

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0130 4th & Guadalupe Rezoning **P. C. DATE:** 12/11/12, 01/08/13

ADDRESS: 401 Guadalupe Street, 304 W. 4th Street, **AREA:** 0.811 acres
400 Lavaca Street

APPLICANT: LG Guadalupe, L.P. (Ben Pisklak), Austin Trust Company (Ann Graham & Susan Harris)

AGENT: Armbrust & Brown, PLLC (Richard Suttle)

NEIGHBORHOOD PLAN AREA: Downtown **CAPITOL VIEW:** No

T.I.A.: Waived – See the Transportation Reviewer's **HILL COUNTRY ROADWAY:** No
Comment's.

WATERSHED: Town Lake **DESIRED DEVELOPMENT ZONE:** Yes

ZONING FROM: CBD – Central Business District.

ZONING TO: CBD-CURE - Central Business District – Central Urban Redevelopment District.

SUMMARY STAFF RECOMMENDATION:

Staff recommends CBD-CURE: Central Business District – Central Urban Redevelopment District – with the applicant entering into a Restrictive Covenant that the applicant participates in the City of Austin Great Streets program for any new development on the property. The CURE overlay would allow a floor to area ratio of 12-1 and to modify Section 25-6-592(B) & (C) (Loading Facility Provisions for the Central Business District (CBD) and a Downtown Mixed Use (DMU) Zoning District) is modified to not require on-site space for a vehicle to empty the trash receptacle and to allow maneuvering within the alley to service the off-street loading facility and the trash receptacle.

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for CBD-CURE combining district zoning was approved by Commissioner Richard Hatfield's motion, Commissioner James Nortey seconded the motion on a vote of 8-0. Commissioner Brian Roark was absent.

DEPARTMENT COMMENTS:

The subject property is currently developed with a surface parking lot and one structure. The applicant has indicated that the property now has a prospective buyer that wants to develop the property as a hotel/multifamily project and needs additional floor to area ratio to achieve the desired height. The applicant is proposing a mixed use building with a restaurant on the seventh floor and luxury apartments and hotel suites on the top floors. The project is proposed to consist of the following uses: 226 multifamily units, 160 hotel rooms, 7,300 square feet of restaurant, 4,300 square feet of retail, and 2,200 square feet of cocktail lounge. The proposed structure is to be approximately 24 stories. The applicant is also requesting to modify provisions of the Code related to loading. The applicant will be required to participate in the City of Austin Great Streets Program. The subject property is located in the Core/Waterfront District of the Downtown Austin Plan. The subject tract is located on Guadalupe and 4th Streets which are designated as Downtown Mixed Use Streets, which calls for sixty percent (60%) of the parcel frontage to be active commercial or a civic use. This request is similar to other requests in the Central Business District to add the "CURE" overlay to properties located in

the urban core to allow for additional height for vertical mixed use development. This site is located within the “desired development zone” where development is encouraged to locate. Note: Single family, multifamily and commercial uses on properties zoned CBD or DMU are required to meet a 1-star rating under Austin Energy's Green Building Program. This case was reviewed by the Design Commission on November 26th and the Commission recommended approval of the project. This case was set to be reviewed by the Downtown Commission on December 19th but the meeting was cancelled due to lack of a quorum.

BASIS FOR RECOMMENDATION:

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

Granting the “CURE” overlay would be in keeping with recent requests for the “CURE” overlay in the Central Business District.

2. The proposed zoning should be consistent with the goals and objectives of the City Council.

Granting the “CURE” overlay would be in keeping with the policy of the City Council to densify the Central Business District, especially with vertical development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	CBD	Parking Lot/Single Structure
NORTH	CBD	Condominiums
SOUTH	CBD	Office
EAST	CBD	Restaurant/Bar
WEST	P-H	Republic Park

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2008-0143	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-2008-0144	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-00-2208	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 6-1-1]	Approved CBD-CURE [Vote: 7-0]

NEIGHBORHOOD ORGANIZATION:

- Downtown Austin Neigh. Coalition
- Pecan Street Owner's Association
- Downtown Austin Alliance
- Austin Warehouse District Association
- Old Pecan Street Association
- Sentral Plus East Austin Koalition
- Austin Neighborhood Council
- Downtown Austin Neighborhood Assoc.
- Original Austin Neighborhood Assoc.

SCHOOLS:

Matthews Elementary School, O' Henry Middle School, Austin High School

SITE PLAN:

SP 1. Participation in the Austin Energy Green Building Program is mandatory for any new building construction on this site.

SP 2. This site is subject to Subchapter E Commercial Design Standards. Please note that Guadalupe Street is classified as a Core Transit Corridor and 4th Street and Lavaca Street are classified as Urban Roadways.

SP 3. A portion of this site is within the Downtown Parks combining district, which requires that: (1) glass used on the first floor of a structure must have a visible transmittance rating of 0.6 or higher; (2) reflective surface building materials must not produce glare [Section 25-2-643]. Compliance for this section will be reviewed during building permit review.

SP 4. For information about Great Streets (boundaries are 11th, Lamar, Town Lake and IH35), please contact Humberto Rey, with Urban Design Division of Neighborhood Planning and Zoning, at 974-7288. If any work is proposed within the right-of-way in the downtown area or any of the City of Austin's designated Core Transit Corridors, please also contact Andy Halm with ROW Management, at 974-7185.

SP 5. For the proposed site plan, please record a Unified Development agreement that clearly ties each of the lots in this development together for the purposes of construction, use, and maintenance of the stormwater facilities. For any legal document questions, please contact Annette Bogusch – WPDRD Legal Liaison (974-6483).

SP 6. Additional comments will be provided when the site plans are submitted.

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. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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. 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.
4. According to flood plain maps there is no flood plain within the project area.

5. No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

TRANSPORTATION:

TR1: No additional right-of-way is needed at this time.

TR2. The traffic impact analysis (TIA) has been waived for the following reason: At the time of site plan application, the applicant will submit a limited TIA for the purpose of analyzing and determining if intersection or traffic improvements are recommended for the following intersections: E. 4th Street/Guadalupe Street, E. 4th Street/Lavaca Street, E. 5th Street/Guadalupe Street, and E. 5th Street/Lavaca Street. The applicant will be responsible for pro-rata share cost-participation at such intersections that demonstrate a need for traffic improvements. In addition, an access management study will be required.

TR3. Guadalupe Street and Lavaca Street are classified in the Bicycle Plan as Bike Route # 33.

TR4. Capital Metro bus service (Routes No. 171, 486, 935, 970, 982, 983, 985, and 987) are available along E. 4th Street, Guadalupe Street, and Lavaca Street.

TR5. There are existing sidewalks along E. 4th St., E. 5th St., Guadalupe St., and Lavaca St.

TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
E. 4 th Street	80'	60'	Collector	5,510
Guadalupe Street	80'	60'	Arterial	14,380
Lavaca Street	80'	60'	Arterial	10,723

CITY COUNCIL DATE: January 17th, 2013

ACTION:


ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:


CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691







N



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

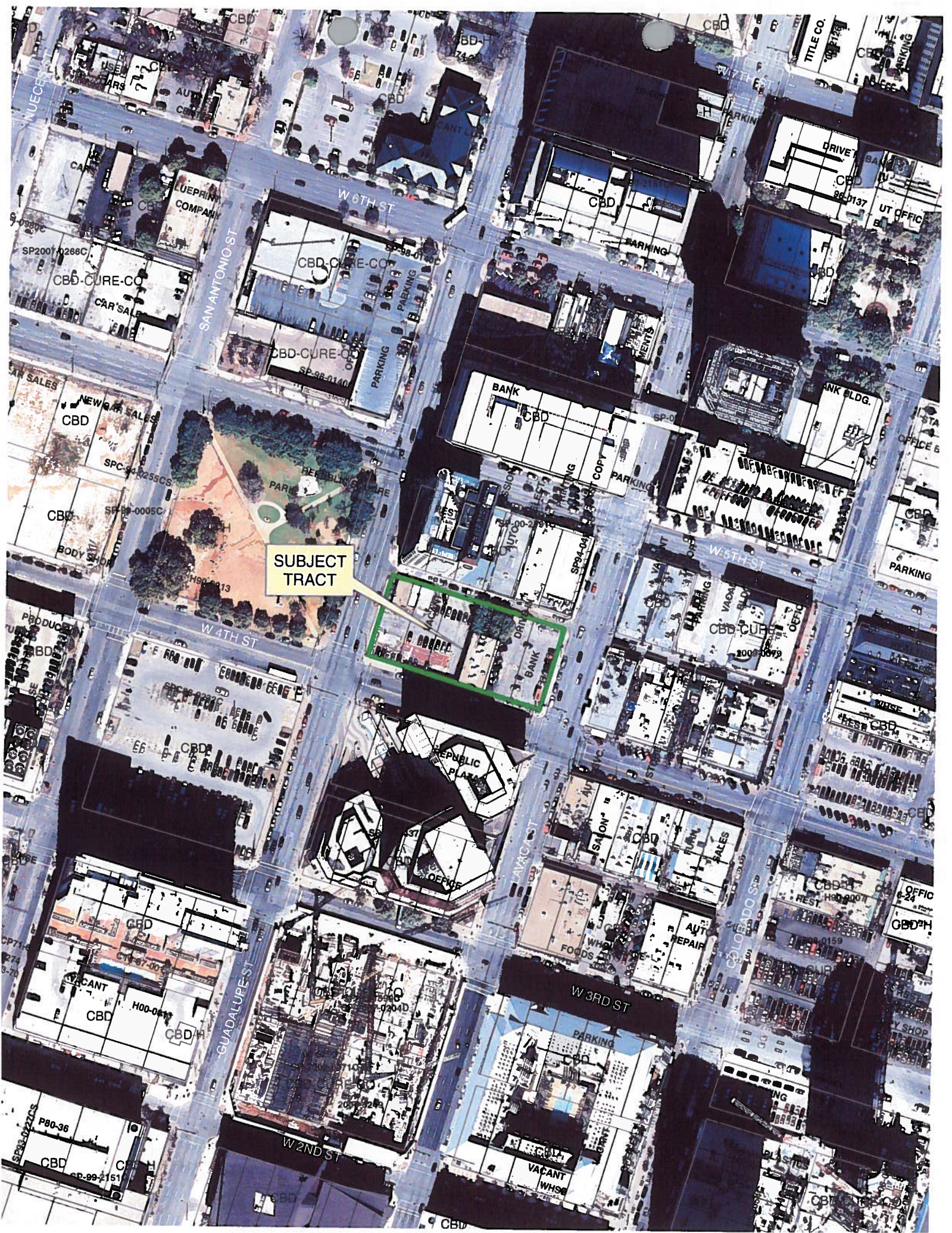
1" = 300'

ZONING
ZONING CASE#: C14-2012-0130

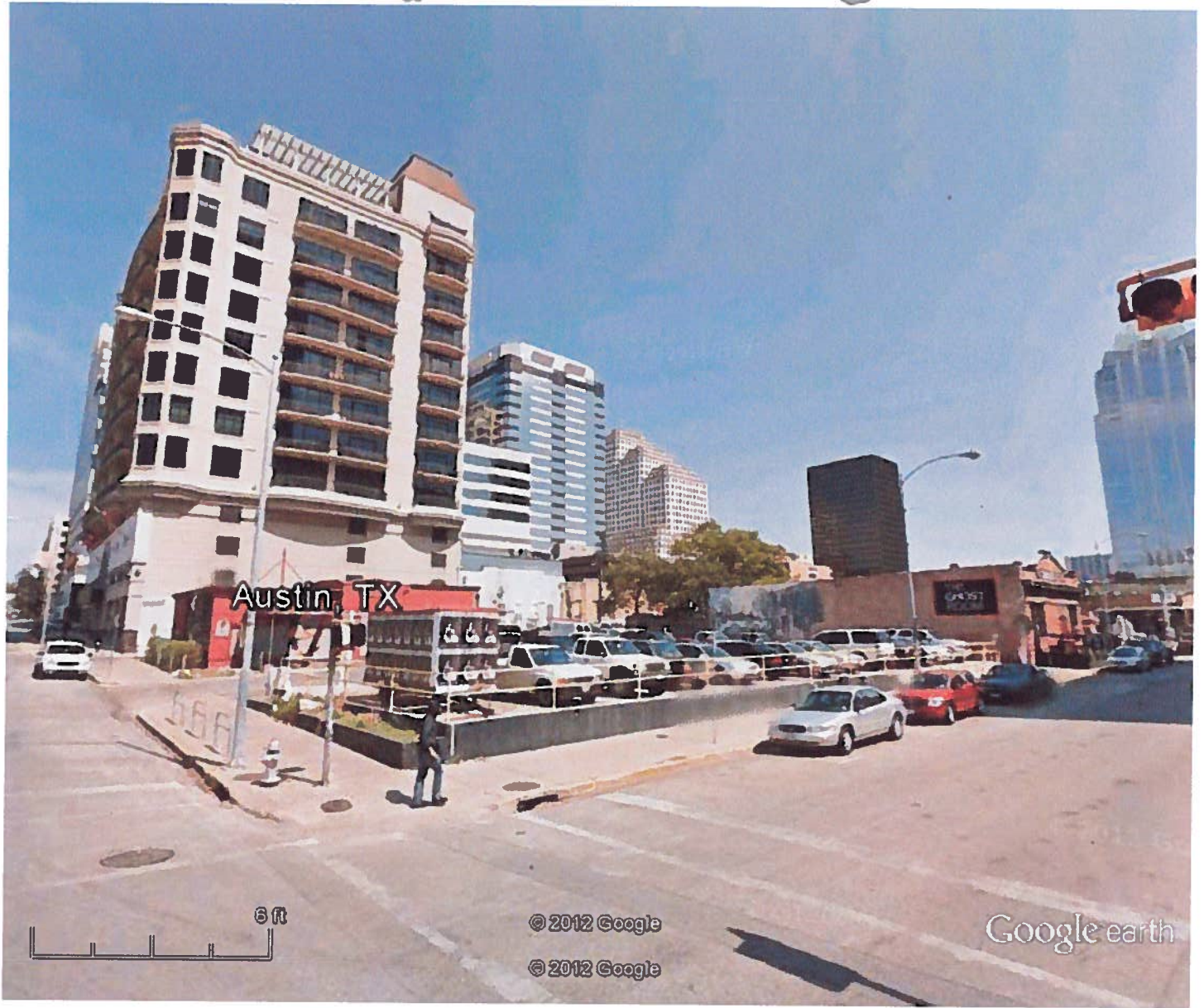
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.





