

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0152 – 3904 Medical Parkway      **Z.A.P. DATE:** February 6, 2018  
February 20, 2018

**ADDRESS:** 3904 Medical Parkway, Austin, TX, 78756

**DISTRICT AREA:** 10

**OWNER/APPLICANT:** Bennie Engelke

**AGENT:** Thrower Design (Ron Thrower)

**ZONING FROM:** SF-3                      **TO:** LO

**TOTAL AREA:** 0.34 acres (15,192 sq. ft.)

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends limited office – mixed use (LO-MU) combining district zoning.

**PLANNING COMMISSION RECOMMENDATION:**

February 6, 2018      *Approved Postponement request by Zoning and Platting Commission to February 20, 2018. Vote 10-1, Commissioner B. Evans – nay*

February 20, 2018      *Scheduled for Zoning and Platting Commission*

**ISSUES:**

The neighbors are split on the question of the rezoning. Several letters were received in support of the rezoning (Exhibit D). The Rosedale Neighborhood Association sent a letter officially opposing the rezoning (Exhibit E), and also stating: “Our opposition is not based on the proposed LO use per se.... [T]he RNA would support a mixed use classification of the zoning that included a bona fide residential component.”

**DEPARTMENT COMMENTS:**

The subject site is approximately 1/3 of an acre, located on the west side of Medical Parkway, approximately 500 feet northeast of W 38<sup>th</sup> Street. It is currently occupied with a single family house and a separate garage and storage structure, and has one driveway providing access to Medical Parkway. The applicant is seeking a rezoning to build an office building on the site, and has a conceptual plan for an approximately 4,000 square foot building to hold three small offices.

Medical Parkway between W 38<sup>th</sup> Street and W 40<sup>th</sup> Street is lined with office buildings, which are predominantly medical offices. To the east, behind a single row of office uses, are located single family and duplex uses. To the west of Medical Parkway, between Medical

and Lamar Blvd. are located more office and commercial uses. The east side of Medical between W 39 ½ Street and W 39<sup>th</sup> Street is the only section with SF-3 zoning and an existing single family structure.

Staff supports the requested rezoning to limited office (LO), with the addition of mixed use (MU). Similarly situated properties in the area already have office or commercial zoning. The rezoning is in keeping with the land use pattern on the east side of Medical Parkway, which is comprised of office and commercial uses for a depth of 125 – 150 ft. The subject site is approximately 145 feet deep. Mixed Use is recommended because it provides flexibility and the potential to mix residential into this development and future developments.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Single Family
<i>North</i>	SF-3, then W 39 ½ St, then LO	Duplexes, then W 39 ½ St, then Office
<i>South</i>	GR, then W 39 <sup>th</sup> St, then GR	Office, then W 39 <sup>th</sup> St, then Office
<i>East</i>	Medical Pkwy, then LR	Medical Pkwy, then Medical Office and Office
<i>West</i>	SF-3	Single Family, Duplexes

**NEIGHBORHOOD PLANNING AREA:** Rosedale

**TIA:** No, however a TIA may be required at the time of site plan.

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

<i>Community Registry Name</i>	<i>ID</i>
45th St Concerned Citizens	1194
Austin Independent School District	742
Austin Neighborhoods Council	511
Bike Austin	1528
Central Austin Community Development Corporation	1391
Friends Of Austin Neighborhoods	1530
Homeless Neighborhood Association	1550

North Austin Neighborhood Alliance	283
Preservation Austin	1424
Rosedale Neighborhood Assn	66
Seltexas	1363
Shoal Creek Conservancy	1497
Sierra Club Austin Regional Group	1228

