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June 21, 2017

Austin Historic Landmark Commission
Mary Galindo, Chair
Emily Reed, Vice Chair
Andrew Brown
Emily Hibbs
Kevin Koch
Terri Myers
Tiffany Osburn
Alexander Papavasiliou
Blake Tollett
Beth Valenzuela
Austin City Hall
301 W. 2nd Street
Austin, Texas 78701

Re: C14H-2017-0031; 5700 E. Riverside Drive; Request for July 2017 Hearing

Dear Chair Galindo and Members:

I have been retained by ParkGreen Living, LLC to represent the owner of a 2.919 acre lot located at 5700 E. Riverside and legally described as Lot 1, Amended Plat of Lots 9A and 14A of the Resubdivision of Lots 9-14 Penick Place, according to the plat recorded in Document No. 201500172, Official Public Records of Travis County, Texas ("Property"). The owner of the Property is Greif Yount Partnership, a Texas general partnership.

The applicants in the above referenced case have included the Property within the boundaries of their proposed Historic District. The owner of the Property strongly opposes the inclusion of the Property within the proposed Historic District. The Property has never been developed.

It is my understanding that City staff will make a second request to postpone the Commission's hearing on the above referenced case. The owner does not oppose Staff's second requested postponement. For the reasons provided below, my client will oppose any further postponements and asks the Commission to hold its public hearing on this case no later than the regularly scheduled July 2017 Commission meeting.

In March 2006, the Property was re-zoned to LR-MU-CO. In November 2006, the Property was re-zoned LR-MU-CO-NP in conjunction with the adoption of the Pleasant Valley Neighborhood Plan. In May 2013, the Property was re-zoned to ERC and placed within a Neighborhood Mixed Use Sub-district under the Regulating Plan of the East Riverside Corridor Plan.

There is no merit to including the Property in the proposed Historic District: the Property has been re-zoned three times over the last eleven years, is vacant, has never been developed, is located on a major arterial, and is located in an area that the City actively promotes development. In concept, I understand the applicants' desire to protect their homes. It is my understanding that the applicants have raised their issues with the City during one or more of the above described re-zoning cases. The City Council has already addressed buffering the applicants' properties from the Property by down zoning from SF-3 to SF-1 the four vacant lots between the Property and the applicants' homes in March 2006.

City staff confirmed during a meeting on June 19, 2017 that the owner of the Property has a valid petition against the proposed Historic District applying to the Property. At this meeting I asked City staff to convey to the applicants my client's request that the applicants immediately delete the Property from their application. If the applicants do not amend their application to delete the Property as requested, then my client asks the Commission to hold its public hearing and to act on the application (at least with respect to the Property) at its July 2017 meeting.

If necessary, I will submit additional materials in opposition to the inclusion of the Property within the proposed Historic District.

Sincerely,



Robert J. Kleeman

RJK/dm

cc: Lance McFaddin