

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2007-0087

**Z.A.P. DATE:** September 18, 2007  
October 16, 2007

**ADDRESS:** 12801 Harris Ridge Boulevard

**OWNER/APPLICANT:** Ly and Nguyen, L.L.C.  
(Kevin Nguyen)

**AGENT:** MWM Design Group  
(Amelia Lopez-Phelps)

**ZONING FROM:** RR

**TO:** GR

**AREA:** 3.45 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant LR-CO, Neighborhood Commercial-Conditional Overlay District, zoning. The conditional overlay will require a 25-foot undisturbed vegetative buffer along the northeast and eastern property lines of the site to provide separation between the proposed commercial uses and the established residential neighborhood (existing SF-2 zoning) located the north and east.

In addition, the staff recommends that the conditions of the Transportation Impact Analysis (TIA) for this case be adopted and placed in a public restrictive covenant [Please see TIA Memorandum-Attachment A].

### **ZONING AND PLATTING COMMISSION:**

9/18/07: Postponed at the neighborhood's request to October 16, 2007 (7-0, B. Baker-absent);  
J. Shieh-1<sup>st</sup>, K. Jackson-2<sup>nd</sup>.

10/16/07: Approved staff recommendation of LR-CO, with the following additional conditions:

- There will be a 50-foot building setback from the north and east (SF-2 zoned) property lines.
- No parking spaces will be permitted within the area 50-feet from the east/ SF-2 zoned property line.
- The applicant will construct a 6-foot masonry fence along the north and eastern SF-2 zoned property lines.
- There will be a 30-foot height limit on the site 64-feet from the SF-2 zoned property lines.
- The applicant will provide a bio-filtration pond instead of a sand filtration system on the site for the proposed development.
- The following uses will be prohibited: Plant Nursery, Service Station and Urban Farm.

Vote: (6-0, J. Gohil and C. Hammond-absent); K. Jackson-1<sup>st</sup>, S. Hale-2<sup>nd</sup>

**DEPARTMENT COMMENTS:**

The property in question is currently undeveloped. The applicant is requesting GR, Community Commercial District, zoning for this tract of land because they would like to combine it with the existing 'GR' zoned lot to the south to develop a retail center over both properties. The applicant plans to construct an Asian market (food sales use) and a plaza that will house office, retail, restaurant and financial services on the site. In addition to this rezoning request, the applicant is asking to amend a public restrictive covenant to remove conditions of a Transportation Impact Analysis (TIA) that require that Josh Ridge Boulevard to be extended to the west to connect with Harris Ridge Boulevard [please see related case C14-95-0183(RCA)].

The staff's alternate recommendation is to rezone the site to the LR-CO, Neighborhood Commercial-Conditional Overlay District. The 'LR' zoning district will provide a transition in the intensity of uses from the 'GR' district uses permitted along Parmer Lane to the 'SF-2', established single-family residential neighborhood to the north and east. 'LR' zoning will allow the applicant to develop low intensity commercial uses to provide local services to the surrounding residential areas. The Neighborhood Commercial District is the appropriate zoning for a property located at the intersection of a collector roadway, Josh Ridge Boulevard and an arterial roadway, Harris Branch Boulevard. The LR district is designed to ensure that the use is compatible and complementary in scale and appearance with residential environments.

The applicant does not agree with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	RR	Undeveloped
<i>North</i>	LI-PDA, SF-2	Dell Computers, Single-Family Residences
<i>South</i>	GR, MF-2-CO	Undeveloped, Multi-family Residential (Apartments)
<i>East</i>	SF-2	Single-Family Residential Neighborhood
<i>West</i>	LI-PDA	Dell Computers

**AREA STUDY:** N/A

**TIA:** Yes

**WATERSHED:** Walnut Creek, Harris Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

- 64 – River Oaks Lakes Estates Neighborhood
- 114 – North Growth Corridor Alliance
- 393 – Harris Ridge Homeowners Association
- 642 – Harris Glenn Homeowners Association
- 643 – North East Action Group
- 756 – Harris Ridge Phase IV
- 786 – Home Builders Association of Greater Austin

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2007-0103	SF-2-CO, GR-MU, GR to MF-3	8/21/07: Approved staff's recommendation of MF-3 zoning by consent (7-0, K. Jackson-absent)	9/27/07: Granted MF-3 zoning by consent (6-0; B. Dunkerley-absent); all 3 readings
C14-2007-0087	RR to GR	Pending TIA completion	Pending
C14-04-0056	I-RR to SF-2, SF-6, MF-3 and CS	11/02/04: Approved staff's recommendation of SF-2-CO, SF-6, MF-3, LR, LR-MU, GR, GR-MU zoning by consent (9-0)	12/16/04: Granted SF-2-CO, SF-6, MF-3, LR-MU, GR and GR-MU on all 3 readings (7-0)
C14-04-0127	GR-CO to GR	10/19/04: Approved staff's recommendation of GR-CO zoning by consent (9-0)	11/18/04: Granted GR-CO (7-0); all 3 readings
C14-03-0001	DR to LO	1/28/03: Approved staff's recommendation of LO-CO zoning, w/2,000 trip limit (8-0, J. Donisi-absent)	2/27/03: Granted LO-CO on all 3 (6-0, Goodman-out of room)
C14-00-2101	DR to CS	8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0)	9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings
C14H-00-0005	DR to DR-H	9/12/00: Approved staff rec. by consent (6-0)	10/5/00: approved DR-H (5-0); all 3 readings
C14-98-0258	DR to MF-2	10/26/99: Approved staff rec. of MF-2-CO, w/ 400 unit limit, by consent (8-0, BH-off dias)	12/2/99: Approved PC rec. of MF-2-CO w/ conditions (6-0, WL-absent); 1 <sup>st</sup> reading  1/27/00: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings by consent (6-0)
C14-98-0257	DR to GR	10/26/99: Approved staff rec. of LO-CO (TR 1, 2, 3) & GR (TR 4 & 5) by consent (8-0, BH-off dias)	12/2/99: Approved PC rec. of LO (TR1), LO-CO (TR 2 & 3) w/ conditions, and GR (TR 4 & 5) (6-0, WL-absent); 1 <sup>st</sup> reading  1/27/00: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings by consent (6-0)
C14-98-0126	DR to GR	9/29/98: Approved LR-CO w/ conditions that uses limited to 'NO' uses (9-0)	11/5/98: Approved PC rec. of LR-CO (TRA) & LO-CO (TRB) w/ conditions (6-0); all 3 readings
C14-97-0126	DR to GR	12/9/97: Approved GR-CO w/ conditions (5-3)	2/5/98: Approved PC rec. of GR-CO w/ new conditions (5-0); 1 <sup>st</sup> reading  4/9/98: Approved GR-CO w/ conditions (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings

**RELATED CASES:** C14-95-0183(RCA)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Harris Ridge Blvd.	46'	30'	Arterial	Yes	No	No
Parmer Lane	200'	123'	Arterial	No	No	No

