

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Govalle/Johnson Terrace Combined Neighborhood Plan

CASE#: NPA-2012-0016.01.SH

DATE FILED: October 15, 2012 (out-of-cycle)

PROJECT NAME: thinkEAST Austin

PC DATE: May 28, 2013

May 14, 2013

April 9, 2013

ADDRESS/ES: 1141 Shady Lane and 5300 Jain Lane

SITE AREA: Approx. 24.293 acres

OWNER/APPLICANT: thinkEAST Austin, L.P.

AGENT: Richard de Varga, Manager of thinkEAST Austin Management, L.L.C.

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family and Mixed Use**To:** Major Planned Developments

Base District Zoning Change

Related Zoning Case: C814-2012-0128.SH

From: LO-MU-CO-NP, SF-3-NP **To:** Planned Unit Development (PUD)

NEIGHBORHOOD PLAN ADOPTION DATE: March 27, 2003

PLANNING COMMISSION RECOMMENDATION: May 28, 2013 – Recommended approval (J. Nortey, J. Stevens – 2nd) 8-0 (A. Hernandez absent)

Previous Actions:

APRIL 9, 2013: TO POSTPONE TO MAY 14, 2013, AS REQUESTED BY STAFF. APPROVED ON CONSENT, MOTION BY CHIMENTI, 2ND BY HATFIELD (8-0-1) (STEVENS ABSENT).

MAY 14, 2013: TO POSTPONE TO MAY 28, 2013, AS REQUESTED BY STAFF. APPROVED, MOTION BY HATFIELD, 2ND BY STEVENS (8-0).

STAFF RECOMMENDATION: Recommended.

BASIS FOR STAFF'S RECOMMENDATION:

Neighborhood Vision

The Govalle/Johnston Terrace

Neighborhood will be an affordable, family-oriented neighborhood with a strong sense of community and a place where people want and are able to live their entire life.

The neighborhood will be pedestrian oriented with a well-balanced mix of residential and business uses, shops that serve neighborhood needs, and public spaces where the community comes together.

The neighborhood will protect and emphasize its natural environmental features, historic character and residential areas

The neighborhood will be a safe, healthy, clean, well-maintained place with unique cultural opportunities and quality schools.



Land Use Goals

- Goal 1:** **Adjacent land uses should be compatible.** (Sector Plan)²
- Key Principles: Address the “over-zoning” of properties in the Govalle/Johnston Terrace Neighborhood Planning Area. (Sector Plan and modified by Gov/JT)
- Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards. (Sector Plan)
- Goal 2:** **Preserve and protect current and future single-family neighborhoods.** (Gov/JT)
- Key Principles: Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods. (Gov/JT)
- Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods. (Sector Plan)
- Encourage higher density non-residential land uses to locate near major intersections and in industrial districts/business parks. (Sector Plan)
- Goal 3:** **Develop a balanced and varied pattern of land use.** (Sector Plan)
- Key Principles: Provide a balance of land use and zoning for people to both live and work in the area. (Gov/JT)
- Encourage mixed use so that residential uses are allowed on some commercial properties. (Gov/JT)
- Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment. (Gov/JT)

Housing

Goal 5: **Maintain an affordable and stable housing stock.** ([Sector Plan](#))

Key Principles: Provide a diverse range of housing opportunities for all stages of life and income levels. ([Sector Plan and modified by Gov/JT](#))

Increase home ownership opportunities. ([Sector Plan](#))

Encourage the development of affordable single-family and multi-family units on vacant tracts in established neighborhoods. ([Sector Plan](#))

Goal 4: **Create and preserve a sense of “human scale” to the built environment of the neighborhood.** ([Gov/JT](#))

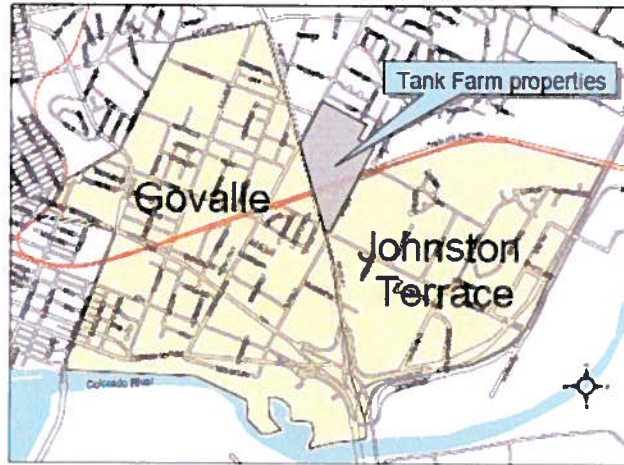
Key Principles: Ensure that new development and redevelopment respects the existing scale and character of the planning area. ([Gov/JT](#))

Tank Farm Properties⁴

This plan's vision for the future⁵ of these properties is as follows.

Core Values

- Turn something that has negatively impacted the environment and the community into something that enhances and is compatible with the surrounding communities
- Proper environmental clean up with the highest possible clean up standards and continuous, independent monitoring occurring on the site.
- Future plans for the site's reuse should recognize the site's history and the impacts it has had on the surrounding neighborhoods.



Desired Future Uses

- Mix of retail, commercial, office, civic, residential, cultural and open space uses.
- The uses should be targeted to the needs of the surrounding neighborhoods, and be compatible with those neighborhoods.
- The site should be developed as a part of the community – perhaps even a focal point for community activity and community building.

Commercial uses

- Clothing stores, a small scale cinema, locally owned restaurants, cafes, a grocery store, ice cream parlor, general retail, and a small-scale shopping center.
- Doctors, dentists, medical offices; as well as other general office space.
- There is a preference for small businesses; and minority owned businesses should be encouraged.

⁴ More specific recommendations for the future land use of the Tank Farm site will be discussed as part of a series of meeting between the property owners, former terminal operators, and neighborhood representatives.

⁵ This vision is an ideal future scenario, it is understood that further environmental studies and economic feasibility studies will need to be undertaken to identify the most appropriate and practical future uses for the site.

Civic uses

- Community service uses can help the site to return something positive to the community
- Multipurpose center that could serve as both a recreational, community and health center, day care, adult education, job training, and job placement services.

Residential uses

- Low density housing that caters to a range of income levels.
- Housing should be priced at a level that local people can afford.
- Neighborhood representatives expressed a strong preference for single family houses that are compatible with existing neighborhoods.
- Housing should be located away from noise and other hazards such as the busy roadways like Airport Blvd.

Open Space uses

- Green space, pocket parks and plazas.
- Open spaces should be designed so that they are safe, comfortable and interesting to the pedestrian. These spaces should have high levels of surveillance and supervision and be well-lit.
- Open spaces should be linked together by trails and pathways and their connection should encourage walking and enable users of the site to meet each other.

Site Design

Site design should focus on integration with the surrounding neighborhoods. The site should have a pedestrian focus, and local people should be able to walk or bike to the site using local pedestrian and bicycle pathways. The design quality of the site should be of a high standard, and should focus on creating safe and well-lit areas where a variety of people of all ages can use the site for large parts of the day and evening.

The general concept of the site layout for the Tank Farm is based on the following basic principles:

- Retail uses (as well as some medical services) should be located closer to the arterial roadways of Airport and perhaps also on Springdale in locations with higher visibility and easier access.
- Office uses should also be located in areas with reasonable levels of access. Civic buildings and public gathering places require important locations throughout the site to reinforce community identity and local culture
- Low density residential uses and open space should be used to transition to the established surrounding single-family neighborhoods.
- Open space will be both aesthetically pleasing and functional, and will serve a critical linking within the site, and to the Boggy Creek trail and Govalle Park.

The site design should incorporate low impact development design and efforts should be made to have as little impervious cover on the site as possible.

Social Aspects

The site should contribute to the social fabric of the community by providing:

- Opportunities for the interaction of local people of all ages
- Employment for area residents – particularly career jobs for the local community
- Needed services within the local community.

Environmental Aspects

- The site should be cleaned to the highest possible standards
- In recognition of the recent history of the site the property should be developed to incorporate the highest quality environmental standards and include (sustainable, renewable) energy efficient and low impact development standards such as on-site water retention. Green Building principles should be incorporated into any future development.
- The portion of the site in the floodplain could be utilized as a bio-retention facility similar to the water garden that has been established behind Central Market in Central Austin.
- Creek improvements and restoration of the native vegetation on the site (including Pecan trees) should form a major component of the environmental, and aesthetic, enhancement of the site.

LAND USE DESCRIPTIONS

EXISTING - Single Family

Single family detached or two family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

Mixed Use

An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

Application

1. Allow mixed use development along major corridors and intersections;
 2. Establish compatible mixed-use corridors along the neighborhood's edge
- The neighborhood plan may further

PROPOSED

Major Planned Developments

Master-planned developments for large multi-acre tracts that incorporate a wide variety of land uses that may include, but are not limited to, single family and multifamily residential, commercial, and clean industrial.

Purpose

1. Provides flexibility in development for large sites, but ensures compatibility between uses and good design.

Application

1. Generally used to designate pre-existing Planned Unit Developments or Planned Development Areas, or in response to proposed multiuse developments for large sites;
2. By designating an area for this land use, the neighborhood plan signifies its support for the entire range of land uses included in the definition; and
3. This designation should not be applied to single-use developments of any type.

BACKGROUND: The application was filed on October 15, 2012 as an out-of-cycle application which was allowed because it is a certified S.M.A.R.T. Housing project.

The applicant proposes to change the future land use map from Single Family and Mixed Use to Major Planned Developments. The proposed zoning change is for a Planned Unit Development (PUD).

PUBLIC MEETINGS: The ordinance-required plan amendment meeting was held on November 26, 2012. Fifty-eight notices were mailed to property and utility account holders within 500 feet of the property. Twenty-one people attended the meeting.

Robert Summers, one of the owners/applicants, said the property, which was the former Tank Farm, is now clean and is an asset to the neighborhood.

The conceptual plans they show may not look like what it will be in the future. He said the Planning Unit Development (zoning case) is its own special regulations; however, the uses will be in the ordinance. He said they looked at the Govalle/Johnson Terrace Neighborhood Plan and we believe it meets the goals of the plan.

Q. What will the project look like from the ground level?

A. Shown almost ground level, residential and affordable in a park-like area. Plan says to connect people. Give people land Jain Lane to connect to park.

