NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Central Austin Combined Neighborhood Plan

CASE#: NPA-2012-0019.01 **DATE FILED:** February 29, 2012 (In-cycle)

PC DATE: July 24, 2012
June 26, 2012
May 22, 2012

ADDRESS: 3206 West Avenue, 3205 and 3207 Grandview Street

AREA: Approx 0.59 acres

APPLICANT/OWNER: B & G Partners, L.P. (Richard D. Stilovich)

AGENT: Armbrust & Brown, PLLC (Amanda Morrow) and McCann Adams Studio (Jana McCann)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family **To:** Mixed Use/Office

Base District Zoning Change

Related Zoning Case: C14-2011-0133

From: LO-CO-NP **To:** GO-NP

PLAN ADOPTION DATE: August 2004

PLANNING COMMISSION RECOMMENDATION: On July 24, 2012, the motion to approve staff's recommendation for mixed use/office with neighborhood's agreement included, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-2; Commissioners Jean Stevens and Danette Chimenti voted against the motion (nay), Commissioner Richard Hatfield was absent, 1 vacancy on the commission.

Previous Actions:

On May 22, 2012, the motion to postpone to June 26, 2012 by the request of the applicant, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Saundra Kirk seconded the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

On June 26, 2012, the motion to postpone to July 24, 2012 by the request of the applicant, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner

Richard Hatfield second the motion on a vote of 7-0; Commissioners Alfonso Hernandez and Jean Stevens were absent.

* Request made to send to the Neighborhood Planning Committee on July 18, 2012.

STAFF RECOMMENDATION: Recommended

BASIS FOR RECOMMENDATION: The proposed plan amendment supports the following plan amendment Goals, Objectives, and Recommendations:

Vision

The Central Austin Neighborhood Plan shall preserve the historical character and integrity of single-family neighborhoods. It shall allow multifamily development and redevelopment in appropriate areas to reflect the historical nature and residential character of the neighborhood. The plan will address the needs of a diverse, pedestrian-oriented community and provide safe parks and attractive open spaces. The plan will foster and create compatible density in areas that are appropriate for student housing; new development will be appropriately oriented and scaled relative to its neighborhood in the combined planning area.

Goal Four

West Campus should become a dense, vibrant, mixed-use and pedestrian oriented community.

Top Ten Priorities

1. Stop the incursion of new commercial and office uses into residential areas.
2. Buffer the predominantly single-family neighborhoods (West University and Shoal Crest) adjoining West Campus by limiting the mass, height, and scale of new multi-family development bordering these neighborhoods.

Goal One

Preserve the integrity and character of the single-family neighborhoods

Objective 1.4: Limit new commercial and multi-family spread into the single-family core of the neighborhoods by establishing a perimeter of apartments, offices, and commercial uses.

Recommendation 1 Preserve the commercial, office, and multi-family zoning surrounding the neighborhood and create a "hard edge" to prohibit incursions into the neighborhood.

Staff analysis: Although the plan states the need for a "hard edge" to protect residential areas from commercial uses, staff believes the alley serves as an appropriate edge to the existing residential uses.

Mixed Use/Office

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

Purpose

- Accommodate mixed use development in areas that are not appropriate for general commercial development; and
- Provide a transition from residential use to non-residential or mixed use.

Application

- Appropriate for areas such as minor corridors or local streets adjacent to commercial areas;
- May be used to encourage commercial uses to transition to residential use; and
- Provide limited opportunities for live/work residential in urban areas.

LAND USE PLANNING PRINCIPLES

- Minimize negative effects between incompatible land uses;
- Ensure that the decision will not create an arbitrary development pattern;
- Avoid creating undesirable precedents;
- Discourage intense uses within or adjacent to residential areas;

- Ensure similar treatment of land use decisions on similar properties
- Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;
- Ensure adequate transition between adjacent land uses and development intensities;

Staff Analysis: The request to change the FLUM from single family to mixed use office will expand the mixed use/office land use to the alley which will serve as a logical termination of the land use and will create the "hard edge" stated in the neighborhood plan.

- Ensure an adequate and diverse supply of housing for all income levels;

Staff Analysis: The land use request for Mixed Use/Office could have residential uses if the zoning permits it.

- Promote goals that provide additional environmental protection;
- Recognize current City Council priorities;

Staff Analysis: The existing development is a surface parking lot with medical office buildings. The proposed development will provide green space and water detention facilities.

- Promote expansion of the economic base and create job opportunities;
- Promote development that serves the needs of a diverse population.
- Balance individual property rights with community interests and goals;
- Consider infrastructure when making land use decisions;

Staff Analysis: The proposed development expands an existing medical office building, presumably will provide more job opportunities.

- Recognize suitable areas for public uses, such as hospitals and schools that will minimize the impacts to residential areas;
- Protect and promote historically and culturally significant areas;
- Minimize development in floodplains and environmentally sensitive areas;
- Consider regulations that address public safety as they pertain to future developments (e.g. overlay zones, pipeline ordinances that limit residential development);

Staff Analysis: These land use principles are not directly applicable to the plan amendment request.

BACKGROUND: The application was filed on February 29, 2012, which is in-cycle for City Council-approved neighborhood planning areas located on the west side of I.H.-35.

The applicant requests a change in the future land use map from Single Family to Mixed Use/Office. The zoning change request is to change the zoning from LO-CO-NP to GO-NP to expand the existing medical office building.

The properties associated with this case are part of a larger project at 801 West 34th Street with four zoning cases in process. This case was the only one which needed a plan amendment application.

PUBLIC MEETINGS: The community meeting was held on Monday, April 16, 2012. Approximately 300 notices were mailed to property owners and utility account holders living within 500 feet of the property in addition to neighborhood organizations and environmental groups registered for the area on the City's Community Registry.

After City staff gave a brief presentation, Amanda Morrow, one of the owner's representatives, said that they want to reach a mutually acceptable agreement with the neighborhood. Milton Hime, architect for the project, stated there are four tracts: Tract A, B, C, and D, all associated with a plan to redevelop a medical office building. Also proposed is a small pocket park about 0.4 acres in size near the water detention area on the southern part of the Tract C. Parking for the medial building will be underground and 70 to 80 feet from the existing homes to the south.

After the applicant's presentation, the following questions were asked:

Q. How many parking spaces will be required?
A. We will park at a ratio of 1 to 200 for an office building. Parking for each building will be provided on the lot in which the building is located.

Q. What will happen to the two Heritage trees?
A. Two protected trees will be removed, but will be replaced. The existing area that has parking lots will be green space.

Q. The neighborhood wants the 0.40 acre pocket park to be part of the City's Parks Department to ensure that it stays a park.
A. We will donate the 0.40 acre park to the City of Austin if they want it. But we could also so an easement that could accomplish the same thing.

Q. Every time we meet you show a different plan.
A. Yes, this plan is different because we've reduced the square footage of the buildings, but there are only a few more issues to resolve since our last meeting.

Q. Couldn't you sell the 0.40 acre park area?
A. Our intention is for it to become green space for the public.

Q. The loading area for Tract C moved, but should protect the trees.
A. We're still working it out with the City. We want to find a better way.

