

THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2012-0113 – 7003 E. Riverside

REQUEST:

Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7003 E. Riverside Drive (Carson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning.

The conditional overlay prohibits more than 2,000 vehicle trips per day, limits development within 25' of the eastern property line, and prohibits vehicular access from the site to Yellow Jacket Lane, with exceptions of bicycle, pedestrian and emergency services access. The conditional overlay also limits structural height in certain areas abutting existing single-family residential along Yellow Jacket.

At second reading, the dedication of a 25' right-of-way (ROW) reserve and creation of a bicycle and pedestrian trail along the southern boundary of the property was discussed. The dedication of the ROW reserve and trail construction was deferred from the zoning stage to the site planning stage.

DEPARTMENT COMMENTS:

The Conditional Overlay incorporates the conditions imposed by the City Council at First Reading, and affirmed on Second Reading.

OWNER: Bradsher Family Trust et al. (Jack Bradsher).

AGENT: Thrower Design (Ron Thrower).

DATE OF FIRST READING: December 6, 2012, approved SF-6-CO-NP combining district zoning with conditions, on First Reading (7-0). February 14, 2013, approved SF-6-CO-NP combining district zoning without conditions, on Second Reading (7-0).

CITY COUNCIL DATE: February 28, 2013

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Lee Heckman
e-mail: lee.heckman@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0113
7003 E Riverside

PC DATE: November 13, 2012
October 23, 2012

ADDRESS: 7003 E Riverside Drive

AREA: 7.793 acres

OWNER: Bradsher Family Trust(Jack Bradsher)

AGENT: Thrower Design(A. Ron Thrower)

ZONING FROM: SF-3-NP; Family Residence – Neighborhood Plan

ZONING TO: SF-6-NP; Townhouse and Condominium Residence – Neighborhood Plan

NEIGHBORHOOD PLAN AREA: Montopolis

SUMMARY STAFF RECOMMENDATION:

Staff recommendation is to grant Townhouse and Condominium Residence – Conditional Overlay – Neighborhood Plan (SF-6-CO-NP) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day, and prohibit residential uses within 25' of the eastern property line.

Additionally, staff and the applicant have negotiated a public restrictive covenant in which a right-of-way reserve of 25 feet is set aside along the southern property line, to be used on an interim basis for a bicycle and pedestrian path (see additional discussion under Department Comments below). At such time the property to the south is developed and/or an additional 25' of right-of-way is secured for a combined 50 feet of right-of-way, the reserve could be conveyed to the City as a public roadway. Vehicular access to and from the site to Yellow Jacket would be limited to emergency use only until such time the roadway is constructed.

PLANNING COMMISSION ACTION:

November 13, 2012

To grant Townhouse and Condominium Residence – Conditional Overlay – Neighborhood Plan (SF-6-CO-NP) combining district zoning. Approved on Consent [Motion by Commissioner Stevens; Seconded by Commissioner Hatfield; Passed 8-0]*

October 23, 2012

Postponed to November 13, 2012 at the request of the Montopolis Neighborhood Plan Contact Team. [Motion by Commissioner Oliver; Seconded by Commissioner Nortey; Approved 7-1; Against: Commissioner Hernandez]

* Clarification by Commissioner Hatfield that there are conditions or restrictions, provided by the applicant, which may be in addition to the conditions recommended by staff and that these should be included in a conditional overlay or restrictive covenant: 1) that the property would be served by an access point (driveway) to Riverside Drive; 2) a minimum 25' separation of condominium units from the eastern property line; 3) building height would be restricted to single-story along the eastern property line abutting existing residences in certain locations; and 4) that a right-of-way reserve would be provided along the southern property line. Chair Anderson confirmed the applicant agreed to these conditions.

DEPARTMENT COMMENTS:

The subject tract is located approximately 200 feet south of Riverside Drive between Maxwell Lane and Yellow Jacket Lane. Property to the north, northwest, and northeast is undeveloped, but zoned GR-MU-NP (see Exhibit A). Property to the east, which is approximately one-half developed with single family homes, is zoned SF-3-NP (see Exhibit A-1). To the south is an undeveloped 10-acre parcel zoned GR-MU-NP, and to the west is an approximate 8.6-acre tract recently rezoned to SF-6-CO-NP that will be incorporated into, and developed, as part of a proposed condominium development (please see Exhibit A-2).

This property was annexed as part of a 1,413-acre MP Industrial Park tract in May 1976. After annexation it was zoned I-A, Interim Residence, which later was converted to Interim SF-3. The tract has been the subject of several rezoning cases over the past couple of decades, but has remained undeveloped. As with the tract immediately to its west, it sits back from Riverside Drive, has some single-family residential to the east and far west, and an undeveloped tract between it and a warehousing business north of US Hwy 71. With the exception of the approximate 8.6-acre tract to the west, none of the surrounding properties have been rezoned since 2001, when properties were rezoned as part of the Montopolis Neighborhood Plan adoption.

The rezoning request is driven by a proposed condominium project that will include about 100 units, over both this 8-acre tract and the undeveloped tract immediately to the west, previously rezoned SF-6-CO-NP. Primary access will be provided to Riverside Drive through a centrally located driveway, and an emergency access will be provided at the end of Yellow Jacket Lane.

