon the lake. The negative impact this development will have not only the lake and its water as well as on the people who live nearby is reason enough to deny it. Adding to that the number of variances sought, it would be a mockery of our city government, its regulations, and what it stands for to approve this project. I urge you to please oppose it.

Thank you for allowing me to express my opinion.

Sincerely,

Nick Symington
2602 River Hills Rd
Austin, TX 78733

Rousselin, Jorge

From: Jill Turlington [REDACTED]
Sent: Tuesday, May 15, 2007 5:19 PM
To: Rousselin, Jorge
Subject: Pier Development Case # c814-06-0202

Re: Request for variances to put 185 boat docks at old Pier site

Dear Members of Austin City Council and Mr. Rousselin,

I live 4 lots down from the Pier property and am concerned about noise and pollution (and fire dangers) from the huge machinery of the dry boat docks. Such a commercial enterprise is not in keeping with our quiet neighborhood of single family homes and single boat docks. It would also be hazardous located right across the lake from the busy City Park.

Thank you for considering the property owners who live near by.



**LOVE
YOUR
AREA**

Jill Turlington, REALTOR®, Broker, CRS, GRI
AvenueOne Properties aveone.com
901 West Ninth Street, Suite 110 • Austin, Texas 78703
p 512.472.3336 c 512.422.3262 f 512.472.4722

7/12/2007

Rousselin, Jorge

From: [REDACTED]
Sent: Tuesday, May 15, 2007 5:12 PM
To: Silkaustex@aol.com; JackS@agmgranite.com; mmacinerney@austin.rr.com; scarter@austin.rr.com; Texfam1@aol.com; jserra@austin.rr.com; deeserra@austin.rr.com; cindyisaacs@austin.rr.com; gkronberg@austin.rr.com; rriviere@austin.rr.com; lisasikora@hotmail.com; gthomas@austin.rr.com; ethomas@austin.rr.com; Lindayarbrough@aol.com; Rousselin, Jorge; jill@aveone.com
Subject: IF YOU WOULD LIKE TO BE PROACTIVE CONCERNING THE PIER DEVELOPMENT

Dear neighbors,

You may already have this information. But if this Dry Dock is of concern to you, please read the following. I sent an e-mail and that is another way to send your concern to the powers that be. Be sure to identify Case # C814-06-0202.

From: Cindy Symington [mailto:CindySym@austin.rr.com]
Sent: Thursday, April 26, 2007 5:32 PM
To: Josh Farley; Sharon Cole; Scot Bosworth; Lewis Talbert; John Matznick; Jill Turlington; Greg McKaskle; Ed MacInerney; Bill DeMeo; Ann Kilby; Nick; JB Colson & Kunzang; David Wevill; Jaci Kenagy Voltaire
Subject: Re: Pier and Embarcadero Developments

Dear Neighbors,

Thank you, Josh, for this info. Regarding the Pier Partners, I called Jorge Rousselin and found him very nice and very helpful. As Josh mentioned, our concerns about the Pier Partners project will go through a different review process than Embarcadero (the housing portion of all this) and WILL ultimately be read by the City Council since this commercial development requires a zoning change. (I suppose that saying our letters will be read must be qualified to an extent by what the final ZAP report has to say, but it was his hope that every letter would be read.)

He was helpful in how to address the letters (said to address Council first, THEN the Platting Commission (the ZAP) -- guess it's an ego thing <g>) and apropos of Ann's suggestion at the meeting, he mentioned that if there is more than one neighbor with the same concern/issue that their letters could be combined for additional impact. He said that it would do no good to simply complain about this development - that our concerns must be specific and detailed. Finally, he said that the sooner we write our letters, the better because their report will "probably go before Council within a month." He made it clear that phone calls will not help because any concerns we have must be documented for them to carry any weight. (and to include name, address, and contact information).

So, for those of us interested in expressing our concerns and following up on this, individual letter writing is certainly a good option.* (see my note with the correct address at the bottom of this email.) It's possible that a group effort may have even more impact. To that end, I was thinking of having a letter-writing and/or brainstorming session at my house next wednesday evening. Please let me know if you're interested by replying to this email.

I know that some of you and/or others who were not at the meeting have relationships with the developers and may elect not to participate for that reason. This is understandable, but if there are other neighbors you know who did not attend the meeting but who might be interested, please let them know what's going on by passing along Josh's email and the address below:

7/12/2007

* this is the address to which we should send our letters

" **Austin City Council**

Zoning and Platting Commission

c/o Jorge Rousselin, Case Manager, ZAP

P.O. Box 1088

Austin, TX 78767

Re: C814-06-0202

Dear Honorable members of the Austin City Council and Zoning and Platting Commission:

I am writing "

Be sure and include your personal contact information at the bottom of your letter, including telephone and email.

Because the Embarcadero Project is completely separate, concerns about the housing development itself cannot be addressed (unless they are specific to it in combination with the Pier Partners project). Again, Josh, thanks for this info, and if you do receive any add'l information on Embarcadero itself, please keep us informed.

Thanks,

Cindy S.

See what's free at <http://www.aol.com>.

7/12/2007

To the Zoning and Planning Commission:

I write in strong support of the position that the Board should table the proposed plan for the re-development of the site of The Pier restaurant on Lake Austin in order to permit as extensive an environmental review of this project as its present features warrant.

As I understand these features, they include the creation of structures and uses that would violate a rule designed to protect one or more raw water intake sites and they also include the encouragement of a sharp increase in the number of motor boats on a lake where, for apparent good reason, a moratorium has existed with regard to dock development for the past several years.

My purpose in writing is not to suggest that I or other individuals who live along the lake have achieved certainty in regard to the optimal level of commercial development that Austin's bodies of oversight should allow. It is to affirm the idea that the City should exercise vigilance and stringency toward existing rules and regulations for a remarkable body of water that is being called upon to fulfill divergent--and even conflicting--human needs. The environmental stresses that are implicated and that will require careful attention, if they are to be adjusted, demand every level available of administrative care.

With thanks,

Jane M. Cohen,
Edward Clark Centennial Professor,
University of Texas School of Law

home address: 2200 Scenic Drive
Austin, Tx 78703

Rousselin, Jorge

From: [REDACTED]
Sent: Tuesday, May 15, 2007 3:02 PM
To: JackS@agmgranite.com; mmacinerney@austin.rr.com; scarter@austin.rr.com; Texfam1@aol.com; jserra@austin.rr.com; deeserra@austin.rr.com; cindyisaacs@austin.rr.com; gkronberg@austin.rr.com; rriviere@austin.rr.com; lisasikora@hotmail.com; gthomas@austin.rr.com; ethomas@austin.rr.com; Lindayarbrough@aol.com; Rousselin, Jorge; jill@aveone.com
Subject: DEVELOPMENT AT THE PIER/CASE C814-06-0202

Dear Mr. Rousselin and Members of the Austin City Council,
This letter is to express our concerns with the request for variances to put a 185 boat dry dock at the site of the former Pier restaurant off of River Hills Rd., CASE C814-06-0202.

1. River Hills Rd is a two lane country road with no shoulders and many blind curves. It is not designed to accommodate the traffic that will be generated by this business, not to mention the addition of the new restaurant and the traffic for that. You must drive on River Hills Rd yourself in order to make an informed decision.
2. Boat traffic at that point in the lake is already hazardous, being directly across from City Park, as evidenced by the many accidents, including the death of a father who drowned while trying to rescue his child and the amputation of a young man's leg from a boat propeller, within the past five years. There is a public boat ramp at City Park. Having another boat dock holding 185 boats will add additional boat traffic at this very busy and dangerous location.

Thank you for your consideration of this issue.

Sincerely,
Sharon & Greg Kronberg
2205 Island Wood Rd
slkaustex@aol.com
gkronberg@austin.rr.com

See what's free at <http://www.aol.com>.

City of Austin - Neighborhood Planning and Zoning Department
Attn: Jorge Rousselin
P.O. Box 1088
Austin, Tx
78767-8810
jorge.rousselin@ci.austin.tx.us

Case # C814-06-0202

Dear Mr. Rousselin,

I would like to add this letter to the case file, opposing the "Pier project" as is and any reincarnations thereof.

I would like to request you not to allow rezoning of the properties in question at all.

The project will create a commercial zone within residential neighborhoods and across from a major city park, thereby potentially affecting the lives of thousands of people (who are voters and tax-paying citizens):

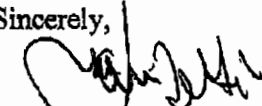
As a physician and PhD trained in public health, I am very concerned about the deterioration of water quality that will result from the proposed facility being located within 1000 feet of water intakes. These intakes provide water to residential areas.

