

Late Backup

#79

Smith, Taylor

**From:** Robert Otto [REDACTED]  
**Sent:** Thursday, February 12, 2015 7:51 AM  
**To:** [REDACTED]; [REDACTED]  
**Cc:** Smith, Taylor; Sirwaitis, Sherri; [REDACTED]; Gallo, Sheri  
**Subject:** Re: Overlook at Spicewood Springs - C14-2014-0178

Sorry I have been unavailable. This approach is very reasonable. Thanks to everyone for all your hard work.

Bob Otto  
Spicewood Vista HOA

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

**From:** Russell W Zears [REDACTED]  
**To:** 'Jay Sands' [REDACTED]; 'Dennis Watts' [REDACTED]  
**Cc:** 'Smith, Taylor' <Taylor.Smith@austintexas.gov>; 'Sherri Sirwaitis' <sherri.sirwaitis@austintexas.gov>; 'Bob Otto' <[REDACTED]>; 'D Bailey' <[REDACTED]>; Sheri.Gallo <Sheri.Gallo@austintexas.gov>  
**Sent:** Wed, Feb 11, 2015 9:23 pm  
**Subject:** RE: Overlook at Spicewood Springs - C14-2014-0178

Taylor,

On behalf of Bob Otto and Spicewood Vista HOA, we also agree to this proposal.

We also want to express our many thanks for your hard work.

Russell W Zears  
(512)423-3771

**From:** Jay Sands [mailto:[REDACTED]]  
**Sent:** Wednesday, February 11, 2015 7:29 PM  
**To:** Dennis Watts  
**Cc:** Smith, Taylor; Sherri Sirwaitis; Russell Zears; Bob Otto; D Bailey  
**Subject:** Re: Overlook at Spicewood Springs - C14-2014-0178

Taylor,

Agreed for BCA. Thanks for all the help.

Regards,

Jay Sands  
Zoning Chair  
Balcones Civic Association

Sent from my iPad

On Feb 11, 2015, at 6:16 PM, Dennis Watts <[REDACTED]> wrote:

Hello Taylor:

Our HOA and other petition signers agree with the changes to the Conditional Overlay regarding the Overlook at Spicewood Springs noted in the attachment below. The document is correct. We are also in agreement with the statement below by Jay Sands representing Balcones Civic Association. Thank you for your support surrounding this issue.

Dennis Watts,  
President  
Spicewood Green HOA

Sent from my iPad

On Feb 11, 2015, at 5:39 PM, Smith, Taylor <[Taylor.Smith@austintexas.gov](mailto:Taylor.Smith@austintexas.gov)> wrote:

Jay and Dennis,

I have compiled all the agreed upon conditions into one draft document for your review and confirmation. The attached document includes the original conditions submitted with Dennis' petition; please note the only change to Dennis' conditions was amending the building height condition to match the agreed upon building height limitation from BCA. The attached document also includes the conditions from BCA, which includes the square footage limitation.

I have reviewed and check the attached document several times to be sure I did not miss anything but I ask you to review it to make sure nothing was accidentally left off.

Once you have reviewed the attached draft document I ask you to **respond to this email confirming it is correct**. If possible, can you please send me your **confirmation by this evening** so I can work with the legal department first thing in the morning to get the correct language for the Council's consideration.

Thank you again for all your help on this issue!

**Taylor G. Smith**

*Policy Aide – CM Gallo District 10*

<image001.png>

**CITY HALL**

**City of Austin | City Council Staff – District 10**

301 W 2<sup>nd</sup> Street | Room 2136 | Austin TX | 78701

**Tel | 512.978.2110**

**Email | [taylor.smith@austintexas.gov](mailto:taylor.smith@austintexas.gov)**

**From:** Jay Sands [REDACTED]

**Sent:** Wednesday, February 11, 2015 4:22 PM

**To:** Gallo, Sheri

**Cc:** D Bailey; James C. Bohls; Chris Edwards; Dennis Watts; Smith, Taylor

**Subject:** Overlook at Spicewood Springs

Ms. Gallo,

Subsequent to our meeting last week, I would like to clarify the position of the Balcones Civic Association (BCA) regarding the zoning request for The Overlook at Spicewood Springs.

As I had mentioned, we are not opposed to rezoning the site for commercial use. We are, however, opposed to the building that the developer intends to construct. As you are aware, this is an environmentally sensitive site with very limited buildable land. It is also located just past the peak of a steep, blind hill going down to the intersection with highway 360. For both reasons, it is not an appropriate location for an 18,500 square foot office building.

We would, however, be supportive of this request subject to the following conditions:

Building height limited to 28.5 feet in front and 38.5 feet in back (from natural grade).

Maximum of two stories.

Square footage limited to 12,000 square feet.

Usage limits as per petition submitted by neighboring properties (which had previously been agreed to by developer).

The building height limits are the same as those existing for the neighboring property at 4900 Spicewood Springs Road which is the higher of the two neighboring buildings. The square footage limit compares to a 10,500 sq ft limit at 4900 Spicewood Springs Road (actual size 9,736 per TCAD) and the actual 13,200 square ft building at 4926 Spicewood Springs Road. The building at 4926 Spicewood is on a property with no CEF's and is located 60 feet from the canyon wall. We believe the sq footage limit proposed here is a reasonable compromise between the two surrounding buildings.

Should this request be approved without these size limitations, the Zoning and Platting Department would have final review of this project. While we would hope that they would be critical of the proposed site plan, that department has already set an unfortunate precedent with the Board of Realtors building. There, they approved six environmental variances, including allowing construction to within 8 feet of the canyon rimrock. We understand that this site plan will request a variance from the required 150 feet down to 30+ feet (which we would not support). Based on the ABOR decision, however, we're doubtful that ZAP will disallow this request, and we believe that an 18,500 square foot building will be constructed on this site if these restrictions are not imposed by Council.

We are supportive of this zoning request subject to inclusion of the limitations included above.

Sincerely,

Jay Sands  
Zoning Chair  
Balcones Civic Association

<Proposed Agreement for Conditional Overlay for 4920 Spicewood Springs.doc>