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**ZONING AND PLATTING COMMISSION SITE PLAN  
EXTENSION REVIEW SHEET**

**CASE NUMBER:** SP-93-0563D(XT2)      **ZAP COMMISSION DATE:** July 19, 2011  
[SP-2011-0090A]      Postponed from July 5, 2011

**PROJECT NAME:** Riverbend Baptist Church Extension #2

**ADDRESS:** 4214 N Capital of Texas Highway

**AREA:** 36.1 acres

**WATERSHED:** St. Stephens Creek (Watersupply Rural, DWPZ)

**JURISDICTION:** Full Purpose

**APPLICANT:** Riverbend Church  
(Norm Schoenfeld)  
4214 N Capital of Texas Highway  
Austin, TX 78746  
(512) 422-0551

**AGENT:** Coats Rose Yale Ryman & Lee  
(John M. Joseph)  
1717 W 6<sup>th</sup> St. Suite 420  
Austin, Texas 78703  
(512) 541-3593

**EXISTING ZONING:** PUD (Planned Unit Development)

**PROPOSED DEVELOPMENT:** A majority of the proposed development is complete. The applicant requests a 75 year extension to the site plan in order to complete the remaining phases, which include a student center building currently under construction and four additional buildings.

**STAFF RECOMMENDATION:** Staff recommends an extension of ten (10) years, from 12/22/2011 to 12/22/2021. A staff recommendation of ten years is consistent with other commission-granted extension requests for churches. Churches depend on fund raising money in order to complete a long-term project such as Riverbend Church.

A 75 year extension is an unreasonable request for the Zoning and Platting Commission. The development needs of the future are as unknown today as our current needs were unknown 75 years ago in 1936. For example, Mansfield Dam was a concept with no funding; the dam was not completed until 1941. The City of Austin's first zoning regulations were only five years old, and the modern environmental movement of the United States was still more than 25 years away. In 1936, the needs of the 2011 community and environment were unknown. Similarly, our understanding of community and environmental needs of the year 2086 are unknown and can not be forecasted. Therefore, good cause can not be found to grant a 75-year extension to this site plan.

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**ZONING AND PLATTING COMMISSION ACTION:** Postponed from July 5, 2011

**CASE MANAGER:** Donna Galati  
[Donna.Galati@ci.austin.tx.us](mailto:Donna.Galati@ci.austin.tx.us)

Telephone: 974-2733

**PREVIOUS APPROVALS:** The site plan was granted a one year administratively approved extension from December 22, 2010 to December 22, 2011.

The site plan was located in the Extra-Territorial Jurisdiction and was approved December 22, 1994. It was annexed in 2000 along with approval of PUD zoning and an extended phasing time that granted an expiration date of December 22, 2010.

**PROJECT INFORMATION:** 36.1 acres

**EXIST. ZONING:** PUD

**MAX. BLDG. COVERAGE :** 48%

**MAX. IMPERV. CVRG.:** 48%

**ALLOWED F.A.R.:** 0.5:1

**PROP. BLDG CVRG:** 190,650 sq.ft (12.1%)

**PROP. IMP. CVRG.:** 13.32 acres (36.9%)

**PROPOSED F.A.R.:** 0.2:1

**A COMPARISON OF THE APPROVED PROJECT WITH CURRENT REGULATIONS:**

**WATERSHED ORDINANCE:** The PUD zoning ordinance requires compliance with 1984 Lake Austin Watershed Ordinance.

**SUMMARY COMMENTS ON SITE PLAN:**

**LAND USE:** The site is currently zoned PUD. The PUD ordinance took effect December 25, 2000. The applicant is complying with these requirements, and is concurrently requesting administrative approval of a land use Site Plan.

According to the PUD zoning ordinance, the City's Hill Country Roadway Requirements apply except as modified. The remaining buildings proposed to be developed within this site plan application are located entirely within Parcel 2 of the PUD. Parcel 2 is not subject to the Hill Country Roadway Ordinance requirements. (See PUD Land Use Plan exhibit included)

A majority of the proposed development and almost all phases are complete. This site is in the Drinking Water Protection Zone.

