

**Z-10**

**Guernsey, Greg**

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**From:** DENESE D. MOSLEY [DENESE@HANNALEONARD.COM]  
**Sent:** Thursday, February 12, 2004 11:35 AM  
**To:** sarah crocker; Ann Denkler; Bill Bradley; william\_bradley@dell.com;  
EAGRAY@MAIL.UTEXAS.EDU; BJAEGER@austin.rr.com; BEN FRIEDRICHS;  
BARBARABORDENEUROPEANKNITS@NETZERO.NET  
**Subject:** REVISED LETTER OF AGREEMENT

Sarah: Attached are suggested revisions to the letter. With the exception of the traffic issue raised by Balcones Towers, I think it addresses all issues discussed. I am comfortable signing this letter as revised.

Denese

2/12/2004

DRAFT

February 12, 2004

The Honorable Mayor Will Wynn and Council Members  
P.O. Box 1088  
City of Austin  
Austin, Texas  
78767

RE: LETTER OF AGREEMENT FOR ZONING CASE # C14-03-0120

Dear Mayor Wynn and Council Members,

The applicant and the neighborhood have reached an agreement on the **above-referenced** zoning case. We have met with Greg Guernsey and Deborah Thomas to discuss the manner in which the key points of our agreement can be included in the zoning ordinance. As per our discussion, it is our understanding that all of these items can be included as part of the Conditional Overlay.

All parties have worked diligently to arrive at this agreement and we would respectfully request the **Council's** consideration and approval of this case on first (1<sup>st</sup>) reading.

- As per the attached exhibit, the property be rezoned from LO-CO and GO-CO to GO-CO for Tract A and GR-CO for Tract B (footprint zoning for the proposed bank)
- That access to Hart Lane is prohibited.
- The trip limitation for this tract is 3230 trips per day which represents the maximum number of trips that will be generated by the proposed development (see attached memo from WHM traffic engineers).
- As per our negotiations we agree that the uses listed below shall be permitted for Tract A. All other uses in GO shall be prohibited.
  - a.) Medical offices up to 5000 sq.ft.;
  - b.) Medical offices that exceed 5000 sq.ft.;
  - c.) Hospital Services Limited;
  - d.) Professional Offices;
  - e.) Administrative and Business Offices; **and**
  - f.) Software Development.
- As per our negotiations we agree that the uses listed below shall be permitted for Tract B. All other uses in GR shall be prohibited.

- a.) Medical offices up to 5000 sq.ft.;
  - b.) Medical offices that exceed 5000 sq.ft.;
  - c.) Hospital Services Limited;
  - d.) Professional Offices;
  - e.) Administrative and Business Offices;
  - f.) Software Development; **and**
  - g.) Financial Services.
- A 55-foot building setback shall be established along the rear (western) property boundary.
  - **For purposes of this agreement, "sea level" is defined as 725 ft.** The following height restrictions shall apply to the entire tract:
    - a.) The roof deck of any structure may not exceed 765 feet above sea level; **and**
    - b.) The combined height of the roof deck and mechanical screening or parapet erected on any structure may not exceed 771 above sea level.

This agreement represents the first time in almost twenty years that a zoning case will be presented to the City Council for this tract without a valid petition. On behalf of all the participants in this process, I would request that Council approve the zoning request on this tract with these conditions.

Sincerely,

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Ted Mecklin for (Gerald Kucera)  
Balconies Centrum Ltd.  
Applicant

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William Bradley or Ann Denkler  
Northwest Hills Civic Association

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Denese Mosley  
President  
Imperial Condominiums  
Homeowners Association

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Barbara Borden  
President  
Balcones Towers  
Homeowners Association

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Sarah Crocker  
Authorized Agent for  
Balconies Centrum Ltd.  
Applicant