testified that it was "a fair statement" that alternate locations were "probably . . . minimal" and "possibly" "pretty close to nonexistent". The court of appeals stated that "there is nothing in the ordinance that precludes Barr from providing his religious ministry to parolees and probationers, from providing instruction, counsel, and helpful assistance in other facilities in Sinton, or from housing these persons outside the City and providing his religious ministry to them there." [75] But there is no evidence of any alternate location in the City of Sinton where the ordinance would have allowed Barr's ministry to operate, or of possible locations outside the city. Moreover, while evidence of alternatives is certainly relevant to the issue whether zoning restrictions substantially burden free religious exercise, evidence of *some* possible alternative, irrespective of the difficulties presented, does not, standing alone, disprove substantial burden. [76] In a related context, the Supreme Court has observed that ***HN25*** "one is not to have the exercise **[**39]** of his liberty of expression in appropriate places abridged on the plea that it may be exercised in some other place." [77] As a practical matter, the ordinance ended Barr's ministry, as the City Council surely knew it would. [78] We therefore have no hesitation in concluding that Ordinance 1999-02 substantially burdened Barr's ministry. The trial court's unexplained finding to the contrary has no support in the evidence.

The City argues that its zoning restrictions on locating Barr's ministry inside city limits could not have been a substantial burden because the City is so small that excluding the ministry from inside the city limits was inconsequential. But ***HN26*** size alone is not determinative. The *Schad* case involved the Borough of Mount Ephraim, [79] a municipality about half the size of Sinton in area, with roughly the same population at the times relevant to that case and this one. [80] The Supreme **[**40]** Court did not consider the small size of the municipality to be **[*303]** important and specifically rejected the argument that the adult entertainment business at issue could simply move elsewhere. [81] Moreover, as we have noted, there is no evidence regarding alternative locations for Barr's ministry.

The City also argues that Barr could have continued his ministry as long as each person he desired to help either owned his own home or was a guest in another's home. The City points out that the residents in Barr's homes eventually moved in with members of Barr's church. But of course, that occurred as the ministry came to an end. There is no evidence that Barr could have continued his ministry one-on-one to probationers and parolees scattered out in different homes. In any event, ***HN27*** a burden on a person's religious exercise is not insubstantial simply because he could always choose to do something else.

The City argues that Barr's ministry was not substantially burdened because he was never cited or charged **[**41]** with a crime, but ***HN28*** nothing in TRFRA suggests that either is necessary for a burden to be substantial. The City contends that no requirement imposed on the operation of a correctional institution can substantially burden religious exercise, pointing to statutes passed with TRFRA that create a rebuttable presumption that such requirements meet strict scrutiny. [82] But the presumption those statutes create is

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[75] S.W.3d at , 2005 Tex. App. LEXIS 9847, *18.

[76] Sts. Constantine & Helen Greek Orthodox Church, Inc. v. City of New Berlin, 396 F.3d 895, 901 (7th Cir. 2005) (holding that requiring church to relocate, while not an insuperable burden, was substantial).

[77] Schneider v. New Jersey, 308 U.S. 147, 163, 60 S. Ct. 146, 84 L. Ed. 155 (1939).

[78] See *supra* note 6.

[79] Schad v. Borough of Mount Ephraim, 452 U.S. 61, 101 S. Ct. 2176, 68 L. Ed. 2d 671 (1981).

[80] See Borough of Mount Ephraim, New Jersey, http://www.mountephraim-nj/statistics.html (last visited June 12, 2009).

[81] Schad, 452 U.S. at 76-77.

[82] TEX. GOV'T CODE § 76.018 ("For purposes of Chapter 110, Civil Practice and Remedies Code, an ordinance, rule, order, decision, or practice that applies to a person in the custody of a correctional facility operated by or under a contract with a community supervision and corrections department is presumed to be in furtherance of a compelling governmental interest and the least restrictive means of furthering that interest. The presumption may be rebutted."); *id.* § 493.024 ("For purposes of Chapter 110, Civil Practice and Remedies Code, an ordinance, rule, order, decision, or practice that applies to a person in the custody of a jail or other correctional **[**42]** facility operated by or under a contract with the department is presumed to be in furtherance of a compelling governmental interest and the least restrictive means of furthering that interest. The presumption may be rebutted."); TEX. HUM. RES. CODE § 61.097 ("For purposes of Chapter 110, Civil Practice and Remedies Code, an ordinance, rule, order, decision, or practice that applies to a person in the custody of a juvenile detention facility or other correctional facility operated by or under a contract with the commission, a county, or a juvenile probation department is

rebuttable, and in any event, they do not apply to Barr's halfway houses because Barr did not operate under contract with the government.

The City argues that its position finds support in the five *pre-Smith* federal cases it cites regarding the impact of zoning laws on the location of worship facilities. While four of the cases found no substantial burden on religious practice, they are readily distinguished. In two of the cases, relatively small groups in large cities -- in *Grosz*, an orthodox Jewish group of usually ten to twenty people in Miami Beach, [83] and in *Christian Gospel Church* a group of **[*304]** about fifty people in San Francisco [84] -- sought to meet in homes in areas zoned residential, asserting that home-worship was important to their religious beliefs. In *Grosz*, churches were permitted by zoning in half the city, including an area just four blocks from the home sought to be used. [85] In *Christian Gospel Church*, the group had been meeting in a hotel banquet room, and there were areas throughout the city, including residential areas, where churches might meet. [86] Two other cases involved larger groups who sought to build facilities. In *Lakewood*, a Jehovah's Witness congregation that had been meeting in a commercial area wanted to relocate to a residential area. [87] Although zoning in only about ten percent **[**44]** of the city permitted churches, the court concluded that the congregation could easily find a location in those areas or purchase a church building in a residential area. [88] In *Messiah Baptist Church*, a church bought 80 acres in an area zoned for agricultural use, intending to construct a 12,000-square-foot facility, including a worship area, administrative office, and a gymnasium, along with a 151-car parking lot and an amphitheater for drive-in worshipers. [89] The court concluded that the church's religious practice was not unduly burdened merely because it was denied such use of land that was inexpensive and attractive. [90]

The fifth case, *Islamic Center*, held that the use of zoning restrictions to exclude Muslims **[**45]** at Mississippi State University from worshiping in a home in a residential area in Starkville, Mississippi, violated the *Free Exercise Clause*. [91] The court concluded that the zoning restrictions were impermissibly burdensome because they "force[d] Muslims to worship in the least acceptable parts of the City or in the county outside the City's boundaries". [92] The court rejected the city's argument that the Muslims could simply go elsewhere:

> And ***HN29*** a city may not escape the constitutional protection afforded against its actions by protesting that those who seek an activity it forbids may find it elsewhere. By making a mosque relatively inaccessible within the city limits to Muslims who lack automobile transportation, the City burdens their exercise of their religion.
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> * * *
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> As the Supreme Court observed in *Schad*, the availability of other sites outside city limits does not permit a city to forbid the exercise of a constitutionally protected right within its limits. "[One] is not to have the exercise of his liberty of expression [and, we add, his freedom of religion] in appropriate places abridged on the plea that it may be exercised in some other place." [93]

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presumed to be in furtherance of a compelling governmental interest and the least restrictive means of furthering that interest. The presumption may be rebutted."); *TEX. LOC. GOV'T CODE § 361.101* ("For purposes of Chapter 110, Civil Practice and Remedies Code, an ordinance, rule, order, decision, or practice that applies to a person in the custody of a municipal or county jail or other correctional facility operated by or under a contract with a county or municipality is presumed to be in furtherance of a compelling governmental interest and the least restrictive means of furthering that interest. The presumption may **[**43]** be rebutted.")

[83] *Grosz v. City of Miami Beach, 721 F.2d 729, 731 (11th Cir. 1983)*.

[84] *Christian Gospel Church, Inc. v. City & County of San Francisco, 896 F.2d 1221, 1222-1223 (9th Cir. 1990)*.

[85] *Grosz, 721 F.2d at 739*.

[86] *Christian Gospel Church, 896 F.2d at 1224*.

[87] *Lakewood, Ohio Congregation of Jehovah's Witnesses, Inc. v. City of Lakewood, Ohio, 699 F.2d 303, 304-305 (6th Cir. 1983)*.

[88] *Id. at 307*.

[89] *Messiah Baptist Church v. County of Jefferson, 859 F.2d 820, 821 (10th Cir. 1988)*.

[90] *Id. at 824-825*.

[91] *Islamic Ctr. of Miss., Inc. v. City of Starkville, 840 F.2d 293, 294 (5th Cir. 1988)*.

[92] *Id. at 298*.

[93] *Id. at 299, 300* (brackets in original, footnotes omitted, quoting *Schad v. Borough of Mount Ephraim, 452 U.S. 61, 76-77, 101 S. Ct. 2176, 68 L. Ed. 2d 671 (1981)* (quoting *Schneider v. New Jersey, 308 U.S. 147, 163, 60 S. Ct. 146, 84*

[*305] Although the zoning ordinance did **[**46]** not foreclose all locations, the court determined "relatively impecunious Muslim students" were left with "no practical alternatives for establishing a mosque in the city limits." [94]

The City argues that the decision in *Islamic Center* was based on the use of zoning to discriminate against a particular religion, something that it did not do in the present case. The City of Starkville had permitted a large number of Christian churches in the same area from which the Muslim mosque was prohibited; [95] indeed, a Pentecostal church met right next door to the Muslims' property. [96] But these facts were pertinent to the city's justification of the zoning ordinance, not to whether ordinance substantially burdened the Muslim group. As the court stated: "The City's approval of applications for zoning exceptions by other churches suggests that it did not treat all applicants alike. This undermines **[**47]** the City's contention that the Board denied a zoning exception to the Muslims solely for the purposes of traffic control and public safety." [97] Irrespective of the city's possible motivation, the burden on the Muslims' use of their property for religious purposes was substantial.

All five of the cases on which the City relies illustrate that ***HN30*** the existence and degree of a zoning restriction's **[**48]** burden on religious exercise are practical matters to be determined based on the specific circumstances of a particular case. A restriction need not be completely prohibitive to be substantial; it is enough that alternatives for the religious exercise are severely restricted. The City notes that no one in the present case was prohibited from attending church, but religious exercise is not so confined. The cases support our conclusion that Ordinance 1999-02 substantially burdened Barr's religious exercise.

C

HN31 "To say that a person's right to free exercise has been burdened, of course, does not mean that he has an absolute right to engage in the conduct." [98] The government may regulate such conduct in furtherance of a compelling interest.

Consistent with its contention that TRFRA does not apply to zoning, the City asserts in its brief: "Zoning itself is a compelling state interest." That position, as we have already discussed, has been rejected by this Court and by the Supreme Court. [99] ***HN32*** Although the government's interest in the public welfare in general, and in preserving **[**49]** a common character of land areas and use in particular, is certainly legitimate when properly motivated and **[*306]** appropriately directed, the assertion that zoning ordinances are per se superior to fundamental, constitutional rights, such as the free exercise of religion, must fairly be regarded as indefensible.

HN33 The Supreme Court held in Smith, not that the government's interest in neutral laws of general application is always compelling when compared to the people's interest in fundamental rights, but only that the United States Constitution does not require the two interests to be balanced every time they conflict. RFRA, RLUIPA, and TRFRA, as well as laws enacted other states, now require that balance by statute when government action substantially burdens the free exercise of religion. The government's interest is compelling when the balance weighs in its favor -- that is, when the government's interest justifies the substantial burden on religious exercise. Because religious exercise is a fundamental right, that justification can be found only in "interests of the highest order", [100] to quote the Supreme Court in Yoder, and to quote Sherbert, only to avoid "'the gravest

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L. Ed. 155 (1939))).

[94] Id. at 302.

[95] Id. at 294 ("While the city ordinance restricts the use of any property in this type of residential area or in the City's commercial district as a church, 25 churches, all Christian, are located in similarly regulated areas. Sixteen of these churches occupied their present sites before the ordinance became effective, and nine moved in thereafter with the benefit of an exception. Only the Islamic Center has ever been denied an exception.").

[96] Id. at 296 ("Next door to the Islamic Center is an impressive brick two-story building, graced by stately white columns and a broad veranda, once occupied as a fraternity house. This is now Maranatha House, a residence and worship center for a Pentecostal Christian denomination. Five more churches lie within a quarter mile of these two religious centers.").

[97] Id. at 302.

[98] Employment Div., Dep't of Human Res. v. Smith, 494 U.S. 872, 894, 110 S. Ct. 1595, 108 L. Ed. 2d 876 (1990) (O'Connor, J., concurring in the judgment).

[99] *See supra* Part III.

[100] Wisconsin v. Yoder, 406 U.S. 205, 215, 92 S. Ct. 1526, 32 L. Ed. 2d 15 (1972).

[50]** abuses, endangering paramount interest[s]'". [101] Thus, in *Yoder*, the state's interest in children attending the first two years of high school was not sufficiently compelling to justify the substantial burden on the Amish people's religious conviction that children be taught at home. [102] And in *Sherbert*, the state's interest in a uniform unemployment compensation system and the reduced possibility of fraudulent claims was not compelling enough to deny benefits to a claimant who had refused to work on Saturday because of her religious beliefs. [103]

The Supreme Court recently explained in *Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal* that ***HN34*** "RFRA requires the Government to demonstrate that the compelling interest test is satisfied through application of the challenged law 'to the person' -- the particular claimant whose sincere exercise of religion is being substantially burdened." [104] To satisfy this requirement, the Supreme Court stated, courts must "look[] beyond broadly **[**51]** formulated interests justifying the general applicability of government mandates and scrutinize[] the asserted harm of granting specific exemptions to particular religious claimants." [105] Acknowledging that there is "no cause to pretend that the task … is an easy one", [106] the Court held that RFRA requires that "courts should strike sensible balances, pursuant to a compelling interest test that requires the Government to address the particular practice at issue." [107]

In this regard, there is no basis for distinguishing RFRA from TRFRA; the same requirement verbatim is in both. The Sinton City Council's recitation in Ordinance 1999-02 -- that "the requirements of this section are reasonably necessary to preserve the public safety, morals, and general welfare" -- is the kind of "broadly formulated interest[]" that does not satisfy the scrutiny mandated by TRFRA. Likewise, the trial court's brief finding -- that "[t]he ordinance was in furtherance of **[*307]** a compelling government interest" -- falls short of the required scrutiny. As Professor Douglas Laycock has observed regarding TRFRA and state RFRAs generally: ***HN35*** "the compelling **[**52]** interest test must be taken seriously. Courts and litigants must focus on real and serious burdens to neighboring properties, and not assume that zoning codes inherently serve a compelling interest, or that every incremental gain to city revenue (in commercial zones), or incremental reduction of traffic (in residential zones), is compelling." [108]

HN36 Although TRFRA places the burden of proving a substantial burden on the claimant, it places the burden of proving a compelling state interest on the government. The City argues that its compelling interest in Ordinance 1999-02 is established by statutes providing that correctional facility regulations presumptively meet strict scrutiny. As we have already explained, however, these statutes are inapplicable. [109]

The City also asserts that Ordinance 1999-02 serves a compelling interest in advancing safety, preventing nuisance, and protecting children. But there is no evidence to support the City's assertion with respect to "the particular practice at issue" -- Barr's ministry. In fact, the only evidence is **[**53]** to the contrary: Barr testified that he admitted only nonviolent offenders to his program, and no aspect of his operation ever presented a safety problem, a nuisance, or a threat to children. He and the city manager both testified that they were not aware of any complaints of disturbance. The City cites no studies or experiences with halfway houses to support its professed concerns. The City was not, of course, required to wait until disturbances occurred, possibly causing significant harm, before taking measures to prevent them, but neither could it assert a compelling interest in practically excluding a religious ministry from operating within the city limits based on nothing more than speculation.

The City argues that the restrictions in Ordinance 1999-02 are similar to those imposed by state law on facilities run by or under contract with the government. [110] But ***HN37*** the State is free to impose whatever restrictions it chooses on itself and local governments; [111] those

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[101] *Sherbert v. Verner, 374 U.S. 398, 406, 83 S. Ct. 1790, 10 L. Ed. 2d 965 (1963)* (quoting *Thomas v. Collins, 323 U.S. 516, 530, 65 S. Ct. 315, 89 L. Ed. 430 (1945)*).

[102] *Yoder, 406 U.S. at 228-229*.

[103] *Sherbert, 374 U.S. at 407*.

[104] *546 U.S. 418, 430-431, 126 S. Ct. 1211, 163 L. Ed. 2d 1017 (2006)*.

[105] *Id. at 431*.

[106] *Id. at 439*.

[107] *Id.*

[108] Douglas Laycock, *State RFRAs and Land Use Regulation*, *32 U.C. DAVIS L. REV. 755, 784 (1999)*.

[109] *See supra* note 82 and accompanying text.

[110] *See supra* note 11.

[111] *See Ysursa v. Pocatello Educ. Ass'n, U.S. , , 129 S. Ct. 1093, 172 L. Ed. 2d 770 (2009)* ("'Political subdivisions of

governments have no Free Exercise rights of their own. The State's interest in restricting halfway houses run by or for itself or local governments when no fundamental right is implicated does not suddenly become compelling **[**54]** when free religious exercise is substantially burdened. Moreover, the City's argument is undercut by the fact that it made no effort to enforce Ordinance 1999-02 for over a year after it was adopted. An interest that need not be enforced against the very thing it is adopted to prevent can hardly be considered compelling.

None of the four federal cases decided before *Smith* upholding the application of zoning laws to worship facilities supports the City's arguments regarding compelling interest. Because those cases found no substantial burden on religious exercise, the government's interest was not required to be compelling. In the fifth case, *Islamic [*308] Center*, the court held that the city's failure to produce evidence of a compelling interest in denying permission for a Muslim mosque in a residential area was fatal to the application of the zoning ordinance. The City's cases do not support its position.

In addressing **[**55]** the cases on which the City relies, we should not be read to suggest that worship facilities and halfway houses are no different, or that the balancing of interests required by strict scrutiny is the same, regardless of the nature of the religious conduct. TRFRA's requirement of an assessment of the burden "to the person" necessitates taking into account the individual circumstances. We have focused on the five cases the City cites because of its reliance on them, but as we have noted, the applicable principles must also be drawn from other contexts.

The City's failure to establish a compelling interest in this case in no way suggests that the government never has a compelling interest in zoning for religious use of property or in regulating halfway houses operated for religious purposes. [112] TRFRA guarantees a process, not a result. The City's principal position in this case has been that it is exempt from TRFRA. We do not hold that the City could not have satisfied TRFRA; we hold only that it failed to do so.

D

Finally, ***HN38*** TRFRA requires that even when the government acts in furtherance of a compelling interest, it must show that it used the least restrictive means of furthering that interest. The City has made no effort to show that it complied with this requirement. Ordinance 1999-02 is very broad. If as the city manager testified, locations in the City of Sinton more than 1,000 feet from a residential area, school, park, recreational area, or church are "pretty close to nonexistent", the ordinance effectively prohibits any private "residential facility . . . operated for the purpose of housing persons . . . convicted of misdemeanors . . . within one . . . year after having been released from confinement in any penal institution" inside the city limits. Read literally, this would prohibit a Sinton resident from leasing a room to someone within a year of his having been jailed for twice driving with an invalid license. [113] Such restrictions are certainly not the least restrictive means of insuring that religiously operated halfway houses do **[**57]** not jeopardize children's safety and residents' wellbeing.

V

We conclude, based on the record before us, that Ordinance 1999-02, as applied to Barr's ministry, violates TRFRA. Accordingly, we reverse the judgment of the court of appeals. Because the trial court did not reach the issues of appropriate injunctive relief, actual damages, and attorney fees, we remand the case to the trial court for further proceedings in accordance with this opinion.

Nathan L. Hecht Justice

Opinion delivered: June 19, 2009

States -- counties, cities, or whatever -- never were and never have been considered as sovereign entities.'" (quoting *Reynolds v. Sims, 377 U.S. 533, 575, 84 S. Ct. 1362, 12 L. Ed. 2d 506 (1964)*)).

[112] *See Schad v. Borough of Mount Ephraim, 452 U.S. 61, 76, 101 S. Ct. 2176, 68 L. Ed. 2d 671 (1981)* (stating that it "may very well be true" that "if there were countywide zoning, it would be quite legal to allow **[**56]** live entertainment in only selected areas of the county and to exclude it from primarily residential communities, such as the Borough of Mount Ephraim").

[113] A second conviction for driving with an invalid license is a Class B misdemeanor. *TEX. TRANSP. CODE § 521.457(f)*. The maximum punishment for a Class B misdemeanor is a $ 2,000 fine and 180 days' imprisonment. *TEX. PENAL CODE § 12.22*.

EXHIBIT I

Merced v. Kasson

United States Court of Appeals for the Fifth Circuit

July 31, 2009, Filed

No. 08-10358 Cons w/ 08-10506

Reporter
577 F.3d 578; 2009 U.S. App. LEXIS 17027

JOSE MERCED, President Templo Yoruba Omo Orisha Texas, Inc., Plaintiff-Appellant v. KURT KASSON; MIKE COLLINS; BOB FREEMAN; CITY OF EULESS, Defendants-Appellees. JOSE MERCED, President Templo Yoruba Omo Orisha Texas, Inc., Plaintiff-Appellee v. CITY OF EULESS, Defendant-Appellant.

Prior History: [**1] Appeals from the United States District Court for the Northern District of Texas.
Merced v. City of Euless, 2008 U.S. Dist. LEXIS 33913 (N.D. Tex., Apr. 23, 2008)
Merced v. City of Euless, 2008 U.S. Dist. LEXIS 3685 (N.D. Tex., Jan. 17, 2008)

Core Terms

animals, ordinances, sacrifices, religious, killing, disposal, religion, district court, religious practice, city's, priest, ceremonies, orishas, free exercise of religion, substantial burden, no evidence, goats, regulations, burdened, religious belief, ban, least restrictive, four-legged, initiate, turtles, sheep, compelling governmental interest, free exercise, slaughter, prison's

Case Summary

Procedural Posture

Plaintiff priest sued defendant city under the Texas Religious Freedom and Restoration Act (TRFRA), seeking a permanent injunction to prohibit the city from enforcing ordinances that allegedly burdened his religious practices by barring certain animal sacrifices. After a bench trial, the U.S. District Court for the Northern District of Texas granted summary judgment for the city, but denied its request for attorneys' fees. The parties appealed.

Overview

Taken together, six of the city's ordinances prevented the sacrifice of certain animals. This ban prevented the priest from performing certain ceremonies essential to his religion. Simply because the priest was able to perform some religious ceremonies did not mean the city's ordinances did not burden his other religious practices pursuant to *Tex. Civ. Prac. & Rem. Code Ann. § 110.001(a)(1)* of TRFRA. Accordingly, under *Tex. Civ. Prac. & Rem. Code Ann. § 110.003* of TRFRA, the ordinances substantially burdened the priest's free exercise of religion without advancing a compelling governmental interest using the least restrictive means. Thus, the priest was entitled to an injunction under TRFRA preventing the city for enforcing its ordinances that burdened his religious practice of sacrificing animals, *Tex. Civ. Prac. & Rem. Code § 110.005(a)(2)*. Given the appellate court's resolution of the priest's TRFRA claim on the merits, the case was not only nonfrivolous, it was meritorious and prevailing. Accordingly, the city was not a prevailing party on the TRFRA claim, and it was not entitled to attorneys' fees under *42 U.S.C.S. § 1988*.

Outcome

The summary judgment for the city on the priest's TRFRA claim was reversed, and the matter was remanded to the district court. The district court's denial of attorneys' fees to the city was affirmed.

LexisNexis® Headnotes

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

HN1 The Texas Religious Freedom and Restoration Act (TRFRA), Tex. Civ. Prac. & Rem. Code Ann. ch. 110, prevents the state and local Texas governments from substantially burdening a person's free exercise of religion unless the government can demonstrate that doing so furthers a compelling governmental interest in the least restrictive manner.

Constitutional Law > ... > Case or Controversy > Constitutional Questions > General Overview

HN2 A federal court will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of.

Constitutional Law > ... > Case or Controversy > Constitutional Questions > Necessity of Determination

HN3 It is not the habit of a federal court to decide questions of a constitutional nature unless absolutely necessary to a decision of the case.

Civil Procedure > Appeals > Standards of Review > General Overview

Civil Procedure > Appeals > Standards of Review > Questions of Fact & Law

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

HN4 Under the Texas Religious Freedom and Restoration Act, while an appellate court must accept a trial court's fact findings supported by the evidence, the ultimate answers determine the legal rights protected by the Act and are thus matters of law.

Civil Procedure > Trials > Bench Trials

Civil Procedure > Appeals > Standards of Review > Clearly Erroneous Review

Civil Procedure > Appeals > Standards of Review > De Novo Review

Civil Procedure > Appeals > Standards of Review > Questions of Fact & Law

HN5 A district court's legal conclusions at a bench trial are reviewed de novo and its findings of fact are reviewed for clear error.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

Evidence > Burdens of Proof > Allocation

HN6 See *Tex. Civ. Prac. & Rem. Code Ann. § 110.003*.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

Governments > Local Governments > Ordinances & Regulations

HN7 A court determines whether a city's ordinance violated the Texas Religious Freedom and Restoration Act after applying a four-part test: (1) whether the government's regulations burden a plaintiff's free exercise of religion; (2) whether the burden is substantial; (3) whether the regulations further a compelling governmental interest; and (4) whether the regulations are the least restrictive means of furthering that interest.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

HN8 The Texas Religious Freedom and Restoration Act defines "free exercise of religion" as an act or refusal to act that is substantially motivated by sincere religious belief. In determining whether an act or refusal to act is substantially motivated by sincere religious belief under this chapter, it is not necessary to determine that the act or refusal to act is motivated by a central part or central requirement of the person's sincere religious belief. *Tex. Civ. Prac. & Rem. Code Ann. § 110.001(a)(1)*.

Civil Rights Law > Protection of Rights > Religious Freedom > Religious Freedom Restoration Act

Civil Rights Law > Protection of Rights > Prisoner Rights > Freedom of Religion

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

Governments > Legislation > Interpretation

Public Health & Welfare Law > Social Services > Institutionalized Individuals > Advocacy & Protection

HN9 According to the Texas Supreme Court, a burden under Texas Religious Freedom and Restoration Act is substantial if it is real vs. merely perceived, and significant vs. trivial. The inquiry is case-by-case and fact-specific. Federal case law interpreting Texas Religious Freedom and Restoration Act and the Religious Land Use and Institutionalized Persons Act is relevant.

Civil Rights Law > Protection of Rights > Prisoner Rights > Freedom of Religion

Public Health & Welfare Law > Social Services > Institutionalized Individuals > Advocacy & Protection

HN10 In the context of the Religious Land Use and Institutionalized Persons Act, the United States Court of Appeals for the Fifth Circuit uses the following definition of "substantial burden": A government action or regulation creates a "substantial burden" on a religious exercise if it truly pressures the adherent to significantly modify his religious behavior and significantly violate his religious beliefs. The effect of a government action or regulation is significant when it either (1) influences the adherent to act in a way that violates his religious beliefs; or (2) forces the adherent to choose between, on the one hand, enjoying some generally available, nontrivial benefit, and, on the other hand, following his religious beliefs.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

HN11 At a minimum, the government's ban of conduct sincerely motivated by religious belief substantially burdens an adherent's free exercise of that religion. A restriction need not be completely prohibitive to be substantial; it is enough that alternatives for the religious exercise are severely restricted.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

Governments > Courts > Authority to Adjudicate

HN12 It is not within the judicial ken to question the centrality of particular beliefs or practices to a faith, or the validity of particular litigants' interpretations of those creeds. Courts must not presume to determine the place of a particular belief in a religion or the plausibility of a religious claim.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

HN13 The relevant inquiry is not whether governmental regulations substantially burden a person's religious free exercise broadly defined, but whether the regulations substantially burden a specific religious practice. *Tex. Civ. Prac. & Rem. Code Ann. § 110.001(a)(1)*

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

HN14 A burden on a person's religious exercise is not insubstantial simply because he could always choose to do something else.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

Governments > Legislation > Statutory Remedies & Rights

HN15 The Texas Religious Freedom and Restoration Act applies to any rule, order, decision, practice, or other exercise of governmental authority. *Tex. Civ. Prac. & Rem. Code Ann. § 110.002(a)*. This broad language does not permit a court to read an exception into the statute for generally applicable laws that incidentally burden religious conduct.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Religion > Free Exercise of Religion

Evidence > Burdens of Proof > General Overview

Evidence > Burdens of Proof > Allocation

HN16 The Texas Religious Freedom and Restoration Act places on the Government the burden of proving that the burden it created both advances a compelling interest and is the least restrictive means of doing so. *Tex. Civ. Prac. & Rem. Code Ann. § 110.003(b)*. Federal decisions interpreting the *Free Exercise Clause* are relevant to this inquiry. *Tex. Civ. Prac. & Rem. Code Ann. § 110.001(b)*. These cases have described a compelling governmental interest using phrases such as of the highest order and paramount.

Civil Rights Law > Protection of Rights > Religious Freedom > Religious Freedom Restoration Act

Evidence > Burdens of Proof > General Overview

Evidence > Burdens of Proof > Allocation

HN17 The Religious Freedom Restoration Act requires the Government to demonstrate that the compelling interest test is satisfied through application of the challenged law to the person--the particular claimant whose sincere exercise of religion is being substantially burdened. The Government cannot rely upon general statements of its interests, but must tailor them to the specific issue at hand: the courts look beyond broadly formulated interests justifying the general applicability of government mandates and scrutinized the asserted harm of granting specific exemptions to particular religious claimants. The courts' task of balancing the interests is difficult, but the goal is to strike sensible balances, pursuant to a compelling interest test that requires the Government to address the particular

practice at issue.

Business & Corporate Compliance > ... > Governments > Agriculture & Food > Meat Inspections

HN18 Texas law exempts from meat inspection requirements the slaughter and consumption of meat for the personal use of the livestock's owner, his family, and his non-paying guests. *Tex. Health & Safety Code Ann. § 433.006(a)*.

Constitutional Law > ... > Fundamental Freedoms > Freedom of Speech > General Overview

Constitutional Law > ... > Fundamental Freedoms > Freedom of Speech > Scope

Evidence > Burdens of Proof > General Overview

HN19 Where the government restricts only conduct protected by the *First Amendment* and fails to enact feasible measures to restrict other conduct producing substantial harm or alleged harm of the same sort, the interest given in justification of the restriction is not compelling.

Civil Procedure > ... > Attorney Fees & Expenses > Basis of Recovery > Statutory Awards

Civil Rights Law > ... > Procedural Matters > Costs & Attorney Fees > Judicial Discretion

Civil Rights Law > ... > Procedural Matters > Costs & Attorney Fees > Prevailing Parties

Civil Rights Law > ... > Procedural Matters > Costs & Attorney Fees > Statutory Attorney Fee Awards

HN20 *42 U.S.C.S. § 1988* allows district courts, in their discretion, to award fees to a prevailing party for actions brought under, among others, *42 U.S.C.S. § 1983*, the Religious Land Use and Institutionalized Persons Act, and Religious Freedom Restoration Act. *42 U.S.C.S. § 1988(b)*.

Civil Procedure > ... > Attorney Fees & Expenses > Basis of Recovery > Statutory Awards

Civil Rights Law > ... > Procedural Matters > Costs & Attorney Fees > Prevailing Parties

Civil Rights Law > ... > Procedural Matters > Costs & Attorney Fees > Statutory Attorney Fee Awards

HN21 While prevailing plaintiff's are usually entitled to attorneys' fees, prevailing defendants cannot recover *42 U.S.C.S. § 1988* fees without demonstrating that the plaintiff's underlying claim was frivolous, unreasonable or groundless.

