

September 20, 2025

Ms. Marcelle Boudreaux
City of Austin – Planning Department
Marcelle.Boudreaux@austintexas.gov

Re: 1700 South Lamar Rezoning Request
Case Number C14-2024-0163

Dear Ms. Boudreaux:

Thank you for the postponement of the final vote on the rezoning at 1700 South Lamar. It is important to give time for neighbors to discuss issues with developers. Since the postponement on September 11, 2025, we have continued our discussion with Stonelake, and as an HOA board, we are in support of the rezoning request.

When we initially became aware of the project, we had concerns about the setback from our shared property line (the southern border of Tract 1), privacy, and damage, noise, and debris issues from construction. Per the letter of understanding that we have agreed to with Stonelake, they have assured us that there would be a minimum of a 28 foot setback on the southern border of their property to accommodate a fire lane. This helps us tremendously, and despite our continued concerns about privacy (mostly from window to window), the height of the building and loss of downtown views for our northern-facing owners, and construction, Stonelake has assured us of additional items noted in the letter of understanding. It should be noted that our support of the rezoning request is contingent upon Stonelake delivering on the items noted in the letter of understanding.

We remain concerned about construction noise. Stonelake has assured us that their general contractor will follow all City of Austin construction rules and codes, and we expect them to be held to those rules. Construction noise will present a problem to many of our owners and residents, who could have construction starting as early as 6am only 28 feet away from their windows. We encourage the city to revisit those rules and restrictions when possible. We should all want to encourage the right type of redevelopment within our city, but we should not strive to be the city that never sleeps.

If the rezoning is approved and they continue to the design phase of the project, we have expressed our desire to Stonelake to continue to be involved. This would help us overcome our concerns about the overall project and show continued good faith from Stonelake in making the property the best they can for the neighborhood.

Finally, while we as the HOA board are in support of the rezoning, we will likely have some owners who do not support, for any number of reasons, including those mentioned above. Those owners may continue to voice their concerns, but as the representatives of the HOA, we are in support of the application for rezoning.

Thank you for your time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Smith".

Ryan Smith, on behalf of the Sage Condominium HOA (1702 S. Lamar Blvd.)
Treasurer and Board Member of Sage Condominium HOA

CC: Michele Haussmann, Land Use Solutions



September 5, 2025 (Revised Response to Sage Condos)
September 2, 2025 (Original Delivered to Sage Condos)

Mr. Ryan Smith c/o Sage Condos Association
1702 South Lamar
Austin, TX 78704

Re: 1700 South Lamar Zoning Application City File Number C14-2024-0163 for Property located at 1700 South Lamar Boulevard ("Property"), City of Austin ("City"), Texas

Dear Mr. Smith:

On behalf of SL 1700 South Lamar, LP, owner of the above stated Property ("Applicant"), we would like to thank you for your engagement, feedback, and advocacy on behalf of the Sage Condos homeowner's association ("Sage Condos") regarding the rezoning of the above stated Property consisting of approximately 5.2 acres.

On October 24, 2024, Applicant filed with the City for a rezoning request to convert the Eastern part of the Property known as Tract 1 to CS-V-DB90 zoning and the Western part of the Property known as Tract 2 to CS-V-CO zoning as shown on **Exhibit A** ("Rezoning Request"). The application would allow for the development of a new residential mixed-use project ("Project"). Public notice of the Rezoning Request was mailed by the City on March 27, 2025, including to Sage Condos. After Applicant agreed to two (2) City Planning Commission postponements at the Zilker Neighborhood Associations' request, the Rezoning Request appeared before City Planning Commission on July 22nd and received a 9-0-1 approval recommendation. The City Council hearing regarding the Rezoning Request is scheduled for September 11th.

