

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0015
(2208 Lake Austin)

P.C. DATE: April 8, 2014

ADDRESS: 2208 Lake Austin Boulevard

OWNER/APPLICANT: 2208 Lake Austin, LLC (Vance Elliott)

AGENT: Alice Glasco Consulting (Alice Glasco)

ZONING FROM: LO-NP **TO:** LO-MU-NP **AREA:** 0.20 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining District, zoning. The conditional overlay will prohibit the Multifamily Residential use and limit the site to a maximum of two residential units.

PLANNING COMMISSION RECOMMENDATION:

4/08/14: Motion to approve staff recommendation of LO-MU-CO-NP zoning, with additional condition to prohibit Short Term Rental use (4-4, M. Smith, B. Roark, J. Stevens, D. Chimenti-No; A. Hernandez-off dais); R. Hatfield-1st, S. Oliver-2nd.

Motion to deny rezoning request (4-4, R. Hatfield, D. Anderson, S. Oliver, J. Nortey-No; A. Hernandez-off dais); J. Stevens-1st, M. Smith-2nd.

Case sent forward to City Council without a Planning Commission recommendation.

ISSUES:

On May 7, 2013, the staff received a petition from adjacent property owners who are opposed to any changes to the existing LO-NP zoning on the site (Please see Attachment B-Petition). This petition is valid at 24.09%.

The excerpt below is from the City of Austin's Land Development Code and explains when the City Council is subject to the three-fourths vote.

Sec. 25-2-284 REQUIREMENT FOR APPROVAL BY THREE-FOURTHS OF COUNCIL.

- (A) *The affirmative vote of three-fourths of the members of Council is required to approve a proposed rezoning if:*
- (1) *the Land Use Commission recommends denial of an application to rezone property to a planned unit development; or*
 - (2) *the proposed rezoning is protested in writing by the owners of not less than 20 percent of the area of land:*
 - (a) *included in the proposed change; or*
 - (b) *immediately adjoining the area included in the proposed rezoning and extending 200 feet from the area.*

DEPARTMENT COMMENTS:

The property in question is currently developed with an office structure. The applicant is requesting to rezone the property to add a MU, Mixed Use Combining District, so they can expand the existing building to permit a live/work use on the site (Please see Zoning Request Letter – Attachment A). The staff supports the rezoning request for LO-MU-CO-NP zoning at this location because the site meets the intent of the Limited Office-Mixed Use-Conditional Overlay Combining District as it is located adjacent to and is compatible with the residential uses/SF-3NP zoning to the north. The proposed LO-MU-CO-NP zoning will allow for a reasonable use of this property because it will permit the applicant to utilize the existing structure on the site for a variety of office/mixed use options that will provide services to the surrounding single family residential neighborhood. The property is located just to the north of the designated Water Front Overlay District, which borders Lake Austin Boulevard to the south. The proposed zoning will mirror what is permitted on the south side of Lake Austin Boulevard as LDC Sec. 25-2-691(B), states that the Waterfront Overlay District allows for, “A residential use that is permitted in an MF-6 or more restrictive base district is also permitted in an NO or less restrictive base district.” The staff is recommending a conditional overlay to prohibit Multifamily Residential use on this site and to limit the site to a maximum of two residential units to provide consistency with the residential densities established in the Family Residential zoning to the north of this property.

The applicant agrees with the staff’s recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-NP	Office (Lolley & Associates Certified Public Accountant)
<i>North</i>	SF-3-NP	Single-Family Residential
<i>South</i>	GO-CO-NP, LR-CO-NP	Veterinary Services (AADAC Animal Allergy Center, Lake Austin Boulevard Animal Hospital)
<i>East</i>	GR-CO-NP	Office (Met Study)
<i>West</i>	LR-NP	Personal Improvement Services (Austin Deep Massage Therapy, As You Like It, Agnes)

AREA STUDY: Central West Austin Neighborhood Plan **TIA:** Not Required

WATERSHED: Johnson Creek, Town Lake

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Monorail Project
Austin Neighborhoods Council
Bike Austin
Central West Austin Neighborhood Plan Contact Team
Homeless Neighborhood Association
Preservation Austin
Save Barton Creek Association

Save Town Lake.org
 SELTEXAS
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin, Inc.
 West Austin Neighborhoods Group

SCHOOLS: Austin I.S.D.

Casis Elementary School
 O Henry Middle School
 Austin High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0157 (Animal Allergy and Dermatology Center of Central Texas: 2207 Lake Austin Boulevard)	NO-NP to LR	2/28/12: Approved staff rec. of LR-CO-NP zoning, with a 2,000 vehicle trip per day limit,(6-3, D. Chimenti, J. Stevens, D. Tiemann-No); M. Dealey-1 st , D. Anderson-2 nd .	3/22/12: Approved LR-CO-NP zoning on consent on all 3 readings (6-0, L. Morrison-absent); B. Spelman-1 st ; M. Martinez-2 nd .
C14-06-0087 (2307 Lake Austin Blvd.)	MF-3 to GR- MU	6/20/06: Approved GR-MU-CO zoning, with conditions to 1) prohibit Automotive Rentals, Automotive Repairs, Automotive Sales, Automotive Washing, Commercial Off-Street Parking, Pawn Shop Services, Service Station, Financial Services, Hotel- Motel, Medical Offices, Day Care Services-Commercial, Hospital Services, Exterminating Services, Funeral Services, Indoor Entertainment, Outdoor Sports and Recreation, Pet Services, Guidance Services uses; 2) prohibit Drive-in Service use; 3) prohibit access to Lake Austin Blvd.; 4) comply with 'LR' district site development regulations (7-0)	7/27/06: Approved GR-MU-CO zoning on consent on all 3 readings (7-0)
C14-99-0105 (2204 Lake Austin Blvd.)	SF-3 to GR	7/13/99: Approved GR zoning (7-0)	7/15/99: Approved GR-CO zoning, with following conditions: 1) prohibit vehicular access to Lake Austin Blvd.; 2) limit development on the property to the 'LR' district site development standards; 3) prohibit Automotive Rentals, Automotive Repairs, Automotive Sales, Automotive

			<p>Washing, Commercial Off-Street Parking, Pawn Shop Services, Service Station, Financial Services, Hotel-Motel, Medical Offices, Day Care Services-Commercial, Hospital Services, Exterminating Services, Funeral Services, Indoor Entertainment, Outdoor Sports and Recreation, Pet Services, Restaurant-General, Guidance Services uses; (6-0); 1st reading</p> <p>8/26/99: Approved GR-CO zoning, with conditions (7-0); 2nd/3rd readings</p>
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RELATED CASES: C14-80-016(RCT) – Restrictive Covenant Termination
NPA-2014-0027.01 (Neighborhood Plan Amendment)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Lake Austin Boulevard	104'	60'	Local	N/A
Upton Street	45'	27'	Arterial	N/A

CITY COUNCIL DATE: May 15, 2014

ACTION: Postponed to June 12, 2014 on consent at the applicant's request (7-0), B. Spelman-1st, M. Martinez-2nd.

