

ATTACHMENT # 7

**Bhakta, Minal**

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**From:** lkendrick5  
**Sent:** Sunday, December 07, 2008 3:21 PM  
**To:** Bhakta, Minal  
**Subject:** Vertical Mixed Use Designation - 3701 Guadalupe Street, File Number C14-2007-0262  
**Importance:** High

December 7, 2008

Bill Kendrick  
Executor of *The Estate of Odie Kendrick, Jr.*  
1201 Machado Road  
Cedar Park, TX 78613  
Email:

Minal Bhakta  
City of Austin  
Neighborhood Planning & Zoning Department  
P.O. Box 1088  
Austin, TX 78767  
512-974-6453  
Email: [Minal.Bhakta@ci.austin.tx.us](mailto:Minal.Bhakta@ci.austin.tx.us)

**RE: Vertical Mixed Use Designation - 3701 Guadalupe Street, File Number C14-2007- 0262**

Dear Ms. Bhakta,

I am requesting that the above referenced property remains eligible for the unrestricted *Vertical Mixed Use* overlay zoning, in accordance with the regulations initially outlined by the *City of Austin*. The property referenced above is located at the corner of 37th Street and Guadalupe Street and this property is on a designated Core Transit Corridor.

The location of the above referenced property is ideal for *Vertical Mixed Use*. This designation would allow for the development of additional businesses and residential dwellings. The proposed light rail system will also be beneficial in reducing traffic and parking congestion. The *Vertical Mixed Use* development will improve the quality of the neighborhood by providing additional businesses and enabling residential and affordable housing dwellings to be built.

I am a native *Austinite* and have seen many changes in Austin over the years. I support the *Vertical Mixed Use* concept and the positive changes that it will bring to our city. It is my opinion that we need to make positive changes such as the *Vertical Mixed Use* concept in order to continue to improve the quality of Austin and future growth. These changes would help to address the need for more residential dwellings and also to decrease the congested roads in the designated Core Transit Corridors. I believe that the *Vertical Mixed Use* overlay for central Austin and the downtown areas is a positive move toward relieving the congestion in these densely populated areas, both now and in the future.

According to the *Neighborhood Association's Opt-In / Opt-Out Application*, they have requested to have the above referenced property excluded from the *Vertical Mixed Use* overlay zoning, which is **NOT** my choice.

Therefore, as a representative for the above referenced property, I am requesting that this property remains eligible, zoned and included in the unrestricted *Vertical Mixed Use* overlay. Furthermore, I request that **ALL** *Vertical Mixed Use* regulations apply that were initially outlined by the *City of Austin*. Please forward this letter to

1/20/2009

the Planning Commission and City Council before the next Planning Commission hearing, which is scheduled for December 9, 2008. Please contact me if you have any questions or comments.

Respectfully,

Bill Kendrick  
Executor of *The Estate of Odie Kendrick, Jr.*

## PLANNING COMMISSION HEARING

DATE: January 15, 2008 TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: January 31, 2008 TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Central Austin Combined Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Mary Ingle

Address 3406 Duval St. 78705

- ☒ I am in favor <sup>of connection to NWA</sup>  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

11/12/2

**WRITTEN CONSENT OF THE BOARD OF  
DIRECTORS OF MEDICAL SCIENCE CENTER  
CONDOMINIUM ASSOCIATION**

The undersigned director of Medical Science Center Condominium Association ("Association"), in lieu of holding a special meeting of the shareholders, does hereby approve, ratify and adopt the following resolution:

RESOLVED that the Board of Directors of the Association and its members, owners of the entire property locally known as 711 W. 38<sup>th</sup> Street, Austin, Texas, desire to remain in Vertical Mixed Use overlay district, as set forth in Article 4, Subchapter E of Chapter 25-2 in the Austin Land Development Code, in effect as of the date of this resolution.

Dated: January 22, 2008

Tara Martin  
Tara Martin, Chairman of the Board of Directors

C11  
123

**WRITTEN CONSENT OF THE BOARD OF  
DIRECTORS OF MEDICAL SCIENCE CENTER  
PARKING INC.**

The undersigned director of Medical Science Center Parking Inc. ("MSC Parking"), in lieu of holding a special meeting of the shareholders, does hereby approve, ratify and adopt the following resolution:

RESOLVED that the entire property owned by MSC Parking, locally known as 3511 West Avenue, 3509 West Avenue, and 3507 West Avenue in the City of Austin (the "Property"), and the Board of Directors of MSC Parking desire that the Property be included in the City of Austin Vertical Mixed Use overlay district, as set forth in Article 4, Subchapter E of Chapter 25-2 in the Austin Land Development Code, that is currently in effect as of the date of this resolution.