Q. What will the color of walls, shrubbery, wide sidewalks, trees?

A. The Planned Unit Development (PUD), will have to do better than conventional zoning. There is Tier 1 and Tier 2 levels within the PUD and we will build to the Great Streets Program.

Q. Will there be open park space, trails, etc., to ensure connectivity?

A. Yes, there will be no gated areas. It will be an open to community.

Q. Page 9 of the Govalle, Johnston Terrace Planning Contact Team letter, the road project on Jain lane. Jain Lane is narrow and will part of development. Will the Capital Improvement Project for this road be revived?

A. Yes, Jain Lane and Shady Lane are dangerous. We have met with City Council members and received their commitment to refunding the CIP project for these improvements.

Q. There are houses that back up to your property. What will be used to protect the houses? I noticed you are already clearing the land.

A. Actually, we're just mowing the land. There will be a buffer and a 6 foot privacy fence will be required. We will maintain the fence and it will be in the restrictive covenant that will go with the land.

Q. How many people in development? There are only two ways into neighborhood. It's already hard to get in and out. If you add more houses, it will make it more difficult.

A. There will be 10 single family homes and 90 multifamily new. Our goal is to improve the streets so the new development won't affect the road, but hopefully improve it.

Q. How will this affect my property values?

A. That's question for Travis County Appraisal District, not for me.

Q. What is your vision for the retail?

A. We're proposing boutique retail, affordable, small, local businesses.

Q. Will there be live work units and will we have people coming in and out of them buying and selling stuff?

A. From what I understand, for live/work units that you can't sell items out of your home.

Q. Will you have to do a Traffic Impact Analysis (TIA)?

A. Yes, we will.

Q. Will the development allow Section 8 duplexes?

A. The Guadalupe Economic Development Corporation will manage the affordable units, so that will be up to them.

Q. For Jain Lane, the Capital Improvement Project for 1986, is no longer on the books. Do you plan to build the road and ask for reimburse cost? Traffic calming big issue for our children's comfort and safety and we also want our streets to be pedestrian friendly.

A. We will build to meet Great Streets standards, types of uses, neighborhood collector, maybe build out, circles. Jain Lane will be built 100% of the road, but they need to find the money. Road has to happen before the north side of road building can happen. We are working with the COA to complete the roadway to core transit standards for neighborhood collector requirements. We are dedicating the ROW so Public Works can complete the 1986 CIP Project. We are also discussing a Cost Reimbursement Agreement.

Q. The traffic on Jain Lane is fast and dangerous.

A. We will ask the City to finish the road and do analysis of traffic.

Q. Will you provide enough parking on the property so people are not parking on the street?

A. We will be parked to meet Development Code requirements with 20% reduction in parking because we're in the urban core.

Q. For the transit stop, it would be good to have a quality bus shelter.

A. We agree.

Comments: I'm opposed to the project, it's in the wrong location, it should be zoned SF. I'm offended that you met with the GJT PCT in February and Jul, but no one living within 500 feet heard about those meetings. You've provided conceptual information in your pre-PUD application, but it isn't really final. The plan says single family, but why not multifamily or mixed use on plan? We will be affected by 27 buildings up against our property with uses within 40 feet or 50 feet of our property and 2800 vehicles a day.

I bought my house in 1977 when there were few cars, but now there are more cars. I don't like the idea people living in my backyard.

The Govalle/Johnston Terrace Planning Contact Team submitted a letter in support of the plan amendment and zoning change request when the application was filed. Note: City staff strongly encourages Planning Contact Teams to submit their letter after the plan amendment meeting is held so they can get the input of the neighborhood that live near the project, but they are not required to do so.

Note: On June 26, 2013, a surrounding property owner, Alex Zankich, withdrew his opposition to the proposed plan amendment and zoning case. His letter also stated that the surrounding neighbors withdrew their opposition, but their names were not given. See his letter on page 30 of this report.

CITY COUNCIL DATE:

June 6, 2013

ACTION: 1st Reading (Martinez, Cole – 2nd). Vote 7 – 0.

August 8, 2013

ACTION: Proposed 2nd/3rd Reading

CASE MANAGER: Maureen Meredith

PHONE: 974-2695

EMAIL: Maureen.meredith@austintexas.gov



thinkEAST Austin is a 25-acre planned urban district for Austin's creative community that will stimulate job growth, vitality and diversity in East Austin's economy, culture and community.

thinkEAST will fulfill the civic priority of redeveloping part of what was formerly known as the Tank Farm into a mixed use model for sustainable urban growth. thinkEAST is a Certified SMART Housing Project providing affordable living and working spaces in a greenbelt setting for local East Austin residents as well as all Austinites.

For over twenty years, PODER and the Govalle Johnston-Terrace Planning team have been active in the remediation and restoration of the tank farm properties and their redevelopment potential as assets to the local community. The 2003 neighborhood plan vision recommended shops, affordable housing, park lands with hike and bike trails and healthy outdoor living for the redevelopment. thinkEAST will satisfy these goals.

thinkEAST is working with Guadalupe Neighborhood Development Corporation to provide as many as 100 units of affordable housing. In addition, the plan requires the City of Austin to complete the upgrade of Shady/Jain Lane going through the property. Along this new street, 12 acres will be developed with small shops on the lower floor and apartments above. Office studios will be a major element to attract local employers in the arts, radio, television, film, architecture, engineering and science. Finally, several acres will be set aside to provide additional parkland to Govalle Park to create hike and bike trails and a community gardens for all to enjoy.

Currently, the 25 acres is zoned a combination of Mixed Use and Single Family. This Neighborhood Plan Amendment allows for affordable multifamily and a larger area of mixed use.

Over the last year, thinkEAST Austin has presented its plans to neighborhood leaders. The Govalle Johnston-Terrace Neighborhood Plan Team supports thinkEAST's concept and goals.



S.M.A.R.T. Housing - Out-of Cycle Letter



City of Austin

Revised letter

C8

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

May 22, 2013 (revision to letter dated September 13, 2012)

S.M.A.R.T. Housing Certification

thinkEAST Austin Management LLC: 1141 & 1150 Shady Lane – thinkEast Austin (project id# 65434)

TO WHOM IT MAY CONCERN:

thinkEAST Austin Management LLC (development contact: 512.300.4011; rdevalga@gmail.com) is planning to develop a 25 acre mixed use district via a Planned Unit Development in the Shady Lane and Jain Lane area. The development will include 444 multi-family units and 132 live work units. The SMART Housing certification will apply to the 332 multi-family units associated with Land Use Area 1 and 2. The units will have an affordability period of five years for the multi-family units the date the certificate of occupancy is issued. The affordability period may be longer due to agreement per the PUD application.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Because 100% of the units in Land Use area 1 & 2 will serve households with incomes at or below 60% of Austin's Median Family Income level (MFI), the development is eligible for a waiver of 100% of the fees listed in the S.M.A.R.T. Housing Ordinance adopted by the City Council. The fee waivers only apply to development applications that have a residential component from Land Use Area 1 & 2. The developer will provide a detailed list of addresses and projects associated with Land Use 1 & 2 as the development progresses. The letter will be amended to reflect that information. Expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees
Building Permit
Concrete Permit
Electrical Permit
Mechanical Permit

Site Plan Review
Misc. Site Plan Fee
Building Plan Review
Construction Inspection
Zoning Review Fees

Zoning Verification
Parkland Dedication by separate ordinance
Land Status Determination
Plumbing Permit

Prior to issuance of building permits and starting construction, the developer must:

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating, 'Austin Energy, Katherine Murray' at 482.5351
- ♦ Submit plans demonstrating compliance with accessibility standards.

Before a Certificate of Occupancy will be granted, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. Separate from any other inspections required by the City of Austin or Austin Energy
- ♦ Pass a final inspection to certify that accessibility standards have been met.

Please contact me at 974.3454 if you need additional information.

James V. Delgado
James V. Delgado
Neighborhood Housing and Community Development

Cc:
S. Kinet, NHCD
Deborah Fonseca, PDRO
Hilary Grant, PDRO
Kath. Murray, Austin Energy

Danny McNabb, WPDR
George Zapalac, PDRO
Robby McArthur, WWAJ
Chris Yancey, PDRO
Laurie Shaw, CapMetro

Marcen Meredith, PDRO
Hedi Kasper, MGB
Bryan Bomer, MGB

Letter Support from PCT

**Agreement for Support for PUD Pre-Application
Between
Govalle/Johnston Terrace Neighborhood Planning Team
And
thinkEAST Austin Management, LLC**

Mr. Richard deVarga and Mr. Robert Summers initially approached the Chair of the Review Committee for the Govalle/Johnston Terrace Planning Contact Team in early February with their concept for thinkEAST, a PUD development project located at 1141 Shady Lane, 5600 Jain Lane (also known as 1150 Shady Lane), considered one of the reclaimed Tank Farm sites.

The Review Committee convened on February 16, 2012 to meet with the Developers. After their presentation and discussion by the group, it was agreed that the PUD developers would work with the Review Committee Chair to develop a presentation for the PUD based on input from the Review Committee members at this February meeting.

The Review Committee held a second meeting on July 23rd, 2012 at Southwest Key Community Center, 6002 Jain Lane to review the PUD Zoning Brief for the thinkEAST Project,

Mr. deVarga and Mr. Summers, developers for the thinkEAST project, presented their PUD Pre-Application to The Review Committee. The thinkEAST Project includes approximately 24.3 acres with 5 proposed Land Use sections. After extensive discussion, the Review Committee agreed to

Support the Pre-Application for PUD zoning for the above project with the following conditions:

1. thinkEAST agrees to adhere, to the fullest extent reasonable and possible, to the basic concept and design set forth in the PUD Pre-Application. thinkEAST further agrees to collaborate with, include and involve the Govalle/Johnston Terrace Neighborhood Contact Team all levels of zoning and development throughout the PUD process, including jointly requesting the City's completion of infrastructure improvements outlined in CIP project - Drainage Improvements, Community Development District No. 11, C.I.P. Project No. 627211, Contract No. 86-Pb-121, Date approved by City of Austin 8-21-1986 (modified as required by the thinkEAST PUD).
2. Subject to and conditioned upon the purchase by Guadalupe Neighborhood Development Corporation of Land Use Areas 1 and 2 and final approval by City Council, Land Use Areas 1 and 2 of the PUD will be designated for 100% affordable rental housing at 30% - 60% MFI and affordable ownership at 30% to 80% MFI.
3. Subject to and conditioned upon the purchase by Guadalupe Neighborhood Development Corporation of Land Use Areas 1 and 2 and final approval by City Council, Land Use Area 1 will be rezoned to LO-MU/MF-6/SF but with heights limited to 50 feet, allowing for a mix-use housing development. Land Use Area 2 will be rezoned to MF-6/SF, but with heights limited to 40 feet, with affordability of 30 - 60% MFI for rental properties and 30% to 80% MFI for ownership. The new proposed zoning for Land Use 2 will allow for a mix use of housing development.

