

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-18
AGENDA DATE: Thu 11/17/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0136 - Spring Condominiums - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as West 3rd Street and Bowie Street (Town Lake Watershed) from downtown mixed use (DMU) district zoning to downtown mixed use-central urban redevelopment (DMU-CURE) combining district zoning with conditions Zoning and Platting Commission Recommendation To grant downtown mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning with conditions Applicant Third Street Offices, Ltd (Diana G Zuniga) Agent Perry Lorenz City Staff Jorge Rousselin, 974-2975

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING REVIEW SHEET

CASE: C14-05-0136

Z.A.P. DATE: September 6, 2005
October 18, 2005

ADDRESS: West 3rd Street and Bowie Street

OWNER: Third Street Offices, Ltd
(Diana G Zuñiga)

AGENT: Perry Lorenz

REZONING FROM: DMU (Downtown Mixed Use district)

TO: DMU-CURE (Downtown Mixed Use - Central Urban Redevelopment) Combining District

AREA: 0.6267 Acres (27,299.052 square feet)

SUMMARY ZAP RECOMMENDATION:

October 18, 2005.

APPROVED DMU-CURE-CO, WITH CONDITIONS OF

- 1500 VEHICLE TRIPS OR LESS,
 - BASE HEIGHT OF 45-FEET,
 - MAXIMUM FLOOR PLATE OF 8,000 SQUARE FEET,
 - HEIGHT RANGE BETWEEN 275-FEET TO 350-FEET,
 - 10,000 SQUARE FEET OF RETAIL;
- [K J, B B 2ND] (7-2) J M, J P – NAY

SUMMARY ZAP SUBCOMMITTEE RECOMMENDATION:

On September 6, 2005 the Zoning and Platting Commission took public comment and appointed a subcommittee to discuss and formulate a recommendation on the proposed zoning change for case C14-05-0136. Four meetings of the subcommittee were held and the recommendation as formulated on October 10, 2005 is as follows:

General Recommendations forwarded to the City Council:

Zoning and development code issues on point-towers addressing the following:

- Setbacks,
- Base building height,
- Floor plate square footage,
- Spacing between point-towers,
- Maximum height,
- Floor Area Ratio;
- Inclusion of public amenities,
- Multiple point-towers,
- Incentives for affordable housing credits,
- Specific design guidelines,
- Transition of scale and massing to established neighborhoods, and

- Transportation and circulation improvements to 5th Street at Lamar and 6th Street at Lamar.

Recommendation on rezoning case C14-05-0136 forwarded to the ZAP:

Recommendation of approval subject to the following

- A maximum vehicle trip generation of 1,500 vehicles or less per day,
- A maximum building base height of 45';
- A maximum floor plate of 8,000 square feet on point-tower only, and
- A maximum height range between 175' and 400'.

SUMMARY STAFF RECOMMENDATION:

Staff recommends DMU-CURE-CO (Downtown Mixed Use - Central Urban Redevelopment Conditional Overlay) combining district. The conditional overlay will address the following

- Limit the vehicle trips for this site to 3,000 vehicle trips per day,
- Maximum Floor Area Ratio (FAR) of 12:1
- Base wall with a maximum height of 60 feet
- Maximum building height of 400 feet, and
- The building coverage at a height of 60 feet above the finished grade is 8,000 square feet

DEPARTMENT COMMENTS:

The subject rezoning area is a 0.6267 acre site (27,299,052 square feet) fronting West 3rd Street and Bowie Street zoned DMU. The applicant proposes to rezone the property to DMU-CURE district to allow for a 400' tall condominium structure with a floor area ratio (FAR) of 12:1. The modification to the base zoning district sought is the height limitation and FAR limitation. A portion of the site lies within the Capitol View Corridor. Staff recommends DMU-CURE-CO (Downtown Mixed Use - Central Urban Redevelopment Conditional Overlay) combining district. The conditional overlay will limit the vehicle trips for this site to 3,000 vehicle trips per day and it is based on the following considerations:

- 1) The proposed use is compatible with existing multifamily residential development on Bowie Street,
- 2) The proposed development lies within the downtown CURE district,
- 3) The proposed development will not be subject to compatibility standards,
- 4) The proposed point-tower will not lie within the Capitol view corridor,
- 5) The proposed development will be near future transit station / hub, and
- 6) Great Streets Program participation is recommended

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DMU	Lounge / Studio
<i>North</i>	DMU	Shopping Center
<i>South</i>	DMU	Undeveloped land
<i>East</i>	DMU-CO	Apartments
<i>West</i>	DMU	Parking lot

AREA STUDY: Downtown Design Guidelines**TIA:** Waived, See Transportation comments**WATERSHED:** Town Lake**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** Yes**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

57--Old Austin Neighborhood
 402--Downtown Austin Neighborhood Assn (DANA)
 511--Austin Neighborhoods Council
 623--City of Austin Downtown Commission
 742--Austin Independent School District
 744--Sentral Plus East Austin Koalition (SPEAK)
 998--West End Austin Alliance

SCHOOLS:

Austin Independent School District

- Mathews Elementary School
- O Henry Middle School
- Austin High School

RELATED CASES: N/A**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0005	DMU to DMU-CURE	Pending	Pending
C14-05-0093	ROW to DMU	Pending	Pending
C14-02-0112	Old West Austin Neighborhood Plan Combining District	08/14/02 PC APPROVED (6-0, DS-RECUSED) SF-2-NP, SF-2-H-NP, SF-3-NP, SF-3-H-NP, SF-4A-NP, SF-6-NP, MF-2-NP, MF-3-NP, MF-3-H-NP, MF-4-NP, MF-4-H-NP, NO-NP, NO-CO-NP, NO-MU-H-CO-NP, P-NP, P-H-	09/26/02 APVD SF-2-NP, SF-2-H-NP, SF-3-NP, SF-3-H-NP, SF-4A-NP, SF-6-NP, MF-2-NP, MF-3-NP, MF-3-H-NP, MF-4-NP, MF-4-H-NP, NO-NP, NO-CO-NP, NO-MU-H-CO-NP, P-NP, P-H-

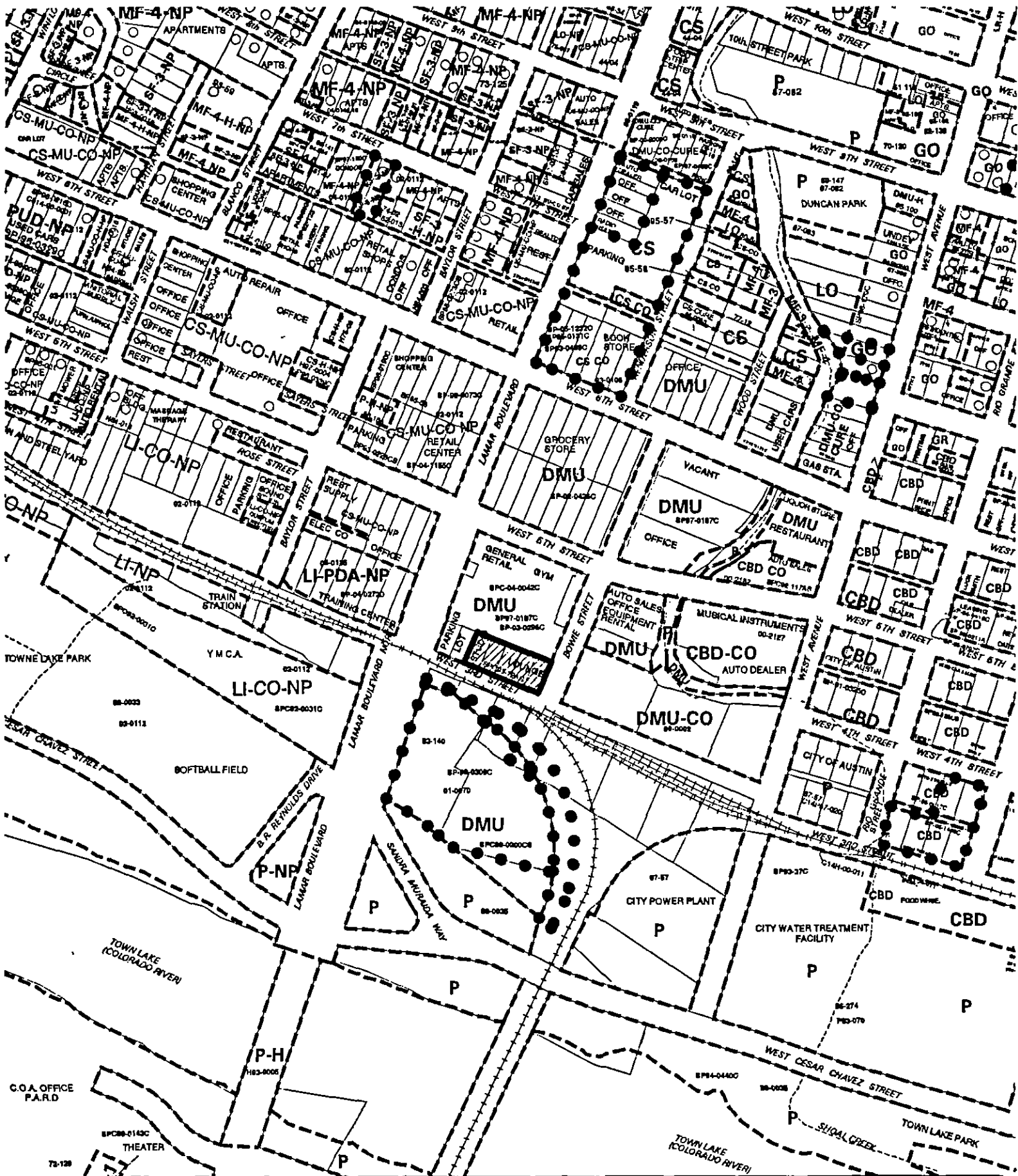
		NO-MU-H-CO-NP, P-NP, P-H-NP, LO-NP, LO-CO-NP, LO-H-NP, LO-MU-NP, GO-NP, GO-CO-NP, LR-NP, GR-NP, GR-MU-CO-NP, CS-MU-CO-NP, CS-H-MU-CO-NP, CS-1-MU-CO-NP, LI-CO-NP, PUD-NP.	NP, LO-NP, LO-CO-NP, LO-H-NP, LO-MU-NP, GO-NP, GO-CO-NP, LR-NP, GR-NP, GR-MU-CO-NP, CS-MU-CO-NP, CS-H-MU-CO-NP, CS-1-MU-CO-NP, LI-CO-NP, PUD-NP AND DIRECTED STAFF TO INITIATE REZONING OF 1706 & 1708 W 6TH FROM SF-2-NP TO NO-MU-CO-NP
C14-05-0025	SF-2-NP TO NO-MU-CO-NP	05/24/05 PC : APPROVE STAFF RECOMMENDATION, INCLUDING ALL CONDITIONS, BUT REQUIRE INGRESS AND EGRESS ONLY FROM THE ALLEY AND DIRECT STAFF TO PREPARE A PLAN TO ALLOW ON-STREET PARKING ON WEST 6 TH STREET TO ADDRESS THE PARKING CONCERNS FOR SITE VOTE (JR-1 st , MM-2 nd , CM-OPPOSED, CG- ABSENT)	Pending September 1, 2006
C14-03-0168	DMU-CURE to DMU-CURE (ground floor rezoned for office and pedestrian oriented uses)	01/06/04 : ZAP – Pulled, sent to City Council without recommendation	01/29/04 APVD STAFF REC OF DMU-CO-CURE (NO COCKTAIL LOUNGE), (5-0), 1ST RDG, 02/12/04 APVD DMU-CO-CURE (7-0), 2ND/3RD RDGS
C14-00-2132	DMU to CBD	08/22/00 PC - APVD STAFF REC W/COND OWNER RECONNECT HIKE/BIKE TRAIL (8-0), SA-ABSENT)	09/28/00 APVD CBD-CO W/CONDS (7-0) ALL 3 RDGS Conditional Overlay - Vehicle trip limitation to 2,000
C14-00-2127	DMU to CBD	08/22/00 PC - APVD STAFF REC W/COND OWNER RECONNECT HIKE/BIKE TRAIL (8-0), SA-ABSENT)	09/28/00 APVD CBD-CO W/CONDS (7-0) ALL 3 RDGS Conditional Overlay - Height limitation of 170 feet, - FAR of 5.1.

