ZONING CHANGE REVIEW SHEET

Vertical Mixed Use Building (V) Rezonings

AREA:  14 tracts on 62.70 acres

APPLICANT:  City of Austin, Planning & Development Review Department (PDRD)

AGENT:  City of Austin, Planning & Development Review Department (PDRD),
Gregory Montes

NEIGHBORHOOD ORGANIZATIONS:

Sunset View Neigh. Assn.
Home Builders Association of Greater Austin
North Growth Corridor Alliance
Austin Neighborhoods Council
Austin Independent School District
Brentwood Neighborhood Plan, Contact Team
Wooten Neighborhood Assn.
Greater Northcross Area
Crestview/Wooten Combined Neigh Plan Team-COA
Homeless Neighborhood Assn.
Allandale Neighborhood Association
Crestview Neighborhood Assn.
Austin Parks Foundation
5702 Wynona Neighbors
Brentwood Neighborhood Assn.
North Shoal Creek Neighborhood Assn.
Brentwood/Highland Combined Neigh-COA Liaison
North Austin Neighborhood Alliance
Highland Neighborhood Assn.
Responsible Growth for Northcross (RG4N)
League of Bicycling Voters
Highland/Skyview Neigh. Plan Contact team
Super Duper Neighborhood Objectors and Appealers Organization

AREA OF PROPOSED ZONING CHANGES:  The Crestview Neighborhood Planning
Area is bounded by Anderson Lane (U.S. Highway 183) on the north, Lamar Blvd on the
east, Justin Lane to the south, and Burnet Rd to the west. Please refer to Attachments.

WATERSHEDS:  Shoal Creek, and Waller Creek Watersheds (Urban)
ISSUES:

None at this time.

CITY COUNCIL DATE & ACTION:

September 24, 2009


ORDINANCE NUMBER:

CASE MANAGER: Gregory Montes  PHONE: 974-2629
E-mail: Gregory.Montes@ci.austin.tx.us

NEIGHBORHOOD RECOMMENDATION

The Crestview Neighborhood Association’s Executive Committee voted on a VMU recommendation made by the Crestview VMU Committee, which is comprised of residents from the Crestview neighborhood. This VMU committee was formed for the sole purpose of deciding which properties were to be designated for V zoning. The committee membership was available to any resident in the planning area and membership was advertised numerous times in the association newsletter, on the electronic list serv, and the Crestview website. The official vote by the Executive Committee was taken at one of their monthly meetings, which are advertised on the Crestview website calendar and the agenda which was posted on the same webpage.

BACKGROUND

On August 31, 2006, the City Council adopted the “Design Standards & Mixed Use” ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless “opted-out”. Properties not fronting on the Core Transit Corridors are not eligible for VMU unless “opted-in”. 
participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

**Water and Wastewater**

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

**Compatibility Standards**

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/use will be subject to compatibility development regulations.
VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Detailed instructions for completing this application can be found by clicking on this link: ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf. Please read these instructions prior to completing this application. A “Submittal Checklist” is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information please contact the VMU Help Line at:

vmu@ci.austin.tx.us or (512) 974-2150

1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA*:
Crestview Neighborhood Planning Area

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: ftp://coageoid01.ci.austin.tx.us/GISData/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.

NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:

NAME Jonathan Locklin

PHONE 512-374-1956

E-MAIL jsipublic@gmail.com

MAILING ADDRESS
Crestview Neighborhood Planning Area
P.O. Box 9505
Austin, Texas 78766
**VERTICAL MIXED USE OVERLAY DISTRICT FORM**

<table>
<thead>
<tr>
<th>ADDRESS OF PROPERTY*</th>
<th>APPLICATION AREA: Crestview Neighborhood Planning Area</th>
<th>PAGE 1 of 1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amend the boundaries of the VMU Overlay District to exclude this property</td>
<td>Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)</td>
</tr>
<tr>
<td></td>
<td>This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.</td>
<td>Opt-Out of Parking Reductions (commercial uses only)</td>
</tr>
<tr>
<td>7113 Burnet Road **</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>7301 Burnet Road **</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>7525 Burnet Road **</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>7601 Burnet Road **</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>911 Anderson Road **</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form. Neighborhood Planning and Zoning Department February 20, 2007

** 7113 Burnet Road is the property area with Dallas Night Club. ** Taco 7301 Burnet Road is the property area with Taco Bell, Tuesday Morning, and China Buffet. 7525 Burnet Road is the property with the Top Notch restaurant. 7601 Burnet Road is the property with St. Louis Catholic Church. 911 Anderson Lane is the property area on the corner of Anderson Lane and Lamar Blvd.

