ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0131
West 34th St. Redevelopment, Tract "A"

P.C. DATE: 02/14/12, 04/10/12, 05/22/12
06/26/12, 07/24/12

ADDRESS: 800 & 808 W. 34th St.

AREA: 1.69 acres

APPLICANT: REIT Management & Research, L.L.C. (Richard Stilovich)

AGENT: McCann Adams Studio (Jana McCann)

NEIGHBORHOOD PLAN AREA: Central Austin Combined

CAPITOL VIEW: No

T.I.A.: Yes.

WATERSHED: Shoal/Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: LO-NP – Limited Office, Neighborhood Plan

ZONING TO: GO-NP – General Office, Neighborhood Plan

SUMMARY STAFF RECOMMENDATION:

Staff recommends GO-CO-NP – General Office, Conditional Overlay, Neighborhood Plan. The Conditional Overlay would limit the height of any structure to forty five feet (45'). The applicant will enter into a Restrictive Covenant that includes all recommendations listed in the update to the Traffic Impact Analysis memorandum, dated January 11, 2012, as provided in Attachment "A".

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for GO-CO-NP zoning with neighborhood's agreement included, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-2; Commissioners Jean Stevens and Danette Chimenti voted against the motion (nay), Commissioner Richard Hatfield was absent, 1 vacancy on the commission.

DEPARTMENT COMMENTS:

The site is currently developed with a two story office building and associated parking lot. The zoning case is within the boundaries of the Central Austin Combined Neighborhood Plan. The requested zoning change of LO-NP to GO-NP is in accordance with the Mixed Use/Office category identified on the Future Land Use map. The subject property is located along W. 34th Street between Lamar Boulevard and Guadalupe Street. The plan states on page 76 that this area "should become a primarily mixed use office corridor". In addition, page 77 of the plan recommends to "limit new building heights to maintain a neighborhood-friendly scale to the street". The existing Limited Office (LO) zoning category allows for a maximum height of forty feet (40'), while the General Office (GO) zoning category allows for a maximum height of sixty feet (60'). During the neighborhood planning process, there was extensive discussion regarding the height and scale of any new development along 34th Street which is reflected in the plan document and conditional overlays that were adopted concurrent with the neighborhood plan.

Height limits of forty feet (40') were put in place along the majority of 34th Street to ensure new development was in context with the adjacent residential areas. The uses permitted in General Office zoning are consistent with the plan's goal for W.34th Street between Lamar Boulevard and Guadalupe Street to become a mixed use office corridor; however to meet the "desired neighborhood-friendly scale to the street", the height should be limited to be consistent with the rest of 34th Street.

BASIS FOR RECOMMENDATION:

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

Granting GO-CO-NP would be in keeping with the Central Austin Combined Neighborhood Plan which calls for property located along W. 34th Street between Lamar Boulevard and Guadalupe Street to become a primarily mixed use office corridor.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	LO-NP	Office
NORTH	SF-3-NP/ P-NP	Single family residential
SOUTH	LO-NP	Office
EAST	LO-NP	Office
WEST	P-NP	Parking lot

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-95-0081 717 W. 35th St.	From SF-3 to LO-CO	Approved LO-CO [Vote: 7-0]	Approved LO-CO [Vote: 5-0]

NEIGHBORHOOD ORGANIZATION:

- Austin Neighborhoods Council
- Heritage Neigh. Assoc.
- West 31st Street Creekside Neigh. Assoc.

SCHOOLS:

Bryker Elementary School
O'Henry Middle School
Austin High School

SITE PLAN:

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards

The site is subject to compatibility standards. Along the North and East property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

ENVIRONMENTAL:

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

2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

4. According to flood plain maps, there is no flood plain within the project area.

5. 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.

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

TRANSPORTATION:

TR1. A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

TR2. Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
34th Street	60	35	Collector	Yes	Yes	Yes
West Avenue	50	27	Local	No	No	Yes

CITY COUNCIL DATE: March 8th
June 14th
September 27th
December 6th

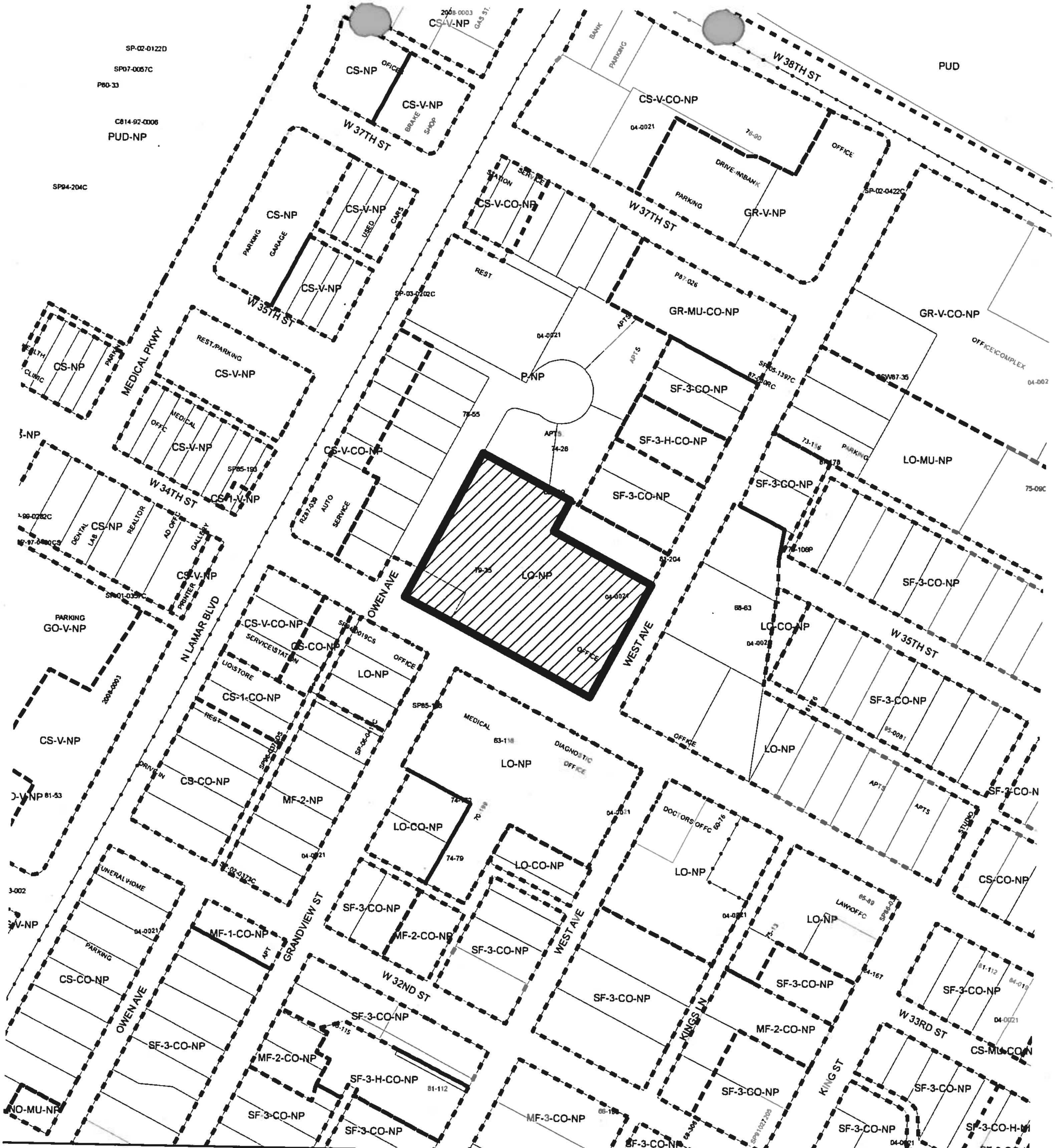
ACTION: Postponed to June 14th
Postponed to September 27th
Postponed to December 6th

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1"=200'

