

RESTRICTIVE COVENANT TERMINATION REVIEW SHEET

CASE: C14-79-065(RCT) – Earl M. McClure

P.C. DATE: July 26, 2016
September 13, 2016

ADDRESS: 80 Red River Street

DISTRICT AREA: 9

OWNER/APPLICANT: The Villas On Town Lake
Owners Association, Inc. (Gary Johnson)

AGENT: Consort, Inc.
(Ben Turner)

EXISTING ZONING: CBD

AREA: 2.89 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends termination of the Restrictive Covenant.

PLANNING COMMISSION RECOMMENDATION:

July 26, 2016: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD AND APPLICANT TO SEPTEMBER 13, 2016*

(J. SHIEH; P. SEEGER – 2ND) (10-0) F. KAZI, A. PINEYRODEHOYOS, J. THOMPSON – ABSENT

September 13, 2016:

ISSUES: The Shore Condominium Association, Inc. has submitted a letter in opposition to the proposed termination of the Restrictive Covenant. Correspondence in favor of and in opposition to the request is also attached at the back of this report.

DEPARTMENT COMMENTS:

The subject tract is a legally platted lot on approximately 2.89 acres located at the intersection of Red River and Davis Streets. Development on the tract is the Villas of Town Lake Condominiums comprised of 6 buildings ranging from 2-3 stories that contain 58 dwelling units, a single-level (subgrade) parking facility, and a swimming pool. The property is gated with restricted pedestrian and vehicular access from the intersection of Red River and Davis Streets and also has pedestrian access directly to the Lady Bird Lake Trail to the south and the Waller Creek Greenbelt that runs along the western edge of the property.

In 1980, with case C14-79-065, the property was rezoned from family residence (SF-3) to multifamily residence medium density (MF-3) district zoning per Ordinance No. 80-0228-P (Exhibit C). The rezoning was accompanied by a restrictive covenant that prohibits density greater than 30 dwelling units per acre (Exhibit D). In 2004, the property was rezoned again from MF-3 to central business district (CBD) with Ordinance No. 20050407-051 (Exhibit E).

With approval of nearly 89% of the property owners by vote on June 14, 2016, the property is under contract to be sold to new ownership. Termination of the restrictive covenant has been requested in preparation for redevelopment of the property with the existing CBD zoning district entitlements, including increased density.

The subject property is located within a *Regional Center* as defined by the Imagine Austin Comprehensive Plan (IACP) as well as the Waller Creek District of the Downtown Austin Plan (DAP). The IACP assigns Regional Centers with the greatest density and greatest variety of uses in the tallest buildings. More specifically, goals of the Waller Creek District of the DAP encourage development that is diverse and creative and that will provide a mix of uses and affordability in a way that will protect, enhance or transform Waller Creek into an urban greenway and bring vitality to the district by providing destination stops and connecting it to the surrounding districts and communities. Additionally, the property is within the Waterfront Overlay which promotes harmonious interaction and transition between urban development and the park land and shoreline of Lady Bird Lake. As such, any site plan for future development of the subject property will require review by the Small-Area Planning Joint Committee to ensure that the development meets the intent of the Waterfront Overlay.

Termination of the existing restrictive covenant appears to be congruent with the IACP and the DAP in that it will allow for redevelopment that will contribute to implementing the intent and goals to promote compact and dense development that will encourage a variety of uses in close proximity to each other and will support a more sustainable system of transportation. With this, Staff recommends termination of the Restrictive Covenant.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CBD	Condominiums
<i>North</i>	CBD-CURE	Undeveloped (cleared of previous development)
<i>South</i>	P	Lady Bird Lake Trail/Waller Beach at Town Lake Metro Park
<i>East</i>	CBD	Hotel Van Zandt and Shore Condominiums Tower (192 residences)
<i>West</i>	P	Waller Creek Greenbelt

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan

TIA: Not required.

WATERSHED: Waller Creek (urban)

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

<i>Community Registry Name</i>	<i>ID No.</i>
Austin Neighborhoods Council	511
Waller District Staff Liaison	1475
Homeless Neighborhood Association	1550
Downtown Austin Neighborhood Assn. (DANA)	402
Sierra Club, Austin Regional Group	1228
City of Austin Downtown Commission	623
The Shore Condominium Association, Inc.	1473
Lower Waller Creek	960
Friends of Austin Neighborhoods	1530
Waterfront Planning Advisory Board	1366
Bike Austin	1528
Friends of Emma Barrientos MACC	1447
SEL Texas	1363
Austin Independent School District	742
Austin Heritage Tree Foundation	1340
Preservation Austin	1424
Friends of Rainey Street Historic District	1417
Waller Creek Conservancy	1393
Rainey Neighbors Association Inc.	1256
Black Improvement Association	1407
El Concilio Mexican-American Neighborhoods	477
Downtown Austin Alliance	438
Tejano Town	1189
Rainey Business Coalition	1405