Moreover, I am concerned that other zoning variations will allow further deterioration of the quality of drinking water ("15. Section 25-8-361(C) ... to allow for a wastewater disposal area to be located in the 40 percent buffer zone" and "16. Section 25-8-361(F) ... to allow for a wastewater treatment by land application on a property ... located in a critical water quality zone, in a 100-year flood plain, and during wet weather conditions.").

Another variance would increase runoff into the water close to the water intakes ("Section 25-8-454(D)(1) ... to allow for impervious cover ... not to exceed 45% of the net site area...").

Allowing the creation of an obstruction in the waterway will create disturbances in the flow of the river; such disturbances include at minimum a slowing of the current and the generation of backward flow around the shore. This will lead to the increase of pollutants and further deteriorate the quality of the drinking water ("Section 25-7-2 ... to allow for an obstruction in a waterway).

Sincerely,


Zoltan Trizna, MD, PhD
805 Weston Lane North
Austin, TX 78733

7/9/07

June 26, 2007

City of Austin
Neighborhood Planning and Zoning Department
Attn: Jorge Rousselin
P.O. Box 1088
Austin, Tx
78767-8810

RECEIVED

JUL 09 2007

Neighborhood Planning & Zoning

Regarding: Case # C814-06-0202

Dear Mr. Rousselin:

We are writing in regards to the proposed "boat barn" at the old Pier site. As we live on Lake Austin, we obviously have a vested interest in this issue. We are extremely opposed to this development for several reasons:

1. Overcrowded: it's already hard to find a time that the lake isn't crowded with boats.
2. Dangerous: with this many additional boats, I can't imagine how dangerous it will be to swim around City Park, kayak, ski, wakeboard, and even tube for all ages, although we are especially concerned for small children.
3. Pollution: the addition of this many boats having access to the lake would add an immense amount of pollution to this fragile environment. One gallon of gasoline can pollute 750,000 gallons of water. This lake, as well as Town Lake and the rest of the lower Colorado River will be irreparably damaged.
4. Additional Developments: if we allow this development on Lake Austin, the doors will be open for more developments of similar nature. Lake Austin is an asset of the city and must have leaders that are determined to protect it and that understand that helping developers make money is not in the best interest of the future generations of our city.
5. Decrease value of lakefront properties: the home values will eventually decrease if Lake Austin becomes too crowded to enjoy, and this will have an adverse effect on the property taxes the city receives.

In summary, we are concerned citizens that this development will ruin one of Austin's greatest treasures...it's one of the best features of the city and attracts many visitors to the area. To allow this development to move forward would be a sin against our environment, our city, and our future generations.

Thank you for listening.

Best Regards,



Tanya & Rayner Smith
3701 Rivercrest Drive
Austin, TX 78746

June 25, 2007

City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P.O. Box 1088
Austin, Texas 78767-8810

RECEIVED

JUL 09 2007

Neighborhood Planning & Zoning

Re: Case #C814-06-0202

Dear Mr. Rousselin:

We live on lake Austin across from Emma Long Park and we oppose the proposed development of the old Pier property. We are concerned that the proposed 180 boat dry dock marina will dramatically increase congestion on an already congested waterway. On weekends this area, which is less than 200 yards wide, is clogged with jet skiers, water skiers, boaters, and people pulling their children on tubes.

The proposed Pier project would bring noisy boatlifts, queues of idling boats waiting to dock, and greater gasoline pollution of the water. This narrow waterway, which is uncomfortably congested with three boats abreast, would easily become dangerously overcrowded at the end of the day by boats waiting to dock. All of this would unacceptably degrade the water for swimmers and the park for picnickers. The proposed public gasoline facility on the water would simply exacerbate these problems.

For these reasons we ask that PUD zoning be denied this project.

Sincerely,



Kay and Jose Ofman
111 N Weston LN
Austin, Texas 78733

Mr. & Mrs. John Tworoger
1407 Weston Lane
Austin, TX 78733
512-329-9115

RECEIVED

JUN 27 2007

June 25, 2007

Neighborhood Planning & Zoning

City of Austin
Neighborhood Planning and Zoning Department
Mr. Jorge Rousselin
P.O. Box 1088
Austin, TX 78767-8810

Re: Case Number C814-06-0202

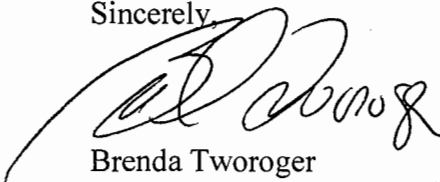
Dear Mr. Rousselin:

I am writing on behalf of my husband and myself protesting the Pier Project with the above referenced case number. Our property is 200 feet away from the proposed project and based on the information we have obtained find this totally unacceptable to allow a commercial facility of this nature to be installed in a residential neighbor.

There are numerous other issues concerning the proposed project which negatively impact our quality of life, our property values and the quality of Lake Austin and all those that rely on Lake Austin for their drinking water.

My husband and I would be happy to address the Planning and Zoning Department on the specifics of our concerns. We will be monitoring the meeting schedule and will be attending.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Tworoger', is written over the word 'Sincerely,'.

Brenda Tworoger

1205 Weston Lane
Austin, TX 78733
6/25/2007

RECEIVED

JUN 26 2007

Neighborhood Planning & Zoning

City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P O Box 1088
Austin, TX 78767

RE: Case # C814-06-0202

Dear Mr. Jorge Rousselin:

I am writing to express my opposition to granting the owners of the Pier Property a zoning change (case # C814-06-0202) that would allow them to build a dry stack marina with associated maintenance facilities, restaurant, and sell fuel to the public. I have four main objections.

First, I am concerned about contamination of our potable water supply. The contamination would come from fuel spillage and the maintenance operations associated with a marina. My home is located in the Rob Roy on the Lake subdivision (served by WCID # 20). Our intake structure is less than 1000 feet from the Pier property. MUD # 20 is also opposed to the zoning change. Their intake structure is also closer than 1000 feet from the Pier property.

Second, I am concerned about the drastically increased boat traffic in a small area on Lake Austin. The Pier property is across the lake from City Park which is used by many of the residents of Austin. Visitors to the park are in the water from the boat launch area to the upper end. The shoreline of Lake Austin is being eroded by the wakeboard boats (those with ballast tanks which when filled with water provide large waves for the wakeboarder). The waves are strong enough to knock a standing adult in the water down. Children are also in the shallow water the full length of City Park. One can only imagine how many wakeboard boats will operate out of the dry stack marina. The large forklifts loading and unloading boats from the dry stack marina will be "beeping" from morning to night. One goes to City Park to enjoy the beauty of the park. Approval of the zoning change would have a detrimental effect on the enjoyment of City Park by the Austin residents. Few cities have a park as nice as City Park. Also, please note the comment about liquor under the fourth concern.

Third, I am concerned about the damage to the environment. I understand that the owners are requesting variances for numerous restrictions that were designed to protect the environment.

Fourth, I am concerned about the increased vehicular traffic on the roads leading to the Pier property. I don't know if liquor will be sold but the old Pier did and liquor is a big moneymaker for restaurants. Drinking liquor and operating a boat or a car is bad. Accidents are the result.

Thank you for considering my concerns.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Nix O. Bodden". The signature is fluid and cursive, with the first name "Nix" and last name "Bodden" being more prominent than the middle initial "O".

Nix O. Bodden

Austin City Council
Zoning and Platting Commission
c/o Jorge Rousselin, Case Manager, ZAP
P.O. Box 1088
Austin, TX 78767

May 15, 2007

RECEIVED

JUN 01 2007

Re: C814-06-0202

Neighborhood Planning & Zoning

Dear Honorable members of the Austin City Council and Zoning and Platting Commission:

Because of my objection to the Pier Partners Project (PPP) off of the old Pier Road in western Travis County, reference C814-06-0202, I am writing.

Nearly 18 years ago, my husband and I moved to this area (we live on Calle Caliche which T's into River Hills Road (RH Road). What the Pier Partners are intending is beyond common sense and decency.

My concerns are

1. water quality degradation
2. cyclist and pedestrian injuries or fatalities
3. traffic dangers (perilous "T"; impossible emergency vehicle access)

1. WATER QUALITY DEGRADATION:

What kind of environmental studies are on record regarding the impact of this development upon Lake Austin water quality? It is unimaginable that Austin City Council/ZAP would allow this development, particularly the marina, to become a structure on Lake Austin without an environmental study by an independent agency. This needs to be done before the dock is built.