A neighborhood plan amendment was not required in order to consider this rezoning request. At the time the Montopolis Neighborhood Plan was adopted, there was no differentiation between "single-family" and "higher density single-family" residential categories on the Plan's Future Land Use Map (FLUM). Any single-family residential base zoning district, from rural residence (RR) to Townhouse and Condominium (SF-6), would be acceptable under this FLUM designation. At this time, staff has not received any correspondence from the neighborhood plan contact team regarding the rezoning request, nor is any required. Correspondence from the Montopolis Neighborhood Contact Team (see Exhibits B) has focused solely on the previous postponement request and scheduling.

This property is located outside the boundaries of the East Riverside Corridor (ERC) Plan. However, a new collector street depicted in the draft ERC Regulating Plan approved by the Planning Commission on October 23, 2012 would run north-to-south along the western edge of this tract (see Exhibit C-1). Before and after the Plan's approval by the Commission, there was discussion between the applicant and staff regarding that alignment, and the necessity and desirability of having a collector street in the location shown in the Plan was reconsidered. Yellow Jacket and Maxwell already exist as north-south roadways, with the former currently terminating at the north end of the undeveloped GR-MU-NP tract, and the latter extended to Carson Ridge (itself an east-west connection). Bearing in mind the proposed condominium project encompasses both this rezoning tract and the 8.6-acre tract immediately to the west, the proposed collector would effectively bisect the project, but truly only serve to connect this project to Riverside and the future development of the GR-MU-NP tract. Until that GR-MU-NP tract to the south is developed, this bisecting roadway would essentially function as a single-service driveway.

Instead, an additional or alternate east-west connection was considered by staff, especially because a bike and pedestrian trail was already provided for in the rezoning of the 8.6-acre

tract to the west. Extending that trail, and incorporating it into a right-of-way reserve seemed to further the connectivity goals of the ERC Regulating Plan. As envisioned, this trail would extend from Yellow Jacket on the east to Maxwell on the west, and be developed with the construction of the condominium site. At some point in the future, if the tract to the south were developed and additional right-of-way was dedicated along its northern edge, then an east-west collector might be developed between Yellow Jacket and Maxwell, or possibly further west to Carson Ridge.

A public restrictive covenant has been drafted to reserve the 25' of right-of-way that allows for interim bicycle and pedestrian uses, thus continuing the proposed bicycle and pedestrian trail from the tract to the west. Because the proposed trail on the 8.6-acre tract to the west is 10 feet in width rather than 25 feet as proposed here for the reserve, the public restrictive covenant creating that trail is proposed to be amended, resulting in the creation of a uniform 25' wide ROW reserve to accommodate the trail. However, that public restrictive covenant is associated with a separate rezoning case and cannot simply be amended with the dedication of the new reserve with this rezoning case. There is a separate process for amending that public restrictive covenant (RCA), which involves a review by the Planning Commission and approval by the Council. The applicant has been made aware of the separate RCA process, and will submit the necessary application as part of the site planning process. It is expected that the amendment to the existing restrictive covenant, on the tract that is not part of this zoning case, will be reviewed by the Planning Commission and subsequently considered by the Council sometime later in 2013.

It bears reiterating that the vehicular connection from this tract to Yellow Jacket Lane will be one of emergency access only until such time that the right-of-way reserve is conveyed to the City and a public roadway has been constructed. It is expected that the interim hike-and-bike trail would be incorporated into the public right-of-way, if the proposed reserve becomes such.

Staff presented the ERC Regulating Plan to the City Council on November 8, 2012. At that time, the question of whether the north-south collector should be retained was to be reconsidered, as staff had updated the collector street map (see Exhibit C-2). The updated draft collector plan map shows the north-south collector moved to Maxwell, and still shows an east-west collector south of the GR-MU-NP tract. Of note, both the Master Plan and the Regulating Plan indicate the collector street alignments are approximate. No action has been taken on the proposed Regulating Plan by the Council, and so the Commission approved the rezoning application without the benefit of an adopted – as amended or not – Regulating Plan. Should the Regulating Plan be adopted as currently presented (i.e., amended with staff's updated recommendation), the realignment (from north-south to east-west) will be consistent with what is proposed in this rezoning case.

Regarding Commission conditions to approval, the building height for certain areas (as depicted on Exhibit D), limited to a maximum of 20 feet, and the minimum 25' setback of residential and civic uses along the eastern property line, are covered in the conditional overlay as specified in the ordinance. Creation of the right-of-way reserve, allowing for the interim bike-and-pedestrian trail, as well as emergency access only connection to Yellow Jacket (until a roadway exists), is addressed in an associated public restrictive covenant. The limitation to 2,000 vehicle trips per day remains a conditional overlay as specified in the ordinance document.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Undeveloped
<i>North & Northeast</i>	GR-MU-NP	Undeveloped
<i>East</i>	SF-3-NP	Single-Family Residential & Undeveloped Tracts;
<i>South</i>	GR-MU-NP; LI-NP and CS-NP	Undeveloped; Warehousing
<i>West & Northwest</i>	SF-6-CO-NP; GR-MU-NP	Undeveloped

TIA: Not Required**WATERSHED:** Carson Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