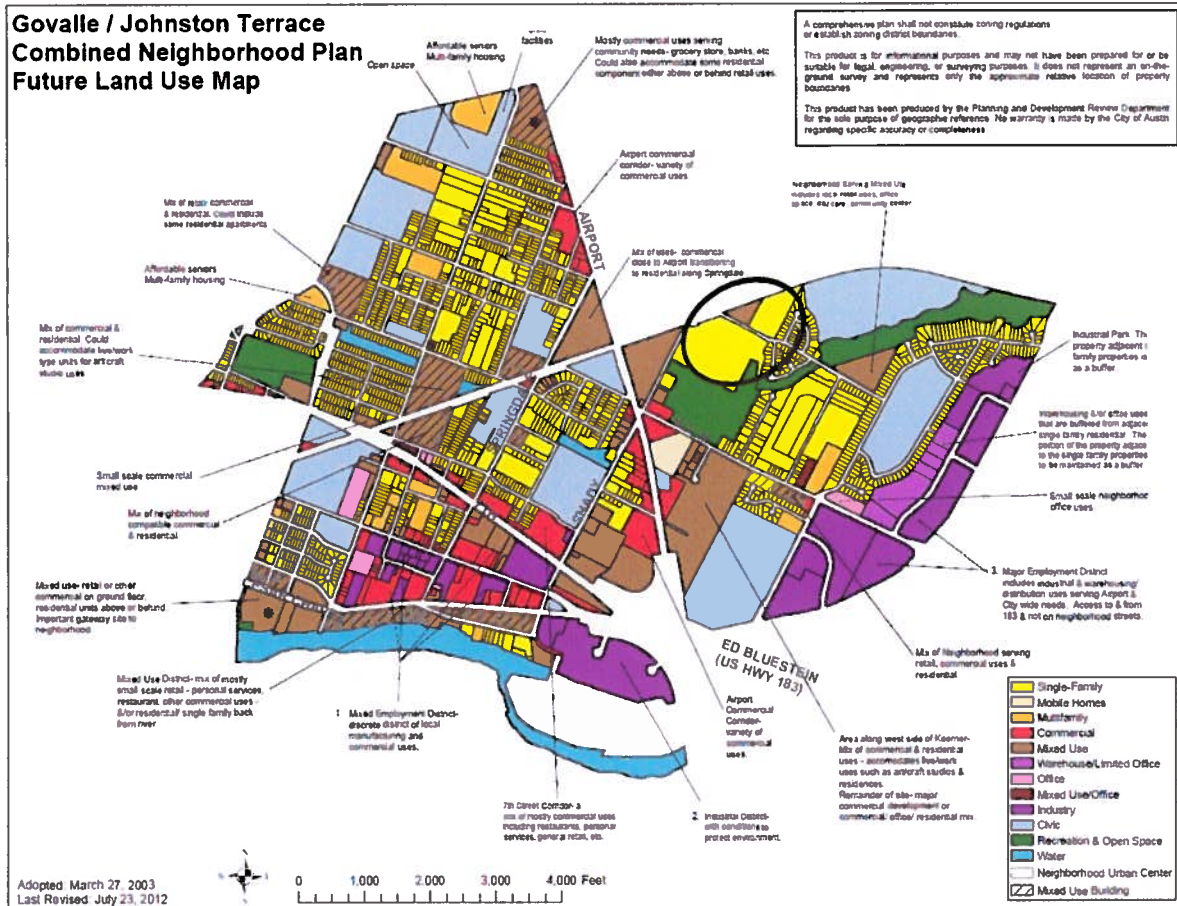
Agreed to on July 29, 2012.

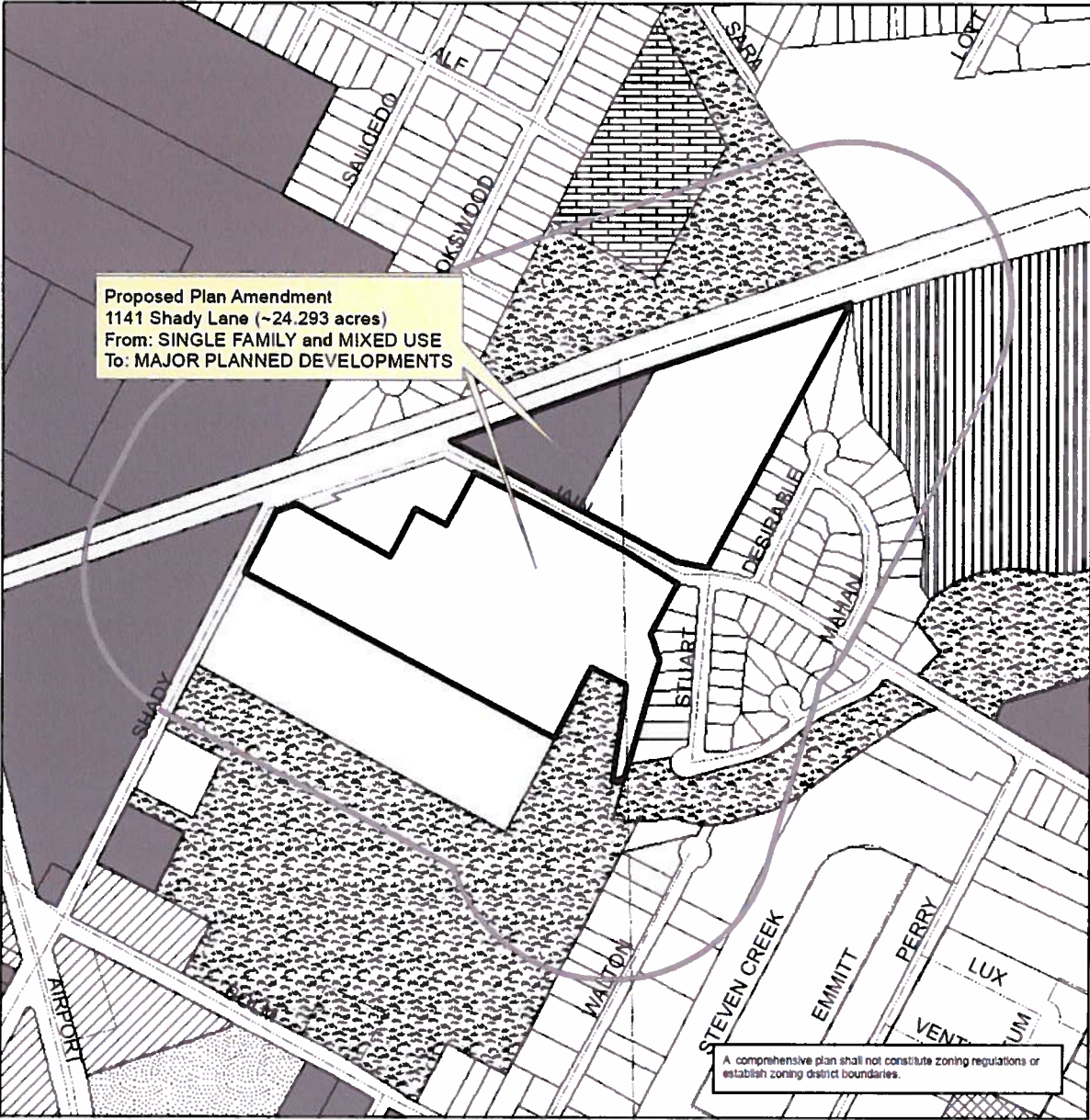


Daniel Llanes
Coordinator, Review Committee
Govalle/Johnston Terrace
Neighborhood Planning Team