**ENVIRONMENTAL:** All environmental comments have been cleared.

**TRANSPORTATION:** All transportation comments have been cleared.

**SURROUNDING CONDITIONS:**

Zoning/ Land Use

North: MF-1-CO (Multi-family)

South: Cedar Street, then LO (Bridge Point Elementary School)

East: IH-35

West: N Capital of Texas Hwy, then CR-CO (Austin Country Club golf course)

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<u>STREET:</u>	<u>R.O.W.</u>	<u>SURFACING</u>	<u>CLASSIFICATION</u>
Capital of Texas Hwy	302'	132'	Major Arterial Divided
Cedar Street	60'	56	Collector

**NEIGHBORHOOD ORGANIZATION:**

- 153—Rob Roy Home Owners' Association, Inc
- 161—Glenlake Neighborhood Association
- 331—Bunny Run Neighborhood Assn.
- 348—Davenport Ranch Master Neighborhood Assn.
- 511—Austin Neighborhoods Council
- 605—City of Rollingwood
- 786—Home Builders Association of Greater Austin
- 943—Save Our Springs Alliance
- 1037—Homeless Neighborhood Association
- 1075—League of Bicycling Voters
- 1113—Austin Parks Foundation
- 1169—Lake Austin Collective
- 1200—Super Duper Neighborhood Objectors and Appealers Organization
- 1224—Austin Monorail Project
- 1228—Sierra Club, Austin Regional Group
- 1236—The Real Estate Council of Austin, Inc.

1. The City's Compatibility Standards, contained in Chapter 25-2 Sec. 1051 through 1082, shall apply to the development of the subject property except as modified by the following table. "A" means applies and "X" means does not apply.

APPROVED

MAR 23 2021

CITY OF AUSTIN  
, WPDR.  
DEVELOPMENT SERVICES

PARCEL	STANDARD	HEIGHT LIMITATION & SETBACKS	FRONT SETBACK	SCALE & CLUSTERING	SCREENING
	CODE SEC.	282-1063	25-24084	25-2-1065	25-2-1066
1		A	A	A	A
2		X	X	X	A
3		X	X	X	A
4		A	A	A	A
5		X	X	X	A
6		A	A	A	A

2. The City's Hill Country Roadway Requirements, contained in Chapter 25--2 Sec. 1101 through 1129, and Principal Roadway Requirements, contained in Chapter 25--2 Sec. 1151 through 1154, shall apply to the development of the subject property except as modified by the following table. Parcel 3 and 6 and portions of Parcels 2, 4, & 5 are more than 1000 ft. from Loop 360 and therefore are not subject to the Hill Country Roadway Ordinance. "A" means applies and "X" means does not apply. For any site plan to which The Hill Country Roadway requirements do not apply as provided herein, Planning Commission approval shall not be required.

PARCEL	STANDARD CODE SEC.	FLOOR TO AREA RATIO 25-2-1122	CONSTRUCTION ON SLOPES 25-2-1123	BUILDING HEIGHT 25-2-1124	BUILDING MATERIALS 25-2-1126	ACCESS REQUIREMENTS 25-2-1153	LANDSCAPING 25-2-1154
1		A	X	A	A	A(6)	A
2 (0)		X	X	X	X	X	X
3		NA	NA	NA	NA	NA	NA
4 (0)		X	X	A	A	X	X
5 (0)		X	X	X	X	X	X
6		NA	NA	NA	NA	NA	NA

Notes: a) Applicable to only that portion within 1000 feet of Loop 360.  
b) Modified to allow the existing driveways onto Loop 360 as shown on this plan.

Shut — Off —

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**THE**

**Routing City Code**

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IS A VERIFICATION  
APPLIED BY THE  
RESPONSIBLE FOR  
INSURER  
REVIEWED FOR

