

TO: Sherri Sirwaitis

Page 1 of 3

FR. Paul DeNucci

DATE 10/11/2006

RE: Case # C14-06-0172 Arboretum Retirement Community
Letter From Leslie Henges Dolliver dated 10/5/2006

I am in receipt of the above letter which is now part of the file on the above case. With all due respect to Ms. Dolliver, as the developer of this proposed project, I would like to comment on some of the items contained in her letter.

Everyone should be aware that no one on my development team knew Ms. Dolliver or had ever met her prior to the ZAP meeting that she attended on 10/3/2006. We have been in contact with David and Judith Henges (her parents - the owners of record of the 2 acre site that she refers to) since December of 2005. I met her for the first time after the meeting when she introduced herself to me. I gave her my card and she e-mailed me later that week to inform me that from that point forward, all communication concerning her parents land should go through her and not to contact her father again. I was happy to oblige, because we had recently been largely unsuccessful in getting her parents to respond to our communications dating back to December of 2005 even though we had numerous conversations concerning our desire to purchase the land.

Obviously, had we known that Ms. Dolliver would be involved with our discussions and negotiations with her parents, we would have copied her on all correspondence and, had we known earlier, only dealt with her. I have been working on this project for 3 years this fall and have been in contact with her parents since December 1st 2005. (10 months). I spoke to her parents numerous times and made multiple offers to purchase their 2 acre tract. We were not successful in our offers and we settled on the Pavilion Blvd. tract and worked on that project until June of this year. We ultimately withdrew our application and made another offer to the Henges' later that month. Again, they did not respond, so we proceeded with developing the adjacent 2 acre tract. **Please see the attached 4 letters that were mailed to her parents.** I have always shared with them that we were proposing a multi-story condominium building. He did call me in May to tell me that one of the opposing parties had knocked on his door and asked him to sign a petition against the Pavilion site. He said he did not sign and wanted to know "if he could help solve this whole problem by selling me his land" and if I was still interested in moving the project there. I told him I would consider it, and he said he had some land out in the country that he wanted to buy and exercise an IRS Section 1031 like/kind exchange if I would purchase his land. He said he would get back with me with a counter offer. He never did counter me.

Ms. Dolliver arrived the night of the ZAP hearing and introduced herself after the meeting. Her letter contains some things that need to be addressed.

- 1 This project is not new to her parents, I have been in contact with them since December of 2005, repeatedly asking them to meet with me so I could share with them what is being proposed and answer any of their questions (see attached letters dated 12/9/2005, 12/21/2005, 6/19/2006, and 6/29/2006. Please note the last paragraph in the 6/29/2006 letter 'I would appreciate the opportunity to discuss the project with you even if you are not interested in selling. We sincerely want to be a good neighbor and would like to address any concerns you may have about our proposed project'.
- 2 In fact, in another attempt to try and meet with Dr. Henges, I spoke with my attorney to see if he had any ideas. Earlier, Dr. Henges told me who his attorney was and that if we had a deal, he would be representing him. My attorney called his attorney and asked him to inquire if Dr. Henges would please meet with us. His attorney reported back in September that Dr. Henges did not want to meet or discuss the project and preferred to stay out of it altogether.
3. We do indeed have issue with the lender on this project due to the fact that we are in our second 6 month forward commitment and nearing the end of the calendar year. We do have business going forward with this proposed project and are again nearing the end of the commitment. As I said this process has been right at 3 years now and the funds have been in the pipeline for nearly 12 months. Again, with all due respect, I am not sure Ms. Dolliver really know how all this works. There are many factors that effect projects like this and my lender(s) have monitored our progress very closely especially after the Pavilion site withdrawal. We have many milestones to reach for the funding to take place and this is one of them.
4. Ms Dolliver states that her father is for a postponement *so that he may have an opportunity to learn more about the project.* Why, then, did he not respond to my requests to share this with him prior to our 10/3/2006 meeting? If she was going to take over the project discussions, why did this transition not take place earlier?
- 5 Ms Phelps did not lie about what Dr. Henges stated. He made it clear to her and through his attorney to my attorney that he would not be opposing or supporting the project. Ms Phelps spoke to Dr. Henges in the evening on 10/2/2006.

- 6 Ms. Dolliver was not present on the evening of our ZAP meeting for the Pavilion hearing. I do not think she is aware that we initially received a favorable vote for our requested zoning and then, after we left the chambers, had the vote rescinded and received no recommendation. We were not allowed to speak before the re-vote and were told the public hearing was closed. Mr. Shafer, on the other hand, was allowed to address the commission under the same circumstances. In other words, the same process (vote, rescind, revote) happened to us. I reminded Mr. Shafer of that later and he acknowledged that was the case. He, apparently, also forgot what transpired at that earlier hearing.
- 7 Ms. Dolliver again asks for 10 more weeks to discuss the proposed development. I again ask why did I not receive any response to my requests to discuss the project? The last being a full 15 weeks prior to the ZAP meeting. This would have given us 5 more weeks than her current request.
8. Mr. Young supports our development and is not interested in discussing alternate plans or other uses at this time.

In summary, I believe Ms. Dolliver is just mis-informed about the history of this project. We have repeatedly tried to meet with her parents to no avail. They have not responded to any of our written requests and stated that they will not oppose or support the proposed project. We have proceeded on that basis.

As Ms. Dolliver stated, I will be meeting with her in the morning to answer any of her questions and share with her our proposed development.

Thank you.

Very truly yours,
Paul DeNucci

TO: Mr and Mrs. Dr. David Henges

Personal and confidential

FR: Paul DeNucci 658-3986

DATE: 6/19/2006

RE: Pavilion Condominiums

Thank you for speaking with me again this past Friday about your land and office on Jollyville Rd. I know you have many things on your plate at this time and do not want to upset you. I am very sincere in writing this letter and trust you will keep this confidential.

As you may recall, we have had many conversations regarding your property and the potential purchase of it for our development. After 7 months, we are scheduled for our first public hearing on our development at Jollyville Rd. and Pavilion Blvd. this Thursday. I know you stated that you would rather wait until after our hearing to talk further. That is why I called you Friday

We have a small window of opportunity at this time to offer you \$2,000,000.00 for your land. Myself and the owner's of the Chuy's Restaurant have agreed in principle on how we would work together to construct our building and their new parking. As you are aware, they have purchased the adjoining 2 acres from the Montez family and we will be removing the home and other structures soon. Clearly, the best opportunity is *before* the public hearing on Thursday. There are many reasons why this has come about and why we can now make this offer. Things will be very different after Thursday. Whatever the outcome, we will be in a very different situation after the vote -- either way. I would be happy to share this scenario with you in person and explain why we have this opportunity this week. I am not bluffing or trying to be pushy. This is just where we are at and have come a long way on this project with the City Council.