**CITY COUNCIL DATE:** October 11, 2007**ACTION:** Postponed at the staff's request to October 18, 2007 (7-0)

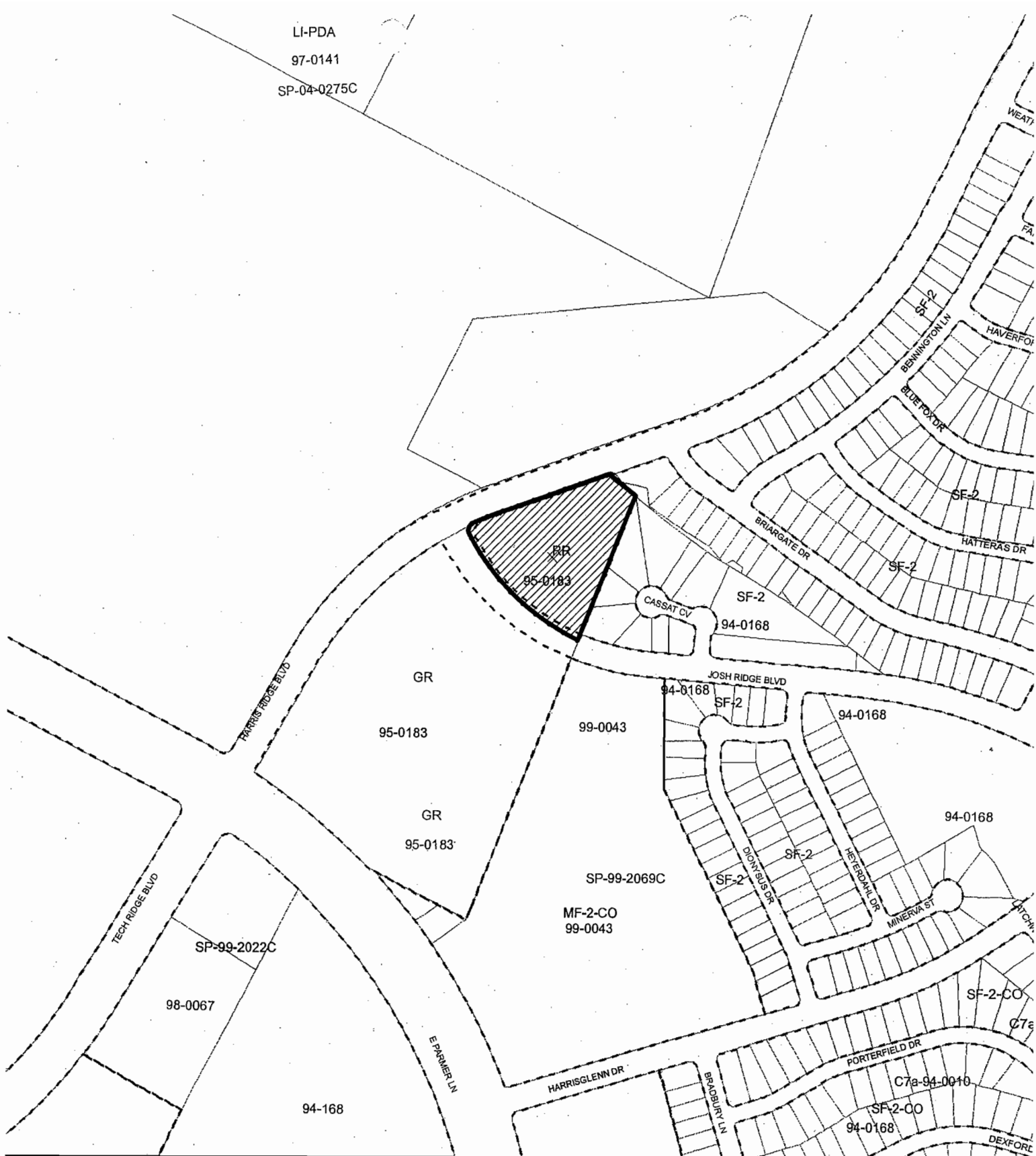
October 18, 2007

**ACTION:** Postponed to November 1, 2007 at the neighborhood's request (6-0, Martinez-off the dias)

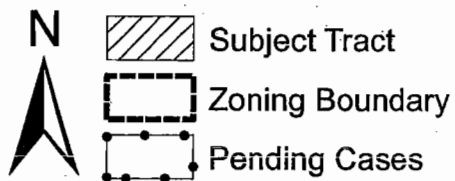
November 1, 2007

**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Sherri Sirwaitis**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)

LI-PDA  
97-0141  
SP-04-0275C



### ZONING



**ZONING CASE#:** C14-2007-0087  
**ADDRESS:** 12801 HARRIS RIDGE BLVD  
**SUBJECT AREA:** 3.45 ACRES  
**GRID:** N34  
**MANAGER:** S. SIRWAITIS



1" = 400' OPERATOR: SM

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.  
No warranty is made by the City of Austin regarding specific accuracy or completeness.

## **STAFF RECOMMENDATION**

The staff's recommendation is to grant LR-CO, Neighborhood Commercial-Conditional Overlay District, zoning. The conditional overlay will require a 25-foot undisturbed vegetative buffer along the northeast and eastern property lines of the site to provide separation between the proposed commercial uses and the established residential neighborhood (existing SF-2 zoning) located the north and east.

## **BASIS FOR RECOMMENDATION**

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

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

The 'LR' zoning district will provide a transition in the intensity of uses from the 'GR' district uses permitted along Parmer Lane to the 'SF-2', established single-family residential neighborhood to the north and east. Neighborhood Commercial District zoning is the appropriate zoning for a property located at the intersection of a collector roadway, Josh Ridge Boulevard and an arterial roadway, Harris Branch Boulevard.

3. *Zoning should allow for reasonable use of the property.*

LR, Neighborhood Commercial, would allow for a reasonable use of the property as it would permit the applicant to develop low intensity commercial uses to provide local services to the surrounding residential areas to north and east. The zoning would allow the primary use that the applicant is seeking to construct on the site, Food Sales, as well as the office, financial sales, and retail sales uses that they would like to locate in the proposed plaza structure on the site.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is currently undeveloped and moderately vegetated. There are a cluster of trees located at the north western corner of the property. The tract of land to the north and west of this site is undeveloped. To the east, there is an established single-family residential neighborhood. The property to the south is undeveloped.

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 90%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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

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

Note: The most restrictive impervious cover limit applies.

### **Environmental**

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

### **Transportation**

No additional right-of-way is needed at this time.

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo [Please see TIA Memorandum-Attachment A].

Existing Street Conditions:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Harris Ridge Blvd.	46'	30'	Arterial	Yes	No	No
Parmer Lane	200'	123'	Arterial	No	No	No

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

**Site Plan Comments**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

**Compatibility Standards**

The site is subject to compatibility standards. Along the North and East property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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



This site is in the Scenic Roadway Sign District. All signs must comply with Scenic Roadway sign district regulations, section 25-10-124 of the Land Development Code.

This site must comply with Commercial Design Standards, Subchapter E.







**Date:** October 12, 2007  
**To:** Sherri Sirwaitis, Case Manager  
**CC:** Robert Halls, Robert J. Halls & Associates  
**Reference:** Vina Plaza TIA (12801 Harris Ridge Blvd)\C14-2007-0087

Please note: The TIA was prepared with the assumption that the restrictive covenant requiring the construction of Josh Ridge Blvd was removed from the property. Staff's recommendation on the removal of Josh Ridge Blvd is addressed with case C14-95-0183(RCA) in a separate memo dated October 12, 2007.