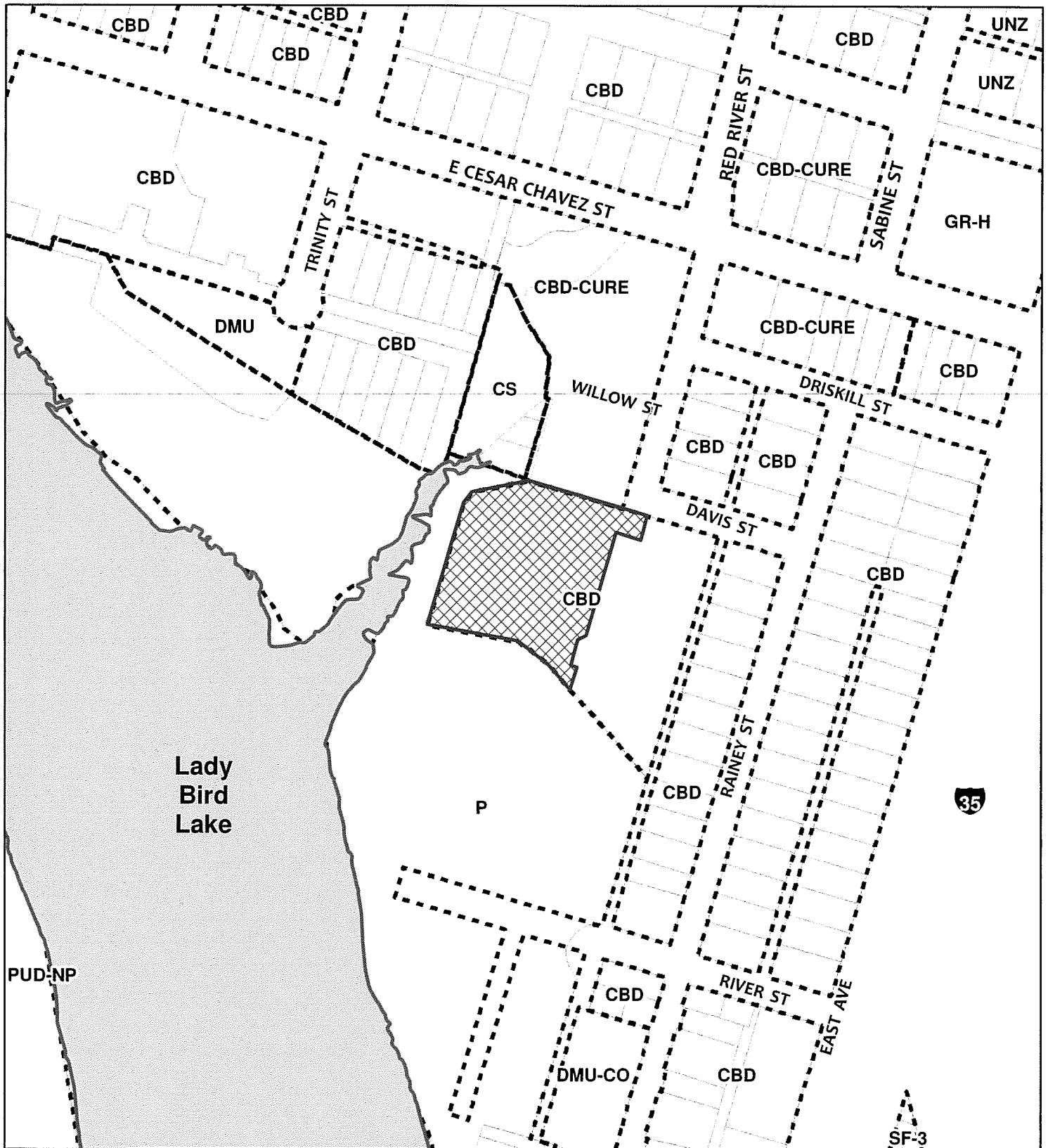
SCHOOLS: AISD - Matthews Elementary, O Henry Middle, Austin High

CITY COUNCIL DATE: August 11, 2016 **ACTION:** Approved a Postponement request by Staff to September 22, 2016 (11-0).

September 22, 2016

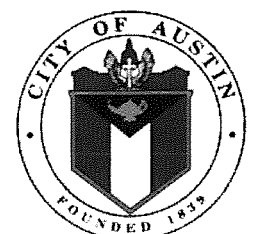
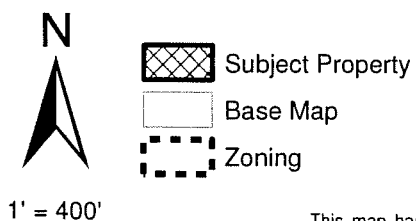
TRAVIS COUNTY DOCUMENT NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 512-974-7719
EMAIL: wendy.rhoades@austintexas.gov



ZONING MAP - EXHIBIT A

ZONING CASE#: C14-79-065(RCT)
 LOCATION: 80 Red River Street
 SUBJECT AREA: 2.89 ACRES



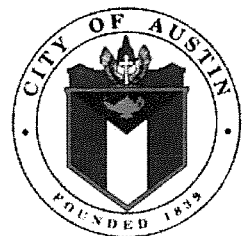
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



-  Subject Property
-  Base Map
-  Waterfront Conditional Overlay Boundary

AERIAL MAP - EXHIBIT B

ZONING CASE#: C14-79-065(RCT)
 LOCATION: 80 Red River Street
 SUBJECT AREA: 2.89 ACRES

