

Just off the top of my head, here are some issues that come to mind:

1. Flood control/Watershed Protection
2. Traffic/Parking/Noise/Lights
3. They are not a "neighborhood" church (only speak Vietnamese)
4. We were told they wanted to make the area something the neighborhood could enjoy and use. Is that why it's now fenced?
5. They were told of fence line issues 4 or 5 years ago when they first were walking the property.
6. Why are/were they so in support of the creation and ongoing funding of the Neighborhood Association?
7. Why were interested parties not notified?
8. How can restrictive covenants be removed without notification? Title Policies?
9. Why have they been less than honest? How can we believe a thing they say?
10. Are there plans for additional building/roads?

Safety Issues, Noisy traffic early Sunday morning, Saturday evenings, Illegal Parking

Holy Vietnamese Martyrs Catholic Church members, were repeatedly asked not to park in the Yager Technology Center. There are 4 churches in this strip mall and too few parking spaces. Eventually, the illegally parked cars had to be removed with tow trucks all because they refused to stop using the other churches' parking. Since Austin Police Dept will not enforce parking laws on Sundays or during mass times in neighborhoods with churches. Neighbors have to park on their lawns as there is no access to their driveway because it is blocked by church goers. In the letter below, a woman had to disturb mass to ask someone to move their car from blocking her use of her car.

We ask that you place a restrictive covenant on both tracts to restrict parking to zero on tract 2 and add provisions for the city to enforce illegal parking within 1/2 mile of the 12-acres of church property. Reason: your parishioners are parking illegally and neighbors have been forced to have the cars removed by tow trucks because of parking in driveways on Little Emily Way, to close to intersection parking that blocks view of oncoming traffic, Civilian "traffic police" with orange safety vests (members of the congregation) illegally stopping traffic to allow jaywalkers and cars to go from one church property to the other. The new pedestrian light at the Thompkins & E Yager Lane intersection are immediately adjacent to the two church properties and walkers can use this legal crossing for their safety and the safety of their neighbors driving in Copperfield. Add restrictive covenants that

- 1) Prohibit pedestrian access from 1101 and/or 1107 E Yager Lane to and from 1112 E Yager Lane by any means other than the Thompkins Drive/E Yager Lane intersection pedestrian crosswalk. Prohibit parishioners from parking in, on or in front of any

private driveway in Copperfield; enforced by APD and municipal court, . with legal contract/agreement making the church responsible for fines and neighbors' court costs.

- 2) Prohibit church civilian traffic police on public property.
- 3) Prohibit motorized vehicles on Tract 2.
- 4) Prohibit vehicle traffic from Tract 1 to Tract 2.
- 5) Prohibit parking on any area of Tracts 1 & 2, excepting the parking lot on the approved 2007 site plan for 1112 E Yager Lane.
- 6) prohibit any vehicle access, except emergency and utility vehicle access to and from
- 7) Tract 1 to Tract 2 and to and from Little Emily Way to Tract 2.

From: Rebecca Navarro [mailto: [REDACTED]]

Sent: Monday, January 15, 2007 11:48 AM

To: Wynn, Will; Martinez, Mike [Council Member]; Kim, Jennifer; Leffingwell, Lee; brewster.mccracken@ci.austin.tx.us;

Cole, Sheryl; Dunkerley, Betty Cc: Guernsey, Greg

Subject: Opposed - Rezoning Case# C14-06-0196 Item #73 PH Importance: High

I am opposed to this rezoning for many reasons. Cristo Key Catholic Church, Austin Diocese, has many facilities that is used to house the staff. This rezoning is to build additional facilities on four vacant lots I believe these lots would be better served if made into parking lots so that the neighbors' driveways will not be blocked On any given day, especially Sundays or special occasions, i.e. Easter, Mother's Day, etc., it is very difficult to gain access to my Mother's driveway because it is blocked by church members' cars. I purchased signs, put out orange construction cones and put notes on cars, but nothing seems to work. The most adamant reason I am opposed to this rezoning is that my Mother is 93 years old and there have been times when EMS has had a difficult time getting to her due to the cars blocking the drive. We have even had to go so far as to go to the church and interrupt the service to get cars moved. It seems this church wants to consume every vacant lot

Tech Ridge Neighbors Speaker: Libby Quinlan

Petition submitted with 83% (123 of 149) of residential properties opposed to 2006 zoning changes and opposed to this zoning case with signatures to support the following petition items:

Request to amend the zoning district and to establish Conditional Overlay combining districts on the properties described in File C14-2006-0014 & C14-2009-0034 as follows:

