ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0086
Lost Creek

ZAP DATE: September 4, 2012
October 2, 2012

ADDRESS: 1142 Lost Creek Boulevard

AREA: 1.447 acres
(63,031square feet)

OWNER: Stern Trust
(Robert P. Stern)

AGENT: LOC Consultants
(Sergio Lozano)

ZONING FROM: LO; Limited Office

ZONING TO: MF-1; Multifamily Residence Limited Density

NEIGHBORHOOD PLAN AREA: N/A

SUMMARY STAFF RECOMMENDATION:
The staff recommendation is to grant multifamily residence limited density – conditional overlay (MF-1-CO) district zoning. The conditional overlay would limit the number of units to 12 and limits the number of units per building to 2. The conditional overlay would also require that all compatibility standards, as listed in the Land Development Code, Chapter 25-2, Article 10 (Compatibility Standards), apply, with the proviso that should provisions of the Hill Country Roadway Requirements (Chapter 25-2, Article 11) or the Environmental Criteria Manual Hill Country Roadway Landscape Criteria (ECM 2.7.0) conflict, the provisions of Article 11 and ECM 2.7.0 would prevail.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 2, 2012 - To grant MF-1-CO zoning. Motion by Commissioner Seeger; Second by Commissioner Rojas. Approved 4-1. Commissioner Meeker Against; Commissioner Banks Absent; One Vacancy

September 4, 2012 – Postponed to October 2, 2012 at the request of neighborhood association. Motion by Commissioner Seeger; Second by Commissioner Rojas; Approved 7-0.

RECENT DEVELOPMENTS:
The original application was for a rezoning to MF-2. Following discussions between the applicant and staff, the applicant modified the request to MF-1 (please refer to Exhibit C-1); the applicant also agreed to meet the City's compatibility requirements, and to limit the number of residential units to 15.

The Lost Creek Neighborhood Association (LCNA) notified staff and the applicant of its opposition to MF-2 in correspondence dated August 10. After a second meeting between the applicant and representatives of the neighborhood in mid-late August, the LCNA unanimously passed a resolution in opposition to the proposed multifamily zoning (please refer to Exhibit B-2). The applicant reiterated their attempts to be responsive to the neighborhood (see Exhibit C-2). By the September 4, 2012 Commission meeting, staff had received over 70 emails or letters from residents voicing their support of the resolution and opposition to the proposed rezoning (see Exhibits marked B3-B89). Throughout the month of September, additional correspondence from neighborhood association members and residents has been received (see Exhibits commencing with label B90).

On September 4, 2012, the LCNA requested a 60-day postponement for more time to meet with the applicant, discuss concerns, and fully consider the proposal. Although willing to postpone Commission action and meet again with the neighborhood parties, the applicant did not concur with the 60-day request. An approximate 30-day postponement was granted by the Zoning and Platting Commission.

There have been a number of meetings with the LCNA board and the applicant's design team, and one meeting open to the entire neighborhood with the design team in this 30-day period. Staff can report that these discussions have been fruitful and that the applicant and neighborhood have reached agreement on many items of concern. Three additional letters of opposition from residents have been received since this series of meetings began.

It must be noted the LCNA and applicant discussed concerns and negotiated in good faith; it was expected that most if not all of these agreed-upon items (prohibitions, limitations or other restrictions) could be included in a conditional overlay rather than a private restrictive covenant. Although enforcement of a private restrictive covenant is the responsibility of the neighborhood, it is also the case in this instance that these items in a restrictive covenant will come into play at the time of site planning and do not require ongoing monitoring or evaluation by the neighborhood. Because this property is subject to Hill Country Roadway Regulations, the site plan will come before the Commission for consideration and approval, again with an associated public hearing.

Items negotiated by the applicant and the LCNA leadership, and proposed to be included in a private restrictive covenant and/or set of deed restrictions, include many property use, site design and building construction requirements, including the number of units per building, garage and guest parking requirements, building materials and articulated design, screening of undesirable elements, and more (see Exhibit E for comprehensive list). This listing of negotiated items is not exhaustive, and additional items might be included as the covenant documents are drafted. Similarly, some verbiage or criteria may change, but the items noted above (and listed on Exhibit E) speak to the general intent and scope of the agreement between the LCNA and the applicant. To the extent feasible, the applicant and LCNA would also like to include language about closing the driveway and removing the turn lane, and requiring owned residential units rather than rentals. The former is challenging because it involves the best efforts of the applicant, but is subject to both City and County regulations regarding the driveway and right-of-way which are beyond his control. As an aside, the County has provided preliminary approval for the driveway closure and reworking of the right-of-way, contingent on approved site plans for such proposed work. The latter is intended to promote condominium ownership and not rental apartments or multiple leased condo units.

Because the LCNA and the applicant thought these negotiated points could be included in a conditional overlay, a private restrictive covenant and/or set of deed restrictions was not executed prior to the Commission's public hearing on the case; there simply was insufficient time. Staff is aware that the applicant and LCNA are in the process of drafting the document(s), and it is expected any relevant documents are executed and recorded prior to consideration of this case by the City Council.

On October 2, the same date as the rescheduled public hearing at the Planning Commission, the property owner of Vista II, the office complex immediate abutting the subject tract, contacted staff regarding the proposal, and intimated a postponement was requested; staff responded with instructions on how to formally request a postponement.

Staff had not been contacted by the property owner previously. After discussion between the property owner and staff, the owner determined not to request a postponement, but reiterated his request that his concerns be considered prior to final decisions on the rezoning request (see Exhibits labeled D).

DEPARTMENT COMMENTS:

The subject property consists of a single platted lot northwest of the Loop 360 and Lost Creek Boulevard intersection. It abuts Lost Creek Boulevard, with approximately 460 feet of frontage, but currently does not take ingress from the roadway; there is a right-turn-only exit from the property onto Lost Creek Boulevard. The subject property consists of a unoccupied drive-through banking facility, and is surrounded on three sides by multistory office buildings that form an interconnected campus, all of which are in the City, and zoned office or commercial. Further to the northwest is a large, undeveloped tract with SF-2 zoning.

On the opposite side of Lost Creek Boulevard are a number of single-family residences, part of The Hills of Lost Creek and Lost Creek Hilltop subdivisions, and the Barton Creek Wilderness Park. Both the residences and the park are outside the City, and are thus without zoning (please see attached zoning and aerial maps, Exhibits A and A-1). This part of the City's extraterritorial jurisdiction is expected to be annexed December 2015.

The subject tract is also within a Hill Country Roadway Corridor, specifically Loop 360. Located within a "Moderate Intensity Zone," there are additional requirements that will impact reuse and redevelopment of the site, regardless of the base district zoning.

The existing unoccupied drive-through bank facility was developed in 1985 (permits began in 1984) as a Boatmans Bank. Another financial institution took over the facility in the mid-1990s and operated it until 2007, when Regions Bank acquired it. It ceased operations in early 2011. The current proposal is to redevelop the vacant site into a limited number of townhomes or condominiums.

Although the current residential site design is a work in progress, the expectation is for several buildings of two units apiece, with each building have two living floors above parking. The applicant originally asked for MF-2 rezoning for height and density allowances. However, because of the overriding nature of the Hill Country Roadway requirements, many distinctions in site development standards between MF-2 and MF-1, or even SF-6, are moot. The applicant subsequently amended the rezoning request to MF-1.

Staff supports the MF-1 request with the condition that the site be developed as if the nearby residential and parkland properties across Lost Creek Boulevard were in City limits. That is, the site will be developed according to City use, site, and design standards – because it is in the City; in addition, staff recommends that the site be subject to full compatibility standards as regards those properties across Lost Creek Boulevard that our currently outside the City but will be annexed in 2015. Staff recommendation for MF-1 approval is also contingent on a limitation of the number of units to no more than 12. The applicant has concurred with these conditions.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LO	Vacant Drive-Through Bank
North	LO; GO	Office Complex
South	Lost Creek Blvd; ETJ (Unzoned)	Right-of-Way; Single-Family Residential; Barton Creek Wilderness Park

East	LR	Office Complex
West	LO; SF-2; ETJ (Unzoned)	Vacant Building & Tennis Court; Undeveloped; Single-Family Residential

AREA STUDY: N/A
WATERSHED: Eanes Creek
CAPITOL VIEW CORRIDOR: No
TIA: Not Required
DESIRED DEVELOPMENT ZONE: No
HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

Lost Creek Neighborhood Association	145
City of Rollingwood	605
Barton Creek North Property Owners Association	917
Save Our Springs Alliance	943
Homeless Neighborhood Association	1037
League of Bicycling Voters	1075
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
The Real Estate Council of Austin, Inc.	1226
Sierra Club, Austin Regional Group	1228
Austin Heritage Tree Foundation	1340
Montopolis Community Alliance	1357
SEL Texas	1363

SCHOOLS:
Eanes Independent School District:
Forest Trail Elementary School West Ridge Middle School Westlake High School

RELATED CASES:
The subject tract was part of a 1303-acre tract unilaterally annexed into Limited Purpose Jurisdiction for "Planning and Zoning" and "Sanitation and Health Protection" in 1983 (C7a-83-007). The tract was annexed into Full Purpose Jurisdiction in 2008, as part of a 45-acre annexation following settlement of a lawsuit and agreement with the Lost Creek Municipal Utility District to annex Lost Creek MUD Commercial Property (C7a-07-022).

Upon limited purpose annexation into the City in 1983, the subject tract was designated interim residential. The property was rezoned in 1983 from Interim AA Residence, First Height and Area to O-1 Office, First Height and Area. In 1984 the Council adopted the Zoning Conversion Ordinance (840301-S), which along with the Reclassification Ordinance (841129-V) converted O-1 to LO, Limited Office. The present zoning of the subject tract has remained unchanged since 1984.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-83-157	I-AA First Height and Area to "O-1" Office, First Height and Area	Approved; 03/27/1984	Approved; 07/26/1984

CASE HISTORIES:
As with the subject tract, abutting and nearby properties were granted permanent office and commercial zoning in the early 1980s, zoning which has not changed since conversion in the mid-Eighties. The former "O" First Height and Area and "O-1" were converted to LO, Limited Office; "O" Second Height and Area was converted to GO, General Office.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14r-83-158 (north of site)	I-AA First Height and Area to "O" Office, First Height and Area	Approved; 09/06/1983	Approved; 12/01/1983
C14r-83-159 (north of site)	I-AA First Height and Area to "O" Office, Second Height and Area	Approved; 09/06/1983	Approved; 12/01/1983
C14r-83-161 (east of site)	I-AA First Height and Area to LR	Approved; 09/27/1983	Approved; 05/17/1984
C14r-83-190 (southeast of site)	I-AA First Height and Area to LR	Approved; 10/04/1983	Approved; 01/12/1984
C14r-83-263 (north of site)	I-AA First Height and Area to "O-1" Office, First Height and Area	Approved; 03/27/1984	Approved; 06/07/1984
C14r-84-233 (north of site)	I-SF-2 to "O" Fourth Height and Area I-SF-2 to LO	Denied/Approved O-1; 09/04/1984 Approved; 01/14/1986	 Approved; 10/09/1986

Regarding the large SF-2 tract to the northwest of the subject tract, at the time of limited purpose annexation in July 1983, the City Code provided for an interim designation of I-AA (First Height & Area) for all annexed properties. Ordinance 841129-V converted I-AA to I-SF-2, and ordinance 860206-K converted I-SF-2 to SF-2.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Lost Creek Blvd	87 Feet	Varies	Collector	Yes	Yes	No

CITY COUNCIL DATE: September 27, 2012
October 18, 2012

ACTION:
Postponed at staff request to October 18, 2016 [Consent Motion by Councilmember Spellman, Seconded by Council Member Cole; Approved 7-0]

ORDINANCE READINGS: 1st 2nd 3rd
ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman **PHONE:** 974-7604
e-mail address: lee.heckman@austintexas.gov

SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant multifamily residence limited density – conditional overlay (MF-1-CO) district zoning. The conditional overlay would limit the number of units to 12 and limits the number of units per building to 2. The conditional overlay would also require that all compatibility standards, as listed in the Land Development Code, Chapter 25-2, Article 10 (Compatibility Standards), apply, with the proviso that should provisions of the Hill Country Roadway Requirements (Chapter 25-2, Article 11) or the Environmental Criteria Manual Hill Country Roadway Landscape Criteria (ECM 2.7.0) conflict, the provisions of Article 11 and ECM 2.7.0 would prevail.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The existing Limited Office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The proposed Multifamily Residence Limited Density (MF-1) district is the designation for a multifamily use with a maximum density of up to 17 units per acre, depending on unit size. An MF-1 district designation may be applied to a use in a residential neighborhood that contains a mixture of single family and multifamily uses or in an area for which limited density multifamily use is desired. An MF-1 district may be used as a transition between a single family and higher intensity uses.

The subject tract is surrounded on three sides by multistory office development; single-family residential and a large wilderness park can be found across Lost Creek Boulevard. Staff has determined that a small-scale multifamily project, especially if constructed according to City requirements for compatibility, can serve as a transition between office uses on one side of the Boulevard and single-family residential uses and parkland on the other.

If the request were for MF-2, as originally proposed, and density was not capped, then the 1.447-acre tract could be developed with 33 units (not accounting for impervious cover or height limitations; similarly, even MF-1 with no limit on unit density could result in up to 24 residential units. Such density would likely be deemed inappropriate and not a satisfactory transition between the two sides of the Boulevard.

Moreover, if the property is limited to a total of 12 units and if the buildings are limited to no more than 2 units each, then the resulting built environment would certainly have a residential look more in keeping with the existing single-family homes and could serve as a better transition to them.

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

Staff has determined that the MF-1 zoning district, in conjunction with the Hill Country Roadway Corridor (HCRC) requirements and additional recommended compatibility standards, helps promote compatibility between the abutting office complex, nearby residential, and the proposed project. Indeed, in terms of site development standards, the only difference between the existing LO and proposed MF-1 in this location is the rear yard setback (5 feet vs. 10 feet, respectively). Front and side setbacks, as well as height allowances, are identical for the two districts. The HCRC requirements further diminishes distinctions between the two districts as regards impervious cover (capped at 40%). Moreover, by adopting the recommended conditional overlay mandating City compatibility requirements, area residents should be provided a level of compatibility that would not be required should the property simply be redeveloped under the current zoning as an office use.

Staff is aware of concerns regarding traffic on Lost Creek Boulevard. The applicant and the neighborhood wish to close the existing right-turn, exit-only driveway from the property onto Lost Creek Boulevard. The site is currently accessed through adjacent office properties, with options to exit through those adjacent properties to Lost Creek Boulevard or to Loop 360. Staff is researching safety and code requirements as pertains to removing this driveway, or reconfiguring/relocating it if is required as a point for emergency access. Related, if this exit-only driveway is closed or (re-)moved, then there is potential for removing the concrete barrier and subsequently restriping or otherwise redoing the pavement in front of the property, which would be done at the applicant's expense. Any such modification would acknowledge there is an existing bicycle lane on this side of the Boulevard. Currently this portion of Lost Creek Boulevard is within Travis County's jurisdiction. Staff is working with colleagues at the County's Transportation and Natural Resources Department to explore possible options.

Whether the proposed residential development would result in more traffic than a drive-through bank or other allowed office use, or create a different traffic pattern, is unknown – and to a large extent concerns about the potential for increased traffic become a moot consideration. As noted above, this portion of Lost Creek Boulevard is outside the city limits of Austin and are within the jurisdiction of Travis County. Just as the City has no authority to review or issue driveway permits (or closures) on County roads, the City has no authority to require or review any other improvements to Lost Creek Boulevard.

Granting of the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city.

There is, occasionally, concern about the precedent or domino effect of rezoning a property. As noted, the property is surrounded by existing multistory office buildings in an interconnected campus. Neither this office campus nor the nearby single-family residential and wilderness area seem ripe for additional or re-development at this time. The 0.6-acre LO-zoned tract immediately to the west of this property (currently housing a garage/storage shed and tennis court) is currently on the market and potentially could be redeveloped. However, given its relatively small size, its development potential is constrained. Future incorporation of that property into this project, for example, would require rezoning to an appropriate district. The 37-acre undeveloped tract to the northwest, the only remaining undeveloped tract along Lost Creek Boulevard, is currently zoned SF-2, single-family residence standard lot.

EXISTING CONDITIONS

Site Characteristics

The site slopes from north/northwest to south/southeast, with its lowest point along Lost Creek Boulevard and the property line to the east. The vacant banking facility and parking/driving areas contribute to significant existing impervious cover; however, there are many mature trees on site, especially to the south and east.

Site Plan and Compatibility Standards

This site is located within the Hill Country Roadway Corridor (Moderate Intensity) and therefore requires approval from the Zoning and Platting Commission. (25-2 Article 11 Hill Country Roadway Requirements)

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

NOTE:
Staff is recommending a conditional overlay that requires that all compatibility standards, as listed in the Zoning Code, Subchapter C (Use and Development Regulations), Article 10, apply. Staff is also recommending a limit on the maximum number of residential units, 12, and a limit of no more than 2 units per building.

The applicant and the Lost Creek Neighborhood Association have reached agreement on several site planning items, including building materials, articulation, prohibitions against roof decks and more. These items are to be incorporated into a private restrictive covenant.