We appreciate your time on our video meeting on August 20th and similarly appreciate your follow-up email August 21st outlining Sage Condos numerous concerns and requests regarding the Rezoning Request. After careful consideration of your email, we believe the majority of Sage Condos' concerns are design and site plan related, which are not addressed at the zoning stage of the process. That said, we still value your feedback and want to respond in detail to each of the items outlined in your email. Accordingly, each of the requests from your email are pasted below with a corresponding response. This letter has been further updated as of September 5, 2025 (after being delivered September 2, 2025) to capture and respond to further feedback we received from you via email on September 4, 2025.

We hope this letter demonstrates our ability to listen and endeavor to address some of Sage Condos' concerns. Our team believes strongly that the Project will be an overwhelming positive for the neighborhood, and kindly requests a letter of support from you for the Rezoning Request. The following responses are contingent upon Sage Condos submitting a written letter of support for the Rezoning Request to the City Case Manager Marcelle Boudreaux (marcelle.boudreaux@austintexas.gov) by September 8, 2025, and further receiving full approval of the Rezoning Request, without modification, from City Council.

SEPTEMBER 5, 2025 ADDITIONAL RESPONSES TO SAGE CONDOS:

Sage Condos Request: [#1] We understand that Stonelake is only in the zoning portion of the process, and some items are still up in the air. Our concern is that we won't have input and influence at the later design stage. That's why we've asked for some specific items at this point. But potentially with some explanation of how the design process will work, we could get more comfortable.

Applicant Response: You are correct in your understanding that Applicant has no obligation to engage on Project specifics after zoning and further, Applicant is engaging in this dialogue during zoning because

AUSTIN
415 Colorado
415 Colorado Street, Suite 1800
Austin, Texas 78701
TEL (512) 236-0004

DALLAS
The Crescent
100 Crescent Court, Suite 850
Dallas, Texas 75201
TEL (214) 965-0630

HOUSTON
200 Park Place
4200 Westheimer, Suite 900
Houston, Texas 77027
TEL (281) 953-6207

Applicant believes such engagement is best practice. Respectfully, Applicant would like to remind Sage Condos, as was outlined by the City staff and Planning Commission members during the July 22, 2025 Planning Commission hearing, that Tract 1 property is currently zoned 'CS-V' which, without any re-zoning or neighborhood engagement, allows for residential development up to 60' in height with no side yard setback requirement. To be clear, the zoning to build adjacent to Sage Condos property line up to 60' in height is in-place today. Please consider this in light of this productive and mutually beneficial dialogue.

Sage Condos Request: Can you help us understand the documentation for this? Will mentioned on the call that an agreement or letter of understanding would be added to the public record as an appendix to the application. Is that correct? Would you add any other comments? For the record, we would at least like to have any agreement signed and entered into the record.

Applicant Response: This letter will be submitted to City staff and thereafter submitted into the public record of the Rezoning Request. A signature block for Sage Condos has been added to this letter response accordingly.

Sage Condos Request: We understand that the insurance items are still under review, but we would like to get clarification and documentation that we will be added as an insured on the policy.

Applicant Response: Applicant is still exploring the possibility of naming Sage Condos as additional insured under the Project's general liability policy. That said, and to be clear, should Sage Condos experience documented damage to its property as a result of Project construction, Applicant would expect Sage Condos to bring any unsettled or unresolved claim against the Project / general contractor's general liability policy.

Sage Condos Request: Can we clarify and document the final fencing plans? We would be comfortable with something like, "6-8' tall wooden slat fence or better to be placed on Applicant's property" – that may help with documentation and provide you all with flexibility.

Applicant Response: A wood slat (or low maintenance synthetic wood) fence at least 6' tall will be constructed by Applicant at Applicant's expense on the Property along the shared Tract 1 property line. Construction of the fence will be completed no later than the issuance of the final certificate of occupancy for the Project.

Sage Condos Request: Items related more specifically to design phase as mentioned in [#1] above

- **Landscaping plans on our border and around the fire lane**

Applicant Response: Applicant commits to include landscaping within the area, generally consisting of low maintenance, drought and shade tolerant plantings appropriate for central Texas. Likely some combination of oak, elm tree species. Ornamental grasses such as Mexican feather grass or muhly. Shade tolerant or partial sun traditional grasses such as zoysia.

