

## **ZONING CHANGE REVIEW SHEET**

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

**ADDRESS:** 401 Guadalupe Street, 304 W. 4<sup>th</sup> 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.

### **DOWNTOWN COMMISSION RECOMMENDATION:**

The applicant attending the Downtown Commission on January 16<sup>th</sup> and their request was recommended with conditions and the vote was 10 for, 1 against. (See attached memo)

### **DESIGN COMMISSION RECOMMENDATION:**

The applicant attending the Design Commission on November 26<sup>th</sup> and their request was recommended.

### **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 26<sup>th</sup> and the Commission recommended approval of the project. This case was reviewed by the Downtown Commission on January 16<sup>th</sup> and the Commission recommended approval of the project with conditions.

### **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 mixed use development.

### **EXISTING ZONING AND LAND USES:**

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

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
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. 4<sup>th</sup> Street/Guadalupe Street, E. 4<sup>th</sup> Street/Lavaca Street, E. 5<sup>th</sup> 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. 4<sup>th</sup> St., E. 5th St., Guadalupe St., and Lavaca St.

## TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
E. 4 <sup>th</sup> 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:** Postponed to February 14<sup>th</sup>  
by the neighborhood.

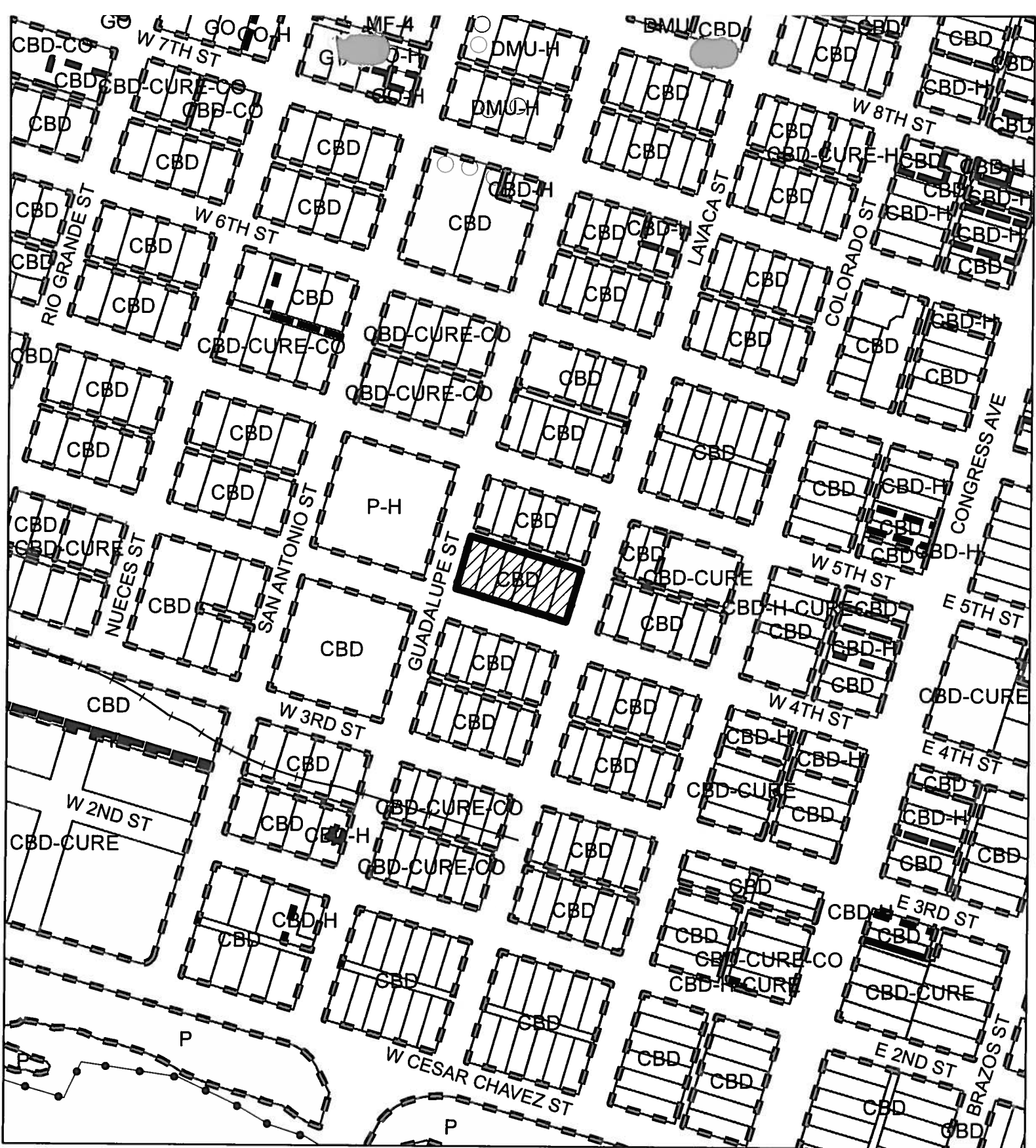
February 14<sup>th</sup>, 2013

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)

**PHONE:** 974-7691



N



1" = 300'