- A) PRIMARY SETBACKS, for any development other than a single family house with parking for four vehicles, means the front, side and back property lines of residential lots surrounding these two tracts including Little Emily Way, Yarmont Way, Farnish Cove, and around the sole entryway to Tract 2 at 1200-1206 E Yager Lane with the following prescribed distances:
 - 1. Require a barrier to the sight of the commercial development, within a 25 foot vegetation easement, provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 - 2. This fence may be either a privacy fence of 8 feet in height or a berm, or dense vegetation a minimum of 6 feet in height with dense, 6 foot or higher vegetation for a fence, 50% of which are not deciduous. Provide
- B) SECONDARY SETBACK means the Walnut Creek Bed that runs from the Northeast Corner of Tract 2 and ends at East Yager Lane, setbacks on Tract 2, within the boundaries of said Tract, with the following prescribed distances: 100 feet from the Walnut Creek bed.
- C) Prohibit any "land development", ie: removal of vegetation and improper pruning of trees, activity described as "cleanup" or on Tract 2 without a permit or site plan to prevent repeated removal of vegetation and red flags, on Tract 2, for failure to comply with Land Development Code Sections 25-1-21 & 25-8-321
- D) Ordinance and amendment of the restrictive covenant on Tract 2, to include:
 - 1. Prohibit any motorized vehicular access from Tract 1 to Tract 2, prohibit parking on grass or impervious cover driveway, streets or parking area on Tract 2 to prevent noisy commercial traffic and a parking lot, which is unfair and unreasonable use of the sight because of its location behind residential homes.
 - 2. Prohibit any motorized vehicular access to Tract 2 from Little Emily Way, a residential side street, to stop traffic from driving over the street curb, into side yards between houses and over tree drip lines and to prohibit business traffic onto residential side streets and our home's side and backyards.
 - 3. Designate the southernmost property line of Tract 2, at 1200-1206 East Yager Lane, as the sole and singular entrance and exit to the 5.87 acreage property; prohibit all but emergency vehicle access to and from Tract 2, to and from Tract 1 and Tract 2, and to and from Little Emily Way on to Tract 2.

4. Protect all trees, with a diameter of 6 inches or greater located within 60 feet of the creek bed, and 6 inches or greater trees within 25 feet of the residential fences, including between the residential property fences and the owner's 6 foot chain link fence, are protected trees and the provisions of Section 13-7-46 of the City Code apply. RE: ORDINANCE NO. 990204-1

5. Development on the property within 200 feet of the northern, eastern, southern and westernmost property lines shall not exceed 25 feet in height above ground level. RE: ORDINANCE NO. 990204-1.

6) Screening public from view of off-street parking. Provide "privacy fence" at least 4 feet in height consisting of dense vegetation or stone or brick walls.

7) Require domed and shielded exterior lights on buildings and property to prevent light spillage on adjacent properties, block light source from the view of adjacent properties and limit light source to a height of 12 feet.

8) Prohibit civilian crossing guards (guests of the owner) from directing hundreds of their guest's vehicular and pedestrian traffic back and forth across the street at an unmarked crossing area. Prohibit civilians from stopping traffic on busy neighborhood street; it is a danger to the pedestrians and drivers. on a public street for the hundreds of the owner's guests on this commercial property between 1101-1107 E Yager Lane and 1100-1206 E Yager Lane. Please request they use the public traffic lights at the 4-way lighted intersection at the corner of both properties. Please request owner and his guests use the new pedestrian crosswalk located at the corner of both properties.

Copperfield Section 3 – Revised Preliminary

MASTER REVIEW REPORT

CASE NUMBER: C8-84-073.06

CASE MANAGER: DAVID WAHLGREN PHONE #: 499-6455

REVISION #: 0 UPDATE: 0

PROJECT NAME: COPPERFIELD SECTION 3 REVISED PRELIMINARY - WITHDR

SUBMITTAL DATE: 03/27/2000

REPORT DUE DATE: 04/24/2000

FINAL REPORT DATE: 04/21/2000

REPORT LATE: 0 DAYS

LOCATION: PARMER LANE

STAFF REVIEW:

- This report includes all comments received to date concerning your subdivision. When all City and State regulations have been addressed, your subdivision will be approved administratively or scheduled for Planning Commission action if required. However, until this happens, your subdivision is considered disapproved.
- PLEASE NOTE: IF YOU HAVE ANY QUESTIONS, PROBLEMS, CONCERNS OR IF YOU REQUIRE ADDITIONAL INFORMATION ABOUT THIS REPORT, PLEASE DO NOT HESITATE TO CONTACT YOUR CASE MANAGER (referenced above) at the CITY OF AUSTIN, DEVELOPMENT REVIEW AND INSPECTION DEPARTMENT, P.O. BOX 1088, AUSTIN, TX.

REPORT:

- The attached report identifies those requirements that must be addressed by an update to your application in order to obtain approval. This report may also contain recommendations for you to consider, which are not requirements.
- ADDITIONAL REQUIREMENTS AND RECOMMENDATIONS MAY BE GENERATED AS A RESULT OF INFORMATION OR DESIGN CHANGES PROVIDED IN YOUR UPDATE.

UPDATE DEADLINE:

- It is the responsibility of the applicant or his/her agent to update this subdivision application. All updates must be submitted by 09/23/2000 which is 180 days from the date your application was filed [Sec. 25-4-56]. Otherwise, the application will automatically be denied.
- If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

EXTENSION:

- An extension to the 180 day deadline may be requested by submitting a written justification to your case manager on or before 09/23/2000. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.
- Extensions may be granted only when there are extenuating circumstances that could not have been reasonably anticipated when the application was submitted. Requests for extensions must clearly document why the additional time is needed.

911 Addressing - BELINDA MARTIN 974-5074

1. **AD.** 911 Addressing has cleared the street name on this plat; any changes to street names or street layout will require a new review.

The following information may or may not apply:

Note: “Tracts of land accessed only by means of dedicated easement will be assigned only one house number based upon the juncture of the easement with the named street. All tracts of land thus accessed will be assigned unit numbers based upon their relative location on the easement.”

The following information applies to all plats in review.

Note: “Any street on this plat that is a continuation from an existing plat must continue with the same street name until it intersects at least a semi-major roadway.

