

ZONING CHANGE REVIEW SHEET

<u>CASE:</u> C14-2014-0028 MDC Programs Annex	<u>P.C. DATE:</u> June 24, 2014 June 10, 2014
<u>ADDRESS:</u> 1001 E. 50 th Street & 4915 Harmon Avenue	<u>AREA:</u> 0.49 acres
<u>OWNER:</u> Rathgeber Investment GP, Inc. & Manos de Cristo, Inc.	
<u>AGENT:</u> Dick Rathgeber	
<u>FROM:</u> SF-3-NP	<u>TO:</u> LO-MU-CO-NP, as Amended
<u>NEIGHBORHOOD PLAN AREA:</u>	<u>TIA:</u> N/A
<u>WATERSHED:</u> Waller Creek	<u>SCENIC ROADWAY:</u> No
<u>CAPITOL VIEW CORRIDOR:</u> No	<u>DESIRED DEVELOPMENT ZONE:</u> Yes

SUMMARY STAFF RECOMMENDATION:

Staff recommends limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. The conditional overlay would include the following:

1. Vehicular trips shall be less than 2,000 vehicles per day.
2. The following land uses shall be prohibited:
 - a. Art workshop
 - b. Commercial off-street parking
 - c. Communication services
 - d. Club/ lodge
 - e. College and university facilities
 - f. Communication service facilities
 - g. Community events
 - h. Community recreation (Public)
 - i. Community recreation (Private)
 - j. Congregate living
 - k. Day Care Services (Commercial)
 - l. Day Care Services (General)
 - m. Local Utility
 - n. Public Primary Educational Facilities
 - o. Public Secondary Educational Facilities
 - p. Residential Treatment
 - q. Safety Services

PLANNING COMMISSION RECOMMENDATION:

June 24, 2014: *TO GRANT LO-MU-CO-NP ZONING AS RECOMMENDED BY STAFF, WITH THE FOLLOWING CONDITIONS ADDED: ART GALLERY AND MEDICAL OFFICES (GREATER THAN 5,000 SQUARE FEET) ARE PROHIBITED; OTHER CONDITIONS LISTED IN LETTER DATED JUNE 24, 2014, SIGNED BY DICK RATHGEBER ARE RECOMMENDED TO BE INCLUDED AS CONDITIONAL OVERLAY, PUBLIC RESTRICTIVE COVENANT, AND/OR PRIVATE RESTRICTIVE COVENANT [METHOD OF*

APPLICATION TO BE DETERMINED BY COA LAW DEPARTMENT]. (5-0) (A. HERNANDEZ- 1ST, R. HATFIELD- 2ND)

June 10, 2014: *TO GRANT POSTPONEMENT TO JUNE 24, 2014, AS REQUESTED BY STAFF, ON CONSENT. 9-0 (J. STEVENS-1ST, J. NORTEY-2ND)*

ISSUES:

A letter was submitted at the June 24, 2014, Planning Commission that outlined a list of conditions supported by the Neighborhood and the Applicant. The Applicant and Neighborhood understand that many of the conditions listed cannot be incorporated into conditional overlays or public restrictive covenants, and are working between themselves to establish private restrictive covenants and/or deed restrictions that incorporate all the conditions requested by the Neighborhood.

Planning Commission recommended that all conditions requested by the Neighborhood be applied to the property, and instructed Staff to determine which conditions could be included in a conditional overlay, public restrictive covenant, and/or private restrictive covenant. The City Law Department determined that the conditions cannot be addressed in by conditional overlay or public restrictive covenant, so the Applicant and Neighborhood have worked together to develop a private restrictive covenant. Please refer to *Exhibit D (June 24 Letter)*.