Transportation
No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Impervious Cover
The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Eanes Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Net Site Area*	*% NSA with Transfers*
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Environmental

According to floodplain maps there is no floodplain in or within close proximity of the project location.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

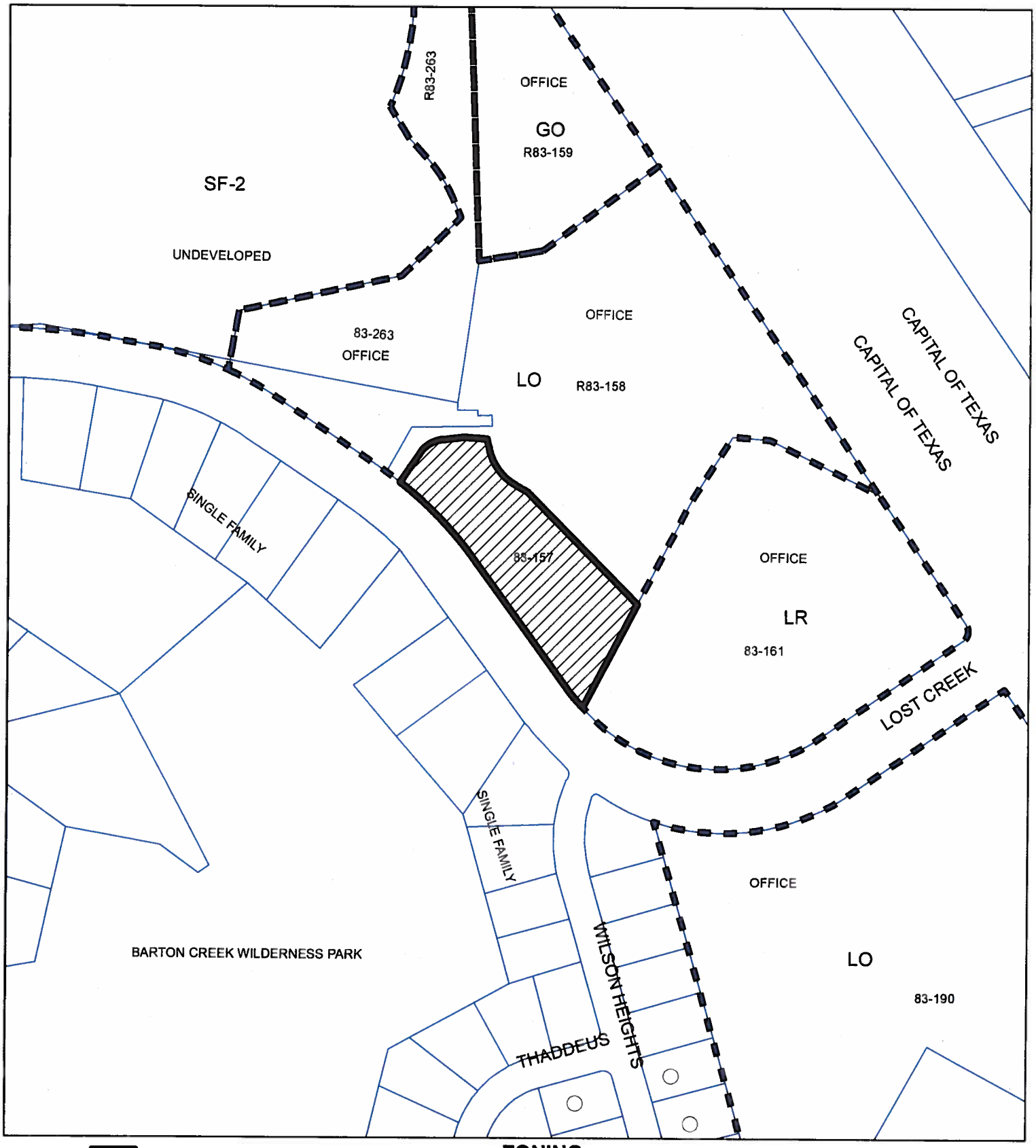
Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

Water and Wastewater

The landowner intends to serve the site with Lost Creek MUD water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



N

1" = 200'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2012-0086

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

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

Exhibit A

C14-2012-0086 / Lost Creek

Imagery Data: 2009

Exhibit A-1

0 100 200 400 Feet

1 inch = 200 feet

Lost Creek
NEIGHBORHOOD ASSOCIATION

August 10, 2012

Austin Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

Lost Creek Neighborhood Association wants to make you aware of our concerns about the proposed rezoning of 1142 Lost Creek Boulevard from commercial to residential. We are against the residential development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of Travis County and is a single-family neighborhood. The rezoning of the one-story bank building to three story condos near the entrance to our neighborhood needs to have sufficient conditions to ensure our established neighborhood is not detrimentally affected by this new development.

Our biggest concern is the density of the zoning the applicant is proposing. MF2 would set a terrible precedent on our neighborhood's major roadway. The proposed zoning will allow for more than 30 units on the subject property. The developer's plan is 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units.

The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. Lost Creek will be part of the city of Austin when it is annexed January 1, 2016. Compatibility standards should include a reasonable limit on building height on the property, orientation of the building to the neighborhood, maximum screening of the development from surrounding properties and set backs from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. We can't have cars park on Lost Creek Boulevard just yards from where two lanes merge

Exhibit B-1

into one. Architecturally, the project should be built with stone and brick materials similar to the surrounding residential neighborhood. The scale of the development on this elevated slope should fit in

the community and not over-power the surrounding single-family houses. Lighting should be restricted so as not to increase the light shining on those houses at night.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns. However, I would welcome the chance to work with the applicant if the other party is willing to address our concerns.

Best regards,
Shelly Detomasi-Shaw
President, Lost Creek Neighborhood Association

Exhibit B-1

Lee Heckman
Planning and Development Review Department
City of Austin
505 Barton Springs Road, 5th floor
Austin, TX 78704

Dear Mr. Heckman,

The Lost Creek Neighborhood Association unanimously passed the following resolution at a meeting on August 26, 2012:

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents. Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

We respectfully request a 60 day postponement of this case. I understand that we are asking for more time than the city normally allows, but we ask for the extra time for the following reasons:

(1) The application for rezoning took place in early August when many residents are on summer vacation, including members of our neighborhood association; in addition, the hearing is scheduled for the day after Labor Day and only one week after residents return from vacation for the start of school. The neighborhood association feels it has not had sufficient opportunity to educate residents on the rezoning, and many residents are just now asking what they can do to voice

EXHIBIT B-2

Lost Creek
NEIGHBORHOOD ASSOCIATION

opposition. There is a petition drive scheduled for the upcoming weekend.

(2) There has been significant opposition from residents to any multi-family housing on the Lost Creek Boulevard because MF allows for apartments and a housing type out of character for Lost Creek. The subject property is on a highly visible piece of land at the entrance to our neighborhood of 1250 single family houses, and this proposed development would set a precedent for adjacent re-zonings in the future.

(3) We want additional time to determine the viability of this developer who recently built a much maligned condominium/garden home development at the corner of Knollwood Drive and Forest Hills Drive, two blocks outside of Lost Creek.

Thank you for the consideration you have shown to our neighborhood.

Sincerely,

Shelly Detomasi-Shaw
President, Lost Creek Neighborhood Association

Lost Creek Neighborhood Association, 1305 Quaker Ridge Drive, Suite A, Austin, TX 78746
501(c)(4) Nonprofic Civic League

EXHIBIT B-2

From: D Sords
Sent: Friday, August 10, 2012 9:38 AM
To: Heckman, Lee
Cc: David & Margie Sords
Subject: Lost Creek Re-Zoning

Mr. Heckman, I am a resident of Lost Creek and am opposed to the request to re-zone the strip of land on Lost Creek Blvd to allow condominiums on the property. I am opposed for the following reasons:

1) Safety concerns about the traffic flow in and out. Traffic studies have already indicated that Lost Creek Blvd. is over capacity and used a cut through.
2) The height of the building with only a 25 foot set back.
3) Parking for residents and guests.
4) Where would the mail boxes be located, again traffic.
5) The lack of landscaping proposed.
6) The amount of lighting pollution on Lost Creek Blvd.
7) The invasion of privacy for the property owners on Lost Creek Blvd. especially the ones directly across the street from the property.

If the property is to be re-zoned I would recommend that it be for single family residences only or continue as it is currently is for limited office.

Thank you for your time,

David B. Sords
1605 Mill Springs Drive
Austin, Texas 78746

Exhibit B-3

From: Sharon Lear
Sent: Friday, August 10, 2012 2:22 PM
To: Rusthoven, Jerry
Subject: Input to case #C14-2012-0086 Lost Creek Condo Development

Dear Mr. Rusthoven,

I am writing in regards to case #C14-2012-0086 which is a pending case for re-zoning on Lost Creek Blvd. I live in the Lost Creek neighborhood and would like to provide input about the project.
Since I do not live on Lost Creek Blvd. itself, I am not 100% opposed to the re-development of this property, but I do believe the current plans need significant adjustments and a zoning designation that is less dense than MF-2. I can certainly see how residents that do live directly opposite the property would have much greater concerns about a 3-story structure towering on a hill above their properties. The loss of privacy and increased noise, traffic, and lights will be much worse than the previous bank drive-thru which generated very little traffic. Nevertheless, I have no doubt they will provide their specific concerns, so I would like to point out some issues that would affect my family and all my neighbors living in Lost Creek.

Once the issues below have been considered, it will become clear that reducing the number of condo units would solve many of them. Given all the factors, I cannot see how the complex can support more than 6 units and still satisfy residents of Lost Creek neighborhood.

1) MF-2 requested designation - My understanding is that MF-2 allows a 3-story structure, to which I am opposed. The houses and condos in our neighborhood are 1 and 2-story, so 3 stories would be out of character for the neighborhood, especially since the condo complex would be situated on a narrow, high hill. In addition, my understanding is that MF-2 may allow a larger number of units than what is proposed in the preliminary drawings. I am opposed to any zoning designation that could allow more units that what is agreed from the outset. Already the 12 units that are proposed are too many for this narrow, steep lot. Further input to back up my opinion about a reasonable number of units will follow below. But, I would like to see a zoning designation that allows only 2-story units. This would allow a development that is similar to existing condos in Lost Creek.

2) Traffic flow - The preliminary drawings indicate a one-way entrance/egress from the development that would appear to require an easement from the adjoining property(ies). Additionally, the exit from the complex would direct traffic toward the neighborhood, rather than toward Loop 360. This is the opposite direction of what will be needed for almost everyone leaving the complex. As a result, we are likely to see many cars from the proposed complex U-turning on Lost Creek Blvd. in a particularly congested and dangerous area. It is not enough to say that adjoining property owners will allow traffic through their properties. Condo dwellers will still be tempted to U-turn on Lost Creek Blvd. in order to save time or enter Loop 360 at the traffic light. When school is in session, traffic at the Loop 360 light always backs up in the mornings on Lost Creek Blvd., often as far down the road as the concerned property. It's a huge issue already, and we don't need U-turns happening in the midst of a problem area. The proposed traffic flow through the condo complex therefore needs to be changed, and guaranteed in the zoning approval. Also, no-U-turn signs would need to be installed on Lost Creek Blvd.

3) Parking is inadequate - No additional parking spaces are allowed in the site drawings, and the proposed number of units (12) would not allow room to add the necessary spaces. Therefore, the number of units needs to be reduced significantly. From the drawings, it appears that there is only enough space for a maximum of 6 units once adequate parking is provided. This would allow at least one additional parking space per condo unit, and account for additional land area needed for 2-story rather than 3-story units. Certainly, people who live in the condos will have visitors and service professionals coming to their homes. It is unattractive and unsafe for extra vehicles to be parked on Lost Creek Blvd. It is not sufficient to say that some of these people may be allowed to park in the parking lots of the adjoining businesses.

Exhibit B-4

There is no guarantee such an arrangement would last in perpetuity. The condo complex needs to have enough parking within its own boundaries.

4) No Parking on Lost Creek Blvd. - Given the uncertainty about adequate parking in the condo complex, I'm sure most residents of Lost Creek neighborhood would prefer this section of the the main boulevard be designated "no parking" on both sides. While this also reduces street parking for the houses across the street, it is a necessary trade-off to ensure an attractive, congestion-free entrance to the neighborhood. Under current conditions, there is very little street parking that occurs in this section of Lost Creek Blvd. But, the condo complex would increase the number of drivers who wish to park on Lost Creek Blvd., even if adequate parking spaces were available within the complex. Because the lot is very steep and has a narrow driveway, some drivers, especially those in utility trucks, will find it easier to park on the street. The only way to prevent excessive street parking is to designate both sides of the street "no parking." It is not sufficient to have "no parking" on only one side of the street since cars would simply park on the other side. It must be both sides to encourage vehicles to park in the condo complex itself.

5) Garages are small - The proposed garage door size for each unit is 16 feet wide. I have owned a house with a 16-foot garage door in the past. We could barely squeeze 2 mid-sized vehicles inside it and still get out of the car. And, that was without much excess clutter stored in the garage, as we all know many people are inclined to have. People who own large SUVs or trucks will not park both cars in a garage when there is a 16-foot door, especially. if they are using any portion of the garage for storage. This is not so awful when a driveway is available for the 2nd or 3rd car, but the condos do not have individual driveways for excess vehicles. Condo units with 2 and 3 bedrooms would definitely need to support at least 2 cars in the household, and some will have 3 or 4 vehicles if teenagers or roommates are living in the unit. Again, the proposed plan does not provide enough space for a reasonable expectation of the number of vehicles. I suggest the developer be required to put in 18-foot wide garage doors, and that condo homeowners be required to park 2 vehicles in the garage -- no garage storage allowed in the vehicle bays.

5) Mailboxes are absent - There is no area designated in the drawings for a bank of mailboxes. This needs to be outlined in the plans, and adequate temporary parking provided for drive-ups to pick up their mail. Again, 12 units on the lot will not allow space for this additional requirement.

6) Stone/masonry - In order to be in keeping with the rest of the neighborhood, the condo complex needs at least 50% stone or masonry. General consensus at our neighborhood meeting is that the proposed units are not very attractive. The design style does not fit in with the homes directly across the street. Everyone in Lost Creek wants an attractive entrance boulevard.

7) Landscaping - Must be a requirement. Another development by Casa Design Co. at the corner of Knollwood and Forest Hills Dr. still has no landscaping whatsoever despite the completion of the units. I have relatives that live in that area, so I am aware that residents of that neighborhood are unhappy with the development. In addition, the need for attractive landscaping goes hand-in-hand with a reduction in the number of units at the proposed complex. The current site drawings are not realistic as to the quantity and type of vegetation possible on the narrow, steep lot. The pictures are drawn as if the lot is flat, which is most definitely is not. Retaining walls and terracing will be necessary, and even then, trees cannot be planted in all the areas shown. The only way to have satisfactory vegetation that results in an attractive property is to reduce the number of units.

Thank you for your time and consideration.

Best regards,
Sharon Lear

Exhibit B-4

August 25, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
City of Austin
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

Subject: Case No. C14-2012-0086
1142 Lost Creek Blvd.

Dear Mr. Heckman:

As residents who live well within 500 feet of the property that is the subject of the case noted above, we are gravely concerned that the rezoning (as currently proposed) will have a profoundly negative impact on our family, property and community.

Our concerns generally fall into three categories - ultimate density/precedence, aesthetics (especially height and setbacks), and traffic/safety impacts – each further described in this letter.

Understanding that development of the property is inevitable, this letter also contains alternative zoning recommendations that the City might consider to promote development in the area without compromising the integrity and character of the Lost Creek neighborhood.

Ultimate Density/Precedence

We understand that the developer is seeking an MF-1 designation, which is not compatible with our community and, most specifically, the location of this tract at the entrance of Lost Creek – all residents will pass this development multiple times daily. Specific concerns regarding the MF-1 designation include:

- ***The number of proposed units could more than double under an MF-1 designation.*** While the developer currently proposes only 12 units for the property, without additional limitations he could construct 24 or more units on the property (at an allowed density of 17 units/acre). We understand that City planning staff may be recommending a conditional overlay limiting the development to 15 units, but that requirement is not guaranteed.

Exhibit B-5

- ***An MF-1 designation for the subject tract would likely lead to a rezoning of an adjacent property.*** The owner of a small property directly across from my house would, we believe, attempt rezoning immediately upon the successful rezoning of the subject tract. Should that occur, the front of our neighborhood would resemble an apartment complex, with a density that would be overwhelming given the location of these properties at the gateway of the neighborhood.

Aesthetics

We understand that staff recommendations for rezoning will include compliance with both the Hill Country Corridor Roadway and City Compatibility standards. These standards – if approved by the Planning Commission – slightly mitigate aesthetic concerns, but they do not adequately address the two key issues: height and setbacks.

Specific concerns regarding aesthetics include:

- ***The height of the proposed units (allowed under an MF-1 designation) is unacceptable, as the three-story units will tower over Lost Creek Blvd.*** As proposed, these extremely tall units will have a harsh visual impact not only to residents across from them, but to all who travel Lost Creek Blvd. The MF-1 designation allows vertical construction to 40'. While traffic and other concerns noted below are critical, it is the height of these three-story units that is one of the greatest concerns. The finished floor elevations are likely to be 10'-15' higher than the single family homes across Lost Creek Blvd, adding to their negative visual impact.

- ***Minimal setbacks will exacerbate height impacts.*** The current proposal calls for setbacks only 25' from the property line: given the vertical scale and elevation of the proposed condos, they will "feel" like they are sitting at the edge of the roadway.

- ***The proposed stark and ultra-modern units are not compatible with Lost Creek's character.*** Both the style ("urban-modern", according to the developer) and construction materials of the proposed units are inconsistent with the homes in the neighborhood. The entrance sign to Lost Creek sets the neighborhood tone – a stone "ruin", it is casual and almost rustic. If you drive through the neighborhood, you will see homes that are largely stone or brick, many constructed in a casual style once known as "Californian". The proposed units appear to have no masonry whatsoever and, with their sharp edges and vertical lines, they actually are more incongruous than the office buildings near the Lost Creek entrance.

Exhibit B-5

We are hopeful that the Hill Country Corridor requirements can address some of these specific style concerns, but the standards are qualitative and as such, open to interpretation. For that reason, we cannot be certain that these standards will address all concerns noted above.

- ***Lost Creek Boulevard is no place for hot tubs, carports and retractable awnings.*** Each "pod" proposed for this development has two units with carports rather than garages, and the developer has shown hot tubs in the carport area (with open fencing) facing the street. We have visions of beach towels hung over the fence, and a hodge-podge elevation as some people have their awnings retracted and others do not. In short, the concept appears to be ill-conceived as the entrance and focal point of the established Lost Creek neighborhood, allowing for conditions that would be unacceptable under neighborhood deed restrictions.

- ***Storage in the units – and garage size – appear to be minimal, which will likely lead to the storage of items in the carport area or balconies (as seen in many apartments).*** As with the hot tub (etc.) concerns noted above, we suspect that this would lead to a "trashy" appearance on the Boulevard.

We expect the developer would argue that the proposed "homes" will be purchased (as I believe was noted at a neighborhood meeting), not leased, and that homeowners will take pride in the appearance of their units. But that argument is disingenuous at best – most of the condos in the neighborhood were developed for purchase, and the majority of them are now leased.

We understand that planning staff cannot control the last two aesthetic issues noted above, but we raise them as examples of pitfalls that we face with this – or any multi-family – development proposed for the site.

Traffic/Safety

Lost Creek Blvd is not yet within the City's jurisdiction, and we have been told that planning staff have no control over traffic. However, planning staff are already recommending the application of "in-City" criteria (Compatibility Standards) for the property, and we would hope that traffic considerations could be viewed similarly (i.e., that the property meet City traffic standards).

Specific concerns include:

- **Planned egress is illogical and the practical alternative is dangerous.** The proposal retains the existing property exit onto the boulevard, which directs flow from the existing bank (and proposed condos) <u>into</u> the Lost Creek neighborhood. The only other egress is a

meandering path through an adjacent office building parking lot, which will require residents wanting to head north on Loop 360 to quickly cross the highway and do a U turn on Loop 360. We believe condo residents trying to get to Loop 360 will more than likely exit on to the boulevard and do a U-turn on Lost Creek to leave the neighborhood. This would be extremely dangerous, given the road curves at that location, volume and speed of car traffic, and heavy pedestrian/bike traffic on the boulevard.

- **Parking is inadequate.** The developers have noted that 2 visitor spots are allotted for 12 condos, but that visitors could use additional parking in adjacent office buildings if needed. Our discussions with those managers indicate that this assumption is not necessarily valid. Overflow traffic would then park on the boulevard, again adding to safety concerns.

The listing above is by no means a comprehensive representation of our concerns, but I hope it conveys the depth of our issues with this proposal. As noted earlier, however, I understand that development is inevitable.

Our preference is for the site to retain its "LO" zoning (with Hill Country Corridor Roadway restrictions). Offices make for quiet neighbors, and a small complex located between the existing large offices and single family residences would be far more than acceptable than multi-family dwellings.

Should the City believe that a residential use is preferable, I would offer the following revisions to the proposed rezoning.

- **Rezone for SF-4B or SF-5, with a maximum of 6 units allowed.** This would allow the development of duplexes or townhomes.
- **Apply conditional overlays for height and setbacks at 2-stories, and 50', respectively.** These conditional overlays are critical to ensure that the development is compatible with the scale of the homes – and even the commercial buildings – at the entrance of Lost Creek.

A low density townhome or duplex complex, with masonry and garages, would serve as an acceptable, if not ideal, transition between the single family homes in the neighborhood and the office complex.

In summary, the density, aesthetics, and traffic impacts of the proposed development – which is supported by an MF-1 zoning – are an overwhelming concern and we cannot support the rezoning as currently proposed. Please remember that the proposal will indelibly damage not only this neighborhood but, we believe, the property value of our home as well.