Note: “Before adding street names to plat, you may verify, that the names are not duplicates, any Austin/Travis County street directory can be used to determine if a name will be a duplicate.

Rules to follow: Phonetic spelling makes the name a duplicate, the street type does not make the name different, any name used over ten times is considered as over-used and will not be accepted. The office of 911 Addressing keeps a reserve list of street names previously approved, we will need to check this list to avoid duplicates.

Rules for final plats: all street names must have street types, any special characters (accent, apostrophes, hyphens, tilde, or umlaut) required for correct pronunciation will not appear.

Drainage Engineering - KEVIN AUTRY - 499-2726

- DE. 1 A formal update is required. Please provide a letter that addresses each of the review comments. All engineering representations must be signed by the responsible engineer. Additional comments may be generated as additional information is provided.
- DE. 2 Please show the 25' drainage easement along the south property line of lot 3. This easement is shown on the accompanying plat, but not this drainage area map.
- DE. 3 Please provide engineer's seal/signature/date on the drainage area map that you submitted.

DE. 4 Please add the following floodplain note:

Add the following Floodplain Note [LDC 25-7-152]:

"The 100 year floodplain is contained within the drainage easement(s) shown hereon. (No or A) portion of this tract is within the boundaries of the 100 year flood plain of any waterway that is within the limits of study of the Federal Flood Insurance Administration FIRM panel # _____, dated _____ for _____ (name of city of county)."

This must be certified by registered professional engineer.

Please provide a copy of the preliminary plan, this reviewer did not receive a copy of the preliminary plan for review.

Electric - JEAN EADS 322-6050

EL 1. Please correct one word in the following NOTE:

The owner shall be responsible for installation of temporary erosion control, revegetation and tree protection. In addition, the owner shall be responsible for any tree pruning and tree removal that is within ten feet of the center line of the overhead electrical facilities designed to provide electric service to this project. Austin Energy work shall also be included within the limits of construction for this project.

EL 2. Any relocation of electric facilities shall be at owner's expense.

EL 3. Please contact Dwane Hahn at 505-3677 of our Product Delivery Group for a portfolio of customized solutions to help you with your lighting, power quality, and energy conservation needs.

EL 4. Contact Lawrence Watson at 505-7016 to discuss permanent electric service.

EL 5. Contact Rita Barrera at 322-6529 for preparation of commercial underground blanket easement required for electric service.

EL 6. Fifteen foot electric easement required adjacent to Parmer Lane. Ten foot electric easement required adjacent to all street R.O.W. Show all on the face of the plat.

EL 7. Please call reviewer about the relocation of line that is needed.

EL 8. Formal update will be accepted by Austin Energy.

Environmental - JENNIFER MAYER - 499-2245

- EV 1. Although the engineer's letter states that the revision divides one lot into three, the plan that I received only shows one lot being divided into two. Additionally, it is not clear exactly what area is being addressed by this revision. Please provide a copy of the most recently approved preliminary plan, with the revisions clearly marked, and the letter revised, if appropriate.
- EV 2. The engineer's letter implies that the lots addressed by this revision have existing development. If so, please provide information on existing impervious cover amounts, in order to ensure that this subdivision does not create a non-compliant situation.
- EV 3. It is strongly recommended that notes 24 (cut and fill) and 30 (slopes) be deleted. This information is not required to be on the actual preliminary plan or final plat, and may lead to problems during construction. For example, the cut and fill note allows no provision for variances or administrative variances. These types of plat restrictions have caused difficulties for other sites in the past; therefore, I recommend that the two notes be deleted with this major revision.
- EV 4. Note 12 should be updated to the revised Plain English Code reference.
- EV 5. Note 21 should cite LDC Section 25-8-394, not -304.

Mapping - RICHARD SIGMON 499-2288

** REVISIONS ACCEPTED AND APPROVED * 03/31/2000*

Subdivision - DALLAS RICHARD - 499-2724

- SR1. The plans provided with this resubmittal conflict with those provided with the previous application. Specifically there are discrepancies between the notes shown on the plans and the number of lots included as part of this revision. Please provide a copy of the most recently approved preliminary plan revision with your update.
- SR2. Please provide residential density information for the revised lots on the plans.

SR3. Add the owner's information for adjacent property to the northwest.

Transportation - EMILY BARRON

499-2788

RIGHT-OF-WAY AND STREET STANDARDS - GENERAL

- TR 1. Reserve up to 110 feet of right-of-way from the existing centerline along Parmer Lane in accordance with the Austin Metropolitan Area Transportation Plan. LDC, 25-6-51. Indicate the reserved area with the notation "Right-of-way reserved per Sec. 25-6-51."
- TR 2. For information: the Texas Department of Transportation has indicated a long-term need for up to 250 feet of right-of-way for Parmer Lane [AMATP]

SIDEWALKS

- TR 3. Sidewalks on state-maintained roadways must be approved by the Texas Department of Transportation. TCM, 4.2.5. A written sign-off is required before clearance of Transportation Review comments.

OTHER ISSUES

- TR 4. What is the purpose of note #6?
- TR 5. Please include Copperfield Drive in Note #16.

WWW - PAUL URBANEK 322-2763

The landowner intends to serve each lot with a City of Austin water and wastewater service connection. Water and wastewater utility improvements are required. The landowner will be responsible for all costs and for providing the water and wastewater utility improvements.