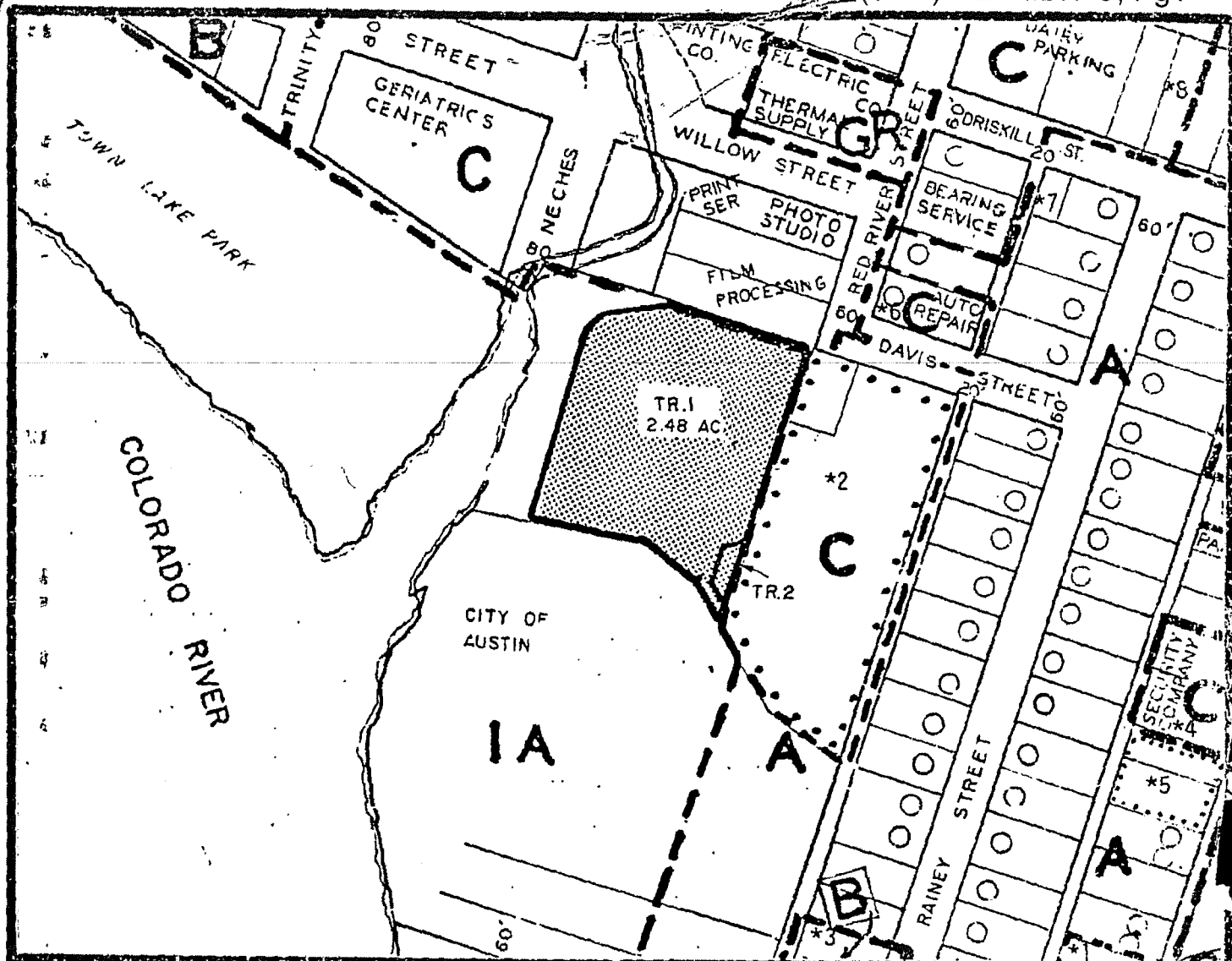


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APPLICANT: EARL M. McCLURE,
ADDRESS: 80 Red River Str.
CHANGE: "A" Residence, 1st H & A, to "L" Lake District, 4th

FILE: C14-79-065
AREA: 2.488 acres

C14-79-065(RCT) - EXHIBIT C, Pg1



NORTH  9/4/79	ZONING MAP	J 21	AREA OF HEARING		RESIDENTIAL STRUCTURES 
	TAX MAP	2 0303	ZONING LINE		
	SCALE	1"=200'	PENDING CASE		
					FILE NO: C14-79-65

STREET	R.O.W.	SURFACING	CLASSIFICATION
Red River	60 ft.	30 ft.	Minor Collector
Davis	60 ft.	30 ft.	Minor Collector
HISTORY	REQUEST	PLANNING COMMISSION	CITY COUNCIL
*1 C14-78-027	A to GR (as amended)	Deny C, Grant GR	Granted (rc)
*2 C14-77-053	A to C-2	Grant (sp)	Granted as recommended
*3 C14-72-271	A to B	Grant (r)	Granted as recommended
*4 C14-69-272	A to C	Grant	Granted
*5 C14-69-197	A to C	Grant (r)	Withdrawn
*6 C14-70-072	A to C	Grant	Granted
*7 C14-74-135	A to C	Deny	Denied
*8 C14-77-175	B to C	Grant	Granted

(sp) site plan
(rc) restrictive covenant
(r) R.O.W.

STAFF RECOMMENDATION: Staff recommends denial of "L" (Lake District), 4th H & A, and "C" Commercial, 1st H & A, recommends "BB" Residence, 1st H & A except for 73 and on the east boundary to be included in adjacent to subject to restrictive covenant.

ORDINANCE NO. 80 0228-P

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1A: A 2.2488 ACRE TRACT OF LAND, SAVE AND EXCEPT A 734.5 SQUARE FOOT TRACT OF LAND DESCRIBED IN TRACT 1B BELOW, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 1B: A 734.5 SQUARE FOOT TRACT OF LAND WHICH IS ZONED "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF ABOVE PROPERTY BEING LOCALLY KNOWN AS 80 RED RIVER STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE and HEIGHT and AREA designations on the property described in File C14-79-065 to-wit: .

TRACT 1A: From "A" Residence, First Height and Area District to "B" Residence, First Height and Area District.

A 2.2488 acre tract of land, SAVE and EXCEPT a 734.5 square foot tract of land described in Tract 1B below, said tract of land being a portion of a 4.75 acre tract out of Outlot 72 and 73, Division E, in the City of Austin, Travis County, Texas, as described in a deed from Charles S. Fisher to Fannie Montgomery Davis as recorded in Volume 290, Pages 382-383, Travis County Deed Records, being also a portion of a 2.98 acre tract out of the said 4.75 acre tract, as described in a deed to A. E. Massengale, et ux, in Volume 1416, Page 442, Travis County Deed Records, said 2.2486 acre tract being a portion of a 2.8936 acre tract as described in a deed from Red River Investment Company, a Texas General Partnership to Earl M. McClure, Jr., et ux, in Volume 5688, Page 1326, Travis County Deed Records, said 2.2488 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake found at the southwest intersection of Red River Street and Davis Street, and in the north line of a 4.75 acre tract, a portion of Outlots 72 & 73, Division E, in the City of Austin, Travis County, Texas, as described in a deed from Charles S. Fisher to Fannie Montgomery Davis as recorded in Volume 290, Pages 382-383, Travis County Deed Records, said beginning iron stake being also the northeast corner of a 2.98 acre tract, a portion

of the said 4.75 acre tract, as described in a deed to A. E. Massengale, et ux, in Volume 1416, Page 442, Travis County Deed Records, and being also at the northeast corner of that portion of the said 2.98 acre tract conveyed by A. E. Massengale, et ux, to Red River Investment Company, as recorded in Volume 3064, Page 905, Travis County Deed Records, and being also the northeast corner of that 2.8936 acre tract as described in a deed from Red River Investment Company, a Texas General Partnership to Earl M. McClure, Jr., et ux, in Volume 5688, Page 1326, Travis County Deed Records, said beginning iron stake being also at the southeast corner of Lot 1, Block 4, of the Driskill and Rainey Subdivision as shown on a map of record in Plat Book 1, Page 22, Travis County Plat Records, and from which beginning iron stake the northeast corner of the said 4.75 acre tract bears S 71° 02' E 196 feet;

(1) THENCE with the east line of the said 2.98 acre tract and the Earl M. McClure, Jr. tract S 18° 39' W 373.03 feet to an iron stake in the south line of the said 4.75 acre tract for the southeast corner of the said 2.98 acre tract and the southeast corner of the Red River Investment Company tract and the Earl M. McClure, Jr. tract;

THENCE with the south line of the said 4.75 acre tract, the 2.98 acre tract, the Red River Investment Company tract, and the McClure tract, courses numbered 2-4 inclusive, as follows:

(2) N 39° 36' W 67.56 feet to an iron stake;

(3) N 50° 36' W 75.00 feet to an iron stake;

(4) N 77° 51' W 182.68 feet to a point at the southeast corner of a 0.645 of one acre tract, a portion of the said McClure 2.8936 acre tract, as conveyed by Earl M. McClure, Jr., et ux, to the City of Austin in Volume 6498, Page 1032, Travis County Deed Records;

THENCE with an east, southeast and a south line of the City of Austin 0.645 of one acre tract, courses numbered 5-7 inclusive as follows:

(5) N 18° 40' E 251.66 feet to a point;

(6) N 40° 53' E 26.08 feet to a point;

(7) N 80° 24' E 120.02 feet to a point in the north line of the said McClure 2.8936 acre tract and the south line of Lot 1, Block 4, of the said Driskill and Rainey Subdivision;

(8) THENCE with the north line of the said McClure 2.8936 acre tract, and the south line of said Lot 1, S 71° 02' E 193.03 feet to the PLACE OF BEGINNING, and,

TRACT 1B: To remain zoned "C" Commercial, First Height and Area District.

