

CHAMPION CITY PARK EAST SUBDIVISION

STATE OF TEXAS)
COUNTY OF TRAVIS) KNOW ALL MEN BY THESE PRESENTS:

THAT CHAMPION LEGACY PARTNERS, L.P., ACTING HEREIN BY AND THROUGH CHAMPION HERITAGE ENTERPRISES, LLC, ITS GENERAL PARTNER, THROUGH MARY MARGARET CHAMPION ROBERSON, ITS PRESIDENT AND CHAMPION-MEIER ASSETS, LTD. ACTING HEREIN BY AND THROUGH CHAMPION-MEIER MANAGEMENT, TRUST, ITS GENERAL PARTNER, THROUGH ALMA JUANITA CHAMPION MEIER, ITS TRUSTEE AND CHAMPION ASSETS, LTD. ACTING HEREIN BY AND THROUGH CHAMPION MANAGEMENT TRUST, ITS GENERAL PARTNER, THROUGH JOSIE ELLEN CHAMPION, ITS TRUSTEE, OWNERS OF THAT CERTAIN 45.347 ACRE TRACT OF LAND OUT OF THE JAMES JETT SURVEY NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, A PORTION OF SAID 45.347 ACRE TRACT OF LAND HAVING BEEN CONVEYED TO CHAMPION LEGACY PARTNERS, L.P. BY DEED OF RECORD IN DOCUMENT NO. 2001143485 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; A PORTION OF SAID 45.347 ACRE TRACT HAVING BEEN CONVEYED TO CHAMPION-MEIER ASSETS, LTD. BY DEEDS OF RECORD IN DOCUMENT NOS. 2001045661 AND 200045662 OF SAID OFFICIAL PUBLIC RECORDS AND A PORTION OF SAID 45.347 ACRE TRACT HAVING BEEN CONVEYED TO CHAMPION ASSETS, LTD. BY DEEDS OF RECORD IN DOCUMENT NOS. 2001010217 AND 2001010218 OF SAID OFFICIAL PUBLIC RECORDS; DO HEREBY SUBDIVIDE SAID 45.347 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED PLAT TO BE KNOWN AS "CHAMPION CITY PARK EAST SUBDIVISION", AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS HEREON, NOT OTHERWISE LABELED WITH PRIOR RECORDING INFORMATION, SUBJECT TO ANY EASEMENTS PREVIOUSLY GRANTED BUT NOT RELEASED, PURSUANT TO CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE AND TITLE 25 OF THE AUSTIN CITY CODE.

CHAMPION ASSETS, LTD.

CHAMPION-MEIER ASSETS, LTD.

CHAMPION LEGACY PARTNERS, L.P.
BY: CHAMPION HERITAGE ENTERPRISES, LLC,
GENERAL PARTNER

BY: Josie Ellen Champion
JOSIE ELLEN CHAMPION, TRUSTEE
OF THE CHAMPION MANAGEMENT
TRUST, GENERAL PARTNER
6700 LAKEWOOD DR.
AUSTIN, TX 78731

BY: Alma Juanita Champion Meier
ALMA JUANITA CHAMPION MEIER
TRUSTEE OF THE CHAMPION-MEIER
MANAGEMENT TRUST,
GENERAL PARTNER
405 ALMARRON
AUSTIN, TX 78746

BY: Mary Margaret Roberson
MARY MARGARET CHAMPION ROBERSON
PRESIDENT
3312 SOUTHWESTERN
DALLAS, TX 75225

STATE OF TEXAS)
COUNTY OF TRAVIS)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 28th DAY OF April, 2003 A.D. BY JOSIE ELLEN CHAMPION, TRUSTEE OF THE CHAMPION MANAGEMENT TRUST, GENERAL PARTNER OF CHAMPION-MEIER ASSETS, LTD., A TEXAS LIMITED PARTNERSHIP, FOR AND ON BEHALF OF SAID TRUST AND SAID LIMITED PARTNERSHIP.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 28th DAY OF April, 2003 A.D.

Imelda E. Covillion
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

My Commission expires: _____



STATE OF TEXAS)
COUNTY OF TRAVIS)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 28th DAY OF April, 2003 A.D. BY ALMA JUANITA CHAMPION MEIER, TRUSTEE OF THE CHAMPION-MEIER MANAGEMENT TRUST, GENERAL PARTNER OF CHAMPION-MEIER ASSETS, LTD., A TEXAS LIMITED PARTNERSHIP, FOR AND ON BEHALF OF SAID TRUST AND SAID LIMITED PARTNERSHIP.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 28th DAY OF April, 2003 A.D.

Imelda E. Covillion
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

My Commission expires: _____

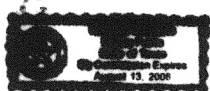


STATE OF TEXAS)
COUNTY OF TRAVIS)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 5th DAY OF May, 2003 A.D. BY MARY MARGARET CHAMPION ROBERSON, PRESIDENT OF CHAMPION HERITAGE ENTERPRISES, LLC, A TEXAS LIMITED LIABILITY COMPANY, GENERAL PARTNER OF CHAMPION LEGACY PARTNERS, L.P., A TEXAS LIMITED PARTNERSHIP, FOR AND ON BEHALF OF SAID LIMITED LIABILITY COMPANY AND SAID LIMITED PARTNERSHIP.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 5th DAY OF May, 2003 A.D.

Roy D. Smith
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

My Commission expires: August 13, 2006

APPROVED FOR ACCEPTANCE:

THIS SUBDIVISION IS LOCATED IN THE FULL PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS THE 7 DAY OF May, 2003 A.D.

Mike Hertz
MIKE HERTZ, DIRECTOR
WATERWAY PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 13 DAY OF May, 2003 A.D. AT 2:25 O'CLOCK P.M., DULY RECORDED ON THE 13 DAY OF May, 2003 A.D. AT 2:25 O'CLOCK P.M., PLAT RECORDS OF SAID COUNTY AND STATE-OF DOCUMENT NUMBER 200300122 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF COUNTY CLERK, THIS 13 DAY OF May, 2003 A.D.

DANA DEBEAUVOR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

DEPUTY



NOTES:

1. ALL WATER AND WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF AUSTIN AND STATE HEALTH DEPARTMENT PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS SHALL BE SUBMITTED TO THE CITY OF AUSTIN, WATER AND WASTEWATER DEPARTMENT, FOR REVIEW.
2. THIS LOT SHALL NOT BE OCCUPIED UNTIL CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEM.
3. PRIOR TO CONSTRUCTION ON THIS LOT, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUNOFF SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATE BY THE USE OF ONSITE PONDING OR OTHER APPROVED METHODS.
4. THIS SUBDIVISION IS LOCATED IN THE WEST BULL CREEK WATERSHED, WHICH IS CLASSIFIED AS A SUBURBAN WATER SUPPLY WATERSHED.
5. PRIOR TO CONSTRUCTION ON THIS LOT, EXCEPT DETACHED SINGLE FAMILY, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
6. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON THIS LOT, PURSUANT TO SECTION 25-8-181, AND THE ENVIRONMENTAL CRITERIA MANUAL.
7. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
8. DEVELOPMENT OF THIS LOT IS HEREBY RESTRICTED TO USES OTHER THAN RESIDENTIAL.
9. WATER QUALITY CONTROL REQUIREMENTS FOR THIS LOT ARE AS SPECIFIED IN THE COMPROMISE SETTLEMENT AGREEMENT IN CAUSE NO. 94-07160, DISTRICT COURT OF TRAVIS COUNTY, TEXAS, 353RD JUDICIAL DISTRICT.
10. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS WITHIN ELECTRIC EASEMENTS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR OF OBSTRUCTIONS. AUSTIN ENERGY WILL PERFORM ALL WORK IN COMPLIANCE WITH CHAPTER 25-8 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
11. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES TO SERVE THIS PROPERTY ONLY.
12. WHEN CONSTRUCTION IS LOCATED ADJACENT TO EXISTING ELECTRIC FACILITIES, THE OWNER SHALL COMPLY WITH ALL PUBLISHED CITY OF AUSTIN SAFETY REGULATIONS, AS OUTLINED IN THE ELECTRIC CRITERIA MANUAL. FAILURE TO COMPLY WITH THESE SAFETY REGULATIONS WILL RESULT IN THE INABILITY OF AUSTIN ENERGY TO PROVIDE SERVICE TO THE PROPERTY. ALL COSTS BECAUSE OF THE OWNER'S FAILURE TO COMPLY WITH THE CITY OF AUSTIN PUBLISHED STANDARDS WILL BE CHARGED TO THE OWNER.
13. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION MEASURES FOR ELECTRIC UTILITY WORK REQUIRED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT ONLY. THIS ELECTRIC UTILITY WORK SHALL ALSO BE INCLUDED WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
14. PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG CITY PARK ROAD AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT, AFTER THE ROADWAY IS IMPROVED AND CONCRETE CURBS ARE IN PLACE. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.
15. ALL OCCUPIED FINISHED FLOOR ELEVATIONS SHALL BE 1.0 FOOT MINIMUM ABOVE ANY ADJACENT 100-YEAR FREQUENCY FLOOD LEVEL. NO FILL SHALL BE PLACED IN A 100-YEAR FLOOD PLAIN EXCEPT BY SEPARATE PERMIT.
16. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN OR TRAVIS COUNTY.
17. FOR A MINIMUM TRAVEL DISTANCE OF 25' FROM THE ROADWAY EDGE, DRIVEWAY GRADES MAY EXCEED 14% ONLY WITH SPECIFIC APPROVAL OF SURFACE AND GEOMETRIC DESIGN PROPOSALS BY THE CITY OF AUSTIN.
18. THE OWNER OF THIS SUBDIVISION AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITIES FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR RELATINGS MAY BE REQUIRED, AT THE OWNERS SOLE EXPENSE IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.