With the final plat the landowner must pay a Subdivision Engineering Review Fee and may be required to post fiscal for some or all of the water and wastewater utility improvements.

No lot will be occupied until the structure is connected to the City water and wastewater system.

The landowner must pay a Tap and Impact Fee once the landowner makes an application for a City of Austin Water and Wastewater Tap Permit.

Project Manager - TAMMIE WILLIAMSON 499-3056

In an effort to facilitate the approval of the application, Team #1 is available to meet with you on Tuesdays or Thursdays between 10:00 and 11:00 a.m. Meetings are scheduled in 30-minute increments on a first come, first serve basis. Please contact the Team Assistant (499-3294) to schedule a meeting. The purpose of the meeting is to **CLARIFY** any comments within this report. A formal update is still required.

A formal update is required. Please provide a **comment response letter** with your update stating how each comment will be addressed and **submit 8 copies** of the plans to INTAKE for distribution to each of the reviewers listed below and the project manager.

DE -- Autry
DG - Sigmon
EL -- Eads
EV -- Mayer
SR -- Richard
TR -- Barron
WW -- Urbanek
PM -- Williamson

You must make an appointment with Intake staff (499-2681 or 499-2689) to submit an update. Please take a copy of this report with you for quicker service. Thank you.

Case Manager's – Initial Comments



Diocese of Austin

The Catholic Church of Central Texas
P.O. Box 13327 · Austin, TX 78711
(512) 476-4888 · Fax (512) 478-5962
www.austindiocese.org

Chancellor

October 16, 2008

Mr. Jason Scofield
Attorney at Law
1001 Texas Avenue, Suite 240
Houston, TX 77002

*Re: Holy Vietnamese Martyrs Catholic Church; Your letter dated October 15, 2008
concerning your clients, Libby Quinlan and Kerry Stennet*

Mr. Scofield:

I am in receipt of the above-referenced letter to Holy Vietnamese Martyrs Catholic Church (the Parish). I am in-house counsel for the Diocese of Austin. Please direct any future correspondence in this matter to me.

It appears as though you are misinformed. Please understand that the Diocese of Austin owns 5.85 acres of land (the Property) that lies at the rear of your clients' property in Copperfield Subdivision in Austin. The Property lies adjacent to the tract of land on which the Parish is constructing its new sanctuary. Title is held by the Diocese of Austin for the benefit of and the use by the Parish. The Property is private property.

The Parish has recently cleaned debris from the Property and cleared it so that it is attractive and potentially useable for recreation, meditation, and other purposes by parishioners.

The Parish is not asking, and has never asked or demanded, that any of the homeowners who adjoin the Property cede any portions of their own property. It is inconceivable to me that you would find such a statement or claim to be credible.

The Parish learned that a few homeowners whose adjoin the Property have wrongfully encroached upon and fenced-in portions of the Property. The Parish asked these homeowners to move their wrongfully encroaching fences back to their appropriate lot lines. The Parish has made these requests with the politeness and respect.

Most recently, the Parish decided to construct a fence around the Property. Apparently, some anxious owners, who have wrongfully encroached onto the Property, have either intentionally or mistakenly asserted that the Parish intended to remove existing fences over the objection of some homeowners. The Parish is not stating, nor has it stated, that it will remove an existing fence

Mr. Jason Senfield
Attorney at Law

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Re: *Holy Vietnamese Martyrs Catholic Church; Your letter dated October 16, 2008
concerning your clients, Libby Quinlan and Kerry Stennet*

over the objection of an adjoining homeowner (even though the homeowner's fence may encroach onto the Property). The Parish simply intends to fence around the Property, which it clearly owns. For the time being, the Parish will fence around any existing fences in any disputed areas; including those disputed areas to which your clients may claim.

Most of the adjoining homeowners who had encroached onto the Property have been amicable and neighborly. The Parish has worked with them in correcting and resolving rights to any disputed areas. It is our hope that the few outstanding disputes can be resolved in the near future with those few homeowners who have, so far, refused to dialogue with the Parish.

I know that you will agree that any pending dispute does not and should not affect the Parish's right to place a fence around the Property along lines that are not in dispute. Unfortunately, a few aggressive individuals have trespassed onto the Property and have attempted to destroy or remove posts and lines placed on the Property by the Parish's contractor. I have instructed the Parish to watch for such trespassers and to call the local police department if they learn that any person is destroying Parish property, including but not limited to fence posts or fence enclosures. I trust that your clients have no knowledge of such activity.

I am available to discuss this issue with you if your clients wish to reach an expedient resolution. As you uncover more information related to this matter I am confident that you will find that the Parish has been an asset in the community, improved property around the subdivision, and has kept the community generally informed of its intentions. It is unfortunate for one, especially a professional, to jump to conclusions and make statements that are unfounded and unnecessary with respect to another's teachings or intentions.

Sincerely,



Deacon Ron Walker
Chancellor

cc: By Fax: 832-213-4431



Steering Committee

Mike Dunn, *Chairperson*

VACANT, *Treasurer*

Trudy Jewell, *Beautification*

Cindy Metcalf, *Fun Club*

Stacy & Jim Sass, *Safety*

Judith Ruder, *Membership,
Communications & Planning*

June 16, 2009

Gerald Rusthoven, Case Manager
City of Austin Neighborhood Planning & Zoning Dept.
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Re: Rezoning Case # C14-2009-0034

Dear Mr. Rusthoven,

On behalf of the Copperfield Neighborhood Organization (CNO), this letter is to inform you that we support the proposed rezoning case number C14-2009-0034 for Tracts 1 & 2 located at 1112 Yager Lane, Austin, Texas 78753. We understand that the proposed rezoning would be essentially a reiteration of the zoning approved by City Council in 2006 to GO-CO & NO-CO, respectively, with conditional overlays added that would prohibit pawn shops, as well as automotive washing, repairs, rentals, and sales on Tract 1.