DEPARTMENT COMMENTS:

The proposed rezoning includes two properties, located at the southeast corner of the intersection of Harmon Avenue and East 50th Street. Both properties are developed with single family residences and zoned SF-3-NP. Immediately south of the rezoning tracts is the headquarters of Manos de Cristo (MDC) at 4911 Harmon Avenue. MDC is a non-profit organization that provides services including dental services, adult education classes, a food pantry, a charitable clothes closet, and a computer lab. Immediately east of the rezoning tracts is an office building used for counseling services, parolee supervision, and related services. Both of these properties are zoned LO-CO-NP. Across East 50th Street to the north are an undeveloped tract and a day care, both zoned CS-V-CO-NP. Across Harmon Avenue, to the west is single family residential development zoned SF-3-NP. Please refer to *Exhibits A and B (Zoning Map and Aerial View)*.

The rezoning request is intended to allow redevelopment of the properties into parking that will serve the Manos de Cristo headquarters. Any commercial development on the rezoning property would be required to comply with Compatibility Standards for screening, setbacks and more in relation to the residential properties to the west.

There have been no recent rezonings nearby; the North Loop Combined Neighborhood Plan updated the existing zoning classifications for the area in 2002 (City File No. C14-02-0009). In addition to adding the -NP designation to all properties in the Plan area, Ordinance No. 020523-31 added a conditional overlay (CO) to the commercially zoned tracts. This CO prohibited several land uses, including Congregate living, etc. The CO proposed by Staff and agreed to by the Applicant would prohibit those same land uses, as well as additional land uses.

The Applicant initially requested General office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, but amended the request to LO-MU-CO-NP after discussions with the Neighborhood and City Staff.

Ridgetop Neighborhood Association has written a letter of conditional support for rezoning request. The attached letter supports LO-CO-MU-NP zoning and development of a parking lot on the property. The neighborhood group also proposes limiting several land uses, as well as prohibiting the construction of any non-residential building on the rezoning tracts. The neighborhood group also proposes private deed restrictions requiring a community garden and surface parking remain as the sole land uses on the property in perpetuity, with the sole rights of removal resting with the neighborhood. The City of Austin would not be a party to this agreement since the terms lie outside zoning and other land use regulations. Staff has also received correspondence from individual property owners in the vicinity. Please refer to *Exhibit C (Correspondence)*.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single family residences
<i>North</i>	CS-V-CO-NP	Undeveloped, Daycare
<i>South</i>	LO-CO-NP	Medical offices, Administrative/business offices, Adult education, Social services
<i>East</i>	LO-CO-NP	Administrative/business offices, Professional offices, Counseling services
<i>West</i>	SF-3-NP	Single family residences

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Harmon Avenue	50'	varies	Collector	N/A	N/A	N/A
E. 51 st Street	50'	varies	Collector	N/A	N/A	N/A

NEIGHBORHOOD ORGANIZATIONS:

Del Valle Community Coalition
 PODER
 Ridgetop Neighborhood Association
 Mueller Property Owners Association
 North Austin Neighborhood Alliance
 Central Austin Community Development Corporation
 Mueller Neighborhood Association
 North Loop Neighborhood Planning Team
 Friends of the Emma Barrientos MAC
 Sustainable Neighborhoods

CITY COUNCIL DATE/ACTION:

August 28, 2014: *TO GRANT POSTPONEMENT TO OCTOBER 16, 2014, AS REQUESTED BY STAFF, ON CONSENT. (7-0) [B. Spelman-1st, L. Morrison- 2nd]*

October 16, 2014: *TO GRANT POSTPONEMENT TO NOVEMBER 6, 2014, AS REQUESTED BY STAFF, ON CONSENT. (7-0) [S. Cole-1st, L. Morrison- 2nd]*

November 6, 2014:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
 e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

STAFF RECOMMENDATION:

Staff recommends limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. The conditional overlay would include the following:

1. Vehicular trips shall be less than 2,000 vehicles per day.
2. The following land uses shall be prohibited:
 - a. Art workshop
 - b. Commercial off-street parking
 - c. Communication services
 - d. Club/ lodge
 - e. College and university facilities
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 - g. Community events
 - h. Community recreation (Public)
 - i. Community recreation (Private)
 - j. Congregate living
 - k. Day Care Services (Commercial)
 - l. Day Care Services (General)
 - m. Local Utility
 - n. Public Primary Educational Facilities
 - o. Public Secondary Educational Facilities
 - p. Residential Treatment
 - q. Safety Services