THIS SUBDIVISION PLAT WAS APPROVED AND RECORDED BEFORE THE CONSTRUCTION AND ACCEPTANCE OF STREETS AND OTHER SUBDIVISION IMPROVEMENTS. PURSUANT TO THE TERMS OF A NOTICE CONCERNING CONSTRUCTION OF SUBDIVISION IMPROVEMENTS BETWEEN THE SUBDIVIDER AND THE CITY OF AUSTIN, DATED 5-5-2003, THE SUBDIVIDER IS RESPONSIBLE FOR THE CONSTRUCTION OF ALL IMPROVEMENTS NEEDED TO SERVE THE LOTS WITHIN THE SUBDIVISION. THIS RESPONSIBILITY MAY BE ASSIGNED IN ACCORDANCE WITH THE TERMS OF THAT AGREEMENT. FOR THE NOTICE CONCERNING CONSTRUCTION OF SUBDIVISION IMPROVEMENTS PERTAINING TO THIS SUBDIVISION, SEE SEPARATE INSTRUMENT RECORDED IN DOC. # 200300122 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

19. THE ELECTRIC EASEMENT GRANTED BY THIS PLAT IS FOR THE PURPOSE OF THE CONSTRUCTION, OPERATION, INSPECTION, REPAIR, MAINTENANCE AND REPLACEMENT OF OVERHEAD ELECTRIC DISTRIBUTION LINES AND SYSTEMS, AND ALL NECESSARY AND DESIRABLE OVERHEAD APPURTENANCES AND EQUIPMENT, AND THE OWNER RETAINS THE RIGHTS TO USE THE EASEMENT AREA SO LONG AS SUCH USE DOES NOT UNREASONABLY INTERFERE WITH SUCH ELECTRIC EASEMENTS. THE OWNER RESERVES AND SHALL HAVE THE RIGHT (i) TO CONSTRUCT AND MAINTAIN DRIVEWAYS, SIDEWALKS, PARKING AREAS, DRAINAGE AND DETENTION PONDS, FENCES, AND LANDSCAPING ON AND ACROSS THE EASEMENT AREA, (ii) TO CONSTRUCT AND MAINTAIN UNDERGROUND UTILITY LINES AND SYSTEMS UNDER AND WITHIN, AND OTHER UTILITIES ACROSS, THE EASEMENT AREA, AND (iii) TO GRANT PUBLIC OR PRIVATE EASEMENTS FOR SUCH PURPOSES, SO LONG AS SUCH USES DO NOT UNREASONABLY INTERFERE WITH SUCH ELECTRIC EASEMENT.

20. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR ASSIGNS.

21. PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES (LDC 25-7-152).

22. THE RIGHT FOR DRIVEWAY ACCESS AND UTILITIES ACROSS THE PLATTED DRAINAGE EASEMENT FOR TRIBUTARY 1 TO CITY PARK ROAD IS HEREBY RESERVED. PLANS FOR THE ACCESS MUST BE SUBMITTED FOR REVIEW AND APPROVAL BY THE CITY OF AUSTIN AND TRAVIS COUNTY.

23. FOR RESTRICTIVE COVENANT PERTAINING TO THIS SUBDIVISION, REFER TO DOC. NO. 2003106206 OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

I, ROY D. SMITH, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH TITLE 13 OF THE AUSTIN CITY CODE OF 1981 AS AMENDED; IS TRUE AND CORRECT; AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

SURVEYED BY:
ROY D. SMITH SURVEYORS, P.C.
1214 W. 5TH STREET - SUITE A
AUSTIN, TEXAS 78703

Roy D. Smith
ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR NO. 4094



FLOOD PLAIN NOTE:

THE 100-YEAR FLOOD PLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENT AS SHOWN HEREON. A PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 48453C 0200E FOR THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, DATED JUNE 16, 1993.

I, STEVEN BLAKE KING, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STAND POINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 13 OF THE AUSTIN CITY CODE OF 1981, AS AMENDED, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Steven Blake King
STEVEN BLAKE KING
REGISTERED PROFESSIONAL ENGINEER NO. 64039
CONSORT INC.
315 BOWIE ST. AUSTIN, TX. 78703



Haase, Victoria [Tori]

Subject: FW: Champions Tract III - C14-2015-0160

From: Amanda Morrow [mailto:]
Sent: Wednesday, April 20, 2016 12:23 PM
To: Haase, Victoria [Tori]
Subject: RE: Champions Tract III - C14-2015-0160

Hi Tori,

This email is confirm the proposed modification to zoning application C14-2015-0160. It is our clients desire to amend the application to remove the proposed office use and clinic use. As a result, my client no longer wishes to remove the office limitation of 30,000 square feet from the conditional overlay. In addition, I provide clarification that Part 2. Subsection 3. of Ordinance 000309-78 shall also remain in effect.

Please let me know if you have any questions.

Amanda Morrow
Armbrust & Brown, PLLC
Land Development Consultant
100 Congress Ave. Suite 1300
Austin, Texas 78701
512-435-2368 Direct Line
512-435-2360 Fax

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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/planning.

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: C14-2015-0160

Contact: Victoria Haase, 512-974-7691

Public Hearing: May 3, 2016, Zoning and Platting Commission

June 16, 2016, City Council

Walther Falk
Your Name (please print)

5904 Long Ct, Austin 78730

Your address(es) affected by this application

Walther Falk

Signature

Daytime Telephone: 512 589 8343

Date

4/26/16

☐ I am in favor
☒ I object

Comments:

This proposed development
will make traffic so bad,
that it will be impossible to
get out to 2222 or 360.
More limited development is OK
- which result in fewer trip
counts on the roads.

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810

Haase, Victoria [Tori]

Subject: FW: Champions Tract #3

From: Tori Hill

Sent: Thursday, February 25, 2016 1:43 PM

To: District10

Subject: Champions Tract #3

Dear Ms. Haase,

I have concerns about the zoning change requested by the Champions Tract #3 located at RM2222 and City Park Rd.

The original zoning is GO-CO and the applicant requests a change to GO-MU.

The change to MU (mixed use) would allow high density residential or apartments. The applicant wants to build 325 apartments in addition to the office and clinic space of more than 80,000 sq. ft. combined.

Concerns:

Allowing 325 apartments and the additional traffic on the RM2222/City Park Rd intersection is an impact that affects many more than 2 neighbors within 500 ft of the planned development. There are many more affected and interested parties in the subdivisions of Westminster Glen, Glenlake, Greenshores on Lake Austin, Woods of Greenshores, Oak Shores, Manana West, and others served by City Park Road and RM2222. One small sign and notifying 2 adjacent neighbors is not sufficient for the number of people potentially affected by this zoning change.

The traffic at RM2222 and City Park Rd. and on Capitol of Texas Highway is miserable at present. To add the burden of another 325 apartment residents will be irresponsible to the current residents accessing City Park Rd. and RM2222. City Park Road is one of the most dangerous roads out in the county - blind curves, no shoulders, a #1 on the Austin Bicycle List which gets really interesting and scary because there aren't any bike lanes due to how narrow the 2 lane road is already.

The developer will benefit but every resident that must use City Park Rd and RM2222 will be adversely affected. This is an unsafe and irresponsible proposal to add such density especially on such a dangerous curving intersection at 2222 & City Park Road. This would be incredibly poor planning for this location. Also, it would be on top of the creeks that feed Bull Creek. This will be a major pollution issue for a water source to Lake Austin, not to mention the damage of adding that amount of impervious surface and the increased problems with run-off and/or flash flooding which has already been noticed on other development projects around Austin.