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Vina Plaza dated June 30, 2007, prepared by Robert Halls, Robert J. Halls & Associates, and offers the following comments:

### **TRIP GENERATION**

Vina Plaza is a 19-acre development located in north Austin just at the intersection of Parmer Lane and Harris Ridge Blvd, just south of Howard Lane.

The property is currently undeveloped and zoned Community Commercial (GR) and Rural Residential (RR). The applicant has requested to change the zoning of the Rural Residential tract (approximately 3.45 acres) to Community Commercial (GR) so that the entire site may be developed as a specialty retail center to include a grocery market and commercial office and retail center. The estimated completion of the project is expected in the year 2009.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 27,604 unadjusted average daily trips (ADT). The table below shows the adjusted trip generation by land use for the proposed development:

<b>Table 1. Trip Generation</b>						
			<b>AM Peak</b>		<b>PM Peak</b>	
<b>LAND USE</b>	<b>Size</b>	<b>ADT</b>	<b>Enter</b>	<b>Exit</b>	<b>Enter</b>	<b>Exit</b>
Retail	83,650 SF	3872	59	38	158	171
Fast Food w/o Drive Thru	19,000 SF	13,604	501	334	254	243
High Turnover Restaurant (Sit-Down)	7,500 SF	591	30	28	28	18
Quality Restaurant	9,000 SF	631	5	2	25	12
Office	9,295 SF	214	25	3	15	74

Bank w/ Drive Through	2,300 SF	300	8	7	28	28
Grocery	60,000 SF	3732	88	56	203	195
<b>Total</b>		<b>22,944</b>	<b>716</b>	<b>468</b>	<b>711</b>	<b>741</b>

### **ASSUMPTIONS**

1. Traffic growth rates applied were as follows:

<b>Table 2. Growth Rates per Year</b>	
<b>Roadway Segment</b>	<b>%</b>
Parmer Lane	7.0
Harris Ridge Blvd	3.0
Harrisglenn Drive	3.0
Josh Ridge Blvd	3.0
Howard Lane	3.0

2. In addition to these growth rates, background traffic volumes for 2003 included estimated traffic volumes for the following projects:

Howard Lane Industrial Park	SP-03-0385D
1427 Dexford Drive	SPC-05-1022C
Harris Ridge Fire Station	SP-00-2357C
315 E Howard Drive	SPC-05-1022C

3. Reductions were taken for pass-by for the following uses:

<b>Table 3. Summary of Pass-By Reductions</b>		
<b>Land Use</b>	<b>Pass-By Reductions %</b>	
	<b>AM</b>	<b>PM</b>
Retail	31	41
High Turnover Restaurant	33	43
Grocery Store	26	36
Bank with Drive Through	47	47
Quality Restaurant	0	43

4. No reductions were taken for internal capture.
5. No reductions were taken for transit use.



## **EXISTING AND PLANNED ROADWAYS**

**Parmer Lane** – Parmer Lane forms the southern boundary of the subject site. This roadway is currently built as a four lane arterial east of IH-35. The CAMPO 2025 Plan identifies this roadway as a six-lane freeway, by 2025. This expansion construction, however, is not assumed to take place before project build out.

**Harris Ridge Blvd** – Harris Ridge forms the western boundary of the subject site. The roadway is built as a four lane divided arterial north of Parmer Lane. The CAMPO 2025 Plan identifies this roadway as a six-lane arterial, by 2025. This expansion construction, however, is not assumed to take place before project build out.

**Harrisglenn Drive** – Harrisglenn is a neighborhood collector that runs north of Parmer Lane and connects with Josh Ridge Blvd.

**Josh Ridge Blvd** – Josh Ridge is proposed to dead-end at a driveway at the eastern edge of the site. This roadway is built as a four lane divided residential collector. Originally intended as an arterial roadway to connect McCallen Pass to Dessau Road through the subject property, the applicant is requesting the removal of the restrictive covenant requiring the street's construction.

## **INTERSECTION LEVEL OF SERVICE (LOS)**

The TIA analyzed 7 intersections, 3 of which are or will be signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

<b>Table 5. PM Peak Level of Service</b>			
<b>Intersection</b>	<b>2007 Existing</b>	<b>2009 Forecasted (Without Site)</b>	<b>2009 Site + Forecasted</b>
Parmer Lane & IH-35 WSR*	D	D	D
Parmer Lane & IH-35 ESR*	F	F	F
Harris Ridge Blvd & Parmer Lane*	B	B	D
Harrisglenn Dr. & Parmer Lane*	A	B	C
Howard Lane & Harris Ridge Blvd.	A	A	A
Josh Ridge Blvd. & Harrisglenn Dr.	A	A	B
Harris Ridge Blvd & Driveway A	-	-	B
Parmer Lane & Driveway B	-	-	C

\* = SIGNALIZED

## **RECOMMENDATIONS**

- 1) Prior to 3<sup>rd</sup> reading at City Council, fiscal is required to be posted for the following improvements:

Intersection	Improvements	Pro Rata Share (%)
Parmer Lane & IH-35 WSR Parmer Lane & IH-35 ESR	Add a second westbound turn lane Add a westbound-through lane	
Parmer Lane & Driveway B	Install a right-turn/deceleration lane	100

EB=Eastbound WB=Westbound NB=Northbound SB=Southbound

- 2) Final approval from DPWT ~ Signals and TXDOT is required prior to 1<sup>st</sup> Reading.
- 3) Cost estimates for the above improvements should be submitted prior to 3<sup>rd</sup> Reading.
- 4) For information: Two copies of the final version of the TIA incorporating all corrections and additions must be submitted prior to final approval of the zoning case.
- 5) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-3428.



Amber Mitchell

Sr. Planner ~ Transportation Review Staff

City of Austin – Watershed Protection and Development Review Department

**Sirwaitis, Sherri**

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**From:** Daniel Smith [REDACTED]  
**Sent:** Tuesday, October 16, 2007 7:48 AM  
**To:** Sirwaitis, Sherri  
**Subject:** RE: Rezoning: C14-2007-0087 - Vina Plaza

Hello Sherri,

I am writing to show my, as well as many other neighbors, voice on this rezoning issue. Just last night, I went around the neighborhood to get opinions and attached 2 pages of some of the responses I gathered. This list is one person from each household, although many in each household were of the same opinion of their house representative, so that actually equates to more votes. I only asked if they were for or against rezoning as it takes quite some time to get the responses I did get. Most were not opposed to pushing Josh ridge through. Rezoning seemed to be the main issue. In total, I gathered 43 responses: (41 being against rezoning, 2 being for rezoning.) Including many of the other household members, it would easily double the numbers. Most will not be able to attend either meeting as the hours are too early and it is a working class neighborhood.

2 years ago, my wife was diagnosed with breast cancer. After surgery, but during Chemo, I wanted to do something to ease her mind and give her the opportunity to relax and enjoy some peace and recover. So I found this neighborhood, off the beaten path, and located this wonderful house with amazing sunsets. We would sit on the back porch and in the hammock and fall asleep to the sound off the wind and crickets and frogs. We knew it would be developed one day and would have neighbors, but if we had known the possibility of having a 2 story building 25 feet from our back fence and wider than 4 lots, blocking our entire view, (100%) we would have never bought here. This has been an extremely deterring factor in making her happy and trying to recover in the best possible atmosphere, and the fact that everyone says, little can be done but voice an opinion, is upsetting to say the least.