Southeast Austin Neighborhood Alliance	189
Crossing Garden Home Owners Association	299
El Concilio Coalition of Mexican American Neigh. Assn.	477
Austin Neighborhoods Council	511
Montopolis Area Neighborhood Alliance	634
Del Valle Independent School District	774
Home Builders Association of Greater Austin	786
PODER	972
Homeless Neighborhood Organization	1037
League of Bicycling Voters	1075
Riverside Meadows Homeowner's Association	1131
Carson Ridge Neighborhood Association	1145
Super Duper Neighborhood Objectors and Appeals Organization	1200
Austin Monorail Project	1224
Montopolis Neighborhood Plan Contact Team	1227
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Pleasant Valley	1255
Del Valle Community Coalition	1258
Montopolis Tributary Trail Association	1321
Montopolis Neighborhood Association	1339
Austin Heritage Tree Foundation	1340
Montopolis Neighborhood Association	1357
SEL Texas	1363

SCHOOLS:

Del Valle Independent School District:

Smith Elementary John P. Ojeda Middle School
(Please see Exhibit E for DVISD response to the proposal)

Del Valle High School

RELATED CASES:

As noted above, the subject tract and property immediately to the west have been the subject of zoning cases in the mid-1970s and mid-1980s, and most recently, in 2012. However, the property has never been developed.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-84-156	I-A to C 1 st H & A	Forward to CC without Recommendation; 09/05/1984	Postponed Indefinitely 05/02/1985; Dismissed 06/07/1990
C14-2001-0060 (NP Zoning)	I-SF-3 to GR-MU-NP and SF-3-NP (GR-MU-NP for First 200' from Riverside Dr; SF-3-NP for Remainder of Site	Approved; 08/07/2001	Approved; 09/27/2001

CASE HISTORIES:

With the exception of the tract to the west, there has been no proposed rezonings in the immediate area since adoption of the Montopolis Neighborhood Plan in 2001.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
(North & Northeast of site) C14-2001-0060	I-SF-3 to GR-MU-NP and SF-3-NP (GR-MU-NP for First 200' from Riverside Dr; SF-3-NP for Remainder of Site	Approved; 08/07/2001	Approved; 09/27/2001
(East of site) C14-2001-0060	SF-3 to SF-3-NP	Approved; 08/07/2001	Approved; 09/27/2001
C14-99-0086 (Uphill Lane)	SF-3 to SF-6-CO	Approved; 08/17/1999	Approved; 09/30/1999
(South of site) C14-2001-0060	SF-3 and CS to GR-MU-NP	Approved; 08/07/2001	Approved; 09/27/2001
(West & Northwest of site) C14-76-009 C14-84-214	"A" Residence 1 st Height & Area to "MH" Mobile Home 1 st Height & Area From "MH" & "I-A" to "C" 1 st H & A	Approved; Forwarded to Council w/o Recommendation 09/05/1984	Approved; 04/15/1976 Approved "C" for northern 3-1/2 acres, with remainder as "MF" subject to Site Plan Approval, and other Conditions;

C14-2001-0060	MH to GR-MU-NP and SF-3-NP (GR-MU-NP for First 200' from Riverside Dr; SF-3-NP for Remainder of Site)	Approved; 08/07/2001	05/23/85; Dismissed 06/08/1990 Approved; 09/27/2001
C14-2011-0158	SF-3-NP to SF-6-NP	Approved; 01/24/2012	Approved with conditions; 03/22/2012

Of note, the 8.6-acre undeveloped tract to the west was platted as 46 single-family lots under its then-existing SF-3-NP zoning, in 2007. Due to funding constraints, that subdivision, including the proposed Santa Helena Street, was subsequently vacated in 2010 rather than developed as a single-family subdivision (C8-05-0138.1A(VAC)). The owner sought and was granted the SF-6-CO-NP zoning in order to develop the property as townhomes earlier this year (C14-2011-0158). It is that tract, along with the current subject tract, that will comprise the proposed condominium development.

ABUTTING STREETS:

Street Name	ROW Width	Pavement Width	Classification	Bicycle Plan	Capital Metro	Sidewalks
E Riverside Drive	120 Feet	MAD 6	Arterial	Yes	Yes	Yes
Yellow Jacket	40 Feet	30 Feet	Local	No	No	No

CITY COUNCIL DATE:

December 6, 2012

Motion to close the public hearing and adopt the first reading of the ordinance with conditions, was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.

February 14, 2013

Second reading of the ordinance with conditions, and clarification of timing of other conditions. Approved on Council Member Riley's motion, Council Member Spelman's second on a 7-0 vote.

ORDINANCE READINGS:

1st December 6, 2012 2nd February 14, 2013 3rd *Scheduled* February 28, 2013

ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman
e-mail address: lee.heckman@austintexas.gov

PHONE: 974-7604

STAFF RECOMMENDATION**C14-2012-0113****BACKGROUND**

The subject tract has been zoned and rezoned for residential use since it was annexed nearly 35 years ago. It remains undeveloped.

SUMMARY STAFF RECOMMENDATION

Staff recommendation is to grant Townhouse and Condominium Residence, Conditional Overlay, Neighborhood Plan (SF-6-CO-NP) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day.

The applicant also proposes a public restrictive covenant in which a right-of-way reserve of 25 feet is set aside along the southern property line, and used on an interim basis for a bicycle and pedestrian path (see additional discussion under Department Comments below). Staff supports this proposal and recommends execution of the public restrictive covenant.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan.

The Montopolis Neighborhood Plan designates this tract as single-family residential, which allows for the proposed SF-6 base residential district. The tract is outside the boundaries of the proposed East Riverside Corridor Regulating Plan. The acreage between this tract and Riverside Drive is, however, in the draft Regulating Plan, and is designated as Neighborhood Mixed Use. That subdistrict provides for mid-rise residential with neighborhood-oriented retail and small employers. As such, staff thinks higher-density residential, such as the proposed SF-6, is a use consistent with what is envisioned in the draft Regulating Plan.