Exhibit B-5

We hope that you will take our comments into consideration, and we are available to clarify our comments and/or further discuss the rezoning proposal at your convenience.

Regards,

Lynne H. Moss

Glenn Moss

cc: Greg Guernsey, City of Austin Planning and Development Review

Exhibit B-5

From: Kate Youman
Sent: Sunday, August 26, 2012 9:46 PM
To: Heckman, Lee
Subject: I Oppose MF Rezoning - C14-2012-0086 - Lost Creek Austin, Texas

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Kate Van Zandt Youman

5907 Front Royal Drive

Austin, TX 78746

512.422.4426 (c)

Exhibit B-6

From: Julie Smith
Sent: Sunday, August 26, 2012 9:49 PM
To: Heckman, Lee
Cc: D. Todd Smith; Lost Creek Neighborhood Association
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Hi Lee,

Todd and I support the Lost Creek Neighborhood association's resolution opposing the MF zoning proposed for case number C14-2012-0086.

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Thank you!

Julie Smith

6202 Augusta National Drive

Exhibit B-7

From: Mary zheng
Sent: Sunday, August 26, 2012 9:53 PM
To: Heckman, Lee
Subject: support for LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Mr. Lee.Heckman,

we are fully support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

yan zheng
5955 cape coral drive

Austin, TX 78746

Thank you.

Yan

Exhibit B-8

From: pat gunthorp
Sent: Sunday, August 26, 2012 10:02 PM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Mr. Heckman,

We are opposed to any zoning changes at the bank drive-thru in Lost Creek for all the reasons stated in the following letter from the Lost Creek Neighborhood Association Board. This plan is an unsatisfactory use of this property and does not mesh with Lost Creek"s single family residential area. It would create increased traffic at an already congested intersection, bothersome light at night for neighbors close by, a parking nightmare and ruin the native, natural, woodsy look to the entrance of our beloved neighborhood.

Pat and John Gunthorp

1800 Trevino Dr.

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-9

From: Walt Johnson (JohnsonPacific)
Sent: Sunday, August 26, 2012 10:07 PM
To: Heckman, Lee
Subject: Opposition: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

I would like to express my opinion on the proposed Condo project.

I am a resident of the neighborhood, at 1904 Cypress Point West

I strongly feel:

a. HEIGHT - They are too tall to fit with the existing architecture. No structure is 3 stories, hence, neither should these. 2 stories max.

b. STYLE - They look too much like urban apartments, not condos. Apartment look and apartment density - no good.

c. ORIENTATION - The nice side of the buildings need to face Lost Creek Blvd, not the ugly side with electrical doors, utility panels, and cluttered porches.

d. ORIENTATION - The nice side of the buildings need to face Lost Creek Blvd, to fit with the way all other buildings in the area are situated.

e. QUANTITY - The proposed zoning density must be and state 12 units or less, to match proposed design, not 30 units, no way!

f. PARKING - Additional parking for guests must be handled withing the proposed development.

g. MATERIALS - must use materials and style within the same category as existing structures.

Again, I am against the rezoning and development of the property as currently proposed.
I do think it is a good idea to do something with the abandon bank drive-thru, but this is not right.

Best Regards.

Walt Johnson
1904 Cypress Point West
(512) 568-5684 CST
Austin, Texas 78746

Exhibit B-10

From: Jan Heaton
Sent: Sunday, August 26, 2012 10:09 PM
To: Heckman, Lee
Cc: Ahmad Modoni
Subject: Lost Creek Neighborhood Association's Resolution

We support the Lost Creek Neighborhood Association's resolution

opposing the MF zoning proposed for Case number C14-2012 -0086.

Jan Heaton & Ahmad Modoni

2001 Ringtail Ridge

Austin, TX 78746

Exhibit B-11

From: Alex Gmail
Sent: Sunday, August 26, 2012 10:10 PM
To: Heckman, Lee
Subject: Oppose rezoning in Lost Creek

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Name: Alejandro Ripstein

Address: 6801 Cypress Pt. N, Austin,Tx. 78746

Exhibit B-12

From: Austinvoi ceteacher
Sent: Sunday, August 26, 2012 10:26 PM
To: Heckman, Lee
Subject: Lost Creek Rezoning

Hi,

I am against rezoning the lots. I am against condo and/or apartments being built in the Lost Creek and 360 area. Not only will it impact, traffic, beauty, our way of life in Lost Creek; but also property values and the quiet privacy we have here.

Please no condos added to Lost Creek.

Jeannine Smith resident of Lost Creek

Exhibit B-13

From: Karen S. Blair
Sent: Sunday, August 26, 2012 10:34 PM
To: Heckman, Lee
Subject: MF zoning proposed for Case Number C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Name: Karen S. Blair
Address: 1320 Wilson Heights Drive, Austin, TX 78746

Exhibit B-14

From: Karen Wang
Sent: Sunday, August 26, 2012 10:34 PM
To: Heckman, Lee
Subject: Fw: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Karen Wang

6200 Olympic Overlook, Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-15

From: Stan Wang MD JD MPH
Sent: Sunday, August 26, 2012 11:05 PM
To: Heckman, Lee
Cc: Karen Cuteheart Wang JD
Subject: C14-2012-0086

We, Stanley & Karen Wang (6200 Olympic Overlook, Austin, TX 78746), support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086. Thank you.

Sent from my iPhone

Begin forwarded message:

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Nancy Clark
Sent: Sunday, August 26, 2012 11:14 PM
To: Heckman, Lee
Subject: case number C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086. I have owned a home in Lost Creek for the past 30 years. I don't want multi-family housing at the entrance of Lost Creek.

Nancy Clark

1604 Johnny Miller Tr.

Austin, TX 78746

Exhibit B-17

From: Curtis Riker
Sent: Sunday, August 26, 2012 11:15 PM
To: Heckman, Lee
Subject: Multi-Family rezoning of property at 1142 Lost Creek Blvd

We support the Lost Creek Neighborhood Association's resolution opposing the Multi-Family zoning proposed on the bank drive-thru property, Case Number C14-2012-0086.

Thank you.

Lana and Curtis Riker

6210 Cape Coral, 78746

From: Julie Martin
Sent: Sunday, August 26, 2012 11:43 PM
To: Heckman, Lee
Subject: Proposed MF Zoning for Case Number C14-2012-0086 - Lost Creek Neighborhood

We are residents of Lost Creek Subdivision and we support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Name: Ed and Julie Martin

Address: 6306 Mauna Kea Drive
Austin, TX 78746

Exhibit B-19

From: Kj Stanley
Sent: Monday, August 27, 2012 8:00 AM
To: Heckman, Lee
Subject: Multi-Family Zoning in Lost Creek

Dear Mr. Heckman,

As a resident of Lost Creek, I am opposed to the rezoning of the property near the entrance to Lost Creek from Light Office to Multi-Family.

Building a condominium property on this site will add to the traffic issues already experienced by drivers on Lost Creek boulevard during peak hours. In addition, because of the location of the property, it will be difficult for those who live in the condos to access Lost Creek Boulevard during high traffic hours, especially in the mornings. The safety of our residents, especially runners, walkers, bikers, and kids on their way to school must be taken into consideration.

I add my voice to the Lost Creek Neighborhood Association's resolution on this matter:

"The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents.

"Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek."

Since it currently seems that the will of the City Council is with that of the developers, I will also echo the thoughts of other Lost Creek residents:

"The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

"The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units.

The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property,

orientation of the building to the neighborhood, screening of the development from surrounding properties and set backs from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties.

Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Name: KJ Stanley
Address: 6809 Cypress Pt N, Austin, TX

From: Ed Lawson
Sent: Monday, August 27, 2012 8:20 AM
To: Heckman, Lee
Subject: Rezoning of Bank Drive-Thru Property on Lost Creek Blvd. to Multi-Family Zoning

to: Lee Heckman, Case Manager, City of Austin Planning and Development Review Department

I am forwarding the position of the Lost Creek Neighborhood Association on Rezoning of Bank Drive-thru Property on Lost Creek Blvd. to Multi-family zoning. I strongly object to such rezoning and I am in full support of the LCNA position and am a resident of Lost Creek.

Sincerely, (signed)

Mr. Edward L. Lawson
1311 Wilson Heights Dr.
Austin, Tx 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Mike Tulkoff
Sent: Monday, August 27, 2012 8:39 AM
To: Heckman, Lee
Subject: Lost Creek Neighborhood Association Board Unanimously Opposes Rezoning of Bank Drive-Thru Property to Multi-Family Zoning

Dear Lee Heckman,

I'm writing to express my concern at the potential rezoning of the former bank site in the entrance of the Lost Creek neighborhood. My primary concern is due to the traffic difficulties this project may impose on the neighborhood. In the mornings and evenings, we already experience tremendous difficulty with traffic in and out of the neighborhood. Lost Creek has over 1000 homes and residents and only 2 real routes in and out.

The morning traffic into the existing businesses already causes back on northbound Loop360 and these workers routinely u-turn (in violation of traffic law) into the neighborhood as a workaround. The elementary and high school buses also move through the intersection during the school year. Adding a significant number of new residents at an already difficult intersection simply poses more challenges for the neighborhood and and it's occupants.

I urge you to strongly review the project against the neighborhood roadways and infrastructure needed to support it. I would like to see some development there but would like it to be compatible with traffic and character of the neighborhood.

Sincerely,
Mike & Cheryl Tulkoff
5903 Fox Chapel Dr.
Austin, TX 78746
512 328 5687

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents.

Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

Thanks,

Mike

From: Cheryl Jones
Sent: Monday, August 27, 2012 8:53 AM

To: Heckman, Lee
Subject: Lost Creek rezoning Case #C14-2012-0086

LOST CREEK

August 27, 2012
Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that **I am against this development as currently proposed**. The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single- family neighborhood. It will be annexed by the City of Austin in 2016.

The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development. The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and set backs from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties. Again, **I am against the rezoning and development of the property as currently proposed**. Thank you for the opportunity to voice my concerns.

Best regards,
Cheryl & Rowley Jones
1301 Arronimink Circle
Lost Creek

From: Tom Spillane
Sent: Monday, August 27, 2012 9:33 AM
To: Heckman, Lee
Subject: RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Lost Creek

August 8th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single- family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and set backs from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Tom Spillane
6007 Cape Coral Drive
Austin, TX. 78746
From: Paul Crank
Sent: Monday, August 27, 2012 9:34 AM
To: Heckman, Lee
Subject: Lost Creek Zoning Case Number C14-2012-0086

Exhibit B-24

As a resident of Lost Creek, I do not support the multifamily zoning proposed for Case Number C14-2012-0086. I agree with the objections voiced by the Lost Creek Neighborhood Association. I request that this zoning request be denied.

Thank you for your consideration in this matter.

Paul Crank

--

Paul Crank
6500 Huckleberry Cove
Austin, TX 78746
Cell 512-658-0722

From: Peter L. Scacco
Sent: Monday, August 27, 2012 9:49 AM
To: Heckman, Lee
Subject: Fwd: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I agree.

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Peter L. Scacco
6411 Indian Canyon Drive
Austin, TX 78746

Exhibit B-26

From: Linda Masters
Sent: Monday, August 27, 2012 9:52 AM
To: Heckman, Lee
Subject: Fw: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Linda Holmes
Sent: Monday, August 27, 2012 9:54 AM
To: Heckman, Lee
Subject: Support of Lost Creek Neighborhood's Association resolution

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Linda Holmes

1400 Wilson Heights Drive

Austin, TX 76746

512-7507810

Thanks

Exhibit B-28

From: Doug Medford **On Behalf Of** Doug Medford
Sent: Monday, August 27, 2012 10:03 AM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Dear Lee Heckman,

Doug Medford has forwarded this email to you with the following message: Doug Medford 2001 Point Bluff Dr.

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: PETER_BARTLETT
Sent: Monday, August 27, 2012 10:03 AM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Hello Lee,

I am writing to voice my strong opposition to the MF rezoning of the bank drive property on Lost Creek boulevard. I fully support the LCNA's resolution opposing the MF rezoning (case # C14-2012-0086) and hope you will take this into consideration when drafting a recommendation ahead of the hearing on this topic. If you have any questions or need any further information from me, please feel free to email me or even call me directly. I hope the concerns of the Lost Creek community will be heard when making this decision, and would appreciate your consideration.

Thank you

Peter Bartlett

2004 Big Canyon Dr

Austin TX 78746

512-699-0405

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-30

From: Becky Rawalt
Sent: Monday, August 27, 2012 10:10 AM
To: Heckman, Lee
Subject: Say No to Lost Creek Re-Zoning Proposal Case Number C14-2012-0086.

Dear Mr. Heckman,

We strongly oppose the re-zoning of the bank drive-thru location on Lost Creek Blvd to multi-family housing at the entrance to our neighborhood in Lost Creek. As you may know, our neighborhood association has passed a unanimous resolution opposing it as well. It will make our already congested traffic much worse.

Thank you for your consideration,

Becky and Mark Rawalt

1803 Groveton Cove, Austin, TX 78746

From: Marsha Ratliff
Sent: Monday, August 27, 2012 10:12 AM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I am a resident of Lost Creek and vehemently oppose the rezoning of the bank property into multi-family zoning.

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Thank you

Marsha Ratliff

1319 Thaddeus Cove

Austin, Texas 78746

Exhibit B-32

From: Gene Chiles
Sent: Monday, August 27, 2012 10:20 AM
To: Heckman, Lee
Subject: Case #C14-2012-0086 Lost Creek Zoning request

My wife and I strongly oppose the proposed MF zoning for the existing bank drive-in property. We are concerned about the increased traffic on Lost Creek Blvd, lack of compatibility, screening and many other reasons.

Please do not recommend this zoning to the planning and development review department.

Gene T. Chiles, Attorney at Law
6207 Bend of the River Drive
Austin, Texas 78746
512-327-5988

BOARD CERTIFIED
Texas Board of Legal Specialization
Commercial and Residential Real Estate Law

From: Luke Wheeler
Sent: Monday, August 27, 2012 10:20 AM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I am opposing the MF zoning proposed for Case Number C14-2012-0086.

Luke Wheeler
Vice President

TRANSWESTERN
901 South MoPac Expressway

Building 4, Suite 250

Austin, Texas 78746

Main: 512.328.5600 | Fax: 512.328.9309

Direct: 512.314.3553 | Cell: 512.299.6860

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-34

From: Jenny Wheeler
Sent: Monday, August 27, 2012 10:25 AM
To: Heckman, Lee
Subject: LCNA: Board Opposes MF Rezoning - C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution **opposing** the MF zoning proposed for Case Number C14-2012-0086.

Jenny Wheeler

1342 Lost Creek Blvd.

Thanks,

Jenny Wheeler

Assistant Property Manager

TRANSWESTERN | Austin

901 S. Mopac Expressway

Building Four, Suite 250

Austin, Texas 78746
Direct 512.314.3960 | Fax 512.328.9309

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Conservation begins with each of us; please consider the environment before printing this e-mail.

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-35

From: Coultas, Ed
Sent: Monday, August 27, 2012 10:36 AM
To: Heckman, Lee
Subject: In Support of the Lost Creek Neighborhood Associaiton's Resolution

Dear Mr. Heckman: My wife and I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number: C14-2012-0086. Thank you.

Ed and Wanda Coultas

1405 Falcon Ledge Dr.

Austin 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-36

Barbara and Paul Schumann
1405 Thaddeus Cove
Austin, TX 78746
August 22, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704
RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard
Dear Mr. Heckman:

We are opposed to the rezoning for several reasons:

1. **Unsafe Entrance/Exit from Property** When approval was given (about 30 years ago) to allow a drive-thru bank on the land, the neighborhood approved, based on certain usage intent, entrance and exit restrictions. We were told that the drive through bank was for the convenience of the residents of Lost Creek. Since the traffic is high on Lost Creek Blvd. (Figure 1), there is a blind curve to the left of the edge of the property (Figure 2), and single lane on Lost Creek Blvd., the exit from the drive-thru bank was a merge entry to the right with no option for a left turn (Figure 3). The current entrance to the property is via a road at the far end of the property (not shown on all the drawings provided by the developer). It was supposed to be an entrance only, but is now two way. Cars exiting on this road can make a right turn safely, but a left turn is dangerous because of a blind hill (Figure 4). Cars can go through the office park and find their way back to Loop 360 for a safe right turn to go South, followed by a u-turn at Lost Creek Blvd, to go North (Figure 5). However, these roads are part of other developments in the office park and not under the control of the City or the developer of the proposed condominium project.
2. **Unsafe Pick Up and Drop Off of Children** There is currently no safe way for children residing in the condos to come down the hill to Lost Creek Blvd. and be picked up by EISD school buses.
3. **Poor Curb Appeal** The current drive-thru bank is hardly visible on entering Lost Creek (Figure 6) and pretty well hidden by trees on a more direct view (Figure 7). However, three, three story buildings packed tightly into the property with only a 25 foot setback will not be appealing. (Figure 8) There are two houses (Figures 9 and 10) directly opposite 1142 Lost Creek Blvd. that will have to look at these buildings uphill from them and have the residents on balconies looking down on them.
4. **Poor Immediate Neighborhood for Resident Children** The condos are fronted on a busy road and surrounded on other sides by numerous office buildings. The only place for the children to play will be in the parking lots of the office buildings. (Figure 5)

Exhibit B-37

5. **Not Enough Parking** The drawings show two parking spaces per condo. It's very likely that with a family of four, each condo would require four parking spaces. We do not want parking on Lost Creek Blvd. from an esthetic and safety viewpoint. In addition, Lost Creek Blvd. is on the official Austin bicycle map and there is significant bicycle traffic utilizing the bicycle lane that would be blocked by parking.
6. **Drawings do Not Reflect Land Contours** There is no indication of how the land contour and trees will be accommodated in the construction.

Balloons should be placed at the front edges of the three proposed buildings at the heights anticipated, more realistic drawings completed showing how the buildings may look in the real setting, and solve some the problems indicated in the letter.

The view from the drive-thru bank of the hill country (Figure 11) indicates that the view from the third floor balconies will be desirable. However, we believe that condos may not be the best use of the land due the small lot size, its close proximity to its neighbors and its positioning on the office development site.