A 734.50 square foot tract of land being out of Outlot 72 and 73, Division E, in the City of Austin, Texas and being a portion of that certain tract conveyed to Earl M. McClure, Jr. and wife, Mary McClure, by deed of record in Volume 5688, Page 1323, of the Travis County, Texas Deed Records, and being more particularly described by metes and bounds as follows:

BEGINNING FOR REFERENCE at an iron pipe found at the southeast corner of the above described McClure tract, same being the southwest corner of the Printing Properties tract as described in Volume 5870, Page 1662 of the Travis County, Texas Deed Records;

THENCE with the east property line of the McClure tract and the west property line of the Printing Properties tract as found fenced and used upon the ground, N 18° 39' E for a distance of 44.50 feet to an iron stake set for the southeast corner of this tract and the PLACE OF BEGINNING hereof;

THENCE N 71° 21' W for a distance of 13.00 feet to an iron stake set for the southwest corner hereof;

THENCE N 18° 39' E for a distance of 50.00 feet to an iron stake set for the northwest corner hereof;

THENCE N 63° 39' E for a distance of 18.38 feet to an iron stake set in the east property line of the McClure tract and the west property line of the Printing Properties tract for the northeast corner hereof;

THENCE with the east property line of the McClure tract and the west property line of the Printing Properties tract as found, fenced and used upon the ground S 18° 39' W for a distance of 63.00 feet to the PLACE OF BEGINNING;

all of above property being locally known as 80 Red River Street, in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the USE and HEIGHT and AREA maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

C14-79-065(RCT) - EXHIBIT C, Pg 5

PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended, and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

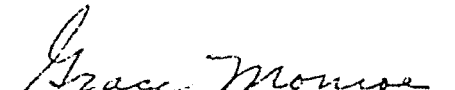
February 28, 1980

Y
Y
Y
Y
Mayor

APPROVED:


City Attorney

ATTEST:


City Clerk

SF:cf

NO. C-14-79-065

THE STATE OF TEXAS ~~NO. 23-2925~~ 5368 * 13.00
COUNTY OF TRAVIS X RESTRICTIVE COVENANT

2-19-2761

WHEREAS, EARL M. McCLURE, JR., AND WIFE, MARY McCLURE, of Travis County, Texas, are the owners of the following property, to-wit:

See attached Exhibit "A"

WHEREAS, the City of Austin and EARL M. McCLURE, JR., AND WIFE, MARY McCLURE, have agreed that the above described property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, EARL M. McCLURE, JR., AND WIFE, MARY McCLURE, for and in consideration of ONE AND NO/100 (\$1.00) DOLLARS, and other good and valuable consideration in hand to the undersigned paid by the City of Austin, the receipt of which is hereby acknowledged, does hereby agree with respect to said property described above, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding on them, their successors and assigns, as follows, to-wit:

1. In the event apartments or other residential dwellings are constructed upon the property, they shall be constructed at a density of thirty (30) single family units or less per acre.

2. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

3. If any part or provisions of this agreement or covenant herein contained shall be declared invalid, by judgment or Court order, the same shall in nowise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

4. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

5. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the above described property at the time of such modification, amendment or termination.

EXECUTED, this the 6th day of November, 1979.

Earl M. McClure, Jr.
EARL M. McCLURE, JR.

Mary McClure
MARY McCLURE

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority, on this day personally appeared EARL M. McCLURE, JR., AND WIFE, MARY McCLURE, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 6th day of November, 1979.

NOTARY SEAL

Yvonne C. Munnich
Exp 9-1-80
Notary Public, in and
for Travis County, Texas

FIELD NOTES OF 2.2488 ACRES OF LAND, BEING A PORTION OF A 4.75 ACRE TRACT OUT OF OUTLOT #72 & #73, DIVISION "E", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM CHARLES S. FISHER TO FANNIE MONTGOMERY DAVIS AS RECORDED IN VOLUME 290, PAGES 382-383, TRAVIS COUNTY DEED RECORDS, BEING ALSO A PORTION OF A 2.98 ACRE TRACT OUT OF THE SAID 4.75 ACRE TRACT, AS DESCRIBED IN A DEED TO A. E. MASSENGALE, ET UX, IN VOLUME 1416, PAGE 442, TRAVIS COUNTY DEED RECORDS, SAID 2.2486 ACRE TRACT BEING A PORTION OF A 2.8936 ACRE TRACT AS DESCRIBED IN A DEED FROM RED RIVER INVESTMENT COMPANY, A TEXAS GENERAL PARTNERSHIP TO EARL M. MCCLURE, JR., ET UX, IN VOLUME 5688, PAGE 1326, TRAVIS COUNTY DEED RECORDS, ~~AS PREPARED FOR EARL M. MCCLURE, JR. BY METCALFE ENGINEERING COMPANY, INC., 4800 SOUTH CONGRESS, AUSTIN, TEXAS.~~

2-19-2763

Beginning at an iron stake found at the southwest intersection of Red River Street and Davis Street, and in the north line of a 4.75 acre tract, a portion of Outlots #72 & #73, Division "E", in the City of Austin, Travis County, Texas, as described in a deed from Charles S. Fisher to Fannie Montgomery Davis as recorded in Volume 290, Pages 382-383, Travis County Deed Records, said beginning iron stake being also the northeast corner of a 2.98 acre tract, a portion of the said 4.75 acre tract, as described in a deed to A. E. Massengale, et ux, in Volume 1416, Page 442, Travis County Deed Records, and being also at the northeast corner of that portion of the said 2.98 acre tract conveyed by A. E. Massengale, et ux, to Red River Investment Company, as recorded in Volume 3064, Page 905, Travis County Deed Records, and being also the northeast corner of that 2.8936 acre tract as described in a deed from Red River Investment Company, a Texas General Partnership to Earl M. McClure, Jr., et ux, in Volume 5688, Page 1326, Travis County Deed Records, said beginning iron stake being also at the southeast corner of Lot #1, Block #4, of the Driskill and Rainey Subdivision as shown on a map of record in Plat Book 1, Page 22, Travis County Plat Records, and from which beginning iron stake the northeast corner of the said 4.75 acre tract bears S 71° 02' E 196 feet;

(1) THENCE with the east line of the said 2.98 acre tract and the Earl M. McClure, Jr. tract S 18° 39' W 373.03 feet to an iron stake in the south line of the said 4.75 acre tract for the southeast corner of the said 2.98 acre tract and the southeast corner of the Red River Investment Company tract and the Earl M. McClure, Jr. tract;