June 12, 2014

ACTION:

ORDINANCE READINGS: 1st

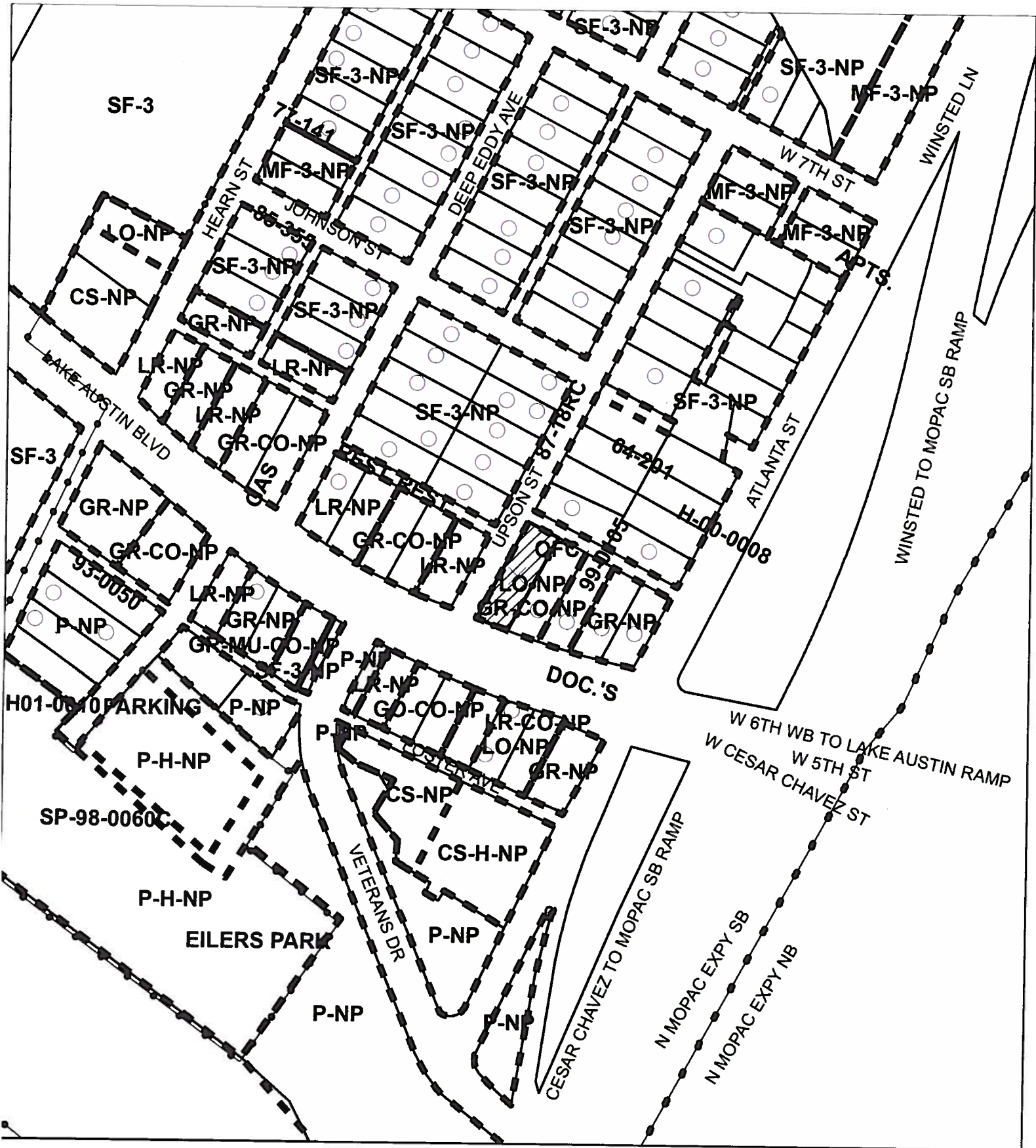
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@austintexas.gov