**SCHOOLS:** Bryker Woods Elementary, O Henry Middle School, Austin High School

**CASE HISTORIES:**

NUMBER	REQUEST	ZAP COMMISSION	CITY COUNCIL
C14-2011-0131 West 34th Street Redevelopment - Tract A 800 W 34 <sup>th</sup> Street	From LO-NP to GO; withdrawn by applicant on 01-31- 13	01-31-13- Withdrawn by applicant	01-31-13- Withdrawn by applicant
C14-2009-0146 Austin Vet Care 3923 Medical PkwY	Eliminate CO, propose a new CO	12-15-09- Apvd staff rec of CS-MU-CO by consent (7-0)	01-14-10- Apvd Ord. 20100114-039 for CS-MU-CO to change a condition of zoning; all 3 rdgs; CO for max height of 40 ft or 3 stories, limit of 2,000 trips, prohibited uses
C14-2008-0067 Medical Science Center 3509 West Avenue	From LO-MU-NP to VMU	09-23-08 – Apvd indefinite postponement at the request of staff	N/A
C14-2008-0004 Rosedale Neighborhood Planning Area VMU Bldg. Zoning Opt In/Opt Out	Vertical Mixed Use Zoning	02-26-08 (Planning Commission) – Approved neighborhood recommendations with conditions	04-10-08- Apvd Ord. 20080410-065 for VMU (7-0); 2nd/3rd rdgs

NUMBER	REQUEST	ZAP COMMISSION	CITY COUNCIL
C14-2008-0003 Windsor Road Neighborhood Planning Area VMU Bldg. Zoning Opt In/Opt Out	Vertical Mixed Use Zoning	01-29-08 (Planning Commission) – Approved neighborhood recommendations with conditions	06-18-08 - Apvd Ord. 20080618-079 for VMU (7-0); 2nd/3rd rdgs
C14-2007-0074 3923 Medical Parkway Rezoning - City Initiated 3923 Medical Pkw	From LR and CS to CS-MU-CO	06-19-07- Apvd staff rec of CS-MU-CO	07-26-07- Apvd Ord 20070726-118 for CS-MU-CO, CO for max height of 40 – 46 ft, determined by setback lines, set of prohibited uses
C14-05-0080 3919 Medical Parkway, CTVS Offices 3921 Medical Pkw	From LR and SF-3 to CS	09-20-05- Apvd LR zoning for SF-3 portion, denied CS zoning, leaving LR in place	08-24-06 – Apvd LR for SF-3 portion and deny CS, 2 <sup>nd</sup> and 3 <sup>rd</sup> Readings

**RELATED CASES:**

None on subject tract

**SUBDIVISION:** The north 93.78 feet of Lot 4, Block 4, of Henry B. Seiders subdivision, an addition to the city of Austin, Travis County, Texas, according to the plat thereof recorded in volume 1, page 60, plat records, Travis County, Texas, and a portion of a 20 foot alley vacated in volume 2165, page 418, real property records, Travis County, Texas.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Medical Pkw	61	25	local	Y	Y	Y

***Transportation – Mark Kere – 512-974-2964***

- TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.
- TR2. Additional right-of-way maybe required at the time of subdivision and/or site plan.

**CITY COUNCIL DATE:**

March 1, 2018

**ACTION:****ORDINANCE READINGS:**

1st

2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Scott Grantham**PHONE:** 512-974-3574**EMAIL:** [scott.grantham@austintexas.gov](mailto:scott.grantham@austintexas.gov)

**BASIS FOR RECOMMENDATION**

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

The proposed rezoning creates a transition between offices and lower intensity commercial development fronting on Medical Parkway, and Single Family and Duplexes behind it on streets such as W 39 ½ St and W 39<sup>th</sup> St.

2. *Zoning changes should promote an orderly relationship among land uses.*

The proposed rezoning is in line with the existing land use pattern. The site is approximately 145 ft deep; office and commercial land uses are located along Medical Parkway at a depth of approximately 125 – 150 ft. There are single family and duplex uses located behind.

3. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

Similarly situated properties along Medical Parkway have already been granted office and commercial zoning. Existing land uses along Medical Parkway are mostly offices with some commercial development. The site in question appears to be one of the few remaining single family (SF-3) zoning or single family houses directly fronting on Medical Parkway.