Crestview Neighborhood Planning area residents would like to have negotiations and a vote before any excluded properties would be allowed to have VMU zoning.
VERTICAL MIXED USE OPT-IN FORM

<table>
<thead>
<tr>
<th>ADDRESS OF PROPERTY*</th>
<th>APPLICATION AREA: Crestview Neighborhood Planning Area</th>
<th>PAGE 1 of 1</th>
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<tr>
<td></td>
<td>Opt-In for Dimensional Standards (These standards are a</td>
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<td>&quot;package&quot; and must be accepted or rejected as such)</td>
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<td></td>
<td>Opt-In for Parking Reductions (commercial uses only)</td>
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<tr>
<td></td>
<td>Opt-In for Ground Floor Uses in office zoning districts (NO, LO, GO)</td>
<td></td>
</tr>
<tr>
<td>2203 Anderson Lane **</td>
<td>The neighborhood recommends opt-in for all VMU related standards.</td>
<td></td>
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<tr>
<td>2211 Anderson Lane **</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2301 Anderson Lane **</td>
<td></td>
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</tr>
</tbody>
</table>

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

** 2203 Anderson Lane is the property area on the corner of Burnet Road and Anderson Lane with DOT1 interior design and furnishings.
  2211 Anderson Lane is the property area on the corner of Burnet Road and Anderson Lane with Freytag's Florist.
  2301 Anderson Lane is the property area on the corner of Burnet Road and Anderson Lane with what was Advanced Auto Parts.
C. Number of people in attendance at the meeting: 7

D. Please explain how notice of the meeting at which the vote was taken was provided:
The vote was taken during Crestview Neighborhood Association's Executive Committee meeting, which meets monthly on the first Monday of the month. These meetings are advertised on our web site Calendar and the agenda was posted to our web site.

The Executive Committee voted on a recommendation made by the VMU committee. This VMU committee was formed by Residents from the Crestview Neighborhood Planning area. Membership on this committee was available to any resident in the planning area and membership was advertised many times in the neighborhood printed newsletter, on the electronic list serve, and on our web site.

E. Please attach a copy of the notice of the meeting at which the vote was taken.

Notice was sent via email and web site.
http://www.crestviewna.org/2008/07/executive-committee-meeting-4-august.html

F. Please provide a copy of the meeting minutes at which the vote was taken.

http://committee.crestviewna.org/2008/08/executive-committee-080408-meeting.html#links

G. Please read and sign the following:

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN ACCORDANCE WITH

Neighborhood Plan Team By-Laws: ______
Neighborhood Association By-Laws: X ______
Other, as described in question A., above: ______

[Signature]
SIGNATURE OF CHAIR (OR DESIGNEE) 08 September 2008
DATE

5. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:

Neighborhood Planning and Zoning Department
Attn: George Adams
P.O. Box 1088
Austin, TX 78767

or, drop-off at the NPZD office at:

One Texas Center
505 Barton Springs Road, 5th floor
Tuesday, July 29, 2008
Executive Committee Meeting 4-August-2008

The meeting will be called to order between 7:15 to 7:30pm depending upon if we have any public input. The meeting will be held at St Louis Church at 7601 Burnet Rd, Austin, 78757 in the Library.

Tentative Agenda

1) Finances [5 minutes]
2) Neighborhood Contact Team Status [10 minutes]
3) Ice Cream Followup [5 minutes]
4) General Meeting topic for 11-August-2008 will be Yard Wild Life Habitats done by Elaine Dill [5 minutes]
5) Review Responses from Opinion Requests [15 minutes]
6) VMU Consensus so far from Committee [30 minutes]
7) Justin Lane Down Grade [15 minutes]
See attached document. Who wants to lead this effort?
8) Power Lines on Grover [5 minutes]
9) Does anyone have interest in this issue?
9) Ryan Property that Austin Energy Owns [5 minutes]
Do we pursue this now or wait until later?

