

C14-2012-0109 / Sunflower



Image Data: 2011

Exhibit A - 1
Aerial

0 200 400 800
Feet

1 inch = 400 feet

C14-2012-0109 / Sunflower

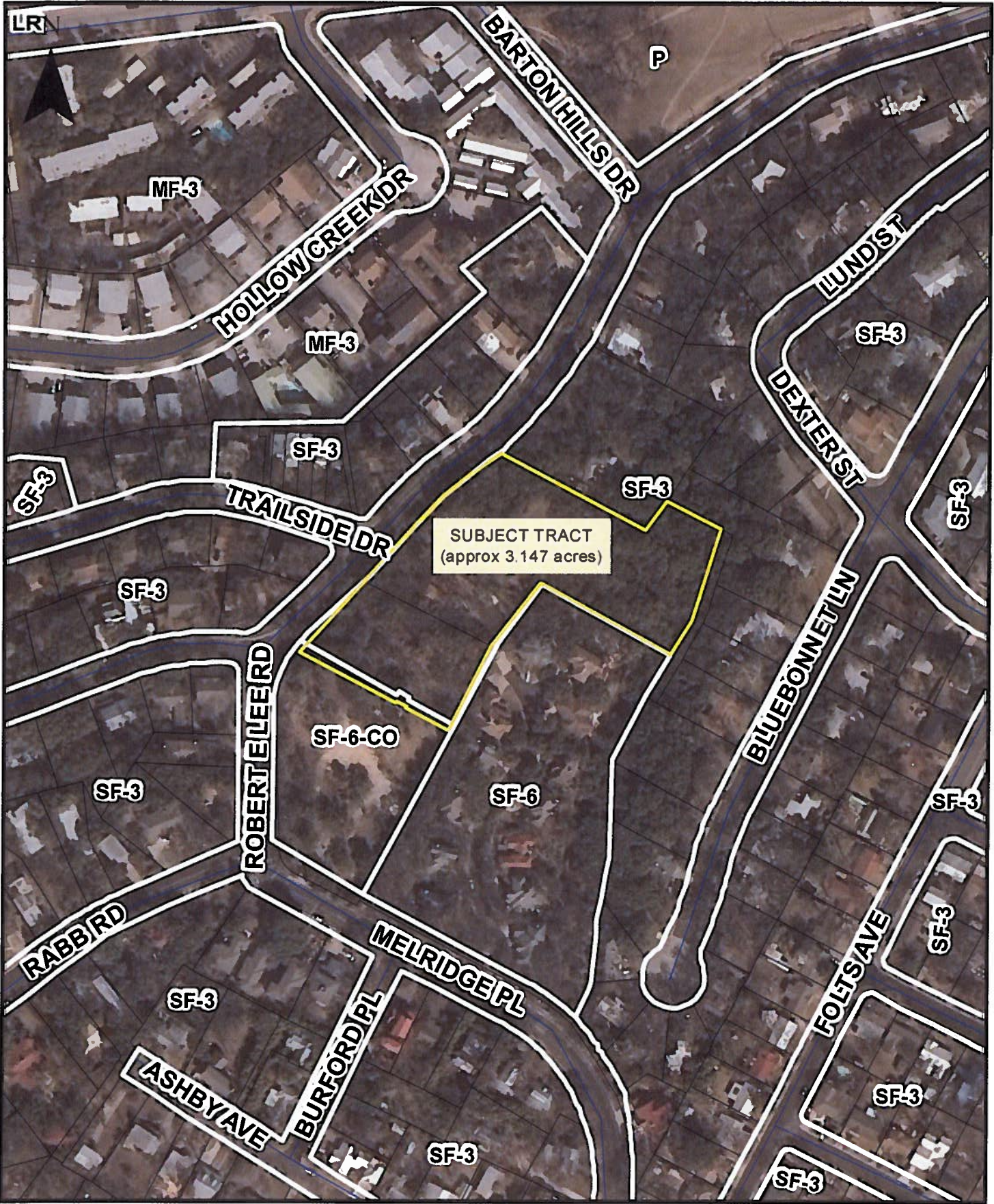


Image Data: 2011

Exhibit A - 2
Aerial & Zoning

0 100 200 400 Feet

1 inch = 200 feet

C14-2012-0109 / Sunflower

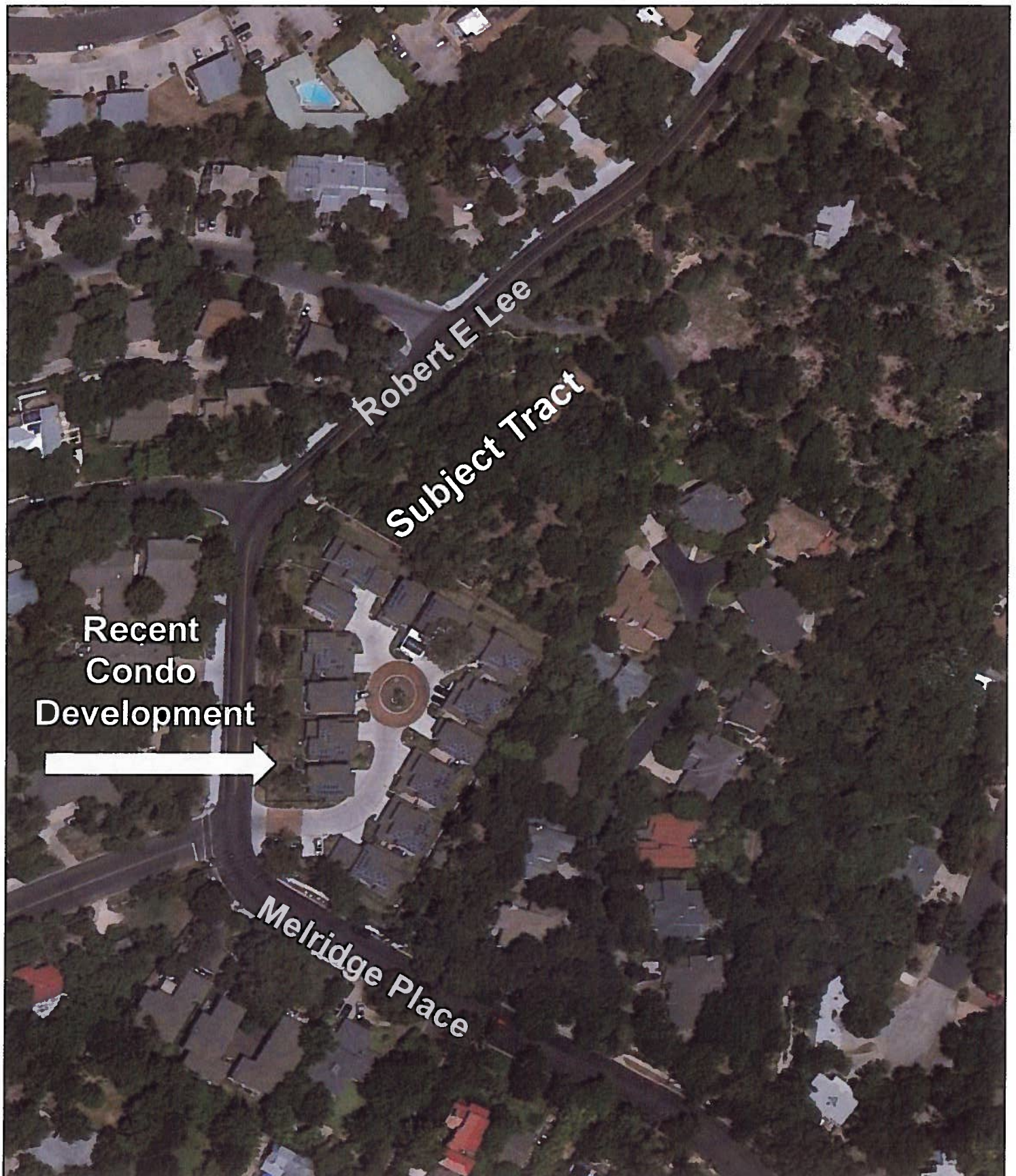


Exhibit A – 3
New SF-6 Development

Image Data: Google
Earth, 2013

SF-6 Zoning Based Condominium Concept



Exhibit B

HAILEYstudio
architects + planning
207 San Jacinto Blvd., Suite 301
Austin, Texas 78701
512.813.0288
www.haileystudio.com
hailey@haileystudio.com

Concept 5: SF-6 Zoning

Sunflower
Vinson-Radke Investments, LLC
1201 Robert E. Lee Austin, Texas

SP-5.1
SF-6 concept 5

0 30 60 120
SCALE 1" = 60'
not for construction or regulatory approval



SF-3 Zoning Based Subdivision Concept



Exhibit B



HAILEYstudio
architects + planning
207 West 10th Street, Suite 301
Austin, Texas 78701
512.813.0385
www.haileystudio.com
info@haileystudio.com



Scale: 1:60
not for construction or regulatory approval

Sunflower
Vinson-Radke Investments, LLC
1201 Robert E. Lee Austin, Texas
COMMUNITY MEETING

A-2.2
Illustrative Plan

02.28.2013

From: Riley Triggs
Sent: Tuesday, October 09, 2012 8:05 PM
To: Heckman, Lee
Subject: C14-2012-0109

Lee,

Please register my disapproval of the zoning change for 1201 Robert E Lee Rd.

The intended rezoning is incompatible with the rest of the neighborhood and is threatening the character of the neighborhood by increasing the density to unusual and uncomfortable levels. This will also further encourage the encroachment of larger scale development in the surrounding lots which is already evident through the rezoning of previous areas that are making this encroachment possible.

There are no obvious benefits to the City nor to the neighborhood, and only a single person, the developer, is set to gain from the change in the rules. Personal gain is certainly not a good reason to cause increased pressures in a neighborhood that is already suffering from bad decisions of the recent past, the inordinate inconveniences of regular events such as ACL, Trail of Lights, and Blues on the Green. The neighborhood continues to be denigrated by such actions of the City, and it is time to cease and desist economic exploitation at the expense of the character and livability of established communities. This decision should not be about economics of the few - it should be about preserving the character of an established, historically significant neighborhood of single family homes.

Please take this as the strongest possible disapproval of this latest rezoning encroachment on the fabric of an embattled neighborhood. I am going to be here a long time, and I do not wish to be further made uncomfortable and pressured out of the neighborhood I grew up in, helped build and serve.

Regards,
Riley Triggs
1005 Robert E Lee Rd
Austin, TX 78704
512.636.3521

Riley Triggs || architect
University of Texas
Smart Building Initiative

-----Original Message-----

From: David Davis

Sent: Wednesday, October 10, 2012 1:14 PM

To: Heckman, Lee

Cc: Salee Davis; Jeannie DeFrese; Andy Elder

Subject: Case No. C14-2012-0109 / Project Location: 1201 Robert E. Lee Road

Dear Mr. Heckman:

Please accept the attached information in opposition to the Proposed re-zoning of the above reference project. I would appreciate being advised of all public hearings concerning the planning and zoning process. In addition, I would be pleased to visit with you should you believe it would be of assistance to you. I am copying Andy Elder, President of the Zilker Neighborhood Association, Ms. DeFrese who is also impacted by the project and my wife who is Secretary of the Zilker Skyline Homeowners Association.

Kindest regards,

David M. Davis

Attorney at Law

Davis & Wright, P.C.

1801 South Mopac, Ste. 300

Austin, TX 78746

512.482.0614 (Phone)

512.482.0342 (Fax)

www.dwlaw.com

DAVIS & WRIGHT, P.C.

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1801 S. MoPac
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F: 512.482.0342
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October 9, 2012

Via Electronic Mail

Lee Heckman
One Texas Center
5th Floor
505 Barton Springs Rd.
Austin, TX 78704

RE: Case No. C14-2012-0109
Project Location: 1201 Robert E. Lee Rd.

Dear Mr. Heckman:

This letter is to formally advise you and the Land Use Commission and the City of Austin that my wife and I oppose the re-zoning of the above-referenced location from SF-3 to SF-6. We reside at 2133 Melridge Place, Austin, Texas 78704. Our property shares 176 1/3 feet of the south property line of the above-referenced project. As such we have a significant interest in the above request.