C14-99-0002	P to DMU-CO	02/09/99 PC - APVD STAFF REC OF DMU-CO BY CONSENT (9-0).	04/15/99 APVD DMU-CO W/CONDITIONS (7-0) 2ND/3RD RDGS Conditional Overlay Vehicle trip limitation to 2,000
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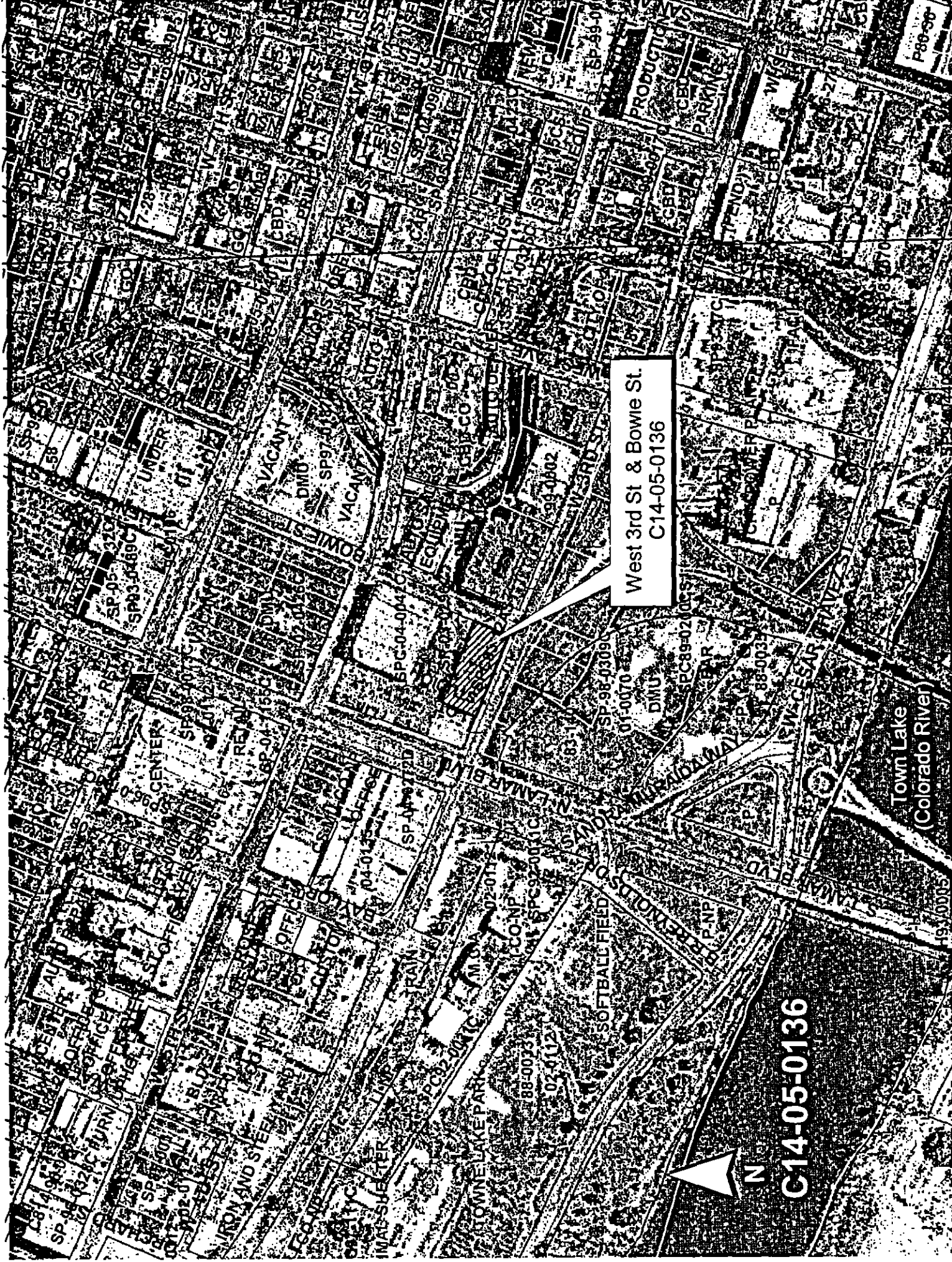
ABUTTING STREETS:

Name	ROW	Pavement	Classification
3 rd Street	60'	20'	Collector
Bowie Street	80'	40'	Collector

CITY COUNCIL DATE November 17, 2005 **ACTION:****ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT		ZONING CASE #. C14-05-0136 ADDRESS W 3RD ST & BOWIE ST SUBJECT AREA (acres) 0.622	DATE 05-11 INTLS SM	CITY GRID REFERENCE NUMBER H22
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR J ROUSSELIN				

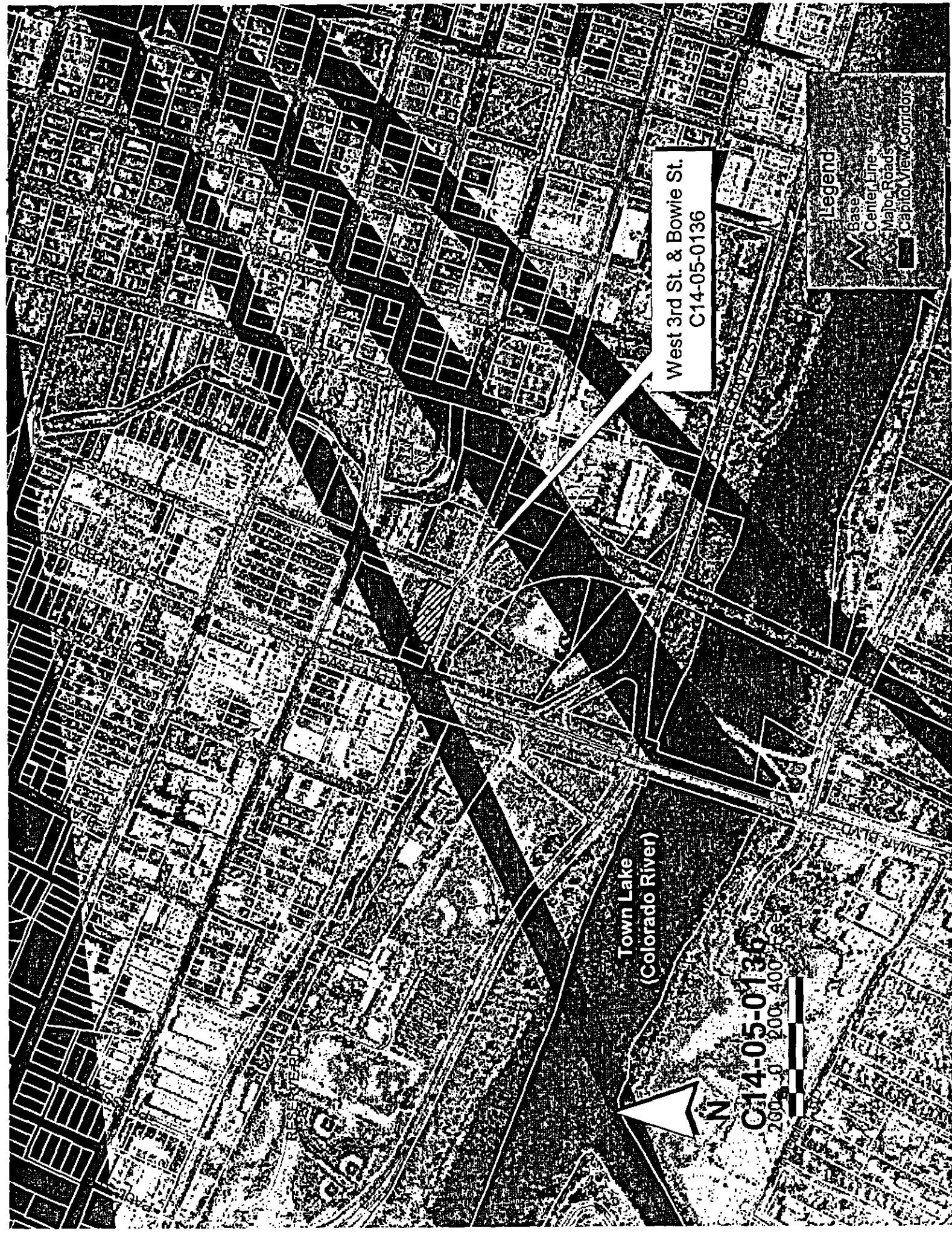


West 3rd St & Bowie St.
C14-05-0136



C14-05-0136

Town Lake
(Colorado River)



West 3rd St. & Bowie St.
C14-05-0136

- Legend
- Base
 - Center Line
 - Major Roads
 - Capitol View Corridor

Town Lake
(Colorado River)

C14-05-0136



STAFF RECOMMENDATION

Staff recommends DMU-CURE-CO (Downtown Mixed Use - Central Urban Redevelopment Conditional Overlay) combining district. The conditional overlay will limit the vehicle trips for this site to 3,000 vehicle trips per day and it is based on the following considerations:

- 1.) The proposed use is compatible with existing multifamily residential development on Bowie Street,
- 2.) The proposed development lies within the downtown CURE district;
- 3.) The proposed development will not be subject to compatibility standards;
- 4.) The proposed point-tower will not lie within the Capitol view corridor,
- 5.) The proposed development will be near future transit station / hub, and
- 6.) Great Streets Program participation is recommended

BASIS FOR RECOMMENDATION

1. The proposed zoning should be consistent with the purpose statement of the district sought. Chapter 25-2-163—Central Urban Redevelopment (CURE) Combining District Purpose states:

(A) The purpose of a central urban redevelopment (CURE) combining district is to promote the stability of neighborhoods in the central urban area

(B) A CURE combining district may be used

- (1) for sustainable redevelopment of homes, multifamily housing, and small businesses,
- (2) to accommodate high priority projects that enhance the stability of urban neighborhoods including the development of affordable housing and small businesses along principal transportation routes that serve a neighborhood,
- (3) to improve the natural environment; and
- (4) to encourage high quality development with architectural design and proportion compatible with the neighborhood

The proposed rezoning meets the purpose statement set forth in the Land Development Code. The subject property is the current location of a lounge and studio and is across from residential multifamily development zoned DMU-CO on Bowie Street.

2. The proposed zoning should promote consistency, and orderly planning

The proposed change and recommended conditional overlay is compatible with the surrounding area. Furthermore,

- 1.) The proposed use is compatible with existing multifamily residential development on Bowie Street,
- 2.) The proposed development lies within the downtown CURE district,
- 3.) The proposed development will not be subject to compatibility standards,
- 4.) The proposed point-tower will not lie within the Capitol view corridor,
- 5.) The proposed development will be near future transit station / hub, and
- 6.) Great Streets Program participation is recommended

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area is a 0.6267 acre site (27,299.052 square feet) fronting West 3rd Street and Bowie Street zoned DMU it is the current location of a lounge and studio and is across from residential multifamily development zoned DMU-CO on Bowie Street

Impervious Cover

Impervious cover is sought at 100%.