Posted by Don Tucker

Blog Archive

» 2008 (22)
» September (1)
» Violet Crown Fall Arts Festival call for artists!
» August (2)
» July (5)
» May (8)
» April (5)
» January (1)
» 2007 (29)
Detailed Maps for Vertical Mixed Use Opt-in/Opt Out Process
Grid Page: AT33

- Exclude property
- Add to VMU

Legend:
- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- VMU Residentially Used Properties ("Opt-in")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels

Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.
Vertical Mixed Use Map Grids Black and White
Detailed Maps for Vertical Mixed Use
Opt-in/Opt Out Process
Grid Page: AT35

- Exclude property
- Add to VMU

Legend
- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- VMU Residentially Used Properties ("Opt-in")
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Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness. Vertical Mixed Use Map Grids Black and White.pdf
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<th>TRACT #</th>
<th>TCAD Property ID #</th>
<th>COA Address Point</th>
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<td>Tract Number</td>
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1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.

2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.
Crestview Planning Area VMU Neighborhood Recommendations  
C14-2009-0065

<table>
<thead>
<tr>
<th>Tract #</th>
<th>All VMU-Related Standards Apply</th>
<th>OPT OUT</th>
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| Tract # | All VMU Related Standards Apply | OPT IN | Additional Ground Floor Uses in Office Districts |
|---------|---------------------------------|--------|-------------------------------------------------
| 100     |  |  |  |

RECOMMENDED AFFORDABILITY LEVEL FOR 10% OF RESIDENTIAL UNITS FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING: 60%

(1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Maps.
(2) Please refer to attached information for explanations of Opt-In and Opt-Out options.
PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Gregory Montes, Austin, TX 78767-8835.

File # C14-2009-0065 Planning Commission Hearing Date: August 11, 2009

Name (please print)  ANNA B. DOSS
Address  7911 BROCKMAN  78757
Comments  It's time to get out of Austin.

☐ I am in favor  (Estoy de acuerdo)
☐ I object  (No estoy de acuerdo)

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Gregory Montes, Austin, TX 78767-8835.

File # C14-2009-0065 Planning Commission Hearing Date: August 11, 2009

Name (please print)  ANNA B. DOSS
Address  7911 BROCKMAN  78757
Comments  Austin is going to hell!

☐ I am in favor  (Estoy de acuerdo)
☐ I object  (No estoy de acuerdo)
PLANNING COMMISSION HEARING
DATE: August 11, 2009       TIME: 6:00 P.M.
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

CITY COUNCIL HEARING
DATE: August 27, 2009       TIME: 4:00 P.M
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Crestview Neighborhood Planning Area, please call Gregory Montes at (512) 974-2629 or email at: gregory.montes@ci.austin.tx.us. Si Ud. Necesita información en Español, favor de llamar a Gregory Montes (512) 974-2629. Office hours are 8:00 AM to 6:00 PM Monday through Thursday and 8:00 AM to 12:00 PM on Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

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File # C14-2009-0065          Planning Commission Hearing Date: August 11, 2009

Name (please print)               [Name]
Address                        [Address]
Comments                      [Comments]

☐ I am in favor
☐ I object

(Stoy de acuerdo)
(No estoy de acuerdo)

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Name (please print)               [Name]
Address                        [Address]
Comments                      [Comments]

☐ I am in favor
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(Stoy de acuerdo)
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LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Crestview Neighborhood Planning Area, please call Gregory Montes at (512) 974-2629 or email at: gregory.montes@ci.austin.tx.us. Si Ud Necesita información en Español, favor de llamar a Gregory Montes (512) 974-2629. Office hours are 8:00 AM to 6:00 PM Monday through Thursday and 8:00 AM to 12:00 PM on Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Gregory Montes, Austin, TX 78767-8835.

File # C14-2009-0065 Planning Commission Hearing Date: August 11, 2009

Name (please print) Ronda Hall
Address 710 Saint Cecelia St 78757

☐ I am in favor (Estoy de acuerdo)
☐ I object (No estoy de acuerdo)

Comments Based on my objections to the zoning change, I'm also objecting to this (see concerns listed on this form). However, if the zoning change is approved, I urge you to take the neighborhood's recommendations.

INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY, ARE A REGISTERED ENVIRONMENTAL OR NEIGHBORHOOD ORGANIZATION, OR HAVE A UTILITY SERVICE ADDRESS WITHIN 500 FEET OF A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

During its public hearing, the board or commission may postpone or continue an applicant's hearing to a later date. 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.
PLANNING COMMISSION HEARING
DATE: August 11, 2009     TIME: 6:00 P.M.
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

CITY COUNCIL HEARING
DATE: August 27, 2009     TIME: 4:00 P.M
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

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File # C14-2009-0065

Planning Commission Hearing Date: August 11, 2009

Name (please print) Joseph R. Page

Address 7504 St. Philip, Austin, Tex

Comments This will add to the traffic congestion already bad in this area.

☐ I am in favor
☐ I object
☐ (Estoy de acuerdo)
☐ (No estoy de acuerdo)

INFORMATION ON PUBLIC HEARINGS

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File # C14-2009-0065

Planning Commission Hearing Date: August 11, 2009

Name (please print) Milos Hurst       ☐ I am in favor
                                                  (Estoy de acuerdo)
Address 2105 Justin Lane #116       ☐ I object
                                                  (No estoy de acuerdo)
Comments Too crowded already

INFORMATION ON PUBLIC HEARINGS

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File # C14-2009-0065  Planning Commission Hearing Date: August 11, 2009

Name (please print) JANET M. BLEDSOE (Miller Properties) □ I am in favor
(Address) 2211 HIGHARMS RD. AUSTIN, TX 78757 □ I object

Comments Miller Properties owns Colony Apts with 15 units - not wanting to change the neighborhood.

INFORMATION ON PUBLIC HEARINGS

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Montes, Gregory

From: Aimage Studio [redacted]
Sent: Tuesday, August 18, 2009 9:42 AM
To: Montes, Gregory
Cc: [redacted]
Subject: Re: Opt out

You are welcome. Also please note that an existing 15 foot easement through the parking lots at 7700 N Lamar and our neighbor to the North "sexy scissors" would also limit the effectiveness of VMU. This easement facilitates customers' entry and exit to both Aimage Photography and Sexy Scissors to and from Taulbee and Lamar. Unless the easement was undone, rebuilding VMU like structures would be untenable given the shallowness of our lots. They are best left zoned as is: cs, mu, etc. The State hwy aka Lamar Blvd easements also have gobbled up much of the depth of the lots, and unless vacated and returned to the property owners, would render VMU unworkable. Thanks for hearing my concerns.

Best,

Don Shepard

Sent from my iPhone

On Aug 18, 2009, at 7:55 AM, "Montes, Gregory" <Gregory.Montes@ci.austin.tx.us > wrote:

> Thanks Mr. Shepard, I'll be sure to include your letter in staff
> backup, which is sent to the Planning Commission & City Council. Let
> me know if you have any further questions.
> 
> Gregory Montes
> Senior Planner, City of Austin
> Planning and Development Review Department
> 505 Barton Springs Road, 5th Floor
> Austin, Tx 78704
> Phone (512) 974-2629 / Fax (512) 974-6054
> gregory.montes@ci.austin.tx.us
> 
> -----Original Message-----
> From: Aimage Studio [redacted]
> Sent: Tuesday, August 18, 2009 1:31 AM
> To: Montes, Gregory
> Cc: [redacted]
> Subject: Re: Opt out
> 
> > Thanks Mr. Montes: here is the letter you requested during our phone
> > call.
> >
> > I am out off State this week but will try to attend the Planning
> > Commission meeting upon my return. I will include my objections to the
> > VMU proposal in this letter, but please understand that though I
> > reference my commercial neighbors, I am not speaking or acting for
> > them.
> >
> > My concerns regarding the proposed zoning change hinge on three main
> > points: First, my building lot and the businesses immediately flanking
> > me on either side are too small to benefit from a VMU designation, we
> > are each very small and struggling businesses which serve the
> > community at large rather than just the Crestview area. Second, I do
> > not want the property to be encumbered by the low income housing
> > requirement, it is inappropriate for my property given the tiny lot
> > size. Third, policing in our neighborhood along Lamar has been awful
> > and can bear no higher population density now, or in the future, which
> > the VMU designation would make worse.
have tried reaching you by phone but have been unable to link up with you.
So I would greatly appreciate you confirming receipt of this email Out notification via return email.

Thank you.

Don Shepard

Sent from my iPhone