- **South-facing balconies and window frosting – this is an important issue for us. We understand that we have balconies (and no frosting), but this would potentially require our residents to retrofit their units. The view that the north-facing residents have is going to be lost completely, so we're asking to see what flexibility you may have.**

Applicant Response: Applicant understands your concern and shares a similar concern for the desirability of the residential units to-be-constructed in the Project that will face Sage Condos existing balconies and unfrosted windows. Applicant believes that its interests are aligned with Sage Condos and has the expertise to design residential units along the shared Tract 1 property line with façade, balcony and window articulations that will

be desirable for all. Desirability of all homes within the Project are of utmost importance to Applicant given the magnitude of the investment it is making in the Project.

Sage Condos Request: Construction

- **We were asking about a safety barrier (fencing, netting, etc.) during construction to prevent debris. This is probably required, but if you could provide some information on this, that would be great.**

Applicant Response: Understood. Typical construction fence with wind / silt screen affixed to the fence itself, as well as code required silt fence will surround the Property during construction.

- **I believe the City of Austin building rules allow for construction from 6am-10pm. This is obviously a very wide window. We understand that you all don't want to be hemmed in, but this is a big concern for us given our close proximity and the scope of the project. Is there any other guidance you can provide or flexibility you have?**

Applicant Response: Applicant respectfully declines to agree to construction hours outside of City Code. Following selection of a General Contractor, on-site construction personnel contacts will be shared, as mentioned to you in our meeting. Applicant will also share meeting times for weekly construction meetings with all immediate neighbors ahead of construction commencement.

- **Similar concern about dust suppression during construction**

Applicant Response: Applicant is experienced in large scale real estate development and is committed to appropriately managing the construction process in line with City Code.

Sage Condos Request: I'm guessing that there's no interest from Stonelake to purchase the Sage, so no worries there. However, one item that was left unaddressed was parking. There's certainly a desire among our owners to have additional parking (and even potentially gym/pool access), and this may help get more people on board for the letter of support.

Applicant Response: We apologize for inadvertently omitting a response to these requests in your original email. Applicant does not have an interest in purchasing Sage Condos property. As for parking, Applicant anticipates substantially all of the parking for the Project will be in garage format which is costly to construct. Applicant is open to the idea, subject to future availability and future operation of the Project, to consider leasing a small number of parking spaces to Sage Condos for guest parking. We cannot commit to any parking arrangement at this time, however. Applicant respectfully declines access to the Project's gym and pool by Sage Condos residents.

SEPTEMBER 2, 2025 RESPONSES DELIVERED TO SAGE CONDOS:

- **Setback from southern property line:**

Sage Condos Request: What would the minimum setback be, including landscaping, from our shared property line? We understand that there would be a minimum of 28 feet due to the fire lane, but we'd like to have some kind of commitment on landscaping that would increase that (ideally as much as possible), and ideally, we'd like to see the landscaping plan when the time comes.

Applicant Response: Subject to final design and permitting, the future residential building along the shared property line of Sage Condos and Tract 1 will have at least 28' of setback as required for a fire lane and fire hydrants. For reference, 28' is approximately the same amount (or more) space that exists between the two (2) Sage Condos buildings on Sage Condos' property currently. As mentioned in our meeting, landscaping will also be included in the area adjacent to the Sage Condos property line.

Sage Condos Request: Ideally, we'd love to have a graduated setback, something like the area closest to us only goes up three levels, then with a further setback, you go up to the 7 levels you were talking about.

Applicant Response: The building will have a maximum of 90' height on Tract 1 as contemplated in the Rezoning Request. We respectfully decline the request to reduce the height on Tract 1.