Ms. Haase, can you help us to deny this zoning change request?

*Thank you for your response,
Tori Hill*


~~~~~

Tori Hill  
3229 Pearce Rd.,  
Austin 78730  
512-345-2580

~~~~~

~~~~~

## Haase, Victoria [Tori]

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**Subject:** FW: Zoning Change Request on RM2222 and City Park Road

**From:** Raper, Wesley

**Sent:** Friday, February 26, 2016 12:17 PM

**To:** Gallo, Sheri; Haase, Victoria [Tori]; District10

**Subject:** Zoning Change Request on RM2222 and City Park Road

Ms. Gallo / Ms Haase,

Along with many of my fellow residents in the Greenshores subdivision, as well as residents of Westminster Glen, Glenlake, Oak Shores, Manana West, and others served by City Park Road and RM2222, I have serious concerns about the zoning change requested by the Champions Tract #3 located at RM2222 and City Park Rd.

Having just moved to the area, I was surprised and disappointed by the amount of traffic in this small area, and this zoning change would allow high density residential or apartments, with a proposed 325 apartments, office and clinic space being built. To add another 325 apartment residents will be irresponsible to the current residents accessing City Park Rd. and RM2222.

Two accidents on RM2222 today highlight the dangers of the road as it stands, without adding additional traffic to the area.

Furthermore, the additional traffic isn't the only safety issue - access in and out of the neighborhood is already limited and this would make the problem significantly worse. Allowing this development to proceed has a potentially negative effect on the ability to exit to the area in an event of a necessary evacuation, e.g. Steiner Fires.

Finally, the developer is the only one that benefits here - every other resident that must use City Park Rd and RM2222 will be adversely affected.

Can you please help us to deny this zoning change request?

Thanks,

**Wesley Raper**

Chief Operating Officer

Private Credit Investors

T +1 512 721 2925 M +1 609 937 9450



## PUBLIC HEARING INFORMATION

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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission  
 June 16, 2016, City Council**

**NEERAJ MANCHANDA**

Your Name (please print) 6000 Shepherd Mountain  
14200 Ransdollar Ridge Road

Your address(es) affected by this application Apr # 504  
Austin TX-78739

Neeraj Manchanda Apr 25, 2016  
 Signature Date

Daytime Telephone: 989 493 9128

Comments: Address requested?

6000 Shepherd Mountain Ave

Apr # 504

Austin TX 78730

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

City of Austin  
 Planning & Zoning Department  
 Victoria Haase  
 P. O. Box 1088  
 Austin, TX 78767-8810



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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission  
June 16, 2016, City Council**

DAVID C. PERZYBYSKI

Your Name (please print) ROBERTA G. PERZYBYSKI

5901 LONG CT AUSTIN, TX 78730

Your address(es) affected by this application

Robert C. Perzybski

Schoten Signature: [Signature]

Daytime Telephone: 512-795-0105

4/29/16

Date

☐ I am in favor  
☒ I object

Comments: EXISTING HIGH DENSITY DEVELOPMENT AND AREA GROWTH HAS CREATED GRIDLOCK AND CLOGGED ROADS NOW. THIS HAS NOW WORSEN AN UNBEARABLE PROBLEM MAKING PUBLIC SAFETY RESPONSE IMPOSSIBLE AT RUSH HOURS. AIR POLLUTION AND LIVING CONDITIONS WILL WORSEN. AREA HOME VALUES AND CURRENT TAX REVENUES WILL BE LOWERED. DEVELOPMENT VIOLATION USED ON THIS ROAD INFRASTRUCTURE IN PLACE.

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810

\* REVIEW FOR  
REVISION

## PUBLIC HEARING INFORMATION

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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission**

**June 16, 2016, City Council**

RICHARD HARVEY  
Your Name (please print)

5900 LONG CT, AUSTIN  
Your address(es) affected by this application

VA  
Your address(es) affected by this application

Signature

512-563-0462  
Daytime Telephone

Date

4/29/2016

☐ I am in favor  
☒ I object

Comments: NO APARTMENTS. TRAFFIC IS TERRIBLE  
GETTING OUT OF OUR AREA. THE DENSITY  
OF OUR AREA IS TOO HIGH WITH EXISTING  
APARTMENTS AND BUILDINGS. THE ROADS  
CAN NOT HANDLE TRAFFIC CURRENTLY, SO  
NO MORE DEVELOPMENT IN OUR AREA. TxDOT  
STATED THAT TRAFFIC VOLUMES ARE  
ALREADY TOO HIGH. OUR HOUSE VALUES  
WILL DECREASE DUE TO NOISE AND TRAFFIC  
ALSO.

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810



## PUBLIC HEARING INFORMATION

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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission**

**June 16, 2016, City Council**

Jes Nielsen & Sarah Yates  
Your Name (please print)

5813 Long Ct, Austin, TX 78733  
Your address(es) affected by this application

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

JB.L Apr 30, 2016  
Signature Date

Daytime Telephone: 512-426-8222

Comments: We strongly object to the  
proposed zoning change.  
There are major safety/traffic  
issues with allowing that much  
square footage to be built in an al-  
ready heavily congested area. We also  
have 3 apartment complexes already  
and recently a couple of large office  
buildings. Any new construction will be  
up to neighbors' backyards!

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

City of Austin  
 Planning & Zoning Department  
 Victoria Haase  
 P. O. Box 1088  
 Austin, TX 78767-8810



**Haase, Victoria [Tori]**

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**Subject:** FW: C14-2015-0160 May 3 hearing  
**Attachments:** C14-2015-0160.pdf

From: sc.smiley  
Sent: Monday, May 02, 2016 10:17 PM  
To: Haase, Victoria [Tori]  
Subject: C14-2015-0160 May 3 hearing

please find my comments attached for conditions of support. Please see if the other homeowners on City Park Road would agree to support under the attached conditions.

Scott Smiley

Case Number : C14-2015-0160

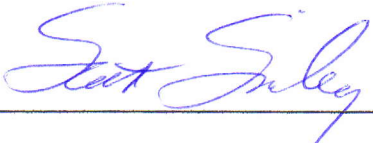
Contact Victoria Haase 512-974-7691

Public Hearing May 3, 2016 Zoning and Platting

June 16, 2016 City Council

Scott Smiley 512-657-7267

3401 Pearce Rd and 6000 Shepherd Mountain Cove



5/2/2016

Comments: I object to this request unless they make the following improvements to mitigate the impact the development will have on the community using City Park Road. Since this project is not going through the subdivision process, this will be the last time to get them to mitigate their impact. The impact I am concerned about is to the intersection of City Park Rd. and RM 2222. My request outlined below probably includes more improvements than their TIA analysis because I want to ensure that the level of service of the intersection stays as it is and does not operate at even one level less than it currently does.

Right turn Lanes: Turns lanes are to be added to the existing roadways at the following locations:

1. East bound 2222 to City Park Road
2. East bound to the development driveway off 2222
3. North bound on City Park Rd. to 2222
4. North bound on City Park Rd. at development drive way on City Park Rd.

Acceleration Lanes: Lanes are to be added to the existing roadways at the following locations:

1. On 2222 from City Park Rd. ( extend to right turn lane into development driveway)
2. On 2222 from development driveway (extend to existing ramp on 2222 to 360)
3. On City Park Road from development driveway ( combined into the new right turn lane above)

Left Turn Lanes: Turns lanes are to be added to the existing roadways at the following locations:

1. Southbound on City Park Rd to development driveway.
2. Dual left turns from 2222 on to City Park Rd.
3. Dual left turn lanes from City Park Rd on to 2222

Additional lane:

1. On City Park Road going south bound until past the development driveway

Additionally, the development must create a Hill Country Roadway buffer zone along City Park Road and the development drive onto 2222 is made to be right in right out only or a traffic signal is installed.

**Haase, Victoria [Tori]**

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**Subject:** FW: Champions Tract #3 - C14-2015-0160

**From:** Marisa Lipscher

**Sent:** Friday, April 29, 2016 2:23 PM

**To:** Haase, Victoria [Tori]

**Cc:** Randy Lipscher

**Subject:** Re: Champions Tract #3 - C14-2015-0160

Tori,

Shepherd Mountain Neighborhood Association would like to postpone the ZAP hearing on this case to Tuesday, June 21. This will allow us more time to discuss plans with the applicant, with whom we have only very recently begun conversations.

Thank you.

Marisa Lipscher  
505-453-4456 cell



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Case Number: C14-2015-0160

Contact: Victoria Haase, 512-974-7691

Public Hearing: May 3, 2016, Zoning and Platting Commission  
June 16, 2016, City Council

Lillian Romero

Your Name (please print)

5904 Long Court, Austin, TX

Your address(es) affected by this application

Alberta Brown

Signature

Date

Daytime Telephone: 512 299-5362

Comments: Traffic on both 2222 and

360 are over capacity (no

Additional lanes can be added).

Noise level will increase.

renovating will make the traffic

more chaotic. It already takes

twice as much to get to work than what

it took 10 years ago.

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810

**Cynthia Smiley**  
**3401 Pearce Road**  
**Austin, Texas 78730**

May 3, 2016

VIA EMAIL TO TORI.HAASE@AUSTINTEXAS.GOV