Sincerely,

Barbara Schumann

Barbara Schumann

Paul Schumann

Paul Schumann

Road	Annual Average Daily Traffic Count (2005)
Westlake Drive east (cut, light)	13 560
Lost Creek Blvd west (cut, light)	10 970
Westbank (cut, light)	10 930
Walsh Tarlton (cut, light)	9 100
West Courtyard Drive (cut, light)	7 290
Cedar Street (cut)	4 010
Pascal (cut)	3 780
Wild Basin Ledge (cut)	2 670
Courtyard Drive (cut, light)	2 260
Waymaker Way (cut)	2 110
Scottish Woods (cut, light)	1 490
Plaza on the Lake	880
Bold Ruler	850
Stoneridge Road (cut)	800

Annual Average Daily Traffic Counts
(AADT)
Texas Department of Transportation

* Between 2222 and Mopac with traffic counts

Note: Streets with cuts but no traffic counts
- Parkstone Heights Drive
- Las Cimas Pkwy
- Wild Basin Rd. South
- Unknown (Overlook)

9/22/2012

Figure 1. Traffic Counts

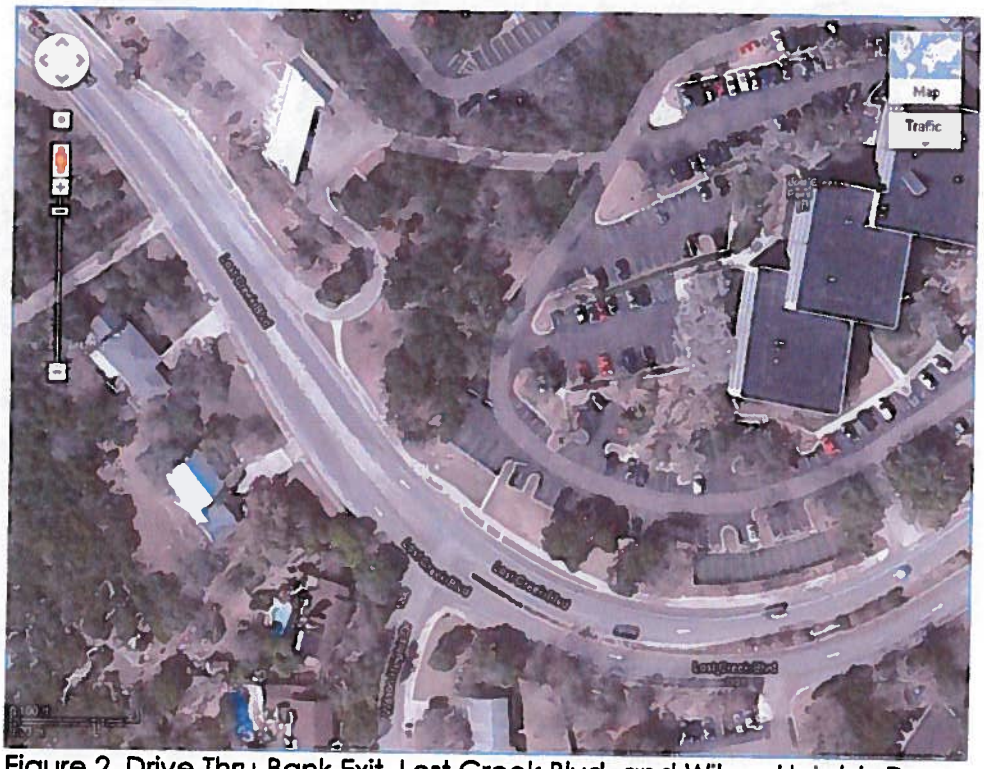

Figure 2. Drive Thru-Bank Exit, Lost Creek Blvd. and Wilson Heights Dr.

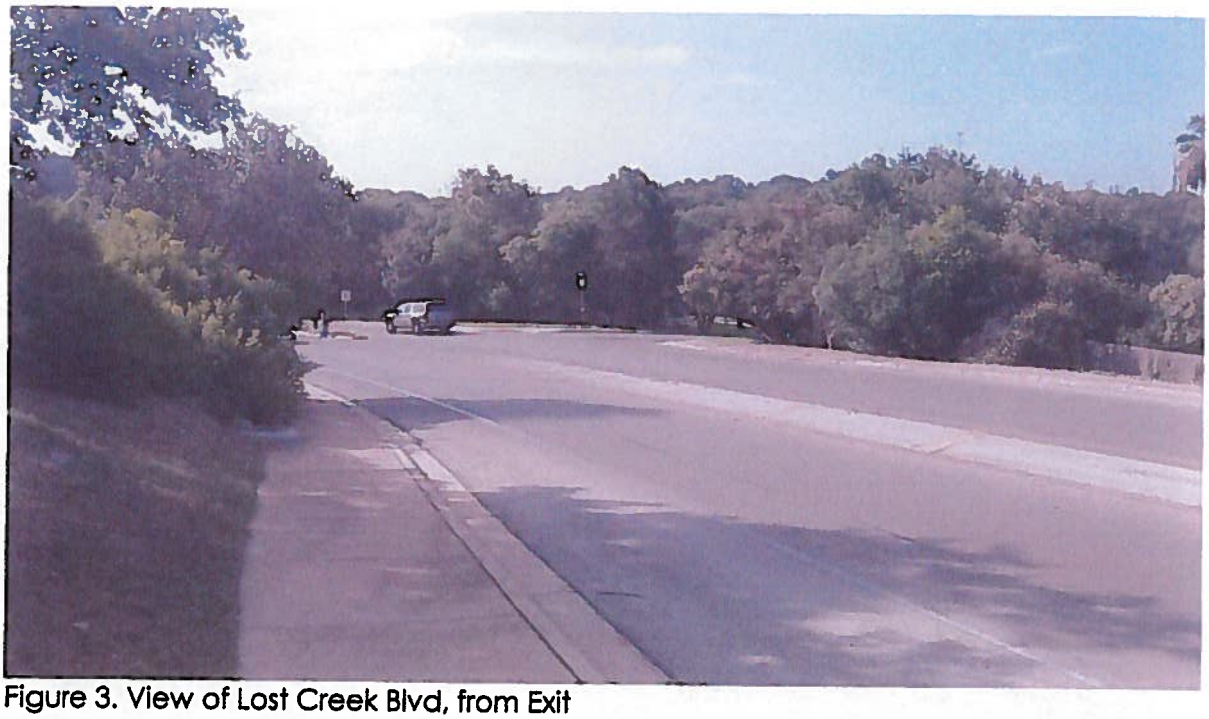

Figure 3. View of Lost Creek Blvd, from Exit

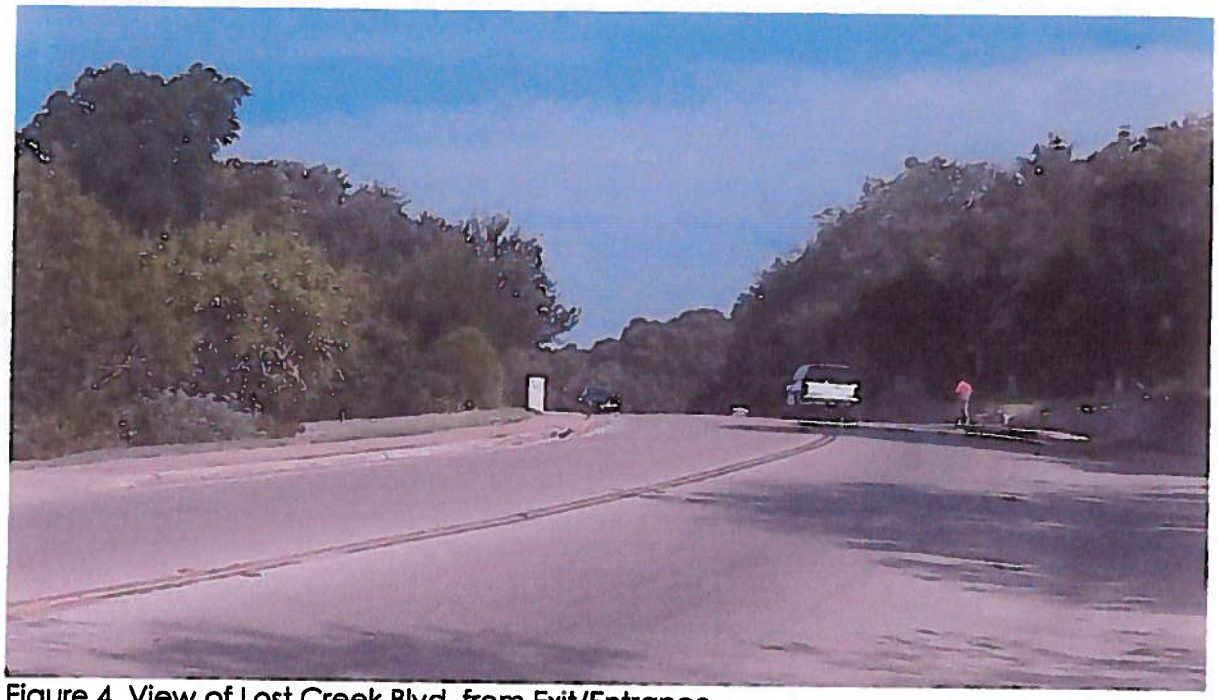

Figure 4. View of Lost Creek Blvd. from Exit/Entrance

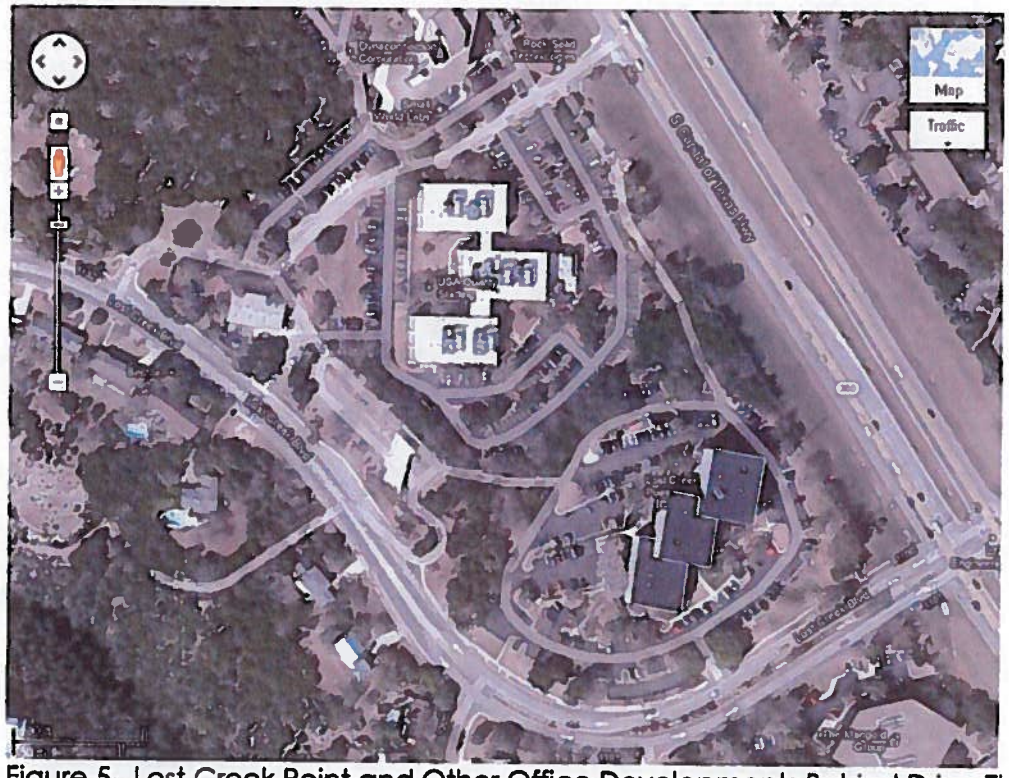

Figure 5. Lost Creek Point and Other Office Developments Behind Drive-Thru Bank

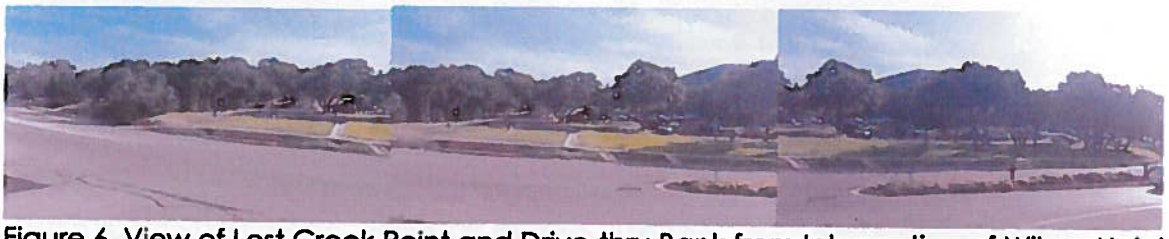
Figure 6. View of Lost Creek Point and Drive-thru Bank from Intersection of Wilson Heights and Lost Creek

Figure 7. View of Drive-thru Bank from Lost Creek Blvd.

Figure 8. View from Property Across the Street. The blue rectangles are rough estimates of what the three pads would look like if built as planned. The assumption used in scaling these rectangles is that the buildings are each 140 feet long and 35 feet high. Please remember that there are a number of estimates behind these illustrations having to do with scaling from incomplete drawings (many without scale) and the photos. The contour of the land is clearly shown. The right most pad is set back a bit and extends beyond the edge of the photo.

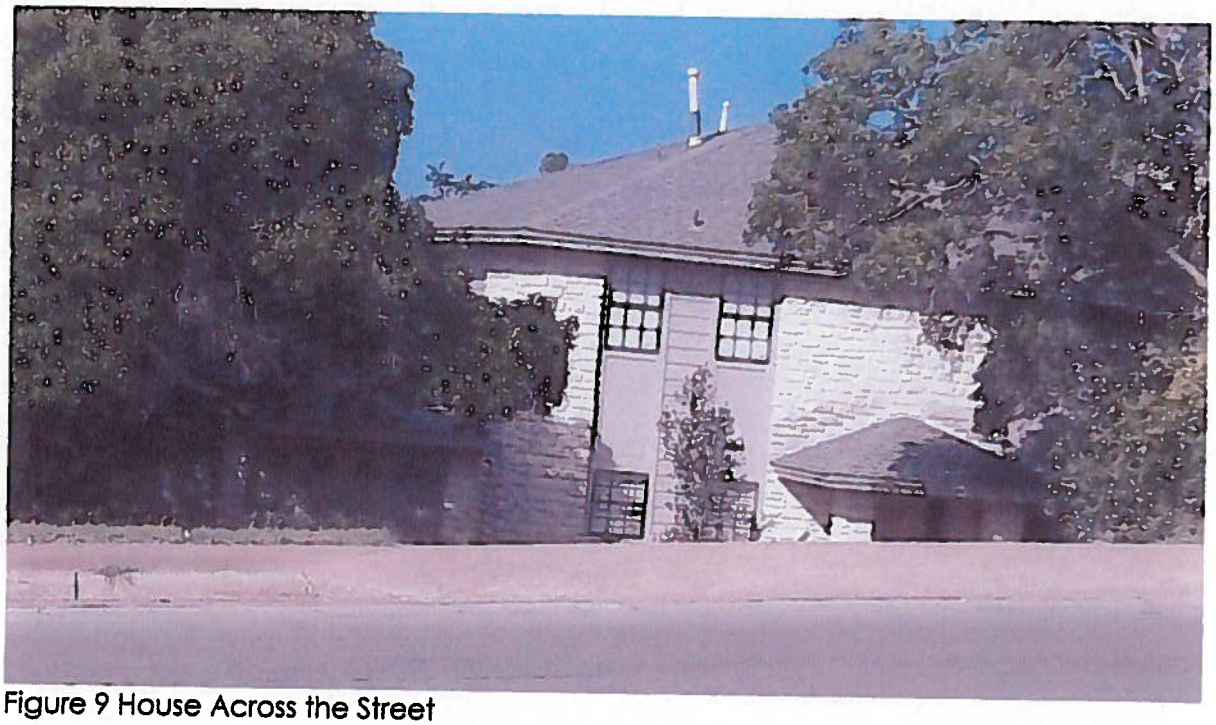

Figure 9 House Across the Street

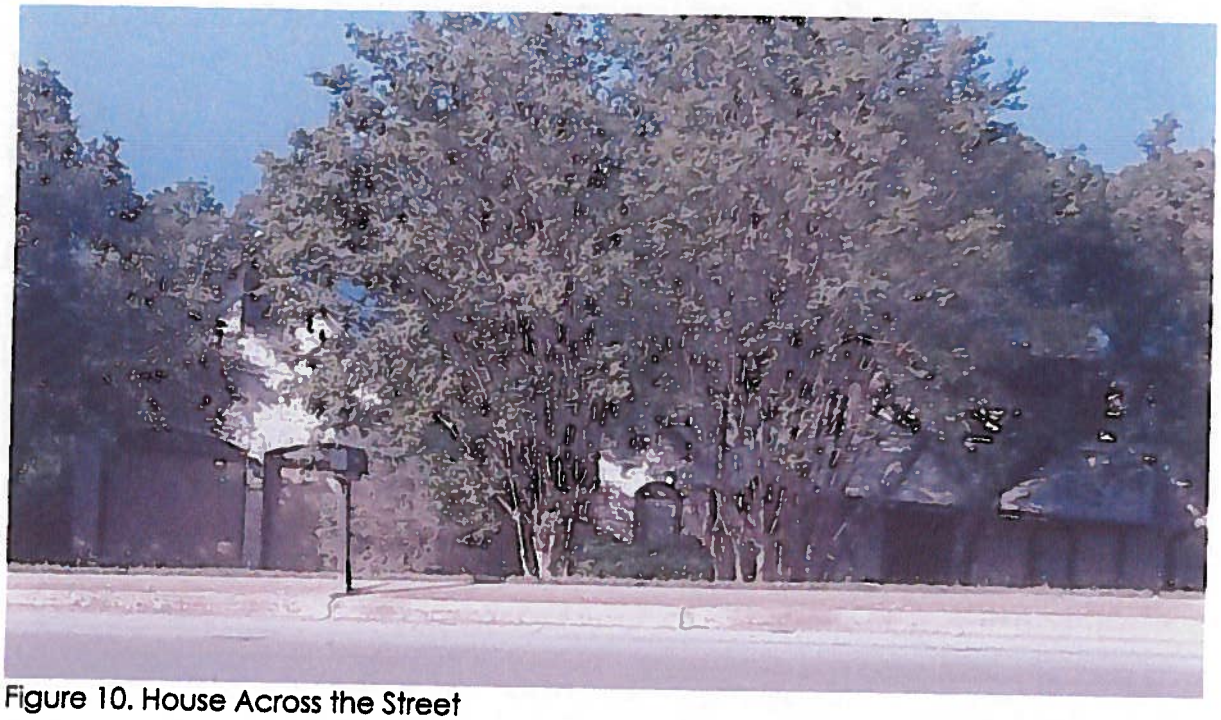

Figure 10. House Across the Street

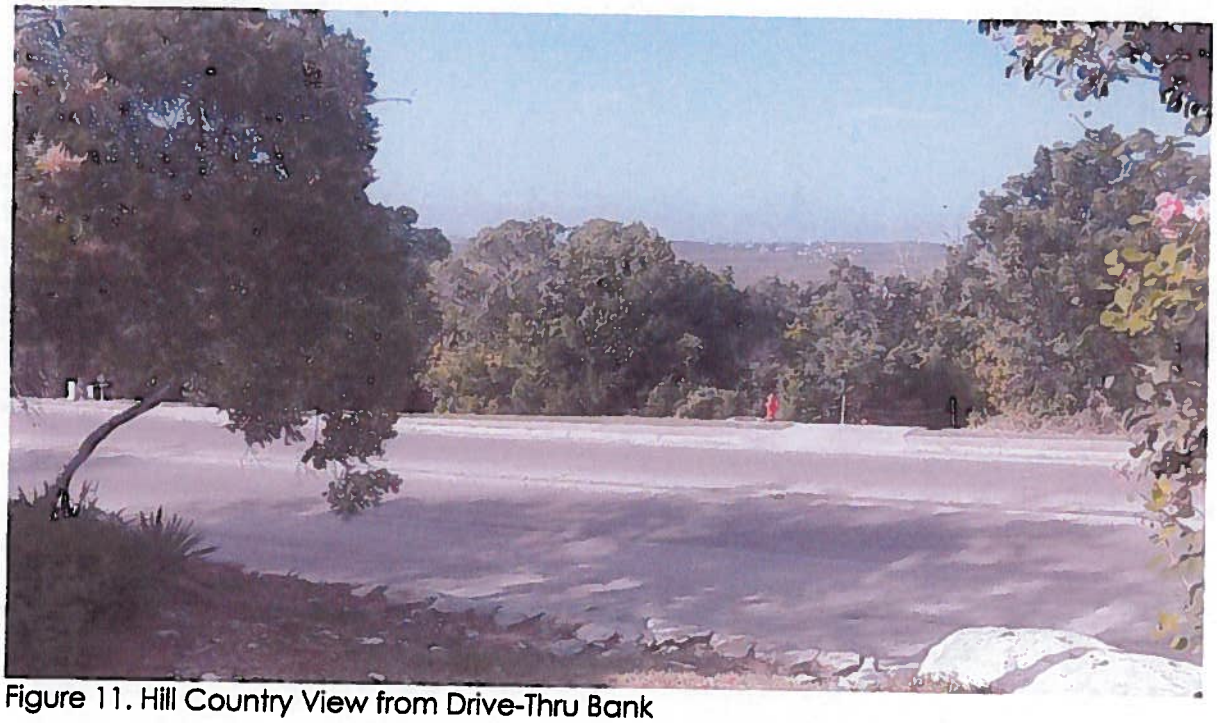

Figure 11. Hill Country View from Drive-Thru Bank

From: Gaston, Scott
Sent: Monday, August 27, 2012 10:39 AM
To: Heckman, Lee
Subject: Opposition to Re-zoning of Property at 1142 Lost Creek Blvd.

