

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0173 – 6414 Manchaca

P.C. DATE: January 29, 2008
February 12, 2008

ADDRESS: 6414 Manchaca Road

OWNER & APPLICANT: Peter Kehle

ZONING FROM: GR; MF-3

TO: GR-V **AREA:** 6.348 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning. The property shall be subject to Chapter 25-2, Subchapter E, Article 4.3 (Vertical Mixed Use Buildings) as follows:

1. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (Dimensional and Parking Requirements);
2. The Property is subject to the parking reductions identified in Article 4.3.3 E.3. (Dimensional and Parking Requirements); and
3. Ten percent of residential units in a vertical mixed use building shall be reserved for rental by households earning no more than 80 percent of the Annual Median Family Income.

The Conditional Overlay limits the number of daily trips to 2,000.

PLANNING COMMISSION RECOMMENDATION:

January 29, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO FEBRUARY 12, 2008*
[P. HUI; M. DEALEY – 2ND] (8-0)

ISSUES:

The Applicant has met with representatives of the Cherry Creek Village Neighborhood Association. The Applicant is scheduled to meet with representatives of the Manchaca Estates Neighborhood Association prior to the February 12th Planning Commission meeting.

DEPARTMENT COMMENTS:

The subject property is undeveloped, zoned community commercial (GR) and takes access to Manchaca Road. The Applicant is proposing to rezone the property to add the Vertical Mixed Use Building (V) overlay in order to provide the opportunity to develop the Manchaca Road frontage with multi-story buildings that include ground floor retail, offices and lofts on the upper floors. The western portion of the property is proposed to be developed with

townhouses. The Applicant's conceptual site plan is provided as Exhibit C and additional information about Vertical Mixed Use Buildings is provided as Exhibit D.

The rezoning shall allow the implementation of Vertical Mixed Use Building (V) and mixed use (MU) options on the subject property. The recommendation is based on the following considerations: 1) Implementation of VMU and MU at this site will be compatible with existing land uses and zoning surrounding the subject property; 2) The base district zoning classification shall be retained; and 3) Commercial and retail uses already exist in the area which is conducive to spur development of this site for VMU and MU application. In the absence of a Traffic Impact Analysis, Staff has proposed a Conditional Overlay to limit the property to uses that generate less than 2,000 vehicle trips per day.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-3; GR	Undeveloped
<i>North</i>	GR	Financial services
<i>South</i>	MF-2; MF-1	Single family residences
<i>East</i>	LO; SF-3	Child care; Offices; Fire station; Church; Single family residences
<i>West</i>	GR; MF-3; SF-2	Apartments; Telecommunications tower; Single family residences within the Cherry Creek Village subdivision

NEIGHBORHOOD PLAN AREA: N/A

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association

43 – Manchaca Estates Neighborhood Association

385 – Barton Springs Coalition

511 – Austin Neighborhoods Council

428 – Barton Springs / Edwards Aquifer Conservation District

461 – Cherry Creek SW Neighborhood Association

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

786 – Home Builders Association of Greater Austin

943 – Save Our Springs Alliance

SCHOOLS:

Cunningham Elementary School

Covington Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2121 – 6708 Manchaca Road	SF-3 to MF-2	To Grant MF-1	Approved MF-1 with the CO for 2,000 trips (11-30-00).

RELATED CASES:

The property is platted as Lot 2 of the Resubdivision of the FBW Subdivision, recorded in June 1994 (C8-93-0211.0A). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Manchaca Road	97 feet	42 feet	Arterial; Not classified as a Core Transit Corridor	No	Rt 27	3 Manchaca 103 Manchaca Flyer

CITY COUNCIL DATE: February 14, 2008

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



Subject Tract



Zoning Boundary



Pending Cases

ZONING

Exhibit A

CASE#: C14-2007-0173

ADDRESS: 6414 MANCHACA RD

SUBJECT AREA: 6.348 ACRES

GRID: F17

OPERATOR: W. RHOADES

1" = 400'

OPERATOR: S. MEEKS

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.