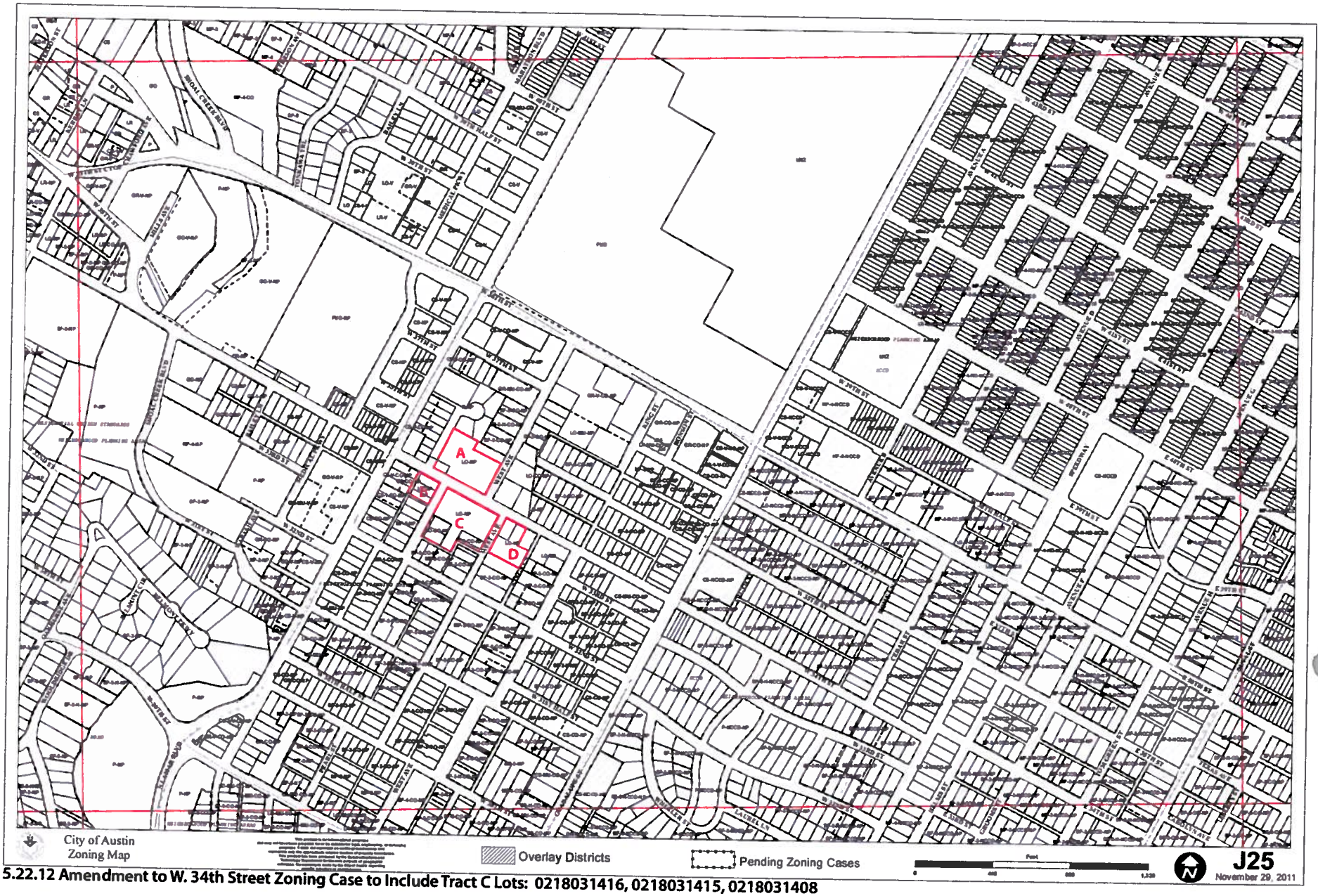
ZONING

ZONING CASE#: C14-2011-0131

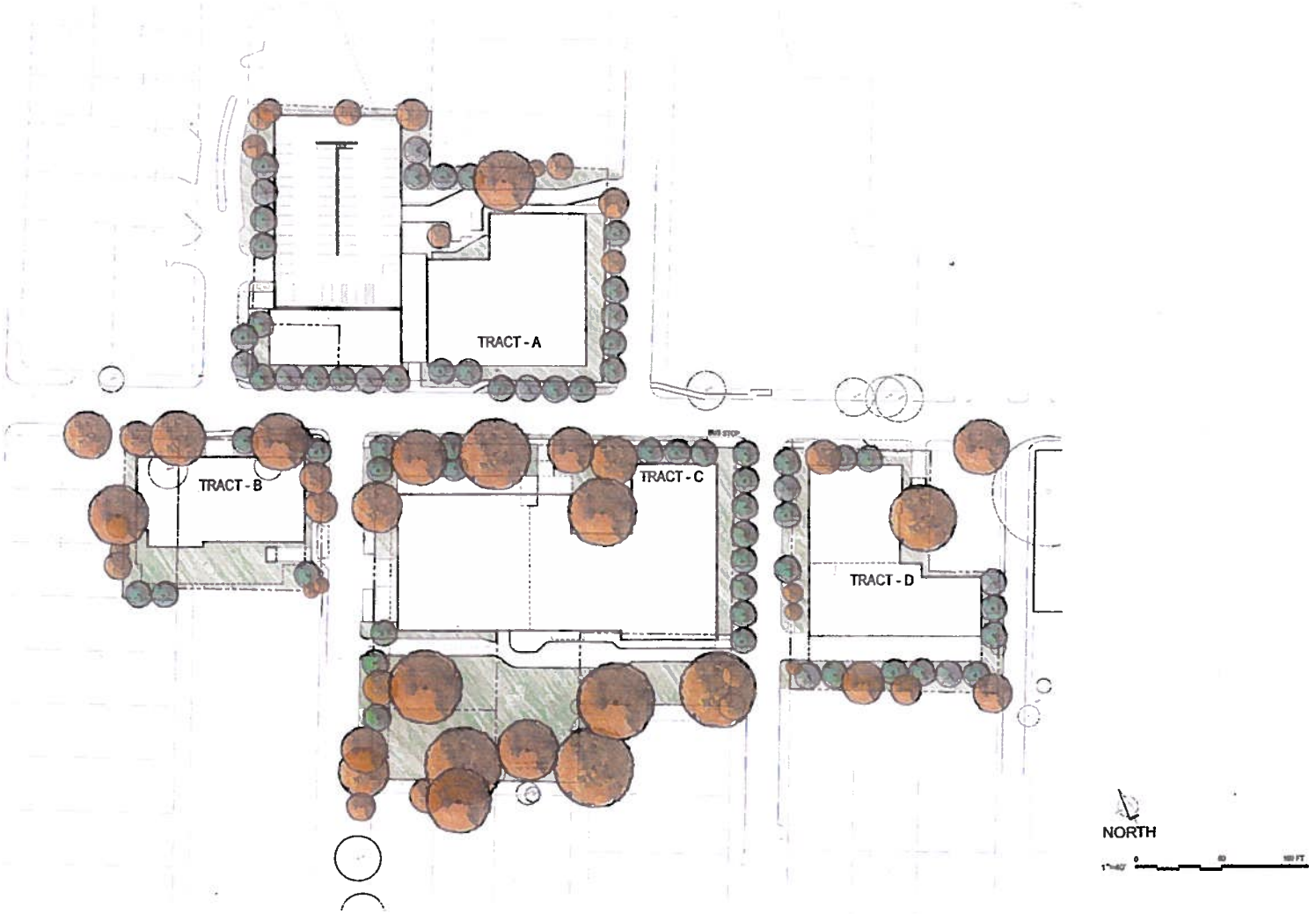
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.


SUBJECT TRACT
W 37TH ST
W 38TH ST
W 34TH ST
W 35TH ST
W 32ND ST
MEDICAL PKWY
OWEN AVE
WEST AVE
KINGS LN
KING ST
GRANDVIEW ST
LAMAR BLVD
CS-NP
CS-V-CO-NP
GR-MU-CO-NP
SF-3-CO-NP
LO-NP
LO-CO-NP
MF-1-CO-NP
MF-2-CO-NP
SF-3-H-CO-NP
DRIVE-IN/BANK
PARKING
OFFICE
APTS.
SERVICE STATION
FUNERAL
04-0021



5.22.12 Amendment to W. 34th Street Zoning Case to Include Tract C Lots: 0218031416, 0218031415, 0218031408

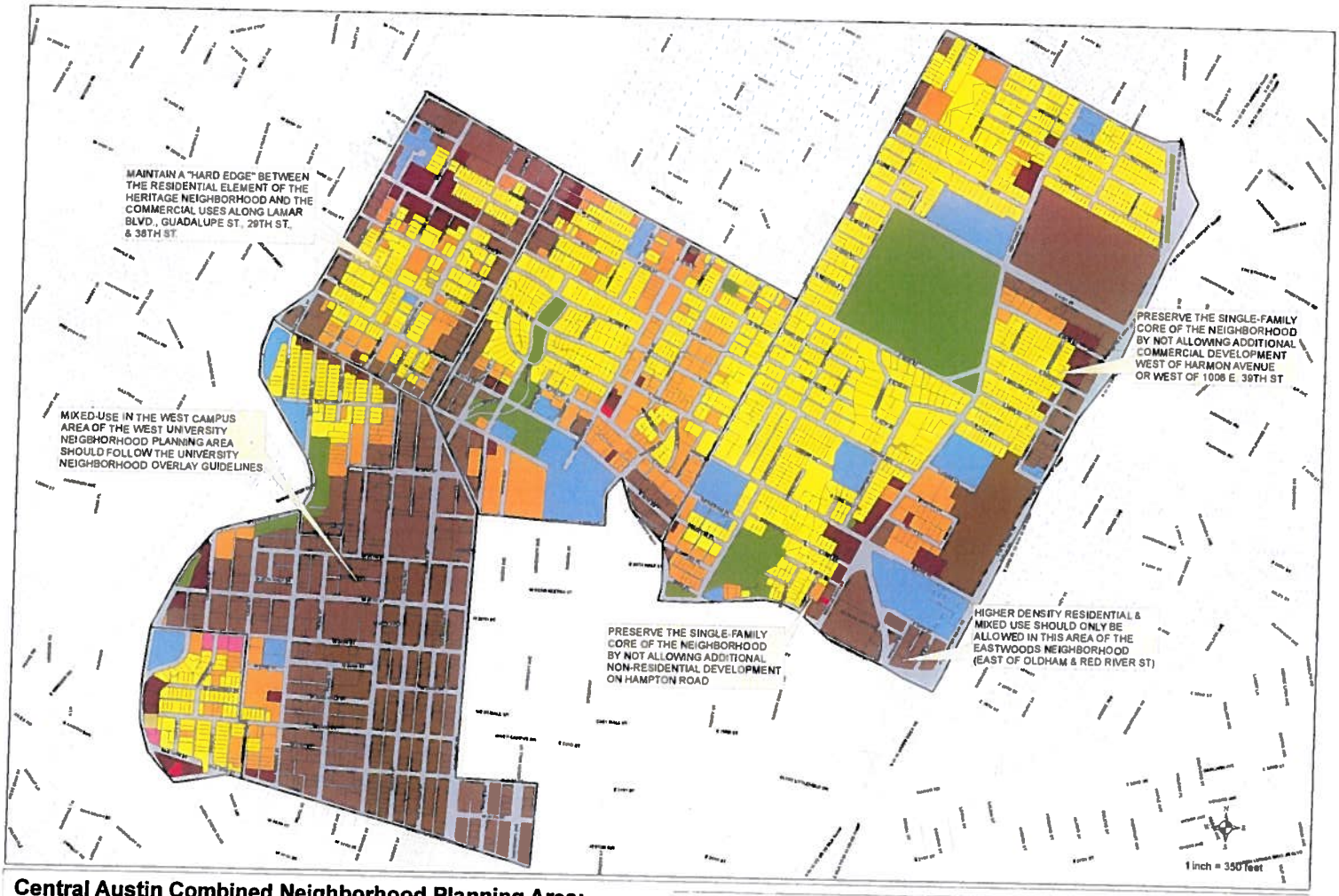


CONCEPTUAL SITE PLAN
W. 34th STREET REDEVELOPMENT PROJECT

REAR DROP-OFF SITE PLAN
SCALE: 1" = 40-0"

Google earth

feet 10
meters 3



Central Austin Combined Neighborhood Planning Area: Future Land Use Map

City of Austin
Neighborhood Planning and Zoning Department
Revised September 1, 2010

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Legend

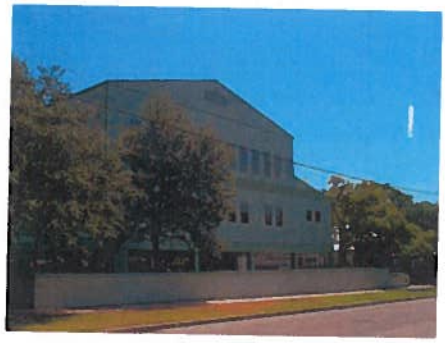
- Single-Family
- Higher-Density Single-Family
- Multifamily
- Commercial
- Mixed Use
- High Density Mixed Use
- Office
- Mixed Use/Office
- Civic
- Recreation & Open Space
- Transportation

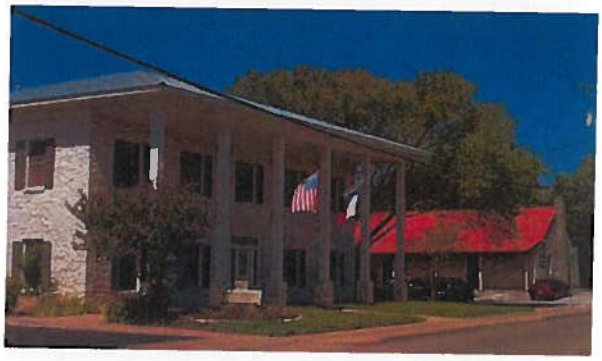
West 34th Street

Objective 3.1: Provide for new commercial and housing opportunities by allowing mixed use along 34th Street between Lamar Boulevard and Guadalupe Street.