Sage Condos Request: We see some business restrictions in the Provisional Term Sheet. We'd like to make sure that anything that is agreed to in Tract 2 also applies to Tract 1. (Including documentation of no cocktail lounge/bar/club)

Applicant Response: The uses prohibited on Tract 2 in the Conditional Overlay are uses that are prohibited adjacent to single family (SF) zoning. The Sage Condos property is developed with more than four residential units, so the use is defined as multifamily (not single family). The Sage Condos property is zoned CS-MU-V-CO, so the uses in the CS zoning base district are permitted on the Sage Condos property. Therefore, we feel it is appropriate to have the same uses on Tract 1 that are permitted on the Sage Condos property. Cocktail Lounge use is not permitted in the CS-V-DB90 zoning district on Tract 1 nor the CS-V-CO zoning district on Tract 2.

- **Design:**

Sage Condos Request: Documented downward and shielded lighting (motion-activated?)

Applicant Response: In the DB90 combining district, the City Code requires exterior lighting requirements for downward and shielded lighting if the subject property is adjacent to a triggering property, which is a property zoned SF-5 or more restrictive (single family). Since the Sage Condos property is zoned CS-MU-V-CO and defined as multifamily, the exterior lighting requirements do not apply. That said, Applicant agrees to comply with the more restrictive downward and shielded exterior lighting requirements as required by VMU zoning on Tract 1, which are the same requirements applicable on Tract 2. Please see City Code Section attached as **Exhibit B**.

Sage Condos Request: Documented fence (material type?) along shared property line

Applicant Response: Applicant anticipates the shared property line between Sage Condos and Tract 1 will have 6-8' tall wood slat fence and customary landscaping.

Sage Condos Request: Documented no garage closest to us.

Applicant Response: Applicant anticipates the garage will be 'wrapped' with residential units or otherwise screened such that the majority of the garage will not be visible.

Sage Condos Request: Documented no balconies on south border of Tract 1.

Applicant Response: To be determined whether the southern facing Tract 1 units will have balconies or not. Please note that Sage Condos currently has balconies facing Tract 1.

Sage Condos Request: Documented no dumpsters/loading docks within x feet of southern border of Tract 1.

Applicant Response: Other than for the immediate time of service, dumpsters will be internal to the building.

Sage Condos Request: How will stormwater run off? Any impact to our shared property line?

Applicant Response: The Project will be engineered and reviewed by the City staff during the Site Plan process. Stormwater runoff will not affect the Sage Condos property.

Sage Condos Request: Frosted windows on any units in Tract 1 facing south

Applicant Response: Applicant does not anticipate frosting any windows on the southern facing units of Tract 1.

- **Construction**

Sage Condos Request: Contact information with construction manager and access to construction office.

Applicant Response: Following selection of a General Contractor, on-site construction personnel contacts will be shared, as mentioned to you in our meeting. Applicant will also share meeting times for weekly construction meetings with all immediate neighbors ahead of construction commencement.

Sage Condos Request: Excavation to get no closer to south property line than x feet, as well as documentation that you will carry insurance that will protect us in the case of construction damage to our property.

Applicant Response: Applicants anticipates that excavation for subterranean parking, if any, to occur in excess of 40' from the shared property line of Tract 1 and Sage Condos and all will be done in accordance with City Code and engineered plans. The Project, in its entirety, will maintain insurance at all times.

Sage Condos Request: Documented retention/safety barrier of x feet high during construction

Applicant Response: We do not know what this means.

Sage Condos Request: Maintain sufficient drive access to Sage during construction

Applicant Response: Agreed.

Sage Condos Request: Documented construction hours

Applicant Response: Construction will follow City Code.

Sage Condos Request: Water the property to reduce dust

Applicant Response: Construction will follow City Code.

Sage Condos Request: Pay for exterior wash of our property at the end of the project

Applicant Response: Applicant agrees to pay for (or reimburse Sage Condos for) an exterior pressure wash of the Sage Condos property upon issuance of Final Certificate of Occupancy for the Project in an amount not to exceed \$20,000.