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

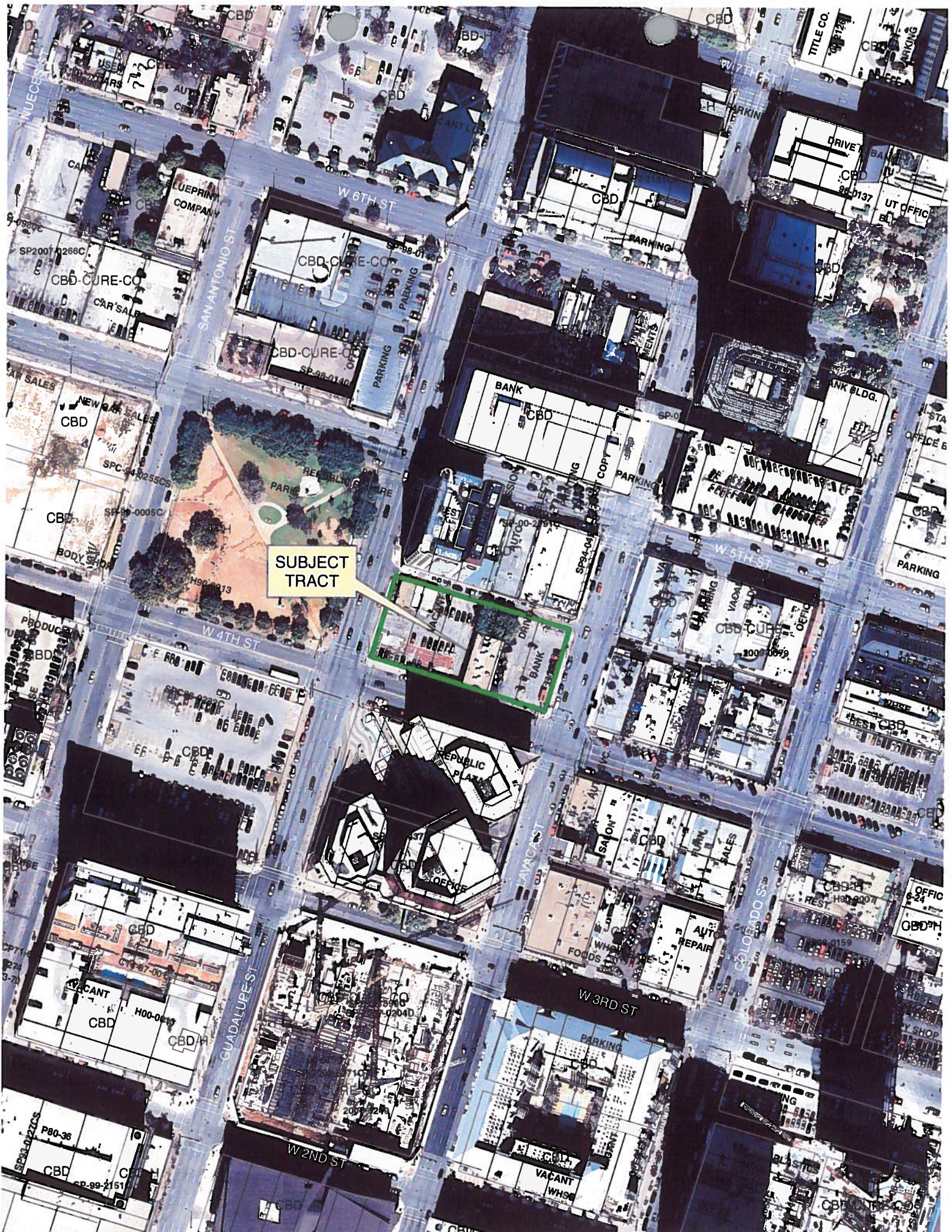
ZONING CASE#: C14-2012-0130

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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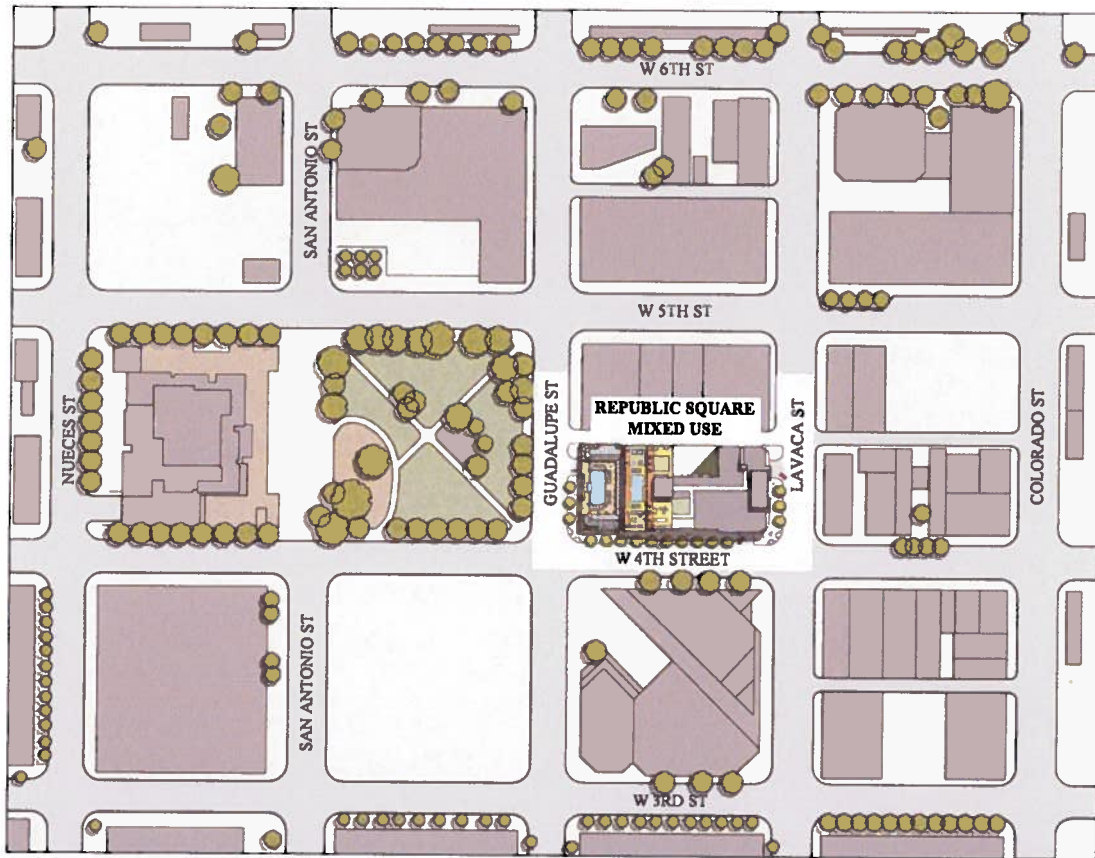
Google earth