This recommendation allows for redevelopment of the subject tracts as parking for the Manos de Cristo headquarters, while preventing development of more intense land uses. The proposed rezoning tracts are located between Harmon Avenue and Interstate Highway 35, and two of the three single family residences on the tracts are in disrepair. Redevelopment as a residential land use is possible but not likely at this location. The tracts are surrounded on three sides by commercially zoned property. The property is also adjacent to a large single family neighborhood, across Harmon Avenue to the west. For this reason, several land uses were eliminated from the Staff recommendation. Based on discussion with the Applicant, Neighborhood representatives, and others in the vicinity, additional parking would benefit many residential and business property owners in the area by reducing on-street parking. Compatibility standards will ensure screening of any parking area from the residential area across Harmon Avenue.

Granting of the request should result in an equal treatment of similarly situated properties.

The properties to the south and east of the rezoning tracts were originally zoned LO in 1967; they were rezoned LO-CO-NP in 2002 with the North Loop Neighborhood Plan. Since these properties essentially surround the proposed rezoning tracts, the similar zoning is appropriate.

Zoning should allow for a reasonable use of the property.

Redevelopment of the subject tracts with a residential land use is unlikely at this location. By rezoning the lots to LO-MU-CO-MP, the properties can be consolidated into a project that meets neighborhood goals.

SITE PLAN

SP 1 Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. This site is on an Urban Roadway.

SP 2 The site is subject to compatibility standards. Along the northwest, southwest, and west property lines, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of 2 stories or 30 feet in height may be constructed within 50 feet of the property line.

- c. No structure in excess of 3 stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

SP 3 FYI - This site is located in the North Loop Neighborhood Plan. Please see the City's website <http://www.austintexas.gov/departments/neighborhood-planning> for a copy of the recommended design guidelines.

SP 4 Additional design regulations will be enforced at the time a site plan is submitted.

TRANSPORTATION

- 2. Additional right-of-way may be required at the time of subdivision and/or site plan.
- 3. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]
- 4. There are no sidewalks along either side of Harmon Avenue or East 51st Street in the vicinity of the site.
- 6. Capital Metro bus routes #10, 37, and 320 are available within .14 mile of this property along IH 35 Southbound Frontage Road, and routes #10 and 350 are available within .24 miles along Airport Blvd.

ENVIRONMENTAL

- 1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch and Boggy Creek Watersheds of the Colorado River Basin, which are classified as Urban Watersheds by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
- 2. Zoning district impervious cover limits apply in the Urban Watershed classification.
- 3. According to floodplain maps there is no floodplain within or adjacent to the project location.
- 4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
- 7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