Sage Condos Request: Construction hours are limited to 9am-6pm M-F, 12pm-6pm weekends and holidays.

Applicant Response: Construction will follow City Code.

Sage Condos Request: No amplified music from the construction site at any time

Applicant Response: Construction will follow City Code.

- **Documentation**

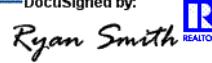
Sage Condos Request: We'd like to see the COI showing general liability and builder's risk coverage for adjacent property damage, with a commitment to repair or compensate for any damage to our property.

Applicant Response: The Applicant is discussing this request with our insurance team. More specifically, however, should the development cause documented damage to adjacent property(ies) during construction, the general contractor will assume liability.

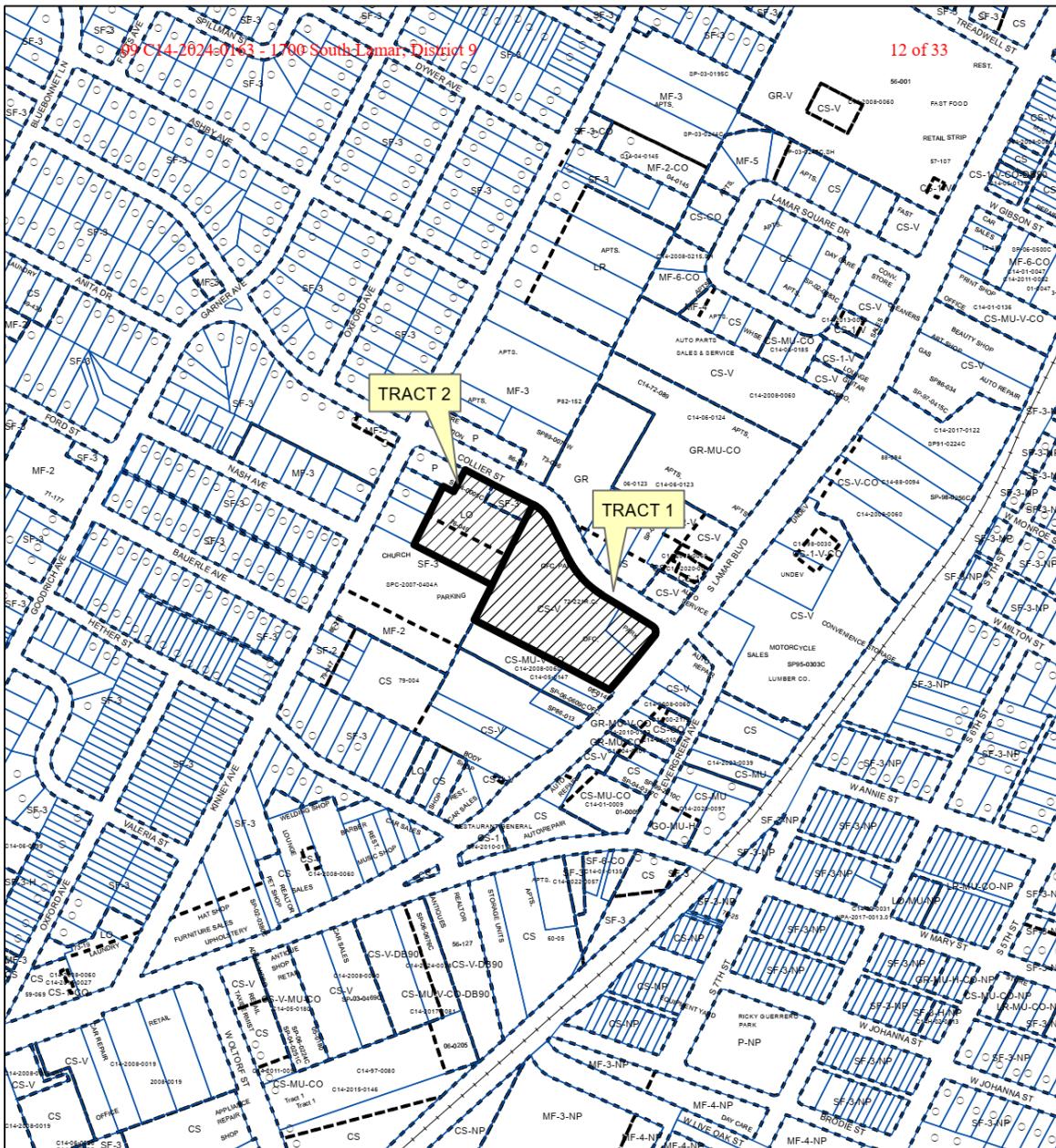
Sage Condos Request: We'd also like to be a named additional insured on the policy.