We are also ready to immediately pay your 2006 property taxes for you as we work out any details. You should be able to stay in your buildings and have business as usual until at least the end of the year. We will have time to make sure you have a smooth transition into a new office and address any other concerns you may have.

We really do care about this being a win-win for all of us: You receive a premium for your land, Chuy's gets their parking and we build our building. The opportunity is here now and I really would appreciate your consideration.

As always, Thank You

Paul DeNucci 658-3986

SDN, Inc.

5114 Balcones Woods Dr.
PMB 307-430
Austin, Texas 78759

Phone 512-418-0279
Fax 512-418-0528

SDNINC@AUSTIN.RR.COM

December 21, 2005

Dr. David Henges
11603 Jollyville Rd.
Austin, Texas 78759

Dear Dr. Henges:

Just a follow-up to my letter dated 12/9/05 regarding our offer to purchase your land on Jollyville Road. The last time we spoke, you mentioned that one of the issues was that you had planned to operate your practice at that location for another 5 years or so. If required, we would purchase or lease a nearby office or office/ condominium for you to relocate your practice to for this period of time. You would then operate at this new location rent-free for the 5 year period.

Please feel free to call me with any questions. 512-658-3986

Very Truly Yours,
SDN, INC.,

Paul DeNucci
President

SDN, Inc.

5114 Balcones Woods Dr.
PMB 307-430
Austin, Texas 78759

Phone 512-418-0279
Fax 512-418-0528

SDNINC@AUSTIN.RR.COM

December 9, 2005

Dr. David Henges
11603 Jollyville Rd.
Austin, Texas 78759

Dear Dr. Henges:

I had written to you recently and we also previously discussed your land on Jollyville Rd. Our offer on another tract off Jollyville Rd. has been accepted and we are preparing to go forward with city and neighborhood approval.

I still believe your land is highly suitable for this project and as I stated in my previous letter, we are building a high rise condominium and believe we can pay you a premium for your land.

I am extending an offer of One Million Two Hundred Ten Thousand (\$1,210,000.00). My company will pay all real estate commissions. This offer is good until 12/29/2005 at 5:00 PM.

Please feel free to call me with any questions. 512-658-3986

Very Truly Yours,
SDN, INC.,

Paul DeNucci
President

SDN LTD.

5114 Balcones Woods Drive

PMB 307-430

Austin, TX 78759

Phone 512-418-0279

SDNINC@AUSTIN.RR.COM

Fax 512-418-0528

June 29, 2006

Dr. David and Judith Henges
11603 Jollyville Rd.
Austin, Texas 78759

Via Certified Mail

Dear Mr. and Mrs. Henges:

I am writing to you regarding your property on Jollyville Rd. On the 2 acre tract next to your property, we are preparing to make our zoning application for the construction of a multi-level condominium building and parking garage to be shared with the adjacent restaurants.

Our offer of \$2,000,000.00 still stands for your property. However, would you consider subdividing and selling the back portion only (approximately 150') to better accommodate the parking portion of the project? The parking garage would extend across the back of both lots and serve the restaurants and residential community. You would retain all of the Jollyville frontage of your property, your existing buildings, and the majority of the lot.

I would appreciate the opportunity to discuss the project with you even if you are not interested in selling. We sincerely want to be a good neighbor and would like to address any concerns you may have about our proposed project.

Very truly yours,
SDN, INC.,

Paul T. DeNucci 658-3986

Sirwaitis, Sherri

From: Julian Hang [REDACTED]
Sent: Monday, October 16, 2006 10 28 AM
To: Anguiano, Dora; Sirwaitis, Sherri
Subject: FW Case # C14-06-0172, Item # 5 October 17, 2006

Dear ZAP Staff Liaison and Case Manager:

I am a homeowner in NW Austin along Jollyville and US 183. I am writing you today because there will be a hearing tomorrow by an applicant to consider rezoning so they can build a 12 story condo. I am asking you to please deny the applicant's proposal. I have lived in the area the last 8 years and like how development in NW Austin has progressed. I know in the past, such requests have always been denied because there are alternatives to such developments that do not require such zoning variances. I recommend additional work be done to develop a compatible plan that would be acceptable to adjacent landowners and area neighborhoods.

Thank you for your time and work in this matter.

Regards,

Julian Hang
11919 Arabian Trl
Austin, TX 78759

Sirwaitis, Sherri

From: Rebecca Powers [REDACTED]

Sent: Saturday, October 14, 2006 3:04 PM

To: [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Martinez, Mike [Council Member], Cole, Sheryl; Wynn, Will, Dunkerley, Betty, McCracken, Brewster, Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard, Aguilera, Gloria; Bailey, Rich, Curtis, Matt; Levinski, Robert, Corpus, Grace; Futrell, Toby; Haines, Dina, Mormon, Andy; May, Rachel, [REDACTED] Moore, Andrew, Robbins, Beverly, Thompson, Kenny; Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

RE: Case # C14-06-0172 Arboretum Retirement Community

I support this proposed condo development for NW Austin. Being able to 'age in place' makes for a healthier aging population. The developers have worked long and hard to make this project affordable for prospective owners and environmentally responsible.

Rebecca Powers
NW Austin Homeowner

10/16/2006

Sirwaitis, Sherri

From: Lisa Maxwell [REDACTED]
Sent: Friday, October 13, 2006 3 38 PM
To: Naja Barrett
Cc: [REDACTED]
[REDACTED]

[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will, Dunkerley, Betty; McCracken, Brewster, Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard, Aguilera, Gloria, Bailey, Rich; Curtis, Matt, Levinski, Robert, Corpus, Grace, Futrell, Toby; Haines, Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Thompson, Kenny; Sirwaitis, Sherri; Robbins, Beverly

Subject: Case # C14-06-0172 Arboretum Retirement Community - Please vote in Favor

I am writing as a business owner and 30+ year resident of Northwest Austin
Please vote in support of this project, as it is much needed and serves a rapidly growing segment of the population in this part of town.
Recently, we relocated my mother-in-law to a small duplex off Jollyville Road, and would have welcomed the option of a development such as this.

Thank you in advance for your support
Naja Barrett Larsen
6800 Ladera Norte



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10/16/2006

Sirwaitis, Sherri

From: Skip Cameron [REDACTED]
Sent: Friday, October 13, 2006 3:14 PM
To: Guernsey, Greg, Rusthoven, Jerry
Cc: Sirwaitis, Sherri
Subject: Letter



letter.pdf (143 KB)

Greg/Jerry:

See attached letter I received today, scanned into .pdf format.
Since you are named in the letter, I thought you should be aware of it.
You might want to forward it to the City Attorney too.
Sherri should add it to the case backup material, since it pertains to this case.