THENCE with the south line of the said 4.75 acre tract, the 2.98 acre tract, the Red River Investment Company tract, and the McClure tract, courses numbered 2-4 inclusive, as follows:

ORIGINAL DEED

EXHIBIT "A"

6822 539

- (2) N 39° 36' W 67.56 feet to an iron stake;
 (3) N 50° 36' W 75.00 feet to an iron stake;
 (4) N 77° 51' W 182.68 feet to a point at the southeast corner of a 0.645 of one acre tract, a portion of the said McClure 2.8936 acre tract, as conveyed by Earl M. McClure, Jr., et ux, to the City of Austin in Volume 6498, Page 1032, Travis County Deed Records;

THENCE with an east, southeast and a south line of the City of Austin 0.645 of one acre tract, courses numbered 5-7 inclusive as follows:

- (5) N 18° 40' E 251.66 feet to a point;
 (6) N 40° 53' E 26.08 feet to a point;
 (7) N 80° 24' E 120.02 feet to a point in the north line of the said McClure 2.8936 acre tract and the south line of Lot 1, Block 4, of the said Driskill and Rainey Subdivision;

(8) THENCE with the north line of the said McClure 2.8936 acre tract, and the south line of said Lot #1, S 71° 02' E 193.03 feet to the place of the beginning, containing 2.2488 acres of land.

SAVE AND EXCEPT:

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING OUT OF OUTLOT 72 AND 73, DIVISION "E" IN THE CITY OF AUSTIN, TEXAS AND BEING A PORTION OF THAT CERTAIN TRACT CONVEYED TO EARL M. MCCLURE, JR. AND WIFE, MARY MCCLURE, BY DEED OF RECORD IN VOLUME 5688, PAGE 1323, OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at an iron pipe found at the Southeast corner of the above described McClure tract, same being the Southwest corner of the Printing Properties tract as described in Volume 5870, Page 1662 of the Travis County, Texas Deed Records

THENCE with the East property line of the McClure tract and the West property line of the Printing Properties tract as found, fenced and used upon the ground, N 18° 39' E for a distance of 44.50 feet to an iron stake set for the Southeast corner of this tract and the PLACE OF BEGINNING hereof

THENCE N 71° 21' W for a distance of 13.00 feet to an iron stake set for the Southwest corner hereof

THENCE N 18° 39' E for a distance of 50.00 feet to an iron stake set for the Northwest corner hereof

THENCE N 63° 39' E for a distance of 18.38 feet to an iron stake set in the East property line of the McClure tract and the West property line of the Printing Properties tract for the Northeast corner hereof

THENCE with the East property line of the McClure tract and the West property line of the Printing Properties tract as found, fenced and used upon the ground S 18° 39' W for a distance of 63.00 feet to the PLACE OF BEGINNING and containing 734.50 square feet of land more or less.

ORIGINAL DEM

C14-79-065(RCT) 2-18-1985 EXHIBIT D, Pg5
FILED

Dec 28 8 16 AM '79

Louis J. Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS — COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the
date and at the time stamped hereon by me; and was duly
RECORDED, in the Volume and Page of the named RECORDS
of Travis County, Texas, as Stamped hereon by me, on
DEC 28 1979



Louis J. Angeline
COUNTY CLERK
TRAVIS COUNTY, TEXAS

6822 541

ORDINANCE NO. 20050407-051

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED WITHIN THE AREA SOUTHWEST OF THE INTERSECTION OF DAVIS STREET AND RED RIVER STREET AND WEST OF RAINEY STREET BETWEEN DAVIS STREET AND RED RIVER STREET, IN THE RAINEY STREET SUBDISTRICT OF THE WATERFRONT OVERLAY COMBINING DISTRICT, FROM FAMILY RESIDENCE (SF-3) DISTRICT, MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) DISTRICT AND GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO CENTRAL BUSINESS DISTRICT (CBD).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district, multifamily residence medium density (MF-3) district and general commercial services (CS) district to central business district (CBD) on the property described as Tract A in Zoning Case No. C14-04-0078, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 6.39 acres of land, situated in Outlots 72 and 73, Division E, Driskill and Rainey Subdivision, the Red River Addition, and the Villas on Townlake Condominiums, in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit "A", and

locally known as the property located within the area southwest of the intersection of Davis Street and Red River Street and west of Rainey Street between Davis Street and Red River Street, in the Rainey Street subdistrict of the waterfront overlay combining district in the City of Austin.

PART 2. This ordinance takes effect on April 18, 2005.

PASSED AND APPROVED

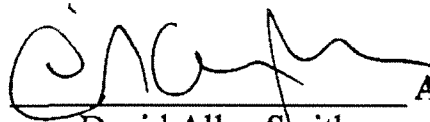
_____, April 7, 2005

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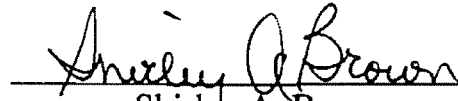
Will Wynne
Mayor

APPROVED:

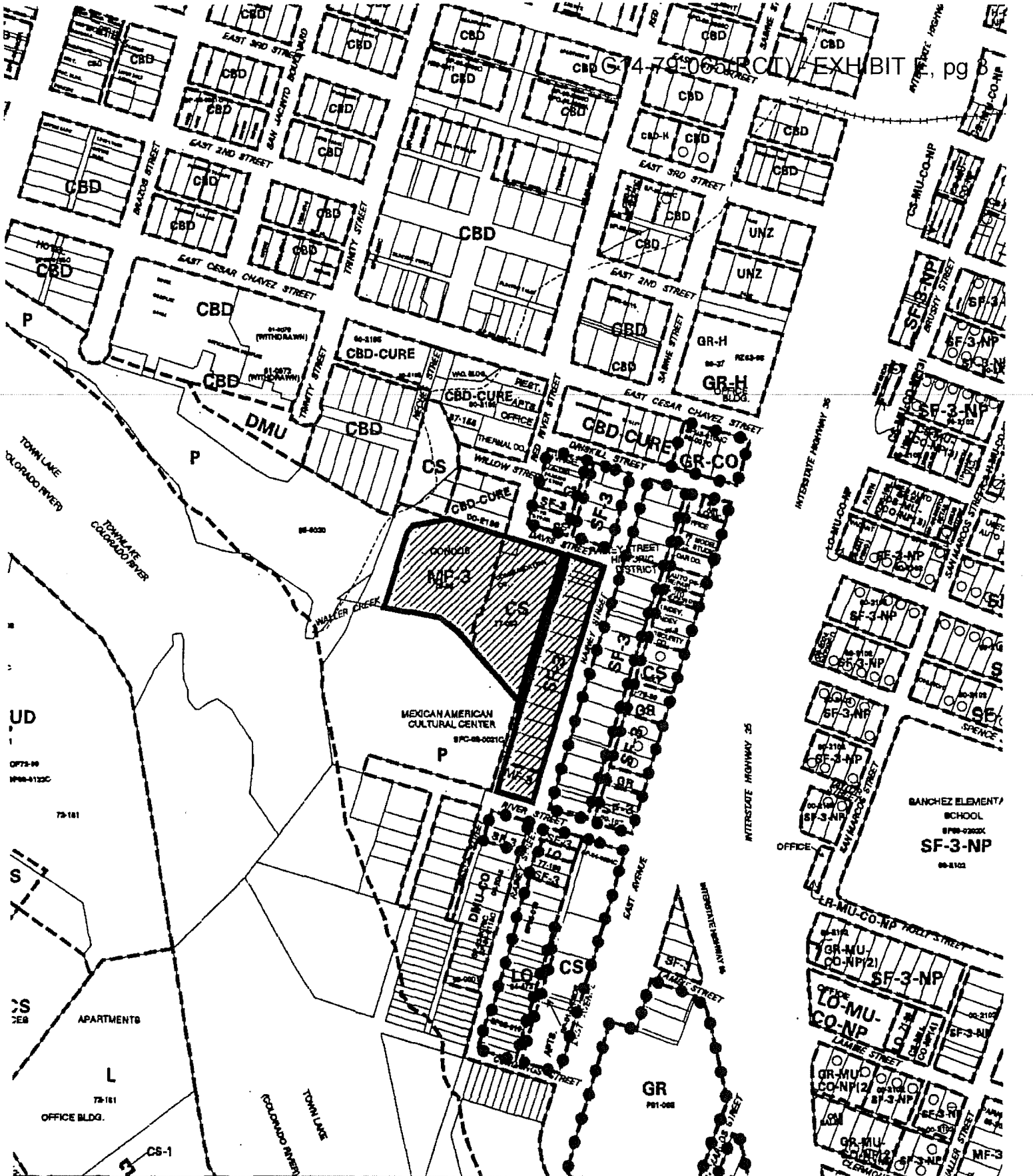


David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk



SUBJECT TRACT 
PENDING CASE 
ZONING BOUNDARY 
CASE MGR: G. RHOADES

CASE #: C14-04-0078
ADDRESS: RAINEY ST TRACT A
SUBJECT AREA (acres): 6.390

ZONING EXHIBIT A

DATE: 05-04
INTLS: SM

CITY GRID
REFERENCE
NUMBER
J21

PUBLIC HEARING INFORMATION

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www.austintexas.gov/planning.

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Board of Directors, Villas on Town Lake
 Your Name (please print)

80 Red River Austin, TX 78701

Your address(es) affected by this application

Wendy Rhoades, President, Board of Directors 7/23/16
 Signature Date

Daytime Telephone: *512-922-6779*

Comments: *See attached*

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

Villas on Town Lake
80 Red River
Austin, TX 78701

March 21, 2016

To Whom It May Concern:

In regards to the 1979 Restrictive Covenant (density agreement) between the City of Austin and the owners of the property as described in the Covenant (attached), the Board of Directors for the Villas on Town Lake Owners Association, Inc., has voted by unanimous written consent to support amending the 1979 density agreement with the City of Austin to remove the density restriction. The record of this vote is on file with Beck and Company Real Estate Services, the property manager for the Villas on Town Lake Condominiums.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary L. Johnson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Gary L. Johnson
President, Board of Directors
The Villas on Town Lake Owners Association, Inc.

Attachment: 1979 Restrictive Covenant

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

CEDRIC GRICE

Your Name (please print)

80 RED RIVER ST. #46 78701

Your address(es) affected by this application

Cedric Grice

Signature

7.20.16

Date

Daytime Telephone: 512-809-0311

Comments:

It is my belief as a resident since 1986 and once HOA president, this restrictive covenant was of no use and was not desired by the current HOA membership and should be terminated. The covenant is inhibiting the wishes of the HOA membership as expressed in our 90% vote to sell the property.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Penny Rayfield
Your Name (please print)

80 Red River #216 Austin Tx 78701
Your address(es) affected by this application

Penny Rayfield 7-16-2016
Signature Date

Daytime Telephone: 512-825-9070

Comments: Thank you for your consideration,
I support removing this restriction.
100%.

Re: Villas on Town Lake

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

ROBERT M. HARDY
Your Name (please print)

808 RIVER ST #113
Your address(es) affected by this application

[Signature]
Signature

7/18/16
Date

Daytime Telephone: 507 612-0087

Comments:

RESIDENT AT SAID PROPERTY

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Jul 26, 2016, Planning Commission
 Aug 11, 2016, City Council**

JANET LEE HARDY
 Your Name (please print)

80 RED RIVER ST. #113
 Your address(es) affected by this application

☒ I am in favor
☐ I object

Janet Lee Hardy
 Signature

7/18/16
 Date

Daytime Telephone: 207 280-1250

Comments:

RESIDENT AT SAID ADDRESS.

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

Rhoades, Wendy

From: Michael Abraham <[REDACTED]@yahoo.com>
Sent: Friday, July 22, 2016 10:32 AM
To: Rhoades, Wendy; [REDACTED]@prodigy.net
Subject: CASE C14-79-065(RCT) -- Villas on Town Lake
Attachments: 20160722100224974.pdf

Wendy -- please see attached related to agenda item related to the Villas on Town Lake.

Obviously, Villas owners are strongly in favor of the removal of this deed restriction, and had been unaware of its existence until recently. We had assumed that the city's rezoning to CBD of the Rainey/Red River neighborhood a decade ago (which we also strongly supported and favored at the time) was the final/most recent word.

best wishes,
Michael A.

wendy.rhoades@austintexas.gov

PUBLIC HEARING INFORMATION

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Michael Abraham
Your Name (please print)

☒ I am in favor
☐ I object

50 Red River, #206
Your address(es) affected by this application

Michael R. C. 7/22/16
Signature Date

Daytime Telephone: 512-587-5740

Comments: _____

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
 Aug 11, 2016, City Council

Christopher X. Herrera
 Your Name (please print)

80 Red River #203, 78701
 Your address(es) affected by this application

Chris X. Herrera
 Signature

19-Jul-2016
 Date

713-501-1169
 Daytime Telephone:

Comments: *Lifting this covenant will help this property to eventually be used in a better way that benefits the city and the new Waller Creek. I support the city terminating the covenant to clear the way for a more proper use of this land with a higher density. Thank you.*