Transportation

1. No additional right-of-way is needed at this time
2. The trip generation under the requested zoning is estimated to be 3,002 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics) The proposed uses of 10,000 s f retail, 10,000 s f office and 220 condominium units will generate approximately 3,002 vehicle trips per day
3. A traffic impact analysis was waived for this case because the proposed development only slightly exceeds the limits for requiring a traffic impact analysis. In addition, the proposed site is located within the Downtown Mixed Use District and much of the traffic generated by the proposed retail and office uses may be pedestrian oriented. If the zoning is granted, development should be limited through a conditional overlay to 3,002 or less vehicle trips per day [LDC, 25-6-117]
4. Existing Street Characteristics
5. There are no existing sidewalks along 3rd Street or Bowie Street adjacent to this tract.
6. Capital Metro bus service is available along Lamar via route #38 and along 5th Street via route #22
7. Neither 3rd Street nor Bowie Street is classified in the Bicycle Plan

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or

redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm

2. According to flood plain maps, there is no flood plain within the project area
3. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment
5. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements

Water and Wastewater

WW 1. The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City.

Site Plan

SP 1. A portion of this site is located within a Capitol View Corridor, any new development would be required to obtain a Capitol View Corridor determination, which would show the height restrictions.

Compatibility Standards

This site is not subject to compatibility standards.

Rousselin, Jorge

From Link, Amy
Sent: Tuesday, September 06, 2005 9 07 AM
To: Larry Warshaw
Cc: Rousselin, Jorge
Subject RE Staff Report for C14-05-0136 Spring Condominiums

Hi Larry –

I calculated the trip generation for the uses you propose and a summary is listed below

10,000 s f retail – 1520
10,000 s f office – 227
220 condos – 1255

Total trip generation would be 3,002 trips per day. This would exceed the 2,000 trip limit I recommended as part of my review of the zoning case. If you plan to exceed the 2,000 trip limit, a traffic impact analysis would be required as part of the approval of this rezoning application. Please contact me if you would like to discuss further. I would be glad to work with you to come up with a combination of uses that would generate less than 2,000 trips.

~ Amy

Amy Link
Watershed Protection and Development Review Dept
City of Austin
(512) 974-2628
(512) 974-3010 fax
amy.link@ci.austin.tx.us

9/6/2005

014-05-0136

**Watershed Protection and Development Review Department
CITY OF AUSTIN
TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET**

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: Spring Condominiums
LOCATION: W 3rd and Bowie
APPLICANT: Perry Lorenz **TELEPHONE NO:** (512) 784-1187
Fax: (512) 478-8837
APPLICATION STATUS: ☐ DEVELOPMENT ASSESSMENT ☒ ZONING ☐ SITE PLAN

EXISTING

FOR OFFICE USE ONLY

TRACT NO	TRACT ACRES	BUILDING SQ FT	ZONING	LAND USE	ITE CODE	TRIP RATE	TRIPS PER DAY
1	0.1194		DMU	Parking Lot			
2	0.1301		DMU	Office Bldg			
3	0.1301		DMU	Office Bldg			
4	0.1313		DMU	Office Bldg			
5	0.1158		DMU	Parking Lot			

0

PROPOSED

FOR OFFICE USE ONLY

TRACT NO	TRACT ACRES	BUILDING SQ FT	ZONING	LAND USE	ITE CODE	TRIP RATE	TRIPS PER DAY
1 thru 5	0.6267	220	DMU-CURE	Condominium	230		1,255
		10,000	DMU-CURE	Retail	1820		1,520
		10,000	DMU-CURE	Office Bldg	1710		227

TOTAL 3,002

ABUTTING ROADWAYS

FOR OFFICE USE ONLY

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION
W 3rd Street	Yes		
Bowie Street	Yes		

FOR OFFICE USE ONLY

 A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.

 A traffic impact analysis is NOT required. The traffic generated by the proposal does not meet or exceed the thresholds established in the Land Development Code.

 X The traffic impact analysis has been waived for the following reason(s):
 see attached waiver letter

 The traffic impact analysis has been waived because the applicant has agreed to limit the intensity to 2,000 vehicle trips per day.

 A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY: Amy Link *RL* **DATE:** September 6, 2005
DISTRIBUTION: FILE CAP METRO TxDOT COPIES
 TRANS REV. Travis Co./Williamson Co TPSD

NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application to Planning, therefore, this completed and reviewed form must accompany any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.



TRANSPORTATION IMPACT ANALYSIS WAIVER

Applicant: Perry Lorenz
1311-A 6th St.
Austin, Tx 78702

Phone No.: 784-1187

Proj. Location: 3rd and Bowie Street **Project Descript:** Mixed Use Retail/Resid

Project Name: Spring Condominiums

Waiver(s) Requested: Waiver from Traffic Impact Analysis (LDC Sec. 25-6-113)

Response: TIA Waiver Approved

Conditions/Comments:

The Land Development Code requires a traffic impact analysis to be submitted for developments which are projected to generate greater than 2,000 vehicle trips per day. The proposed development is estimated to generate approximately 3,002 vehicle trips per day, unadjusted

1. The proposed development is located in the Downtown Mixed Use District and only slightly exceeds the limits for requiring a traffic impact analysis. Because of the location, much of the traffic generated for the retail and office uses may be pedestrian oriented
2. Mixed use developments generally have a high percentage of internal capture and pass-by traffic. Based upon data collected by the Institute of Transportation Engineers, approximately 10 percent of traffic generated by the retail and office use may be generated from the residential portion of the development and 34 percent may be generated by the adjacent traffic stream
3. Based upon the traffic generated from this project, there are no identifiable intersection improvements that would result in posting a significant amount of fiscal.

Amy Link
Watershed Protection and Development Review

Date September 6, 2005

MEMORANDUM

TO: Betty Baker, Chair and Members of the Zoning & Platting Commission

FROM: Dora Anguiano, ZAP Commission Coordinator
Neighborhood Planning and Zoning Department

DATE: October 13, 2005

SUBJECT: Spring Condominium Recommendation to full ZAP

Attached is the Spring Condominium Subcommittee summary/recommendation to the full ZAP Commission

CASE # C14-05-0136

Rezoning: **C14-05-0136 - Spring Condominiums**
Location: West 3rd Street & Bowie Street, Town Lake Watershed
Owner/Applicant: Diana G. Zuñiga
Agent: Perry Lorenz
Request: DMU to DMU-CURE
Staff Rec.: **RECOMMENDED**
Staff: Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us
Neighborhood Planning and Zoning Department

SUMMARY

DISCUSSION ON THE RECOMMENDATION

Commissioner Jackson – “I’m not sure if we need to make a formal motion or just a recommendation or what”.

Commissioner Martinez – “I will make a motion to send to the full Zoning & Platting Commission, with all the elements that were brought up in these meetings”.

Commissioner Hammond – “I’ll second”

Aye . Motion passed

Commissioner Jackson – “The motion was to take to the full Zoning & Platting Commission a number of recommendations that would be referred to the City Council, basically to address these specific type of buildings. That they include addressing spacing, FAR, base height, overall height, public amenities, park land, multiple towers, affordable housing credits, design standards, setbacks, stair step concepts, improvements to 5th and 6th and some kind of transitioning review”.

Commissioner Pinnelli – “Transitioning to establish neighborhoods?”

Commissioner Jackson – “Yes. With that said, although we recommend all of this and we all support this, a lot of that is not applicable to this particular case because there’s nothing on the books that gives us the authority to do some of it. We can talk about the base height, we can talk about the floor plate area, we can talk about the height and FAR, those are issues that we can talk about. I personally agree with the Chair that I’d love to see parkland or some kind of funding for park improvements, but we can’t require that. Our options are to send a no recommendation, we can say that it is good the way that it is, which I don’t think everyone believes, but we can do that, that’s an option, or we can work with it and see what we want to do. I’m open to any suggestions and I did take some notes if we want to start with that”.

Commissioner Pinnelli – “Let’s start with your notes and we’ll go from there, we’ll either agree or disagree”.

Commissioner Jackson – “I’ll start with traffic, let’s limit the traffic to 1500 trips a day, that also ties back to the uses of ...”

Commissioner Pinnelli – “I thought they said 1200 trips”

Commissioner Jackson – “I threw in a little extra; we can work with the square footage that ties back to a certain number and I think we can get there as well”.

Agent – “It’s 900 for residential, 450 or something for the retail”.

Commissioner Pinnelli – “It’s 920 for the condos and 443 for the retail, which comes to 1363 trips per day”.

Commissioner Jackson – “We’ll come back with a number, but for now we’ll limit trips, I just know it’ll be 1500 or less for right now, a base height which is the structures, as I understand them, has a larger area at the base of the building, It’ll be 2 or 3 stories or some height”

Commissioner Pinnelli – “But they are limited because of the Capital View”.

Commissioner Jackson – “But not all of it would be, so why don’t we limit the base height; what I’m proposing is to limit the base height to 60-feet”

Commissioner Hammond – “That’s too high for me, I would say 45-feet would be the maximum height for me”.

Commissioner Jackson – “Then the floor plate, I’m saying 8,000 square feet”.

Commissioner Hammond – “I would propose a range if we could, I realize we’re speaking specifically about this project, but I’m thinking about future projects that are coming later down the road, I like the idea of the point towers, I just think these massive big buildings that keep getting bigger and bigger are overwhelming and some of them are less than attractive and ugly last forever”

Commissioner Jackson – “Personally, I think we’re better off limiting the height and the floor plate and forget the FAR, because if you set a FAR we could conceivably get a big mass of a building there, it will be shorter”.

Commissioner Hammond – “If you had a 10 to 1 and a 30,000 square foot floor plate, you have a 10-story building with 30,000 square feet of floor”.

Commissioner Jackson – “Or you can have a 10,000 and have a 30-story building So would we rather have a 10-story of 30,000 square feet of floor”.

Commissioner Hammond – “I’m thinking if you do floor plate there should be some sort of range 4,000 to 7,000, I really don’t know”.

Commissioner Jackson – “Explain why you want the lower range, that’s what I don’t understand, we don’t care if it’s smaller”.

Commissioner Hammond – “I don’t know.. skinnier towers (laughs)”.

Commissioner Jackson – “But if you say it’s 4,000 to 10,000... we really don’t care what it is, we’re just setting up a range”.

Commissioner Martinez – “No larger than 7,000, because you said 8,000”.

Applicant – “Can I tell you why we would like to see 8,000? I would love for it to be 7,000 and we intend for it to be 7,000, but because of the scissor stairway it’s very sufficient that would allow it have a 7,000 foot floor plate and I think that it’s okay, it meets code, if we have to have 8,000 feet to make it work, I would appreciate that, our intention is to have 7, we intend to make this as small as we can”.

Commissioner Jackson – “An 8,000 square foot floor plate would basically be 80 x 100 for the tower?”

Yes (inaudible)

Commissioner Jackson – “Okay, now down to the heart of the matter as far as I can tell is the height They are requesting 400’; we don’t know for certain but there’s several other buildings coming in at the 200’ range around it, some of them are in excess of 200-feet and don’t need zoning because they are in the CBD, not that that matters, it’s just a point of reference”.

The subcommittee used the Niconia zoning as a reference

Commissioner Hammond – “I know that Niconia was an issue with OWANA, could you refresh my memory if that building met the DMU height limitation, what the issue was on that building”

OWANA resident – “That had to do with compatibility standards”.

Discussion continued regarding the Niconia project

Commissioner Jackson – “So the request is for 400-feet, even I think that 400-feet is too much”.

Commissioner Pinnelli – “Me too”

Commissioner Martinez – “I say 200-feet”.

