

Case Number C14-79-065 (RCT)

Planning Commission Public Hearing: Sept. 13, 2016

City Council Public Hearing: Sept. 22, 2016

ATTN: Wendy Rhoades

Dear Ms. Rhoades:

This case and these hearings are about removal of the restrictive covenant on the Villas property at 80 Red River. I sent in my form saying that I support removal of the covenant. I did not write a comment on the form, and I am unable to attend the public hearings, but I would like to submit this comment.

First, and most directly relevant under Texas law, the covenant is obsolete. The neighborhood has been completely transformed since the covenant was created. The Villas parcel was then surrounded by small, low-rise buildings, mostly single family residences. It is now surrounded by tall towers, restaurants, and bars.

Second, there was never any explicit reciprocity in this covenant. The Villas parcel was restricted, but its neighbors were not, which is what permitted transformation of the neighborhood.

Third, the implicit reciprocity has been fundamentally breached. The covenant was put in place to protect the surrounding low density and residential neighborhood. It applied only to the Villas parcel because everyone apparently assumed that the surrounding neighborhood would never be changed.

But it was changed. The people to be protected are no longer there; the uses to be protected are no longer there; and many of the buildings to be protected are no longer there. And the neighborhood that helped attract owners to the Villas is no longer there. It is a different kind of neighborhood now, attracting owners with a different set of preferences.

Finally, it is fundamentally unfair that every other parcel in the neighborhood can be redeveloped and that only the Villas parcel should be denied permission to redevelop. The owners in the Shores, who are objecting to further development only after their own tower is up, knew perfectly well that they were not buying lakefront property. And it was perfectly foreseeable that with the whole neighborhood being redeveloped, the Villas parcel would sooner or later be redeveloped too.

This obsolete covenant should be removed, and the property developed consistent with its zoning.

Douglas Laycock
Alice McKean Young Regents Chair in Law Emeritus

512-656-1789

PUBLIC HEARING INFORMATION

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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.

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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**

Roger Canann
Your Name (please print)

603 Davis St. #1501 78701
Your address(es) affected by this application

R. Canann
Signature

9/9/16
Date

Daytime Telephone: 512-784-6009

Comments: (attached)

☐ 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

Your Name: Roger Canann

Your address(es) affected by this application: 603 Davis St. #1501

X - I Object

Daytime phone #: 512-784-6009

Comments:

There has been significant residential growth in the Rainey area over the last several years. This growth has been key to the area's revitalization, but it has brought the traffic in the area to a tipping point. The addition of additional dense multifamily developments will make vehicle and foot traffic intolerable for the remaining residents of the district.

There is already approved zoning and construction for additional condominiums in the Rainey area. However, what is needed in the Rainey district is more diversity in mixed-use businesses and developments to aid in minimizing the amount of driving required for daily activities and to encourage pedestrian activity for the area's residents and visitors.

The Villa site in particular was never intended for a dense multifamily development. The site location is located at the key juncture of Waller Creek, Lady Bird Lake Trail and surrounding park land. The city and taxpayers have invested heavily in these parks and these parks are key contributors to our vibrant urban cultural atmosphere. The overshadowing effects of a large residential development at this key juncture will have a significantly negative impact on our parks and on the pedestrian and bicycling visitors that frequent them.

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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

Brookie Stapleton
Your Name (please print)

603 Davis St #1701
Your address(es) affected by this application

[Signature]
Signature

[Signature] Sept 6, 2016
Date

Daytime Telephone: 512-358-6792

Comments: Our community was built and developed knowing this restrictive covenant was in place. The Rainey area is at capacity for residences and more apartments and condos are the last thing we need. Office's, retail and mixed use businesses would be more viable. To remove this without addressing the road ways and infrastructure would lead to disaster.

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

Darron Gross
Your Name (please print)

603 Davis St. #1503
Your address(es) affected by this application

☐ I am in favor
☒ I object

D. Gross
Signature

9/1/16
Date

Daytime Telephone: 512-266-7405

Comments: NOT ONLY WILL THIS VISUALLY IMPACT LADY BIRD LAKE, THE RAINLEY STREET NEIGHBORS ALREADY HAVE PROBLEMS MANEUVERING AROUND THEIR HOMES DUE TO UNREALISTIC TRAFFIC AND CONGESTION. I CAN'T IMAGINE HOW THIS WOULD WORK WITH THE LACK OF A TRAFFIC IMPACT STUDY.