RESOLVED that the Board of Directors also desire that the Property be utilized as a unified site with 711 W. 38<sup>th</sup> Street, Austin, Texas 78705 ("711 W. 38<sup>th</sup> Street"), since (i) the Property is used as a parking facility for 711 W. 38<sup>th</sup> Street and (ii) the Property is owned by the individuals who comprise the Medical Science Center Condominium Association, the owner of 711 W. 38<sup>th</sup> Street.

Dated: January 22, 2008

Tara Martin  
Tara Martin, Chairman of the Board of Directors

# Camco Land, Ltd.

1016 MoPac Circle, Suite, 102  
Austin, Texas 78746  
Ph. (512) 327-6586  
Fax (512) 327-5113

C11  
119

January 7, 2008

Mr. Andrew Holubeck  
Neighborhood Planning and Zoning Department  
PO Box 1088  
Austin, Texas 78767-8835

**RE: Vertical Mixed Use Designation – 711 W. 38<sup>th</sup> Street (B1-B4, C-7, C10, C11), 901 W. 38<sup>th</sup> Street, 911 W. 38<sup>th</sup> Street and 3701 N. Lamar, File Number C-14-2007-0262**

Dear Mr. Holubeck,

In response to the notice received by Camco Land, Ltd and Camco Building I, Ltd. from the City of Austin pertaining to the file number and the properties referenced above, the owners of the above properties request that the referenced properties remain eligible for unrestricted Vertical Mixed Use overlay in accordance to the regulations outlined by the City of Austin. All properties listed above are located on designated Core Transit Corridors and their ultimate vertical mixed use development will improve the quality of the neighborhood and Austin as a whole.

Furthermore, the owner of the above properties request that ALL VMU related standards apply and that the affordability requirements for the VMU are consistent with what is currently specified by the City of Austin.

Attached is an exhibit noting the VMU regulations as specified by the City of Austin which is what is desired by the owner of the properties referenced above.

If you have any questions please contact, Kevin E. Hunter, agent for the above reference properties.

Respectfully,



Kevin E. Hunter agent for Camco Land and Camco Building I

## **Holubeck, Andrew**

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**From:** Kevin Hunter [khunter@hthcapital.com]  
**Sent:** Monday, January 07, 2008 7:10 PM  
**To:** Holubeck, Andrew  
**Subject:** FW: Scanned image from AR-M237

**Attachments:** AR-M237\_20080108\_091507.pdf



AR-M237\_20080108\_091507.pdf (9...

Andrew,

Attached is Camco Land and Camco Building I, Ltd.'s comment form in regard to the VMU overlay and planning commission meeting on January 15, 2008. To be clear, Camco desires NO modification to it's current VMU regulations. The Camco properties remain part of the VMU overlay in full.

Written notice will be sent to you later in the week. If you have any questions, feel free to contact me.

Please send me an e-mail acknowledgement of the receipt of Camcos comment.

Respectfully,

Kevin Hunter

-----Original Message-----

**From:** scanner@office.com [mailto:scanner@office.com]  
**Sent:** Tuesday, January 08, 2008 9:15 AM  
**To:** khunter@hthcapital.com  
**Subject:** Scanned image from AR-M237

**DEVICE NAME:**  
**DEVICE MODEL:** SHARP AR-M237  
**LOCATION:**

**FILE FORMAT:** PDF G4  
**RESOLUTION:** 300dpi

Attached file is scanned image in PDF format.  
This file can be read by Adobe Acrobat Reader.  
The reader can be downloaded from the following URL:

<http://www.adobe.com/>

**PLANNING COMMISSION HEARING**

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**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

**CITY COUNCIL HEARING**

**DATE:** January 31, 2008      **TIME:** 4:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

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**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Canco Land, Ltd. Canco Building I, Ltd.

☒ I am in favor  
(Estoy de acuerdo)

Address 711 W 38th St. 911 W 38th St. 901  
W 38th St. 3701 N. Lamar.

