

#4/B

**Rhoades, Wendy**

Late Backup

**From:** Hambright, Susan [mailto:~~Susan.Hambright@dlp.com~~]  
**Sent:** Tuesday, January 27, 2009 9:56 AM  
**To:** Rhoades, Wendy  
**Cc:** Jeff Howard; Gloria Meraz  
**Subject:** RE: Item No. 101 on the 1/15/2009 City Council Agenda - Peaceful Hill Rezoning

Wendy, February 12 is fine with the neighborhood. I have an unavoidable work conflict on the 29th. Jeff, thanks for being agreeable to the postponement and please let me know when you want to visit to discuss how we should proceed. We very much appreciate the postponement and look forward to working with you to a mutually acceptable conclusion. As I said to Jeff and Amanda yesterday, we are still very supportive of the use that they seek and want to work with them to see that it happens.

---

**From:** Rhoades, Wendy [mailto:Wendy.Rhoades@ci.austin.tx.us]  
**Sent:** Tuesday, January 27, 2009 9:50 AM  
**To:** Hambright, Susan  
**Subject:** RE: Item No. 101 on the 1/15/2009 City Council Agenda - Peaceful Hill Rezoning

Hi Susan,  
 Thank you for your e-mail. Could you tell me which date the Neighborhood will be requesting postponement of City Council consideration on the Peaceful Hill case? February 12th is the next available Council meeting date and Jeff is agreeable to postponing this case to that date.

The Staff has not prepared an ordinance or public Restrictive Covenant as we are awaiting direction from the Applicant on how he would like to proceed with this case given that the building maintenance services use is not allowed in the GR district, as well as supporting documentation that identifies how the Smitheal trust is set up (needed in order to prepare the public RC).

Thank you,  
 Wendy

---

**From:** Hambright, Susan [mailto:~~Susan.Hambright@dlp.com~~]  
**Sent:** Monday, January 26, 2009 10:07 AM  
**To:** Jeff Howard; Rhoades, Wendy  
**Cc:** amanda@greenscapesaustin.com; Gloria Meraz  
**Subject:** RE: Item No. 101 on the 1/15/2009 City Council Agenda - Peaceful Hill Rezoning

Wendy, the neighborhood would like to request another postponement of the City Council hearing. We do not believe we are in a position to support any CS zoning and firmly believe that the Zoning Commission would not have supported this, either. We would be supportive of Jeff Howard's suggested zoning of W-LO. As you recall, the Commission was reluctant to even grant GR zoning but did so at the urging of the neighborhood because of the agreement we had made with Applicant. The neighborhood does not believe that this issue is ready to go before City Council as it currently stands as we have seen no conditional overlay document from the City and we also have not entered into the private restrictive covenant with the Applicant. The Commission's ruling was conditional upon all of these issues being taken care of before this went to City Council.

Please let me know if you need anything else to consider this request for postponement or a conveyance back to ZAP.

1/27/2009

**From:** Jeff Howard [mailto:[jeffhoward@mcleanhowardlaw.com](mailto:jeffhoward@mcleanhowardlaw.com)]  
**Sent:** Wednesday, January 14, 2009 5:15 PM  
**To:** Rhoades, Wendy  
**Cc:** Hambright, Susan; [amanda@greenscapesaustin.com](mailto:amanda@greenscapesaustin.com)  
**Subject:** Item No. 101 on the 1/15/2009 City Council Agenda - Peaceful Hill Rezoning

Wendy,

I am writing to let you know that the applicant and the neighborhood are jointly requesting a postponement of this item for 2 weeks to January 29, 2009. Susan Hambright was not aware that the item was coming up this week and will not be able to attend. In addition, we have not finalized our private restrictive covenant yet. While both sides are still in agreement, the additional 2 weeks will give us time to finalize the agreement and allow Susan to attend. Thanks.

Jeffrey S. Howard  
McLean & Howard, LLP  
1004 Mopac Circle, Suite 100  
Austin, Texas 78746  
Telephone (512) 328-2008  
Facsimile (512) 328-2409  
[www.mcleanhowardlaw.com](http://www.mcleanhowardlaw.com)

CONFIDENTIALITY NOTICE: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this information, you are notified that any use, dissemination, distribution, or copying of the communication is strictly prohibited.

Please consider the environment before printing this email.

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please reply to the sender and destroy all copies of the message. To contact us directly, send to [postmaster@dlapiper.com](mailto:postmaster@dlapiper.com). Thank you.

Please consider the environment before printing this email.

The information contained in this email may be confidential and/or legally privileged. It has been sent for the sole use of the intended recipient(s). If the reader of this message is not an intended recipient, you are hereby notified that any unauthorized review, use, disclosure, dissemination, distribution, or copying of this communication, or any of its contents, is strictly prohibited. If you have received this communication in error, please reply to the sender and destroy all copies of the message. To contact us directly, send to [postmaster@dlapiper.com](mailto:postmaster@dlapiper.com). Thank you.