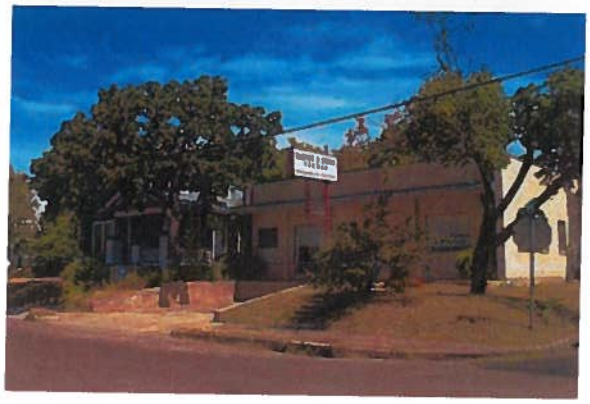
Recommendation 1 Allow the neighborhood mixed use building along West 34th Street between Lamar Boulevard and Guadalupe Street.

Objective 3.2: West 34th Street between Lamar Boulevard and Guadalupe Street should become a primarily mixed use office corridor.





There are a variety of office and commercial uses along West 34th Street between Guadalupe Street and Lamar Boulevard. The majority of the larger office uses are closer to Lamar (above and left) while closer to Guadalupe there is a mix of smaller scale commercial and office uses (below).



Recommendation 2 Allow the neighborhood mixed use building on all commercial and office zoned properties along the corridor.

Recommendation 3 Limit new building heights to maintain a neighborhood-friendly scale to the street.

Guadalupe Street/29th Street/38th Street

Objective 3.3: Guadalupe Street (29th Street to 30th Street) and adjacent commercial corridors—29th and 38th Streets—should become more pedestrian-friendly, mixed use corridors. Building heights should be limited in order to avoid creating a canyon-like effect along the narrow Guadalupe right-of-way.

Guadalupe and 29th Streets should provide shopping and services for the nearby neighborhoods as well as the rest of the city. Along 29th Street, immediately west of Guadalupe, the intensity of commercial uses should transition from more intense at the intersection of the two streets to less intense farther west along 29th Street. Along 29th, building heights should be limited to prevent new development from towering over the adjacent single-family neighborhoods.

Due to its proximity to the Heart Hospital of Austin and Seton Hospital, the segment of 38th Street between Guadalupe and Lamar Boulevard is more oriented toward the healthcare industry and serves both citywide and regional healthcare needs. New healthcare facilities being developed near the intersection of Lamar Boulevard and 38th Street will further reinforce the notion of a growing healthcare "district" in this part of the city.

New development along this segment of 38th Street will likely be supportive of this "district;" however, it should be designed in a pedestrian-friendly fashion.

Recommendation 4 Allow the mixed use building on commercially zoned properties along 29th Street as far west as West and Salado Streets.

Recommendation 5 Limit building heights along 29th Street to promote a more neighborhood-scaled commercial corridor.

Recommendation 6 Retain the intensive zoning along 29th Street to retain the permissive site development standards but limit the allowed uses to promote a more neighborhood-friendly commercial corridor.

Date: January 11, 2012

To: Clark Patterson, Case Manager

CC: Kathleen Hornaday, P.E., P.T.O.E, HDR, Inc.

Reference: West 34th Street Development, C14-2011-0131 through 0134

The West 34th Street Development site is located along 34th Street, between Lamar Boulevard and Kings Lane in Austin, Texas. The proposed development will consist of approximately 228,005 square feet of medical office use and 3,300 square feet of high-turnover (sit-down) restaurant use located on four adjacent tracts along 34th Street.

Access to the development will be provided via five driveways: one driveway that will provide access to the parking garage on Owen Avenue; one driveway that will provide access on W. 34th Street; one driveway to Grandview Street; one driveway to West and one driveway to Kings Lane.

Transportation Review staff has reviewed the traffic impact analysis that was prepared for the W. 34th Street Development on September 19, 2011 (amended December 22, 2011), and offers the following comments:

TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the proposed development is expected to generate approximately 8,658 unadjusted daily weekday trips. Of these, 562 trips are estimated to occur during the AM peak-hour and 619 trips are estimated for the PM peak-hour.

Table 1 below shows the trip generation by land use for the proposed development:

Table 1. Unadjusted Weekday Peak Hour Trip Generation

Land Use	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Medical-Dental Office	228, 005 SF	8,238	415	109	157	425
High-Turnover (Sit-Down) Restaurant	3,300 SF	420	20	18	22	15

ASSUMPTIONS

1. Traffic growth rates for the area were determined using traffic counts conducted by Gram Traffic Inc, and from TxDOT and CAMPO projected daily volumes. Based on the available information, a 3 percent annual growth rate was applied to the study area roadways.
2. A pass-by reduction of 43 percent was assumed for the High Turnover (Sit-Down) Restaurant during the PM peak period.
3. An internal capture reduction of 10 percent was assumed for the proposed Medical-Dental Office use for the PM peak period.
4. A transit reduction of 5 percent was assumed for all site-generated trips, for both the existing network and proposed project site, during each peak period, based on annual ridership information from Capital Metro.
5. No pedestrian trip reduction was assumed for this project.

Table 2 below provides a summary of the adjusted daily and peak hour trip generation.

Table 2. Adjusted Weekday Peak Hour Trip Generation

Land Use	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Medical-Dental Office	228, 005 SF	7,435	394	104	134	363
High-Turnover (Sit-Down) Restaurant	3,300 SF	313	19	17	12	8

Table 3 below provides a summary of the area transportation system:

Table 3. Existing and Planned Roadways

Roadway	Segment	Classification	Future Improvements	Bike Plan?
Lamar Boulevard	29th Street to Rundberg	MAD 4	MAD 6	Yes
Guadalupe Street	29th Street to 45th Street	MAD 4	Existing	Yes
38th Street	Jefferson Street to Guadalupe Street	MAD 4	Existing	Yes
34th Street	Lamar Boulevard to Guadalupe Street	Collector	Existing	Yes
West Avenue	30th Street to 38th Street	Collector	Existing	No
Kings Lane	30th Street o 34th Street	Collector	Existing	No
Owen Avenue	34th Street to 38th Street	Local	Existing	No
Grandview Street	30th Street o 34th Street	Local	Existing	No

TRAFFIC ANALYSIS

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and three travel conditions were evaluated:

- 2011 Existing Conditions
- 2017 Forecasted Conditions (without Site Traffic)
- 2017 Forecasted Conditions with Site Generated Traffic

Intersection Level of Service (LOS)

The TIA analyzed 4 signalized intersections, 8 un-signalized intersections, and each of the site driveways. Table 4 shows the existing (2011) and projected (2017) levels of service results. The 2017 analysis assumes that all roadway and intersection improvements recommended in the TIA are constructed.

Table 4. Intersection Level of Service

Intersection	2011 Existing		2017 Forecasted		2017 Site + Forecasted	
	AM	PM	AM	PM	AM	PM
Lamar Boulevard and W. 38th Street*	D	D	E	E	D	D
West Avenue and W. 38th Street *	A	B	A	B	B	B
Guadalupe Street and W. 34th Street*	A	A	A	B	B	B
Lamar Boulevard and W. 34th Street*	A	B	B	C	B	C
Owen Avenue and W. 34th Street	A	A	A	A	--	--
Owen Avenue/Driveway B and W. 34th Street	--	--	--	--	A	A
Grandview Street and W. 34th Street	A	A	A	A	A	A
West Avenue and W. 34th Street	A	A	A	A	A	A
Owen Avenue and Driveway A	--	--	--	--	A	A
Grandview Street and Driveway C	--	--	--	--	A	A
West Avenue and Driveway D	--	--	--	--	A	A
Kings Lane and Driveway E	--	--	--	--	A	A

*Existing signalized intersection.

RECOMMENDATIONS

1) The owner will install stop signs and appropriate pavement markings for all site driveways.

2) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics. Add the following note the cover sheet and site plan sheet: "The site plan is subject to a limitation of 7,748 adjusted vehicle trips per day with zoning cases C14-2011-0131 through -0134.

If you have any questions or require additional information, please contact me at 974-2628.

Ms. Shandrian Jarvis
Senior Planner
Planning and Development Review Department

February 14, 2012

HERITAGE NEIGHBORHOOD ASSOCIATION

Planning Commission
c/o Clark Patterson
Planning and Development Review Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

Re: Agenda Items 10, 11, 12, and 13
Case ##: C14-2011-0131, -0132, -0133, -0134
West 34th Street Redevelopment
800 & 808 W. 34th Street; 3316 Grandview Street; 801 West 34th Street; and 715 W. 34th Street

Dear Mr. Patterson:

The above-referenced project is within the area of the Heritage Neighborhood Association (HNA), and HNA is an interested party in these cases. HNA requests a postponement of Planning Commission public hearing and action on these case to allow ongoing negotiations between the developer, REIT Management, and HNA to continue and reach conclusion.

HNA asked REIT to join the neighborhood in requesting this postponement, and after consideration REIT indicated they would agree only to a two-week postponement. They also indicated that they would not oppose HNA's request for a 30-day postponement but would not join us in that request.

Given the very preliminary stage of negotiations currently, HNA believes that more time than 30 days will be required to complete the negotiations and come to agreement. Therefore, HNA would like to respectfully request a 90-day postponement, based on the following reasons:

- HNA requested on January 17, 2012, that REIT engage an outside attorney to serve as HNA's representative in the negotiations related to this project. As of today's date, REIT has agreed to do so but the engagement agreement has not yet been signed and the actual work of analysis and negotiation has not begun;
- HNA has formed a working group to facilitate the discussions between the parties, but the working group is not empowered to finalize or enter into an agreement with the developer. Instead, any agreement reached must be presented to and approved by the HNA membership at large;
- HNA has regular meetings on the first Monday of every *other* month, with the next meeting scheduled for **March 5, 2012**. Given the current status of negotiations – almost one month to simply agree on the supporting services, and no actual discussion or negotiation beyond that – it is improbable that the parties will have reached any agreement that can be presented to the HNA membership in time for the March 5th membership meeting;
- The next HNA meeting where any agreement can be presented and voted on will be **May 7, 2012**;

- HNA's policy is to not schedule project-specific, special-called meetings outside of the regular meeting cycle because attendance at such meetings is generally low. HNA notifies its members of the year's meeting schedule at the beginning of the year so that members have significant advance-notice of meetings and so that as many members as possible have the opportunity to participate where votes are taken that impact the neighborhood;
- Following the May 7th meeting, a week or two will be needed to finalize any agreement items with REIT, execute and escrow documents, and prepare for the Planning Commission meeting.

HNA does not want to ask for repeated postponements or to come before the Planning Commission before negotiations with REIT are complete. Under the plan and schedule outlined above, we feel the parties can achieve that goal and can return to the Commission with an agreement in place.