Ms. Victoria Haase, Case Manager  
Planning & Zoning Department  
City of Austin  
P.O. Box 1088  
Austin Texas 78767-8810

Re: Case Number C14-2015-0160 -- Proposed Zoning Change for Project Located at 6409 City Park Road and 5909, 6103 and 6425 F.M. 2222; Zoning and Platting Commission Hearing on May 3, 2016 (*Postponed to May 17, 2016*); City Council Hearing on June 16, 2016

Dear Ms. Haase:

Please consider and include these comments in the upcoming hearings before the City's Zoning and Platting Commission and before the City Council. Without the City's careful attention to the details of the access to this property, the proposed development of the above-referenced Project at City Park Road and F.M. 2222 presents the risk of significant adverse impacts on the safety and mobility of an area that is already stressed by crowded roadways. Please consider the following comments and re-evaluate the proposed development plans to assure that the City has imposed sufficient requirements to address these critical issues:

1. Address and Mitigate the Impact of the Development on the Intersection of City Park Road and F.M. 2222. The proposed development is located along a curving portion of F.M. 2222 that has very limited sight distance. At present, there are frequent accidents involving cars that enter or exit from City Park Road onto 2222. Additional traffic will magnify the hazards that already exist. Please require the proposed development, if it proceeds, to install substantial turn lanes and extended access lanes in order to assist cars that may enter the limited sight distance, high speed roadway conditions on 2222. In addition, please be sure that left turn lanes from 2222 onto City Park Road are upgraded to provide sufficient distance and delineation to allow people turning left from 2222 onto City Park Road to make a

safe turn, without a head-on collision with oncoming traffic. Likewise, please require accommodations for vehicles traveling east on 2222 to safely turn onto City Park Road from 2222, and then to enter the development without further danger or delays along that narrow, steep, limited-lane roadway.

2. Address and Mitigate the Impact of the Development Traffic on City Park Road: the Sole Access Road to Emma Long Metropolitan Park. The proposed development adjoins City Park Road: the main thoroughfare for all traffic that enters and exits Emma Long Metropolitan Park. Although the height of the park season has not yet arrived, City Park Road and the Emma Long Park are already experiencing overflow conditions, including situations on weekends when traffic headed into the Park extends for long lines that impede access to the surrounding neighborhoods and create traffic and safety hazards for the area. The current practice for advising prospective Park visitors that the Park is “Full” or that “Utility Camping is Full” involves the placement of wooden signs on the southeast and southwest corners of the intersection of City Park Road and 2222. When hopeful Park visitors see those signs, they are expected to turn around and return to 2222 to go elsewhere. Many people attempt to turn around at or near this intersection, which presents extremely dangerous conditions for everyone in the area. **This is the same intersection that the proposed development seeks to utilize for the addition of hundreds of cars each day.** Clearly, this situation must be avoided and the intersection must be re-designed to accommodate these competing interests prior to allowing the increased traffic from the proposed development.
3. Address and Mitigate the Impact of the Development on Bicycle Traffic on City Park Road and 2222. Please consider the frequent presence of bicycle traffic along City Park Road and 2222 as part of your review. The route along City Park Road, between 2222 and the entry to Emma Long Metropolitan Park, is included on the City’s “Bike Map.” However, this is a very dangerous route for bikes, since City Park Road is only two-lanes wide, without shoulders to ride on. Any additional driveways and access points to the proposed development should accommodate the presence of bicycle traffic, and the additional traffic and development should avoid the hazards posed by bicycles on these roads.
4. Address the Potential Impact of the Development’s Residents on the Use of Emma Long Metropolitan Park. Please consider the impact of the proposed development on the current usage of Emma Long Metropolitan Park and whether additional improvements should be made to Emma Long Park in order to accommodate the additional users. We are aware that the City’s Parks Department is actively working



on a near-term and long-term “vision” plan for this unique Park, and we urge the City to include the potential impacts of the new development on this Park.

5. Address and Mitigate the Impact of the Development on the Intersection of West Courtyard Drive and Loop 360. As offices, residences, and businesses in the vicinity of West Courtyard Drive and Loop 360 have grown in number, so has the traffic on this limited capacity roadway. Several times each day, vehicles attempting to go east along West Courtyard Drive to Loop 360 are stacked up for long distances, and drivers may spend an additional 10 or more minutes simply waiting to go through the traffic light at West Courtyard Drive and Loop 360. The additional traffic resulting from the proposed development will likely impact this already crowded situation, and the City should consider ways to avoid this burden on the residential neighborhoods and businesses that depend upon West Courtyard Drive as one of only two ways to access this area. Again, with the existing limitations on roadway infrastructure, which is already stressed by current conditions, we urge the City to make every effort to assure that the proposed development does not exacerbate an already difficult, often dangerous, situation.

Thank you for the opportunity to express our concerns and provide these comments. Please do not allow the development to proceed without confirming that the traffic impact analyses and all other reports required for this new development are as accurate, current, and comprehensive as needed to protect the area and to avoid creating a tremendous burden on this area. Not only would the development create problems for the existing roads and neighborhoods that rely upon City Park Road and 2222 as their only points of access, but the development presents the risk of imposing lengthy travel times and collisions along the much-needed travel routes along 2222 and Loop 360.

Sincerely,

*Cynthia Smiley*

Cynthia Smiley

May 2, 2016

Zoning and Platting Commission  
City Hall Council Chambers  
301 West 2nd Street  
Austin, Texas 78701

Re: Case # C14-2015-0160

Commissioners,

As a concerned neighbor, please be advised that I oppose rezoning the subject property located at 6409 City Park Road and 5909, 6103 & 6425 FM 2222, Austin, Texas. The rezoning and increased density of the development would diminish property values of the residences located in Shepherd Mountain sub-division due to the resulting increased traffic, noise and light pollution.

Thank you for your consideration and denial of the requested rezoning.

Respectfully,

A handwritten signature in black ink that reads "Norman B. Donelson". The signature is written in a cursive style with a large, stylized 'N' and 'D'.

Norman B. Donelson  
5811 Long Court  
Austin, Texas 78730

To Whom it May Concern,

I have lived in Shepherd Mountain for 12 years. I understand there is consideration of new zoning laws regarding our location at the southwest corner of 360/2222.

I want it known that I am adamantly opposed to any zoning changes to our location.

Sincerely Yours,



Steven Fass

5809 Long Ct.  
Austin, TX 78730

## Haase, Victoria [Tori]

---

**Subject:** FW: Register as an "Interested Party" for Champions Tract #3

**From:** Frank Kisner []  
**Sent:** Tuesday, May 10, 2016 10:40 AM  
**To:** Haase, Victoria [Tori]  
**Cc:** Frank Kisner; Helen Kisner  
**Subject:** Re: Register as an "Interested Party" for Champions Tract #3

Victoria Haase  
Planner  
City of Austin – Planning & Zoning Department  
505 Barton Springs Road, 5th Floor  
Austin, Texas 78704

Thank you for the below information, and for allowing me to provide additional comment. In support of providing a consistent voice, I am forwarding the same comments I sent today to Council Member Gallo. My appreciation for your willingness to receive these comments.

### QUOTE

I would like to add my voice, and that of my wife's, to those in opposition of the proposed "Champions Tract #3" at 2222 and City Park. We would also like to thank you for your continued work with all the Homeowners and Property Owners Associations in opposition to this proposal. I would tell you that our opposition reflects that of the majority of our neighbors in the Woods of Greenshores community.

As I am sure others have stated, the planned development of an apartment complex, (and any additional business or office space), would place a tremendous load on an already stressed road infrastructure. The request for 2,000+ daily traffic movements, on an already clogged road system at 2222 and City Park and 360, without significant re-engineering of the traffic flow, volume, and merge, will impact not only those of us living off of City Park Road, but also everyone that uses 2222 to access Loop 360, MoPac, and directly into Austin.