Our home is one of 13 single family homes included in the Zilker Skyline Condominiums (Unit 1, Building "G" together with the undivided interest in and to the common elements and limited common elements of appurtenant thereto). We have owned the property since we purchased it December 3, 1991. Our home and the other 12 single family homes in Zilker Skyline are placed on approximately 4 acres with an entry off of Melridge Place. The average density of the homes on the property is approximately .3 of an acre.

To illustrate the property where our homes are located I have attached as Exhibit 1 the plat of the Zilker Skyline with the established footprints of the 13 homes. Additionally, I have attached as Exhibit 2 photos of Zilker Skyline beginning at the gate on Melridge proceeding down the private road to the end concluding at our home which is on the northeast portion of the property. All of the homes were custom built and no two are the same.

The east property of Zilker Skyline includes significant setbacks from the creek that has been described variously as a "drainage ditch," and "ditch." The property includes on the eastern boundary a buffer zone and a Minor Tributary Protection Zone as shown on the plat of record in Volume 81, Page 377, of the Plat records of Travis County, Texas. The property also lies within

the Upland Water Quality Zone as shown on the plat of record in Volume 81, Page 377 of the plat records of Travis County, Texas. It is subject to a 20 foot public utility easement located along the east property line granted to the City of Austin as described in Volume 8024, Page 86 of the Deed Records of Travis County, Texas. It is also subject to the Covenant to Maintain Storm Water Runoff Control Facility dated December 9, 1981, of record in Volume 7652, Page 2 of the Deed Records of Travis County, Texas. It is also subject to the terms of the Affidavit as to Pollution Abatement Plan of record in Volume 11436, Page 774 of the Real Property Records of Travis County, Texas. Directly east of our property and approximately 20 feet north of the property line is a freshwater spring that drains into the "drainage ditch" resulting in water remaining in the creek 365 days of the year. Attached as Exhibit 3 to this letter is a photo of the creek which illustrates that it is native. It drains into Barton Creek just north of the Barton Springs pool. There is also a trail along the creek that is used by wildlife including deer, fox and racoon. Additionally, the trail is used by children and their parents between Robert E. Lee and the Zilker Elementary School on Bluebonnet. The homes across the creek from Melridge to Dexter Street that have entrances on Bluebonnet Lane are all single-family SF-3 homes with all lots contiguous to the above-referenced project on the east and north sides being zoned SF-3.

The property that is currently under consideration for re-zoning is zoned SF-3 with a single-family home on the property owned by the party seeking re-zoning, Joe L. Joseph. Attached to this letter as Exhibit 4 is the notice that we received concerning the clearing of this property in the summer of 2011. The notice and accompanying photograph were the first indications that the Josephs might be planning to develop the property. However, we were assured by the notice and in person by the Josephs that they had no intention of developing the property. Until notice of the proposed zoning change was received shortly after September 13, 2012 with the City's Notice of Filing of Application for Re-Zoning, none of the property owners were given an opportunity to discuss the proposed zoning change or the development that is proposed for the contiguous property including the plan's First Phase of the Sunflower Project that involves 1.603 acres which abuts 235 feet of Zilker Skyline on the north side and approximately 281 feet on the west side with Phase 2 on approximately 1 ½ acres of land. The Sunflower Project is intended to place 23 homes on approximately 25% less land than the 13 homes in Zilker Skyline if placed. And, according to the plans presented to you and to the Zilker Neighborhood Association, Sunflower will include all or a portion of 5 homes with either the rear view or side view facing the north property line of Zilker Skyline. The plan density of Phase 1 will be approximately one building per .14 acres of land, more than 2 times the density of Zilker Skyline and more than 3 times the density of all of the adjacent SF-3 lots and homes.

My wife and I oppose the change in the zoning in that it is not based upon a public need but is the grant of a special privilege to Mr. and Mrs. Joseph and the developers of the property. The property can be sub-divided under its current zoning for the construction of homes that are the same or similar to the contiguous property.

Sub-dividing the property into SF-6 to allow the construction of condominiums most identical to the recently approved and constructed Zilker Terrace Subdivision which is located at the intersection of Melridge Place and Robert E. Lee is inconsistent and incompatible with the adjacent and nearby uses of the 1.56 acres that the re-zoning request concerns.

Further, re-zoning would provide unequal treatment for similar situated properties on the southeast and north sides of the property where significant easements and grants have been

provided the City due to the creek that runs to the east of the above-referenced project. The placement of structures on land that drains into the creek and sits upon a Minor Tributary Protection Zone is inconsistent with General Ordinance 82 1118-N, adopted in 1982 by the City of Austin and is incompatible with all of the properties running from Melridge Place to the east boundary of Zilker Park where such zone has been protected. Further, this is evident from the drainage problems occasioned by the Zilker Terrace development. During construction and subsequent to the construction, during heavy rains, significant runoff was occasioned by the Zilker Terrace Subdivision. Since the Sunflower Project is planned to be of very similar density and be placed on very similar terrain that drains both to the east and west and also to the north it can be expected to significantly increase the runoff into both Barton Creek and Lady Bird Johnson Lake. See Exhibit 5 for property slope to east toward east boundary.

The single entrance to the entire project will be off Robert E. Lee Road. A principle of land development in Austin is that more intensive zoning should be near intersections of arterial roadways. Robert E. Lee is a heavily traveled neighborhood street of two lanes with a 2-way bicycle lane. There is no available parking on either side of the street. Similar to Zilker Terrace, the developers indicate that adequate off-street parking will be provided. However, as access on the property will be necessary for fire trucks and other emergency vehicles there will not be adequate parking provided. The same representations were made for Zilker Terrace, but vehicles now are frequently and routinely parked on Melridge Place significantly narrowing the two lane road which also now has a 2 lane separate bicycle path. The addition of 23 units on approximately 3 acres of land will generate a minimum of 40 vehicles for their owners without adequate capacity for guests of the owners. This will very likely drive guests or owners of the property to park on other streets in the neighborhood that terminate on Robert E. Lee, greatly increasing congestion and limiting access to the neighborhoods off Robert E. Lee.

Despite promises and diagrams that represent the saving of the principal trees on the property, it is apparent from experience with the Zilker Terrace Condominiums that the trees will not be adequately protected. In fact, the site plan for Phase 1 omits a significant oak tree from the drawing that is located on the south property line immediately adjacent to our property. You are referred to the site plan and the trees marked between buildings number 04 and 05 on the drawing. Attached as Exhibit 6 is a photograph taken October 7, 2012 of two century oaks that are located in the area identified between the two drawn structures that only marks a single oak.

The property is additionally incompatible with the property to the south in that there are only 5 foot set backs being placed with the adjacent property. The developers have chosen to leave 25 foot set backs to the north clearly in anticipation of a future re-zoning application of the property directly to the north which also abuts Robert E. Lee where a single-family structure currently exists on a sizeable lot. The purpose of the 5 foot setbacks is solely for the purpose of increasing density on the property and not for the purpose of providing compatible structures for the lot.

In summary, although we have signed a petition of neighbors who own property within 200 feet of the proposed area for the zoning change, we are specifically impacted negatively by the proposal. As can be seen from the Exhibits attached, we were specifically misled by the property owner as to the intended use of the property when it was being cleaned of small and medium sized trees a little over one year ago. It is obvious that the sole purpose of the re-zoning is to grant special privileges to the individual owner of the property to enable the construction of a project that is incompatible with the property on all four sides that are all currently zoned SF-3

Lee Heckman
October 9, 2012
Page 4

except for and save for Zilker Skyline which was zoned SF-3 but still constructed to be compatible with the adjoining properties with individually built and designed single-family homes on moderate sized lots. Sunflower envisions not only more dense construction but significant impact on the drainage onto adjacent properties and into the Minor Tributary Protection Zone that drains into Zilker Park and into Barton Creek. The property will generate significant additional traffic and street parking in an area that is already restricted to traffic and parking resulting in a negative impact on neighborhood streets already challenged by traffic patterns that various traffic calming devices have failed to control. Drainage will be significant off the property despite representations that the property is "very flat," which even a very brief and cursory review will establish as inaccurate. In fact, 6 of the planned units are placed on land with significant slope (units 1, 6 - 9, and 11). Any effort to further flatten the property through grading will significantly destroy the uniqueness of the property and further increase anticipated drainage issues for the creek and surrounding properties.

It is my intention to be present at the Planning Commission meeting which I understand is to occur on October 23, 2012 and at that time will personally oppose the project. It is further my expectation that likely greater than 50% of the property owners within 200 feet of the proposed project will also join me in opposing the project. The property as zoned is ideal for the construction of homes consistent with the adjacent and nearby uses of the property and would promote compatibility, equal treatment, less traffic, and not be a grant of a special privilege to an individual owner. There has been no change of condition to warrant this significant change to the zoning.

Respectfully,



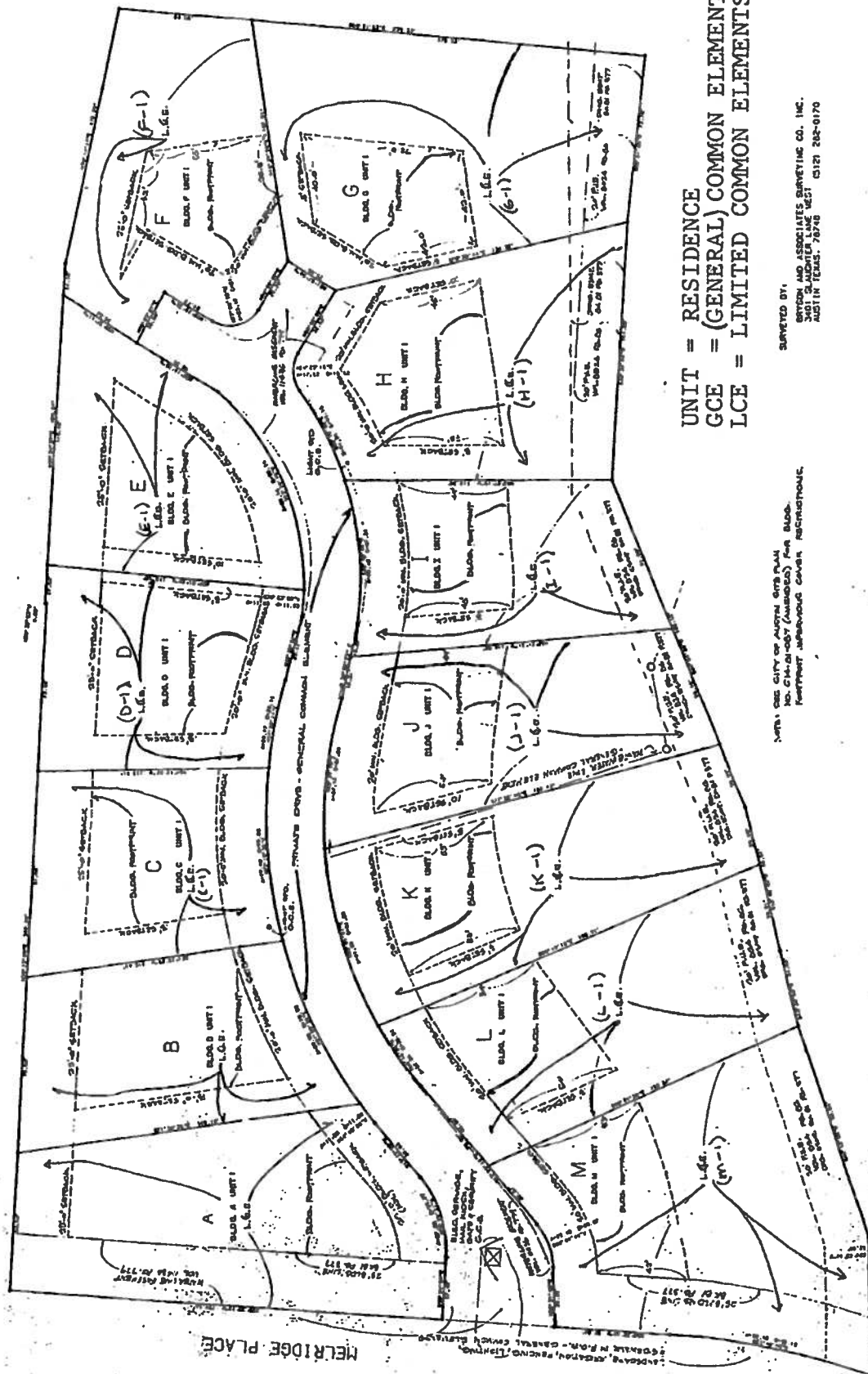
David M. Davis

cc: Land Use Commission
City Counsel
Zilker Neighborhood Association c/o Andy Elder, President

Exhibit No. 1

PLAT OF ZILKER SKYLINE CONDOMINIUMS

LOT 1, ZILKER HILLTOP ADDITION, A SUBDIVISION OF
RECORD IN PLAT BOOK 81, PAGE 377, TRAVIS COUNTY TEXAS
PLAT RECORDS. SITUATED IN TRAVIS COUNTY, TEXAS.