Sincerely yours,

Laurie Limbacher

Laurie Limbacher
Steering Committee Member
Heritage Neighborhood Association

cc: Planning Commission members
Amanda Morrow

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.ci.austin.tx.us/development

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: C14-2011-0133
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 22, 2012, Planning Commission
June 14, 2012, City Council

Megan Sarah Miller
Your Name (please print)

☐ I am in favor
☑ I object

710 W 34th Street #108 Austin, Tx 78705
Your address(es) affected by this application

Signature

May 20, 2012
Date

Daytime Telephone: (512) 626-4315

Comments:

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

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Case Number: C14-2011-0133
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 22, 2012, Planning Commission
June 14, 2012, City Council

Jack Allen
Your Name (please print)

☐ **I am in favor**
☑ **I object**

3505 West Avenue
Your address(es) affected by this application

J. Allen — 5/21/12
Signature — *Date*

Daytime Telephone: (512) 965-6962

Comments:

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

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Case Number: C14-2011-0131
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Brent Spraggon / Sharon Power
Your Name (please print)

☐ I am in favor
☑ I object

3504 West Ave, Austin TX 78705
Your address(es) affected by this application

[signature] Sharon Power 2-9-12
Signature *Date*

Daytime Telephone: 512-750-6895

Comments: We object to the upzoning based on incompatibility with scale and character with the existing residential neighborhood; the impact of increased traffic on residential streets; and increased heat island effect and environmental effects. If the developer would agree to a conditional overlay to mitigate these concerns, we would be interested in discussion.

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

PUBLIC HEARING INFORMATION

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www.ci.austin.tx.us/development

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Case Number: C14-2011-0131
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Jack + Janet Allen
Your Name (please print)

☐ I am in favor
☒ I object

3505 West Avenue
Your address(es) affected by this application

Janet Allen
Signature

2/7/12
Date

Daytime Telephone: (512) 981-8090

Comments: Increased GO-NP = increased traffic through Residential Neighborhood.

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

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Case Number: C14-2011-0131
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Marshall Durrett

Your Name (please print)

☐ **I am in favor**
☒ **I object**

3200 Grandview Street

Your address(es) affected by this application

Signature

02-07-2012

Date

Daytime Telephone: (512) 472-3100

Comments: See Case C14-2011-0134

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

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Case Number: C14-2011-0131
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

DON DAVIS
Your Name (please print)

☒ **I am in favor**
☐ **I object**

707 W. 34th St.
Your address(es) affected by this application

Signature

2-6-12
Date

Daytime Telephone: 454-3751

Comments:

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

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Case Number: C14-2011-0131
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

ANN BOWER
Your Name (please print)

☐ **I am in favor**
☑ **I object**

3506 WEST
Your address(es) affected by this application

Ann Bower — 2/13/12
Signature — *Date*

Daytime Telephone: (512) 451-2540

Comments: TOTALLY INAPPROPRIATE FOR THE RESIDENTIAL NEIGHBORHOOD.

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

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Case Number: C14-2011-0131
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

CAFE EXPRESS
Your Name (please print)

☑ **I am in favor**
☐ **I object**

3418 N. LAMAR
Your address(es) affected by this application

Michael M, CONTROLLER — 2-10-12
Signature *Date*

Daytime Telephone: (832) 325-2411

Comments:

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

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Case Number: C14-2011-0131
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

TY DAVIDSON
Your Name (please print)

☐ I am in favor
☑ I object

709 B W 34th
Your address(es) affected by this application

Signature

2/7/12
Date

Daytime Telephone: 512 452 9292

Comments:

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

Patterson, Clark

From: [redacted]
Sent: Wednesday, February 08, 2012 11:48 AM
To: Patterson, Clark
Cc: Jonathan Williams
Subject: C14-2011-0131, -0132, - 0133, -0134

Dear Mr. Patterson,

With all due respect, my husband Jonathan Williams and I will like to record our opposition to the up-zoning request to be presented by REIT Management & Research, LLC and McCann Adams Studio (Case Nos.
C14-2011-0131, -0132, - 0133, -0134).

We remember 2004, when many of us from the neighborhood attended the city-led meetings to develop the Neighborhood Plan (NP), where we broke out into smaller groups, discussed what kind of neighborhood we wanted to preserve, etc. We have all chosen to live in a central, urban area, yes, but we must preserve its accessibility and the last bit of calm on the streets so our children and adults alike can walk/bike/skate to eachothers' homes and support our local businesses without fear of being run down. We don't see how a project with 4 garages is going to benefit the neighborhood in any way. We believe we can still be good neighbors to our commercial neighbors and accept their own growth within the set parameters. As business owners ourselves, we understand change and growth is inevitable, but the neighborhood should benefit from the NP process done not too long ago.

It seems to us they will still gain financially by more than doubling their allowed square footage under their current zoning of LO (up to 174,00 versus their current 87,000 if we understand correctly).
Moreover, agreeing to this request for up zoning will set precedent for future zoning change requests; an up-zoning will undermine all of our work on the NP.

Thank you very much for everything you do for the City of Austin.

Sincerely,

Kisla Jimenez and Jonathan Williams
Parents of Sabine and Martin, 3rd grader and kindergartener at Bryker Woods Elementary
Residents of Heritage Neighborhood Owners of Tesoros Trading Company

Patterson, Clark

From: Nuria Zaragoza [redacted]
Sent: Wednesday, February 08, 2012 3:40 PM
To: Lin Team; Patterson, Clark
Cc: Adam Stephens; Betsy Greenberg
Subject: 34th and West

February 8, 2012

To: Clark Patterson and Members of the Planning Commission

RE: C14-2011-0131, C14-2011-0133, C14-2011-0133, C14-2011-0134, 34th and West

On December 6, 2011, the Central Austin Combined Neighborhood (CANPAC) Plan Team Committee voted to oppose the proposed zoning changes from LO to GO. We urge continuation of the current LO zoning as stated when our Neighborhood Plan was passed in July 2004. The proposed zoning increase is in the middle of the Heritage neighborhood and is adjacent to single family homes. The increased height and density are inappropriate for this location. In particular the narrow neighborhood streets and substandard sidewalks cannot support the traffic that would be generated. In order to protect the residential character of the Heritage neighborhood, the neighborhood plan accommodates increased density only on the neighborhood perimeter.

The current LO zoning allows the applicant to redevelop the property from its current 86,915 sq ft size to 174,000 sq ft. In other words, the applicants can double the size of this development without any zoning change. Therefore, we respectfully request that these petitions for increased zoning be denied.

Nuria Zaragoza
Co-Chair CANPAC

Adam Stephens
Co-Chair CANPAC

Patterson, Clark

From: Mikal Grimes <[redacted]>
Sent: Wednesday, June 20, 2012 1:29 PM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Planning Commissioners,

I am a resident of the Heritage neighborhood and am writing to oppose the upzoning requested in the the cases listed in the subject line. I was President of the Heritage Neighborhood Association during the development and adoption of our neighborhood plan. This zoning change is directly at odds with the neighborhood plan and should be rejected.

The upzoning would provide a tremendous economic gift to the owners of the property, who either had the opportunity to participate in the development of the neighborhood plan or purchased the properties after its adoption. The monetary value of that gift will be borne several times over by the residents of the neighborhood, both as economic loss in their own property values but just as importantly in the negative impact on quality of life.

HNA's neighborhood plan would be severely and irrevocably undermined by an upzoning of this magnitude. Furthermore the use of neighborhood planning as a vital, ongoing means to shape Austin's future would lose much credibility and effectiveness once the ease with which plans can be circumvented has been demonstrated.

Regards,

Mikal Grimes
700 W 32nd St.

Patterson, Clark

From: Sommer Maxwell <[redacted]>
Sent: Tuesday, June 19, 2012 7:15 PM
To: Patterson, Clark; sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; mnrghatfield@yahoo.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Dear Commissioners,

This letter is to respectfully ask you to keep the current zoning on tracts C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134 in the Heritage Neighborhood. In addition, REIT, the property owner, is requesting a change to the FLUM on two lots that are zoned SF adjacent to these tracts, a change to which we are also opposed. In both instances the owner is requesting a change to GO.

Please be aware as you consider these cases that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38th Streets. The perimeter of this small neighborhood is entirely commercial. In contrast, the properties on these applications are in the middle of the neighborhood adjacent to residential properties.

We, the neighborhood, have been in conversation with REIT as of two years ago and consistently we have voiced our concerns regarding compatibility, scale, appropriate uses within the neighborhood, tree preservation and traffic. In January of this year we formed a working group to represent the neighborhood to negotiate with REIT as a response to a proposal they presented to the neighborhood. We entered into good faith negotiations with REIT and have been clear about the neighborhood improvements and development restrictions that would mitigate aspects of the change in zoning.

On May 8th, 50+ residents of the Heritage neighborhood opposed the up-zoning request based on the lack of significant movement from REIT during negotiations. At this point, again due to lack of significant advancement, we are forced to oppose their zoning change request.

We all believe that the neighborhood plan that was agreed to and signed into law in 2004 should have protected us from having to address tract-by-tract re-zoning requests now and established that the middle of the neighborhood should be protected from anything higherthan LO zoning. We do understand that REIT has a right to develop their property and turn a profit with their current LO zoning.

We believe that the size and scope of a GO buildingwith potential hospital utilizationvs. the LO buildings currently allowed will not only adversely affect vehicular traffic, streetscapes and cyclist/pedestrian traffic. It will also set precedent for the rest of the LO tracts in the middle of the neighborhood. We accept the commercial nature of our business neighbors on ourperimeter; GO is just not appropriate in the middle of the neighborhood and the land-use map should not be changed.

We are opposed to the zoning change from LO to GO on these cases for the following reasons:
1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.
2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.

3.Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood.Hospital uses in particular are not compatible with the residential portion of the neighborhood.
4.In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out.Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracks as is.Thank you for your attention.

Sommer and Jarred Maxwell
804 W. 30th 1/2 Street
Austin, TX 78705

Patterson, Clark

From: George Nelson <[redacted]>
Sent: Tuesday, June 19, 2012 10:20 PM
To: Patterson, Clark
Subject: W. 34 St. Redev. C14-2011-0131(A), 0132(B), 0133(C) 0134(D), RE NPA -2012-0019.01

Copy of letters to Planning Commission members re: W. 34 St. Redev. (all five cases)
18 June 2012

Ladies and Gentlemen:

This is to oppose the proposed rezoning of the above tract from LO-NP to GO-NP zoning in the Heritage Neighborhood. It is not in the best interests of the immediate single family folks, such as myself, or the rest of the neighborhood to have such a monumental construction in our back yards and front yards. The developer, REIT, should not be given the opportunity for "maximum square footage" without agreeing to guarantee extensive restrictions such as no hospital use, not chopping down hundreds-of-years-old fine heritage oak trees, attending to parking and traffic solutions, noise and nuisance abatement, and provision of amenities including a 36,000 square-foot park, sidewalks, and other benefits for the neighborhood. REIT may expect to potentially make a buck on their development, but they must first cooperate with HNA!
Please vote against against unrestricted "up-zoning"!
Yours,
George L. Nelson, 3204 West Ave.
Property in family and taxes paid since 1920.

Ladies and Gentlemen:

This is to oppose the proposed amendment to the previously thought-out CANPAC Neighborhood Plan wherein single family homes are separated from commercial places. The Heritage Neighborhood is a single family area and the residents, particularly those like myself, do not want a major commercial medical development literally next door in our midst. We would prefer a park instead. We want houses and trees! not more doctors' offices, "stealth dorms," wild traffic, asphaltic parking deserts, and hot, overwhelming tall, outsized buildings. We do not want to be bothered by developers. Your instructions are to vote against the plan amendment.