Civil Procedure > ... > Attorney Fees & Expenses > Basis of Recovery > Statutory Awards

Civil Procedure > Appeals > Standards of Review > Abuse of Discretion

Civil Rights Law > ... > Procedural Matters > Costs & Attorney Fees > Appellate Review

HN22 An appellate court reviews a district court's decision to award attorneys' fees under *42 U.S.C.S. § 1988* for an abuse of discretion.

Counsel: For JOSE MERCED, President, Templo Yoruba Omo Orisha Texas Inc, Plaintiff - Appellant (08-10358): Eric Rassbach, Luke W. Goodrich, Hannah C. Smith, Lori Halstead Windham, Becket Fund for Religious Liberty, Washington, DC.

For KURT KASSON, MIKE COLLINS, BOB FREEMAN, CITY OF EULESS, Defendants - Appellees (08-10358): William Michael McKamie, Bradford Eugene Bullock, Law Offices of William M. McKamie, P.C., San Antonio, TX.

For JOSE MERCED, President, Templo Yoruba Omo Orisha Texas Inc, Plaintiff - Appellee (08-10506): Eric Rassbach, Luke W. Goodrich, Hannah C. Smith, Lori Halstead Windham, Becket Fund for Religious Liberty, Washington, DC.

For CITY OF EULESS, Defendant - Appellant (08-10506): William Michael McKamie, Bradford Eugene Bullock, Law Offices of William M. McKamie, P.C., San Antonio, TX.

Judges: Before BARKSDALE, DENNIS, and ELROD, Circuit Judges.

Opinion by: JENNIFER W. ELROD

Opinion

[*581] JENNIFER W. ELROD, Circuit Judge:

HN1 The Texas Religious Freedom and Restoration Act (TRFRA), Tex. Civ. Prac. & Rem. Code ch. 110, prevents the state and local Texas governments from substantially burdening a person's free exercise of religion unless **[**2]** the government can demonstrate that doing so furthers a compelling governmental interest in the least restrictive manner. In this case, we must decide if the city of Euless, Texas, may practically

forbid the keeping--even for brief periods--and slaughter of four-legged animals within its borders, a ban that prevents practitioners of the Santeria faith from performing ceremonies essential to their religion. We hold that, under TRFRA, the Euless ordinances at issue substantially burden plaintiff's free exercise of religion without advancing a compelling governmental interest using the least restrictive means.

[*582] Jose Merced is a Santeria Oba Oriate, or priest, and is a native of Puerto Rico who moved to Euless in 1990. [1] In 2006, the city informed Merced that he could not legally perform certain animal sacrifices essential to Santeria religious practice, though he had done so for the previous sixteen years without incident. He sued the city, seeking a permanent injunction that prohibited Euless from enforcing its ordinances that burdened his religious practice. The district court entered judgement for the city following a bench trial, but denied its request for attorney fees. We reverse **[**3]** the former and affirm the latter.

I. FACTUAL AND PROCEDURAL BACKGROUND

A. The Santeria Religion [2]

Modern-day Santeria originated in Cuba and is a fusion of western African tribal religion and some elements of Roman Catholicism. Its practice centers around spirits called orishas, which are divine representatives of Olodumare, the supreme deity. Santeria rituals seek to engage these orishas, honor them, and encourage their involvement in the material world. Doing so requires the use of life energy, or ashe, the highest concentration of which is found in animal blood. Thus many Santeria rituals involve the sacrifice of live animals to transfer ashe to the orishas. Although animal sacrifices are used to celebrate a range of events, including birth, marriage, and death, the most complex ceremony takes place when a new priest is initiated. This ceremony, at which a new shrine is **[**4]** consecrated, generally involves a sacrifice of five to seven four-legged animals (lambs or goats), a turtle, a duck, ten to fourteen chickens, five to seven guinea hens, and ten to fourteen doves in addition to other elements (songs, drum music, and the offering of other objects). The animals are usually cooked and eaten after these sacrifices.

Santeria ceremonies are highly dependent on the will of the orisha to which they are directed. Home shrines, which are symbols or physical manifestations of the orishas, are integral to Santeria, and ceremonies and sacrifices usually take place in the home of the officiating priest, although occasionally they may take place in a temple or at the home shrine of another priest. The orishas determine where sacrifices are to be conducted, and the priests divine the orishas' will by a complex divination process. There are more than 250,000 practitioners of Santeria in the world, but only two Santeria temples, neither of which is in the continental United States. [3] Thus, home sacrifice is not only the norm, but a crucial aspect of Santeria, without which Santeria would effectively cease to exist.

B. Merced's Religious Practices [4]

In 1990, Merced moved to Euless and began to conduct ritual sacrifices. From 1990 to 2006, Merced performed the sacrifices without any interference from Euless, initiating, on average, one new priest a year. The sacrifices take place in a room attached to Merced's garage, which is isolated **[*583]** from the rest of the house. Merced purchases the animals from local markets and has them delivered to his house close to the time of the ceremony, usually about 15 minutes beforehand. There is no evidence that he had kept a four-legged animal in his home before sacrificing it for more than four hours. He keeps the animals caged outside until he kills them. Merced slits the carotid arteries of the animals to kill them humanely, and the blood is collected and offered to the orishas. The paper or plastic mats on which the sacrifices are performed are wrapped and thrown away. The edible portions **[**6]** of the animals are generally cooked and eaten (and some portions, like the intestines, are cooked but not eaten), and any remains are double-bagged and placed either in the trash or in a dumpster owned by another Santeria practitioner. No one had ever become sick during one of Merced's ceremonies, which generally last for several days (such that participants would presumably be in a position to observe if

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[1] He is also the president of Templo Yoruba Omo Orisha Texas, Inc., a Santeria religious organization.

[2] This section summarizes the testimony of Merced's expert, who described the tenets of faith and the practices of the Santeria religion. The district court found the expert's testimony credible, and the city agreed.

[3] Merced testified that Templo Yoruba Omo Orisha hopes **[**5]** eventually to build a temple, where certain ceremonies may take place if and as the orishas allow, but has no concrete plans to do so currently. Merced does not know where the temple will be located.

[4] Except as noted in the text and below, see infra n.9, these facts are undisputed.

someone did become ill). [5]

On September 4, 2004, Merced was holding a ceremony at his home. The police received an anonymous call from a neighbor and went to Merced's house to stop the ceremony. Once there, the police called two animal control officers, who allowed Merced to finish the ceremony. In May 2006, the police received another anonymous call stating that several goats were about to be killed. Merced was, in fact, hosting a birthday celebration for which no sacrifices were planned. When the officers arrived they told Merced not to conduct any sacrifices because they were likely illegal in Euless. Merced asked how he could obtain a permit for the sacrifices and was told to contact a supervisor. **[**7]** A few weeks later, Merced and another priest went to a permits office attempting to obtain a permit. They were told by two different employees that no such permit existed because animal slaughter was strictly prohibited. Merced ceased performing the sacrifices illegal in Euless (although he continued to perform Santeria rituals that are not prohibited).

Merced has delayed initiating an aspiring priest because the ceremony must be performed in his home and he cannot perform it legally. Merced is willing to comply with any disposal or health standards that Euless might create, but the city denied the availability of a permit or exception for sacrificing four-legged animals, and intends to prosecute Merced if he attempts any further sacrifices of four-legged animals.

On December 22, 2006, Merced filed a complaint against Euless and several city officials alleging violations of *42 U.S.C. § 1983*, the Religious Land Use and Institutionalized Persons Act (RLUIPA), *42 U.S.C. § 2000cc*, the *First*, *Fifth*, and *Fourteenth Amendments*, and TRFRA. The district court dismissed the suit as to the individual defendants because they had been sued in their personal capacities. In December, 2007, the district **[**8]** court dismissed the RLUIPA claim because no zoning laws were at issue. The parties conducted discovery and proceeded to trial.

C. Euless's Ordinances and Trial Testimony

Before trial, the parties stipulated that six Euless ordinances prevented the sacrifice of four-legged animals:

Sec. 10-3. Slaughtering animals.

It shall be unlawful to slaughter or to maintain any property for the purpose of slaughtering any animal in the city.

Sec. 10-5. Exceptions and exemptions not required to be negated.

[*584] In any complaint and in any action or proceedings brought for the enforcement of any provision of this chapter, it shall not be necessary to negate any exception, excuse, provision or exemption, which burden shall be upon the defendant.

Sec. 10-9. Penalty for violations of chapter.

Any person violating the terms and provisions of this chapter shall be deemed guilty of a misdemeanor and shall be punished as provided in section 1-12 of this Code. Each day that such violations continues shall be a separate offense. This penalty shall be cumulative of all other remedies. No fine imposed hereunder shall be less than $ 25.00.

Sec. 10-65. Animal care.

If the following shall occur, the animal may be impounded and **[**9]** the owner shall be guilty of a violation of this chapter:

. . . .

(2) A person shall beat, cruelly ill treat, torment abuse, overload, overwork or otherwise harm an animal or cause, instigate or permit any dog fight, cock fight, bullfight or other combat between animals or between animals and humans.

. . . .

(4) A person shall willfully wound, trap, maim or cripple by any method any animal, bird or fowl. It shall also be unlawful for a person to kill any animal, bird or fowl, except domesticated fowl considered as general tablefare such as chicken or turkey, within the city.

Sec. 10-68. Restriction on number of dogs, cats or other animals, or combination, to be kept in residential premises. It shall be unlawful to keep or harbor more than four dogs, cats or other animals, or combination of animals, beyond the normal weaning age on any premises, except as permitted in section 10-104.

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[5] The city admitted in the pretrial order that it did not have any evidence to the contrary.

> Sec. 10-104. Restrictions on size and locations of area for keeping livestock.
>
> It shall be unlawful to keep and maintain any mule, donkey, mare, horse, colt, bull, cow, calf, sheep, goat, cattle or other livestock at a distance closer than 100 feet from any building located on adjoining property that is used for **[**10]** human habitation or within an enclosed area of less than one-half acre (21,780 square feet) per animal. All such livestock shall be kept within enclosed areas, and a fence of sufficient strength to contain such animals shall be provided to maintain the 100-foot separation required hereby. All premises upon which such livestock are kept or maintained shall be brought into compliance with the terms of this section.

Taken together, these ordinances forbid the keeping of any more than four animals at a time, and even then only certain kinds of animals are permitted. Four-legged animals such as those typically used in Santeria ceremonies (sheep and goats) are expressly disallowed to be kept--even for a brief period--or killed. [6] Such animals **[*585]** could be kept if the keeper has a sufficiently large piece of property to meet the requirements of § 10-104. [7]

Euless's ordinances make exceptions to these general rules, however, both on their face and in practice. Section 10-65 allows domesticated fowl to be killed, and also allows the use of rodent control materials. See Euless Ord. § 10-65(8). Another ordinance allows designated city employees to kill rabid or vicious animals. Euless Ord. § 10-4. In practice, the city does not enforce these ordinances against homeowners who kill rats, mice, or snakes, nor against veterinarians who put down **[**12]** large animals. [8] The enforcement of these ordinances is complaint-driven, and Euless was unaware of any violations prior to the complaints against Merced, who, for his part, was unaware that he was violating the law before he spoke with city officials in 2006.

At trial, the city called two experts to testify, the first of which, an attorney, described the governmental purposes behind the Euless ordinances. Merced objected to this testimony, but the district court allowed it on the understanding that the expert would not merely state the law. The purpose of the prohibition on keeping livestock, according to the city's expert, is to protect the public's health and safety, primarily by eliminating the unpleasant concomitants of live animal care (e.g., runoff of urine and feces, flies, smells, noise, possible disease transmission). The expert also opined on the health ramifications of post-slaughter disposal, noting that carcasses attract bugs and vermin. He further stated that keeping various kinds of animals together in tight quarters leads to interspecies conflicts, which **[**13]** could lead to injury, indicating that the humane treatment of the animals is another governmental purpose.

Euless's second expert, whose expertise was public health, testified that disposing of numerous animal remains involves contact between humans and blood, which can create a breeding ground for disease. Also, he stated that enteric diseases, such as salmonella and typhoid, can result from concentrations of animal waste, and that disposal of animal remains in bodies of water is unlawful, encourages flies to breed, and causes odor and sanitation problems. [9] Yet Euless permits the butchering and disposal of large animals, like deer, if

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[6] Turtles clearly fall within the prohibition on killing, but it is not entirely clear that they could not lawfully be kept in Euless. The city suggests in its brief that the possession of turtles is prohibited, but the portion of the record it cites as support is testimony that turtles cannot be traded interstate, but says nothing about possession **[**11]** (other than prohibiting them in daycare facilities). Euless does not cite any authority for a ban on turtle possession, and Merced suggests the sale and possession of turtles is allowed with some limitation. See *31 Tex. Admin. Code § 65.331* (permitting possession and sale of certain kinds of turtles); *21 C.F.R. § 1240.62* (forbidding the sale of turtles with a carapace length of less than four inches).

[7] Merced's property is described in the record as a single family residence of 3,500 square feet on a wedge-shaped lot with a long driveway. The record is silent on the size of the lot. Neither party suggests that it is large enough to meet the one-half acre per animal requirement nor the 100-foot setback.

[8] At oral argument, Euless stated that veterinarians are limited to non-residential areas by the city's zoning laws.

[9] The parties also prepared summaries of deposition testimony for other witnesses that were admitted as evidence. The thrust of the city's summaries is that Santeria sacrifices can be performed anywhere. One witness's summary, to which Merced objected as misconstruing the deposition, stated that animal carcasses from Merced's sacrifices found their way into a local wooded area or pond. The **[**14]** city stipulated, however--and the district court found--that it did not have any evidence that Merced unlawfully disposed of animal remains. Further, the district court credited Merced's expert, who testified that sacrifices occur where the orishas instruct, which is usually the home of the officiating priest, but could be a temple or the home of another priest.

they are dead when brought into the city. Restaurants sometimes dispose of organic waste in dumpsters, which, per the city's expert, presents the same health concerns.

The focus on disposal of the animals' remains appears to be something of a red herring. The relevant city ordinance, § 10-70 (requiring the lawful disposal of a dead animal within twenty-four hours of **[*586]** discovery), is not on the agreed list of ordinances that prevents Merced's sacrifices. Nor can the city legitimately object to the disposal of sacrificial animals when it permits the disposal of hunted animals. Further, Merced has expressed willingness to comply with the city's laws in that regard, and there is no evidence that he has unlawfully or unsanitarily disposed of anything. So long as he lawfully disposes of the dead animals within twenty-four hours, he has not violated the ordinance's plain terms. [10]

D. The District Court's Decision

The district court adopted the parties' stipulated facts, and found that the city ordinances did not burden Merced's free exercise of religion. [11] Specifically, the court stated:

> Well, you know, this is a difficult question because if [Merced] had received the communication that said he ought to [sacrifice in his house], and refrain from doing it because of the ordinances of the city, I think I would have to say I'm persuaded that the answer to that part is yes [i.e., the ordinances burden Merced's free exercise of religion], but I haven't heard that.
>
> I don't know that I can say from a preponderance of the evidence, which is the burden that I have to apply, that the enforcement of the ordinances in question against the plaintiff burdens the free exercise of his religion. I can't do that.

In short, the **[**16]** district court concluded that the ordinances did not burden Merced's religious practice because he had not testified the orishas told him to sacrifice in his house. The court later concluded that the ordinances furthered a compelling governmental interest and were the least restrictive means of advancing them. The district court did not issue a written opinion, but entered judgment in favor of Euless and awarded costs against Merced. It denied Euless's motion for attorney fees, which the city requested under *42 U.S.C. § 1988* as the prevailing party. Merced timely filed an appeal from the judgment, and Euless timely filed an appeal from the denial of attorney fees. These appeals were consolidated in this court.

II. DISCUSSION

Merced raises constitutional claims under the *First* and *Fourteenth Amendments*, claiming this case is "on all fours" with the Supreme Court's well-known decision in *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah, 508 U.S. 520, 113 S. Ct. 2217, 124 L. Ed. 2d 472 (1993)*. While this case shares many similarities with Lukumi, **[**17]** we begin by analyzing Merced's statutory claim under TRFRA, which, if successful, obviates the need to discuss the constitutional questions. See, e.g., *Nw. Austin Mun. Util. Dist. No. One v. Holder, 129 S. Ct. 2504, 2513, 174 L. Ed. 2d 140 (2009)* ("[I]t is a well-established principle governing the prudent exercise of this Court's jurisdiction that normally the Court will not decide a constitutional question if there is some other ground upon which to dispose of the case." (quoting *Escambia County v. McMillan, 466 U.S. 48, 51, 104 S. Ct. 1577, [*587] 80 L. Ed. 2d 36 (1984)*); *Ashwander v. Tenn. Valley Auth., 297 U.S. 288, 347, 56 S. Ct. 466, 80 L. Ed. 688 (1936)* (Brandeis, J., concurring) (***HN2*** "The Court will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of."); *Burton v. United States, 196 U.S. 283, 295, 25 S. Ct. 243, 49 L. Ed. 482 (1905)* (***HN3*** "It is not the habit of the court to decide questions of a constitutional nature unless absolutely necessary to a decision of the case.").

HN4 Under TRFRA, "[w]hile we must accept the trial court's fact findings supported by the evidence, the ultimate answers determine the legal rights protected by the Act and are thus matters of law." *Barr v. City of Sinton, 295 S.W.3d 287, 2009 Tex. LEXIS 396, 2009 WL 1712798, at *8 (Tex. June 19, 2009)*. **[**18]** ***HN5*** "A district court's legal conclusions at a bench trial are

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[10] Euless cites a laundry list of Texas statutes and administrative regulations pertaining to the transportation, inspection, **[**15]** and permitting of livestock and fowl in Texas. None of these citations, however, with the possible exception of *30 Texas Administrative Code § 335.25*, directly bears on the issue of a lay person lawfully disposing of the remains of healthy animals. The other disposal provisions cited by the city pertain to diseased animals. E.g., *4 Tex. Admin. Code § 59.12*.

[11] While the district court couched these statements as findings of fact, the conclusions regarding the elements of a TRFRA claim are, as noted below, reviewed as matters of law.

reviewed de novo and its findings of fact are reviewed for clear error." Adkins v. Kaspar, 393 F.3d 559, 563 (5th Cir. 2004).

The history of state religious freedom acts is, by now, well known. Before 1990, the United States Supreme Court interpreted the Free Exercise Clause of the First Amendment to protect religious practices substantially burdened by governmental regulation unless they furthered a compelling state interest. See City of Boerne v. Flores, 521 U.S. 507, 513-14, 117 S. Ct. 2157, 138 L. Ed. 2d 624 (1997); Sherbert v. Verner, 374 U.S. 398, 83 S. Ct. 1790, 10 L. Ed. 2d 965 (1963). In 1990, the Court in Employment Division, Department of Human Resources v. Smith, 494 U.S. 872, 110 S. Ct. 1595, 108 L. Ed. 2d 876 (1990), exempted from this balancing test neutral laws of general applicability, such that Oregon's criminal laws could proscribe a Native American's religious use of peyote without violating the First Amendment. [12]

Congress directly responded to Smith by enacting the Religious Freedom Restoration Act of 1993 (RFRA), Pub. L. No. 103-141, 107 Stat. 1488 (1993) (codified at 42 U.S.C. §§ 2000bb-2000bb-4), which restored the Sherbert balancing test by requiring any governmental regulation that substantially burdened the free exercise of religion to employ the least restrictive means of advancing a compelling governmental interest. Flores, 521 U.S. at 512-16. The Supreme Court struck RFRA down as applied to the states, however, because it exceeded Congress's enforcement power under section 5 of the Fourteenth Amendment. Id. at 532-34. Texas, among other states, likewise responded to Smith by enacting TRFRA, which provides the same protections to religious free exercise envisioned by the framers of its federal counterpart, RFRA. Barr, 2009 Tex. LEXIS 396, 2009 WL 1712798 at *5. With this understanding, we turn to the text of TRFRA.

Texas Civil Practice and Remedies Code § 110.003 provides:

> (a) ***HN6*** Subject to Subsection (b), **[**20]** a government agency may not substantially burden a person's free exercise of religion.
>
> (b) Subsection (a) does not apply if the government agency demonstrates that the application of the burden to the person:
>
> (1) is in furtherance of a compelling governmental interest; and
>
> (2) is the least restrictive means of furthering that interest.

The Supreme Court of Texas recently applied TRFRA for the first time in Barr v. City of Sinton. 2009 Tex. LEXIS 396, 2009 WL 1712798. **[*588]** In Barr, a local pastor set up a religious halfway house to help non-violent offenders reenter society; applicants were required to sign a statement of faith indicating belief in basic Christian doctrines, and to agree to a list of rules described as "biblical guidelines for Christian living." 2009 Tex. LEXIS 396, [WL] at *1. The city then passed a zoning ordinance effectively banning halfway houses from Sinton, and the pastor sued. 2009 Tex. LEXIS 396, [WL] at *2. ***HN7*** The court concluded that Sinton's ordinance violated TRFRA after applying a four-part test: (1) whether the government's regulations burden the plaintiff's free exercise of religion; (2) whether the burden is substantial; (3) whether the regulations further a compelling governmental interest; and (4) whether the regulations are **[**21]** the least restrictive means of furthering that interest. 2009 Tex. LEXIS 396, [WL] at *8. We apply the same approach to the application of TRFRA.

A. Free Exercise of Religion

HN8 TRFRA defines "free exercise of religion" as "an act or refusal to act that is substantially motivated by sincere religious belief. In determining whether an act or refusal to act is substantially motivated by sincere religious belief under this chapter, it is not necessary to determine that the act or refusal to act is motivated by a central part or central requirement of the person's sincere religious belief." Tex. Civ. Prac. & Rem. Code § 110.001(a)(1). As discussed in Barr, the focus of this initial prong is on plaintiff's free exercise of religion; that is, whether plaintiff's sincere religious beliefs motivate his conduct. 2009 Tex. LEXIS 396, 2009 WL 1712798 at *8-9. For **[**22]** example, if Merced wanted to keep and kill goats and sheep because he could thereby ensure the quality of the meat he consumed, such a purpose, while meritorious, is non-religious in motivation and lies beyond TRFRA's reach. Euless does not dispute that Merced's sincere religious beliefs motived his conduct; his killings were, as described by his expert, sacrifices and not mere slaughter.

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[12] A neutral law of general applicability must still pass the strict scrutiny test if more than one constitutional right is implicated. E.g., Wisconsin v. Yoder, 406 U.S. 205, 92 S. Ct. 1526, 32 L. Ed. 2d 15 (1972) **[**19]** (combining the right to free exercise of religion with parents' fundamental right to raise their children as they choose).

B. Substantial Burden

We next consider whether Euless's ordinances substantially burden Merced's sincere religious practices. ***HN9*** According to the Texas Supreme Court, a burden under TRFRA is substantial if it is "real vs. merely perceived, and significant vs. trivial." *Barr, 2009 Tex. LEXIS 396, 2009 WL 1712798 at *9*. [13] The inquiry is case-by-case and fact-specific. Id.; cf. *Adkins, 393 F.3d at 571* (applying RLUIPA). Federal case law interpreting RFRA and RLUIPA is relevant. *Barr, 2009 Tex. LEXIS 396, 2009 WL 1712798 at *5*.

In Sherbert v. Verner, the case setting the standard TRFRA seeks to restore, a member of the Seventh-day Adventist Church was terminated by her employer for not working on Saturday, and applied for unemployment benefits as provided by South Carolina law. *374 U.S. at 399-400*. The state denied benefits because she was able to work and refused to do so, a refusal that lacked, in the state's opinion, good cause. *Id. at 400-01*. The Supreme Court found this restriction burdened plaintiff's religious free exercise:

> **[*589]** Here not only is it apparent that appellant's declared ineligibility for benefits derives solely from the practice of her religion, but the pressure upon her to forego that practice is unmistakable. The ruling forces her to choose between following the precepts of her religion and forfeiting benefits, on the one hand, and abandoning **[**24]** one of the precepts of her religion in order to accept work, on the other hand.

Id. at 404. Similarly, in Wisconsin v. Yoder, the Court found that the state's compulsory education law burdened Amish parents' religious practices: "The impact of the compulsory-attendance law on respondents' practice of the Amish religion is not only severe, but inescapable, for the Wisconsin law affirmatively compels them, under threat of criminal sanction, to perform acts undeniably at odds with fundamental tenets of their religious beliefs." *406 U.S. at 218*; see also *Thomas v. Review Bd. of Ind. Employment Sec. Div., 450 U.S. 707, 717-18, 101 S. Ct. 1425, 67 L. Ed. 2d 624 (1981)* ("[Where a state] denies such a benefit because of conduct mandated by religious belief, thereby putting substantial pressure on an adherent to modify his behavior and to violate his beliefs, a burden upon religion exists. While the compulsion may be indirect, the infringement upon free exercise is nonetheless substantial.").

Our decisions interpreting RFRA and RLUIPA likewise provide guidance. In Diaz v. Collins, for example, we held under RFRA that a prison's grooming regulations substantially burdened a Native American's religious practice by preventing him **[**25]** from wearing long hair as required by his religion. *114 F.3d 69, 72-73 (5th Cir. 1997)*; accord *Longoria v. Dretke, 507 F.3d 898, 903 (5th Cir. 2007)* (holding that a prisoner who alleged that he was punished per the prison's rules for refusing to cut his hair, which he wore long according to his religious tradition, stated a claim under RLUIPA based on the substantial burden to his religious free exercise). We declined to find a substantial burden, however, when the prison's regulations prevented the inmate from carrying sacred items (a headband and a medicine pouch) for approximately two hours each day when he was not in his cell. *Diaz, 114 F.3d at 72*.

We reached a similar result in Mayfield v. Texas Department of Criminal Justice, in which prison officials severely limited the ability of practitioners of the Odinist/Asatru faith to meet as a group because a security-trained, religious volunteer was unavailable to conduct the meetings. *529 F.3d 599, 602 (5th Cir. 2008)*. We held, based on the summary judgment record, that a finder of fact could conclude that the prison's policy imposed a substantial burden on the plaintiff's religious free exercise. *Id. at 614-15* (distinguishing Adkins **[**26]** v. Kaspar on the grounds that the plaintiff there had the ability to gather in a group at least once a month, a frequency not present in Mayfield; because the policy may not have been uniformly implemented as in Adkins; and because the Mayfield plaintiff did not have the same access to alternative means of worship as the plaintiff in Adkins).

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[13] ***HN10*** In the context of RLUIPA, this circuit uses the following definition of "substantial burden":

> [A] government action or regulation creates a "substantial burden" on a religious exercise if it truly pressures the adherent to significantly modify his religious behavior and significantly violate his religious beliefs. . . . [T]he **[**23]** effect of a government action or regulation is significant when it either (1) influences the adherent to act in a way that violates his religious beliefs, or (2) forces the adherent to choose between, on the one hand, enjoying some generally available, non-trivial benefit, and, on the other hand, following his religious beliefs.

Adkins, 393 F.3d at 570.

[14] The prison also prohibited **[*590]** the plaintiff from possessing runestones (small tiles made from various materials with characters of the ancient rune alphabet carved on them), which are essential to the Odinist faith. *Id. at 602*. Here, too, we held that the plaintiff presented evidence from which a finder of fact could conclude that the prison's policies substantially burdened his religious exercise. *Id. at 615-16*; see also *Sossamon v. Lone Star State of Tex., 560 F.3d 316, 333-34 (5th Cir. 2009)* (finding genuine issues of material fact precluding summary judgment on the "substantial burden" question under RLUIPA when prison officials denied use of a chapel for religious services, but allowed its use for secular functions); *Baranowski v. Hart, 486 F.3d 112, 125 (5th Cir. 2007)* (holding that a prison's policy of not providing kosher foods "may be **[**27]** deemed to work a substantial burden upon [plaintiff's] practice of his faith").

The upshot of these opinions is that, ***HN11*** at a minimum, the government's ban of conduct sincerely motivated by religious belief substantially burdens an adherent's free exercise of that religion. While not a general rule--the inquiry is fact-specific--we note that such a conclusion accords with the Texas Supreme Court's decision in Barr: "A restriction need not be completely prohibitive to be substantial; it is enough that alternatives for the religious exercise are severely **[**28]** restricted." *2009 Tex. LEXIS 396, 2009 WL 1712798 at *12*; accord *Greene v. Solano County Jail, 513 F.3d 982, 988 (9th Cir. 2008)* ("We have little difficulty in concluding that an outright ban on a particular religious exercise is a substantial burden on that religious exercise."). If a government's restriction of religious conduct may be a substantial burden, then a complete ban presents a much stronger case. We turn now to the record before us. As noted above, we review the answers to ultimate questions under TRFRA as matters of law, and accordingly undertake a review of the evidence to determine whether Euless's ordinances substantially burden Merced's religious exercise.

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[14] In Adkins, a member of the Yahweh Evangelical Assembly (YEA) brought a claim under RLUIPA because inmate-adherents of that faith were not allowed to meet on YEA Sabbaths and holy days. *393 F.3d at 571*. As in Mayfield, the prison had a policy requiring a religious volunteer at group meetings, but an outside volunteer was able to come about once a month. *Id. at 562*. The YEA members also had access to religious materials (e.g., books, videos, audiotapes). Id. The Adkins court rejected plaintiff's RLUIPA claim because the policy did not impose a substantial burden on his religious practice as it was equally applied to all religions. *Id. at 571*.

The district court concluded that Merced's free exercise of religion was not burdened because he did not testify that the orishas told him to sacrifice at his Euless home. We are troubled by this conclusion for two reasons. First, predicating a substantial burden on the results of a religious ceremony (divining the will of the orishas) impermissibly allows judges to evaluate the intricacies of a religious practice. The judiciary is ill-suited to opine on theological matters, and should avoid doing so. See *Smith, 494 U.S. at 887* (***HN12*** "[I]t **[**29]** is not within the judicial ken to question the centrality of particular beliefs or practices to a faith, or the validity of particular litigants' interpretations of those creeds. Repeatedly and in many different contexts, we have warned that courts must not presume to determine the place of a particular belief in a religion or the plausibility of a religious claim." (quotation marks omitted)).

Second, the evidence does not support the district court's conclusion. Two pieces of evidence are significant to this determination. First, Merced's expert testified, and the city conceded, that animal sacrifice is essential to the Santeria religion, and that it is usually performed in the officiating priest's house. Second, Merced testified that he ceased to perform Santeria rituals outlawed by the Euless ordinances, including the initiation of a priest. He stated that he could not initiate an aspiring priest because he could not do so in his house:

> Q. Mr. Merced, since May of 2005, have you known somebody who might have wanted to be initiated?
>
> A. That is correct, sir, and they are on hold. Yes.
>
> Q. Do they want you to initiate them?
>
> A. That's correct.
>
> **[*591]** Q. And you did not initiate them?
>
> A. Correct.
>
> Q. **[**30]** And why not?
>
> A. Because I cannot do it at home.