**EXISTING CONDITIONS*****Site Characteristics***

The site is currently developed with a single family house and a garage building and storage shed. There is one driveway providing access to Medical Parkway. The site is relatively flat and has several sizeable trees.

***Impervious Cover***

The site is located in an Urban Watershed and therefore the zoning district will determine the impervious cover limits. The existing SF-3 zoning district allows 45% impervious cover. The proposed LO zoning district allows up to 70% impervious cover.

***Comprehensive Planning – Kathleen Fox – 512-974-7877***

The zoning case is located on the west side of Medical Parkway on a 0.34 acre tract of land, which contains small single family house. The subject property is located within the boundaries of the Rosedale NPA, which does not have an adopted neighborhood plan. Surrounding land uses includes residential housing to the north, a mortgage lender to the

south and east, and a multi-story medical office building to the east. The proposed use is an office.

**Connectivity:** A Capital Metro stop is located within a quarter mile of this property, while public sidewalks are located on both sides of the street. The Walkscore for this site is 87/100, **Very Walkable**, meaning most errands can be accomplished on foot.

#### **Imagine Austin**

While there is an Activity Corridor located a block away on North Lamar Blvd., based on the comparative scale of this site relative to other large office uses in this area, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

#### ***Site Plan – Cindy Edmond – 512-974-3437***

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
2. Site plans will be required for any new development other than single-family or duplex residential.
3. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

#### ***Environmental - Mike Mcdougal - 512-974-6380***

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-

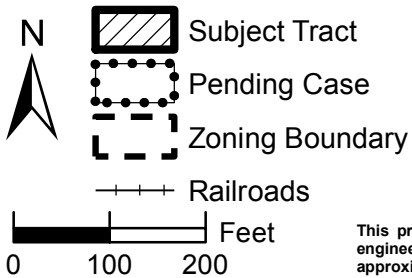
1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
  7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

***Water Utility – Neil Kepple – 512-972-0077***

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.