Q. The southeast side of Tract C, how does it work with compatibility?
A. There's a 25 foot alley, which takes care of the compatibility to single family.

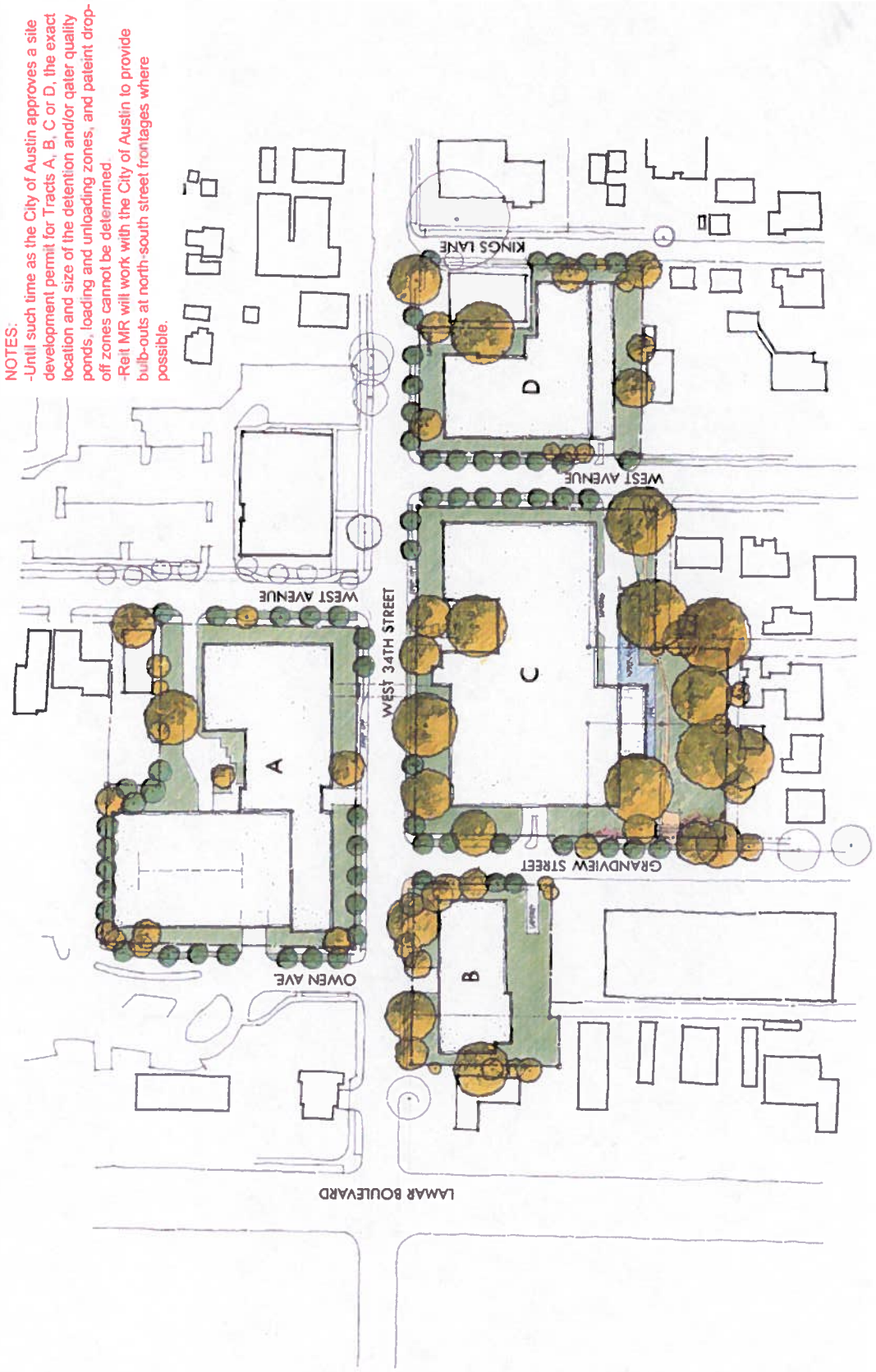
The letter from the CANPAC Planning Contact Team is on page seven of this report.
A letter from the Heritage Neighborhood Association is located at the back of this report.

CITY COUNCIL DATE:

June 28, 2012	**ACTION:** Postponed to August 2, 2012
August 2, 2012	**ACTION:** Postponed to September 27, 2012
September 27, 2012	**ACTION:** Pending.

CASE MANAGER: Maureen Meredith, Senior Planner, 974-2695

EMAIL: maureen.meredith@austin.texas.gov


NOTES:
-Until such time as the City of Austin approves a site development permit for Tracts A, B, C or D, the exact location and size of the detention and/or qater quality ponds, loading and unloading zones, and pateint drop-off zones cannot be determined.
-Reit MR will work with the City of Austin to provide bulb-outs at north-south street frontages where possible.
A
B
C
D
WEST AVENUE
WEST AVENUE
WEST 34TH STREET
KINGS LANE
GRANDVIEW STREET
OWEN AVE
LAMAR BOULEVARD

Letter from CANPAC PCT

From: Nuria Zaragoza
Sent: Tuesday, May 22, 2012 12:43 PM
To: Meredith, Maureen; betsy.greenberg@; Alfred Godfrey; Adam Stephens; lteam@
Subject: Corrected CANPAC position letter re: C14-2011-0131; C14-2011-0132; C14-2011-0133; C14-2011-0134 zoning change from CS-LO to CS-GO