The ordaining of new priests, essential to the continuation of the Santeria religion, is barred by the Euless ordinances. Despite Euless's protestation to the contrary, the restriction on killing the four-legged animals needed to initiate priests is absolute; the ability to kill small numbers of fowl does not alter that fact. ***HN13*** The relevant inquiry is not whether governmental

regulations substantially burden a person's religious free exercise broadly defined, but whether the regulations substantially burden a specific religious practice. See Tex. Civ. Prac. & Rem. Code § 110.001(a)(1) (defining "free exercise of religion" as "an act or refusal to act," indicating that a particular religious activity, not the religion as a whole, is the appropriate focus of the substantial burden analysis); Greene, 513 F.3d at 987 (rejecting, under RLUIPA, the broad interpretation of "religious exercise" as the general practice of one's religion in favor of a narrower interpretation that limits the concept to a particular religious practice). Thus, Merced's ability to perform some ceremonies does not mean the city's ordinances do not burden other Santeria **[**31]** practices. See Barr, 2009 Tex. LEXIS 396, 2009 WL 1712798 at *10 (***HN14*** "[A] burden on a person's religious exercise is not insubstantial simply because he could always choose to do something else."). Likewise, the city's ban on keeping livestock is effectively outright in residential subdivisions where lot sizes are often inadequate to meet the city's size and setback requirements. [15]

Merced cannot perform the ceremonies dictated by his religion. This is a burden, and it is substantial. It is real and significant, having forced Merced to choose between living in Euless and practicing his religion. Cf. Adkins, 393 F.3d at 570 (holding that a government's regulation is significant if it "forces the adherent to choose between, on the one hand, enjoying some generally available, non-trivial benefit, and, on the other hand, following his religious beliefs"). Indeed, **[**32]** the burden on Merced is even greater because, like the Amish parents in Yoder, he faces criminal prosecution if he engages in conduct essential to his religion. See 406 U.S. at 218. [16]

Euless also argues that a burden is not substantial if it is incidental by way of a law of general application. Such an interpretation violates TRFRA's plain language.

HN15 TRFRA applies to "any rule, order, decision, practice, or other exercise of governmental authority." Tex. Civ. Prac. & Rem. Code § 110.002(a) (emphasis added). This broad language does not permit this court to read an exception into the statute for generally applicable laws that incidentally burden religious conduct.

In conclusion, we hold that the Euless ordinances at issue substantially burden Merced's free exercise of religion. We move next to consider the governmental interests Euless advances in their defense.

C. Compelling **[**33]** Governmental Interest

HN16 TRFRA places on the government the burden of proving that the burden it created both advances a compelling interest and **[*592]** is the least restrictive means of doing so. Tex. Civ. Prac. & Rem. Code § 110.003(b); Barr, 2009 Tex. LEXIS 396, 2009 WL 1712798 at *14. Federal decisions interpreting the *Free Exercise Clause* are relevant to this inquiry. Id. § 110.001(b). These cases have described a compelling governmental interest using phrases such as "of the highest order," Lukumi, 508 U.S. at 546, and "paramount," Yoder, 406 U.S. at 213.

Barr cites with approval the United States Supreme Court's opinion in Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal, 546 U.S. 418, 126 S. Ct. 1211, 163 L. Ed. 2d 1017 (2006), equating the compelling state interest requirements of RFRA and TRFRA. 2009 Tex. LEXIS 396, 2009 WL 1712798 at *13. In O Centro, the Supreme Court interpreted ***HN17*** RFRA to require "the Government to demonstrate that the compelling interest test is satisfied through application of the challenged law 'to the person'--the particular claimant whose sincere exercise of religion is being substantially burdened." 546 U.S. at 430-31. The government cannot rely upon general statements of its interests, but must tailor them to the specific issue **[**34]** at hand: "In [Sherbert and Yoder], this Court looked beyond broadly formulated interests justifying the general applicability of government mandates and scrutinized the asserted harm of granting specific exemptions to particular religious claimants." Id. at 431. The courts' task of balancing the interests is difficult, but the goal is to "strike sensible balances, pursuant to a compelling interest test that requires the Government to address the particular practice at issue." Id. at 439.

Barr is particularly instructive. There, the City of Sinton advanced the interests of "safety, preventing nuisance, and protecting children" to justify its exclusion of Barr's religious halfway house. 2009 Tex. LEXIS 396, 2009

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[15] Assuming the five to seven goats or sheep needed to initiate a priest, Merced would need at least two and one-half to three and one-half acres of land to meet the city's requirement. While not impossible, compelling a person to acquire a house on such a lot in a suburban environment to keep a few animals for a matter of hours is a substantial burden.

[16] Euless abandoned on appeal its argument made in the district court that Merced's free exercise is not burdened by its ordinances because he could go elsewhere to practice those elements of his religion. The city failed to include this argument in its brief. See Mosley v. Dretke, 370 F.3d 467, 474 (5th Cir. 2004).

WL 1712798 at *14. The Texas Supreme Court's next sentence is revealing: "But there is no evidence to support the City's assertion with respect to 'the particular practice at issue'--Barr's ministry." Id. While not requiring the city to wait for disturbances before taking preventive measures, the court required more than general platitudes to justify the practical exclusion of a religious ministry from the city limits. Thus, for Euless to prevail, it must show by specific evidence that Merced's religious **[**35]** practices jeopardize its stated interests. This it cannot do.

The two interests Euless claims are compelling are public health and animal treatment, the emphasis being on the former. But the parties stipulated to, and the district court found, the following facts:

> 25. Defendant has no evidence that any of the Plaintiff's religious practices in his home, including the killing of goats, sheep, and turtles, has adversely affected the health of any person.
>
> 26. Defendant has no evidence that any of the Plaintiff's religious practices in his home, including the killing of goats, sheep, and turtles, has adversely affected the safety of any person.
>
> 27. Defendant has no evidence that the Plaintiff ever disposed in an illegal manner of the remains (dead animals or their parts) of any animal sacrifice in his home.
>
> 28. Defendant has no evidence that the Plaintiff ever disposed in an unsanitary manner of the remains (dead animals or their parts) of any animal sacrifice in his home.
>
> 29. Defendant has no evidence that the Plaintiff ever kept any goats, sheep, or other animals on his premises for longer than four hours.
>
> **[*593]** 30. Defendant has no evidence that the Plaintiff ever kept any goats, sheep, or other **[**36]** animals on his premises in a manner that before the killing caused any injury to any animal.
>
> 31. Defendant has no evidence that the Plaintiff ever caused any animal on his premises to suffer any cruelty or harm, other than the killing of the animal.
>
> 32. Defendant has no evidence that the Plaintiff ever kept any goats, sheep, or other animals on his premises in an unsanitary manner.
>
> 33. Defendant has no evidence that the Plaintiff ever kept any goats, sheep, or other animals on his premises in a manner that denied to any animal sufficient food and water.
>
> 34. Defendant has no evidence that any of the Plaintiff's religious practices in his home caused any animal greater suffering than is normal in the legal, commercial slaughter of animals for meat.

In addition, the city's manager admitted that killing livestock would still be illegal in Euless even if it did not present a health hazard, though he considered it "beyond speculation" that these killings presented just such a risk. But it is undisputed that Merced conducted animal sacrifices for sixteen years in Euless without incident.

In their briefs, the parties dwell at length on the health implications of carcass disposal even though, as **[**37]** noted above, the disposal ordinance is not one that prevents Merced's activities. And the city admits, based on these unchallenged findings, that Merced's method of disposal--placing the remains in dumpters or trash cans after double-bagging them [17]--is both lawful and sanitary. Even including disposal within the ken of activities relevant to Euless's stated interests, the above findings eviscerate any possibility of meeting Barr's particularity requirement. The city has absolutely no evidence that Merced's religious conduct undermined any of its interests. Euless's experts did testify that the city's interests would be harmed by activities like those Merced performs, [18] but this general testimony does not vitiate the stipulated facts respecting Merced's practice, [19] and the government bears the burden at this stage to

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[17] We reiterate that the deposition summary of an Euless witness to the contrary is irrelevant in light of the agreed facts approved by the district court.

[18] One of Euless's experts opined that if the keeping and killing of several dozen animals was "allowed all over the city, it would certainly lower the bar of public health." The only evidence of numbers, however, is that there are five Santeria priests in Euless. The danger of allowing them to sacrifice four-legged animals because everyone in Euless will do it appears, like the report of Mark Twain's death, greatly exaggerated.

[19] See Barr, 2009 Tex. LEXIS 396, 2009 WL 1712798 at *14 (noting that Sinton failed to cite a single study or experience with halfway houses to justify its ban on them). Here, Euless does not cite any studies or experiences with the Santeria religion in support of its ordinances.

prove its interests are harmed. Cf. O Centro, 546 U.S. at 428-29 (upholding under RFRA the issuance of a preliminary injunction when the evidence equally supported harm to the plaintiff's religious practice and to the government's asserted interests when the government bore the burden of proof). Again, we are not concerned with keeping, killing, and disposing of animals **[**38]** in the abstract, but with balancing the government's interests with the particular practice at issue. Merced has performed these sacrifices for sixteen years without creating **[*594]** health hazards or unduly harming any animals.

Euless argues that O Centro stands for the proposition that the government cannot refuse to exempt one kind of religious conduct when it **[**39]** already exempts a similar kind of religious conduct; that is, it cannot discriminate between similar practices. We note several exceptions that undermine Euless's public health interest regarding the consumption of uninspected meat and disposal of carcases. First, ***HN18*** Texas law exempts from inspection requirements the slaughter and consumption of meat for the personal use of the livestock's owner, his family, and his non-paying guests. Tex. Health & Safety Code § 433.006(a). Also, Euless permits hunters to bring dead animals into the city, butcher and consume them, and dispose of the unwanted portions. Such exceptions weaken Euless's asserted interests. See Lukumi, 508 U.S. at 546-47 (***HN19*** "Where government restricts only conduct protected by the First Amendment and fails to enact feasible measures to restrict other conduct producing substantial harm or alleged harm of the same sort, the interest given in justification of the restriction is not compelling."). [20]

The city denies that these and other exceptions fall into the same category as allowing a citizen to briefly keep and kill dozens of animals at one time. But the difference is one of degree and not one of kind. The keeping, slaughter, and disposal of a small number of fowl on a regular basis, which Euless permits, over time has the same corrosive effect on the city's interests as infrequent sacrifices of a larger number of animals. [21]

The city's experts did not explain any public health rationale behind the differing treatments afforded different animals. The ordinances allow the killing of several large fowl, like turkeys, but forbid the killing of even a single goat. Also, a hunter could presumably bring home as many deer as he could legally shoot and butcher them without running afoul of any ordinance.

The balancing of interests is difficult. To carry its burden of proof, a government's asserted **[**41]** interest must be particularly directed to the conduct at issue. In answering this legal question, we are persuaded that, on this record, the scales tip in favor of Merced. Thus, we hold that Euless has failed to assert a compelling governmental interest in support of its ordinances that burden Merced's religious conduct.

D. Least Restrictive Means

Even if Euless marshaled a compelling governmental interest in its favor, it must also prove that its chosen regulatory method is the least restrictive means of furthering that interest. Euless does not expend much effort on that score, arguing that it does not totally ban the killing of all animals, and thus implements a less restrictive alternative. But it does entirely ban the killing of goats, sheep, and turtles, which is necessary to initiate a Santeria priest. And TRFRA requires the least restrictive means, not merely less than a complete ban. See Tex. Civ. Prac. & Rem. Code § 110.003(b)(2); cf. United States v. Playboy Entm't Group, Inc., 529 U.S. 803, 813, 120 S. Ct. 1878, 146 L. Ed. 2d 865 (2000) **[*595]** ("If a less restrictive alternative would serve the Government's purpose, the legislature must use that alternative.").

Merced proposes no fewer than three less restrictive alternatives **[**42]** to Euless's current scheme. For purposes of illustration, one will do. Euless could create a permit system whereby Santeria adherents comply with conditions designed to safeguard the city's interests (e.g., reasonable limitations on the time the animals can be kept before the killings) and in return are allowed to sacrifice animals as dictated by their religion. Euless does not rebut any of Merced's alternatives; it does not even try. Thus, as an alternative to our holding that Euless failed to identify a compelling interest, we hold that the Euless ordinances that burden Merced's religious free exercise are not the least restrictive means of advancing the city's interests.

E. Attorney Fees

Euless moved in the district court for an award under 42

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[20] Merced also points to various exceptions to Euless's killing ban, including the killing of fowl and vermin, which likewise weaken the city's interests. Even though the city's manager admitted that killing of four-legged animals is **[**40]** not an evil in itself, see 7 U.S.C. § 1902(b) (describing the slaughter technique used by Merced, severing the carotid arteries with a sharp instrument, as humane), it is still prohibited.

[21] Merced testified that he has typically performed sacrifices of four-legged animals about once a year.

U.S.C. § 1988 of its attorney fees incurred in defending this action. ***HN20*** Section 1988 allows district courts, in their discretion, to award fees to the prevailing party for actions brought under, among others, 42 U.S.C. § 1983, RLUIPA, and RFRA. § 1988(b). ***HN21*** While prevailing plaintiff's are usually entitled to such fees, "prevailing defendants cannot recover § 1988 fees without demonstrating that the plaintiff's underlying claim was frivolous, unreasonable **[**43]** or groundless." Hidden Oaks Ltd. v. City of Austin, 138 F.3d 1036, 1053 (5th Cir. 1998). ***HN22*** We review the district court's decision for abuse of discretion. Id. at 1052.

As is plain from our resolution of the merits, Merced's case is not only non-frivolous, it is meritorious and prevailing. Because Euless is not a prevailing party on the TRFRA claim, it is not entitled to attorney fees under § 1988. [22] The district court granted Euless's motion for summary judgment regarding Merced's RLUIPA claim, but that fact alone does not mean it was frivolous, id. at 1053, and Euless offers no additional reasons to deem it so. Thus, we hold the district court did not abuse its discretion in denying Euless's request. Merced did not request attorney fees as allowed by TRFRA, Tex. Civ. Prac. & Rem. Code § 110.005(a)(4), or § 1988 in the district court nor has he requested them on appeal. Accordingly, we do not award any.

III. CONCLUSION

Because we conclude that Merced is entitled under TRFRA to an injunction preventing Euless from enforcing its ordinances that burden his religious practice of sacrificing **[**44]** animals, see Tex. Civ. Prac. & Rem. Code § 110.005(a)(2), we do not reach his claims under the First and Fourteenth Amendments. For the foregoing reasons, we REVERSE the district court's judgment respecting Merced's TRFRA claim, we AFFIRM the district court's denial of attorney fees, and REMAND for further proceedings consistent with this opinion.

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[22] Because we do not reach Merced's constitutional claims, we do not discuss attorney fees in relation to them.

EXHIBIT J

Subject: (none)
Date: Monday, November 16, 2015 at 2:42:31 PM Central Standard Time
From: SANDI MILLER
To: Jill Warren

Leane Heldenfelds,

My letter to you is in great concern for you to please not stop Life Austin Church from being able to play their music. I am a surrounding neighbor and I love their music. It does not play all the time, they do not play everyday, they play for a few hours once in a while and always during city ordinance times. I do not have a problem with them playing religious music at all. I love that they support the community, local artists, musicians, Childrens youth programs to keep kids off the streets and out of trouble.

In my opinion, again being a neighbor i do not have a problem with them at all. Please do not stop them from playing the beautiful music that comes from their ampatheater.

Sincerely,

Sandra Miller
512-538-5911
[redacted]

Esther L. McCord, Ph.D.
Retired School Administrator
Texas Exe
Nov. 16, 2015
Concerning C-15-2015-0147

Dear City Of Austin Mayor and Council Members:

It was brought to my attention, that someone has lodged a complaint against the Life Austin Church leadership concerning legally authorized and permitted concerts at the Amphitheater—adjacent to the Church.

Everyone has a right to complain about anything—correct or incorrect. It is my suggestion that before you spend city funds or time on this type of complaint that several points be documented and verified. These are as follows:

1. The exact dates and time of the alleged concerts that the complaint names.
2. The distance of the complainant's location(s) from the Life Austin site when the alleged aggrieved situation occurred.
3. The complainants personal preference regarding Christian or non Christian music and activities (i.e. atheist or other religions or perhaps a dislike of all music Christian or secular).

It is my understanding the Life Austin leadership, did receive City of Austin approval to hold musical concerts and other meetings at the Life Austin location. Can the aggrieved complaint be compared to the parameters of the permit already issued to determine if a true violation occurred, before the council members engage in needless review of this possibly frivolous complaint?

Your attention in this matter is most gratefully appreciated as is your ongoing hard work you engage in to make Austin a great place to live and work.

Kind regards,

Dr. Esther L. McCord

ATTORNEYS AT LAW
RASHCHAPMAN
RASH CHAPMAN SCHRIEBER LEAVERTON & MORRISON LLP

November 16, 2015

Ms. Leane Heldenfelds
Staff Liaison - BOA

RE: Case Number **C15-2015-0147**

Dear Ms. Heldenfelds:

As a member of LifeAustin, I am writing with regard to the above Case Number to share with you my views about the complaint regarding the use of the LifeAustin Amphitheatre. This Amphitheatre is a key component of the heart of LifeAustin. Its primary purpose is a religious one as we intend to utilize it for our varied and unique Church-related get-togethers.

Although not the *primary* purpose of the Amphitheatre, another nonetheless important purpose is to provide a place where the people of Austin can come and enjoy the blessings of what God has given our Church: *the LifeAustin Amphitheatre.* While some of the "non-church events" do not on their surface look like "religious assemblies", all in truth *are* because of the *location* of the Amphitheatre. When someone comes to our campus, they have to ask themselves something like this, "Why would this church WANT to have us on their campus for a performance like this which is really not directly associated with their religious activities?" That is exactly the question we *want* them to ask because for us at LifeAustin, all of life represents the opportunity to bring into a non-believer's mind the possibility that there is a God out there who loves them just as they are and just where they live. By coming out to our campus, they come face-to-face with Christianity in a way that they would never have expected. Every event held at the Amphitheatre is, thus, a "religious assembly" because God Himself will show up at that event no matter what the program is. And ... where God shows up, that is the perfect definition of a religious assembly!

I respectfully ask that this complaint be dismissed as being without merit.

Respectfully,

Mark K. Leaverton

WHITE-SPRINGFIELD HOUSE | 2112 RIO GRANDE STREET | AUSTIN, TEXAS 78705-5513 | TEL: 512-477-7543 | FAX: 512-474-0954
WWW.RASHCHAPMAN.COM

November 16, 2015

City of Austin Board of Adjustment

Re: case number C15-2015-0147

To Whom It May Concern:

We the Rodriguez Family believes the Amphitheatre in questioned contributes to the worship and praise ministries of our Life Austin fellowship religious foundation. We encourage the board to reject the argument that it is not religious assembly and we request that you allow the continuation of religious assembly as the primary use of the Amphitheatre.

Take care and God Bless – I thank you in advance for your continual support in this case.

Sincerely Sam and Denise Rodriguez

426 Eagle
Lakeway, Texas 78734

JOHN M. BARR

November 16, 2015

Leane Heldenfelds
Staff Liaison - BOA

Subject: Case # C15-2015-0147

Dear Ms. Heldenfelds,

Attached is a letter my wife and I distributed to our Covered Bridge neighbors last year regarding the Life Austin worship facility that was then under construction. Both the church in Serbin and now the worship facility at Life Austin will serve as holy places of worship for our family in the generations that follow. God willing - 200 years from today - our descendants will be able to worship and praise the Lord's holy name in both facilities.

There is something unique about the construction of a holy place of worship. Throughout time there has been a strong desire to construct sanctuaries for not only the current generation but for the generations that follow. Each generation has a chance to build and this worship facility is ours.

I understand that some are saying our Life Austin worship facility does not contribute to the ministry of our church. It seems those opposed to this place of worship base their opposition in the unique construction of the structure itself. They say that while having a roof and walls, certain parts of the worship facility meet the outdoor air and from what I can gather, it's that blending of the structure into nature that they are so very much against. For me, I can't imagine why that blending of the structure into the world would nullify worship to our Lord?

Our facility is for religious assembly and has no other use. The unique construction of the Life Austin worship facility is in keeping with our faith and should be allowed as a place of religious assembly. Indeed, if you look at the settings where Jesus gave most of his lessons, these were delivered in nature.

Regards,

John Barr

P.O. Box 93063, Austin, Texas, 78709

JOHN M. BARR

September 26, 2014

Dear Covered Bridge Neighbor,

Below is a recent Texas Monthly article describing Lyle Lovett's favorite spot in Texas. Out of all the places he could have mentioned, he chose St. Paul's sanctuary in Serbin, Texas. If you know Mr. Lovett and his music, you would have to say that is quite an honor to be his choice.

My ancestors came with a group of Wendish settlers and they built that church. Before building their own homes they actually got to work building a sanctuary and the story goes that they lived in crude mud dugouts before finishing the work on that holy place. Many years later, great Texans draw strength from their struggle to build.

There is another sanctuary being built near us today. And our HOA is doing everything in its power to stop that construction.

My wife and I along with hundreds of others from within our community have committed much in seeing construction of this holy place. It is my genuine hope that 200 years from today another great Texan will sit in this place and draw strength from it.

We ask that you help us by letting our HOA know that construction of the Life Austin worship facility, known by many as the amphitheater, should continue and that our HOA should cease all efforts in stopping the construction of a place of worship.

Kind Regards,

John & Marcie Barr

KATHERINE BROUGHTON
201 LAVACA STREET, APT 614
AUSTIN, TEXAS 78701
[redacted]
512.934.7677

Date: November 16, 2015
To: Leane Heldenfelds
Staff Liaison
City of Austin Board of Adjustment
RE: Case Number **C15-2015-0147**

Dear Ms. Heldenfelds,

Please accept this letter in response to the argument that the events held at the LifeAustin Amphitheatre do not qualify as a religious assembly. As a member of LifeAustin Church, I hope I can provide a helpful perspective on this situation.

I have attended several of the worship events that have been held at the Amphitheatre since our church completed the outdoor worship venue. Each event has been spiritually uplifting and worshipful. Anyone in attendance would clearly realize that every event there is intended to bring praise and honor to the God in which our church believes. I found it very surprising to hear that some people make the argument that the events do not qualify as religious events. I can only assume that the people making these claims have not attended any of the events themselves.

I *love* our city. I love the diversity of Austin, and the respect that my fellow citizens and I show each other regarding our different beliefs and lifestyles. Living downtown, I personally know firsthand what it feels like to hear live music from my home and to live in close proximity to people whose lifestyles look vastly different from my own.

Our church, LifeAustin, is committed to honoring all sound and other guidelines and to showing our neighbors all due respect. Our hope and request is that our neighbors would extend the same courtesy – honoring our right to assemble for religious reasons and showing us respect as we do.

Thank you very much for your consideration, and please feel free to contact me if you have any questions about my letter.

Sincerely,

Katherine Broughton

Katherine Broughton

Subject: C15-2015-0147
Date: Monday, November 16, 2015 at 4:23:08 PM Central Standard Time
From: Lisa McLamb
To: Jill Warren

Dear Leane Heldenfelds – Staff Liaison - BOA,

In 2013 when we first started attending Life Austin – I learned that the church would be building an outdoor amphitheater. Honestly, my first thoughts were surface thoughts– thinking worshipping outside sounded exciting but I really didn't know how much the amphitheater would touch my life until I experienced it. . .

In 2010 on Thanksgiving my son Dakota met God. He passed away in Lewes, DE and the little memories we had of him were left behind when we moved to Austin in 2013. The reason I share this is because when the amphitheater opened we were able to honor our son by creating a plaque that is now on a seat in the amphitheater.

This past year we have attended many of the events in the amphitheater and when I sit in his seat– I not only get to worship our almighty creator but I think about heaven and embracing my son again. I reflect on how short life is and how important it is to raise my three year old and seven year old boys in the way God wants me to raise them. I have also had discussions with my oldest son, (after he has read the plaque) about his brother Dakota, life, and Jesus – which I hope to believe - have impacted his life.

I envision future events in the amphitheater and I see a safe place that will attract my boy's friends (that may keep them out of trouble) and place that will inspire my boys to transform their lives to the men God wants them to be. I also envision this amphitheater changing more lives in a positive way and helping families connect.

With all this said, the amphitheater has already strengthened our family, has helped me find joy within my own grief, and I have excitement thinking about future generations finding their own positive identity with God.

Please consider that there are many more stories like mine and the positive spiritual impact it has on our community.

Sincerely,

Lisa McLamb

November 16, 2015

To Leane Heldenfelds

Staff Liaison Board of Adjustment City of Austin

Subject C15-2015-0147

Dear Leane,

I would like to address the issue of the Amphitheater located on the Life Austin Campus. I have been told that there have been maybe 15 events there and my wife and I have attended approximately 6 of them. Each event that we have attended has been a time of not only enjoying music, storytelling, dancing and celebrating but has also been a time for us as Christians to worship Jesus Christ our Savior with prayers, singing and just being in his presence.

As Christians we believe that God created the world we live in. He has provided us with the air we breathe, the sky, the clouds, the winds, the sunshine and even the humidity and bugs. What better place to worship God that out in the open where we can see and feel his greatness? I believe that the whole Life Austin campus is focused on the work of God and that the Amphitheater which my wife and I financially supported along with many others exists only because of the blessing God has given us. It is Holy Ground for us. When I see the bricks in the walk way that have both my parents and wife's parents' names inscribed in them it reminds us of how blessed we are to have our earthly parents but also that we have a heavenly Father that watches over and provides for us.

I understand that people from the outside might not see this connection that we have to God with this campus but it is truly a place of worship for us. I ask that the Board of Adjustment reject the argument that a few neighbors are making. I also pray that the people making the argument might have some peace about this matter and that we can agree to disagree but co-exist as neighbors.

Respectively submitted

Michael and Janice Hamilton

5201 Snowmass Cove

Austin, Texas 78749

Subject: Re: Life Austin Amphitheatre
Date: Tuesday, November 17, 2015 at 8:04:39 AM Central Standard Time
From: Susan Shirley
To: Jill Warren

Atten: Leane Heldenfelds
Staff Liaison BOA
Re: Case C15-2015-0147

My spouse and I attend Life Austin now since 2013. We moved from Louisiana and looked for a long time to find a church home where we felt true christian love all around us. Pastor Randy Phillips is a God fearing man who loves the Lord and circles himself with a staff of those, who are also doing God's work in the church. The members of the church have had a dream for many years to have a beautiful amphitheatre where we could enjoy great music and share music with the city of Austin as a whole. Pastor Randy and his staff work very hard bring christian entertainers to this venue for all to share in.

Please do not take this beautiful place from our family(church family). We invite you to be a part of family at Life Austin and experience the love that we have every time we enter those doors. You are always welcomed.
Please remove this case (C-15-2015-0147) from your target list.

In Christ I Remain,

Charles and Susan Shirley

Sarah Short
2606 Gabriel View Drive
Georgetown, Texas 78628
512.864.2840

November 16, 2015

City of Austin Board of Adjustment
Attn: Leane Heldenfelds, Staff Liason

Re: Case Number C15-2015-0147
LifeAustin Amphitheatre

Leane:

I understand that the use of the LifeAustin Amphitheatre is being questioned. The last event I attended was so full or praise and worship and was so meaningful to my spiritual life. It fed me so deeply. And, as I looked around, there was no question that it was filling many other lives as well. My worship doesn't just happen in the sanctuary with Pastor Randy. It happens anytime there is music involved. I raise my hands to our Lord and praise His holy name. I pray that the amphitheater will continue to be a place I can go to worship and praise our Risen Lord.

Thank you,

Sarah R. Short

Case#: C15-2015-0147

To the City of Austin Board of Adjustors,

I have discovered that some want to argue a point that the Life Austin Amphitheatre is not consistantly hosting events that apply to praise & worship. To in many circumstances, I would argue that this group of opposition has not carefully researched what is taking place at this location. If they had done this diligence they would not moved forward with this objection.

If even the slighest bit of objectivity is used, any critical-minded individual would clearly observe that the primary use of the Life Austin Amphitheatre is to serve its members and the community in praise & worship and the facility in which to exercise the freedom of religious assembly.

Furthermore, I find it (these objections) insulting to the Board's processes & intelligence. No facility of such function and capacity is not very well considered prior to its approval.

Sincerely, Dr Roger Barbon

Subject: Case number C15-2015-0147
Date: Monday, November 16, 2015 at 10:25:27 PM Central Standard Time
From: Dona D. Gonzales
To: Jill Warren

November 16, 2015

Leane Heldenfelds
Staff Liaison - BOA
Case number C15-2015-0147

Ms. Heldenfelds,
I'm writing to you today regarding the above case number. It's been brought to my attention that there has been some kind of a complaint regarding the praise and worship services which include concerts and related activities being held in the LifeAustin Amphitheatre do not qualify as religious worship and that the BoA should overturn and reverse years of City approvals, contracts and permits and stop this activity. I find this to be absurd. The concerts and worship activities that go on there are exactly that…..praise and worship services and related activities. This was the sole intention of this Amphitheatre, was to be able to praise and worship in an area that would be beneficial to all that attended. I challenge you to come out to this gorgeous place and see for yourself exacting what's going on there. Don't take the word from someone else…see for yourself.
Please do not take this away from all who benefit from it now, which are mostly young people. This place draws so many young people to know and see what God is doing in and through them and to take that away from them would be an absolute devastation not only to them, but to us all.
I believe the amphitheater contributes to the worship and praise ministries of Life Austin in a major way, and I encourage the board to reject the argument that it is not religious assembly and I ask the board to continue to allow religious assembly as the primary use of the Amphitheatre.
Sincerely,
Dona Gonzales

Our Right to Worship—November 16, 2015

To:

City of Austin Board of Adjustment:

Attention: Leane Heldenfelds
Staff Liaison - BOA
Case number **C15-2015-0147**

Please remember our rights as Christians to worship our God as we desire. Our religious freedom should not be limited or prevented by anyone. Our nation was founded upon God in whom we trust, upon godly principles, the right to practice our religious beliefs and worship the way we believe. Our rights must be protected too.

All of the praise and worship services which include concerts and related activities being held in the LifeAustin Amphitheatre do qualify as religious worship. This is the way and the place we worship.

I'm asking you, City of Austin Board of Adjustment, **do not** overturn or reverse years of City approvals, contracts and permits and stop this worship activity. **This is our right to worship our God in the way we worship! We do not want our worship to be prevented or limited. Let us worship God with all our hearts, mind, body and spirit.**

Worship music soothes and calms the mind, body and soul; it brings health and healing to the mind, body, and soul. **It is spiritual, not natural**. It is the way we honor God and worship God.

Psalm 150King James Version (KJV)

150 Praise ye the LORD. Praise God in his sanctuary: praise him in the firmament of his power.

2 Praise him for his mighty acts: praise him according to his excellent greatness.

3 Praise him with the sound of the trumpet: praise him with the psaltery and harp.

4 Praise him with the timbrel and dance: praise him with stringed instruments and organs.

5 Praise him upon the loud cymbals: praise him upon the high sounding cymbals.

6 Let every thing that hath breath praise the LORD. Praise ye the LORD.

This is only one passage of scripture that talks about praising God, which is worship. If you need more scriptures, please contact me: Evangelist Waters at www.PureGoldEvangelisticMinistries.com.

I firmly believe the amphitheater contributes to the worship and praise ministries of Life Austin, because of so many scriptures in the bible, it's how we worship. Please reject the nonsense argument that it is not religious assembly and please allow the continuation of our religious assembly as the primary use of the Amphitheatre.

Respectfully,

Evangelist M. Waters
www.PureGoldEvangelisticMinistries.com

Subject: case number C15-2015-0147
Date: Monday, November 16, 2015 at 5:26:06 PM Central Standard Time
From: Randall Chase
To: Jill Warren

Ms. Heldenfelds,

It has been brought to my attention that there has been a request to overturn a decision to allow LifeAustin Church to host religious events including concerts due to an individuals ideas of what "worship" consists of. I find this clear attempt to silence the freedom of worship clearly upheld by the First Amendment in which "United States Constitution prohibits the making of any law respecting an establishment of religion, impeding the free exercise of religion," would very evidently violate. This case would in no uncertain terms impede the free exercise of religion. This case pends on one persons personal view of what a "exercise of religion" look and sounds like. If you want to begin defining what one person calls worship vs what another thinks, you will be opening a Pandora's Box that truly no one wants to delve into. I implore the City of Austin to look very carefully at this and understand the precedence that a case like this could have on the city. I love Austin and I would not want this type of publicity to become what our truly open-minded and forward thinking community could become known for.