WATER UTILITY

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

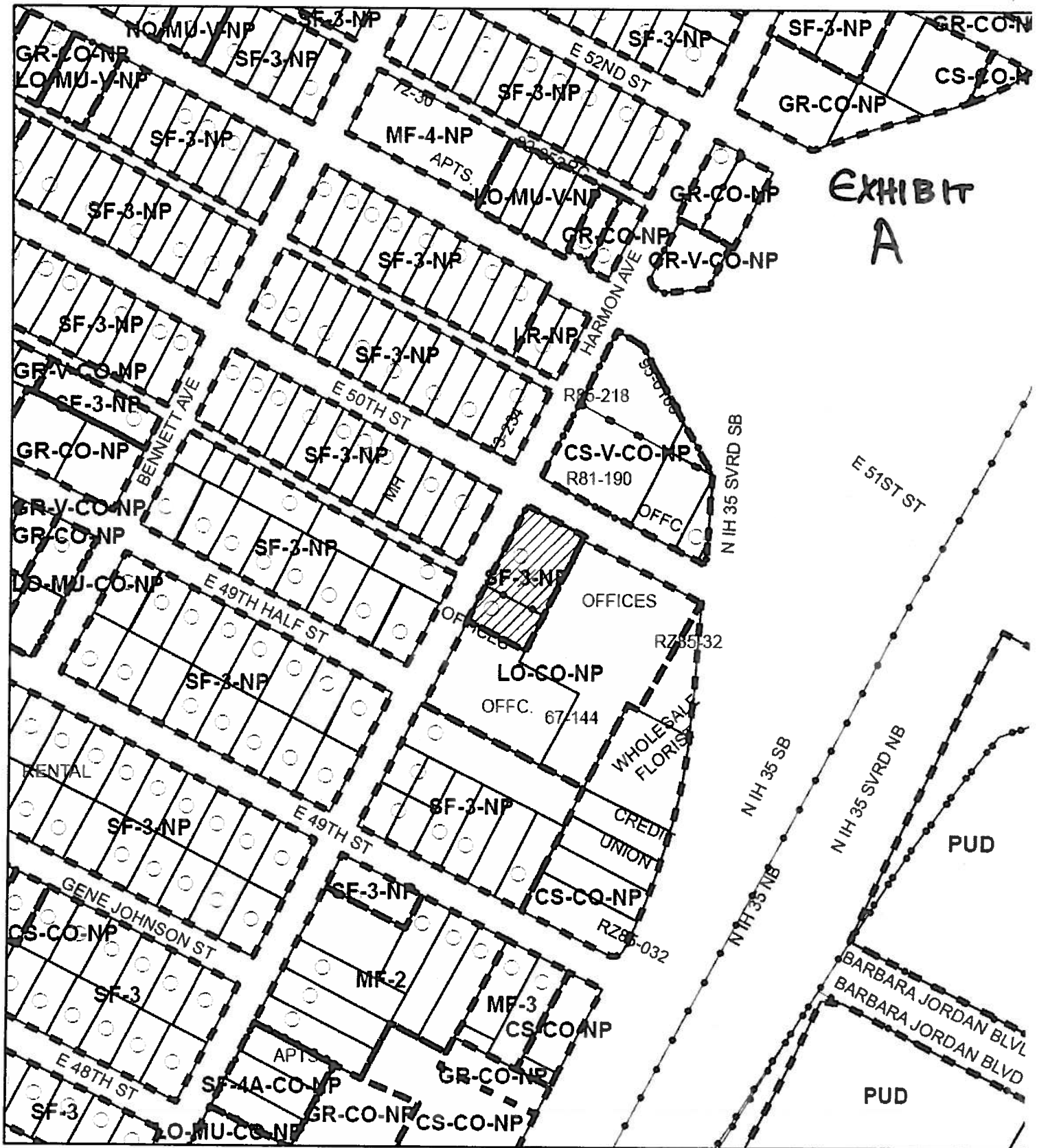





EXHIBIT
A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE
C14-2014-0028

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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





EXHIBIT
B

SF-3-NP

LR-NP

51ST

SF-3-NP

R85-218

CS-V-CO-NP

SP85-168

R81-190

50TH

SF-3-NP

SF-3-NP

SF-3-NP

HARMON

OFFICES

OFFICES

LO-CO-NP

49TH HALF

SF-3-NP

67-144

R285-32

FLORIST

CS-CO-NP

CREDIT

UNION

49TH

SF-3-NP

E 51ST EB TO W 36 SB

EXHIBIT
C



May 20, 2014

Planning and Development Review Department, City of Austin

Maureen Meredith, Plan Amendment Planner, and Heather Chaffin, Zoning Planner

Re: Plan Amendment Case NPA-2014-0011.01; Zoning Case C14-2012-0028 -- 1001 E. 50th St & 4915 Harmon Ave.