Google earth

feet 10  
meters 4



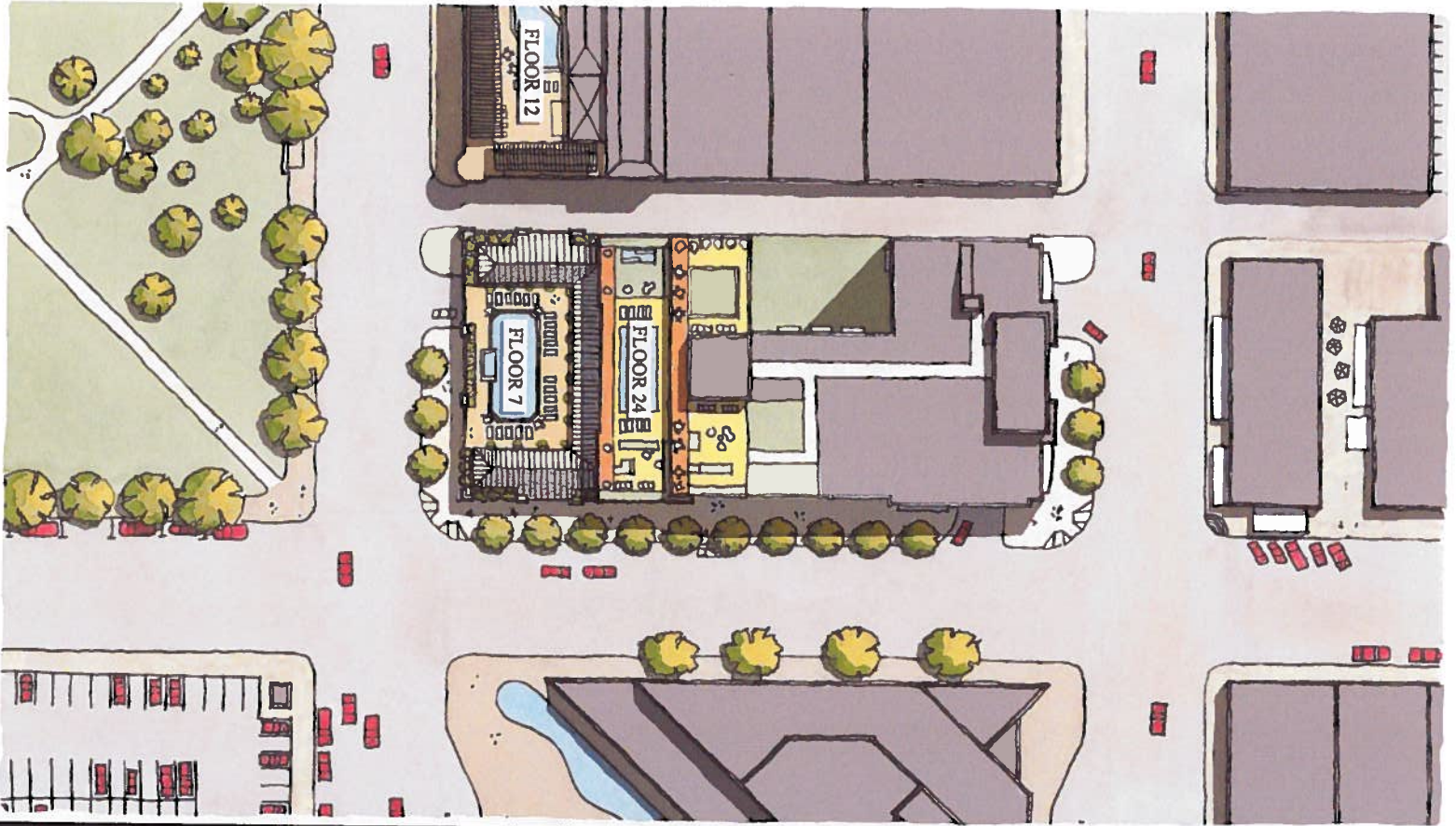




# REPUBLIC SQUARE

MIXED-USE  
APARTMENT & HOTEL





# REPUBLIC SQUARE

MIXED-USE  
APARTMENT & HOTEL



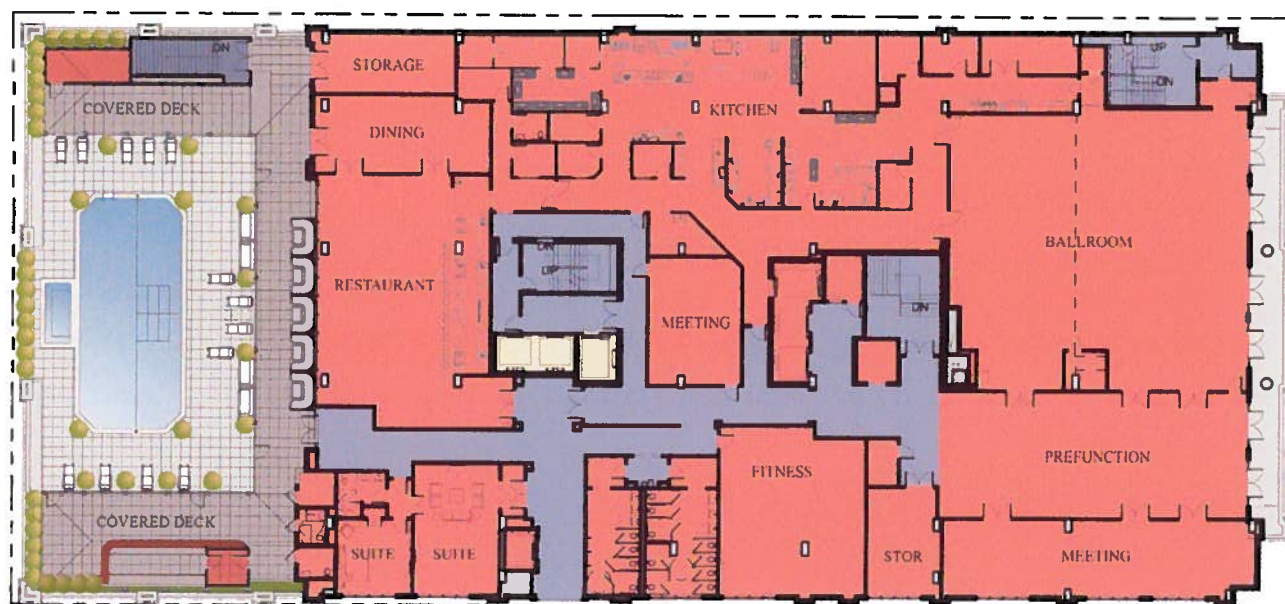


# REPUBLIC SQUARE

MIXED-USE  
APARTMENT & HOTEL





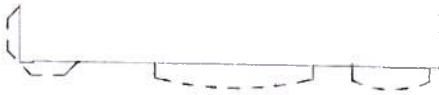


LEVEL 7  
0 5 10 20

# REPUBLIC SQUARE

MIXED-USE  
APARTMENT & HOTEL



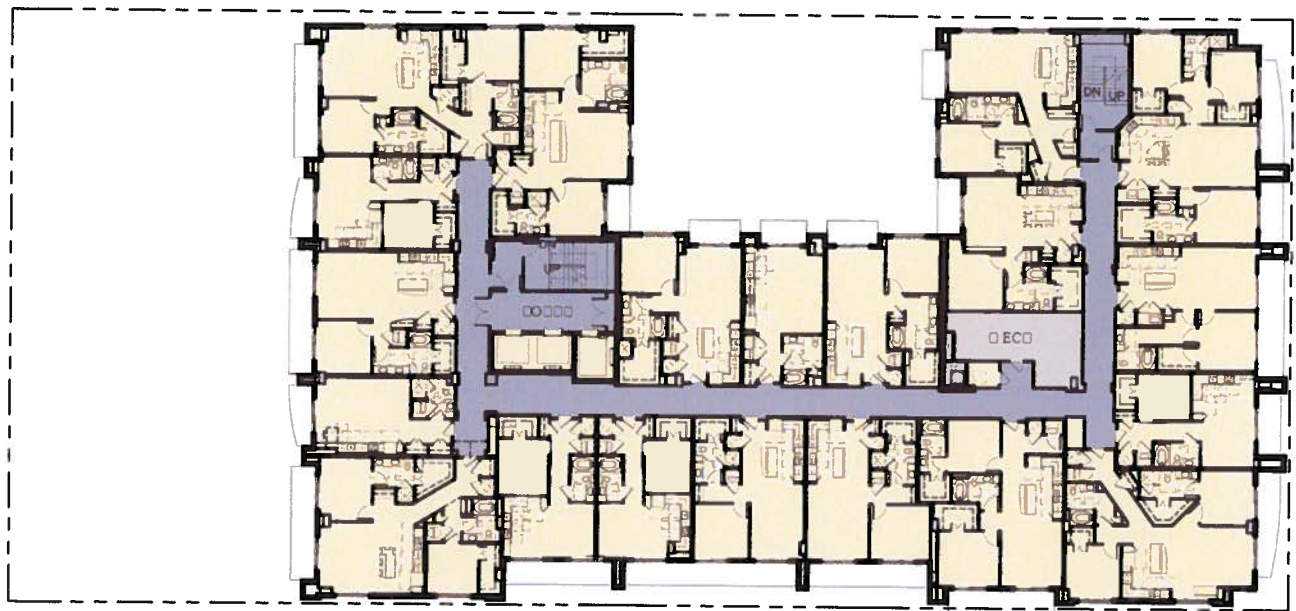


LEVEL 10  
0' 5' 10' 20'

# REPUBLIC SQUARE

MIXED-USE  
APARTMENT & HOTEL





LEVEL 14  
0 5' 10' 20'

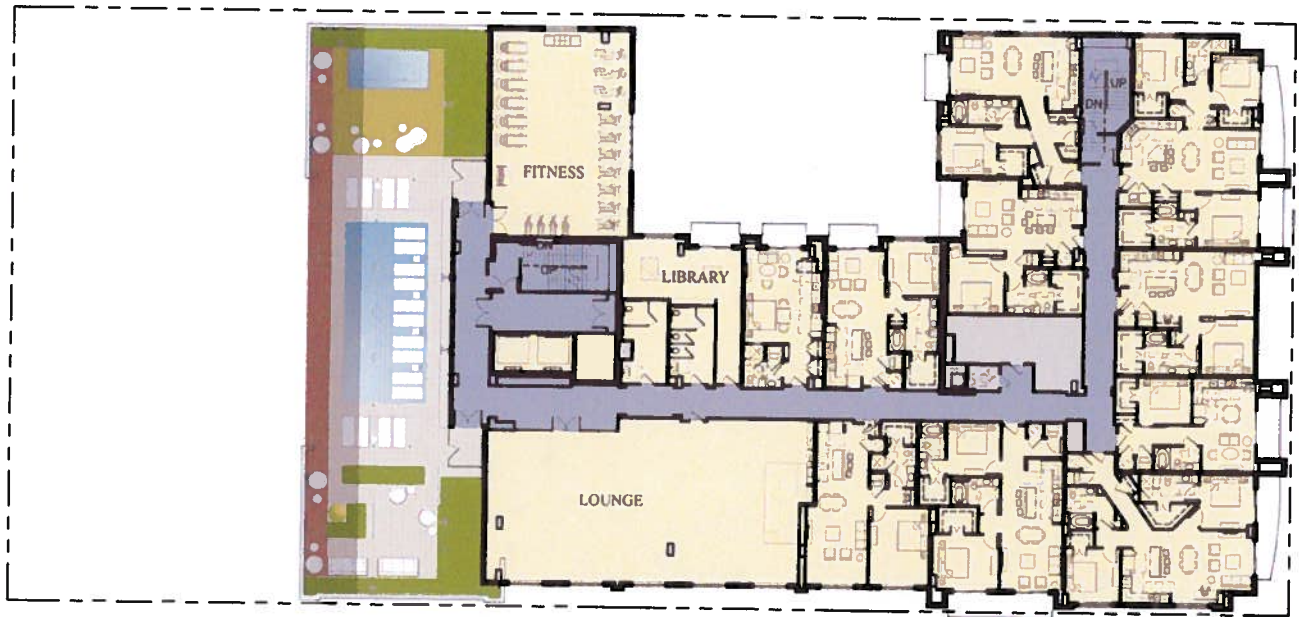


# REPUBLIC SQUARE

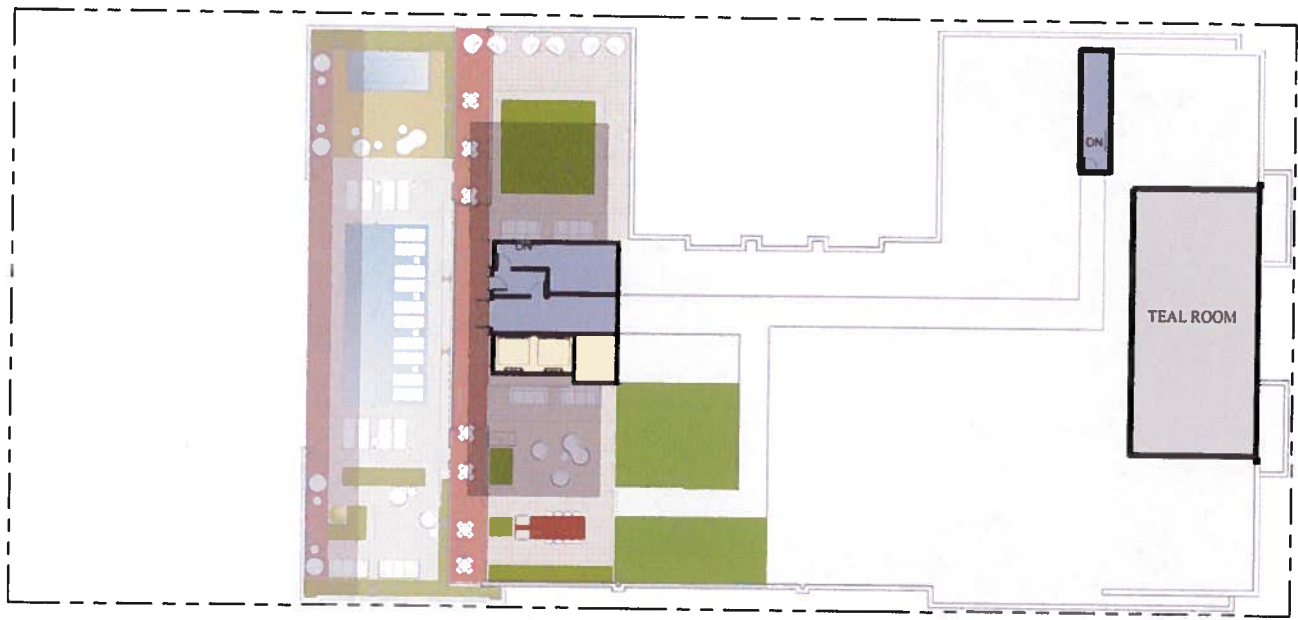
MIXED-USE  
APARTMENT & HOTEL







LEVEL 24  
 0' 5' 10' 20' 