Thanks,
George L. Nelson, 3204 West Ave.
Property in family since 1920.

Patterson, Clark

From: Jackie Christenson <[redacted]>
Sent: Tuesday, June 19, 2012 10:33 PM
To: Patterson, Clark
Subject: letters to planning commissioners re: W 34th St. Redevelopment and Neighborhood Plan Amendment

2 Letters to planning commissioners re: W 34th St. Redevelopment and Neighborhood Plan Amendment

June 18,2012

Dear Planning Commissioner:

I am shocked that B&G Partners (represented by REIT) do not seem to recognize a golden opportunity when it is presented to them! The Heritage Neighborhood Association (HNA), responding to B&G's bid to upzone four parcels at West and 34th, has studied and presented a package that would allow B&G to build a prototype of a beautiful LO-GO project in the middle of an urban residential area with the full support and participation of the neighborhood association. Detailed terms have been submitted by the HNA several times and mostly rebuffed by B&G. "Maximum Square Footage" seems to rule their day.

In the interest of the future reputation of Austin as a city where developers and neighborhoods work hand in hand, I am asking that you recommend to City Council a vote against the upzoning sought by B&G until such time that B&G owners, directors, board, representatives and advisors see the light and decide to work with the neighborhood. With your help, the 34th Street Project could be a shining star for the City of Austin, B&G and the Heritage Neighborhood.

Thank you for recommending against the upzoning.

Jackie Christenson, 3204 West Avenue

June 18,2012
RE: amendment to Neighborhood Plan: Please recommend against amendment!

Dear Planning Commissioner

I am shocked that B&G Partners (represented by REIT) do not seem to recognize a golden opportunity when it is presented to them! The Heritage Neighborhood Association (HNA), responding to B&G's bid to upzone four parcels at West and 34th, has studied and presented a package that would allow B&G to build a prototype of a beautiful LO-GO project in the middle of an urban residential area with the full support and participation of the neighborhood association. Detailed terms have been submitted by the HNA several times and mostly rebuffed by B&G. "Maximum Square Footage" seems to rule their day.

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SINCE I DO NOT SUPPORT THE UPZONING TO GO, THERE IS NO REASON TO CHANGE THE FLUM.

Thank you for recommending against the plan amendment.

Jackie Christenson, 3204 West Avenue

Patterson, Clark

From: Anne Heinen <[redacted]>
Sent: Wednesday, June 20, 2012 7:12 AM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Mr Patterson,

Please register my opposition to the upzoning and the Plan Amendment for the four tracts comprising five acres on W. 34th in the heart of Heritage Neighborhood. These tracts are immediately adjacent to residential homes and should be kept at LO.

The upzoning of these parcels is in violation of our Neighborhood Plan. In the Central Austin Neighborhood Plan, we accepted increased commercial density on our perimeter and increased residential density in West Campus. The City (which spent thousands of dollars and months of staff time and research developing our plan) kept zoning at LO for properties adjacent to residential properties in the heart of our neighborhood. GO zoning would create larger buildings, generate much more traffic, remove mature trees and allow buildings that are a magnitude larger than what would be allowed under LO.

Sincerely,

Anne McCready Heinen

Patterson, Clark

From: Lizzie Cain Clark <lizziecainclark[redacted]>
Sent: Wednesday, June 20, 2012 7:56 AM
To: Patterson, Clark
Subject: C14-2011-0131-0134

RE: West 34th Street Redevelopment:
C14-2011-0131
C14-2011-0132
C14-2011-0133
C14-2011-0134
NPA-2012-0019.01

Mr Patterson,
Thank you for your assistance in serving the Planning Commission, and making sure this letter reaches the commissioners for their consideration at the June 26 meeting.

I ask that you **oppose the zoning change from LO to GO on these cases, and to oppose any plan amendment to allow for higher density surrounding these tracts in the future land use map.**

You may be aware that the Heritage neighborhood where these properties are located is bordered by Guadalupe, Lamar, 29th and 38th Streets. The perimeter of the neighborhood is entirely commercial. In contrast, the properties on these applications are in the middle of the neighborhood, adjacent to residential properties.

I am opposed to the zoning change from LO to GO or moves to higher density on the future land use map on these cases for the following reasons:

1. The proposed development will be inappropriately scaled for this location, through the middle of a residential neighborhood. Under the current LO zoning, the owner can build approximately double the size of what is now on the ground. GO allows for a building that is three times the size of what is there now in addition to parking structures of roughly the same size. This is not appropriate for the middle of our neighborhood, or any neighborhood.

2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase vehicular traffic within the neighborhood, and negatively impact the pedestrian- and cyclist-friendly streetscape.

3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential character of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

5. The developer is also seeking an amendment to the CANPAC neighborhood plan. In the future land use map, the subject tracts were deliberately labeled as single family to provide a buffer between the

adjacent single family properties and the medical developments now on these properties. This buffer is needed even more today as the property owner attempts to redevelop and increase the allowed density on the rest of the property.

The CANPAC neighborhood plan was painstakingly developed, with appropriate foresight and compromises among all parties. It should be maintained in its current state. As the land use map currently allows, General Office zoning must be contained on the major arteries on the perimeter of the Heritage neighborhood. It is wrong to allow this swath of higher density development-- with its negative impacts on vehicular traffic, streetscapes, and pedestrian/cyclist traffic-- to intrude in the middle of this residential neighborhood.

Please vote to keep the zoning on these tracts as is, and vote against the plan amendment. Thank you for your attention, and for your service to our city.

Lizzie Cain Clark
3011 West Ave
512.323.6945

Patterson, Clark

From: [redacted]
Sent: Wednesday, June 20, 2012 8:08 AM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Mr. Patterson

As a resident of the Heritage Neighborhood I wish to state my oppposition to the zoning cases referenced above. I feel that the proposals are in conflict with the Neighborhood Plan developed between the neighborhood and city staff. An upzoning from LO to GO creates a slippery slope that will almost certainly result in unintended future consequnces including issues with traffic, unknown office use and a breakdown in the residential fabric of the area. By depersonalizing such a large section of the neighborhood in a manner not consistent with the Neighborhood Plan and designed to maximize profits for a developer at the expense of the surrounding community, Austin would take another step towards losing the central city ambience so necessary for inner city vibrancy.

Please consider these comments in you decision-making process.

Sincerely

Andrew F. Malof
3101 Kings lane
Austin, 78705

512-940-1298

Patterson, Clark

From: Alex Courtade <[redacted]>
Sent: Wednesday, June 20, 2012 8:48 AM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Mr. Patterson,

I strongly oppose the upzoning of these four tracts on W. 34th Street. I urge the City to follow the neighborhood plan that was previously developed for Heritage, and not grant GO zoning. The existing development plan allows for ample commercial use of these tracts.

Re-zoning would greatly harm our neighborhood, and is completely inappropriate here. The Heritage Neighborhood is small--less than 25 square blocks bordered by 29th, 38th, Lamar, and Guadalupe streets. West 34th Street runs right through the middle of this neighborhood. A giant commercial presence--which would be ensured if zoning is changed--would put towering four story hospital buildings casting shadows over neighbors backyards.

Zoning is a privilege granted by the City, not a right. **The owners of these four tracts should make use of the existing zoning**. An upgrade would create major traffic, destroy trees, and otherwise greatly disrupt the residential nature of our Heritage neighborhood.

I own a home less than 1/2 mile from these tracts, and I am requesting that the City abide by the neighborhood plan, and disallow this zoning upgrade request.

Sincerely,

Alex Courtade
609 W. 35th St
Austin, TX 78705

Patterson, Clark

From: Chris Wooten <chris.wooten@gmail.com>
Sent: Wednesday, June 20, 2012 11:29 AM
To: Patterson, Clark
Subject: GO Zoning for REIT Property in HNA Neighborhood

Dear Mr. Patterson --

I am writing to express my opposition to the proposed zoning change (LO to GO) for the four tracts REIT is developing in the Heritage Neighborhood.

The neighborhood association (and city staff) put a significant amount of effort into the Neighborhood Plan and I see no reason to dismiss it. We are trying to preserve the residential character of our neighborhood and have accepted increased development at the perimeter; REIT's GO development would run contrary to the Plan.

Thank you for your time and consideration,

Chris Wooten

Patterson, Clark

From: Amy Farrier <afarrier@gmail.com>
Sent: Wednesday, June 20, 2012 12:27 PM
To: Patterson, Clark
Subject: Case #: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Planning Commissioners --

Please oppose the upzoning and the Plan Amendment for the four tracts comprising five acres on W. 34th in the HeritageNeighborhood.

I'm a fairly new resident in the Heritage Neighborhood, and the older homes, small community-minded businesses, and sense of neighborliness were a big part of what attracted me to buy a home here. This is the first part of town I've lived in over the past decade in Austin where I can walk to a coffee shop, grocery stores, a mechanic, a hardware store, but still hear the sound of birds and kids playing (as opposed to high-volume traffic noise). It seems like this is the sort of ideal urban density that Austin is striving for with newer developments like Mueller or the downtown 2nd Street area, the kind of feel you get in parts of Brooklyn or Portland.

Approving GO zoning would generate much more traffic through the middle of this ideal urban density (basically splitting theneighborhoodin half), threaten the streetscape on W 34th (a popular bike route, parking area for small, inviting restaurants, and path for kids to walk to Bryker Woods Elementary School). It would mean the loss of mature trees and allow buildings three times the size of what is already on the ground.

Thank you,
Amy Farrier

Patterson, Clark

From: Lindsey Crow <[redacted]>
Sent: Wednesday, June 20, 2012 12:47 PM
To: Patterson, Clark
Subject: Heritage neighborhood plan and opposition to project proposed for 34th St.

Please vote to keep the zoning "as is" to protect our family friendly community here in the Heritage neighborhood.

1. GO is inappropriate in the middle of our neighborhood. Large-scale development belongs on Lamar or 38th Street, not on 34th Street that runs through the residential core of the neighborhood. Under the current LO zoning the owner can already build approximately double the size of what is currently on these lots. GO would allow a building that is three times the size of what is there now as well as parking structures roughly that size, an overall six-fold increase in scale.
2. This is not smart growth to increase residential density; this is simply an attempt to maximize revenue for the development. If this were a residential project or mixed-use project, I could support increased density, but this is an office building who employees and customers will commute from other areas of the city.
3. Upzoning these lots from LO to GO would allow hospital uses and other uses that are completely inappropriate for the middle of a neighborhood.