Hi Lee-

My name is Scott Gaston and I have resided at 1501 Quaker Ridge Drive in the Lost Creek Subdivision for nearly six years.

I am writing this letter to you, and by extension to the City of Austin Planning and Development Review Department, to express my extreme opposition to any multi-family re-zoning of the existing bank-drive property at 1142 Lost Creek Blvd. I do not now nor will I ever support multi-family zoning in that area.

Most importantly and overall, re-zoning for multi-family housing is not compatible with the residential standards of Lost Creek. The existing property has been and remains an effective commercial rental property and should be continued in that manner. This property has been maintained in a quality way that minimizes its street-side exposure and impact to the neighborhood overall. That should continue.

Aside from limited application of compatibility standards as mentioned above, I have inherent concerns about any re-zoning for multi-family use that in my experience always results in height, visibility, lighting, parking, screening, setbacks and landscape buffering issues due to lack of planning, execution and city politics. Most importantly and what rarely seems to resonate with Austin city management these days is the negative impact on traffic at an already congested intersection surrounded by multiple office buildings with multiple tenants and workers. Further, Lost Creek Blvd. already acts as a cut-through for those townships and neighborhoods to the south and west of Lost Creek and, with Apple's recent offices established nearby, traffic congestion has ramped up exactly where these units would access Lost Creek Blvd.

There are many existing sites throughout the Austin area which this developer can target without any necessity to re-zone an existing location that negatively impacts such a well-established, high-quality neighborhood that will be paying significantly higher taxes to the City of Austin in the coming years.

I strongly urge you and the City of Austin Planning and Development Review Department to not acquiesce to this developer's request and not change the existing zoning at 1142 Lost Creek Blvd given the concerns outlined above. Thank you for your time.

Best Regards,

Scott Gaston

Resident, Lost Creek Neighborhood

Exhibit B-38

From: Debbie Andries
Sent: Monday, August 27, 2012 11:06 AM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I oppose rezoning of the property referred to below. A multifamily building would create numerous issues affecting the Lost Creek neighborhood. It would potentially affect our property values adversely which is an unfair, unforeseen issue for the residents in Lost Creek.

Debbie Andries

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Sandy Kerr
Sent: Monday, August 27, 2012 11:17 AM
To: Heckman, Lee
Subject: MF zoning change in Lost Creek

Mr. Heckman,

I'm writing to inform you that my husband and I support the LCNA's resolution opposing the zoning change of the bank property at the entrance to Lost Creek, case number C14-2012-0086.

Best regards,

Sandy Kerr

Sandy Kerr | Realtor®

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1301 Lost Creek Blvd, Austin, Tx 78746

Exhibit B-40

From: Leah Stewart
Sent: Monday, August 27, 2012 11:22 AM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Dear City of Austin,

I am a Lost Creek resident and I am opposed to the proposed height of the condos. While there is probably a multi-family plan that would fit in with Lost Creek, this is not it.

I am also concerned that the Lost Creek roads and infrastructure (including specfically the wastewater infrastructure) cannot support additional construction. The city should not rezone this area before it has figured out how it will mantain the existing infrastucture, much of which is old and will need to be overhauled and/or replaced in the near future.

Leah Stewart
6108 Turtle Point Drive

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-41

From: Margie E Sords
Sent: Monday, August 27, 2012 11:21 AM
To: Heckman, Lee
Subject: Opposition for Case Nmber C14-2012-0086

We support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Margie and David Sords
1605 Mill Springs Drive
Austin, TX 78746
512/347-8918

Exhibit B-42

From: Wendy
Sent: Monday, August 27, 2012 11:27 AM
To: Heckman, Lee
Subject: Fw: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Leyuan You

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-43

From: John Hinding
Sent: Monday, August 27, 2012 11:45 AM
To: Heckman, Lee
Subject: Case # C14-2012-0086 -- Lost Creek Rezoning

Mr Heckman,

First, I am not a "don't change anything" Luddite. I attended the meeting with the developer and designer of the proposed project, as my wife and I are planning to downsize, exchanging our larger Lost Creek home for a townhouse/townhome in or around Lost Creek. I would want a patio for entertaining, cooking and mundane things like gardening and reading, so I do not think I'd like a condominium. I know other residents who would gravitate to a smaller number of units, with townhouse character.

The developer's plans show 12 units with no front or backyard and no guestparking. During the presentation I asked "where is guest parking"? The response was visitors could use the existing commercial building parking; I don't think this is practical, and is illegal. After the presentation numerous attendees discussed in depth the concerns one might have, especially how the proposal would affect the character of Lost Creek and nearby neighbors. There was no support for the proposal.

I suggested a reduced number of units, say six to eight, with amenities such as parking and more personal space. Certainly this was more acceptable to the attendees. One could speculate that this kind of project would lead to higher cost and value of the units, while keeping the neighbors and Lost Creek residents happy. Is this idea feasible?

Sincerely,

John Hinding

Exhibit B-44

From: Mike & Krystin Johnson
Sent: Monday, August 27, 2012 12:50 PM
To: Heckman, Lee
Subject: Lost Creek Rezoning

The City of Austin has a long and storied history of not listening to anything the residents of Lost Creek say. Odd, when one considers that we are shortly to become residents of the city of Austin. Voting residents, I might add. Please, for once, listen to what we are saying about our neighborhood:

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents. Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

Sincerely,
Krystin Johnson

From: Beth Bolt
Sent: Monday, August 27, 2012 12:17 PM
To: Heckman, Lee
Subject: Zoning

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Beth and Dave Bolt
6202 Olympic Overlook
Austin, TX 78746
Email:

From: Matt DeLorenzo
Sent: Monday, August 27, 2012 2:00 PM
To: Heckman, Lee
Cc:
Subject: Fw: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Dear Mr. Heckman,

I support the LCNA Board's resolution which opposes C14-2012-0086.

Matthew L DeLorenzo

5801 Sedgefield Drive

Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Sarah Templeton
Sent: Monday, August 27, 2012 2:09 PM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Dear Mr. Heckman,

I am writing to tell you that I oppose the Rezoning of the Bank Drive-Thru to Multi-Family Zoning (C14-2012-0086) at the corner of Lost Creek and 360.

Thank you.
Sarah Templeton
5902 Front Royal Drive
Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Ed_Maruri
Sent: Monday, August 27, 2012 2:26 PM
To: Heckman, Lee
Subject: Opposition to MF zoning for 1142 Lost Creek, C14-2012-0086

Mr. Heckman,

I support the Lost Creek Neighborhood Association resolution **opposing** the Multi-family zoning proposed for Case Number C14-2012-0086.

Name: Eddie and Michele Maruri

Address: 6505 Torrey Pines Cove

Regards,

Eddie Maruri

From: Jim Lear
Sent: Monday, August 27, 2012 2:29 PM
To: Heckman, Lee
Subject: Case C14-2012-0086

I am a homeowner in Lost Creek, and I urge you to reject the multi-family zoning request for Case C14-2012-0086. It is a location that is ill-suited for multi-family development, and the proposal falls short in many ways, such as parking, lighting, traffic flow, and overall quality standards. Please reject the proposed zoning change as it will be a significant detriment to the neighborhood.

--

Kindest regards,
Name: Jim Lear
Address: 6005 Worchester Cv,
Austin, TX 78746

From: Annette Keaveny
Sent: Monday, August 27, 2012 2:44 PM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Annette Keaveny

1314 Wilson Heights Dr

Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Francisco Gonzalez Jr.
Sent: Monday, August 27, 2012 2:47 PM
To: Heckman, Lee
Cc: Francisco Gonzalez Jr.
Subject: I live in Lost Creek and I oppose the MF zoning proposed for Case Number C14-2012-0086

Lee Heckman, Case Manager, this is to let you know that I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

I live in Lost Creek at:

Francisco Gonzalez, JR.

1901 Cypress Point West

Austin, Texas 78746

Adios,
FRANCISCO GONZALEZ, JR.

DIVERSIFIED INVESTMENT GROUP, INC
(O) 512-328-5905 (F) 512-327-7491 USA

$$ COMMODITIES & BONDS
$$ REO & MORTGAGES
$$ COMMERCIAL LOANS

Exhibit B-52

From: Phyllis Blees
Sent: Monday, August 27, 2012 3:46 PM
To: Heckman, Lee
Subject: FW: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

August 27, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I am against this development.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Please count me as against the rezoning and development of the property as currently proposed. Also, include me in any mailing list to which you send updates.

Best regards,
Phyllis Blees
1510 Falcon Ledge Dr
Austin, Texas 78746

Exhibit B-53

From: Sabra Boone
Sent: Monday, August 27, 2012 3:55 PM
To: Heckman, Lee
Subject: RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

August 27, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Sabra Boone
1902 Trevino Drive
Austin, Texas 78746
From: Bobby Farrar
Sent: Monday, August 27, 2012 4:33 PM

Exhibit B-54

To: Heckman, Lee
Cc: Marc J. Stephenson
Subject: Lost Creek resident opposes MF rezoning

Lee, as a Lost Creek resident for 20 years, I have seen the traffic at Lost Creek blvd and 360 become impossible during rush hour.

The area up for rezoning does not have the space and the automobile traffic pattern at that intersection will be increasingly

Hazardous. There are enough problems and safety issues at the present time that a condo or apartment complex will only make matters worse.

Therefore, I support the LCNA board's actions and recommendation on the rezoning issue.

Thank you for your attention to this matter.

Bobby C. Farrar

Exhibit B-55

From: David and Gayle Cantrell
Sent: Monday, August 27, 2012 5:37 PM
To: Heckman, Lee
Subject: Fwd: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Name:David Cantrell

Name:Gayle Cantrell

Address: 2200 Cypress Point West, Austin, TX 78746

Exhibit B-56

From: Amy Brady
Sent: Monday, August 27, 2012 7:58 PM
To: Heckman, Lee
Subject: Zoning Case # C14-2012-0086

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Amy Brady

Name: Amy Brady

Address: 1405 Bay Hill Drive, 78746

Exhibit B-57

From: Jose and Terry Bazan
Sent: Monday, August 27, 2012 8:44 PM
To: Heckman, Lee
Subject: Lost Creek Neighborhood Association Resolution Opposing the MF Zoning - Case C14-2012-0086

Mr. Heckman:

We support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Jose and Terry Bazan
1501 Johnny Miller Trail
Austin, TX 78746

From: Rachel Jackson
Sent: Monday, August 27, 2012 9:02 PM
To: Heckman, Lee
Subject: RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

August 27, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Name: Rachel Jackson
Address: 6208 Augusta National Drive, Austin, TX 78746
From: Vernon Pohlmeier
Sent: Monday, August 27, 2012 9:09 PM

Exhibit B-59

To: Heckman, Lee
Subject: Rezoning of 1142 Lost Creek Blvd.

Lost Creek

August 27th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a 24 year resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Name: Vernon Pohlmeier
Address: 2101 Doral Dr., Austin, TX 78746
From: Tim Patterson
Sent: Monday, August 27, 2012 9:14 PM

Exhibit B-60

To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I endorse our LCNA direction on this proposal. Please do not approve multifamily zoning.

Thanks, Tim

Timothy J. Patterson, PMP

6303 Royal Birkdale Overlook

Austin, Texas 78746

Cell: (512) 826-5637

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-61

From: Darlene Hyzak
Sent: Monday, August 27, 2012 10:58 PM
To: Heckman, Lee
Subject: Opposition to Lost Creek MF zoning

Mr. Heckman:

I support the Lost Creek Neighborhood Asssociation's resolution opposing the MF zoning proposed for Case # C14-2012-0086.

Please vote to deny the zoning change.

Thank you,

Darlene Hyzak
1309 Arronimink Circle
Austin, TX 78746

Exhibit B-62

From: Pat Chapin
Sent: Tuesday, August 28, 2012 6:49 AM
To: Heckman, Lee
Subject: Fwd: Lost Creek Neighborhood Association's Resolution

We support the Lost Creek Neighborhood Association's resolution

opposing the MF zoning proposed for Case number C14-2012-0086

Pat and Jim Chapin

2003 Ringtail Ridge

Austin, TX 78746

Exhibit B-63

From: Kathryn Grube
Sent: Tuesday, August 28, 2012 8:04 AM
To: Heckman, Lee
Subject: Fwd: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Dear Mr. Heckman-

Please add our names to the many Lost Creek residents who

STRONGLY OPPOSE the multi-family rezoning request, CASE NUMBER C14-

2012-0086. We agree with the LCNA Board of Directors that, for all the reasons listed below, this plan for use is not compatible with the residential standards of the

Lost Creek neighborhood.

Signed,

Kathryn and Bruce Grube

1910 Cypress Point West

Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-64

From: Ann Hutchison McCormick
Sent: Tuesday, August 28, 2012 8:06 AM
To: Heckman, Lee
Subject: Lost Creek Zoning change Request- protest

We are home owners on Arronimink Circle. We are formally protesting and requesting the veto of the Zone Change. Multi family dwellings are not an addition that fits our planned neighborhood for single homes. We also a very serious traffic problem on Lost Creek blvd. As it is a single road outlet for all residents. We are already over built on the 360 corridor for our traffic capacity. We need more green areas not more density in this area Thank for your attention to this issue

Hutchisons &McCormicks
512-771-1882
Sent from my iPhone

Exhibit B-65

From: Stacey England
Sent: Tuesday, August 28, 2012 1:11 PM
To: Heckman, Lee
Cc: Guy England
Subject: opposition for MF zoning in Lost Creek subdivision

We are residents in the Lost Creek neighborhood and we support the resolution that the Lost Creek Neighborhood Association passed *opposing* the MF zoning proposed for Case Number C14-2012-0086.

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents. Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

Name: Stacey & Guy England

Address: 6100 Bend of the River Dr, Austin, TX 78746

Sincerely,

Stacey and Guy England

Lost Creek

August 28th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Name: Lindsay and Michael Maresh
Address: 2009 Plumbrook Drive, Austin, TX 78746
From: Ann Boren
Sent: Tuesday, August 28, 2012 2:41 PM

Exhibit B-67

To: Heckman, Lee
Subject: C14-2012-0086 - Opposition to MF Rezoning in Lost Creek

Lee,

I am a Lost Creek resident and support the LCNA Board's opposition to the any multi-family zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to multi-family zoning from neighborhood residents. Multi-family zoning allows land use that is not compatible with the residential standards of Lost Creek.

PLEASE do not move forward with rezoning Lost Creek for multi-family use. Feel free to call me if you have any questions. 512-731-6754.

A concerned Lost Creek resident,

Ann Boren

1601 Bay Hill Drive 78746

Exhibit B-68

From: Allysa Martin
Sent: Tuesday, August 28, 2012 4:31 PM
To: Heckman, Lee
Subject: Postponement of lost creek bank drive-thru hearing & opposition

Dear Mr. Heckman,

I am a homeowner in the Lost Creek neighborhood and have been working with the neighborhood Association and coordinating into the Lost Creek Mom's Club to address all the concerns raised. Although the overwhelming response by the club is that the oppose the re-zoning, the timing of vacations and school starting has been a real hindrance in coordinating a response and the signage posted has not put the neighborhood on adequate notice of the re-zoning. Homeowners still remain surprised by the news as we continue to try to inform everyone of the proposed re-zoning.

I would first like to mention my vehement opposition to the re-zoning. The proposed condos as well as the height, orientation of the back of the building toward the street, lack of adequate parking (2 spots per unit with 3 bedroom units and no guest parking) gives me serious concern about the overflow onto the street on a blind curve where 2 lanes are merging. Many times traffic has not fully merged by that curve and would result in a serious accident. I also have serious concerns about the precedent it would set so that any other neighboring lots would follow suit. Our neighborhood is primarily a single family neighborhood with a family style and feel. It is clear from the builders drawings that they are not placing any interest in the needs of the existing homeowners based on the modern style, placing the back of the building right at the edge of the setback line and resulting in parking overflow problems.

I originally believed that an SF 6 zoning would be best, but after speaking with Greg Guernsey, realize that the existing zoning is the right choice given the current restrictions on the property and counter-traffic flow to the current residents (e.g they come in as we leave and are not present on weekends).

In summary, I would greatly appreciate your support in an extension to the hearing to enable us to fully inform the entire neighborhood and also oppose the re-zoning to anything other than LO.

Regards,
Allysa Martin, Lost Creek homeowner
6667 Whitemarsh Valley Walk
Austin TX 78746

Sent from my iPad

Exhibit B-69

From: Ladonna Eisenbaum
Sent: Tuesday, August 28, 2012 8:13 PM
To: Heckman, Lee
Subject: Lost Creek Zoning

Please do not allow multi-family zoning on the former bank drive-through just off Lost Creek Blvd. Development would only add to the traffic confusion and congestion in that area. We have a double turn lane that collapses into one lane just before the spot that would be the driveway leading to the multi-family units. The neighborhood is a mecca for bike riders who already have a difficult time dodging traffic.

Sincerely,

Ladonna Eisenbaum

1407 Quaker Ridge

Austin 78746

From: Scott McAllister
Sent: Tuesday, August 28, 2012 9:21 PM
To: Heckman, Lee
Subject: Lost Creek Zoning...

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Name: Scott McAllister

Address: 2308 Cypress Point East

Exhibit B-71

From: Charlotte Mayahi
Sent: Tuesday, August 28, 2012 11:05 PM
To: Heckman, Lee
Subject: Lost Creek case #C14-2012-0086

Dear Mr. Heckman:

As a resident of Lost Creek, I support the Lost Creek Neighborhood Association resolution to oppose the multi-family zoning request on case #C14-2012-0086.

Regards,

Name: Charlotte Mayahi

Address: 1113 Quaker Ridge Drive, Austin, TX 78746

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents. Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

From: Jason Pappalexis
Sent: Wednesday, August 29, 2012 9:19 AM
To: Heckman, Lee
Cc: Holly
Subject: Fw: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

To Whom it May Concern,

We have been Lost Creek residents for nearly 5 years and oppose the proposed MF rezoning in the current bank location near 360.

Jason and Holly Pappalexis

512-436-0282 home

6604 Cypress Pt N., Austin, Texas 78746

Thank you.