SUBJECT TRACT



Austin, TX



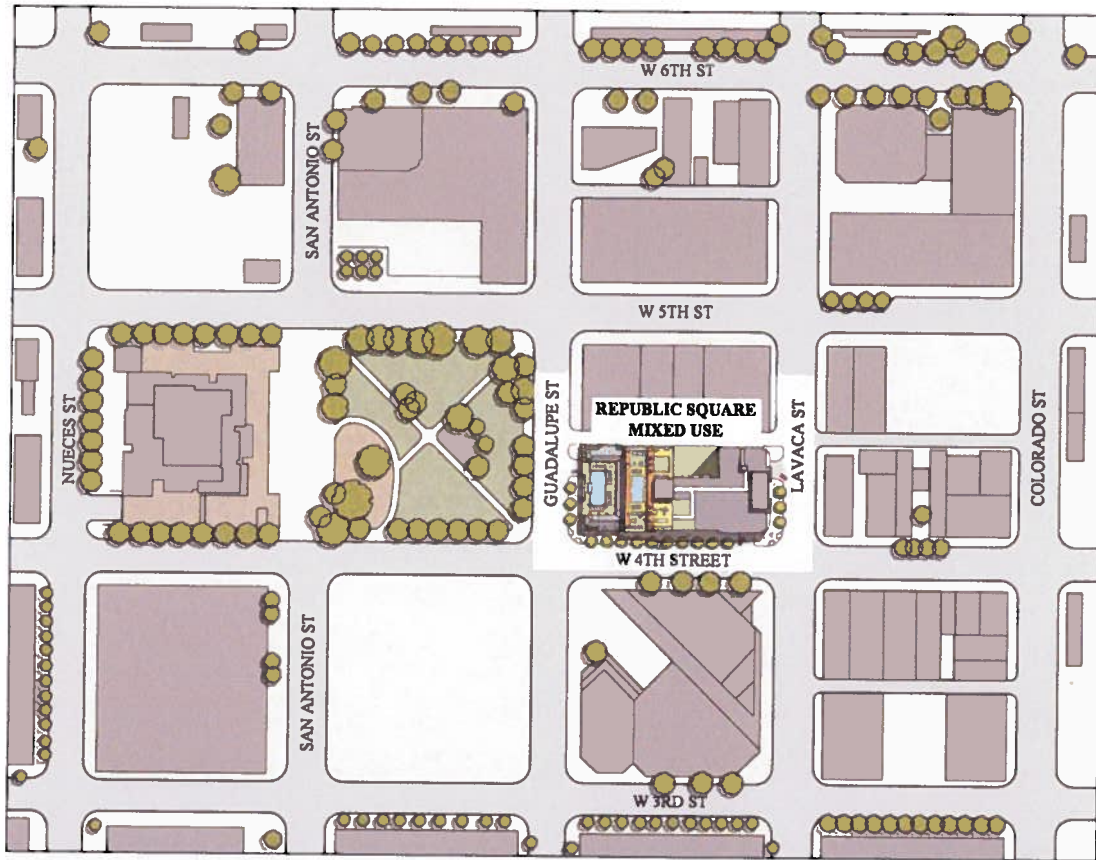
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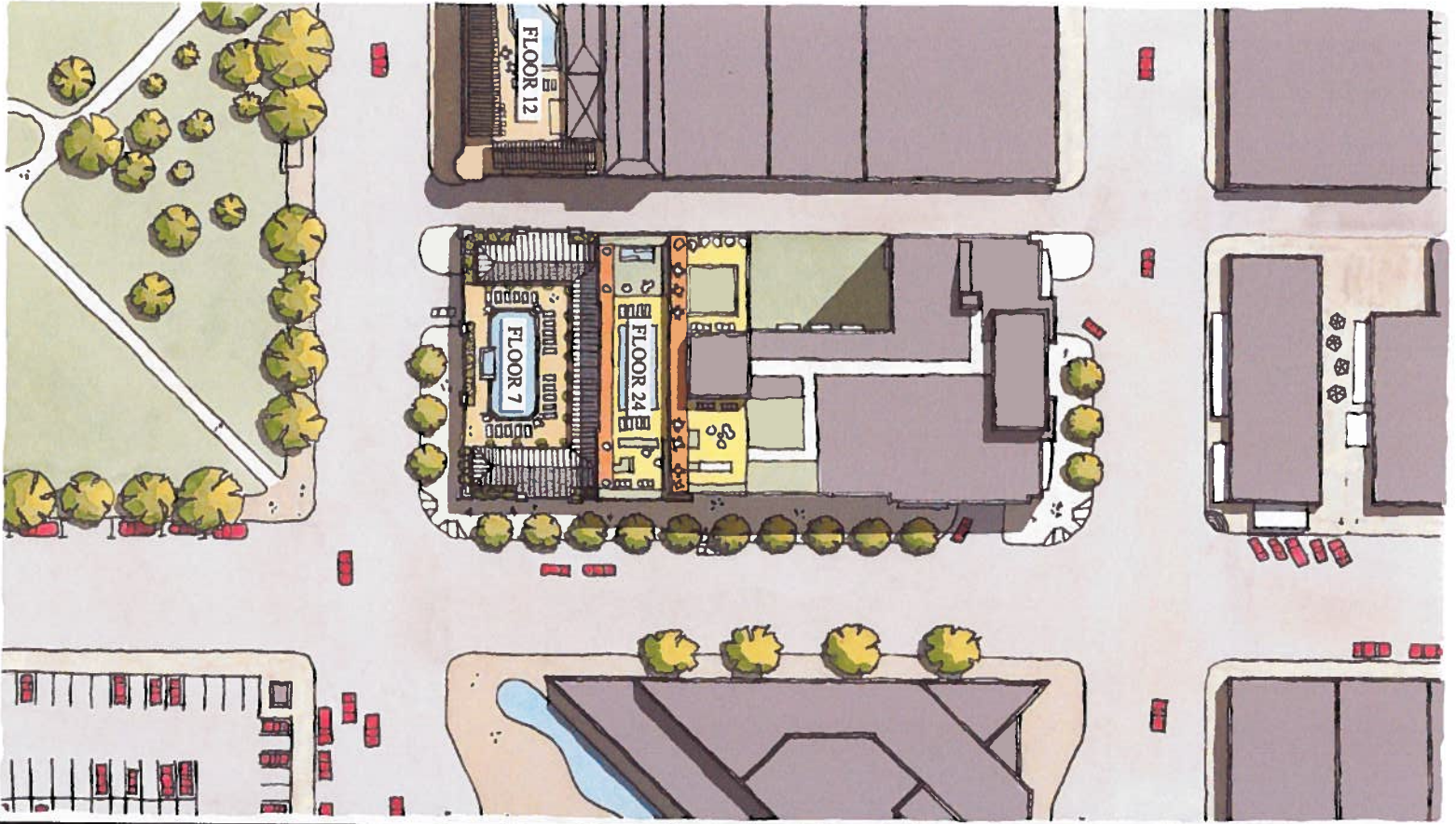




REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL





REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL

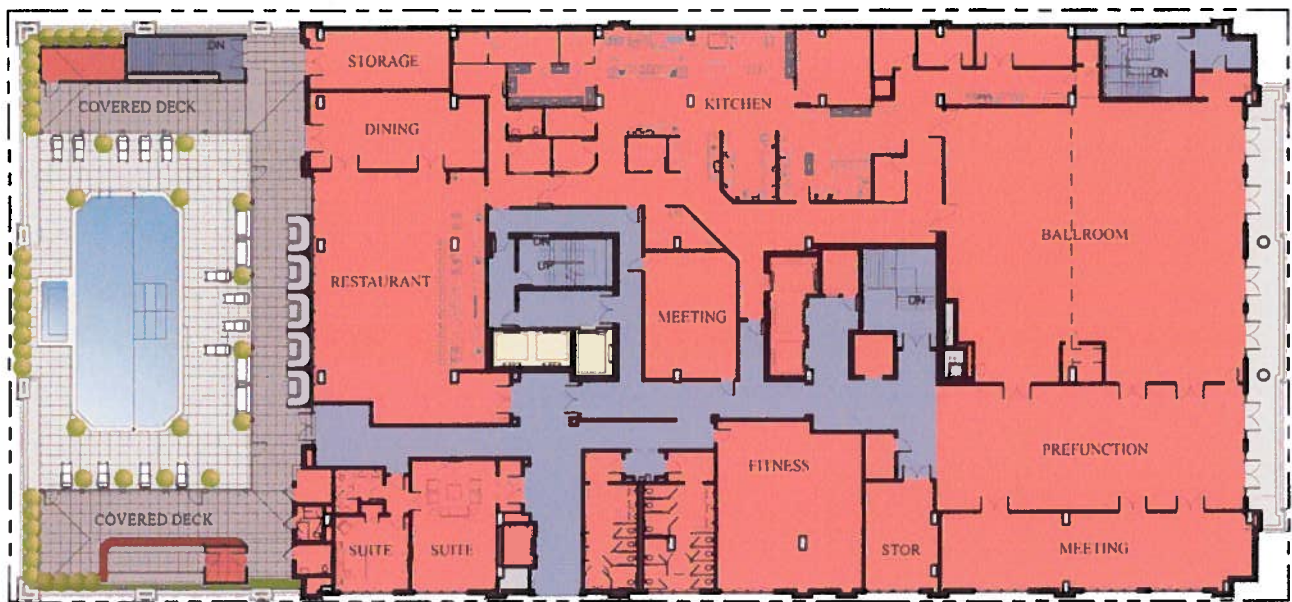




REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL



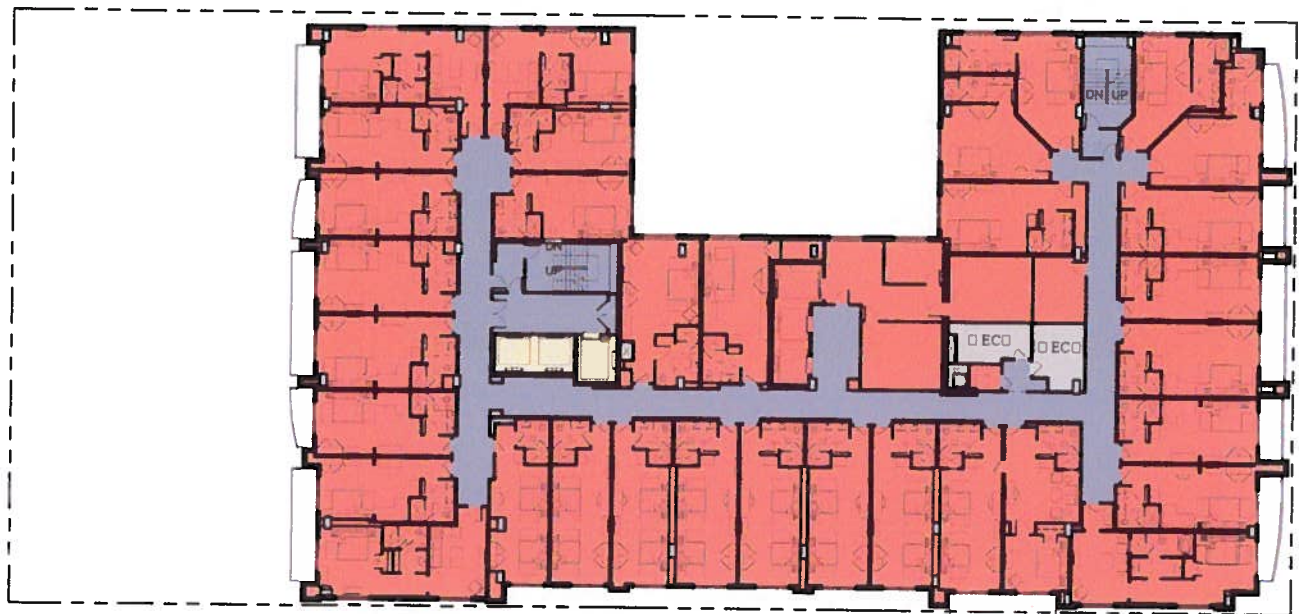


LEVEL 1
0' 5' 10' 20'

REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL



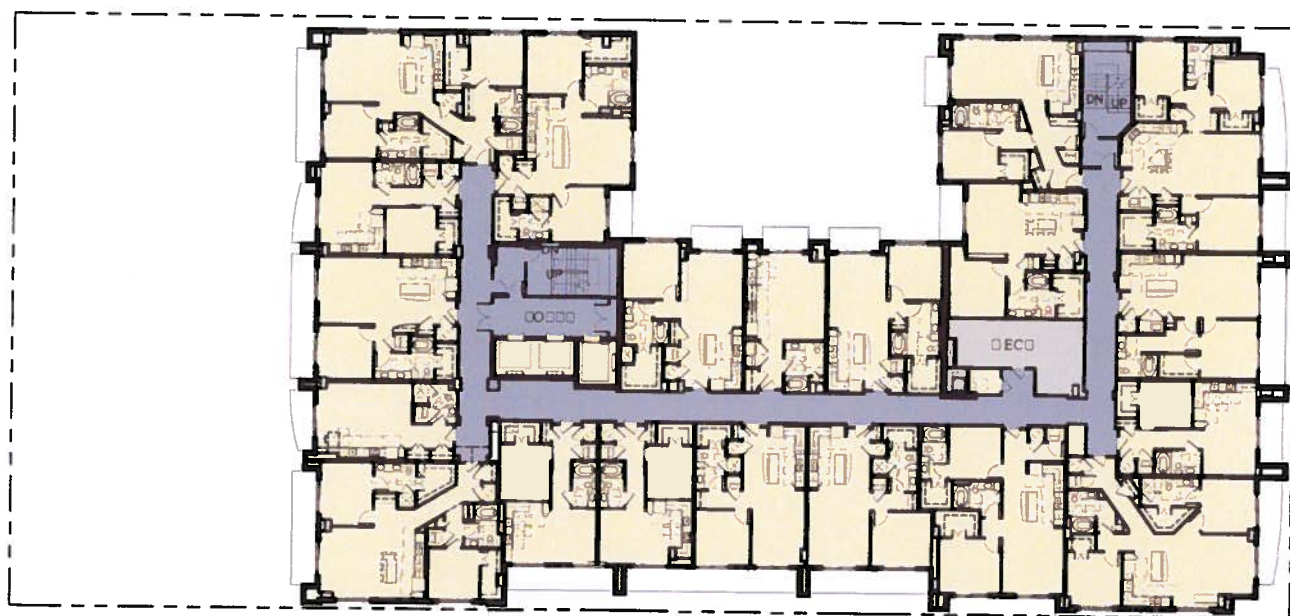


LEVEL 10
0 5 10 20

REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL





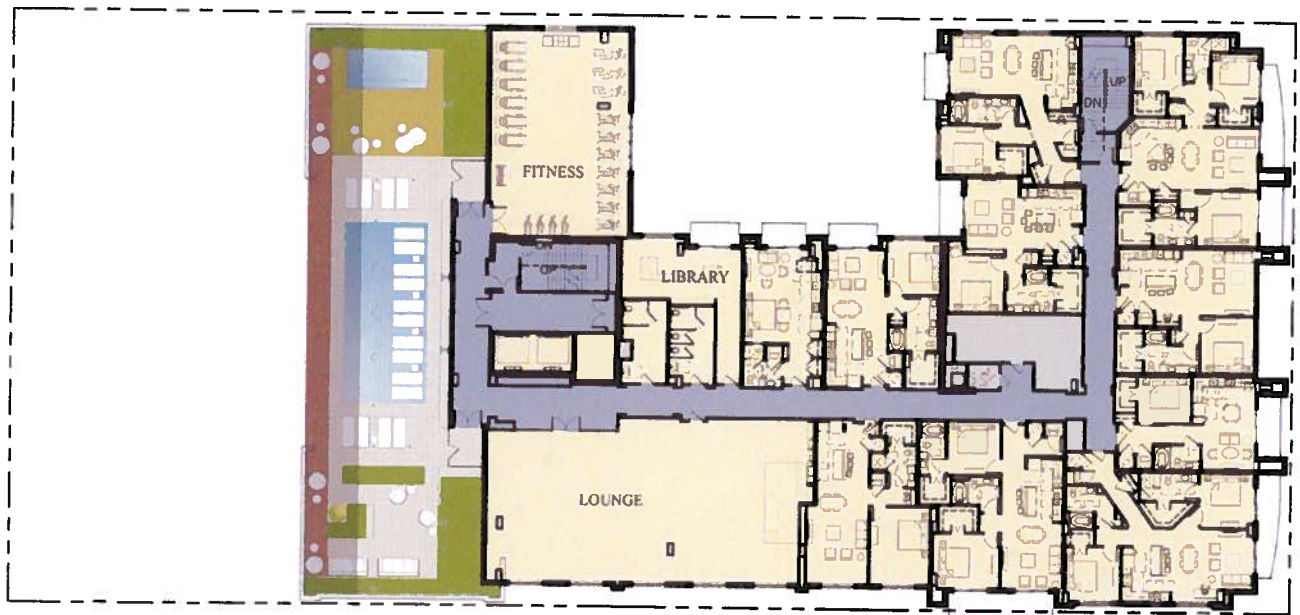
LEVEL 12
0 5' 10' 20'



REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL





LEVEL 24
0 5 10 20' 

REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL





LEVEL 25
0 5 10 20



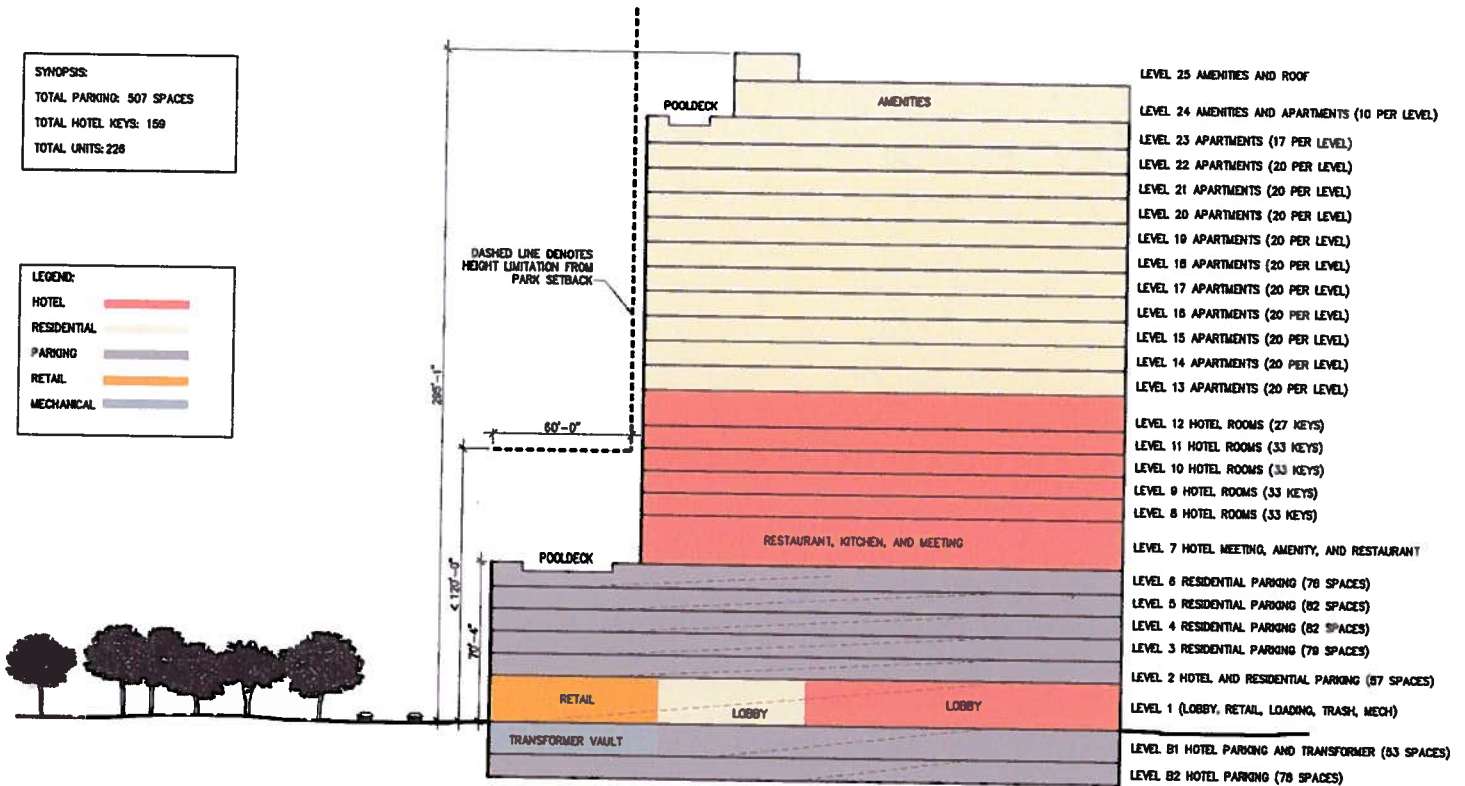
REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL



SYNOPSIS:
 TOTAL PARKING: 507 SPACES
 TOTAL HOTEL KEYS: 159
 TOTAL UNITS: 228

LEGEND:
 HOTEL
 RESIDENTIAL
 PARKING
 RETAIL
 MECHANICAL



BUILDING SECTION

REPUBLIC SQUARE

MIXED-USE
 APARTMENT & HOTEL





REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL





REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL



EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



PROJECT NAME: Republic Square

ADDRESS/LOCATION: 401 Guadalupe Street, 304 W. 4th Street, 400 Lavaca Street

CASE #: C14-2012-0130

CITY COUNCIL DATE:

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS:

STUDENTS PER UNIT ASSUMPTION:

MF UNITS: 226

STUDENTS PER UNIT ASSUMPTION: 0.1

ELEMENTARY SCHOOL: Mathews

RATING: Exemplary

ADDRESS: 906 W. Lynn Street

PERMANENT CAPACITY: 397

% QUALIFIED FOR FREE/REDUCED LUNCH: 42%

MOBILITY RATE: 28.5%

ELEMENTARY SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	253	319	330
% of Permanent Capacity	64%	80%	83%