The Holy Vietnamese Martyrs Catholic Parish has been a stellar neighbor. Prior to its arrival here in 1990, the southeast corner of Yager & Thompsons was an unsightly hazard sporting an unfinished, vacant strip mall that the diocese and the church has since transformed into a gloriously landscaped gem for all neighbors to enjoy, markedly enhancing its condition and purpose. Therefore, we have historical reason to expect more of the same for the property on the northeast corner of that same intersection. Indeed, the church and its congregants painstakingly maintained the new grounds even before development, and it is fast becoming another aesthetically pleasing presence, an asset to our neighborhood.

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1006 East Yager Lane, Suite B201, Austin Texas 78753

 **(512) 836-2600**

Copperfield Neighborhood Organization

Msgr. Joe has consistently treated neighbors with love and kindness, reaching out to help individual neighbors and the neighborhood. For instance, in October 2006, when Tract 1 was still an undeveloped open field, Msgr. Joe granted neighbors permission to hold a festival on it, allowed us use of some expensive technical equipment, and made sure it was mowed close to the date of our event. Furthermore, Msgr. Joe has invited neighbors to celebratory church events, and has repeatedly encouraged inclusion and a spirit of cooperation among various cultures and entities in our neighborhood.

Neighbors have been fortunate to rely on meeting frequently at the church, with generous use of available tables, chairs, and equipment. In fact, in addition to benefitting by the use of the facilities and amenities, Msgr. Joe has graciously offered refreshments at his own expense, as well as a financial donation for the newsletter, while steadfastly refusing to accept donations from neighbors in reciprocation of his hospitality.

We believe this neighbor's project adds substantial value to our neighborhood, community and city. As a duly processed representative of our neighbors, the CNO hereby relays wholehearted support of case number C14-2009-0034. Please feel free to contact me with any questions.

Yours truly,

Michael Dunn
CNO Chair

Email: [REDACTED]

Phone: (512) 339-1210

CC: Ron Walker, Chancellor, Catholic Diocese of Austin



Steering Committee

Mike Dunn, *Chairperson*

VACANT, *Treasurer*

Trudy Jewell, *Beautification*

Cindy Metcalf, *Fun Club*

Stacy & Jim Sass, *Safety*

Judith Ruder, *Membership,
Communications & Planning*

June 16, 2009

Gerald Rusthoven, Case Manager
City of Austin Neighborhood Planning & Zoning Dept.
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Dear Mr. Rusthoven,

As the chairperson of the Planning & Communications Committee of the Copperfield Neighborhood Organization (CNO) who has worked closely with this property owner, as well as with countless resident and non-resident neighbors, I would like to add this supplement to the letter of support from the CNO for Rezoning Case # C14-2009-0034.

At the time of the rezoning case number C14-06-0140 which this current proposal seeks virtually to repeat, our neighborhood association was just starting back up after about a decade of inactivity. The first meeting took place in May 2006, attended by 60 neighbors who came to the consensus to unite as a volunteer neighborhood association. There was not yet a formal structure by which to receive and distribute notices from the City of Austin, such as for this case. However,

- a) there was a sign conspicuously posted on the then-undeveloped land,
- b) an artist's rendering of the new building to come was posted on a window of the old building, which is where the neighborhood association held and still holds all its regular meetings, and
- c) Pastor Monsignor Joe visited at least one meeting that same year to explain the plans for the property and answer any questions.

Furthermore, the following article was published in an early newsletter delivered on foot to single-family residences within our neighborhood boundaries in July 2006:

Thompkins-Yager NE

The Catholic Diocese of Austin applied to the City of Austin to rezone its property at the northeast corner of Yager & Thompkins from SF-6 (Townhouse/Condominium) to GR (Community Commercial) for the proposed purpose of accommodating community & congregational growth of our neighbor across from it on the southeast corner, the Holy Vietnamese Martyrs Catholic Parish. A public hearing at the Zoning and Platting Commission will be scheduled at City Hall.

This church has graciously opened its facilities to neighbors for meetings, and its Youth Group participated in our Keep Copperfield Beautiful event last April. Some neighbors may remember the church prior to the improvements we see today at 1107 East Yager, when it was just starting and required fewer buildings. Representatives of the church have expressed an ongoing desire to confer with neighbors in developing this land on the westbound side of Yager in a way that would be pleasing to our neighborhood while meeting the needs of their parishioners. For zoning action information on this development, type in case number C14-06-0140 @ http://www.ci.austin.tx.us/gis/reviewcases/rcase_table_search.cfm

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1006 East Yager Lane, Suite B201, Austin Texas 78753
(512) 836-2600

Copperfield Neighborhood Organization

At no time at a neighborhood association meeting or in any other venue was there any objection expressed to the 2006 case for which this case is more or less a repeat. The first known occurrence of any objection coincided with the period in 2008 during which neighbors voted to assist the owner in alerting residents and owners whose properties back up to the undeveloped Tract 2 of the imminent erection of a fence on its perimeter, as a followup to a notification from the owner in 2005. Personal property belonging to 19 adjacent residents were found to be encroaching on the land that would obstruct the impending fence construction, including fences, some intruding up to nearly 20', portable buildings, trailers, boats, and debris.