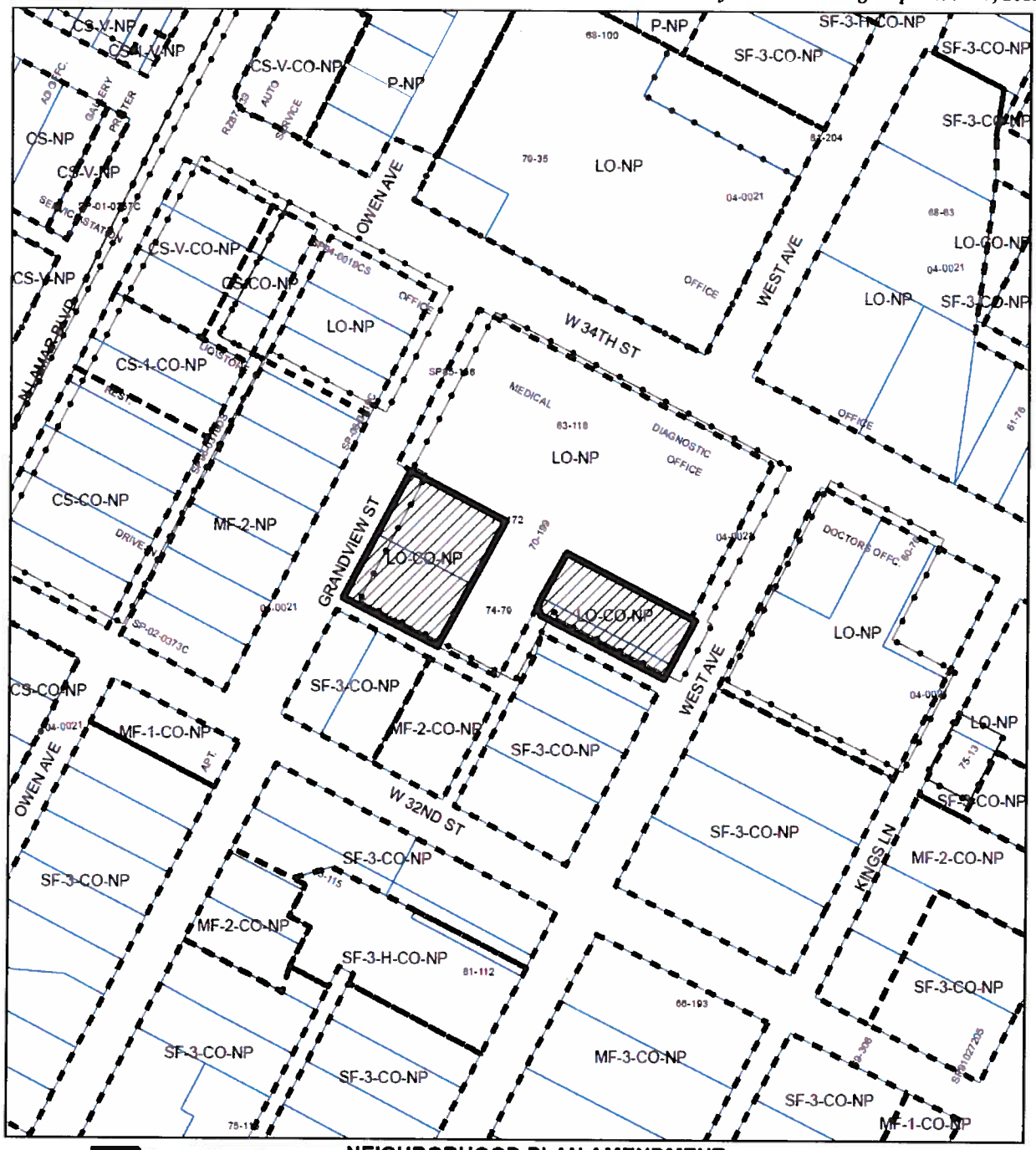
May 22, 2012
To: City of Austin Planning Commission
Maureen Meredith, Clark Patterson
From: Nuria Zaragoza and Adam Stephens, Co-chairs, CANPAC Plan Team
Subject: cases C14-2011-0131; C14-2011-0132; C14-2011-0133; C14-2011-0134 zoning change from CS-LO to CS-GO (34th and West redevelopment)

The Plan Team for the Central Austin Combined Neighborhood Planning Area voted unanimously on 2-21-2012 to support the action of the Heritage neighborhood vote to:

1. Oppose the applications to change the zoning from LO to GO; and

2. Oppose the application to amend the neighborhood plan.

Thank you for your consideration of this CANPAC position.
Nuria Zaragoza
Co-Chair
Adam Stephens
Co-Chair



N

SUBJECT TRACT

PENDING CASE

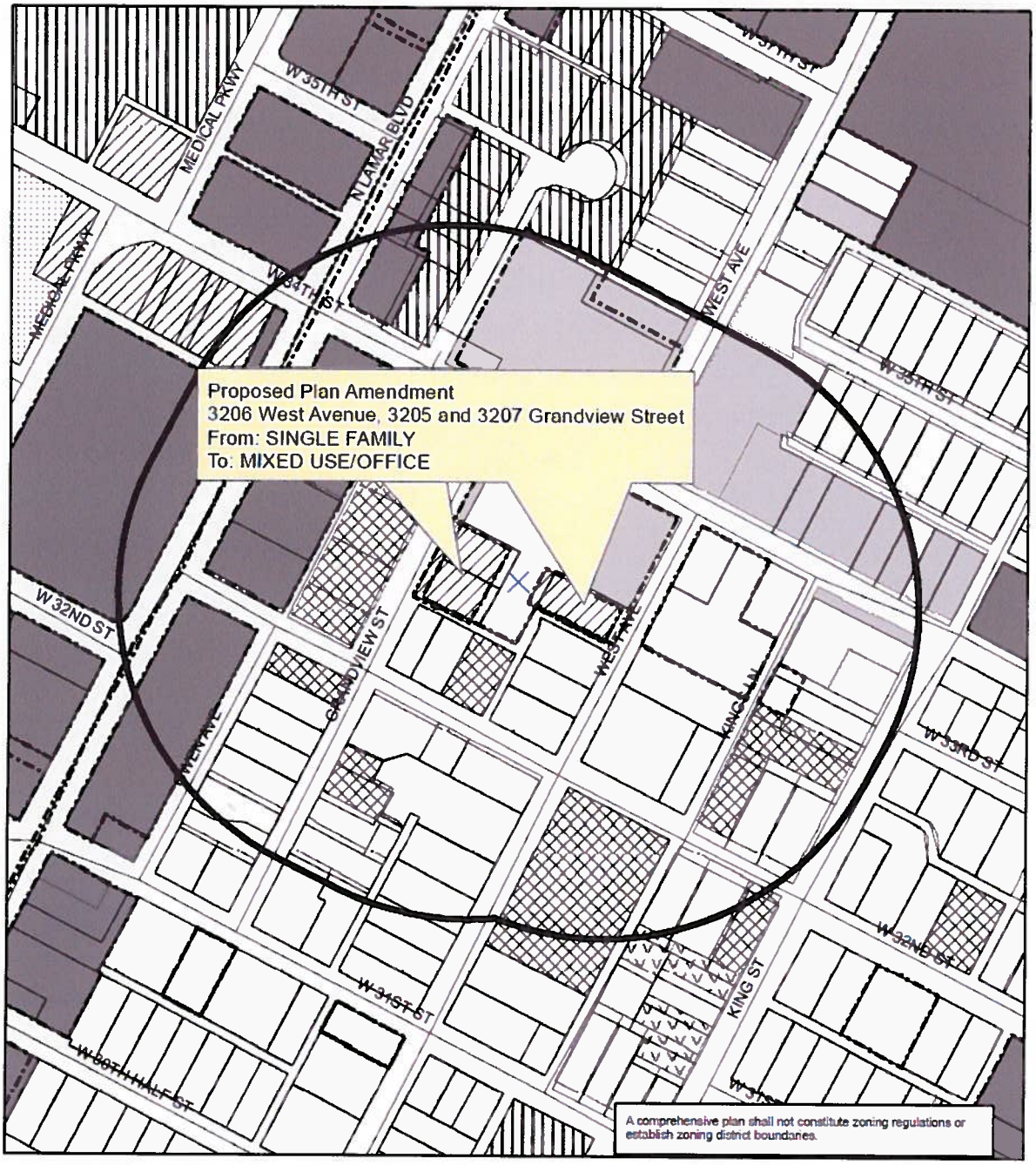
ZONING BOUNDARY

NEIGHBORHOOD PLAN AMENDMENT

NPA CASE#: NPA-2012-0019.01

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Central Austin Combined Neighborhood Plan (West University) NPA-2012-0019.01