Since there will be continual pollution of the water by gasoline and oil from the boats coming and going at PPP, are the affected water districts willing to monitor and pay the price, literally and figuratively, to keep this water safe from now on?

PPP is designed to go in across from the Emma Long Park swimming area. This is a place where families come for the weekend and longer stays. PPP's boat dock will jut way out into Lake Austin. A dangerous bottleneck will be formed with swimmers on one side and PPP's long boat dock on the other. In dodging the PPP dock, a boater will head for the area where children and their parents are swimming. Surely the Austin City Council sees that this is reason enough to disallow PPP request.

In addition, what kind of studies have been made regarding the effect of gasoline leakage from the 200 boats docked at PPP and the many boaters who will arrive by water to dine at one of the two PPP restaurants? What effect will this marina have on the quality of potable water in Lake Austin? Water is pumped from this area and used as drinking water in residences up and down this part of Lake Austin. It is also piped up from the lake and sent to housing developments not associated with the Lake Austin neighborhoods.

The marina part of this project is the most loathsome. I oppose it entirely.

(Continued)

2. CYCLIST AND PEDESTRIAN DANGERS

In several places, up and down River Hills Road, it is dangerously narrow for people riding bicycles or out walking. Two particularly life-threatening points are:

- A. At the "T" formed by the old Pier Road and River Hills Road.
- B. The approximate 1/4 mile stretch that extends from this T, south up to Taylor Road.

Today, wise neighbors must leave the payment and walk in the weeds to let cell phone motorists zoom by (both north and south bound River Hills drivers).

We're a family of bicyclists and none of us dare ride up that stretch of RH Road (between the "T" and Taylor Road).

PPP must include provisions for widening this part of River Hills Road. Otherwise, accidents involving pedestrians and cyclists will become common place. No permit should be given PPP until they produce a plan for protecting the lives of pedestrians and bicyclists.

3. TRAFFIC DANGERS:

a. Perilous "T"

In general, this is an area of hills and curves, with many blind spots.

Apart from the dangerous "T" formed where the old Pier Road meets River Hills Road (RH road) there are other perilous "T's" on RH road.

First of all, there is ONLY the old Pier Road for egress and ingress to PPP. Anyone driving up from PPP, ideally, would pull up to the existing stop sign at Pier Road and wait until the coast is clear regarding RH Road traffic. Ideally, you watch for southbound and northbound traffic to clear. But, you can sit there all day and never know what's coming.

Why is this?

Northbound traffic on RH Road is hidden by a curve and a downhill descent. Southbound traffic on RH Road is slightly less hidden, but not enough visible that saves you from being broadsided and/or tail-ended if you should pull out just when one of the many speeding cars approaches.

All you can do is pull out and hope for the best. (Typically, people don't bother to heed the Pier Road stop sign—because you cannot see even if you do stop)

Police records should reflect the hits happening at this "T". But police records cannot convey the screeching tires of near misses that have occurred. And this is the perilous situation today before the PPP—which will bring an insane increase in traffic.

From the point of view of northbound traffic careening down River Hills Road, the problem is simply the mirror image of what is happening to motorists trying to leave the Pier Road. RH road drivers, zooming down the hill and in a curve, are blind to anyone (whether in a car, on foot or riding a bicycle) who attempts to leave the Pier Road.

PPP's extended hours of operation and the many cars it will attract, add up to an unimaginable reckless situation. It seems to me that the project will cause at least a 500% weekly increase in the number of stop-sign ignoring, alcohol-dizzy drivers and/or down-hill, curve careening speeders, coming and going at this T.

(Continued)

C814-06-0202 Pier Partners Project

As for those motorists wishing to turn from RH Road onto the old Pier Road—They must stop completely on RH to make the almost hair-pin turn to the right. But in doing so, at the minimum, they are faced being tail-ended by subsequent northbound cars on RH Road.

b. Emergency Vehicle Access:

As stated above, there will be only one ingress and egress for PPP: the old Pier Road. An arriving fire truck, hoping to render first aid to the boaters, swimmers or to extinguish a fire caused by one of the boats down at PPP, will waste valuable time up at the "T". While someone is dying, the fire truck with its emergency personnel will be attempting to wiggle the truck's long body around/through the sharp and steep right hand turn onto the old Pier Road.

Assuming the fire truck arrives at the old Pier Road and the fire has not destroyed everything or the victim still has life, the fire truck still must wiggle around the "T" formed by the old Pier Road and River Hills Road before it can head for Bee Caves Road/FM 2244 and a nearby hospital.

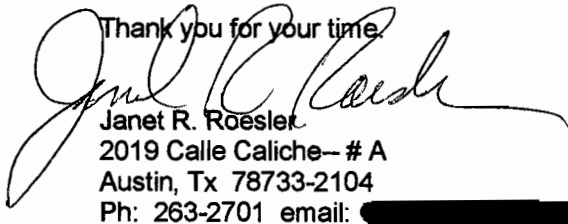
Does the Austin City Council want to be indirectly responsible for endangering the lives of people ?

I ask the City Council, Zoning and Platting Commission to disapprove the Pier Partners Project submitted as C814-06-0202. These people need to go back to the drawing board.

BEFORE final approval is given for this project, I request the following:

1. An impact study, performed by an independent environmental agency, specializing in water quality. The results of this study must be on record.
2. All water districts, affected by the PPP proposed marina, must present a letter pledging their never-ending stewardship of Lake Austin's water quality.
3. For these same water districts to present a letter stating the estimated annual costs to maintain the water at a potable level around the marina and up and down Lake Austin. And their pledge to pay whatever it takes to accomplish this.
4. That PPP submit a plan for improving River Hills Road so that emergency vehicles can have a speedy and safe egress and ingress to their development. AND, to include in their road improvement plans, provisions for the safety of pedestrians and bicyclists.

Thank you for your time.


Janet R. Roesler
2019 Calle Caliche-- # A
Austin, Tx 78733-2104
Ph: 263-2701 email: [REDACTED]

Austin City Council
Zoning and Platting Commission
c/o Jorge Rousselin, Case Manager, ZAP
P.O. Box 1088
Austin, TX 78767

May 15, 2007

RECEIVED

JUN 01 2007

Re: C814-06-0202

Neighborhood Planning & Zoning

Dear Austin City Council and members of the Zoning and Platting Commission:

For 8 years my residence has been off of River Hills Road in western Travis County, where a development known only as Pier Partners Project (PPP) is seeking your permission for 9 variances.

Please do not grant any variance to PPP. It is my opinion they are acting in an irresponsible manner since they lack the following:

a. impact study —especially regarding water pollution in Lake Austin as a result of the seeping of gasoline and oil into the lake. This is water that people drink and swim in.

b. safety study of the PPP dock which is to jut out into Lake Austin.

b. detail plan for road improvements on old Pier Road and River Hills Road—otherwise **emergency vehicles** lose valuable response time in attempting to maneuver around the hair-pin turn (both coming and going) at the point where the old Pier Road and River Hills Road meet.

These are some of the reasons I oppose this project as it now exists.

Thank you.

Bret D Rodrick 5/15/07

Bret Rodrick
2019 Calle Caliche - # B
Austin, Tx 78733-2104

Ph: 512-656-7678

Rousselin, Jorge

From: Stan von Miller [REDACTED]
Sent: Friday, July 13, 2007 9:08 AM
To: Rousselin, Jorge
Subject: Boat storage plans on Lake Austin

Dear Mr. Rousselin,

I live in the neighborhood near the historic old restaurant The Pier (or what used to be the Pier). I've lived in Austin for over 25 years. I've been boating on Lake Austin for 25 years. And for over 25 years I've enjoyed City Park on Lake Austin and The Pier very much.

In fact, I loved it so much, I bought a house right near the water, and only a few blocks from what used to be The Pier. Truly, I love this area dearly, so much so that I made it my home.

I was sad when The Pier closed down. Now I understand it's to be turned into a boat storage facility.