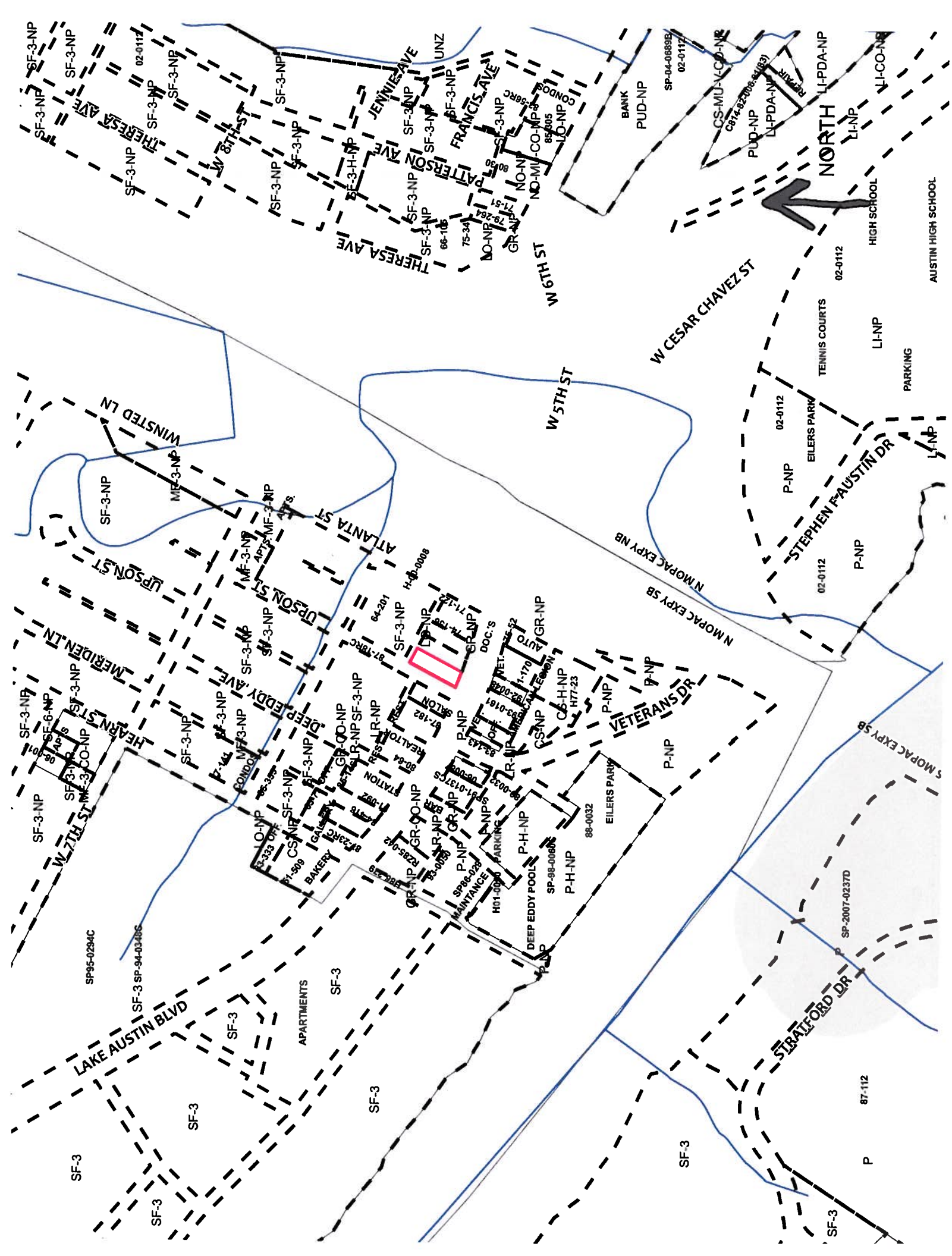


ZONING CASE C14-2014-0015



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.





STAFF RECOMMENDATION

The staff's recommendation is to grant LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining District, zoning. The conditional overlay will prohibit the Multifamily Residential use and limit the site to a maximum of two residential units.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

The proposed LO-MU-CO-NP zoning will provide for a transition in the intensity of uses from the commercial uses permitted along Lake Austin Boulevard to the established single family residential neighborhood to the north. The property in question is located across Lake Austin Boulevard from the designated Waterfront Overlay district. The proposed zoning will mirror what is permitted on the south side of Lake Austin Boulevard as LDC Sec. 25-2-691(B), states that the Waterfront Overlay District allows for, "A residential use that is permitted in an MF-6 or more restrictive base district is also permitted in an NO or less restrictive base district."

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed LO-MU-CO-NP zoning will allow for a reasonable use of this property because it will permit the applicant to utilize the existing structures on the site for a variety of office/mixed use options that will provide services to the adjacent single family residential neighborhood to the north.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently developed with an office use (vacant suite, Lolley & Associates Certified Public Accountant). There are office and low density commercial uses along Lake Austin Boulevard to the south (Veterinary Services: AADC Animal Allergy Center, Lake Austin Boulevard Animal Hospital), east (Office: Met Study) and west (Personal Improvement Services: Austin Deep Massage Therapy, As You Like It, Agnes).

Environmental

This site lies on, or very close to, the divide between the Johnson Creek Watershed (Urban Watershed Classification, Desired Development Zone) and the Ladybird Lake Watershed (Water Supply Suburban Watershed Classification, Drinking Water Protection Zone). A geological and / or topographical analysis of the site may be needed to determine the exact boundaries of the aforementioned watersheds. The site is entirely located over the Edwards Aquifer Recharge Zone.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. 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.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 70%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

Following are the comments for each watershed classification:

Urban

Zoning district impervious cover limits apply in the Urban Watershed classification.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

Water Supply Suburban

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Note: The most restrictive impervious cover limit applies.

Site Plan

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*. For Subchapter E requirements, Lake Austin Blvd., the Principal Street, is considered an urban roadway. Additional related comments will be provided upon submittal of a site plan.

This site is across the street from properties zoned SF-5 or more restrictive, and is therefore subject to the compatibility standards of height limitations and setbacks as per LDC Sections 25-2-1062/1063.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

Additional right-of-way may be required at the time of subdivision and/or site plan.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Lake Austin Boulevard serves bike route no. 52 with an existing bike lane.

Sidewalks exist along Lake Austin Boulevard but do not exist along Upson Street.

Eric Dusza with the Neighborhood Connectivity Division may have additional comments regarding multi-modal enhancements and facilities.

Capital Metro bus service (route no. 4, 21, 22 and LA) is available along Lake Austin Boulevard.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Lake Austin Boulevard	104'	60'	Local	Not Available
Upson Street	45'	27'	Arterial	Not Available

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service

extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Alice Glasco Consulting

5117 Valburn Court, Suite A
Austin, TX 78731
aliceglasco@mindspring.com
512-231-8110 • 512-857-0187 Fax

February 1, 2014

Greg Guernsey, Director
Planning and Development Review Department
505 Barton Spring Road, Suite 500
Austin, Texas 78704

RE: 2208 Lake Austin Blvd.

Dear Greg:

I represent the owners of the above referenced property in three cases – rezoning, plan amendment (FLUM change) and a restrictive covenant termination (C14-80-016). The subject property was encumbered with a restrictive covenant that is associated with zoning case number C14-8-016. As part of the rezoning process, a use restriction was approved by the City Council and it reads as follows:

The above described property will be restricted to professional use only, and will operate during professional office hours only.

Justification Rezoning/Plan Amendment and Restrictive Covenant Termination:

1. The property is currently zoned LO-NP. The proposed rezoning is LO-MU-NP, which is intended to allow office and residential use.
2. Section 25-2-894 of the Land Development Code reads as follows: "One dwelling unit is permitted as an accessory use if not more than 50 percent of the building is used for the dwelling unit. An occupant is not required to be engaged in the principal use."

The proposed rezoning of LO-MU-NP, and the termination of the restrictive covenant, would give the property owner the flexibility of having more that 50% of the building as residential.

3. The property owners would like to remodel the existing building and also add to it so they can live there and move their office from out of town – a true Live/Work use.
4. **Plan Amendment:** we are requesting to change the FLUM from office to mixed use.

Greg Guernsey, Director
Planning and Development Review Department
RE: 2208 Lake Austin Blvd.

5. **Restrictive Covenant Termination:** The existing restrictive covenant limits the site to professional office use only. Therefore, terminating the restrictive covenant would allow the property to accommodate both office and residential use.

The recorded restrictive covenant my client is seeking to terminate is attached. Please let me know if you have any questions or need additional information.