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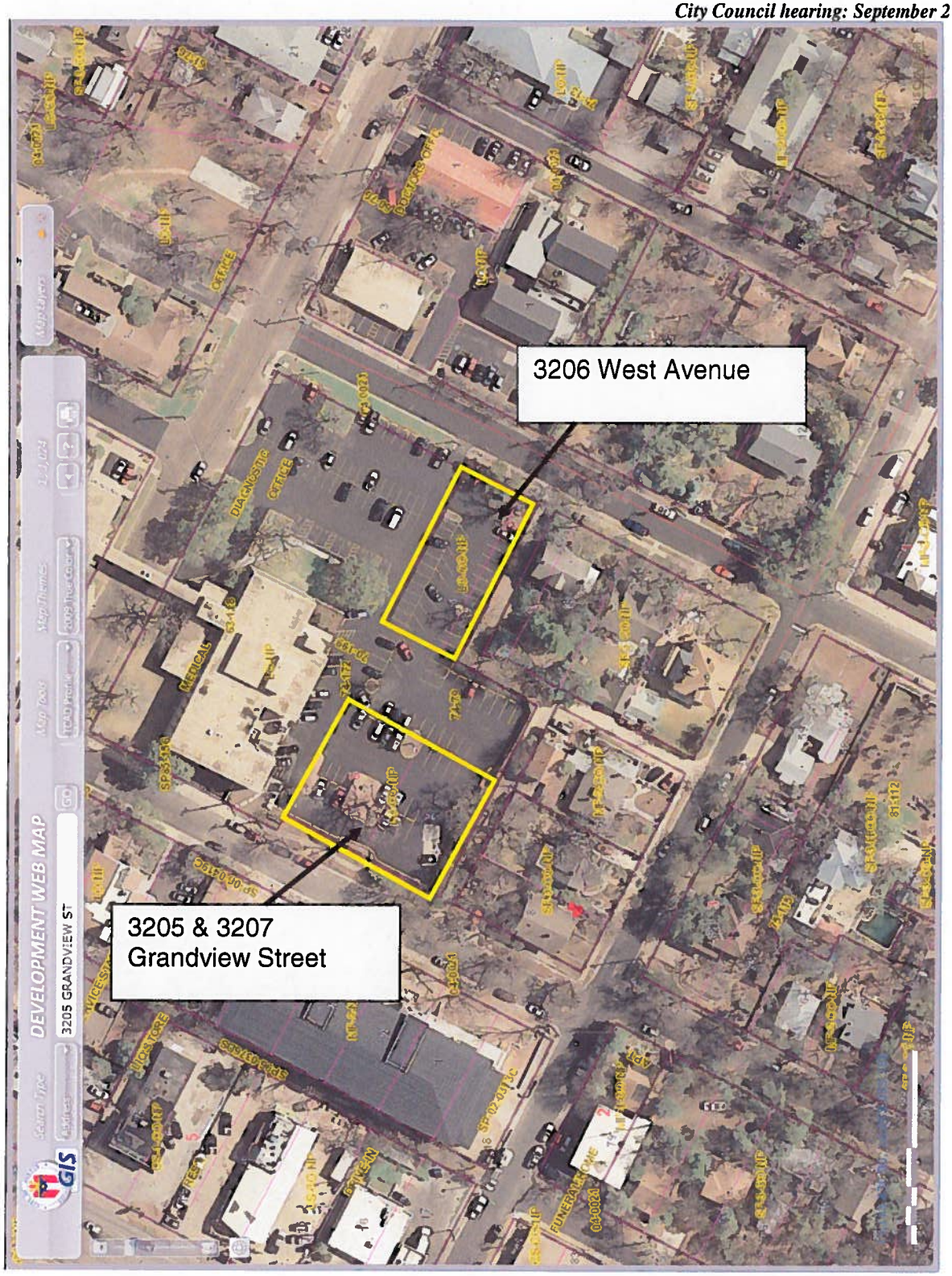
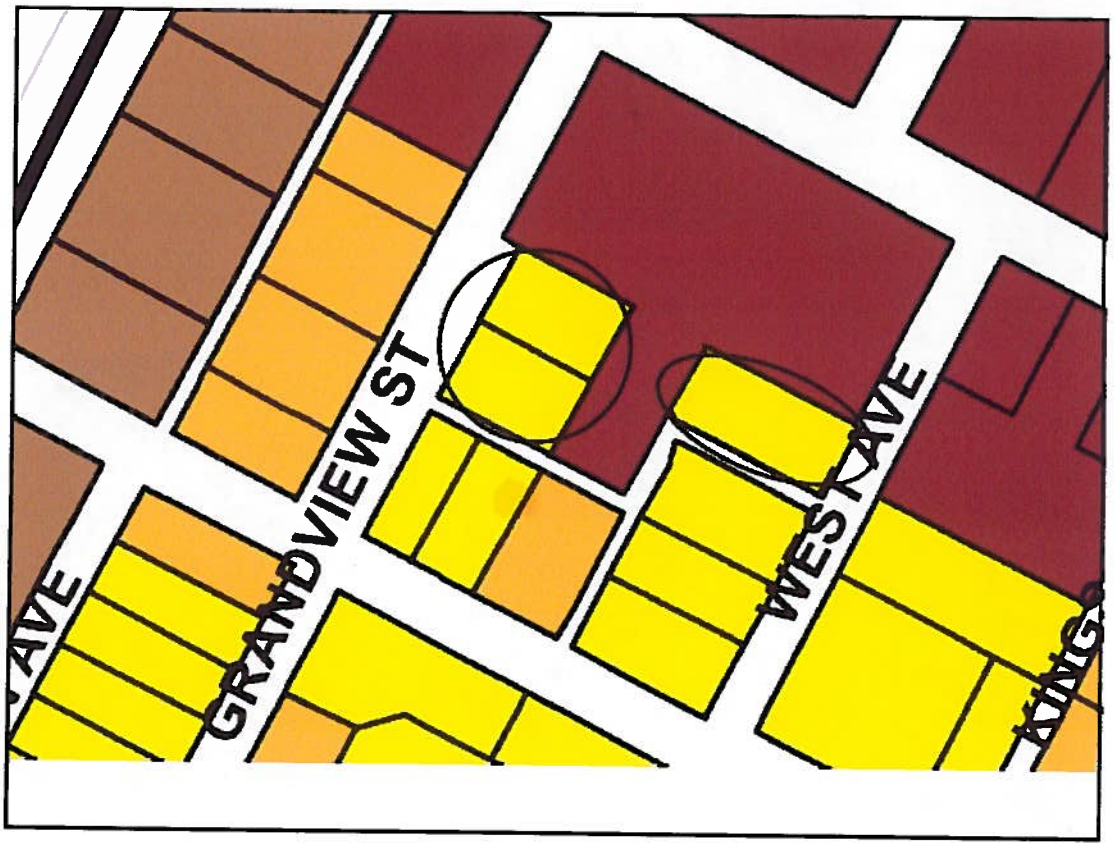
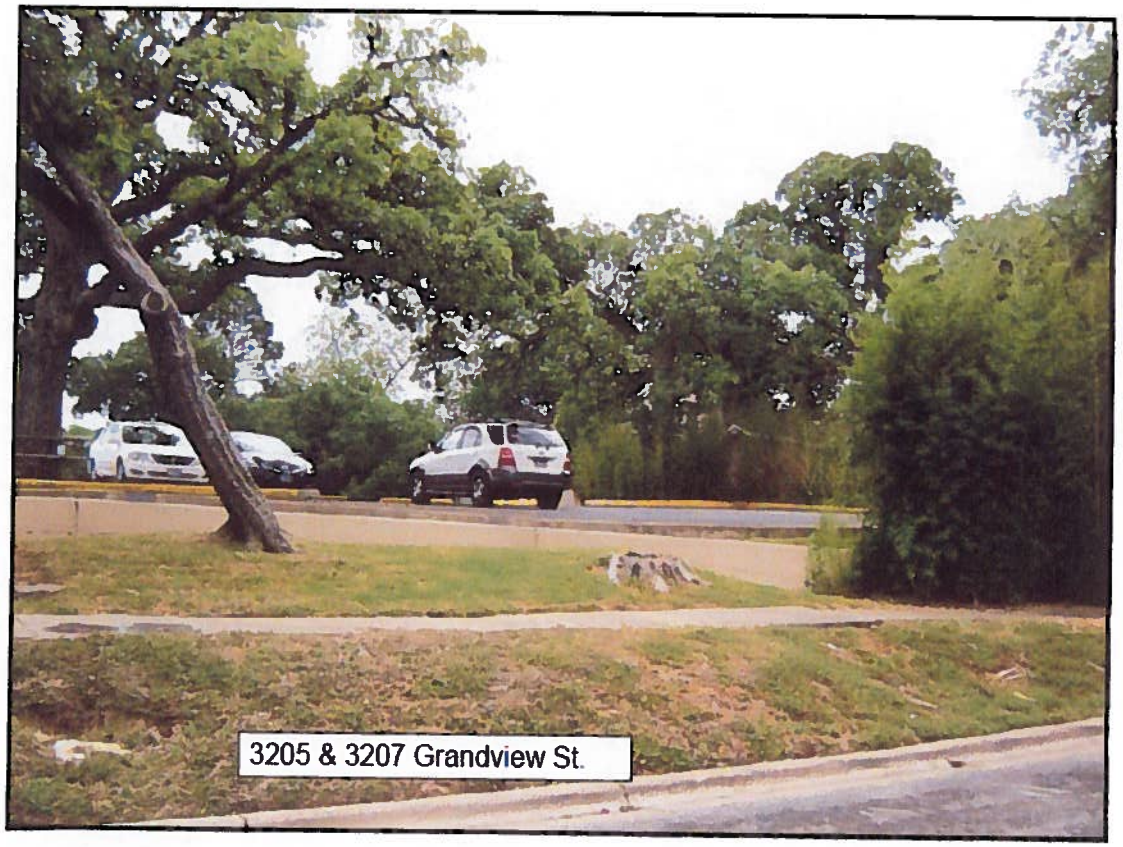
City of Austin
Planning and Development Review Department
Created on 04/02/2012_ M Meredith