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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

Robert Hollingsworth

Your Name (please print)

603 Davis St. #1303 78701

Your address(es) affected by this application

[Signature]

Signature

9/6/16

Date

Daytime Telephone:

Comments:

One thing Rainey Street District
does not need is more condos.
We're in need of restaurants,
office spaces, shopping, grocery
store etc. Not more residents.

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

Cathy Iberg

Your Name (please print)

603 Davis St. #911

Your address(es) affected by this application

Cathy Iberg

Signature

9/1/16

Date

Daytime Telephone: 512-750-7445

Comments: The proposed building plan is completely out of character for the neighborhood and waterfront. It will overshadow the park and trail and cause residents to lose amenities.

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
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Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

JAVIER NAVA

Your Name (please print)

603 DAULT #2015

Your address(es) affected by this application

JCN

Signature

Date

Daytime Telephone: 512-689-2118

Comments: The Removal of this restrictive covenant opens the door to major ~~trans~~ infrastructure issues. Rainey is at a tipping point and more condos or apartments is the last thing we need. The restrictive covenant was in place for a reason and the surrounding buildings were built knowing this!

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Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Jul 26, 2016, Planning Commission

Aug 11, 2016, City Council

Art Lomenick

Your Name (please print)

603 Davis St. #1401

Your address(es) affected by this application

Art Lomenick

Signature

9/1/16

Date

Daytime Telephone: 469-641-5531

Comments: LOSS OF privacy, unrealistic traffic and congestion, loss of amenities to pre-existing homeowners. The last thing Rainey needs is more condos. Retail, offices, mixed use businesses are needed! This restrictive covenant is in place for a reason.

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City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Contact: Wendy Rhoades, 512-974-7719

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

Donna Hollingsworth

Your Name (please print)

603 Davis St. #1303 78701

Your address(es) affected by this application

D. Hollingsworth

Signature

9/6/16

Date

Daytime Telephone: 512-765-2387

Comments:

The developers that built our community did so knowing that this destructive covenant was in place. The last thing the Rainey neighborhood needs is more residences. Mixed use, retail, office and other businesses would better serve the area.

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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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Kevin Jansen

Your Name (please print)

603 Davis St. 709; Austin, TX 78702

Your address(es) affected by this application

09-05-16

Signature

Date

Daytime Telephone: (919) 810-6939

Comments:

We do not have capacity for more residents. The intersection of Cesar Chavez and Red River St. already is over-loaded. With all the new construction, I don't even know how we will be able to navigate the increased traffic. Austin is going to over-build until no one wants to live downtown anymore!

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Wendy Rhoades
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Public Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council

ELLE RENEE FRENCH

Your Name (please print)

603 DAVIS ST. #1408, AUSTIN, TX 78701

☐ I am in favor
☒ I object

Your address(es) affected by this application

Elle French
Signature

9/7/2016
Date

Daytime Telephone: 512-507-5773

Comments: TRAFFIC IN THE RAINWAY AREA, AND AT
CESAR CHAVEZ AND RED RIVER IS SERIOUSLY
CONGESTED W/ THE HOTEL & CONDO/ APTS. ALREADY
THERE.

WE NEED MORE MIXED-USE BUSINESSES IN THE
AREA, STORES, RESTAURANTS, ETC.

THAT PROPERTY WILL HAVE A NEGATIVE IMPACT
ON LAJ BIRD LAKE ESTHETICALLY & THE
PARK AREA NEAR BY.

ANOTHER LARGE RESIDENTIAL PROPERTY WILL REDUCE

If you use this form to comment, it may be returned to: THE VALUES FOR
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810
THE ENTIRE AREA
DUE TO
CONGESTION

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Public Hearings: September 13, 2016, Planning Commission
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Eddie Joe Vivion
Your Name (please print)

☐ I am in favor
☒ I object

603 DAVIS ST. APT 811 Austin TX 78701
Your address(es) affected by this application

Eddie Joe Vivion 9-7-16
Signature Date

Daytime Telephone: 830-876-8528

Comments:

The Rainey District currently has ample multi-family housing, ~~even~~ especially considering the addition of 20 Rainey. A development of the proposed nature would result in traffic congestion negatively impacting all Rainey residents, including those at the new structure. A more viable solution for all would be a mixed use facility for businesses such as bars, restaurants, gyms, and grocery stores.