Applicant Response: The Applicant is discussing this request with our insurance team but anticipate this will be fine.

Please feel free to share this letter and the attachments with the homeowners' association and let us know if you need any further information. Thank you!

Respectfully,	RECEIVED AND AGREED:
 Will Jenkins Authorized Representative SL 1700 South Lamar, LP Stonelake Capital Partners	<p>DocuSigned by:  Ryan Smith REALTOR® 1000AE5E4E064D9... Sage Condos Date <u>9-19-25</u></p>

CC: Jamie Cantrell, Stonelake Capital Partners, *via electronic mail*
Michele Haussmann, Land Use Solutions, *via electronic mail*

Exhibit A

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2024-0163

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1" = 400'

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



Created: 6/18/2025

Exhibit B

Vertical Mixed Use (VMU) Exterior Lighting

SUBCHAPTER E: - DESIGN STANDARDS AND MIXED USE.

ARTICLE 2: - SITE DEVELOPMENT STANDARDS.

§ 2.5. EXTERIOR LIGHTING.

2.5.1. Applicability.

The following table summarizes the applicability of this section:

Standard	Applies if the Principal Street Is:	Applies to the Following:
2.5: Exterior Lighting	All roadway types	All zoning districts

2.5.2. Standards.

- A. **Submission of Plans and Evidence of Compliance.** Building plan applications shall include a description of all lighting fixtures, both proposed and those that will remain on the site, as well as any existing or proposed fixtures to be located in adjacent right-of-ways after completion of the project. For new fixtures, the description may include, but is not limited to, catalog cuts and illustrations by manufacturers (including sections where required), that demonstrate compliance with the standards of this Subchapter.
- B. **Fully Shielded or Full Cut-off Light Fixtures Required.** The following outdoor lighting applications shall be illuminated by fixtures that are either fully-shielded or full cut-off: (See Figure 34.)

(See Figure 34 set forth in Exhibit A attached to Ord. 20130606-088; Examples of fully-shielded light fixtures.)

1. Public street and pedestrian lighting;
2. Parking lots;
3. Pathways;
4. Recreational areas;
5. Billboards;
6. Product display area lighting; and
7. Building overhangs and open canopies.

- C. **Lighting of Building Façades.**

1. Buildings and structures shall be illuminated by fixtures that are either fully-shielded or full cut-off and may only be used to highlight specific architectural features. However, existing building mounted fixtures that are not fully-shielded or full cut-off may be replaced with lighting that is fully-shielded or full cut-off. This provision shall not apply to buildings in the downtown that are at least 120 feet tall, so long as such buildings contain no trademarked design features (not including signage) located over 120 feet above ground level.

- D. **Directional Luminaires.** Directional luminaires that are not fully-shielded or full cut-off may be used to illuminate signs and flagpoles. Such luminaires shall be installed and aimed so that they illuminate only the specific object or area and do not shine directly onto neighboring properties, roadways, or distribute excessive light skyward.

E. Lamp or Fixture Substitution. Should any outdoor light fixture or the type of light source therein be changed after site plan or building plan approval has been granted, a change request must be submitted to the Director for approval, together with adequate information to assure compliance with this Subchapter, which must be received prior to substitution.

Source: Ord. 20060831-068; Ord. 20130606-088.