

1 of 24

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0152 – 3904 Medical Pkwy **Z**.

Z.A.P. DATE: February 6, 2018

ADDRESS: 3904 Medical Parkway, Austin, TX, 78756

DISTRICT AREA: 10

OWNER/APPLICANT: Bennie Lee Engelke, Bobby Dale Engelke, Dorothy Ann Crawford

AGENT: Thrower Design (Ron Thrower)

ZONING FROM: SF-3 TO: LO

TOTAL AREA: 0.34 acres (15,192 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends limited office – mixed use (LO-MU) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

February 6, 2018 Scheduled for Planning Commission

ISSUES: None at this time.

DEPARTMENT COMMENTS:

The subject site is approximately 1/3 of an acre, located on the west side of Medical Parkway, approximately 500 feet northeast of W 38th Street. It is currently occupied with a single family house and a separate garage and storage structure, and has one driveway providing access to Medical Parkway. The applicant is seeking a rezoning to build an office building on the site, and has a conceptual plan for an approximately 4,000 square foot building to hold three small offices.

Medical Parkway between W 38th Street and W 40th Street is lined with office buildings, which are predominantly medical offices. To the east, behind a single row of office uses, are located single family and duplex uses. To the west of Medical Parkway, between Medical and Lamar Blvd. are located more office and commercial uses. The east side of Medical between W 39¹/₂ Street and W 39th Street is the only section with SF-3 zoning and an existing single family structure.

Staff supports the requested rezoning to limited office (LO), with the addition of mixed use (MU). Similarly situated properties in the area already have office or commercial zoning. The rezoning is in keeping with the land use pattern on the east side of Medical Parkway, which is comprised of office and commercial uses for a depth of 125 - 150 ft. The subject site is approximately 145 feet deep. Mixed Use is recommended because it provides flexibility and the potential to mix residential into this development and future developments.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3	Single Family
North	SF-3, then W 39 ¹ / ₂ St, then LO	Duplexes, then W 39 ½ St, then Office
South	GR, then W 39 th St, then GR	Office, then W 39 th St, then Office
East	Medical Pkwy, then LR	Medical Pkwy, then Medical Office and Office
West	SF-3	Single Family, Duplexes

NEIGHBORHOOD PLANNING AREA: Rosedale

<u>TIA</u>: No, however a TIA may be required at the time of site plan.

WATERSHED: Shoal Creek DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Community Registry Name	ID
45th St Concerned Citizens	1194
Austin Independent School District	742
Austin Neighborhoods Council	511
Bike Austin	1528
Central Austin Community Development Corporation	1391
Friends Of Austin Neighborhoods	1530
Homeless Neighborhood Association	1550
North Austin Neighborhood Alliance	283
Preservation Austin	1424
Rosedale Neighborhood Assn	66
Seltexas	1363
Shoal Creek Conservancy	1497
Sierra Club Austin Regional Group	1228

<u>SCHOOLS</u>: Bryker Woods Elementary, O Henry Middle School, Austin High School

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CASE HISTORIES:

NUMBER	REQUEST	ZAP COMMISSION	CITY COUNCIL
C14-2011-0131 West 34th Street Redevelopment - Tract A 800 W 34 th Street	From LO-NP to GO; withdrawn by applicant on 01-31-13	01-31-13- Withdrawn by applicant	01-31-13- Withdrawn by applicant
C14-2009-0146 Austin Vet Care 3923 Medical Pkwy	Eliminate CO, propose a new CO	12-15-09- Apvd staff rec of CS-MU-CO by consent (7-0)	01-14-10- Apvd Ord. 20100114-039 for CS- MU-CO to change a condition of zoning; all 3 rdgs; CO for max height of 40 ft or 3 stories, limit of 2,000 trips, prohibited uses
C14-2008-0067 Medical Science Center 3509 West Avenue	From LO-MU-NP to VMU	09-23-08 – Apvd indefinite postponement at the request of staff	N/A
C14-2008-0004 Rosedale Neighborhood Planning Area VMU Bldg. Zoning Opt In/Opt Out	Vertical Mixed Use Zoning	02-26-08 (Planning Commission) – Approved neighborhood recommendations with conditions	04-10-08- Apvd Ord. 20080410-065 for VMU (7-0); 2nd/3rd rdgs
C14-2008-0003 Windsor Road Neighborhood Planning Area VMU Bldg. Zoning Opt In/Opt Out	Vertical Mixed Use Zoning	01-29-08 (Planning Commission) – Approved neighborhood recommendations with conditions	06-18-08 - Apvd Ord. 20080618-079 for VMU (7-0); 2nd/3rd rdgs