Robert Summers
Manager
thinkEAST Austin Management, LLC





Govalle/Johnson Terrace Neighborhood Plan
NPA-2012-0016.01.SH

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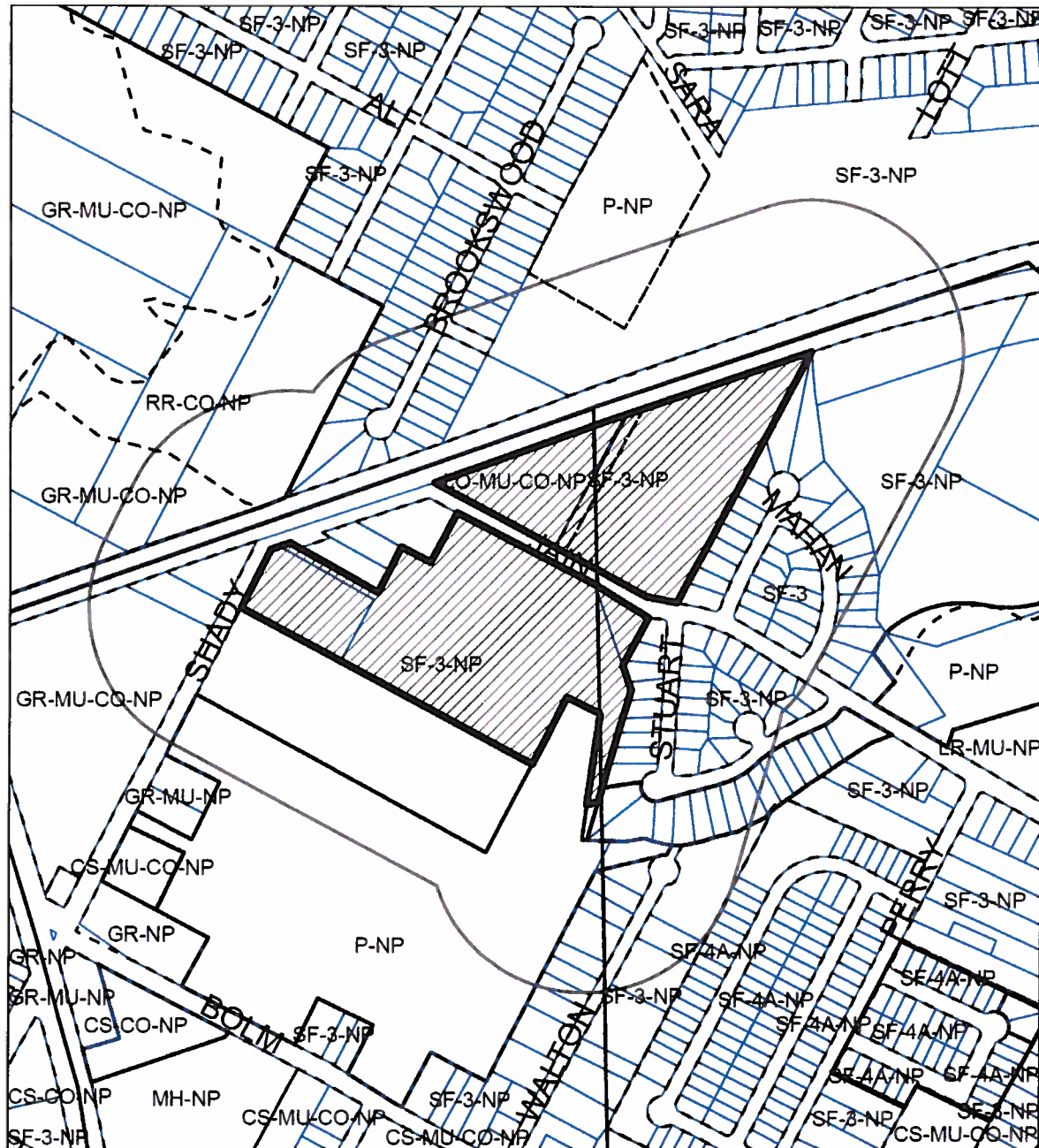
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City of Austin
Planning and Development Review Department
Created on March 25, 2013_M Meredith



Legend	
	Subarea Corridors
	500ft notification boundary
	Street Address Centerline
NPA CASES	
	Single-Family
	Mobile Homes
	Multi-Family
	Commercial
	Mixed Use
	Civic
	Recreation & Open Space
	Utilities



-  SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 500ft Notification Boundary

NEIGHBORHOOD PLAN AMENDMENT

Case Number: NPA-2012-0016.01.SH

Address: 1141 Shady Lane

Approx. Acres: 24,293

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From: Nadia Barrera
Sent: Wednesday, December 05, 2012 8:58 AM
To: Meredith, Maureen
Cc: Daniel Llanes; Alex Zankich; Christine McManus; Sarah Kopper
Subject: Questions and Comments concerning ThinkEAST

Maureen,

I apologize that it has taken me so long to get this to you. As I bike by the proposed development every day I try to enjoy the nature and the cool breeze it brings.

Currently just turning onto Shady from Bolm you can feel a coolness sweep over you and it helps me to decompress my day. Pedaling towards my house I enjoy the sounds of nature the park and the surrounding vacant lands bring. I hope that we can contain at least some of that with this design. Please see the below and let me know if you have any questions/concerns. Thank you for the opportunity to comment:

1. Transportation:

- Traffic Impact Analysis should focus on: Airport & Bolm intersection; accommodation of safe bicycle, pedestrian, and transit users.
- I would also like to propose the use of a "slow street" currently used in New York City. The design includes signage alerting drivers that they have entered a slow zone. The street is purposefully designed to accommodate the lowest speed limit allowable by law (25mph) and use the appropriate traffic calming to encourage that speed. We get a lot of speeding traffic from high schoolers racing to get to school, often times with complete disregard for safety. The design currently has ingress and egress planned on both sides of Jain directly across from one another. This straight crossing is not best practice, and is not the best we can do in regards to promoting safe crossing of the street. A parent should feel comfortable allowing their 8-year old to cross the street alone. I recommend crossing either at a diagonal, at a "Z", or with the use of speed tables and cross walks at each of the crossings to force cars to slow down.
- Construct at least 6' sidewalks to accommodate transit users and 2-way ADA use on both sides of the road with the appropriate shading with trees and other elements.
- Complete the Southern Walnut Creek Trail from the Govalle Park parking lot to Jain. Currently the City has 100% design plans complete for this trail, but is unable to fund construction. This gesture would go a long way with the neighborhood as currently residents must walk in the street and through a muddy, dirt path to access the park. Additionally, it could remove the need for more substantial trail infrastructure on the thinkEAST property. I don't like the idea of leading residents to the rail road on the current plan. This linear park is not needed, especially when there is a substantial trail being constructed not an 1/8 of a mile away.

- Include a trailhead sign at Stuart Circle and the trail.
- Provide more than the required 2% bicycle parking. Bicycle parking should be conveniently located, easy to find and easy to use. That means it should be not located next to a curb, but rather next to a curb ramp. You should not have to pick up your bicycle full of groceries to park it. Bicycle parking should be available for residents and visitors. Construct a bike room for the use of all residents. This could be part of a unit, attached to the lobby or breezeway - as long as it is covered, allows for long-term parking and storage, and has access to basic tools (pump).
- Let transit users feel like they are welcome by designing the most beautiful, comfortable bus stop in the City. The stop should be covered, there should be adequate lighting, and there should be a bench. Include landscaping and easy access to adjacent buildings and the crossing of Jain. Make sure the stop is near a live/work station so that there is a good amount of eyes on the street and foot traffic. We should have a bus stop on both sides of the street.
- When designing the improvements to Jain/Shady consider burying the utilities. The utilities will have to be moved anyway - this may be an opportunity to improve the look and feel of the development.
- Mimic current Austin TOD practices by providing a mixture of residential densities and commercial types. As discussed in the meeting, I would also prefer to mix the "affordable" units with the other units in such a way as to make them seem homogenous. I do not want to be able to tell which units are "affordable." All building entrances should face Jain/Shady. First floor minimum building heights should be 15 feet and at least 50% of the building facades must be made up of fenestration. Parking shall be prohibited in the fronts of buildings and larger parking lots must be designed to allow for easy pedestrian connections.

2. Design WITH Nature

- We have some of the best soil in the City. Explore opportunities to engage the surrounding communities with urban agriculture and a community garden (Sustainable Food Center, Urban Roots).
- Explore the potential for a community composting center. This would be a great way for neighbors to meet one another.
- Design with Nature - do a complete tree survey. Design the development in such a way as to keep all heritage trees.
- Instead of a retention/detention pond, I would prefer investment in rain water collection cisterns. This way the development gets to use the water for the urban agriculture and landscaping.
- Use other elements of green infrastructure such as solar panels and rain gardens.

- All landscaping shall be well-maintained and native to the area to reduce the need for irrigation.
- Incorporate commercial parking lot design standards and consider permeable concrete or pavers for all parking lots.
- Consider green roofs.

3. Community

- Consider including non-profit spaces.
- Consider including a meeting room that could be used by all neighborhood members.

That is all I have for now.

Thanks again,

Nadia

thinkEAST AUSTIN DEVELOPER'S RESPONSE

Maureen, Nadia:

I apologize that it has taken me so long to get this to you. As I bike by the proposed development every day I try to enjoy the nature and the cool breeze it brings. Currently just turning onto Shady from Bolm you can feel a coolness sweep over you and it helps me to decompress my day. Pedaling towards my house I enjoy the sounds of nature the park and the surrounding vacant lands bring. I hope that we can contain at least some of that with this design. Please see the below and let me know if you have any questions/concerns. Thank you for the opportunity to comment.

1. Transportation:

- *Traffic Impact Analysis should focus on: Airport & Bolm intersection; accommodation of safe bicycle, pedestrian, and transit users.*

RESPONSE: The Airport-Bolm-Shady intersection triangle was designed and constructed by the COA Publics Works Dept as part of the 1986-1988 Shady Lane CIP Improvement Project.

We have retained Joe S Ternus, PE of Ternus Consulting Services to provide the Traffic Impact Analysis (TIA). He is working with Joe Almanzan, City of Austin to determine scope and approval of the TIA.

The Shady-Bolm -Airport triangle was the first area discussed and selected to provide data for the analysis. The TIA should be completed and submitted for review within the next couple of weeks.

- *I would also like to propose the use of a "slow street" currently used in New York City. The design includes signage alerting drivers that they have entered a slow zone. The street is purposefully designed to accommodate the lowest speed limit allowable by law (25mph) and use the appropriate traffic calming to encourage that speed. We get a lot of speeding traffic from high schoolers racing to get to school, often times with complete disregard for safety. The design currently has ingress and egress planned on both sides of Jain directly across from one another. This straight crossing is not best practice, and is not the best we can do in regards to promoting safe crossing of the street. A parent*

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thinkEAST AUSTIN DEVELOPER'S RESPONSE

should feel comfortable allowing their 8-year old to cross the street alone. I recommend crossing either at a diagonal, at a "Z", or with the use of speed tables and cross walks at each of the crossings to force cars to slow down.

RESPONSE: Per the COA: TRANSPORTATION IMPACT ANALYSIS (TIA) - WHAT IS IT?

- *A Traffic Impact Analysis (TIA) provides information on the projected traffic expected from a proposed development. A TIA also evaluates the impact of proposed development on the roadways in the immediate proximity of the proposed development. The TIA should identify any potential traffic operational problems or concerns and recommend appropriate actions to address such problems or concerns.*
- *A traffic impact analysis shall be consistent with the code requirements and the Transportation Criteria Manual. The geographic area to be considered in the TIA shall be established by the Director. The TIA should consider and account for the potential traffic to be generated by other undeveloped sites within the established study boundaries.*
- *Construct at least 6' sidewalks to accommodate transit users and 2-way ADA use on both sides of the road with the appropriate shading with trees and other elements.*

RESPONSE: ThinkEAST will comply with sidewalk standards in a Core Transit Corridor for Urban Areas with a 15-foot minimum requirement. Street trees are required along core transit corridors with an average spacing not greater than 30 feet on center.