Sincerely,



Alice Glasco, President
AG Consulting

Cc: Vance Elliot
Cari Patterson
Maureen Meredith, Neighborhood Planner
Sherri Sirwaitis, Zoning Planner

3-STORY BUILDING

2-STORY RESIDENCE
2150 SQ. FT. (A/C) + 600 SQ. FT. (DECK)

OVER
OFFICE / GARAGE
1484 SQ. FT.

NO BUILD ZONE LINE

30' 1/2 STRY BUILD LINE

40/3 STRY BUILD LINE

IMPERVIOUS COVER:		EXISTING	AFTER NEW
SITE	PAVING	6,519	956
	OTHER	648	230
	BUILDING	723	1,484
	OVERHANG	1,196	0
		103	
TOTALS:		2,670 SQ FT	2,670 SQ FT
		40.9%	40.9%
JOHNSON (BLACK)			
SITE	PAVING	2,178	1,401
	OTHER	1401	101
TOTALS:		1,502 SQ FT	1,502 SQ FT
C:		69.0%	69.0%

FAR:	4,874 SQ FT	.560
SITE	8,497	
MAIN BUILDING	1,000	
OFFICE	2,150	
RESIDENCE	600	
ROOF DECK		
GARAGE	484	.200 (EQ)
RESIDENCE/OFFICE	840	

LO-NP

ACCOUNTING FIRM

**RESIDENCE/
OFFICE
OVER EXTG.
PARKING**

OFFICE
W/ SF
RESIDENCE ABOVE

1 SITE PLAN

EXISTING UTILITY LINES AND
LOCATIONS TO BE REUSED
TO SERVICE OFFICE AND
ADDED RESIDENCE ABOVE.



Report a problem

To: Austin City Council

PETITION

Date: 15 April 2014

File Number: C14-2014-0015

Address of Rezoning Request: 2208 Lake Austin Boulevard

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than its current zoning district of LO-NP.

The requested change of the zoning district to Mixed Use would give the applicant entitlements not currently enjoyed by his neighbors and the applicant can have a residential use on the property as an accessory use without changing the zoning district to Mixed Use.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Date

Printed Name

Address

R. Lance Colley, 4/15/14 *R. LANCE COLLEY* 2206 LAKE AUSTIN BL.

Date: 05/07/14 *[Signature]*
Contact Name: Blake Tollett-West Austin Neighborhood Group
Phone Number: 512-477-4028

RECIEVED

MAY 07 2014

Planning & Development Review

To: Austin City Council

PETITION

Date: 15 April 2014

File Number: C14-2014-0015

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Date

Printed Name

Address

Allee 4/27/2014 AGNES WOMMACK 2300 LAKE AUSTIN
BLVD.

Date: 05/07/2014 Blake Tollett
Contact Name: Blake Tollett-West Austin Neighborhood Group
Phone Number: 512-477-4028

RECIEVED

MAY 07 2014

Planning & Development Review

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Signature

Date

Printed Name

Address

Lidia Agraz May 5-14 LIDIA AGRAZ 509 UPSON ST.

Allen Peck 06 MAY 14 ALLEN PECK 511 UPSON

Janice Leashko Janice Leashko 512 Upson St.

Chiz Walton 5/6/2014 Chiz Walton 513 Upson St.

Date: 05/07/14 [Signature]
Contact Name: Blake Tollett-West Austin Neighborhood Group
Phone Number: 512-477-4028

RECIEVED

MAY 07 2014

Planning & Development Review

To: Austin City Council

PETITION

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(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Date

Printed Name

Address

Dorothy 2. Hefley 5/11/14 Dorothy Hefley 514 Upson St.
Austin, TX 78701
Janice Leoshko Janice Leoshko 512 Upson St.
Annette M. Pizzini ANNETTE PIZZINI 612 Upson St.
Bernard Nunn 5/11 BERNARD NUNN 602 Deep Eddy
Nancy Nunn 5/11 Nancy Nunn 602 Deep Eddy
Kirsten Matchin 5/11 KIRSTEN MATCHIN 605 Deep Eddy
Joe Matchin 5/11 Joe Matchin 605 Deep Eddy

Date: 5/1

Contact Name: Blake Tollett-West Austin Neighborhood Group

Phone Number: 512-477-4028

2

To: Austin City Council

PETITION

Date: 15 April 2014

File Number: C14-2014-0015

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Signature

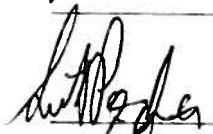
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Printed Name

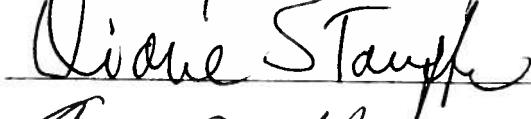
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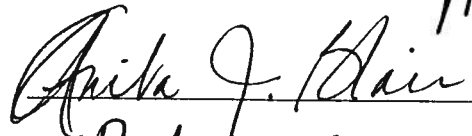
 5/11/14 Binh Pham 702 UPSON ST 78703

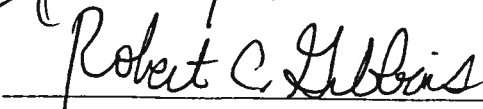
 5/11/2014 Mike Stearns 612 UPSON ST

 5/11/2014 Scott Pozder 606 UPSON ST

 5/11/2014 Leah Pozder 606 UPSON ST

 5/11/14 Diane Stauffer 607 UPSON ST

 5/12/14 ANITA J. BLAIR 601 HEARN ST #104

 5-12-14 613 Hearn St

Date: _____

Contact Name: Blake Tollett-West Austin Neighborhood Group

Phone Number: 512-477-4028

3

To: Austin City Council

PETITION

Date: 15 April 2014

File Number: C14-2014-0015

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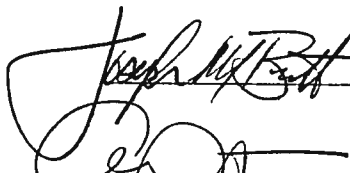

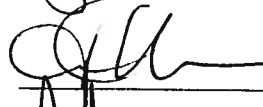
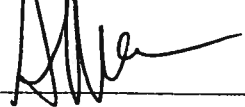

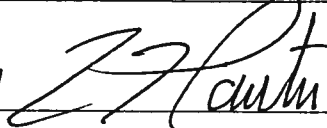
(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Date