NUMBER	REQUEST	ZAP COMMISSION	CITY COUNCIL
C14-2007-0074 3923 Medical Parkway Rezoning - City Initiated 3923 Medical Pkwy	From LR and CS to CS-MU-CO	06-19-07- Apvd staff rec of CS-MU-CO	07-26-07- Apvd Ord 20070726-118 for CS- MU-CO, CO for max height of 40 – 46 ft, determined by setback lines, set of prohibited uses
C14-05-0080 3919 Medical Parkway, CTVS Offices 3921 Medical Pkwy	From LR and SF-3 to CS	09-20-05- Apvd LR zoning for SF-3 portion, denied CS zoning, leaving LR in place	08-24-06 – Apvd LR for SF-3 portion and deny CS, 2 nd and 3 rd Readings

RELATED CASES:

None on subject tract

SUBDIVISION: The north 93.78 feet of Lot 4, Block 4, of Henry B. Seiders subdivision, an addition to the city of Austin, Travis County, Texas, according to the plat thereof recorded in volume 1, page 60, plat records, Travis County, Texas, and a portion of a 20 foot alley vacated in volume 2165, page 418, real property records, Travis County, Texas.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Medical Pkwy	61	25	local	Y	Y	Y

Transportation – Mark Kere – 512-974-2964

- TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.
- TR2. Additional right-of-way maybe required at the time of subdivision and/or site plan.



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CITY COUNCIL DATE: March 1, 2018 <u>A</u>

ACTION:

ORDINANCE READINGS: 1st

 2^{nd}

3rd

ORDINANCE NUMBER:

CASE MANAGER: Scott Grantham

<u>PHONE</u>: 512-974-3574 <u>EMAIL</u>: <u>scott.grantham@austintexas.gov</u>

BASIS FOR RECOMMENDATION

1. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

The proposed rezoning creates a transition between offices and lower intensity commercial development fronting on Medical Parkway, and Single Family and Duplexes behind it on streets such as W 39 ½ St and W 39th St.

2. Zoning changes should promote an orderly relationship among land uses.

The proposed rezoning is in line with the existing land use pattern. The site is approximately 145 ft deep; office and commercial land uses are located along Medical Parkway at a depth of approximately 125 - 150 ft. There are single family and duplex uses located behind.

3. Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.

Similarly situated properties along Medical Parkway have already been granted office and commercial zoning. Existing land uses along Medical Parkway are mostly offices with some commercial development. The site in question appears to be one of the few remaining single family (SF-3) zoning or single family houses directly fronting on Medical Parkway.

EXISTING CONDITIONS

Site Characteristics

The site is currently developed with a single family house and a garage building and storage shed. There is one driveway providing access to Medical Parkway. The site is relatively flat and has several sizeable trees.

Impervious Cover

The site is located in an Urban Watershed and therefore the zoning district will determine the impervious cover limits. The existing SF-3 zoning district allows 45% impervious cover. The proposed LO zoning district allows up to 70% impervious cover.

Comprehensive Planning – Kathleen Fox – 512-974-7877

The zoning case is located on the west side of Medical Parkway on a 0.34 acre tract of land, which contains small single family house. The subject property is located within the boundaries of the Rosedale NPA, which does not have an adopted neighborhood plan. Surrounding land uses includes residential housing to the north, a mortgage lender to the south and east, and a multi-story medical office building to the east. The proposed use is an office.

Connectivity: A Capital Metro stop is located within a quarter mile of this property, while public sidewalks are located on both sides of the street. The Walkscore for this site is 87/100, **Very Walkable**, meaning most errands can be accomplished on foot.



Imagine Austin

While there is an Activity Corridor located a block away on North Lamar Blvd., based on the comparative scale of this site relative to other large office uses in this area, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