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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

JOE ALZGERALD CARDENAS BELLA

Your Name (please print)

602 Davis St. #1107

Your address(es) affected by this application

[Signature]

Signature

8/7/16

Date

Daytime Telephone: 512-373-0260

Comments: THE addition of the millennium apartments has already made a difference in the quality of life and traffic in the existing Roving community, we could afford another apartment complex on Roving and our community.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

James Buchheim
Your Name (please print)

603 Davis St #906 78701
Your address(es) affected by this application

☐ I am in favor
☒ I object

9/23/16
Date

Signature

Daytime Telephone: 512 736 3753

Comments:

Foot and vehicle traffic is
already at a dangerous point at
the proposed spot.
Any building on the site
of a larger scale would be absurd!
Please take the time to come
and see it for yourself

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Gino Troy
Your Name (please print)

☐ I am in favor
☒ I object

603 Davis Street, Unit 2103
Your address(es) affected by this application

Austin, TX

9/6/2016

Date

Gino Troy
Signature

Daytime Telephone: 512-934-8872

Comments: Terminating this covenant restriction would cause a devastating impact on the area. The traffic flow is already an issue with increased density of hi-rise buildings. The small Davis St. and other streets cannot handle ingress and egress of vehicles, including emergency vehicles, fire trucks. The current occupants of the Villas filed earlier city ~~request~~ requests on traffic flow plans, not implemented previously by City. There's highly dangerous traffic flow situations now and will result,

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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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council**

STEVEN M. HILL

Your Name (please print)

603 DAVIS ST. #1301

Your address(es) affected by this application AUSTIN 78701

Donnell

Signature

Daytime Telephone: 619-838-4997

Date

9/6/16

☐ I am in favor
☒ I object

Comments: RIGHT OF WAY EASEMENTS
TOO SMALL TO ACCOMMODATE EXISTING
TRAFFIC, NO WAY TO ACCOMMODATE
PROPOSED TRAFFIC INCREASE
FROM PROJECTS ALREADY PERMITTED
(MILLENIUM, FAIRMOUNT HO TEL
70 RAINEY ST.) CERTAINLY NOT
ANY MORE. WOULD RESULT IN
CRITICAL OVER DENSITY.
EXCESSIVE

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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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council**

Sandi Hill
Your Name (please print)

603 Davis St. #1301 Austin TX 78701

Your address(es) affected by this application

Sandi Hill
Signature

9-7-16
Date

Daytime Telephone: 619 838-4996

Comments: Traffic in this area is already out of control & there are apt. that will be full soon along with 70 Rainey going up. The Villas area was never meant to be a high-rise dense development. There is a need for more local businesses not more 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

Rich Cleary

Your Name (please print)

Clear 603 Davis St #1001

Your address(es) affected by this application

[Signature] 9/8/2016

Signature

Date

Daytime Telephone: 512-786-9550

Comments: In lieu of my absence for the upcoming hearing on 9/13 please accept my objection to the proposed termination of the Restrictive Covenant @ the Villas site. Traffic in this area is already at a maximum. Sidewalks on Red River are not in place to accommodate the increase in residents. The Villas is a part of what makes Austin unique, part of the city charm. More skyscraper residents in its place will hurt the visual + cultural area.

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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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council

Debra Howard

Your Name (please print)

603 Davis St #1911 Austin, TX

Your address(es) affected by this application

Debra D. Howard

Signature

9/8/16

Date

Daytime Telephone (512) 909-4415

Comments: There are many insurmountable issues with terminating this restrictive covenant. The traffic, both foot & vehicle, will become unmanageable. The long term visual impact of a large residential development on the Lady Bird Lake trail is not worth the benefit to those that will receive financial gain. Austin will never be able to get that back. This area was never meant for dense multi-family development. There is a lack of diversity/mixed businesses; a ~~good~~ ^{good} trail is not something. If you use this form to comment, it may be returned to: Austin, the City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Land use commissioner or
City Council should
Support.

Debra D. Howard

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Case Number: C14-79-065(RCT)

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

NAJIA J September 22, 2016, City Council

URBAN DAK

Your Name (please print)

603 Davis St; Unit 2101

Your address(es) affected by this application

na'ia

Signature

Daytime Telephone: 210.269.8409

Date

8/31/2016

☐ I am in favor
☒ I object

Comments:

I am against Increase of Dwellings!

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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council**

Sean Benedict Dumerie
Your Name (please print)

☐ I am in favor
☒ object

603 Davis #1908

Your address(es) affected by this application

[Signature]
Signature

09/07/16
Date

Daytime Telephone: 832-423-0546

Comments:

Never intended for dense multi-family development

Traffic in area is TERRIBLE - this will not help

Need more other developments, not just multi-family

Runs Lady Bird Lake Trail!