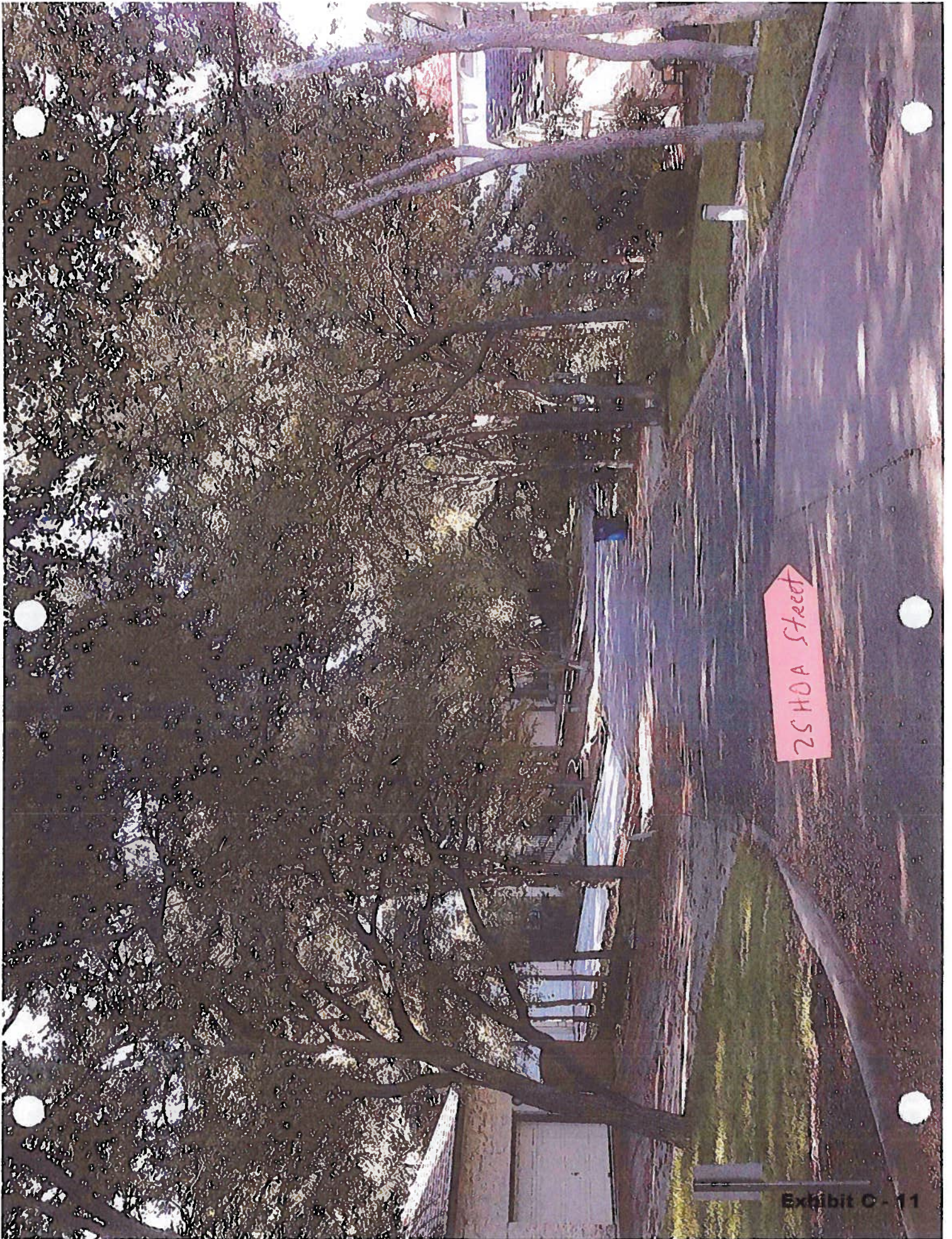
UNIT = RESIDENCE
GCE = (GENERAL) COMMON ELEMENTS
LCE = LIMITED COMMON ELEMENTS

NOTE: SEE CITY OF AUSTIN CITY PLAN
NO. C14-21-087 (AMENDED) FOR BLDG.
FLOORPLAN, PREVIOUS COVER RESTRICTIONS.

SURVEYED BY,
ORYDON AND ASSOCIATES SURVEYING CO., INC.
3401 SLAUGHTER LANE WEST
AUSTIN TEXAS. 78748 (512) 282-0170

Exhibit No. 2





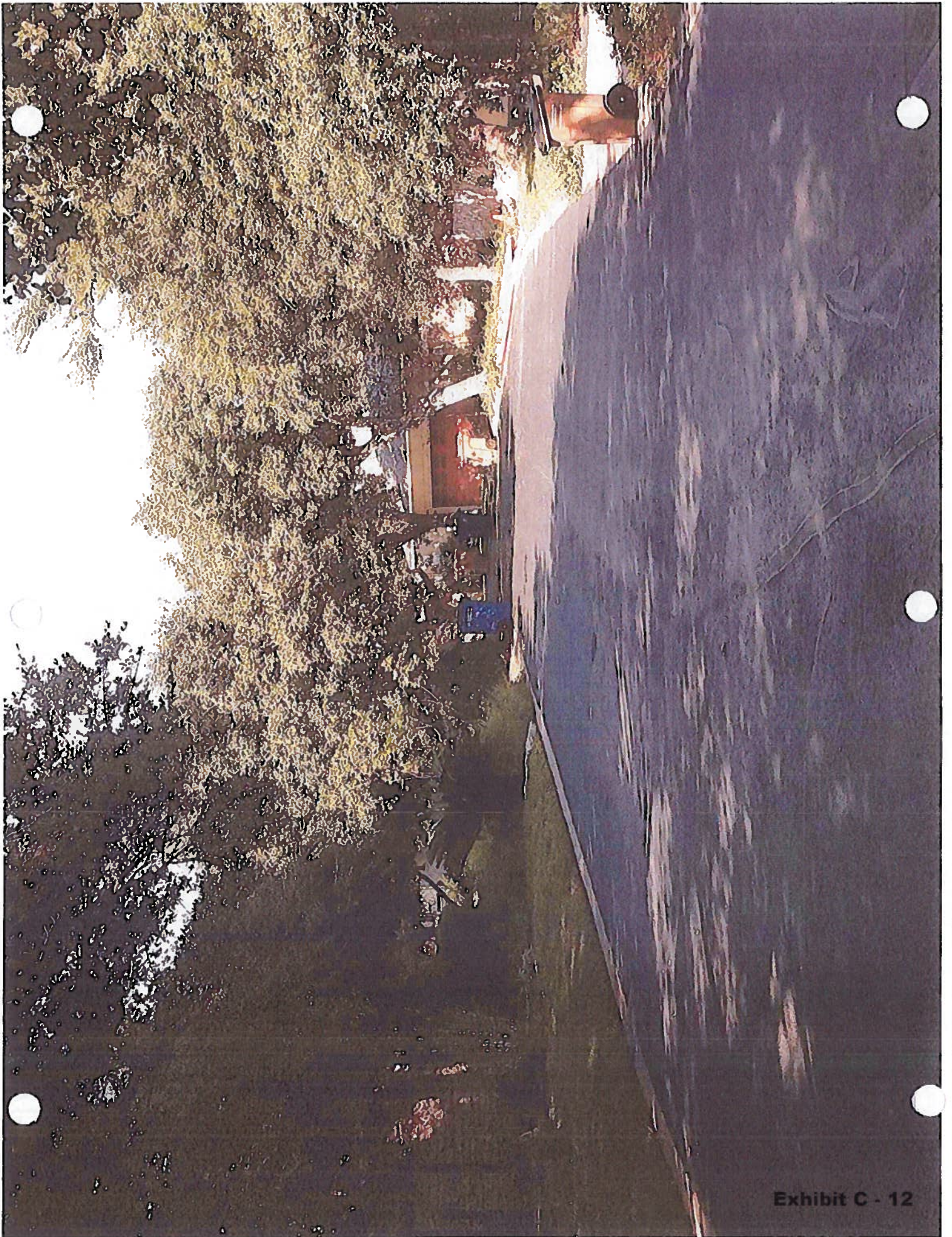






Exhibit No. 3



Exhibit No. 4

NOTICE TO OUT NEIGHBORS

WITHIN THE NEXT FEW WEEKS, WE ARE GOING TO HAVE SOME TREE AND BRUSH WORK ON OUR PROPERTY.

THE GOAL IS TO REMOVE THE "JUNK" TREES, SUCH AS LIGUSTRUMS, AND NON-NATIVE BRUSH TO ALLOW THE OAKS AND ELMS TO RECEIVE PROPER SUN AND ENABLE THEM TO GROW AND FLURISH.

THE MULCH WILL BE LEFT ON THE GROUND TO TRY TO REJUVINATE THE GROUND COVER TO STIMULATE THE NATIVE BLUEBONNETS, WILDFLOWERS AND GRASSES THAT WERE HERE BEFORE THE SUNLIGHT WAS CUT OFF. (THE PHOTO IS OF THE AREA BEFORE ALL THE HOMES WERE BUILT IN YOUR SUBDIVISION, WHICH IS WHY THE STREET ENTERING MELLERIDGE IS NAMED BLUEBONNET LANE).

THE WORK WILL BE DONE BY A COMPANY THAT SPECIALIZES IN RESTORING LAND AND ENHANCING NATIVE TREES AND PLANTS.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT US AT 442-8467.

JOE & HAZEL JOSEPH

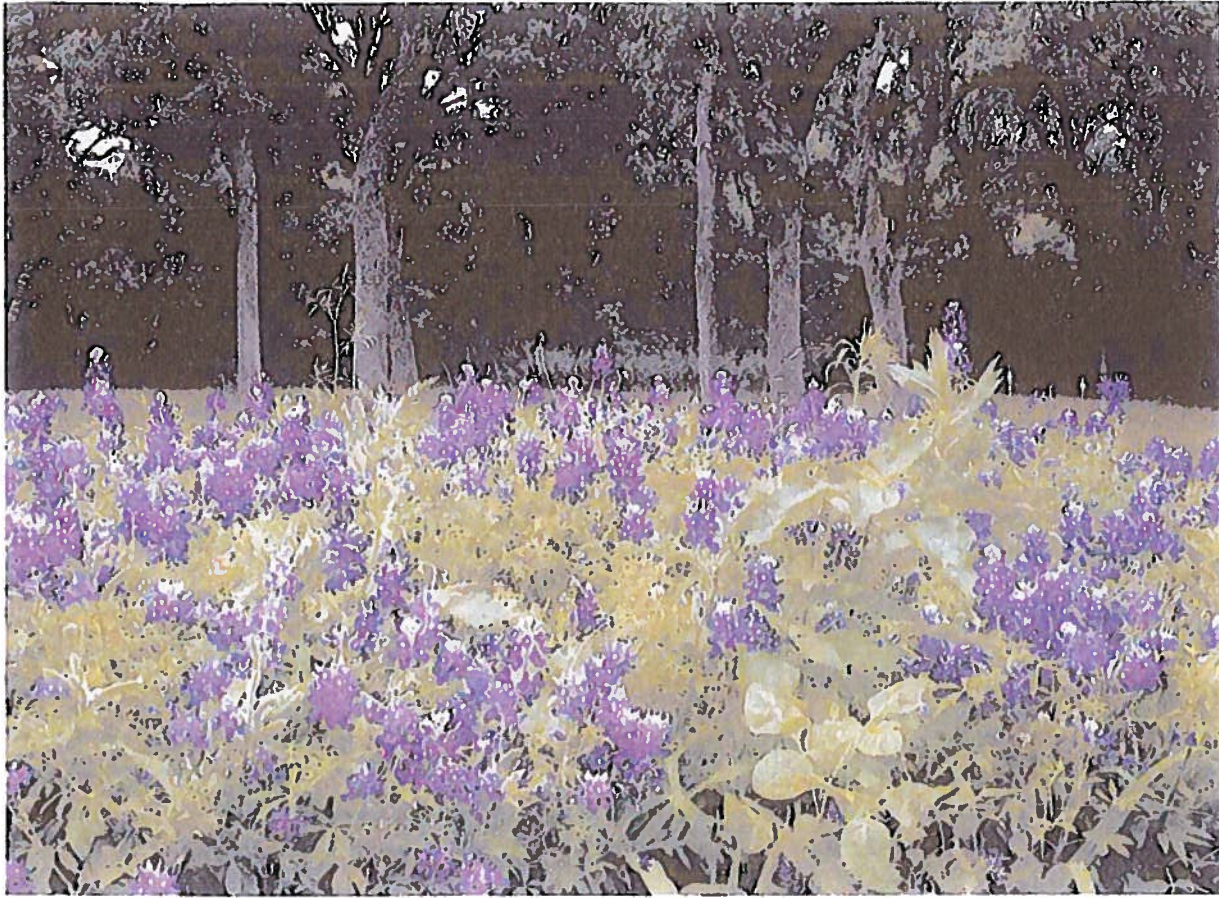


Exhibit No. 5



Exhibit No. 6



Exhibit C - 23



From: Jeannie DeFrese
Sent: Wednesday, October 10, 2012 3:33 PM
To: Heckman, Lee
Cc: David Davis; Salee Davis; Andy Elder; [Removed]
Subject: Petition in Opposition to Zoning Change - Case #C14-2012-0109/1201 Robert E. Lee