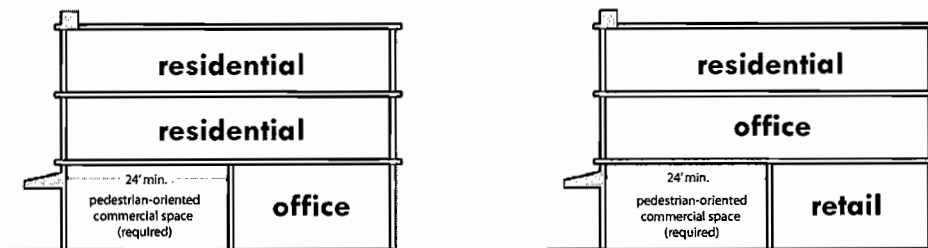




OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS

WHAT IS A VERTICAL MIXED USE BUILDING?

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

WHY VERTICAL MIXED USE BUILDINGS?

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

WHAT ARE THE STANDARDS FOR A BUILDING?

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component

WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

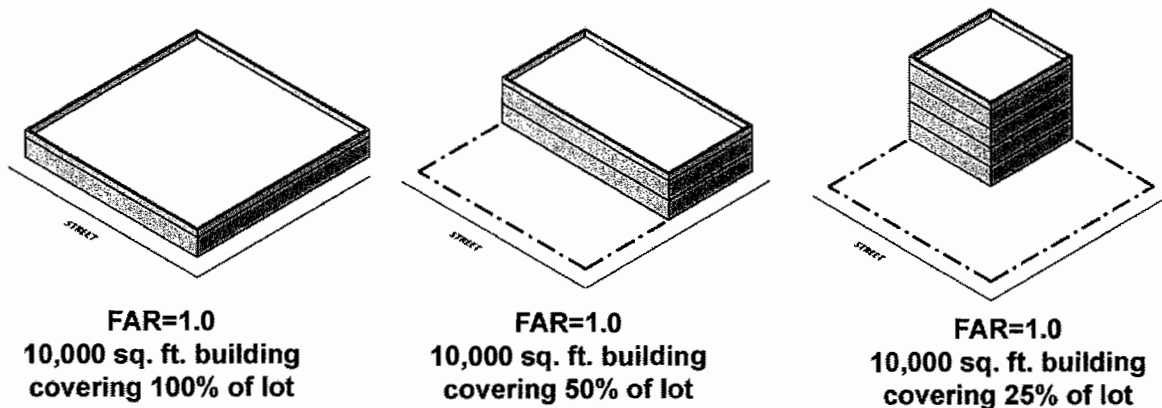
Dimensional Standards

These dimensional standards listed below are a “package” and must be accepted or rejected as such in the opt-in/opt-out process.

- Setbacks—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- Floor to Area Ratio—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



- Building Coverage—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- Minimum Site Area—no “minimum site area” requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances

such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

Additional Ground Floor Commercial Uses in Office Districts

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:
http://www.ci.austin.tx.us/zoning/downloads/np_guide.pdf.

WHAT IS THE OPT-IN/OPT-OUT PROCESS?

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and parking exemptions they are subject to certain affordability requirements.

Owner-Occupied Units—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

Rental Units—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

OTHER FREQUENTLY ASKED QUESTIONS:

DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Site plans approval requires a public hearing before the Planning Commission. All property owners and registered neighborhood organizations within 300 feet of a proposed vertical mixed use development will be notified of the public hearing via US Mail.

WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?

The City's impervious cover limits and compatibility standards will still apply.

WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?

http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial-mixed use-vertical mixed use building-conditional overlay (GR-MU-V-CO) combining district zoning. The property shall be subject to Chapter 25-2, Subchapter E, Article 4.3 (Vertical Mixed Use Buildings) as follows:

1. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (Dimensional and Parking Requirements);
2. The Property is subject to the parking reductions identified in Article 4.3.3 E.3. (Dimensional and Parking Requirements); and
3. Ten percent of residential units in a vertical mixed use building shall be reserved for rental by households earning no more than 80 percent of the Annual Median Family Income.