Picture

Randall Chase, IOM
Periscope Community Summit COO
512-960-9023 |
http://www.RandallsChase.com

Subject: Amphitheatre Letter

Date: Monday, November 16, 2015 at 5:45:33 PM Central Standard Time

[redacted]

To: Jill Warren

To: Leane Heldefelds
Staff Liaison to the Board of Adjustment

RE: Case Number C15-2015-0147

I am a member of Life Austin Church and have attended numerous events at the Life Austin Amphitheatre since its opening. I know the church has been diligent in working with the City staff to follow the administrative processes for permitting, soliciting the Music office's input on sound management and vendors, and spending considerable money to build a state-of-the-art sound management system. According to a test conducted by the City Music Office, it performed way beyond expectations and far beyond any other facility in Austin.

Those who question whether the Amphitheatre is being used for religious assembly have obviously not attended any events! The events have been wonderful examples of praise and worship, sharing the gospel, and powerful testimonies of faith by the performing artists! We know that citizens of Austin who would not have attended a more traditional church service have attended events and many people have become believers in the Lord Jesus Christ as a result of attending.

Please support the City staff who appropriately worked with church to properly apply the City codes and reject the arguments presented in the appeal. To do otherwise would be to dishonor the diligent work of the staff, and to trample on the right of religious assembly for members of Life Austin Church.

Sincerely,
Jamie Broughton

Sent from my iPhone

To:

Leane Heldenfelds

Staff Liason –BOA

Regarding:

Case no. **C15-2015-0147**

Hello

In regards to the Life Austin Ampitheatre, there has been some news that neighbors are complaining of too much noise distraction and that church members' rights to gather there for worship and Christian performances might be taken away after permits have already been received to do so. It is a place of worship and the rights of free citizens to worship as Christians through singing, concerts, performances I believe should not be infringed. I pray that you would see to it that no rules are made to prevent people from enjoying whatever Christian worship takes place there.

Thank you

Sincerely,

John M. Price

Subject: In regard to the ampitheatre at Life Austin

Date: Monday, November 16, 2015 at 6:45:47 PM Central Standard Time

[redacted]

To: Jill Warren

The Ampitheatre at Life Austin is a very positive contribution to Austin. The events that I have attended there are uplifting and inspirational. I just started attending Life Austin Church and the Ampitheatre is an extension of the message that is provided in the Church. The people are so welcoming, so kind, and loving!

In my opinion, the Ampitheatre is an extension of the Ministry of the church as well as a positive contribution to the well-being of the community, and my family.

Every one of the events that my family and friends have attended has enriched our lives..... and we have been sorry the programs were not far longer.

We have chosen to arrive early for the events as we feel the presence of the Lord and enjoy the people that congregate at the Ampitheatre.

We are telling everyone we know that this is the best thing that Austin could ever have happen!!!!!

Because of Life Austin and the Ampitheatre, I have my final Church Home.

Life Austin Church is transforming lives!!! The Ampitheatre is an extension of that transformation. We have quality entertainment that is in line with our beliefs for clean living fun. How wonderful is that!!!

Kristin Cross

Subject: case number C15-2015-0147

Date: Tuesday, November 17, 2015 at 10:23:49 AM Central Standard Time

[redacted]

Ms Leane Heldenfelds Staff Liaison - BOA,

I have attended a few of the activities at the LifeAustin Amphitheater venue. The format has been praise and worship by singing religious songs and some people committing their lives to Jesus at the conclusion of the concert.

I also attended the Veterans Day celebration on Sunday Nov 8th and that even had prayer for our currently deployed military and the singing of God Bless America.

a side note, i am very conscious of noise and during one of the concerts i went up by the main church in the parking lot and felt the noise level was considerably low and wondered what the complaint was all about. I also noticed that the concerts I attended ended well before the10 pm cut off time, in fact the parking lot was practically empty at the cut off time

Please put this complaint to rest and let us practice our right to religious assembly.

sincerely

Dennis Butler

November 17, 2015

TO: Leane Heldenfelds, Staff Liaison

RE: **C15-2015-0147 - Life Austin Amphitheatre**

It has been distressing to learn of the complaints by some local citizens who feel that the organized activities which are held at the Life Austin Amphitheatre are not "religious assembly" and that the Board should reverse and overturn the already approved City approvals, contracts and permits in regards to the Amphitheatre.

As a member of Life Austin, I can positively respond by saying that every event held at the Amphitheatre has been nothing other than life-giving, encouragement-enriched and praiseworthy "religious assembly." I have seen teenagers bond and worship during back-to-school music services, women of all ages blessed and inspired as they gather and worship during women's conferences, and children experiencing God during planned family services at the Amphitheatre.

This is a request for the Board of Adjustments to allow the decisions that have been previously made on this worthwhile project to stand so that the Life Austin Amphitheatre can continue to be used as an outdoor assembly building and ministry of the church.

Your consideration is most appreciated.

Sincerely,

Angela Vallejo
[redacted]

Leane Heldenfelds, Staff Liaison
Board of Adjustments
City of Austin

Reference case number **C15-2015-0147**

Dear Ms. Heldenfeld-

We are members of LifeAustin Church and beg the Board of Adjustments, the Austin City Council Members, and other City officials to continue to qualify our LifeAustin Amphitheatre as a venue for religious worship to the Austin community. Perhaps it is hard for a "non-Churched or non-believer" to understand how God can and does work through art. Art touches the heart and soul, perhaps in song, dance, theater, or film. The Amphitheatre might not have a Pastor standing up preaching God's word, but God's message can be delivered in a variety of non-traditional formats.

The LifeAustin Amphitheatre has provided and will continue to present various programs to our neighbors, community, and our City. The programs offered are inspirational, healing, and transformational for audiences made up of children, youth, and adults. At the Amphitheatre an individual who does not know of God's love and grace, can be sitting next to a Christian who is sharing how they have by healed by God's unconditional love. The youth in Austin have a safe place to go and enjoy peers spreading God's word as they participating in the arts.

The Amphitheatre has provided the opportunity for children with multiple physical and mental disabilities to sing and dance as they are praising God's grace. Families have watched movies which have subtle "religious" messages such as *The Lion King*, where Simba searches for his destiny in the great "Circle of Life". Simba is christened with the sign of the cross on his forehead and then presented to all the animals, achieving another step in the circle of life. Or in the movie *Frozen*, Anna and Kristoff conquer fear.

The Amphitheatre has the following scheduled events which might be difficult for individuals to understand how it is "religious worship" but just by the name of the venues:

Rock the Red Kettle concert- 100% of admission fees will go to the Salvation Army. The purpose of the Salvation Army is to deepen the spiritual life, unite in prayer, identify and develop leaders, increase self-support of the less fortunate. Austin artists are donating their time and talent to raise funds to provide food, shelter, vocational training, counseling, etc. to the lost or needy in our own City.

Ballet Magnificat – Ballet performance based on the Gospel of Luke to magnify God.

Mark E. Schultz concert, Mark is a Dove award winning performer (Prestigious annual award of Gospel/Christian music). Mark is dedicated to supporting our injured military personnel with inspirational music.

Annie Moses Band will be performing the classic Christmas favorites, featuring a beautiful performance of *O Holy Night*.

As Austinites for over forty years, we are honored that LifeAustin Amphitheatre is here for our grown-up kids and grandkids, their friends and neighbors and have the opportunity to learn about God in art.

Again, we ask for your support to allow us continue to spread the Gospel at the LifeAustin Amphitheatre to all in our community and our great City.

Should you have any questions or if we can further explain the purpose of the Amphitheatre, please call either Tonna at (512) 657-1838 or Steve at (512)-694-9569.

God Bless.

Tonna and Steve Marcyes

Tonna and Steve Marcyes

Subject: Let me know if this works.

Date: Tuesday, November 17, 2015 at 2:33:35 PM Central Standard Time

[redacted]

Leane Heldenfelds

Staff Liaison - BOA

Re: **C15-2015-0147**

Dear Leane,

There are some things that are better experienced than described. This is especially true about the Life Austin Amphitheater.

To truly capture the feeling of connection with your friends, family and community as you share in the joy of music, you simply must go to a performance. The music programs and talent welcome church members, their friends and the surrounding Austin community.

With our growing dependence on technological communication, we all too frequently find ourselves isolated from our neighbors. Our community is in great need of **more** shared experiences, not fewer. Music is important part of American culture and is a central part of Austin's heritage.

Our amphitheater brings to South Austin a much-needed community center that is aligned with our city and it's culture.

We invite you to come, share and connect.

Warmest regards,

Vicki and Brad Bodwell

3601 Purple Heron Dr

TO: Leane Heldenfelds
Staff Liaison-BOA
Case number: C15-2015-0147

Dear Ms Heldenfelds-I am a member of Life Austin Church and have some comments I'd like to make about the churches uses of the LifeAustin Amphitheatre. I have been to several concerts and events at the Amphitheatre and each one has been an incredible event of worship and praise for the Lord. I do consider each of these events as praise and worship since they start off with a group prayer and the entertainment is religious in nature. I know that Pastor Phillips is always considerate about ending the events at the appropriate times so that we do not impact our neighbors. I believe that all these events do contribute to our praise and corporal worship at the church. We also held one patriotic event celebrating Veterans Day and this was also a praise and worship event.

I respectfully request that you do not overturn or reverse any of the City approvals, contracts, and permits that have been granted through the years for the building of this Amphitheater. This Amphitheater has been used exclusively for religious assembly and I pray that we can continue its use.

Thank you and God bless you;

Teanne Basham
3621 Sawmill Dr.
Austin, TX 78749

512-282-4925

11/18/15

Leane Heldenfelds

Staff Liaison - BOA

I am shock to hear about the accusation being made on Case No. C15-2015-0147. Life Austin is Christian based church where I attend to stay in the word of God to worship and praise. The church is just not a Sunday morning services. It provides different celebrities of Christian artist though out the world to preform & worship live music indoor & outdoor. As for me to experience the enjoyment to have that opportunity to attend indoor & outdoor instead of just listing to Spirit 105.9 FM & K-Love 92.1 FM, etc. is an awesome feeling. I am asking please don't take that away from me and others. I would greatly appreciate.

Thank You,

Graciela Canales

11/18/2015

SUBJECT: REF Case# C15-2015-0147

RE: Life Austin Amphitheater

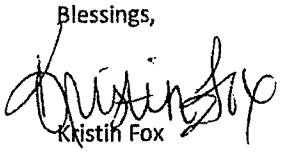
Dear Ms. Leane Heldenfelds,

I am writing this letter to express my views of the LifeAustin Amphitheater. This is a place of worship within my community. This is a beautiful organization that I believe transforms lives through Christ. The events held at the amphitheater, such as concerts and other events have always been a place of worship. Please allow us to continue worshiping at the LifeAustin Amphitheater through musical events, concerts and festivals.

The amphitheater offers a safe environment to worship outdoors.

Thank you for your time.

Blessings,



Kristin Fox

Member of LifeAustin Church

Subject: LIfe Austin Amphitheater

Date: Wednesday, November 18, 2015 at 8:07:24 AM Central Standard Time

[redacted]

I am writing on behalf of Life Austin and their amphitheater. Life Austin is a church that is committed to serving the community by providing multiple activities, programs and amenities for all ages of individuals and families.

One of the most important amenities is the Life Austin amphitheater. It was designed with a purpose of reaching the local church and community with Christian based with concerts and guest speakers in an outdoor venue. It is one of Life Austin's way of using the arts in praise and worship.

All of the pervious and schedule events held in the Life Austin's amphitheater is Christian based. The concerts focus on praise and worship and can easily be considered a worship service. If an individual was to Google and read about any of the Christian musicians as well as listen to any of their music, they would easily see that each of these groups are strictly Christian. Their individual sound and style of music may vary but their message and lyrics are clearly Jesus focused.

If you have any doubt, I encourage you to read about and/or listen to the following artist that have appeared or are schedule to appear at Life Austin.

07/19/15 The Katinas
07/24/15 Building 429
08/10/15 Light the Night Brock Gil, Capitol Kings, Gunther
08/13/15 Blind Boys of Alabama
09/06/15 Phillips, Craig, and Dean
09/29/15 Paul Young-Author of The Shack and Eve
10/04/15 Austin City Worship-Music ministers from 6 Austin Churches
10/06/15 Immerse Women's Conference Anita Renfro, Tim Tebow, Julie Lyles Carr
11/07/15 Family Fall Festival (Free rides, games, food, Inside Out movie)
11/08/15 Central Texas Veteran's Celebration
11/20/15 Rock the Red Kettle ATX-Cory Morrow, Pat Green, Jack Ingram, Drew Womack (ATX Performers fund raiser for Salvation Army)
12/50/15 Ballet Magnificat (Story from Luke)
12/18/15 Mark Schultz
12/19/15 Christmas with Annie Moses Band

If you have any questions or would like to speak with me about this very important topic, I can be reached by phone at (512)733-8000 or by email at ahjcounselor@sbcglobal.net.

Thank you,
Al H. Jones, PhD
Head to Heart Restoration Ministry, Director

Eri Contreras
11201 Iron Oak Trail
Austin, TX 78750
[redacted]

November 18, 2015

Leane Heldenfelds,
Staff Liaison - BOA
Case Number **C15-2015-0147**

Dear Leane Heldenfelds,

I am writing this letter in regards to the LifeAustin Amphitheatre. I absolutely believe that the amphitheatre contributes to the worship and praise ministries of LifeAustin Church. I have gone to a number of events and have gained a stronger sense of community. Without the events, I would not have had the opportunity to express my faith through newer avenues. My belief system reaches farther than just a traditional Sunday service. I am encouraging the board to reject the argument that it is not a religious assembly and allow the continuation of religious assembly as the primary use of the Amphitheatre.

Sincerely,

Eri Contreras

Subject: Case Number C 15-2015-02487

Date: Wednesday, November 18, 2015 at 11:25:53 AM Central Standard Time

[redacted]

To :
Leane Heidengelds
Staff Liaison- BOA
Case C15-2015-0147

Dear Leane,
Am writing today in behalf of Life Austin Church in regards to the case of the Neighborhood Association filed against the church. Can understand their side if this situation, but pray that a reasonable solution can be found. Pastor Randy Philips & his remarkable staff has complied with all the ordinances required by City Ordinances, before the amphitheater was construction. Pastor Randy 's vision for Life Austin was based for the love of God & this community. He & others have worked to bring city wide events such as the Good Friday Services, each year funds collected go to a charity. Met with City Officials to assist awareness in our neighborhoods. Life Austin has hosted for those whom in the community, fall & fun events, family events to bring each other together, regardless if you attend or a member of this church. The amphitheater has in these past months had offered a beautiful salute to our Veterans, up coming event to benefit the Salvation Army.
Life Austin is a giving church, whom support many charities & church members whom have suffered from the fires & floods. This amphitheater is a vessel to bring those to God. Just like the construction on Hwy 71, we must be patient, but all will work out for the best. Please don't take away a gift that had been given to Transform people's lives.
Thank-you ,
Blessings,
Linda

Dave Sanders

512 658-8459 [redacted] Austin, TX

November 17, 2015

Leane Heldenfelds
Staff Liaison - Austin Board of Adjustment

Re: C15-2015-0147

Ms. Heidenfelds,

I am writing this letter in support of the permits for the Life Austin Amphitheater. I am not a member of Life Austin Church, but I have friends that attend church there. I have attended three events at the venue, The Katinas, Gungor and the first City Wide Worship Night. At all three I was impressed with the quality of the facility, the professional sound and the staff and volunteers on duty.

All three of the events I attended would definitely be considered "religious worship" experiences. All three had inspirational Bible based messages, Christian worship music and prayer. The City Wide Worship night was especially beautiful as Worship Leaders from churches all across the city came together for a night of music, worship and prayer.

At the last event as I parked my car and walked down the hill to the amphitheater, the music had already begun and I was thinking how well this venue was designed. The sound was well controlled and did not seem at all to loud.

Thank you for continuing the permits for outdoor events at this quality venue that adds so much to the community and is such a vital part of the Life Austin Church.
Sincerely yours,

Dave

Dave Sanders

Subject: re: ACTION REQUESTED!
Date: Tuesday, November 17, 2015 at 4:35:22 PM Central Standard Time
[redacted]

10501 Thomaswood

La.

Austin, Tx. 78736
November 17, 2015

Re case number: C15-2015-0147

Leane Heldenfelds
Staff Liason - BOA

Dear Ms. Heldenfelds:

I am writing this letter requesting that you overrule the complaints of the neighborhood about Life Austin's amphitheater.

I live about 1 mile from the church and once in a while if I go out in my yard I think I can hear music from the amphitheater, which is comforting and encouraging to know that there are so many Christians coming together in this area. Other times I do hear booming music when Life Austin does NOT have a venue, which could be the VFW Hall, the Rusty Mule, or - I don't know. Either way, none of it causes me any discomfort or outrage.

I am a member of the Thomas Springs Tributary neighborhood email group and I can attest that there on only a handful of wearisome, meddling complainers about Life Austin, and dog poop in their yards. Some time ago I wrote a comment on the email defending Life Austin and my email was labeled "abusive" and removed.

Please REJECT the pending request to reverse the contracts and permits and allow Life Austin to continue to be an inspiration to it's 2000 members.

Respectfully,
Sharon McDaniel

From: [redacted]

Subject: Re: ACTION REQUESTED!

Date: Tuesday, November 17, 2015 at 11:31:35 PM Central Standard Time

[redacted]

Please use my letter below, to let the Board of Adjustment know my thoughts on worship in the Life Austin Amphitheater.

Leane Heldenfelds

Board of Adjustment Case number **C15-2015-0147**

Ms. Heldenfelds

I am a member of Life Austin Church. It my place of worship, and fellowship. I'm troubled that some of our neighbors are contending that the Life Austin Amphitheater is NOT being used for religious worship services. Nothing could be further from the truth.

I have enjoyed - and hope to continue to enjoy - performances that give glory to God in music, songs, dance, and other celebrations of a relationship with Our Savior. If meeting with other believers, and sharing praise and worship in the amphitheater is not a religious observance, maybe you can tell me what is.

Life Austin strives to be a good neighbor, while working to further His Kingdom. I hope you look closely at how worship helps define a religious activity, and work to keep current allowances in place.

Thank you - Gary McLearen

J

SUSAN S. CASEY
5504 Texas Bluebell Drive ♦ Spicewood, TX ♦ 78669
PHONE: 512-689-4889 [redacted]

November 17, 2015

Attention: Leane Heldenfelds, Staff Liaison - BOA

Re: Reference case number **C15-2015-0147**

Dear Ms. Heldenfelds,

I am writing this letter to state that all of the events that have taken place at the LifeAustin Amphitheater are events that honor God through praise and worship and I stand in favor of honoring the current BoA City approvals, contracts, and permits.

It has come to my attention that The LifeAustin Amphitheater is under attack by a few neighbors who are questioning and complaining about the events that take place at that venue. Their complaints question the praise and worship services which include concerts and related activities being held at the LifeAustin Amphitheatre, and they are concerned that these activities do not qualify as religious worship. Consequently, these few neighbors have recommended that BoA should overturn and reverse years of City approvals, contracts and permits and stop this activity.

My question is who defines what praise and worship is and what it looks like? I have attended almost all of the events held at the Amphitheater and at each event, the name of God was lifted up and honored! Sometimes with music, sometime with dance, sometimes through comedy, sometimes with families present, and sometimes with only adults, but all in all instances, each celebration or tribute was just that, an opportunity to gather with like-minded people celebrating God, praising His name, and worshipping in a manner appropriate to the event. I repeat the original question, who defines what praise and worship is and should look like? Is it the volume of the sounds being made, is it the words being uttered, is it the sounds of laughter, or tears, or shouts? Does praise and worship require music to be authentic? Does it require people to be stoic? Or should they be exhuberant? Can electronic equipment be used or outside structures?

In looking for an accurate answer to this question, I am providing a brief commentary that does a great job of addressing this issue. http://www.praise-and-worship.com/ (below).

It is my hope that this clarifies the concern at hand, and allows the BoA to see that everything that takes place at the Amphitheather is indeed a form of praise and worship and therefore **IS** completely within the terms and guidelines of what the City of Austin has already approved. As such, the current approvals, contracts and permits should stand.

SUSAN S. CASEY
5504 Texas Bluebell Drive ♦ Spicewood, TX ♦ 78669
PHONE: 512-689-4889 [redacted]

What is praise and worship

Worship, according to the dictionary means: a) to show profound religious devotion; b) to have intense love and admiration; and the definition of praise is: a) to express admiration or approval for; b) to express thanks and worship to God. In other words, praise and worship go hand in hand.

Praising and worshiping God is not about a ritual, or prayer repetition. It's not about spending a few minutes a day reading our bible or about reciting our wish list on a daily basis. True worship requires total commitment of our body, mind and spirit. It's about exalting, adoring and acknowledging the God of the Bible. It has nothing to do with religion, but it has everything to do with having an intimate and profound relationship with God - the Father, Son and Holy Spirit.

To many, worship is associated with singing. But there are certainly other types of worship. I believe the most important way to show our devotion to God is through our everyday lives. When we strive to be Christ-like, to loving and serving others, to honoring and glorifying God, then we are truly worshiping Him.

We can worship God in church, in the garden, while we're shopping or in the shower. Location doesn't matter or how many people are involved. Worship can be done with a group of people, or by ourselves. When we come before the Lord with a pure and repentant heart, He will bless us with His grace and mercy.

We can worship God through prayer, singing, raising our hands in adoration, dance, art, through the use of colors, playing instruments, using flags and banners, and even through mimestry (an exciting combination of mime, sign language and drama).

As stated above, the expressed purpose for which this venue was created has been honored each time by the quality of the activities and events that it hosts. The events allow people to gather in a Christ-centered community for the purposes of praise and worship and creating a safe environment to celebrate and learn more about our God.

The current approvals, contracts and permits should stand for the LifeAustin Amphitheater!

Sincerely,

Susan Casey
Business Owner and LifeAustin member since 2013
512-689-4889
[redacted]

Leane Heldenfelds

Staff Liaison - BOA

Case # C15-2015-0147

Dear Ms. Heldenfelds:

I am writing in regards to the complaint that the praise and worship services which include concerts and related activities being held in the LifeAustin Amphitheater not qualifying as religious worship and that the BoA should overturn and reverse years of City approvals, contracts and permits and stop this activity.

I have attended several events at this venue and all were entertaining but also worshipful. It is a place we come to praise our Lord with music and prayer, along with speakers that provide us with knowledge and inspiration.

We invite anyone to come. It will not take anyone long to realize that the purpose of this Ampitheater is to reach the masses and introduce them to the Lord.

Please prayerfully consider alowing the Ampitheater to continue to operate as it was intended....a place of religiouos assembly. This is its primary use.

Thank you for your concideration in this matter.

A concerned citizen & registered voter,

Kay Reeves

1706 Whitney Way

Austin, Texas 78741

512-389-0837

November 18, 2015

Ms. Leane Heldenfelds
Austin City Staff Liaison
City of Austin Board of Adjustments

RE: Case number C15-2015-0147

To Whom It May Concern,

The purpose of this letter is to voice my support for LifeAustin and the current ministry that is provided by enjoying the new amphitheater. It is a gorgeous place to gather.

I have attended 2 different events and both were deeply touching and enjoyable. The ability to gather outside of a religious church setting but still be surrounded by other spirit filled people is powerful. The LifeAustin Amphitheater allows us to gather and enjoy the talented people that entertain us with the spirit of the Lord close at hand. We don't have to worry about offensive language or situations that would be uncomfortable. People worship in many different ways and the Amphitheater allows for different styles of worship to be enjoyed.

I think this enhances and compliments what Austin has to offer for people that wish to visit this amphitheater and enjoy a spiritual evening on the campus of LifeAustin. It is something that appeals to many people in Austin and should be supported by the City as well. What a wonderful amenity this provides for all of us. Typically their ticket prices are affordable and allowing a variety of people with different economic situations to come and share in the word and talents of entertainers.

I urge you to continue your support for the LifeAustin Amphitheater and the worship options it provides for all Austinites.

Fondly,

Laurie Gosda

[redacted]

970-379-0636

Leane Heldenfelds
Staff Liaison
Austin Board of Adjustment
Case # C15-2015-0147

Dear Ms. Heldenfelds,

It has come to my attention that the primary purpose of the Austin Life Amphitheatre is in question with the Board of Adjustment.

My wife Jeanee and I moved to the Austin area 18 months ago from Houston. We started attending Life Austin shortly after our arrival. In full disclosure we were a financial supporter of the Amphitheatre and have attended two of the Ministry Outreach functions since its inception.

My wife and I are Christians and have been active in Ministry for nearly 33 years, previously at our former Church, Resurrection Lutheran in Spring, Texas and now active with the Life Austin Prayer Team.

Throughout our lives scripture has encouraged and commanded us to reach out to those that have a Church home and equally to those seeking the word of God. As a young Catholic boy educated in the Parochial system for 12 years I was taught to share the Love of Jesus in Thought, Word and Deed. Translated a little more directly, I am to pray for those seeking Christ, I am to be prepared to share the Words of Christ and I am to extend myself to the community to Serve others.

The Life Austin Amphitheatre emboldens all of those basic tenants at each of its events. Every session begins with Prayer, Scripture is shared with those in attendance and ministry teams are there to welcome and care for our visitors.

Ms. Heldenfelds a few words on paper do not lend sufficient weight to Praise and Worship that the Life Austin Amphitheatre declares to God the Father, Maker of Heaven and Earth and to His Son Jesus. If you should desire, I am happy to present myself to the Austin Board of Adjustments and offer a more passionate defense of the Life Austin Amphitheatre. My contact information is listed below and I will avail myself to your call.

Now I would liken to leave you with a guiding principle that has comforted me for these many years. From Psalm 96:1-3

Sing to the Lord a new song
Sing to the Lord all the Earth
Sing to the Lord, Praise His Name
Proclaim His Salvation day after day
Declare His Glory among the Nations
His Marvelous deeds among all Peoples

The primary purpose of Life Austin and of the Amphitheatre is to Share the Love of Jesus in Thought, Word and Deed.

Thank you for the opportunity to share my views.

Respectfully,

Jack Nicholas
211 Bella Cima Dr
Austin, Texas 78734
713.826.8894
[redacted]

November 18, 2015

Leane Heldenfelds
Staff Liaison – BOA

RE: Case Number C15-2015-0147

Dear Ms. Heldenfelds,

It has recently been brought to my attention, the potential for the BoA to overturn and reverse existing City approvals, contracts and permits in order to cease community strengthening activities at the LifeAustin Amphitheatre.

It absolutely breaks my heart to think of the devastating, life-long impact this action could have on so many individual lives.

The activities and events hosted at this Amphitheatre are not simply for entertainment. Instead, this place presents an opportunity for individuals to come in contact with personal healing, self-understanding and spiritual restoration that they might never have the opportunity to experience without the activities at the Amphitheatre – individuals who so desperately and unknowingly need what a church has to offer but who would never step foot inside church walls. Without the Amphitheatre these individuals may never experience restoration and healing.

This facility builds community bringing people of all walks of life together without the confinement of physical walls. In a city like Austin, that touts being the Live Music Capital of the World, a venue such as the LifeAustin Amphitheatre is the epitome of community, outdoor activity and music that Austin states are of the most important values of its fiber. Please allow this venue to continue fulfilling that purpose.

I am a resident in the immediate community and request that you please accept my full support to continue all activities at the Amphitheatre.

Sincerely,

Meredith Knight

November 18, 2015

Leane Heldenfelds
Staff Liaison – BOA

Reference # C15-2015-0147

This letter is to express my belief and experience that the Life Austin Amphitheatre most definitely contributes to the worship and praise ministries at our Life Austin church. I strongly encourage the board to reject the argument that the Amphitheater is not for religious assembly and allow the continuation of religious assembly as the primary and beneficial use of the Amphitheatre.

Sincerely,

Carol Miltenberger

Subject: Fwd: Leanne Heldenfelds, Staff Liaison - BOA, Ref. C15-2015-0147

[redacted]ovember 18, 2015 at 2:51:36 PM Central Standard Time

[redacted]

Sent: Wed, Nov 18, 2015 2:37 pm
Subject: Leanne Heldenfelds, Staff Liaison - BOA, Ref. C15-2015-0147

Leane Heldenfelds
Staff Liaison - BOA
Ref. C15-2015-0147

Dear Mrs. Heldenfelds

I am a member of Lifeaustin church and my family really enjoys the positive faith based sermons and fun religious activities for my entire family.

The amphitheater is a unique venue that hosts Christian concerts, religious motivational speakers and so much more. This is a great place for all families in Austin, Texas to hear the positive message of God's love for everyone! Therefore please do not take away the permits needed to maintain this facility open as a religious place.

Sincerely,

Gisele Jones

Bill Gunn

11513 Warbler Ledge
Austin, Texas 78738
512-402-9480
[redacted]

11/18/2015

To: Leane Heldenfelds: Staff Liason - BOA, City of Austin

Subject: case number: C15-2015-0147

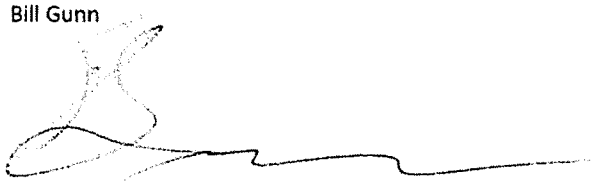
Dear Leane,

I am writing in support of the Life Austin Amphitheater as an extension of the praise and worship ministry of Life Austin Church.

After attending multiple assemblies and concerts at LifeAustin Amphitheater, I know from personal experience that these events are a life changing addition and enhancement of the worship and praise ministry of Life Austin Church as well as a spiritual resource for the surrounding communities.

As these assemblies at the amphitheater are definitively religious in nature, I urge the Board of Adjustments to reject the argument that the facility is not being used for religious assembly.

Warm regards,
Bill Gunn



Dear Leane Heldenfelds,

Hi, my name is Leslie Murphy and I have been attending Life Austin Church since July of 2015.

I'm writing on behalf of Life Austin's Church Amphitheater.

I am currently and have been for the past 17 years lived as a devoted Christian. I attend Sunday Services and participate in praise and worship, 4 of my children attend Elementary and Middle School Youth at Life Austin Church and LOVE it! They express how much they learn about God. I also practice praise and worship on a daily basis in my own personal life and so do my husband and 5 children. I would also like to include some extra credentials, that prior to Life Austin Church I was a lead teacher for Children's Ministry for 13 years, Event Coordinator for various events with in the church and outreach ministries for 7 years, in the praise and worship team for one year, My husband was one of the lead singers and piano player for the praise and worship team for 7 years and my oldest daughter was the Youth praise and worship leader for 4 years at our previous church, before moving back to Austin in July 2015. I also was Co-CEO and Operational Manager for Mike Murphy Basketball Company, in which we held week long Basketball Camps during the summers as an outreach program, were we Preached the gospel through the game of basketball to many children for 9 years.

I'm very confident through my experiences and knowledge with Praise and Worship and Church Conduct, to say, that I would be able to recognize what true Praise and Worship and Religious assembly looks and sounds like.

Praise and Worship is an expression of admiration, reverence, honor and gratitude to God through speech, and/or song, writing, music, prayer, services, devotions, with or without Instruments, with yourself and/or with others, not to mention all the other various ways with the resources available to us in today's age and the gifts and talents we possess to give Glory to God with.

And that's EXACTLY what Life Austin Church and Amphitheater looks and sounds like!!!

I have seen the Itineraries myself and I want to assure you that the Amphitheater has practiced praise and worship unto God with each performance and service held within it, without compromise!