~Jason

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Name: Jason and Holly Pappalexis

Address: 6604 Cypress Point N, Austin, Texas 78746

From: Ron Dischert
Sent: Wednesday, August 29, 2012 2:40 PM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

We live at 6400 Indian Canyon Drive. My wife and I support LCNA's resolution against the proposed multi-purposed Rezoning of existing bank-drive property at 1142 Lost Creek blvd.

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Ron Dischert

(512) 633-2052

Exhibit B-74

From: Elizabeth Poole
Sent: Wednesday, August 29, 2012 4:54 PM
To: Heckman, Lee
Subject: Case Number C14-2012-0086, proposed MF zoning in Lost Creek

I am a resident of Lost Creek and am aware that an application has been filed to rezone 1142 Lost Creek Boulevard. ***I am against this development as currently proposed.***

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is primarily a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three-story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. **The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units**. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Zoning restrictions should require that parking is handled entirely within the proposed development and screened from the surrounding properties. Architecturally, any permits issued by the city should require that the project be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

This neighborhood is not simply a collection of homes; it is a community that cares for one another. I am open to inviting more families to join this neighborhood through the development of condos; however, it is imperative that these buildings carry forward the same spirit of community that the rest of the neighborhood cherishes. Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Elizabeth Poole

6706 Cypress Point North

Austin, Texas 78746

Exhibit B-75

From: Doug Hooks
Sent: Wednesday, August 29, 2012 10:16 PM
To: Heckman, Lee
Cc:
Subject: Case Number C14-2012-0086

Dear Mr. Heckman,

I am writing to provide you with my input on the proposed re-zoning of the bank drive-thru property on Lost Creek Blvd, Case Number C14-2012-0086. I am a resident of the Lost Creek neighborhood (6401 Royal Birkdale Overlook) and do not favor the zoning request as it stands for reasons of zoning precedence, safety and neighborhood consistency/compatibility with the Lost Creek residential community. In general, I think property owners should be able to make the most of their property, but I also think the development needs to be responsible, safe and not detract from the value of the property around it.

Zoning Precedence – Lost Creek currently has no property zoned for multi-family dwellings. As I'm sure you are aware, there are condos in the neighborhood, but no apartment complexes. I would like to keep it that way and don't believe the proposed plans used to justify the re-zoning require an MF zoning. If the property is to be re-zoned to residential, SF-6 should suffice for this project. Since there is no guarantee that the proposed project will actually be the project completed, MF zoning opens up the property to multi-family development and sets a precedent in the neighborhood for other property to be re-zoned to multi-family. I oppose an MF zoning.

Safety – I have several safety concerns with the property and I'll discuss them in order. There needs to be some sort of amendment to the zoning (conditional overlay) that will address the safety issues or residential zoning of any kind should not be approved.

1) Setback - The current proposal is for 3 bedroom condos. 3-bedroom structures are targeted to families with children. There is natural demand for affordable family residences within Eanes ISD. Honestly, the property isn't special enough to attract singles or couples without children in competition to the condo developments downtown. It's the schools that will sell the property. The problem is safety. If the children are young, there are obvious safety issues with a small set-back to a very high traffic street. I have small children and it scares me to think of a small child chasing a ball into the street right above the blind curve. I know you can't zone away "stupidity", but it's not the child's fault and I drive Lost Creek Boulevard every day and don't want to be the driver that hits a child. The best solution I have for this problem is to increase the minimum setback from the street and possibly put up a fence ... wrought iron or something that would not detract from the appearance of the property.

2) Parking - If the children are older, then they'll be driving and needing a place to park their car. We can count on there being one car for every person of driving age. There should be no fewer than 3 parking spaces for each unit to ensure we don't have constant parking on Lost Creek

Blvd. The road is very busy, the curve is sharp and we have numerous cyclists that ride our hills daily. Having cars parked on the street will narrow the street and make it much more dangerous for everyone, especially the bikers. I'd hate to see a wreath like we've got on Loop 360 planted on the side of Lost Creek Boulevard because someone was hit when riding around a parked car.

3) The current drive empties people onto Lost Creek Blvd going into the neighborhood. People who live on the property will have little reason to drive further in and will almost always be driving out. The drive as it currently exists will encourage people to come out, merge into traffic and make a "U-Turn" right above the curve. It will clog traffic and be very dangerous. This drive needs to be modified such that it is an entrance only and traffic leaving the development must use the drive farther up on Lost Creek.

4) Currently mail boxes and trash receptacles are on the streets within most of the neighborhood. This property isn't well suited for mailboxes on the street, nor 12 trash receptacles that need emptied weekly just past a blind curve. Both of these services should be required to be performed on the property and not on the boulevard, where they will add to traffic and safety issues.

Neighborhood Consistency/Compatibility – Lost Creek has an architectural committee that reviews plans for building and/or modification of structures within Lost Creek for consistency with the deed restrictions and compatibility with the neighborhood style/appearance. The proposed project should be required to follow the same architectural restrictions (i.e. appearance, set-back, style, etc.) as the properties across the street from it. The proposed plans definitely are nothing like the properties in Lost Creek. They are drawn with balconies on all floors and hot tubs facing the street. There are no such structures in Lost Creek and I don't really want to see people hanging out on their balconies or "hot-tubbing" every time I drive by. I don't have a problem with balconies and hot-tubs, just keep them in the back-yard, out of plain sight of the literally thousands of people that must drive by daily.

Again, I'm supportive of the owner developing his property. I simply want it done responsibly, so the neighborhood continues to be an attractive, safe place to raise a family.

Thank you for your time and consideration.

Best Regards,

Douglas A. Hooks
6401 Royal Birkdale Overlook
Austin, TX 78746
(512)478-2530

Exhibit B-76

From: Michele Carlquist
Sent: Thursday, August 30, 2012 12:15 AM
To: Heckman, Lee
Subject: Case#C14-2012-0086 Oppose MF Zoning Change

Dear Lee,

As a 30 year residents of Austin and 12 year residents of Lost Creek, we have seen a lot of development and change over the years. We are very concerned about inappropriate and overly dense development totally not in keeping with the character of our neighborhood. We therefore oppose this zoning change to MF zoning for Case # C14-2012-0086 . This change is unacceptable due to safety, appearance, traffic, height and too minimal setback, as well as general incompatibility with the character and style of our neighborhood.

We have also discovered, when talking to our friends and neighbors here in Lost Creek, that there is NO SUPPORT for this zoning change. Everyone we have spoken too feels that this sort of development is not best for our neighborhood.

Thank you for your time.
Sincerely,
Jim & Michele Carlquist
1808 Congressional Circle
Lost Creek 78746
512-347-0917

Exhibit B-77

From: Kathy Harrell
Sent: Thursday, August 30, 2012 12:10 PM
To: Heckman, Lee
Subject: Lost Creek Rezoning

We FULLY SUPPORT the Lost Creek Neighborhood Associations resolution OPPOSING the MF zoning proposed for Case Number C14-2012-0086.

Rob and Kathy Harrell
2303 Cypress Point East
Austin, Texas 78746

From: Gordon Bingaman
Sent: Thursday, August 30, 2012 1:21 PM
To: Heckman, Lee
Subject: Opposition to MF zoning for 1142 Lost Creek, C14-2012-0086

Lee,

I am a seven year resident of Lost Creek and am seriously concerned by this proposed re-zoning and the effect that is will have on the aesthetic value of our neighborhood. Please record me as strenuously opposed to this development and re-zoning.

Regards,

Gordon B. Bingaman

antenoraarchitects llp
200 east live oak street
austin, texas 78704
Off (512) 462-1848
Fax (512) 462-1849

Website: www.antenoraarchitects.com

From: Joe Bruzzone
Sent: Thursday, August 30, 2012 1:31 PM
To: Heckman, Lee
Subject: Fw: Zoning change/development proposal

Lee put me down as being against the proposal zoning change and the development plans. If you are in need of any assistance I would be available to spend time on the effort.

ciao

Joe Bruzzone

6209 Turtle Point Dr.

512-922-3939

From: Jason Ehrlich
Sent: Thursday, August 30, 2012 4:01 PM
To: Heckman, Lee
Subject: Opposition to MF zoning for 1142 Lost Creek, case #C14-2012-0086

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

My wife and I (and our two young children) are residents of the Lost Creek neighborhood and are aware of the proposed rezoning of the current one-story bank building at 1142 Lost Creek Boulevard. We wanted to voice our concerns and inform you that we are against this rezoning and development as currently proposed.

We are also aware of the resolution passed by the Lost Creek Neighborhood Association (LCNA), of which we are members, and we completely agree with and support it. This reads:

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents.
Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

In particular, without careful regards to the screening and buffering of the property from the Lost Creek Blvd, it will be an overpowering and unattractive presence greeting thousands of people driving into their single-family neighborhood every day; without careful regard to parking restrictions on Lost Creek Blvd, it is possible that the proposed development will create a traffic nuisance and dangerous situation. This is a very narrow strip of property abutting the main Lost Creek thoroughfare, and it is difficult to envision how condominiums could be appropriately built that would be both attractive from an investment perspective and attractive from a residential perspective. It seems much more likely that they will be poorly thought out, poorly executed, and ultimately an unattractive long-term problem for the residents of the neighborhood. The same development group has recently completed construction of three single-family homes near Lost Creek on what previously was a single lot. These homes are, indeed, crowded, unattractive externally, have no landscaping, stick out like a sore thumb in their community, and, moreover, seem unoccupied despite being finished for many months. Given the many negative aspects of the proposed redevelopment on this very narrow property that is very visible to everyone in our community, we are highly concerned and do not support the current proposal nor the proposed rezoning.

Thank you for the opportunity to voice our concerns. We hope the City will consider the concerns of the many residents of Lost Creek regarding this Case C14-2012-0086. Please listen to the many residents who live here, and not the developers who are looking for a quick return and will leave all of us to live with their ill conceived plans.

Sincerely,
Jason and Lauren Ehrlich
6708 Cypress Pt N
Austin, TX 78746
From: ralph wickenberg
Sent: Thursday, August 30, 2012 4:38 PM

To: Heckman, Lee
Subject: MF Zoning Request No. C14-2012-0086

Mr Heckman, Please be advised that I support the Lost Creek Neighborhood Assn's resolution opposing the MF zoning proposal for case No. C14-2012-0086. I have been a resident of Lost Creek for over 25 years, and a large appartment in this location would be not only inconsistent with the character of the neighborhood,but would create even more traffic congestion .

Ralph Wickenberg

1503 Lost Creek Blvd

Austin, TX 78746

Exhibit B-82

From:
Sent: Thursday, August 30, 2012 5:29 PM
To: Heckman, Lee
Subject: Fwd: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I want to go on record as 100% in agreement with LCNA's position of opposing the below zoning change to Multi-family of the property with a drive-through bank located at: 1142 Lost Creek Blvd.

Yours truly,

Jim St. Aubyn - 6820 Cypress Pt N #5 - Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Marsha Spears
Sent: Friday, August 31, 2012 8:18 AM
To: Heckman, Lee
Subject: Fw: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Hi,

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Thank you for your interest.

Marsha Spears

6405 Indian Canyon Dr.

Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-84

From: MaryBeth Mongillo
Sent: Saturday, September 01, 2012 9:33 AM
To: Heckman, Lee
Subject: OPPOSITION TO REZONING: Case Number C14-2012-0086

We support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Ed and MaryBeth Mongillo

2310 Cypress Point West

78746

MaryBeth Mongillo, Ph.D.

President, Factor5 Consulting

512.660.5135 (o)

512.750.3657 (c)

http://www.factor5consulting.com/

Exhibit B-85

From: Marty Urbanovsky
Sent: Sunday, September 02, 2012 7:46 PM
To: Heckman, Lee
Subject: Fwd: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

Dear Lee Heckman,

I am very opposed to this zoning change. This is not the style that is appropriate for our neighborhood and we feel that it is unfair to detract from the value of our property.

Marty Urbanovsky

1804 Bay Hill Dr.

Austin, TX 78746

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

From: Urbanovsky Joe
Sent: Monday, September 03, 2012 4:09 PM
To: Heckman, Lee
Subject: C14-2012-0086

Lee,

As a resident of Lost Creek, I strongly appose any MF zoning. I have lived in Lost Creek since 1984, and would hate to see our neighborhood ruined. Since the COA of Austin went ahead with annexation of Lost Creek, I think it is now time for the COA to step up and help Lost Creek by denying any MF zoning request in our neighborhood.

Lost Creek was never intended to be MF.

Thanks,

Joe H Urbanovsky

1804 Bay Hill Drive

Austin, TX 78746

512 769 6460

From: Joyce Cunningham
Sent: Tuesday, September 04, 2012 8:29 AM
To: Heckman, Lee
Subject: Zoning Case Number C14-2012-0086 Lost Creek Blvd.

Mr. Heckman,

I am writing to express my opposition to the rezoning of 1142 Lost Creek Blvd. in order to accommodate a developer's desire to rezone the property for multi-family dwellings. I have been a resident of Lost Creek for a number of years. I like the neighborhood the way it is. Simply, I don't want the increased traffic congestion, I don't want the visual changes to the boulevard and the trees, I don't want the impact on my school system, and I am opposed to the idea. I believe a neighborhood's right to reject suggested change should be as important to the Austin City Council as a developer's right to make changes.

I am opposed to the rezoning request, as I believe the neighborhood association and all the residents it represents are. Please listen to the voices of those who live as well as work in this city.

Joyce Cunningham

1720 Ben Crenshaw Way

Austin, TX 78746

Exhibit B-88

Lost Creek

August 8th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and set backs from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Name: James B[illegible]
Address: 2203 Cypress East
Austin, TX 78746

Exhibit B-89

Lost Creek

August 8th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and set backs from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Name: Sarah Benton
Address: 2203 Cypress Point East
Austin, TX 78746

Exhibit B-90

From: Jeffrey Olen
Sent: Tuesday, September 04, 2012 9:46 AM
To: Heckman, Lee
Subject: Opposition to MF Rezoning for Case Number C14-2012-0086

Mr. Heckman,

I would like to express my strong opposition to the proposed rezoning outlined in Case Number C14-2012-0086. As a resident of Lost Creek, I fully support the position of the Lost Creek Neighborhood Association, which unanimously passed the following resolution:

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents. Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

I hope that you recognize the adverse impact that this project would have on our unique and wonderful neighborhood and reject this proposal.

Thank you.

Jeffrey Olen

6507 Huckleberry Cove

Exhibit B-91

From: Melissa Olen
Sent: Tuesday, September 04, 2012 10:13 AM
To: Heckman, Lee
Subject: Lost Creek Homeowner against MF Proposed Zoning Case No. C14-2012-0086

Mr. Heckman:

I am a Lost Creek property owner and I **support the LCNA Resolution Against Proposed Multi-Family Rezoning of Existing Bank-Drive Property at 1142 Lost Creek Blvd (Case Number C14-2012-0086)**

The Lost Creek Neighborhood Association Board unanimously passed the following resolution in a special LCNA board meeting, Sunday, August 26, 2012:

The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks, and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents. Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.

Thank you,

Melissa Olen

6507 Huckleberry Cove

Austin, TX 78746

Exhibit B-92

Page Mitchell and Paul Bechtel
1151 Lost Creek Blvd.
Austin, Texas 78746

Mayor and City Council
Planning and Development Review Department
Attention: Lee Heckman, Case Manager
City of Austin
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

September 1, 2012

Re: Case No. C14-2012-0086
1142 Lost Creek Blvd.

Dear Mr. Heckman:

As you may recall, we spoke on the phone several weeks ago about this proposed project. My husband and I live almost directly across Lost Creek Blvd. from the property that is subject to the case above. We are very concerned about the rezoning plan and how it may impact our family, property, and the neighborhood in general.

We are concerned about the number of units that are being proposed, the lack of compatibility with the neighborhood, and the traffic and safety impact on the neighborhood.

First, we believe that the MF-1 rating will allow too many units on the property for our neighborhood. The neighborhood is basically single family residences with some multifamily residences that blend in seamlessly. The plans we have seen for the proposed buildings resemble an apartment complex and would have a negative impact on the entrance to the neighborhood and certainly on our property almost directly across the street.

We are concerned about the lights, the noise, and the traffic from the number of units that are being planned. There is no way to shield our home. At this time, the neighborhood has low lights and moderate amounts of traffic in the evening. We are worried that it will change for the worst with the proposed plan.

Additionally, we are concerned about the lack of compatibility of the proposed project with the rest of the neighborhood. Lost Creek seems to be a neighborhood of cottages and stone buildings. The ruin at the entrance to the neighborhood is a stone wall. Most of the deed restrictions require that the homes have a certain amount of stone on the exterior and Architectural Committee approval for roofs and paint that blend with the neighborhood. The proposed plans appear to be too high, too modern, and set too close to the street. The open parking under the buildings is not compatible with anything in the neighborhood and is, in fact, very unattractive in the plans we have seen. We are concerned about the clash of architectural styles and, additionally, the heights that will tower over the homes that currently

exist. The minimal setbacks will only make it worse with the new project rising like a large wall on Lost Creek Blvd.

Finally, we are very concerned about the traffic. In the morning, the traffic is already very congested. It is difficult to get onto Lost Creek Blvd. at 8:00 in the morning when Forest Trail Elementary School begins. The additional traffic will be difficult and burdensome especially considering the fact that the exit from the proposed project is directed back into the neighborhood. The residents of the new project will have to make u-turns in the neighborhood or exit across commercial property directly onto 360. Both options are inconvenient. U-turns in the neighborhood are dangerous.

Additionally, the proposed project does not have adequate parking for the residents or their guests. This will result in parking on the street where Lost Creek curves and will result in more traffic problems where the traffic on Lost Creek stacks up just before 360. This is already a very congested part of the street and the proposed project will only make it worse, directly in front of our house.

We are happier if the site retains the "LO" zoning. Although commercial, a tasteful small complex will not add the congestion and evening activity that the large proposed complex will almost certainly add in the community.

Another alternative is, of course, to allow single family residences with a much smaller number of units and with height and setback limitations that are compatible with the rest of the neighborhood.

We certainly understand the need to develop this property but believe that it can be developed in a way that is compatible with the existing neighborhood and one that will not cause dangerous traffic problems in the community.

Thank you for your time and attention. Please feel free to contact me if you need more information. My daytime number is 512-322-0500 and my evening number is 512-658-9929.

Page Mitchell

Exhibit B-93

From: Thomas Mangold
Sent: Tuesday, September 04, 2012 9:19 PM
To: Heckman, Lee
Subject: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

THE Mangold Group
Certified Public Accountants, PC

1120 S. Capital of Texas Highway | Building 2, Suite 120 | Austin, TX 78746 | p 512.327.0909 | f 512.327.0904 | www.mangoldcpa.com

4 September 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts. Furthermore, no further zoning changes should be allowed to adjacent tracts (specifically, the large vacant SF-2 tract adjacent to the subject tract) that would allow this property to

simply be the beginning of a large multi-family development right at the entrance to the neighborhood.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Ingress to and egress from the property should be forced to Capital of Texas Highway if at all possible. Left turns from the property onto Lost Creek Blvd should be made illegal and very clearly marked, including requiring signage as such by the developer, and heavily enforced. Parking should be handled entirely within the proposed development and screened from the surrounding properties. The shoulders and bike lanes along both sides of Lost Creek Blvd should be designated as 24 hour NO PARKING zones and patrolled regularly. The developer should be required to disclose these restrictions in writing to potential purchaser and the should be required to sign an agreement to comply with these restrictions.

Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. Masonry should be required on all exteriors to blend with the surrounding community. No open carports should be allowed and a low number of permitted vehicles per unit should be enforced. The scale of the development should fit in the community and not over-power the surrounding properties.

I believe a residential use of that property would be better suited to the neighborhood than any continued commercial use, however I am against the development of the property as currently proposed. Thank you for the opportunity to voice my concerns. Please contact me should you wish to further discuss this matter.

Best regards,
Thomas Mangold
1509 Lost Creek Blvd
Austin, TX 78746

Thomas Mangold, CPA | ABV | CITP | CGMA
President

THE **Mangold Group**
Certified Public Accountants, PC
1120 S Capital of Texas Highway
Building 2, Suite 120
Austin, Texas 78746
P: 512-327-0909
F: 512-327-0904
E:
W: www.mangoldcpa.com

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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

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

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

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0086
Contact: Lee Heckman, 512-974-7604
Public Hearing: Sep 4, 2012, Zoning and Platting Commission
Sep 27, 2012, City Council

Richard Weider
Your Name (please print)

☐ **I am in favor**
☒ **I object**

1208 Wilson Heights Dr. 78746
Your address(es) affected by this application

R Weider
Signature

9/4/12
Date

Daytime Telephone: 512-327-9399

Comments: This zoning change is unwarranted as the site is already developed in a way that buffers the neighborhood. Such an increase in density & multi-family use is undesirable at this location. Please leave well enough alone and do not allow a zoning change at this location. It will add congestion and density where there is none, and no desire for this among the neighbors.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Lee Heckman
P. O. Box 1088
Austin, TX 78767-8810

Exhibit B-95

Lost Creek

September 10, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Name: Mercedes Smith
Address: 6601 Torrey Pines Cove, Austin, Texas 78746

Exhibit B-96

From: Charleen Maxwell
Sent: Monday, September 10, 2012 3:26 PM
To: Heckman, Lee
Subject: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

September 10th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the possible rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this rezoning and the multi-family development of the lot.

The Lost Creek neighborhood was built in the early 1970s, is part of Travis County, and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. Lost Creek Blvd is our flagship, and only, avenue into and out of the neighborhood, and it's attractiveness is a large source of pride, and property value, for the residents of Lost Creek. It is also unfortunately a locus of traffic backups when leaving the neighborhood during morning rush hour. We oppose any change in zoning of the lot at 1142 Lost Creek Blvd, other than to zone it residential. Multifamily zoning on that centrally located lot will not fit in with the character, the spirit, or the aesthetics of the neighborhood of Lost Creek.

Allowing developers to have the lot re-zoned multi-family, and build a three story condo complex in that very small, very visible public space, will personally enrich only those developers, and so they may profit, it will damage Lost Creek in innumerable ways, including destroying the character of our single family neighborhood, reducing property values for all the homes within sight lines of the condos on Lost Creek Blvd, and in fact all homes in the neighborhood, causing even greater traffic issues right next to an already over-traveled intersection, and reducing the visual appeal of the only street allowing direct access in and out of Lost Creek.

The City of Austin, led by the city council, has already done great harm to our peaceful neighborhood over the last several years; the forced annexation through which the City will gain access to our homes' property values for taxation, and more recently, the unprecedented utility rate hike the city council voted for, but only on those of us who cannot vote for you, have been enough. Please allow our quiet neighborhood the peace and dignity of not also being forced to also tolerate a multi-family construction directly on our beautiful Lost Creek Boulevard.

Sincerely,

Charleen Maxwell
5803 Fox Chapel Dr
Austin, TX 78746
512-732-8350
September 11, 2012

Exhibit B-97

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed. While we do have other condos in the neighborhood, they are extremely sensitive to the surroundings and landscape and blend in wonderfully. This element of design and sensitivity, however, is lacking from the condominiums proposed at the entrance of the development.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Devlin DuVall
1301 Wilson Heights Drive
Austin, Texas 78746

Exhibit B-98

September 11, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

I do not favor the zoning request as it stands for reasons of zoning precedence, safety and neighborhood consistency/compatibility with the Lost Creek residential community. In general, I think property owners should be able to make the most of their property, but I also think the development needs to be responsible, safe and not detract from the value of the property around it.

The density of the proposed zoning will allow for 17 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Multifamily zoning on that centrally located lot will not fit in with the character, the spirit, or the aesthetics of the neighborhood of Lost Creek.

Zoning Precedence – Lost Creek currently has no property zoned for multi-family dwellings. As I'm sure you are aware, there are condos in the neighborhood, but no apartment complexes. I would like to keep it that way and don't believe the proposed plans used to justify the re-zoning require an MF zoning. If the property is to be re-zoned to residential, SF-6 should suffice for this project. Since there is no guarantee that the proposed project will actually be the project completed, MF zoning opens up the property to multi-family development and sets a precedent in the neighborhood for other property to be re-zoned to multi-family. I oppose an MF zoning.

Safety – I have several safety concerns with the property and I'll discuss them in order. There needs to be some sort of amendment to the zoning (conditional overlay) that will address the safety issues or residential zoning of any kind should not be approved.
1) Setback - The current proposal is for 3 bedroom condos. 3-bedroom structures are targeted to families with children. There is natural demand for affordable family residences within Eanes ISD. Honestly, the property isn't special enough to attract singles or couples without children in competition to the condo developments downtown. It's the schools that will sell the property. The problem is safety. If the children are young, there are obvious safety issues with a small set-back to a very high traffic street. I have small children and it scares me to think of a small child chasing a ball into the

street right above the blind curve. I know you can't zone away "stupidity", but it's not the child's fault and I drive Lost Creek Boulevard every day and don't want to be the driver that hits a child. The best solution I have for this problem is to increase the minimum setback from the street and possibly put up a fence ... wrought iron or something that would not detract from the appearance of the property.
2) Parking - If the children are older, then they'll be driving and needing a place to park their car. We can count on there being one car for every person of driving age. There should be no fewer than 3 parking spaces for each unit to ensure we don't have constant parking on Lost Creek Blvd. The road is very busy, the curve is sharp and we have numerous cyclists that ride our hills daily. Having cars parked on the street will narrow the street and make it much more dangerous for everyone, especially the bikers. I'd hate to see a wreath like we've got on Loop 360 planted on the side of Lost Creek Boulevard because someone was hit when riding around a parked car.
3) The current drive empties people onto Lost Creek Blvd going into the neighborhood. People who live on the property will have little reason to drive further in and will almost always be driving out. The drive as it currently exists will encourage people to come out, merge into traffic and make a "U-Turn" right above the curve. It will clog traffic and be very dangerous. This drive needs to be modified such that it is an entrance only and traffic leaving the development must use the drive farther up on Lost Creek.
4) Currently mail boxes and trash receptacles are on the streets within most of the neighborhood. This property isn't well suited for mailboxes on the street, nor 12 trash receptacles that need emptied weekly just past a blind curve. Both of these services should be required to be performed on the property and not on the boulevard, where they will add to traffic and safety issues.

Neighborhood Consistency/Compatibility – Lost Creek has an architectural committee that reviews plans for building and/or modification of structures within Lost Creek for consistency with the deed restrictions and compatibility with the neighborhood style/appearance. The proposed project should be required to follow the same architectural restrictions (i.e. appearance, set-back, style, etc.) as the properties across the street from it. The proposed plans definitely are nothing like the properties in Lost Creek. They are drawn with balconies on all floors and hot tubs facing the street. There are no such structures in Lost Creek and I don't really want to see people hanging out on their balconies or "hot-tubbing" every time I drive by. I don't have a problem with balconies and hot-tubs, just keep them in the back-yard, out of plain sight of the literally thousands of people that must drive by daily.

Again, I'm supportive of the owner developing his property as SF6 or to remain as LO. I simply want it done responsibly, so the neighborhood continues to be an attractive and safe place to raise a family.

Thank you for your time and consideration.

Best regards,

Elizabeth M. Hooks
6401 Royal Birkdale Overlook
Austin, TX 78746
512-478-2530

Lost Creek

Sept. 11, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Name: Jim and Kathy Hopke
Address: 2007 Port Royal Dr 78746

P.S.- we really think the traffic congestion is going to be awful the majority of the time, but especially during rush hour in the mornings!!

Exhibit B-100

From: Waights Henry
Sent: Thursday, September 13, 2012 2:11 PM
To: Heckman, Lee
Cc: lisa henry
Subject: LCNA: Board Opposes MF Rezoning

Mr. Heckman,

My Wife, Lisa and I also oppose the MF rezoning of the bank drive through at Lost Creek and 360. Please fight hard to prevent the rezoning proposal from passing.

Regards,

Waights & Lisa Henry

1305 Kittansett Cove

Austin, TX 78746

Exhibit B-101

From: Devlin DuVall
Sent: Tuesday, September 11, 2012 10:37 AM
To: Heckman, Lee
Subject: Lost Creek rezoning

September 11, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed. While we do have other condos in the neighborhood, they are extremely sensitive to the surroundings and landscape and blend in wonderfully. This element of design and sensitivity, however, is lacking from the condominiums proposed at the entrance of the development.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

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Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,
Devlin DuVall
1301 Wilson Heights Drive
Austin, Texas 78746

Exhibit B-102

From: Joe Cline
Sent: Monday, September 17, 2012 1:06 PM
To: Heckman, Lee
Subject: Opposition to MF zoning for 1142 Lost Creek, C14-2012-0086

Hi Lee,

I live in Lost Creek and oppose the rezoning/development as proposed by this developer. It does not fit in with the existing neighborhood and will create a bad situation traffic-wise at the entrance to the neighborhood.

Thanks

Joe

From: danielle carpenter
Sent: Monday, September 17, 2012 2:51 PM
To: Heckman, Lee
Subject: FW: LCNA: Board Opposes MF Rezoning - Contact City NOW - C14-2012-0086

I support the Lost Creek Neighborhood Association's resolution opposing the MF zoning proposed for Case Number C14-2012-0086.

Exhibit B-104

Lost Creek

August 8th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and set backs from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Name: John Pocher
Address: 5957 Cape Coral Drive, Austin, TX

Exhibit B-105

From: Lanette Patterson
Sent: Thursday, September 20, 2012 2:22 AM
To: Heckman, Lee
Subject: Lost Creek Proposed Rezoning: Resident

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:
I am a resident of Lost Creek and have become aware of the rezoning application of 1142 Lost Creek Boulevard that is under consideration with your office. I am writing to inform you that I oppose this development, as currently proposed.

The Lost Creek neighborhood, which will be annexed by the City of Austin in 2016, was built in the early 1970s, is part of the county and is a single-family neighborhood. I oppose the proposed rezoning of the existing one-story bank building to multifamily zoning. The building specifications and standards reflected within the developer's plans are incompatible with the residential standards of the Lost Creek neighborhood. Traffic congestion and safety along Lost Creek Blvd., especially where it intersects with Loop 360, will be further negatively impacted by the additional traffic that would be generated from the condo site. For these reasons and others, rezoning is not in the best interest of Lost Creek residents or the surrounding business area.

Prior to approving any rezoning request of this area, I request that the City of Austin conduct a fair and thorough assessment of traffic congestion and safety on Lost Creek Blvd, to identify all impacts. The City should then publish findings and vet them with Lost Creek residents prior to approving or declining the rezoning request.

Shoud the City of Austin ultimately decide to move forward with rezoning, I ask that the City consider the interests of the existing neighborhood, and apply, at a minimum, the following limitations to the property:

- Limit the zoning district to the proposed number of units (12) or fewer
- Limit condo height
- Apply appropriate orientation of the building to the neighborhood
- Require appropriate screening, setbacks, and landscape bufferings
- Enforce construction and appearance standards that are the same as those of the Lost Creek Neighborhood Association
- Make appropriate adjustments at the intersection of Lost Creek Blvd. and Loop 360 to promote safety and ease congestion that will be produced by the additional traffic from the condo site

Again, I oppose the rezoning and development of the property as currently proposed, and request that the City either decline the rezoning application altogether, or apply limitations to lessen the resulting negative impact of rezoning on existing Lost Creek neighborhood and its residents. Thank you for your consideration.

Best regards,
Lanette Patterson
6303 Royal Birkdale Overlook

Exhibit B-106

From: Javier Corona
Sent: Thursday, September 20, 2012 12:31 PM
To: Heckman, Lee
Subject: zonning on Lost Creek's proposed condo development

Hello:

This email is to inform you that I've been a Lost Creek resident fir the last 11 years and that I oppose to the proposed condo development where the bank drive-thru is located.

This development will obviously cause a major vehicular traffic problem that will create a health hazard (low visibility on the curve where the entrance is proposed) as well as a substantial increase in number of autos "popping out of the curve".

Cars from this proposed development will create an additional dangerous situation when trying to get out of Lost Creek. I remember that there were several accidents from the bank drive-thru.

I also think that this development will cause cars on loop 360 turning onto Lost Creek Blvd to be backed up on peak hours creating an additional hazard on the already deadly Loop 360.

I hope you'll take these points into consideration when making a decision.

Regards,

Javier Corona

512-306-6156

Exhibit B-107

From: Walt Johnson
Sent: Thursday, September 20, 2012 2:53 PM
To: Heckman, Lee
Subject: My Opposition to Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

I would like to express my opinion on the proposed Condo project.

I am a resident of the neighborhood, at 1904 Cypress Point West

I strongly feel:

a. HEIGHT - They are too tall to fit with the existing architecture. No structure is 3 stories, hence, neither should these. 2 stories max.

b. STYLE - They look too much like urban apartments, not condos. Apartment look and apartment density - no good.

c. ORIENTATION - The nice side of the buildings need to face Lost Creek Blvd, not the ugly side with electrical doors, utility panels, and cluttered porches.

d. ORIENTATION - The nice side of the buildings need to face Lost Creek Blvd, to fit with the way all other buildings in the area are situated.

e. QUANTITY - The proposed zoning density must be and state 12 units or less, to match proposed design, not 30 units, no way!

f. PARKING - Additional parking for guests must be handled withing the proposed development.
g. MATERIALS - must use materials and style within the same category as existing structures.

Again, I am against the rezoning and development of the property as currently proposed.
I do think it is a good idea to do something with the abandon bank drive-thru, but this is not right.

Best Regards.

Martha Johnson
1904 Cypress Point West
(512) 568-5684 CST
Austin, Texas 78746

Exhibit B-108

From: Joanne Lord
Sent: Thursday, September 20, 2012 10:08 PM
To: Heckman, Lee
Subject: lost creek rezoning

Mr. Heckman-

I am against the rezoning of the land parcel at 1142 Lost Creek Blvd for the intention of building condos there. It is surrounded by commercial buildings and is just not a good place for homes.

Thank you

-Joanne Lord
6000 Front Royal Dr.
Austin Tx
78746
512-550-4907

-----Original Message-----
From: Mitch Moore
Sent: Sunday, September 23, 2012 10:22 AM
To: Heckman, Lee
Subject: Opposition to MF zoning for 1142 Lost Creek, C14-2012-0086

Mr. Heckman

I imagine you have had lots of negative feedback on the proposed rezoning of the bank drive thru in Lost Creek. While rezoning certainly has it's place in the growth of a city, Austin in particular has historically looked very carefully at how rezoning changes neighborhoods and the people who live there. I am very proud of that distinction and you may be as well.

The truth is there is no positive benefit to the community from this proposal. It seems all the benefit would come to those who sell the property and those who develop it. Those that own the property bought the property with knowledge of the particular restrictions. There should have been no expectation on their part that such a re-zoning would ever take place to increase the value or marketability of their property. As such, denying the rezoning would not be a burden on their investment in the property. In fact, it would only be a burden on those in the neighborhood both esthetically and in real property value declines. As for the developers, well it's just take the money and run as, clearly, they have no long term interest in Lost Creek.

In summation, it would be terrific if we all could take an underperforming asset and have it magically changed into better investment even at the detriment of others. The concept is effectively taking something of value from one group against their will and giving it to another. I am hoping, Mr. Heckman, that is not something you would like to be a party to and I ask for your rejection of the proposed rezoning.

Mitch Moore
1902 Point Bluff Dr.
Austin, TX 78746

Lost Creek

September 24th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

The density of the proposed zoning will allow for more than 30 units on the subject property. The developer has proposed 12 units on the tract. The density on the property should be limited to the proposed number of units or less and the zoning district should appropriately limit the number of units. The compatibility of the development to the surrounding properties should be applied within the City of Austin and in the County. This includes the need to limit height on the property, orientation of the building to the neighborhood, screening of the development from surrounding properties and setbacks from the surrounding tracts.

Congestion and traffic safety on Lost Creek Boulevard should be addressed to determine the amount of traffic that will be generated by the proposed project and the safe ingress/egress into the property. Parking should be handled entirely within the proposed development and screened from the surrounding properties. Architecturally, the project should be built with materials similar to the surrounding residential neighborhood. The scale of the development should fit in the community and not over-power the surrounding properties.

Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Name: Salima Ali
Address: 5803 Sedgefield Dr
Austin, TX 78746

Exhibit B-111

/

Lost Creek

August 8th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

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Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Name: W.S. Maurin
Address: 6704 St Andrews Way
Austin, TX 78746

Exhibit B-112

Lost Creek

August 8th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

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Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Name: Howard Eugene Douglas
Address: 6608 Cypress Point North, Austin, TX 78746

Exhibit B-113

Lost Creek

August 8th, 2012

Mayor and City Council
Planning and Development Review Department
Attn: Mr. Lee Heckman, Case Manager
One Texas Center
505 Barton Springs Road
Austin, Texas 78704

RE: Zoning Case Number C14-2012-0086; 1142 Lost Creek Boulevard

Dear Mr. Heckman:

I am a resident of Lost Creek and have become aware of the rezoning of 1142 Lost Creek Boulevard. I wanted to voice my concerns and inform you that I am against this development as currently proposed.

The Lost Creek neighborhood was built in the early 1970s, is part of the county and is a single-family neighborhood. It will be annexed by the City of Austin in 2016. The rezoning of the one-story bank building to three story condos needs to have sufficient conditions to ensure the neighborhood is not detrimentally affected by this new development.

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Again, I am against the rezoning and development of the property as currently proposed. Thank you for the opportunity to voice my concerns.

Best regards,

Name: Cindy & Jerry Edwards
Address: 6500 Torrey Pines Cv. Austin Tx 78746

THIS IS NOT WHAT OUR COMMUNITY WANTS OR NEEDS.
PLEASE LISTEN TO THE REQUESTS OF OUR COMMUNITY.

Exhibit B-114

LOC Consultants, LLP
Civil, Structural, & Environmental Engineers

August 17, 2012

Mr. Lee Heckman AICP
Planning and Development Review Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704

Re: Rezoning of Property located at 1142 Lost Creek Blvd.

Dear Mr. Heckman:

Please accept this letter as an amendment to our original zoning request for the above mentioned property.

Hereby, we are requesting to modify our original petition from MF-2 to MF-1 since the parameters established for the MF-1 zoning district are adequate for our proposed development.

Should you have any questions, please feel free to contact me.

Regards

Sergio Lozano Sanchez, P.E.

Principal

Exhibit C-1

To the Lost Creek Neighborhood Association Board:

Thank you for your cooperation in discussing the proposed rezoning and townhome condominium project at 1142 Lost Creek Blvd. The partners in the development team and I are sensitive to neighborhood concerns and believe in proactively working with homeowners.

Please find our response to the Association's resolution that was sent to the City earlier this week. Our feeling is that a good deal of the protest may be because members did not receive Mr. Lee Heckman's letter, which details mechanisms in place that addresses many of the neighborhood concerns.