# EXHIBIT A



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

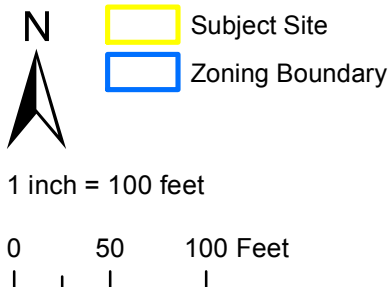
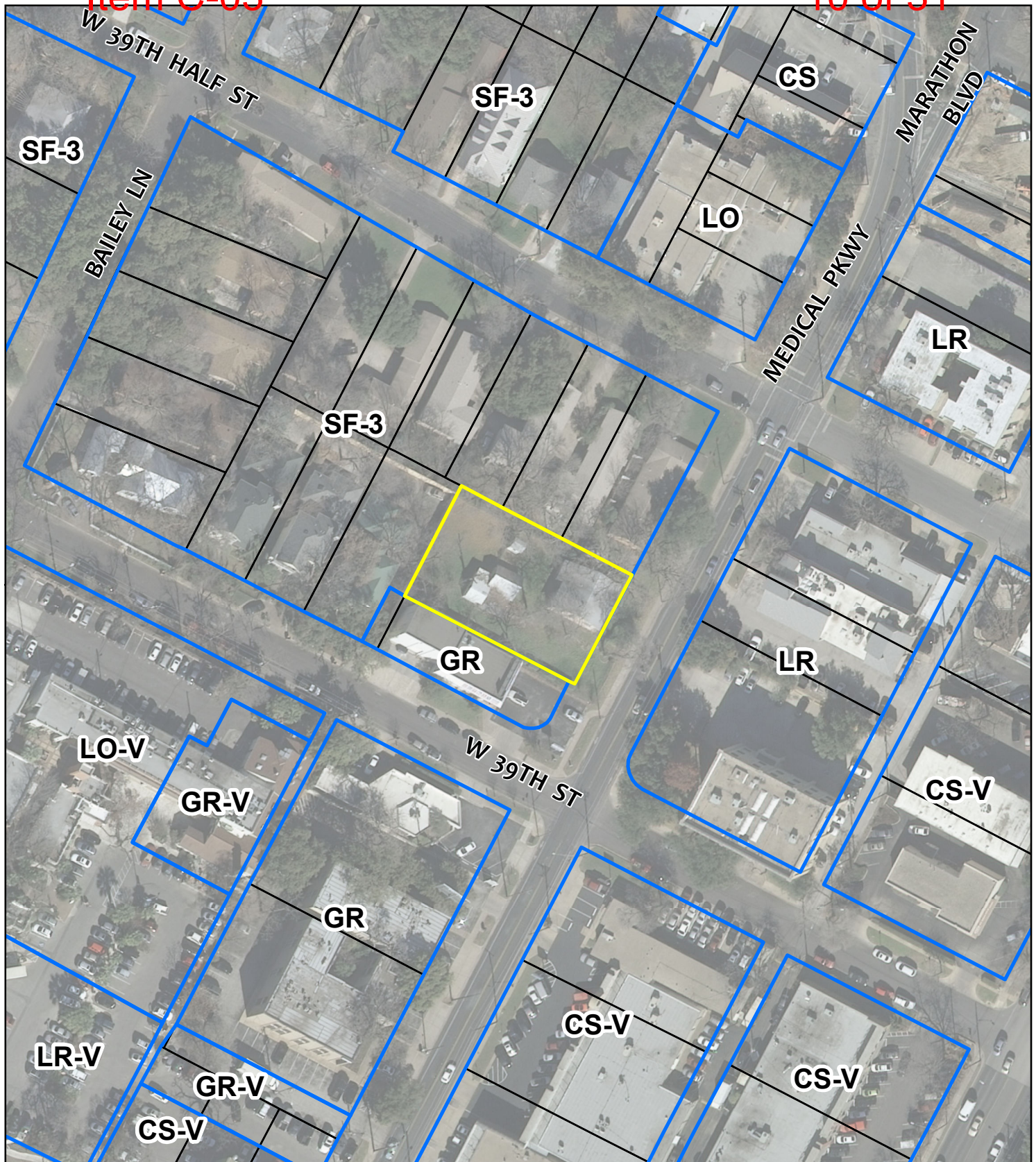
This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**Created: 12/18/2017**

1" = 200'