☐ INCREASE

☐ DECREASE

☒ NO IMPACT

MIDDLE SCHOOL: O. Henry

RATING: Academically Acceptable

ADDRESS: 2610 W. 10th Street

PERMANENT CAPACITY: 945

% QUALIFIED FOR FREE/REDUCED LUNCH: 36%

MOBILITY RATE: 19.8%

MIDDLE SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	883	930	935
% of Permanent Capacity	93%	98%	99%

☐ INCREASE

☐ DECREASE

☒ NO IMPACT

HIGH SCHOOL: Austin

RATING: Recognized

ADDRESS: 1715 W. Cesar Chavez

PERMANENT CAPACITY: 2,394

% QUALIFIED FOR FREE/REDUCED LUNCH: 67%

MOBILITY RATE: 15.2%

HIGH SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	3,208	3,530	3,537
% of Permanent Capacity	134%	147%	148%

☐ INCREASE

☐ DECREASE

☒ NO IMPACT

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



IMPACT ON SCHOOLS

At the rate of 0.1 students per unit, the 226 unit multi-family development is projected to add approximately 23 students over all grade levels to the current projected student population. It is estimated that of the 23 students, 11 will be assigned to Mathews Elementary School, five to O. Henry Middle School, and seven to Austin High School. Even with the high rate of transfers into Mathews ES (28.5%) and O. Henry MS (19.8%) the existing permanent capacity at the schools will be able to accommodate the additional student population.

Assuming Austin High School retains the same number of portable classrooms currently on campus, the percent of functional capacity (by enrollment) at Austin High School would remain unchanged at 99%, which is within the target range for functional capacity.

TRANSPORTATION IMPACT

The proposed development is within two miles of Mathews Elementary School; therefore, students would not qualify for transportation unless a hazardous route was identified. Students attending O. Henry Middle School and Austin High School would qualify for bus transportation. Due to the low number of projected students, the number of bus routes should not be affected.

SAFETY IMPACT

There are no safety concerns identified at this time. Adequate sidewalks and bike routes are available in the area.

Date Prepared: _____

Director's Signature: _____

Paul Turner



**SOCIAL
KNOWLEDGEABLE
INFLUENTIAL**

Josh Allen
President

Mitchell McGovern
Vice President

Austin Becton
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Matt Easterling

Jude Galligan

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Amber Gugino

Warren James

Barry C. Lewis

Michael McGill

Pamela Power

Ian Stonington

Kristina Witt

December 2012

Honorable Mayor, Council Members, and Commissioners
City of Austin
P.O. Box 1088
Austin, TX 78767

Regarding: Gables/Hotel ZaZa Development at 401 Guadalupe St.

Dear Mayor, Council, and Commissioners:

The Downtown Austin Neighborhood Association (DANA) generally supports Gables' application for rezoning property at 401 Guadalupe, and we encourage the developer to work with the residents of Plaza Lofts to address their concerns.

We are encouraged that the Gables & Hotel ZaZa design includes historic design elements in the exterior and interior of the proposed building. In that spirit, we appreciate the project's compliance with the Downtown Austin Plan (DAP).

We hope that the developer will work with their immediate neighbors in the Plaza Lofts to ensure the design of the building has community benefits, also in the spirit of the DAP, that are beneficial for the neighbors.

Overall, we expect this building will help activate Republic Square Park and remove the urban blight of surface parking lot that it is today. .

Sincerely,

A handwritten signature in dark ink, appearing to read "Josh Allen", is written over a horizontal line.

Josh Allen
President

Patterson, Clark

From: Roger L. Cauvin <[REDACTED]>
Sent: Sunday, December 16, 2012 7:08 PM
To: Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Richard Hatfield; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC
Cc: Stacey Lashley; Patterson, Clark
Subject: 4th & Guadalupe Rezoning

Esteemed Planning Commissioners and Case Manager Patterson,

We are residents at the Plaza Lofts and would like to voice our support for the Hotel Zaza project planned at 401 Guadalupe St. (just south of our building). We urge the Planning Commission to approve the rezoning request (case number C14-2012-0130) from CBD to CBD-CURE and to call upon the developers of the project to reduce the amount of parking planned for the building by at least half.

We welcome the mix of uses and the density the project will bring to our neighborhood. We believe downtown density is a plus for our building, for downtown, and for the city as a whole. The greater concentration of people will ultimately make our neighborhood more vibrant, more attractive, more efficient, more sustainable, more prosperous, and more friendly to pedestrians and transit.

Moreover, we feel morally compelled to avoid the standard knee-jerk, not-in-my-backyard (NIMBY) reactions that these sorts of developments often bring.

Our unit does not face south, and thus the Hotel Zaza project will not impact us as directly as some of our neighbors in the Plaza Lofts who live in south side units.

Instead, our unit faces north, and we therefore look into offices across W. 5th St. As we look to the left, we do have an attractive view of northwest Austin above the U.S. Post Office. Nevertheless, we're on record stating in civic meetings that we would welcome a tall, dense building that blocked that view as well. Ultimately, we believe the enhanced vibrancy of our neighborhood, the additional amenities in walking distance, and the more viable transit options would more than make up for the degradation of our views.

At the same time, we believe the amount of parking planned for the hotel is excessive, and that it would have several negative effects.

In a few years, Guadalupe St. and Lavaca St. are supposed to be downtown's primary transit corridor, with Capital Metro planning to reroute most of its fixed bus routes to the corridor, and with MetroRapid and possibly even urban rail coming to the corridor. The Airport Flyer will enable hotel guests to get to and from the airport in about 20 minutes, and at a fraction of the cost of a taxi or rental car. The city's bicycle plan shows Guadalupe and Lavaca as bike route #33.

Arguably, the hotel will be at the location best served by transit in the entire city, rendering the planned number of parking spaces far greater than necessary. In fact, the hotel's copious parking would invite automobile traffic and congestion, thereby undermining efforts to bring a greater transit and pedestrian orientation to the Guadalupe and Lavaca corridor. Studies show each residential parking space generates several vehicle trips per week and greatly impacts mobility choices (Rocco Pendola, Stephanie Ruddy, Elmer Tosta (2005) "What's Parking Got to Do with It?" Spring 2005, Senior Seminar, San Francisco State University Urban Studies Department).

We also are concerned about the extremely small distance between the buildings that the conceptual

renderings of the project depict. It seems the planned 507 hotel parking spaces are responsible for this aspect of the proposed form of the building, as it is only the portion of the building dedicated to parking that is so close to the Plaza Lofts building. Reducing the amount of parking would yield much more flexibility in the design. In particular, it would enable the developer to lower or eliminate the floors of the building that are such a short distance from some of our south-side neighbors in the Plaza Lofts building.

We urge you to approve zoning changes to accommodate as much height and density as is feasible for the Hotel Zaza project, to exercise any influence the city has to reduce its parking footprint, and to embrace any design modifications that would benefit the project, the Plaza Lofts, downtown, and the city.

Roger L. Cauvin
Stacey Lashley
Plaza Lofts, Unit 1006

Patterson, Clark

From: Ranae Pettijohn [mailto:Ranae@ameliabullock.com]
Sent: Tuesday, November 06, 2012 3:26 PM
To: Patterson, Clark
Subject: Case Number C14-2012-0130

For the record, I am against the current plan for the high rise at 401 Guadalupe Street. The height of the current application will have a STRONG negative effect on all of the owners in The Plaza Lofts, and specifically the owners on the south side of the building. When will the public have an opportunity to discuss the plan and get involved in the process for the proposed zoning change?