4. Changing the zoning would undermine our neighborhood plan. There is nothing extraordinary about this upzoning request that merits overriding the neighborhood plan: it is simply an attempt to maximize profits on the parcels.
Please vote to keep the zoning as-is and compatible with the neighborhood.
Thank you very much,
Lindsey and Steve Crow, parents of three and residents of the neighborhood for more than 14 years.
3018 West Ave.
Austin, Texas 78705
(512) 420-8650

Patterson, Clark

From: Sharon Power <sharonpower.austin@gmail.com>
Sent: Wednesday, June 20, 2012 1:21 PM
To: Patterson, Clark
Subject: FW: C14-2011-0131; C14-2011-0132; C14-2011-0133; C14-2011-1034; and NPA-2012-0019.01

Hi Clark,

Below is the email I sent to Planning Commissioners regarding these cases. Please include it in the back-up packet for the cases.

Thank you.

Sharon Power

Sharon Power
Mobile: 512-750-6895 | Email: sharonpower.austin@gmail.com

From: Sharon Power [mailto:sharonpower.austin@gmail.com]
Sent: Wednesday, June 20, 2012 1:19 PM
To: 'sully.jumpnet@sbcglobal.net'; 'dchimenti@austin.rr.com'; 'vskirk@att.net'; 'amdealey@aol.com'; 'dave.anderson.07@gmail.com'; 'mnrghatfield@yahoo.com'; 'alfonsochernandez@gmail.com'; 'commjms@sbcglobal.net'; 'donna.plancom@gmail.com'
Subject: C14-2011-0131; C14-2011-0132; C14-2011-0133; C14-2011-1034; and NPA-2012-0019.01

Dear Planning Commissioners:

RE: Rezoning Case Numbers C14-2011-0131; C14-2011-0132; C14-2011-0133; C14-2011-1034; and NPA-2012-0019.01

With regard to the rezoning and plan amendment cases for the W. 34th St. Redevelopment, please register our opposition with conditions. My husband Brent Spraggins and I live within 200 feet of the project. We object to a straight upzoning from LO to GO on these properties based on:

- incompatibility with scale and character with the existing residential neighborhood
- increased uses that would not be compatible with the existing residential neighborhood
- the impact of increased traffic on residential streets

If the developer would agree to a conditional overlay and restrictive covenants to mitigate these and other concerns to the satisfaction of the neighborhood, we would support it because we believe the project with limitations and proposed community amenities (namely dedicated green space/park) could have favorable benefits for the neighborhood. We have personally participated in negotiations with the developer through a Heritage Neighborhood Working Group that was formed for this purpose. The developer has indicated a willingness to work with the neighborhood on many of the issues, but we have not yet reached an agreement that would be satisfactory for the neighborhood.

Neighbors are getting antsy and many are losing hope that we will ever reach a satisfactory agreement. For this reason, we believe it is time for the Planning Commissioners to consider the cases. However, we would like to see negotiations with the developer continue after the Planning Commission hearing.

Sincerely,

Sharon Power and Brent Spraggins
3504 West Ave.
Austin, TX 78705
Daytime Phone – 512-750-6895

Patterson, Clark

From: [redacted] on behalf of Betsy Greenberg [redacted]
Sent: Wednesday, February 08, 2012 3:30 PM
To: Patterson, Clark
Subject: Please include time line in 34th and West zoning information

The Heritage NA has been clear all along in stating to REIT that we would prefer to not have the property upzoned, and REIT is clear in saying it wants to upzone in order to make the project financially more attractive.

4/29/10 - HNA SC met with REIT to discuss our vision and wishes for redevelopment. Increase in height was brought up by REIT and we generally said no. We were clear in stating that HNA does not support upzoning, and at the time, REIT was not asking for upzoning though it wanted increased FAR.

2/21/11 - only Paula and Laurie met with REIT. Increase in FAR was brought up by REIT. Laurie posted an email afterwards outlining REIT's upzoning request that was presented partly under the guise of delivering mixed-use development to us. Laurie & Paula's communicated that HNA did not usually if ever support upzoning, and they voiced concerns about issues including traffic.

3/23/11 - email from REIT specifically discusses zoning change to GR and CS on all of site B

5/2/11 - REIT presentation at SC meeting. Series of e-mail exchanges with questions that helped us understand the size and associated traffic of what was being proposed.

5/28/11 - SC special meeting. We decided we were against an upzoning, especially since nothing had been offered to mitigate the effect on the neighborhood. (But we decided to hold off on a formal vote about the upzoning to demonstrate to the developer our desire to work towards mutually desired goals, as communicated in the letter we sent on 6/6/11:)

6/6/11 - Following letter was sent to Jana McCann and REIT:
"The neighborhood Steering Committee met Saturday, May 28th, and discussed that information and the project in general. We decided not to vote on the project at this time, but rather to seek further discussion with you to see if there is a way to address some of the concerns we have.
Our primary concerns about your proposed scheme have to do with density and traffic. We are not in favor of increasing either and believe the Neighborhood Association will not support any

upzoning. We would hope that any development is consistent with the goals spelled out in our Neighborhood Plan which was adopted by the City some 7 years ago.
Recognizing that full occupancy in a buildout under just existing zoning would result in dramatically increased traffic on our already-overcrowded residential streets, our desire is to keep the zoning as is, but to support you in other ways that might help you to achieve some of your goals as you consider ours. The Steering Committee believes the Heritage Neighborhood Association could support the reduced setbacks on 34th Street and the bridge/walkway over 34th Street. There may be other areas where we can be of support as well if the scheme were to keep density within existing limits and traffic impact to a minimum, especially on our residential streets: West Avenue, Grandview, King Lane and King Street.
We share your desire to create an improved pedestrian environment, to save trees, and to provide green space in concert with these projects.
Above all, we value dialog with you and look forward to your response."

REIT did not respond to HNA, though in communications to the city, REIT and its representatives subsequently and inaccurately portray HNA as divided on the issue because we didn't vote on the upzoning.

10/4/11 - Paula was informed that zoning requests had been filed

10/26/11 - McCann contacts CANPAC about out of cycle Plan Amendment

11/14/11 - REIT attending HNA meeting to ask for out of cycle Plan Amendment. After they left, we voted against the out of cycle request and also voted against the zoning change.

12/6/11 - REIT came to CANPAC and withdrew the request for the out of cycle Plan Amendment. They said they would change to current request to take the properties that are yellow on the FLUM out of the zoning request (for now). Soon after, Amanda Morrow contacted Paula about again talking to Heritage and REIT was invited to the next SC meeting that was scheduled for 1/9.

1/9/12 - SC meeting grew into a large meeting devoted only to safety concerns in the aftermath of the 1/1/12 events.

1/17/12 - Special meeting with REIT. REIT seemed open to offering concessions to the neighborhood in exchange for a positive recommendation from the neighborhood. The vote was in favor of continuing the conversation with REIT provided that they would pay for an advocate to represent the neighborhood.

1/20/12 - Al heard back from Amanda Morrow late yesterday afternoon with word that her client HAS agreed to funding legal counsel for us.

1/27/12 - Estimate for counsel was provided to REIT

2/2/12 - Al asked for response on estimate and also for a joint request to staff for a postponement of case as the Planning Commission.

2/7/12 - REIT responds with limitations on the price and scope of work for Nikelle.

2/14/12 - Scheduled hearing at the Planning Commission.

Patterson, Clark

From: Susan Marler [sb[redacted]]
Sent: Wednesday, February 08, 2012 12:37 PM
To: Patterson, Clark
Subject: Re: Zoning cases numbering: C14-2011-0131, -0132, - 0133, -0134.

Dear Planning Commission Members,
I am writing to express my family's strong opposition to the requested zoning increase from Light Office (LO) to General Office (GO) made in cases numbering: C14-2011-0131, -0132, - 0133, -0134. The development already seems immense for a project bordering a population dense residential area. Our neighborhood has a large number of young children, pedestrians and cyclists who currently encounter a perilous level of 'pass through' traffic. An increase in zoning will ultimately result in an increase of traffic traveling to the aforementioned property, which will continue to erode the safety conditions for pedestrians and cyclists, thus lowering the quality of life in Austin's urban core.

We respectfully ask you to decline the requested zoning increase.
Thank you for your attention.

Best,
Susan, Justin, Laura (age 7) and Sophia (age 4) Marler
3111 Grandview Street

Patterson, Clark

From: Nancy Webber [redacted]
Sent: Wednesday, February 08, 2012 12:40 PM
To: Patterson, Clark
Subject: I am strongly opposed to upzoning in the Heritage Neighborhood (W. 34th St.)

Dear Mr. Patterson,

I am a homeowner within two blocks of the proposed upzoning from W. 34th St. and West Ave. I am strongly opposed to four pending upzoning requests relating to that area (cases C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134).. This particular zoning change would cause great harm to the residential character of the neighborhood. **We urge you to recommend that all four zoning request changes be denied.**

This change in zoning goes against our neighborhood plan which neighbors and the city worked so hard to put in place.

There are other reasons to deny the requests. Our neighborhood is already sandwiched between two major commercial areas on Guadalupe and Lamar. Allowing an upzoning to general office along 34th St would create a major commercial development in the heart of the neighborhood. There would be giant four and five story buildings next to one story single family homes, more traffic, more people, more parked cars, and much less open space. The current owners are not even making full use of their existing zoning, but are asking for far more.

I am greatly concerned about the effect that an upzoning would have on my property and on the properties of other neighbors and on the general quality of life in Austin. I strongly recommend that these requests will be denied.

Progress in the form of continual development and commercialization of our charming old residential neighborhoods is not in the best interest of Austin's future as a quality place to live.

Sincerely,
Nancy Webber
806 W. 31st Street

Patterson, Clark

From: Paul [[redacted]]
Sent: Wednesday, February 08, 2012 12:58 PM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Dear Mr. Patterson,

My wife and I live 2 blocks from 34th and west and we **strongly oppose** the up zoning requests in cases C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134.

If you have any questions regarding our opinion, feel free to call or email. 512.318.3171

cheers,
paul

3019 west ave

Patterson, Clark

From: Alex Courtade [b[redacted]]
Sent: Wednesday, February 08, 2012 10:25 AM
To: Patterson, Clark
Cc: Brooke Courtade
Subject: Strongly opposed to upzoning at 34th St. [C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134]

Dear Mr. Patterson,

My wife and are home owners less than a quarter mile from W. 34th St. and West Ave. We are strongly opposed to four pending upzoning requests relating to that area (cases C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134).

Changing zoning is extremely serious. This particular zoning change would cause great harm to the residential character of the neighborhood. **We urge you to recommend that all four zoning request changes be denied**.

There are many reasons to deny the requests. Our neighborhood is already sandwiched between two major commercial areas on Guadalupe and Lamar. Allowing an upzoning to general office along 34th St would create a major commercial development in the heart of the neighborhood. There would giant four and five story buildings next to one story single family homes, more traffic, more people, more parked cars, and much less open space. The current owners are not even making full use of their existing zoning, but are asking for far more. Without mincing words, this simply appears to be a money grab at the expense of residents.

We are greatly concerned about the effect that an upzoning would have on our property and on the properties of other neighbors. We strongly hope that these requests will be denied.