Commissioner Jackson – “I think that’s too low”.

Commissioner Pinnelli – “I keep going back to the fact that it’s not in CBD-CURE, it’s not or, it’s and, and the #4 says “Architectural design and proportion compatibility with the neighborhood”, and 400-feet is not compatible with that neighborhood I’m hard pressed to say 200-feet is compatible”.

Commissioner Jackson – “So which neighborhood are you looking at?”

Commissioner Pinnelli – “I’m looking at what’s sitting on west from Shoal Creek; everything there as been capped at 120-feet, I can go with 175-feet”.

Commissioner Martinez – “This is what I suggest we do because it’s just the four of us here, we agree to a range and talk about and let the full commission decide on the height since this is the most sensitive issue, rather than the four of us come up with a height”.

Commissioner Jackson – “We can say that we couldn’t get there”

Commissioner Martinez – “We’re at least somewhere, we’ll have a range of 175-feet to 400-feet, we should just go forward with that to the full commission and decide there what the height should be”

Commissioner Pinnelli – “Yeah, so we’re not here all night banging over height”

Commissioner Hammond – “Not speaking as an advocate, but this is a different kind of building, there’s nothing like it in Austin and literally if this building was 3-blocks to east, the sky is the limit I think that Austin will always have a mix of buildings downtown, hopefully the historic building will be preserved forever and we’ll always have those, these new towers is part of the changing world, but we also need to balance that with the concerns that our neighbors have, not only the OWANA neighbors but also our neighborhoods in South Austin that are within walking distance of downtown It’s going to be difficult, I really don’t know what the height should be for this building I like the ideas, I think the project will be first class” “The other cities that we’ve studied, their State Laws allow them to do some things that we probably won’t be able to do in Austin .”

Commissioner Jackson – “No, we can do them”.

Commissioner Hammond – “Well, it’s providing bonuses for additional floor height, for providing public amenities .”

Commissioner Jackson – “We can do that, later, if we want to put it in the code, that can all be done, we just don’t have it today to do it, otherwise this would be a much easier deal”.

Commissioner Hammond – “Okay; I’m a big believer in mitigation type fees; I would also like to see more inclusionary housing downtown, I don’t know if we’ll ever see affordable housing downtown”.

Commissioner Jackson – “So do we want to put a range out for the full commission to consider?”

Silence

Commissioner Jackson – “We didn’t finalize the traffic”

Commissioner Pinnelli – “Well, that’s going to be contingent on what we do with the height”.

Commissioner Jackson – “Somewhat, the retail probably drives it more than the residential”.

Commissioner Pinnelli – “The residential part is the 900, so the retail is probably going to stay the same, once we square down on the height, then we can ratio what the traffic would be”

Mr. Lorenz – “Are we talking about just this project on this property or what you’re going to burden the property with?”

Commissioner Jackson – “Perry, right now, just this project what we have as a trip limitation of some upper end 1500 and lower end contingent on where the height ends up, okay. A base height of 45-feet, a floor plate of 8,000 square feet and a height that this committee has an unresolved issue”.

Mr Lorenz – “A 200-foot building, 8,000 square foot floor plate, 45-foot base height, it is. ..120’ building is permissible on the property, I mean .take away the floor plate, take away the base height and lower the height of the project that’s what you can recommend, but I’m just saying there’s not a project here It’s just something that we haven’t envisioned to build I would remind you that a 2-story project with retail on the ground floor and all this above, even the surface parking would be 150% traffic that we’re talking about, so 1500 trips, which is only 600 additional trips than what’s there right now”.

Commissioner Jackson – “I think the biggest issue and it’s been there all along is what’s reasonable and what everybody wants to go for, you’ve heard one of us say that he likes it but doesn’t know where he wants it to be, you heard one say 200-feet until she was talked down to 175-feet”.

Mr Lorenz – “This is not a residential tower for firefighters or school teachers, a two income family can qualify for this building, it’s relatively affordable”.

Commissioner Jackson – “Affordability is the issue outside the prevue of this specific case and outside the prevue of this group, so we need to finalize this recommendation”.

Commissioner Pinnelli – “I would move that we make a recommendation on these guidelines to the full ZAP commission on October 18th”.


Commissioner Martinez – “Second”.

Motion carried

Commissioner Jackson – “Okay, then this subcommittee is finished and adjourned”.

Adjourned

**ZENITH PARTNERS, LTD.
1311-A EAST 6TH STREET
AUSTIN, TX 78702**

Date: August 22, 2005
To: Jorge Rousselin
From: Perry Lorenz
Agent for Zenith Partners, Ltd. 

Re: Zoning Case #C14-05-0136

Zenith Partners, Ltd is seeking the CURE designation in the above referenced zoning case, in order to build a building that is 400 feet in height and having a FAR (Floor to Area Ratio) of 12. If you have any questions please call me at 512-478-8774.



AUSTIN DESIGN COMMISSION

August 29, 2005

Mayor Will Wynn
Mayor Pro Tem Danny Thomas
Council Member Jennifer Kim
Council Member Raul Alvarez
Council Member Betty Dunkerley
Council Member Brewster McCracken
Council Member Lee Leffingwell

RE: Development Options for Height Variances in the Urban Core

Dear Mayor and members of the City Council:

On August 22, the Design Commission discussed the topic of Development Options for Height Variances. The commission endorses the goals of Envision Central Texas and the idea of creating a dense and vibrant urban core. Many cities, including Seattle and Vancouver, use height and density bonuses as a tool for developer provision of enhancements to the overall quality of urban life.

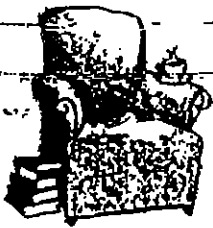
We believe that Austin would benefit from implementation of development option incentives in exchange for height variances. Our urban core is currently redeveloping at a rapid pace. Therefore, we need to act quickly to ensure that the quality of urban life is addressed in tandem with project development.

The Design Commission supports the use of development option incentives to allow greater height/density in exchange for the provision of enhancements that increase the quality of urban life such as open space, affordable housing, and community amenities.

We have formed a subcommittee to examine this issue and provide some recommendations regarding options for density bonuses. We remain open and willing to discuss the issue with you and other appropriate commissions.

Richard Weiss, AIA
Chair, Design Commission

Cc: City Manager Toby Futrell



BookPeople
Bookstore Coffeehouse est. 1970

September 5, 2005

Zoning and Platting Commission

RE. Spring Condominiums

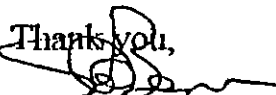
To the Platting Commission;

The proposed Spring Condominium project is exactly the kind of development that helps makes real the vision of efficient living downtown with people not having to drive to get every little thing. It is a great step forward in our city's stated goal of re-creating downtown as a vital, pedestrian friendly area filled with residential development.

It's a great use of limited resources to put what would take more than 50 acres of land in the suburbs and put it on 30,000 sq ft of land in an area loaded with shopping, dining, public transportation and recreation. This project serves the purpose of providing affordable housing for hundreds of people while doing its part to help maintain our fragile environment.

I am strongly in favor of this particular project and this type of project in general.

Thank you,


Steven Bereu
President, BookPeople



MEMORANDUM

TO. Mayor Will Wynn and City Council Members

FROM Jeb Boyt, Vice Chair
Downtown Commission


DATE September 26, 2005

RE Proposed Rezoning from DMU to DMU-CURE for Spring Condominiums
Case No C14-05-0136

RECEIVED
OCT 05 2005
Neighborhood Planning & Zoning

At their Wednesday, September 21, 2005 meeting, the Downtown Commission received a presentation from Robert Barnstone on the proposed Spring condominium project at W. Third and Bowie Streets. With Chair Perry Lorenz recusing himself from the discussion and vote, the Commission unanimously approved the following resolution:

"The Downtown Commission recommends approval of the zoning change from DMU to DMU-CURE with a maximum height of 400 feet and FAR limitation of 12.1."



Jeb Boyt, Vice Chair
Downtown Commission

cc: Toby Hammett Futrell, City Manager
Alice Glasco, Director, Neighborhood Planning and Zoning Department
Betty Baker, Chair, Zoning and Platting Commission

SUPPORT SMALL LOCAL BUSINESS IN DOWNTOWN AUSTIN!

To: Members of the Austin City Council

We are owners and operators of downtown-area small local businesses. We are writing to express our strong support for the proposed Spring residential development at 3rd and Bowie Street, and to ask that you grant the zoning change that would enable this landmark downtown project to be built.

If built as envisioned by its development team, Spring would create at least 220 new households within walking distance of dozens of downtown restaurants and retailers. Because Spring shoppers will not require parking spaces, this development represents a truly unique opportunity: to expand customer base and revenues (for both local business owners, and the City of Austin) outside of the traditional confines of limited downtown parking.

The City of Austin has clearly recognized the fiscal importance of keeping successful retail businesses inside the city limits, with significant incentive packages offered to retail developments like the Domain. Downtown restaurateurs and retailers – disproportionately locally owned – are poised to contribute significantly to the City's objectives, and *without* tax subsidies. All downtown businesses need to realize our potential is the residential base.

Again, we ask that you please grant the zoning to enable spring to be built.

Respectfully,

***Airrosti Rapid Recovery Center
Alpha Fitness
Book People
Bubbles Salon
Castle Hill Café
Miller Blue Print
Physique Personal Training
Pinnacle Elite Fitness
Portabla
Pro Force Fitness
Ranch 616***

***Rocket Banners
Shoal Creek Saloon
Star Bar
Sweetish Hill Bakery
Tip Top Cleaners
Trainingright.com
Waterloo Ice House
Waterloo Records
Whit Hanks Antiques
Wiggy's
Wink Restaurant***



September 26, 2005

Mr. Perry Lorenz
Zenith Partners, Ltd.
1311-A East 6th Street
Austin, TX 78702

Dear Perry:

As per your request, WHM Transportation Engineering (WHM) has completed an evaluation of the trip generation estimates for the Spring Condominium development located at the intersection of Bowle Street and 3rd Street in Austin, Texas. The existing land uses in the site consist of an office, an arts and craft store and a bar lounge. Current redevelopment plan of this site includes residential condominiums and specialty retail land uses. The unadjusted trip generation of the existing and proposed land uses is shown in Tables 1 and 2, respectively.

Vehicle trips were estimated using the microcomputer program "Trip Generation" by Microtrans Corporation, which is based on recommendations and data contained in the Institute of Transportation Engineers report Trip Generation, Seventh Edition.

Table 1 shows the unadjusted daily and peak hour trips for the existing land uses. Table 2 shows unadjusted daily and peak hour trips for the proposed land uses associated with the redevelopment.

