

***Abraham Birgani***  
**12606 Blackfoot Trail**  
**Austin, Texas 78729**  
**(512) 998-2525**

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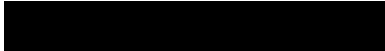
**REQUEST FOR POSTPONEMENT**

Date: August 8<sup>th</sup>, 2017

To: The Case Manager Sherri Sirwaitis,

Zoning case# C14-2017-0042  
Case manager: Sherri Sirwaitis  
Phone# (512) 974-3057  
[Sherri.sirwaitis@Austintexas.gov](mailto:Sherri.sirwaitis@Austintexas.gov)

From: The Property Owner  
Abraham Birgani  
Phone# (512) 998-2525

Owner Consultants:  
Shaw Hamilton  
Phone# (512) 791-0778  


Dear Sharri,

First, I need some time to work with you and transportation department to resolve the access from McNeil and Right Off Way from McNeil sides. As you are aware, access from Blackfoot is not only impossible due to the permanent water retention structures, but would disrupt the traffic flow into the neighborhood. Both the neighborhood association and individual neighbors are opposed to access from Blackfoot, as am I. This means that the issue of access from McNeil must be resolved. Second, your Zoning Change Review Sheet of August 15, 2017 still provides the following recommendation: "In addition, if the requested zoning change is granted, then 57 feet of right-of-way should be dedicated from the

existing centerline of McNeil Drive to accommodate the required ROW for a Major Arterial Divided 4-lane roadway at 114 feet.” This was included despite assurances by you that this provision was superseded by the ATD Memorandum of July 26, 2017, that provided in part: “. . .the Director has determined that the right-of-way dedication is deferred site plan.” Third, even with this modification, significant problems remain in the event that a new site plan must be submitted due to zoning changes or environmental issues. Finally, even Commissioner Jolene Kiolbassa was not sure if the Planning and Zoning Commission had the authority to modify a ROW provision even as a condition of rezoning.

On a final note, my attorney, Michael Shulman, who was preparing the presentation for the August 15<sup>th</sup> hearing, had to be hospitalized for a week and was just released and is recovering.

Accordingly, please accept this letter as a formal request to postpone the planning commission hearing on this case from August 15<sup>th</sup>, 2017 to September 5<sup>th</sup>, 2017. Also, please confirm that you receive my request and is accepted by you.

Sincerely,

Abraham Birgani