I, and my wife, Sylvia are personally opposed to rezoning, as it will add noise pollution, air pollution from delivery vehicles on my back fence, and depreciate life as we know it in our serene backyard. I understand that the 18 acre tract will be developed and do not have many issues with that as it is not directly behind our neighborhood and poses less of a threat. I have met with the developers and seen the plans and do not wish for this development to use the 3 acre tract. This tract is also a watershed and would be a drastic change from RR to GR and would eliminate all natural habitats in the area. One other major concern, since this is a watershed is if this tract is GR and developed; water run-off will surely change, affecting all immediate neighbors to the development, and the natural landscape. My house in particular 1005 Cassat Cove is most affected by the plans and requested change, and will most definitely depreciate because of it. Please use the attached info and this letter to present to the ZAP commission as well as the City Council meeting on Thursday. Due to the early hours and my work schedule, I cannot take off to attend. Please let me know if there is anything else I can do or provide for you and please keep me updated as to the process.

Also, if you cannot read this list let me know, as I can try another method.

Best Regards,

**Daniel E. Smith**  
Account Manager  
**Velocity Electronics**

(512) 973 9500 x-210  
(512) 973 9554 fax  
(512) 636-8024 mobile  
[REDACTED]

**ANSI/ESD S20.20 - ESD**  
**ISO9001:2000 - Quality**

10/16/2007



FOR AGENT SIGNATURE

FOR AGENT SIGNATURE

SALCH JASON D	1425 BRADBURY LN				BORCHERS ROGER	1221 BRADBURY LN		
LE THOAI T MINH	1429 BRADBURY LN				LY TANH MINH & NGUYEN NGUYEN	1223 BRADBURY LN		
RANSLEBEN WILLIAM & ROBIN S TA	1433 BRADBURY LN			X	GRAY CARMEN C	1229 BRADBURY LN		X
LE THANH & YEN LE	1437 BRADBURY LN				WILSON RAMON	1412 BRADBURY LN		
NGUYEN XUAN-HOA	1441 BRADBURY LN				OGWUEGBU STELLA & HENRY O	1408 BRADBURY LN		
NGUYEN TUYET MINH	1445 BRADBURY LN	X			SECRETARY OF HOUSING & COMMUNITY DEVELOPMENT	1404 BRADBURY LN		
VU THUY MINH	1449 BRADBURY LN				HOANG HA & TUYET NGUYEN	1400 BRADBURY LN		
JOYNT CAROL	1453 BRADBURY LN			X	GIUSTI NANCY	1320 BRADBURY LN		X
STUCKEY CHAE	1501 BRADBURY LN			X	MITCHELL LANA L	1316 BRADBURY LN		
HO LAM D	1544 BRADBURY LN				PHAM TUAN QUOC & ANH	1312 BRADBURY LN		
TRAN DINH	1540 BRADBURY LN				MAI DIEM	1308 BRADBURY LN		
HOANG TUAN	1536 BRADBURY LN			X	LIMOSNERO JANET H & ANTONIO E	1304 BRADBURY LN		
NGUYEN HOANG & VAN H NGUYEN	1528 BRADBURY LN			X	NANSY SIKANDER & GULSHAN	1300 BRADBURY LN		
TRAN TUAN C	1524 BRADBURY LN				LAM CUC T & KHUONG TAN VO & A	1301 BRADBURY LN		
THILE YEN BACH	1520 BRADBURY LN				SU LUU VAN & TU THI NGUYEN & P	1305 BRADBURY LN		
TRAN HAI V & CHRISTY HOANG	1516 BRADBURY LN				L PHILLIPS INVESTMENTS	1309 BRADBURY LN		X
RANGEL ARTURO	1512 BRADBURY LN				DAVIS PHILIP J & JANETTE S	1313 BRADBURY LN		X
QUACH TAI & HOA LAM	1508 BRADBURY LN				TURNER JASON M & ORALIA DIAZ	1317 BRADBURY LN		X
WILKERSON JOHNNY & SHIRLEY	1505 BRADBURY LN				NGUYEN NIEM VAN & NET THI LE	1321 BRADBURY LN		X
NGUYEN DO VAN	1509 BRADBURY LN				CRUZ-VILLEDA MIGUEL &	1401 BRADBURY LN		
NGUYEN BINH C	1515 BRADBURY LN				SULEMAN SHER B & ARIF H	1405 BRADBURY LN		
SCHAFERS ELLEN & FRAN SCHAFERS	1519 BRADBURY LN				ISAAC RICHARD L & LOUELLA	1409 BRADBURY LN		
VU NGHIA HUU	1523 BRADBURY LN			X	KRUPSKI JACK E & VICKI K	1411 BRADBURY LN		
HEFLIN ALFRED & DOROTHY HEFLIN	1527 BRADBURY LN			X	PENA DANIEL J & FRANCES	12810 BLAINE RD		
VO THAO T & PHUONG T VO	1529 BRADBURY LN			X	YOHANNIS ELIAS & MEKDES GEBR	12808 BLAINE RD		
NGUYEN DINH V & THU T PHAM	1535 BRADBURY LN				WITT MARY M	12804 BLAINE RD		
NGUYEN HUNG H & TINH THI NGO	1539 BRADBURY LN				CARDOSO JUAN ROLANDO &	12800 BLAINE RD		
SILLS ALEXANDER	1208 BRADBURY LN				HEARD BRAYON & TEYAN	12724 BLAINE RD		
WELLS PAUL E	1204 BRADBURY LN				WRIGHT FAITH M & RHETTLY S	12722 BLAINE RD		X
SMYRL CAROLYN	1200 BRADBURY LN	X			PHAM AN T	12720 BLAINE RD		
SULEMAN HANIF & RUBINA SULEMAN	1413 BRADBURY LN				BOOTH BENJAMIN B	12718 BLAINE RD		
LABOWITZ AARON P	1415 BRADBURY LN				WOODS JAMES FRANK JR & FELIC	12716 BLAINE RD		
SUNG TSZ YAN	1417 BRADBURY LN			X	MOLINA BENITO & LISA	12714 BLAINE RD		X
FIX RHONDA	1419 BRADBURY LN			X	ALVIDREZ REBECCA	12710 BLAINE RD		
THOMPSON DONALD Y	1421 BRADBURY LN				NGUYEN NHIEU Y & BE THI LE	12708 BLAINE RD		
CHAPMAN CAROL E	1423 BRADBURY LN				JORDAN PATRICIA ANN	12706 BLAINE RD		X
HOLDERMAN HERSHEL E & JUDY A	1220 BRADBURY LN				PENA NORMA J & ERICKA	12704 BLAINE RD		
GRAF JENNIFER L	1216 BRADBURY LN				ABOUD ALBERT A & GLORIA	12702 BLAINE RD		
GARCIA PEDRO B JR ETAL	1212 BRADBURY LN				HERNANDEZ HUMBERTO & GUSTAV	12705 BLAINE RD		
PASHA NASIRA & ABDUL KHAN	1101 BRADBURY LN				PINEDA PETE P	12711 BLAINE RD		
RODRIGUEZ WILLIAM MICHAEL & LO	1105 BRADBURY LN				STEVENSON DEREK S & LEANH T	12715 BLAINE RD		
GAFFAR IFRAN A & SADIYA R	1109 BRADBURY LN				KINSEY ROBERT	12719 BLAINE RD		
SNOWBERGER KENNETH E & DORA C	1113 BRADBURY LN				DUONG YEN	12812 BARTHOLDI ST		
SORTIN FRANK	1117 BRADBURY LN				MYER JAMES E & LILA V	12810 BARTHOLDI ST		
ZUNIGA EVARISTO & DENISE	1121 BRADBURY LN				HUYNH CHAU P & KHANH TRUONG	12806 BARTHOLDI ST		
ZAMARRIPA DANIEL &	1125 BRADBURY LN				NGUYEN LIEN	12800 BARTHOLDI ST		X
RODRIGUEZ ISAAC E &	1205 BRADBURY LN				NELLIS MICHAEL J & ELIZABETH A	12701 BARTHOLDI ST		X
REDD-WHITE FELISHIA DIANE	1209 BRADBURY LN				DENIS BRIAN M	12703 BARTHOLDI ST		X
HUYNH QUON & NHAN NGUYEN	1213 BRADBURY LN				NGUYEN TRI MINH & LAC BOI LAO	12709 BARTHOLDI ST		X
WALKER LARONE & PAMELA LORRAI	1217 BRADBURY LN				LONGORIA JESUS E	12713 BARTHOLDI ST		