City of Austin Planning and Review Department:

On behalf of members, Ridgetop Neighborhood Association (RNA) leadership respectfully submits *conditional support* of the above-referenced plan amendment/rezoning applications by Mr. Dick Rathgeber and Manos de Cristo to change the Future Land Use Map at 1001 E. 50th St & 4915 Harmon Ave from Single Family to Office, and its zoning from SF-3-NP (Family Residence) to, as we understand it, LO-CO-MU-NP (Limited Office -Conditional Overlay - Mixed Use - Neighborhood). Neighborhood agreement is strictly conditioned as set out below.

RNA emphasizes that removal of residential zoning in our neighborhood core is wholly undesirable as a principle and goes strictly against our neighborhood plan and strong resident consensus. Also, Mr. Rathgeber and Manos desire a parking lot to better accommodate staff and clients and a parking lot is not considered a favorable feature in the neighborhood core. However, Mr. Rathgeber and Manos understand this and have worked extensively with us to identify ways to make the project more residential-friendly and mitigate negative impacts, including future incompatible uses.

Manos is a good neighbor and offers considerable mitigations and protections, and therefore RNA can support this proposal conditioned on the following protections and features, to be in place prior to City Council consideration and action:

- Deed restriction set by Mr. Rathgeber/Manos on both parcels, limiting future use to surface parking plus community garden only, in perpetuity with sole rights of removal to the neighborhood
- Zoning is no more aggressive than LO-CO-MU
- Conditional overlay restricts neighborhood-incompatible LO uses (communications services, large offices, and others)
- Protections and mitigations against impacts of increased lights, freeway noise, commercial activities, crime (loitering, camping), and impervious cover, with active RNA participation and input in the design process.

We appreciate Mr. Rathgeber and Manos' sensitivity to neighborhood concerns and responsiveness in seeking solutions. We do not take lightly the potential impact of this request on Harmon Triangle and nearby neighbors, and we firmly believe it was applicants' constructive, collaborative approach that allowed a majority of neighbors to consider and support the proposal.

Ridgetop NA will begin working with Mr. Rathgeber and Manos immediately to place protections attendant to removal of residential and placement of parking at this location, so the proposal can be timely brought forward to Council.

Respectfully,

Penelope Doherty, RNA President and
914 E. 49th St

Meredith Blackwelder, RNA Executive VP
925 E. 53 1/2 St

Cc: Dick Rathgeber via Manos de Cristo

Ridgetop NA's recommendations for LO use restrictions attendant to the proposal

We respectfully request restriction *against* the following uses as incompatible to neighborhood residential core:

- Art Gallery
- Communications Services
- Medical Offices exceeding 5000sf
- Club or Lodge
- Communication Service Facilities
- Congregate Living
- Day Care Services
- Group Home (any)
- Residential Treatment
- Telecommunications Tower

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.austintexas.gov

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: C14-2014-0028

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Jun 10, 2014, Planning Commission

Aug 7, 2014, City Council

Your Name (please print) D Ann Johnson

Branch Mgr

4920 NIH 35

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 512 374 2760

6/2/14

Date

☒ I am in favor
☐ I object

Comments:

We are in favor as long as
the site plan is for
Parkings and
Community gardens only

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

City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

Chaffin, Heather

From: Laura Henson <laura@southwestconstructors.com>
Sent: Tuesday, June 17, 2014 10:46 AM
To: Chaffin, Heather
Cc: ~~Edward R. Rathgeber~~
Subject: 1001 E. 50th - Zoning Change

Ms. Chaffin,

After consultation with the neighborhood and planning staff, I hereby request a change in my zoning application for the property at 1001 E. 50th from GO CO NP to LO MU CO NP.

Sincerely,

Edward R. Rathgeber
mobile : (512)917-9510

Laura Henson

Southwest Destructors –

A division of Southwest Constructors, Inc.