Ranae Pettijohn, REALTOR
512-422-1526 cell, 512-327-4800 office
[mailto:Ranae@ameliabullock.com]



Patterson, Clark

From: [REDACTED]
Sent: Thursday, November 01, 2012 2:34 PM
To: Patterson, Clark
Subject: Case number C14-2012-0130

Mr. Patterson,

I'm writing to you in regard to case number C14-2012-0130. As a resident of Plaza Lofts, I'm directly impacted by the rezoning and development plans. It concerns me greatly since I live on the south-facing unit and will bear the brunt of any changes that are forthcoming. Here are some of my main concerns and I hope that you'll be able to take that in to consideration and offer further discussions and solutions:

- 1) Privacy is a huge concern for me. I only have views to the south and the proposed development pretty much puts up a wall in front of me. The 15ft of alleyway doesn't provide enough of a buffer and will dramatically diminishes the amount of light as well as impact privacy for me. How is this good for Austin property owners when eagerness to rezone and develop will forego sensibilities?
- 2) Construction noise and distractions. I've endured many many constructions around me ever since living at the Plaza Lofts since 2004. Particularly, the noise from W Hotel and Federal Courthouse pretty much forced me to seek an office away from my home office. In addition, the construction lights from W Hotel were incredibly hard to shut out at nights. With the impending construction of the ZaZa Hotel, my place will be pretty much inhabitable during the day!
- 3) Traffic increases. I'm puzzled as to why the traffic survey was waived. I park in the garage accessible through the alleyway and it's frequently jammed with service trucks. I have no doubt that it's going to be hellish to park my car once the new hotel is complete. The curbs will be littered with valets or waiting patrons along which will cause havoc for the neighboring businesses and residents. That's on top of the service trucks going in and out of the alleyways.
- 4) Property values will sink. The exact impact will be hard to determine but, for sure, nobody is going to want to live at the Plaza Lofts due to construction in the short term. Once finished, I'm pretty sure my property values will be dramatically lower and whether I sell or rent, I'll hit my pocketbooks. I'm very concerned...

Thank you for taking the time to listen to my concerns and feel free to contact me via email or phone if further discussions are warranted. I do hope that you'll make fair assessment and make decisions that are good for growth but also keeping the existing property owners happy.

Warmest regards,
Gabe Ahn

Gabe H. Ahn | 512.553.6246 | <http://scedev.net>
Sony Computer Entertainment America

Patterson, Clark

From: Anguiano, Dora
Sent: Thursday, November 01, 2012 10:12 AM
To: Patterson, Clark
Subject: FW: Email from austintexas.gov: Gables Republic Square Park rezoning

Clark is this your case?

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

From: Cindy Taylor [mailto:cindy.taylor@mac.com]
Sent: Thursday, November 01, 2012 9:22 AM
To: Anguiano, Dora
Cc: Cecilia Tapia
Subject: Re: Email from austintexas.gov: Gables Republic Square Park rezoning

Thank you again Dora for your help.

The Case is C14-2012-0130.

The Gables/Hotel ZaZa project is 401 Guadalupe St, 304 W 4th, and 400 Lavaca St.

Can you please confirm that there will definitely be a public hearing that all next door Plaza Lofts residents can attend? What is the date scheduled for the hearing. It is important since I face south with only an alley between me and their building. I will look at a brick wall and all my light will be eliminated since I have only one window.

Many thanks,

Cindy Taylor

Plaza Lofts resident

Sent from my EYEPad

On Oct 29, 2012, at 11:32 AM, "Anguiano, Dora" <Dora.Anguiano@austintexas.gov> wrote:

- > Ms. Taylor,
- > Do you have a case # for this project?
- > Or can you tell me what area of town this project is, so that I can
- > forward to the appropriate planner?
- >
- > Dora Anguiano
- > 974-2104
- >

> -----Original Message-----

> **From:** Cindy Taylor [mailto:cindy.taylor@mac.com]
> **Sent:** Sunday, October 28, 2012 9:26 AM

- > To: Anguiano, Dora; ~~anghy@att.com~~
- > Subject: Email from austintexas.gov: Gables Republic Square Park
- > rezoning
- >
- > This message is from Cindy Taylor. From this week's (10/26/12)
- > Austin American Statesman article, the new Gables Residential and
- > Hotel ZaZa building was announced. It completely obstructs the Plaza
- > Lofts with only an alley in between buildings and all residents on the
- > South side looking out on a brick wall. Plaza Lofts residents would
- > like to attend the rezoning meeting related to that project. Can you
- > tell me when it is on the Zoning and Platting Commission agenda? Many thanks!

**Joe Cain
Unit 603
311 West 5th Street
Austin, Texas 78701**

December 7, 2012

Mr. Clark Patterson
Planning and Development Review Department
City of Austin

via email to clark.patterson@austintexas.gov

Re: Case No. C14-2012-0130
401 Guadalupe Street

Dear Mr. Patterson:

I am a property owner in the Plaza Lofts at 311 West 5th Street. Plaza Lofts will be adjacent to the building being proposed and will share the east-west alley between Guadalupe and Lavaca Streets.

I do not oppose the developer's project. I have a concern about two things:

First, the two buildings will be very near each other. Our south-facing units have window walls and balconies that overlook the alley and will be confronted by the new building. I worry about the introduction of noise (particularly from the planned pool deck and terrace), fumes, odors, and car lights (as they maneuver in the new building's garage) into those units.

I am more concerned that the alley will fail under the increased load.

- We have a resident parking garage whose only access is in the alley.
- We use the alley for pedestrian access to our building as we approach from the south.
- The bars to the east of our building use the alley for deliveries and parking.
- There will be about 270 residents in the two buildings, and I assume that moving vans and furniture delivery trucks will park in the alley to load and unload, perhaps as often as once a day.
- Garbage collection from dumpsters is done in the alley, and that load will increase with garbage service to the new building.
- The new building's hotel and restaurant will receive their deliveries in the alley, presumably early each morning while we are sleeping.

Mr. Clark Patterson
Page 2

- Tradesmen working in the Plaza Lofts use the alley to load and unload, and I assume the same will be true for tradesmen working in new building.
- Emergency vehicles need unimpeded access through the alley.
- I'm sure there are other uses of which I am not aware.

I think the alley will not accommodate all this traffic unless it is widened to be a double lane alley.

Thank you for your consideration of these concerns.