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
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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**

Anna Jobe
Your Name (please print)

603 DAVIS ST #703 Austin TX

Your address(es) affected by this application 78701

Anna E. Jobe
Signature

9/7/16
Date

Daytime Telephone: 512-520-4929

Comments:

Currently, the roads and infrastructure in the Rainey Neighborhood are not sufficient to handle this size of new development.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

JEFF T. ROBINSON (eBecky)
Your Name (please print)

☐ I am in favor
☒ I object

603 DAVIS #2202 (The Shore)

Your address(es) affected by this application

Jeff Robinson

9-7-2016

Signature

Date

Daytime Telephone: 512 487 5792

Comments: A current inventory of 834 units blocks

at the Riving Street area would provide apt/fendos

Western at the lake, The Shore, Millenium, Skyline, Lake

and Mileage hotel - The New Zant 6 rowed

broken down to Parkway Cuddas (35 stories - 164 units)

Hotel - The Fairmont, Newry, Lake 316 apt's, 4 Seasons

and The Towers of Townlake - Infrastructure work

2 km Parkway, Davis and Red River Streets Austin

include traffic generated by downtown

ENough 15 Enough! 15th 15th 15th 15th 15th 15th 15th 15th

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

24 of 55

Caddos/10/10/10

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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**

Susana Causeco

Your Name (please print)

603 Davis, Unit 1206

Your address(es) affected by this application

Susana Causeco

Signature

Daytime Telephone: 210-872-7054

9/6/16

Date

☐ I am in favor
☒ I object

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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council

Robert Ambrosino

Your Name (please print)

603 Davis St #2001

Your address(es) affected by this application

Robert Ambrosino

Signature

9/8/16

Date

Daytime Telephone: (210) 268-9043

Comments: I oppose this change for the following reasons: 1) it presents a serious threat to athletic emergency vehicles in/out of the area. 2) it presents an unresolvable traffic problem because of all of the construction going on in the area. 3) it threatens pedestrians who happen to be walking in the area (part of "smart growth") and 4) it is just another example of how developers are driving the land use agenda in Austin.

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

Austin Year especially that city is so-called commitment to affordable housing.

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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**

Kelly Tobe

Your Name (please print)

603 Davis St. #703 Austin 78701

Your address(es) affected by this application

Kelly Tobe

Signature

Date

9/8/16

Daytime Telephone: 512-520-4929

Comments:

SEE ATTACHED LETTER

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

Dear Mrs. Rhoades,

I would like to address some concerns over the planned development of the 80 Red River street location.

The Rainey street/South Waller Creek area is basically a peninsula. Bordered by Waller Creek/Lady Bird Lake, Cesar Chavez and IH-35. This can be further divided by North and South of River street. It is the development on the North side of this area that creates a potential serious problem for the city as a whole and the people who live, work, and visit this area in particular.

Red River street is the only viable access to The Shore Condominiums, Hotel Van Zandt, the Waller Creek Plaza development, and the 80 Red River site. This 2 lane road is already highly over burdened by the current demands of the area, and as city traffic studies have shown, major congestion issues are common every weekend, and reach critical levels during weekends with a major convention at the Van Zandt.

With the already approved Waller Creek Plaza project, this will add another Major Hotel, an Office tower and another Condo/apartment tower. With this increase in population, on any given weekend, and if either or both of the Hotels has a convention, Red River street will completely cease to function.

Now they want to add yet another Hotel and a condo building the size of the Austintonian to the 80 Red River site on top of that. These 2 developments would essentially quadruple the amount of traffic and pedestrians trying to access the area via Red River street. This is simply not a workable or safe option.

I would invite you and the council to visit Red River street on any busy Saturday night, and then try to envision 4 times as many cars/busses/pedestrians/pedicabs. It should be quite obvious that this type of development on the 80 Red River site would cripple the already over taxed infrastructure in this small peninsula of downtown Austin, and have a major effect on public safety and emergency vehicle access.

This city suffers every day from the effects of over development and growth without the infrastructure to cope with it. It's why we have one of the worst traffic situations in the country. Shiny buildings are nice, but what if you can't even get to them? Please do not let corporate developers build unchecked at the expense of the people of Austin.

Sincerely, Kelly Jobe

603 Davis St #703 Austin, 78701 512-520-4929

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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

Justin Becker

Your Name (please print)

603 Davis St #607 Austin, TX 78701

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: *214-417-2867*

Comments:

In my opinion over the last few years, the growth of the Rainey Street neighborhood has exceeded what it is designed for. Adding to the already large population will cause over crowding. On nights & weekends it has already become difficult and dangerous to navigate by foot or car. Furthermore, this is a "mixed use" area & we need more of a mix. More retail shops, not more residences/hotels/bars.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Rosalie Ambrosino

Your Name (please print)

603 Davis St # 2001

Your address(es) affected by this application

Rosalie Ambrosino 9/5/16

Signature

Date

Daytime Telephone: 210-241-0391

Comments: I object for the following reasons:

This zoning change & proposed condos will significantly jeopardize health & safety of current & new residents, businesses & visitors.