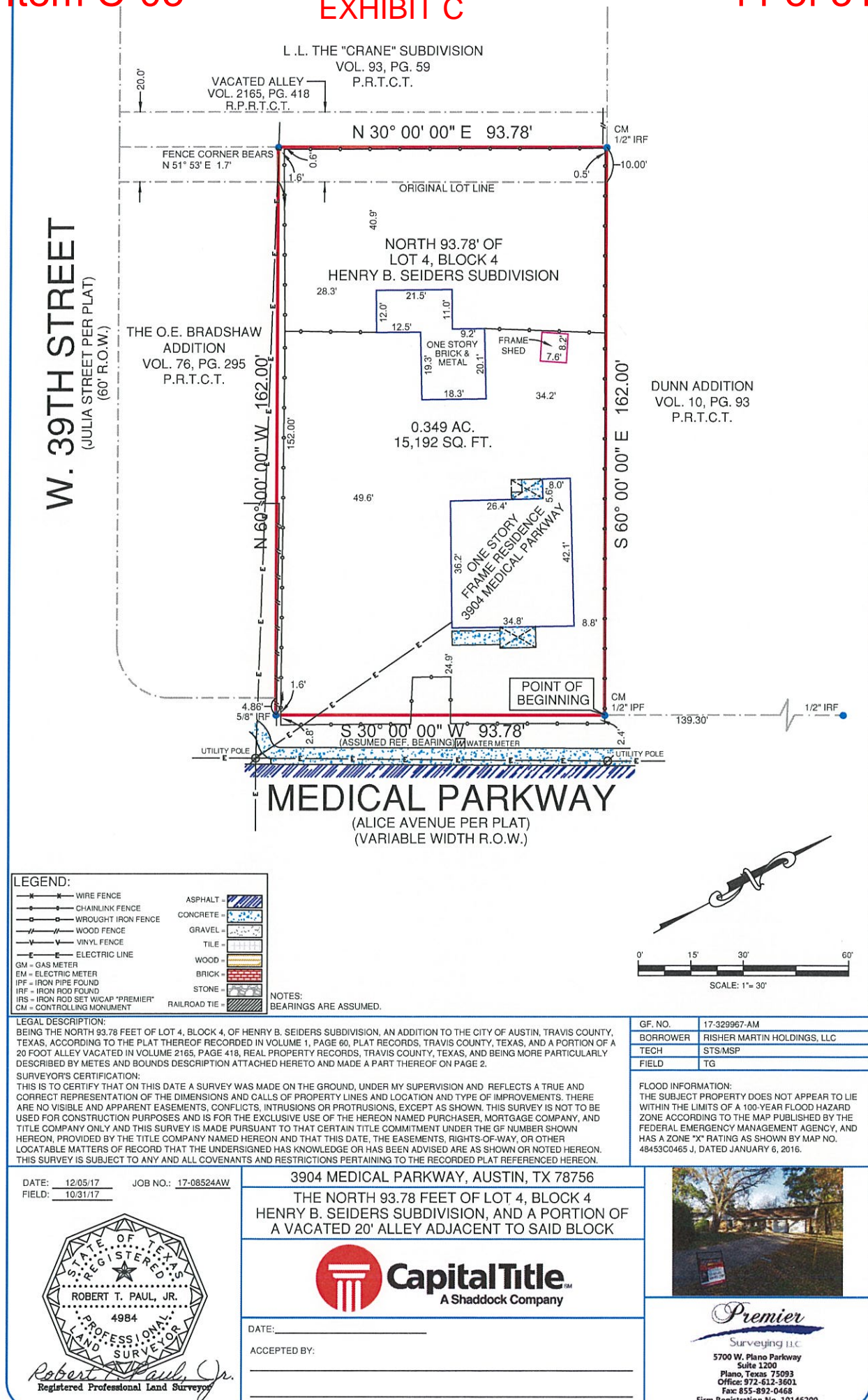
## ZONING & VICINITY

Zoning Case: C14-2017-0152  
 Address: 3904 Medical Parkway  
 Subject Area: 0.34 Acres  
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







**PREMIER SURVEYING LLC**

5700 W. Plano Parkway, Suite 1200  
Plano, Texas 75093  
972-612-3601  
Fax: 972-964-7021

**Exhibit "A"**  
**(3904 MEDICAL PARKWAY)**

BEING THE NORTH 93.78 FEET OF LOT 4, BLOCK 4, OF HENRY B. SEIDERS SUBDIVISION, AN ADDITION TO THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 1, PAGE 60, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND A PORTION OF A 20 FOOT ALLEY VACATED IN VOLUME 2165, PAGE 418, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

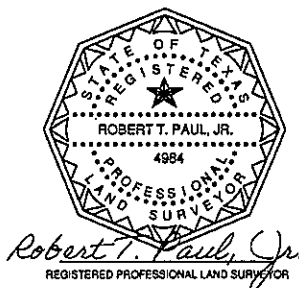
BEGINNING AT A 1/2-INCH IRON PIPE FOUND AT THE EAST CORNER OF SAID LOT 4 AND THE SOUTH CORNER OF DUNN ADDITION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10, PAGE 93, SAID PLAT RECORDS, SAID IRON PIPE BEING ON THE NORTHWEST LINE OF MEDICAL PARKWAY (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 30° 00' 00" WEST, A DISTANCE OF 93.78 FEET ALONG SAID NORTHWEST LINE TO A 5/8-INCH IRON ROD FOUND;