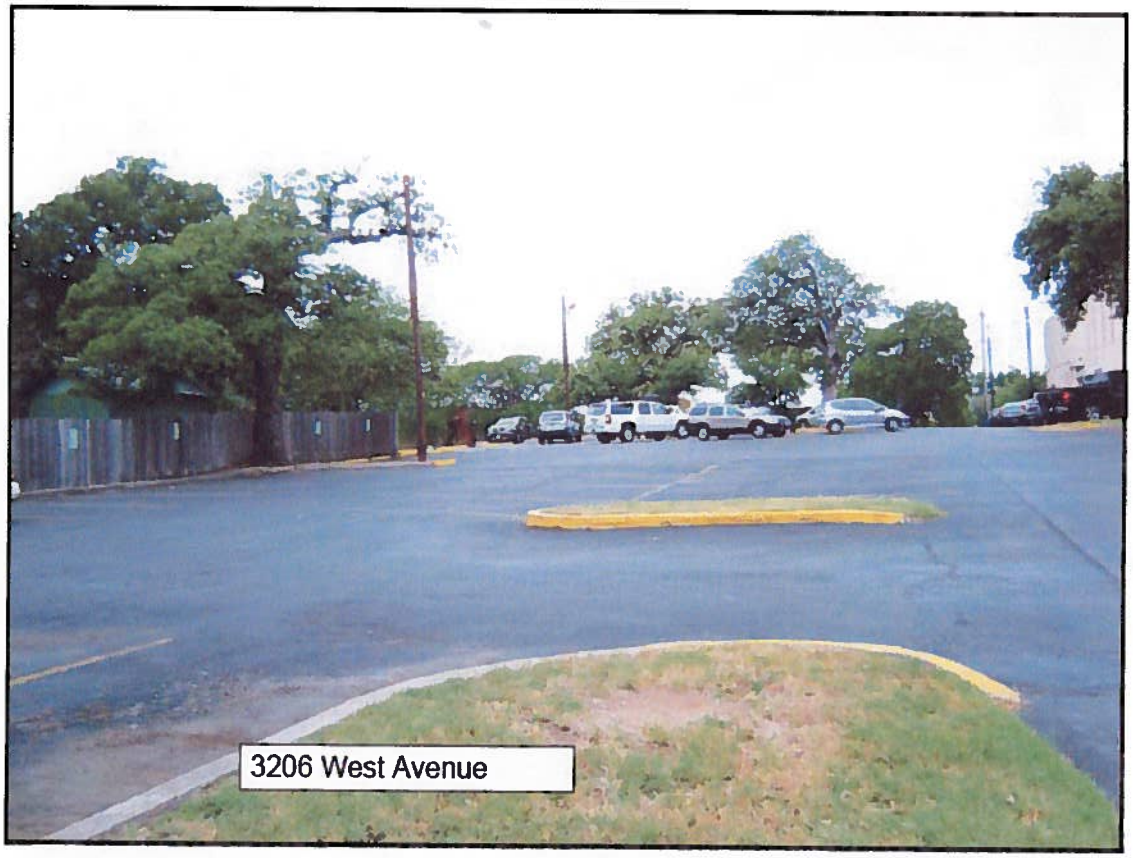
N

Legend
- 500ft notification boundary
- SDE.flum_combined
- Single-Family
- Higher-Density Single-Family
- Multi-Family
- Commercial
- Mixed Use
- Office
- Mixed Use/Office
- Civic