The CNO Planning Committee has worked with the Holy Vietnamese Martyrs Catholic Parish, Copperfield Elementary School, Pflugerville ISD, and the City of Austin Public Works Dept. toward efforts that have thus far resulted in traffic-calming solutions on Yager Lane that benefit us all, such as a new crosswalk, ADA ramps, warning signs, and amber flashing lights, largely due to the new church facility. This and other ongoing neighborly negotiations have become crucial, especially now that so much road construction and retail have developed to the east and west of our neighborhood, and in expectation of a new pocket park on a City of Austin parcel fronting Yager.

All neighbors have been notified of the time & place of regular CNO meetings via signs and correspondence. CNO newsletters containing information about this project were mailed to all addresses within our boundaries, as well as to absentee owners and other stakeholders in the spring and autumn of 2008.

Chancellor Ron Walker of the Catholic Diocese of Austin spoke at 2 CNO meetings to describe any known plans for the property and to answer any questions, joined by yourself at our most recent meeting to aid in clarifying this case. Neighbors were notified prior to the May 2009 meeting that this item would be on the agenda, and those in attendance made a motion that passed almost unanimously to support this proposal, further recommending that we formally express our support in writing.

Please feel free to contact me anytime with any questions or comments.

Yours truly,

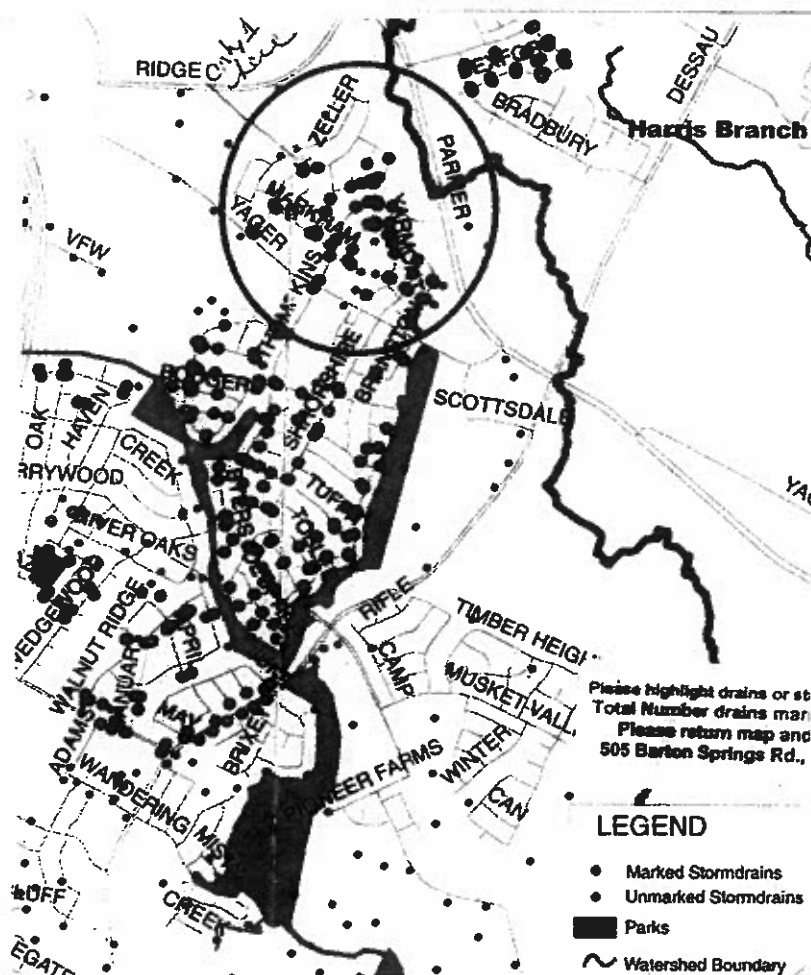
Judith Ruder, Chairperson
Planning & Communications

CC: Ron Walker, Chancellor, Catholic Diocese of Austin

EXHIBIT A

Please note the blue dots in the center of the red circle surrounded by Yarmont and Thompkins streets. Those blue dots are the storm drain exits located on Tract 2. Two of those storm drains are located at the perimeter of Tract 2 and the storm water run off drains across the property into to the drainage channel.

Not noted on this map is the City's sanitary sewer that is also located on Tract 2.



I support City Staff's recommendation to prohibit auto sales, auto rentals, auto washing, auto repair and pawn shop services.

I support City Staff's recommendation that the Conditional Overlay limit traffic to 2,000 vehicle trips per day combined on both tracts.

I request the setback from the neighboring Single Family properties for Tract 2 to be at least 50 feet from the neighboring property lines. Some of the adjacent lots are SF-4, small lots. As such, there is not much distance in their back yards to buffer their home from adjacent development and so the increased setback is necessary to maintain compatibility.