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

Zoning changes should promote an orderly and compatible relationship among land uses; and

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

The existing Family Residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated as an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

The proposed Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

Each of the above zoning principles addresses a dominant theme about a proposed use fitting within the existing neighborhood context while being mindful of future land uses. This tract, which lies between Riverside Drive and US Hwy 71, lies between undeveloped properties zoned commercial mixed-use to the north and south. Immediately to the east along Yellow Jacket Lane are single-family residences, and undeveloped tracts zoned Family Residence (SF-3-NP). Immediately to the west is a tract that was recently rezoned to the same district level of residential that this tract seeks. In fact, the proposed condominium project will incorporate that tract into its development. The result would be an approximate 17-acre condo development flanked by single-family residential on two sides, and commercial mixed use on the other two.

If the property to the north is rezoned to Neighborhood Mixed Use as part of the East Riverside Corridor Regulating Plan, then this tract's SF-6 zoning is still an appropriate transition to the intensity envisioned in that subdistrict. Simultaneously, the proposed SF-6 district is likely more appropriate next to the GR-MU tract to the south than the existing SF-3. Single-family homes or duplexes, as allowed under the current zoning, would certainly provide a transition, but would not be encouraged between two undeveloped community commercial-mixed use tracts.

The proposed zoning district, on paper, could yield about 12 units per acre, which would approximate 96 units on this tract, or nearly 200 when accounting for the abutting tract. The current proposal, however, is for approximately 100 units on both tracts, which is less dense and provides an adequate transition to the abutting single-family residences. By way of comparison, the current zoning could yield 64 lots (not accounting for infrastructure) if simply subdivided.

EXISTING CONDITIONS

Site Characteristics

This is an undeveloped site of just under 8 acres. It slopes from east to west and south to north. A natural drainage channel crosses the tract at the far south end, but is not of a significant enough scale to qualify as a dry creek. The site is heavily treed, but it is unknown whether there are any protected trees on site. In short, there appear to be no significant topographical constraints or environmental features on the site.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Carson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

2. According to flood plain maps there is no flood plain within or adjacent to the project boundary.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
5. Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:
 - Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.
6. At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

1. The Austin Metropolitan Area Transportation Plan calls for 200 feet of right-of-way for Riverside Drive. If the requested zoning is granted for this site, then 100 feet of right-of-way from the existing centerline should be dedicated for Riverside Drive according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].
2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

1. The site is subject to compatibility standards. Along the east property line, the following standards apply:
 - No structure may be built within 25 feet of the property line.

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

2. This site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, but outside the Airport Overlay Zones. For more information, contact Joe Medici, Airport Planner, 530-6563. Provide approval from ABIA.