4H AGAINST  
2 FOR

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Harris Glenn Neighborhood	FOR	AGAINST	SIGNATURE		FOR	AGAINST	SIGNATURE
BERENGER DANIEL & AMALIA HENRI	1026 CASSAT CV				12924 HEYERDAHL DR		
AGUMADU PATRICK NOSIKE & PATTY	1022 CASSAT CV				12920 HEYERDAHL DR		
CRAWFORD JAMES A	1016 CASSAT CV	X	<i>James Crawford</i>		12912 HEYERDAHL DR	X	<i>Harley Sparks</i>
KIM RICHARD S	1008 CASSAT CV				12904 HEYERDAHL DR		
PHAM NHAN-KIET	1004 CASSAT CV				12908 HEYERDAHL DR	X	<i>Kim Butler</i>
KHALID HUMAYUN	1000 CASSAT CV	X	<i>Humayun</i>		12904 HEYERDAHL DR		
HATTIG TODD & MARCELLA	1001 CASSAT CV	X	<i>Todd Hattig</i>		12900 HEYERDAHL DR		
SMITH SYLVIA	1005 CASSAT CV	X	<i>Sylvia Smith</i>		12907 HEYERDAHL DR	X	<i>Christina Wilson</i>
MINER KIMBERLY R	1009 CASSAT CV				12911 HEYERDAHL DR		
ARTHUR BRIAN	1013 CASSAT CV	X	<i>Brian Arthur</i>		12915 HEYERDAHL DR		
TRUONG TONY & NGAM LAM	1017 CASSAT CV	X	<i>Tony Truong</i>		12919 HEYERDAHL DR		
DURIG LEWIS BRIAN & AYNUR	12940 DIONYSUS DR				12923 HEYERDAHL DR		
SHIE RAINA YU	12936 DIONYSUS DR				12944 HEYERDAHL DR		
TRAN HAU M	12932 DIONYSUS DR				12940 HEYERDAHL DR		
SHERMAN TEDDY L	12928 DIONYSUS DR				12936 HEYERDAHL DR		
PHAN LONG MINH & TRANG T NGUYE	12924 DIONYSUS DR				12927 HEYERDAHL DR		
LANE HAROLD G & CHERYL D	12920 DIONYSUS DR				12931 HEYERDAHL DR		
NGUYEN ANNA M SCHAUGAARD	12916 DIONYSUS DR				12935 HEYERDAHL DR		
ONG LINDA NAOMI & VINCENT SHEL	12912 DIONYSUS DR				12941 HEYERDAHL DR		
SECRETARY OF HOUSING &	12908 DIONYSUS DR				12945 HEYERDAHL DR	X	<i>Wendy B. Bynum</i>
NGUYEN HOA THI	12904 DIONYSUS DR				12951 HEYERDAHL DR	X	<i>Wendy B. Bynum</i>
TAYLOR KENNETH	12900 DIONYSUS DR				1101 MINERVA ST	X	<i>Wendy B. Bynum</i>
LE SON V & THUY B NGUYEN	12808 DIONYSUS DR				1105 MINERVA ST	X	<i>Wendy B. Bynum</i>
NOAH PHILIP O & ELOUISE	12804 DIONYSUS DR				1109 MINERVA ST	X	<i>Wendy B. Bynum</i>
NGUYEN DIEP & LOC V NGO	12800 DIONYSUS DR				1113 MINERVA ST	X	<i>Wendy B. Bynum</i>
NGUYEN HONG	12801 DIONYSUS DR				1117 MINERVA ST	X	<i>Wendy B. Bynum</i>
TRACHTENBERG MATTHEW	12805 DIONYSUS DR				1201 MINERVA ST	X	<i>Wendy B. Bynum</i>
CHAN SEK K	12909 DIONYSUS DR				1205 MINERVA ST		
GREENE FERNANDO L & ANNETTE F	12913 DIONYSUS DR				1209 MINERVA ST		
LE HUONG THANH	12917 DIONYSUS DR				1213 MINERVA ST		
TRAN PHYLCIA	12921 DIONYSUS DR				1217 MINERVA ST		
VU TRUC	12925 DIONYSUS DR				1221 MINERVA ST		
WILLIAMS LINDA Y	12929 DIONYSUS DR				1225 MINERVA ST		
JONES VICTORIA	12933 DIONYSUS DR				1229 MINERVA ST		
MEDINA SALVADOR & LUPE MEDINA	13016 DIONYSUS DR				1233 MINERVA ST		
NGUYEN HONG	13012 DIONYSUS DR				1237 MINERVA ST		
RIDGE JIMMY L & PATRICIA A	13008 DIONYSUS DR				1241 MINERVA ST		
KRISHNAN AMRUTHUR L & AARATHI	13004 DIONYSUS DR				1245 MINERVA ST		
CASTILLO LORETO & MARLET	13000 DIONYSUS DR				1249 MINERVA ST		
RODRIGUEZ EDUARDO & MELINDA	12960 DIONYSUS DR				1253 MINERVA ST		
JACKSON MARCUS	12956 DIONYSUS DR				1257 MINERVA ST		
NGUYEN DA & NHUNG	12952 DIONYSUS DR				1261 MINERVA ST		
BLOXSON MICHAEL B & DEBBIE D MILE	12948 DIONYSUS DR				1265 MINERVA ST		
STANTON KEVIN M & MELANIE G	12944 DIONYSUS DR				1269 MINERVA ST		
NGUYEN TUNG & DUNG THI KIM DIN	12937 DIONYSUS DR				1273 MINERVA ST		
MIR MURAD RAZA & NASREEN MURAD	12943 DIONYSUS DR				1277 MINERVA ST		
<del>LAGOWIEZARONA</del>	12951 DIONYSUS DR				1281 MINERVA ST		
TRUONG WILLIAM M	12932 HEYERDAHL DR	X	<i>William M. Truong</i>		1285 MINERVA ST		
GOGATE MAYUR P	12928 HEYERDAHL DR	X	<i>Mayur P. Gogate</i>		1289 MINERVA ST		
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Harris Glen Association, Inc.