Site Plan – Cindy Edmond – 512-974-3437

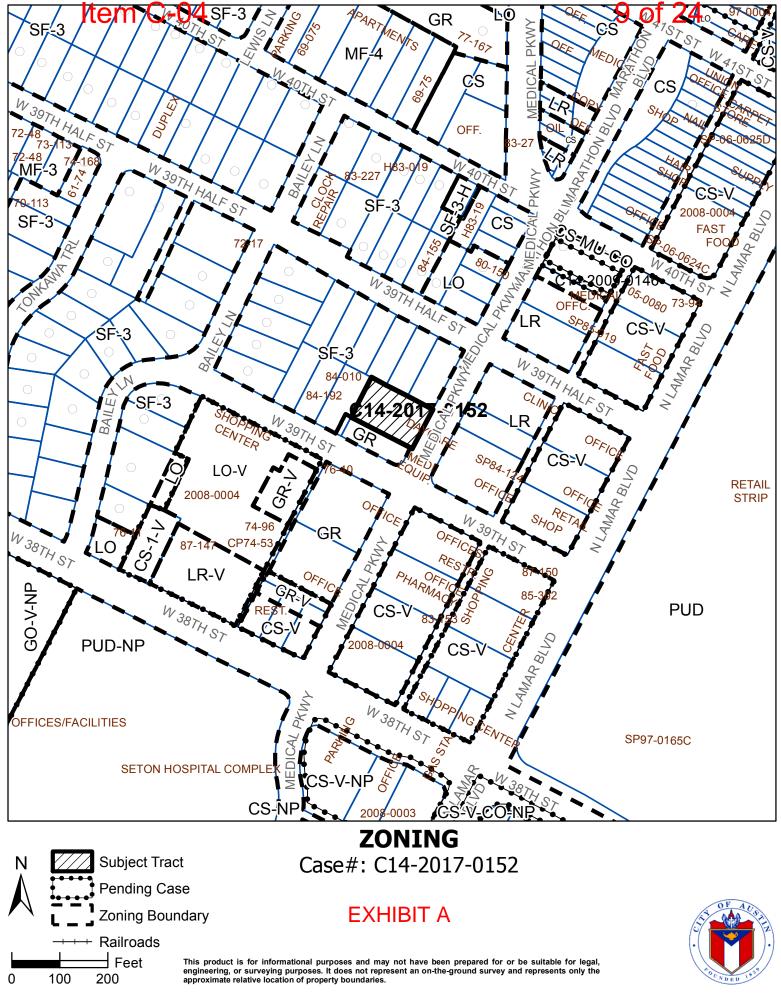
- 1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- 2. Site plans will be required for any new development other than single-family or duplex residential.
- 3. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Environmental - Mike Mcdougal - 512-974-6380

- 1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
- 2. Zoning district impervious cover limits apply in the Urban Watershed classification.
- 3. According to floodplain maps there is no floodplain within or adjacent to the project location.
- 4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
- 7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Water Utility – Neil Kepple – 512-972-0077

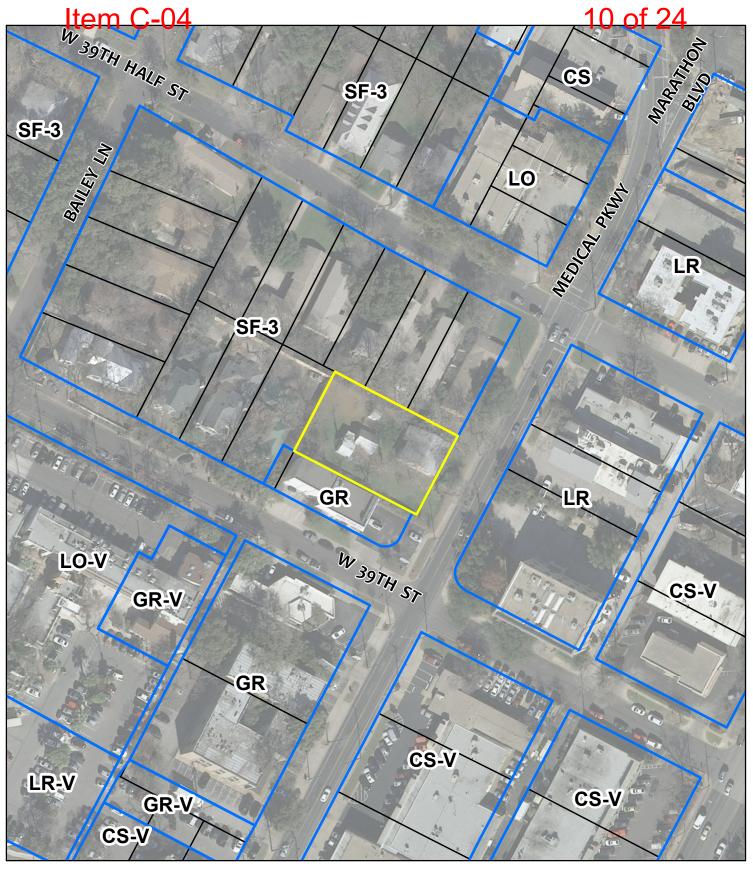
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.