C14-2012-0113 / 7003 E Riverside

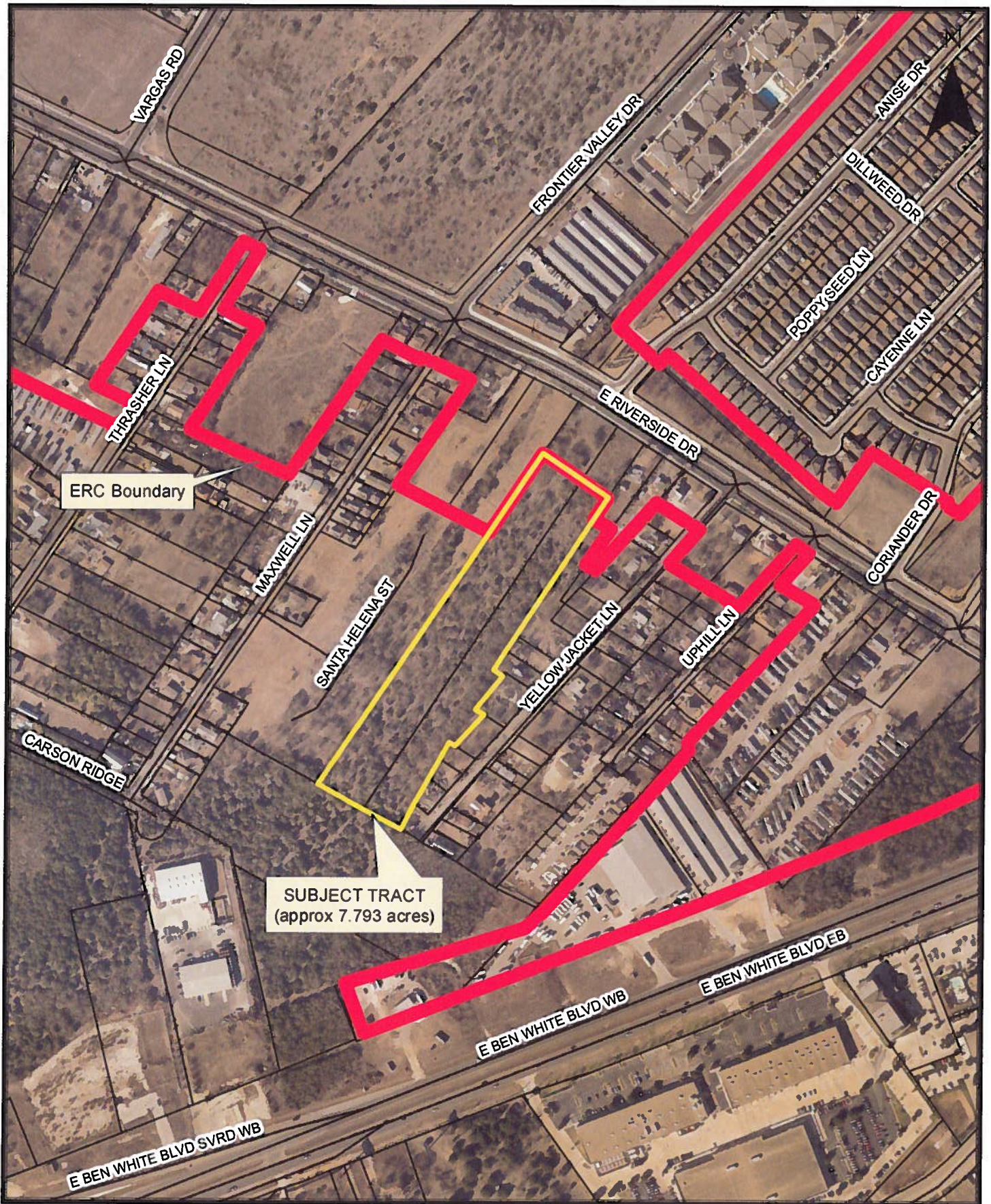


Image Data: 2009

Exhibit A-1
Aerial & ERC Boundary

0 200 400 800 Feet
1 inch = 400 feet

C14-2012-0113 / 7003 E Riverside

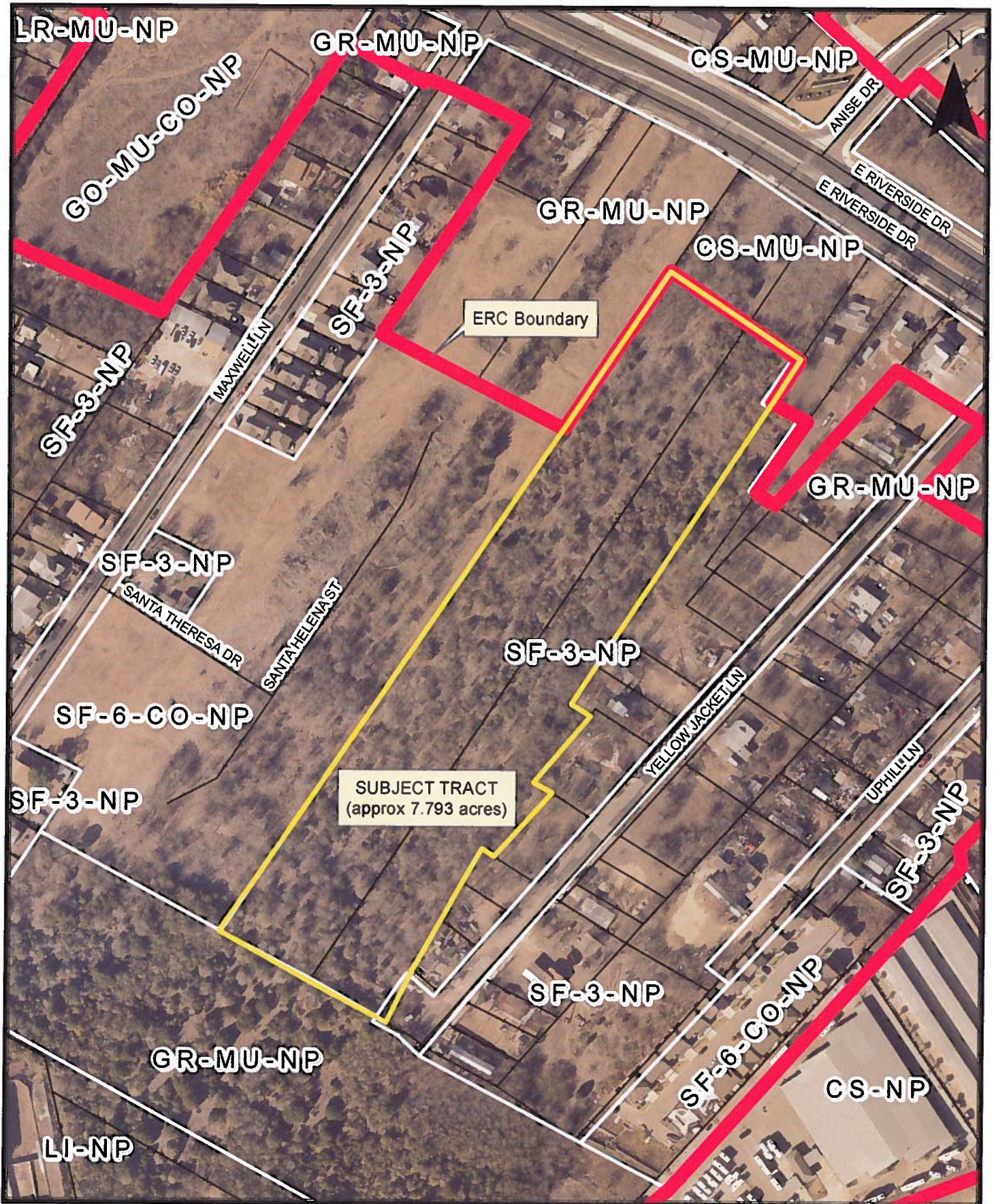


Image Data: 2009

Exhibit A-2
Aerial, Zoning, & ERC Boundary

0 100 200 400 Feet

1 inch = 200 feet

From: PODER Austin, Texas
Sent: Monday, October 22, 2012 6:32 PM
To: Dave Anderson; Heckman, Lee
Subject: Request for Postponement C14-2012-0113