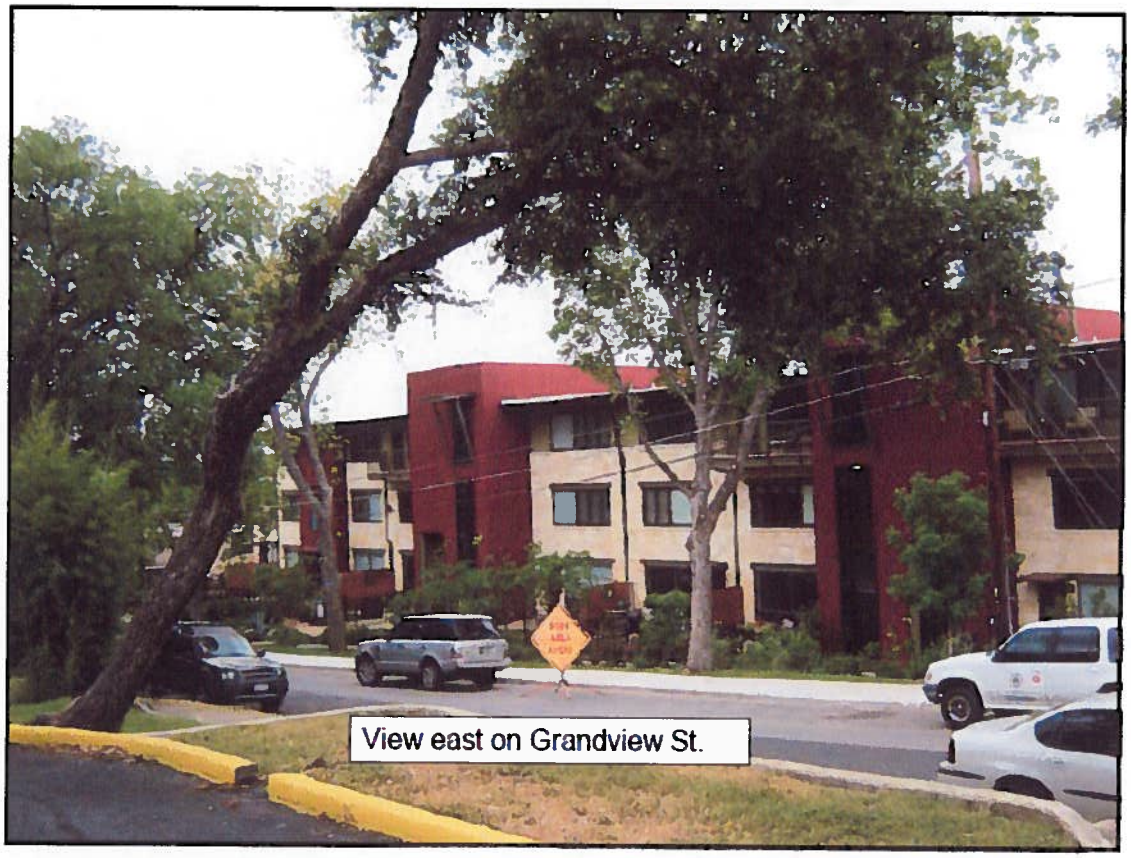

DEVELOPMENT WEB MAP
3205 GRANDVIEW ST
3206 West Avenue
3205 & 3207
Grandview Street


GRANDVIEW ST
WEST AVE


3205 & 3207 Grandview St.


3206 West Avenue

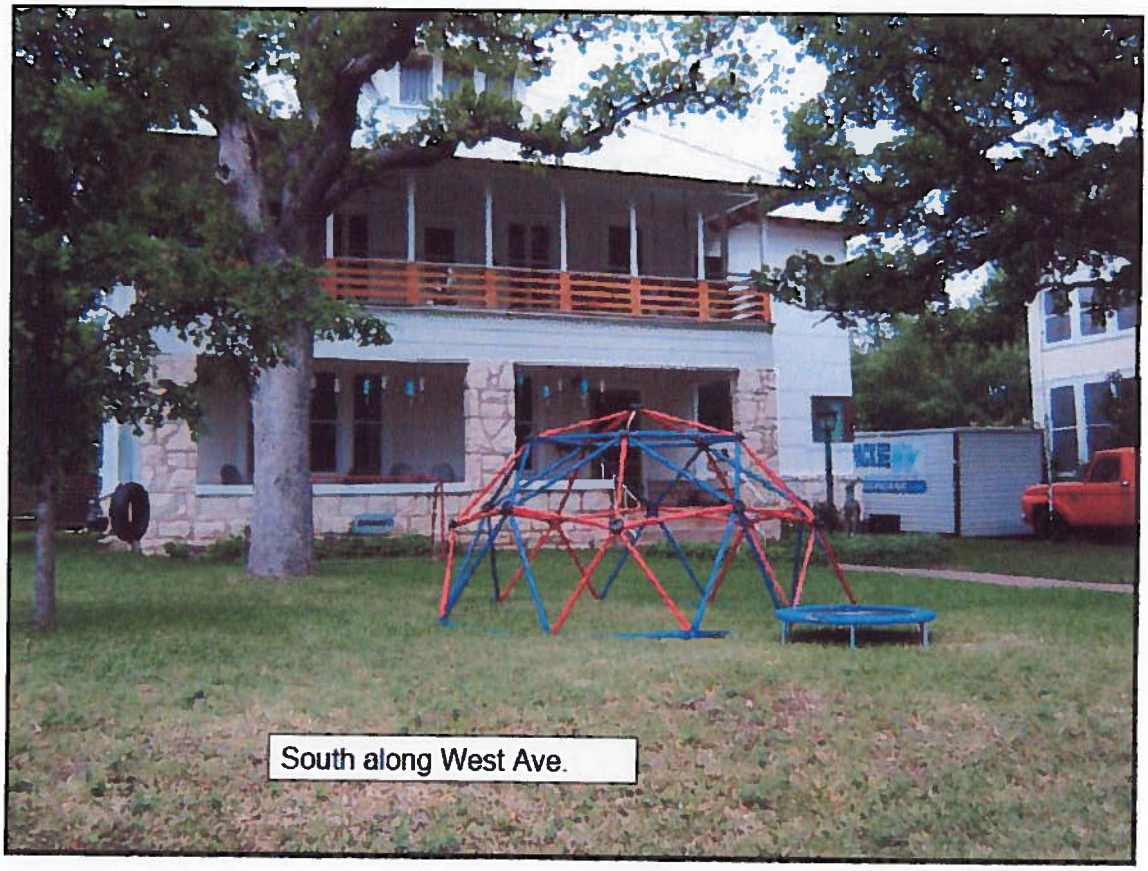
View North - Back of Office Building


View east on Grandview St.