The Conditional Overlay limits the number of daily trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The property is located on Manchaca Road, an arterial roadway and currently zoned GR. The proposed change will not modify the base zoning classification. The requested Vertical Mixed Use Building (V) determination will encourage mixed uses on the site by implementing VMU standards and encouraging a diversification of land uses.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Implementation of VMU and MU at this site will be compatible with existing land uses and zoning surrounding the subject property; 2) The base district zoning classification shall be retained; and 3) Commercial and retail uses already exist in the area which is conducive to spur development of this site for VMU and MU application. A Conditional Overlay is recommended in order to limit the property to uses that generate less than 2,000 vehicle trips per day.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped and relatively flat. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80% which is based on the more restrictive watershed regulations.

Environmental

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 Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

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.

Transportation

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

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his 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.

Compatibility Standards

The site is subject to compatibility standards. Compatibility Standards are applicable to all property adjoining or across the street from a lot zoned or used as a SF-5 or more restrictive, or within 540 feet from a lot zones SF-5 or more restrictive. There is SF-2 located to the southwest of the property, as well as SF-3 to the east. Also, it appears that the MF-2 area to the south is used as single family, which would have to be addressed at time of site plan.

The following standards apply:

- No structure may be built within 25 feet of any SF property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of any SF property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of any SF property line.
- No structure in excess of 50 feet in height may be constructed within 200 feet of any SF property line.
- No structure in excess of 60 feet in height may be constructed within 300 feet of any SF property line.
- Additional design regulations will be enforced at the time a site plan is submitted.

FYI – Subchapter E: Design Standards and Mixed Use will be applicable to this site at time of site plan.

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.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

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 uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

PM 974-6054

TO: Wendy

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: C14-2007-0173

Contact: Wendy Rhoades, (512) 974-7719

Public Hearings:

January 29, 2008 Planning Commission;

February 14, 2008 City Council

Wendy Rhoades
Your Name (please print)

6708 Manchaca, Austin, TX
Your address(es) affected by this application

Wendy Rhoades
Signature

01/16/08
Date

Comments: Approve of this development.

It is much better than the

area under the current zoning.

Good typical cell site for

residential / mixed actual use.

This seems to be the type

zoning the city likes.

Hope it gets approved.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades, Zoning Case Manager

P. O. Box 1088

Austin, TX 78767-1088

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Case Number: C14-2007-0173

Contact: Wendy Rhoades, (512) 974-7719

Public Hearings:

January 29, 2008 Planning Commission;

February 14, 2008 City Council

☐ I am in favor
☒ I object

ASH TARIQ
Your Name (please print)

6615 MANCACA ROAD

Your address(es) affected by this application

[Signature]
Signature

1/17/08
Date

Comments: NEED TO SEE SITE PLAN

OR SOME DOC. NOT SURE

EXACT NATURE OF EVENTUAL
LAND USE.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades, Zoning Case Manager

P. O. Box 1088

Austin, TX 78767-1088

MANCHACA ESTATES NEIGHBORHOOD ASSOC.

1805 Miles Ave, Austin, TX 78745
(512)444-3177
fredcantu@gmail.com



January 28, 2008

Wendy Rhoades
Zoning Case Manager
Neighborhood Planning and Zoning Department
P.O. Box 1088
Austin, TX 78767

RE: C14-2007-0173

Dear Ms. Rhoades,

Thank you for your efforts to inform the Manchaca Estates Neighborhood Association about the planned development at 6414 Manchaca.

The Manchaca Estates Neighborhood Association is officially asking for a postponement of the Planning Commission hearing on January 29th concerning Case #: C14-2007-0173 - 6414 Manchaca. → *to February 12, 2008.*

Unfortunately, we found out about the possible zoning change from GR; MF-3 to GR-V only last week. The developer has not visited with anyone in our neighborhood association and we would like and welcome an opportunity to get answers for our questions. Homeowners have relayed to me concerns on environmental issues, drainage, traffic and the Fire Department being able to respond to emergencies among other things.

The Manchaca Estates Neighborhood Association believes that our area will be the most impacted by the traffic generated by this development and would like an opportunity to visit with the developer and poll our homeowners on their concerns before we voice our opinions at any Planning Commission hearing.

If your office could facilitate a mutual meeting, we would be very grateful. Thank you for assistance.

Sincerely,

Fred Cantu
President
Manchaca Estates Neighborhood Assoc.

Cc: Manchaca Estates Neighborhood residents