☐ I object  
(No estoy de acuerdo)

\*Full VMU designation with no modifications \*

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If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:



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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) John Nyfeler & Sally Fly

Address 3215 Hampton Rd., 78705

☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

Re: Tract # 101

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Chi Dinh

Address 3006 Footh  
AUSTIN, TX 78705

☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) WALTER FALK

Address 704 West 21st Street

and other properties.  
Home Addr: 5904 Long Ct, 78730

☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

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9746054 FAX

**PLANNING COMMISSION HEARING****DATE:** January 15, 2008 **TIME:** 6:00 P.M.**LOCATION:** City Hall, Rm. 1002, Council Chambers  
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**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

**File #** C14-2007-0262**Planning Commission Hearing Date:** January 15, 2008**Name (please print)** JARRUD CAMPBELL, DDS**Address** 711 W. 38th Street Suite B10☐ I am in favor  
(Estoy de acuerdo)☐ I object  
(No estoy de acuerdo)

I Am in FAVOR OF Retaining VMU designation

with NO MODIFICATIONS.

454-5825

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Betsy Greenberg

Address 3009 Washington Sq 78705

Do not allow 15' sidewalk requirement to be relaxed in Heritage.

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

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301 W. 2nd Street, Austin****CITY COUNCIL HEARING****DATE: January 31, 2008 TIME: 4:00 P.M.****LOCATION: City Hall, Rm. 1002, Council Chambers** Fax 974-6054  
**301 W. 2nd Street, Austin**

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Alexandra DaileyAddress 711 W. 38th St. # D 3Austin, TX 78705 (office)

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

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NEUROPSYCHOLOGY SERVICES OF AUSTIN, P.C.  
WILLIAM A. DAILEY, PH.D.  
711 West 38th Street, Suite D-3  
Austin, Texas 78705-1131  
TEL. 512-454-7745 FAX 512-454-7758

CU  
1/14

Andrew Holubeck  
Neighborhood Planning and Zoning Department  
505 Barton Springs Road  
Austin, TX 78704

January 13, 2008

RE: File No. C-14-2007-0262

Dear Mr. Holubeck:

I am concerned that the proposal to exclude some 45 properties from the VMU Overlay District is not in the long-term best interests of appropriate development of those properties, and I oppose it. I am in favor of leaving the VMU Overlay District in place. To address objections to the current overlay, the parties who are requesting the removal of this overlay should enter into discussions with affected property owners and city staff to work out their differences by adding additional zoning rules or overlays that would spell out further requirements for future development of those properties. In the long term, developments that are aesthetically pleasing, mixed-use, and built on a scale that is not overwhelming to the neighborhood are in the best interest of all parties, both commercial owners and residents.

I am writing to you as a small owner-occupant within the Medical Science Center condominiums on 38<sup>th</sup> Street. As far as I know there are no plans to redevelop this property, but if it is ever redeveloped, it needs to be done right.

The current VMU rules allow for responsible and appropriate development along major thoroughfares, while putting in place some protections for the integrity and unique character of nearby residential areas. The current mixed use development seems to be a highly desirable planning tool that enhances the quality of urban life by increasing the options for people to go about their daily activities on foot, rather than requiring a car trip. If done right, the denser VMU development that is allowed along these major routes would reduce auto trips, increase a sense of community, and integrate the denser scale of the new developments with the less-dense adjoining neighborhoods.

I understand the central Austin neighborhoods have a concern about the development of the properties and I am sympathetic to their wish not to be on the back end of parking garages and dumpster sites. My thought is that the prudent way to address these concerns is to keep the existing rules in place, as these do afford protections against big-box/ big parking lot developments, but add more specific guidelines and requirements so that new

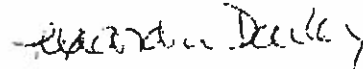
C11  
115

developments along the main thoroughfares are attractive on both the front and back sides. If the current regulations are removed, developers will have to spend more money and time on getting their projects through the longer planning and zoning approval process, and money that could have gone towards more interesting architecture, landscaping, and so forth will have to go to paying for the longer and more costly permitting process. Neighborhoods would benefit from having a clear set of additional rules for all of these properties to follow, so that they do not have to address their concerns on a property-by-property basis, but can have some assurances of comparable standards being applied to a large number of properties.

