



GRAVES DOUGHERTY HEARON & MOODY

A PROFESSIONAL CORPORATION

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April 21, 2016

Mr. Greg Guernsey
Planning and Zoning Department
City of Austin
505 Barton Springs Road
Austin, TX 78704

RE: Austin Oaks Rezoning - Update 3 - C814-2014-0120 Planned Unit Development application for a 31.4 acre piece of property located at the southwest corner of Spicewood Springs Road and MoPac Expressway (the "Property").

Dear Guernsey:

On behalf of the Applicant, I am submitting the enclosed formal Update 3 to the zoning application. We have included a draft ordinance, which includes various exhibits that contain specific standards for the PUD as well as graphic information concerning the proposed redevelopment of Austin Oaks, a chart which reviews the Tier 1 and Tier 2 categories as they are applied to Austin Oaks, an erosion hazard zone delineation report provided by the engineers, and a new traffic impact analysis that reflects this updated plan (because of its size, the TIA will be hand-delivered tomorrow).

As you know, in an attempt to resolve a variety of issues raised by neighborhood representatives and others with respect to the initial submission, a one-week design charrette was sponsored by the owner and held during the week of January 25th. This weeklong design charrette was led by the nationally recognized architect, Doug Farr, who was selected by neighborhood representatives to lead this effort. The neighborhood representatives also selected TBG as the lead design team. As you can see from the enclosed, the owner has engaged TBG to refine the original plans to reflect the results of the charette. Various members of your staff and the staffs of other City departments, as well as members of the Commissions and Council Member aides, participated in this process. As a result, the charette was a comprehensive stakeholder process that resulted in a plan for the redevelopment of the Property referred to as the "Preferred Plan." Obviously, this update is materially different from prior submissions related to this case in several respects, and, therefore, we have not responded to the master comments dated October 28, 2015.

During the creation of the revisions to the application to implement the Preferred Plan, three refinements to the Preferred Plan from the charrette are incorporated into this update: 6-story buildings at the tallest location on Parcel 1 on the MoPac Expressway frontage road (vs. 7-story), the elimination of an office building at the corner of Spicewood Springs and Hart Lane

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(which creates more open space at the corner and a natural buffer to the residents across Hart Lane), and the elimination of a driveway from Executive Center Drive to Spicewood Springs Road.

Please also note that at the suggestion of neighborhood representatives, we have utilized mean sea level as a way to measure height (it is our hope that, due to the topography, this also eliminates future disputes concerning height and finished floor elevations). It is also important to note that, once the rezoning ordinance has been passed, none of the exhibits to the land use plan or language in the ordinance can be changed without new City Council action. There may be some misunderstanding concerning this fact, and I wanted to emphasize that it is the owner's understanding, intent and commitment that the exhibits and ordinances cannot be changed without future Council action. This is particularly important in connection with the tree plan, because the inability to remove trees other than those reflected on this plan tightly controls where structures and drives can be placed on the property.

If you or any member of the review team has any questions, please feel free to give me a call or send me an email so that I can promptly respond.

Very truly yours,

GRAVES, DOUGHERTY, HEARON & MOODY, P.C.

By: 
Michael J. Whellan

MJW/cf
Enclosures

cc: Jerry Rusthoven, Planning and Zoning Department (*via email*)
Tori Hasse, Planning and Zoning Department (*via email*)
Jon Ruff, Spire Realty Group (*via email*)
Sean Compton, TBG Partners (*via email*)
Laura Toups, Urban Design Group (*via email*)