Printed Name

Address

	5/10/14	JOSEPH BENNETT	607 DEEP EDDY AVE
	5-11-14	Amy & John Morran	608 Deep Eddy
	5-11-14	Amy & John Morran	606 Deep Eddy
	5-11-14	AUSTIN MCKENNA	609 Deep Eddy Ave
Becky Brownlee	5-11-14	Becky Brownlee	611 Deep Eddy
	5.11.14	JEFF SIKORA	612 DEEP EDDY
TOMAS PANTIN			615 Deep Eddy

Date: _____

Contact Name: Blake Tollett-West Austin Neighborhood Group

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Signature

Date

Printed Name

Address

Ralph McGahagan 5/12/14 RALPH MCGAHAGAN 704 UPSAN ST
AUSTIN TX 78703

B. McGahagan 5/12/14 Frenda McGahagan 704 Upsan St 78703

Allison Bowers 5/12/14 Allison Bowers 708 Upsan St 78703

Rosa E. Oberg 5-12-14 Rosa E. Oberg 608 Upsan St
78703

Roger W. Oberg 5-12-14 Roger W. Oberg 608 Upsan St
78703

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File Number: C14-2014-0015

Address of Rezoning Request: 2208 Lake Austin Boulevard

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than its current zoning district of LO-NP.

The requested change of the zoning district to Mixed Use would give the applicant entitlements not currently enjoyed by his neighbors and the applicant can have a residential use on the property as an accessory use without changing the zoning district to Mixed Use.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Date

Printed Name

Address

Campbell 5-12-14 Susan Bell 575 Hearn St.

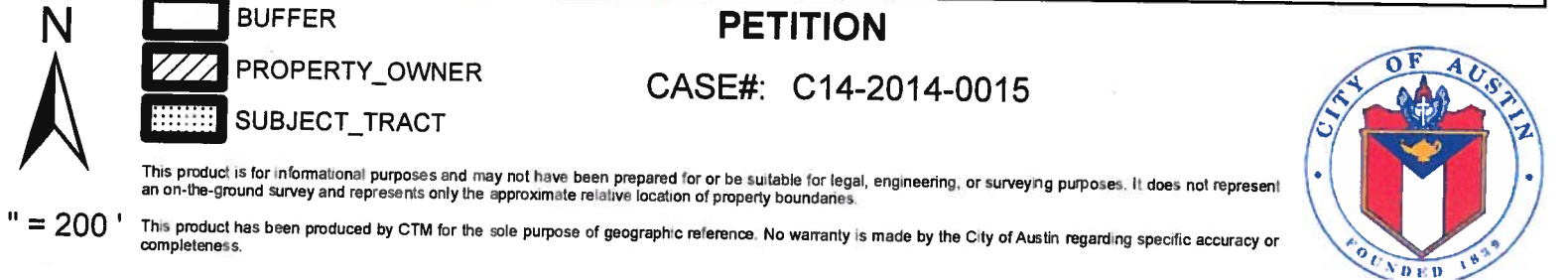
Sharon Edgar/Geenhill 5-14-14 SHARON EDGAR/Geenhill 612 Deep Eddy Ave -

Martha M. Quinn 5-21-14 Martha M. Quinn 600 Deep Eddy Ave -

Date: _____

Contact Name: Blake Tollett-West Austin Neighborhood Group

Phone Number: 512-477-4028



Case Number:

PETITION

C14-2014-0015

Date: 5/22/2014

Total Square Footage of Buffer: 215328.9242

Percentage of Square Footage Owned by Petitioners Within Buffer: 24.09%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0110060709	505 DEEP EDDY AVE 78703	505 DEEP EDDY LLC	no	2012.59	0.00%
0109060211	2207 LAKE AUSTIN BLVD 78703	AADC REAL ESTATE LLC	no	7442.82	0.00%
0109060210	2209 LAKE AUSTIN BLVD 78703	AMERICAN LEGION TRAVIS POST 76	no	7488.79	0.00%
0110060402	506 ATLANTA ST 78704	BOWEN RHETT JEFFREY	no	6801.73	0.00%
0109060207	2303 LAKE AUSTIN BLVD 78703	CITY OF AUSTIN	no	4945.54	0.00%
0110060707	2306 LAKE AUSTIN BLVD 78703	COLE KENT & DIANA L PRECHTER	no	51.58	0.00%
0110060710	507 DEEP EDDY AVE 78703	DICKENS LEWIS E & MARGARET N	no	1597.08	0.00%
0110060717	508 UPSON ST 78703	ESWAY BRIAN D	no	7844.73	0.00%
0110060411	514 ATLANTA ST 78703	HARRIS ROBERT S & ELIZABETH B	no	2814.26	0.00%
0110060713	514 UPSON ST 78703	HEFLEY MICHAEL L & DOROTHY Q	no	1101.85	0.00%
0110060702	510 UPSON ST 78703	JOHNSON DOUGLAS OGDEN	no	7836.13	0.00%
0109060208	2301 LAKE AUSTIN BLVD 78703	LAKE AUSTIN BOULEVARD ANIMAL HOSPITAL P C	no	6409.59	0.00%
0110060714	512 UPSON ST 78703	LEOSHO JANICE	yes	5798.82	2.69%
0110060406	2206 LAKE AUSTIN BLVD 78703	LOLLEY R LANCE	yes	11032.15	5.12%
0110060715	2302 LAKE AUSTIN BLVD 78703	OGDEN ROBERT L & MARY D LP & MARY DELONEY ODGEN LLC &	no	19588.26	0.00%
0110060409	511 UPSON ST 78703	PECK ALLEN & LIDIA G AGRAZ	yes	8519.15	3.96%
0110060408	509 UPSON ST 78703	PUNTA REYES PROPERTIES I LLC	yes	7110.79	3.30%
0109060214	2201 LAKE AUSTIN BLVD 78703	R & K INVESTMENTS	no	3723.81	0.00%
0110060405	2204 LAKE AUSTIN BLVD 78703	ROBERTS KAREN MANCHESTER APT A1	no	10571.30	0.00%
0110060403	2200 LAKE AUSTIN BLVD 78703	ROBERTS KAREN MANCHESTER APT A1	no	7558.74	0.00%
0110060404	2202 LAKE AUSTIN BLVD 78703	ROBERTS KAREN MANCHESTER APT A1	no	10456.81	0.00%
0110060401	518 ATLANTA ST 78703	RUDGE MATTHEW & KRISTIE	no	312.82	0.00%
0109060209	2211 LAKE AUSTIN BLVD 78703	SPITZ ROBERT	no	6987.64	0.00%
0109060212	2205 LAKE AUSTIN BLVD 78703	STEBLAY TRUST NO 88	no	6977.39	0.00%
0109060213	2203 LAKE AUSTIN BLVD 78703	STEBLAY TRUST NO 88	no	6368.15	0.00%
0110060412	510 ATLANTA ST 78703	STEWART JENNIE COVERT	no	5303.61	0.00%
0110060716	506 UPSON ST 78703	WAGNER GERALD R II	no	9892.92	0.00%
0110060410	513 UPSON ST 78703	WALTON CHRISTOPHER S & MAYUMI F	yes	4039.55	1.88%
0110060704	2300 LAKE AUSTIN BLVD 78703	WOMMACK AGNES D	yes	15373.08	7.14%
0110062301	Address Not Found		no	9900.71	0.00%
Total				205862.40	24.09%