While I will be very interested in the results of the City Staff's completion of the traffic impact analysis (TIA) study, my "personal study," completed while driving on City Park for the past one and one-half years, has proven that there are limited options for traffic flow, and any further congestion on City Park will significantly impact those of us who already live here, and additionally will result in an increase in "diverted traffic flow" through existing communities along West Courtyard Drive or River Place Blvd, which only exacerbates their also already congested traffic patterns.

Thank you very much for your support.



Sincerely,

Frank & Helen Kisner

2625 Arion Circle (Woods of Greenshores)

Austin, TX 78730

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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission**

**June 16, 2016, City Council**

Sandra & Dennis Krutinger

*Your Name (please print)*

7208 Oak Shores Dr. 78730

*Your address(es) affected by this application*

Sandra Krutinger 4-28-16

*Signature*

*Date*

Daytime Telephone: 512-795-1982

*Comments:* According to the Austin American Statesman this development will add in addition 1000 cars daily at the 2002 City Park Rd. Intersection. This is the only road to access our neighborhood. City Park Rd is poorly maintained & is only 2 lanes. Additional cars will cause major traffic delays. More cut throughs on Courtyard Dr.

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810

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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission**

**June 16, 2016, City Council**

*Connie Brilliant*

Your Name (please print)

6000 Shepherd Htn. Cove #1819  
Austin TX 78730

Your address(es) affected by this application

*Connie Brilliant*

Signature

5.5.16

Date

Daytime Telephone: \_\_\_\_\_

Comments: \_\_\_\_\_

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

City of Austin  
Planning & Zoning Department  
Victoria Haase  
P. O. Box 1088  
Austin, TX 78767-8810

Oliver Zimmermann  
7000 Greenshores Dr.  
Austin, TX 78730

May 11, 2016

City of Austin  
Zoning and Platting Commission  
505 Barton Springs Road, 5th Floor  
Austin, Texas 78704

REF: C14-2015-0160 - Champions Tract III

Dear Commissioners:

I am President of the Greenshores on Lake Austin Property Owners Association and am writing this statement on behalf of our POA Board and numerous residents in my community who are strongly opposed to the Champions Tract III rezoning application and proposed development. Our reasons for opposing this rezoning and developing are primarily related to the inherent traffic and safety problems that would stem from the proposed development.

Our neighborhood (and many others nearby) is only accessible via City Park Road. City Park Rd. is a poorly maintained (might say substandard) 2-lane road with traffic delays in rush hour, in poor weather, or on weekends and holidays when traffic going to/from Emma Long Metropolitan Park is at its peak. The road is very popular with motorcyclists and bicyclists alike, however there is no bicycle lane on any section of the road. The absence of a bicycle lane causes significant and frequent traffic delays and safety hazards. After all, cyclists enjoy riding on this road because it is scenic and because it provides access to Emma Long Metropolitan Park.

Beyond the hazards posed to/by cyclists, City Park Rd. has numerous safety problems. It has multiple sharp curves and blind turns, in addition to a very steep hill. Within the last year, there have been vehicle fatalities on City Park Rd. (i.e. motorcycle accidents), and just this past weekend there were multiple 911 calls related to reckless driving on City Park Rd. I encourage you to review 911 calls related to reckless driving on City Park Rd.

The portion of City Park Rd. between RR 2222 and Courtyard Drive (i.e. in the area of the proposed Champions III driveway on City Park Rd.) is particularly dangerous for multiple reasons. Many of these conditions are individually marked by roadside signs/warnings:

- Vehicles driving on City Park Rd. toward RR 2222 head downhill on the previously mentioned steep hill, gathering momentum as they approach and pass Courtyard Dr. See Exhibits A, a picture of the warning sign about the steep grade, and Exhibit B, a picture of the hill in question taken from the perspective of a vehicle headed downhill (which also shows the warning sign about the hidden intersection with Courtyard Dr. just ahead downhill).

- Vehicles turning from Courtyard Dr. onto City Park Rd. often can't see oncoming traffic uphill to the left or downhill to the right. The downhill traffic is often traveling at high speeds due to downhill momentum. What makes matters worse is that many vehicles don't stop at the stop sign on Courtyard Dr. See Exhibit C, a picture taken from the perspective of a vehicle on Courtyard Dr. at the intersection with City Park Rd. looking uphill (to the left), and Exhibit D, a picture taken from the perspective of a vehicle on Courtyard Dr. at the intersection with City Park Rd. looking downhill (to the right).
- Just beyond the Courtyard Dr. intersection downhill, there is a hidden driveway at a commercial business on the left side of City Park Rd. Vehicles heading downhill are often at peak speed as they approach the hidden driveway near the bottom of the hill. I've personally seen multiple accidents occur here, which is right near the proposed Champions III driveway. See Exhibit E, a picture of the hidden driveway warning sign, and Exhibit F, a picture of the hidden driveway taken from a vehicle just a few yards uphill of the hidden driveway. Note that it is indeed very hidden! You can barely see the edge of the driveway on the left until you practically cross by it. Vehicles exiting this driveway to the left (downhill toward RR 2222) place themselves and other drivers at great risk.
- There is a blind curve to the right on City Park Rd. just after the hidden driveway. During peak traffic periods, traffic backs up such that vehicles headed downhill have to brake very hard to avoid rear-ending vehicles in front of them...vehicles that they can only see at the last second due to the blind curve. This is true even when obeying the speed limit due to the limited visibility. See Exhibit G, an aerial view of the blind curve.
- The many vehicle accidents cause damage to the roadway itself, evidenced by the constant repair/replacement of the roadway guard rails along many sections of City Park Rd., including between Courtyard Dr. and RR 2222. For example, again see Exhibit E, a picture of a warning sign about 'bridgerail damage ahead' right near the hidden driveway mentioned above. This is all right near the proposed Champions III driveway! How many dollars of public funds have gone into repairing such damage? It's even more money than would be reflected by the recorded accident reports in that area because many accidents are "cleared" without police assistance. Taxpayer dollars are required to make those repairs, not private insurance payments.

And there have been numerous trees taken down by vehicles careening off City Park Rd, even with the guardrails in place. That means that vehicles are traveling with so much momentum that the guardrails can't always stop them.

In other words, the stretch of City Park Rd. where the proposed Champions III driveway would exist is extremely hazardous—probably the most hazardous part of an overall extremely dangerous road. I encourage City staff to investigate accident statistics and fatalities on City Park Rd. in this general vicinity. And I suspect that a disproportionately high percentage of accidents on City Park Rd. happen between the Courtyard Dr. and RR 2222 intersections. Putting a driveway there would most likely result in an increase in accidents and increased risk of fatalities.

In poor driving conditions, created by many situations—not just a rain event—the section of City Park Rd. between Courtyard Dr. and RR 2222 is and will always be much more dangerous to traverse through. There are already far too many accidents on this road—particularly in this one section between Courtyard Dr. and RRRR 2222. Hence, I think it would be irresponsible and reckless to allow the new Champions III driveway to exist.



What makes all of these problems worse is that vehicles from the River Place and Steiner Ranch neighborhoods often 'cut through' the Westminster Glen neighborhood onto City Park Rd to avoid traffic delays on RR 2222. This often causes traffic to queue up more approaching the RR 2222 intersection on City Park Rd. and worsens the problems associated with the hidden curve shown in Exhibit G.

Another pre-existing safety problem is the intersection of City Park Rd. and RR 2222 itself. I encourage you to look at accident statistics for the intersection as well. Vehicles making a right hand turn from City Park Rd. onto RR 2222 have difficulty seeing vehicles to the left on RR 2222 as they make right-hand turns onto RR 2222 (eastbound) because the curve, trees and guardrail obscure vehicles approaching the City Park Rd intersection. See Exhibit H, the view from City Park Rd. to the left at the intersection with RR 2222. TxDOT (and possibly the City of Austin and/or Travis County) presumably recognized this problem within the last 2-3 years and implemented new traffic rules for the intersection, including restricted right hand turns on red. See Exhibit I for pictures of signage at this intersection. Still, I have witnessed multiple accidents at this intersection since those traffic rules were changed. Further, vehicles on RR 2222 are frequently speeding in excess of 60 mph through the intersection, which exacerbates the problems associated with the blind curve.