Table 1.
Summary of Unadjusted Daily and Peak Hour Trip Generation – Existing Land Uses

Existing Land Use	Size	24 Hour Two Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
General Office	13,321 SF	147	18	3	3	17
Arts and Crafts Store	1,376 SF	78	0	0	4	5
Drinking Place	3,681 SF	485	0	0	28	14
TOTAL		710	18	3	35	36

Table 2.
Summary of Unadjusted Daily and Peak Hour Trip Generation – Proposed

Proposed Land Use	Size	24 Hour Two Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Condominiums/Town Homes	220 DU	920	13	62	53	31
Specialty Retail	10,000 SF	443	0	0	12	15
TOTAL		1,363	13	62	65	46
DIFFERENCE		653	-5	59	30	10

As shown in Table 2, the proposed redevelopment land uses will generate more trips than the existing land uses as follows 653 daily, 54 AM Peak and 40 PM Peak. The proposed redevelopment will not negatively impact area traffic operations due to the following reasons

- 1 The proposed redevelopment will generate less than 2,000 trips which is the requirement for the City of Austin for performing a traffic impact study. The proposed redevelopment will qualify for a TIA waiver since the proposed trip generation is low.
- 2 The additional peak hour trips associated with the redevelopment is very small without any adjustments and will not negatively impact traffic operations at area intersections.
- 3 The proposed additional trips have not been adjusted for pass-by, internal capture and transit reductions for conservative analysis. In reality the actual trip generation will be less than those shown in Table 2 when these adjustment factors are applied. Please note that the proposed residential land use will complement area retail uses, e.g. grocery store, retail stores, health clubs etc., and a major portion of the trips from the site to these developments will be non vehicular trips, e.g. pedestrian, bicycles, etc. The interaction between uses will reduce actual trip generation for the proposed redevelopment.
- 4 The proposed site is located close to existing and proposed transit facilities and no reductions have been assumed in estimating trips in Table 2. Transit usage by the residents of the Spring Condominiums will reduce actual trip generation of the site.
- 5 The proposed specialty retail land use proposed within the site will function as a subsidiary use to the condominiums and will generate fewer trips than those shown in Table 2.

Based on the information contained herein and engineering judgment, the proposed redevelopment will not negatively impact area traffic operations. Trip generation associated with the redevelopment will qualify for a TIA waiver as per the City of Austin requirements since the trip generation is low. Please feel free to contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Rashed T. Islam". The signature is fluid and cursive, with a large, stylized initial 'R'.

Rashed T. Islam, P.E., PTOE

Principal



DOWNTOWN AUSTIN ALLIANCE

A Vision and a Voice for Downtown

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Driskill Hotel
John Rowan, Vice Chair
Southwest Strategies Group
Nancy Burns, Secretary
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University of Texas
Joel Sher
Congress Holdings Group
Steve Simpson
Augsburg Management
Andy Slater
Hilton Hotels Corporation
Kalen Sonlechner
Travis County
Julia Spann
Curators of Austin
Lee Walker
Capital Metro
Will Wynn
City of Austin

Charles Betts, Executive Director
Downtown Austin Alliance

211 East Seventh Street, Suite 100-L
Austin TX 78701

Phone (512) 409 1766
Fax (512) 477 7456
Website www.downtownaustin.com
E-Mail dui@downtownaustin.com

September 19, 2005

Mr. Perry Lorenz
1311-A East 6th Street
Austin, Texas 78702-3301

Mr. Lorenz,

We understand that in order to fulfill your plans to build a residential project with retail on the ground floor at 3rd and Bowie Streets, you and your partners are seeking DMU-CURE zoning on a tract that is currently zoned DMU, and that you are seeking a floor-to-area ratio (FAR) of up to 12:1. At its September 2005 meeting, the Board of Directors of the Downtown Austin Alliance voted to support the requested zoning change and increase in FAR.

Sincerely,

Jeff Trigger
Chair



To: Members of The Zoning and Platting Commission & Austin City Council

We are a downtown family owned and operated local restaurant. We are writing to show our support for the proposed Spring residential development on 3rd and Bowie Street. We are asking that you grant the zoning change that would allow this new development to be built.

If this new development is built it would bring 220 new homes to our local business community. We know how important it is to the City of Austin to keep family owned and operated local business alive, and we truly feel this new community will have a significant impact on our business and others. It is the local residence of Austin that makes our business successful, in turn making the City of Austin objectives complete. All downtown businesses need to realize our potential success in this residential development.

Again, we ask that you please grant the zoning to enable spring to be built and further help local businesses succeed.

Respectfully,

A handwritten signature in black ink, appearing to read "Rocky Piazza", is written over a large, stylized, hand-drawn oval shape.

Rocky Piazza

Owner/ Rocco's Grill

(512) 261-6200

612 West 6th St.
1150 Lakeway Dr. Suite 202, Austin, Texas 78734
(512) 261-6200 fax (512) 261-7151
rpiazza@netlifestyles.com

ROMA

October 7, 2005

Perry Lorenz
1311-A East 6th Street
Austin, Texas 78702

Subject Spring Project

Dear Perry

I am very enthusiastic about preliminary plans that I have seen for the Spring Project near Seaholm and the Market District. I believe that the project is exemplary of the kind of urban neighborhood that is envisioned for this part of town: one that includes a diverse mix of residents and employees, one that is alive with commercial and cultural activity, and one that includes a public realm that is transit, pedestrian and bicycle-friendly. The slender point tower building will provide an elegant backdrop to the expanded open space system that is planned at the Sand Beach Reserve and help to reinforce the image and identity of this emerging neighborhood, and indeed the downtown as a whole. One has only to look at the success of downtown San Diego or Vancouver to see that these structures, if designed well, can contribute to the livability and vitality of an urban neighborhood. I wish you all the best as you negotiate the entitlement process.

Sincerely,

ROMA Design Group

A handwritten signature in black ink, appearing to read "Jim Adams".

Jim Adams AIA
Principal



1009 WEST 6TH STREET
AUSTIN, TEXAS 78703
TEL: 512.478.2264
FAX: 512.478.2203

September 26, 2005

To: Members of the Zoning & Platting Commission,
Mayor and Austin City Council

From: Whit H. Hanks

I write you in support of the new high-rise residential project called "Spring", which is the brainchild of seasoned, local Austin developers. Its location, height, design, and affordability are all very appealing to me.

When I opened Whit Hanks Antiques near Lamar and 6th Street in 1985, our neighborhood was a much different place than the way it is today. Since then, I've become the landlord to more than 20 thriving retail businesses within a few blocks of that intersection. At the time that we opened, we were surrounded by car lots and rundown buildings. Looking back, it's easy to see how this transition occurred, but looking forward to what the next direction should be is not so easy.

Personally, I see a unique opportunity to combine in one neighborhood many components which can work well together. These include single family homes, trendy retail establishments, and high-rise residential towers. To make this complicated mix work, each component of it needs to be cooperative. For example, nearby single-family residents will need to adjust their idea of the perfect skyline view.

I applaud your innumerable efforts in turning the City around and allowing for the Renaissance that is occurring in our neighborhood. One of the important components of this rebirth is a vital downtown core area which is attractive to both residential and commercial residents, is affordable, and is accessible. I think that the "Spring" project makes a positive contribution to this goal. I support the zoning changes necessary to allow this project to succeed.

Regards,

Whit H. Hanks

—Original Message—

From: Charlotte Herzele [mailto:herzele@austin.rr.com]

Sent: Monday, October 17, 2005 10:24 AM

To: Perry Lorenz

Subject: OWANA member in favor of SPRING project

Dear Mayor Wynn and Members of the City Council

As a 25-year resident & homeowner and former secretary (1981-84) and co-chair (1984-87) of the Old West Austin Neighborhood Association (OWANA), I would like to add my voice of support to the project located at 3rd and Bowie Streets

When I was actively involved in OWANA, our association was victorious in many confrontations with the Planning Commission and City Council, regarding development of high rise condominium projects and offices, as well as businesses wishing to establish themselves within the OWANA boundaries

We were successful in working out compromises or stopping inappropriate development, altogether, because we picked our battles, knowing that our neighborhood was defined by W 15th (Enfield Rd) on the North, Lamar Blvd on the East, W 6th St on the South, and W Lynn St on the West. As long as we remained firm about our boundaries and our goals, we were able to protect the integrity of our neighborhood

The proposed project is nowhere near OWANA, does not block views, does not impose a burden on the infrastructure and does not draw business away from our local neighborhood businesses

The major issue that has concerned me, as a resident of Old West Austin, is the effect of new development on the infrastructure. The SPRING project will have the opposite effect in that the residents will be able to walk to the majority of the places they need to go to shop, work and play. There is a Whole Foods practically next door and a Randall's, a shuttle-ride away. There is a record store, a book store, retail clothing and a number of well-known restaurants, both high and low dollar, within a block or two of the location. If anything, more projects like SPRING are necessary to promote an environmentally sound lifestyle in Austin.

The best part of the project is that, finally, there will be reasonably priced living quarters in an area that has, traditionally, been at the heart of the "weird" quirkiness that Austinites are quick to embrace as part of our lifestyle. Unfortunately, the folks that have kept Austin weird have been priced out of the neighborhood.

I encourage you to give positive consideration to this project. I think it is one of the best things to happen yet. I didn't even mention how wonderfully it will affect the skyline.

Thank you for taking the time to read my opinion.

Sincerely,

Charlotte Herzele

Larry Warshaw

From: kevin w williamson [kwilliamsonranch616@austin rr com]
Sent: Monday, October 17, 2005 4 18 PM
To: terre_rabago@hotmail com, bbaker@austintexas org, chammond1@austin rr com, apsinc@bga com, jdonisi@bickerstaff com, jay@jaygohilrealty com, kbjackson@pbsj com, josephamartinez@yahoo com, pinnelli@flash net
Subject: Spring at Third and Bowie

Dear ZAP Commisioners,

For the past seven years I have been a business/restaurant owner in the neighborhood of the proposed Spring Development at Third and Bowie, I would like to express my excitement for this project and for the great impact it would have to our neighborhood by adding housing and built in business to those of us already working and living here

Thank you for your time

Kevin W Williamson
Chef/Owner Ranch 616, Restaurant and Bar
Ranch 616 Restaurants, Inc
616 Nueces
Austin, Texas 78701
(512) 479-7616 Office
(512) 577-6508 Cell
Austin, Texas 78701

10/17/2005

SKYLIST, INC.

October 17, 2005

Greetings,

I am writing to share my thoughts on the Spring project in Austin. Having grown up in Portland Oregon, I have seen first hand the benefits of lofty visions, concise planning and determined execution. I moved to Austin 15 years ago and since that time many steps have been taken to make this a more vibrant and livable city. That said, there is much left to do if Austin is to reach its full potential.

As the president of a downtown Austin based company, I am very interested in seeing the Spring project come to life as I am convinced that this would benefit our business, and current and future employees in a number of ways. Reducing vehicle trips, cutting down on air and noise pollution, and eliminating downtown parking needs would be big wins. Also, urban residential projects tend to create a better downtown by attracting and supporting restaurants, galleries, and retail shops in a pedestrian environment. In my experience, these things are the essence of a livable downtown and the vision I hold for Austin. I believe that the Spring project supports this vision in a tangible manner.

Thank you for taking time to consider my thoughts. Feel free to contact me with questions or comments.

Regards,



Rick Westervelt
President
SKYLIST, Inc.
512-250-2922

Larry Warshaw

From Eric Thronson [ethronson@aaroregion.com]
Sent Monday, October 17, 2005 2:02 PM
To Pinnelli@flash.net, josephmartinez@yahoo.com, kbjackson@pbsj.com, jay@jaygohilrealty.com, jdonisi@bickerstaff.com, apsinc@bga.com, chammond1@austin.rr.com, bbaker@austintexas.org, terrie_rabago@hotmail.com
Cc tlindab@hotmail.com, ethrons1@hotmail.com
Subject Letter of support

Dear City of Austin Zoning and Platting Commissioners:

I am writing a brief letter in support of the proposed development at Third and Bowie Streets called Spring

While I recognize that the project is applying to be built higher than the area is currently zoned, this height is exactly what makes the project special and worthwhile. Through economy of scale, a taller building in the downtown area creates an affordable opportunity for people wanting to live a more urban existence. All indications, including the extensive polling conducted by Envision Central Texas, are that Central Texans want to encourage density and avoid sprawl, but downtown land is priced at such a premium as to make urban living currently an option for only the wealthiest few. By building taller, Spring will be one of many projects that make density affordable for our area.

Please consider allowing the opportunity that Spring brings to those that would choose increased density if given an affordable alternative. It is not only good for future residents of the project, but for the entire region.