1 " = 200 '

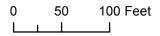
This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 12/18/2017



N Subject Site

1 inch = 100 feet



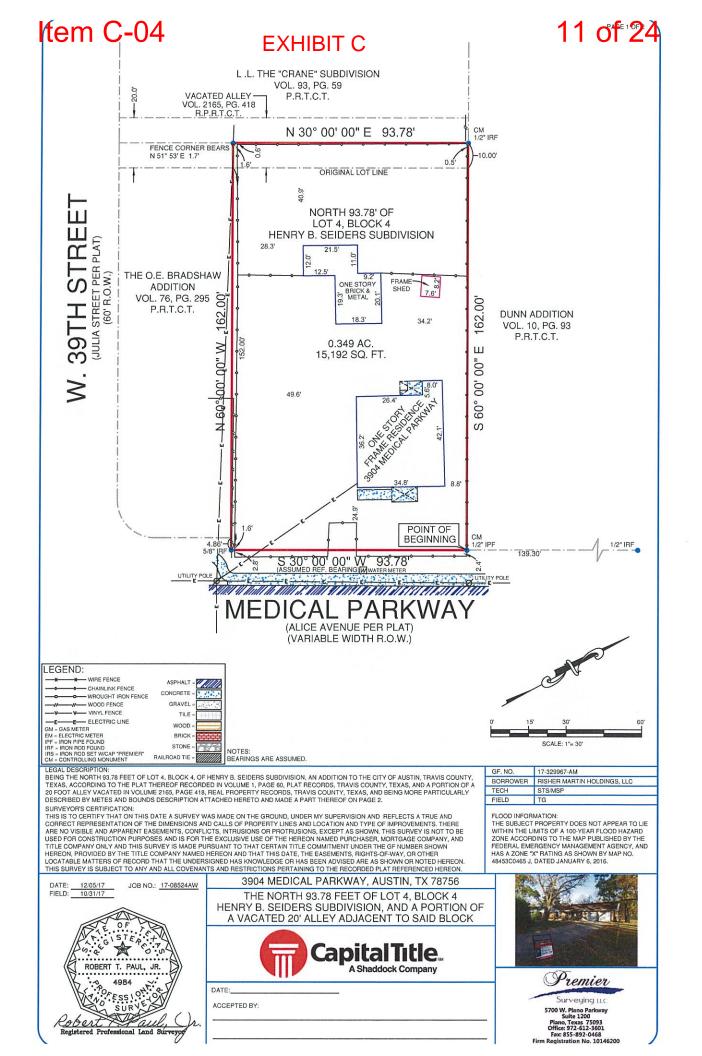
ZONING & VICINITY

EXHIBIT B

Zoning Case:C14-2017-0152Address:3904 Medical ParkwaySubject Area:0.34 AcresCase Manager:Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference.No warranty is made by the City of Austin regarding specific accuracy or completeness.







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PREMIER SURVEYING LLC

5700 W. Plano Parkway, Suite 1200 Plano, Texas 75093 972-612-3601 Fax: 972-964-7021

Exhibit "A" (3904 MEDICAL PARKWAY)

BEING THE NORTH 93.78 FEET OF LOT 4, BLOCK 4, OF HENRY B. SEIDERS SUBDIVISION, AN ADDITION TO THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME I, PAGE 60, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND A PORTION OF A 20 FOOT ALLEY VACATED IN VOLUME 2165, PAGE 418, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON PIPE FOUND AT THE EAST CORNER OF SAID LOT 4 AND THE SOUTH CORNER OF DUNN ADDITION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 10, PAGE 93, SAID PLAT RECORDS, SAID IRON PIPE BEING ON THE NORTHWEST LINE OF MEDICAL PARKWAY (VARIABLE WIDTH RIGHT-OF-WAY);

THENCE SOUTH 30° 00' 00" WEST, A DISTANCE OF 93.78 FEET ALONG SAID NORTHWEST LINE TO A 5/8-INCH IRON ROD FOUND;

THENCE NORTH 60° 00' 00" WEST, DEPARTING SAID NORTHWEST LINE, PASSING THE EAST CORNER OF THE O. E. BRADSHAW ADDITION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 76, PAGE 295, AFORESAID PLAT RECORDS, AT A DISTANCE OF 4.86 FEET AND CONTINUING ALONG THE NORTHEAST LINE OF SAID O. E. BRADSHAW ADDITION, PASSING THE COMMON LINE OF AFORESAID LOT 4 AND AFORESAID ALLEY AT A DISTANCE OF 152.00 FEET AND CONTINUING A TOTAL DISTANCE OF 162.00 FEET TO A POINT FROM WHICH A FENCE CORNER BEARS NORTH 51° 53' EAST - 1.7 FEET, SAID POINT BEING THE NORTH CORNER OF SAID O. E. BRADSHAW ADDITION, AND BEING ON THE SOUTHEAST LINE OF L. L. THE "CRANE" SUBDIVISION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 93, PAGE 59, SAID PLAT RECORDS;