Dear Chairman Anderson & Planning Commissioners:

The Montopolis Neighborhood Plan Contact Team (MNPCT) is requesting a postponement on 7003 E. Riverside Drive (C14-2012-0113). This case is scheduled to be reviewed and voted on at our November 12th, 2012 meeting at 6:30 pm at the Montopolis Recreation Center.

This case was scheduled to be reviewed on October 4th, 2012 but the applicant stated he would not be able to attend this meeting. The Contact Team has been extremely busy on a prior case, that was reviewed and voted on at the City Council meeting on October 18th, 2012.

Again, the MNPCT request a postponement on this case until the Montopolis community is able to review the case on November 12th, 2012.

Sincerely,

Susana Almanza, President

Montopolis Neighborhood Contact Team

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PODER
P.O. Box 6237
Austin, TX 78762-6237

From: PODER Austin, Texas
Sent: Tuesday, October 23, 2012 3:08 PM
To: Heckman, Lee
Subject: Re: Request for Postponement C14-2012-0113

Hello Lee- If the MNPCT is meeting on November 12th, we would prefer November 27th for the next meeting date. Thank you, Susana Almanza, President MNPCT

On Tue, Oct 23, 2012 at 11:57 AM, Heckman, Lee <Lee.Heckman@austintexas.gov> wrote:

Ms. Almanza:

I have forwarded your request to the Commission. I presume you will be on hand tonight to present the request. Will you also be specifying the postponement date? Thanks in advance.

Lee

From: PODER Austin, Texas

Sent: Sunday, November 04, 2012 8:55 AM

To: A. Ron Thrower; Heckman, Lee; Golbabai, Justin; Valenti, Margaret; Dave Anderson

Subject: Susana Almanza, President MNPCT

Hello Ron Thrower - Regarding 7003 Riverside Drive zoning. We are re-scheduling the Montopolis Neighborhood Contact Team Meeting to **November 19th, 2012 at 6:30 pm.** When the Contact Team set the meeting date of November 12th at our last meeting on October 4th, 2012, no one realized that November 12th was Veterans Day and that all City of Austin facilities are closed. Also, please be advised that the Montopolis Neighborhood Contact Team has made no decision regarding this case. The MNPCT will first hear from the applicant and learn about his plans and then the Contact Team may ask additional questions and/or make additional suggestions regarding the zoning and project and then make its decision. Susana Almanza, President Montopolis Neighborhood Contact Team

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PODER

P.O. Box 6237

Austin, TX 78762-6237

www.poder-texas.org

Figure 1-5: East Riverside Corridor Collector Street Map

Shows existing and new streets designated as Collector streets.