Best Regards,

Alex & Brooke Courtade
609 W. 35th St.
Austin, TX 78705
(512) 322-5219

Patterson, Clark

From: Will Clark [redacted]
Sent: Wednesday, February 08, 2012 10:34 AM
To: Patterson, Clark
Subject: Regarding Case Numbers C14-2011-0131, -0132, - 0133, -0134

Mr. Patterson –

I live in the Heritage neighborhood (3011 West Ave) and would like to add my voice to the conversation referenced by the case numbers in the subject. My understanding is that there have been previous conversations where the neighborhood agreed to the light office (LO) designation for the 34th street property. I agree with my neighbors that an "up zoning" to general office (GO) would hurt the neighborhood. Please add me to the list of concerned neighbors who would prefer the zoning stay as LO. Let me know if you have any questions.

Thanks.

Will Clark
Director, R&D
OpenText
wclark@opentext.com
512 741 1211 office
512 415 6260 mobile

Patterson, Clark

From: Stella Powell <[redacted]>
Sent: Wednesday, June 20, 2012 2:36 PM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Planning Commissioners,

As a resident of the Heritage neighborhood, I am writing to oppose the upzoning requested in the the cases listed in the subject line of this message. Please appreciate that this zoning change is directly at odds with the neighborhood plan and should be rejected. The involved cases are: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Specifically, I oppose the upzoning from LO to GO and the Plan Amendment for these reasons below:

1. The development would be out of scale in the heart of our neighborhood. GO belongs on Lamar or 38th Street, not on 34th Street that runs through the residential core of the neighborhood. Under the current LO zoning the owner can already build approximately double the size of what is currently on these lots. GO would allow a building that is three times the size of what is there now as well as parking structures roughly that size, an overall six-fold increase in scale.

2. Upzoning these lots from LO to GO would allow hospital uses and other uses that are completely inappropriate for the middle of a neighborhood. These lots are adjacent to single-family owner-occupied residences. Medical offices generate traffic and demand for parking.

3. Changing the zoning would undermine Heritage's neighborhood plan. Approving upzoning would call into question the entire purpose of expending all that effort on a comprehensive neighborhood plan if it will simply be overridden piecemeal. There is nothing extraordinary about this upzoning request that merits overriding the neighborhood plan: it is simply an attempt to maximize profits on the parcels.

In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked-out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

The upzoning would provide a tremendous economic gift to the owners of the property, who either had the opportunity to participate in the development of the neighborhood plan or purchased the properties after its adoption. The monetary value of that gift will be borne several times over by the residents of the neighborhood, both as economic loss in their own property values but just as importantly in the negative impact on quality of life.

HNA's neighborhood plan would be severely and irrevocably undermined by an upzoning of this magnitude. Furthermore the use of neighborhood planning as a vital, ongoing means to shape Austin's future would lose much credibility and effectiveness once the ease with which plans can be circumvented has been demonstrated.

Sincerely,

Stella Powell
32nd Street
Heritage Neighborhood

Patterson, Clark

From: Sanjay Mishra <[redacted]>
Sent: Wednesday, June 20, 2012 2:33 PM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Planning Commissioners,

As a resident within 200 feet of the properties referenced in the above cases, and as a signer of a petition opposing the property owner's request for zoning change, I'm writing to add context to my opposition to the zoning change as expressed by my signature on the valid petition.

I, and several of my neighbors, have been involved in lengthy and detailed discussions with the owners to identify ways in which a redevelopment of these properties could result in benefit both to the neighborhood as well as the owners. We have presented what we consider to be reasonable goals and terms to the owners, and while some progress has been made toward reaching those goals, much ground still needs to be covered to reach a resolution that's acceptable to both sides.

I believe that as a neighborhood, we're better off trying to work with the owners to reach a mutually satisfactory outcome. I further believe that categorically opposing the change in zoning doesn't necessarily guarantee a beneficial outcome for the neighborhood.

I request that you to deny an unrestricted change in zoning from LO to GO and that you encourage the property owners to continue to work with the neighborhood to reach an outcome that's a win for both sides.

Best regards,
Sanjay Mishra
3200 West Ave

Patterson, Clark

From: Jolene Kiolbassa <j_kiolbassa@yahoo.com>
Sent: Tuesday, June 19, 2012 6:29 PM
To: Patterson, Clark
Cc: Jolene Kiolbassa
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-0134 and NPA-2012-0019.01

Dear Clark --

Please register my opposition to the upzoning and the Plan Amendment for the four tracts comprising five acres on W. 34th in the heart of Heritage Neighborhood.

One question I always have in these upzoning cases is why does City staff recommend an upzoning contrary to our Neighborhood Plan, as staff has done in this case? I do not understand why the City spends hundreds of thousands of dollars and months of staff time and research developing a Neighborhood Plan only to ignore it. All the hours we neighbors and City staffers devoted to the Neighborhood Plan seem to be for naught. I especially do not understand what could possibly have changed in our area or the City to warrant staff support for a change in zoning from LO to GO since Heritage, in the Central Austin Neighborhood Plan, accepted increased density on our perimeter.

In this case, approving GO zoning would generate much more traffic, threaten the streetscape on W 34th (a popular bike route and our children's path to Bryker Woods Elementary School), remove mature trees and allow buildings three times the size of what is already on the ground.

A perfect fit in our neighborhood would be for these properties to become senior residential, something akin to Westminster Manor. Our Neighborhood Plan, which the stakeholders so carefully thought out, denoted these parcels "Mixed-Use" so appropriate residential could be developed there despite their transformation to medical offices forty years ago. This is also why the FLUM still shows Single Family lots on the south sides of largest tract. Residential would compliment our highly walkable neighborhood, would create more density and would knit together the north and south parts of our neighborhood. GO zoning, on the other hand, would create an even larger hole in the middle of Heritage.

Sincerely,
Jolene Kiolbassa

Patterson, Clark

From: Lizzie Cain Clark <[redacted]>
Sent: Thursday, May 17, 2012 11:33 AM
To: [redacted]
Cc: Patterson, Clark
Subject: West 34th Street Redevelopment: C14-2011-0131 C14-2011-0132, C14-2011-0133 C14-2011-0134

RE: West 34th Street Redevelopment:

C14-2011-0131

C14-2011-0132,

C14-2011-0133

C14-2011-0134

Commissioners,

I write you to **oppose the zoning change from LO to GO on these cases.**

You may be aware that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38th Streets. The perimeter ofthe neighborhood is entirely commercial. In contrast, the properties onthese applications are in the middle of the neighborhood, adjacent toresidential properties.

I am opposed to the zoning change from LO to GO on these cases for thefollowing reasons:

1. The proposed development will be inappropriately scaled in ourneighborhood. Under the current LO zoning, the owner can build approximately double the size of what is now on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.

2. Medical offices generate a lot of traffic and demand for parking. Theproposed development and density under GO will inappropriately increasetraffic within the neighborhood.

3. Many of the additional uses associated with GO are inappropriate forthe middle of our neighborhood. Hospital uses in particular are notcompatible with the residential character of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with theapplicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracts as is. Thank you for yourattention.

Lizzie Cain Clark

3011 West Ave

512.323.6945

Patterson, Clark

From: paul <[redacted]>
Sent: Tuesday, June 19, 2012 8:21 AM
To: Patterson, Clark
Cc: 'Amy Pedersen'
Subject: medical up zoning on 34th - C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Clark,

I know you've gotten a lot of feedback from other residents in Heritage recently so I'm sure you already know that back in 2004 the neighborhood created a plan to prevent things like this from happening and now here we are not even 10 years later having to fight to uphold this plan which was setup to keep large commercial developments from encroaching into the core of our hood.

There will already be increased traffic and noise as these lots are going to get re-built anyway, but the thought of allowing GO sized developments means that our neighborhood is going to be affected negatively with their large parking garages, more impermeable cover, more employees and patients congesting our neighborhood streets, more traffic zooming past my office window where I work all day, more near accidents and people honking at our round-a-bout they try race down west to try avoid backed up traffic on Lamar.

While I am all for development, REIT has made it clear to the neighborhood that they are not willing to meet our needs in regards to protecting the neighborhood and offsetting the effects of the up zoning.

Please stand behind us and vote against up zoning these lots to GO.

Paul & Amy Pedersen

3019 West Ave

Patterson, Clark

From: Kisla <[redacted]>
Sent: Tuesday, June 19, 2012 7:07 AM
To: Patterson, Clark
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Dear Mr. Patterson,

This letter is to respectfully ask you to keep the current zoning on tracts C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134 in the Heritage Neighborhood. In addition, REIT, the property owner, is requesting a change to the FLUM on two lots that are zoned SF adjacent to these tracts, a change to which we are also opposed. In both instances the owner is requesting a change to GO.

Please be aware as you consider these cases that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38th Streets. The perimeter of this small neighborhood is entirely commercial. In contrast, the properties on these applications are in the middle of the neighborhood adjacent to residential properties.

We, the neighborhood, have been in conversation with REIT as of two years ago and consistently we have voiced our concerns regarding compatibility, scale, appropriate uses within the neighborhood, tree preservation and traffic. In January of this year we formed a working group to represent the neighborhood to negotiate with REIT as a response to a proposal they presented to the neighborhood. We entered into good faith negotiations with REIT and have been clear about the neighborhood improvements and development restrictions that would mitigate aspects of the change in zoning.

On May 8th, 50+ residents of the Heritage neighborhood opposed the up-zoning request based on the lack of significant movement from REIT during negotiations. At this point, again due to lack of significant advancement, we are forced to oppose their zoning change request.

We all believe that the neighborhood plan that was agreed to and signed into law in 2004 should have protected us from having to address tract-by-tract re-zoning requests now and established that the middle of the neighborhood should be protected from anything higher than LO zoning. We do understand that REIT has a right to develop their property and turn a profit with their current LO zoning.

We believe that the size and scope of a GO building with potential hospital utilization vs. the LO buildings currently allowed will not only adversely affect vehicular traffic, streetscapes and cyclist/pedestrian traffic. It will also set precedent for the rest of the LO tracts in the middle of the neighborhood. We accept the commercial nature of our business neighbors on our perimeter; GO is just not appropriate in the middle of the neighborhood and the land-use map should not be changed.

We are opposed to the zoning change from LO to GO on these cases for the following reasons:
1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.
2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.
3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracks as is. Thank you for your attention.

Kisla Jimenez and Jonathan Williams
3012 West Avenue
Austin, TX 78705

Patterson, Clark

From: John Boardman <[redacted]>
Sent: Tuesday, May 15, 2012 9:47 PM
To: [redacted]
Cc: Patterson, Clark
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Dear Commissioners,

I am opposed to the zoning change from LO to GO on these cases for the reasons I will list below. These cases affect the Heritage Neighborhood, a small neighborhood only a few blocks long in each direction: 29th Street to 38th Street and Lamar to Guadalupe. Much of the northern edge of our neighborhood has already been consumed by office development, but we have a strong residential core that has blossomed in the past 10 years with many young families (including mine with three young children). Approving a variance simply to allow larger office buildings in our neighborhood will make this area less attractive to the kind of committed citizens that are vital the central city.

1. The development would be far out of scale for a street that runs through a neighborhood. The proposed buildings should be placed on arterial corridors like Lamar, not on 34th Street that bisects the neighborhood. Under the current LO zoning the owner can already build approximately double the size of what is currently on these lots. GO would allow a building that is three times the size of what is there now as well as parking structures roughly that size, an overall six-fold increase in scale.