Traffic is already way over capacity, jeopardizing EMS & fire & police access. It takes 30-40 min to go a block sometimes and alleys are often blocked with delivery trucks. This plan also will not help City Council's goal of increasing affordable housing. We need a traffic, safety & housing plan for Rainey Neighborhood.

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

hold until you have an updated

I sent one of these in over a month ago and don't know if you still have it.

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Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council**

Aurora Vernon Farthing
Your Name (please print)

☐ I am in favor
☒ I object

603 Davis Street
Your address(es) affected by this application

Aurora Farthing
Signature

9-3-16
Date

806-239-1806
Daytime Telephone: *OR 806-548-1241*

Comments:

The area is already too congested. A building of this size would negatively affect Waller Creek. Our access to the trail destroy our views and our property values. The streets are not designed to handle additional population density in this area.

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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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council

Troy D. Dwyer
Your Name (please print)

703 Davis St # 1704

Your address(es) affected by this application

Troy Dwyer
Signature

9/16/2016
Date

Daytime Telephone: 214.214.9111

Comments:

Adding a tower to the Villan
Town Lake site will add additional
congestion to an already congested area
of Austin and too much development will ruin
the character & environment of the Rainey St.
area. Additionally, buildings near the river
should have lower heights so that the
maximum amount of Austin residents can enjoy
the beautiful view of Lady Bird Lake.
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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Melissa ANGER

Your Name (please print)

603 Davis St #1411, Austin 78701

Your address(es) affected by this application

Melissa ANGER

Signature

9-12-2016

Date

Daytime Telephone: 512-828-2584

Comments:

I strongly object to the removal of the covenant for many reasons. Mostly because traffic in this area is already a nightmare. Please don't allow this to happen.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

MICHAEL ANKER
Your Name (please print)

603 DAVIS ST #1411 78701

Your address(es) affected by this application

Michael T. O'Quinn

Signature

Date

9-12-2016

Daytime Telephone: 512-828-2584

Comments: This site was never intended for a dense multifamily development. It would be unsightly for the park land and hike and bike trail and would make traffic even worse.

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

MISHA SAVELLAROBULO
Your Name (please print)

603 DAVIS ST. #2207
Your address(es) affected by this application

[Signature]
Signature

9/9/16
Date

Daytime Telephone: 512 501 2492

Comments: THE RESTRICTIVE COVENANT HAS BEEN IN PLACE FOR 30+ YEARS, INCLUDING WHEN 603 + 605 DAVIS ST. WERE PLANNED. THE RESTRICTIVE COVENANT ALSO REMAINED FOLLOWING THE CBD RE-ZONING. I FIRMLY BELIEVE 80 RED RIVER WAS NEVER INTENDED TO BE UTILIZED FOR VERY-DENSE MULTIFAMILY LIVING (UP TO 500 RESIDENCES ARE PROPOSED) AND FEEL THE OWNERS OF 80 RED RIVER ARE CONVEYING A GREATER RIGHT

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

City of Austin
Planning & Zoning Department

Wendy Rhoades
P. O. Box 1088

Austin, TX 78767-8810

THAN WAS ORIGINALLY CONVEYED.

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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

JEREMY C. SMITH

Your Name (please print)

603 DAVIS ST, Apt 1311

Your address(es) affected by this application

Jeremy C Smith

Signature

☐ I am in favor
☒ I object

9/12/16

Date

Daytime Telephone: 512-905-3741

Comments:

The proposed construction for this site aims to replace a wooden, 3-story 59-unit structure with 58 and 48 story towers. A rough estimate of 90 usable floors at 10 units per floor puts this at about 900 units. This is a 15x increase in the current residential density of the Villas site and it is foreseeable to an ordinary person that this will only worsen things. Furthermore with 70 Rainey, The Millennium and other planned projects coming online, there will be even more loading on the neighborhood before this project is even started.

Aside from increased congestion, the proposed 58 and 48 story towers will destroy in one-shot the entire aesthetic of the Austin waterfront. There are NO OTHER towers like this on the waterfront and this would be the first. Every other developer has respected this fact and has placed tall buildings further back. Placing a building like this beside Waller Creek would also effectively poison the creek both during construction from debris and run-off as well as afterwards from the garbage, pet waste, etc. generated by 900 extra households.