Lee,

Thanks for meeting with me earlier today so I could deliver the original petition to you personally. I appreciate your time and your patience in answering all of my questions.

I've attached a copy of the petition that you received. Also attached is the map showing the 200' buffer zone with the properties of owners who's signatures are on the petition highlighted, the original of which was included with the original petition. I request that you share it with the other city planners who will be making the staff recommendations and report for the planning commission, as well as attaching it to the staff recommendations and report.

There are a few items about the petition that I wanted to note:

- ALL of owners in the adjacent 200 foot buffer zone who I was able to speak with signed the petition in opposition to the re-zoning.
- Property owners whose signatures are not on the petition were owners I was not able to reach and speak with regarding the petition.
- Finally, signatures of owners at 1303 Robert E. Lee which is 14 owners of condos in Zilker Terrace, were only lightly obtained ie. I spoke with only 4 unit owners at the address. None of the owners there had received the letter of notice from the city, so all were unaware of the re-zoning request. Because the county tax records are still showing the developer as the owner of the property, not the individual owners, the petition guidelines state that their signatures would not be valid for petition purposes without legal documentation of the ownership transfer. Because of this and the time factor in getting this petition to the city in time for verification prior to any hearing date, I did not focus time there. I will note that of the 4 owners I spoke with, all were in opposition to the zoning change and all signed the petition.

Please let me know if I can answer any questions regarding the petition. Thanks again for your time.

Jeannie

Jeannie DeFrese
Texas Monthly 2011 & 2012 Five Star Agent
Triple Mint Real Estate
512.431.8016
www.triplemintrealestate.com

Please click the link below for information about brokerage services
<http://www.trec.state.tx.us/pdf/contracts/OP-K.pdf>

[See Exhibit P]

Exhibit C - 25

From: Donna Ramsey
Sent: Thursday, October 11, 2012 8:49 PM
To: Heckman, Lee
Subject: Opposing case # C14-2012-0109

1116 Bluebonnet Lane
Austin, Texas 78704
October 11, 2012

Dear Mr. Heckman-

As a homeowner for 18 years on Bluebonnet Lane, I wish to make known my objection to the up-zoning of properties on Robert E. Lee - case # C14-2012-0109.

Upzoning to SF-6 is not an appropriate use of the property. Our neighborhood until recently was composed of single family homes with a scattering of duplexes. These blended together to make an attractive neighborhood. Our homes are now being overwhelmed by oversized homes and condominiums. Single family lots are being combined and blocky, ugly homes and condos are being built with no consideration for the overall appearance of our neighborhood.

These oversized homes also come with oversized prices and are slowly driving longtime residents, who can no longer afford their property taxes, to leave.

Now, we are faced with the most insidious rezoning yet. Twenty-two units on three acres! My home was purchased as a single family home in a single family neighborhood. The increase in density that a Condominiums Residence district allows will damage the surrounding properties by diminishing privacy, increasing light and noise pollution, increasing the loss of green space, natural habitat, trees and ground cover, increasing runoff in the rocky creek and increasing traffic.

SF-6 zoning is not compatible with the majority of surrounding SF-3 properties. The Zilker Skyline's 11th hour re-zoning from SF-3 to SF-6 still rankles. We do not need more developments of this type in our neighborhood. Last year the owners of the lots in question cleared them "to bring back the wildflowers." The removal of so much ground cover has had a detrimental effect on the creek. There is a spring at the head of the creek which runs when we have received abundant rainfall sufficient to raise the aquifer to the point it will flow. The creek needs to be protected. The loss of trees, ground cover and habitat has also had a detrimental effect

Exhibit C - 26

on wildlife.

This up-zoning request fails to meet these Zoning Principles of the City of Austin:

"Zoning changes should promote compatibility with adjacent and nearby uses and should not result from in detrimental impacts to the neighborhood character."

"Granting of the zoning [in this instance Zilker Skyline] should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city."

"Zoning should promote the goal of environmental protection."

Please do not support this up-zoning.

With regards-

Donna Ramsey

From: David Davis
Sent: Friday, October 12, 2012 9:21 AM
To: Heckman, Lee
Cc: Andy Elder; Jeannie DeFrese; Salee Davis; Dan Carroll
Subject: C14-2012-0109 / Zoning up-zoning request for Sunflower Development

Dear Mr. Heckman: The Zilker Skyline Homeowners' Association met yesterday evening for our quarterly homeowners' meeting. Our 13 home neighborhood is in total unanimity in opposition to the up-zoning. The Attached Resolution was adopted unanimously last evening. Although each of our homeowners will ultimately sign the petition circulated by Ms. DeFrese (all but one homeowner who is on the road back from Portland, OR, have now signed and will be filed with you shortly), we want the record to be very clear that we have adopted the attached resolution as a condominium regime based on the fact that we constructed our homes to be in conformity with our neighbors and because we have already been negatively impacted by traffic, environmental disruption by light and density and, significantly, by drainage from Zilker Terrace. The up-zoning request by Mr. Joseph is unwarranted and will be an extremely negative development for our community. Again, if for no other reason, the up-zoning should be denied due to the misrepresentations made to us by Mr. Joseph and he should not be allowed to outweigh our community for the sole purpose of financial gain when the current zoning allows him to already do that without disrupting his neighbors who are now in virtual unanimity in opposition to his request. Sincerely, David Davis (2133 Melridge Place)

[See Exhibit P]

From: Dale Weisman
Sent: Sunday, October 14, 2012 10:44 AM
To: Heckman, Lee
Cc: [Removed]
Subject: Objection to zoning change at 1201 Robert E. Lee -- Case # C14-2012-0109

Hi Lee and greetings to Zilker Neighborhood Association officers,

I am writing to voice my strong objection to a proposal to "upzone" the 3-acre parcel at 1201 Robert E. Lee from SF-3 to SF-6. I own a home at 1110 Bluebonnet on the west side of the cul de sac segment of Bluebonnet at the cross street of Dexter. My lot fronts a fragile yet abused spring-fed creek that is also on the property line of 1201 Robert E. Lee.

In my opinion, upzoning the parcel to SF-6 is not an appropriate use of the property, which is in the middle of well-established mostly single-family home neighborhood. The bulk of the surrounding area is zoned SF-3. A primary reason why I bought my home on Bluebonnet (in 1990) was because of the low-density single-family zoning of the adjacent properties and the resulting relative peace and quiet of the neighborhood.

I oppose the increase in density that an SF-6 zoning would allow; specifically it will allow a high-density condominium development with a proposed 22 units on 3 acres. This type of development is incompatible with the mostly single-family style development that surrounds 1201 Robert E. Lee. As a result, I believe the zoning change would negatively impact the value of my property (as well as my neighbors' values), and this in effect damages my property. Damages include diminished privacy, light and noise pollution, and more traffic congestion on Robert E. Lee. The denser development would also result in a loss of green space (native trees and foliage) and wildlife habitat and lead to increased runoff in the adjacent creek/drainage. The creek, which feeds into Barton Creek below the pool, is already experiencing severe erosion, and further high-density development will only exacerbate a bad situation. Furthermore, the upzoning sets an undesirable precedent for future/potential property developments in the predominately SF-3 areas of the Zilker neighborhood that will inevitably occur in the coming years.

For these reasons, please join me in rejecting the proposed zoning change for 1201 Robert E. Lee to SF-6. I and many of my neighbors are fully prepared and energized to fight this zoning change each step of the way -- all the way to the City Council and beyond.

Best regards,

Dale Weisman
1110 Bluebonnet Lane
Austin, TX 78704

From: Mary Kragie

Sent: Monday, October 15, 2012 9:58 AM

To: Heckman, Lee

Subject: Case # C14-2012-0109

Dear Case # C14-2012-0109 Case Manager,

I am a Zilker neighbor who lives up the street from 1201 Robert E. Lee.

I would like to voice my strong opposition to the proposed zoning change from SF-3 to SF-6 for this property. My two primary concerns are:

1. The proximity of the property to Barton Springs pool. I believe this property is in the Barton Springs Watershed. Since the land slopes down to Robert E. Lee, it certainly looks like all the run-off from the land would flow into the springs and sunken garden area.
2. The additional traffic load on Robert E. Lee such a development would cause. Please drive down Robert E. Lee during the morning commute. The traffic is sometimes backed almost all the way up to 1201 Robert E. Lee.

May I ask that you confirm receipt of my email, so I know it has been read and included in the 1201 Robert E. Lee file?

Thank you for taking my concerns into consideration as the City makes its zoning decision on this land, and its impact on such a very, very special place in Austin.

Mary Kragie
Asuragen, Inc.
2150 Woodward Street, Suite 100
Austin, Texas 78744
T: 1-512-681-5295 F: 1-512-681-5201
Online: www.asuragen.com

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From: Karen Krog
Sent: Monday, October 15, 2012 9:24 PM
To: Heckman, Lee
Subject: Zoning request (Case #C14-2012-0109)

Dear Mr. Heckman

I am writing regarding the requested property zoning change for 1201 Robert E. Lee (Case #C14-2012-0109). I am an owner of a property within 200 feet of the property in question and have lived at my current address for 22 years. I bought my house largely because of its location in a beautiful green spot in the neighborhood, which is home to a variety of plant and animal life. I always knew that it was possible that some of the area would develop further but was reassured by the SF-3 zoning of the surrounding properties that the development would not be dense and that the character of the area would be preserved. Now, I find that the owners of 1201 Robert E. Lee are seeking to change the zoning to SF6 and that the city is actually considering this. The plan for 22 condominiums on 3 acres that are now sparsely developed is totally unacceptable to me as a long-term homeowner.

I understand the plan for increased densification in the inner city and am in support of this along major corridors, although I am concerned that much of the increased development is being done without adequate consideration of transportation and infrastructure issues. Our neighborhood as a whole has had frequent water/sewer leaks in recent years that have increased in recent months. Additionally, while density is increasing, neighborhood access to bus service has been cut, first by eliminating route 29 and most recently by cutting the Zilker/Barton Hills portion of the bus 30 route.

Our neighborhood will feel much of the brunt of development along South Lamar and Barton Springs Road in the form of increased traffic. I have been willing to live with all of this because of the other advantages of living in the inner city. However, I am not willing to live with increased density along Robert E. Lee and essential destruction of the single family nature of our part of the neighborhood.