## PUD Land Use Plan

# Riverbend Church

# Austin, Texas

SHEET NO. 1

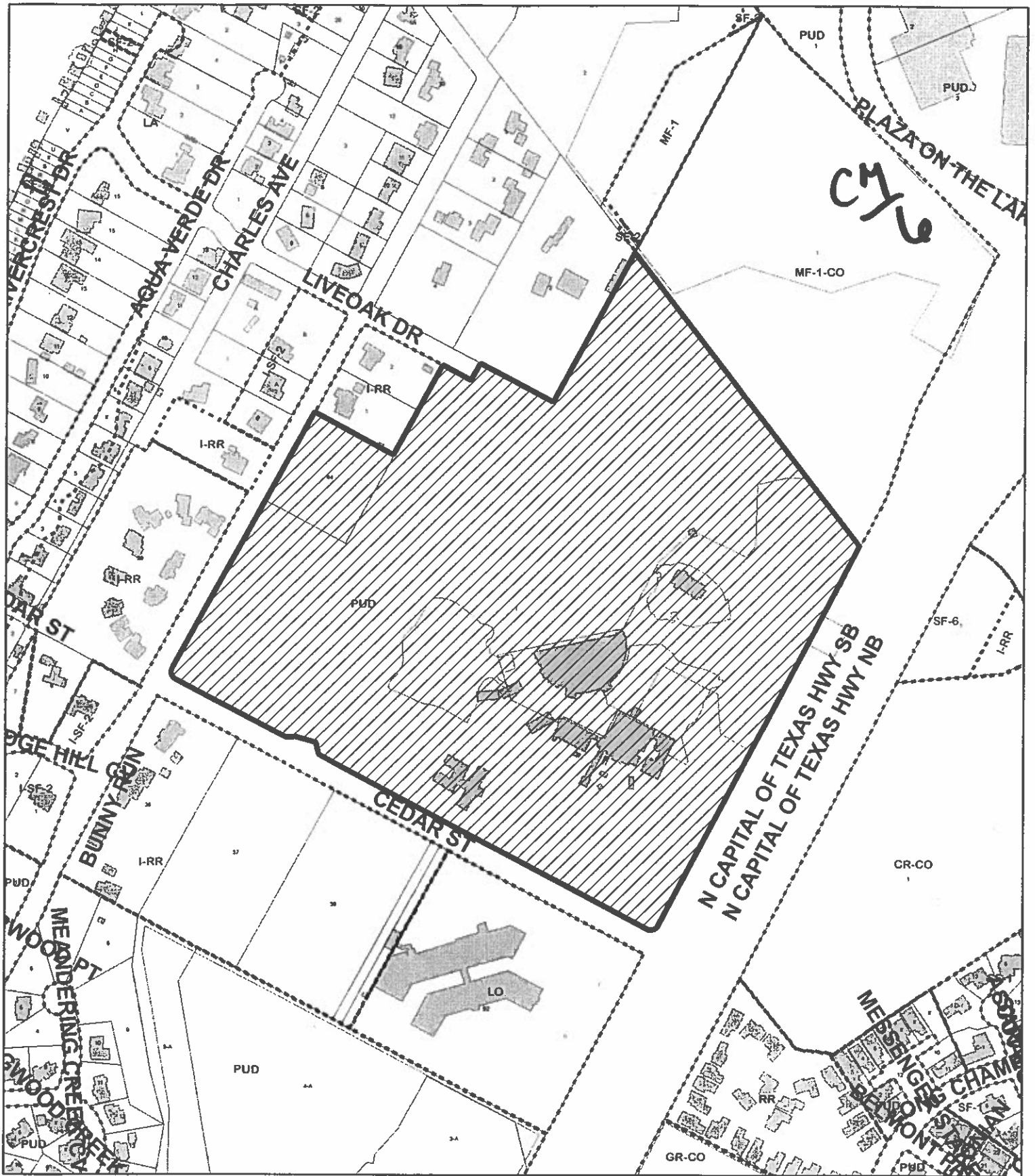
OF

## STEPS

FILE NO. MEC\93\003\pud-plan

**JOB NO. 93-00320**






# SITE PLAN

CASE#: SP-93-0563D(XT2)  
[SP-2011-0090A]

ADDRESS: 4214 N Capital of Texas Hwy  
CASE NAME: Riverbend Church  
MANAGER: Donna Galati



 SUBJECT TRACT  
 ZONING BOUNDARY

0 175 350 700 Feet

This map has been produced by site plan review for the sole purpose of geographic reference.  
No warranty is made by the City of Austin regarding specific accuracy or completeness.

OPERATOR: Donna Galati

## PUBLIC HEARING INFORMATION

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 a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact listed on a notice); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

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

**Case Number:** SP-93-0563D(XT2)

**Contact:** Donna Galati, 512-974-2733 or  
Elsa Garza, 512-974-2308

**Public Hearing:** Zoning and Planning Commission, July 5, 2011

**Wayne & Linda Radwanski**

Your Name (please print)

☐ I am in favor  
☒ I object

**4502 BUNNY RUN**

Your address(es) affected by this application

**Wayne Radwanski** **6/26/11**  
Signature Date

Daytime Telephone: **512 441-8922**

Comments:

**This Request is ABSOLUTELY  
Ridiculous! Who ever ~~will~~ head  
of a 75 year institution ???**

**Please Never allow anyone in  
Texas to have this kind of request  
granted to them.**

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

City of Austin  
Planning and Development Review - 4<sup>th</sup> floor  
Donna Galati  
P. O. Box 1088  
Austin, TX 78767-1088

**7/1/11**

**Galati, Donna**

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**From:** Anguiano, Dora  
**Sent:** Tuesday, July 05, 2011 11:35 AM  
**To:** Betty Baker; Cynthia Banks; Donna Tiemann; Gabriel Rojas; Gregory Bourgeois; Patricia Seeger; Sandra Baldrige  
**Cc:** Galati, Donna  
**Subject:** FW: Riverbend Extension

-----Original Message-----

**From:** Galati, Donna  
**Sent:** Tuesday, July 05, 2011 11:20 AM  
**To:** Anguiano, Dora  
**Subject:** FW: Riverbend Extension

Dora,

Can you forward this to the commissioners? I sent you one email from Mr. Dimston, this is another.