Another concern is that with the increased congestion that *will* occur on City Park Rd. at its intersection with RR 2222, the ability for the Travis County and City of Austin fire district emergency vehicles to quickly and safely progress through the intersection will be severely degraded when responding to any events nearby.

Other problems exist with this intersection as well. There is currently only one right hand turn lane to turn right onto RR 2222—a decision that needs to be revisited regardless of the Champions III rezoning application. Presently, there are 3 turning lanes from City Park Road onto 2222, two of which are left turn lanes and only one of which is a right hand turn lane. However, the vast majority of vehicles turn right/eastbound onto RR 2222! Hence, there is often a long wait and a lengthy queue of cars on City Park Rd, especially during the AM rush hour. This problem would only increase with the proposed development.

If right hand turns onto 2222 from City Park Rd. are already deemed to be dangerous (because they are now restricted), then right hand turns onto RR 2222 from the proposed Champions III tract driveway will only make matters worse. From the perspective of the new Champions III driveway, the fast-moving traffic on RR 2222 to the left would also be obscured, probably even more so than it is for drivers on City Park Rd.

There is yet another key safety reason why a large apartment complex with the envisioned driveways near this intersection would be a bad idea. The recently completed Indeed corporate offices at RR 2222/Loop 360 will, according to the *Austin-American Statesman*, soon put over 1000 additional vehicles on the roads near the proposed Champions III driveway on RR 2222. That is, these vehicles would be on opposite sides of RR 2222 and 'competing' to turn onto RR 2222 eastbound. Left turns onto RR 2222 (eastbound) from the Indeed office park already cause significant traffic hazards. Combining the volume of vehicles turning onto RR 2222 from Indeed's offices with the volume of vehicles turning onto RR 2222 across from the proposed development area introduces even more safety risks and worse traffic. And I do not believe that the Traffic Impact Analysis for the Champions III rezoning took the new Indeed offices into account. This problem is certainly worth additional analysis at a minimum before taking action on this rezoning application.

Additional safety hazards and traffic delays without additional roads and road improvements are not in the public interest. Therefore, the residents of Greenshores on Lake Austin encourage the City to deny this rezoning application and to not allow the proposed development. 300 additional housing units residents should not come at the expense of additional accidents, injuries and fatalities on these sections of roads!

If the Champions III development is allowed to go forward, then I, on behalf of our POA, vehemently petition the City to not allow the proposed driveway on City Park Rd. And if the City somehow decides to allow the development to proceed as envisioned—despite the risk to life and property—then the Champions III owners/developers and the City must work with TxDOT and Travis County to widen City Park Rd. in this area and allow for a center turning lane on City Park Rd. for turns into the Champions III driveway.

Before you make a decision on this important matter, I encourage representatives from the Zoning and Platting Commission and the City Council to drive City Park Rd., Courtyard Dr. and RR 2222 and assess the various safety risks that I've described for yourselves. And should you choose to do so during AM rush hour on a rainy day, please take care due to the heightened safety risks under those conditions!

Regardless of the outcome of the rezoning application, I encourage the City to work with other relevant government bodies to reconceive the City Park Rd. and RR 2222 intersection, including revamping the existing turn lanes which are suboptimal. And I encourage the City to widen City Park Rd., or add shoulders throughout, to make it more bicycle-friendly and generally safer. Access to/from Emma Long Metropolitan Park, a wonderful resource to area residents, should not be so perilous and problematic.

This statement was written with the review and consent of the Greenshores on Lake Austin POA Board of Directors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Oliver Zimmermann", followed by a horizontal line.

Oliver Zimmermann  
President, Greenshores on Lake Austin POA

Encl: Exhibits A - I

**Exhibit A** – Steep grade warning sign on City Park Rd. approaching the Courtyard Dr. intersection.



**Exhibit B** – Steep hill near Courtyard Dr. taken from the perspective of a vehicle headed downhill. Shows the warning sign about the hidden intersection with Courtyard Dr. just ahead downhill.





**Exhibit C** - Picture taken from the perspective of a vehicle on Courtyard Dr. at the intersection with City Park Rd. looking uphill (to the left). There is very limited visibility of vehicles traveling at high speeds as they come downhill.



**Exhibit D** - Picture taken from the perspective of a vehicle on Courtyard Dr. at the intersection with City Park Rd. looking downhill (to the right). There is limited visibility of vehicles traveling uphill on City Park Rd.



**Exhibit E** – Warning sign of hidden driveway between Courtyard Dr. and RR 2222, near the proposed Champions III driveway. Also note the bridgerail damage warning sign which obviously relates to a nearby recent accident.

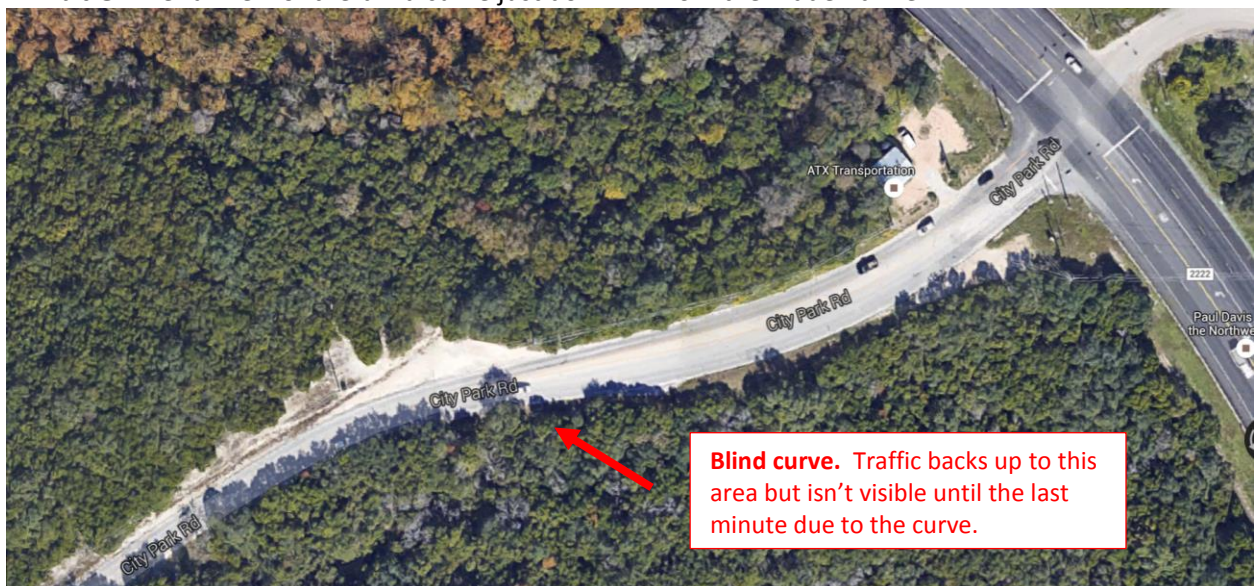




**Exhibit F** – View from the perspective of a vehicle approaching the hidden driveway on the left between Courtyard Dr. and RR 2222, near the proposed Champions III driveway which would be on the right.



**Exhibit G** – Aerial view of the blind curve just downhill from the hidden drive.



**Exhibit H** – View from City Park Rd. to the left/west at the intersection with RR 2222. View of traffic headed eastbound on RR 2222 is obscured by the blind curve, trees, electric pole, and guardrail.





**Exhibit I** – Signage at the intersection of City Park Rd. with RR 2222 showing that right hand turns on red are restricted and also that there are two left hand turn lanes, although the majority of traffic turns right. (There is only one right hand turn lane.)



**Haase, Victoria [Tori]**

---

**Subject:** FW: Oppose case number C14-2015-0160

**From:** Rachel Collins

**Sent:** Tuesday, May 17, 2016 1:28 PM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Haase, Victoria [Tori]

**Subject:** Oppose case number C14-2015-0160

Dear Zoning and Platting Commission,

I am a member of the Shepherd Mountain Neighborhood Association and I oppose the rezoning application on Champions Tract 3 in District 10, case number C14-2015-0160. Our residents do not believe that a proper Traffic Impact Analysis has been conducted, and without this our safety and livelihoods will be jeopardized. We respectfully request that the Zoning and Platting Commission leave the applicant's current zoning intact until a correctly scoped TIA can be completed.

We look forward to seeing you tonight at City Hall.

Sincerely,

Rachel Collins

**Haase, Victoria [Tori]**

---

**Subject:** FW: Oppose case number C14-2015-0160

**From:** Susan Oswalt

**Sent:** Tuesday, May 17, 2016 9:26 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Haase, Victoria [Tori]

**Subject:** Oppose case number C14-2015-0160

Dear Zoning and Platting Commission,

I am a member of the Shepherd Mountain Neighborhood Association and I oppose the rezoning application on Champions Tract 3 in District 10, case number C14-2015-0160. Our residents do not believe that a proper Traffic Impact Analysis has been conducted, and that without this, our community's safety and livelihoods will be seriously jeopardized. We respectfully request that the Zoning and Platting Commission leave the applicant's current zoning intact until a correctly scoped TIA can be completed.

Sincerely,

Hal and Susan Oswalt

## 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/planning](http://www.austintexas.gov/planning).

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: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission  
June 16, 2016, City Council**

*Joe Greenlee*

Your Name (please print)

*6000 Shepherd Mtn. Ctr. Unit 1201*

Your address(es) affected by this application

*Greenlee*

Signature

*4/29/16*

Date

Daytime Telephone: *512-310-0640*

Comments:

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810

*Received May 13th, 2016*



## PUBLIC HEARING INFORMATION

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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission**

**June 16, 2016, City Council**

MARC YAGTIAN

Your Name (please print)

8007 TWO COVES DR, AUSTIN 78738

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 512-343-0484