I request a Conditional Overlay on Tract 2 to limit the impervious cover to 45% for the reasons described below:

- 1) 45% is the limit imposed on adjacent SF-2 property
- 2) Tract 2 is the exit location for 4 storm drains for the neighboring streets. See Exhibit A.
- 3) The entire Tract 2 was designated as Drainage Easement in Development Case C8-84-073.06 - Copperfield Section 3 Revised Withdrawal and Resubmittal. See Exhibit B. That plat is stamped with City of Austin Watershed Approval on June 2, 2000 and the online case shows status Approved.
- 4) The HVM Church has opted into the Regional Storm Management Program and will be sending their storm water down stream. The downstream tributary is in need of maintenance (see Exhibit C). Not exactly the Church's problem, but the issue needs to be addressed. Beyond that regional detention pond is Walnut Creek, and I am sure you know more about the downstream flooding, erosion, and buyouts than I do, so no need to rehash that detail.

I hope you will seriously consider my requests and I appreciate your time.

Sincerely,

Alice Penney
1411 Alma Drive
Austin, Texas 78753
512-835-2401

EXHIBIT B

In June 2000, case C8-84-.073-06, Development Services approved this Revision to Copperfield 3 based on this plat that shows the entire part of Tract 2 as drainage

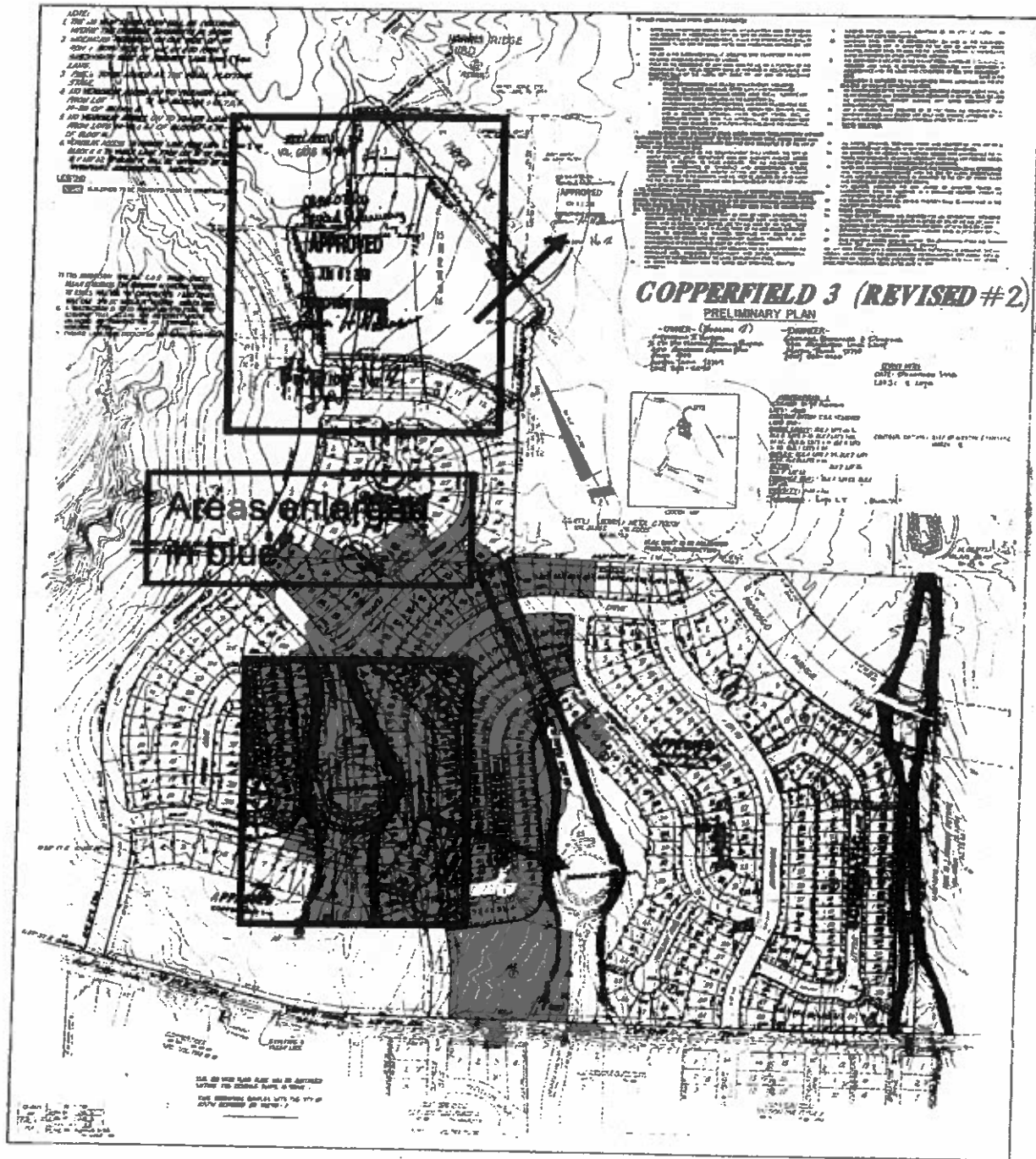
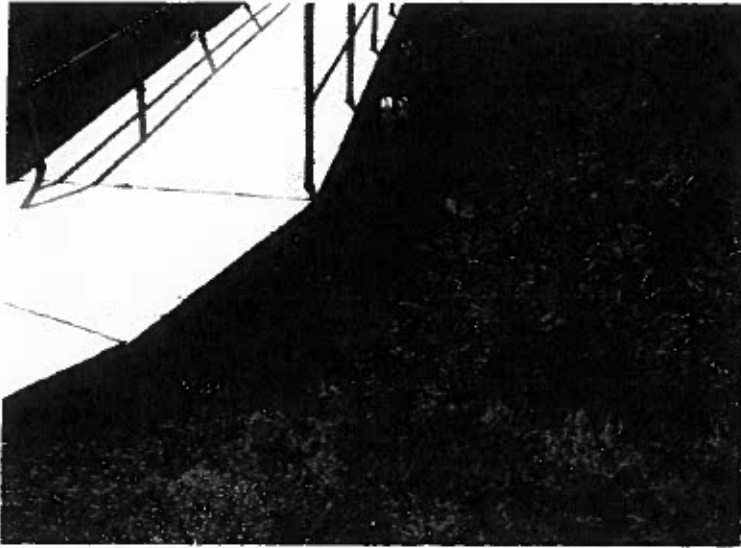