2. This is*not*smart growth; this is simply an attempt to maximize revenue for the development. If this were a residential project or mixed-use project, I could support increased density, but this is an office building who employees and customers will commute from other areas of the city.

3. Upzoning these lots from LO to GO would allow hospital uses and other uses that are completely inappropriate for the middle of a neighborhood. These lots are adjacent to single-family owner-occupied residences.

4. The Heritage neighborhood voted to work with the applicant to find a mutually beneficial agreement. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning as-is and compatible with the neighborhood.

Sincerely,
John Boardman
700 W 32nd St

Patterson, Clark

From: Ann Cogdell <[redacted]>
Sent: Tuesday, May 15, 2012 5:19 PM
To: [redacted]
Cc: Patterson, Clark
Subject: RE: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Commissioners--

Please be aware as you consider these cases that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38th Streets.
The perimeter of the neighborhood is entirely commercial. In contrast, the properties on these applications are in the middle of the neighborhood adjacent to residential properties.

As a long-time resident of the Heritage Neighborhood, I want to see the peaceful and residential character of our neighborhood maintained.
I am opposed to the zoning change from LO to GO on these cases for the following reasons:

1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.

2. Medical offices generate a lot of traffic and demand for parking.
The proposed development and density under GO will inappropriately increase traffic within the neighborhood.

3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracks as is. Thank you for your attention.

Ann Cogdell

Bellmont-Cogdell House
810 West 31st Street
Austin, TX 78705

Patterson, Clark

From: sofia martinez <[redacted]>
Sent: Tuesday, May 15, 2012 1:12 PM
To: [redacted]
Cc: Patterson, Clark
Subject: RE: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Commissioners,

I live a few blocks from the proposed redevelopment, and have lived here for almost 12 years. In that time the neighborhood has grown more and more crowded. When I bought my house I understood I would be living in a very urban environment and both accepted and welcomed it, but I also welcomed the fact that our neighborhood is a tree-filled, kid-filled island within the busy streets that border it (Guadalupe, Lamar, 29th and 38th Streets).

The properties on the proposed development are in the middle of this neighborhood island and are surrounded by residential properties. I am opposed to the zoning change from LO to GO on these cases for the following reasons:

1. With the LO zoning the owner already has, the owner can approximately double the size of the building currently there. But if the owners get GO, they can build triple the size of the current buildings, plus add large parking structures. That just doesn't fit in the scale of the interior of a neighborhood.

2. This neighborhood is already struggling with parking. Many of the streets are narrow and lined with parked vehicles, forcing cars to take turns pulling over to let oncoming traffic pass by. The neighborhood is full of children who often walk or bike to school. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.

3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January of this year, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. The neighborhood committee has met frequently and come up with many proposals in good faith. Yet since January, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning the way it is now.

Thank you,
Sofia Martinez

Patterson, Clark

From: Betsy Greenberg <[redacted]>
Sent: Monday, May 14, 2012 10:52 AM
To: [redacted]
Cc: Patterson, Clark
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Re: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Commissioners,

Please be aware as you consider these cases that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38th Streets. The perimeter of the neighborhood is entirely commercial. In contrast, the properties on these applications are in the **middle of the neighborhood adjacent to residential properties**.

I am opposed to the zoning change from LO to GO on these cases for the following reasons:

1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.

2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.

3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracks as is. Thank you for your attention.

Betsy Greenberg
3009 Washington Square

Patterson, Clark

From: Lindy Heatherington <heatheringtonlindy@gmail.com>
Sent: Monday, May 14, 2012 10:37 AM
To: [redacted]
Cc: Patterson, Clark; Brent Heatherington
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Dear Commissioners,

Please be aware as you consider these cases that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38th Streets. The perimeter of the neighborhood is entirely commercial. In contrast, the properties on these applications are in the middle of the neighborhood adjacent to residential properties.

I am opposed to the zoning change from LO to GO on these cases for the following reasons:

1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.

2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.

3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracks as is. Thank you for your attention.

Lindy Heatherington
3208 King Street

Patterson, Clark

From: Will Clark <[redacted]>
Sent: Monday, June 18, 2012 2:03 PM
To: Patterson, Clark
Cc: Betsy Greenberg; Jolene Kiolbassa; Kisla
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Mr. Patterson,

On the eve of the June 26th meeting, I wanted to reiterate my opposition to the zoning change from LO to GO on these cases for the following reasons:

1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.

2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.

3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracks as LO.

Thank you for your attention.

Will Clark
3011 West Ave

Will Clark
Director, R&D
OpenText
wclark@opentext.com
512 741 1211 office
512 415 6260 mobile

Patterson, Clark

From: Stephen Thomas <[redacted]>
Sent: Thursday, May 24, 2012 9:09 AM
To: Patterson, Clark
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Mr. Patterson,

Please be aware as you consider these cases that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38th Streets. The perimeter of the neighborhood is entirely commercial. In contrast, the properties on these applications are in the middle of the neighborhood adjacent to residential properties.

I am opposed to the zoning change from LO to GO on these cases for the following reasons:

1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.
2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.
3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.
4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please keep the zoning on these tracks as is. Thank you for your attention.

Regards,

stephen thomas

Stephen L. Thomas, CISSP
District Manager, Sales
3001 Washington Sq.
Austin, TX 78705
Symantec Corporation
www.symantec.com

Office: (512) 215-8539 **Mobile:** (512) 750-8786 **Fax:** (512) 716-8005
stephen_thomas@symantec.com

Patterson, Clark

From: Betsy Greenberg <betsy.greenberg@gmail.com>
Sent: Wednesday, June 20, 2012 4:32 PM
To: Patterson, Clark
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

I am opposed to the zoning change from LO to GO on these cases for the following reasons:

1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.

2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.

3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Thank you for your attention.

Patterson, Clark

From: david .• yépez <montunos@yahoo.com>
Sent: Wednesday, June 20, 2012 4:51 PM
To: Patterson, Clark
Subject: C14-2011-0131, C14-2011-0132, C14-2011-0133 and C14-2011-013

Dear Planning Commissioners,
Please OPPOSE the upzoning and Plan Amendment for the four tracts comprising five acres on W. 34th.

I am great propopent of increased density in cities. If nothing else, the definition of a city is a density of population. It is a natural process to create such communities, traditionally. However, as we are all well aware now, this natural process became perverted by planning since the mid 1900s that herded us into cars as the alpha and omega of transportation. Austin has made some tiny steps of progress reversing the tide but we still deal with the repurcussions of the naivety of the previous generation: traffic congestion, pollution, loss of community, etc. Included in those symptoms that still linger today are two that are particular to the W. 34th St. project.

Firstly, the parking garages. Developers still seem to think that we can have our cake and eat it, too, when it comes to the suburban model, i.e. we can have density in the central areas, then inflate a magical parking garage under each project and people can still drive to their heart's content. It does not work as you will see on your drive home today. One third of our infrastructure in this city is already devoted soley to the automobile yet we have the worst traffic in the US by some accounts. Or could it be the reason we have the worst traffic by some accounts is a third of our infrastructure is devoted to the automobile?

The second symptom, I will cite, is subtle yet significant: We still tend to seperate and cluster like things. It started with urban flight and continues today with zoning. We want to sweep similar things under the rug and forget about them when just the opposite is the solution. In this case clustering all medical needs into such concentrated area can have its benefits but at a certain point it encourages the sprawl model as those workers and patrons look to live farther away from a medical-industrial area. Whatever happened to the general practitioner just a block or two away on main street? We zoned them out of business and the sense of community that came with that.

Density is great! As long it is comes in a diverse form and not a monolithic block of only medical offices or giant apartment complexes or a strip mall, etc. And really only after we have good public transportation to support it.

I support increased density but Austin is not ready for it. The Heritage neigbhorhood is not ready for it. Lamar Blvd is not ready for it.

Please oppose the upzoning.

Thank you,
David Conley
609 W. 32nd St.
Austin, TX 78705

Patterson, Clark

From: Michelle Carlson <mj2carlson@gmail.com>
Sent: Wednesday, June 20, 2012 10:20 PM
To: Patterson, Clark
Subject: West 34th Street Redevelopment, C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Dear Commissioners,

This letter is to respectfully ask you to keep the current zoning on tracts C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134 in the Heritage Neighborhood. In addition, REIT, the property owner, is requesting a change to the FLUM on two lots that are zoned SF adjacent to these tracts, a change to which we are also opposed. In both instances the owner is requesting a change to GO.

Please be aware as you consider these cases that the Heritage neighborhood is bordered by Guadalupe, Lamar, 29th and 38thStreets. The perimeter of this small neighborhood is entirely commercial. In contrast, the properties on these applications are in the middle of the neighborhood adjacent to residential properties.

We, the neighborhood, have been in conversation with REIT as of two years ago and consistently we have voiced our concerns regarding compatibility, scale, appropriate uses within the neighborhood, tree preservation and traffic. In January of this year we formed a working group to represent the neighborhood to negotiate with REIT as a response to a proposal they presented to the neighborhood. We entered into good faith negotiations with REIT and have been clear about the neighborhood improvements and development restrictions that would mitigate aspects of the change in zoning.

On May 8th, 50+ residents of the Heritage neighborhood opposed the up-zoning request based on the lack of significant movement from REIT during negotiations. At this point, again due to lack of significant advancement, we are forced to oppose their zoning change request.

We all believe that the neighborhood plan that was agreed to and signed into law in 2004 should have protected us from having to address tract-by-tract re-zoning requests now and established that the middle of the neighborhood should be protected from anything higher than LO zoning. We do understand that REIT has a right to develop their property and turn a profit with their current LO zoning.

We believe that the size and scope of a GO building with potential hospital utilization vs. the LO buildings currently allowed will not only adversely affect vehicular traffic, streetscapes and cyclist/pedestrian traffic. It will also set precedent for the rest of the LO tracts in the middle of the neighborhood. We accept the commercial nature of our business neighbors on our perimeter; GO is just not appropriate in the middle of the neighborhood and the land-use map should not be changed.

We are opposed to the zoning change from LO to GO on these cases for the following reasons:
1. The proposed development will be inappropriately scaled in our neighborhood. Under LO zoning, the owner can build approximately double the size of what is on the ground. A building that is three times the size of what is there now in addition to parking structures of roughly the same size is not appropriate for the middle of our neighborhood.
2. Medical offices generate a lot of traffic and demand for parking. The proposed development and density under GO will inappropriately increase traffic within the neighborhood.
3. Many of the additional uses associated with GO are inappropriate for the middle of our neighborhood. Hospital uses in particular are not compatible with the residential portion of the neighborhood.

4. In January 2012, the Heritage neighborhood voted to work with the applicant to see if a mutually beneficial agreement could be worked out. Since then, the applicant has increased the size of the proposed development without agreeing to provide anything substantial to mitigate the effect of this zoning change on the neighborhood.

Please vote to keep the zoning on these tracks as is. Thank you for your attention.

Michelle Carlson & Paul Lupa
903 W. 31st St.
Austin, TX 78705