512.477.4353

RICHARD A. VIKTORIN
506 Upson Street
Austin, TX 78703

viktorin@sbeglobal.net

Thursday, March 27, 2014

To: Sherri Sirwaitis, Zoning Planner
Maureen Meredith, Neighborhood Planner

Re: 2208 Lake Austin Blvd.

Date: Thursday, March 27, 2014

I am the property owner and resident of 506 Upson Street which is across Upson from the subject property. Over the last several weeks, I have received notice from Planning and Development Review regarding the land use changes at 2208 Lake Austin Blvd.; however, I was unable to attend the public meeting last week. The purpose of this letter is to support the changes Ms. Patterson and Mr. Elliot are requesting: I support the three applications that have been filed by Vance Elliot and Cari Patterson for 2208 Lake Austin Blvd.

I understand that the applications include: (1) rezoning to allow housing and office use, a change to the color of the land use map (plan amendment) to allow a mix of uses (office and residential) and a restrictive covenant termination. It is also my understanding that the purpose of the applications is to allow the owner to remodel and expand the existing house so the owners can live and work there, too. A mixed use building along Lake Austin Blvd makes a lot of sense to me. So, please vote for all three applications.

Sincerely,
Richard Viktorin

R&K Investments

5716 Hwy 290 West Suite 200.

Austin TX 78735

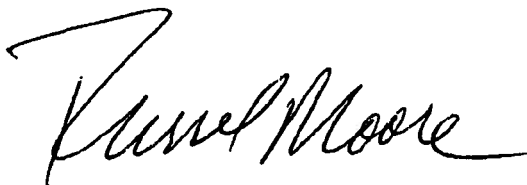
Maureen & Sherri -

As a neighborhood business/property owner (2201 Lake Austin Blvd), I fully support the three applications that have been filed by Vance Elliott and Cari Patterson for 2208 Lake Austin Blvd.

I understand that the applications include: (1) rezoning to allow housing and office use, (2) a change to the color of the land use map (plan amendment) to allow a mix of uses (office and residential) and (3) a restrictive covenant termination. It is also my understanding that the purpose of the applications is to allow the owner to remodel and expand the existing house so that they can live and work there.

A mixed use building along Lake Austin Blvd seems consistent with the encouraging downtown living and working, and helps relieve congestion on the busy streets of Austin. There should be no reason why the city shouldn't vote to support the applicants 3 requests.

Kindly,

A handwritten signature in black ink, appearing to read "Russel Moore". The signature is fluid and cursive, with a large initial "R" and "M".

Russel Moore

Sirwaitis, Sherri

From: Randy Fromberg randy@fromberg.com
Sent: Friday, March 21, 2014 2:37 PM
To: Meredith, Maureen; Sirwaitis, Sherri
Subject: 2208 Lake Austin Blvd - Neighbor in support
Attachments: 2208 Lake Austin Blvd Support Letter-RF.pdf

Maureen & Sherri -

As an architect, neighborhood business/property owner (2406 Lake Austin Blvd) & nearby (Clarksville) resident, I fully support the three applications that have been filed by Vance Elliot and Cari Patterson for 2208 Lake Austin Blvd.

I understand that the applications include: (1) rezoning to allow housing and office use, (2) a change to the color of the land use map (plan amendment) to allow a mix of uses (office and residential) and (3) a restrictive covenant termination. It is also my understanding that the purpose of the applications is to allow the owner to remodel and expand the existing house so that they can live and work there.

A mixed use building along Lake Austin Blvd makes a lot of sense to me. It seems consistent with encouraging downtown living & is a healthy combination of land uses. It would greatly increase security for area business owners to have more vested full-time residents in the neighborhood. I have no idea why there would be opposition to this project & urge your full support for all three applications.

Best Regards,

Randall E. Fromberg, AIA, CEFP
Fromberg Associates, Ltd :: *Architecture*
2406 Lake Austin Blvd, Austin, TX 78703
Phone: 512.495.9171 x28
Fax: 512.495.1837

www.fromberg.com



To: Sherri Sirwaitis, Zoning Planner
Maureen Meredith, Neighborhood Planner

Re: 2208 Lake Austin Blvd.

Date: March 21, 2014

As an architect, neighborhood business/property owner (2406 Lake Austin Blvd) & nearby (Clarksville) resident, I fully support the three applications that have been filed by Vance Elliot and Cari Patterson for 2208 Lake Austin Blvd.

I understand that the applications include: (1) rezoning to allow housing and office use, (2) a change to the color of the land use map (plan amendment) to allow a mix of uses (office and residential) and (3) a restrictive covenant termination. It is also my understanding that the purpose of the applications is to allow the owner to remodel and expand the existing house so that they can live and work there.

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Best Regards,

Randall E. Fromberg, AIA, CEFP

2406 LAKE AUSTIN BLVD

FROMBERG ASSOCIATES, LTD.

AUSTIN, TEXAS 78703

ARCHITECTURE

512.495.9171 FAX 495.1837

PUBLIC HEARING INFORMATION

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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: C14-2014-0015

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 8, 2014, Planning Commission

May 15, 2014, City Council

R. LANCE Lolley
Your Name (please print)

☐ I am in favor
☒ I object

2206 LAKE AUSTIN BLVD. AUSTIN TX 78703
Your address(es) affected by this application

[Signature]
Signature

3/29/14
Date

Daytime Telephone: _____

Comments: _____

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

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

PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0015

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 8, 2014, Planning Commission

May 15, 2014, City Council

Your Name (please print)

☐ I am in favor
☒ I object

R. LAKE LLOYD
2206 LAKE AUSTIN BLVD., AUSTIN TX 78703
Your address(es) affected by this application

Signature

Date

Daytime Telephone: 512 472-0123

Comments:

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

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

To: Sherri Sirwaitis, Zoning Planner
Maureen Meredith, Neighborhood Planner

Re: 2208 Lake Austin Blvd.