For those unfamiliar with the topography of this area, it should be noted that there is a forest behind my house, complete with a creek (which the city refers to as a "drainage area" although it appears to be spring-fed, runs year-round, even in extreme drought, and drains, after it branches at Robert E. Lee, into Barton Creek both above and below the pool). Drainage from the increased density permitted along the creek on land which fronts Melridge has resulted in radical erosion along this creek, including erosion of my property and the destruction of several large trees. More development in the watershed of this creek will exacerbate this erosion, threatening further loss of trees and land. It also threatens erosion of the ground beneath a major sewer line which runs along the creek bed. The proposed development will also decrease the privacy that makes my home special and will displace the wildlife that I and my neighbors value and support. It should be noted that a recent development on an adjacent property that was "up-zoned" has caused flooding three times in recent months in the nearby Zilker Skyline development.

I urge you to consider the single family nature of the properties adjacent to the property in question and to deny this request for further densification of this area. Keep the density along major traffic corridors and not along this narrow stretch of Robert E. Lee adjacent to Zilker Park.
Thank you for your careful consideration of this matter.

Karen Krog

Exhibit C - 31

2007 Dexter
Austin, Texas 78704

From: Karen Krog
Sent: Tuesday, October 16, 2012 1:10 PM
To: Heckman, Lee
Subject: Zoning change request (Case #C14-2012-0109)

Dear Mr. Heckman,

I am very concerned about the requested zoning change for 1201 Robert E. Lee (Case #C14-2012-0109). My single-family residential property, which was purchased on the assurance that it was securely surrounded by SF-3 zoning, is within 200 feet of the property in question. Now, the owners of 1201 Robert E. Lee are seeking to change the zoning on three SF-3 lots to SF-6 so that they can economically benefit by building and selling 22 condominiums on those lots. Because their benefit would be at the expense of their neighbors, the livability of the larger neighborhood, and important environmental resources, I very strongly oppose city approval of the requested change, and urge you to recommend against it.

The contemplated change would radically alter my ability to realize values and benefits of my property that my family and I might otherwise reasonably expect to continue to enjoy. The market value of my lot would very likely decline as its margins are transformed from the undeveloped yards and woodlands of adjacent single-family lots to the visible impervious cover of 22 condominiums, parking lots and driveways. The current "single-family" character of my property and neighborhood would be essentially destroyed. The direct access to quiet, dark, natural beauty, wildlife habitat, and privacy which we currently enjoy would markedly deteriorate and probably disappear altogether. Were this to be allowed, I would regard it as an uncompensated taking of very important and valuable rights of mine in the service of the pecuniary interests of the applicants.

It is certainly not the case that the development in question represents the kind of "smart" densification of central Austin which the city should support. Such densification is generally beneficial only if it is supported by necessary infrastructure and transportation development and maintenance, and only if it does not occur at the expense of livability and the environment. That is not the case for this zoning change and the development it would enable. This area has no marginal infrastructure capacity to support the development. Simple assurance of continuous water and sewage service in our area is increasingly problematic because of maintenance too long deferred. Robert E. Lee, the street on which traffic from this development would rely, is already overburdened. Travel on it is characterized by the very long wait-times, frequent traffic jams, and air pollution that densification unsupported by adequate transportation development has infamously engendered throughout the city. Any increment of increase would only exacerbate mobility and livability problems. The city has no plans to improve this situation. Indeed, public transportation directly serving this area has recently been eliminated by Capital Metro.

Like many of the surrounding lots, my property backs to a forest growing along a spring-fed creek (which the city refers to as a "drainage area" although it has been "live" for the entirety of the more than two decades that we have lived on its banks). The creek flows or drains, after it forks at Robert E. Lee, into Barton Creek both above and below Barton Springs pool. It thus traverses that part of the Barton Springs recharge zone most proximate to the springs. Already, the increased volume of run-off from the increased density permitted along the creek on land just north of Melridge has eroded creek-side properties,

destroying tons of my property and several large trees in particular. More development in this watershed would exacerbate this erosion, threatening further loss of trees and land, and further deepening of the creek bed to a point, not very far distant now, where it can no longer serve as the foundation for a major sewer line that runs along it. Further, during heavy rains, water that is currently absorbed by unpaved land would be transformed by the contemplated development into polluted runoff that would flow directly into Barton Creek and the recharge zone for Barton Springs. Here, as with traffic, any margin for increased flows has long-since, and quite literally in this case, been eroded; such flows can only result in further destruction of property and the environment.

The proposed zoning change and the development it would allow serve only the narrow financial interests of the applicants. They would diminish or destroy market, use, livability, and environmental values for neighboring property owners, surrounding neighborhoods, and the city as a whole. I urge you to actively, and without qualification, oppose the change.

John Houghton
2007 Dexter
Austin, Texas 78704

From: John Sanders
Sent: Tuesday, October 16, 2012 2:52 PM
To: Heckman, Lee
Cc: [Removed]
Subject: Case No. C14-2012-0109 Project Location: 1201 Robert E. Lee Rd.

Lee, as you are aware I am one of the owners of 1113 Robert E. Lee, the property directly to the north of the subject property. Upon receiving notice of the owner's application to change the zoning from SF3 to SF6 I contacted the developer and exchange several calls/e-mails with him concerning the planned development. After considering the proposed plans I determined that I could not support the proposed change. I and my co-owners joined in the petition seeking to have the rezoning denied. I received a copy of the e-mail from David M. Davis to you dated Oct. 10, 2012 as well as the letter dated October 9, 2012 attached to the e-mail. I share all of Mr. Davis's concerns and hereby adopt his arguments. I am concerned about the drainage issues the new zoning will cause and I believe that the increased traffic on Robert E. Lee will inevitably lead to serious injuries and possible fatalities caused by a collision(s) between some mixture of pedestrians/cyclists and motor vehicles. I would suggest that anyone who has any doubt about the already dangerous situation on Robert E. Lee has only to sit on the subject property during the morning and afternoon rush hours to see exactly what I am talking about.

On a personal note we purchased this lot for the purpose of building our retirement home. We relied on the fact that our lot and the subject lots were all zoned SF 3. We would not have purchased it if they had been zoned SF 6. The introduction of multiple homes along our extensive common property line will render our property useless for the purpose for which we purchased it. Given the lengths that the owner of the subject property has gone to to disguise the preliminary work on the rezoning from his neighbors it is clear that he recognizes that the proposed rezoning is an incredibly poor fit for the neighborhood.

Please make this e-mail part of the official file. If you have any questions about any of the forgoing please feel free to call me.

John T. Sanders, IV
John T. Sanders, IV
Scroggins & Williamson, P.C.
1500 Candler Building
127 Peachtree Street, NE
Atlanta, GA 30303
T: (404) 893-3880
F: (404) 893-3886
E: [Removed]

From: David Davis
Sent: Tuesday, October 23, 2012 11:46 AM
To: Heckman, Lee
Cc: Andy Elder; Salee Davis; Jeannie DeFrese
Subject: Case No. C14-2012-0109 / 1201 Robert E. Lee Rd. SF-6 zoning request

Mr. Heckman: Attached are the signatures of the remaining Zilker Skyline Homeowner's who had not previously signed the petition created by Ms. DeFrese as individuals. Please add these individuals to those in opposition to the zoning change request. Besides the homeowner's association as an entity, now all of the 13 homeowners have also signed in opposition. Mr. Blankenship, Mr. Smithers and Mr. Meehan and Ms. Hudson own homes whose property lines are contiguous with the land for which re-zoning has been requested. Sincerely, David M. Davis

[See Exhibit P]

-----Original Message-----

From: David Davis

Sent: Tuesday, October 23, 2012 2:34 PM

To: Heckman, Lee

Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request [Part 1]

Mr. Heckman. [This email will be in multiple parts due to the size of the attachment photos]

I have attached a water quality study that was performed on the creek (incorrectly labeled a drainage ditch) that extends along the East boundary of the property at issue. It extends along the entire east side of Zilker Skyline and the east side of my property at 2133 Melridge Place. As noted in the documents previously provided, Zilker Skyline protected this creek as a part of our development and we continue to do so, respecting this tributary into Barton Creek and Lady Bird Johnson Lake. Sophie Blankenship is the daughter of Don Blankenship, Ph.D., who owns the home with his wife that is immediately West of my property and is contiguous to the subject property which surrounds the Blankenship property on two sides (Phase I to the South and Phase II to the East). He and his wife have signed the petition in opposition to the zoning request. Sophie prepared the study of the water as a poster presentation using recognized scientific / biologic principles. You will note that her study established both that the water is from a natural creek and that due to the quality of the water that it was clean and safe to play in (not at all a drainage ditch). The original is available for inspection. I would request on behalf of those opposed to this zoning change that the environmental review of the up-zoning application include this study and that it be provided to the appropriate person whom I understand from the file to be Mike Mcdougal. I also request that the study accompany any file forwarded to the planning / zoning commission and the City Council when appropriate.

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis

Sent: Tuesday, October 23, 2012 1:57 PM

To: David Davis

Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis

Sent: Tuesday, October 23, 2012 3:44 PM

To: Heckman, Lee

Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request Part 2

Mr. Heckman. [Part 2 of Email]

I have attached a water quality study

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 3:45 PM
To: Heckman, Lee
Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Heckman.

I have attached a water quality study Part 3

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 4:17 PM
To: Heckman, Lee
Subject: RE: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Thank you very much.

-----Original Message-----

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Tuesday, October 23, 2012 4:15 PM
To: David Davis

Subject: RE: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Davis:

Thank you for forwarding this report. I have forwarded to Mike McDougal as requested and will include in the backup materials for the Planning Commission and City Council when the case is scheduled for their review and consideration.

Lee Heckman, AICP
City of Austin
Planning & Development Review Dept.
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704

Tel: 512 – 974 – 7604
Fax: 512 – 974 – 6054
Email: lee.heckman@austintexas.gov

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 3:45 PM
To: Heckman, Lee
Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Heckman.

I have attached a water quality study Part 3

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

[See Exhibit D]

From: Robert Coe
Sent: Friday, October 26, 2012 12:50 PM
To: Heckman, Lee; [Removed]
Subject: Zoning Change Request C14-2012-0109
October 26, 2012

City Council and Zilker Neighborhood Association
RE: Case# C14-2012-0109
Property Requesting Zoning Change – 1201 Robert E. Lee

The requested zoning change for this property is not appropriate.

I have lived in my home adjacent to the property in question for over 30 years. This is a predominately single family home neighborhood and one of the main reasons we moved here. While we are not opposed to development, we feel that this area should remain SF-3.

The proposed zoning change would add incompatible density to already crowded roadways and infrastructure, and would set a bad precedent for nearby properties that may go on the market in the future.

The request to change zoning to SF-6 would also adversely impact the character of the neighborhood, the green space and wildlife corridor that currently exists and add to light and noise pollution. I sincerely request that you deny this zoning change.

Robert Coe
1108 Bluebonnet Lane

From: Jenny Jones
Sent: Thursday, November 01, 2012 9:04 AM
To: Heckman, Lee
Cc: [Removed] Stephen Jones; Claire Secker
Subject: Objection to Zoning Change Requested by 1201 Robert E. Lee

As homeowners on Robert E Lee Road, we are opposed to the Zoning change requested for 1201 Robert E Lee Road.

As has been well stated by other neighborhood residents, we do not see upzoning this property to SF-6 as an appropriate use of the land. Increased density, loss of green space, increased runoff, and increased traffic are not acceptable to us as neighbors.

In addition, the recently-announced development of major apartment projects occurring east of our neighborhood, on Lamar, and north of our neighborhood, on Barton Springs, will be contributing additional traffic and density to the community as it is.

Other considerations include the fact that:

--the bulk of the surrounding area is SF-3 zoned

--the adjacent property that was upzoned to SF-6 changed at the last minute to accommodate road access.

That development has only 13 houses on 5 acres; the proposed development at 1201 has 22 units on 3 acres!!!

In short, the proposed development sets an undesirable precedent for this signature Austin neighborhood, will create erosion and destroy a natural spring creek on the property, will destroy a wildlife corridor.

Please communicate our opposition to the proposed change.

Thanks,
Stephen and Jenny Jones

From: ben smithers
Sent: Sunday, November 04, 2012 11:52 AM
To: Heckman, Lee
Cc: Salee Davis; Gerald Smolinsky; Cheryl Speaker; Shannon Patton
Subject: Zoning Change case# c14-2012-0109

Dear Mr. Heckman,

I am the owner of 2130 Melridge Place, one of 13 homes on 5 acres in Zilker Skyline adjacent to the proposed development of 22 homes on 3 acres if this zoning change is approved and I strongly object on these grounds. It is not compatible with SF-3 which is the bulk of the property surrounding it. The only reason why Zilker Skyline is SF-6 is because of rules regarding a road running through the center of it. The increased congestion will have a detrimental impact on the neighborhood and set a negative precedent for future development. Ben Smithers D.D.S.