I don't know if you've visited our neighborhood. The road that leads to The Pier, or if you've been on the lake at City Park. It's beautiful. It won't be beautiful anymore if this facility is built. Lake Austin is jam packed with boats as it is. And City Park fills up to capacity all the time, increasing the boat traffic and decreasing safety levels. Please don't let this happen. Please don't let that facility be approved. Here are a few additional reasons not to approve this facility:

- 1) Lake Austin is already overcrowded. The City Park Area is one of the most congested areas on the lake already.
- 2) Added pollution from 185 boats could have a major impact on the lake.
- 3) A gas dock within 1000 feet of a public water intake can threaten water supply. There are two major supplies within the minimum legal distance of 1000 feet of the Pier property.
- 4) The water running through Lake Austin is the water supply for more than half a million residents in Austin. Protecting that water supply is paramount for the City of Austin. Failure to properly protect this source would reflect poorly on the City itself. One gallon of gasoline can pollute 750,000 gallons of water. (EPA)
- 5) The four story boat storage structure and restaurant will attract a large crowd. This will increase the car traffic to the area, which will also impact the runoff in the lake.
- 6) Each of these boats will have tanks full of gas, sitting on the property. They do not have the same environmental and safety standards as a car. They are much more pollutive.
- 7) The noise from the facility, including the large diesel forklift needed to put the boats in the water, will impact City Park and our neighborhood.
- 8) Access to the tract is only through a private road that cuts through two residential tracts of land. All access to this development is through these Lake Austin zoned tracts. There is simply no other access. Thus, all traffic MUST enter and exit through this restrictive Lake Austin residential zoning.

Sincerely,
Stan von Miller
2401 Mecca Rd.
Austin, TX 78733
(512) 402-1032

CLARK, THOMAS & WINTERS

A PROFESSIONAL CORPORATION

TELEPHONE (512) 472-8800

POST OFFICE BOX 1148

FAX (512) 474-1129

AUSTIN, TEXAS 78707

300 WEST 6TH STREET, 15TH FLOOR

AUSTIN, TEXAS 78701

July 12, 2007

Ms. Betty Baker, Chair
Zoning and Platting Commission
City of Austin
P.O. Box 1088
Austin, Texas 78767

RECEIVED

JUL 13 2007

Neighborhood Planning & Zoning

RE: Postponement Request for Zoning and Platting Commission; Pier Partners, L.P.;
Case No. C814-06-0202

Dear Ms. Baker:

On behalf of my Client, Pier Partners, L.P., I am requesting a postponement of the above-referenced case until July 31, 2007. The Applicant would like to take this opportunity to address outstanding issues and meet with neighboring property owners and other interested parties.

Thank you in advance for your immediate attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,



Dowe Gullatt

cc: Pier Partners
Watershed Protection & Development Review Dept.
Case Manager : Jorge Rousselin

Rousselin, Jorge

From: D.M. Spradley [REDACTED]
Sent: Monday, July 23, 2007 12:13 PM
To: Rousselin, Jorge
Subject: Opposed to Boat Barn on Lake Austin / Case # C814-06-0202

Hello,
As a frequent boater on Lake Austin, I am completely against a development for a boat barn of 180 boats on this part of the lake.

This development goes beyond the rights of one property owner. It affects the entire lake's ecosystem.

DM Spradley
6810 Daugherty St
Austin 78757

Moody friends. Drama queens. Your life? Nope! - their life, your story. Play Sims Stories at Yahoo! Games.
<http://sims.yahoo.com/>

Rousselin, Jorge

From: Peg Raiford [REDACTED]
Sent: Thursday, July 19, 2007 7:08 PM
To: Rousselin, Jorge
Subject: Case # C814-06-0202

Dear Mr. Rousselin,

I oppose the building of the 180 boat barn at the location of the old Pier. Following the following reasons:

This much additional boat traffic is concerning those of us who enjoy Lake Austin for several reasons – such as:

1. Increased traffic from 180 more boats could get dangerous – not to mention make the lake considerably less enjoyable for those on it.
2. This construction could pave the way for similar structures in the future – eventually turning Lake Austin from residential to mostly commercial.
3. Water quality could diminish, and the peaceful City Park environment could suffer greatly.

Additional Information:

Here are just a few additional points for your own information or to include in letters to those who can help us:

- Lake Austin is already overcrowded. The City Park Area is one of the most congested areas on the lake already. Hundreds of swimmers are in the water every weekend along with a high congestion of boats. Adding 185 boat slips drastically impacts the environment and safety in that area.
- Added pollution from 185 boats could have a major impact on the lake. Before building, we need to evaluate its potential effects on water quality, water supply, safety, noise, wildlife, fish, residents, park guests, and boaters.
- A gas dock within 1000 feet of a public water intake can threaten water supply. There are two major supplies within the minimum legal distance of 1000 feet of the Pier property.
- The water running through Lake Austin is the water supply for more than half a million residents in Austin. Protecting that water supply is paramount for the City of Austin. Failure to properly protect this source would reflect poorly on the City itself. One gallon of gasoline can pollute 750,000 gallons of water. (EPA)
- The four story boat storage structure and restaurant will attract a large crowd. This will increase the car traffic to the area, which will also impact the runoff in the lake.
- Each of these boats will have tanks full of gas, sitting on the property. They do not have the same environmental and safety standards as a car. They are much more pollutive.
- The noise from the facility, including the large diesel forklift needed to put the boats in the water, will impact City Park and the surrounding neighborhood.
- Access to the tract is only through a private road that cuts through two residential tracts of land. All access to this development is through these Lake Austin zoned tracts. There is simply no other access. Thus, all traffic MUST enter and exit through this restrictive Lake Austin residential zoning.

According to the University of Delaware's College of Marine Studies, Around riverside cities, nitrogen oxide pollution from rivers can equal that from a major freeway full of traffic.

Sincerely,

Ivan R. Williams, Jr.
1742 Channel Road
Austin, Texas 78746

7/25/2007

Rousselin, Jorge

From: Peg Raiford [REDACTED]
Sent: Thursday, July 19, 2007 7:08 PM
To: Rousselin, Jorge
Subject: Case # C814-06-0202

Dear Mr. Rousselin,

I oppose the building of the 180 boat barn at the location of the old Pier.
Following the following reasons:

This much additional boat traffic is concerning those of us who enjoy Lake Austin for several reasons – such as:

Increased traffic from 180 more boats could get dangerous – not to mention make the lake considerably less enjoyable for those on it.

This construction could pave the way for similar structures in the future – eventually turning Lake Austin from residential to mostly commercial.

Water quality could diminish, and the peaceful City Park environment could suffer greatly.

Additional Information:

Here are just a few additional points for your own information or to include in letters to those who can help us:

Lake Austin is already overcrowded. The City Park Area is one of the most congested areas on the lake already. Hundreds of swimmers are in the water every weekend along with a high congestion of boats. Adding 185 boat slips drastically impacts the environment and safety in that area.

Added pollution from 185 boats could have a major impact on the lake.

Before building, we need to evaluate its potential effects on water quality, water supply, safety, noise, wildlife, fish, residents, park guests, and boaters.

A gas dock within 1000 feet of a public water intake can threaten water supply. There are two major supplies within the minimum legal distance of 1000 feet of the Pier property.

The water running through Lake Austin is the water supply for more than half a million residents in Austin. Protecting that water supply is paramount for the City of Austin. Failure to properly protect this source would reflect poorly on the City itself. One gallon of gasoline can pollute 750,000 gallons of water. (EPA) The four story boat storage structure and restaurant will attract a large crowd. This will increase the car traffic to the area, which will also impact the runoff in the lake.

Each of these boats will have tanks full of gas, sitting on the property.

They do not have the same environmental and safety standards as a car. They are much more pollutive.

The noise from the facility, including the large diesel forklift needed to put the boats in the water, will impact City Park and the surrounding neighborhood.

Access to the tract is only through a private road that cuts through two residential tracts of land. All access to this development is through these Lake Austin zoned tracts. There is simply no other access. Thus, all traffic MUST enter and exit through this restrictive Lake Austin residential zoning.

According to the University of Delaware's College of Marine Studies, Around riverside cities, nitrogen oxide pollution from rivers can equal that from a major freeway full of traffic.

Sincerely,

Peggy Raiford
1742 Channel Road
Austin, Texas 78746

Rousselin, Jorge

From: Stan von Miller [REDACTED]
Sent: Friday, July 13, 2007 9:08 AM
To: Rousselin, Jorge
Subject: Boat storage plans on Lake Austin

Dear Mr. Rousselin,

I live in the neighborhood near the historic old restaurant The Pier (or what used to be the Pier). I've lived in Austin for over 25 years. I've been boating on Lake Austin for 25 years. And for over 25 years I've enjoyed City Park on Lake Austin and The Pier very much.

In fact, I loved it so much, I bought a house right near the water, and only a few blocks from what used to be The Pier. Truly, I love this area dearly, so much so that I made it my home.

I was sad when The Pier closed down. Now I understand it's to be turned into a boat storage facility.