Per COA LDC Article 2: *Site Development Standards*

- 2.1.1. Ensure that buildings relate appropriately to surrounding developments and streets and create a cohesive visual identity and attractive street scene;*
- 2.1.2. Ensure that site design promotes efficient pedestrian and vehicle circulation patterns;*
- 2.1.3. Ensure the creation of a high-quality street and sidewalk environment that is supportive of pedestrian and transit mobility and that is appropriate to the roadway context;*
- 2.1.4. Ensure that trees, sidewalks, and buildings – three of the major elements that make up a streetscape – are arranged in a manner that supports the creation of a safe, human-scaled, and well-defined roadway environment;*

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thinkEAST AUSTIN DEVELOPER'S RESPONSE

2.1.5. *Ensure that trees or man-made shading devices are used to create a pedestrian-friendly environment both alongside roadways and connecting roadside sidewalks to businesses;*

- *Complete the Southern Walnut Creek Trail from the Govalle Park parking lot to Jain. Currently the City has 100% design plans complete for this trail, but is unable to fund construction. This gesture would go a long way with the neighborhood as currently residents must walk in the street and through a muddy, dirt path to access the park. Additionally, it could remove the need for more substantial trail infrastructure on the thinkEAST property.*

RESPONSE: The Southern Walnut Creek Hike and Bike Trail is under construction and visible from HWY183. Our Land Use Plan (attached) contains Parkland Dedication A that would provide park frontage to Jain Lane near the intersection of Jain and Stuart Circle. This would allow the existing neighbors and future thinkEAST residents to enter the park from Jain Lane. This entry trail would tie into the Southern Walnut Creek Hike and Bike Trail near the small pedestrian bridge along Boggy Creek.

- *I don't like the idea of leading residents to the rail road on the current plan. This linear park is not needed, especially when there is a substantial trail being constructed not a 1/8 of a mile away.*

RESPONSE: Understood. Please Note: At a site meeting in mid-December with the City of Austin Environmental Review Team, they voiced concerns over the wet pond contained within Parkland Dedication B as a city provided community amenity. Their concerns were based on the uncertainty of the Austin Parks Dept actually installing and maintaining the wet pond. Our goal was to dedicate the property and have the city provide the ponds and trail system north towards the tracks and bridge the creek to access the East Boggy Creek Greenbelt. After our meeting with the COA Environmental Review Team and listening to their concerns and suggestions, we decided to remove the wet pond from Parkland Dedication B and investigate onsite bioretention storm water management facilities. Regarding your comment above, the "linear park" has been removed from the Land Use Plan and 25' Compatibility Setback has been added.

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thinkEAST AUSTIN DEVELOPER'S RESPONSE

- *Include a trailhead sign at Stuart Circle and the trail.*

RESPONSE: Hopefully, the COA Parks Departments will provide and improve additional infrastructure and park amenities to Govalle Park via the 2012 bond.

- *Provide more than the required 2% bicycle parking. Bicycle parking should be conveniently located, easy to find and easy to use. That means it should be not located next to a curb, but rather next to a curb ramp. You should not have to pick up your bicycle full of groceries to park it. Bicycle parking should be available for residents and visitors. Construct a bike room for the use of all residents. This could be part of a unit, attached to the lobby or breezeway - as long as it is covered, allows for long-term parking and storage, and has access to basic tools (pump).*

RESPONSE: I am a cyclist and agree on abundant site parking options. Also, in our meeting with the city regarding the TIA and multi-modal transportation, bike lanes down Jain and Shady became a discussed design element to implement.

- *Let transit users feel like they are welcome by designing the most beautiful, comfortable bus stop in the City. The stop should be covered, there should be adequate lighting, and there should be a bench. Include landscaping and easy access to adjacent buildings and the crossing of Jain. Make sure the stop is near a live/work station so that there is a good amount of eyes on the street and foot traffic. We should have a bus stop on both sides of the street.*

RESPONSE: We will be working with Capital Metro to extend the route of Bus 17- Cesar Chavez to provide service and bus stop to thinkEAST and neighboring residents. In our prior experience, Capital Metro provides a stop with the standard COA green shelter with a metal roof, 1 or 2 benches depending on size of complex, a matching COA trash can and a route map. In addition, they will work with us to determine the appropriate location to provide the best user experience and comfort.

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thinkEAST AUSTIN DEVELOPER'S RESPONSE

- When designing the improvements to Jain/Shady consider burying the utilities. The utilities will have to be moved anyway - this may be an opportunity to improve the look and feel of the development.

RESPONSE: Our plan currently requires City of Austin to complete Jain/Shady CIP project up to "Great Street" standards which includes underground electrical service. In addition, we have discussed this option with Austin Energy and have their blessing with recommended service easements included on the Land Use Plan.

- Mimic current Austin TOD practices by providing a mixture of residential densities and commercial types. As discussed in the meeting, I would also prefer to mix the "affordable" units with the other units in such a way as to make them seem homogenous. I do not want to be able to tell which units are "affordable". All building entrances should face Jain/Shady. First floor minimum building heights should be 15 feet and at least 50% of the building facades must be made up of fenestration. Parking shall be prohibited in the fronts of buildings and larger parking lots must be designed to allow for easy pedestrian connections.

RESPONSE: Agreed. We will meet recommendations of Subchapter E: Design Standards and Mixed Use which has very similar design elements to your description.

As for the deeply affordable units, GNDC utilizes great local architects and engineers. We share this goal of great architecture for everyone.

- The development shall include a permanent, safe, well-lit, easy to access and find car share spot.

RESPONSE: Great idea. Provision for (2) dedicated car2go spots are in our future

2. Design WITH Nature

- We have some of the best soil in the City. Explore opportunities to engage the surrounding communities with urban agriculture and a community garden (Sustainable Food Center, Urban Roots).

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thinkEAST AUSTIN DEVELOPER'S RESPONSE

RESPONSE: Our Conceptual Master plan includes a large community garden off Jain Lane on the north tract. The soils on site are excellent for gardening.

- *Explore the potential for a community composting center. This would be a great way for neighbors to meet one another.*

RESPONSE: Agreed

- *Design with Nature - do a complete tree survey. Design the development in such a way as to keep all heritage trees.*

RESPONSE: Tree Survey completed. The trees have been added to the Land Use Plan

- *Instead of a retention/detention pond, I would prefer investment in rain water collection cisterns. This way the development gets to use the water for the urban agriculture and landscaping.*

RESPONSE: Agreed. Also we are in discussion with the City of Austin Reclaimed Water Division to supply the site for irrigation needs. The program is currently designing the system for the Johnston Terrace area and hopefully we make the final list of recipients.

- *Use other elements of green infrastructure such as solar panels and rain gardens.*

RESPONSE: Agreed

- *All landscaping shall be well-maintained and native to the area to reduce the need for irrigation.*

RESPONSE: Agreed

- *Incorporate commercial parking lot design standards and consider permeable concrete or pavers for all parking lots.*

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thinkEAST AUSTIN DEVELOPER'S RESPONSE

RESPONSE: Agreed

- *Consider green roofs.*

RESPONSE: Agreed

3. Community

- *Consider including non-profit spaces.*

RESPONSE: Agreed

- *Consider including a meeting room that could be used by all neighborhood members.*

RESPONSE: Agreed

That is all I have for now.

Thanks again,

Nadia

Nadia:

Thank you for taking the time to prepare these comments. If you have additional comments, questions, or ideas, please do not hesitate to contact me.

Best regards,

Richard deVarga

Robert Summers

thinkEAST Austin Management, LLC

thinkEAST Austin Management, LLC
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PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2012-0016.01.SH
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Apr 9, 2013, Planning Commission
May 9, 2013, City Council

☐ I am in favor
☒ I object

Tommy & Bertha Williams
Your Name (please print)

112 DESIRABLE DR

Your address(es) affected by this application

Bertha Williams
Signature

Date

Comments: We do not want the trailer in our neighborhood or the clutter from so many people and noise. We ask to have speed bump, not more development

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Case Number: NPA-2012-0016.01.SH
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Apr 9, 2013, Planning Commission
May 9, 2013, City Council

☐ I am in favor
☒ I object

Tommy & Bertha Williams
Your Name (please print)

112 DESIRABLE DR

Your address(es) affected by this application

Bertha Williams
Signature

Date

Comments: I marched and picketed to have the neighborhood designated specifically for single family use. We do not want commercial and industry now as we want the traffic that it will bring into the neighborhood.

PUBLIC HEARING COMMENT FORM	
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Case Number: NPA-2012-0016.01.SH Contact: Maureen Meredith, 512-974-2695 Public Hearing: Apr 9, 2013, Planning Commission May 9, 2013, City Council	
<div><input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object</div>	
Your Name (please print) <u>DELORES BURTON</u>	
Your Address (please print) <u>5503 JAIN LANE</u>	
Your Address (es) affected by this application <u>5503 JAIN LANE</u>	
Signature <u>DeLores Burton</u> Date <u>4-8-13</u>	
Comments: <u>I OBJECT. THIS PROJECT</u> <u>WILL NOT ONLY PRODUCE MORE</u> <u>TRAFFIC IN THE NEIGHBORHOOD,</u> <u>BUT IT WILL ALSO PRODUCE</u> <u>MORE AND UNWANTED NOISE</u> <u>POLLUTION!!!</u>	

From: Alex Zankich

Sent: Wednesday, June 26, 2013 11:57 AM

To: Chaffin, Heather; Meredith, Maureen

Cc: robertalansummers@gmail.com; rdevarga@gmail.com; nadia.mojica.barrera@gmail.com

Subject: Withdrawal of neighborhood petition opposing thinkEAST

Hello Heather & Maureen,

Yesterday evening a group of concerned neighbors met with Mr. DeVarga and Mr. Summers regarding the thinkEAST project proposed for our neighborhood (NPA-2012-0016.01.SH and C814-2012-0128.SH) . Collectively we have decided to withdraw the petition to the Austin City Council.

If you have any questions please let me know.

Thank you.

- Alex Zankich
260-465-8255

From: Otto M Friedrich
Sent: Monday, July 22, 2013 11:45 PM
To: Meredith, Maureen
Cc: Otto Friedrich
Subject: NPA-2012-0016.01.SH.MM 0204190404 thinkEAST PUD... "I oppose" (as currently presented)

Re: Public Hearing, August 8, 2013, City Council
Contact: Maureen Meredith, (512)-974-2695
Case Number: [NPA-2012-0016.01.SH](#)

Ref: Public Hearing Comment Form
(this email serves as my electronic signature...
time stamp when sent)

Maureen,

I OPPOSE the thinkEAST PUD....
(as currently presented)

Comments:
Based on health and safety concerns,
I as a professional licensed registered engineer in the State of Texas--
I must "OPPOSE" the thinkEAST PUD ... as currently presented.