Date: April 1, 2014

I, Denver Dunlap, owner /resident/tenant of 2307 Lake Austin Blvd support the three applications that have been filed by Vance Elliot and Cari Patterson for 2208 Lake Austin Blvd.

I understand that the applications include: (1) rezoning to allow housing and office use, a change to the color of the land use map (plan amendment) to allow a mix of uses (office and residential) and a restrictive covenant termination. It is also my understanding that the purpose of the applications is to allow the owner to remodel and expand the existing house so the owners can live and work there, too. A mixed use building along Lake Austin Blvd makes a lot of sense to me. So, please vote for all three applications.

Sincerely,

A handwritten signature in black ink, appearing to read "Denver Dunlap", with a long, sweeping underline that extends diagonally across the page.

Sirwaitis, Sherri

From: Arif Ali [REDACTED]
Sent: Wednesday, April 02, 2014 6:21 PM
To: Meredith, Maureen; Sirwaitis, Sherri
Subject: 2208 Lake Austin Blvd.

To: Sherri Sirwaitis, Zoning Planner
Maureen Meredith, Neighborhood Planner

I, Arif Ali, tenant of 2208 Lake Austin Blvd support the three applications that have been filed by Vance Elliot and Cari Patterson for 2208 Lake Austin Blvd.

I understand that the applications include: (1) rezoning to allow housing and office use, a change to the color of the land use map (plan amendment) to allow a mix of uses (office and residential) and a restrictive covenant termination. It is also my understanding that the purpose of the applications is to allow the owner to remodel and expand the existing house so the owners can live and work there, too. A mixed use building along Lake Austin Blvd makes a lot of sense to me. So, please vote for all three applications.

Sincerely,

Arif Ali, CPA

PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0015

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 8, 2014, Planning Commission

May 15, 2014, City Council

Your Name (please print)

Leah Ponder

☐ I am in favor
☒ I object

606 Upson St 78703

Your address(es) affected by this application

606 Upson St

Signature

Date

Daytime Telephone:

Comments:

Please don't share my # with these horrible people

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Sirwaitis, Sherri

From: Ragsdale Scott Cpa Ragsdale Scott CPA
Sent: Thursday, April 03, 2014 10:11 AM
To: Meredith, Maureen; Sirwaitis, Sherri
Subject: 2208 Lake Austin Blvd

samscottragsdale@sbcglobal.net

Hello: Sherri Sirwaitis, Zoning Planner
Maureen Meredith, Neighborhood Planner

My name is Scott Ragsdale and I am a CPA and I have had my office at 2208 Lake Austin Blvd for about 24 of the last 25 years.

I support the three applications that have been filed by Vance Elliot and Cari Patterson for 2208 Lake Austin Blvd. because I have worked for decades at this location and I have lived within two miles of this location for about ten years, and I think the change would enhance the neighborhood and is consistent with expressed goals for many neighborhoods in this city.

I understand that the applications include: (1) rezoning to allow housing and office use, a change to the color of the land use map (plan amendment) to allow a mix of uses (office and residential) and a restrictive covenant termination. It is also my understanding that the purpose of the applications is to allow the owner to remodel and expand the existing house so the owners can live and work there, too. A mixed use building along Lake Austin Blvd makes a lot of sense to me.

Thanks for your consideration and I hope you vote for all three applications.

Sincerely,

Scott Ragsdale, CPA

Item # C4

Sirwaitis, Sherri

From: Jorge Gutierrez [REDACTED]
Sent: Friday, April 04, 2014 11:24 AM
To: Meredith, Maureen; Sirwaitis, Sherri
Cc: JAG Gutierrez; Alice Glasco; Cari Patterson (cari@vancejelliottrealty.com)
Subject: Case #C14-2014-0015, Project Address: 2208 Lake Austin Blvd.

To: Sherri Sirwaitis, Zoning Planner
Maureen Meredith, Neighborhood Planner

Re: 2208 Lake Austin Blvd.

Ms. Sirwaitis and Ms. Meredith,

My wife and I live at 507 Upson Street across the alley from 2208 Lake Austin Blvd. Our home is 50 feet from this property. As the most immediate neighbors, we will be the most affected by whatever happens with this property.

We generally support the three applications that have been filed by Vance Elliot and Cari Patterson for 2208 Lake Austin Blvd. I attended the meeting at the Terrazas Library and reviewed the proposed plans. A mixed used building allowing for office and residential use makes sense for this location. The existing building is already used as an office, so adding residential use is a positive step in our view. Their design also seems to preserve the large trees on location.

As I have expressed to Ms. Patterson, we are very concerned about the heavy traffic in the alley between our two homes. Their property, together with the four buildings immediately East of them, contain about 50 parking spaces for clients and employees of businesses that operate at these five locations. Additionally, there is a condo development behind our home that contains at least another 100 parking spaces for occupants of those properties. The alley is heavily used and it is not designed for two-way traffic. Every day I see near accidents as cars face off coming and going in and out of the alley.

I have suggested to Ms. Patterson that their design, on the alley side, take into consideration this traffic hazard. A serious accident at this exit and entry point is only a matter of time. My hope is that they come up with a design for their side of the alley exit that reduces the risk of an accident at this exit and entry point. It may be as simple as removing vegetation at the corner to widen the scope of vision and placing signage to alert drivers to the risky alley traffic. Their architect may have other ideas about how to make the alley area safer for traffic and pedestrians.

Please let me know if there are any questions. Thank you.

Jorge A. Gutierrez

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.

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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: C14-2014-0015

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 8, 2014, Planning Commission

May 15, 2014, City Council

Jennie Stewart

Your Name (please print)

510 Atlanta

Your address(es) affected by this application

4-4-14

Date

Signature

Daytime Telephone: 512-796-4520

Comments:

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before 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 amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Planning and Development Review Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website:

<http://www.austintexas.gov/departments/neighborhood-planning>.

PUBLIC HEARING COMMENT FORM

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

City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

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

Case Number: NPA-2014-0027.01

Contact: Maureen Meredith

Public Hearing: Apr 8, 2014, Planning Commission
May 15, 2014, City Council

☒ I am in favor
☐ I object

Jennie Stewart

Your Name (please print)

510 Atlanta

Your address(es) affected by this application

4-8-2014

Date

Signature

Comments:

PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0015

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 8, 2014, Planning Commission

May 15, 2014, City Council

Nancy Nunn
Your Name (please print)

602 Deep Eddy Ave
Your address(es) affected by this application

Nancy Nunn
Signature

4/4/14
Date

Daytime Telephone: 512-474-9800

Comments: This change would set
a bad precedent for properties
along Lake Austin Blvd.