Skip Cameron, President
Bull Creek Foundation
8711 Bluegrass Drive
Austin, TX 78759-7801
(512) 794-0531

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for more information www.bullcreek.net

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Anthony P. Romano, P.C.
A Professional Corporation

(512) 918-0337
(512) 918-0552

Thursday, October 12, 2006

L. G. "Skip" Cameron
8711 Bluegrass Drive
Austin, Texas 78759

BY OVERNIGHT CMRRR: *Hand Delivered*

RE: Our Client: Paul DeNucci
Your Client: NA
DOI: 09-10-06/10-02-06
Your file No.: N/A
Our File No: PD091006LCtmf100206

Dear Mr. Cameron,

Please be informed that this office will be filing a lawsuit against you, and possibly others, for libel and slander and slander per se. Such action is the result of your reckless, malicious and false statements that you made to Greg Guernsey, Jerry Rusthoven and others regarding Mr. DeNucci's credibility and voracity as a professional. The letter you wrote is attached herein for your review as an example of your conduct.

In conjunction with this notice we request that you immediately **CEASE AND DESIST** from any and all activity that slanders, maligns, or demigrates the integrity or credibility of Mr. DeNucci or his Arboretum Condominium project in Austin, Texas.

This letter is to inform you and, prior to our filing our lawsuit, to provide you with notice not to do the following: destroy, conceal or alter any paper or electronic files and other data generated by and/or stored on your computers and storage media (e.g.; hard disks, floppy disks, backup tapes), or any other electronic data, such as voice mail pertaining, text messaging, directly/indirectly to the above regarded matter generated from the calls and or text messaging to and from you or any other entity or person, or any member of the Bull Creek Foundation, potential member, witness or acquaintance that you, Jeff Jack, Brad Schafer, and or Jenny Schafer has been in contact with since October 2005 while using this form of medium. As you know, your failure to comply with this notice can result in severe sanctions being imposed by the court for spoliation of evidence or potential evidence. Through discovery, which shall be served on you in the short term, we expect to obtain from you a number of documents and things, including files stored on your computer storage media.

In order to avoid spoliation, you will need to provide the data requested on the original media when the time is appropriate. Do not reuse any media to provide this data.

Although we may bring a motion for an order preserving documents and things from destruction or alteration, your obligation to preserve documents and things for

discovery in this case arise in law and equity independently from any order on such motion.

Electronic documents and the storage media on which they reside contain relevant, discoverable information beyond that which may be found in printed documents. Therefore, even where a paper copy exists, we may seek all documents in their electronic form along with information about those documents contained on the media. We also may seek paper printouts of only those documents that contained unique information after they were printed out (such as paper documents containing handwriting, signatures, marginalia, drawings, annotations, highlighting and redactions) along with any paper documents for which no corresponding electronic files exist.

Our discovery requests may also include a request for certain data on the hard disks, floppy disks and backup media used in your computers, some of which data are not readily available to an ordinary computer user, such as "deleted" files and "file fragments." As you may know, although a user may "erase" or "delete" a file all that is really erased is a reference to that file in a table on the hard disk; unless over written with new data, a "deleted" file can be as intact on the disk as any "active" file you would see in a directory listing.

Accordingly, electronic data and storage media that may be subject to our discovery request and that you are obligated to maintain and not alter or destroy, include but are not limited to the following:

All digital or analog electronic files, including "deleted files and file fragments, stored in machine-readable format on magnetic, optical or other storage media, including the hard drives or floppy disks used by your computers and their backup media (e.g., other hard drives, backup tapes, floppies, Jaz cartridges, CD-ROMs) or otherwise, *whether such files have been reduced to paper printouts or not.* More specifically, you are to preserve all of your e-mails, both sent and received, whether internally or externally; all word-processed files, including drafts and revisions; all spreadsheets, including drafts and revisions; all databases; all CAD (computer aided design) files, including drafts and revisions; all presentation data or slide shows produced by presentation software (such as Microsoft PowerPoint (TM)); all graphs, charts and other data produced by project management software (such as Microsoft Project (TM)); all data generated by calendaring, task management and personal information management (PIM) software (such as Microsoft Outlook (TM) or Lotus Notes (TM)) all data created with the use of personal data assistants (PDAs), such as Palm Pilot, Blackberry, or other Windows CE-based or Pocket PC devices; all data created with the use of document management software or Customer Relationship Management (CRM) software; all data created with the use of paper and electronic mail logging and routing software; all Internet and Web-browser-generated history files, caches and "cookies" files generated at the workstation of each employee and/or agent in your employ and on any and all backup storage media; and any and all other files generated by users through the use of computers and or telecommunications, including but not limited to voice mail. Further, you are to preserve all copies of your backup tapes and the software necessary to reconstruct the data and those tapes, so that

there can be made completed bit-by bit "mirror" evidentiary image copy of the storage media of each and every personal computer (and/or workstation) and network server in your control and custody, as well as image copies of all hard drives retained by you and no longer in service, but in use at any time from October 1", 2005 to present which you, Jeff Jacks, Brad Schafer, Jenny Schafer, the Bull Creek Foundation and or its affiliates, associates, members and or assigns or any other person relevant to your slanderous remarks made or ones yet to be discovered. You are also not to pack, compress, purge or otherwise dispose of files and parts of files unless a true and correct copy of such files is made

You are to preserve and not destroy all passwords, decryption procedures (including, if necessary, the software to decrypt the files); network access codes, ID names, manuals, tutorials, written instructions, decompression or reconstruction software, and any and all other information and things necessary to access, view and (if necessary) reconstruct the electronic data we may request through discovery.


By this letter, we hereby demand that you take all necessary and appropriate steps to preserve and protect any and all evidence that may be in any way relevant to this matter, including, without limitation, all documents and /or electronic data in your possession, custody or control. Your failure to preserve such evidence may subject you to additional claims for spoliation of evidence under state and federal law.

PLEASE GOVERN YOURSELVES ACCORDINGLY

With Kindest Regards,

ANTHONY P. ROMANO, P.C.

BY: Anthony P. Romano


12325 Hymeadow Dr., Bldg. 1, Suite 102
Austin, Texas 78750
(512) 918-0337 PH
(512) 918-0552 Fax

APR/cah/tmf

Siriwattis, Sherri

From: Guernsey, Greg
 Sent: Monday, September 11, 2006 10:07 AM
 To: Siriwattis, Sherri
 Subject: FW: Zoning Case C14-06-0172 11601 Jollyville Road 12 story condo

fyi

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

From: Skip Cameron
 Sent: Sunday, September 10, 2006 6:57 PM
 To: Rusthoven, Jerry; Guernsey, Greg
 Subject: Zoning Case C14-06-0172 11601 Jollyville Road 12 story condo

Greg/Jerry:

This is Sherri Siriwattis' case.

Zoning Case C14-06-0172

11601 Jollyville Road 12 story condo

Applicant filed it 08/11/2006.