LEVEL 25  
0 5 10 20



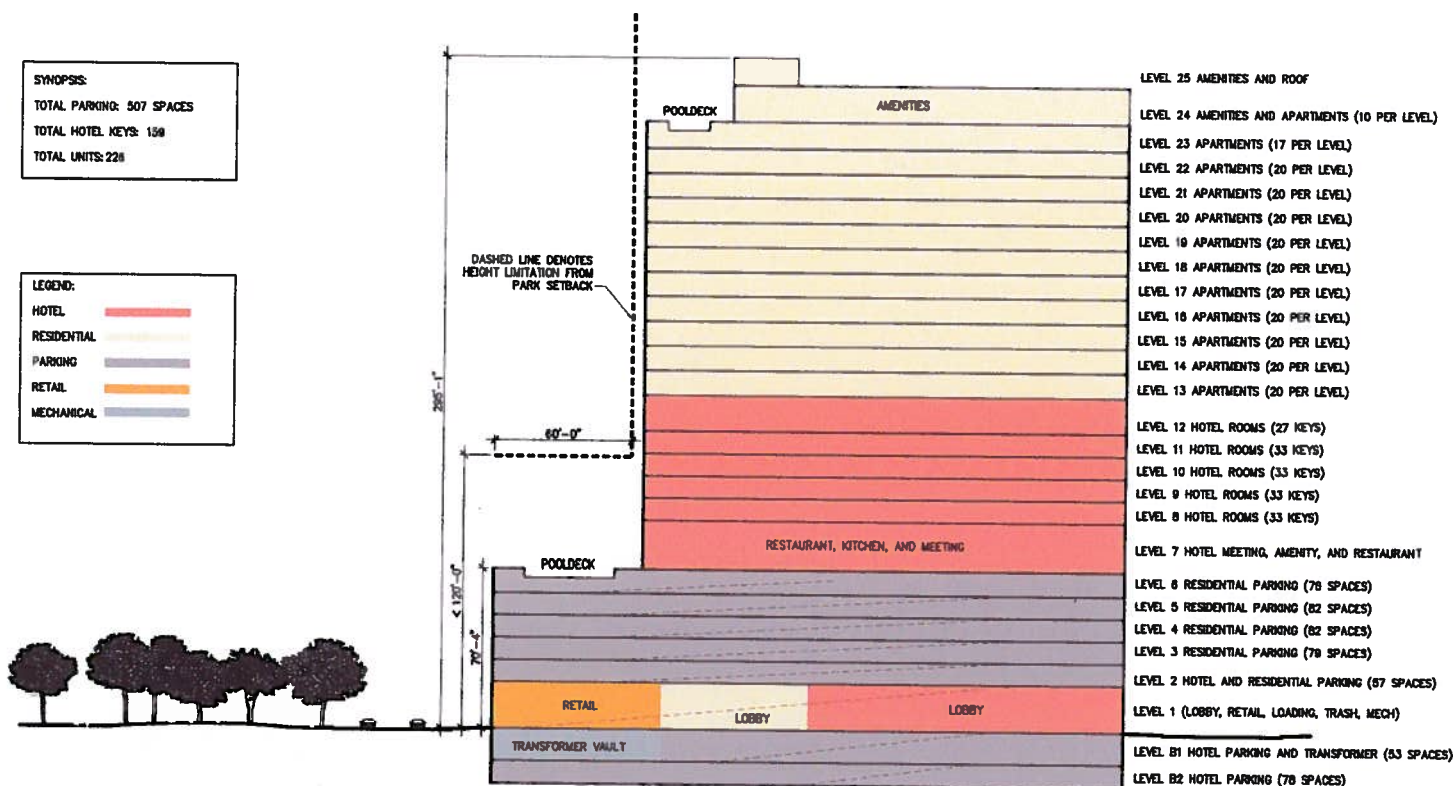
# REPUBLIC SQUARE

MIXED-USE  
APARTMENT & HOTEL



SYNOPSIS:  
 TOTAL PARKING: 507 SPACES  
 TOTAL HOTEL KEYS: 158  
 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





## MEMORANDUM

TO: Mayor Lee Leffingwell and City Council Members

FROM: Heather Way, Vice Chair,  
Downtown Commission

DATE: January 23, 2013

RE: Downtown Commission Recommendation on 4th and Guadalupe Rezoning  
(C14-2012-0130)

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Dear Mayor and City Council Members:

At the January 16, 2013, meeting of the Downtown Commission, the commission voted 10-1 to (1) recommend the developer submit an alternative design that reduces parking and addresses the Plaza Loft residents' concerns about the location and design of the parking garage; (2) recommend to Council that the zoning change be tied to a design that takes into account the residents' concerns with the parking garage, and (3) recommend that the developer develop a plan to address the Plaza Loft residents' concerns related to noise generated from the pool deck.

Sincerely,

---

Heather Way  
Vice Chair, Downtown Commission



# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent  
School District



**PROJECT NAME:** Republic Square

**ADDRESS/LOCATION:** 401 Guadalupe Street, 304 W. 4<sup>th</sup> 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. 10<sup>th</sup> 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  
Treasurer

Matt Easterling

Jude Galligan

Douglas Galloway

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**

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**From:** Roger L. Cauvin <roger.cauvin@cityofaustin.org>  
**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

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**From:** Ranae Pettijohn [REDACTED]  
**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  
[REDACTED]





## Patterson, Clark

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**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

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**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:[cindyeyearl@mac.com](mailto:cindyeyearl@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](mailto: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:[cindyeyearl@mac.com](mailto:cindyeyearl@mac.com)]  
> **Sent:** Sunday, October 28, 2012 9:26 AM

- > To: Anguiano, Dora; [anguiad@comcast.net](mailto:anguiad@comcast.net)
- > 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 5<sup>th</sup> 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](mailto: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 5<sup>th</sup> 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](mailto:rsuttle@abaustin.com)*

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



**To:** Clark Patterson and the Planning and Development Review Department  
[clark.patterson@austintexas.gov](mailto: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](mailto:googlyeyear@mac.com)
- Stephanie Sachnowitz, [ssachnowitz@sbcglobal.net](mailto:ssachnowitz@sbcglobal.net)
- James Carroll, [jpcarrolljr@aol.com](mailto:jpcarrolljr@aol.com)
- Paul Nelson, [paulnelsonmd@gmail.com](mailto:paulnelsonmd@gmail.com)
- Dean Greenwood, [dgreenwood@pnvm.com](mailto:dgreenwood@pnvm.com)
- Brian Bibeault, [burbel@gmail.com](mailto:burbel@gmail.com)



- Frank Cross, [crossf@utexas.edu](mailto:crossf@utexas.edu)
- Mo Greenwood, [maureengreenwood@hotmail.com](mailto:maureengreenwood@hotmail.com)
- Ben Richard, [benoitmld@aol.com](mailto:benoitmld@aol.com)
- Mark Scheinberg, [mcheinberg@yahoo.com](mailto:mcheinberg@yahoo.com)

**Planning Commission Members:**

- Dave Anderson, *Chair*, [bc-Dave.Anderson@austintexas.gov](mailto:bc-Dave.Anderson@austintexas.gov)
- Alfonso Hernandez, *Parliamentarian*, [bc-Alfonso.Hernandez@austintexas.gov](mailto:bc-Alfonso.Hernandez@austintexas.gov)
- Jean Stevens, *Secretary*, [bc-Jean.Stevens@austintexas.gov](mailto:bc-Jean.Stevens@austintexas.gov)
- Danette Chimenti, *Vice Chair*, [bc-Danette.Chimenti@austintexas.gov](mailto:bc-Danette.Chimenti@austintexas.gov)
- Richard Hatfield, [mnrghatfield@yahoo.com](mailto:mnrghatfield@yahoo.com)
- Jeff Jack, [bc-Jeff.Jack@austintexas.gov](mailto:bc-Jeff.Jack@austintexas.gov)
- James Nortey, [bc-James.Nortey@austintexas.gov](mailto:bc-James.Nortey@austintexas.gov)
- Stephen Oliver, [bc-Stephen.Oliver@austintexas.gov](mailto:bc-Stephen.Oliver@austintexas.gov)
- Brian Roark [bc-Brian.Roark@austintexas.gov](mailto: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 5<sup>th</sup> 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](http://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

Signature

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)

☐ I am in favor  
☒ I object

311 W. 5TH ST.

Your address(es) affected by this application

311 W. 5TH ST.

Signature

Date

Daytime Telephone: 915 433-4145

Comments:

The proposed Galileo/Zone 1a development is planned - directly across a very green 15-20 ft alley from the site. A find safety issue, significant noise, and traffic issues, and is right across from a very historic pub - Velementy. O. Lyed

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 Bibea*

Signature

Daytime Telephone: 512.659.2424

12/7/12

Date

☐ 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

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

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 creates back wall 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

**From:** Beau Eidson <beau.eidson@city.austin.tx.us>

**Date:** February 5, 2013 10:09:02 PM CST

**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov), [Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov), [Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov), [Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov), [Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov), [Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov), [Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)

**Subject:** Plaza Lofts - Resident Concern

Dear Mayor Leffingwell and Council Members,

My name is Beau Eidson, and I am a new resident and homeowner at the Plaza Lofts. First of all, I appreciate the consideration you are giving to my neighbors' and my concerns regarding the Gables/Zaza planned development.