THENCE NORTH 30° 00' 00" EAST, A DISTANCE OF 93.78 FEET ALONG THE SOUTHEAST LINE OF SAID L. L. THE "CRANE" SUBDIVISION TO A 1/2-INCH IRON ROD FOUND AT THE EAST CORNER OF SAID SUBDIVISION, SAID IRON ROD BEING ON THE SOUTHWEST LINE OF AFORESAID DUNN ADDITION;

THENCE SOUTH 60° 00' 00" EAST ALONG SAID SOUTHWEST LINE, PASSING THE NORTH CORNER OF AFORESAID LOT 4 AND THE SOUTHEAST LINE OF AFORESAID ALLEY AT A DISTANCE OF 10.00 FEET AND CONTINUING ALONG THE COMMON LINE OF SAID LOT 4 AND SAID DUNN ADDITION A TOTAL DISTANCE OF 162.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 15,192 SQUARE FEET OR 0.349 OF ONE ACRE OF LAND.



Survey Plat of even date attached hereto and made a part hereof.

Date: 10/31/17

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EXHIBIT D

December 21, 2017

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 3900 Medical Parkway, my property is adjacent to the applicant's entire southwest property line, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19'.

Sincerely,

Brad Cullipher 3900 Medical Parkway Austin, TX 78756

14 of 24

December 21, 2017

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 1101 to 1205 West 39 1/2th Street, my six properties are directly adjacent to the applicant's entire northeast property line, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19'.

Sincerely athgeber

Dick Rathgeber **\ U** 1101, 1103, 1105, 1201, 1203, and 1205 West 39 1/2th Street Austin, TX 78756



January 3, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 1200 West 39th Street, my property is directly adjacent to the applicant's entire northwest property line, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Bill Buse

1200 West 39th Street Austin, TX 78756

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January 19, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4414 Shoalwood Avenue, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

Billy Murphy 4414 Shoalwood Avenue Austin, TX 78756 January 16, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4206 and 4208 Marathon Boulevard, my homes are located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

David Wilson 4206/4208 Marathon Boulevard Austin, TX 78756

January 16, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4312 Marathon Boulevard, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Terry tarker

Terry Parker ` 4312 Marathon Boulevard Austin, TX 78756



January 3, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

We are writing to provide our support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4301 and 4303 Shoalwood Avenue, our homes are located in the Rosedale Neighborhood, and we are supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely,

What Supt Backa Snift

Whit Swift Becka Swift 4301 and 4303 Shoalwood Avenue Austin, TX 78756



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January 16, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4005 Rosedale Avenue, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

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Efren Garcia' 4005 Rosedale Avenue Austin, TX: 78756

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January 16, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

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To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4300 Marathon Boulevard, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Tim Cuppett 4300 Marathon Boulevard Austin, TX 78756

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January 3, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4112 Sinclair Avenue, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

ulal a.

Nick Barnard 4112 Sinclair Avenue Austin, TX 78756



23 of 24 Austin Surgeons

Charles D. Livingston, M.D., F.A.C.S. Robert E. Askew, Jr., M.D., F.A.C.S. Brant E. Victor, M.D., F.A.C.S. Jeffrey T. Meynig, M.D., F.A.C.S. John A. Abikhaled, M.D., F.A.C.S. Mark Lindsey, M.D., F.A.C.S. Mark Glover, M.D.

January 17, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 3901 Medical Parkway, my place of business is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

1/23/18

Robert E. Askew, Jr., M.D. Austin Surgeons, PLLC 3901 Medical Pkwy #200 Austin, TX 78756



January 24, 2018

Planning and Zoning Department City of Austin 505 Barton Springs Road Austin, TX 78704

Re: Zoning Change at 3904 Medical Parkway, 78756 (C14-2017-0152)

To Whom it May Concern:

I am writing to provide my support for the zoning change request located at 3904 Medical Parkway from SF-3 to LO zoning. Located at 4210 Marathon Boulevard, my home is located in the Rosedale Neighborhood, and I am supportive of both the zoning change as well as the desired reduction in the building compatibility setback from 23.5' to 19' on the northeast property line.

Sincerely, MSN

Cathy Johnson 4210 Marathon Boulevard Austin, TX 78756