5/5/16

Date

Comments: I STRONGLY BELIEVE THE PROJECT SHOULD BE PERMANENTLY LIMITED TO MULTI-FAMILY SINGLE USE. TRAFFIC SAFETY IS MY GREAT CONCERN. THE 2222-CITY PARK RD INTERSECTION

JOINS TWO STEEP BLIND DOWN HILL CURVES. IT'S PERILOUS NOW. ANY MATERIAL TRAFFIC INCREASES WILL THREATEN SAFETY. PEOPLE WILL BE KILLED AND INJURED PILING UP INTO TRAFFIC BACKED UP FROM THE LIGHTS.

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810

## 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.

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**Case Number: C14-2015-0160**

**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: May 3, 2016, Zoning and Platting Commission**

**June 16, 2016, City Council**

**NAGHMEH KHALIGHI STROZEN**

*Your Name (please print)*

☒ I am in favor  
☐ I object

**600 SHEPHERD MOUNTAIN CIRCLE**

*Your address(es) affected by this application*

**AUSTIN, TX 78730**

**#2003**

**05.08.2016**

*Date*

*Signature*

**512-203-3391**

*Daytime Telephone:*

*Comments:*

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

City of Austin  
Planning & Zoning Department  
Victoria Haase  
P. O. Box 1088  
Austin, TX 78767-8810

**Haase, Victoria [Tori]**

---

**Subject:** FW: Oppose case number C14-2015-0160

From: Michael Schindel  
Sent: Tuesday, May 17, 2016 4:26 PM  
To: Haase, Victoria [Tori]  
Subject: Oppose case number C14-2015-0160

My name is Michael Schindel and I live on Shepherd Mountain- 6702 W. Courtyard Dr 78730

I oppose the rezoning of the Tract 3 until a proper TIA is performed with correct SCOPE criteria.

The builder proposes 1 entrance into the apartment complex and 2 exits. The exit onto 2222 will be a right turn only. The entrance exit will be on City Park road. To access that entrance from 2222 one needs to take a left turn from 2222 onto City Park, That light is short and must yield to oncoming traffic from a curve. This is dangerous. And the did not realize that it is a NO TURN on RED. The only way to avoid this light is to take 360 South to W Courtyard and turn right, go up the mountain, past my home then turn right onto City Park Road.

The TIA did not look at traffic at that turn signal. You will double or triple the traffic up that 20 mph road and impinge the safety of my neighborhood. People already speed down W Courtyard. My trash cans have been run over in the past even despite road HUMPS. I am afraid to walk in the evening for exercise as cars jump the road HUMPS. It's scary.

I realize some construction will occur bit I plead with you to perform a proper TIA during the school year. The current one was done during JULY 2014 when school was out. Also, The current TIA shows that the initial zoning request of office building, medical office building and multi use was not supported by the current TIA and that is why they are asking for a zoning change to Multi use rather that Mutli family use. Once you permit Mutli use they can build anything despite what the current TIA states.

I realize that by asking for a proper TIA to be performed a much less restrictive zoning ordinance can be passed but I live here and I see the current traffic. 360 will back up southbound until the left lane is blocked thus causing severe 360 back ups all the way to MOPAC.

When done, I believe a correctly sized apartment complex can live with all of its neighbors in a safe and relaxing environment.

Thank you for your ears.

Michael Schindel



## Haase, Victoria [Tori]

---

**Subject:** FW: Rezoning Request 6409 City Park Rd -- Please vote NO

**From:** Jenny []

**Sent:** Tuesday, June 07, 2016 2:17 PM

**To:** Haase, Victoria [Tori]

**Subject:** Rezoning Request 6409 City Park Rd -- Please vote NO

RE: Rezoning Request of [6409 City Park Road](#), Case C14-2015-0160 - Champion's Tract #3

Dear Representative,

I am a voting constituent with a major concern regarding the recent request for zoning change to the property located at RM [2222 and City Park Road](#). First let me say how much I appreciate the attention given to this important issue as I know you are often pulled in many directions. One of the many reasons I love Austin is that we have been more careful than many cities in our zoning and city planning. This helps protect our families, communities and property values. Not many people expected Austin to get this big this fast, and there are many challenges associated with its growth. One of the most challenging, frustrating and long-term issues we must face and continue to address is our traffic issues.

I am concerned about the validity and applicability of the traffic study performed. I understand that the traffic study was done in the summer of 2014 and does NOT include studies of the intersection of W. Courtyard and 360 or the intersection of W. Courtyard and City Park Road.

My concerns are four-fold. One, the population of Austin has exploded since 2014 and continues to grow each and every day. The study, therefore, is stale and fails to include accurate and timely information.

Two, the study did not include all relevant and affected intersections and traffic issues. As previously stated, the traffic study failed to review other intersections which would be directly impacted by any development on this property. Specifically, the traffic plan did not include the intersections of West Courtyard and 360 and West Courtyard and City Park Road. I live within the Courtyard subdivision and most business days with "normal" traffic conditions it takes me 20 minutes just to get through the left turn light into the subdivision. Twenty minutes for ONE intersection. Of course, the timing is different if it's raining (much longer) or school is out (much shorter).

The timing of the traffic study is my third concern. Because the study appears to have been conducted during the summertime, it does not reflect the actual traffic burden on this area during the other nine months of the year when both UT and other schools are in session. At a minimum, the traffic study should be repeated during the school year, while school is in session, and during a normal weekday (non-holiday) to obtain more accurate information.

As you know, the intersection of RM 2222 and 360 was recently revamped to prevent flooding at Bull Creek and to ease traffic congestion in that area. Because of the terrain in this area (lake, hills, rock and already developed properties) neither RM 2222 nor 360 can be expanded/widened/reconfigured to accommodate additional traffic lanes. Any increase to traffic and congestion created by this development must be absorbed by

the current infrastructure. It is therefore imperative that the traffic study be both timely and accurate.

I understand some properties have been rezoned with a certain traffic allowance only to have the developer agree, then come back to sue the city for an increase. In this case we know that the traffic study is already out of date and incomplete which exposes the city unnecessarily to risks of misunderstanding and possible litigation.

The fourth concern I have with the proposed site is the addition of Section 8 housing without any nearby bus routes. While everyone agrees that affordable housing is a major concern for Austin, the current proposal to include Section 8 housing without any available bus routes or other means of public transportation is impractical and unworkable. In addition to no bus routes, there is no space available for bus stops or transit centers as currently configured. Without available buses, these residents will have no choice but to drive and add to the road congestion.

I ask you to carefully consider these issues vote NO to the rezoning of [6409 City Park Road](#), Case C14-2015-0160 - Champion's Tract #3. At the very minimum, I ask that any rezoning request be postponed until such time as a valid and appropriate traffic study is submitted by the developer.

Please help protect our families and communities from the excess traffic and other issues that come with these unqualified and inappropriate zoning changes.

Thank you for all that you do to keep our city a beautiful, safe place.

Sincerely,

Jenny Peloquen





June 15, 2016

Austin City Council  
301 W. 2<sup>nd</sup> Street  
Austin, TX 78701

Board of Directors  
Glenlake Neighborhood Association  
9811 Glenlake Drive  
Austin, TX 78730

Re: C14-2015-0160, Champion Tract 3, zoning request from GO-CO to GO-CO-MU (agenda item 52)

Honorable Mayor, Mayor Pro Tem, and Council Members,

Please know that we are strongly opposed to adding the Mixed Use (MU) conditional overlay to the existing GO-CO zoning of this Champion Tract 3.

If the prospective buyer/developer wants to build apartments, we do not oppose re-zoning the property to Multi Family (MF) to accommodate the development, if the existing conditions and the conditions recommended by the Zoning & Platting Commission on 17 May 2016 are included with the approval. The MF-4 zoning category seems intense for this property and the area, but we have been assured by Transportation Staff and Council Member Gallo that traffic safety will be carefully scrutinized when a Site Plan with details is submitted. We also have been assured by Council Member Gallo that she expects the development to comply with the Hill Country Roadway regulations and will oppose requests for variances to those regulations, which relieves our opposition to the more intense multi-family zoning category.