Praise and Worship to God is one of Life Austin Church's foundational truths shown in their belief and practices throughout their ministries.

The Amphitheater is a reflection and Extension to who the Church is.

Expressing who they are on the inside, on the outside.

Praise and Worship is a life style and the Amphitheater is a place, a platform to expand experience and enjoy that!

The Amphitheater helps support Gods work at Life Austin. Services and music exalt God; people are encouraged, lifted up and prayed for while having great fellowship with all through good, honest, biblical fun.

That's the heart of the church, to love God and people!

We live in Austin, the Music Capital of the world that embraces all types of Musicians who are accepted despite ones genre. As well as a City that preaches, keep Austin weird, celebrate diversity, help local establishments, accept all..... I believe Life Austin Church is a member of this community who expects nothing less for themselves, an equal opportunity to see their hopes and future come alive and be accepted for who they are!

Life Austin Church has opened the Amphitheater for many Christian Artists and Speakers to come and praise and Worship God in truth and share their testimonies and the word of God to all who come and all are welcomed.....the Church is unique, divers, established, accepts all and desires to grow and be a part of the community and reach out to the city as they share the love of God through various religious ways at the Amphitheater. They have been a law abiding establishment and people that have upheld their word since day one and have used the Amphitheater to glorify God just as they said they would and I'm a witness to that.

I ENCOURAGE you to PLEASE dismiss the arguments from the neighbors that say the Amphitheater is not being used for religious gatherings. It is simply not true and hope that you see, that the truth is, Life Austin Church Amphitheater is being used for religious assembly. I urge you to allow the Amphitheater to continue to be used for its Religious purpose. Please let my church, our church, Life Austin Church dreams to remain a reality and give us the opportunity to reach our goals by using the Amphitheater!

Thank you so much for your time and consideration!

Sincerely,

Leslie Murphy
(512)483-1001

Subject: Case# C15-2015-0147
Date: Thursday, November 19, 2015 at 12:39:44 PM Central Standard Time
From: alison dollar
To: Jill Warren

Leane Heldenfelds, Staff Liaison-BOA,

My husband and I are members of Life Austin Church. Our Ampitheather, that sits on the beautiful property of our Life Austin Campus was constructed solely for Religious and prayerful events only. A way for Christian ministry musicians, the Arts, and anything having to do with Religion, Prayers, and Ministry to be taken outside where our Church members and whomever would like to come, praise and worship God outside ,under a beautiful building and in God's outside beauty and elements can come and Praise our Almighty.

This is such an integral part of the Ministry at Life Austin, and has brought so much pleasure to all who have gone to the many worshipping events held in our Amphitheater. It has been a joy to all of us. And it would sure be a shame and disgraceful to not allow continuation of our Religious Assembly where so many deserving people can come connect with and praise Our Lord and Savior, Jesus Christ.

Thank you for your much needed consideration in this matter please,

Mark & Alison Dollar

Leane Heldenfelds
Staff Liaison - BOA
Case number **C15-2015-0147**

Dear Ms. Heldenfelds;

It has come to my attention that a hearing is to be conducted on the true purpose of the LifeAustin Amphitheater.

I truly am at a loss for the questioning of the purpose of this structure. Throughout history many churches have constructed monuments to themselves to serve and yes even entertain their members. This church is different! This church, my church, has spent a significant amount of time, labor, and capital to construct a beautiful structure to serve Austin, Texas.

This is not about entertainment, even though there will be world-class entertainers that come here. This is not about LifeAustin church getting together to be with each other, even though we will be together in an act of serve. No, this is about something very selfless, and critical to the people of Austin, Texas.

This, amphitheater, Ms. Heldenfelds, is not for the LifeAustin church; it is a unique and brilliant endeavor, by the pastor, Randy Philips, to attract Austenite's to a world class gathering of entertainers, for the sole purpose of sharing the gospel of our Lord Jesus Christ. That's it. No ulterior motive, no hidden agenda, simply the purpose, that has been communicated from day one; that this structure exists to share the Word of God... period!

So in emphasis; nothing has changed from day one, in intention, or motive. There is no basis for any change in permitting or in religious assembly being allowed as a freedom of speech.

Thank you for your consideration.

May you be blessed for all your discernment.

Shawn d. Mack
Member, Life Austin Church

November 18, 2015

Leane Heldenfelds
Staff Liaison - BOA

RE: **C15-2015-0147**

Dear Ms. Heldenfelds,

I would like to formally express my concern for neighbors that claim Life Austin & the use of the Amphitheatre is not used for religious worship. These neighbors that make this claim have clearly never attended the church or the Amphitheatre. One visit and one would clearly see lives transformed.

Please consider allowing Life Austin to continue to make a difference in Austin, Texas & all over our country. Life Austin isn't just making a difference in our city, but far beyond. Life Austin is able to make a difference in other cities, states & even countries with their ministry.

I cheerfully support Life Austin.

In His Grace,

Lori Johnson
Life Austin member

12 Butterfly Pl
The Hills, TX 78738
408-256-0827

18 November 2015

Ms. Leane Heldenfelds
City of Austin Board of Adjustment
Development Services Department
1st Floor/Development Assistance Center
P.O. Box 1088
Austin, TX 78767

Re: Case# C15-2015-0147

Dear Ms. Heldenfelds:
Concerning the above referenced case, it has been brought to our attention that a hearing is scheduled for December 9th before the City of Austin Board of Adjustment (BoA). As we understand it, this is concerning some neighbor claims that the LifeAustin Amphitheatre events do not all qualify as religious worship. These neighbors are requesting that the BoA negate years of city approvals, contracts and permits.

We worked diligently to set aside funds we could donate to the LifeAustin Amphitheatre project. Why? Because we know that the best way to share the love that our faith professes is by reaching out to our greater community. **The entire reason for this venue's existence is to build a bridge between greater Austin and our even greater God. EVERYTHING that happens at the LifeAustin Amphitheatre is to this end.** Some of these events will be obviously faith-based, but others will take a more subtle approach. We're trying to reach a wide audience of believers and non-believers alike with our message. Certainly, these neighbors are not the highest authority on which of the activities can or cannot be classified as religious in nature.

We urge you to thoughtfully consider our defined purpose and consistent actions. Then, please encourage the BoA to allow the continuation of religious assembly as the primary use of the LifeAustin Amphitheatre.

Thank You in Advance for Your Consideration,
Laura C. & Steven M. Phillips

ABBA
AUSTIN BRIDGE BUILDERS ALLIANCE

PO Box 26825
Austin, TX 78755

512 451 2741
[redacted]

November 17, 2015

Leane Heldenfelds
Staff Liaison - BOA

Re: Case number **C15-2015-0147**

Dear Leane:

I write this letter as a friend of LifeAustin. Our organization stands in agreement with LifeAustin's appeal that you reject the argument that the activities in their amphitheater are not religious assembly. We ask that you support LifeAustin and its continued primary use of the Amphitheater for religious assembly related to its worship and praise ministries.

Sincerely,

Dr. Ricthe L. Carney
Executive Director
ABBA (Austin Bridge Builders Alliance)

11/19/15

Leane Heldenfelds
Staff Liason - BOA
RE: Case number C15-2015-0147

Dear Ms. Heldenfelds,

I have been a proud member of LifeAustin Church (formerly Promiseland West) since 7/1/2012. Our Pastor Randy Phillips loves his church members and especially the Austin, TX community. He teaches us how to serve our community and love them deeply. The Amphitheater is an important outreach that we have as a way of serving the entire Austin community, LifeAustin member or not, believer or non-believer, in a comfortable, safe, welcoming setting.

I have attended and volunteered to serve at several events & all have been outstanding. The church is very conscious of the sound levels and making certain that we end all events by the required time. All of our Pastors and Staff care for & are respectful of our neighbors. The Word of God is proclaimed at each and every event I have attended.

Two of my favorite events were Immerse Austin which was open to all women. It was a lovely night of worship, singing, comedy & speaking. God's Word was proclaimed throughout that night. Women were greatly moved by some of the events of the evening. A woman in front of me, April, was crying for most of the evening. She really needed to be there. We had several times of prayer and when my friend and I put our hand on her shoulder to pray for her she began sobbing. She had just lost her job and a recent relationship & didn't know where to turn. She had heard we were having an event for women that night & decided to come. As a result of Immerse Austin, April is now my friend. The Amphitheater's event was an extremely important event specifically for myself and April.

Another event that was amazing was the Celebration for Veterans. It was such a blessing to see so many new faces at the Amphitheater enjoying an afternoon of recognizing them for their service, listening to a magnificent Army band, and hearing the story from Tiffany & Captain Scott Smiley of how his horrific injury in battle led him to an amazing walk with The Lord. So many were inspired with his story & many of us wept that day as well. Our amazing Veterans are not recognized nearly enough in my opinion. My church is not ashamed to honor them & display our American flag freely.

I hear that some of our neighbors don't think our events of praise & worship qualify as religious worship and would love to close this fabulous facility. I beg to differ with them. People's lives are being saved at every event. Yes, some of our events are "not your normal church service", but that's part of why people are drawn to LifeAustin. I was raised a Lutheran & spent my adult life worshiping in the Baptist church, so I understand how some folks might not think we're holding a religious service. At LifeAustin we preach God's Word in a loving, pleasing, modern way that appeals to the multitudes.

I invite you Ms. Heldenfelds to attend one of our events to witness an amazing religious event...and some great food truck food. Blessings.

Jana McCool

Subject: C15-2015-0147

Date: Friday, November 20, 2015 at 2:30:44 AM Central Standard Time

[redacted]

Robert and Zicri Bogart
6205 Adel Cv.
Austin, TX 78749
(915) 224-0748
[redacted]

Ms.
Leane Heldenfelds,

It has been brought to our attention of the concerns some residents around the Life Austin Church area have, expressing their discontent about some of the concerts that have been held at the Life Austin amphitheater. These complaints suggest that these concerts do not qualify as religious worship.

We moved to the city of Austin about two years ago. We searched and visited several churches in the area. Once we visited Life Austin we knew that was the church we wanted to attend and bring our family and friends to.

We have attended the concerts at the Life Austin amphitheater and we have witnessed the worship, prayer, and praise that occur during these events. We worship with freedom and leave blessed and renewed. These kind of events are beneficial to our community, bringing unity and a sense of commitment to help one another.

The amphitheater is a positive outlet for our youth, our children and people of all ages to gather in a Christian environment. It is a great place to develop good citizenship and share our faith.
This amphitheater that was recently finished was built with the sacrifices, hard work and prayers of many people.

We are fully committed to supporting the Life Austin amphitheater to remain open and available.

We would urge you to reconsider any decision to reverse the permits of the Life Austin amphitheater.

Sincerely,

Robert and Zicri Bogart.

Subject: Amphitheatre letter

Date: Friday, November 20, 2015 at 8:33:50 AM Central Standard Time

[redacted]

Leane Heldenfelds
Staff Liaison
Case#: C15-2015-0147

I encourage the board to reject the argument that Life Austin's Amphitheater is not primarily used as a religious assembly venue. The Amphitheater has contributed to my worship experience because it allows me to explore different areas of my faith. All amphitheaters, including ours, offer an opportunity to experience the arts in a different environment. The experience of worshipping outside, amid God's creation, and not indoors is special. As most would agree, one cannot confine a worship experience to be indoors only.

The notion that religious expression cannot or should not be able to move outdoors is misguided, at best. The days of church only being indoors, especially in a city like Austin, are moving behind us. Our entire culture, religious or not, is moving back toward our roots. Nature. Reminding ourselves to look up and marvel has been lost too long.

So I ask that your initial decision remain firmly grounded.

Thanks for your time,
Joshua Contreras

Leo & Norma Orona
305 E. Yager Lane, #415
Austin, TX 78753
512-954-2654

November 20, 2015

Dear Ms. Leane Heldenfelds,

I hope this letter finds you in good health. I am writing this correspondence in regards to the subject of the amphitheatre at Life Austin. My husband Leo & I visited this venue a few months ago and it was just a very dynamic experience! It was a real pleasure to enjoy worshiping and praising our Savior outside with others. We felt safe there and want to repeat this outing in the future. The Christian concert sounded awesome and the place was filled with families and people there to share our strength and just connect with other brothers and sisters from all over our community.

It would be our hope to encourage you to allow the amphitheatre at Life Austin to continue to serve in its current capacity. It's cool and it's so much about worship. Please put a stop to and reject the idea of this venue not being used for religious assembly and continue to let it be a great place for all to come and bring their children, friends, co-workers and neighbors. It is our request that you allow the continuation of religious assembly as the primary use of the amphitheatre.

When this amphitheatre was built the goal from the beginning was to encourage families and community and to bring people closer to God & to each other. Please let that continue in this case. Leo & I feel that the amphitheatre is a vital element to Life Austin as well as for many others including us. Randy Phillips had a dream that came true. When his dream came true he made it possible for all of us to enjoy the benefits of his labors. He is one of the most generous persons we know.

Thank you for your attention,

Sincerely,

Leo & Norma Orona

November 20, 2015

To: Leane Heldenfelds: Staff Liason-BOA, City of Austin

Subject: case number C15-2015-0147

Dear Leane,

We are writing in support of Life Austin Amphitheater as an extension of the praise and worship ministry of Life Austin Church.

We have been members of Life Austin Church for over 5 years. We love being able to worship in the outdoor Amphitheater. The Amphitheater not only has a spiritual impact to the surrounding community showing the love of God, but also this is such an important part of our church helping us to continue to build our faith as we worship together.

We urge the Board of Adjustments to reject the argument that the Amphitheater is not being used for religious assembly. We know firsthand that it is being used for assemblies that are religious in nature. The Amphitheater has helped to instill in so many the love of God through worship and praise.

Sincerely,

Janet and Rick Pyne

7205 Chuck Wagon Trail

Austin, Texas 78749

512-633-9024

E. Robert Shepard, Jr

November 16, 2015

City of Austin Board of Adjustment
c/o Leane Heldenfelds
Board of Adjustment Liaison
City of Austin
One Texas Center, 5th Floor
505 Barton Springs Road
Austin, Texas 78704

RE: Case number C15-2015-0147, Life Austin Amphitheatre

Dear Ms. Heldenfelds:

I am a member of LifeAustin Church. I have worshiped there for over 6 years and have been a resident of Austin for the past 36 years. I am respectively writing you to express my belief that the LifeAustin Amphitheatre's primary purpose and use is an outdoor worship building for religious assembly. This was the primary intended purpose for the facility and what I believe it has been used for since its opening this past summer.

There are those who reject the notion the LifeAustin Amphitheatre primary purpose is for religious assembly who have diligently fought against the project for years. The facts to me are clear it is an outdoor worship building doing the same things which occur inside the church. The faith based music and testimonies by the artist at the Amphitheatre have a powerful influence on my walk with God. Faith based music may be the most powerful tool the Lord has used to motivate transformation in my life to become a more loving and caring citizen. Music has always been a component of people of faith to worship their God going back to the Old Testament and the singing of the Psalms.

I understand there is a hearing scheduled for the Board of Adjustment on December 9th at the request of those who question the religious assembly use determination by city staff and who are strongly working to have the approved permits revoked to shut down the Amphitheatre. The Amphitheatre has been legally built at a substantial cost and again I believe it is being used for its intended and legally authorized purposes.

I encourage the board to reject the argument that the Amphitheatre use is not religious assembly allowing LifeAustin Church to continue using the facility primarily for religious assembly and the related uses by agreement with the City of Austin.

Thank you for your time and consideration.

Regards,

E. Robert Shepard, Jr.
LifeAustin Church Member

4501 Balcones Drive, Austin, Texas 78731 512/346-1676 [redacted]

Subject: Case # C15-2015-0147

Date: Monday, November 16, 2015 at 10:18:36 AM Central Standard Time

[redacted]

Leane Heldenfelds,

I wanted to reach out to you regarding the recent complaints/concerns that the activities at the LifeAustin amphitheater are not "religious worship". I respectfully completely disagree with these concerns.

The activities at the amphitheater, while they may not all appear to be "religious", are about fellowship and showing the love of Christ to our community…whether it's the Fall Festival or Phillips Craig and Dean Concerts. We have attended most of the shows at the amphitheater and each one is amazing and beautiful and draws others closer to Jesus Christ. In the first few shows alone of 50 individuals gave their life to Jesus Christ as a direct result of what was presented on the stage.

I'm not even certain what would be considered "religious worship"…but I believe God, our Father, loves when his followers sing praises to him and open their churches to the community so that they, too, may experience the love of Jesus Christ.

If you have any questions or concerns that I could help answer, I would be happy to.

Thank you for your time and attention to this matter.

Have a blessed day,
Christa Horst
512-554-1988
[redacted]

"The King will reply, 'Truly I tell you, whatever you did for one of the least of these brothers and sisters of mine, you did for me.' Matthew 25:40

AMORE MINISTRIES

Christa Horst
Office: 512-331-7020
Cell: 512-554-1988
404 Mirafield Lane
Austin, TX 78737
[redacted]

November 16, 2015

Leane Heldenfelds
Staff Liaison – BOA

SUBJ: Life Austin Amphitheatre - **C15-2015-0147**

Dear Ms. Heldenfelds:

My family and I have attended some of the events at Life Austin's amphitheatre and found them to be wonderful, uplifting praise and worship events. Opportunities to bring families and communities together with praise and worship events should not be discouraged. They strengthen our faith and bring our families and communities closer together. I know that great care and expense for acoustic materials were used by Life Austin in the creation of the amphitheatre, with great thoughtfulness as to neighborhood impact. Life Austin and everyone involved have only good intentions of making the amphitheatre a center for those who want to gather and praise God. There is no alcohol allowed and it is a wholesome family environment. I would think this sort of venue would be encouraged. I urge you to vote to allow Life Austin Amphitheatre to continue its events.

Sincerely,

Gail Corser
9524 B Solana Vista Loop
Austin, TX 78750

Subject: BOA Hearing

Date: Monday, November 16, 2015 at 10:35:11 AM Central Standard Time

[redacted]

To: Liane Heldenfelds

Staff Liaison---BOA

Re: Case #C15-2015-0147

It has been my joy to attend 4-5 Christian concerts and religious assemblies at the Life Austin Amphitheater. Each time I have attended, the entire and expressed goal was to glorify Jesus, to spread the Word of God and to uplift the hearts of those gathered. We have such a gift from God of the Life Austin Church and the Amphitheater.

I live in Scenic Brook West and I am grateful to be able to attend these amphitheater events. They increase my faith and strengthen my walk with my Lord Jesus. I pray we will continue to be allowed this religious freedom.

Thank you, Sandra Capelle

Sandra Capelle
[redacted]
512.567.3470

May the Lord bless you and keep you close to His heart.

Subject: Life Austin Amphitheater case number C15-2015-0147

Date: Monday, November 16, 2015 at 10:42:50 AM Central Standard Time

[redacted]

Leane Heldenfelds
Staff Liaison – BOA

My wife Liz and I have bee to two events at the amphitheater. At both events we worshiped and messages of Christianity and praise were presented. We plan to bring friends to future events with the intent of introducing them to our Christian principles and to other Christians and to gospel messages in the hope they will give their lives to Jesus.

Steve Baker, **CPA, CPIM | Business Technology Associates** – Infor & DRI Partner | (512)343-9600 x101

Subject: C15-2015-0147

Date: Monday, November 16, 2015 at 11:14:14 AM Central Standard Time

[redacted]

TO: Leane Heldenfelds
Staff Liaison - BOA
Please reference case number **C15-2015-0147** in subject line.

Dear Ms. Leane Heldenfelds,

It has recently come to my attention that there is reconsideration to allow the previously approved, agreed Life Austin Ampitheter to be used as it was built and intended to provide religious assembly. I am a very busy mother of 2 boys 9 & 7 also employed over 40 hours a week outside the house, a wife, a volunteer (I don't even have real time to write this message) and yet I could honestly continue to write all of the various hats I wear but it's not about me, it's about our LORD Jesus Christ who allows me to do all that I do. As I continue to raise my sons in the way they should walk, this Ampitheter allows our family a special place of worship when we didn't otherwise have one in glorious outdoor setting under the stars giving our family a place of outdoor worship with some of the most amazing talented Christian artists in the world. If you haven't attended an outdoor service, please bring your team to enjoy it with your families as I know afterwards you would want to attend more often and even bring your friends as it is truly a praise and worship service that the world needs more of. We pray that you continue to allow us the ability to continue to enjoy this facility for years and years to come for religious assembly without continuing this dialog of reconsideration.

Respectfully yours,

Shirley Wallace Myslinski

Dear Leane,

I am writing as a part of a family that is actively involved in Life Austin Church activities including worship events at the Life Austin Amphitheater. As someone who is part of the church and part of the church funded Amphitheater, it is difficult to understand how the Amphitheater could be used for anything other than worship. Church attendees from my experience are the majority of the attendees of the events at the Amphitheater. I believe that activities at the Amphitheater contribute to the worship and praise ministries of Life Austin significantly. That is why we built it.

Most of the artists come to church ahead of the events and worship with the church. Also, the artists they invite usually reference worship during the concerts. I have not seen any that do not so far. In addition the seats have members names on since they were primarily paid for by members of the church. We as a congregation view this as worship outreach. The church also has a dog park and Frisbee park free to the public. We consider opportunities for worship outreach and fellowship gathering. I believe anything that occurs on the Life Austin property always involves worship and the heavy majority of attendees know they are going to Church property with Church going people. My family asks that you please reject the argument that it is not religious assembly and allow the continuation of religious assembly as the primary use of the Amphitheatre. Thank you for your consideration and we invite you to attend an event there in order to have your own experience there as well as see the worship going on around you. Have a great day.

David Hoisington
512-940-8730
case number **C15-2015-0147**

Subject: case number C15-2015-0147

Date: Monday, November 16, 2015 at 12:14:59 PM Central Standard Time

[redacted]

November 16, 2015

Ms. Leane Heldenfelds

Staff Liaison - BoA

Re case number C15-2015-0147

Dear Ms. Heldenfelds,

I was deeply disappointed to learn that some neighbors of LifeAustin Church are attempting to prevent our continued praise and worship celebrations at the LifeAustin Amphitheater off Highway 71.

Although LifeAustin has faithfully respected the city's requirements for operating the Amphitheater, and though the grounds remain meticulously maintained - enhancing the beauty of the neighborhood, and although the celebrations only offer the finest worship music and related performances, it's my understanding that those voicing concern do not judge the programs to be sufficiently "religious" in their opinion, and thus want them stopped.

I regularly attend LifeAustin Church and enjoy celebrating my faith together with so many others, both in the sanctuary and amphitheater. The opportunity to worship through the range of services, music and uplifting presentations that honor God, is immensely valuable to me and I believe represents a great gift to the community.

I pray that you and your colleagues on the BoA do not allow the religious judgments of a few, to interfere with our continued opportunity to worship and offer praise in the manner we find so valuable.

Thank you very much for your consideration.

Sincerely,

Patricia (Patti) Lewis

[redacted]

512-757-9923

1050 River Mountain Road

Wimberley, Texas 786767

cc: Dennis Broughton

Jason and Patience Aylstock
11004 La Roca Cove
Austin, TX 78739
(512) 373-6158

Dear Leane Heldenfelds,

My husband and I are members of LifeAustin. We have attended worship services at the LifeAustin amphitheater. We've been with LifeAustin since before it was built. Pastor Randy shared his dream of building the Kingdom in Austin through worship music long before the amphitheater was built. He has explicitly stated that the purpose of the amphitheatre was to provide worship opportunities for those who might not want to enter the official sanctuary and instead worship in a less formal facility. We all shared in his excitement and donated towards this goal. We anxiously awaited the facilities completion.

Though the amphitheater is not a standard church facility, it's purpose is very clear when you attend services there. We have been to inspirational talks and events, as well as, seen musical performances from Christian musicians. The purpose of spiritual transformation is everywhere from the inscriptions on the seats, the messages, the music, the prayers given, and the performers sharing their story of how God has had influence in their lives. Not one service is without these elements. I'm not sure the exact numbers, but Pastor Randy announces how many people are brought to Christ through amphitheater activities on the Sundays after in formal services in the sanctuary.

The amphitheater has been a huge part of the movement for transformation and creating a venue where people are brought to Christ through music and entertainment. Please feel free to contact my husband or myself with questions or concerns.

Sincerely,
Patience and Jason Aylstock

Subject: Lifeaustin amphitheater C15-2015-0147

Date: Monday, November 16, 2015 at 12:30:37 PM Central Standard Time

[redacted]

Hello Leane Heidenfelds
Staff Liaison-BOA

My name is Katelyn Collins and I am a member of the Life Austin Church.
I have attended many of the gatherings at the Life Austin Amphitheater. I love Christian music and feel that the music brings me closer to God. Many of the words in today's Christian songs come straight from the Bible. I have seen people at these gatherings come to God for the first time. I have also attended talks, sermons and book signings by Christians in this amphitheater which again brought many people closer to God and/or started their spiritual journey. I also have a son a daughter who love to go to the worship and praise events for their age group at the amphitheater. The amphitheater just moves the inside church outside and speaks to all different people for all different reasons. It was a dream of our church members to have an outdoor amphitheater which has come true and is doing what it was meant to do, connect people to God so they can have a relationship with their savior and be saved🙏

Thank you for your time and consideration,
Katelyn Collins
I Visit Seniors
[redacted]
(512) 297-5029
God Is Good

November 16, 2015

Dear Ms Leane Heldenfelds,

In reference to case number C12-2015-0147, it has come to my attention that there will be a hearing on Dec. 9, 2015, to hear complaints by neighbors of Life Austin, that we are not using our amphitheater appropriately, as was designated by our City of Austin Board.

I, as a member of Life Austin, would like to go on record as saying that I have attended several concerts, an evening to celebrate our Veterans and to pray for them, an event to provide the kids in the whole community a chance to be loved and encouraged in a safe environment – and I attended these events with the full expectation that I would be in an environment were I could praise and worship my God. Not one event that I have attended was anything other than an opportunity to worship and Praise Jesus. For anyone to complain and say that the events we have there are anything but a continuation of our religious assembly, are probably just agitated, in my personal opinion, for exactly that... that we are using the amphitheater to worship and praise God. I KNOW we are not loud...we are showing the utmost of respect to the community around us, and not one thing we've done on that property, that I am aware of, has been done out of any other motive than to love our God with all our hearts, souls, minds and strength, and to love our neighbors as we would want to be loved...sincerely and without hypocrisy. How can any of this be breaking codes and permits, etc? I looked up the definitions of worship and praise and religious assembly, and with all due respect (and I do mean that in the sincerest of terms), those are exactly the purposes for which we have used the amphitheater! And I would also add to that, enjoying our freedoms to lawfully congregate and exercise our freedom to worship. In a day and age where there is heightened concern over people exercising their "freedoms" in an excess, and in a threatening fashion, I would say that our neighbors certainly do not have anything to fear from us or our activities, except, maybe being "loved" – which should be the natural outcome of loving God.

Again, I just wanted to go on record as to what I have experienced while attending events at the amphitheater.

In closing, I would respectfully ask...What else would we do there? What else are we supposedly doing there? Have these folks attended anything at the amphitheater?

Respectfully,

Holly Faith Phillips
Resident of Southwest Austin and member of Life Austin
5801 Sunny Vista Dr
Austin, 78749

Dear Leane Heldenfelds and Staff Liason-BOA,

We are saddened to hear that one of our neighbors would even consider complaining about our worship music in the Amphitheater at LifeAustin Church. Praise and worship held in our Amphitheater is one of the greatest gifts we have been given here at LifeAustin. The worship music feeds the souls of so many and has brought many to Christ. It is no wonder that our worship time in the Amphitheater has touched the lives of so many in a positive way, as it calls out in the bible, **Psalms 95:1** – "O come, let us sing unto the LORD: let us make a joyful noise to the rock of our salvation". It is our religious belief that the music made at the Amphitheater at LifeAustin is in large, a part of our relationship with the Lord. To consider demeaning that fact, and trying to take away something that has affected those in our community so positively, would be devastating to the community- of which our church is made.

Worship music is referenced many times throughout the bible, **Psalms 127:1-6** - (A Song of degrees for Solomon.) Except the LORD build the house, they labour in vain that build it: except the LORD keep the city, the watchman waketh [but] in vain. *(Read More...)*

Colossians 3:16 - Let the word of Christ dwell in you richly in all wisdom; teaching and admonishing one another in psalms and hymns and spiritual songs, singing with grace in your hearts to the Lord.

Psalms 100:1-2 - (A Psalm of praise.) Make a joyful noise unto the LORD, all ye lands. *(Read More...)*

Ephesians 5:19 - Speaking to yourselves in psalms and hymns and spiritual songs, singing and making melody in your heart to the Lord;

Psalms 33:3 - Sing unto him a new song; play skilfully with a loud noise.

Acts 16:25 - And at midnight Paul and Silas prayed, and sang praises unto God: and the prisoners heard them.

Psalms 71:23 - My lips shall greatly rejoice when I sing unto thee; and my soul, which thou hast redeemed.

Romans 15:9 - And that the Gentiles might glorify God for [his] mercy; as it is written, For this cause I will confess to thee among the Gentiles, and sing unto thy name.

James 5:13 - Is any among you afflicted? let him pray. Is any merry? let him sing psalms.

Hebrews 2:12 - Saying, I will declare thy name unto my brethren, in the midst of the church will I sing praise unto thee.

Ephesians 5:18-20 - And be not drunk with wine, wherein is excess; but be filled with the Spirit; *(Read*

More...)

Psalms 127:3 - Lo, children [are] an heritage of the LORD: [and] the fruit of the womb [is his] reward.

Matthew 26:30 - And when they had sung an hymn, they went out into the mount of Olives.

Psalms 9:2 - I will be glad and rejoice in thee: I will sing praise to thy name, O thou most High.

Psalms 127:4 - As arrows [are] in the hand of a mighty man; so [are] children of the youth.

2 Samuel 6:5 - And David and all the house of Israel played before the LORD on all manner of [instruments made of] fir wood, even on harps, and on psalteries, and on timbrels, and on cornets, and on cymbals.

1 Corinthians 14:15 - What is it then? I will pray with the spirit, and I will pray with the understanding also: I will sing with the spirit, and I will sing with the understanding also.

John 4:24 - God [is] a Spirit: and they that worship him must worship [him] in spirit and in truth.

If you need more proof of the extent our worship music at the LifeAustin Amphitheater religiously matters, then we invite you to come experience it for yourself! Our worship music positively affects those of ALL ages. Our community NEEDS a positive influence and positive activities for those of all ages to mesh together and just do life together. Please toss out the attempted argument that our worship music at LifeAustin is not religious assembly, for we share the gospel- the word of Jesus Christ, every song we sing! To lose this right, would simply be devastating!

Thank you for your time and attention to this extremely important matter.

Best,

Paige & Cory Brown

Subject: Re: C15-2015-0147
Date: Monday, November 16, 2015 at 1:19:12 PM Central Standard Time
[redacted]

[redacted]
Subject: C15-2015-0147

November 16, 2015

Leane Heldenfelds
Staff Liaison
City of Austin Board of Adjustment

Re: C15-2015-0147

Yours is not an enviable position. Sorting through documents in order to assure that all of the T's were crossed and the I's dotted is one thing. Sorting through human emotion is altogether different.

It is certain, beyond any shadow of doubt, LifeAustin dealt fairly, honestly, reasonably, adhered to the strict guidelines required, and met or exceeded the expectations of the City of Austin when constructing the LifeAustin Amphitheater. The amphitheater sits on a parcel of land alongside a church whose sole purpose is the transformation of lives; the amphitheater is an extension of the church.

We have attended numerous events at the amphitheater and have never witnessed misuse of the venue. At the amphitheater, songs of praise and worship are offered up…words of love, hope and encouragement are spoken, the arts are celebrated, and a community comes together to share in heartfelt moments of devotion and unity…there is a palpable sense of family; regardless of race or creed.