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

☒ I am in favor
☐ I object

Wendy Rhoades at austin@txs.gov

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

LORA HERRING

Your Name (please print)

80 RND RIVER # 306

Your address(es) affected by this application

Lora Herring

Signature

7-20-16

Date

Daytime Telephone: 512 626 4848

Comments: The Villas was rezoned CBD in 2005 along with the rest of the neighborhood. This density restriction was recently discovered. No one at the shores knew about it - I was involved in legal negotiations with them for months. (in 2011) Some may lose their view, but the developers are offering things to benefit the shore. More tax revenue will result from the removal of the restriction. Thank you.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Geraldine White

Your Name (please print)

80 Red River St. #319 Austin, TX

Your address(es) affected by this application

Geraldine White

Signature

7/23/16

Date

Daytime Telephone: *512-541-9078*

Comments:

☒ I am in favor
☐ I object

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Jul 26, 2016, Planning Commission
 Aug 11, 2016, City Council**

Janet Russell

Your Name (please print)

80 Red River, #119, Austin

Your address(es) affected by this application TX 78701

Janet Russell

Signature

Date

903-466-3232

Daytime Telephone:

7-22-16

☒ I am in favor
☐ I object

Comments: Please support the termination of the restrictive covenant in this application. I am a property owner at this address and very much support growth and commerce in the Downtown Rainey Street area. Thank you for your consideration.

Janet Russell

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Your Name (please print)
Oka & Ana Calina Man

Your address(es) affected by this application
802ed River St. #205, 78701

Signature
[Signature]

Date
07.25.2016

☒ I am in favor
☐ I object

Daytime Telephone
512-825-3688

Comments:

If you use this form to comment, it may be returned to:
 City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Gele George Man

Your Name (please print)

20 Red River St #205, 78706

Your address(es) affected by this application

Shuan

Signature

Date

07.25.2016

Daytime Telephone: _____

Comments: _____

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

☒ I am in favor
☐ I object

Rhoades, Wendy

From: Olga Man <[REDACTED]>
Sent: Monday, July 25, 2016 4:14 PM
To: Rhoades, Wendy
Cc: Olga Man; George Man; Calina Man
Subject: case #C14-79-065(RCT)

Hi,

Herewith we Olga,Ana-Calina and George Man residing at Villas at TownLake #205, notify that we are in favor of covenant termination related to above case number.

Please confirm receipt and take our notification in consideration. Please also advise if this email notification is sufficient or you need us to send via mail the form sent earlier to our home address.

best regards,
Olga, Ana-Calina and George Man
cell: 512 825 3688

PUBLIC HEARING INFORMATION

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Bonita White

Your Name (please print)

80 Red River # 221, Austin, TX

Your address(es) affected by this application

Bonita White

Signature

7/19/16

Date

Daytime Telephone:

Comments: *This 37 year old restrictive covenant does not make sense with our rezoning to Central Business District in 2005, Rainey Density Bonus Program, the Downtown Austin Plan and the high rise development that surrounds 80 Red River.*

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Brian Cochran

Your Name (please print)

80 Red River St #217

Your address(es) affected by this application

Brian Cochran

Signature

Daytime Telephone: 512-739-2909

July 16, 2016
Date

☒ I am in favor
☐ I object

Comments: I have received numerous public hearing notices related to development in my neighborhood since 2003. I have never voiced objection to any of them. This includes all of the notices related to the construction of the building now known as the Shore. I support the city's master plan encouraging dense development in the urban core.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

H Douglas Laycock
 Your Name (please print)

80 Red River Unit 204

Your address(es) affected by this application

H. Douglas Laycock

Signature

7/21/16

Date

Daytime Telephone: 512-656-1789

Comments:

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Christopher Howle

Your Name (please print)

80 Red River St #219

Your address(es) affected by this application

Christopher Howle

7/22/16

Date

Signature

Daytime Telephone: *Email: cthowle@gmail.com*

Comments: *The termination of the restrictive covenant*

falls in line with the City's downtown density goals and continues the trend of the Railway Street District's modernization. The opportunity for Sutton Company to develop the entire Davis - to - Cesar Chavez section of Red River presents many benefits to the Waller Creek project, and this effort shouldn't be blocked due to short-sightedness of neighboring residents.

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council**

Bill & Daria Shearer
Your Name (please print)

☒ am in favor
☐ I object

80 Red River #318

Your address(es) affected by this application

Wendy Shearer & Bill Shearer 7/23/16
Signature Date

Daytime Telephone: 713-725-7354 or 713-203-9643

Comments:

We were rezoned as
Central Business District
in 2005 & high rise
developments have been
approved all around us.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Caron e Dave Forsyth
Your Name (please print)

30 Red River St, Apt 304
Your address(es) affected by this application

EW Forsyth
Signature

7/20/16
Date

Signature

Daytime Telephone: 512-745-2213

Comments: This area is already zoned
for high density. So it doesn't make
sense to apply a restriction to this
property. The potential for improvement
to Waller Creek, sidewalks benefits
the neighborhood and the city.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Teresa Sullivan
Your Name (please print)

☒ I am in favor ☐ I object
--

80 Red River

Your address(es) affected by this application

Teresa Sullivan

Signature

July 27, 2016
Date

Daytime Telephone: _____

Comments: _____

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

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Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Edwin R. Warren

Your Name (please print)

Victoria L. MacKenzie

80 Red River Unit 103

Your address(es) affected by this application

Edwin Warren, Victoria L. MacKenzie

Signature

Date

7/25/2016

Daytime Telephone: 512-921-0242

Comments: This is consistent with

current policy and construction.

It is the reality now and the best future use of the property.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Thomas Schmitt

Your Name (please print)

80 Red River #117

Your address(es) affected by this application

Signature

Date

Daytime Telephone: 512-627-1811

Comments: I am in favor of removing the restrictive covenant. I believe it to be the highest and best use of the property.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Glenda Moore
Your Name (please print) ☒ I am in favor
☐ I object

So Red River #197
Your address(es) affected by this application
Glenda Moore
Signature Date 7-24-16

Daytime Telephone: 512-468-8180

Comments: I am in favor of removing the request. We commend now. It is a good thing!

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

JOHN RAY

Your Name (please print)

80 Red River St #121

Your address(es) affected by this application

[Signature]

Signature

7/23/16

Date

Daytime Telephone:

Comments: The city rezoned our area
as Central Business District in 2005
and also implemented the RARELY
Density Program on all of which
support the removal of this
re-zoning for 80 Red River

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council**

CHRISTIAN LEMAM

Your Name (please print)

80 RED RIVER STR.

Your address(es) reflected by this application



Signature

07/22/16

Date

Daytime Telephone: (512) 963-0467

Comments:

The current restrictions on this lot
is no longer consistent with the
master plan in the Rainey Str. area
and should be removed.