THENCE NORTH 60° 00' 00" WEST, DEPARTING SAID NORTHWEST LINE, PASSING THE EAST CORNER OF THE O. E. BRADSHAW ADDITION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 76, PAGE 295, AFORESAID PLAT RECORDS, AT A DISTANCE OF 4.86 FEET AND CONTINUING ALONG THE NORTHEAST LINE OF SAID O. E. BRADSHAW ADDITION, PASSING THE COMMON LINE OF AFORESAID LOT 4 AND AFORESAID ALLEY AT A DISTANCE OF 152.00 FEET AND CONTINUING A TOTAL DISTANCE OF 162.00 FEET TO A POINT FROM WHICH A FENCE CORNER BEARS NORTH 51° 53' EAST - 1.7 FEET, SAID POINT BEING THE NORTH CORNER OF SAID O. E. BRADSHAW ADDITION, AND BEING ON THE SOUTHEAST LINE OF L. L. THE "CRANE" SUBDIVISION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 93, PAGE 59, SAID PLAT RECORDS;

THENCE NORTH 30° 00' 00" EAST, A DISTANCE OF 93.78 FEET ALONG THE SOUTHEAST LINE OF SAID L. L. THE "CRANE" SUBDIVISION TO A 1/2-INCH IRON ROD FOUND AT THE EAST CORNER OF SAID SUBDIVISION, SAID IRON ROD BEING ON THE SOUTHWEST LINE OF AFORESAID DUNN ADDITION;

THENCE SOUTH 60° 00' 00" EAST ALONG SAID SOUTHWEST LINE, PASSING THE NORTH CORNER OF AFORESAID LOT 4 AND THE SOUTHEAST LINE OF AFORESAID ALLEY AT A DISTANCE OF 10.00 FEET AND CONTINUING ALONG THE COMMON LINE OF SAID LOT 4 AND SAID DUNN ADDITION A TOTAL DISTANCE OF 162.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 15,192 SQUARE FEET OR 0.349 OF ONE ACRE OF LAND.



Survey Plat of even date attached hereto and made a part hereof.

Date: 10/31/17

EXHIBIT D

December 21, 2017

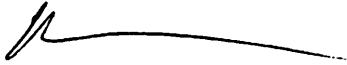
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 3900 Medical Parkway, my property is adjacent to the applicant's entire southwest property line, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19'.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Cullipher', with a long horizontal stroke extending to the right.

Brad Cullipher  
3900 Medical Parkway  
Austin, TX 78756

December 21, 2017

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 1101 to 1205 West 39 1/2th Street, my six properties are directly adjacent to the applicant's entire northeast property line, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19'.

Sincerely,

A handwritten signature in black ink that reads "Dick Rathgeber". The signature is fluid and cursive, with the first name "Dick" and last name "Rathgeber" clearly legible.

Dick Rathgeber  
1101, 1103, 1105, 1201, 1203, and 1205 West 39 1/2th Street  
Austin, TX 78756

January 3, 2018

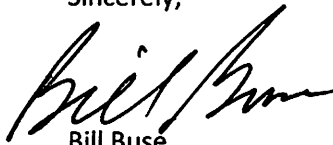
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 1200 West 39<sup>th</sup> Street, my property is directly adjacent to the applicant's entire northwest property line, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Buse", with a stylized, flowing script.