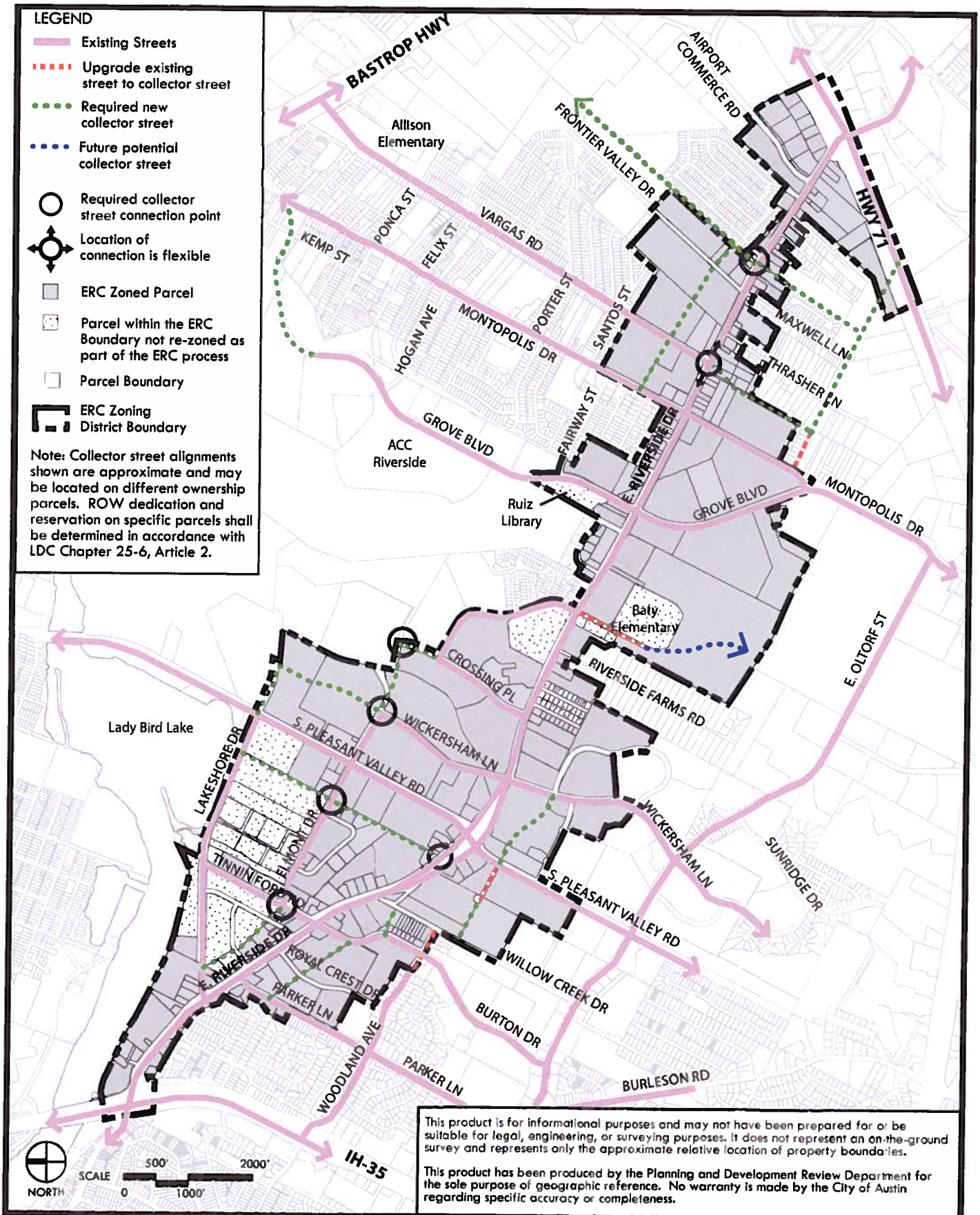
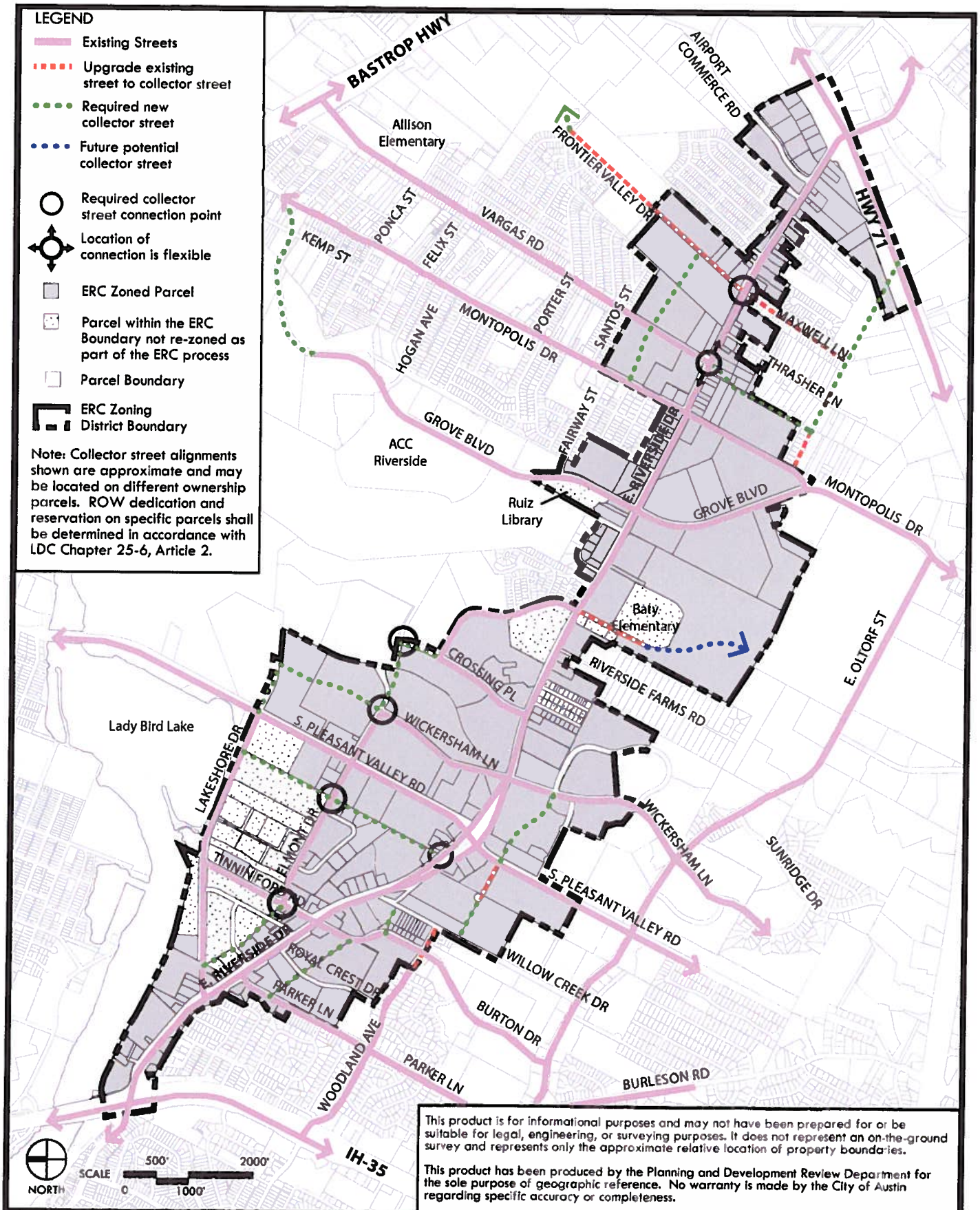


Figure 1-5: East Riverside Corridor Collector Street Map

Shows existing and new streets designated as Collector streets.