There are those who will shake their fists, thump their chests, scream "unfair," file lawsuits, condemn, and criticize the existence of the amphitheater as well as its prescribed purpose and/or use. Their might does not make them right.

What is needed has been provided; a place where dreams are realized, hope renews, faith abounds, and broken lives become brand new. We hold the sincere belief that the Pastors, Board of Directors, Finance Committee, and Elders of LifeAustin have been, and will continue to be, good stewards of the LifeAustin Amphitheater; fully embracing and protecting the principles on which the amphitheater was founded and never subjecting the purpose of the amphitheater to exploitation, or mismanagement.

Your thoughtful consideration of the benefits that the LifeAustin Amphitheater will provide the city of Austin and surrounding communities is deeply appreciated.

Subject: Case number C15-2015-0147
Date: Monday, November 16, 2015 at 12:56:42 PM Central Standard Time
[redacted]

Leane Heldenfelds
Staff Liasion - BOA

Dear Leane,

Concerning the Life Austin amphitheater, I have been there several times and am not aware of any event which was not solely for the purpose of worshiping God. From current national praise and worship singers, to local church worship choirs, the amphitheater provides an inspirational message and uplifting to all attendees.

Life Austin church followed all city of Austin building prerequisites before beginning construction, so to restrict its use now would be a huge injustice. I urge the Board of Adjustment to rule in favor of this remarkable facility, and to refrain from making changes to their booking guidelines.

Thanks very much!

Doug Wolleat
[redacted]

Sent from my iPad

Subject: C15-2015-0147

Date: Monday, November 16, 2015 at 1:15:50 PM Central Standard Time

[redacted]

To:Leane Heldenfelds
Staff Liaison - Board

To Whom it may concern;

I am a member of Life Austin Church, although I have not attended the membership classes, I tithe here and have attended for 2 years or more. As a grandmother of two young boys, ages 4 and 7, The Amphitheater @ Life Austin has been such a blessing for us! I take them to all the activities they hold for children their age. I am the only Christian in these little guys lives so having a spiritual, clean, family orientated place to take them is life changing. See, the parents don't always let me take them to church but they WILL let me take them to the fun activities that are held at The Amplitheater. They learn songs from the young children on our "Dream Team" before all the movies, that point only to Christ. We recently attended the Fall Festival. It had many rides, pop-corn, food, snowcones and water. We ended the fabulous time with the movie "Inside Out". I've invited other grama's with their grandchildren and all are anxious to go again! In today's hurting world, families need a place where love and safety are found. This could make the difference of our children today, ending up on the streets or in church. I urge you to see the true value of this place of worship. We are so blessed to have this safe place to go, that is so close to home. Thank you for your time and may God bless you, Kellie George
2103 Rain Water Dr., Austin, TX 78734

Sent from Samsung tablet

EXHIBIT K

change.org
LifeAustin

Recipient: Leane Heldenfels

Letter: Greetings,

Re: Case number C15-2015-0147

"By signing below I hereby recognize and affirm that I am a member of LifeAustin Church. The LifeAustin Amphitheatre is an essential element of the Church's ministry. The Amphitheatre exists to bring transformation to the community through the arts given by the Creator in a setting that brings us closer to the Creator. One of the Church's guiding principles is to think and act on the imaginative ideas of the Holy Spirit in all that it does, including the expression of art, dance, drama, and music. The arts are a part of the way in which members of the Church prepare their hearts and minds to hear the word and to respond to that word."

Signatures

Name	Location	Date
Karen Young	, United States	2015-11-12
Jill Warren	Austin, TX, United States	2015-11-12
Dennis Broughton	Austin, TX, United States	2015-11-12
Jamie Broughton	Austin, TX, United States	2015-11-18
Katherine Broughton	Austin, TX, United States	2015-11-18
Susan Gilchrist	Austin, TX, United States	2015-11-18
Michelle Arland	Austin, TX, United States	2015-11-18
Melissa Boski	Austin, TX, United States	2015-11-18
Johnathon 'Bud' Denson	Austin, TX, United States	2015-11-18
Brock Stamps	Austin, TX, United States	2015-11-18
James Boski	Austin, TX, United States	2015-11-18
Caroline Harris	Austin, TX, United States	2015-11-18
Kiera True	Austin, TX, United States	2015-11-18
Julie Lyles Carr	Austin, TX, United States	2015-11-18
Robert Wickman	Austin, TX, United States	2015-11-18
Shannon Liles	Kyle, TX, United States	2015-11-18
CASANDRA ZAMORA	AUSTIN, TX, United States	2015-11-18
Nicholas Martinez	Austin, TX, United States	2015-11-18
Katie Hallberg	Austin, TX, United States	2015-11-18
Jennifer Dugan	Dripping Springs, TX, United States	2015-11-18
Sande Day-Jones	Austin, TX, United States	2015-11-18
Brian Slater	Austin, TX, United States	2015-11-18
Spencer Tally	Houston, TX, United States	2015-11-18
NANCY CESENA	Austin, TX, United States	2015-11-18
Kristin Hayden	Dripping Springs, TX, United States	2015-11-18
Karen Jordan-Markham	Austin, TX, United States	2015-11-18
Meagan Medeiros	Austin, TX, United States	2015-11-18
Rebecca Rocha	Austin, TX, United States	2015-11-18
CHARLES THORNTON	Austin, TX, United States	2015-11-18
Anita Robledo	Buda, TX, United States	2015-11-18

Name	Location	Date
Montie Smith	Driftwood, TX, United States	2015-11-18
Lisa Biehle	Dripping Springs, TX, United States	2015-11-18
Shandalin Mulig	Austin, TX, United States	2015-11-18
Shawn Huff	Morton, IL, United States	2015-11-18
Lisa McLamb	Austin, TX, United States	2015-11-18
Liz Rentner	Austin, TX, United States	2015-11-18
Donald Trub	Austin, TX, United States	2015-11-18
Kaimey Ela	Dripping Springs, TX, United States	2015-11-18
Landry Jones	Austin, TX, United States	2015-11-18
Carolyn Kahler	Driftwood, TX, United States	2015-11-18
Amy Davis	Austin, TX, United States	2015-11-18
Eri Contreras	Austin, TX, United States	2015-11-18
Kunze Ralph	Austin, TX, United States	2015-11-18
Lindsey Crouch	Austin, TX, United States	2015-11-18
Crickett Berlin	Austin, TX, United States	2015-11-18
Daniel Crouch	Austin, TX, United States	2015-11-18
Jimmy Fedorkecich	Austin, TX, United States	2015-11-18
Lisa Tewell	Baton Rouge, LA, United States	2015-11-18
Christa Horst	Austin, TX, United States	2015-11-18
Kristal Hess	Austin, TX, United States	2015-11-18
Shannon Lafayette	Dripping Springs, TX, United States	2015-11-18
Ashlee Wellman	Austin, TX, United States	2015-11-18
Toni Branyon	Austin, TX, United States	2015-11-18
Stephanie Warner	Austin, TX, United States	2015-11-18
David Estes	Dripping Springs, TX, United States	2015-11-18
Lindsay Benner	Austin, TX, United States	2015-11-18
Jimmy Horst	Austin, TX, United States	2015-11-18
sheri winter	Austin, TX, United States	2015-11-18
Stephanie Rivers	Austin, TX, United States	2015-11-18
John Capezzuti	Austin, TX, United States	2015-11-18
Kevin Casteel	Austin, TX, United States	2015-11-18
JoEllen Eggert	Cedar Park, TX, United States	2015-11-18

Name	Location	Date
Patrick Burke	Austin, TX, United States	2015-11-18
Stuart Dupuy	Austin, TX, United States	2015-11-18
Rachel Duck	Gonzales, TX, United States	2015-11-18
Kathy Dupuy	Austin, TX, United States	2015-11-18
Annette Murray	Austin, TX, United States	2015-11-18
Karen Young	Austin, TX, United States	2015-11-18
Elizabeth Chupco	Austin, TX, United States	2015-11-18
Raymond Iglesias	Austin, TX, United States	2015-11-18
Michael Carr	Austin, TX, United States	2015-11-18
Mary Katherine Kennedy	Austin, TX, United States	2015-11-18
Nev Nicholson	Austin, TX, United States	2015-11-18
Belinda Reinis	Austin, TX, United States	2015-11-18
Wendy Dalton	Austin, TX, United States	2015-11-18
Dawn Cunningham	Dripping Springs, TX, United States	2015-11-18
Michelle Pullins	Austin, TX, United States	2015-11-18
Martha Perez	Austin, TX, United States	2015-11-18
Sandra Buck	Austin, TX, United States	2015-11-18
Haley Holcomb	Austin, TX, United States	2015-11-18
Alanna Tate	Houston, TX, United States	2015-11-18
Marlan Winter	Austin, TX, United States	2015-11-18
Christina Meno	Houston, TX, United States	2015-11-18
Michelle Garza-Monroy	Austin, TX, United States	2015-11-18
Simeon Kirksey	Kyle, TX, United States	2015-11-18
Claudia Hutton	Austin, TX, United States	2015-11-18
Laurie Scott	Austin, TX, United States	2015-11-18
Patience Aylstock	Austin, TX, United States	2015-11-18
Amanda Preece	Spicewood, TX, United States	2015-11-18
Alan Avery	Austin, TX, United States	2015-11-18
Julie Bynum	Austin, TX, United States	2015-11-18
Daniel Jessee	Austin, TX, United States	2015-11-18
Aaron Dominguez	Austin, TX, United States	2015-11-18
Lucia House	Austin, TX, United States	2015-11-18

Name	Location	Date
Tammy Corenblith	Spicewood, TX, United States	2015-11-18
Tyler Broughton	Yoakum, TX, United States	2015-11-18
Holly Phillips	Austin, TX, United States	2015-11-18
Janelle Stephens	Austin, TX, United States	2015-11-18
Debra Haluzan	Buda, TX, United States	2015-11-18
Linda Arnold	Austin, TX, United States	2015-11-18
Cathren Stewart	Kyle, TX, United States	2015-11-18
Cydney Alexander	Round Mountain, TX, United States	2015-11-18
Kira Bridgewater	Austin, TX, United States	2015-11-18
Susan Hochderffer	Austin, TX, United States	2015-11-18
Karen Kemnitz	Austin, TX, United States	2015-11-18
Johnson Cara	Buda, TX, United States	2015-11-18
Brent Dixon	Houston, TX, United States	2015-11-18
Allen Benton	Austin, TX, United States	2015-11-18
Andrea Luise	Dripping Springs, TX, United States	2015-11-18
Kathryn Wiley	Austin, TX, United States	2015-11-18
Ashley Moore	Buda, TX, United States	2015-11-18
Jenny Addante	Buda, TX, United States	2015-11-18
Amy Buckspan	Dripping Springs, TX, United States	2015-11-18
Kathleen Estes	Dripping Springs, TX, United States	2015-11-18
Jason Lambert	Austin, TX, United States	2015-11-18
Jeri Norman	Marble Falls, TX, United States	2015-11-18
Jeanna Stephens	Austin, TX, United States	2015-11-18
Stacey Clements	Leander, TX, United States	2015-11-18
Vaida Chodniewicz	Austin, TX, United States	2015-11-18
Alice Thallmayer	Austin, TX, United States	2015-11-18
Cassie Matthews	Austin, TX, United States	2015-11-18
Joye Qualls	Austin, TX, United States	2015-11-18
Lisa Schellenberg	Johnson City, TX, United States	2015-11-18
Chelsee CAPEZZUTI	Austin, TX, United States	2015-11-18
Leticia M. Martinez	Austin, TX, United States	2015-11-18
Mackenzie Qualls	Austin, TX, United States	2015-11-18

Name	Location	Date
Heather Ramsey	Buda, TX, United States	2015-11-18
Nikki Gagnon	Austin, TX, United States	2015-11-18
kristen benton	Austin, TX, United States	2015-11-18
Margaret Sheldon	Austin, TX, United States	2015-11-18
Ashton vaughan	Austin, TX, United States	2015-11-18
Janet Meyer	Austin, TX, United States	2015-11-18
Shanks Torre	Austin, TX, United States	2015-11-18
Linda Arnold	Austin, TX, United States	2015-11-18
R.W. (Rick) Shanks	Austin, TX, United States	2015-11-18
Regina Horst	Durango, CO, United States	2015-11-18
Cheryl Morton	Austin, TX, United States	2015-11-18
Patricia Wellman	Austin, TX, United States	2015-11-18
Isaiah Harvey	Austin, TX, United States	2015-11-18
Susan Casey	Spicewood, TX, United States	2015-11-18
Penney Malcolm	Austin, TX, United States	2015-11-18
Jerry Malcolm	Austin, TX, United States	2015-11-18
Kenneth Hill	Austin, TX, United States	2015-11-18
Sarah Paxton	Dripping Springs, TX, United States	2015-11-18
Shelli McVey Rosamond	Marble Falls, TX, United States	2015-11-18
Angie Vallejo	Spicewood, TX, United States	2015-11-18
Dyan Twining	Dripping Springs, TX, United States	2015-11-18
Karen Montgomery	Austin, TX, United States	2015-11-18
Jeannie Olson	Austin, TX, United States	2015-11-18
Deborah McLaughlin	Austin, TX, United States	2015-11-18
Pat Clinton	Cedar Park, TX, United States	2015-11-18
Irma Cantu	Austin, TX, United States	2015-11-18
Adrian Cardenas	Austin, TX, United States	2015-11-18
Jeanna Phillips	Austin, TX, United States	2015-11-18
Pam Sithavanh	Austin, TX, United States	2015-11-18
Pam Lambert	Austin, TX, United States	2015-11-18
Julianna Gilbert	Austin, TX, United States	2015-11-18
Sammie Baird	Buda, TX, United States	2015-11-18

Name	Location	Date
Allison Armstrong	Austin, TX, United States	2015-11-18
Stephanie McCloud	Austin, TX, United States	2015-11-18
Linda Freeman	Dallas, TX, United States	2015-11-18
Kelly Wilkinson	Austin, TX, United States	2015-11-18
Amos Traystman	Austin, TX, United States	2015-11-18
Jana Mayfield	Marble Falls, TX, United States	2015-11-18
Bill Norris	Austin, TX, United States	2015-11-18
Kirby Baird	Buda, TX, United States	2015-11-18
Jim Buck	Austin, TX, United States	2015-11-18
Vicky Puckett	Austin, TX, United States	2015-11-18
Debra Dossett	Austin, TX, United States	2015-11-18
Erin Stotler	Wimberley, TX, United States	2015-11-18
Kimberley Booth	Austin, TX, United States	2015-11-19
De Anne Nelsom	Austin, TX, United States	2015-11-19
Cynthia Vásquez	San Antonio, TX, United States	2015-11-19
Pam Fisher	Austin, TX, United States	2015-11-19
Danielle Korns	Dripping Springs, TX, United States	2015-11-19
Mary Davis	Wimberley, TX, United States	2015-11-19
Shannon Marshall	Austin, TX, United States	2015-11-19
Ben Kelton	Austin, TX, United States	2015-11-19
Karen Hartnett	Austin, TX, United States	2015-11-19
Anita Uresti	Austin, TX, United States	2015-11-19
Carrie Kinnard	Dripping Springs, TX, United States	2015-11-19
Lindsey Daniels	Austin, TX, United States	2015-11-19
Virgil Medeiros	Austin, TX, United States	2015-11-19
Laura Phillips	Austin, TX, United States	2015-11-19
Jenny Turner	Bastrop, TX, United States	2015-11-19
Kendall Johnson	San Antonio, TX, United States	2015-11-19
Holly Murphy	Austin, TX, United States	2015-11-19
Rachael Cortez	Austin, TX, United States	2015-11-19
Tricia Hassell	Downey, CA, United States	2015-11-19
Diana Smith	Round Rock, TX, United States	2015-11-19

Name	Location	Date
Kristen Abernathy	Austin, TX, United States	2015-11-19
Holly Rich	Austin, TX, United States	2015-11-19
Jodi Mamula	Universal City, TX, United States	2015-11-19
Silvia Bolek	Austin, TX, United States	2015-11-19
Mary Kuh	Austin, TX, United States	2015-11-19
Holly Bruns	Buda, TX, United States	2015-11-19
Kay Reeves	Austin, TX, United States	2015-11-19
Becky Schoonover	Spicewood, TX, United States	2015-11-19
Emily Hayes	Austin, TX, United States	2015-11-19
Brenda Carlton	Austin, TX, United States	2015-11-19
Melodee Lanterman	Red Rock, TX, United States	2015-11-19
Lily Kretzschmar	Austin, TX, United States	2015-11-19
Jose Garza	Austin, TX, United States	2015-11-19
Roland Holloway	Austin, TX, United States	2015-11-19
Andrew Kretzschmar	Austin, TX, United States	2015-11-19
Chris Smith	Round Rock, TX, United States	2015-11-19
Briar Arland	Austin, TX, United States	2015-11-19
Gary fink	Austin, TX, United States	2015-11-19
Jeff Montgomery	Austin, TX, United States	2015-11-19
annie holcomb	Austin, TX, United States	2015-11-19
Peter Hine	Austin, TX, United States	2015-11-19
Teresa Hale	Dripping Springs, TX, United States	2015-11-19
Gary Dorsey	Austin, TX, United States	2015-11-19
Garrison Verdon	Austin, TX, United States	2015-11-19
Meredith Knight	Austin, TX, United States	2015-11-19
Stephanie Stamps	Austin, TX, United States	2015-11-19
Cheryl Crain	Austin, TX, United States	2015-11-19
Tess Williams	Austin, TX, United States	2015-11-19
Corinna Binder	Buda, TX, United States	2015-11-19
Ray Monroy	Austin, TX, United States	2015-11-19
Cheryl Albanese	Spicewood, TX, United States	2015-11-19
Karen Metcalfe	Austin, TX, United States	2015-11-19

Name	Location	Date
Angela Chenuau	Driftwood, TX, United States	2015-11-19
Irma DeJesus	Austin, TX, United States	2015-11-19
Cheri Pitts	Austin, TX, United States	2015-11-19
Tim Kasberger	Austin, TX, United States	2015-11-19
Rene Rodriguez	Austin, TX, United States	2015-11-19
Kit Garth	Austin, TX, United States	2015-11-19
Melissa Contreras	Leander, TX, United States	2015-11-19
Robin Thomas	Hutto, TX, United States	2015-11-19
David Gonzales	Austin, TX, United States	2015-11-19
Sterling Bradshaw	Austin, TX, United States	2015-11-19
Joe Whittemore	Austin, TX, United States	2015-11-19
Krista Singleton	Austin, TX, United States	2015-11-19
Matt Warner	Austin, TX, United States	2015-11-19
Christy Kemnitz	Dripping Springs, TX, United States	2015-11-19
Christopher VanBerg	Pflugerville, TX, United States	2015-11-19
Brock Clements	Leander, TX, United States	2015-11-19
James Bohls	Austin, TX, United States	2015-11-19
David Schoonover	Spicewood, TX, United States	2015-11-19
Jennifer Bennett	Austin, TX, United States	2015-11-19
Sasha Arms	Framingham, MA, United States	2015-11-19
Rachel Amrine	Austin, TX, United States	2015-11-19
Bill Rhea	Austin, TX, United States	2015-11-19
JimmyandBeth Myers	Georgetown, TX, United States	2015-11-19
ROBERT BOYDEN	Paris, TX, United States	2015-11-19
Stephanie Harrison	Austin, TX, United States	2015-11-19
Noemi Contreras	Austin, TX, United States	2015-11-19
Thomas Rhea	Austin, TX, United States	2015-11-19
Janie Smith	Austin, TX, United States	2015-11-19
Cassandra Twining	Dripping Springs, TX, United States	2015-11-19
Tracy Todd	Austin, TX, United States	2015-11-19
Concerned Citizen	New City, NY, United States	2015-11-19
Lauren Windham	Austin, TX, United States	2015-11-19

Name	Location	Date
Avery James	Austin, TX, United States	2015-11-19
Matt Trub	Georgetown, TX, United States	2015-11-19
Juliana Jacobs	Austin, TX, United States	2015-11-19
James Russell Paxton	Dripping Springs, TX, United States	2015-11-19
Laura Kottke	Austin, TX, United States	2015-11-19
Diane Ela	Austin, TX, United States	2015-11-19
Ron Macha	Buda, TX, United States	2015-11-19
Scott Mccreight	Austin, TX, United States	2015-11-19
Christian Avery	Austin, TX, United States	2015-11-19
Jeanne Wisniewski	Austin, TX, United States	2015-11-19
Rendi Martinez	Austin, TX, United States	2015-11-19
Carissa DeAngelis	Austin, TX, United States	2015-11-19
Devin Skyy Williams	Austin, TX, United States	2015-11-19
Janet McIlhon	Austin, TX, United States	2015-11-19
Beverly Gotcher	Austin, TX, United States	2015-11-19
Allison L	Austin, TX, United States	2015-11-19
Racquel Lambert	Austin, TX, United States	2015-11-19
Nicole Bryant	Austin, TX, United States	2015-11-19
George Oakes	Austin, TX, United States	2015-11-19
Jennifer Wolf	Austin, TX, United States	2015-11-19
David Bryant	Austin, TX, United States	2015-11-19
Allen Harrison	Austin, TX, United States	2015-11-19
Kelly Hopping	Austin, TX, United States	2015-11-19
Branda Sellman	Buda, TX, United States	2015-11-19
Cheryl Saad	Austin, TX, United States	2015-11-19
Megan Abraham	Austin, TX, United States	2015-11-19
Ann Lancaster	Horseshoe Bay, TX, United States	2015-11-19
Janet Garcia	Buda, TX, United States	2015-11-19
tausha black	Spicewood, TX, United States	2015-11-19
Shae Tibbets	Austin, TX, United States	2015-11-19
Bryan Lancaster	Horseshoe Bay, TX, United States	2015-11-19
Cheryl Barnes	Austin, TX, United States	2015-11-19

Name	Location	Date
Kelly Nugen	Austin, TX, United States	2015-11-19
Olivea Dodson	Garland, TX, United States	2015-11-19
Marlene Nichols	Austin, TX, United States	2015-11-19
Matt Gagnon	Austin, TX, United States	2015-11-19
Joshua dugan	Dripping Springs, TX, United States	2015-11-19
Tim Todd	Austin, TX, United States	2015-11-19
Carmen Escalante	Austin, TX, United States	2015-11-19
Liz Carrizal	Austin, TX, United States	2015-11-19
Barbara Gremillion	Driftwood, TX, United States	2015-11-19
Diana Morris	Austin, TX, United States	2015-11-19
Nikki Kelton	Austin, TX, United States	2015-11-19
Rich Villa	Austin, TX, United States	2015-11-19
Lisa Hoak	Austin, TX, United States	2015-11-19
Jana McCool	Austin, TX, United States	2015-11-19
shelley vester	Buda, TX, United States	2015-11-19
Christian Stoddard	Austin, TX, United States	2015-11-19
Kerri Chabot	Austin, TX, United States	2015-11-19
Garland phillips	Austin, TX, United States	2015-11-19
Lindsay Toney	Hialeah, FL, United States	2015-11-19
Becky Berg	Manchaca, TX, United States	2015-11-19
Antonio Limon	San Antonio, TX, United States	2015-11-19
Clara Miller	Lytle, TX, United States	2015-11-19
Keller Davis	Austin, TX, United States	2015-11-19
Rosanna Honeycutt	Kyle, TX, United States	2015-11-19
Karma Lewis	Austin, TX, United States	2015-11-19
Robert Pitkin	Austin, TX, United States	2015-11-19
Linda Dupuy	Horseshoe Bay, TX, United States	2015-11-19
Jacqueline Roper	Kyle, TX, United States	2015-11-19
David Bryan	Austin, TX, United States	2015-11-20
Richard Gary	Austin, TX, United States	2015-11-20
John DeFay	Austin, TX, United States	2015-11-20
Christine Merrill	Austin, TX, United States	2015-11-20

Name	Location	Date
Brett Levy	Orlando, FL, United States	2015-11-20
Shawna Crabtree	Lakeway, TX, United States	2015-11-20
Edy Sargert	Austin, TX, United States	2015-11-20
Doris Parker	Austin, TX, United States	2015-11-20
Margie Korman	Austin, TX, United States	2015-11-20
lorrie jocius	Dripping Springs, TX, United States	2015-11-20
Delaine Self	Austin, TX, United States	2015-11-20
Sarah Ferguson	Cedar Park, TX, United States	2015-11-20
Andrea Vick	Austin, TX, United States	2015-11-20
Oswaldo Pérez	Austin, TX, United States	2015-11-20
Johnny Littlefield	Austin, TX, United States	2015-11-20
Lina Acosta	Austin, TX, United States	2015-11-20
Ashley Lindsey	Austin, TX, United States	2015-11-20
Brandi Hitchcock	Austin, TX, United States	2015-11-20
Courtney Packer	Austin, TX, United States	2015-11-20
Cindy Rose	Kyle, TX, United States	2015-11-20
Chris Higgins	Austin, TX, United States	2015-11-20
Juanita Maciel	Austin, TX, United States	2015-11-20
April and Kyle Sorensen	Fort Stockton, TX, United States	2015-11-20
Lydia Miller	austin, TX, United States	2015-11-20
Brian May	Austin, TX, United States	2015-11-20
Matt Willie	Round Rock, TX, United States	2015-11-20
Ned Ross	Austin, TX, United States	2015-11-20
Darcy Baylis	Spicewood, TX, United States	2015-11-20
Amanda Hunter	Austin, TX, United States	2015-11-20
Penny Kirchner	Buda, TX, United States	2015-11-20
Michael Lapaglia	Austin, TX, United States	2015-11-20
Brittany Dixon	Austin, TX, United States	2015-11-20
Autumn Lapaglia	Austin, TX, United States	2015-11-20
Kristin Fox	Austin, TX, United States	2015-11-20
Denise Phillips	Austin, TX, United States	2015-11-20
Randy Phillips	Austin, TX, United States	2015-11-20

Name	Location	Date
Marjorie Ireland	Austin, TX, United States	2015-11-20
Carol Essex	Austin, TX, United States	2015-11-20
Jay Anderson	Natchitoches, LA, United States	2015-11-20
Inda Williams	Austin, TX, United States	2015-11-20
Dee Kasberger	Austin, TX, United States	2015-11-20
Suzette Burrow	Austin, TX, United States	2015-11-20
Robert Lambert	Austin, TX, United States	2015-11-20
Terri Dorman	Austin, TX, United States	2015-11-20
Paul Ojeda	Austin, TX, United States	2015-11-20
Mark and Alison Dollar	Lockhart, TX, United States	2015-11-20
Gloria Garza	Austin, TX, United States	2015-11-20
Ami Smith	Austin, TX, United States	2015-11-20
Terry Kinniell	Austin, TX, United States	2015-11-20
Russ Daly	Austin, TX, United States	2015-11-20
Crystal Marin	Austin, TX, United States	2015-11-20
Johnny Artiaga	Austin, TX, United States	2015-11-20
YVONNE ESPARZA	Austin, TX, United States	2015-11-20
Angelica Maldonado	Glenview, IL, United States	2015-11-20
Mark Vester	Buda, TX, United States	2015-11-20
Barry Brooks	Austin, TX, United States	2015-11-20
George Torres	Del Valle, TX, United States	2015-11-20
Zicri Bogart	Austin, TX, United States	2015-11-20
Robert Bogart	Austin, TX, United States	2015-11-20
Angie Ray	Austin, TX, United States	2015-11-20
Shirlee Bradshaw	Austin, TX, United States	2015-11-20
Andrea Jansen	Austin, TX, United States	2015-11-20
Neal Puckett	Pflugerville, TX, United States	2015-11-20
Mary Beth Ryan	Buda, TX, United States	2015-11-20
Caleb Waller	Driftwood, TX, United States	2015-11-20
Lori Zinnecker	Austin, TX, United States	2015-11-20
Helene Chinn	Aurora, CO, United States	2015-11-20
Spencer Scarborough	Akron, OH, United States	2015-11-20

Name	Location	Date
Robert Quintero	Austin, TX, United States	2015-11-20
Rebecca Haden	Austin, TX, United States	2015-11-20
Cole Hayden	Dripping Springs, TX, United States	2015-11-20
Jackson Campbell	Jeffersonville, KY, United States	2015-11-20
Brady Meyer	Austin, TX, United States	2015-11-20
Mark Wauson	San Antonio, TX, United States	2015-11-20
Melissa Rodriguez	Austin, TX, United States	2015-11-20
Cynthia Keith	Kyle, TX, United States	2015-11-20
Jordan Kruse	Austin, TX, United States	2015-11-20
Renee Terry	Houston, TX, United States	2015-11-20
Tammy Walker	Rosanky, TX, United States	2015-11-20
Melissa Sanchez	Austin, TX, United States	2015-11-20
Kevin Rosendahl	Austin, TX, United States	2015-11-20
Kelli Pesses	Austin, TX, United States	2015-11-20
Sarah Gore	Austin, TX, United States	2015-11-20
Joshua Contreras	Austin, TX, United States	2015-11-20
Bryan King	Del Valle, TX, United States	2015-11-20
Laura Dill	Manchaca, TX, United States	2015-11-20
Brenda McCune	Cibolo, TX, United States	2015-11-20
Selene Tran	Austin, TX, United States	2015-11-20
terry cavazos	austin, TX, United States	2015-11-20
Debby Hodges	Austin, TX, United States	2015-11-20
Robert Bradley	Austin, TX, United States	2015-11-20
Kip Nanninga	Cedar Park, TX, United States	2015-11-20
Phyllis Rhea	Austin, TX, United States	2015-11-20
Robbi Sluder	Austin, TX, United States	2015-11-20
Donald Traub	Leander, TX, United States	2015-11-20
dennis butler	Cedar Creek, TX, United States	2015-11-20
Joan Amoriello	El Paso, TX, United States	2015-11-20
Bill Gunn	Austin, TX, United States	2015-11-20
Juan Bastida	Austin, TX, United States	2015-11-20
Thomas Graspo	Austin, TX, United States	2015-11-20

Name	Location	Date
Ashlee Brown	Austin, TX, United States	2015-11-20
Denyce E Deadrick	Austin, TX, United States	2015-11-20
Leah Malcolm	Naperville, IL, United States	2015-11-20
marc spinder	Naperville, IL, United States	2015-11-20
Janet Rubio Franks	Georgetown, TX, United States	2015-11-20
Catherine DeBellis	Leander, TX, United States	2015-11-20
Debbie Boettner	Austin, TX, United States	2015-11-20
Dawn Thomas	Austin, TX, United States	2015-11-20
Cheryl Newcomer	Austin, TX, United States	2015-11-21
stephanie thielepape	Cedar Park, TX, United States	2015-11-21
Allison Anders	Houston, TX, United States	2015-11-21
Jane Diane Mullett	Austin, TX, United States	2015-11-21
Andrew Liwen	Austin, TX, United States	2015-11-21
Robin Sykes	Austin, TX, United States	2015-11-21
jesse saucedo	Austin, TX, United States	2015-11-21
Gelinda Schmidt	Austin, TX, United States	2015-11-21
Janet and Rick Pyne	Austin, TX, United States	2015-11-21
John Tapia	Austin, TX, United States	2015-11-21
Deborah Kruse	Austin, TX, United States	2015-11-21
Denny Farmer	Austin, TX, United States	2015-11-21
Greg Meserole	Austin, TX, United States	2015-11-21
Dennis Rose	Kyle, TX, United States	2015-11-21
Cole Bland	Austin, TX, United States	2015-11-21
Carolyn Bourne	Austin, TX, United States	2015-11-21
Kelly Bruggeman	Austin, TX, United States	2015-11-21
Terry Bell	Austin, TX, United States	2015-11-21
Jay Corenblith	Spicewood, TX, United States	2015-11-22
Paula Segura	Austin, TX, United States	2015-11-22
Barbara Barlow	Leander, TX, United States	2015-11-22
Lisa Montanio	Austin, TX, United States	2015-11-22
Lindsay Freitas	Austin, TX, United States	2015-11-22
Sykes George	Austin, TX, United States	2015-11-22

Name	Location	Date
Cindy Williams	Austin, TX, United States	2015-11-22
Wendell Meeks	Austin, TX, United States	2015-11-22
Daniel Reeves	Austin, TX, United States	2015-11-22
Bob Shepard	Austin, TX, United States	2015-11-22
Mario Essig	Austin, TX, United States	2015-11-22
Alex Loia	Austin, TX, United States	2015-11-22
Benjamin Broughton	Austin, TX, United States	2015-11-22
Ruthie Broughton	Austin, TX, United States	2015-11-22
Karen Meeks	Austin, TX, United States	2015-11-22
Karen McCoy	Austin, TX, United States	2015-11-22
Judith George	Dripping Springs, TX, United States	2015-11-22
John Miller	Austin, TX, United States	2015-11-22
Amanda Cardona	Austin tx, TX, United States	2015-11-22
Cassandra Molina	Austin, TX, United States	2015-11-22
Kristin Meeks	Austin, TX, United States	2015-11-22
Natalie Villanueva	Austin, TX, United States	2015-11-22
Renee Jessee	Austin, TX, United States	2015-11-23
Roberta Turnipseed	Austin, TX, United States	2015-11-23
Derrick Townsend	Austin, TX, United States	2015-11-23
Patricia Escriu	Austin, TX, United States	2015-11-23
Molly Urrabazo	Austin, TX, United States	2015-11-23
Pame Smith	Austin, TX, United States	2015-11-23
Dustin Johnson	Austin, TX, United States	2015-11-23
Manuela McNaron	Austin, TX, United States	2015-11-23
Connie Grygier	Austin, TX, United States	2015-11-23
Matthew Boettner	Austin, TX, United States	2015-11-23
Dana Skillman	Austin, TX, United States	2015-11-23
Shelia Taylor	Austin, TX, United States	2015-11-23
Toni Mcwilliams	Austin, TX, United States	2015-11-23
Sandra Davis	Bastrop, TX, United States	2015-11-23

change.org
LifeAustin

Recipient: Leane Heldenfels

Letter: Greetings,

Re: Case number C15-2015-0147

"By signing below I hereby recognize and affirm that I am a member of LifeAustin Church. The LifeAustin Amphitheatre is an essential element of the Church's ministry. The Amphitheatre exists to bring transformation to the community through the arts given by the Creator in a setting that brings us closer to the Creator. One of the Church's guiding principles is to think and act on the imaginative ideas of the Holy Spirit in all that it does, including the expression of art, dance, drama, and music. The arts are a part of the way in which members of the Church prepare their hearts and minds to hear the word and to respond to that word."