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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council**

Sean P. Buchholtz

Your Name (please print)

603 Davis Street, Unit 1806

Your address(es) affected by this application

[Signature]

Signature

11 September 2016

Date

Daytime Telephone: (512) 650-9876

Comments:

I object for the following reasons: (1) Against Original Intent. The Villas site was never intended for a dense multifamily development. This fact influenced my decision to purchase at The Shore, knowing the tranquility along this part of Lady Bird Lake would be forever maintained. (2) Negative Environmental Impact. This large development will negatively change the character of Rainey and the surrounding area of Lady Bird Lake, the trail and adjacent park lands from a hidden enclave in the heart of Austin to take on a more sterile ambience closer to that of the business district. (3) Traffic Congestion. Traffic in and around Rainey has been increasingly worse in the last five years in conjunction with new high-rise construction – adding a 45 and 55-story development will clearly put traffic beyond max capacity.

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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council

Sean P. Buchholtz

Your Name (please print)

603 Davis Street, Unit 1806

Your address(es) affected by this application

[Signature]

Signature

11 September 2016

Date

Daytime Telephone: (512) 650-9876

☐ I am in favor
☒ I object

Comments:

I object for the following reasons: (1) Against Original Intent. The Villas site was never intended for a dense multifamily development. This fact influenced my decision to purchase at The Shore, knowing the tranquility along this part of Lady Bird Lake would be forever maintained. (2) Negative Environmental Impact. This large development will negatively change the character of Rainey and the surrounding area of Lady Bird Lake, the trail and adjacent park lands from a hidden enclave in the heart of Austin to take on a more sterile ambience closer to that of the business district. (3) Traffic Congestion. Traffic in and around Rainey has been increasingly worse in the last five years in conjunction with new high-rise construction – adding a 45 and 55-story development will clearly put traffic beyond max capacity.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Nicole M Martinez

Your Name (please print)

Austin TX

603 Davis St. Unit 1304 78701

Your address(es) affected by this application

9-6-16

Date

617-501-7174

Daytime Telephone:

Comments: I object to the termination of this restrictive

covenant. It was originally put in place to preserve

a semblance of a neighborhood and now - MORE THAN EVER

BEFORE - this "neighborhood" has become a destination

for Austinites and visitors to visit. There is no more

need for multi level / multi family buildings in this

area, as it would take away from all the investments

made to keep the charm and attractiveness, the

halls, the museum/multicultural center. Keep one

piece of downtown with character. Rainey has always

If you use this form to comment, it may be returned to: been that for downtown

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

austin. It has evolved

randomly, but doesn't need to

be destroyed with unbearable

traffic. People will avoid the area

instead of flock to it

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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council

Nicole M Martinez

Your Name (please print)

Austin TX

603 Davis St. Unit 1304 78701

Your address(es) affected by this application

9-6-16

Date

Signature

Daytime Telephone: 617-501-7174

Comments: I object to the termination of this restrictive covenant. It was originally put in place to preserve a semblance of a neighborhood and now - MORE THAN EVER BEFORE - this "neighborhood" has become a destination for Austinites and visitors to visit. There is no more need for multi level / multi family buildings in this area, as it would take away from all the investments made to keep the charm and attractiveness, the trails, the museum/multicultural center, keep one piece of downtown with character. Rainey has always been that for downtown Austin. It has evolved tremendously, but doesn't need to be destroyed with unbearable traffic. People will avoid the area instead of flock to it.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Cheryl Molloy
Your Name (please print)

6003 Davis St. #1803

Your address(es) affected by this application

Cheryl Molloy
Signature

Date

9/10/16
Daytime Telephone: 805 796 7309

Comments:

Traffic in the Rainey St. District is already extremely congested to the point of being total gridlock can not imagine more development. You are destroying the trail around Lady Bird lake you fought to build Austin is not New York 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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Tina Kelly
Your Name (please print)

☐ I am in favor
☒ I object

603 Davis Court 1803
Your address(es) affected by this application

[Signature] 9/10/16
Signature Date

Daytime Telephone: 218-460-1928

Comments: 1) traffic in the family
area is already very
congested - more development
would be a nightmare 2) there
is already an overabundance
of multi-family development
in family street area -
more is not needed - what is
needed is retail - mixed use

If you use this form to comment, it may be returned to: Offices not

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

ulti-family -

it is too close to city

Bird Lake Trail of heart

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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