I agree with the Environmental Review Board (April 3, 2013) ...
Recommendation 20130403 006a

...there must be a "health and safety plan" for contractors, etc.
due to the potential contaminated soil and ground water from the 'tank farm.'
(CoA Staff, Chuck L...; et al recommendations)

...the environmental, watershed, storm-water drainage, etc. must be addressed...
because of the sensitive environment,
Govalle Park,
my Wildlife Habitat,
FEMA floodplains, etc.

I am particularly concerned how will the creek that goes under Jain Lane, across the property be environmentally planned. I mentioned to Chuck L. in an email that a 'previous owner/renter' had hauled in many truck loads of concrete/steel bar/etc. from a building demolition and dumped onto the property next to my Wildlife Habitat... there are concrete rubble 'feet high' 'over acres' that must be properly handled.

I want to be informed because of these potential health and safety factors.

BEST REGARDS,

Dr. Otto M. Friedrich, Jr.; P.E. (Texas)
UT-Austin Research/Teaching Faculty
(retired after several decades)
I still work with UT EHS (environmental health and safety)
URL for EHS,
<http://www.utexas.edu/safety/ehs/>

From: Otto M Friedrich
Sent: Saturday, March 30, 2013 7:45 PM
To: Meredith, Maureen
Cc: Chaffin, Heather; Otto Friedrich
Subject: File Number NPA-2012-0016.01.SH

Maureen Meredith
CoA Planning and Development Review Department
[\(512\) 974-2695](tel:(512)974-2695)
FAX: [\(512\) 974-2269](tel:(512)974-2269)
<https://www.austintexas.gov/devreview/index.jsp>

I DO NOT favor planning changes/zoning that would change my property from single-family, and would restrict me from continuing to use it as now used... my residence.

I have lived at 1125 Shady Lane all-of-my-life... since birth in 1939... we were originally outside the CoA limits.

Due to age, I am unable to get to meetings; such as Planning Commission, Public Hearing on Apr 9, 2013 beginning at 6:00 pm or City Council May 9, 2013 beginning at 2:00 pm.

I do know that there is public opposition to this development by either a neighborhood group/people and/or environmental organization.
(I was contacted earlier by a person asking me to oppose this major development that would impact the neighborhood... a note in my mailbox, etc.)

I personally cannot 'favor' this development and must 'object' due to a my potential Professional Engineering "conflict-of-interest" ; professional code-of-ethics.

AGAIN, THANK YOU FOR TELLING ME BOUT THESE PLANNED MAJOR DEVELOPMENTS.

BEST PERSONAL REGARDS,

OTTO.
Dr. Otto M. Friedrich, Jr.; P.E. (Texas)

May 9, 2013

Heather Chaffin (Heather.Chaffin@austintexas.gov)
City of Austin

Re: Rezoning Request C814-2012-0128 SH / Neighborhood Plan Amendment NPA-2012-0016 01 SH

Dear Ms Chaffin & the City of Austin Planning Review Board,

As immediate neighbors to the location of the rezone request, we are writing to request that the hearing scheduled for May 28, 2013, be postponed to June 11, 2013.

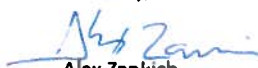
The date of the May 28, 2013, meeting came with short notice and is immediately following a holiday weekend. There are a number of neighbors who cannot make this date, and therefore request a postponement of the hearing.

It is imperative to move the date in the future where more people can potentially attend since the immediate neighbors have largely been left out of this planning process because the Neighborhood Planning Contact Team met in February 2012 and July 2012, without inviting, consulting or soliciting feedback from the impacted neighbors. The Contact Team then issued a recommendation letter in July 2012 without including the neighbors' input or feedback (the required neighborhood meeting wasn't held until six months after the recommendation letter was issued), despite the directions given to the Contact Team in the "Neighborhood Plan Contact Team Training Sheet" located on the city website at http://austintexas.gov/sites/default/files/files/Planning/ct_role_in_npas_english.pdf

"... the contact team should wait until after the community meeting takes place to make any formal decisions on the proposed amendment. In addition to the plan document, the contact team should take into consideration feedback from neighbors who attend the community meeting before a decision is made to support or not support the proposed amendment."

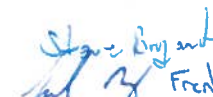
As I hope you understand and agree, it is very important for the future of our small community to not rush this application without considering the opinions and voices of those who are most impacted. Thank you for your understanding and consideration to our request, and for granting a postponement to the planning hearing.

Sincerely,


Alex Zankich
1115 Desirable Drive
Austin, TX, 78721

 Mark Hogendobler


MICHAEL DECENE

 Evan Markas
 David Castro

 Diane Ruiz

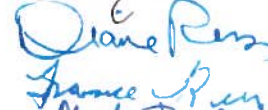
 Evan Markas

DAVID CASTRO

 Alan Pem

 Diane Ruiz

Diane Ruiz

 Frances Ruiz

FRANCIS RUIZ

From: jetpylot145

Sent: Monday, May 27, 2013 9:09 PM

To: Meredith, Maureen; Chaffin, Heather; Sirwaitis, Sherri

Subject: Opposed to rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.

Dear Commissioners,

I am writing you to express my feelings about this project and the fact that it's being "swept under the rug" and pushed down our throats through a bunch of bureaucratic lies and deceit without ANY regard to the residents that will be GREATLY impacted. My home is 1117 Desirable Drive and backs up to the location of this project WHICH IS NOT THE TANK FARM that this horrible project is planned to be built.

First of all, we were not told about this project until six months AFTER the planning contact team met with the developer and wrote a letter endorsing this project, which is against the instructions of the city which states they should listen to the feedback of the residents affected and issue the recommendation based on that feedback. Second and most important, only ONE out of sixteen planning contact team members lives on Desirable Dr that attended the meeting, the rest do not even live close to this project so they personally won't be affected. I guess its better for them to stick a bad project in someone else's backyard instead of their own. Furthermore, we as hard working citizens having homes that we want to increase in value should not be put in this position that will DESTROY our property values so a developer can line his pockets on our expense.

Lets make some things clear. THIS IS NOT THE TANK FARM that is described in the neighborhood plan from 2003. In fact, ninety percent of this property has always been single-family zoning. One of the priorities of the neighborhood plan is to preserve all single-family zoning. This project clearly does not! The developer and the planning contact team have repeatedly lied about this being the so called " tank farm". The developer has stated this property connects to the lower boggy creek priority woodlands. Guess what? It does not! There are two residential properties located between it and the woodlands, so how does this provide any access to the woodlands except over someone else's property? The traffic study is a joke and paid for by the developer to deceive the city. There is NO WAY you can add 3,300 plus vehicle trips per day down this small road with no impact on traffic as claimed in the study. Additionally the improvements to Jane Lane will cost the tax payers \$2.5 million which is absolutely ridiculous. Was this ever put up for a competitive bid? No it wasn't. Why would you and the city of Austin build a project like this to destroy our property values? 280 housing units with OVER 50% SUBSIDIZED and DEVOTED TO LOW INCOME is unfair to the neighborhood. Studies show clustered low income housing lowers property values, increases crime and is a blight to the neighbors. This is an unfair burden to put on our small community of 50 houses. Would you want this in your neighborhood? I highly doubt it to be frank. I am not opposed to low-income homes, but as studies show, they should not be clustered in large groups and not make up more than 10 percent of a community. This is well over 50

percent and is totally uncalled for. This will cause our neighborhood to become a slum.

This project must be rejected as it will irreparably harm the neighborhood. Daniel and the rest of the planning contact team do not have the residents input and frankly can care less about the impact on the neighbor and have their own personal agenda in mind (it appears a large percentage of the planning contact team is made up of a few community groups). A reminder, you represent the neighbors in this matter and should not be influenced by anything other than our best interest. Currently the majority of this is single-family and the land use should not be changed.

Please listen to the request of the impacted neighbors and do not approve this request. Build single-family homes that will benefit the neighbors and will integrate into the neighborhood rather than negatively harm it. I hope you would want the same if this was in your neighborhood. You owe NOTHING to the developer.

Sincerely,

David Castronovo

From: Alex Zankich

Sent: Tuesday, May 28, 2013 4:14 AM

To: Meredith, Maureen; Chaffin, Heather; Sirwaitis, Sherri

Subject: opposed to zoning request C814-2012-0128.SH and NPA-2012-0016.01.SH

Dear Planning Commission,

I live at 1115 Desirable Drive in Austin. I am writing to tell you that as an impacted neighbor who lives immediately adjacent to this proposed development that I am OPPOSED to the request and want you to vote to not approve it (zoning request C814-2012-0128.SH and NPA-2012-0016.01.SH).

The proposed project will be very bad for the neighborhood and has been pushed forward largely without any input from the neighborhood that is most impacted. The Neighborhood Planning Contact Team has not represented the best interest of the neighbors in this project - in fact they didn't even bother to consult any of us until six months AFTER they had sent a letter in support of the request and did not take into consideration any of the immediate neighbor's feedback or input. The Neighborhood Planning Contact Team met with the developer in February 2012 and July 2012 before issuing their letter of support in July 2012. It wasn't until late November 2012 that the required community meeting was held, which at that point was only to tell us what had been agreed to rather than to gather any feedback. The conduct of the Neighborhood Planning Contact Team has been a disgrace and has not been representational of the impacted neighbor's wishes.

The developer and the Neighborhood Planning Contact Team have repeatedly claimed over

and over again that this project is on the old "tank farm" location and that this project has been planned and supported since the Govalle / Johnston Neighborhood Plan was completed in 2003. Please be clear that this IS NOT THE TANK FARM as cited on page 53 of the Govalle / Johnston Neighborhood Plan - the actual "tank farm" is across the street and/or across the railroad tracks from this location. This proposed project should be moved to the actual "tank farm" where it has been planned for years.

90% of this project is currently zoned as single family and should stay that way. The Govalle / Johnston Neighborhood Plan cites that the neighborhood priority is to maintain all current single family zoning, however this request does not do that. Rezoning this to anything other than the current zoning will be doing a major dis-service to the neighborhood.