As you are well aware by now, we are requesting that the developer takes the time and effort to redesign the current configuration of the development with his downtown neighbors in mind. These considerations include the following:

- 1) Lower the number of parking spaces, which would allow the height of the structured parking to be shorter and less of an eyesore to all of downtown.
- 2) Design the tower to align with the eastern edge of the Plaza Lofts, which will help maintain the quality light and air for my south-facing neighbors.

While my neighbors and I are encouraged to see new development and activity around us, we do ask you all to please look at what can be done in order to create a quality downtown neighborhood atmosphere to not only developers and visitors to our city, but also to the residents and taxpayers of Austin that live and shop here day in and day out.

We are both fortunate and proud to call the city of Austin home, and we would truly appreciate the city taking the side of its residents. This would certainly go a long way to show how the people who live here look out for each other.

Thank you again for your help and consideration.

Sincerely,  
Beau Eidson  
Plaza Lofts - #906

**From:** Stephanie Sachnowitz [REDACTED]  
**Date:** February 5, 2013 6:11:09 PM CST  
**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov)  
**Subject:** Zoning Restrictions Gables/Hotel Za Za

Dear Mayor Lee Leffingwell,

My husband and I moved to the Plaza Lofts in June of 2010 and have really enjoyed being a part of the urbanization of downtown Austin. Having been residents of Austin for over twenty five years, we have seen a lot of change. There is a change on the horizon that has a huge impact on how future homeowners will approach purchasing in downtown and we hope you will consider all implications when making decisions regarding these types of construction and zoning changes.

The purpose of our letter is to ask for restrictions to be placed on the Gables/Hotel Za Za project. Engage the ideas behind the Downtown Austin Plan to help enforce the platform that the livability of adjacent vertical neighborhoods not be compromised when new construction projects and zoning changes are being considered. The new Gables/Hotel Za Za project is one that has a direct negative impact on our building if design changes are not made, along with consideration of noise from public spaces. We, homeowners, have reached out to the Gables/Hotel Za Za to work toward a compromise and they are not interested in our concerns. Their building is a welcome addition to our area of downtown and one that we are excited to see built. However, as homeowners, we feel consideration of our building is not being addressed seriously enough and perhaps this is setting a new precedent, one that goes against the Downtown Austin Plan.

If the current Gable/Hotel Za Za design is allowed as is, this will have a detrimental impact on our building both immediately and long into the future. One third of our homeowners will lose their only light and fresh air source because the new parking garage and solid wall of their building will be a mere sixteen feet from our balconies, which house the only window/door to the unit. This will cause a significant drop in value of these units and the building as a whole. If some changes are not made to their design, a massive "buyers beware" message will be sent out to all prospective buyers of the downtown area which is an extremely negative message for our progressive city.

There seems to be a disconnect in the consideration given to single family neighborhoods versus vertical neighborhoods. Quality of life, a slight effort to protect property values and compatibility with existing buildings should be considered with growth and zoning changes. CBD homeowners should not be second class citizens.

With some design changes, that most all construction projects experience, a reasonable and fair solution can be reached. By lowering the height of the parking garage and increasing the setback of the western facing tower from Guadalupe, most of our concerns would be addressed, minus prohibiting amplified music on their pool level. We are willing to accept additional height in



return for these modifications. Plus, they would have an opportunity to make their mark on our skyline with a more slender, taller tower.

The Gables/Hotel Za Za zoning request gives them quite a bit more square footage for their project thus, a financial gain. Yes, making a few design changes will come at a cost, but without these design changes, a huge cost is being handed out to the sixty families of the Plaza Lofts which is a much bitterer pill than that to a large real estate developer and a boutique hotel. Developers like this are not immune to design changes and are often within their budget. As such, they have the ability to absorb that, we do not.

Please take our concerns into consideration. We are excited to see new construction in our area of downtown, but this current design penalizes good urbanism. The Downtown Austin Plan has merit, let's see it in action.

Warm regards,

Stephanie and Danny Sachnowitz  
Plaza Lofts #705 and #506

From: "Paisley, Max" [REDACTED]  
Date: February 5, 2013 10:25:14 PM CST  
To: "[Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov)" <[Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov)>, "[Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov)" <[Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov)>, "[Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov)" <[Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov)>, "[Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov)" <[Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov)>, "[Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov)" <[Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov)>, "[Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov)" <[Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov)>, "[Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)" <[Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)>  
Subject: Plaza Lofts and Gables/Hotel ZaZa: Considerations

Dear Mayor Leffingwell and City Council Members,

My name is Max Paisley and I am a resident at the Plaza Lofts. The unit I call home is my very first home purchase and I've been living there a little over a year. I am writing to ask for your help for me, my fellow residents at the Plaza Lofts, and future homeowners in downtown Austin.

As it stands today, the Gables/Hotel ZaZa will erect a brick/concrete/glass wall less than 20 feet from my home. Although I am fully supportive of urban development and growth, this blatant disregard of our quality of life should not be tolerated by the city and we have a great opportunity to set a precedent for future downtown living.

Before construction starts, we urge the city to consider restrictions that will prevent the Gables/Hotel ZaZa to impede on the fair neighbors at the Plaza Lofts and establish a win-win solution that will continue to encourage downtown living and growth.

Some of these restrictions and modifications include:

- ? Move building so it is in line with the Plaza Lofts' east side edge and not a few feet from our windows—our single source of sunlight and fresh air
- ? Reduce the amount of parking and lower the overall parking platform (Perhaps build more floors underground?)
- ? Consider redesign for shipping/receiving dock
- ? Restrictions on music levels on the proposed pool deck (also less than 20ft from our units)

Thank you for your time. We are looking forward to the City Council Meeting on the 14<sup>th</sup>.

Thanks,

Max

**From:** Jairo Saenz [REDACTED]

**Date:** February 5, 2013 10:28:36 PM CST

**To:** [lee.leffingwell@austintexas.gov](mailto:lee.leffingwell@austintexas.gov), [sheryl.cole@austintexas.gov](mailto:sheryl.cole@austintexas.gov), [chris.riley@austintexas.gov](mailto:chris.riley@austintexas.gov),  
[mike.martinez@austintexas.gov](mailto:mike.martinez@austintexas.gov), [laura.morrison@austintexas.gov](mailto:laura.morrison@austintexas.gov), [kathie.tovo@austintexas.gov](mailto:kathie.tovo@austintexas.gov),  
[bill.spelman@austintexas.gov](mailto:bill.spelman@austintexas.gov)

**Subject:** Plaza Lofts

Dear City Council Members:

My name is Jairo Saenz and I'm currently employed with the State Police in San Antonio, I'm writing to ask for your consideration regarding the Plaza Lofts home owner's dilemma related to the upcoming Gables/Hotel ZaZa project.

I live in San Antonio and I had the fortune to stay at the Plaza lofts for a short period of time because I was promoted and moved temporarily to Austin. During this period, I truly enjoyed my staying at the Plaza in great part because the wonderful view the apartment had to offer. When I found out the location for the ZaZa project and the fact that at least some of Plaza residents now will potentially have to be staring at a wall that they can literally reach and touch, my heart dropped.

The Plaza Lofts has tirelessly and kindly tried to get Gables to reconfigure their building to make it a win/win situation for each.

Gables doesn't even seem to be considering the Plaza Lofts very reasonable requests. They just want to have the tower moved back about 25 feet so entire homes will not have a solid brick wall in front of them -- only 16 feet across an alley from their single window. It would be different if they were talking about a regular 80 foot Austin Street. Here it is only 16 feet away -- a small alley. Also the parking garage has a ridiculous amount of extra parking which would lower the parking garage.

I decided that personally, when I saw the plans, I saw that there was a solution where Gables could compromise and not exterminate the value of the Plaza Lofts homes. The Plaza Lofts residents have paid property taxes for years and I hope the city protects its homeowners when possible. This is a situation where they can.

I made the decision to stay in San Antonio and see how the City of Austin stands by its residents before I consider becoming an Austin resident. Moving to Austin has always been my dream and I respectfully urge all of you to do the right thing and place restrictions on the rezoning request. Gables and Hotel ZaZa will see a huge increase in profits from this rezoning and they should be forced to give their neighbors something in return.

Sincerely,

Jairo Saenz

**From:** Benoit Richard [REDACTED]

**Date:** February 5, 2013 2:44:01 PM CST

**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov), [Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov), [Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov),  
[Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov), [Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov), [Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov),  
[Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)

**Subject:** Serious concerns from the Owners of The Plaza Lofts regarding the Gables/ZaZa Project

Los Angeles, February 5<sup>th</sup> 2013

To: Austin City Mayor Lee Leffingwell & City Council Members

RE: Case #C14-2012-0130

Dear Mayor Leffingwell and City Council Members,

My name is Benoit Richard and I am originally from Montreal, Canada. I first moved to Austin in 1994 to work as a Lighting Programmer for High End Systems, Inc.

Austin became my home base for the next 11 years.