P.O. Box 50469

Austin, TX 78763

(512)836-0667 phone

(512)835-9865 fax

C2

Chaffin, Heather

From: Penelope [REDACTED]
Sent: Friday, June 20, 2014 9:01 AM
To: Chaffin, Heather
Cc: Meredith B.; Megan Gilbride; Jayne Garmaty; Meredith, Maureen
Subject: RE: Revised Neighborhood letter

Good morning Heather -

In reviewing our letter of May 20, I believe it can stand as is. When at the podium, I'll update that:

- Ridgetop supports staff's list of conditions, but requests that art gallery (for event reasons previously discussed) and med offices over 5000sf be added
- we request that planning commission's motion include a public restrictive covenant w neighborhood that no structures will be built, and that movement to Council be contingent on developer's delivery of the private agreement
- we've communicated to Dick that if private protections and agreed deed restriction is not in place by August, we will ask for a long postponement to Council hearing until the agreed protective items are in place.

I'm available this morning should you have questions. Thanks for your constructive treatment of the dilemmas inherent in this application and your always timely response to our questions.

Penelope

(if you feel it appropriate and helpful, feel free to include this email as a cover to our May 20 letter)

From: Heather.Chaffin@austintexas.gov
To: [REDACTED]
Subject: Revised Neighborhood letter
Date: Wed, 18 Jun 2014 21:40:14 +0000

Penelope,

Please send me a copy of your updated Neighborhood letter when it's available.

Thanks,

Heather Chaffin, AICP
Senior Planner-- Zoning Review Division
Planning and Development Review Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704
T: 512.974.2122
F: 512.974.6054



MEMORANDUM

TO: Mr. Dave Anderson, Chair
Planning Commission Members

FROM: Heather Chaffin, Case Manager
Planning and Development Review Department

DATE: June 10, 2014

RE: **MDC Programs Annex Rezoning & Neighborhood Plan Amendment
(NPA)**
C14-2014-0028 & NPA-2014-0011.01
Postponement Request by Staff

Staff is requesting a postponement from June 10, 2014, to June 24, 2014, for the above-referenced rezoning and NPA requests.

The Applicant and Neighborhood representatives have been working to reach agreement on the proposed rezoning, and need time to resolve remaining issue. Staff is facilitating these discussions.

Both the Applicant and Neighborhood representatives support the postponement request.

June 24, 2014

EXHIBIT
D

To all it may concern:

This confirms my commitment to the Ridgetop neighborhood that they will have input and influence over certain aspects of the proposed parking lot on the east side of Harmon Avenue and East 50th with intent of lessening negative impacts of said parking lot on neighboring residential, and from a desire to include attractive features at this site to offset the loss of residential at this prominent location in Ridgetop's neighborhood core.

For various reasons we have been unable to arrange the promised meeting between neighbors and parking lot designer so that specific physical features can be agreed on, and therefore the deed restriction upon which neighborhood support is partially based has not been put into effect. So that we may proceed with Planning Commission hearing on June 24, 2014, I am entering this letter into public record to assure Ridgetop that I will deliver on the commitments made to the neighborhood.

Ridgetop's neighborhood character is unique and valuable. Agreed features and compatibility standards will be set out in a deed restriction or private restrictive covenant between myself and the neighborhood to protect Ridgetop in perpetuity. I will personally ensure that the required design meeting will be held and the private agreements and restrictions delivered before requesting that this application be heard by City Council.

Specifically:

1. The existing Manos de Cristo Dental Clinic and the two lots directly north extending to East 50th Street will be replatted as one lot to be zoned LO-MU with a conditional overlay and other mechanisms to ensure a parking lot only can be constructed on the two lots north of the existing building. The conditional overlay should prohibit undesirable LO uses while allowing a return of residential uses should the neighborhood be later approached and agree to removal of the parking lot and restrictions. It is not my intent that structural entitlements enjoyed on the current Manos lot will extend to the larger, replatted lot. No structures should be allowed. I offer a private deed restriction to this effect, and also request a public restrictive covenant be considered in order to fully protect Ridgetop against unintended consequences of my application.
2. Ridgetop neighborhood will participate in materials, lighting, and other features decisions, with a limitation of 20% extra cost over normal or anticipated construction methods, and all features to meet City of Austin requirements. Within these parameters, I will agree to neighborhood-sensitive features and I will place appropriate items in a deed restriction.
 - sound barrier on eastern boundary (I-35 side) of a design that does not encourage criminal activity (solid masonry with limestone cap offered, or alternate appropriate design);
 - ornamental iron fencing for remainder of parking lot with entry on E. 50th St (masonry columns ten feet on center offered, or alternate design) with consideration for law enforcement and passerby visibility;
 - choice of paving methods (blacktop or concrete offered, or alternate eco-friendly options);
 - 30% community garden/green space with orientation towards the neighborhood face (50th St and Harmon Avenue) to provide neighborhood enhancement;
 - lighting designs will provide security while limiting impact on neighboring residential (concept includes a lighting timer if desired);
 - appropriate tree plantings on the eastern boundary to provide additional visual and sound barriers to the neighbors while allowing visibility to law enforcement (crepe myrtles or similar)
 - for added security, parking lot will close at 10pm with posting that violators will be towed.
3. Community gardens shall be offered to Ridgetop neighborhood on the 30% portion of the lot designated for open space for their use and maintenance and for collaborative endeavors with Manos. In the unlikely event the

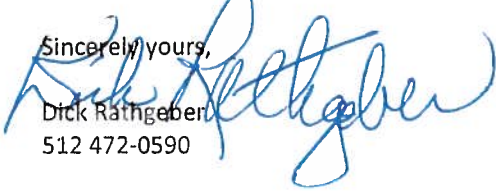
- neighborhood should no longer desire or maintain the garden, the neighborhood will come to agreement with
- Manos about the future of this required green space. Changes to this portion of the agreement will not change the remainder. This agreement will be appropriately placed in the deed restriction.

Please call me if you have any additional questions.

Sincerely yours,

Dick Rathgeber

512 472-0590

A handwritten signature in blue ink, appearing to read "Dick Rathgeber", is written over the typed name and phone number.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single family residences
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NEIGHBORHOOD ORGANIZATIONS:

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CITY COUNCIL DATE/ACTION:

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October 16, 2014: *TO GRANT POSTPONEMENT TO NOVEMBER 6, 2014, AS REQUESTED BY STAFF, ON CONSENT. (7-0) [S. Cole-1st, L. Morrison- 2nd]*

November 6, 2014:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
 e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122



MEMORANDUM

TO: Mayor and City Council

FROM: Greg Guernsey, Director
Planning and Development Review Department

DATE: August 28, 2014

SUBJECT: MDC Programs Annex Rezoning & Neighborhood Plan Amendment (NPA)
C14-2014-0028 & NPA-2014-0011.01

Staff is requesting a postponement from the August 28, 2014 hearing to October 16, 2014, for the above-referenced rezoning and NPA requests.

The Applicant and Neighborhood representatives have created a list of conditions for rezoning that will be incorporated into both public and private documents (conditional overlay, restrictive covenant(s), and/or deed restrictions). The appropriate legal mechanism for each condition is still being determined and created, necessitating the postponement.

Greg Guernsey, Director
Planning and Development Review Department

x: Marc Ott, City Manager
Sue Edwards Assistant City Manager



MEMORANDUM

TO: Mayor and City Council

FROM: Greg Guernsey, Director
Planning and Development Review Department

DATE: October 16, 2014

SUBJECT: MDC Programs Annex Rezoning & Neighborhood Plan Amendment (NPA)
C14-2014-0028 & NPA-2014-0011.01

Staff is requesting a postponement from the October 16, 2014 hearing to November 6, 2014, for the above-referenced rezoning and NPA requests.

The Applicant and Neighborhood representatives have created a list of conditions for rezoning that will be incorporated into a conditional overlay and a private restrictive covenant. The private restrictive covenant is still being reviewed by the Neighborhood, necessitating the postponement.

Greg Guernsey, Director
Planning and Development Review Department

x: Marc Ott, City Manager
Sue Edwards Assistant City Manager