Comments

Name	Location	Date	Comment
Dennis Broughton	Austin, TX	2015-11-12	I want the BOA to uphold Greg Guernsey's decision and honor the City's representations.
Katherine Broughton	Austin, TX	2015-11-18	I want the BOA to uphold Greg Guernsey's decision and honor the City's representations.
Johnathon 'Bud' Denson	Austin, TX	2015-11-18	I want the BOA to uphold Mr Guernsey's decision and honor the City's representations
Brock Stamps	Austin, TX	2015-11-18	The LifeAustin Amphitheater is a vital part of our ministry and plays a significant role in outreach to the community and worship.
James Boski	Austin, TX	2015-11-18	The amphitheater is good for the church and community.
Kiera True	Austin, TX	2015-11-18	I want the decision to be upheld. The amphitheater is an asset to the community and a vital part of serving its church members and their families providing a place to worship and fellowship.
Julie Lyles Carr	Austin, TX	2015-11-18	In the interest of any organization developing property in the Austin area, it is crucial that approved city decisions and permitting be honored so that developers can continue with confidence to continue to bring powerful community resources like the LifeAustin Amphitheatre to the city of Austin.
Robert Wickman	Austin, TX	2015-11-18	This structure is for religious assembly.
Katie Hallberg	Austin, TX	2015-11-18	Rules and permits were followed.
Karen Markham	Austin, TX	2015-11-18	I believe this is a great venue for all of the citizens of ATX
Meagan Medeiros	Austin, TX	2015-11-18	The amphitheater exists to bring people of all cultures, backgrounds, and life situatuations together to enjoy music, art, and the Holy Spirit in a fun, safe, accepting environment.
Rebecca Rocha	Austin, TX	2015-11-18	God needs to be Amplified! Let His praises be heard!
Anita Robledo	Buda, TX	2015-11-18	I'm signing so we can continue to reach the gospel to lost.
Montie Smith	Driftwood, TX	2015-11-18	This is a religious venue and should be able to continue reaching people for Christ without obstruction.
Shandalin Mulig	Austin, TX	2015-11-18	I fully support the LifeAustin Amipetheatre! This venue has enriched my worship experience at LifeAustin and is a wonderful venue that's open to other groups in the Austin community. It's a beautiful and meaningful place.
Donald Trub	Austin, TX	2015-11-18	I believe this is a good thing for the community. Gives people something wholesome to be apart that is in close proximity.
Landry Jones	Denver, CO	2015-11-18	This amphitheater is very meaningful to myself and my loved ones and I believe it is an asset to our community and spreading love and community around us.
Carolyn Kahler	Driftwood, TX	2015-11-18	I believe Life Austin has been called by God to provide this venue to the people and the city of Austin.
Lindsey Crouch	Austin, TX	2015-11-18	This ampatheater is a family friendly safe place and brings the Austin community together to share in love and positivity.
Kristal Hess	Austin, TX	2015-11-18	The ampitheatre is a great facility with a great purpose. Why would you take that away from us?
Stephanie Warner	Austin, TX	2015-11-18	This is my church. This is where we praise the Lord, have worship services, women's conferences, youth events and more!

Name	Location	Date	Comment
David Estes	Dripping Springs, TX	2015-11-18	In the interest of any organization developing property in the Austin area, it is crucial that approved city decisions and permitting be honored so that developers can continue with confidence to continue to bring powerful community resources like the LifeAustin Amphitheatre to the city of Austin.
Stephanie Rivers	Austin, TX	2015-11-18	I have already enjoyed worshipping God on September 4, 2015. This structure is a great blessing to the community!
Eri Contreras	Austin, TX	2015-11-18	I absolutely believe that the amphitheatre contributes to the worship and praise ministries of LifeAustin Church. I have gone to a number of events and have gained a stronger sense of community. Without the events, I would not have had the opportunity to express my faith through newer avenues. My belief system reaches farther than just a traditional Sunday service.
Kevin Casteel	Austin, TX	2015-11-18	The LifeAustin Amphitheater is an incredible resource that will bring social and spiritual change to the City of Austin. The BOA should uphold all permitting associated with this development.
JoEllen Eggert	Cedar Park, TX	2015-11-18	As a professional in the Construction and Development Industry, I believe that COA approvals and permitting should be upheld so as not to deter future growth and development in this area.
Rachel Duck	Gonzales, TX	2015-11-18	Life Austin is my home church and has changed the lives of my family and so many around me. The Amphitheater has been a tremendous part of that effort and has permitted a level or worship previously unavailable. To discontinue this would be a significant disservice to the church community.
Michael Carr	Austin, TX	2015-11-18	I strongly believe in the religious mission of the Amphitheater! I have not felt closer to our Creator than watching artistic expression while feeling the wind on my face, the chill in the air, and watching the setting sun change the lighting of the art.
Nev Nicholson	Austin, TX	2015-11-18	I'm invested not just financially in this award-winning venue, but more importantly heart and soul for the extraordinary benefit this site is to the Austin community.
Belinda Reinis	Austin, TX	2015-11-18	This amphiheater is an an incredible addition and resource to the community providing opportunity to worship our Lord and provide opportunity for church and community members to share their God given talents.
Michelle Pullins	Austin, TX	2015-11-18	I love the LifeAustin Amphitheatre, and it's a great asset to our community!
Sandra Buck	Austin, TX	2015-11-18	I fully support life Austin and the amphitheater for the support of wholesome family entertainment and worship. Our city needs more Christian values.
Laurie Scott	Austin, TX	2015-11-18	I am a member of this church, and it was their recognition of the importance of the arts in worship that in part drew me to it. Life Austin contributes greatly to the Austin community and it would be tragic to see a carefully researched and thought out decision by the city of Austin to approve the facility to now be overturned, resulting in a reduction of the church's ability to serve the community.
Patience Aylstock	Austin, TX	2015-11-18	I believe that the mission of transformation is clearly accomplished with the amphitheater and events that happen there.
Lucia House	Austin, TX	2015-11-18	LifeAustin's amphitheater is an amazing facility that brings people, of all walks of life together, to praise and worship. Lives and people are transformed with each event!!
Tyler Broughton	Yoakum, TX	2015-11-18	GOD will do amazing things at the ampatheater
Debra Haluzan	Buda, TX	2015-11-18	Because I love live music!
Karen Douglas	Austin, TX	2015-11-18	I have attended most of the LifeAustin Amphitheatre events and have seen how it ministers to the people who attend.

Name	Location	Date	Comment
Kathleen Estes	Dripping Springs, TX	2015-11-18	I believe the arts needs a venue to display God's beauty & truth through music, drama, dance, and movies!!!
Stacey Clements	Leander, TX	2015-11-18	The Life Austin Amphitheater is a state of the art venue designed with great care to minimize noise while providing an enjoyable experience to those in attendance. I have been thoroughly blessed to attend concert there and worship God with the breeze blowing around me and the stars shining above me. It's a unique experience.
Alice Thallmayer	Austin, TX	2015-11-18	Support Life Austin Amphitheater 100%
Cassie Matthews	Austin, TX	2015-11-18	I am signing because I believe and support the vision of Life Austin and it's amphitheater.
Joye Qualls	Austin, TX	2015-11-18	This venue is an amazing resource for the Austin music scene, Christian musicians, artists of all kinds, professional dance companies and a place for all the local kids in dance schools to dance!!!
Lisa Schellenberg	Johnson City, TX	2015-11-18	This Ampitheatre reaches across the proverbial walls people are apprehensive of approaching. It allows us to be the people our Savior asks to be by giving us the opportunity to love others and welcome them into an environment where they experience the church for what it is supposed to be...welcoming to all at whatever place they are in this life.
Chelsee CAPEZZUTI	Austin, TX	2015-11-18	I'm in full support of this amazing amphitheater.
kristen benton	Austin, TX	2015-11-18	I believe in the mission of our church and in the way the amphitheatre is used by the church and the community to bring the creative arts to all.
Margaret Sheldon	dripping springs, TX	2015-11-18	This amphitheater is a part of our church. It is part of an outreach ministry. This church is like no other. It welcomes all. It touches many through the arts and provides an outreach to kids to learn production skills.
Shanks Torre	Austin, TX	2015-11-18	The LifeAustin Amphitheatre provides a beautiful setting for people from all walks of life and kids of all ages to experience God's infinite loving kindness and life changing transformation. Members and guests have enjoyed heartwarming hospitality and an array of truly inspiring artistic performances and activities since the opening several months ago, all purposed to bring the Word of God into the hearts of the people. The Life Austin Amp Ministry continues to embrace and encourage Austin's unique vibrancy, creative nature, and sense of community....all in a Christ centered, non-intimidating, family friendly setting. This ministry gracefully reaches out with helpful hands to all of "God's kids", extending God's Hope and Love to everyone in Austin.
Linda Arnold	Austin, TX	2015-11-18	One of the foundational guiding principles at LifeAustin is creativity. We think & act on the imaginative ideas of the Holy Spirit in all that we do - including the expressions of art, dance, drama & music. All talent is a gift from God. Using the talents God gives us is an act of worship. Our belief in creative worship is founded on the Word of God. Romans 12 tells us that everything we do is a living & holy sacrifice & an acceptable way to worship Him. The LifeAustin Amphitheatre creates a welcoming & non-threatening atmosphere for the Austin community to be able to be ministered to through expressive talents.
R.W. (Rick) Shanks	Austin, TX	2015-11-18	Great place to worship and share a Great God in a unique way.
Cheryl Morton	Austin, TX	2015-11-18	I support reaching our greater community in Christ through the arts. This fabulous amphitheater provides a beacon of hope.
Penney Malcolm	Austin, TX	2015-11-18	I am a church member and I believe our church has met all requests for standards already.

Name	Location	Date	Comment
Jerry Malcolm	Austin, TX	2015-11-18	I believe the amphitheatre is a venue that is useful in worship and in spreading the word. It provides a place for worship and for concerts. It also provides opportunity for at-risk youth to apprentice in management of lighting, stage production, and audio production.
Kenneth Hill	Austin, TX	2015-11-18	That building and what goes on there is for The Kingdom and transforms lives.
Sarah Paxton	Dripping Springs, TX	2015-11-18	I'm signing because I'm a memeber of LifeAustin and having the Amphitheater there for family worship has been truly amazing for our family! We enjoy all of the wonderful worship and music and feel it is essential for our church and the churches families and young child that love to be outside during events.
Shelli McVey Rosamond	Marble Falls, TX	2015-11-18	The amphitheater creates an environment to experience the Creator - to praise and worship in the beauty of His creation. There is something very freeing, very inviting at services held in the amphitheater. It literally tears down walls for people to experience the love of Jesus.
Pam Lambert	Austin, TX	2015-11-18	It's an amazing facility available to reach out to the Austin community
Allison Armstrong	Austin, TX	2015-11-18	The amphitheater has been a great source of inspiration and hope to my family. We have been to every single event except for one and they have all been spiritually uplifting and encouraging. I also hold the city of Austin in high regard as a small business owner, and I hope the permits remain what they set out to be, lawful permits that are given after all guidelines are met. LifeAustin continues to be diligent in keeping in accordance with all permits.
Linda Freeman	Dallas, TX	2015-11-18	These complaints violate permits and limit the freedom of religious expression
kelly wilkinson	austin, TX	2015-11-18	This is an outreach of the church. This is for the people.
Bill Norris	Austin, TX	2015-11-18	I am a member of LifeAustin. Being active supporting our middle school youth, the Amphitheater supports not only our church but the struggling youth in the community. Having lost a son at age 19, I believe in the arts as mechanism to express and heal young hearts. The amphitheater is one of the main reasons for selecting this as my church.
Jim Buck	Austin, TX	2015-11-18	The Covered Bridge Properly Owners Association has a clear bias towards the church. The matter regarding the amphitheater goes far beyond the legal issue with the City of Austin. Despite what the POA may say publicly, they absolutely have an issue with Life Austin. Despite a few rude trouble makers, the community loves Life Austin and the arts. This is evidenced by the overwhelming growth since it opened its doors.
Vicky Puckett	Austin, TX	2015-11-18	The LifeAustin Ampitheatre is the PERFECT venue to share the gifts and talents which were given by our creator to share with the Austin community, surrounding counties and beyond to bless others, bring hope and extend transformation beyond the four walls!
Debra Dossett	Austin, TX	2015-11-18	I appreciate this venue and the uplifting concerts and events they have had there.
De Anne Nelsom	Austin, TX	2015-11-19	I'm signing because this is not only a place of worship for our church..but it open to the entire area, upon ok from the Church. Schools have their performance for children, etc. it will benefit the entire city!
pam fisher	Austin, TX	2015-11-19	We followed the process which approved this before the expense was undertaken to build. The amplitheater is a great place for the Christian community to gather & celebrate.
Mary Davis	Dripping Springs, TX	2015-11-19	Life Austin has transformed my heart, and this Amphitheatre brings more abilities to transform my brothers' and sisters' lives.
shannon marshall	washington, DC	2015-11-19	I believe that the amphitheater is a wonderful addition to our church for members and visitors alike.

Name	Location	Date	Comment
Virgil Medeiros	Austin, TX	2015-11-19	Several thousand Austinites recognized a need for this amphitheater and pooled together millions to bring this dream to fruition. This is a safe place in the community to celebrate the arts, build quality relationships, and reach the community in a positive way. They have had wonderful services for children with life changing disabilities, veterans, addicts, and more. In addressing the community surrounding the campus I can say for certain that LifeAustin has gone to great lengths to ensure that the decibel level at events is appropriate and considerate. Thank you for hearing our requests to allow us to continue to do great things for Austin!
Jenny Turner	Bastrop, TX	2015-11-19	It is a good thing
Kendall Johnson	Pflugerville, TX	2015-11-19	I believe in the message that LifeAustin sends, and think that LifeAustin can spread the word of Jesus Christ through the arts. The city of Austin will continue to become a better community as the message of love is spread through dancing, singing, drama, etc.
Silvia Alvarado-Bolek	Austin, TX	2015-11-19	Silvia Bolek
Kay Reeves	Austin, TX	2015-11-19	This is a place of worship for me. ..a place to rejoice in the Lord.
Becky Schoonover	Spicewood, TX	2015-11-19	I support the ministry and outreach of Life Austin through the Amphitheatre
Lily Kretzschmar	Austin, TX	2015-11-19	The LifeAustin Amphitheatre is an anointed and beautiful place for the community to come together and experience the arts in a manner glorifying to God and in keeping with the spirit and history of our great city. Lives have already been changed in this place, including mine. The city needs to honor and uphold their previous decisions. Austin will be blessed by the outreach that exists here!
Jose Garza	Austin, TX	2015-11-19	If the church is the body of Christ, this is LifeAustin's hands reaching out to the community it had chosen to serve. It's the most creative way a church has attempted to reach a world looking something GREATER! Oh heaven, hear the praises of HIS beloved!!
Andrew Kretzschmar	Austin, TX	2015-11-19	This multi-purpose facility was built to support and embrace our community in ways not previously possible. All ages will be able to truly experience the arts and fellowship with fellow like-minded Austinites. Let's stay the course and make the right decision to allow this venue to continue as intended.
Jeff Montgomery	Austin, TX	2015-11-19	This amphitheater is a HUGE opportunity to bring the community together and minister to them in a manner that improves quality of life.
Garrison Verdon	Palmyra, NJ	2015-11-19	I definitely believe that the amphitheatre contributes better living social and christian relationship that we can connect with other people within the Austin area.
Cheryl Crain	Austin, TX	2015-11-19	I'm signing this petition because I have enjoyed this venue and it is always celebrating God's Glory!
Tess Williams	Austin, TX	2015-11-19	Signing in support of LifeAustin and the wonderful ministry of the church to reach the entire Lake Travis and communities of Austin through service, stewardship, prayer and ministry. The LifeAustin amphitheater is one shining example of how the chirch reaches out to the church and unchurched alike. Thank you to the pastoral leadership for your tireless efforts. God Bless you all.

Name	Location	Date	Comment
Karen Metcalfe	Austin, TX	2015-11-19	LifeAustin Amphitheater is a crucial ministering tool to help transform Austin into a better community helping everyone feel, act, and live better. Why wouldn't you want that?
Irma DeJesus	Austin, TX	2015-11-19	I totally believe the LifeAustin Amphitheater is a great addition to our church. It's a safe place where our congregation can worship and share our faith with the Austin community.
Kit Garth	Austin, TX	2015-11-19	This church is all that is good for this comunity. Anyone who sais otherwise has never been.and evite you with open arms.
Robin Thomas	Hutto, TX	2015-11-19	Life Austin is my home. I love this church. Our community should support the amphitheatre for the incredible asset that it is.
Sterling Bradshaw	Austin, TX	2015-11-19	The city approved this and permitted the build of this. They measured the sound levels and approved that as well. Now the city is changing their minds. There is a presidence set here and to turn deny its use is after all the approvals is fraud on the part of the city.
Christy Kemnitz	Dripping Springs, TX	2015-11-19	LifeAustin is my home church and I am passionate about their mission to bring the word of the Lord through the arts to those whom normally wouldn't step foot in a church. I admire and respect Pastors Randy & Denise immensely and love the work they're doing to share the love of Jesus with southwest Austin. We need more places like LifeAustin and the amphitheater in central Texas.
JimmyandBeth Myers	Georgetown, TX	2015-11-19	It is simply astounding that in a city like Austin, Texas, who calls itself "the live music capital of the world" and promotes the arts throughout our community, that they allow the minority to create such a stir over the LifeAustin Ampitheatre. This is a state of the art venue that packs the house each time the doors open with a community that has embraced and supported its opening since day one. It has complied, many times going over and beyond, what the city has required to buffer sound and lights as a gesture of good neighboring. It's time for the City of Austin to put this debate to bed and begin supporting this Ampitheatre and people of faith in our local communities that desire and support outdoor venues as this instead of listening to the handful of people who find anything they can to grumble and create unnecessary conflict just because they can.
ROBERT BOYDEN	Paris, TX	2015-11-19	I BELIEVE IN THIS CHURCH AND THE MISSION THEY ARE TRYING TO ACCOMPLISH FOR THE COMMUNITY
Janie Smith	Austin, TX	2015-11-19	I'm a member of Life Austin and know the heart and intentions of outreach to many within and outside the church. I've attended numerous events at the Amphitheatre and believe in this cause. I pray this stumbling block of a few ends for the masses that it will touch reaches far greater.
Lauren Windham	Austin, TX	2015-11-19	This venue has been completely compliant with all city regulations. I love this venue! Providing music and arts to the "live music capital of the world " and changing lives!
Juliana Jacobs	Austin, TX	2015-11-19	This facility is used for religious assembly!!! The amphitheater is and integral part of the praise and worship at Life Austin Church. This facility creates a community for believers all over central Texas!
Diane Ela	Austin, TX	2015-11-19	I'm signing this petition because this ampitheatre is a tremendous blessing to me, our family and friends. It provides good clean Godly entertainment that is inviting to everyone--not just our church. We are an open book. Come and see.
Ron Macha	Buda, TX	2015-11-19	I am a member of this church. All activities at the Amphitheatre are clean and good for all ages. The events are family oriented and God is not rammed down your throat. God is here, but finding Him is between you and Him.

Name	Location	Date	Comment
Devin Skyy Williams	Austin, TX	2015-11-19	LifeAustin's Amphitheater is a resource to touch the lives of the city's diverse population through creative arts. If given the chance, LifeAustinAmp will (and has already) change the trajectory of people's lives.
Nicole Bryant	Austin, TX	2015-11-19	I fully support the use of this Amphitheater to provide worship through the Arts as an opportunity for not only LifeAustin church members and friends but as an outreach to the entire community who may not step foot in a church otherwise.
Jennifer Wolf	Austin, TX	2015-11-19	I believe this venue will have a positive impact on the community.
David Bryant	Austin, TX	2015-11-19	This Amphitheater is a great way to welcome all people to our campus to share the love of God while enjoying the Arts.
Kelly Hopping	Austin, TX	2015-11-19	I don't want to lose this great venue in our community.
Cheryl Saad	Austin, TX	2015-11-19	The LifeAustin Amphitheater is a beautiful place. It goes beyond the traditional church experience, being outside is so refreshing & inviting! I believe this Amphitheater is a wonderful asset to the Austin community. All are welcome! I have been so blessed to attend a place of great love & worship. Let us be a city that will support those that are making a positive outreaching effort to enhance the lives of those in this great community of Austin! The LifeAustin Amphitheater is unique, a place where we can all attend quality events in the nature of our surroundings.
Ann Lancaster	Horseshoe Bay, TX	2015-11-19	This is a treasure for the city. God uses His creativity to show us His amazing love. I have seen the beauty of the Holy Spirit working here.
Janet Garcia	Buda, TX	2015-11-19	I □□ My Church!
Cheryl Barnes	Austin, TX	2015-11-19	Austin needs more venues like LifeAustin Amphitheatre that support Christian values and arts.
Marlene Nichols	Austin, TX	2015-11-19	I believe the Amphitheater is a great contribution to the life and culture of our beautiful city.
Matt Gagnon	Austin, TX	2015-11-19	I believe in the power of community and creating conversation through music.
Tim Todd	Austin, TX	2015-11-19	All city requirements have been met and or exceeded and all qualifying tests were made or observed and approved by city officials. To pull these permits would set a precedent that would open the door to cancel or inhibit any and all live music venues in the city of Austin.
Barbara Gremillion	Driftwood, TX	2015-11-19	Life Austin Amphitheatre is a wonderful way to minister to Christians in our church and in our community.
Diana Morris	Austin, TX	2015-11-19	I cannot begin to imagine anyone trying to oppose a place of worship. Here in America where we are losing so much and Christians are being persecuted for believing in Christ I feel that I must stand up for our right in the church - in the "free" country of America where we can assemble and worship God. The whole point of the Amphitheater is to have a great place to host a variety of Christian programming where we can come together in order to worship God. If God were not real and so utterly powerless what does it matter for a group of Christians to assemble in order to worship Him? The amphitheater is the perfect venue. Secular bands, speakers or r rated movies are more worthy than the creator of the universe????
Nikki Kelton	Austin, TX	2015-11-19	The LifeAustin Amphitheater has be an inspiration to our family and has touch so many others. This facility has already been invaluable to bringing the Austin community together. Thank you!!
Rich Villa	Austin, TX	2015-11-19	This beautiful venue is not only a unique forum for Christian fellowship but also is a Christian-inspired element used for outreach efforts.
shelley vester	Buda, TX	2015-11-19	this is an amazing place for the people of asutin to come together and worship throughout the arts

Name	Location	Date	Comment
Clara Miller	Lytle, TX	2015-11-19	I have visite, and it was a wonderful worship experience. I can't imagine that anyone would be so misguided as to try to convince anyone that this place isn't used for God's glory!
Linda Dupuy	Horseshoe Bay, TX	2015-11-19	It is a beautiful facility that promotes Christianity.
David Bryan	Austin, TX	2015-11-20	The L.A.Amp. was built to enjoy live music which we are the live music capitol of the world.
christine merrill	lisle, IL	2015-11-20	I love this place of worship.
Shawna Crabtree	Lakeway, TX	2015-11-20	This building was approved and that should be honored, period.
Delaine Self	Austin, TX	2015-11-20	I am signing this petition because I support the Amphitheater music and entertainment venue for our families and youth. There is so much bad going on in the world that offering Christian and youthful entertainment is something our Comminity needs
Cindy Rose	Kyle, TX	2015-11-20	I believe in the reason the amphitheater was created... To reach people for Christ, a safe place for families, friends, and strangers to gather together to learn, celebrate, grow and share.
Juanita Maciel	Austin, TX	2015-11-20	I love Life Austin Church!!!
April and Kyle Sorensen	Fort Stockton, TX	2015-11-20	This place has and continues to change lives! It's a wonderful venue that hosts an atmosphere of love and worship for the Lord!
Ned Ross	Austin, TX	2015-11-20	A city has a duty to not obstruct legitimate land uses. Adjacent vacant land could be many uses - these neighbors should be grateful it is a wonderful church next door.
Amanda Hunter	Austin, TX	2015-11-20	I believe that our worship glorifies God. It is an essential part of our religion
Brittany dixon	Austin, TX	2015-11-20	LifeAustin is where I can express my faith and worship God. The amphitheatre is a venue for this outlet of worship and expression As well as a creative canvas for the community.
Carol Essex	Austin, TX	2015-11-20	I love what Life Austin is doing for the community.
Paul Ojeda	Austin, TX	2015-11-20	I believe this amphitheater promotes the heart beat of Austin music and music that honors God in our City.
Mark and Alison Dollar	Lockhart, TX	2015-11-20	Our Ampitheater is pleasing to and serves our Almighty God, and is a very positive and good thing for the people of Austin, Texas!
Ami Smith	Austin, TX	2015-11-20	I love my church.
Terry Kinniell	Austin, TX	2015-11-20	i believe the amphitheater plays an important part in the community. It is a place where people can join together in worship and praise.
YVONNE ESPARZA	Austin, TX	2015-11-20	I love lifeaustin
Barry Brooks	Austin, TX	2015-11-20	Austin needs a place that we can go to like a family does to sing, watch, laugh, and worship together - not a bar or city building!!! Everybody needs to understand that A lot of Christians are still a part of Austin.
Zicri Bogart	Austin, TX	2015-11-20	I fully support the Life Austin amphitheater to remain open and available to worship and share our faith.
Robert Bogart	El Paso, TX	2015-11-20	I support the Life Austin amphitheater to remain open to our community as a place to worship and praise.
Angie Ray	Austin, TX	2015-11-20	This has been an amazing outreach for our family, for the community & for our kids! They love dancing to music, watching kids films, worshiping and being free to run around w others!
Caleb Waller	Driftwood, TX	2015-11-20	I believe

Name	Location	Date	Comment
Jackson Campbell	Jeffersonville, KY	2015-11-20	I believe in this church even if I don't go there. This place can be used as a powerful ministry in the community!
YVONNE ESPARZA	Austin, TX	2015-11-20	Great venue for entertainment, adds value to Austin.
Melissa Rodriguez	Austin, TX	2015-11-20	I believe in the Kingdom of God!
Cynthia Keith	Kyle, TX	2015-11-20	Im not a member of this particular church, but it look like a wonderful venue.
Joshua Contreras	Austin, TX	2015-11-20	The amphitheatre reminds me to look up and understand that God is not confined to church walls. We were always intended to marvel at creation.
Bryan King	Del Valle, TX	2015-11-20	I care!
Kip Nanninga	Cedar Park, TX	2015-11-20	I believe in the mission of Life Austin Church and live music in Austin
Phyllis Rhea	Austin, TX	2015-11-20	The LifeAustin Amphitheater is a vital addition to the Austin faith community. I am grateful our family has this beautiful new venue in which to worship.
Joan Amoriello	El Paso, TX	2015-11-20	This is a beautiful venue that's being used to glorify our God and Saviour. It is a wonderful way to draw people to an awareness of God's love for us. While I don't live in Austin, I consider Life Austin my church away from home
Juan Bastida	Austin, TX	2015-11-20	I believe that Austin is the music capital of Texas. Music shouldn't be held from the public based on the type of music that's being performed.
Denyce E Deadrick	Austin, TX	2015-11-20	The amphitheatre is a very important part of LifeAustin's approach, we don't just sit and listen...we are active participants in worship. Praise and worship has many facets. What touches my heart may not touch yours but it could allow you to look at things just a little differently. The Amp broadens the horizon of the community which is LifeAustin.
Leah Malcolm	Naperville, IL	2015-11-20	My family is part of Life Austin, and I was too when I lived in Texas.
marc spinder	Naperville, IL	2015-11-20	I love and support this church no matter where is am.
Debbie Boettner	Austin, TX	2015-11-20	I agree that this space is being used for worship in different forms and has already been proven a success and at the same time thoughtful of the neighborhood
Cheryl Newcomer	Austin, TX	2015-11-21	We love the ministry that the church offers through this venue.
Allison Anders	Houston, TX	2015-11-21	Love LifeAustin
Jane Diane Mullett	Austin, TX	2015-11-21	Because I have been to a couple of Awesome concerts there recently & was so Blessed. Phillips Craig & Dean & Larry Gatlin & Brothers A.Fabulous facility & a great addition to SW Austin
jesse saucedo	Austin, TX	2015-11-21	The amphitheater is an essential and performing act of worship to God Almighty. The God of all creation and the source of all truth.
Janet and Rick Pyne	Austin, TX	2015-11-21	I'm signing because I believe that the Life Austin Ampitheater is beneficial for building community in Austin.
Deborah Kruse	Austin, TX	2015-11-21	I love Jesus and Life Austin is my church. In order to get the TRUTH out there is a City this size you need a venue!!!!!
Terry Bell	Austin, TX	2015-11-21	This venue is incredible! It is a place that unites people from all walks of life, all social economic statuses, and demographics for the purpose of sharing the love and peace of God with all. Just because my worship is demonstrative and expressive does not negate the fact that it is worship.
Jay Corenblith	Spicewood, TX	2015-11-22	Because this venue was built above the specs that the city approved with money donated by the people who shared this vision. The city has no right to now comeback and reverse its decision now that it is already built.
Paula Segura	Austin, TX	2015-11-22	Important ministry that serves the community

Name	Location	Date	Comment
Barbara Barlow	Leander, TX	2015-11-22	The amphitheater is a place for us to worship and for people to express their God given talents. It should not be hindered!
Lisa Montanio	Austin, TX	2015-11-22	I support Life Austin amphitheater
Sykes George	Austin, TX	2015-11-22	I"m signing because Life Austin is a great church that is reaching a large number of people in this city and transforming thier lives in a wonderful way. the amphitheater is used 100% in a religous manner to support this cause and to deny it's use in doing such would be an incredible sin. Thanks
Wendell Meeks	Austin, TX	2015-11-22	The LifeAustin Amphitheatre is an excellent outdoor venue and I have enjoyed attending praise and worship events there personally. All of the LifeAustin Amphitheatre events on which I have seen information are focused on the extension of the Church's ministry. I am a little perplexed by the City of Austin's revisiting of the Amphitheatre permits. As during the original permitting process, this venue would have been evaluated for community concerns. To have been originally permitted, all City of Austin requirements were met and/or exceeded and approved by city officials. Therefore, since the requirements have not changed in the past few months, it seems this one venue providing additional worship opportunities to our community of faith in Austin may be unique in receiving additional inspection. I trust that the City will be committed to the diversity of the Austin community and maintain the integrity of its permitting process by ensuring the permits provided stand as issued.
Daniel Reeves	Austin, TX	2015-11-22	This amphitheater was specifically designed to have a minimal noise impact to the community area and is not hurting anyone. I live in the area.
Bob Shepard	Austin, TX	2015-11-22	The LifeAustin Amphitheatre's calling remains consistent with the principal use of religious assembly. The arts and in particular faith based music continue to be a powerful tool used by God in my life transforming me into a more loving and caring person and citizen of our unique community.
Karen Meeks	Austin, TX	2015-11-22	Austin is the "Music Capital of the World" then why shouldn't we, LifeAustin, be able to have the same opportunity as other music venues in town. Our music is uplifting and positive and needed to today!
Karen McCoy	Austin, TX	2015-11-22	Life Austin is such a loving, giving church and the Amphitheatre provides a wonderful stage to demonstrate that.
Judi George	Dripping Springs, TX	2015-11-22	This is such a refreshing approach to worship. The venue is more intimate so it gives me the chance to meet people I might not otherwise see. The family and neighbors we have invited to come with us have all thoroughly enjoyed the Amphitheater and appreciated its value to the community.
John Miller	Austin, TX	2015-11-22	I believe the amphitheatre is an important part of the ministry that reaches out to so many.
Amanda Cardona	Austin tx, TX	2015-11-22	I have experience a great beautiul connection with the holy spirit during their praise and worship services. This is a holy uplifting place were christians can come together and praise and lift up our father.
Natalie Villanueva	Austin, TX	2015-11-22	The Life Austin amphitheater is a beautiful place of worship, where many come together to praise God.