Thank you,  
Donna

-----Original Message-----

**From:** David Dimston [mailto:ddimston@gmail.com]  
**Sent:** Friday, July 01, 2011 12:48 PM  
**To:** Galati, Donna  
**Subject:** Riverbend Extension

Case #: SP-93-0563D(XT2) and SPC-2011-0090A.

Mayor Leffingwell, Members of the City Council, Members of the City of Austin Zoning & Platting Commission,

As my family and I are travelling out of town and unable to attend I request that this letter be read in my absence to this meeting so that it may be a matter of public record.

According to research, publicly available records, Riverbend Baptist Church was granted a 15 year development plan in 1994 or 1995. At the time even this timeframe was unusual, perhaps even unprecedented. It has been said that for churches and other religious institutions 10 years is or was the norm. In the intervening years Austin experienced tremendous growth. I would assert that few folks in 1994 could predict the growth and development that took place in the area. What was once a place on the outskirts of town has now been absorbed or enveloped by Austin. The point I am making is that so much change has happened, change that could barely be envisioned in the early nineties.

By all rights the development plan that should have expired last year should have never been extended, at 15 years it was excessive to start with and granting an automatic extension was wrong of the City of Austin. Does the City of Austin not issue a parking ticket to someone who leaves a parked car 5 hours past the expired time on the meter? I contend that the construction currently underway should have never been allowed to commence, they are building under an expired development plan. At the very least rules should be rewritten to prevent such an occurrence ever happening in the future.

With respect to the application for a 75 year extension I can only say that it is beyond excessive, it is incredible. The applicant, on behalf of the owner requests an extension for a period of time so far into the future that without being present at this meeting I can reasonably assume no one reading this letter will be alive. This is absolutely without equal. That Riverbend Baptist Church is a church is irrelevant to this discussion, they are no more entitled to uneven application of the law than I am. Their original 15year plan has expired, they already have a 1 year extension and that is it. They, like anyone of the individual, residential property tax paying owners in this city must file a new set of plans for public input and approval by all the relevant departments of the City of Austin based on present circumstances and for a term no more or less than would be granted to anyone else. The City of Austin is establishing a dangerous precedent here. This property is private property that enjoys preferred tax status so the raising of any discussion about outreach or any other charitable



efforts is moot.

In summary, as a neighbor and tax paying resident of the City of Austin I voice my strident opposition to ANY extension of ANY development plan by Riverbend Baptist Church.

Sincerely

David Dimston

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Sent from my mobile device

David Dimston  
Austin, Texas  
512.917.3635

"The whole problem with the world is that fools and fanatics are always so certain of themselves, and wiser people so full of doubts."

- Bertrand Russell

C7/a

Bunnyrun Neighborhood Association  
6604 Liveoak Drive  
Austin, Tx 78746

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July 1, 2011

To: Donna Galati  
Senior Planner  
Planning & Development Review Dept.  
512/974-2733

From: Tom Burns  
President

Cc: Hilton Puckett VP BRNA  
Lloyd Beemis VP BRNA

Re 75 Year extension for Riverbend PUD

Dear Ms. Galati:

This is formal notice of that the Bunnyrun Neighborhood Association (BRNA) seek a postponement of the July 5, hearing on Case #: SP-93-0563D(XT2) primarily due to the timing of the meeting right after the fourth of July. After speaking to fellow board members and neighbors, we have many schedule conflicts within the neighborhood with neighbors and interested parties who wish to participate in the hearing process. One of the chief concerns to the neighborhood is that Riverbend is asking for a **precedent** setting 75-year extension of their PUD. I am a native Austinite in Real Estate and I have **never** heard of a 75 extension being granted. This precedent is dangerous to BRNA and to neighborhoods as a whole and we need additional time to organize our neighborhood turnout at ZAP and we intend to speak with the Austin Neighborhood Council and apprise them of this pending precedent. We are not opposed to Riverbend's expansion per say, but we have had little input on this extension request and why they need 75 years. Hilton Puckett (the designated BRNA officer contact with Riverbend) and I visited with Riverbend officials in the fall of 2010. We had one primary request of Riverbend: **No surprises and we did not want to learn of their development plans through the paper or by notice from the city.** We were given that promise and Riverbend breached that promise in the matter. BRNA learned of the proposed 75-year extension by notice from the City. Once again Riverbend has shown us they are not deserving of BRNA's trust despite our willingness to work with them.

Thank you for your consideration of this matter.