We all want to live and work in a pleasant place, and additional protections, rather than the removal of existing protections and requirements, would help achieve this shared goal.

Thank you for your consideration.

Sincerely,



Alexandra Dailey



**PLANNING COMMISSION HEARING****DATE: January 15, 2008 TIME: 6:00 P.M.****LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin****CITY COUNCIL HEARING****DATE: January 31, 2008 TIME: 4:00 P.M.****LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin**

For questions regarding the vertical mixed use application for the Central Austin Combined Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

**File # C14-2007-0262****Planning Commission Hearing Date: January 15, 2008**

Name (please print) GAIL NICOSIA DDS ☐ I am in favor  
(Estoy de acuerdo)

Address 711 W. 38th Street Suite G5 ☐ I object  
(No estoy de acuerdo)

I Am in FAVOR OF Retaining VMU designation

with NO MODIFICATIONS.

453.1600

**INFORMATION ON PUBLIC HEARINGS**

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Patrick M. & Julia Harvill

☒ I am in favor  
(Estoy de acuerdo)

Address 4576 Pebble Brook Lane Plano TX

☐ I object  
(No estoy de acuerdo)

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**PLANNING COMMISSION COMMENT FORM**

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**File # C14-2007-0262****Planning Commission Hearing Date: January 15, 2008**Name (please print) Austin Computer Diagnostics, Ltd / River Ranch Radiology <sup>dba.</sup>Address 711 W. 36th Street, Suite D-1, Austin, TX 78705

In favor of retaining full VMU designation with no modifications.

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

by Tara Martin

**INFORMATION ON PUBLIC HEARINGS**

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301 W. 2nd Street, Austin

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Julia M. Penn

☒ I am in favor  
(Estoy de acuerdo)

Address 3113 Grandview St 78705  
+ 3111 Grandview St 78705

☐ I object  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) CH DINIT

Address 502 W. 30th St.  
AUSTIN, TX 78705

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

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1/9/08  
C11/128  
PLANNING COMMISSION,

I WANT THE FULL VMD BONUS  
TO APPLY TO MY PROPERTY AT 2808  
GUADALUPE ST.

THANK YOU



MARK NEMIR  
NEMIR PROPERTIES  
P.O. BOX 49369  
AUSTIN TX 78765-9369  
512-247-1297

**PLANNING COMMISSION COMMENT FORM**

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) MARK NEMIR (NEMIR PROPERTIES) ☒ I am in favor  
(Estoy de acuerdo)

Address 2808 GUADALUPE ST. ☐ I object  
(No estoy de acuerdo)

**PLANNING COMMISSION COMMENT FORM**

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Irene Rave Lokey

Address 3316 Guadalupe #215

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

**INFORMATION ON PUBLIC HEARINGS**

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If you have any questions concerning this notice, please contact the Planning Commission at (512) 478-1234.

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You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Allison Gregory

Address 808 W. 32nd St. 78705

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

**PLANNING COMMISSION COMMENT FORM**

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) NIRAV V. PATEL

Address 1411 CLIFF ST, APT 2 78705

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

**PLANNING COMMISSION HEARING**

**DATE:** January 15, 2008      **TIME:** 6:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

**CITY COUNCIL HEARING**

**DATE:** January 31, 2008      **TIME:** 4:00 P.M.

**LOCATION:** City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

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.....  
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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Joseph Bunn

Address 4415 BARROW AVE

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

.....  
\* This neighborhood's charm needs to be preserved as is!  
.....

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) DAVID W. WELLS

Address 606 W. 32ND ST.  
AUSTIN, TX 78705

☐ I am in favor

(Estoy de acuerdo)

☒ I object

(No estoy de acuerdo)

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) MATT & ANN MOWAT

Address 1204 WEST 22 1/2 STREET

☐ I am in favor

(Estoy de acuerdo)

☒ I object

(No estoy de acuerdo)

\* I OBJECT BECAUSE THE CITY DOES NOT ENFORCE  
CONDITIONAL OVERLAYS - GROWTH WITHOUT RESPONSIBILITY!

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File # C14-2007-0262

Planning Commission Hearing Date: January 15, 2008

Name (please print) Christopher & Ann (Mrs.)

Address 3108 Wheeler St., Austin 78705

☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

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