EXHIBIT C



The ground under the sidewalk over the tributary is eroding. This sidewalk is our neighborhood school pathway from Shropshire to Copperfield Elementary. This is between the Church's property and the regional detention pond is further downstream from this location.



This is erosion on the same section of sidewalk, pictured from the other side.

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

Beth Dones
Your Name (please print)

☒ I am in favor
☐ I object

12428 Thompsons Dr.
Your address(es) affected by this application

Beth Tran Dang
Signature

Date

Daytime Telephone: 512-836-4609

Comments: I am In-favor of the
activities of this church.

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

City of Austin

Neighborhood Planning & Zoning Department

Jerry Rusthoven

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

TAM M. DOAN

Your Name (please print)

12423 THOMPSON DR AUSTIN TX 78753

Your address(es) affected by this application

Tam Doan

Signature

06/12/09

Date

Daytime Telephone: (512) 293-2754

Comments: I THINK THAT'S NOT NEEDED TO
REZONING. BECAUSE IT HELPS OUR
COMMUNITEE A LOT.

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

HUAN NGUYEN
Your Name (please print)

☒ I am in favor
☐ I object

62337 Thompsons Dr
Your address(es) affected by this application

[Signature]
Signature

6.12.09
Date

Daytime Telephone: 512.339.7259

Comments:

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

Your Name (please print) NGO, LOC THH

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

Your address(es) affected by this application 12329 copperfield dr, Austin, TX, 78753

Signature Muller Date 06/12/2009

Daytime Telephone: (512) 834 3614

Comments: I'm support for vietnamese catholic church

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

Nayven Van Khor
Your Name (please print)

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

12502 Fallen Tower Ln, Austin, TX 78753
Your address(es) affected by this application

[Signature] 6/12/09
Signature Date

Daytime Telephone: 512-833-5198

Comments: We are in full support
of all activities by the Vietnamese
Methodist Church. We believe the
Church's activities will have positive
influence on our kids.

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

ITUNG NGUYEN
Your Name (please print)

☒ I am in favor
☐ I object

12427 Zeller Ln Austin, TX 78753
Your address(es) affected by this application

[Signature]
Signature

6-12-09
Date

Daytime Telephone: (512) 973-3883

Comments: I Want to support My Viet Namese Church, I like to go to My Church

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

HIEU NGUYEN

Your Name (please print)

12326 LITTLE EMILY WAY

Your address(es) affected by this application

Hieu

Signature

6/11/09

Date

Daytime Telephone: _____

Comments: I WOULD LIKE TO SUPPORT THE
ACTIVITIES AT THIS CHURCH

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

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Planning Commission

July 23, 2009, City Council

Fredrick H. Luster
Your Name (please print)

12316 YACMONT WAY AUSTIN TX 78753
Your address(es) affected by this application

Fredrick H. Luster 6/9/09
Signature Date

(512) 833-5789
Daytime Telephone

Comments:

I object to the
current rezoning as
well as the original
rezoning in 2006
in which I was not
notified

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Neighborhood Planning & Zoning Department

Jerry Rusthoven

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

PAULA HALLMARK
Your Name (please print)

1015 E YAGER LN #198
Your address(es) affected by this application

Paula Hallmark
Signature

6/6/09
Date

Daytime Telephone: _____

Comments: _____

☐ I am in favor
☒ I object

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

Phyllis Eason

Your Name (please print)

12322 Vermont Way

Your address(es) affected by this application

[Signature]

Signature

06-11-09

Date

Daytime Telephone: 512-837-3200

Comments:

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission
July 23, 2009, City Council

Susie Vasquez
Your Name (please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

12328 Yarmont Way
Your address (as affected by this application)

Susie Vasquez
Signature

6-11-09
Date

Daytime Telephone: 512-924-5572

Comments: I absolutely object to this project. I have 5 adopted children who are in jeopardy of having so many people in our backyard after the proposed bldgs are built
We do not need more traffic in our neighborhood

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

City of Austin
Neighborhood Planning & Zoning Department
Jerry Rusthoven
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2009-0034

Contact: Jerry Rusthoven, 512-974-2975

Public Hearing: June 16, 2009, Zoning & Platting Commission

July 23, 2009, City Council

Carrie Garwick

Your Name (please print)

12337 Little Emily

Your address(es) affected by this application

Carrie Garwick

Signature

Date

458/1700

Daytime Telephone:

Comments:

We were told by the
builder this would be a greenbelt

Plans should be limited

We were told later that no
buildings would be behind property

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

City of Austin

Neighborhood Planning & Zoning Department

Jerry Rusthoven

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object