Name	Location	Date	Comment
Roberta Turnipseed	Austin, TX	2015-11-23	The LifeAustin Amphitheatre is a family friendly venue that is open and welcoming to the community. Over the past few months, I have had the opportunity to worship, enjoy healthy entertainment, and serve/volunteer, while simultaneously meeting and enjoying the company of several others from LifeAustin and beyond. As an educator, it breaks my heart to know that something that was intended for the good of individuals, family, and community has been and continues to be met with opposition.
Derrick Townsend	Austin, TX	2015-11-23	I'm signing because this amphitheater is part of a vision to uplift God's kingdom. It enhances God's word through music. I know when I came to LifeAustin the churches vision to build an Amphitheater had me in sheer amazement. Now that it's a reality. I have enjoyed the different venues we've been blessed with. It would be a shame for this amphitheater to no longer be available to bless others.
Patricia Escriu	Austin, TX	2015-11-23	Patty Escriu
Pame Smith	Austin, TX	2015-11-23	I feel Life Austin has tried very hard to be a good neighbor in our community. We have installed jogging trails and opened them up to all in the community. We put in a dog park and all our neighbors are allowed to use it. We laid out and built a frisbee golf course and again all our neighbors are allowed to use it. Our amphitheater is another venue which serves the community. We have Christian music concerts and other church related events. We plan to have the venue available for different recitals for schools in the community. It is too bad a vocal few oppose this venue which is an asset to the Oak Hill community.
Dana Skillman	Austin, TX	2015-11-23	I have been so blessed by the concerts held at the LifeAustin ampitheatre, and believe it to be an important venue to bring spiritual transformation to Austin!
Shelia Taylor	Austin, TX	2015-11-23	I'm signing because it matters. I strongly support the continued use of this forum.
Mike Tibbets	Austin, TX	2015-11-23	It is my understanding that permits were properly obtained/issued for construction and use of this amphitheater originally; With regular Church based Praise & Worship events & activities occurring there currently/recently (per deign, function, and within timing guidelines), I fail to understand why now obstructionist, protest, and resistance is occurring? I obviously support the intentions and use of this venue for continued Church related Praise & Worship activities and events.
Tammy Boysen	Austin, TX	2015-11-23	Because it is a blessing to the community and the city□□
Paul Daniels	Austin, TX	2015-11-23	This Amphitheater has been a great addition to the ministry of our Church, bringing people together in Worship.
John Carson	Austin, TX	2015-11-23	I'm signing because I want to see this facility used by all the Austin arts community.

Heldenfels, Leane

From: [redacted]
Sent: Wednesday, December 09, 2015 9:58 AM
To: Heldenfels, Leane
Cc: [redacted]
Subject: Life Austin Church Amphitheatrer / Case # C15-2015-0147

Dear Leane Heldenfels,

I'm a resident at 7200 Covered Bridge Drive in Austin and our property is on the ridge looking directly at Life Austin Church and their new Amphitheater.

I would like to add our frustration to the list of residents in our area about the frustrating noise we must tolerate about:

Life Austin Church and Life Austin Amphitheater
Case Number: C15-2015-0147
Address:
Life Austin
8901 SH 71 West
Austin, TX 78735

We've been concerned and actively involved in this for 7 years. The fact that they were given building permits on this amphitheater by city staff and that the city of Austin has now made unprecedented determinations on acceptable outdoor venues and special allowances for a religious organization are unethical and illegal.

The fact that Austin City Staff allowed:

· Staff interpreted the "religious assembly" use to include outdoor religious assembly and an outdoor amphitheater as principal uses under religious assembly.

· Staff interpretation also expanded "religious assembly use" to include musical and theatrical performances as well as benefit events at which tickets can be sold.

What has happened is a fully commercial outdoor performance space that thousands of neighbors now have to deal with on a very very regular basis.

The church has a HUGE INDOOR venue. Why they can't have their meetings inside and in private are beyond me. The staff has lied about their music test, their traffic studies, and their intentions. There's nothing "religious" going on, it's simply a money making scheme by a Pastor who is doing exactly what he wants and is funding it on the backs of his congregation who give untold amounts of money to the church, and now they have a fully operational music venue that they will book at every opportunity. It's an embarrassment for the City of Austin planning teams.

We will be at the meeting tonight at City Hall, and we can't wait to hear what will happen to correct this situation. We are going to hold the City of Austin accountable for the work that Greg Guernsey approved in the dark of night allowing Life Austin Church to get exactly what they wanted.

Heldenfels, Leane

From: [redacted]
Sent: Tuesday, December 08, 2015 11:23 PM
To: Heldenfels, Leane
Subject: C15-2015-0147 8901 SH 71 West, Austin, Texas 78736

Dear members of the BOA,

I ask you to grant the appeals filed by Hill Country Estates and Covered Bridge POA in regard to the outdoor amphitheater at 8901 SH 71 West C15-2015-0147.

There was no public hearing held on the site plan or temporary use permit for the outdoor amphitheater on this property. The authorization for the facility was given via e-mail with no notification to any neighborhood groups. Therefore, they should have the chance to appeal the decision.
This amphitheater is a commercial facility that sells tickets. This sets it separate from a purely religious facility and regular worship services. There is no issue with there being a church there, and there is no issue with them playing music. The only problem is the noise from loud music that can be heard inside people's houses. If the amphitheater were enclosed, there would be no problem.

Please revoke the outdoor amphitheater permit and allow neighbors to have some peace and quiet. The church can worship freely without bothering their neighbors.

Thank you.

Tom Thayer
7405 Scenic Brook Dr

Heldenfels, Leane

From: [redacted]
Sent: Tuesday, December 08, 2015 9:43 AM
To: Heldenfels, Leane
Subject: BoA Hearing - LifeAustin Outdoor Amphitheater 8901 SH 71 West - Case C15-2015-0147 - December 9, 2015

William Burkhardt, Chair, Melissa Hawthorne, Vice Chair, Brooke Bailey, Michael Bengali, Kelly Blume, Eric Goff, Don Leighton-Burwell, Rahm McDaniel, Melissa Neslund, James Valdez, and Michael Von Ohlen, Board of Adjustment,

Please grant the appeals filed by Hill Country Estates Homeowners Association and the Covered Bridge Property Owners Association. Please direct staff to forward the temporary use permit appeal filed by Hill Country Estates Homeowners Association and the Covered Bridge Property Owners Association to the Board of Adjustment (BoA).

City staff administratively approved a site plan for the LifeAustin Church that included a 1,500 seat outdoor amphitheater on property zoned rural residential and interpreted City code to allow outdoor musical and fundraising events without conditional or temporary use permits.

This issue could affect every neighborhood in the City. Based on staff's expansive interpretation of City code, any church could hold outdoor events without seeking conditional or temporary use permits from the Planning Commission or City. Neighborhoods would have no right to oppose or limit the number of events.

Please consider the following points regarding this matter:

- Staff did not have the authority to administratively approve LifeAustin's construction of an outdoor amphitheater.
- Ticketed concerts, plays and other forms of entertainment are not religious assembly.
- City should enforce the zoning code as it is plainly written.
- Staff's interpretations set a precedent to allow all church grounds to become outdoor entertainment venues.
- If the code says non-residential zoning is required to have an outdoor event with more than 50 people, how can staff approve gatherings of 1,500 people in the Rural Residential zoning district?
- The zoning code requires a conditional use permit (and public hearings) to be obtained before property owners can hold graduations, theatrical plays/productions, meetings, concerts, recitals, ballets, family movie nights, and other events is an event center. Staff has ignored this requirement.
- The amphitheater should be enclosed.
- Rural Residential zoning means a rural and quiet neighborhood.
- The LifeAustin outdoor amphitheater is not a residence and it is not quiet.
- Loud concerts on school nights are bad for school aged children.
- Recurring loud outdoor concerts harm property values. How would you feel if you could hear concert music inside your home on a weekly basis?
- The approval of the outdoor amphitheater violates the letter and the spirit of the zoning code.

Respectfully,

David King
Zilker Neighborhood Resident
Austin, TX 78704

Heldenfels, Leane

From: [redacted]
Sent: Monday, December 07, 2015 9:08 PM
To: Heldenfels, Leane
Subject: Case C15-2015-0147

Dear Ms. Heldenfels,

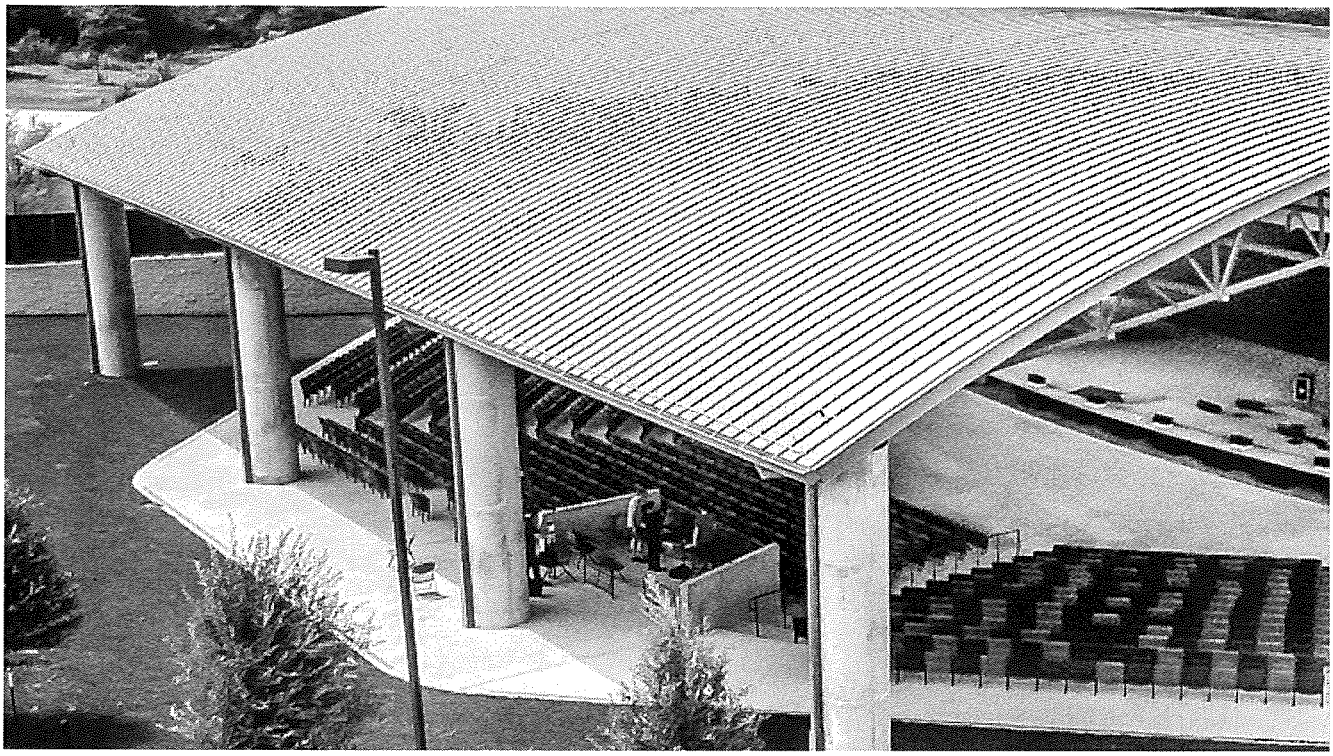
I am writing with respect to case C15-2015-0147, regarding LifeAustin Outdoor Amphitheater located at 8901 SH 71 West, Austin, TX 78736.

I am requesting that the Board of Adjustment please grant the appeals filed by Hill Country Estates HOA and the Covered Bridge POA. Please also direct staff to forward the Temporary Use Permit appeal filed by Hill Country Estates HOA and the Covered Bridge POA to the Board of Adjustment.

Regards,

Jamie Eveleigh
Covered Bridge Drive

101/869



LifeAustin
601
Supporters

"By signing below I hereby recognize and affirm that I am a member of LifeAustin Church. The LifeAustin Amphitheatre is an essential element of the Church's ministry. The Amphitheatre exists to bring transformation to the community through the arts given by the Creator in a setting that brings us closer to the Creator. One of the Church's guiding principles is to think and act on the imaginative ideas of the Holy Spirit in all that it does, including the expression of art, dance, drama, and music. The arts are a part of the way in which members of the Church prepare their hearts and minds to hear the word and to respond to that word."

Letter to
City of Austin Staff Liaison-Board of Adjustment Leane Heldenfels
Re: Case number C15-2015-0147

"By signing below I hereby recognize and affirm that I am a member of LifeAustin Church. The LifeAustin Amphitheatre is an essential element of
Read more

John Capezzuti started this petition with a single signature, and now has 601 supporters. Start a petition today to change something you care about.

Start a petition

Updates

1. 2 weeks ago
   500 supporters
2. 4 weeks ago
   LifeAustin started this petition

Sent 12/7 –
★ indicates new signers since pocket deadline end of day 11/23.

101/870

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The Life Austin Amphitheater is a state of the art venue designed with great care to minimize noise while providing an enjoyable experience to those in attendance. I have been thoroughly blessed to attend concert there and worship God with the breeze blowing around me and the stars shining above me. It's a unique experience.

Stacey Clements, Leander, TX
3 weeks ago
2
Report

Repeat

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The amphitheatre provides an amazing place to introduce friends and family to Jesus Christ in a non-threatening environment through the arts.

Carl Bowen, Austin, TX
1 week ago
1
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This is my church, and I have been blessed to worship God in he LifeAustin Amphitheatre, through wholesome worship music in a family environment, absent the alcohol and drugs that are so prevalent in other music venues and events in Austin. The activities that take place in this church building are a positive influence in our neighborhood and within the city of Austin, and have brought me and many others closer to God.

Robert Merrill, Austin, TX
2 weeks ago
1
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

It truly amazes me how difficult it has become to be a Christian family in America these days. It is politically correct to denounce religion and support all types of causes, unless they are Christian faith based. This theatre represents LifeAustin desire to reach the public through the Arts, and is the most unique approach to making the church a part of the Austin Community.

Ryan Boswell, Austin, TX
2 weeks ago
1
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

Load more

I want to thank the leaders of the witch hunt in Covered Bridge for leading me to Life Austin, which I have just decided to join as my family church this week. I decided to check out the church and see what all the fuss was about. My backyard on Roaring Springs couldn't be any closer to the amphitheater and the only noise I hear is from a few select neighbors who incessantly complain about music. A few have even resorted to bullying those of us who don't support their cause on Nextdoor.com. They have complained about the "effect on property value" but apparently they haven't bothered to check tax records or MLS data, because property values have been on a dramatic and steady incline for years. As a former Realtor who practiced in Austin for fifteen years, I can assure you that a popular church is going to increase property value if anything. The signs these neighbors have placed about the amphitheater on our streets WILL drive away buyers, as will the posts on online neighborhood boards. If this were truly a noise issue, I would support it wholeheartedly, but from the behavior of these individuals and the lack of noise in my own backyard, I have to question their motives. The leader of the pack lives a street to the South of me, so my house is in between hers and the church. If the seven members of my household can't hear anything (and we've tried!), I find it very difficult to believe that she can. I have talked to the neighbors on my street and they haven't heard music either. I have come to the conclusion that this has to be either people still angry over losing the fight with the city or perhaps these people have something against christianity in general. I truly hope that is not the case. Enough of this, Covered Bridge! Let me live in peace. And thank you for pushing me to go investigate Life Austin for myself.

Sandra Heflin, Austin, TX
11 hours ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

It needs to be signed.....

Phillip Freeburg, Austin, TX
2 days ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The LifeAustin Ampitheatre is an essential element of the church. The facility provides a family friendly venue for the expression of dance and music.

Debbie Maynor, Austin, TX
3 days ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

---

south west Austin needs a place like this to add to the enjoyment of life.

william cravy, Austin, TX
4 days ago
0

Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I have had the honor to attended many events at the Life Austin Amphitheater and find this has been a great assist to South Austin. This venue has the ability reach the community in a none threatening way. I believe that should the city leaders keep an open mind that having such a venue will continue to show Austins local talent and arts. Not to mention the great music talents... What better way than Keep South Austin Alive... with the Life Austin Amphitheater.

Inez Day, Austin, TX
4 days ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I believe that the Amphitheatre will prompt spiritual blessings on all who visit. This will apply to Christians and Non-Christians alike.

Robert George, Dripping Springs, TX
4 days ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This amphitheater is a plus for the whole community offering family entertainment usually free of charge!

Melissa Joseph, Tyler, TX
4 days ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This venue is amazing and I have been to about 7 or 8 events there in the last several months. All were Christ-centered and honoring of God as well as family oriented.

Annette frazier, Dripping Springs, TX
5 days ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I'm signing because I truly believe the Amphitheatre is a place of Christian fellowship. I am not a member of this church at this time, but I have been attending with my family for several months with plans of joint as members. The huge outreach to the community including the activities at the amphitheatre are major factors in that decision. I want my children to know the Holy Spirit exists in all activities of life.

Andrea Richardson, Austin, TX
6 days ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

Every event I have been to here at LifeAustin Amphitheater has been inspirational,and has influenced my personal spiritual growth. The amphitheater is an important part of evangelizing and reaching people with the love of Christ.

Claire Cain, Austin, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

---

the amphitheater brings everyone together to fellowship and grow in love and the Lord.

Melissa watts, Austin, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I'm signing cause I've have known Pastor Randy and Bishop Phillips for years.I have traveled to Austin to attain services at Life Austin and The Promiseland for over 20 years and Randy has done what GOD has called him to do by Building Life Austin Church and the Amphitheatre. The City can cause all kinds of waves and the people around the church too but God is there on that land so he will protect what is his and what he had an awesome man of GOD build that I don't see any man destroy. Thanks Pastor Randy for an awesome place of worship.

Sammy Casarez, College Station, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I'm signing this petition because I firmly believe the amphitheater is an asset to the community more then it could ever be a hindrance.

Rosie Debbs, Austin, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I BELIEVE THAT THIS VENUE IS A BLESSING FOR THE CITY OF AUSTIN.

MARY DURHAM, AUSTIN, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The LifeAustin Amphitheater offers a valuable opportunity for anyone to come and praise God through joyful music. The amphitheater was built according to regulations and operates in good faith. We trust the city to appreciate the value it brings to so many and to bless us by denying the complaint.

Patricia Lewis, Wimberley, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This area needs a faith based venue for promoting our Savior through the arts, music and event based community. I am proud LifeAustin has taken the initiative with the LifeAustin Amphitheatre!

Brian Sherman, Austin, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I believe in what Life Austin is doing.

Elizabeth Carson, Austin, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I want the theater and the buisness it will bring to town and for the church

Robin Moore, Dripping Springs, TX
1 week ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The amphitheatre provides an amazing place to introduce friends and family to Jesus Christ in a non-threatening environment through the arts.

Carl Bowen, Austin, TX
1 week ago
1
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This is my church, and I have been blessed to worship God in he LifeAustin Amphitheatre, through wholesome worship music in a family environment, absent the alcohol and drugs that are so prevalent in other music venues and events in Austin. The activities that take place in this church building are a positive influence in our neighborhood and within the city of Austin, and have brought me and many others closer to God.

Robert Merrill, Austin, TX
2 weeks ago
1
Report

Repeat

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I am signing because we love love the amphitheater. An amazing outreach to the community, for all to enjoy and an amazing worship experience.

Lisa Fink, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This facility is a venue of good and not that of ill will or bad behavior. This is an opportunity to bring the love of Christ to others not even associated with our church family. Good will and sharing this behavior with the arts is a decent and honest goal.

Bill B Zilar, Buda, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This amphitheater is the BEST thing that could happen to Austin! It's clean family safe fun!

Rebecca Naddef, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I am signing because I have first hand watch events change the lives of teenage youth I have brought to events there. I watched a group of fatherless youth from East Austin, who were brought to a concert there and 5 of the 8 brought accepted Christ!! That would have never happened trying to get them into church. That was the vision of Randy Phillips and that is what has happened in the short time it as been open. So I tell be don't fight it until you have firsthand watched it change lives like I have!!!!!!!!!

Ron Bruno, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

Please allow LifeAustin to continue sharing the love of God through our amphitheatre to the lost and lonely by transforming lives..."for once I was lost but now I'm found".

Cynthia Fregy, Spicewood, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

Being an elected official myself, I find anything that can bring a positive impact to the community and benefit the quality of life is always welcome. My understanding is that there was strong and thorough communication between the developer and code enforcement to make sure all was in compliance . City codes have been followed according to the set requirements and it is my hope that you continue to support the ordinance that you set in place. The people of LifeAustin care deeply about the citizens of Austin and the surrounding areas. LifeAustin has no intention of being a burden to the surrounding communities, but to enhance the quality of life. Please choose people over political endeavor.

Reed Norman, Marble Falls, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This amphitheater is a vital part of our community and it offers opportunities to gather that would not otherwise be available.

Karen Lugo, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The LifeAustin Amphitheater is a blessing to Austin, and the surrounding community. My hope, and prayer, is that the neighborhood will embrace LifeAustin and the Amphitheatre, as much as LifeAustin has embraced our neighbors.

Gary McLearen, Orlando, FL
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I support LifeAustin Amphitheatre

Allyson Rodriguez, Kyle, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

My wife and I attend this church. We are part of the Dream Teams and serve to help others be transformed in Christ. God uses many different avenues to change a persons life in order to make his or her life more hopeful, more joyous, to love others better etc. The amphitheater is able to bring people together through the arts and to share in one another's life issues to find the support each one of us needs.

Scott Mitzel, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

It truly amazes me how difficult it has become to be a Christian family in America these days. It is politically correct to denounce religion and support all types of causes, unless they are Christian faith based. This theatre represents LifeAustin desire to reach the public through the Arts, and is the most unique approach to making the church a part of the Austin Community.

Ryan Boswell, Austin, TX
2 weeks ago
1
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This Amphitheatre is considered an outside Sanctuary and is an integral part of the church services. The events their are no different than "The Backyard" in Bee Cave which is even closer to residential areas and there have been no complaints.

Joseph Feste, Austin, TX
2 weeks ago
1
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I pray that God's wisdom radiates to Austin's local government and he protects our new outdoor praise & worship center!

carlos myers, McAllen, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The last event I attended at Life Austin's amphitheater I listened to Tim Teebow speak among others. I pray that God protects our venue!

carlos myers, McAllen, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

---

member of life Austin
Amphitheater is Christian way of praying/worship

janet mijares, austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I'm a member of Life Austin church and have been blessed by Christian concerts held at the Life Austin amphitheatre. I'm also excited to volunteer with Compassion International at an upcoming event being held at the amphitheatre to help children in need around the world through child sponsorship.

Sharon Bryan, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I'm signing because the amphitheater is an amazing facility where everyone can gather to worship.

Barbara Adams, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I am a member of this church and I support the activities hosted at the Amphitheatre.

Meredith Knight, Austin, TX
2 weeks ago
0
Report

Report abuse

Please report any offensive or inappropriate content.

Submit

Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

These services at this venue have impacted my life and family

William Ball, Del Valle, TX
2 weeks ago
0
Report

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Please report any offensive or inappropriate content.

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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I am joining with & asking my fellow Austinites to request the existing approval to use the life Austin amphitheater tension in effect. 1. It's crucial to the ongoing integrity of the city & development of Austin that properly applied for, processed & granted licenses & approvals be honored. 2. This amphitheater is a huge part of an expanding expression of not only life Austin church but the Church At large. In its few months since completion, it had been used for life Austin specific events, events bringing worship leaders from all across Austin & performers of noe from all over the globe to enrich & further engage our community as a whole. Thank you for affirming the rule of law & good common community sense.

Shannon Black, Spicewood, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I would like to see the wonderful ministry begun at the amphitheater continue to flourish.

Ben Warren, Austin, TX
2 weeks ago
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I live in Covered Bridge. I am grateful that they built amphitheater for family and youth. Compare with Barton Springs where host many concerts that are not proper for youth and families. Please keep this amphitheater in my neighborhood.

Connie Sefcik-Kennedy, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

While we are not members yet, we moved here from Tulsa in July and immediately began attending LifeAustin. Finding this church so quickly was a blessing for our family and was recommended to us from our minister in Tulsa. LifeAustin is such a positive, warm atmosphere in a world where sadness and evil are everywhere. We are so thankful we've found a church home where we can be fed while hearing the word ... through sermon and through the amazing music!

dana thames, Austin, TX
2 weeks ago
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This venue is for the entire community to share uplifting Christian music, inspirational messages, fellowship with others to gain a deeper meaning with Christ as well as a better sense of community and laughter. It is a much needed venue in this part of Austin and the city should uphold the decisions that have been made as we continue to move forward.

Teresa Ketner, Austin, TX
2 weeks ago
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Amazing the good work done there. Brings so many people to the great church surroundings.

Charles Claiborne, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The Ampitheatre is a wonderful venue for expanding the Arts scene in Austin.

Pauly Littrell, Austin, TX
2 weeks ago
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The Amp assists in spreading the Gospel!

Michael Littrell, Buda, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I'm signing because I want to see this facility used by all the Austin arts community.

John Carson, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

This Amphitheater has been a great addition to the ministry of our Church, bringing people together in Worship.

Paul Daniels, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

Because it is a blessing to the community and the city❤

Tammy Boysen, Austin, TX
2 weeks ago
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It is my understanding that permits were properly obtained/issued for construction and use of this amphitheater originally; With regular Church based Praise & Worship events & activities occurring there currently/recently (per deign, function, and within timing guidelines), I fail to understand why now obstructionist, protest, and resistance is occurring? I obviously support the intentions and use of this venue for continued Church related Praise & Worship activities and events.

Mike Tibbets, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I'm signing because it matters. I strongly support the continued use of this forum.

Shelia Taylor, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I have been so blessed by the concerts held at the LifeAustin ampitheatre, and believe it to be an important venue to bring spiritual transformation to Austin!

Dana Skillman, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I feel Life Austin has tried very hard to be a good neighbor in our community. We have installed jogging trails and opened them up to all in the community. We put in a dog park and all our neighbors are allowed to use it. We laid out and built a frisbee golf course and again all our neighbors are allowed to use it.
Our amphitheater is another venue which serves the community. We have Christian music concerts and other church related events. We plan to have the venue available for different recitals for schools in the community.
It is too bad a vocal few oppose this venue which is an asset to the Oak Hill community.

Pame Smith, Austin, TX
2 weeks ago
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Patty Escriu

Patricia Escriu, Austin, TX
2 weeks ago
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I'm signing because this amphitheater is part of a vision to uplift God's kingdom. It enhances God's word through music. I know when I came to LifeAustin the churches vision to build an Amphitheater had me in sheer amazement. Now that it's a reality, I have enjoyed the different venues we've been blessed with. It would be a shame for this amphitheater to no longer be available to bless others.

Derrick Townsend, Austin, TX
2 weeks ago
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The LifeAustin Amphitheatre is a family friendly venue that is open and welcoming to the community. Over the past few months, I have had the opportunity to worship, enjoy healthy entertainment, and serve/volunteer, while simultaneously meeting and enjoying the company of several others from LifeAustin and beyond. As an educator, it breaks my heart to know that something that was intended for the good of individuals, family, and community has been and continues to be met with opposition.

Roberta Turnipseed, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

The Life Austin amphitheater is a beautiful place of worship, where many come together to praise God.

Natalie Villanueva, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I have experience a great beautiul connection with the holy spirit during their praise and worship services. This is a holy uplifting place were christians can come together and praise and lift up our father.

Amanda Cardona, Austin tx, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

I believe the amphitheatre is an important part of the ministry that reaches out to so many.

John Miller, Austin, TX
2 weeks ago
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This is such a refreshing approach to worship. The venue is more intimate so it gives me the chance to meet people I might not otherwise see. The family and neighbors we have invited to come with us have all thoroughly enjoyed the Amphitheater and appreciated its value to the community.

Judi George, Dripping Springs, TX
2 weeks ago
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Life Austin is such a loving, giving church and the Amphitheatre provides a wonderful stage to demonstrate that.

Karen McCoy, Austin, TX
2 weeks ago
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Thank you for taking the time to report content. Our team will review your claim, and contact you if we need more information.

Austin is the "Music Capital of the World" then why shouldn't we, LifeAustin, be able to have the same opportunity as other music venues in town. Our music is uplifting and positive and needed to today!

Karen Meeks, Austin, TX
2 weeks ago
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The LifeAustin Amphitheatre's calling remains consistent with the principal use of religious assembly. The arts and in particular faith based music continue to be a powerful tool used by God in my life transforming me into a more loving and caring person and citizen of our unique community.