-----Original Message-----

From: David Davis

Sent: Tuesday, November 27, 2012 5:39 PM

To: Heckman, Lee

Cc: Don Blankenship; Salee Davis; Jeannie DeFrese

Subject: Case No. C14-2012-0109 / Robert E. Lee Rd. SF-6 Zoning request

Lee: In reviewing the creek water quality study photos I had previously sent you I noticed that I left two off; in particular one of the chronology of data compilation which is important. I have attached these photos for your file and sharing as you believe appropriate. I hope you had a good Thanksgiving. David

[See Exhibit D]

From: t th
Sent: Wednesday, January 30, 2013 2:13 PM
To: Heckman, Lee
Subject: #C14-2012-0109

Dear Mr. Heckman,

We write urging you to deny a request for zoning change, #C14-2012-0109, at 1201 Robert E Lee Rd. We are property owners at 2201 Trailside Dr and believe the increase in density, light and noise pollution would negatively impact our property value and quality of life in the neighborhood. Auto traffic on Robt. E Lee is already too heavy for this residential area. Additionally, the increased impervious cover could cause polluted runoff into the pristine waters of Barton Creek and Barton Springs.

Thank you for your careful consideration,

Jay and Tracy Thomas

PUBLIC HEARING INFORMATION

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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.

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www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

JOHN HOGGHTON

Your Name (please print)

2007 DEXTER

Your address(es) affected by this application

[Signature]

Signature

21 FEB, 2013

Date

Daytime Telephone: 447-2238 or 448-8721

☐ I am in favor
☒ I object

Comments: UP GRADING THESE TRACTS WOULD NOT BE COMPATIBLE WITH SURROUNDING SF3 USES OR SUPPORTABLE BY THE IMMEDIATE ENVIRONMENT. UPZONING TO SF6 ON TWO TRACTS S. OF THESE LOTS HAS ALREADY CREATED RUN-OFF PROBLEMS ALONG THE CREEK RUNNING THROUGH THE AREA (SERIOUS EROSION OF ADJACENT PROPERTY) FLUDDING OF THE EASTERN SF-6 TRACT BY FLOWS FROM THE WESTERN ONE. HEAVY FOOT-BALL CAN TRAFFIC ON ROBERT E. LEE WOULD BECOME MORE DANGEROUS + DIFFICULT THAN IT ALREADY IS, HEAVY TRAFFIC WOULD IF you use this form to comment, it may be returned to: SEND COMMENTS TO: POLLUTED STREET, CREEK + UNDERGROUND FLOWS DIRECTLY INTO THE ALREADY OVERBUNDLED DARTON SPRINGS WARDEN STREET

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

R 2/22/13

PUBLIC HEARING INFORMATION

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R 2/22/13

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Katherine Haight
Your Name (please print)

☐ I am in favor
☒ I object

2124 MELRODGE PLACE

Your address(es) affected by this application

Katherine W. Haight

Signature

21-FEB

Date

Daytime Telephone: (512) 705-9276

Comments: Insufficient parking and traffic issues are not addressed

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

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

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R2/22/13

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Karen Krog
Your Name (please print)

2007 Dexter 78704
Your address(es) affected by this application

Karen Krog
Signature

2-20-13
Date

Daytime Telephone: 512-447-2238 or 512-940-6510

Comments: This property is abutted by numerous single family homes, many of which are more than 50 years old. A previous decision to upzone an adjacent property has caused erosion in the creek running through the area and has caused flooding in some homes. There are also issues with run off crossing RE Lee and entering the Barton Creek watershed. Additionally, RE Lee

If you use this form to comment, it may be returned to: is a narrow & heavily used street, both by cars & pedestrians (bikes). Increased density will only make

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

density will only make

PUBLIC HEARING INFORMATION

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R 2/22/13

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Michael Haight

Your Name (please print)

2100 Melridge Place Unit B

Your address(es) affected by this application

Michael Haight 2/21/13

Signature

Date

Daytime Telephone: 512 965 8958

Comments: Object based on environmental impact concerns

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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R 2/25/13

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

David Hoffman
Your Name (please print)

☐ I am in favor
☒ I object

1101 Hollow Creek Dr

Your address(es) affected by this application #2208 78704

Signature Date
2-20-2013

Daytime Telephone: 512-354-6550

Comments:

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

John Thomas Sanders IV

Your Name (please print)

1113 Robert E. Lee

Your address(es) affected by this application

2/21/13

Date _____

Daytime Telephone: 404-893-3880

Comments: I feel that the demand in density will make ~~these~~ ~~absolutely~~ ~~impossible~~ Robert E. Lee, that made dangerous. With four rows 10 paces was bones pulling into for and a blind curve there with no guides obstacles and fatalities

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

**City of Austin
Planning & Development Review Department**

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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.

R 2/20/2013

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Tracy Wise Thomas

Your Name (please print)

2201 TRAILSIDE DR, AUSTIN, 78704

Your address(es) affected by this application

MWJ

Signature

2-16-13

Date

Daytime Telephone: 512-517-4669

Comments:

I strongly urge you to deny this application for zoning change. The impact of the increased density in this area would be negative for the environment, traffic flow and the scale of this residential area. SF3 is in keeping with the greater neighborhood.

Thank you!

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Your Name (please print)

Sitara Reynolds

☐ I am in favor
☒ I object

Your address(es) affected by this application

1118 Bluebonnet Ln.

Signature

Sitara Reynolds

Date

2-18-13

Daytime Telephone:

445-0233 - 695-3387

Comments:

I object because of the change to road-system of the Barton Creek + Spang - run off, wildlife, as well as parking + neighborhood congestion. I bought this home because of its zoning + don't want to see it drastically change.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Sally Reynolds

Your Name (please print)

1118 Bluebonnet Ln

Your address(es) affected by this application

Sally Reynolds

Signature

Daytime Telephone: 445-0233 695-0848

Date

2-18-13

Comments:

I object because of potential damage to Barton Creek Eco-Syst. & increased pollution runoff. It is an unfair change in the zoning - especially for those of us whose land's back up to their property.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

From: Riley Triggs
Sent: Monday, February 25, 2013 9:52 PM
To: Heckman, Lee
Subject: 1201 Robert E Lee Rd: No!

Lee,

I am strongly against the rezoning of 1201 Robert E Lee Rd Case Number C14-2012-0109. I fear this will be the floodgate to completely change the character of the neighborhood. Please see attached reply form in opposition to the proposed zoning change. Please do not change the character of this historically important neighborhood for the sake of an individual's profit motivation.

I understand from experience that my voice will not matter, but please take this as the strongest opposition possible to this action.

Thank you,

Riley Triggs

1005 Robert E Lee Rd

Austin, Texas 78704

512.636.3521

Riley Triggs || architect
University of Texas Design



PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0109
Contact: Lee Heckman, 512-974-7604
Public Hearing: Feb 26, 2013, Planning Commission
Apr 11, 2013, City Council

RILEY TRIGGS
Your Name (please print)

1005 ROBERT E LEE RD

Your address(es) affected by this application

Riley Triggs
Signature

Date

25 FEB 2013

Daytime Telephone: 512 636 3521

Comments: Incompatible zoning change!
This downtown zoning is changing the
character of the neighborhood and putting
undo burden on existing home owners.
Very upset about this!

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

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

Mr. Heckman,

I am forwarding my previous disapproval of this rezoning from the last notification to refresh your files.

Thank you,

Riley Triggs

Riley Triggs || architect

University of Texas Design

Smart Building Initiative

----- Forwarded message -----

From: Riley Triggs

Date: Tue, Oct 9, 2012 at 8:04 PM

Subject: C14-2012-0109

To: lee.heckman@austintexas.gov

Lee,

Please register my disapproval of the zoning change for 1201 Robert E Lee Rd.

The intended rezoning is incompatible with the rest of the neighborhood and is threatening the character of the neighborhood by increasing the density to unusual and uncomfortable levels. This will also further encourage the encroachment of larger scale development in the surrounding lots which is already evident through the rezoning of previous areas that are making this encroachment possible.

There are no obvious benefits to the City nor to the neighborhood, and only a single person, the developer, is set to gain from the change in the rules. Personal gain is certainly not a good reason to cause increased pressures in a neighborhood that is already suffering from bad decisions of the recent past, the inordinate inconveniences of regular events such as ACL, Trail of Lights, and Blues on the Green. The neighborhood continues to be denigrated by such actions of the City, and it is time to cease and desist economic exploitation at the expense of the character and livability of established communities. This decision should not be about economics of the few - it should be about preserving the character of an established, historically significant neighborhood of single family homes.

Please take this as the strongest possible disapproval of this latest rezoning encroachment on the fabric of an embattled neighborhood. I am going to be here a long time, and I do not wish to be further made uncomfortable and pressured out of the neighborhood I grew up in, helped build and serve.

Regards,

Riley Triggs

1005 Robert E Lee Rd

Austin, TX 78704

[512.636.3521](tel:512.636.3521)

Riley Triggs || architect

University of Texas

Smart Building Initiative

From: Julie Hudnall
Sent: Tuesday, March 05, 2013 3:11 PM
To: Heckman, Lee
Subject: Opposition to up zoning of the new Sunflower Development

Hello Lee,

I live at 2129 Melridge Place in the Zilker Skyline subdivision. Our house is on the side of the creek. I'm opposed to the up zoning of the Sunflower development and have listed the key reasons for you.

1. The zoning recommendation ignores the significant impact to the Barton Springs watershed and the requirements that were imposed on Zilker Skyline Neighborhood for drainage and set back from the creek. The Zilker Terrace Condominium Project caused and is likely to continue to cause flooding of Zilker Skyline and degradation of the creek that abuts the Sunflower Project downstream from Zilker Skyline through storm water runoff. Density of Zilker Skyline (@ 3.33 units per acre) and not the significantly higher density of Zilker Skyline (8.75 units per acre or a "mid-point" between the two as referenced by the staff), should be the appropriate density reference. Zilker Skyline abuts the creek as does Sunflower such that significant drainage into the creek will be increased by the Sunflower project. Further, approving denser development on R.E.L. such that all drainage (whether to R.E.L. or to the creek) flows to the park will result in degradation of the South and Southeast areas of Zilker Park at Barton Springs to include the future subsurface habitat designation for the Barton Springs Blind Salamander. This is clearly inconsistent with the drainage requirements imposed on the contiguous Zilker Skyline and inconsistent with public pronouncements by the City of Austin regarding protection of water quality.
2. The Zilker Skyline was platted and developed consistent with the neighboring properties that abut the creek. The staff references the "precedent" of the Zilker Terrace neighborhood; but, ignores the "precedent" of the many single family homes on the East side of the Creek and North of Sunflower which are single family, one story homes. It is apparent that the staff did not take the opportunity to actually view the subject neighborhood; but, accepted the representations of the developer.
3. There will be significant impact on traffic and congestion on Robert E. Lee. R.E.L. has no parking. It is a dangerous and congested two lane neighborhood road that is a key entrance to both the Barton Hills and Zilker neighborhoods as well as the "back door entrance" to Barton Springs Pool and Zilker Park. The potential street entrances to the proposed project are on a side of the road that does not have sidewalks or a defined bicycle lane, making access dangerous. As the "downhill" / North direction of R.E.L. is a shared bicycle and vehicle lane, it will pose particularly dangerous conditions to bicyclists. The location will be too dangerous for children to ingress or egress for foot or bicycle transportation to school.
4. There is no bus service on R.E.L. between the park and Melridge.
5. Heritage trees will not be protected as the lot has significant variation of topography. To construct 19 homes will require a significant leveling of much of the lot, removal of heritage trees and invasion of the root zones of the remaining trees. Plats provided by the Developer

evidence this intent to remove heritage trees. References to a “flat lot” ignore what is apparent from the topographical map; i.e., there are significant slopes on three sides of the property.