I don't know if you've visited our neighborhood. The road that leads to The Pier, or if you've been on the lake at City Park. It's beautiful. It won't be beautiful anymore if this facility is built. Lake Austin is jam packed with boats as it is. And City Park fills up to capacity all the time, increasing the boat traffic and decreasing safety levels. Please don't let this happen. Please don't let that facility be approved. Here are a few additional reasons not to approve this facility:

- 1) Lake Austin is already overcrowded. The City Park Area is one of the most congested areas on the lake already.
- 2) Added pollution from 185 boats could have a major impact on the lake.
- 3) A gas dock within 1000 feet of a public water intake can threaten water supply. There are two major supplies within the minimum legal distance of 1000 feet of the Pier property.
- 4) The water running through Lake Austin is the water supply for more than half a million residents in Austin. Protecting that water supply is paramount for the City of Austin. Failure to properly protect this source would reflect poorly on the City itself. One gallon of gasoline can pollute 750,000 gallons of water. (EPA)
- 5) The four story boat storage structure and restaurant will attract a large crowd. This will increase the car traffic to the area, which will also impact the runoff in the lake.
- 6) Each of these boats will have tanks full of gas, sitting on the property. They do not have the same environmental and safety standards as a car. They are much more pollutive.
- 7) The noise from the facility, including the large diesel forklift needed to put the boats in the water, will impact City Park and our neighborhood.
- 8) Access to the tract is only through a private road that cuts through two residential tracts of land. All access to this development is through these Lake Austin zoned tracts. There is simply no other access. Thus, all traffic MUST enter and exit through this restrictive Lake Austin residential zoning.

Sincerely,
Stan von Miller
2401 Mecca Rd.
Austin, TX 78733
(512) 402-1032

Rousselin, Jorge

From: Julia Lydick [REDACTED]
Sent: Tuesday, July 31, 2007 8:17 PM
To: Rousselin, Jorge
Cc: bbaker5@austin.rr.com; jay@jaygohilrealty.com; chammond1@austin.rr.com;
 kbjackson@pbsj.com; info@swhconsulting.com; josephmartinez@yahoo.com; shieh1@aol.com;
 trabago@austin.rr.com
Subject: C814-06-0202 (PIER Partners): AGAINST

C814-06-0202 PIER Partners
1703 River Hills Road, Lake Austin Watershed
Owner - PIER Partners (Eric Moreland)
Agent - Clark, Thomas & Winters (John Joseph)

Dear Jorge E. Rousselin,

My family is **AGAINST** any attempts to expand zoning & building rights for this property.

We have lived on Lake Austin for almost twenty (20) years. Our home was built when Westlake Drive was a dirt road. We have fond memories of dancing barefoot on the Pier's concrete slab while listening to local musicians. This was ten (10) years before our first child was born! Please stand-up to PIER Partners attempts to spoil Lake Austin.

It's sad to see developers demands for expanded building rights merely to make-a-buck. Shameless. Ski Shores operates a fine business as a Commercial-liquor Sales (CS-1) district surrounded by Lake Austin residence (LA) district homes. What is Eris Moreland's and John Joseph's hardship for doing the same?

It's ridiculous for Owner, Applicant & Agent to ask for this property to be re-zoned as a **Planned Unit Development (PUD)** district. I can't imagine a building plan that would create Site Development which is superior to the development that would occur under CS-1 and LA. Certainly a "Boat Barn" dry-stacking over 180+ boats is not superior to a Ski Shores-type eatery contained within a low density single-family residential neighborhood.

We **DO NOT AGREE** with staffs recommendation to allow this property to be zoned for the purpose of a **Conditional Overlay (CO)**. Yikes, this zoning is used is to address special circumstances presented by a site. Did something "special" happen when Eric Moreland and John Joseph shut-down what was a long-lived family eatery tradition? Perhaps make-a-buck was the desire. CO is intended to guide development in unique circumstances. Owner, Applicant, Agent seemed to have bought-into a long-lived use (CS-1 and LA) which they now attempt to circumvent.

We **DO NOT Agree** with staffs recommendation to allow this property to be zoned for the purpose of a **Commercial Recreation (CR)**. Owner, Applicant, Agent should be required to provide detailed building plans which guarantee that visual and environmental disruptions of scenic views are not created. How could a Carlos & Charlie's-type Boat-Barn which dry stacks 180+ boats not create disruption of the Lake Austin scenic view!

Please stand-up for our traditions which have made Austin weird. A high-density commercial operation directly across from City Park would be a disaster waiting to happen. Serious safety risks will be created due to the concentration of boats entering Lake Austin and then returning for dry-docking. Spend a weekend near the Capital of Texas boat ramp, or near the Hula Hut boat ramp - it is blatantly obvious the impact of a high concentration of boats entering and leaving Lake Austin.

Imagine what will happen when the Boat Barn's capacity of 180+ boats is dumped into Lake Austin directly across from City Park swimmers. Not only will a serious safety risk be created. A choke-point will be created by the armada of boats jockeying for their position in line.

My family is **AGAINST** any attempts to expand zoning & building rights for this property.

Please stand-up for what make Lake Austin a premier & safe asset for the City of Austin to enjoy.

Hank & Julia Lydick (Hayden age 10, Kennon age 8)
3711 Westlake Drive
Austin, Texas 78746
(H) 327-3884

CC: Zoning & Platting Commission

Ms. Betty Baker
Mr. Jay A. Gohil
Mr. Clarke Hammond
Mr. Keith B. Jackson
Ms. Stephanie Hale
Mr. Joseph Martinez
Mr. James Shieh
Ms. Teresa Rabago

Rousselin, Jorge

From: Jennifer Ahrens [REDACTED]
Sent: Friday, August 03, 2007 2:32 PM
To: Rousselin, Jorge
Subject: Case # C814-06-0202

Mr. Rousselin:

I'm not necessarily in support or opposition to the project. However, I think the developers of the Pier Project are missing a big piece of what is great about the Lake ... that is the outdoor life. The Pier, in its previous incarnation, was loved because of the outdoor seating, the music venue, sand volleyball, etc. The current project plans look like a stuffy indoor restaurant. They should forget the dry docks idea, and add a small amphitheater and volleyball courts.

Jennifer Ahrens
12506 River Bend
Austin, TX 78732

Rousselin, Jorge

From: Glen Nickerson [REDACTED]
Sent: Monday, August 27, 2007 10:41 PM
To: Rousselin, Jorge
Subject: The Pier Renovation Case # C814-06-0202

Dear Jorge,

I am writing you in support of a new community boating facility at The Pier on Lake Austin. The Pier Restaurant has been in Austin since 1958 and is accessible either by land or by boat. About two years ago, new owners purchased the property and created a project to renovate the old restaurant and boat docks, and build a dry stack marina for boat storage and refueling. Over these past two years, the architects, engineers, and owners have developed a great improvement over what currently exists, for a much cleaner and safer operation. The restaurant will have a proper water and wastewater system, the boat fueling system will be improved from underground tank to above ground with all safeguards. The roads, drainage, and landscape will all be improved. It is unfortunate to see such a great recreation location deteriorate further, when it can be redeveloped into a clean new restaurant and marina. I believe this project will become a much greater asset for Austin, for boating, fishing, and outdoor recreation, built in compliance with all safety and environmental codes, fully reviewed by city staff.

I helped establish the initial project design concepts and worked with the surrounding neighborhoods to explain the project and gather ideas for improvements, utilizing their inputs. Even though I am not employed by the owners, and I do not represent the project, I understand how much time and effort has been devoted by this developer's team to make The Pier a great project.

Although I am not be able to attend the public hearing on Sept. 4th, I would like to see the project approved so that my family can enjoy one of the best parts of Austin. As an Austin resident and taxpayer since 1987, I am simply asking for your careful consideration and approval of The Pier project.

Thanks,

Glen Nickerson, Texas Professional Engineer

8/30/2007

Rousselin, Jorge

From: Lori Goehring [REDACTED]
Sent: Saturday, September 01, 2007 9:24 PM
To: Rousselin, Jorge
Subject: Case # C814-06-0202

Hello Mr. Rousselin,

As case manager for the above case #, the proposed development of an 180-boat marina at the Old Pier Site, I would like to state my opposition to this proposal. A significant increase in congestion will occur and affect the safety of the public. The increase in pollution would likely effect the water quality and wildlife. An increase in noise and the limited access to the marina, through residential neighborhoods only, will negatively effect a large number of people in the area. Please consider the local residents opposition to this proposal as you weigh the options. Thank You!