Bill Buse  
1200 West 39th Street  
Austin, TX 78756

January 19, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4414 Shoalwood Avenue, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,



Billy Murphy  
4414 Shoalwood Avenue  
Austin, TX 78756



January 16, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4206 and 4208 Marathon Boulevard, my homes are located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,  


David Wilson  
4206/4208 Marathon Boulevard  
Austin, TX 78756

January 16, 2018

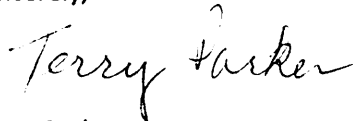
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4312 Marathon Boulevard, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

A handwritten signature in black ink that reads "Terry Parker". The signature is written in a cursive, flowing style.

Terry Parker  
4312 Marathon Boulevard  
Austin, TX 78756

January 3, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

We are writing to provide our support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4301 and 4303 Shoalwood Avenue, our homes are located in the Rosedale Neighborhood, and we are supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

Handwritten signatures of Whit Swift and Becka Swift in black ink.

Whit Swift  
Becka Swift  
4301 and 4303 Shoalwood Avenue  
Austin, TX 78756

January 16, 2018

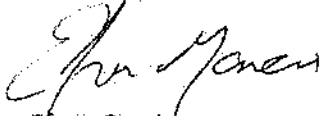
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4005 Rosedale Avenue, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

A handwritten signature in black ink, appearing to read "Efrén García". The signature is fluid and cursive, with the first name being more prominent.

Efrén García  
4005 Rosedale Avenue  
Austin, TX 78756

January 16, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4300 Marathon Boulevard, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Cuppett', followed by a long horizontal line.

Tim Cuppett  
4300 Marathon Boulevard  
Austin, TX 78756

January 3, 2018

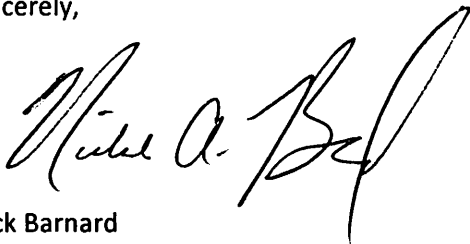
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4112 Sinclair Avenue, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick A. Barnard". The signature is fluid and cursive, with a large, sweeping "B" at the end.

Nick Barnard  
4112 Sinclair Avenue  
Austin, TX 78756

*Charles D. Livingston, M.D., F.A.C.S.*

*Robert E. Askew, Jr., M.D., F.A.C.S.*

*Brant E. Victor, M.D., F.A.C.S.*

*Jeffrey T. Meynig, M.D., F.A.C.S.*

*John A. Abikhaled, M.D., F.A.C.S.*

*Mark Lindsey, M.D., F.A.C.S.*

*Mark Glover, M.D.*

January 17, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 3901 Medical Parkway, my place of business is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,



Robert E. Askew, Jr., M.D.  
Austin Surgeons, PLLC  
3901 Medical Pkwy #200  
Austin, TX 78756

1/23/18

January 24, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4210 Marathon Boulevard, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

A handwritten signature in black ink, appearing to read "Cathy Johnson", with a long horizontal flourish extending to the right.

Cathy Johnson  
4210 Marathon Boulevard  
Austin, TX 78756



January 16, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4312 Marathon Boulevard, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

*Terry Parker*  
*4312 Marathon Blvd.*  
*Austin, Tx. 78756*

## PUBLIC HEARING INFORMATION

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

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

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

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

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

[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

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

Case Number: C14-2017-0152

Contact: Scott Grantham, 512-974-3574

Public Hearing: Feb 06, 2018, Zoning and Platting Commission

Mar 01, 2018, City Council

Your Name (please print)

Dan J Jackson

Your address(es) affected by this application

3810 MEDICAL PLAZA

Signature

Date

Daytime Telephone:

Comments:

I am in favor of

OFFICE Zoning only

☒ I am in favor  
☐ I object

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

City of Austin

Planning & Zoning Department

Scott Grantham

P. O. Box 1088

Austin, TX 78767-8810

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**Case Number:** C14-2017-0152  
**Contact:** Scott Grantham, 512-974-3574  
**Public Hearing:** Feb 06, 2018, Zoning and Platting Commission  
 Mar 01, 2018, City Council