Our neighborhood has suffered again and again from the growth of Austin. The few block area of Desirable Drive, Mahan Drive and Stuart Circle already have been negatively impacted by the relocation of the airport and is now located directly under the flight path. We also have a power substation and high voltage lines directly running through the middle of our neighborhood. Historically the neighborhood has suffered from high pollution and high crime. We already have the poorest performing high school in the city located just a few blocks away (Eastside Memorial High School). Approving this project will only add to the negative aspects that we already suffer from and struggle with.

The developer claims that this project connects directly with the Lower Boggy Creek Priority Woodlands, however this is not true. I personally own two residential properties that are between the location of this proposed project and the priority woodlands. This statement by the developer is a lie.

Richard deVarga has a long history of bad zoning requests with the city and neighbors in Austin with one of his projects being heard in the Supreme Court of Texas <http://www.supreme.courts.state.tx.us/ebriefs/10/10012501.pdf> which he lost.

The thinkEAST proposal increases the number of housing units in the impacted area by almost 600% and will have a huge impact on the livability and quality of life of the existing residents. Additionally over 50% has been devoted to very low income housing. THE CENTER FOR HOUSING POLICY from Housing Policy Research Institute, and many studies have shown that high clustered affordable housing has a negative impact on the surrounding community. With over 50% of the housing as affordable housing, that is extremely high clustering and will lower property values of the existing homes.

The traffic study that was paid for by the developer is useless and completely ignores the problem traffic points in the neighborhood.

Adding 3,300+ vehicle trips per day (99% on Shady Lane) will adversely impact traffic. The traffic study did not include the three main problem areas.

1. Heading south on Shady Lane turning right onto Bolm Road, the majority of vehicles need to be in the left lane on Bolm. Vehicles routinely back up on Shady attempting to turn left and make it into the left lane to proceed forward across Airport Blvd.
2. Heading north on Shady Lane crossing Airport Blvd at the stop light, there is approximately 50 feet before the stop sign at Bolm Road. Vehicles routinely back up at the stop sign blocking the intersection of Airport Blvd and Shady Lane.
3. Heading south on Airport Blvd, turning left onto Bolm Road, vehicles then back up onto Airport Blvd because vehicles then wish to turn left onto Shady Lane, which is routinely blocked by vehicles heading westbound on Bolm Road.

The proposal to improve Jain Lane costing nearly \$2.5 million dollars is a terrible investment for the city and tax payers. This project was never put up for bid, nor did it open the bidding up to women and minority owned businesses. \$2.5 million to upgrade a mere 1,000 feet of street is an outrageous price to pay and will just line the pocket books of the developer if this project is approved.

The developer has repeatedly claimed that this project is on the Cap Metro Green Line, which is is, however he has failed to mention that there are no proposed rail stops within miles of the project site. To claim or imply that this project and the Cap Metro Green Line and this project are somehow mutually beneficial to one another is a complete red herring and is irrelevant to the proposal.

The live / work / affordable housing / mixed use project is a huge gamble and is unproven for the large size and impact to the neighborhood. If thinkEAST is to move forward it should be done at a different location where the impacts are less and be done at a much smaller scale.

Please take into consideration all of the issues related to this project and DO NOT approve it. This project will be very bad for the people who live closest to it and the impact on the community will be negative.

Thank you.

- Alex Zankich
1115 Desirable Drive
Austin, TX 78721

Sent: Tuesday, May 28, 2013 8:01 AM
To: Meredith, Maureen; Chaffin, Heather; Sirwaitis, Sherri
Subject: Opposed to thinkEAST project

Dear Planning Commission,

We wanted to let you know that we are opposed to the zoning request C814-2012-0128.SH and [NPA-2012-0016.01.SH](#) (thinkEAST). We live at 5507 Stuart Circle.

This project will be bad for the neighborhood and shouldn't be approved. The land should maintain the zoning that it currently has and the Neighborhood Plan should not be amended for this proposal.

On behalf of the neighbors, please do not approve this.

Sincerely,

David Strickland & Anna Taylor
5507 Stuart Circle
Austin, TX 78721

From: Diane Ruiz
Sent: Tuesday, May 28, 2013 8:05 AM
To: Meredith, Maureen
Subject: rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH

Dear Planning Commission,

I am writing this letter to express my opposition to the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment [NPA-2012-0016.01.SH](#) (also known as thinkEAST). I am a neighbor living at 1116 Desirable Drive and have lived in this neighborhood for 35 years. This proposed project will negatively impact the neighborhood and harm it irreparably. Neither the developer or the Planning Contact Team contacted any of the neighbors to ask for their feedback or input. With the addition of 280+ housing units, with half of them being subsidized, the small neighborhood of 50 homes cannot sustain this growth or the negative impacts of traffic, crime, density, loss of green space, noise and other ill effects of such growth.

Please listen to the impacted neighbors and do not approve this rezone and Neighborhood Plan Amendment.

Sincerely,

Diane Ruiz
1116 Desirable Drive
Austin, TX 78721

From: Mark Hogendobler
Sent: Tuesday, May 28, 2013 9:08 AM
To: Meredith, Maureen; Chaffin, Heather; Sirwaitis, Sherri
Subject: Opposed to rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH

Dear Planning Commission,

I am writing to let you know that I **strongly oppose** the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH. I live at 1102 Desirable Drive, immediately next to this property. This project is very bad for the neighborhood and will destroy the quality of life that my neighbors and I have built over the years.

This is a quiet residential area, with a lot of economic, racial, and cultural diversity. There is a sense of pride and neighborliness that is difficult to find in other areas of the city in which such variety exists side by side. I believe the rezoning will dramatically and negatively impact this community.

Please do not approve this request.

Sincerely,

Mark Hogendobler
1102 Desirable Drive
Austin, TX 78721

From: Velia Sanchez
Sent: Tuesday, May 28, 2013 9:49 AM
To: Meredith, Maureen; Chaffin, Heather; Sirwaitis, Sherri
Subject: Delay Decision

Ladies:

Per this email please note that at this time, the decision of rezoning will impact our property located at 1145 Shady Lane, Austin, Travis County, Texas. I oppose the rezoning and I will see you tonight.

*Until the next time,
Best regards
Velia C. Sanchez*

From: Otto M Friedrich
Sent: Tuesday, May 28, 2013 1:21 PM
To: Chaffin, Heather; Meredith, Maureen
Cc: Otto Friedrich
Subject: letter of opposition: C814-2012-0128.SH and NPA-2012-0016.01.SH

Heather,

Maureen,

I support the letter of opposition that my neighbor (Alex) wrote... quoted below.
(Because of age/health, I am unable to get to meetings like yours... I now have to work with and depend on my neighbors, like Alex. I miss my life-long neighbor (Brenda and her family that lived at 1141 Shady Lane...)

BEST PERSONAL REGARDS,

OTTO.

From: azankich@

To: maureen.meredith@austintexas.gov; heather.chaffin@austintexas.gov; sherri.sirwaitis@austintexas.gov

Subject: opposed to zoning request C814-2012-0128.SH and [NPA-2012-0016.01.SH](#)

Date: Tue, 28 May 2013 04:14:28 -0500

Dear Planning Commission,

I live at 1115 Desirable Drive in Austin. I am writing to tell you that as an impacted neighbor who lives immediately adjacent to this proposed development that I am OPPOSED to the request and want you to vote to not approve it (zoning request C814-2012-0128.SH and [NPA-2012-0016.01.SH](#)).

The proposed project will be very bad for the neighborhood and has been pushed forward largely without any input from the neighborhood that is most impacted. The Neighborhood Planning Contact Team has not represented the best interest of the neighbors in this project - in fact they didn't even bother to consult any of us until six months AFTER they had sent a letter in support of the request and did not take into consideration any of the immediate neighbor's feedback or input. The Neighborhood Planning Contact Team met with the developer in February 2012 and July 2012 before issuing their letter of support in July 2012. It wasn't until late November 2012 that the required community meeting was held, which at that point was only to tell us what had been agreed to rather than to gather any feedback. The conduct of the Neighborhood Planning Contact Team has been a disgrace and has not been representational of the impacted neighbor's wishes.

The developer and the Neighborhood Planning Contact Team have repeatedly claimed over and over again that this project is on the old "tank farm" location and that this project has been planned and supported since the Govalle / Johnston Neighborhood Plan was completed in 2003. Please be clear that this IS NOT THE TANK FARM as cited on page 53 of the Govalle / Johnston Neighborhood Plan - the actual "tank farm" is across the street and/or across the railroad tracks from this location. This proposed project should be moved to the actual "tank farm" where it has been planned for years.

90% of this project is currently zoned as single family and should stay that way. The Govalle / Johnston Neighborhood Plan cites that the neighborhood priority is to

maintain all current single family zoning, however this request does not do that. Rezoning this to anything other than the current zoning will be doing a major dis-service to the neighborhood.

Our neighborhood has suffered again and again from the growth of Austin. The few block area of Desirable Drive, Mahan Drive and Stuart Circle already have been negatively impacted by the relocation of the airport and is now located directly under the flight path. We also have a power substation and high voltage lines directly running through the middle of our neighborhood. Historically the neighborhood has suffered from high pollution and high crime. We already have the poorest performing high school in the city located just a few blocks away (Eastside Memorial High School). Approving this project will only add to the negative aspects that we already suffer from and struggle with.

The developer claims that this project connects directly with the Lower Boggy Creek Priority Woodlands, however this is not true. I personally own two residential properties that are between the location of this proposed project and the priority woodlands. This statement by the developer is a lie.

Richard deVarga has a long history of bad zoning requests with the city and neighbors in Austin with one of his projects being heard in the Supreme Court of Texas <http://www.supreme.courts.state.tx.us/ebriefs/10/10012501.pdf>

which he lost.

The thinkEAST proposal increases the number of housing units in the impacted area by almost 600% and will have a huge impact on the livability and quality of life of the existing residents. Additionally over 50% has been devoted to very low income housing. THE CENTER FOR HOUSING POLICY from Housing Policy Research Institute, and many studies have shown that high clustered affordable housing has a negative impact on the surrounding community. With over 50% of the housing as affordable housing, that is extremely high clustering and will lower property values of the existing homes.

The traffic study that was paid for by the developer is useless and completely ignores the problem traffic points in the neighborhood.

