

# **EXHIBIT D**

Tarrytown United Methodist  
Church & The Sanctuary

**DiGiuseppe, Paul**

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**From:** Blake Tollett  
**Sent:** Friday, May 21, 2010 11:30 AM  
**To:** Helen & Ed Baxter  
**Cc:** DiGiuseppe, Paul  
**Subject:** FLUM & Small Lot Amnesty

Good Morning:

My name is Blake Tollett and I am emailing you on behalf of West Austin Neighborhood Group (WANG). Mary Arnold, a member of our Board of Directors, passed along your e-address as a neighbor to the Sanctuary tract. She also mentioned Ann Moody and Sam and Shirley Perry as other interested neighbors.

I sent out the below forwarded email to my board, have used it as a "reach out" to the neighbors around Tarrytown United Methodist Church (TUMC), and am now hoping to use it to alert if necessary the neighbors around the Sanctuary as to an ongoing process that is coming to finalization. The Paul mentioned in the first paragraph is Paul DiGiuseppe, the City of Austin staff contact.

First, let me be very clear in that the neighborhood association welcomes and values the present use of the land by the Sanctuary, and we are unaware of any proposed changes in the current use. At these hearings before the Planning Commission and City Council, there is no request for a zoning change from the property's current SF-3 zoning district. What is being decided is the wording of the Future Land Use Map (FLUM) as it relates to the property.

The neighborhood association (WANG) supports the consensus derived wording in the FLUM that states that if the religious/academic use of the property ceases, that the property then be used for single family housing (or duplex use as allowed by the Land Development Code in an SF-3 zoning district).

The neighborhood association will be having an open public meeting this Monday the 24th at Howson Library from 6 PM to 8:45 to discuss these matters among others. Please feel free to attend this meeting or contact me with any questions. Please also feel free to pass this email along.

The Planning Commission will be reviewing the neighborhood plan on Tuesday the 25th, and I am sure they would welcome your comments VIA email or in person.

Blake Tollett-WANG  
3701 Bonnie Road 78703  
512-477-4028

Begin forwarded message:

**From:** Blake Tollett <[redacted]>  
**Date:** May 20, 2010 1:40:01 PM CDT  
**To:** "wang-board@westaustinng.com ExCom" <wang-board@westaustinng.com>, Michael Curry  
**Subject:** FLUM & Small Lot Amnesty

As an update, I got a call this morning from Paul. In his voice mail message he said:

5/24/2010

1) As for the consequences of small lot amnesty, if small lots (less than the current threshold of 5,750 sf) were legal at the time of platting and now have one residence across two or more of them, if that structure is taken down, each small lot can have a separate residence. This is troublesome, especially if small lot amnesty is granted for the entire area as a blanket move.

2) The FLUM is going to be part of the hearing. Paul will pull for discussion every parcel in the FLUM that is contentious. That means not only the Elm Terrace site but also the Sanctuary/Tarrytown United Methodist Church request for future Civic Use, the Casis Shopping Center, the land at Forest Trail and Enfield, and the properties just north of O'Henry Middle school.

The churches' request of a future land use of Civic really opens up a can of worms. The consensus recommendation from the meetings is for the land to be used as single family if the current religious use is vacated. The churches are not asking for a zoning change but rather language in the FLUM that predicates future request for entitlements (my opinion).

According to our handout, Civic is appropriate for public or semi-public facilities, including governmental offices, police and fire facilities, hospitals, and public and private schools. Includes major religious facilities and other religious activities that are of a different type and scale than surrounding uses.

The purpose:

- 1) Allow flexibility in development for major, multi-functional institutional uses that serve the greater community;
- 2) Manage the expansion of major institutional uses to prevent unnecessary impacts on established neighborhood areas;
- 3) Preserve the availability of sites for civic facilities to ensure that facilities are adequate for population growth;
- 4) Promote Civic uses that are accessible and useable for the neighborhood resident and maintain stability of types of public uses in the neighborhood;
- 5) May include housing facilities that are accessory to a civic use, such as student dormitories; and
- 6) Recognize suitable areas for public uses, such as hospitals and schools, that will minimize the impacts to residential area.

The application:

- 1) Any school, whether public or private;
- 2) Any campus-orientated civic facility, including all hospitals, colleges and universities, and major governmental administration facilities;
- 3) Any use that is always public in nature, such as fire and police stations, libraries and museums;
- 4) Civic uses in a neighborhood setting that are of a significantly different scale than surrounding non-civic uses;
- 5) An existing civic use that is likely or encouraged to redevelop into a different land use should NOT be designated as civic; and
- 6) Civic uses that are permitted throughout the city, such as day care centers and religious assembly, should not be limited to only the civic land use designation.

These requests are wrong in so many ways, but we need to address them strongly. If no one objects, I will start contacting the neighbors. They need to know what is going on.

Blake