7003 E. Riverside Drive

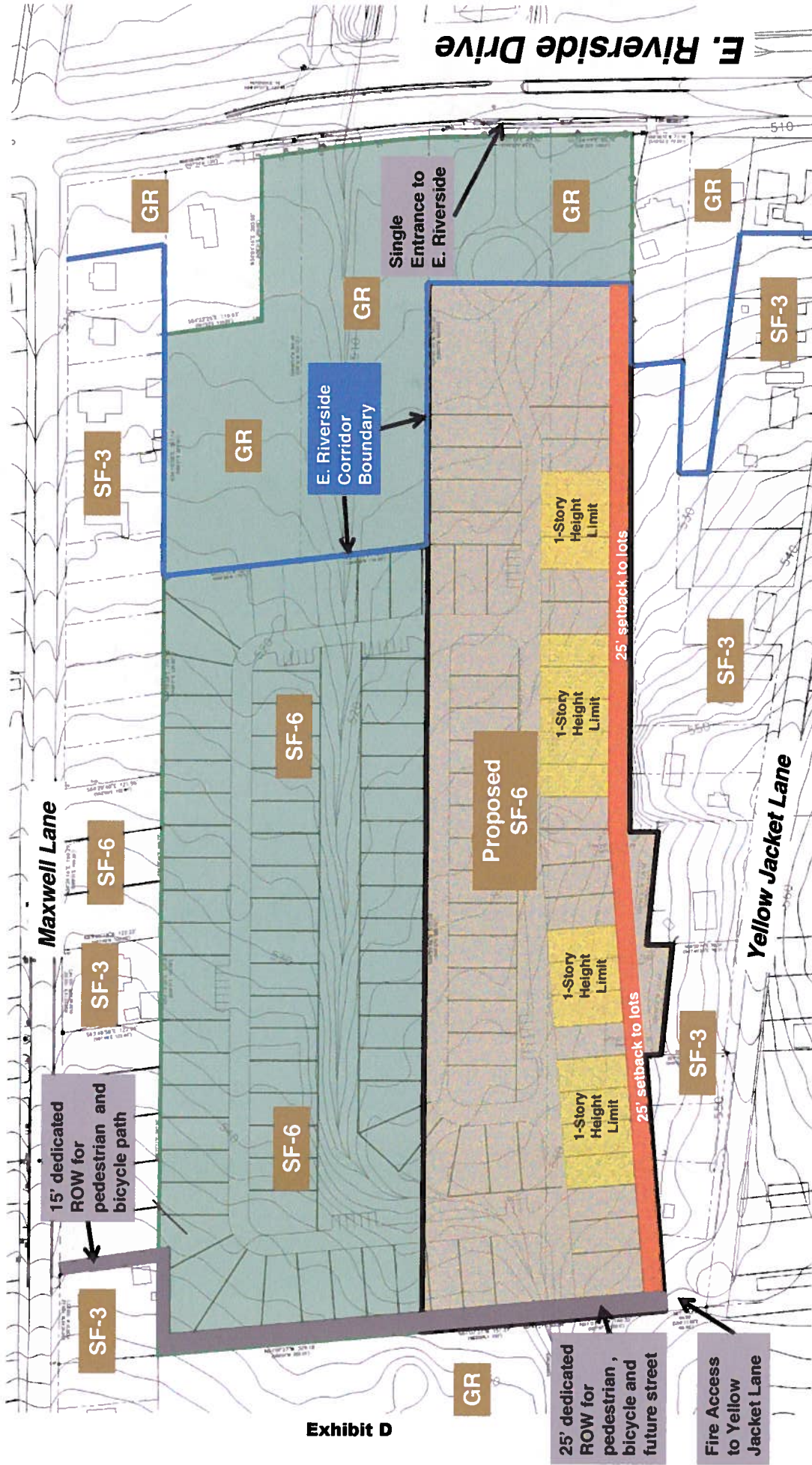


Exhibit D

October 26, 2012

EDUCATIONAL IMPACT STATEMENT
DEL VALLE INDEPENDENT SCHOOL DISTRICT (DVISD)

RE: Bradsher Family Trust
7003 E. Riverside Drive
CoA Zoning Case # C14-2012-0113

This proposed 100 Unit single family (SF) housing subdivision is located in the following attendance zones Smith Elementary School (4209 Smith School Road), Ojeda Middle School (4900 McKinny Falls PKWY) and Del Valle High School (5201 Ross Road) you can find the current attendance zone on the DVISD main web page.

<http://delvalle.tx.schoolwebpages.com/education/components/scrapbook/default.php?sectiondetailid=17467&go=&&>

Thank you for forwarding the information on the proposed Riverside Drive rezoning. Currently all of our elementary schools are at or very near capacity, so any additional housing units will have an educational impact on the district. We will review attendance boundaries next spring and it may become necessary to zone some neighborhoods in that area away from nearby schools to those on the outer edge of the district. Developers need to be aware of this so that they do not give out incorrect or misleading information to potential tenants.

Do you have any forecast of completion timelines on this project you can share?

Thanks again for the information,

William W. Myers II
Construction and Planning Office
Del Valle ISD
2404 Shapard Lane
Del Valle, Tx. 78617
386-3126