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

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

☐ I am in favor
☒ I object

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: C14-2014-0015

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Apr 8, 2014, Planning Commission

May 15, 2014, City Council

BRENARD NUNN

Your Name (please print)

602 DEER ST

Your address(es) affected by this application

Brenard Nunn

Signature

Date

Daytime Telephone: 512 474 9800

Comments:

☐ I am in favor
☒ I object

4/4/14

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Sirwaitis, Sherri

From: Blake Tollett [REDACTED]
Sent: Monday, April 28, 2014 6:17 PM
To: Sirwaitis, Sherri
Subject: 2208 Lake Austin Boulevard

Hello Sherri-

Please add this letter to the file.

Blake Tollett-WANG
3701 Bonnie Road 78703
512-477-4028

+++++

28 April 2014

Mayor, Mayor Pro Tem and City Council Members City of Austin

RE: 2208 Lake Austin Boulevard
Rezoning Case # C14-2014-0015
Neighborhood Plan Amendment File # NPA-2014-0027.01

Dear Council:

The Executive Committee (ExComm) of West Austin Neighborhood Group (WANG) at its regularly scheduled meeting on 3 March 2014 voted to oppose the requested Neighborhood Plan Amendment referenced above as well as the rezoning request at 2208 Lake Austin Boulevard (LAB). As the Central West Austin Neighborhood Plan Contact Team (CWANPCT) has filed a letter of opposition to the requested Neighborhood Plan Amendment, this letter will primarily address the rezoning request.

The neighborhood association views this as unwarranted spot zoning that will set a precedent along the north side of this stretch of the Boulevard and we respectfully ask the Council to deny the requested rezoning.

The applicant has cited as precedent for their rezoning request the conversion of 2307 LAB from MF-3 to the GR-MU (Mixed Use) zoning district in 2006 and that in addition there is a Waterfront Overlay that covers the entire south side of the Boulevard with the option of mixed use. They state that this overlay in effect rezones all of the south side of LAB Mixed Use regardless of the Neighborhood Plan. What is not stated in their justifications for their rezoning request is that there is no Mixed Use zoning on the north side of the Boulevard and that the rezoning of the property at 2307 LAB occurred prior to the neighborhood plan the applicant is seeking to amend.

The neighborhood association looked at this application as a pure rezoning request without referencing any proposed site plan, especially in light of the fact that there have been at least two different versions of proposed site plans put forward by the applicant in the last few months, and of course many proposals for development change due to unforeseen circumstances once increased zoning entitlements are in place. From a pure zoning standpoint, on its face this is spot zoning that goes against our recently adopted by this City Council neighborhood plan that specifically calls out for this being a neighborhood commercial area, not a mixed use area. With the understanding that a substantial residential use is available as an accessory use under commercial zoning districts, there is strong neighbor support for these pure commercially zoned properties along the north side of the Boulevard to remain as they are zoned.

The site plan shown at the Planning Commission hearing shows a multi-story structure fronting LAB with a second elevated single story structure with parking underneath at the north end of the property. The southern or front structure is proposed to be approximately 3,600 s.f. with the use being a mix of residential and office, perhaps a live/work space. Under that scenario, and under the property's current commercial zoning of Limited Office-Neighborhood Plan (LO-NP), the applicant could have a residential use of just under 1,800 s.f. in the main structure thus complying with the accessory use requirements for residential use in a commercial zoning district. The applicants have stated to the neighborhood association that they need approximately 2,000 s.f. of residence, a requirement that they cannot achieve under their current zoning district and therefore they needed to be rezoned as Mixed Use, a zoning district allowing a pure office use, a pure residential use, or a mixture of uses.

It is our understanding that if the applicants are truly needing a slight increase in the residential accessory use under a commercial zoning district in the main structure that perhaps this can be achieved through a variance before the Board of Adjustment rather than a change in the adopted neighborhood plan and an amendment to the Land Development code. There are heritage trees on the property that are driving any proposed site plans, and that could very well be the required finding of hardship that a variance requires.

There is a collateral concern of the residential neighbors to the north of this property that once the property is rezoned Mixed Use, that due to the location of the property a permitted commercial short-term rental use will occur. The applicant's representative at the Planning Commission hearing suggested that if the use of the property as a commercial short-term rental use was of concern that it could be addressed through a Conditional Overlay. The neighborhood association would point out that there is no need for even addressing this subject if the property remains zoned LO-NP as short-term rentals are not allowed in commercial zoning districts.

Our neighborhood plan was implemented after thousands of hours of volunteer effort and thought, and WANG respectfully asks the City Council to allow the Central West Austin Neighborhood Plan to remain intact and that this rezoning request be denied.

Catherine Kyle-President
West Austin Neighborhood Group

Sirwaitis, Sherri

From: Alice Glasco <alice@agconsultingcompany.com>
Sent: Tuesday, June 03, 2014 12:40 PM
To: Guernsey, Greg
Cc: Rusthoven, Jerry; Sirwaitis, Sherri; Michael R. Cannatti; blake.tollett@earthlink.net; Cari Patterson (cari@vancejelliottrealty.com); Williams, Nancy; Moore, Andrew; Bojo, Leah; Harden, Joi; Tiemann, Donna; Gerbracht, Heidi; Anderson, Greg; Mark Vornberg - Dick Clark Architecture (vornberg@dcarch.com); Kristopher White
Subject: Postponement Request - 2208 Lake Austin Blvd for Cases: C14-2014-0015 and NPA-2014-0027.01 ONLY

Dear Mr. Guernsey,

On behalf of my client, I would like to request a postponement of cases **C14-2014-0015** and **NPA-2-14-0027.01** – 2208 Lake Austin Blvd. – from the June 12th City Council agenda to September 25th, 2014 so we can reach out to those neighbors who are opposed to the rezoning and FLUM amendment.

Restrictive Covenant Termination – C14-80-016 (RCT): However, we ask that the city council approve the restrictive covenant termination request since the neighborhood association - WANG, has indicated in writing that it does not oppose the termination of the restrictive covenant and the planning commission recommended approval of the termination on a vote of 8-0.

The restrictive covenant termination is being sought because it limits use of the property to professional office use only. The termination would allow for accessory residential use as allowed for commercially -zoned properties per section 25-2-894 of the Land Development Code.

Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C
Email: alice@agconsultingcompany.com