*Harris Glen Neighborhood Association*

October 15, 2007

RE: HOA endorsement of Vina Plaza with Requirements

City of Austin staff and Committees  
Project Design Team

To who it may concern:

As a director of the Harris Glen Neighborhood Association I have reviewed briefly the project site plan and zoning change request and the requests from our neighborhood residents directly adjacent to the development.

A list of agreed upon improvements between the immediate residents and the Design Team is included herein that are to be included in the further planning of the project.

One of the improvements is the installation of a fence separating the project from immediate residents on three lots. In blending the design scheme of the project and in meeting our association's Restrictive Covenants, the developer will construct a 6-foot tall wood privacy fence with masonry columns. Gates through this new fence will be also provided to the adjacent homeowners, if desired.

Representing the Harris Glen Association, Inc., as a director, the *Harris Glen Neighborhood Association* endorses the design team's current plan and zoning request incorporating our requests. We realize that further interaction throughout the design process to synthesize these concepts is required and look forward to that process.

Respectfully Submitted

Ken R. Blevins  
Director, Harris Glen Association, Inc.

Harris Glenn Neighborhood Association  
Draft Letter of Conditional Support Discussion Items  
October 15, 2007 (with later updates)

**Vina Plaza Terms of Agreement:**

- Walking trail with (4) benches in the detention pond nearest to the single family homes.
- Vegetation and decoration of the detention pond wall with weathered limestone facing the single family homes.
- Providing bio-filtration pond instead of sand filtered filtration system which would require more vegetation and shrubs; more natural looking.
- Deletion of parking spaces (5spaces) within 50 feet of the single family lot line.
- Provide additional 2 trees on certain lots for the homeowners' side of the lot line adjoining the development, if needed.( from a list of 6 different trees to choose from)
- The dumpster pad site at the Grocery will be fully enclosed in the air -conditioned space of the storage at the back of the grocery building. The dumpster is fully enclosed inside the building, in other words, no odor of any kind or rodent problem.
- The roof top units (and/or) and compressor units will be either inside the building or located furthest away from the residences (approximately 150 ft plus to the nearest home in the cul-de-sac).
- Provide an island (approximately 10 ft X 15 ft) median break, with city approval, at the entrance from Josh Ridge at the private drive with vegetated landscaping (ideally flowering bed of roses and shrubs).
- The developer offers to provide a list of allowed GR uses that will be eliminated or disallowed in Vina Plaza as part of the new restrictive covenant.
- The back wall is at least 64 feet form from the property line, and more than 100 feet from the nearest house.
- The height of the rear wall of the grocery store is approximately 26 ft..
- The Grocery will not be a 24/7
- There will be security provided

Vina Plaza Prohibited Uses: (List from Kimberly Miner letter to City of Austin)

- Automotive Sales
- Automotive Washing (of any type)
- Exterminating Services
- Outdoor Sports/Recreation
- Pawn Shop Services
- Service Station
- Theater
- Urban Farm
- Plant Nursery
- Bail Bond Services
- Funeral Services

\*All other GR uses will be allowed, with one special provision:

Automotive Repair Services (not to include automotive repairs, however would allow tire sales and tire installation only)

There will be signage to route all trucks to exit out to Farmer Lane, away from the neighborhood, with COA approval.

\*(From email exchange between ALP and Kimberly Miner, 09 October) Six\*\* foot, two sided wood fence will be installed to provide additional visual buffer from ViNa Plaza and the Cassat Cove neighbors (5 total abutting property). This will be built if requested, either with or without a gate, and the height will need to be accepted by the Harris Glenn Homeowners Association. \*\*\*(Mr. Blevins from Harris Glenn Homeowners Association requested any fence installed as part of this agreement, have a height of 6 feet, as required by the Harris Glenn HOA restrictions).

# **HUR ENTERPRISES, INC.**

P. O. Box 180387 Austin, Texas 78718 512-339-1472 Fax 512-339-1954

October 15, 2007

Hi Will,

Greetings! It has been a while since we last spoke and I hope all is well. There is a project called Vina Plaza that my brother-in-law is the architect on and he explained the details of the project to me. I would love to see this kind of development to be built in and around Austin. It is exemplary and unique; it deserves the full support from you and the City Council Members. Therefore, on behalf of Lucia and I, kindly request that you give the best consideration possible.

I hope to see you soon.

Thank you,



John Hur

**Sirwaitis, Sherri**

---

**From:** hong nguyen [REDACTED]  
**Sent:** Sunday, October 14, 2007 4:54 PM  
**To:** Rusthoven, Jerry; Sirwaitis, Sherri; Mitchell, Amber; Leffingwell, Lee; Schooler, Larry; Kim, Jennifer; Levinski, Robert; Dunkerley, Betty; Aguilera, Gloria; McCracken, Brewster; Martinez, Mike [Council Member]; Cole, Sheryl; [REDACTED]; Garza, Julian  
**Subject:** Harris Glen Home Owner

REGARDING ZONING REQUEST  
CASE # C14-2007-0087  
RR TO GR-CO and  
RESTRICTIVE COVENANT MODIFICATION REQUEST  
CASE # C14-95-0183(RCA)

As a member of the Harris Glenn Homeowners Association I **support the applicant's request for the zoning change from RR to GR-CO with the specific conditions and restrictive covenants.** I understand that some of the conditions I include as our condition of support will be included either in the zoning ordinance as a conditional overlay and/or in a Restrictive Covenant. **I respectfully request that the City of Austin be included as party to the conditional overlay and/or Restrictive Covenant.**

I am also in support of the applicant's request to modify the Restrictive Covenant as listed above, to remove the requirement to extend Josh Ridge as a public street. Our conditions of support will explain further the compromise we have agreed to in consideration to our neighbors and the applicant's request.

Respectfully I submit this petition. I request that the zoning change consider the plans as currently constituted.

Conditional support for zoning:

Vina Plaza Prohibited Uses:

- Automotive Sales
- Automotive Washing (of any type)
- Exterminating Services
- Outdoor Sports/Recreation
- Pawn Shop Services
- Service Station
- Theater
- Urban Farm
- Plant Nursery
- Bail Bond Services
- Funeral Services

All other GR uses will be allowed, with one special provision:

Automotive Repair Services (not to include automotive repairs, however would allow tire sales and tire installation only)

Conditional support for Restrictive Covenant Modification:

- Josh Ridge ends in a private drive (as opposed to a city street)
- Josh Ridge narrows from a four lane to a two lane as it enters the back of Vina Plaza

10/16/2007

- A stop light is placed at Harris Ridge and the entry to Vina Plaza to allow for left turns without traffic delays if approved and agreed upon by the City of Austin
- Increased vegetation as a buffer between street and development

Please feel free to call or email me should you have any questions or require additional information.

Sincerely,  
Hong Nguyen  
Harris Glenn Homeowners Association Member  
13012 Dionysus  
Austin, Texas 78753  
Home Phone: 251-8897

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Don't let your dream ride pass you by. Make it a reality with Yahoo! Autos.