In late 2004, my wife and I bought Unit #608 at The Plaza Lofts (311 W. 5<sup>th</sup> St), which is a 1300sq. ft. one bedroom open plan with a single "wall to wall & floor to ceiling" window that faces south. During the purchase process, we were aware of the small alleyway separating The Plaza Lofts from the commercial spaces located on 4<sup>th</sup> Street. We never imagined that a new high rise development could be constructed less than 20' away from the only source of light and air. This was one of the primary reason why we purchased the property. Then in mid-2005, my wife and I were offered career opportunities in California. After weighing all our options, we decided to take a leap of faith and moved out West for a chance at a better life. But we also decided to keep our Loft as an investment property and we have successfully leased it to four tenants since we left Austin 7 ½ years ago.

We are writing you today to voice our strong concerns about The Gables/Zaza development project, which was announced last year



and could negatively affect our property value and severely impact the quality of life of our tenants and the other owners and residents of The Plaza Lofts.

For the record, we do not oppose the Gables/ZaZa project because we support density and development in Downtown Austin.

But we strongly oppose the current design of the Gables/ZaZa 24-story **Tower** and adjoining 8-story **Parking Structure**.

According to the proposed design, our Loft and ALL other "08" units at The Plaza Lofts would be completely blocked by the Gables/ZaZa **Tower**, eliminating our only source of light and fresh air. These properties would become *dark caves* if the developer is allowed to put a flat brick wall only 16' away from the edge of our balconies!!! Moreover, some of the "01" units at The Plaza Lofts, which also face south, would experience a dramatic light and fresh air reduction due to the proposed size and height of the **Parking Structure**.

There's also the proposed "**Pool Party Deck**" located on the top of the **Parking Structure**. This has been a cause for concern since the Pool Deck could host parties and possibly have "live bands" playing every night of the week just across the alley from the living quarters of several Plaza Loft residents. Amplified or not, if there's a full blown party 16' feet from glass wall apartments, nobody would ever want to live there...

Our Homeowners' Association formed a committee to establish a line of communication between the interested parties. We have been more than cooperative with the Gables/ZaZa representatives dating back to the first time we heard about a possible Gables project in 2008. Unfortunately, our concerns and suggestions have been ignored all along by the Gables/ZaZa representatives. They are clearly hoping the re-zoning request to be "fast-tracked", before any new laws can be voted to the CCR's that would protect existing and future home owners like ourselves from total financial ruin. These future laws have been recommended in The Downtown Plan and the matter was discussed at the recent **Planning Commission** and **Downtown Commission** meetings.

If the developer is allowed to proceed with the proposed design, we would own an un-leasable and un-sellable downtown property because the new neighbor was permitted to eliminate the only source of light and air in our homes. And just outside that single

window apartment would be fumes, alarms, headlights from 496 cars in the parking structure, exhaust vents from the restaurant, constant truck deliveries in the small alleyway and loud parties on the Pool Deck.

This nightmare scenario is very real and we risk losing our investment property in Austin and our home in California, unless the City Council can intervene at next week's meeting.

Is this how established Downtown Austin property owners and hard working property tax payers should be treated? Simple question: Who was here first?

We believe that reasonable modifications to the Gables/ZaZa design could and should be made to create a win-win scenario for both parties. We also believe that this case represents a very unique moment in the history of Downtown Austin Development and we urge you to impose restrictions on the Gables/ZaZa development project.

Gables/ZaZa should design a more slender/taller **Tower** that would be stepped back 25' further to the East and they should also reduce the height of the **Parking Structure** by going a few more floors underground.

Thank you for taking the time to read our story.

If our work schedule allows us to travel next week, we will be in attendance at the City Council meeting.

Best Regards,

Benoit and Barbara Richard – Owners of Plaza Lofts Unit 608 –  
~~XXXXXXXXXXXX~~ - (310)717-2710

**From:** Amy Penner [REDACTED]

**Date:** February 5, 2013 2:32:55 PM CST

**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov), [Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov), [Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov), [Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov), [Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov), [kathie.tovo@austintexas.gov](mailto:kathie.tovo@austintexas.gov), [Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)

**Subject:** Plaza Lofts and Proposed Gables/Zaza Building

Dear Mayor Leffingwell and City Council Members,

We are writing to you on behalf of a dear friend who lives at the Plaza Lofts (5th and Guadalupe). She purchased this home 11 years ago during a time when the city of Austin was begging people to come live downtown. While she could have purchased anywhere else in the city, she heeded that call and became one of the pioneering residents to live downtown. Further she is in support of the city's desire for high density downtown, but this proposed building will have a MAJOR impact on her quality of life. Not to mention a major impact on her financial investment.

We have spent considerable amount of time in her home seeing first hand what a devastating impact this proposed building be. As the building design stands now she will be 16 feet away from a brick wall. She will lose ALL light and air. There is only one window unit. And at the floor she is on (8th) will be the restaurant with amplified music 7 days a week on the outdoor patio. It is not about being against the building, simply a few design elements that if changed would help greatly. And you can help make this happen if you place restrictions on the rezoning.

Our only hope is that the Mayor and City Council will place restrictions onto the sought rezoning by Gables:

- 1) The tower will be forced to move back to the side of our building, about 25 feet. No where else in the city have HOMES and a huge multi-use development been forced to have only 16 feet between their balcony and a solid brick wall. This is unprecedented and will set the stage for Austin's future growth.
- 2) The parking must be lowered given the unnecessary 500+ parking spaces. In addition other garages all over downtown go lower than 2 layers underground like Gables propose.
- 3) Gables must eliminate all music from the pool side deck since it is only 16 feet away from our beds.

We have entertained thoughts of moving downtown or possible a second home there. Given the fact that there are not guidelines for the city that specifically protect her, we feel that it is not a wise move on our part. We know how hard she has worked to attempt to work with Gables to no avail. You the Mayor and City Council members are her only hope.

Surely you can appreciate the impact the proposed design of the Gables building will have on not only our friend but the ENTIRE group of homeowners at the Plaza Lofts. For those homeowners that face the "brick wall" of Gables can look forward to, restaurant exhaust fans blowing onto their balconies, vehicle exhaust fumes form all hotel deliveries move in and outs

and potential head lights coming through their only window at night. They will be living in dark caves with no light or air.

The Planning Commission, The Downtown Commission and DANA have all strongly told Gables that they need to work with those of the Plaza Lofts and give them the restrictions they seek. After all Gables will be receiving a lot more profit from going higher with the tower.

We would like to thank you for consideration. By imposing these minor restrictions you would be sending a message not only to the residence of the Plaza Lofts, but to ALL residence of downtown that you are looking out for them as well as "Big Developers".

Respectfully,

Scott and Amy Penner  
[apenner@tstar.net](mailto:apenner@tstar.net)



**From:** Curt Ballard [leewhallard66@icloud.com](mailto:leewhallard66@icloud.com)  
**Subject:** The Gables/Hotel ZaZa rezoning concerns  
**Date:** February 5, 2013 3:08:44 PM CST  
**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov), [Sheryl.cole@austin.gov](mailto:Sheryl.cole@austin.gov),  
[Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov), [Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov),  
[Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov), [Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov),  
[Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)

Hello,

I'm writing today to voice concern over the current proposed new Gables/Hotel ZaZa building that is to be built at 4th and Guadalupe.

I have a friend that lives at the Plaza Lofts and have watched this unfold over the past five years when The Gables originally planned to build on the site. It is my understanding that The Plaza Lofts have tried to work originally with The Gables and now with The Gables/Hotel ZaZa to come to a working solution for the new building that would satisfy both parties and adhere to guidelines set forth in the Downtown Plan. To date, The Gables/Hotel ZaZa has not taken into consideration any of the issues raised by the Plaza Lofts and is asking for rezoning approval that will have an incredible negative impact on one of the first condo buildings in downtown Austin.

What upsets me the most about this is The Gables/Hotel ZaZa's position of not working with the Plaza Lofts to come up with a solution that everyone could agree on. Time and time again I've heard the Plaza Loft residents say that they welcome the next door development and only want an amicable solution that preserves their property value and their future quality of life. I don't think that is asking too much. The Gables/Hotel ZaZa didn't even bother to inform The Plaza Lofts of their intentions to move forward until it was publicly announced in November. To date, not one of the of the alternatives suggested by the Plaza Lofts has been considered.

Please consider the future quality of life of these residents. Do we want to set a precedent with this project that only considers density and not the individuals who live in the downtown area? Is it a wise investment to buy in downtown when, with a quick rezoning request, one's entire investment is erased? If this project builds as it is currently drawn, one third of the Plaza Lofts residents will have a concrete wall only 16 feet away from their homes blocking virtually

all the natural light, topped by a party deck playing live music. It doesn't seem fair or the right thing to do when there are viable alternative building configurations that will work for all parties involved. Working with the residents is the right thing to do.