Lori Goehring

Rousselin, Jorge

From: Scott Ozmun [REDACTED]
Sent: Monday, September 03, 2007 6:07 PM
To: Rousselin, Jorge
Subject: Case # C814-06-0202

Dear Mr. Rousselin: I am writing to express our opposition to the variances requested for the above-referenced case. Specifically, my wife and I are opposed to the request to build a 180 boat barn and marina on the old Pier property.

Earlier this year, we purchased 1107-A and 1107B River Hills Road to build our dream home. At the time we purchased the property, we were not aware of the plans for a marina and boat barn of this size. We believe having this next door to us would diminish the use and enjoyment of our property due to the noise and pollution such a large operation would generate. We cannot imagine being able to enjoy our lakefront property with up to 180 boats being launched and docked right next to us.

In addition to our personal reasons to oppose this project, we are also concerned about the overall quality of Lake Austin. We do not believe the Lake could handle that many more boats on a regular basis. This would greatly increase the risk of accidents on the Lake, especially by putting a marina right across from City Park. We are also concerned about the increase in pollution from gasoline spills.

I would appreciate it if you would pass on this correspondence to the members of the Zoning and Planning committee.

Sincerely, Scott and Beth Ozmun

1107-B River Hills Road
Austin, TX 78733

9/26/2007

Rousselin, Jorge

From: Nikelle Meade [NMeade@mailbmc.com]
Sent: Tuesday, October 02, 2007 7:41 AM
To: Rusthoven, Jerry; Rousselin, Jorge; josephmartinez@yahoo.com
Cc: bbaker@austin.rr.com; chammond@austin.rr.com; trabago@austin.rr.com;
baker@AustinTexas.org; Hammond, Clarke; Andrew Martin; Jerry Harris;
kbjackson@pbsj.com; info@swhconsulting.com
Subject: Re: Pier Case Postponement

Jorge, Vice Chair Martinez, and Members of the PIER Special Committee:

I am sending this email to follow up concerning postponement of the Pier case on tonight's agenda. It is Item #A.3. I represent several parties in opposition to the proposed PUD rezoning.

As the parties have discussed by phone with Chairman Betty Baker since the last ZAP meeting on this item, the case will not be heard tonight since the Chairman Baker will be absent. Instead, it will be postponed. Please note that I am out of the country and will not, based upon my discussions with Chairman Baker and city staff, be at the meeting tonight.

Concerning the date to which the case will be postponed, the parties had originally discussed postponing to October 16th. After that date was suggested, however, Commissioner Hammond notified Chairman Baker and the parties that he will not be present at the October 16th meeting. Accordingly, he requested that the item be postponed to a date other than October 16th. We have not heard yet what alternative date will be selected.

I have let the staff, Chairman Baker, and Commissioner Hammond know what alternative postponement dates work for my clients, and I wanted to recap those to you, as follows:

1. October 16th does not work. We object to postponement of the case to October 16th. As the applicants have requested in the past, we request a full commission when this case is considered, and Commissioner Hammond will not be present on that day.
2. October 30th does not work. Commissioner Baker briefly suggested hosting a special-called meeting on October 30th. I have advised her that I will be out of town on that day on a Chamber of Commerce trip until 9:30 p.m. the evening of the 30th. Accordingly, October 30th does not work.
3. November 6th does not work. The next regular meeting date of the Commission, November 6th, does not work. Our clients' primary representative is unavailable that day. He made all of the parties aware of his unavailability that day during the discussions about postponement in September.
4. November 20th is fine. The next date that works is November 20th. That date is fine for my clients and for me as far as we know at this time.
5. All dates in December are fine for my clients and for me as far as I know at this time.

Again, we object to the case being heard on any day that we know there won't be a full commission. Accordingly, we object to postponement of the case to October 16th. We also object to postponement of the case to a date that either I or my clients can't be present, which dates are October 30th and November 6th.

Please either email me or call me at 512-699-6166 if you have any questions or need to reach me for any reason.

Nikelle S. Meade, Partner, Business and Real Estate Group Brown McCarroll, L.L.P.
111 Congress Avenue, Suite 1400
Austin, TX 78701-4043
512.479.1147/Direct
512.479.1101/Fax
512.699.6166/Mobile
nmeade@mailbmc.com
www.brownmccarroll.com

BROWN McCARROLL, L.L.P. EMAIL CONFIDENTIALITY NOTICE: This email message and any attachments are for the

David E. Dawkins

December 7, 2007

City of Austin
Zoning & Platting Commission
P.O. Box 1088
Austin, Texas 78767-8865

RECEIVED

DEC 11 2007

Neighborhood Planning & Zoning

RE: C814-06-0202 - PIER Partners

Dear Zoning & Platting Commission,

I was in attendance at Tuesday night's meeting (12/04/07) and want to express concerns regarding the proceedings, this case and the out come of the meeting. I attended this meeting as I had two major concerns regarding the use / compatibility with existing home owners and fire issues. After hearing the presentation from both sides, I have additional concerns which are outlined below.

1. **Impervious Cover Variance:** Pier Partners presented a slide showing their tract and the Ball Estates tract. They represented that they were going to use the Ball tract to address / transfer the impervious cover variance they are requesting. Do they have control of this property . . . is the property under contract or is this land that could possibly be used for this purpose?
 - o The developer presented solutions to impervious cover on the evening of 12/04. It was stated by the opposition that Pier Partners provided this information to the opposition the day of 12/04. My research indicates that they did not own or even have the property under control at that time. I view this as a "bait and switch tactic", a blatant misrepresentation of facts and was surprised that no one from the opposition or the commission asked to see an executed earnest money contract.
 - o How could Pier Partners, in good faith, expect that anyone would have the time to thoroughly examine their solution in that amount of time? They also presented a study regarding TQEC issues at the same time.
2. **Fire Issues:** The Pier Project plan was rejected by James Reeves on a number of issues and the developer's key solution on 12/04 was stating that emergency vehicles will have access via Weston Lane (a private road through a gated community) to the property. This seemed to be the developer's opinion of fact, not a fact supported by evidence.
 - o I live on Taylor Road and this development is below Taylor Road. Taylor Road's only has one access (ingress / egress) point to River Hills Rd.
 - o In the event of a fire, which cannot be contained within the site, the only natural fire break I find is River Hills Rd. River Hills Rd. is narrow and trees form a canopy over the road from Taylor Rd. down to the Pier access road.
 - o Based on the Roadway / Drive issues raised by the city, the slope(s) on this property are at least a 15% grade, which was raised as an issue in the Fire Review. Steep gradients make the containment of fire much more difficult.
 - o The land in this area contains a high percentage of cedar trees, which becomes denser as you move away from Lake Austin. If you have ever used cedar for a fire, you know that it burns hot and fast.
 - o The development consists of ~180, 40-50 gallon gas tanks located within the boats being stored. A chemical fire is more difficult to fight with water than chemicals and the public speaker on fire control issues made additional and pertinent points regarding this issue.

David E. Dawkins □ 8814 Taylor Road □ Austin, Texas □ 78733

David E. Dawkins

- Unless the Pier Partners bring in an adequate water supply, how will a fire department fight a fire?
To my knowledge there are not any fire hydrants in near proximity and many, if not all of the properties in this area are pulling water from a well, not a city provided service.
What actual plans and specifications do the Pier Partners have in place that addresses fire suppression? All I have read is that they "plan" for fire suppression. Besides the Weston Lane possibility, has the developer presented solutions or even addressed the issues raised by the Fire Review?
- 3. **Zoning and Use of Land:** Proposed zoning (PUD) and the city of Austin recommendation for CR-CO is a much denser use than what is in the area (majority LA with a tract of CS-1).
 - Developer requests PUD based on a number of criteria (green building, public facilities / services, landscape buffer, etc.) that will result in superior development. Unless the plan has changed the developer has not resolved all of the outstanding issues.
 - Adjoining property setbacks are as small as zero feet, yet the proposed PUD "enhances preservation of the natural resources" and provides a "landscape buffer between the Pier Development and adjoining properties" ? ?
 - No requirement to restore the site back to its natural state
 - Where is evidence that they can even meet the minimum requirements of a CR zoning and why would the City recommend CR-CO as an alternate if they aren't in compliance with the CR requirements.
 - Height: Under the development standards of a CR zoning the height restriction is 40' feet. They have presented that this is not achievable on all sides of the property and they are going to use a 15 deep cut to sink the building. What is the depth of the water table and is this possible? Will the Pier Partners start, find out that it is not possible as the building is flooding and then end up building to 60 feet because there is no other solution?
 - Land Use: The changes the Pier Partners are requesting provides a use that is much denser than what the current zoning allows but this development has been presented as providing increased public access, which was the position that many of the speakers who support this project reiterated.
 - How will lack of required setbacks affect compatibility with home owners?
 - The restaurant provides an opportunity for public use but with out a public boat ramp, which could easily be a fee based ramp, how does this increase the public's access to the water?
 - What would be the reaction if this project was attempted on Scenic Lane?
- 4. **Parking:** Is the plan still proposing .25 parking spaces / boat slip instead of .7 parking spaces / boat slip? Is the justification for reducing necessary parking based the daily use of boats, which was reported by the Pier Partners to be only 10%? The Pier Project study of daily use never specified the locations of other dry stack facilities used in gathering this data. Comparing use within a metropolitan area the size of Austin and a dry stack facility based in a resort / destination location such as Rockport, Texas cannot be an apples to apples comparison,