Thank you,

Eric Thronson

10/17/2005

Old Austin Neighborhood

804 West 11th Street
Austin, Texas 78701-2007

612-477-6818
tedsiff@earthlink.net

October 17, 2005

Mayor and City Council
Members of the Zoning & Platting Commission
City of Austin
P.O. Box 1088
Austin, Texas 78767

Re: Case Number C-14-05-0136 - a request to change
zoning from DMU to DMU-CURE for the development of
Spring Condominiums at West 3rd and Bowle Streets

Dear Members of the Zoning & Platting Commission and Mayor and City Council Members:

I am writing you as the President of the Old Austin Neighborhood Association (OAN), which has represented the residents of Austin's original residential neighborhood for more than 25 years. Our boundaries are between Town Lake & 15th Street and Lamar & Guadalupe. We have advocated for preserving the residential character of our neighborhood since 1976.

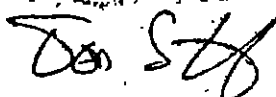
We strongly support The Zenith Partners, Ltd. request to change the zoning on the above noted property to develop Spring Condominiums. The following are just some of the reasons for our support.

- The proposed residential use is strongly encouraged and advocated by our neighborhood.
- The proposed "point tower" design allows for more residences on a smaller "footprint." This everyone for more opportunity to view Town Lake and the surrounding area than if the site was developed to its maximum under other currently permitted land uses.
- The residential use will have less traffic impact on the surrounding area than other currently permitted land uses; and,
- The proposed development and land use will compliment and further enhance the retail, office and public uses on the surrounding land.

This is the kind of intense residential development OAN has advocated for almost twenty years. Now the market conditions and the risk capital are available to propose it in Austin. These conditions are not permanent.

Please take advantage of this opportunity to grant this zoning change request.

Sincerely,



Ted Siff, President
Old Austin Neighborhood Association



October 9, 2005

Mr. Perry Lorenz
1311-A East 6th Street
Austin, TX 78702

RE: Letter of Support for the proposed Spring Development, Third & Bowie Streets

Thank you for presenting to the Downtown Austin Neighborhood Association Steering Committee the plans to construct a residential high-rise at Fourth and Bowie Streets in Downtown Austin. Please let this letter serve as indication of the Downtown Austin Neighborhood Association's support of a zoning change, from DMU to DMU-CURE and the related change in FAR to 12 to 1.

We are excited about this project adding to the residential stock of downtown Austin, especially in a mixed-use building with retail at street level, and also your plans to offer condominiums for sale significantly under the current average price level of downtown condominiums. We also support the proposed height of your development, both because of the density it allows you to achieve on the site and because of its contribution to the greater affordability of residential units mentioned earlier.

We also applaud your planned participation in the Great Streets Program (in the reconstruction of sidewalks and streets surrounding your proposed development)

Sincerely

Andrew Clements
President
Downtown Austin Neighborhood Association

**BRIGID SHEA
& ASSOCIATES**

Green Consulting
2604 Geraghty Ave
Austin, TX 78757

October 17, 2005

Dear Perry,

Just wanted to drop you a quick note on the "Spring" project. I know there is some opposition to it and it reminds me of what you went thru with the "Nokonah" project and those opponents are thrilled with it today!

I completely understand the desire by neighborhood folks to protect their quality of life, but that doesn't automatically mean that the best way to protect it is to never change things. I think the addition of new high-rise residential in the downtown has been a huge improvement in the quality of life and has created a vibrant sense of community, with people filling the sidewalks—the very feel we all say we want. It also gives folks a true alternative to always being stuck in their cars. In fact, if we ever want to get away from an insane dependence on cars, we must have more high-rise housing of the kind you propose in the urban core.

I'm always struck by the dearth of good examples on projects that are a little different and that people can't visualize. Are there examples on the ground of this small footprint type of high-rise that people can tour, even on-line? Please let me know if I can help in any way, and please feel free to share my comments and my complete support of the "Spring" project. Good luck to you!

Best,

Brigid

October 18, 2005

To Zoning and Platting Commission

Re Item # 5 on Today's Agenda – Spring Condominium Project

Dear Commissioners

Please approve the zoning and full height (at all levels of the building) requested by the developers. I know all the partners in this project but they did not ask me to contact you. I'm contacting you wearing my "born and raised in Austin" hat to urge you to effect the Envision Central Texas vision – taller and denser.

I agonized for awhile in the early 1980s over "losing" the Austin I knew growing up, and, yes, I too have concerns about view corridors and neighborhood values. The Spring project, in my opinion however, enhances the "west end" and helps ensure Austin's future as a great city. Many things about Austin have changed dramatically in the past fifty years. The Spring project will be a catalyst for dramatic change in the next fifty years – all for the good ultimately.

You have provided incredibly generous contributions of time and leadership to shape Austin's future. Please continue that tradition of public service by approving the "roadmap" to the future. Please give the developers the tools they need to create a proverbial win/win/win quality project.

Thank you for taking time to consider my input.

Sincerely,

George

P S Above all else, thank you for your efforts to protect and preserve the legacy and sanctity of the Moontowers.

George Cofer

Office 512-328-2481

Date/Time Submitted: Wednesday, 10/19/05, 0927 hours

From: Pat Doyle

E-mail address: pat.doyle@publicans.com

Subject: Spring Condominiums

Comments

I live at 1204 West 10th St., on the eastern edge of Old West Austin. I applaud the Zoning Commission's recommendation to change the zoning for the Spring Condo Tower site.

My wife and I purchased our home in 1996. We plan to sell the house and downsize our lifestyle when our daughter goes to college in two years. We would love to be able to purchase a downtown apartment/condo, and (as proposed) the Spring looks to be something definitely within the realm of possibility for us given our income.

Many of the OWANA members who oppose this project seem to think they don't already live downtown, and refuse to accept that Austin has become a "big city." There are ways to preserve the character of OWA, but limiting the expansion of residential options in the city's core shouldn't always be the first option. I support placing parking meters or issuing residential permits to limit parking on OWA streets, for example. More density on the east side of Lamar will ultimately enhance the appeal and charm of all the property on the west side of Lamar.

I mean no disrespect, but many OWANA members are long-term OWA residents who don't like that their land values and taxes have skyrocketed in the past 5 years. In some cases their taxes exceed their original mortgage payments, which may have been paid off years ago. Many of them simply don't appreciate the changing times or new housing trends that meet the needs of 21st century city-dwellers. I can appreciate that, but remember that their motives are sometimes selfish, possessive, and short-sighted. The past controversy over the leash-free dog park on W 10th Street is a great example of it.

I urge you to and the council approve the Zoning Commission's recommendations and allow this project to be built.

To Jorge

974-3269

**Old West Austin Neighborhood Association
OWANA
P. O. Box 2724
Austin, TX 78768-2724**

Sept. 5, 2005

Zoning & Platting Commission

Re: OWANA Zoning Committee position on Spring Condominiums - C14-05-0136

Dear Zoning & Platting Commission Chair Baker and Commissioners.

On Tues., Sept. 6th, 2005 you will hear an application for a zoning change from DMU to DMU-CURE for the Spring Condominiums to build a 400' tower very near our neighborhood. OWANA is very interested and concerned with this project because its proximity to our neighborhood means that it will have direct effects on us. Unfortunately our quarterly General Membership meeting on Sept. 6th directly conflicts with your meeting; consequently we will not have the opportunity to speak to you in person on this issue.

I can speak for the Zoning Committee because we have discussed this, but I cannot speak for the General Membership which will not have had the opportunity for discussion or formal vote. However, based on previous discussions and votes by the General Membership on similar and related issues I believe that the majority of our voting membership supports our position as follows:

1. The area in question is included in a comprehensive Downtown Neighborhood Plan scheduled to begin soon. Spot zoning outside of this plan will minimize the plan's effectiveness. Development with such spot zoning is happening at such a rapid pace near us on the perimeter of the Central Business District that there will be little undeveloped land near us that can be included in the plan. We strongly urge that developments in this area that cannot be built within their existing zoning be postponed until comprehensive planning is given a chance to work.

Good projects will be better if they are developed within the context of a good plan. There is no need to rush projects to "beat" the plan. If we allow this the city will surely suffer.

2. We are particularly disturbed by the fact that a traffic impact analysis for this case was waived "because the applicant agreed to limit the intensity and uses for this development." In fact one of the principal reasons for this zoning change is to increase the FAR to 12:1. So rather than limiting the intensity, this zoning change expands it substantially. Traffic in this area is already amongst the worst in the city and it directly impacts our neighborhood, particularly on the 5th St., 6th St., Lamar, & Caesar Chavez arteries that pass through or border our neighborhood. Allowing this huge development, significantly higher than anything nearby,

without even considering its traffic effects, would be absurd, and we strongly request and urge that such a study be done

3. There is little doubt that allowing such a tall building so close to the perimeter will directly increase the development pressures for other such buildings adjacent to and in our neighborhood. This is simply not appropriate.

We recognize that the city is growing and will continue to grow and that more intense downtown development can be appropriate and beneficial. As Mayor Wynn has stated there is a great deal of land suitable for development within the central downtown area. So it makes little sense to intensify the perimeter before the interior and do it before a comprehensive plan can be developed.

We urge you to deny this Zoning change.

Respectfully,



Steve Colburn
Chair
OWANA Zoning Committee

Austin Neighborhoods Council

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Post Office Box 176 • Austin, Texas 78767*

October 18, 2005

During the September 28, 2005 Austin Neighborhoods Council (ANC) meeting, the membership approved the following resolution opposing the Spring Condominium Project, proposed for the intersection of 3rd and Bowie Streets

The Austin Neighborhoods Council opposes the zoning change at Bowie and 3rd St. requested for the Spring Condominium project. It is neither the right place nor the right time for such a zoning change. The requested zoning would be an incursion of excessive height and density into the area that must remain as a transition from the central business district to the neighborhoods surrounding the central business district to the west, east, north and south. The use of "CURE" zoning is also inappropriate at this location. In addition, this zoning application would be a matter of "spot" zoning that violates the current comprehensive plan for central Austin, and any revisions to that plan should be made within the framework of the upcoming Downtown Neighborhood Plan process.

Susan M. Pascoe
President

Statement of Opposition to the Spring Condominium Zoning Request

**Friends and Neighbors of Town Lake Park
Presented to the Zoning and Platting Commission
October 18, 2005**

Neighborhood Planning & Zoning

OCT 18 2005

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The Friends and Neighbors of Town Lake Park believe that the future development of downtown Austin should be based upon the shared visions and goals of bringing together density and sustainable development to create a livable downtown Austin. Because the future of downtown Austin has an impact on all of its citizens, the process of constructing a consensus approach to downtown planning must be inclusive, transparent, and based upon a comprehensive assessment of the proposed downtown projects.

The Spring Condo request for "Spot Zoning" to build a 400-foot tower runs counter to virtually every aspect of prudent downtown planning. This project is highly divisive, and many surrounding neighborhoods have adopted resolutions against the zoning request. Similarly, the Spring Condo project is precisely the type of project that the citizens of Austin have time after time refused to support so close to Town Lake Park.

In summary, the Spring Condominium project applicants have selected the worst possible location for a condo tower that would be the height of the new Frost Bank Building. Whether examined from the perspective of the impact on the Town Lake Park, invasiveness into surrounding neighborhoods, creation of additional downtown traffic, interference with future mass transit options, or the precedent-setting use of CURE zoning to achieve previously unimagined height and density in an area that transitions into the Park and many surrounding neighborhoods, the Spring Condo zoning request should be denied.