Joe Cain



cc: Mr. Richard Suttle
Armbrust and Brown, PLLC

via email to rsuttle@abaustin.com

Plaza Lofts Owners
c/o Jessica Shadoian
311 West 5th Street Loft 801
Austin, Texas 78701
512.507.2224



To: Clark Patterson and the Planning and Development Review Department
clark.patterson@austintexas.gov
City of Austin Planning & Development Review Department
PO Box 1088
Austin, TX 78767-8810

CC: **Planning Commission Members:** Dave Anderson, *Chair*, Alfonso Hernandez, *Parliamentarian*, Jean Stevens, *Secretary*, Danette Chimenti, *Vice Chair*, Richard Hatfield, Jeff Jack, James Nortey, Stephen Oliver, and Brian Roark
Plaza Lofts Owners: Cindy Taylor, Stephanie Sachnowitz, James Carroll, Paul Nelson, Dean Greenwood, Brian Bibeault, Frank Cross, Mo Greenwood, Ben Richard, and Mark Scheinberg

Date: December 6, 2012

RE: Request Delay of Case #C14-2012-0130

Dear Mr. Patterson and the Planning and Development Review Department;

We are Plaza Lofts owners and stand to be grossly and unfavorably impacted by the Gables/ZaZa project. We require additional time to gather the information we need for a thorough analysis of the magnitude and gravity of these impacts. **We respectfully request delay of the rezoning meeting for 401 Guadalupe Street, 304 W. 4th Street and Lavaca Street, Case #C14-2012-0130.** It is currently scheduled for December 11 2012 at 6:00pm. We would like it postponed to on or after January 22, 2013. During this period of postponement we intend to compile our traffic analysis to prove that the present width of the alley separating our two buildings (20 feet) is insufficient to support the type and volume of traffic the Gables/ZaZa project will require. This traffic analysis will also include the expert counsel of the City of Austin Fire Chief.

Please consider myself and the residents listed above "interested parties" that require copies of all the public domain documentation on the project. Our email addresses are included below.

Thank you.

Jessica Shadoian

-Sent on behalf of the **Plaza Lofts, Gables/ZaZa Committee** and;

- Cindy Taylor, googlyeyear@mac.com
- Stephanie Sachnowitz, ssachnowitz@sbcglobal.net
- James Carroll, jpcarrolljr@aol.com
- Paul Nelson, paulnelsonmd@gmail.com
- Dean Greenwood, dgreenwood@pnvm.com
- Brian Bibeault, burbel@gmail.com

- Frank Cross, crossf@utexas.edu
- Mo Greenwood, maureengreenwood@hotmail.com
- Ben Richard, benoitmld@aol.com
- Mark Scheinberg, mcheinberg@yahoo.com

Planning Commission Members:

- Dave Anderson, *Chair*, bc-Dave.Anderson@austintexas.gov
- Alfonso Hernandez, *Parliamentarian*, bc-Alfonso.Hernandez@austintexas.gov
- Jean Stevens, *Secretary*, bc-Jean.Stevens@austintexas.gov
- Danette Chimenti, *Vice Chair*, bc-Danette.Chimenti@austintexas.gov
- Richard Hatfield, mnrghatfield@yahoo.com
- Jeff Jack, bc-Jeff.Jack@austintexas.gov
- James Nortey, bc-James.Nortey@austintexas.gov
- Stephen Oliver, bc-Stephen.Oliver@austintexas.gov
- Brian Roark bc-Brian.Roark@austintexas.gov

Also sent via e-post, December 6, 2012.

Many thanks.

To: Clark Patterson and the Planning and Development Review Department
City of Austin Planning & Development Review Department
PO Box 1088
Austin, TX 78767-8810

From: Plaza Lofts HOA
c/o Jessica Shadoian/Cecilia Tapia
311 West 5th Street
Austin, Texas 78701

CC: Planning Commission Members: Dave Anderson, *Chair*, Alfonso Hernandez, *Parliamentarian*, Jean Stevens, *Secretary*, Danette Chimenti, *Vice Chair*, Richard Hatfield, Jeff Jack, James Nortey, Stephen Oliver, and Brian Roark.

Gables/Hotel ZaZa Representative: Lynn Ann Carley, Senior Land Development Consultant at Armbrust & Brown, LLP

Subject: Request for Postponement

Case #C14-2012-0130, 4th and Guadalupe Rezoning (Gables/Hotel ZaZa)

Dear Chairman Anderson, Clark Patterson, and Members of the Planning Commission:

The Plaza Lofts Condominium Home Owners Association hereby respectfully requests postponement of the rezoning meeting for **Case #C14-2012-0130** to on or after January 22, 2013.

The extra time is necessary for two important reasons:

1. We met with the applicant once (Gables/Hotel ZaZa), and both parties agreed to meet again at a later date to discuss the project further. That second meeting has not happened.
2. The Home Owners Association is in the process of retaining a traffic consultant, an engineer, and an architect to assist us in evaluation of the project and its impact on our building. We are particularly concerned about the insufficient width of the alley that separates the new building from the Plaza Lofts.

It is for these additional meetings and evaluations that we need the additional requested time.

We appreciate your consideration of our request. Please note that we recently requested the applicant's agreement to this postponement, but due to short notice, have not yet heard back. Please also note that this is our first request for postponement in the case.

Thank you.



Jessica Shadoian and Cecilia Tapia on behalf of the Plaza Lofts Home Owners Association

PUBLIC HEARING INFORMATION

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

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

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

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

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

www.austintexas.gov

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

Case Number: C14-2012-0130

Contact: Clark Patterson, 512-974-7691

Public Hearing: Dec 11, 2012, Planning Commission

Jan 17, 2013, City Council

Nicholas Kirk Franceschini

Your Name (please print)

311 West 5th St. Unit T-2 - Austin

Your address(es) affected by this application

12-7-12

Date

Daytime Telephone: 713-249-5250

Comments:

Please consider the extremely negative impact this Rezoning request will have on our home next door at the Plaza Lofts.

The development cannot be granted a zoning change without due consideration of the Negative Impact on its next-door Residents! Respectfully

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

Yours

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Case Number: C14-2012-0130
Contact: Clark Patterson, 512-974-7691
Public Hearing: Dec 11, 2012, Planning Commission
Jan 17, 2013, City Council

STEVE GARTMAN

Your Name (please print)

311 W. 5TH ST.

Your address(es) affected by this application

St. Lantier

12-7-12

Signature

Date

Daytime Telephone: 915 433-4145

Comments:

The proposed Galles/308 Isa development is planned - directly across a very prominent 15-20 ft alley from the site. It is a fine safety issue, significant noise, and traffic issues. And is right across from a very historic park - Vehemently O. Lyarb

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

City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2012-0130

Contact: Clark Patterson, 512-974-7691

Public Hearing: Dec 11, 2012, Planning Commission

Jan 17, 2013, City Council

BRYAN BIBEAU

Your Name (please print)

311 W 5TH #1208, 78701

Your address(es) affected by this application

Bryan Bibeau

Signature

Daytime Telephone: 512.659.2424

Date

12/7/12

☐ I am in favor
☐ I object

Comments: EMAIL IS BURBELL@EMAIL.COM. I AM
LOOKING FORWARD TO LOSING THE SURFACE
PARKING LOTS TO THE SOUTH BUT FEEL THAT
GABLES IS IGNORING THE FEW REQUESTS FROM
THE PLAZA LOFTS. I WOULD LIKE TO SEE
THE ACTUAL PLANS AND SEE IF TWO
STRAIGHTFORWARD CHANGES CAN BE MADE TO HELP
PRESERVE THE PLAZA LOFTS UNITS WHILE ALLOWING
A LARGER TOWER TO BE BUILT. WOULD LIKE TO

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City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

BE CONTACTED AND
INCLUDE WHEREVER
POSSIBLE.

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Case Number: C14-2012-0130

Contact: Clark Patterson, 512-974-7691

Public Hearing: Dec 11, 2012, Planning Commission

Jan 17, 2013, City Council

Amir JABALI

Your Name (please print)

311 W 5th #504 Austin TX 78701

Your address(es) affected by this application

☐ I am in favor
☒ I object

12/12/12

Date

Signature

Daytime Telephone: 512 417 7654

Comments:

Current plan looks good well view for existing building
& residential spaces that are so close they can touch
each other

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810