**Sirwaitis, Sherri**

**From:** Marlet Castillo [REDACTED]  
**Sent:** Sunday, October 14, 2007 5:16 PM  
**To:** Rusthoven, Jerry; Sirwaitis, Sherri; Mitchell, Amber; Leffingwell, Lee; Schooler, Larry; Kim, Jennifer; Levinski, Robert; Dunkerley, Betty; Aguilera, Gloria; McCracken, Brewster; Martinez, Mike [Council Member]; Cole, Sheryl; [REDACTED] Garza, Julian;  
**Subject:** Regarding zoning request case#C14-2007-2008

Letter of support:

REGARDING ZONING REQUEST  
CASE # C14-2007-0087  
RR TO GR-CO and  
RESTRICTIVE COVENANT MODIFICATION REQUEST  
CASE # C14-95-0183(RCA)

As a member of the Harris Glenn Homeowners Association I **support the applicant's request for the zoning change from RR to GR-CO with the specific conditions and restrictive covenants.** I understand that some of the conditions I include as our condition of support will be included either in the zoning ordinance as a conditional overlay and/or in a Restrictive Covenant. **I respectfully request that the City of Austin be included as party to the conditional overlay and/or Restrictive Covenant.**

I am also in support of the applicant's request to modify the Restrictive Covenant as listed above, to remove the requirement to extend Josh Ridge as a public street. Our conditions of support will explain further the compromise we have agreed to in consideration to our neighbors and the applicant's request.

Respectfully I submit this petition. I request that the zoning change consider the plans as currently constituted.

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- Automotive Washing (of any type)
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- Theater
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- Plant Nursery
- Bail Bond Services
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Automotive Repair Services (not to include automotive repairs, however would allow tire sales and tire installation only)

10/16/2007

Conditional support for Restrictive Covenant Modification:

- Josh Ridge ends in a private drive (as opposed to a city street)
- Josh Ridge narrows from a four lane to a two lane as it enters the back of Vina Plaza
- A stop light is placed at Harris Ridge and the entry to Vina Plaza to allow for left turns without traffic delays if approved and agreed upon by the City of Austin
- Increased vegetation as a buffer between street and development

Please feel free to call or email me should you have any questions or require additional information.

Sincerely,

Marlet Castillo

Harris Glenn Homeowners Association Member

13000 Dionysus

Austin, Texas 78753

Home Phone: 512 989-7033

Cell Phone: 512-791-0807

Email: [REDACTED]

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Shape Yahoo! in your own image. [Join our Network Research Panel today!](#)

**Sirwaitis, Sherri**

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**From:** Angie [REDACTED]  
**Sent:** Tuesday, September 18, 2007 9:45 AM  
**To:** Sirwaitis, Sherri  
**Cc:** [REDACTED]  
**Subject:** Case Numbers: C14-2007-0087 and C14-95-0183 (RCA)

Hi,

Have this cases already been approved for rezoning? If not, we would like to express our disapproval of rezoning from rural to commercial. This plaza will basically be at our back door and cause a major increase in traffic and potentially an increase in crime as well not to mention lower property values.

Sincerely,

Angie Robinson  
1109 Briargate Dr.  
Austin, TX 78753

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.5.487 / Virus Database: 269.13.22/1015 - Release Date: 9/18/2007 11:53 AM

9/18/2007

**Sirwaitis, Sherri**

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**From:** McAndrew, Robert [REDACTED]  
**Sent:** Thursday, September 06, 2007 3:23 PM  
**To:** Sirwaitis, Sherri  
**Subject:** Case Numbers: C14-2007-0087 and C14-95-0183 (RCA)

Ms. Sirwaitis,

I am a resident of the Harris Ridge Homeowners Association, which is a neighborhood adjacent to the property under consideration for cases C14-2007-0087 and C14-95-0183. The public documents available for these cases do not define the proposed use of the land, just that a zoning change from RR to GR is requested. Also, the available documents do not include the results of the Traffic Impact Analysis (TIA). Was the TIA submitted? What are the results of the TIA?

I have two primary concerns: First, the property is immediately adjacent to existing homes. The zoning change would remove a buffer between our neighborhood and commercial property and allow commercial development next to homes. Second, the continuation of Josh Ridge Blvd separates the property under review with another tract of the same owner. If the zoning is changed, will the road extension be deleted? The eventual extension of Josh Ridge Blvd could reduce cut-through traffic in our neighborhood.

Without more information on the proposed development of the property, it is difficult to determine how strongly the proposed zoning change affects our neighborhood. It would be very helpful if you can send me current information on the progress of the zoning cases and any details on the proposed land use adjacent to our neighborhood.

Please let me know what new information is available.

Thank you,

*Bob McAndrew*  
13109 Fieldgate Dr.  
Austin, TX 78753

ph (512) 977-0927  
[REDACTED]

9/18/2007

**Sirwaitis, Sherri**

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**From:** [REDACTED]  
**Sent:** Monday, August 06, 2007 10:01 AM  
**To:** Sirwaitis, Sherri  
**Subject:** 12801 Harris Ridge Blvd (Case Number: C14-2007-0087)

Dear Sherri:

I wish to oppose the re-zoning of the property at 12801 Harris Ridge Blvd (Case Number: C14-2007-0087). This property is behind our house at 1000 Cassat Cove. The proposed single/two-story retail/building will result in the following:

- (1) Destroy the property value of our house due to significant changes in the surrounding area. Our residential neighborhood will turn into a commercial/residential area.
- (2) It will block the air circulation in our backyard.
- (3) It will force my family to move out of the house because of the noise and other sources of pollution.

I have been residing at 1000 Cassat Cove for the last 7-8 years. I bought this house in 1999 because I wanted to reside in a good residential neighborhood surrounded by houses. However, this new building will cause severe hardship on me and my family since our backyard will now become a commercial area.

Sincerely,  
Humayun Khalid, PhD  
Performance Architecture & Technology  
Office of the CTO, Dell Inc.

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8/6/2007

**Sirwaitis, Sherri**

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**From:** Gwen McDade [REDACTED]  
**Sent:** Thursday, July 26, 2007 9:19 PM  
**To:** Sirwaitis, Sherri  
**Cc:** Susan Karnowski  
**Subject:** Harris Ridge Homeowners Association ( HOA)

I am writing regarding the proposed rezoning at Harris Ridge Boulevard and Parmer Lane.

Back in the mid-1990's, the HOA negotiated that this land be a buffer between our homes and any commercial development. This land was zoned "rural" in exchange for allowing the commercial zoning of the land that sits on Parmer Lane.

I am opposed to the land along Harris Ridge being rezoned. I have lived in the Harris Ridge community for 14 years. There has been enough development in the area. I would appreciate the City of Austin honoring its end of this bargain and allowing the land to remain as rural residential. The developers should have plenty of land to develop along Parmer Lane and even Howard Lane, if necessary.

Please contact me if you have further questions of me regarding this issue.