<<...>> <<...>> <<...>>

Thank you for your time. It is our wishes that the Board would forward it to the association members.

Sincerely,
James Pounds, CPBD
Casa Design Company, Inc.
Design, Green Building, Consultation
207 West Spring Drive
Westlake Hills, TX 78746
512-589-4900 cell
512-467-4001 office
www.CasaDesignCo.com

CASA DESIGN COMPANY, inc.
Design, Green Building, Consultation
207 West Spring Drive Austin, TX 78746-4403 mail@casadesignco.com
phone & fax: 512-467-4001
www.CasaDesignCo.com

30 August 2012

TO: The Lost Creek Neighborhood Association Board of Directors and Members

RE: Association Resolution of Opposition
Proposed Townhome Condominium Project - 1142 Lost Creek Blvd.

I was asked by my clients, DBA: 1142 Lost Creek Joint Venture, to address the specific objections of the Association, sent on Monday, August 22nd to Mr. Lee Heckman, AICP, with the City of Austin Planning & Development Review Department:

> *The Lost Creek Neighborhood Association opposes any MF zoning on the bank drive-thru property as currently proposed due to limited application of compatibility standards and those concerns inherent with height, visibility, lighting, traffic, parking, screening, setbacks and landscape bufferings. There has been significant opposition to MF zoning from neighborhood residents. Multifamily zoning allows land use that is not compatible with the residential standards of Lost Creek.*

In all honesty, we were somewhat surprised by this objection, in light of Mr. Heckman's letter to the Board on August 17, which addressed most of these objection issues, specifically:

- we are asking for MF-1 rather than MF-2 zoning
- we proposed a conditional overlay to limit the number of units
- we agree that the project shall meet City compatibility and design standards - which addresses setbacks, height limitations, screening of utilities, light shielding, and landscaping.

In discussing the objections on Tuesday with Shelly Detomasi-Shaw, Board President, I was told Mr. Heckman's letter was never sent to the Neighborhood Association members, so it is not surprising they are against the project due to not having been informed of the protective devices already in place.

I would also reiterate, as stressed in our initial meeting before the Association, that the elevations and site plan should at this point be considered conceptual in nature as my

clients, like most developers, do not wish to invest funds on architectural design until they feel certain the project will go. These townhomes will market at upwards of $250/sf and are aimed at professional couples who wish to live in Eanes as well as the empty nesters seeking an alternative to a large home to maintain, yet do not wish to live downtown. Our vision is green, luxurious, and in keeping with modern hill country vernacular. It is in our best interest to merge gracefully with the neighborhood. However, the site itself offers certain design challenges.

I was told by Ms. Detomasi-Shaw there was some concern by the Association members that this project, due to MF zoning, would set an adverse precedent for the neighborhood - specifically regarding Mr. George Bogle's tract and the approximately 37 acre tract adjoining his. I would suggest that perhaps the project will set a *good* precedent by being amenable to the limiting conditional overlay (which attach to and runs with the land), neighborhood concerns, and the compatibility standards. I think that for these reasons the project has full staff support for the rezoning, as per the conditions in Mr. Heckman's letter.

The partners in the 1142 Lost Creek Joint Venture have been involved with the building or as partners of quality green commercial and residential in-fill projects in the City of Austin. Several recent examples:

- 3200 South 5th Street
- 1808 West 39th
- 6413 Forest Hills - Terra Linda Westlake
- 1400 South Congress Ave. - Condos and Commercial Development
- Las Casas Verdes - Longview Road
- The Penn Field Development - South Congress and Alpine

We know from experience that it is much easier to work with neighborhood groups than in opposition to them and that is why we met with the Association in good faith prior to the zoning notifications. We intend to be responsive to input within reason and in keeping with the requirements expected by the City.

Sincerely,

James Pounds, CPBD
Casa Design Company, Inc.

attachments:
Heckman Letter dated August 17, 2012
Miertschin Letter re: MUD Service dated August 10, 2012

-------- **Original Message** --------

Subject: **1142 Lost Creek Boulevard Proposal**

Date: **Fri, 17 Aug 2012 13:46:01 -0500**

From: **Heckman, Lee** <Lee.Heckman@austintexas.gov>

To: **Sergio Lozono; Shelly Detomasi-Shaw; Duane Hutson**

CC: **David & Margie Sords; Moss, Lynne; Sharon Lear**

Hello All:

I want to take this opportunity to summarize where this application stands and to ensure that applicant, staff, and interested neighborhood parties are on the same page. Shelly and Duane, please feel free to forward to other residents who are interested in this project but may not be included in this email. The following information is not in any order of importance.

The applicant has amended the request from MF-2 to MF-1. Staff supports this zoning district, with the condition that the number of units does not exceed 15.

The application will be scheduled for consideration by the Zoning and Platting Commission (ZAP) on Tuesday, September 4. If approved by ZAP at that time, it will be scheduled for consideration by the Council on Thursday, September 27. If the application is postponed or not approved, then the Council date may be rescheduled accordingly.

Although the property is within City limits, the single-family residences on the opposite of Lost Creek are not. Nevertheless, staff will recommend – and the applicant has concurred – that the project meet the City's compatibility requirements and design standards AS IF the surrounding property was in the City. Compatibility and design standards generally include setbacks, height limitations, screening of utilities and infrastructure, light shielding, landscaping and so forth. The staff recommendation to require compatibly would also be accomplished with a conditional overlay.

This property is also subject to the Hill Country Roadway Corridor Overlay, which is a set of additional – and in some cases more limiting – restrictions on the property. For example, although MF-1 would allow up to 55% impervious cover, the overlay reduces it to 40%. Height is capped at 40 feet regardless of zoning district (the same as the MF-1 and MF-2 zoning). Perhaps of special interest to the neighborhood is that the site plan, when finalized and submitted by the applicant, is also subject to review and approval by the Commission. That is, there will be another round of public notice and a public hearing on the site's proposed development.

There has been a general concern expressed about traffic. Because of the anticipated impact of the project, a traffic impact analysis was not required; given the scope of the project it would also not be required at the site-plan stage. At the time of this rezoning application, there has been no indication of a change in the current right-out-only egress. It is possible, as the site plan is more fully designed by the applicant, that the question of ingress and egress will be revisited. If such a change is part of the site plan proposal, then as noted above, it is up for consideration at the Commission's public hearing. It's important to note, however, that at this time this stretch of Lost Creek Boulevard is outside the City's jurisdiction. As such the City does not maintain or control it, nor could we mandate changes to it. It is unknown to what extent, if any, Travis County would approve of any change to the site's ingress and egress to Lost Creek Boulevard.

Lastly, it's important to reiterate that the items specified in a conditional overlay proposed by staff are City code items that the City would enforce, and typically are limitations to what is otherwise allowed under the zoning district, or set more restrictive standards than statutory minimums. For example, a conditional overlay could restrict the number of units allowed but it could not allow more. It could require additional screening, but could not allow less.

As indicated previously, the applicant has appeared amenable to working with staff and neighbors on any concerns. If there are issues of concern that are not addressed by staff's recommendation of allowing MF-1 with required compatibility standards and limited unit count, then certainly these concerns may be discussed with the applicant. Should interested parties and the applicant wish to formally document agreement on some issue through a private restrictive covenant or other means, then certainly you are free to do so.

Should you have any questions, please contact me. Thank you.

Lee Heckman, AICP
City of Austin
Planning & Development Review Dept.
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704

Tel: 512 – 974 – 7604
Fax: 512 – 974 – 6054
Email: lee.heckman@austintexas.gov

JAMES MIERTSCHIN & ASSOCIATES, INC.
ENVIRONMENTAL ENGINEERING
P.O. BOX 162305 AUSTIN, TEXAS 78716-2305 (512) 327-2708

10 August 2012

Mr. Tom Clark
General Manager
Lost Creek Municipal Utility District
1305 Quaker Ridge
Austin, TX

RE: Letter Report - Casa Designs Condominium Service

Dear Tom:

Our present understanding is that the MUD has been approached regarding water and wastewater service for a proposed condominium development. The units are planned for the property that borders Lost Creek Blvd near the intersection with Loop 360, where a bank drive-thru has been previously located. A total of 12 condominium units has been proposed. We were requested to determine if sufficient water and wastewater capacity is presently available.

POTABLE WATER SERVICE

Information regarding the pertinent portion of the water system was based upon an earlier report entitled *Engineering Design Report for Lost Creek Municipal Utility District Booster Pump Station Improvements, James Miertschin & Associates, Inc., November 2009.*

The proposed condominiums would be located in the upper pressure plane of the MUD potable water distribution system, which is serviced by a pump booster station located adjacent to the ground storage tanks near the MUD office. The 12 proposed units would represent an additional demand of 2.0 gpm/unit, based upon TCEQ criteria, which would be a total demand of 24 gpm for service. The existing booster station was designed to serve a minimum of 387 connections with a demand of 774 gpm, but additional capacity was added to bring the service up to 860 gpm. Theoretically, there is 86 gpm of capacity available at the booster station, which represents 43 connections. Therefore, the existing water distribution system is expected to be able to provide service for the projected condominiums. The potable water main in Lost Creek Blvd near the development is an 8-inch line, which should be sufficient.

WASTEWATER SERVICE

Information on sizing of portions of the wastewater treatment system was based upon an earlier report entitled *Final Report, Evaluation of Odor Control Approaches at Lost Creek MUD Wastewater Treatment Plant, James Miertschin & Associates, Inc., July 2001.*

The proposed condominiums would be characterized by an estimated wastewater flow of 242 gpd/connection (based upon a factor of 0.7 applied to the MUD's full residential criterion of 346 gpd per connection). The 12 units in the development would represent a total wastewater flow of 2,904 gpd, which would be added to the centralized wastewater collection system and conveyed

to the MUD's wastewater treatment plant. The existing treatment plant has a capacity to treat 310,000 gpd, based upon TCEQ design criteria. Wastewater flows for the preceding 12 months were examined, and the highest average daily flow for any one month has been 233,200 gpd. Theoretically, there is 76,800 gpd of capacity available at the treatment plant, which represents 222 residential connections. Therefore, the wastewater treatment plant is expected to be able to accommodate the projected additional flow. The sanitary sewer line in the vicinity of the development is an 8-inch line, which should be sufficient for conveyance of the projected flow.

As a final note regarding the available wastewater treatment capacity, the existing treatment plant should be able to easily accommodate the projected additional flow, but I would recommend caution on adding any substantial number of future connections. If the treatment plant would be brought up to its full theoretical capacity in the future, it could result in an impaired ability to meet effluent permit limitations.

Let me know if you have any questions.

Yours truly,

JAMES MIERTSCHIN & ASSOCIATES, INC.

STATE OF TEXAS
JAMES MIERTSCHIN
43900
REGISTERED
PROFESSIONAL ENGINEER

10 August 2012

James Miertschin, PE, PhD

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JMA VENTURES, LLC

Writer: Cody Kushner
Direct: 415.728.0765
ckushner@jmaventuresllc.com

VIA Email

October 2, 2012

Planning & Development Review Department
City of Austin
505 Barton Springs, 5th Floor
Austin, Texas 78704
ATTN: Ms. Wendy Rhoades, Case Manager

Re: Lost Creek Zoning, Permit/Case: 2012-070936 ZC / Reference File Name: C14-2012-0086

Dear Ms. Wendy Rhoades:

I am writing to you to in regards to the aforementioned proposed zoning modification located near the intersection of Lost Creek Boulevard and South Capital of Texas Highway. JMA Ventures, LLC is the owner of the recently redeveloped office building located at 916 South Capital of Texas Highway, otherwise known as Vista Ridge II. As you may know, our recently-acquired building is located directly adjacent of this proposed condominium development to the north.

We finalized the acquisition of the asset in early July of 2012, and unfortunately did not learn of the proposed development until late August, 2012. As such, we would like to express a desire for additional time for further exploration with both the City and the sponsor on this Project. We would like to point out that Vista Ridge II was built explicitly for a single tenant; which is a highly-specialized technology firm. Our tenant carefully selected the building from a wide variety of choices; as they were drawn to its location, site efficiency, views, access, seclusion and privacy, and the synergistic nature of the office environment in each of the adjacent parcels. As you can imagine, we would first and foremost be most interested in how this potential development may affect our tenant.

Given the importance of our Tenant's ongoing occupancy in Vista Ridge II, we would request that the City of Austin respond to the means in which this project may impact the significant factors set forth above that played an integral role in bringing this technology tenant to Vista Ridge II. While we recognize the qualities of the project, we want to make sure that our Tenant is comfortable with the project as well. We have had an ongoing dialog about the project with them in regards to the project; however responding to the ongoing questions to us regarding potential impacts given some challenges set forth by our aforementioned accelerated timeframe has proven to be a larger challenge.

Thank you very much for your immediate attention to this matter. Please feel free to contact me if you have any questions on this letter, my full contact information can be found above.

Sincerely,

Cody Kushner

CC: Jerry Rusthoven, City of Austin

Exhibit D-1

From: Heckman, Lee
Sent: Tuesday, October 02, 2012 10:09 AM
To: " Cody Kushner"
Subject: Lost Creek Zoning-Permit Case 2012-070936 ZC, Reference File Name C14-2012-0086 JMA Letter
Importance: High

Mr. Kushner:

We are in receipt of your correspondence dated 10/02/2012 regarding the above mentioned case. Thank you for contacting us, and know that staff understands the concerns of you and your tenant. In this letter you indicated a request for additional time for "further exploration" of the proposal. Your letter will be included in late back up materials presented to the Commission at the dais.

Please note, the Lost Creek Neighborhood Association (LCNA) petitioned the Commission for a 60-day postponement on September 4 in order to meet and work with the applicant. The Commission granted a 30-day extension. During the past month, the LCNA and the applicant's design team met several times and have negotiated agreements on over one-dozen use and design items. If you have not reviewed the staff report which lists these areas of agreement, I encourage you to review the document, available here:
http://www.austintexas.gov/edims/document.cfm?id=176930

If you have not contacted the applicant, I would encourage you to do so. Likewise, if you have not contacted the LCNA, I would encourage you to contact them regarding their negotiated support of the project. Of course, you have the right to request a postponement from the Commission. However, the request must be supported by a rationale of why another postponement is required, a proposed postponement date or length of time, and specifically what you hope to accomplish with the additional time. The Zoning and Platting Commission meets at 6 p.m. on the first and third Tuesdays of each month, hence, the next meeting is Tuesday, October 16th. Furthermore, someone will need to represent you and present your request for additional time at the Commission meeting today. Staff cannot represent this request for you. Given the logistics of having a representative make your request today, you also have the option of requesting a postponement at the scheduled City Council meeting, which is currently scheduled for October 18th. As with the Commission meeting, a representative could make the request on your behalf, again with justification(s).

If, after reviewing the staff report and/or discussing the project with the applicant and LCNA you have questions about the proposal, please contact me. If you are planning to have your request for a postponement presented to the Commission, please let me know because that would occur prior to any public hearing or discussion of the proposal.

Lee Heckman, AICP
City of Austin
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Exhibit D-2

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415.777.1878 fax

JMA VENTURES, LLC

VIA Email

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Direct: 415.728.0765
ckushner@jmaventuresllc.com

October 2, 2012

Planning & Development Review Department
City of Austin
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704
ATTN: Mr. Lee Heckman, AICP, Case Manager

Re: Lost Creek Zoning, Permit/Case: 2012-070936 ZC / Reference File Name: C14-2012-0086

Dear Mr. Lee Heckman:

I am writing to you to in response to the letter I sent previous today to Wendy Rhoades' attention regarding the aforementioned project. JMA Ventures has worked on a number of similar projects in the past and while we do not necessarily oppose the project in its current form, our sole focus is on the long-term happiness and enjoyment of the site by our tenant in Vista Ridge II. That being said, we can appreciate the focus and attention to detail that the sponsor has put forward. Furthermore, we appreciate the proposed aesthetics of the project. However, once again I must reiterate that I am writing this letter primarily to address potential impacts that the proposed project could have to our single tenant on site.

After speaking with you on the phone earlier today, I agree that now may not be the right time to request additional time to review the proposed zoning modification. However, as we discussed on the phone, as the owner of Vista Ridge II we would like to formally request that the City of Austin consider the following potential impacts to our site as part of the ongoing dialog regarding the project:

- **Access**: currently our site is accessible via a small roadway and concerns remain about potential congestion and access issues for our tenant.
- **Views**: one of the primary reasons our site was selected by our tenant is the unobstructed views of the Hill Country to the North. The proposed height of the project may impact our tenant's views which could potentially impact the value of the site.
- **Security**: our tenant enjoys a secure building as a result of the sensitive equipment which was installed specific to this site. There are ongoing concerns regarding security to the site specifically with a residential project implemented immediately adjacent to the project.
- **Use**: each of the surrounding sites is currently utilized for office use and concerns remain about potential impacts to the peaceful enjoyment by our tenant should there be an influx of up to several dozen residents of varying ages.
- **Parking**: the site currently has plans for just two visitor stalls. There are ongoing concerns about security and liability given the adjacency of Vista Ridge II's parking lot to the proposed project.

Thank you very much for your continued interaction with us regarding the proposed project. Please feel free to contact me if you have any questions on this letter, my full contact information can be found above.

Sincerely,

Cody Kushner

CC: Jerry Rusthoven, City of Austin

Lost Creek Rezoning – Private Covenants and Restrictions

A negotiated private restrictive covenant between the Lost Creek Neighborhood Association and a deed restriction by the owner with the following items is proposed (specific verbiage may change during the drafting of documents):

1. Each unit shall have a two-car enclosed garage (no open garage or carports);

2. Driveways and garages shall be oriented so as not to face Lost Creek Boulevard;

3. A minimum of 2 guest parking spaces in addition to units' driveways shall be provided on site;

4. Buildings facades shall be constructed with a minimum of fifty percent (50%) stone materials;

5. Units within the duplexed townhome units shall have stepped-back articulation front-to-back of 4' minimum on the horizontal plane;

6. Roofing materials, which may include metal and solar panels, shall be of non-reflective or minimally reflective materials;

7. More than 50% of roofs shall be sloped/pitched;

8. Roof decks are prohibited;

9. Balcones shall have solid protective walls/barriers that screen the contents of balconies;

10. Any required stormwater pond shall be at or below the final finished grade;

11. No awnings attached to exterior;

12. Rainbarrels, hot tubs, and pools shall be screened and not visible from Lost Creek Blvd. Any fencing required around such items will be partially screened by landscaping;

13. The site shall not be operated as an apartment complex which would not be in keeping with Lost Creek. No more than 3 units may be owned by one owner, other than the Developer while building and/or marketing the units. (The lawyers will know the proper, legal language for what we're are trying to accomplish);

14. Developer agrees to remove the part of the bank drive-thru road that provides egress onto Lost Creek Boulevard. Developer represents that it needs no other authority to remove the road on the property, so long as it has approval of City of Austin. Developer agrees to seek approval from City of Austin and Travis County to close the driveway, realign the pavement edge and adjacent roadway at its expense. The existing bicycle lane facility shall be recreated if the pavement is realigned; and

15. Developer will incorporate the standard Texas condominium rules and regulations, as well as condominium association bylaws that include the restrictions on this list, as well as:
    - Forbid storage of items on balconies of units
    - Forbid outbuildings separate from the individual units
    - Forbid residents from parking in designated guest parking spaces and within 500 feet of the site on Lost Creek Boulevard
    - Rules would ensure that any unit leased to a lessor would require that the lessor be subject to the same rules as the owner.

Exhibit E