Applicant's consultant Amelia Lopez-Phelps is trying to get it before ZAP in early October.

Tract is 2 acres, being cleared now of a dwelling.

I hope that the demolition is properly permitted.

Please have Code Enforcement check into this.

Owner: MICHAEL YOUNG, JV ROAD LIMITED, TX LIMITED PARTNERSHIP

Mike Young is the co-founder of Chuy's Comida Deluxe, Inc. and with his political influence may perhaps exert pressure on the City to go along with this plan. However, there's more to the story, behind the scene.

This is a repeat of the case C14-06-0013 at 11619 Pavilion Blvd. just west of this new plan.

The same developer Paul DeNucci, Architect Stuart Alderman and Consultant Amelia Lopez-Phelps are behind this plan.

Like the Pavilion case, this plan calls for a 120 foot high condo building, this time on 2 acres vs. the prior plan on 3.26 acres.

In the Pavilion case, the Staff Recommendation, ZAP vote and Council vote denied the applicant's MF-6 zoning and they never got to the Board of Adjustment for the 120 ft. height variance.

It was clear in all of the dialog that the Pavilion plan did not comply with the Jollyville/183 corridor plan, was incompatible with corridor developments at height limits of 60 ft., was clearly a case of "spot zoning", was out of context with the entire corridor, and it was opposed by the entire region's neighborhoods and our group. Nothing has changed in this rehash of a City rejected plan.

The landowner with 2 acres immediately to the west has told me of his objection to this venture, primarily for the heavy handed tactics this group tried on him to get him sell his land to them.

Area neighborhood folks who objected to the Pavilion project have heard that DeNucci is bragging that his intent is 'to ram this new site's development approval up their butt', which sounds similar to the suit threats and ugly rhetoric used in during the saga prior to ZAP and Council on that case.

DeNucci's experience as a developer is building a car wash at Jollyville and Pavilion. And a couple others elsewhere in the area. DeNucci engaged a broker to sell his 3 car washes, and then found a buyer on his own, cutting out the broker. The broker retaliated by claiming he had a better offer, causing DeNucci to cancel the offer he had. The broker's offer turned out to be bogus. DeNucci sued, won the case of fraudulent representation, but

got \$0 in settlement because he and his lawyer failed to prove any financial harm. He appealed and lost the appeal. www.dherdon.com/articles.asp?id=192

A12
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I have two requests:

1. I hope you will be extra vigilant, and that the Staff Recommendation will once again deny this frivolous request, and suggest a more compatible use.
2. I would ask you to delay bringing this zoning case to ZAP until at least November, perhaps December if at all possible. Why? After my discussion with the landowner to the west, I think that there is a possibility to get him and the Covert family, who own the tract along Duval adjacent to him, to work with Mike Young, engaging a more area sensitive developer/architect/consultant team to come up with a corridor mixed use development of a larger combined tract that would be profitable, useful, compatible, and aesthetically pleasing. I would like to have some time to engage the adjacent landowners, then approach Young and see what we might be able to work out that area neighborhoods would find acceptable.

Skip Cameron, President
Bull Creek Foundation
8711 Bluegrass Drive
Austin, TX 78759-7801
(512) 794-0531

for more information www.bullcreek.net

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GREG: 974-2327
JERRY: 974-3207
HARRI: 974-3057

Sirwaitis, Sherri

From: Larry G. Smith [REDACTED]

Sent: Friday, October 13, 2006 12:45 PM

To: [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl, Wynn, Will; Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer, Leffingwell, Lee, Haines, Dina; Arellano, Richard, Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby, Haines, Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny; Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

We are fully supportive of the Arboretum Retirement community condominium project which is referenced in the case # above. This type of living facility is desperately needed in this part of the greater Northwest Austin community and will do nothing but enhance the community and is environmentally friendly in the area proposed for construction. We ask for your support in approval to complete construction of this project for the people of Austin and surrounding areas.

Larry and Arlene Smith

10/13/2006

Sirwaitis, Sherri

From: Mark Waage [REDACTED]

Sent: Friday, October 13, 2006 12:14 PM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl, Wynn, Will; Dunkerley, Betty, McCracken, Brewster, Kim, Jennifer; Leffingwell, Lee, Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt, Levinski, Robert, Corpus, Grace; Futrell, Toby; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri

Subject: C14-06-0172 Arboretum Retirement Community

To whom it may concern,

This message is to convey my support for the Arboretum Retirement Community project. I live in the area and would like to have the option to move into that type of building in a few years when the kids have moved out.

There are many similar projects completed or under development in the downtown area, but this is the only one I have heard of in Northwest Austin. It would be nice to have the advantages of condominium living, without moving away from the neighborhood.

Some may argue against having a 'tower' in Northwest Austin. If I understand correctly, we're talking about a 12 story building. From 1/4 mile away a 12 story building is obscured by the 2 story house across the street. To my sensibilities, a well designed building is a landmark, not an eyesore.

Thanks for your consideration.

Regards,
Mark Waage

10/13/2006

Sirwaitis, Sherri

From: Thomson, Justin [REDACTED]

Sent: Friday, October 13, 2006 11:42 AM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will; Dunkerley, Betty; McCracken, Brewster, Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby; Haines, Dina; Mormon, Andy, May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny; Sirwaitis, Sherri; #braunupdate

Subject: Case # C14-06-0172 Arboretum Retirement

This would be an excellent addition to the greater Austin area. I am for the idea and would love to see this area blossom.

10/13/2006

Sirwaitis, Sherri

From: Charles Peterson [REDACTED]
Sent: Thursday, October 12, 2006 7 43 PM
To: [REDACTED]
 [REDACTED]
 [REDACTED] Martinez, Mike [Council Member];
 [REDACTED] Cole, Sheryl; Wynn, Will, Dunkerley, Betty; McCracken, Brewster; Kim,
 Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich;
 Curtis, Matt, Levinski, Robert; Corpus, Grace, Futrell, Toby [REDACTED]
 Haines, Dina; Mormon, Andy; May, Rachel; Robert A Garza@ci.austin.tx.us; Moore,
 Andrew; Robbins, Beverly; Thompson, Kenny; Sirwaitis, Sherri
Subject: Case # C14-06-0172
Follow Up Flag: Follow up
Flag Status: Flagged

Council Members and ZAP Commissioners,

I have reviewed the attached staff report on case # C14-06-0172, Arboretum Tower, and I believe that City staff has done an excellent job with this report. I believe firmly that the zoning requested by Paul DeNucci (via Amelia Lopez Phelps) is completely out of place on Jollyville Road. If Mr DeNucci really wants to build a high rise condo AND if he really wants to put it in NW Austin, why not try for a zoning variance near Hwy 183 and MoPac at the Domain? I doubt anyone would oppose this endeavor if it were situated on an appropriate parcel of land

The staff report states:

"The property in question does **not** meet the intent of the MF-6 district. The purpose statement of the MF-6 zoning district declares, "Multifamily residence highest density district is the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired." **The site under consideration is not located within the central city near a major institution or employment center.** "

I oppose this project because it's incompatible and would set a precedent. I support the idea of building condos for retirees, I think it's a great idea. I think optioning relatively inexpensive land with inappropriate zoning and spending gobs of money to lobby ZAP commissioners, BOA members, and City Council members is a gamble. When you go to Las Vegas, casinos don't give you extra chips for extra effort and neither should city officials, in my opinion.