Best regards and thank you for your time,

Curtis W. Ballard

**From:** Ranae Pettijohn <[REDACTED]>

**Subject:** RE: Email from [austintexas.gov](mailto:austintexas.gov) to All Council Members: Hotel ZAZA - Plaza Lofts

**Date:** February 5, 2013 12:42:33 PM CST

**To:** "[googlyeyeart@mac.com](mailto:googlyeyeart@mac.com)" <[googlyeyeart@mac.com](mailto:googlyeyeart@mac.com)>

As a resident of The Plaza Lofts, since 2003 and one of the first permanent residents of downtown I am concerned about the Gables Residential and Hotel ZaZa, seeking rezoning that would allow them to build an apartment and hotel tower to the south of The Plaza Lofts. I welcome change. It's been an exciting time to be a downtown resident. I welcome the Hotel ZaZa, but recommend a reconfiguration of the current design to lower the parking levels and lessen the impact of a brick wall, just 16 feet from current residents on the south side of The Plaza Lofts.

I have no objection to the density or mixed use, but am extremely concerned about the planned building configuration. Because these units only face south and they have only one window, the wall would block most of the natural light and fresh air available to these residents, severely impacting the quality of life of these homeowners and the home values of all Plaza Lofts residents.

I understand that lowering the height of the parking garage and increasing the setback of the western face of the tower from Guadalupe can adequately address these concerns. This seems a reasonable, win-win solution. However, it is my understanding that the developer and its team have shown little willingness to consider concerns of any neighbors. Therefore, it is my hope that the Austin City Council will deny the application for re-zoning on Feb. 14 when it decides the fate of the Gables' property through rezoning. At the very least, I request that you require The Gables to go back to the drawing table and come up with a plan that is beneficial to their site and takes into consideration the plight of their neighbors.

Austin City Council members routinely consider the concerns of adjacent property owners when deciding zoning cases in traditional neighborhoods, and we believe they should afford downtown residents the same respect.

Bart Doney  
Unit 1003  
The Plaza Lofts

To: '[googlyeyeart@mac.com](mailto:googlyeyeart@mac.com)'

Subject: FW: Email from [austintexas.gov](mailto:austintexas.gov) to All Council Members: Hotel ZAZA - Plaza Lofts

**From:** Brian Bibeault [REDACTED]  
**Subject:** Gables/ZaZa project on 4th between Guadalupe and Lavaca - concerns  
**Date:** February 5, 2013 12:37:05 PM CST  
**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov), [Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov),  
[Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov), [Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov),  
[Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov), [Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov),  
[Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)  
**Bcc:** [googlyeyear@mac.com](mailto:googlyeyear@mac.com)

Dear Mayor Leffingwell and Austin City Council Members:

I would like to thank you for inviting all stakeholders to discuss the Gables/ZaZa project. I first wish to voice my support for the intended goals of this project - I appreciate the Gables/ZaZa conversion and look forward to turning two disjoint surface parking lots and two structures (one abandoned and one unused) into a vibrant and upscale retail, apartment, and hotel destination. I feel that the value that it brings to the city, and more personally, this underutilized downtown block, would be a boon to improving our neighborhood.

My frustration, and why I am writing you all this afternoon, is with the lack of interaction, cooperation, and compromise of the Gables/ZaZa project team in reaching a mutually agreeable win/win solution with other property owners of this block. I am confident that my fellow homeowners will present clear cases for our concerns in the upcoming discussion - I do not want to duplicate their efforts, but I do want to state my specific concerns in straightforward language and simple terms.

Our block is approximately 300 feet wide and 300 feet long, with a 20 foot alley separating the north and south sections. The Plaza Lofts occupies roughly 1/3rd of the width of the block (along 5th street) and 1/2 of the block in length (along Guadalupe). Taking the alley out of the equation, this gives us a building with a footprint approximately 100' wide by 140' long.

The proposed Gables/ZaZa project will run the entire length of 4th street and also be 1/2 of the block in length (along Guadalupe). The developers, for a number of stated reasons, have proposed a stepped-back layout for their building, setting their tower back 70 feet from the area shared with Plaza Lofts. This would give them a tower approximately 230' wide by 140' long.

The issue that this provides is that the step back only addresses allowing 4 of the 16 south-facing units any portion of a view that is \*not\* 100% of the walls or garage of the Gables project. My unit (an 08 unit, and there are 8 others in this situation) is an urban loft - no interior walls - that is 19 feet wide and 70 feet long. My only window is to the south and is 16 feet wide (it includes a sliding door to reach my patio). The proposed tower would block 100% of light from reaching my unit and other units like it - this is not impacting our "view of the skyline or sunset", this is blocking my view from the East and West (as well as above and below) with a solid brick (or other masonry) wall 20 feet from my window, 16 feet from my balcony.

If the Gables/ZaZa project were to change their tower base dimensions from approximately 230' to 200' wide (a 12.5% change) while keeping their 140' length (a 0% change), it would alleviate the issues for any south-facing unit owners that are above the parking garage. Similarly, if the Gables/ZaZa project were to lower their number of parking spaces to be on par with other buildings in the area and/or set one or two more floors of parking underground, this would allow them to lower their garage below the levels of our residential units, addressing almost all of the concerns of the homeowners on the 5th through 8th floors.

These proposed changes are not onerous nor are they unreasonable. These changes are in the spirit of, if not to the letter of, the Downtown Austin Plan. I feel that these reasonable compromises should be implemented, but Gables/ZaZa has been unwilling to consider \*any\* changes to their proposed plan. I ask for your consideration but more importantly your action in requiring the Gables/ZaZa project to make these small concessions to current owners and allow this project to move forward in haste.

Sincerely,

Brian Bibeault, Plaza Lofts, #1208

PS: Looking through the downtown Austin plan, I see a number of points that support our requests:

[http://ftp.ci.austin.tx.us/DowntownAustinPlan/dap\\_approved\\_12-8-2011.pdf](http://ftp.ci.austin.tx.us/DowntownAustinPlan/dap_approved_12-8-2011.pdf)

At just a high level, the section on the Core Downtown District:  
page 37:

- \* Establish development standards that allow for multiple towers to be constructed on one block (e.g., tower spacing and setback requirements).
- \* Require or incentivize some percentage of below-grade parking.

page 103, about this specific piece of land that Gables/ZaZa wants to use:

- \* Consistent with its goals for historic preservation and the policies above, the City should decrease the allowable building height within the single, "core" block of the Warehouse District (i.e., properties along West 4th Street between Lavaca and Guadalupe streets) to 45 feet, as a means of preserving this last vestige of one and two-story warehouse buildings. In conjunction with this reduced height limit, the City should establish a Transfer of Development Rights (TDR) system to allow Warehouse District property owners to sell unused floor area up to a maximum of 25:1 FAR to property owners in other parts of Downtown wishing to obtain



additional density above the baseline. (Sec Policy HP-2.2.) The Downtown Density Bonus Program report provides a more detailed description of this policy recommendation.

page 115: the image and label there showing the setbacks from a tower, not going property line to property line, as shown in the mockup for the warehouse district.

page 116:

DD-3.4: Provide space between towers.

- Towers should be stepped back from alleys and interior property lines, so that the livability and development potential of adjacent sites is not compromised.

DD-3.5: Encourage tall and slender towers.

- Tall slender towers should be encouraged in Downtown to allow light to the street, and to create an appealing skyline. Standards that limit the bulk of a building to a percentage of the site area and/or to a maximum floorplate size should be considered, such as:
- The length of a tower along a blockface should be limited to allow for some light penetration to the street and to avoid a "canyon-like" effect

DD-3.7: Integrate parking garages into the architecture of a building.

- Parking garages should be architecturally-integrated or encapsulated within and beneath buildings, so that they are not a dominant part of the building expression. Views of cars and garage lighting should be screened with architectural treatments that are an integral part of the overall building vocabulary

**From:** Ranae Pettijohn <[REDACTED]>  
**Subject:** FW: Email from [austintexas.gov](http://austintexas.gov) to All Council Members: Hotel ZAZA - Plaza Lofts  
**Date:** February 5, 2013 11:53:17 AM CST  
**To:** "[googlyeyear@mac.com](mailto:googlyeyear@mac.com)" <[googlyeyear@mac.com](mailto:googlyeyear@mac.com)>

From: [ranae@ameliabullock.com](mailto:ranae@ameliabullock.com) [mailto:[ranae@ameliabullock.com](mailto:ranae@ameliabullock.com)]  
Sent: Tuesday, February 05, 2013 11:51 AM  
To: Ranae Pettijohn  
Subject: Email from [austintexas.gov](http://austintexas.gov) to All Council Members: Hotel ZAZA - Plaza Lofts

Dear Council Members,

As a resident of The Plaza Lofts, I am deeply concerned about the impact, on many levels, if Gables Residential and Hotel ZaZa are allowed to move forward with their project as it is now designed.

The request to alter the design of the building in order to mitigate the negative impact is reasonable, especially in light of the significant increase in value the developer would receive if its rezoning request is granted.

Austin has traditionally considered the concerns of adjacent property owners in rezoning cases, and I strongly believe that our building and residents at The Plaza Lofts deserve no less protection. Ignoring the requests of the Plaza Lofts residents will set a precedent and send a Buyer Beware message to all current and prospective downtown homeowners.

I request that you carefully review the current plan of the Gables and strongly urge that you recommend a reconfiguration of the current design to lower the parking levels and lessen the impact of a brick wall, just 16 feet from current downtown residents at The Plaza Lofts.