IRVIN SCHUSSLER DO, PHN, FAPA, PSYCHIATRIST
Your Name (please print) MEDICAL DIRECTOR
AUSTIN PSYCHIATRIC CONSULTANTS

☐ I am in favor
☒ I object

603 DAVIS ST

Your address(es) affected by this application

Juana Schussler ~~DO~~ 09/09/2016

Signature

Date

Daytime Telephone: 817-480-9902

Comments:

As a psychiatrist in Austin for 3 years I am very aware of the Austin psyche. By creating a dark dense corridor with this HUB development you will forever change our wonderful OPEN/FREE neighborhood. THIS WAS NEVER the intent of the original zoning. THE impact on downtown and the surrounding center will be VERY NEGATIVE. We need to preserve the beautiful lake and area for the future GENERATIONS

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

Thank you
Juana Schussler

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Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council**

Kimberly Loe, MD
 Your Name (please print)

603 Davis St
 Your address(es) affected by this application

W. Loe
 Signature

Date

9-10-16

Daytime Telephone: 512-705-7909

Comments:

Traffic & Congestion is at full capacity and any more would be dangerous. The Villa site was never intended to be a dense development. This area does not need any more multi-family developments.

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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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Myra Schusser

Your Name (please print)

603 Davis St #1402

Your address(es) affected by this application

Myra Schusser

Signature

Date

Daytime Telephone: *512 368 5444*

Comments:

I am very concerned about the potentially dangerous increase in traffic and 9th dangerous intersection with Bud Lake with the increased number of residents in the new building well bring. The original intent was to preserve the area for the benefit of the city and the 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

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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Ken Shannon Hansen
 Your Name (please print)

☐ I am in favor
☒ I object

603 Davis St. #604

Your address(es) affected by this application

Wendy Rhoades

Signature

9/9/16

Date

Daytime Telephone: 512-327-7356

Comments:

Density of housing units and traffic.
Local. Two engines & express.

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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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

LAUREN GARAPEDIAN

Your Name (please print)

603 Davis St. #1003 Austin TX 78704

Your address(es) affected by this application

Lauren Garapedian

Signature

Daytime Telephone: 917-817-2119

Date

Comments:

There was a restrictive covenant already in place for 80 Red River St. when I purchased my home at 603 Davis St. several years ago. For multiple reasons I believe it is extremely important for this restrictive covenant to be upheld, and that terminating it would be in direct opposition to the needs of the many residents already living in this neighborhood. The area already seems extremely overcrowded as a result of the significant increase in businesses and population during the past few years, the infrastructure in the neighborhood has not seemed able to keep pace with the rapidly expanding population, and there are already horrendous traffic problems. Terminating the existing restrictive covenant likely would only serve to make these already significant problems even worse. Thank you for your thoughtful attention to this matter and for considering the needs and safety of the many residents who already live in this neighborhood.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Carol J Robinson

Your Name (please print)

☐ I am in favor
☒ Object

603 Davis St., Unit 613, Austin, TX 78701

Your address(es) affected by this application (the shore) 78701

Carol J Robinson 9/9/16

Signature

Date

Daytime Telephone: 512 636 0746

Comments: I object to this proposal as traffic

in this area is already absurd, and no infra-

structure in place to accompany a dense multi-

family development where the Villas now stand.

Further, residents at The Shore Condos purchased

their units with the understanding that

a restrictive covenant was in place, one that

limits development on the Villa's site, and the

prospect of overshadowing the beauty of the

Lady Bird Lake Hike and Bike Trail and surrounding

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

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Anna Dar

Your Name (please print)

603 Davis St. Apt. 2101, Austin, TX 78701

Your address(es) affected by this application

[Signature]

Signature

9/9/2016

Date

Daytime Telephone: (210) 325-2149

Comments: My major concern is safely navigating the surrounding area — on foot and in vehicles. Adding multi-family units will further traffic issues, which I have already seen worsen in the three years I have lived here. Further developing the area will make visiting the neighborhood a less pleasant experience for residents and tourists alike, and it will fail to diversify the downtown Austin experience that people seek.

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 Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

Your Name (please print)

Ton HAIDER

603 DAVIS ST. #1101

Your address(es) affected by this application

Tom Davis

Signature

9-9-16

Date

Daytime Telephone: 612-655-8075

Comments:

TRAFFIC CONGESTION IN THE NEIGHBORHOOD IS AT THE TIPPING POINT, ESPECIALLY ON WEEKENDS AND EXCEL. THIS WILL MAKE THE SITUATION FAR WORSE AND CREATE A SERIOUS PUBLIC SAFETY ISSUE AS EMERGENCY VEHICLES WILL BE PREVENTED FROM REACHING MY HOME IN A TIMELY MANNER.