By my estimation, there are only two ways to view Mr DeNucci's proposal: 1) This proposed condo project is the wrong height for the site selected, or 2) The developer selected the wrong site for the proposed condo.

Please feel free to contact me if you have any questions.

Regards,
 Charles Peterson
 11816 Rain Forest Cv
 Austin, TX 78759
 512-250-5975

10/13/2006

Sirwaitis, Sherri

From: Sherry McHale [REDACTED]
Sent: Thursday, October 12, 2006 6:22 PM
To: Sirwaitis, Sherri, Thompson, Kenny; Robbins, Beverly, Moore, Andrew;
[REDACTED] May, Rachel; Mormon, Andy; Haines, Dina; Futrell, Toby; Corpus,
Grace, Levinski, Robert; Curtis, Matt; Bailey, Rich, Aguilera, Gloria, Arellano, Richard; Leffingwell,
Lee; Kim, Jennifer; McCracken, Brewster; Dunkerley, Betty; Wynn, Will; Cole, Sheryl; Martinez,
Mike [Council Member] [REDACTED]
[REDACTED]
[REDACTED]
Subject: Case # C14-06-0172 Arboretum Retirement Community

Austin Leaders:

My husband and I support the Case # C14-06-0172 Arboretum Retirement Community project,
and feel it is a good and much-needed addition to Northwest Austin.

Thanks very much.

Sherry McHale

Austin Resident

10/13/2006

Sirwaitis, Sherri

From: Leonard W Frey III [REDACTED]

Sent: Thursday, October 12, 2006 5.36 PM

To: [REDACTED]
[REDACTED]
[REDACTED] tinez, Mike [Council Member], Cole, Sheryl; Wynn, Will; Dunkerley,

Betty, McCracken, Brewster; Kim, Jennifer, Leffingwell, Lee; Haines, Dina; Arellano, Richard;
Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert, Corpus, Grace; Futrell, Toby; Haines,
Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew, Robbins,
Beverly; Thompson, Kenny; Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

Case # C14-06-0172 Arboretum Retirement Community

To Whom it May Concern -

This development is in the interests of our community and our growing population, especially those that are searching for alternative living circumstances (eg lower purchase costs and lower recurring tax scenarios) while remaining centrally located. I support this development effort.

Thanks!

Leonard W. Frey III
IBM, Global Business Services
Associate Partner
Practice Leader, Sales Strategy, Transformation and Outsourcing
Communications, Media and Entertainment

eMail: [REDACTED]
Mobile Telephone: 512-203-0113

Assistant: Yvette Niyikiza
1 (317) 566-4062
[REDACTED]

10/13/2006

Sirwaitis, Sherri

From: Wendy Bryan [REDACTED]

Sent: Thursday, October 12, 2006 3 49 PM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will; Dunkerley, Betty, McCracken, Brewster; Kim, Jennifer, Leffingwell, Lee; Haines, Dina, Arellano, Richard; Aguilera, Gloria; Bailey, Rich, Curtis, Matt; Levinski, Robert, Corpus, Grace; Futrell, Toby; Haines, Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny; Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

Just wanted to give my support to the Arboretum Retirement Community Project near Hwy 183 and Duval. I feel that Austin is in need of something like this in Northwest Austin due to all the growth in this area and heading toward Cedar Park. I read somewhere that the center of Austin will soon be out farther northwest near Hwy 183 and RR 620, so this would be a great location for a project like this. Please consider supporting this project for the future growth of Austin. Please feel free to contact me if you have any questions.

Wendy Bryan

10/13/2006

Sirwaitis, Sherri

From: Debbie Broam [REDACTED]

Sent: Thursday, October 12, 2006 10 31 PM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will, Dunkerley, Betty; McCracken, Brewster, Kim, Jennifer, Leffingwell, Lee; Haines, Dina, Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby, Haines, Dina; Mormon, Andy, May, Rachel, [REDACTED] Moore, Andrew, Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

I am writing to express my support for the condominium project in Northwest Austin (Case # C14-06-0172 Arboretum Retirement Community)

We need this type of residential building in Northwest Austin. There are many retired people who live in this area and many would welcome a residential option like this one

Right now downtown seems to be the only option for someone looking to live in a condominium like this. I think it's time that changed.

Please support this project and offer this option to senior citizens living in Northwest Austin.

*Best Regards,
Debbie Broam
512-299-2956*

Want to be your own boss? Learn how on [Yahoo! Small Business](#).

10/13/2006

Sirwaitis, Sherri

From: Pavelka Emily [REDACTED]

Sent: Friday, October 13, 2006 9 06 AM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will, Dunkerley, Betty, McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee, Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt, Levinski, Robert; Corpus, Grace; Futrell, Toby; Haines, Dina, Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly, Thompson, Kenny, Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

Case # C14-06-0172 Arboretum Retirement Community

I am very much in favor for the building of the Arboretum Retirement Community I think this would be a great addition the Northwest Austin community and I truly believe it is a much needed development for this growing area.

Thank you.

Emily Pavelka
Account/Showroom Sales Executive
Kohler Co. ~ Dallas Branch
Cell: (512) 757-1136
Fax: (830) 560-1253
[REDACTED]

Experience gracious living online at www.kohler.com

10/13/2006

Sirwaitis, Sherri

From: Gail Lerche [REDACTED]

Sent: Thursday, October 12, 2006 2:22 PM

To: [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Martinez, Mike [Council Member], Cole, Sheryl; Wynn, Will; Dunkerley, Betty, McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby; Mormon, Andy, May, Rachel, [REDACTED] Moore, Andrew, Robbins, Beverly; Thompson, Kenny; Sirwaitis, Sherri

Subject: C14-06-0172 Arboretum Retirement Community

I am SO in favor of the retirement community under consideration (C14-06-0172 Arboretum Retirement Community) by the City of Austin.

We feel a need for this and are disappointed that it hasn't happened yet.

Thank you for your consideration and hopefully your approval.