6. It is my understanding that the Zilker Neighborhood Association and over 65% of affected property owners oppose this development. The Zilker neighborhood has been impacted by a significant increase in multi-family homes such that our community infrastructure and our natural resources have and will be unfairly impacted. This negative impact includes the overuse of our roads, the loss of our night time skies, continual interruption of our peace and quiet at night and even loss of our access to our homes; all of which have will be further seriously eroded by the new development. In conjunction with the ever increasing over utilization of Zilker Park, the increase in population even now impacts our use of cellular phone and internet service. I am not aware of any other area in Austin that has been chosen for such intense development without apparent regard for the existing neighborhood.

Respectfully,

Julie Hudnall

JH Group
[512.589.7622](tel:512.589.7622)
[2129 Melridge Place](https://www.2129melridge.com)
[Austin, TX 78704](https://www.2129melridge.com)

Please excuse typos, sent from my iPad

JH Group
[512.589.7622](tel:512.589.7622)
[2129 Melridge Place](https://www.2129melridge.com)
[Austin, TX 78704](https://www.2129melridge.com)

Please excuse typos, sent from my iPad

From: Yang, Edward (Research)

Sent: Wednesday, March 06, 2013 11:34 AM

To: Heckman, Lee

Cc: 'EHY'

Subject: C814-2012-0160, Public Hearing March 12, 2013 Planning Commission; March 28, 2013 City Council

Dear Mr. Heckman,

Michael Simmons-Smith has already registered me as an Interested Party for this case.

Please submit this as my written objection to the zoning change for the above case number, project location 211 S. Lamar Blvd & 1211 W. Riverside Dr. I believe that the change would negatively impact the character and quality of the neighborhood, as well as contribute to the already choked off congested traffic, parking, and related safety issues in what is meant to be a park-like green environment next to Lady Bird trail.

I am also very concerned about the recent report in the Austin Statesman that the developers will be granted an exception to build taller than the normal 60-foot limit. The developer's paltry gesture for a \$420,000 contribution to the city's affordable housing fund is grossly insufficient when this is the typical cost of just a single condo unit in the neighborhood. I am a business man and not opposed to responsible development, but it is distasteful and injurious to our community when developers can circumvent our rules and laws with a middling payoff. Thank you,

Sincerely,

Edward H. Yang (please accept this as my e-signature)

Oppenheimer
Managing Director
Chemicals Equity Research
512-314-2619

Address affected by this application:
210 Lee Barton Dr. Unit 215
Austin, TX 78704

This communication and any attached files may contain information that is confidential or privileged. If this communication has been received in error, please delete or destroy it immediately. Please go to www.opco.com/EmailDisclosures

From: Donald Blankenship [mailto:ddbblankenship@gmail.com]
Sent: Monday, March 18, 2013 11:00 AM
To: Heckman, Lee
Cc: Hauwert, Nico
Subject: Re: case C14-2012-0109 comments on the environmental context for the "sunflower" development on Robert E. Lee Rd. (3 of 3)

Hello Lee,

I have attached my comments for the upcoming hearing on March 26th as a presentation on the "Environmental Context for the proposed Sunflower Development at 1201 Robert E. Lee Road." (case # C14-2012-0109). My name is Donald Blankenship and I am a Senior Research Scientist at UT-Austin with a Ph.D. in Geophysics and a focus on geology and hydrology beneath the Antarctic ice sheet. I have been asked by my neighbors to take a clean look at the geological and hydrological context of the site and any ramifications from the proposed rezoning/development.

As background, I live next to the proposed development and have been at this location for sixteen years. My daughter Sofie Blankenship is sixteen and a student at Austin's Liberal Arts and Sciences Academy; she has grown up in this house, so the creek adjacent to the proposed development has long been a focus for of interest for her. In particular, Sofie studied the site weekly for nine months in 2006 showing that the creek is quite healthy and sustained its flow throughout the year (and likely hosts a significant system of springs and seeps) . Because of her interest, there is a case to be made that our family probably has more long term data on the environmental status of the creek than anyone.

I obviously object to the rezoning of the property for the reasons laid out in my presentation. The main talk is 19Mbytes because of a suite of photos of the site and its environs but I would like to have it included in the draft report for the upcoming hearing on rezoning so please let me know if you are having any email/pdf problems. The second email is the summary slides for that talk and are much smaller in size just to be sure that something gets through the system. I will be present at the hearing and plan to speak. I have also cc'd my presentation to Nico Hauwert the COA hydrogeologist who was kind enough to answer my many background questions.

All the Best,
Don B.

Donald D. Blankenship
2132 Melridge Place
Austin TX, 78704
[512-707-7323](tel:512-707-7323) (home)
[512-809-3755](tel:512-809-3755) (cell)

[See Exhibit E]

From: Tom Miesner
Sent: Monday, March 18, 2013 10:33 PM
To: Heckman, Lee
Cc: Tom Miesner; Kathryn Miesner
Subject: Rezoning Petition for 1201 Robert E. Lee

Mr. Heckman

The letter is about the zoning change request for 1201 Robert E. Lee. We have the good fortune of living at 1303 Robert E Lee – the development built by PSW that had been zoned SF 3 and was rezoned to a SF 6 to accommodate the development built there. We closed on this home May, 2013. This property is adjacent to the southern border of 1201 Robert E Lee so development on 1201 Robert E. Lee will affect us directly. This letter is not to support or oppose the zoning change. The letter, instead, discusses the increased density in the Zilker Neighborhood in general, the heavy traffic on Robert E. Lee, and the critical nature of the creek which roughly borders the east side of the property in question.

The development of 1303 Robert E. Lee has significantly changed the look of the neighborhood. As stated, we are thrilled to have the opportunity to purchase a new home in this most desirable area of Austin. But, increased population density must be wisely managed in terms of preserving green space and adding the infrastructure required to accommodate the increased population. When we bought our home, we were told informally the adjacent property at 1201 Robert E. Lee was intended to be deeded to the city of Austin to be held as undeveloped property. This thought made us feel comfortable that sufficient green space was being provided to counterbalance the increased density brought about by the development at 1303 Robert E. Lee. From a practical standpoint, we understand that the current zoning of 1201 Robert E. Lee could allow essentially the same density as changing to SF 6. Whichever zoning is used for development, there will be significant impact to Robert E. Lee and surrounding neighborhoods.

Currently Robert E Lee is a busy road. Many mornings, the traffic line to enter Barton Springs Road from Robert e. Lee is extensive. We were told that PSW worked with the city and the neighborhood to relocate the sidewalk – this is a wonderful safety feature. But, traffic is heavy along that curvy road. The proposed exit area of 1201 does not appear to be one of clear visibility, setting up an unsafe entrance to Robert E Lee OR requiring an additional stop sign on the descent / ascent of a steep hill. If development continues, at some point Robert E. Lee will have to be made four lane which will be difficult, costly, and have a significant effect on the neighborhoods bordering it.

In addition to our concern regarding traffic congestion and infrastructure, we are concerned with the impact on the creek which roughly borders the eastern portion of the property. We have hiked along this creek which we understand is informally named "Little Zilker Creek" and we have personally seen the spring pool and the water running down the creek from the spring. It is our understanding that this spring (and possibly other springs) goes subsurface before the Robert E. Lee surface diversion. We have personally seen this spring and feel there is a high likelihood the flow goes subsurface near the Barton Springs Pool. It is our understanding that recent research regarding this portion of Little Zilker Creek confirms it is a "critical environmental feature" and we believe steps must be taken to treat Little Zilker Creek accordingly.

Since living in the home, we have noted deer grazing in the tree filled adjacent property. Obviously home to many animals.

Inevitably, this property will be developed somehow. But, preserving green space and protecting Little Zilker Creek with an appropriate set back seems to be a great compromise. Wouldn't it be wonderful to work with the Joseph family and the developer to honor the Joseph's long time presence in South Austin and their stated desire not to develop their portion of the property by providing an appropriate amount of setback from Little Zilker Creek. Exactly how this setback would be used would have to be determined but it could have great natural benefit. We understand the economic forces that drove both of the sales but wouldn't it be great to retain some green space while utilizing only the less sensitive portion of the land for development.

Thanks for considering how to keep Austin a beautiful, friendly, and fun city.

Tom and Kathryn Miesner
1303 Robert E. Lee, Unit 8
Austin, Texas 78704

From: Zilker NA
Sent: Wednesday, March 20, 2013 4:27 PM
To: Heckman, Lee
Cc: Zilker Executive Committee
Subject: 1201 Robert E. Lee rezoning C14-2012-0109

Hello, Lee.

Please find attached four files presenting the Zilker Neighborhood Association's position regarding the rezoning case C14-2012-0109 at 1201 Robert E. Lee. We request that they be included in the city's files on this case, and in the materials for review by the Planning Commission and City Council. The files include a cover letter addressed to the Planning Commission summarizing ZNA's opposition to the requested rezoning, a statement of ZNA's position with a list of 10 conditions for upzoning, a copy of a letter from Public Works Director Lazarus, and a topo map.

Thanks for your help.

L. Atherton
for the ZNA zoning committee

Zilker Neighborhood Association

www.zilkerneighborhood.org ♦ zilkerna@austin.rr.com

1115 Kinney Ave. #42 ♦ Austin, TX 78704 ♦ 512-447-7681

March 20, 2013

Planning Commission
City of Austin

Dear Commissioners,

At the February 25, 2013, meeting of the Zilker Neighborhood Association, the general membership voted to support the neighbors who have signed a valid petition opposing the rezoning of 1201 Robert E. Lee Road. The membership directed the executive committee of ZNA to help the neighbors negotiate a more appropriate plan for the property in question than that proposed by Mr. Radke. The attachments to this letter describe the many constraints on this property and outline the conditions under which a rezoning to SF5 or SF6 might be appropriate.

In general, ZNA objects to the project proposed by Mr. Radke because:

- The steep terrain and the presence of potentially critical environmental features (spring-fed Little Zilker Creek) limit the buildable space to about 25,000 square feet, with an impervious cover limit of around 15%.
- Robert E. Lee Road is inadequate to handle any additional driveways or additional residential traffic on the hill between Melridge and Barton Hills Drive.
- Additional zoning density is not necessary or desirable within the SF3 areas of the Zilker and Barton Hills neighborhoods, even in areas that are not environmentally sensitive. Under the circumstances, any increase above the existing entitlement of 6 housing units would serve only to destroy a valuable site and leave the new residents stranded in inaccessible and dangerous houses.

These points are discussed in greater detail in the attachments.

Sincerely yours,

Lorraine Atherton
on behalf of the
ZNA Executive Committee

ZNA Officers, 2012–2013

Gardner Sumner, *President* ♦ Richard Gravois, *Vice President* ♦ Andy Elder, *Vice President*
Jacob Scheick, *Secretary* ♦ Merriman Smith, *Treasurer*
Tony Giustino, *ANC Delegate* ♦ Lorraine Atherton, *Newsletter Editor*

Rezoning C14-2012-0109
1201 Robert E. Lee Road
Zilker Neighborhood Association Position

Density

Increased zoning entitlements are not necessary anywhere within ZNA to promote infill or growth. Over the last 10 years, Zilker and the other South Central neighborhoods have encouraged efforts to redevelop corridors like South Lamar with higher density residential projects while protecting existing family-oriented housing within the neighborhood. As a result, in the last three years we have added thousands of housing units, mostly multifamily on S. Lamar and Barton Springs Road. There are also several new duplex and townhouse-style complexes on SF3 flaglots or parcels rezoned for SF5 or 6, creating a mix of housing options throughout the neighborhood. If all this new housing is occupied within the next few years, our population will increase by more than 50%, well beyond the capacity of the existing infrastructure and far in advance of planning for infrastructure improvements. The upzoning of fragile creekside and parkside sites such as 1201 Robert E. Lee is certainly not warranted to permit further growth.

Infrastructure: Roads and Drainage

Traffic: City staff determined long ago that sight distances are inadequate on Robert E. Lee and that a stop sign is warranted at the bottom of the hill. Traffic calming was designed to address the problem in 1999, and the plan was approved by a vote of the residents and property owners (65% +), but the RELee part of the plan was never installed. These issues must be addressed before housing density can be added on the RELee hill.

The addition of 10 or more housing units at either driveway on this hill would create extremely unsafe conditions. Access must be limited to one driveway north of the drive for the existing house, preferably at the north edge of the property. The city would have to install stop signs, prohibit left turns, and take action to reduce speeds on the hill. ZNA believes that any developer who stands to profit by dumping excessive car traffic onto neighborhood streets should be required to pay the entire cost of any mitigation, on top of the cost of installing sidewalks and curb and gutter on the development's street frontage.