Gwendolyn D. McDade, CPA  
Division Director,  
Risk Management Financial Operations  
512-467-3525  
fax: 512-467-3645  
[REDACTED]

7/27/2007

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those already allowed in the several commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0087

Contact: Sherri Sirwaitis, (512) 974-3057

### Public Hearing:

September 18, 2007 Zoning and Platting

Commission

☐ I am in favor  
☒ I object

DR. HUMAYUN KHALID

Your Name (please print)

1000 CASSAT COVE, AUSTIN TX 78753

Your address(es) affected by this application

*[Signature]*

Signature

Date

09/12/07

### Comments:

I wanted to reside in a nice residential neighborhood but this zoning change will force me to sell my house, that I have owned for 8 years, and move elsewhere.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2007-0087

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

September 18, 2007 Zoning and Platting Commission

DR. HUMAYUN KHALID

Your Name (please print)

1000 CASSAT COVE, AUSTIN TX 78753

Your address(es) affected by this application

*off*

09/12/07

Signature

Date

Comments:

*I wanted to reside in a nice residential neighborhood but this zoning change will force me to sell my house, that I have owned for 8 years, and move elsewhere.*

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Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-9910

☐ I am in favor  
☒ I object



Julieth S. Rousselin  
1105 Briargate Drive  
Austin, TX 78753

September 24, 2007

Honorable Members of the Austin City Council,  
Honorable Members of the Zoning and Platting Commission

Re: Rezoning Case C14-2007-0087 – Vina Plaza; and  
C14-95-0183(RCA) - Vina Plaza Restrictive Covenant Amendment

Dear Honorable members of the Austin City Council and Zoning and Platting Commission,

I am writing as a concerned citizen in **OPPOSITION** to the requested rezoning and restrictive covenant amendment at 12801 Harris Ridge Blvd. from RR (Rural residence) to GR (Community Commercial) for the following reasons:

1. This portion of land was negotiated as a transition zone to protect our neighborhood. The possibility of rezoning this to GR or any commercial base infringes on the transition zone between commercial properties and residential properties of our neighborhood and has the potential to negatively affect the residences along Briargate Dr;
2. The requested zoning (GR) is not compatible with the residential homes along Briargate Drive and the character of our neighborhood. Your zoning code designates that GR zoning shall be accessed by major traffic ways [LDC 25-2-98]. Although Harris Ridge Boulevard is classified as an arterial, there is only about 50 feet of street and it is not capable of sustaining increased traffic from a GR site and thus does not merit the designation for such an intensive zoning designation. Just based on your definition, this site does not qualify for GR zoning;
3. GR zoning and related land uses are not appropriate next to single-family residences. The existing zoning for the homes along Briargate Dr. is low density SF-2. The existing transition area between the homes and commercial uses which will maintain the residential character of our neighborhood should be retained and not altered. More intense zoning should be placed along Parmer Ln., away from residential neighborhoods;
4. Compatibility issues need to be addressed. Why is GR zoning necessary? It is my understanding that the land uses requested are commercial for a proposed retail plaza. There are other zoning classifications that better suite this site other than additional commercial uses which will infringe on the established homes along Briargate Dr. The site is just not appropriate for GR zoning;
5. Where is the traffic study? From the on-line comments, it is also my understanding that a traffic study is required. Our neighborhood has not had the opportunity to evaluate the traffic impacts that this proposed development will have on our neighborhood and to gage how much additional traffic this development will generate at the entrance to our neighborhood; and

6. The restrictive covenant was put in place to assure that deviations from the approved traffic study would not be altered. Proposed deviations to the traffic study only confirms the argument that this development is not appropriate next to single-family houses.

In conclusion, please consider our established neighborhood that has been here for more than 15 years. Do not let additional commercial uses creep next to our homes and please protect the integrity of our investments. **Please deny this rezoning request and restrictive covenant termination.**

Sincerely,

A handwritten signature in black ink, appearing to read "Julieth S. Rousselin". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Julieth S. Rousselin  
1105 Briargate Drive  
Austin, TX 78753

**Sirwaitis, Sherri**

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**From:** Kimberly Miner [REDACTED]  
**Sent:** Wednesday, October 10, 2007 9:08 PM  
**To:** Rusthoven, Jerry; Sirwaitis, Sherri; Mitchell, Amber; [REDACTED] Leffingwell, Lee; Schooler, Larry; Kim, Jennifer; Levinski, Robert; Dunkerley, Betty; Aguilera, Gloria; McCracken, Brewster; Martinez, Mike [Council Member]; Cole, Sheryl; [REDACTED] Garza, Julian  
**Cc:** Amelia Lopez-Phelps; Amelia Lopez-Phelps  
**Subject:** Regarding Zoning Request Case # C14-2007-0087 RR to GR-CO and Restrictive Covenant Modification Request Case # C14-95-0183(RCA)

Dear Mayor, Members of City Council, Commissioners and Others:

I respectfully submit this letter of support for Zoning Request Case # C14-2007-0087 RR to GR-CO and Restrictive Covenant Modification Request Case # C14-95-0183(RCA). As I will be out of town on business both the 16th and the 18th I also request that my letter be read into the minutes of the meetings to show my support.

Thank you,  
Kimberly Miner

---

Be a better Heartthrob. Get better relationship answers from someone who knows.  
Yahoo! Answers - Check it out.

10/12/2007

REGARDING ZONING REQUEST  
CASE # C14-2007-0087  
RR TO GR-CO and  
RESTRICTIVE COVENANT MODIFICATION REQUEST  
CASE # C14-95-0183(RCA)

As a member of the Harris Glenn Homeowners Association I have held several meetings and discussions at my house with the applicant's agents and architect and members of my neighborhood, and have reviewed the proposed project in detail. My cul-de-sac backs up directly to the lot in question.

**I support the applicant's request for the zoning change from RR to GR-CO with the specific conditions and restrictive covenants.** We understand that some of the conditions we include as our condition of support may be included either in the zoning ordinance as a conditional overlay and/or in a Restrictive Covenant. **I respectfully request that the City of Austin be included as party to the conditional overlay and/or Restrictive Covenant.**

I am also in support of the applicant's request to modify the Restrictive Covenant as listed above, to remove the requirement to extend Josh Ridge as a public street. Our conditions of support will explain further the compromise we have agreed to in consideration to our neighbors and the applicant's request.

Respectfully I submit this petition noting that the applicant has had multiple meetings with both neighborhood associations. I have attended meetings with both groups. The applicant has made repetitive inquiry in what could be done to garner support from both neighborhood associations and has made a multitude of changes to the original plans. I submit that the zoning change consider the plans as currently constituted.

Conditional support for zoning:

Vina Plaza Prohibited Uses:

- Automotive Sales
- Automotive Washing (of any type)
- Exterminating Services
- Outdoor Sports/Recreation
- Pawn Shop Services
- Service Station
- Theater
- Urban Farm
- Plant Nursery
- Bail Bond Services
- Funeral Services

All other GR uses will be allowed, with one special provision:

Automotive Repair Services (not to include automotive repairs, however would allow tire sales and tire installation only)

Conditional support for Restrictive Covenant Modification:

- Josh Ridge ends in a private drive (as opposed to a city street)
- Josh Ridge narrows from a four lane to a two lane as it enters the back of Vina Plaza
- A stop light is placed at Harris Ridge and the entry to Vina Plaza to allow for left turns without traffic delays if approved and agreed upon by the City of Austin
- Increased vegetation as a buffer between street and development

Please feel free to call or email me should you have any questions or require additional information.

Sincerely,

Kimberly Miner

Harris Glenn Homeowners Association Member

1009 Cassat Cove

Austin, Texas 78753

Home Phone: 512-670-1717

Cell Phone: 972-786-5074

Email: kimberlyminer@yahoo.com

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**Case Number:** C14-2007-0087

**Contact:** Sherri Sirwaitis, (512) 974-3057

**Public Hearing:**

October 11, 2007 City Council

James Crawford

Your Name (*please print*)

1016 Cassatt Cove

Your address(es) affected by this application

James A Crawford

Signature

9.28.07

Date

Comments:

☐ I am in favor  
☒ I object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810