It is ironic that the type of zoning requested by the applicant (CURE) is designed to enhance the stability of urban neighborhoods by limiting the types of projects eligible for the zoning to those "with architectural design and proportion compatible with the neighborhood." As discussed below, this project does not qualify for the zoning requested, even if you consider this new building as "redevelopment of homes and multifamily housing."

To be eligible for DMU-CURE zoning, the redevelopment project must meet several basic criteria (See, Land Development Code 25-2-163). Properly considered, the project's failure to address a single criteria is enough to deny the application. The Spring Condo application appears to meet none of the CURE zoning criteria.

The Spring Condo Project Fails to Meet the CURE Compatibility Standard The visual impact of a 400-foot tower at the proposed location of 3rd and Bowie is compatible with absolutely nothing in the area. Despite a specific request from the ZAP subcommittee, the developers of this project never produced an eye-level rendering of the project in scale with the existing development in the area. Rather, the project proponents

provided a perspective only available from an airplane. Simply stated, the Spring Condo tower would be more than 3 times the height of the nearest office tower, is not compatible with the Town Lake Park or any of the surrounding neighborhoods.

On the issue of compatibility, City Staff, in its Zoning Review Sheet, states that "the proposed development will not be subject to compatibility standards." Such a conclusion is a misreading of the legal requirements. The CURE ordinance specifically requires that the zoning only be available to high quality development with architectural design proportion compatible to the neighborhood. There is no provision in the ordinance to support Staff's waiver of this mandatory eligibility criteria for the CURE zoning.

Compatibility is a fundamental issue in this case. While DMU zoning requires that projects be compatible with downtown, the CURE criteria places compatibility in the context of the stated purpose of CURE zoning, which is to promote the stability of neighborhoods in the central urban area. Thus, the typical Article 10 compatibility standards relied on by City Staff are not the sole standards that govern this project. Rather, the CURE ordinance requirements of architectural design and proportionality to the neighborhood must be evaluated. This criteria has not been adequately defined by the City and has been ignored by City Staff and the applicant. The Spring Condo application will be the precedent-setting case on how this critically important aspect of neighborhood protection is to be interpreted for future projects along the Town Lake Park and surrounding urban neighborhoods.

The proponents of the project have offered nothing to attempt to meet the compatibility requirements of the CURE Ordinance other than media quotes by agents for the owner suggesting that anyone against the project must be against downtown density, a statement without meaning or merit.

Recently, the Zoning and Platting Commission established a special subcommittee to review the application of the Spring Condominium for rezoning. The subcommittee did not specifically address the compatibility standard in the CURE Ordinance. However, it was clear that **none** of the members of the subcommittee indicated support for a 400-foot tower at this location.

The Spring Condo Project is NOT Affordable Housing: Another criteria for application of the CURE zoning is that the project enhance the stability of urban neighborhoods by accommodating high priority projects that include affordable housing. Neither City Staff nor the applicants have submitted any evidence that the Spring Condo project meets any definition of affordable housing. With a 600 square foot condo going for the proposed range of \$200,00 to \$400,000, the suggestions made by the development team that the project is "affordable housing" fall flat. While the proposed price range of the small Spring condos may be more affordable than other upscale condos downtown, this is not the test of affordability. The project principles should be embarrassed to suggest that this Spring Condo project represents the type of urban redevelopment that qualifies for CURE designation as affordable housing.

The Spring Condo Does Nothing to Improve the Natural Environment: Another criteria for the application of the CURE zoning is that the project "improve the natural environment " While the applicant's agents have made statements that the project will cut suburban sprawl, such a suggestion is, at best, unsubstantiated The recently completed Regional Water Quality Project that was initiated jointly by several local governmental entities, including cities and counties that are interested in preserving the water quality of the Edwards Aquifer evaluated the multiple causes and market dynamics that will result in development of environmentally sensitive areas in central Texas These complex and broad based market forces that spur suburban sprawl will certainly not be affected by the Spring Condo project

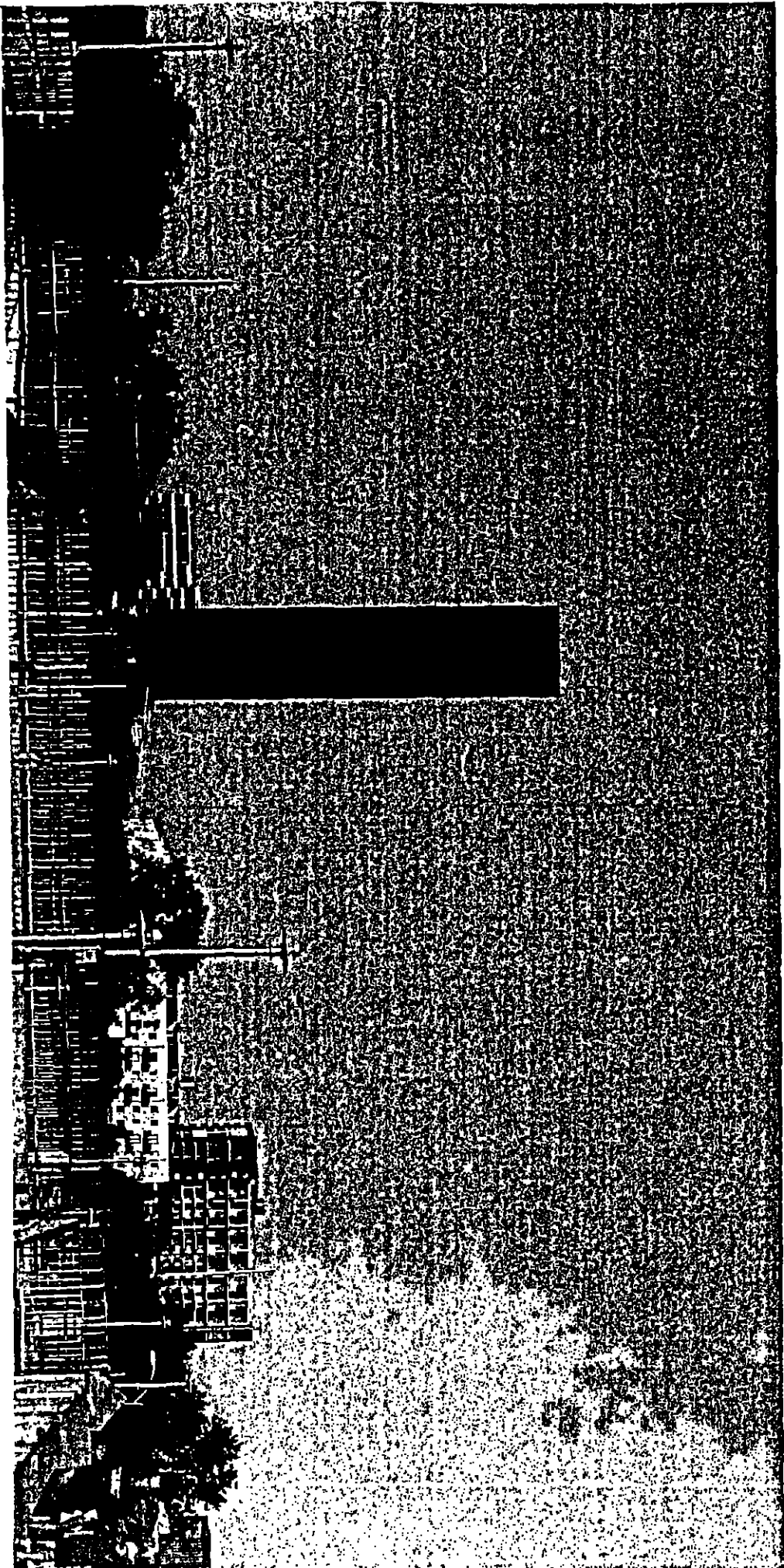
Neither the applicant nor the City Staff presented any evidence of an anticipated improvement in the natural environment resulting from this project. Rather, this project will create more traffic at one of the City's most dysfunctional intersections, 5th and Lamar In addition, no discussion was had on the anticipated retention system required to avoid parking lot runoff of this condo complex from flowing into Town Lake.

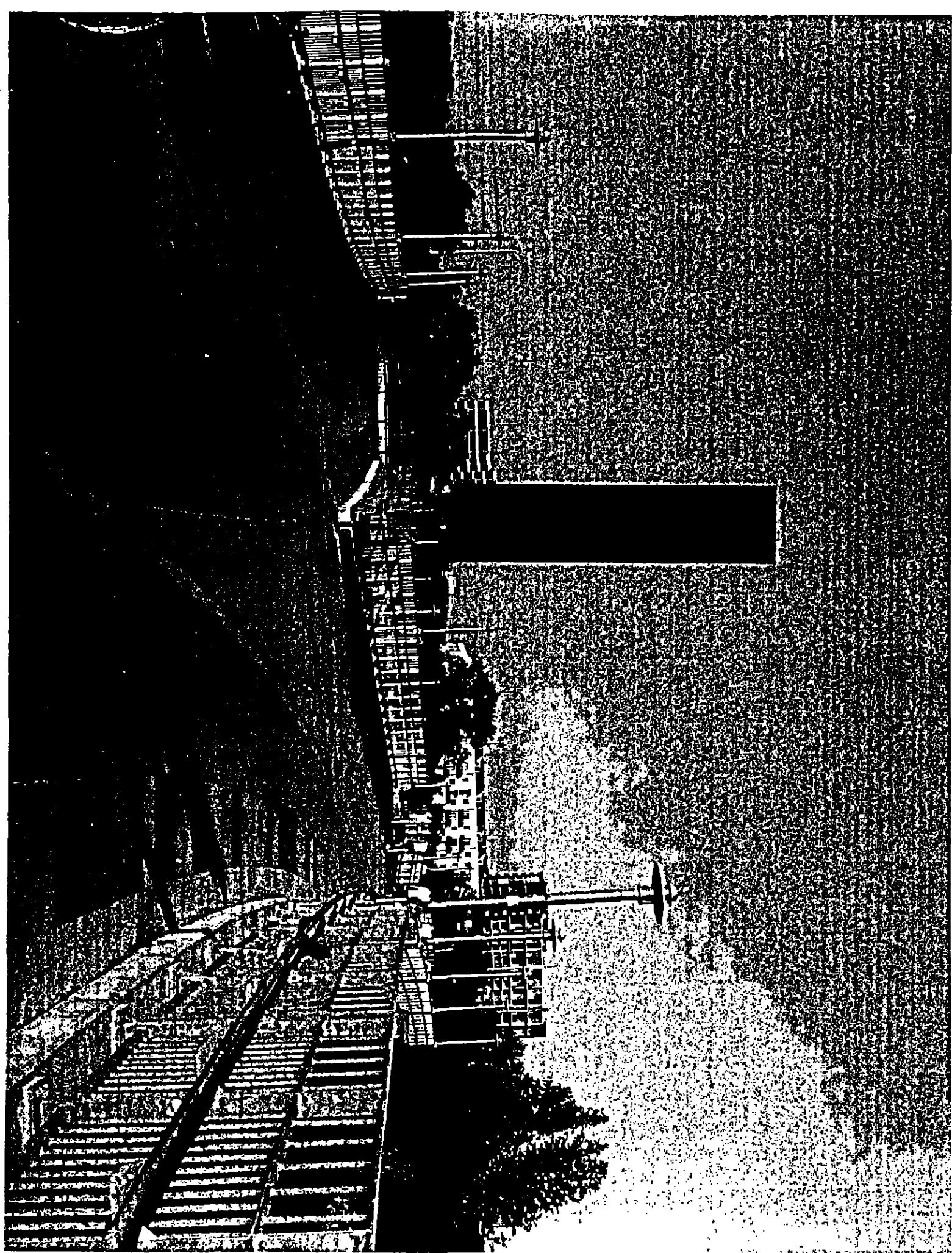
Unfortunately, the City zoning ordinances do not require developers seeking CURE designation to provide mitigation plans or other vehicles to mitigate environmental impact through funding of associated park or environmental projects