Gail and Larry Lerche
4305 Endcliffe Dr
Austin TX 78731

10/12/2006

Sirwaitis, Sherri

From: [REDACTED]
Sent: Thursday, October 12, 2006 2 13 PM
To: [REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will,
betty.dunkerly@ci.austin.tx.us; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina,
Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert, Corpus, Grace;
Futrell, Toby; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew;
Robbins, Beverly, Thompson, Kenny; Sirwaitis, Sherri
Subject: Support Letter case # C14-06-0172 Arboretum Retirement community

To whom it may concern:

I am writing this letter in support of the proposed retirement condos (C14-06-0172) As a longtime resident of NW Austin, I have seen many changes to this area, some for the better and some not. I do believe this project is exactly what this part of town needs and wanted to register my opinion. I live about 1 mile from this site and feel it would be a vital part of the expected NW Austin growth. With the geographic center of Austin changing, I feel that NW Austin needs higher density living and the time is right.

Please support this project!

Cindy Niels
12549 Sir Christophers Cv
Austin, Tx 78729
512-219-8546

Check out the new AOL. Most comprehensive set of free safety and security tools, free access to millions of high-quality videos from across the web, free AOL Mail and more.

10/12/2006

Sirwaitis, Sherri

From: [REDACTED]

Sent: Thursday, October 12, 2006 11.40 AM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will; Dunkerley, Betty, McCracken, Brewster, Kim, Jennifer, Leffingwell, Lee, Haines, Dina, Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt, Levinski, Robert, Corpus, Grace; Futrell, Toby; Haines, Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew, Robbins, Beverly, Thompson, Kenny; Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

To Whom It May Concern:

I want to express my **support** of the upcoming **Arboretum Retirement Community**. We believe that this will be a great addition to northwest Austin, and consider this a needed development that gives retirees and others direct access to the arboretum area.

Best Regards,

Jan Garcia Sotelo III

modern design+build

p o. box 341166

austin, tx 78734

512 608 6602 office

512 828.7757 fax

10/12/2006

Sirwaitis, Sherri

From: JShafer [REDACTED]
Sent: Wednesday, October 11, 2006 2:17 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Arboretum Towers Neighborhood Meeting

Amelia-

We never heard back from you on our previous emails or calls requesting a meeting to discuss the Arboretum Towers project. Please let us know whether you are willing to discuss this project with our group so that we can confirm a meeting time. We would like to learn more about your project and see whether a win-win compromise can be reached

Thank you-

Jenny Shafer

Tuesday, October 10, 2006 10:27 AM

To: [REDACTED]

cc: [REDACTED]

From: "JShafer" [REDACTED]

Subject: Arboretum Towers Neighborhood Meeting

Amelia-

We would like to invite you to a neighborhood meeting to present your proposal for the Arboretum Towers project at 11601 Jollyville Road

Date: Wednesday, October 11th.

Time: 6:30-7:30pm

Place: TBD (NW Austin)

Please let me know as soon as possible whether you will be able to attend.

Thank you-

Jenny Shafer

10/12/2006

Sirwaitis, Sherri

From: Gail Lerche [REDACTED]
Sent: Thursday, October 12, 2006 2 22 PM
To: [REDACTED]

[REDACTED] Martinez, Mike [Council Member], Cole, Sheryl, Wynn, Will; Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria, Bailey, Rich, Curtis, Matt; Levinski, Robert; Corpus, Grace, Futrell, Toby; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly, Thompson, Kenny; Sirwaitis, Sherri

Subject: C14-06-0172 Arboretum Retirement Community

I am SO in favor of the retirement community under consideration (C14-06-0172 Arboretum Retirement Community) by the City of Austin.

we feel a need for this and are disappointed that it hasn't happened yet.

Thank you for your consideration and hopefully your approval.

gail and larry lerche
4305 Endcliffe Dr
Austin TX 78731

10/12/2006

Sirwaitis, Sherri

From: [REDACTED]
Sent: Thursday, October 12, 2006 2:13 PM
To: [REDACTED]
[REDACTED] tinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will;
[REDACTED] McCracken, Brewster; Kim, Jennifer, Leffingwell, Lee; Haines, Dina,
Arellano, Richard; Aguilera, Gloria; Bailey, Rich, Curtis, Matt, Levinski, Robert; Corpus, Grace,
Futrell, Toby; Mormon, Andy, May, Rachel; [REDACTED] Moore, Andrew;
Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri
Subject: Support Letter case # C14-06-0172 Arboretum Retirement community

To whom it may concern.

I am writing this letter in support of the proposed retirement condos (C14-06-0172) As a longtime resident of NW Austin, I have seen many changes to this area, some for the better and some not. I do believe this project is exactly what this part of town needs and wanted to register my opinion. I live about 1 mile from this site and feel it would be a vital part of the expected NW austin growth. With the geographic center of Austin changing, I feel that NW Austin needs higher density living and the time is right.

Please support this project!

Cindy Niels
12549 Sir Christophers Cv
Austin, Tx 78729
512-219-8546

Check out the new AOL. Most comprehensive set of free safety and security tools, free access to millions of high-quality videos from across the web, free AOL Mail and more.

10/12/2006

Sirwaitis, Sherri

From: [REDACTED]

Sent: Thursday, October 12, 2006 11:40 AM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl, Wynn, Will; Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina, Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt, Levinski, Robert, Corpus, Grace, Futrell, Toby; Haines, Dina; Mormon, Andy, May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny; Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

To Whom It May Concern:

I want to express my **support** of the upcoming **Arboretum Retirement Community**. We believe that this will be a great addition to northwest Austin, and consider this a needed development that gives retirees and others direct access to the arboretum area.

Best Regards,

Jan Garcia Sotelo III

modern design+build

p o box 341166
austin, tx 78734
512 608 6602 office
512.828 7757 fax

10/12/2006

Leslie Henges Dolliver
Attorney at Law
First National Bank Building
1110 RR 620 South, Suite B
Lakeway, Texas 78734
512-263-5665

October 13, 2006

Zoning and Platting Commission
Ms. Betty Baker, Chair, and Commissioners
505 Barton Springs Road, 5th floor
Austin, Texas 78704

Re: Zoning Case #C-14-06-0172
11601 Jollyville Road
Postponement Request

Dear Ms. Baker and Commissioners:

On behalf of Dr. and Mrs. David F. Henges, M.D., I am requesting that the above zoning case #C-14-06-0172 be postponed until November 7, 2006. Dr. and Mrs. Henges are the owners of the largest property adjacent to the applicant's property.

Our request is the first request of a directly affected landowner. The postponement from October 3 to October 17 was made on the motion of a Commissioner, not on a neighbor's motion.

We have worked very hard during these two weeks, meeting with Mr. DeNucci (the applicant's developer) and others to try to assess the applicant's development plans. We need more time to meet with Mr. Young, the owner/applicant, to see if we can come up with a plan that will make both the landowners and neighbors happy.

We seek this postponement only so that we can make every effort to work out a suitable development with our neighbor and create a development that will enrich the Jollyville Road area. We have spoken with other developers, but two weeks is not enough time.

