

## Feedback Since the Feb. 20<sup>th</sup> Meeting: Neighbor's Questions, Comments, and Concerns

PLEASE SEE RESPONSES IN RED

1. Ask Clark to provide a sum to cover the legal fees of putting the Perry Restrictions in a legally enforceable document if the vote on March 20<sup>th</sup> is in majority support of the proposed zoning and development standards.

We will provide funding, not to exceed \$5000, for HNA to engage an attorney to review private and public restrictive covenants and conditional overlays for compliance with agreed development standards

2. There should be no construction of a wall or fence of any kind in the floodplain on the West side of Waller Creek. This concern comes from Regina Henderson, owner of 703 Park Blvd.

Construction of any wall or fence in floodplain areas is subject to City of Austin regulations which prohibit any structure that impedes stormwater or negatively affects floodplain – we believe this may allow construction of a collapsible privacy fence in the floodplain, but any fencing that is proposed to be located in the floodplain must be permitted by the City of Austin and will fully comply with applicable regulations.

3. Is the restaurant exclusively serving the hotel guests and residents who live on the Perry Estate property, or would it be a public restaurant, open to anyone in the neighborhood? We are trying to ascertain if this restaurant will benefit the neighborhood in any way...

The restaurant will be open to the public.

4. To that point of the development benefitting the neighborhood, there has been feedback from several neighbors with a general feeling that the proposed development does not directly benefit the neighborhood in any way. It seems like more of an exclusive hotel retreat/events venue that is trying to essentially block out the surrounding neighbors rather than provide them with any real benefit. It would be advisable to create a line item list detailing how, in Clark's opinion, this development will actually directly benefit the existing Hancock neighbors.

Please see attachment

5. Does the most recent conceptual layout of the development require demolishing the interior stone wall?

We anticipate that the existing interior stone wall will remain intact.

6. Why, on page 2 of the zoning and development standards document, is Clark reserving the right to build residential structures on Tract 2 higher than 30'? This seems to be a last minute change that was slipped in. Previous Zoning and Development Standards documents exempted only "existing structures on Tract 1" from the max 30' building height requirement. Suggest removing the language on page 2, paragraph A-1(a), that states "...except for Residential Structures similar to those depicted in Ross Chapin Residential Concept Plan on Tract 2.

To clarify and reiterate, the development standards document limits structures on Tract 2 to a maximum of two stories. However, the steep slope on Tract 2 may result in the distance from the lowest to the

highest point of two story buildings measuring greater than 30'. We have revised paragraph A(1)(a) of the Commodore Perry Estate – Zoning and Development Standards document to more clearly reflect our intent.

The language pertaining to maximum height on Tract 2 has been in place since the presentation at the HNA Special Perry Committee meeting June 19, 2012 that included the residential concept plan prepared by architect Ross Chapin. Also, the very first draft of the Commodore Perry Estate – Zoning and Development Standards document contained similar language regarding maximum height for structures located on the area now referred to as Tract 2.

7. With regard to the issue of sound, it has been recommended that there be some standard language in the private contracts entered into with those who will be renting the space for special events, that applies some fines and/or forfeiture of deposit amounts should they be responsible for violating the sound agreement with the neighborhood at their event.

Language providing for forfeiture of security deposits for violation of agreed sound limits will be incorporated into user agreements for special events. We are committed to ensuring compliance with the agreed sound limits by our staff, customers, and guests.