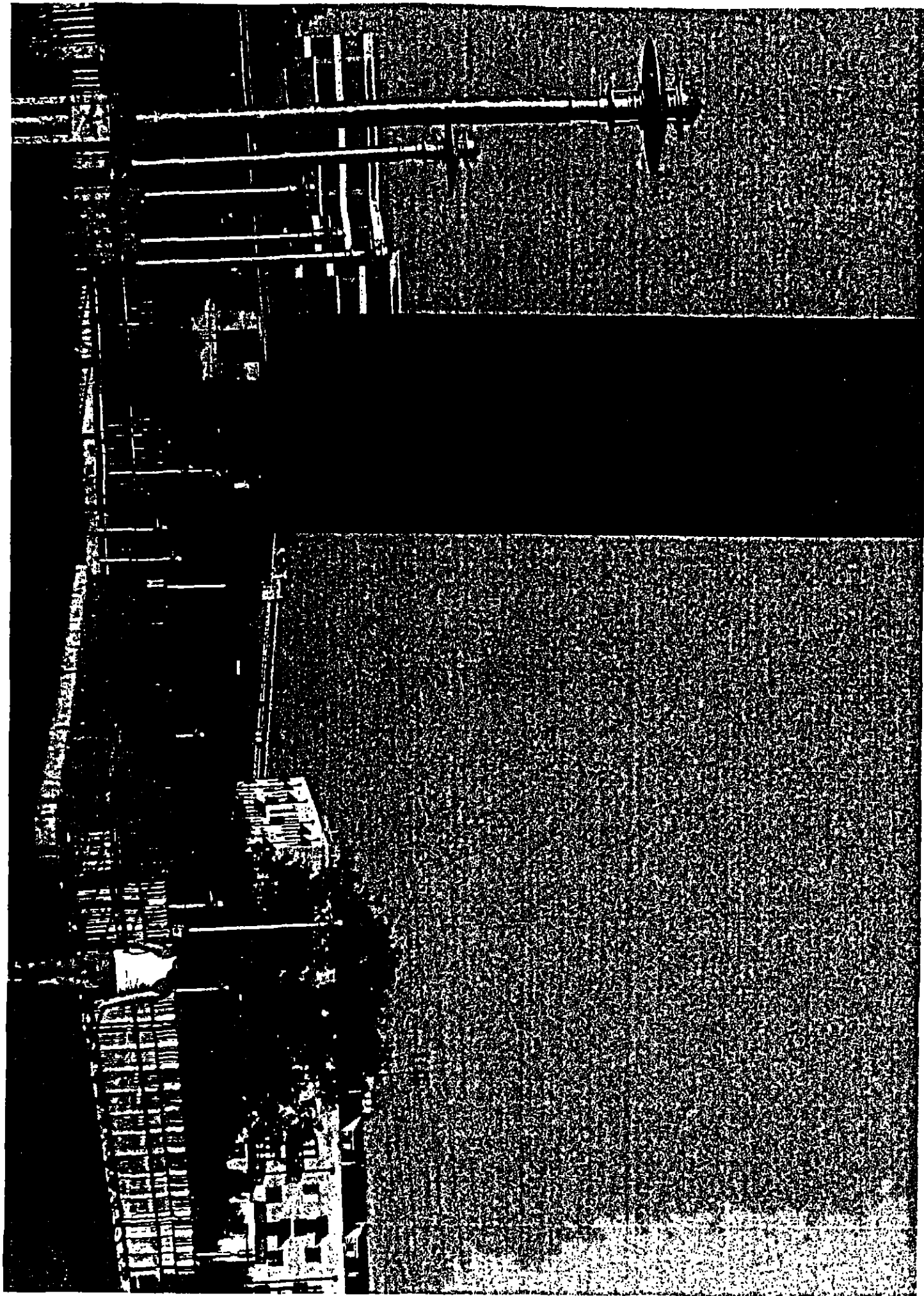
Rather than the Spot Zoning precedent offered by the Spring Condo application, we believe that a comprehensive and inclusive approach to downtown planning is necessary for several reasons First, the costs of building the infrastructure necessary to support the ambitious development now visualized for downtown will be substantial Second, the traffic flow through downtown is a rather constant source of frustration, and solutions continue to be discussed, but not implemented Third, the long-term preservation, expansion and enhancement of Town Lake Park as well as the improvement of Town Lake's water quality have not been adequately addressed in the push for downtown development. Fourth, many of the neighborhoods and residents that live near Town Lake Park, the Barton Creek Greenbelt and those within walking distance of downtown have a special stake in the outcome of the development of downtown

Rejection of the Spring Condo zoning request is a first and necessary step to assure that CURE zoning is used in an appropriate manner and only for the purposes stated in the City Ordinance

This statement of opposition is preliminary and based upon information known at this time Our research continues, and more information will be presented when it becomes available For question relating to this statement, you may contact Mark Gentle at 512-462-9488







Rousselin, Jorge

From: Glasco, Alice
Sent: Thursday, October 27, 2005 1:12 PM
To: Guernsey, Greg, Rousselin, Jorge, Rusthoven, Jerry
Subject: FW: Spring Condominium Zoning Case (Case # C14-05-0136)

Thursday, October 27th, 2005

TO: Mayor Wynn, City Council Members & Executive Assistants & Aides, City Manager Futrell

FROM: Andrew Clements, President of the Downtown Austin Neighborhood Association (DANA)

RE: Spring Condominium Zoning Case (Case # C14-05-0136)

Mayor Wynn, Council Members, City Manager Futrell

The Austin Neighborhood Council (ANC) has recently passed a resolution (and I'm sure sent you) opposing the Spring Condominium Project at Third & Bowie. The Downtown Austin Neighborhood Association (DANA), as a member of the ANC, would have vocally opposed and voted against this resolution, but we missed the ANC meeting that the resolution was voted on (perhaps because it was only listed as a meeting agenda item a few hours before the meeting, can City Council get away with doing that? Just kidding)

Now I understand the ANC has sent a formal request, via e-mail, to City Manager Futrell and for distribution to Mayor Wynn and City Council Members, requesting a one month postponement of the Spring Condominium Zoning Case (# C14-05-0136), scheduled for first reading at City Council on November 3rd. The request reads as if it is from the Austin Neighborhoods Council. **DANA (to reiterate) is a member of ANC, and this request was never run past DANA nor was the intent to send it ever made known to us.**

DANA strongly supports the Spring Condominium Zoning Case applicant's request, and urges you not to delay (after all) just the first reading on November 3rd. We're amazed the ANC can pass a resolution opposing a project within our neighborhood boundaries without contacting or conferring with us, and "aghast" that they can send an e-mail request for a postponement representing that it is from the full ANC when they haven't run it past their own members

Respectfully,

Andrew Clements (via e-mail)

Andrew Clements, DANA President

10/27/2005

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OCT 27 2005

- Neighborhood Planning & Zoning

Mayor Will Wynn and City Council Members
City Hall
301 W. 2nd Street
Austin, Texas 78701

RE: Proposed Spring Condominium, Zoning case # C14-05-0136
West 3rd St and Bowie Street, DMU to DMU-CURE

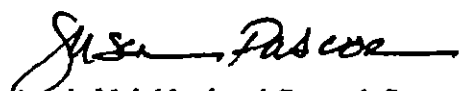
Mayor and Council Members.

The Austin Neighborhoods Council requests a one month postponement of the referenced case. The Spring Condominium is currently scheduled for first reading at City Council on November 3, 2005. As you know, this case presents significant policy issues for our City regarding; 1) appropriate transitional zoning surrounding the Central Business District, 2) the use of the Central Urban Redevelopment (CURE) ordinance and 3) the appropriate scale of buildings along the Town Lake corridor.

The disposition of this zoning case will set a significant precedent not only for the downtown area but for all neighborhoods that rely on transitional zoning designations as buffers between commercial and residential areas. Important issues were raised during the Zoning and Platting Commission's deliberations on this case as indicated in their comments about design criteria for building type and spacing, developer provided city amenities, affordable housing, traffic impacts and intersection congestion, and the appropriate transition to surrounding neighborhoods. It is important to note that the ZAP commission could not come to a consensus on the issue of appropriate height since there was a wide range of opinions on that issue also.

We appreciate the time that the ZAP commission took reviewing this case and their appointment of a subcommittee to address various points and counter-points. However, the commission did not have the time or resources to investigate all of the issues raised. There are still many factors that should be considered by the City Council before acting on this case. Therefore we strongly recommend that this zoning case be referred to the Council's Land Use and Transportation Subcommittee for further review and opportunity for additional community commentary. Since there is less than two weeks until the scheduled first reading on November 3rd, we request a postponement to the December 1 Council meeting.

Sincerely,



Austin Neighborhood Council, Susan Pascoe, President
Brentwood Neighborhood Association Steering Committee, Dale Henry, Representative
Bouldin Creek Neighborhood, Cory Walton
Castlewood Oak Valley Neighborhood Association, Doug DuBois, President
Coronado Hill/Crecksides Neighborhood Association, Joan Gibb, President
Deer Park at Maple Run, Mary Eichner, President
Old West Austin Neighborhood Association, Richard McCown, Chairperson
Rainey Street Area Residents, Laurie Snedden, Representative
South River City Citizens, Danette Chimenti and Jean Mather, Co Presidents
West University Neighborhood Association, Barbara Bridges, President
Zilker Neighborhood Association, Jeff Jack, President



October 27, 2005

RE: Zoning case #C14-05-0136 (Spring Condominiums)

Dear Mayor and Council Members:

We have been made aware that representatives of the Austin Neighborhood Council and several individual neighborhoods associations have requested a month-long postponement of the zoning case associated with the downtown residential project called Spring

As you may know, the Spring residential project falls within the boundaries of two neighborhood associations the Downtown Austin Neighborhood Association and the Old Austin Neighborhood Association. As representatives of those two associations, we respectfully request that you hear the Spring zoning case as scheduled

While we do respect the fact that other neighborhood advocates have a legitimate interest in downtown residential development, the membership of our neighborhood associations – again, within whose boundaries the proposed project actually lies – have voted overwhelmingly to support Spring's zoning application. Our residents want Spring

Even when a zoning case is within our associations' boundaries, we would typically defer to a postponement request from another association as a matter of courtesy. **But this zoning case has already been heard twice at the full Zoning and Platting Commission, and has already spent six weeks under consideration by a ZAP subcommittee, at public meetings that all interested parties were invited to participate in.**

In short, we feel that there has already been ample time and opportunity for city staff, citizen commissioners, and neighborhood advocates from across the city to consider the issues associated with Spring's zoning case. Another month-long delay in moving the Spring project forward is unwarranted, and could push this case into the next calendar year.

If your decision is ultimately to grant a postponement of the Spring zoning case, we would simply ask that you please consider a postponement of two weeks rather than a month. Thank you for your consideration.

Best Regards,

Andrew Clements, President, Downtown Austin Neighborhood Association
Ted Siff, President, Old Austin Neighborhood Association

Andrew Clements (via email)

Ted Siff (via email)

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OCT 27 2005

Neighborhood Planning & Zoning

Mayor Will Wynn and City Council Members
City Hall
301 W. 2nd. Street
Austin, Texas 78701

RE: Proposed Spring Condominium, Zoning case # C14-05-0136
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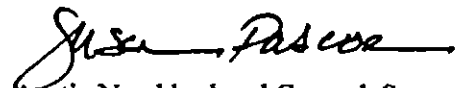
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