Please grant us postponement to November 7, 2006, so that we can propose a development that Austin can be proud of.

Respectfully,


Leslie Henges Dolliver
/lhd

Sirwaitis, Sherri

From: [REDACTED]
Sent: Thursday, October 12, 2006 9.03 AM
To: [REDACTED]

[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will; Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee, Haines, Dina, Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt, Levinski, Robert; Corpus, Grace; Futrell, Toby; Haines, Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri

Subject: Case #C14-06-0172 Arboretum Retirement Community



As a real estate professional, I stay tuned to the needs of our older community. A current trend across the nation that I think we're lagging behind on, is housing for our baby boomers as they retire that provides convenience and luxury while allowing them to stay in their neighborhoods. The only way to do this affordably is with condominium projects like the one Paul DeNucci is proposing in Case #C14-06-0172 - the Arboretum Retirement Community. The demographics support this project, the need is there, the location is ideal and the time is right. I strongly urge you to support this project!

Sharon Hillhouse, Broker/e-Pro/ABR
Hillhouse Realty, Inc
512-560-0777 (cell)
512-795-2393 (fax)
[REDACTED]

10/12/2006

Sirwaitis, Sherri

From: David Petrick [REDACTED]
Sent: Thursday, October 12, 2006 8:38 AM

To: [REDACTED]
[REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl, Wynn, Will; Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer, Leffingwell, Lee, Haines, Dina, Arellano, Richard; Aguilera, Gloria, Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace, Futrell, Toby; Haines, Dina, Mormon, Andy; May, Rachel, [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

Please let this e-mail serve as my support and endorsement of the Arboretum Retirement Community. I fully believe in this project and hope that you will support Arboretum Retirement Community as one of our city leaders.

**David Petrick
David Petrick Company, Inc.
4131 Spicewood Spring Rd. Suite N-1
Austin, Texas 78759
Phone: 512-418-1900
Fax 512-502-1301**
[REDACTED]

10/12/2006

Sirwaitis, Sherri

From: Carol Sanger [REDACTED]
Sent: Thursday, October 12, 2006 6 40 AM
To: [REDACTED]
[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will, Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby, Mormon, Andy, May, Rachel, [REDACTED] Moore, Andrew; Robbins, Beverly, Thompson, Kenny;
Subject: Sirwaitis, Sherri
Case # C14-06-0172

Ladies and Gentlemen,

I wanted to take the time to let you know that I am completely against the tower project submitted under the above case number. I have lived less than two blocks away from this sight for over 18 years and I can see no reason why we need a 13 story condo high rise here.

This just does not make sense... other than the developers need to find cheap land so he can afford his project. I strongly urge you to vote against this project and encourage the developer to look at the hundreds of logical sites across the city for a 13 story high rise.

Thank you
Carol Sager
Austin, Texas

Share your special moments by uploading 500 photos per month to Windows Live Spaces
[http://clk.atdmt.com/MSN/go/msnkwsp0070000001msn/direct/01/?](http://clk.atdmt.com/MSN/go/msnkwsp0070000001msn/direct/01/?href=http://www.get.live.com/spaces/features)
[href=http://www.get.live.com/spaces/features](http://www.get.live.com/spaces/features)

Sirwaitis, Sherri

From: Forrest Preece [REDACTED]
Sent: Thursday, October 12, 2006 12:10 AM
To: [REDACTED]
[REDACTED]

[REDACTED] Martinez, Mike [Council Member]; Cole, Sheryl; Wynn, Will; Dunkerley, Betty, McCracken, Brewster, Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich, Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby; Mormon, Andy; May, Rachel, [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri

Subject: Case # C14-06-0172 Arboretum Retirement Community

RE: Case # C14-06-0172 Arboretum Retirement Community

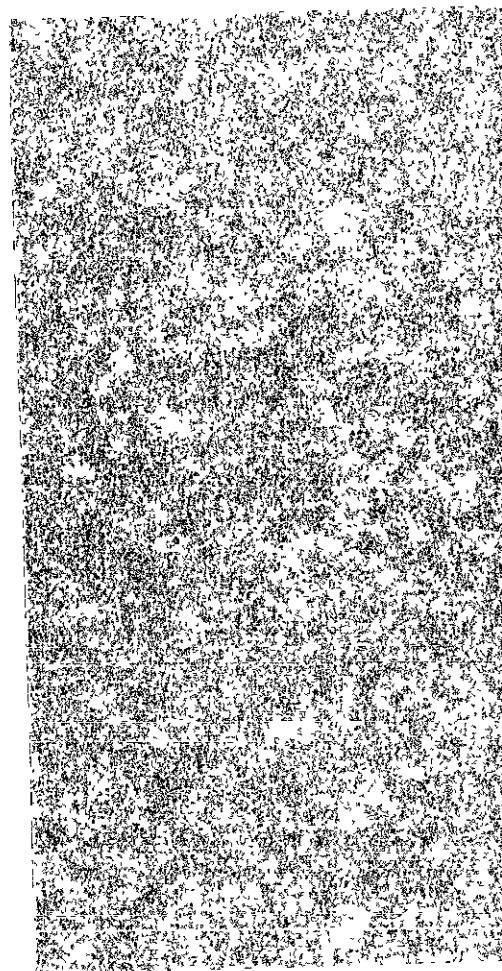
We are in favor of this project.

Forrest is a fifth generation Austinite and we both care very much about the look and feel of this city. But 183 is already a commercial zone and it is time we grasp that retirement living is going to be more and more in demand as baby boomers like us move into our later years.

Most of our generation has grappled with finding accessible, affordable housing for our own parents. A moderately tall building like this makes a lot of sense in that it provides more units on a smaller plot of land and the efficiencies of scale can be realized.

We urge you to vote for this project.

Forrest Preece Linda Ball



10/12/2006

Sirwaitis, Sherri

From: Vicki Spriggs [REDACTED]**Sent:** Wednesday, October 11, 2006 3:47 PM**To:** [REDACTED]
[REDACTED] Mike [Council Member], [REDACTED] Cole, Sheryl; Wynn, Will; Dunkerley, Betty; McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina; Arellano, Richard; Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby; [REDACTED] Haines, Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri**Subject:** Case # C14-06-0172

I am writing to express my dismay and disapproval of the design proposed under the case number referenced above. This design does not compliment the design of this neighborhood/area. The design would stand out in a very uncomplimentary (ugly) way

I would encourage you to require the owner to develop a new design more suitable to the area.

Thank you for your attention to this letter

Vicki Spriggs
Resident, Ladera Vista Dr. (Arboretum Village condominiums)

10/11/2006

Sirwaitis, Sherri

From: JShafer [REDACTED]
Sent: Wednesday, October 11, 2006 2:17 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Arboretum Towers Neighborhood Meeting

Amelia-

We never heard back from you on our previous emails or calls requesting a meeting to discuss the Arboretum Towers project. Please let us know whether you are willing to discuss this project with our group so that we can confirm a meeting time. We would like to learn more about your project and see whether a win-win compromise can be reached.