SUMMARY: The developer has requested two previous postponements of the review board to address / mitigate issues that were not in compliance and were supposed to present solutions to outstanding issues. This is a project that will provide an additional public resource to access the lake for approximately 180 people (0.02% of the public), provide a dining establishment on the lake and is incompatible with the existing home owners / tax payers in the area. As I have observed, their methodology and objective seems to be 1) Obtain a zoning change 2) Figure out if they can solve outstanding issues and if not, ask for forgiveness for non compliance. This is easier than asking for permission. Are the Pier Partners unable to, un-capable of and/or just unwilling to address the outstanding issues. If you have solutions to problems you present them, build a case for your objectives and expose the weaknesses of your opponent, NOT ignore or dance around issues and hope they are overlooked. The continued delays in this process waste your time, the time of all the people in attendance and is surely costing the Pier Partners \$\$.

David E. Dawkins □ 8814 Taylor Road □ Austin, Texas □ 78733

David E. Dawkins

At the October 16th meeting the commission stated that all parties had better have their information / presentation together as there would NOT be any additional delays in this decision process. After spending 6 hours of time which could have been spent with my family, I came away very frustrated with the continued delays. I realize this is a complex case but I didn't hear Pier Partners present concrete answers too many of the outstanding issues, there were a lot of grey areas and many areas the group chose to not address. I make my living in commercial real estate, I previously worked for a successful Austin based developer of commercial office and master planned communities and I am not opposed to new developments. My expectation from a seasoned and successful developer is for them to bring to market a creative, well thought out and achievable development. I have not seen from this from the information and presentation concerning the project proposed by the Pier Partners.

Sincerely,



David Dawkins

¹ City of Austin website projection for the estimated population of 800,000 by 2010 (<http://www.ci.austin.tx.us/smartgrowth/>)

cc: A hard copy to follow via US Mail.

David E. Dawkins □ 8814 Taylor Road □ Austin, Texas □ 78733

ZONING & PLANNING COMMISSION

DATE: July 31, 2007

PUBLIC COMMENT SIGN-IN SHEET

(On an item that IS LISTED on this agenda)

PLEASE DO NOT MOVE THIS NOTEBOOK FROM THIS LOCATION. SIGN-IN IS REQUIRED IN ORDER TO SPEAK ON AN ITEM. THIS SHEET INFORMS THE COMMISSION OF ITEMS THE PUBLIC WISHES TO ADDRESS. PLEASE WRITE LEGIBLY, AS THIS SHEET WILL BE THE REFERENCE FOR CORRECT SPELLINGS OF NAMES FOR THE SUMMARY OF THIS MEETING. THIS SHEET IS MAINTAINED AS PART OF THE PUBLIC RECORDS OF THIS MEETING.

ITEM#	FOR/AGAINST	NAME/ADDRESS/PHONE#
4	Against	Tony Meyerland 1108 Exton Cove, Austin 512-322-9112
4	For	Jennifer Guthrie 2018 Travis Heights, Austin, 916-12223
4	FOR	Larry Richardson 1304 Darter Lane Austin 78746
4	FOR	Francie Little 2802 Rivercrest Dr. Austin, TX 78746
4	FOR	Terry Irons 301 Weston Lane Austin 78733
4	FOR	Dustin Elliott 2401 Lio Grande Austin TX 78701
4	FOR	Ashley Fisher 2000 Trifield #212 Austin TX 78702
4	FOR	Marietta Scott 3503 Bonnell Ct Austin 78731
4	FOR	Jeff Hart 1504 Hardman Austin 78703
4	FOR	Wally Scott 3503 Bonnell Ct Austin 78731
4	FOR	Golly Scott 3503 Bonnell Ct Austin 78731
4	FOR	Paige Thomas 423 Westlake Dr Austin 78746
4	FOR	Myles Warrano 1507 Woodbridge Dr Austin 78703
4	FOR	Taylor Sherwood 3907 Bonnell Dr 78731
4	FOR	Jensen Hester 2712 S. Green DR Austin TX 78703
4	FOR	Corby Astrow 5901 Highland Hills Terrace Austin, TX 78731

ZONING & PLANNING COMMISSION

DATE: July 31, 2007

PUBLIC COMMENT SIGN-IN SHEET

(On an item that IS LISTED on this agenda)

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ITEM#	FOR/AGAINST	NAME/ADDRESS/PHONE#
4	Against	JOSH FARLEY 2015 Calle Caliche AUSTIN, TX 78733 263-530
4	Against	Paul Grimmer 1401 N. Weston Ln Austin 78733 844-3389
4	Against	Paul Julie Grimmer 1401 N. Weston Ln Austin 78733 576-9894
4	For	Mel Slater 3703 Robbins Rd Austin 78730
4	For	Sam's Weidman 2916 THOUSAND MILES DR Austin 78746 328-6104
4	Against	Nancy Humphries 103 Weston Ln. S Austin 78733
4	AGAINST	GREG JOHNSON 4251 SUNSHINE DR AUSTIN 78746
4	Against	Nikelle Meade 111 Congress Ave. #1400 Austin TX 78701 472-5451
4	Against	Lamp Skelton Weston Austin TX
4	Against	TERRY BARNES 1409 N. WESTON Austin 78733
4	Against	Cherie Barnes 1409 N. Weston Austin 78733
5	Against	Angela James 2213 S Windsor Austin 78703
5	Against	Charles James 2213 S Windsor Austin 78703
4	AGAINST	ALAN RODDY 3127 EDGEMOOR Austin TX 78737
4	FOR	Celina Romero PO Box 1148 Austin, TX 78767
4	Against	Dan Madi 2601 Hemis Blvd Austin TX 78703

Xerox
Page 4
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ZONING & PLANNING COMMISSION

DATE: July 31, 2007

PUBLIC COMMENT SIGN-IN SHEET

(On an item that IS LISTED on this agenda)

PLEASE DO NOT MOVE THIS NOTEBOOK FROM THIS LOCATION. SIGN-IN IS REQUIRED IN ORDER TO SPEAK ON AN ITEM. THIS SHEET INFORMS THE COMMISSION OF ITEMS THE PUBLIC WISHES TO ADDRESS. PLEASE WRITE LEGIBLY, AS THIS SHEET WILL BE THE REFERENCE FOR CORRECT SPELLINGS OF NAMES FOR THE SUMMARY OF THIS MEETING. THIS SHEET IS MAINTAINED AS PART OF THE PUBLIC RECORDS OF THIS MEETING.