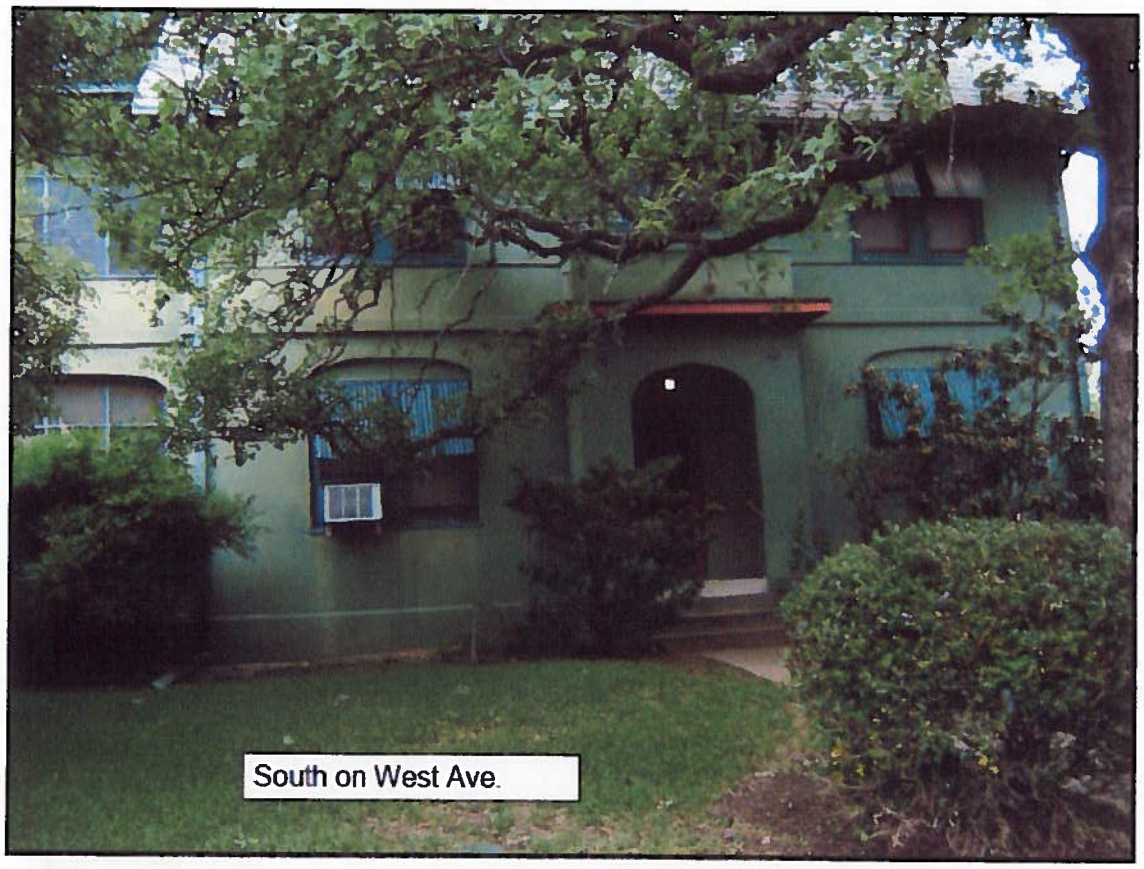
South on 32nd Street

South on 32nd Street

P
South on 32nd Street


South along West Ave.

South along West Ave.



South on West Ave.

View south from 3206 West Avenue Parking Lot

From: Betsy Greenberg
Sent: Monday, May 14, 2012 10:48 AM
To: Meredith, Maureen; Patterson, Clark
Cc: heritageworkinggroup; Nikelle Meade
Subject: Re: West 34th Street Redevelopment - Correct date

I'm sorry. The Heritage Neighborhood Association met and voted on 5/7/2012 (not 2011). - Betsy Greenberg
To: Clark Patterson
Maureen Meredith

On Monday, 5/7/2012, the Heritage Neighborhood Association met and voted unanimously to

1. Oppose the proposed rezoning cases C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

2. Oppose the proposed CANPAC plan amendment NPA-2012-0019.01

Please include this information in your staff report and consider the neighborhood opposition when making your recommendation on these cases.

Thank you for your attention.

Betsy Greenberg
Heritage NA Treasurer

-----Original Message-----
From: Betsy Greenberg
Sent: Monday, May 14, 2012 10:40 AM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com; Dick Hatfield
Cc: Meredith, Maureen
Subject: NPA-2012-0019.01 - W 34th Street Redevelopment

RE: NPA-2012-0019.01 - W 34th Street Redevelopment

Commissioners,

I am opposed to the proposed amendment to the CANPAC neighborhood plan. The subject tracts were deliberately labeled as single family on the future land use map to provide a buffer between the single family properties and the medical developments. This buffer is needed even more today as the property owner attempts to increase the allowed density on the rest of the property. In addition, these tracts are part of the property that the neighborhood and property owners are discussing for park use. If the plan amendment and associated zoning change is approved, the size of any possible park will be drastically reduced.

Please vote against the plan amendment.

Thank you for your attention.

Betsy Greenberg
3009 Washington Square

From: Will Clark
Sent: Monday, May 14, 2012 10:35 AM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com; mnrghatfield@yahoo.com
Cc: Meredith, Maureen; Betsy Greenberg
Subject: NPA-2012-0019.01 - W 34th Street Redevelopment

Commissioners,
I am opposed to the proposed amendment to the CANPAC neighborhood plan. The subject tracts were deliberately labeled as single family on the future land use map to provide a buffer between the single family properties and the medical developments. This buffer is needed even more today as the property owner attempts to increase the allowed density on the rest of the property. In addition, these tracts are part of the property that the neighborhood and property owners are discussing for park use. If the plan amendment and associated zoning change is approved, the size of any possible park will be drastically reduced.
Please vote against the plan amendment.
Thank you for your attention.
Will Clark
3011 West Ave

Will Clark
Director, R&D
OpenText
512 741 1211 office
512 415 6260 mobile

From: Stephen Thomas
Sent: Monday, May 14, 2012 10:45 AM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com; mnrghatfield@yahoo.com
Cc: Meredith, Maureen; 'stephen@slthomas.com'
Subject: NPA-2012-0019.01 - W 34th Street Redevelopment

Commissioners,
I am opposed to the proposed amendment to the CANPAC neighborhood plan. The subject tracts were deliberately labeled as single family on the future land use map to provide a buffer between the single family properties and the medical developments. This buffer is needed even more today as the property owner attempts to increase the allowed density on the rest of the property. This would set a bad precedent for future neighborhood planning efforts.
Please vote against the plan amendment.
Thank you for your attention.
Regards,

stephen thomas

Stephen L. Thomas, CISSP
District Manager, Sales
3001 Washington Square
Austin, TX 78705
Symantec Corporation
www.symantec.com

From: Susan Rodenko
Sent: Tuesday, May 15, 2012 11:02 AM
To: al@socialclubmedia.com; alfonsochernandez@gmail.com; amdealey@aol.com; commjms@sbcglobal.net; dave.anderson.07@gmail.com; dchimenti@austin.rr.com; donna.plancom@gmail.com; Meredith, Maureen; mnrghatfield@yahoo.com; sully.jumpnet@sbcglobal.net; vskirk@att.net
Subject: CanPac Plan Amendment RE: NPA-2012-0019=west 34th street redevelopment

Dear Planning Commission Members,
I am writing you to let you know I am adamantly against redevelopment. I live at 615 west 30th street and I am as of a few days ago the only single family home not slotted to be a not stealth dormitory on my block. This neighborhood is a gem. It is being swallowed up whole. Gready developers are trampling each other to tear it apart and ruin it. WE are happy to live here and the neighbors are awesome. There is already too much traffic. Cars are being damaged and hit by city vehicles just trying to do their job. The area will become too congested with this new development. This is a neighborhood!!! Not a Business Plaza!! Please do not let our wonderful neighborhood become a complete mess. I feel free to let my children walk around, but if this goes up, I can't. It will change the way we live our lives. I will be afraid of the additional traffic. I can't imagine how the new influx of traffic and people will infiltrate the heart of our quiet neighborhood. It saddens me that these developers want to hurt soo many lives. It is deeply distressing that we as homeowners are being pushed out of our homes by zoning! There are other areas that need renewing that would be better suited for this type of business. Think of how it would affect you personally if a business went in right in the middle of your quiet neighborhood. We have businesses all around us. It makes no sense to me and quite elitist of these developers to want to plop a business right in our heart. We as homeowners DO NOT WANT THIS BUSINESS IN THE HEART OF OUR NEIGHBORHOOD! Please help us and DO NOT LET THIS HAPPEN!! It will irreparably change our neighborhood and ruin lives. Thank you for your concern.