Thank you for your consideration.

Ranae Pettijohn  
Unit 1003  
The Plaza Lofts

**From:** Cindy Taylor, [REDACTED]  
**Sent:** Tuesday, February 05, 2013 8:38 AM  
**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov); [Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov); [Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov);  
[Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov); [Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov); [Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov);  
[Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)  
**Subject:** Plaza Lofts needs your help re: Gables/ZaZa

Dear Mayor Leffingwell and City Council Members,

My name is Cindy Taylor and I purchased my home at The Plaza Lofts 11 years ago. I was one of the pioneer residents downtown.

I am writing to ask for your help for me and my neighborhood homeowners at Plaza Lofts.

First, I want to say that I don't oppose an apartment building or a hotel or retail on the Gables/Hotel ZaZa site. However, I strongly oppose the fact that my entire quality of life and value in my investment will be eliminated by the design of the Gables/Hotel ZaZa proposed building. I have a 1300 sf home that faces south towards the Gables and Hotel ZaZa site. It has one single window and that is my one source of light. That is my one operable window. The Gables building is proposed to be only 16 feet away from me when I stand on my balcony with a solid brick wall which will go up 24 stories. This will eliminate all light that enters my home. My home will become a dark cave; a place where I will no longer want to be. Who wants to live inside a cave with no fresh light, no air, and no quality of life? In addition the site plan indicates that the restaurant exhaust fans will be blowing onto my balcony. Also, the vehicle exhaust fumes from all hotel deliveries and move/ins/outs will enter my home given that the fact the hotel and apartment will receive all deliveries directly on the ground beneath my balcony.

This is all unacceptable to living the quality of life Austin promises its home owners when they encourage us to move downtown. I believed and supported downtown when no one else would. I pay high property taxes with pleasure to support my fabulous city. DANA, The Planning Commission, and The Downtown Commission have all strongly told Gables that they need to work with us and give us our restrictions since they will be receiving a lot more profit from going higher and they should modify the design to be better neighbors. They agree our requests are very reasonable.

Several years ago I invited Mayor Wynn to my home to review the smaller building proposed at that time in 2008. After his visit he called Ben Pislak at Gables and personally recommended that he do the right thing for us since our requests were completely reasonable. He said he told Ben that it was "just the right neighborly thing to do". I had graciously hosted several friendly meetings in my home with Gables to no avail. Now the building has come back for rezoning to be even taller and bulkier than before. Not the Austin I imagined.

**I need you to help me now and place restrictions on the rezoning of the Gables/Hotel ZaZa property to save my home at The Plaza Lofts.**

The Gables does have the ability to make these changes and should be forced to do so by all of you since they have been unwilling to help in any way.

Please require them to:

- a) **Move the tower to the east to align with the side of our building.** This is only approximately 25' to the east. This would eliminate the solid brick wall from preventing any light into my home and also help to keep the property values of mine and my neighbors' up too. Thereby continuing to pay the City of Austin higher property taxes.
- b) **Lower the number of 500+ parking places Gables and ZaZa have planned.** This would help to reduce the level of the parking garage which looks directly into many Plaza Loft homes. Car lights. Car exhaust. Car alarms. In addition require them to go down further underground. They have only 2 parking levels underground. They said they can't because of the springs under ground. Every other hotel (and your own City Hall) have springs underground and they all pump water efficiently. Gables and Hotel ZaZa should be required to do so too.
- c) **Do not allow any amplified music on their pool level.** The pool is located at my level and they are planning bands playing at 85 decibels every night of the week only 16 feet away. Again, only 16 feet away. You obviously hear all about the music issues on Rainey Street and those residents live blocks away on Town Lake. Please do not allow this music or any type of amplified music only 16 feet away. Even with any type of noise mitigation, 85 decibels 16 feet away cannot be muffled. This alone will make our homes uninhabitable.

Please help your neighbors and force Gables and Hotel ZaZa to do the right thing. Please place these restrictions requested onto the rezoning. Please help us protect our quality of life and our investments. You are the only ones who can help.

Thank you for listening. I will see you at your City Council meeting on this huge issue on Thursday, Feb. 14th. I happily welcome you to visit my home if you would like the opportunity to see the situation firsthand. Please feel free to call me at (512) 423-8171 if you would like to come visit.

Sincerely,  
Cindy Taylor  
Plaza Lofts #808  
311 W. 5th Street  
Austin, TX 78701

**From:** Deanna Kaulay [REDACTED]

**Date:** February 6, 2013 12:36:19 PM CST

**To:** [Lee.leffingwell@austintexas.gov](mailto:Lee.leffingwell@austintexas.gov), [Sheryl.cole@austintexas.gov](mailto:Sheryl.cole@austintexas.gov), [Chris.riley@austintexas.gov](mailto:Chris.riley@austintexas.gov),  
[Mike.martinez@austintexas.gov](mailto:Mike.martinez@austintexas.gov), [Laura.morrison@austintexas.gov](mailto:Laura.morrison@austintexas.gov), [Kathie.tovo@austintexas.gov](mailto:Kathie.tovo@austintexas.gov),  
[Bill.spelman@austintexas.gov](mailto:Bill.spelman@austintexas.gov)

**Subject:** Gables rezoning

Dear Council Member,

We are writing to express our support for the residents of The Plaza Lofts condominiums, who are deeply concerned about the impact on their quality of life and home values if Gables Residential and Hotel ZaZa are allowed to move forward with their project as it is now designed.

The request to alter the design of the building in order to mitigate the negative impact is reasonable, especially in light of the significant increase in value the developer would receive if its rezoning request is granted.

Austin has traditionally considered the concerns of adjacent property owners in rezoning cases, and we strongly believe that residents of downtown deserve no less protection. Ignoring the requests of the Plaza Lofts residents will set a precedent and send a Buyer Beware message to all current and prospective downtown homeowners.

Thank you for your consideration.

Sincerely,

Deanna Kaulay and Greg Hattori

Austin City Lofts residents



February 5, 2013

To: Mayor Leffingwell

Austin City Council Members, Cole, Riley, Martinez, Tovo, Morrison and Spelman

Re: Proposed Re-zoning Request from Gables/ZaZa

From: Dean Greenwood, Plaza Lofts HOA President and  
Maureen Greenwood

The Gables/ZaZa project proposed next to the Plaza Lofts is going to destroy the quality of life and the property values for many of the residents on the south side of the building.

There may be situations in urban areas when this can not be prevented, but this is not one of those. The developer's basic plan and the shape of the building, with some very reasonable design changes, make the preservation of the home values on the south side of Plaza Lofts very feasible. The cost of these design changes can be easily absorbed by the developer, because of the major increase in the size of the project and potential profit to the developer provided by the new zoning being requested. This poses a great question! Why destroy any home values, if it is not necessary? This is a case where placing reasonable restrictions on a new zoning request to protect existing homeownership values makes all the sense in the world. It is truly a situation that provides a win for the existing homeowners, a win for the developer and a win for the City of Austin (City). The existing homeowner retains a quality home with its value. The developer gets a zoning change that provides a great deal more profit to him, and the City sends a great message to potential downtown homeowners that there is sensitivity to the preservation of home values downtown, just like there is in suburban Austin neighborhoods.

If the zoning is granted with no restrictions protecting the Plaza Lofts homes, the developer is the only winner, because it maximizes the major profit the increased zoning grants with no consideration of reasonable requests of neighbors. The homeowner is an obvious loser, as is the City. The City loses because it sends a very negative message to those considering buying a home downtown. In light of the above, I am truly surprised by Gables/ZaZa's total insensitivity to the residents of the Plaza Lofts.

The Plaza Lofts is willing to support a much larger building next to it, if some reasonable design changes are made. Is every dollar of profit so important to this developer that it does not care what happens to residents of a significant neighboring building? This lack of sensitivity not only could have a major negative financial impact on these residents, but could also create a bitterness held by those in the neighboring property that is detrimental to the developer in the future. I am sure there are other developers that would have realized this and approached the Plaza Lofts during the design stage so that all parties needs could be considered. In fact, in 2008, we asked the Gables to

meet with us so that they might take our concerns into account in their future planning. Unfortunately, we heard about the proposed building only a few months ago in the Austin American Statesman article that also showed what the finished project would look like. We were literally blindsided by Gables/ZaZa. We do not understand the approach taken by Gables/ZaZa except to make it appear all their demands were unopposed.

You now know, that is not true. We hope that you will take a field trip to our properties to understand the extremely close proximity of our existing building to the proposed new development. The 16 feet between our balconies and the property line of the Gables/ZaZa project absolutely requires restrictions on the height of the garage and the setback of the tower from Guadalupe unblocking the south units of the Plaza. The alley is barely wide enough for one car, much less the multi-uses they have planned right outside our bedrooms.

We hope you will take a very thoughtful look at the modifications we are requesting and will agree they are fair to all and a benefit to the Plaza Lofts, the Gables/ZaZa project and to the quality and beauty of the downtown Austin you and all of us are trying to create and preserve.

Thank you very much for your time and consideration.