ITEM#	FOR/AGAINST	NAME/ADDRESS/PHONE#	
4	For	John Barclay	3412 Mt. Barker 452-1356
4	FOR	Just Scott	3000 Willowood Circle 577-3000
4	For	Janice Phelps	1912 Almsbury Dr. 78104 785-1333
4	Against	Home Fields	3800 Island Way 78746 327-3117
4	For	Tom Jones - Do not wish to speak	11204 Slaughter Cr 78748 801-1982
4	FOR vs. For	Virginia Jones	11204 Slaughter Cr 78748 801-1980
4	AGAINST	Ed MacIntyre	2316 Island Wood 78733 263-9314
4	Against	Megan Gattis	3601 Rivercrest Dr. 78746 9143024
4	For	Jessica Gregory	2001 S. Nopac Expwy 78746 203-2709
4	For	Doug Greenwood	1781 Spyglass 78746 442-9255
4	AGAINST	ZOLTAN TRITNA	805 Weston Lane 78733 328-2102
4	AGAINST	Kathleen Taiten-Jenkins	805 Weston Lane 78733 328-2102
4	Against	Peg Raitford	1742 Channel Rd 78746 328-5720
4	Against	Ivan Williams	1742 Channel Rd 78746 328-5741
4	Against	Martha Whittier	800 Weston Lane 78733 329-8341
4	Against	Robert W. Galt	800 Weston Lane 717-329-8341

ZONING & PLANNING COMMISSION

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ITEM#	FOR/AGAINST	NAME/ADDRESS/PHONE#
4	FOR	GARY MARTIN 6901 GreenShores #5 Austin, 78759
4	FOR	Heather Cooker 1000 Liberty Park Dr. Austin, 78796
4	FOR	Heather Graham 5905 Fairlane Dr Austin, 78757
4	FOR	Allen McAdams 16016 Spillman Run Loop Austin TX 78738
4	FOR	Jay McPhail 1783 Green Canyon Ave 03
4	FOR	Chantel Edges 3103 Edgewater Dr. Austin TX 78703
4	FOR	Melany Martin 4120 W. William Canyon #48 " 78749
4	FOR	Rushy Signa 18418 Hamilton Pool Rd Dr Spc Tx 78620
4	FOR	KIRK COBURN 10716 Pointe View Dr Austin, TX 78738
4	FOR	BRENT STANDELL 1710 Vista Ln. Austin, 78703
4	FOR	GARY FAIRMER 309 Lake Cliff Tr. Austin, TX 78746
4	FOR	Holly Pearson 3413 Berea Ct Austin TX 78738
4	FOR	Wayne Brumley 3400 Regs., 78703 Austin
4	FOR	Russell Douglas 1004 Weber Ln Austin TX 78733
4	FOR	Elizabeth Rodman 1556 Barton Springs Rd. #23 Austin, TX 78704

ZONING & PLANNING COMMISSION

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ITEM#	FOR/AGAINST	NAME/ADDRESS/PHONE#	
4	For	Elsa Decker 7205 Weldon Drive Austin, TX 78750 771-6884	
4	For	Taylor Sherwood 3907 Bonnell Dr. 78731 371.5341	
4	For	Shaadi Oreyzi 2301 S. Mopac 78746 426 7896	
4	For	Laura Benzel 401 Congress Ave 78701 505 9000	
4	For	Albert Stoull 606 West 11th St Austin 01 422 2859	
4	For	Nelson H. Flett 108 Bluff Prnc Cir Austin 422-0544	
4	For	Stacy Wiltshire 74 Sundown Pkwy Austin 347-1823	
4	For	Brent Wiltshire 74 Sundown Pkwy Austin 347 1823	
4	For	Dar Benson 9009 Wampton Austin 940-6536	
4	For	Phil Kiger 3304 Laurel Circle Austin 78731 419-9200	
4	For	Greg Wilson 1617 Watchhill Austin 78703 477-5903	
4	For	ANDY DEALIGHN 2711 MI. LAUREL DR AUSTIN 78703 482-1602	
4	For	Gary Little 2802 Rivercrest Austin 78746 468-5752	
4	For	Brad Gilbert 2913 Westlake Cove Austin 78746 389-0013	
4	For	JOHN HORTON 3111 WEST LAKE DR. AUSTIN 78746 477-9966	
4	For	Paul Stephenson 8509 COPANO DR AUSTIN 78749 740-6217	
4	For	9004 EARNOLD ST AUSTIN 78748 711-5444	

ZONING & PLANNING COMMISSION

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ITEM#	FOR/AGAINST	NAME/ADDRESS/PHONE#
1	Against	Diane Hurst 8501 Chalk Knob Dr. - Donate Time to Terry
Pier 30R		Rick Swisher 1210 Benton Springs Rd 402-0822
Pier	Against	Hank Lydick 3711 Westlake Drive 78746 327-3884
Pier	For	Cathy McEray 900 Lost Canyon 78746 327-6777
1	For	David Durham 1307 Nestor 320-6925
1 Pier	For	Gilly Scott 3000 Willow Ln 78703 656-8006
Pier	For	Bill Fowler 1410 Gathen Ave Austin 78713 6592441
Pier	Against	Ann Kilby 2308 River Hills Austin 78733 donate
Pier	Against	David Dawkins 8814 Taylors Austin 78733
Pier	For	Tom Campbell 9009 N. RR 670 #213 Austin TX 78726
Pier 4	For	Patricia Buchholz 15601 Laoma Cove Austin TX 78717
Pier 4	For	Ross Buchholz 1305 Pasagorda Austin TX 78746
Pier	FOR	MARCE FALVEY 5205 VALBUENA AUSTIN TX 78731
Pier	FOR	TOM FALVEY " "

Over!

Haris Dyer

Feb 164350

Austin

78716
386-0073
Donates Time
For The
Pier

Mark Vints Against

3806 B Island Way Austin 78746

KITT calls

For

2607 River Hills

Austin 78733

Denn Collins

For

2607 River Hills Rd

Austin 78733

#5 David Cleaves

For

2206 Parkway

Austin 78703

#5 Lin Shivers

For

2209 A Lane

Austin 78703

Natalie McPherson

For

16016 Spicewood Ranch Loop

Austin 78738

Don McPherson

For

" " "

" " "

Brian A. Bailey

For

310 Revenue Austin TX 78746

Jim Sayers

For

1615 Preston Ave Austin 78703

Jim O'Hanrahan

-

1201 Shetland Chase Austin TX 78727

Carl Byrd

Against

3817 Island Lake Austin 78741

David Putman

For

2306 Greenlee Drive Austin TX 78703

Michelle Basset

For

804 Camp Creek Dr Austin TX 78746

Mark Chalmers

For

2323 New Field Austin 78703

FOR	DR ANDREW GASSCO	1614 Bee Caves Rd #190	263-5454
FOR	ASTREY S PRAVY	555 E. 5TH ST #8804 78701	785-9105
FOR	Kelly Behrmann	4306 ADA VERDE 78746	632-9091
FOR	KWANN YUNNIE	1406 Sledge Dr 78734	350-2007
FOR	SCOTT NUNBERG	" "	" "
FOR	CAROLINE CAVEN	2800 SCENIC DRIVE 78703	328-3735
FOR	Forest Rhone	401 Congress Ave	468-1496
FOR	Will Pike	1100 Robert E Lee #1111 78704	
Against	Andrea Depwe	2509 Westlake Dr 78746	327-8379
Against	DAVID SPONE	2509 Westlake Dr 78746	309-9921
Against	JOHN PIERCE	204 BLOOMINGDALE 78746	327-2094
Against	EDIE MUSCHAUER	" "	" "
Against	JOE LEMMERT	4516 Island Cove 78731	889-8228
Against	Andrea Diamond	4516 Island Cove 78731	771-6690
Against	Dave Griffith	3407 Rivercrest Drive 78746	425-1509
Against	Bill Worsham	1607 Newfield Ln 78703	4220998
Against	Raul Sepulveda	875 Whippoorwill 78746	751-7256
FOR	TOM FRIBES	3414 CasadereA 78731	320-5466
FOR	BOB KAY	1608 GAZON 78703	632-8503
FOR	Kami Lemke	6008 NT, BANNICKED. 78731	346-4573
FOR	Alison Scott	3000 Willowood Ctr 71703	512-911-2225
FOR	Anne Little	2525 Jarroff Ave 78703	512-426-742
FOR	Brittany Summers	2707 Turners Ln #1 78703	790-5543
FOR			

4 - For VantageCloud
Long Hillview, +8405
516-711-8057

4 against Jim Root 3304 River crest 78746 5123283624

4 For own property in Lake Austin we need the services! Fred H. Thomas Box 29119 Austin TX 78755 512-476-5730

4 AGGIES - Von Wolske 2102 Lakeshore Dr 577-7374

Lee Cooke
1000 Liberty Park Drive
Beverly Hills, CA 90210
347-8800
459-4498

4 For Don Babel

5 For Jason Nibbles

For David
Clemes

4 Agri~~est~~

4 against Lewis Talbert

107 resident

For

4-2012

50

1102

AGAINST



Not

Cile Scott
3503 Bonnell Ct
78731
452-3268
512-633-9082

Lauren Albrecht 2817 Wozel Ave Apt 101 (512) 289-3779

Bethany Belisk 4204 1000

To be certified 7415 Westlake 8/17/80

Curtis Fuelberg

Ellen Byrd

Jack's Port

Chris Perryman

Doc & Dan 760215 FR

310 Bevel 1/2

8746

(92) -296-8250

John Neff

5820

Travledge

Ausstr. Tx

4534737

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十#

Kennedy Cuff

5820

5820 Trailridge

Austin TX

4534737

for

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