Sincerely,
The Dr. George and Susan Rodenko Family

From: sofia martinez
Sent: Tuesday, May 15, 2012 1:17 PM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com; mnrghatfield@yahoo.com
Cc: Meredith, Maureen
Subject: RE: NPA-2012-0019.01 - W 34th Street Redevelopment

Commissioners,
I am opposed to the proposed amendment to the CANPAC neighborhood plan.
The tracts named were labeled as single family on the future land use map to provide a buffer between the single family properties and the medical developments. This was part of the deliberate and thoughtful process that developed the neighborhood plan.
The buffer is needed even more now because the property owner is attempting to increase the allowed density on the rest of the property. In addition, these tracts are part of the property that the neighborhood and property owners are discussing for park use. If the plan amendment and associated zoning change is approved, the size of any possible park will be drastically reduced. The park would be an incredible resource for our neighborhood because currently we cannot walk to a park without crossing one of the busy streets bordering the neighborhood: Guadalupe, Lamar, 29th, and 38th St, yet we are a neighborhood full of children (three of them mine).
Please vote against the plan amendment.
Thank you,
Sofia Martinez
901 W 30th (since April 2001).

5/22/12 PC Hrng Item # 12

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
974-2695
P. O. Box 1088
Austin, TX 78767-8810

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

Case Number: NPA-2012-0019.01
Contact: Maureen Meredith
Public Hearing: May 22, 2012, Planning Commission
June 28, 2012, City Council

☐ **I am in favor**
☒ **I object**

John Boardman + Mikal Grimes
Your Name *(please print)*

706 W 32nd St
Your address(es) affected by this application

Signature

May 15, 2012
Date

Comments: Sent via email

From: Anne Heinen
Sent: Wednesday, May 16, 2012 12:01 PM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com
Cc: Meredith, Maureen
Subject: Please vote against NPA-2012-0019.01 W 34th Street Redevelopment

Commissioners,

I am opposed to the proposed amendment to the CANPAC neighborhood plan. The subject tracts were deliberately labeled as single family on the future land use map to provide a buffer between the single family properties and the medical developments. This buffer is needed even more today as the property owner attempts to increase the allowed density on the rest of the property. In addition, these tracts are part of the property that the neighborhood and property owners are discussing for park use. If the plan amendment and associated zoning change is approved, the size of any possible park will be drastically reduced. Please vote against the plan amendment. Thank you for your attention.

Regards,

Anne Heinen
Heritage Neighborhood Resident, HNA Steering Committee Member

From: Marc McDaniel
Sent: Wednesday, May 16, 2012 12:14 PM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com; mnrghatfield@yahoo.com
Cc: Meredith, Maureen; Patterson, Clark
Subject: 34th Street Redevelopent: C14-2011-0131, C14-2011-0132, C14-2011-0133, C14-2011-0134

Please vote against changing the zoning from LO to GO on these cases.

Our mixed use neighborhood is trying to hold the line on further erosion of the residential component. The neighborhood plan allows from commercial development at the perimeter of the neighborhood, not in the middle. The Heritage Neighborhoo is bounded by Guadalupe, Lamar, 29th, and 38th Streets which already has lots of medical office development. The proposed development is simply too large to for being near the center of the neighborhood (i.e. not on the perimeter).

The developer can already build 2x the existing structures with the existing zoning. Increasing the density with the GO zoning is simply inappropriate. Plus the medical offices that are proposed generate a lot of traffic (i.e. appointments every 15 minutes for multiple physicians= lots of frequent in/out traffic, lots of office workers). There is nothing I've seen in the developer's proposal that will significantly mitigate this addition traffic. 34th street already stacks up during peak hours....the issue of traffic has not been adequately addressed by the applicant.

I do not believe that the developer has negotiated with the Heritage Neighborhood in good faith to find a mutually beneficial agreement. The size of the proposed development has increased since the HNA agreed to negotiation. This sort of tactic reeks of "boost the price, then put it on sale" to make the customer feel they got a good deal.

The neighborhood plan is what it is. The neighborhood plan not be altered without the support of the residents. The developers knew what the limits on the property were before they acquired it.

The property should remain LO.

Marc McDaniel
811 W. 31st Street
Austin Texas 78705
512.431.3730 cell/text

From: Kisla
Sent: Wednesday, May 16, 2012 3:43 PM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com; mnrghatfield@yahoo.com; Meredith, Maureen
Subject: RE: NPA-2012-0019.01 - W 34th Street Redevelopment

Commissioners,

I am opposed to the proposed amendment to the CANPAC neighborhood plan. The subject tracts were deliberately labeled as single family on the future land use map to provide a buffer between the single family properties and the medical developments. I specifically remember discussing this issue with my neighbors when we were developing the Neighborhood Plan, which I believe was finalized in 2004.

This buffer is needed even more today as the property owner attempts to increase the allowed density on the rest of the property. In addition, these tracts are part of the property that the neighborhood and property owners are discussing for park use. If the plan amendment and associated zoning change is approved, the size of any possible park will be drastically reduced.

Please vote against the plan amendment.

Thank you for your attention.

Kisla Jimenez and Jonathan Williams
3012 West Avenue
Austin, TX 78705

From: Lizzie Cain Clark
Sent: Thursday, May 17, 2012 11:39 AM
To: sully.jumpnet@sbcglobal.net; dchimenti@austin.rr.com; vskirk@att.net; amdealey@aol.com; dave.anderson.07@gmail.com; alfonsochernandez@gmail.com; commjms@sbcglobal.net; donna.plancom@gmail.com; mnrghatfield@yahoo.com
Cc: Meredith, Maureen
Subject: NPA-2012-0019.01 - W 34th Street Redevelopment

RE: NPA-2012-0019.01 - W 34th Street Redevelopment

Commissioners,

I write you to **oppose the proposed amendment to the CANPAC neighborhood plan.**

The subject tracts were deliberately labeled as single family on the future land use map to provide a buffer between the single family properties and the medical developments. This buffer is needed even more today as the property owner attempts to increase the allowed density on the rest of the property. In addition, these tracts are part of the property that the neighborhood and property owners are discussing for park use. If the plan amendment and associated zoning change is approved, the size of any possible park will be drastically reduced.

The CANPAC neighborhood plan was painstakingly developed, with appropriate foresight and compromises among all parties. It should be maintained in its current state.

Please vote against the plan amendment.

Thank you for your attention.

Lizzie Cain Clark

3011 West Avenue

512.323.6945