Thank you-

Jenny Shafer

Tuesday, October 10, 2006 10:27 AM

To: [REDACTED]

cc: [REDACTED]

From: "JShafer" [REDACTED]

Subject: Arboretum Towers Neighborhood Meeting

Amelia-

We would like to invite you to a neighborhood meeting to present your proposal for the Arboretum Towers project at 11601 Jollyville Road.

Date: Wednesday, October 11th

Time: 6:30-7:30pm

Place: TBD (NW Austin)

Please let me know as soon as possible whether you will be able to attend.

Thank you-

Jenny Shafer

10/12/2006

Sirwaitis, Sherri

From: Mayfield, Chris R. [REDACTED]
Sent: Wednesday, October 11, 2006 8:37 AM
To: [REDACTED]
[REDACTED] Martinez, Mike [Council Member]; [REDACTED] Cole, Sheryl, Wynn, Will; Dunkerley, Betty, McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee; Haines, Dina, Arellano, Richard, Aguilera, Gloria; Bailey, Rich; Curtis, Matt; Levinski, Robert; Corpus, Grace; Futrell, Toby, [REDACTED] Haines, Dina, Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew, Robbins, Beverly; Thompson, Kenny, Sirwaitis, Sherri
Subject: Case # C14-06-0172 - Please Vote No

Dear City Council Members and Concerned Stakeholders,

Please vote **NO** to Case # C14-06-0172, requesting a zoning change to allow for a 12 story tower to be built on Jollyville road in Northwest Austin. As an 11 year resident of Austin I have chosen to live and work in this area for many years *because of its high quality of living with single family homes and small businesses*. Allowing a 12 story tower to be built in this area greatly detracts from the community feeling in this area. As you are well aware, this area is not zoned for such an establishment, as the area is designed to encourage family neighborhoods and small businesses.

In addition, allowing for a zoning change will set a precedence in the area for years to come and potentially drastically changing the landscape of this neighborhood. I urge you to vote **NO** to this request and support Austin's unique layout and designs. Austin is not Houston nor Dallas, and we do not want it to be.

This tower is more appropriate in an area zoned specifically for this type of building, not a residential/small business community.

Thank you for your time and attention in this matter. Should you feel the need to contact me for further information, please feel free to call me at 512-653-6169 or via email at chris_r_mayfield@accenture.com

Sincerely,

Chris Mayfield

10/11/2006

Sirwaitis, Sherri

From: Bill Kleinebecker [REDACTED]
Sent: Monday, October 09, 2006 10:48 PM
To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Cole, Sheryl; Wynn, Will; Dunkerley, Betty, McCracken, Brewster; Kim, Jennifer; Leffingwell, Lee, Haines, Dina, Arellano, Richard, Aguilera, Gloria, Bailey, Rich; Curtis, Matt, Levinski, Robert, Corpus, Grace; Futrell, Toby; [REDACTED] Haines, Dina; Mormon, Andy; May, Rachel; [REDACTED] Moore, Andrew; Robbins, Beverly, Thompson, Kenny, Sirwaitis, Sherri, Butler, [REDACTED]
Cc: [REDACTED]
Subject: Case # C14-06-0172

My wife, Ann, and I are very much opposed to the approval to erect this tower. It is out of place in our part of town and would lead to destruction of neighborhoods through increased traffic and creation of an urban environment. There is no way you can hold your case to just this one, we all know that.

This will make a mockery of any plan to strengthen the downtown Austin so Austin can be a true city and not a collection of pop-up towers with no focus for culture. We'll be especially surprised and disheartened if those who speak out about those live music venues that you all seem to be so proud of being placed around the downtown end up approving this project.

As another move to balkanize the downtown, maybe you'd like to move the City Hall to the Arboretum. It will just be a walk up the hill from the Mopac and 183 light rail station.

.. Bill Kleinebecker

Sirwaitis, Sherri

From: Betty Baker [REDACTED]
Sent: Monday, October 09, 2006 4 53 PM
To: Leslie Dolliver; [REDACTED]
 [REDACTED] Sirwaitis, Sherri; Anguiano, Dora
Cc: Wynn, Will; Dunkerley, Betty; McCracken, Brewster, Kim, Jennifer; Leffingwell, Lee; Martinez, Mike [Council Member]; Cole, Sheryl; Aguilera, Gloria, May, Rachel; Bailey, Rich; Mormon, Andy, Brault, Kelley; Levinski, Robert, Corpus, Grace; Robert A Garza; Moore, Andrew; Robbins, Beverly; Thompson, Kenny; Yontz, Caryl, Watson, Matt; Barraza, Thelma; Berghammer, Darlene, Coleman, Barbara, Garza, Julian; Aguilera, Alison; Ruiz, Viola; McDonald, Stephanie
Subject: RE. Letter to commission regarding October 3rd ZAP Commission hearing

As Chair of the Zoning and Platting Commission, it is my responsibility to follow its Rules and Regulations. As I stated, when the motion was made for reconsideration, it is highly unusual for such an action by the commission, but it is permitted and is legal.

To debate the pros and cons of the length of the postponement will not be of advantage to either side. It's a mute issue. I would respectfully urge you to meet with others concerned about the case and those interested in the request. Take the time allocated to know as much as you can. That is the only option now available to you.

My vote is only one (1) on the commission, and my vote sometimes is a minority one. All of the commissioners are strong individuals, and I feel they are sincere in their decisions and make every effort to be objective. There is no need to apologize for the commission's action, but I do regret any inconvenience the shorter postponement may cause.

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

From: Leslie Dolliver [REDACTED]
Sent: Monday, October 09, 2006 2:18 PM
To: Betty Baker; [REDACTED]
 [REDACTED] 'Sirwaitis, Sherri'; [REDACTED]
Cc: 'Will Wynn'; 'Betty Dunkerley'; 'Brewster McCracken'; 'Jennifer Kim'; 'Lee Leffingwell'; 'Mike Martinez'; 'Sheryl Cole'; 'Gloria Aguilera'; 'Rachel May'; 'Rich Bailey'; 'Andy Mormon'; 'Kelley Brault'; 'Robert Levinski'; 'Grace Corpus'; 'Robert A Garza'; 'Andrew Moore'; 'Beverly Robbins'; 'Kenny Thompson'; 'Caryl Yontz'; 'Matt Watson'; 'Thelma Barraza'; 'Darlene Berghammer'; 'Barbara Coleman'; 'Julian Garza'; 'Alison Aguilera'; 'Viola Ruiz'; 'Stephanie McDonald'
Subject: Letter to commission regarding October 3rd ZAP Commission hearing

10/10/2006