Adding 3,300+ vehicle trips per day (99% on Shady Lane) will adversely impact traffic. The traffic study did not include the three main problem areas.

1. Heading south on Shady Lane turning right onto Bolm Road, the majority of vehicles need to be in the left lane on Bolm. Vehicles routinely back up on Shady attempting to turn left and make it into the left lane to proceed forward across Airport Blvd.
 2. Heading north on Shady Lane crossing Airport Blvd at the stop light, there is approximately 50 feet before the stop sign at Bolm Road. Vehicles routinely back up at the stop sign blocking the intersection of Airport Blvd and Shady Lane.
 3. Heading south on Airport Blvd, turning left onto Bolm Road, vehicles then back up onto Airport Blvd because vehicles then wish to turn left onto Shady Lane, which is routinely blocked by vehicles heading westbound on Bolm Road.
- The proposal to improve Jain Lane costing nearly \$2.5 million dollars is a terrible investment for the city and tax payers. This project was never put up for bid, nor did

it open the bidding up to women and minority owned businesses. \$2.5 million to upgrade a mere 1,000 feet of street is an outrageous price to pay and will just line the pocket books of the developer if this project is approved.

The developer has repeatedly claimed that this project is on the Cap Metro Green Line, which is is, however he has failed to mention that there are no proposed rail stops within miles of the project site. To claim or imply that this project and the Cap Metro Green Line and this project are somehow mutually beneficial to one another is a complete red herring and is irrelevant to the proposal.

The live / work / affordable housing / mixed use project is a huge gamble and is unproven for the large size and impact to the neighborhood. If thinkEAST is to move forward it should be done at a different location where the impacts are less and be done at a much smaller scale.

Please take into consideration all of the issues related to this project and DO NOT approve it. This project will be very bad for the people who live closest to it and the impact on the community will be negative.

Thank you.

From: Frankie Ruiz

Sent: Tuesday, May 28, 2013 8:24 PM

To: Meredith, Maureen

Subject: Opposed to rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH

Dear Planning Commission,

I am writing this letter to express my opposition to the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST).

I am a neighbor living at 1114 Desirable Drive and have lived in this neighborhood my whole life (I'm 27 years old). I feel that this proposed project will negatively impact the neighborhood and harm it irreparably. Neither the developer or the Planning Contact Team contacted any of the neighbors to ask for their feedback or input. With the addition of 280+ housing units, with half of them being subsidized, the small neighborhood of 50 homes cannot sustain this growth or the negative impacts of traffic, crime, density, loss of green space, noise and other ill effects of such growth.

Though it may seem that I'm fearful of change, the truth is that I'm not. I also feel that the Planning Team and the developer have not made the necessary attempts to reach out to the residents of the neighborhood in a proper and courteous way. Thus, leaving a negative impression on me and other of my neighbors as well.

Please listen to the impacted neighbors and do not approve this rezone and Neighborhood Plan Amendment.

Sincerely,

Frankie Ruiz
512-585-0532

From: Aleah Penn [mailto:afaithp@hotmail.com]
Sent: Tuesday, June 04, 2013 9:57 PM
To: Meredith, Maureen
Subject: More Time Needed for the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST)
Importance: High

Hello,

I send this email with great urgency. My name is Aleah Penn and I live at 1114 Desirable Dr.

After talking to my neighbors in the Govalle/Johnston Terrace with regards to the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST) it is VERY IMPORTANT AND NECESSARY that more time be taken in the decision making process of this proposed Neighborhood Plan Amendment and also more time be taken to inform, ask questions, and express concerns.

It is very unfortunate that there have been several accounts of the thinkEAST development and its team NOT informing the neighborhood of its exact plans.

Numerous neighbors I have talked to over the past week had no idea that the proposed development had changed from 106 units to well over 400! A few did not know the development was happening at all and were outraged that they have not been informed of a development of this size in their backyard even though the development team said that they have gone door to door and sought to bring awareness of the development to the neighborhood. This projected plan states Land Use Goals including "development should not adversely affecting existing businesses or neighborhoods, either by increase in traffic, noise, etc..." and as neighbors that will be directly affected we should be allowed time to consider all aspects of said plan.

The traffic study is also of utmost concern and does not at all reflect the traffic impact that our neighborhood will face based on over 400 units in our neighborhood. It states there will be "no traffic impact" but is based on the prior plan that included 200 units less than the current plan is proposing.

I realize that there is a Public Hearing scheduled for this Thursday, June 6 @ 2pm.

- Item ID 24648
 - Agenda #65
 - Dept of Planning & Review
 - NPA-2012-0016.01.SH (also known as thinkEAST, 1141 Shady Ln.)
- Neighborhood Plan Amendment,

Type: Change in Future Land Use Designation based on District Zoning Change

In lieu of all of the radical changes to the plans of the thinkEAST development, please postpone the decision making process of this proposed Neighborhood Plan Amendment.

I also ask that there be ANOTHER scheduled community meeting with the city as well as the Developers to allow neighbors of my neighborhood to be fully informed, ask questions, and speak their opinion as this proposed amendment and development directly affects our daily lives and the neighborhood that we greatly care about.

Please, please, please consider this plea.

Thank you,

Aleah Penn, MSW
Mobile: 512-415-2829

April 9, 2013

NOTICE

Concerning all proposed development within 500-feet of the Capital Metro Rail Tracks

Capital Metro runs freight service on these tracks, and is required to continue to do so as a matter of federal law. Since March 22, 2010, we are operating passenger rail service, primarily, but not limited to, weekday hours. With the start of passenger rail service, we have shifted freight rail service to other times, particularly the hours after the last passenger train has run. This shift is in accordance with Federal regulations and safety procedures.

All concerned parties need to be aware of the freight service in planning any development. The freight trains generate some noise as they move through. At many urban street crossings, there are upgraded signal systems with crossing arms to block the roadway. This allows the City of Austin the ability to apply for a "quiet zone" meaning that the train will not blow its horn, under normal operations, as it moves through the street. At other crossings, the freight train will blow the horn, which is approximately 96 decibels. At any time, if the engineer judges it to be prudent, the horn will be sounded as needed for safe operation.

Capital Metro strives to provide the community with the best passenger and freight service possible. We also try to be sure that all of our neighbors are aware of both our present and possible future operations.

Please consider this information in planning or reviewing developments near the Capital Metro rail lines.

Lucy Galbraith, AICP
Manager, Transit Oriented Development
512.369.6515
624 N. Pleasant Valley Rd.
Austin, TX 78702

9/6/13 City Council Item #65

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

Rec'd 9/3/13

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2012-0016.01.SH
Contact: Maureen Meredith, 512-974-2695
Public Hearing: ~~April 24~~ 2013, Planning Commission MAY 28, 2013
May 9, 2013, City Council JUNE 6, 2013

☐ I am in favor
☒ I object

CESAR G AGUILAR
Your Name (please print)

118 DEARBORN DR

Your address(es) affected by this application

05/24/13

Date

Signature

Comments:

I BELIEVE THAT THERE MUST
BE A MORE ENLIGHTENED DIALOGUE
WITH THE MEMBERS OF THE NEIGHBORHOOD
COMMUNITY AFFECTED BY THIS DEVELOPMENT
CURRENTLY, I FEEL THIS IS HAPPENING
BEHIND CLOSED DOORS"

June 6, 2013 City Council Item # 65 & 66

Meredith, Maureen

Items # 65 & 66

To: Dianer Ruiz *Think East*
Subject: RE: More Time Needed for the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST).

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

From: Dianer Ruiz
Sent: Tuesday, June 04, 2013 10:27 PM
To: Meredith, Maureen
Subject: More Time Needed for the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST).

Hi Maureen, my name is Diane Ruiz, my husband Francisco and I live at 1116 Desirable Drive. We are very sad that someone can lie their way to get their way. Money can buy anything. Me and all my neighbors are very upset about what is happening in the Bolm Road, Shady Lane area, I believe it's called Govalle/Johnston Terrace. None of us ever heard anything about this proposal until November 2012, and that was a meeting proposing 200 plus units to be built, and the committee last Tuesday to allow the zoning to be approved a 400 plus multi family units without listening to anything the actual neighbors had to say, instead they listened to Suzzanna with Poder, and the Llanes guy that do not even live near Shady Lane or Bolm Road. How dare they decide our future. The Llanes guy stated that Bertha Williams and used her name stating she was for the project knowing she was not there to defend herself. I could go on and on, but for now I just want you to consider the people that live in the neighborhood and not approve rezoning until we have had more time to get the people that actually live here to voice their concerns and opinions. The roads will not tolerate 500 more vehicles. It's a hazard and safety concern. please delay the decision until we have had all our questions answered. I've heard that this builder has a very bad habit of doing as he pleases and ask for forgiveness later. He must be stopped. Thank you in advance for your help.

Diane Ruiz

Meredith, Maureen

To: Frankie Ruiz
Subject: RE: More Time Needed for the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST)

From: Frankie Ruiz
Sent: Tuesday, June 04, 2013 9:05 PM
To: Meredith, Maureen
Subject: More Time Needed for the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST)
Importance: High

Hello,

I send this email with great urgency. My name is Frankie Ruiz and I live at 1114 Desirable Dr.

After talking to my neighbors in the Govalle/Johnston Terrace with regards to the rezone request C814-2012-0128.SH and Neighborhood Plan Amendment NPA-2012-0016.01.SH (also known as thinkEAST) it is VERY IMPORTANT AND NECESSARY that more time be taken in the decision making process of this proposed Neighborhood Plan Amendment and also more time be taken to inform, ask questions, and express concerns.

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The traffic study is also of utmost concern and does not at all reflect the traffic impact that our neighborhood will face based on over 400 units in our neighborhood. It states there will be "no traffic impact" but is based on the prior plan that included 200 units less than the current plan is proposing.

I realize that there is a Public Hearing scheduled for this Thursday, June 6 @ 2pm.

- Item ID 24648
- Agenda #65
- Dept of Planning & Review
- NPA-2012-0016.01.SH (also known as thinkEAST, 1141 Shady Ln.)

Neighborhood Plan Amendment,
Type: Change in Future Land Use Designation based on District Zoning Change

In lieu of all of the radical changes to the plans of the thinkEAST development, please postpone the decision making process of this proposed Neighborhood Plan Amendment.