KATHLEEN MONTE  
*Your Name (please print)*

☒ I am in favor  
☐ I object

3907 BAILEY LN 78756  
*Your address(es) affected by this application*

*Kathleen Monte*  
*Signature*

2/2/18  
*Date*

Daytime Telephone: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

January 26, 2018

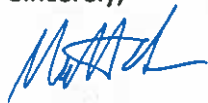
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4804 Woodview Ave, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,



Matt Houston  
4804 Woodview Ave  
Austin, TX 78756

February 2, 2018

Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4706 Finley Dr, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Reeder', with a stylized flourish at the end.

Rick Reeder  
4706 Finley Dr  
Austin, TX 78731



February 8, 2018

Mayor and City Council Members  
301 West 2<sup>nd</sup> Street  
Austin, TX 78701

Re: 3904 Medical Parkway Rezoning (C14-2017-0152)

Dear Mayor and City Council Members,

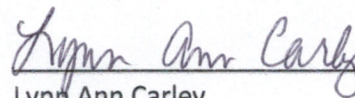
We are the owners of property located within 500 feet of the site. This letter is to document our conditional support of the rezoning of 3904 Medical Parkway from SF-3 to LO-MU, and the compatibility variance from 23.5 feet to 19 feet on the northern property boundary.

We believe that the intended rezoning makes sense for the property with some limitations. The site is located adjacent to single family zoned and used property. In addition, the Applicant is requesting a compatibility variance. For these reasons, we believe that the zoning should be limited to a maximum height of two stories and 32 feet within the conditional overlay of the zoning.

On the west side of Medical Parkway between 38<sup>th</sup> Street and 45<sup>th</sup> Street, there are only two other properties that have a height of three stories. Neither of those properties are located directly adjacent to single family zoned or used properties. In addition, both of those properties are separated from single family properties by streets and Ramsey Park. Limiting the height to a maximum of two stories and 32 feet in height would be consistent with this section of the neighborhood.

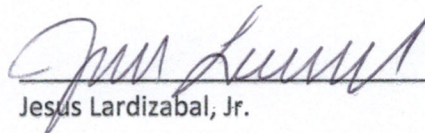
Based on this information, we hereby request a conditional overlay to the zoning that would limit the height to a maximum of two stories and 32 feet.

Sincerely,



Lynn Ann Carley

Owner of 1200 West 39<sup>th</sup> ½ Street



Jesus Lardizabal, Jr.

Owner of 1200 West 39<sup>th</sup> ½ Street

## EXHIBIT E

**Jeff Archer, President  
ROSEDALE NEIGHBORHOOD ASSOCIATION  
4103 Rosedale Ave.  
Austin TX 78756  
(512) 423-3947  
jeffarcher@yahoo.com**

February 6, 2018

City of Austin Zoning and Platting Commission

Re: Zoning Change Application – Case C14-2017-0152 - 3904 Medical Parkway,

Dear Zoning and Platting Commissioners and Staff:

The Rosedale Neighborhood Association opposes the rezoning request for the tract at 3904 Medical Parkway from SF-3 to LO. While our steering committee is divided over this particular case, we are united in our concern that residential zoning be respected in the transitional areas where commercial and residential uses are adjacent. The lot in question is on a block that is all residential but for one property, and in fact is adjacent to a substantial residential redevelopment. The request to rezone is not based on the unsuitability of the lot for residential use. This is rather a perfect location for thoughtful urban residential development, being near restaurants, shopping, medical offices, mass transit, and other amenities as well as close to UT and downtown. Our opposition is not based on the proposed LO use per se but rather on the casual transfer of residential property to commercial use without compelling justification.

We would like to add that the RNA would support a mixed use classification of the zoning that included a bona fide residential component.

Sincerely,



Jeff Archer, President  
Rosedale Neighborhood Association