It must be made clear that properties on RELee are not eligible for sidewalk waivers. As Howard Lazarus, director of Public Works, put it, "Zilker Park and Barton Springs Pool are regional and local amenities and therefore safe and efficient access for all modes of transportation is important." That was written at the conclusion of three years of attempts by developers to avoid construction of sidewalks at 1303 RELee. According to George Zapalac in June 2009, "Staff has determined that the fee in lieu is not appropriate in this case (1303 RELee, now called Zilker Terrace) because construction of the sidewalk is feasible. It does not meet the criteria in 25-6-354 (C) which would give the applicant the right to pay the fee, and it does not meet the criteria in 25-6-354 (D) which would give the applicant the option to pay the fee. The request for the fee in lieu has been denied." (The sidewalk requirement applies whether the property is resubdivided under SF3 or rezoned.)

In 2011 a subsequent owner at 1303 RELee offered to build an oversized sidewalk on the west side of RELee, resulting in the attached agreement with Public Works, committing the city to complete the sidewalk on the east side of RELee within a year of sidewalk construction on properties north of 1303 RELee. The current case includes most of those properties. Residents of those properties,

obviously, cannot use the sidewalk across the street, and if any more housing is permitted there, a sidewalk must be provided at least to the bottom of the hill with a crosswalk across RELee. Developers of these properties must agree not to request a sidewalk waiver.

By the way, Capital Metro no longer provides bus service on RELee. Residents on the RELee hill have no access to transit services and will be dependent on cars (or bicycles for the very brave) for transportation.

Storm Water and Environmental Protection: This property drains into the ditch along the south entrance to Barton Springs Pool. Whether the runoff pours directly into RELee on the west or into Little Zilker Creek on the east, it all ends up at the bottom of the hill on the south side of Barton Creek in the Water Quality Transition Zone, on the same side of the pool as the springs. Developers in this area will swear that it's in the "Town Lake" zone and not in any Barton Springs zone, but they are simply trying to deny the obvious, which is that Robert E. Lee, Little Zilker Creek, Barton Springs, and Barton Creek all drain into Town Lake through the same part of Zilker Park.

Any development on RELee must meet the highest water quality standards and be designed to reduce its effect on the city's water quality protections in the park. That includes the effect of erosion of the banks of the small creek known as Little Zilker Creek, which runs between RELee and Bluebonnet. No additional impervious cover should be permitted on either side of this creek before it is evaluated as a critical environmental feature. (See Dr. Don Blankenship's presentation on Little Zilker Creek and its springs.) The area that drains toward the street should be protected by detention/retention features similar to those at 2603 Rae Dell.

The terrain at 1201 RELee is very steep, with very little buildable space and difficult access for utility and emergency vehicles. It would be irresponsible to permit more than a handful of families to build and inhabit dwellings in harm's way from flooding, wildfire, and other weather disasters. The steepest parts of these lots must be protected, with their trees and native vegetation intact, to prevent any further degradation of this sensitive landscape. Based on a topographic map provided by the developer, ZNA recommends a setback of at least 150 feet from Little Zilker Creek and that no construction be permitted on the most southern of the three lots.

Impervious Cover

The existing impervious cover on the three lots combined is about 13,800 square feet, or 10%. Based on the terrain and water quality and environmental issues noted above, ZNA recommends an impervious cover limit of 15% (probably about 22,000 square feet total, depending on whether the driveways are included in the calculation). This would probably allow an additional 10,000 square feet of impervious cover.

ZNA Proposal for Rezoning

The ZNA executive committee would support a rezoning to SF5 or SF6 under the following conditions:

1. Density would be limited to 6 housing units for the entire property (all 3 lots), with 15% impervious cover, including the driveway.
2. No development would be permitted on the southern lot (Area A on topo map, just under 39,000 square feet), immediately downhill from Zilker Terrace. The lot would serve as a buffer between the excessive impervious cover of Zilker Terrace and the water quality features maintained by the Zilker Skyline homeowners.
3. No development would be permitted on the banks of Little Zilker Creek, within 150 feet of the most eastern boundary of the north lot (Area B on topo map).
4. Development on the north lot would be limited to 4 housing units, confined to an area of about 100 feet × 100 feet south of the 110-foot contour line and west of the existing greenhouse (Area C on topo map).
5. The northwest corner of the lot (Area D on topo map, below the building area) would be reserved for detention/retention features similar to those at 2603 Rae Dell and for protection of the existing trees and native vegetation.
6. Access to the 4 units on the north lot would be limited to the existing driveway at the northernmost corner of the lot.
7. The center lot would retain its current entitlement to 2 housing units, but impervious cover would be limited to the existing footprint. If the owner decides to redevelop the existing house as a duplex or two separate units, the current south driveway would be closed and access would be limited to the north driveway.
8. No waivers or fee in lieu for stormwater retention/detention.
9. No waivers or fee in lieu for sidewalks.
10. All trees and native vegetation within Area A, B, and D would be preserved. Outside those areas, all listed trees (8" or larger) would be preserved.



City of Austin
PUBLIC WORKS DEPARTMENT

PSW - site plan approval - Jerry

9/15 - bi-state only date

May 20, 2011

Andy Elder, President
Zilker Neighborhood Association
2009 Arpdale
Austin, TX 78704

Craig Smith, President
Barton Hills Neighborhood Association
PO Box 2042
Austin, TX 78768

Re: Robert E. Lee Multi-Use Trail*

Dear Mr. Elder and Mr. Smith,

Thank you both and your respective organizations for your time and attention to the Robert E. Lee Rd Multi-Use Trail Project. Zilker Park and Barton Springs Pool are regional and local amenities and therefore safe and efficient access for all modes of transportation is important. Currently, there are no sidewalks on Robert E. Lee Rd from Rabb Rd to Barton Hills Dr. The applicant for the Melridge Terrace development, at the intersection of Robert E. Lee Rd and Rabb Rd, requested to construct their required sidewalk utilizing existing street space on the east side of the street. Public Works Department (PWD) staff denied this request based on engineering judgment, but will permit the developer to construct the required sidewalk on the west side of the street.

It is the City's desire to provide multi-modal connectivity and to leverage bond funds whenever possible. PWD has an opportunity with this development to provide an American with Disabilities Act (ADA) compliant multi-use trail from Rabb Rd to Barton Springs Rd on the west side of Robert E. Lee Rd. Because the City already programmed the multi-use trail improvements project from Barton Springs Rd to Barton Hills Dr, this opportunity leverages our funding to provide a complete route.

The City listened and understood the concerns raised by the Neighborhood Associations regarding a future sidewalk on the east side of Robert E. Lee Rd. The multi-use trail built on the west side of Robert E. Lee Rd will be moved outside the curb where necessary to allow the future construction of a sidewalk on the east side. When a continuous sidewalk is constructed along the east side of Robert E. Lee Rd from Barton Hills Dr. to the Melridge Terrace development by others, the City will construct the remaining sidewalk on the east side of Robert E. Lee Rd adjacent to the Melridge Terrace property within one year.

The goal of this project is to create complete sustainable transportation corridors as per the adopted Sidewalk Master Plan and Bicycle Master Plan.

Sincerely,

Howard Lazarus, P.E., Director, Public Works Department

*An area designed for the shared use of bicycles, pedestrians, or other designated users. (Austin 2009 Bicycle Master Plan Update)

The result of intense development of the land neighboring our home would be a great loss in quality of life for existing residents in the name of financial gain for developers, a land owner, and the city coffers. Already, because of "growth" as a city goal, quality of life has diminished greatly in the last dozen years, and a rezoning of this property would continue that trend. Presumably "zoning" is in place to maintain a certain quality of life, but what is the point if zoning status is readily changed when an individual or company wants to make a profit?

Particular concerns:

- 1) **Aesthetic concerns:** A lovely green space would be replaced by view-blocking two-story houses, ugly and heat-generating concrete drives, lights, noise-generating air conditioners and cars, making the immediate environment unpleasant for us and other neighbors. This is in addition to the incredible disruption of noise, dust, and traffic during the construction period. We have had to endure living next to construction sites for many of our years in Austin, and we wonder why noise concerns seem to apply to live music in the evenings but not deafening building noises early on weekend mornings and throughout the day.
- 2) **Loss of community:** Dense housing creates residents that are separate from the community. The Zilker neighborhood has a great community feel which makes living here the amazing experience it is, but residents in the new luxury mansions and secluded town-house types of residences tend to be removed from the community and even complain about being located in the quirky "78704" area. That "quirkiness" is what most of us longer-term residents appreciate about this unique neighborhood. It isn't just a bedroom "close to downtown". Zilker neighborhood is a community of people bound by walking the neighborhood with our kids and dogs, stopping at the Bluebonnet Market, and spending time at wonderful Zilker Elementary for school or play.
- 3) **Increased traffic that is already problematic:** During rush hour, cars waiting for the Barton Springs Road light to change line up to near our driveway, beyond Barton Hills Drive. People are in a hurry and not careful—I was nearly hit last week at the stop sign at the top of Robert E. Lee Road as someone plowed through the stop sign out of turn in a rush to get to work. Our son has to cross Robert E. Lee to walk to his bus stop and cars already careen down that hill in a crowd and at high speeds. We worry that someone might hit him or hit the school bus that stops at the bottom of the hill. In addition, car fumes fill the road here, and make bicycling or walking uncomfortable and unhealthy during rush hour.
- 4) **Wildlife habitat will be lost:** We regularly see great horned owls, have had nesting broad winged hawks, see grey foxes, coyotes, white tailed deer and many

others. If this land is paved over, these animals along this important creek side corridor to Barton Creek will likely vanish with their habitat.

Please consider "quality of life" for Austin resident and not just "financial growth". Is it so "smart" to grow when it involves such a loss of what Austin means to its current residents? Although we live in an area that is now considered "Central Austin", we are not "downtown" and don't want our neighborhood to lose its South Austin charms. On the other side of our community we see Lamar being made over into an incredibly dense housing zone and anticipate all the adverse effects that will bring. Please keep part of our neighborhood in tact as a viable community by voting no to rezoning the Robert E. Lee property.

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: C14-2012-0109
Contact: Lee Heckman, 512-974-7604
Public Hearing: Feb 26, 2013, Planning Commission
Apr 11, 2013, City Council

Helen Snook + Steve Stratakis

Your Name (please print)

☐ I am in favor
☒ I object

1113 Robert E. Lee Rd.

Your address(es) affected by this application

Helen C. Snook + Steve Stratakis
Signature

2/25/13
Date

Daytime Telephone: 512-444-3703

Comments: See attached

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Lee Heckman
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

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Green Smith

Your Name (please print)

2107 MELLEN 65 PLACE UNIT B

Your address(es) affected by this application

2-22-13

Date

Signature

Daytime Telephone: *(214) 801-2883*

Comments: *Suggest what V&T is developing!*

See attached

See attached

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Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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R 3/4/2013

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

ROY TROND

Your Name (please print)

1901 DEXTER ST

Your Address(es) affected by this application

Dwyer Dr

2/19/2013

Date

Signature

Daytime Telephone: 512-472-1196

Comments: I am not in favor of changing the zoning. Increasing the density other than what is allowed in SF-3. The intent is to increase the number of units. Living in this area for 20 years I know the traffic impact on Robert E Lee, Melridge & Glennett and the safety issues that will happen if the zoning change happens

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City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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R 03/05/2013

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

BEN SMITHERS
Your Name (please print)

☐ I am in favor
☒ I object

2130 MELRIDGE PLACE

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

Comments: Inconsistent with surrounding
homes.

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

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

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R 031513

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Donna Ramsey Hinson
Your Name (please print)

1116 Bluebonnet Lane

Your address(es) affected by this application

Donna Ramsey Hinson 3-12-13
Signature Date

Daytime Telephone: 512-476-4811 ext. 38

☐ I am in favor
☒ I object

Comments: Object to the rezoning of these properties.
The topography and location so close to Barton
Springs makes them unsuitable for any
form of density development. The clearing
by these lots last year has dramatically
increased erosion on the creek. All creek areas
within 150 feet of creek need to be replanted
with native species, not duplexes or
condos. Protection of Barton Springs is paramount.

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

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810