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Wendy Rhoades

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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 13, 2016, Planning Commission

September 22, 2016, City Council

DAVID M & NANCY S. ERNSBERGER

Your Name (please print)

603 DAVIS ST. UNIT 1403, AUSTIN, TX 78701

☐ I am in favor
☒ I object

Your address(es) affected by this application

David M. Ernsberger & Nancy S. Ernsberger 9/1/16
Signature Date

Daytime Telephone: 210-387-4627

Comments:

IN 2009 WE PURCHASED THE LOT WITH THE UNDERSTANDING THAT THE VIEW UP LADY BIRD LAKE WOULD ALWAYS BE

AVAILABLE FOR THE OWNER OF OUR CONDOMINIUM DUE TO THE DEFLECTION (COVERAGES) ON THE BEAUTIFUL VILLAS. EXCEL INVESTMENTS IN THE SHORE RESIDENTIAL UNITS & THE VAN ZANT HOTEL

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City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

WERE MADE WITH THE UNDERSTANDING OF THE LONG TERM AVAILABILITY OF THE VIEWS WESTWARD

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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**

Patrick + Cindy Behling
Your Name (please print)

603 Davis St #1302 Austin 78701

Your address(es) affected by this application

Cynthia Behling
Signature

9/9/16
Date

Daytime Telephone: 512-639-8868

☐ I am in favor
☒ I object

Comments: Living in an area that is already dangerously congested, we are extremely concerned about the increased pedestrian and vehicular traffic that will result from the addition of 100 stories of people and 8 stories of vehicles.

Every week we witness near-misses (both vehicle vs. pedestrian and vehicle vs. vehicle) which have increased significantly since the opening of the Hotel Van Zandt. We fear that it's only a matter of time before a fatality occurs in present traffic conditions, and that it is likely a guarantee under the proposed development. Has a
If you use this form to comment, it may be returned to: traffic study been

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

performed and submitted to the City evaluating/ mitigating the impacts of the additional vehicles

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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**

Cindy Anderson
Your Name (please print)

☐ I am in favor
☒ I object

603 Davis # 1802

Your address(es) affected by this application Austin, TX 78701

[Signature] 9/9/16
Signature Date

Daytime Telephone: 512-992-9033

Comments:

Area is too congested
with traffic + pedestrians

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 Hearings: September 13, 2016, Planning Commission
September 22, 2016, City Council

Sandra Hintzman

Your Name (please print)

603 Davis St #1006

Your address(es) affected by this application

Hintzman

Signature

9-9-16

Date

Daytime Telephone: *832-812-2410*

Comments: *The condition to limit the number of dwellings at 80 Red River St. Should not be removed. Major development on this land will negatively impact the well-being of the neighborhood residents. It will also endanger the natural surroundings on the shore & bike trail along Ladybird Lake that make our city so enjoyable. Roadways & our neighborhood is not designed for additional residents to move in. We cannot handle the volume of vehicle & pedestrian traffic. Thank you for your consideration.*

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Rhoades, Wendy

From: Landon Turner <
Sent: Thursday, July 21, 2016 11:51 AM
To: Rhoades, Wendy
Subject: C14-79-065(RCT) Postponement Request

City of Austin Planning and Zoning Commission,

My name is Landon Turner and I represent the owners and residents of The Shore Condominiums located at 603 Davis Street. We are a community of 192 homes which sit adjacent to the current site of the Villas Condominiums on Town Lake. I am writing to formally request the above referenced case number hearing be postponed to August 23rd for review. The removal of the standing restrictive covenant which is in question has the potential to severely impacts our community and we would like additional time to review this case and discuss the matter with our residents and the Developer who is seeking to purchase this land for use. I appreciate your consideration and attention to this matter.

Best Regards,

Landon Turner, General Manager
Somerset Association Management
The Shore
603 Davis Street
Austin, Texas 78701
Phone 512.473.8600
Fax 512.473.8602
www.theshorecondos.com
Associa - The Leader in Community Association Management

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This communication does not reflect an intention by the sender or the sender's client or principal to conduct a transaction or make any agreement by electronic means. Nothing contained in this message or in any attachment shall satisfy the requirements for a writing, and nothing contained herein shall constitute a contract or electronic signature under the Electronic Signatures in Global and National Commerce Act, any version of the Uniform Electronic Transactions Act or any other statute governing electronic transactions.