Thank you for your consideration.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council**

Shana Shaw

Your Name (please print)

80 Red River St. #217 78701

Your address(es) affected by this application

Shana Shaw

Signature

Daytime Telephone: 512-934-1052

Date

07-23-2016

☒ I am in favor
☐ I object

Comments: *I am in favor of the removal of this covenant. Since the Bailey Street neighborhood was rezoned in 2005, an increasingly more dense, walkable neighborhood has grown around us. The covenant - approved in 1979 - is now antiquated & at odds w/ the rezoned area, and the city's master plan for the downtown corridor.*

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Steven Maitlen

Your Name (please print)

80 Red River St. #305

Your address(es) affected by this application Austin 78701

7/23/16

Signature

Date

Daytime Telephone: 512-708-9911

Comments:

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Amy Edwards
Your Name (please print)

Units 110, 111,
112, 211

☒ I am in favor
☐ I object

80 Red River St.

Your address(es) affected by this application

Amy Edwards
Signature

7/26/2016

Date

Daytime Telephone: (512) 789-7113

Comments: We own 4 properties at the Villas and want the covenant terminated because:

① It solely restricts residences, but not other large buildings like hotels or offices, so it's pointless

② It conflicts with CBD zoning and there are no unique arguments to keep the restriction in place - in other words the City has already considered and ruled on this matter

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Tracey Cannon Mulrooney
Your Name (please print)

80 Red River St #215 78701
Your address(es) affected by this application

Tracey Mulrooney
Signature

7/25/16
Date

Daytime Telephone: 904.318.1033

☒ I am in favor
☐ I object

Comments: Since the 1979 covenant, our neighborhood has been rezoned as a Central Business District (CBD) in 2005. The proposed structure is in compliance with the Rainey Density Bonus Program which "encourages development, not penalizes" and follows suit of the multiple high rises that have gone up in this area. For Austin to remain as one of the top U.S. destinations, residential properties need to be available in the coming years and this property will help with growth, particularly economically. If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council**

Kevin Green
Your Name (please print)

80 Red River Units 110, 111, 112, 211

Your address(es) affected by this application

7/26/16
Date

Signature

Daytime Telephone: (512) 695-3613

Comments: The residential density restriction won't prevent a high rise on the property since the buyer owns the adjacent lots also & these allow any type of structure.

Also the City has considered and decided the matter of density for the CBD & Rainey Street REPEATEDLY. There are no new arguments for treating 80 Red River uniquely, and certainly no compelling reason to deprive 55 owners of selling at an enormous profit. Certainly, the Share owners won't want the City stopping their sale one day.

If you use this form to comment, it may be returned to: the Share owners
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Edwin R. Warren

Your Name (please print)

Victoria L. MacFarland

80 Red River Unit 103

Your address(es) affected by this application

Edwin Warren, Victoria L. MacFarland

Signature

Date

Daytime Telephone: *512-921-0242*

Comments: *This is consistent with*

current policy and construction.

It is the reality now and

the best future use of

the property.

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City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

Ms. Rhoades: Attempted to scan this document on 7/26/16 @ 9:00am. In the event it failed to transmit, please consider this hard copy. Regards, Edwin

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

Barbara Moyer
 Your Name (please print)

80 Red River #105
 Your address(es) affected by this application

Barbara Moyer
 Signature

8/5/16
 Date

Daytime Telephone: *512-217-7034*

Comments:

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

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 Planning & Zoning Department
 Wendy Rhoades
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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council**

Xavier and Sarah Bushillo
Your Name (please print)

802nd River #202

Your address(es) affected by this application

[Signature]
Signature

8/3/16
Date

Daytime Telephone: 010-893-9262

Comments:

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Barbara Williams
 Your Name (please print)

80 Red River #105 78701
 Your address(es) affected by this application

Barbara Williams
 Signature

9/6/16
 Date

Daytime Telephone: 512-217-8785

Comments:

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 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Andre' Suissa
Your Name (please print)

6003 Davis St #1406

Your address(es) affected by this application

[Signature]

Signature

9/6/16

Date

Daytime Telephone: 512 761 6070

Comments: I'm former President at The Shore HOA (served in some capacity since 2010) & former Treasurer & Communications Officer as well as co-founder of the Rainey Neighbors Association from 2011 to August 2016. I believe this development's "MU" ~~is~~ compliments the spirit of the Downtown Austin plan & the desire of the Rainey Neighbors Association to have ^{more} "mixed uses". Also residential uses ~~are~~ have less traffic impact than commercial!

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City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Wendy Rhoades *Mike Balakrishnan*

Your Name (please print)

Wendy Rhoades Unit 610

Your address(es) affected by this application

603 Davis St. Austin 78701

Signature

Date

Daytime Telephone: *614-783-8003*

Comments:

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission
 Aug 11, 2016, City Council

SANI JASSAL

Your Name (please print)

603 DAVIS ST #1404

Your address(es) affected by this application

7/19/16

Signature

Daytime Telephone: 512 773-5695

Comments:

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

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 Wendy Rhoades
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Case Number: C14-79-065(RCT)
 Contact: Wendy Rhoades, 512-974-7719
 Public Hearing: Jul 26, 2016, Planning Commission
 Aug 11, 2016, City Council

Kathryn Frantz
 Your Name (please print)

603 Davis St.

Your address(es) affected by this application

Katie Young
 Signature

7/19/16
 Date

Daytime Telephone: (512) 473-8600

Comments:

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
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 Austin, TX 78767-8810

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Case Number: C14-79-065(RCT)
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

JM/R Austin Hotel LP
 Your Name (please print) (att: Taylor, Vreeland)

605 Davis Street, Austin TX

Your address(es) affected by this application

Taye E. Vreeland

Signature

7/19/16

Date

Daytime Telephone: _____

Comments: _____

TBD - need to learn more about proposed project

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

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/planning.

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: C14-2016-0013

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: August 2, 2016, Zoning and Planning Commission
 September 22, 2016, City Council**

Jodie Chappell

Your Name (please print)

23423 Landrum Village Dr.

Your address(es) affected by this application

Montgomery, TX 77316

Signature

Daytime Telephone: *281-468-9946*

Date

7/26/16

☐ I am in favor
☐ I object

Comments: *I have called and spoke to someone in regards that we do not own any property in Austin and should be taken off this mailing list. Please discontinue forwarding us correspondence in regards to this matter. Please call if you have any questions.*

*Thank you -
 Jodie Chappell*

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

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