We appreciate your consideration of our input.

Sincerely,

Michael Reitzel  
President, Glenlake Neighborhood Association

Cc: GNA Board of Directors  
City Council Policy Aides  
City of Austin Case Manager Tori Haase

## Haase, Victoria [Tori]

---

**Subject:** FW: postponement request on case C14-2015-0160

**From:** Marisa Lipscher  
**Sent:** Friday, June 10, 2016 12:08 PM  
**To:** Haase, Victoria [Tori]  
**Subject:** Re: postponement request on case C14-2015-0160

Aug. 11 should be fine, Tori. Thank you.

Marisa Lipscher

On Thu, Jun 9, 2016 at 4:48 PM, Haase, Victoria [Tori] <[Tori.Haase@austintexas.gov](mailto:Tori.Haase@austintexas.gov)> wrote:

Marisa,

Your request has been received. The next public hearing for zoning cases with City Council is August 11<sup>th</sup>. Please confirm that this is the date you are requesting postponement to.

Thank you,

Victoria Haase

Planner

City of Austin – Planning & Zoning Department

505 Barton Springs Road, 5<sup>th</sup> Floor

Austin, Texas 78704

[512-974-7691](tel:512-974-7691)

[www.austintexas.gov](http://www.austintexas.gov)

**From:** Marisa Lipscher [mailto:[marisatexas@gmail.com](mailto:marisatexas@gmail.com)]  
**Sent:** Thursday, June 09, 2016 1:03 PM

**To:** Haase, Victoria [Tori]

**Subject:** postponement request on case C14-2015-0160

Hello Tori,

Shepherd Mountain NA needs more time to prepare for this case and would like to request a postponement on the hearing scheduled for Thursday, June 16 before City Council. We know that the council does not meet in July, so could we please postpone until an August meeting?

Thank you.

Marisa Lipscher

## Haase, Victoria [Tori]

---

**Subject:** FW: Postponement Request Champions Tract III - reply  
**Attachments:** C14-2015\_0160\_TIA \_staff\_memo\_June6.pdf; C14-2015\_0160\_TIA \_staff\_memo\_05-16-2016.pdf

---

**From:** James, Scott  
**Sent:** Tuesday, June 14, 2016 2:47 PM  
**To:** Susan Kimbrough  
**Cc:** Haase, Victoria [Tori]; Rusthoven, Jerry; Naranjo, Ivan; Marisa Lipscher; Carol Lee; Linda Bailey; Gallo, Sheri; Chase, Suzie; Guernsey, Greg; Gibbs, Carol  
**Subject:** RE: Postponement Request Champions Tract III - reply

Hello,

As this email exchange appears to address the staff TIA memoranda for this application, I would like to comment.

The TIA submitted for this zoning case is dated April 20, 2016. No other TIA or analysis has been provided: all staff memoranda have referenced this TIA.

The staff memorandum dated May 13, 2016 was prepared for the public hearing held on May 17<sup>th</sup>. The ZAP Commission motion included additional conditions (beyond those presented by staff) in their recommendation on to City Council.

No additional analysis is required for staff to prepare for the first reading before Council and I drafted a revised TIA memorandum to reflect the additional conditions (and with minor edits) resulting from the Commission action. This memorandum is dated June 6, 2016. Copies of both memoranda are attached for your use.

Therefore, I support Victoria's interpretation that no change was made to either the TIA document, nor transportation staff's interpretation of it. The only substantive change is the addition of condition #4 on page 5, which is a result of the ZAP Commission action and is reserved until the time of site plan review.

I hope this helps to explain the reasoning behind the revision and I would be happy to answer any questions you may have on the changes made.

Thank you.

Sincerely,

Scott

Scott A. James, P.E., PTOE  
Land Use Review | Transportation  
Development Services Department  
505 Barton Springs Road, 4<sup>th</sup> Floor  
Desk line (512) 974 – 2208

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**From:** Susan Kimbrough [  
**Sent:** Tuesday, June 14, 2016 12:32 PM  
**To:** Haase, Victoria [Tori]  
**Cc:** Gallo, Sheri; Linda Bailey; Carol Lee; Marisa Lipscher; Chase, Suzie; Rusthoven, Jerry; Guernsey, Greg; James, Scott; Naranjo, Ivan; Gibbs, Carol  
**Subject:** Re: Postponement Request Champions Tract III

Tori,  
The new TIA memo does contain language changes.

The citation in question is intended to cover visibility of process. It is not specific to staff action. That is your *ex post facto* interpretation, and is not borne out by the way the law is written.

Section C was not intended to obfuscate this process. It was clearly intended to make it visible to all parties.

Uniform interpretation of ambiguity falls to the benefit of the appellant not the writer of the law. The appellant is the neighborhood groups who seek only the appropriate transparency in the permitting analysis process. This is only fair.

Since this transparency assurance has not been followed which would have given the neighborhoods a reasonable time to participate in equitable action associated with this matter, I am requesting you make this right with a postponement of this case before Council [on June 16, 2016](#), consistent with Section C as referenced below. I calculate no earlier than [July 5, 2016](#).

Kind regards,  
Susan  
Sent from my iPad

On Jun 14, 2016, at 11:34 AM, Haase, Victoria [Tori] <[Tori.Haase@austintexas.gov](mailto:Tori.Haase@austintexas.gov)> wrote:

Susan,

I spoke with Carol Gibbs this morning as she wanted to follow up with me after conversing with you yesterday. In conversation with Carol, it occurred to me that I did not address your comment about the TIA changing in the back up for Thursday's hearing. To clarify, the TIA has not changed since the latest submittal on April 20<sup>th</sup>. However, the TIA memo that was prepared by Staff was amended in order to capture/address some of the items from the Commission's motion on May 17<sup>th</sup>. Nothing has changed in the TIA document and nothing has changed in Staff's recommendation.

Kind regards,

**Victoria Haase**  
Planner  
City of Austin – Planning & Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704



**From:** Haase, Victoria [Tori]  
**Sent:** Monday, June 13, 2016 11:01 PM  
**To:** Susan Kimbrough  
**Cc:** Gallo, Sheri; Linda Bailey; Carol Lee; Marisa Lipscher; Chase, Suzie; Rusthoven, Jerry; Guernsey, Greg; James, Scott  
**Subject:** Re: Postponement Request Champions Tract III

Susan,

After review, I believe the following is the portion of the code that you are referencing:

**§ 25-6-113 - TRAFFIC IMPACT ANALYSIS REQUIRED.**

(A)

Except as otherwise provided in [Section 25-6-117 \(Waiver Authorized\)](#), a person submitting a site plan application or a zoning or rezoning application must submit a traffic impact analysis to the department if the expected number of trips generated by a project exceeds 2,000 vehicle trips per day.

(B)

If the director determines that the traffic impact analysis does not comply with the requirements of this article, the director may require the applicant to supplement the traffic impact analysis to address a deficiency.

(C)

An applicant required to supplement an analysis under Subsection (B) must submit the required supplemental material before the **27th day** before the date on which the application is scheduled for action.

Source: Sections 13-5-43, 13-5-44(b), and 13-5-46(a); Ord. 990225-70; Ord. 031211-11.

If you recall, the initial TIA identified development of office uses and 325 dwelling units of which the Applicant later amended to remove the office uses. The revised TIA that was submitted on April 20th was requested by Staff to reflect the reduction in intensity with the removal of office uses in the proposed development. The code referenced above is meant to allow Staff adequate time to conduct further analysis of additional data. In this particular scenario, Staff's request for a revised TIA involved a reduction in intensity and impact. Therefore, this code section above was not referenced in this scenario. Instead, Staff's decision is independent of data; additional data was not a condition of Staff support or future Council action.

As of last Thursday, a postponement request was submitted by the Shepherd Mountain Neighborhood Association (Marissa Lipscher). Marissa indicated that she will be seeking postponement of the hearing to the August 11, 2016 Council hearing. The Applicant is agreeable to a postponement to June 23rd but nothing more. Therefore, this case will, first and foremost, be a discussion about whether to postpone the hearing on June 16th and if so, to what date?

Kind regards,

Victoria Haase

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**From:** Susan Kimbrough <>

**Sent:** Monday, June 13, 2016 4:27:43 PM

**To:** Haase, Victoria [Tori]

**Cc:** Gallo, Sheri; Linda Bailey; Carol Lee; Marisa Lipscher; Chase, Suzie; Rusthoven, Jerry; Guernsey, Greg

**Subject:** Re: Postponement Request Champions Tract III

Can you recommend an expert in posting law who could respond tomorrow? I would be happy to forward the question.

Thanks,  
Susan

Sent from my iPhone

On Jun 13, 2016, at 4:25 PM, Haase, Victoria [Tori] <[Tori.Haase@austintexas.gov](mailto:Tori.Haase@austintexas.gov)> wrote:

Susan,

I apologize that I have not been able to respond quickly. I was hoping to have time to looking into the provisions of the code that you referenced but have not been able to thus far. I have a big case on the PC agenda for tomorrow that has kept my attention for most of the day.

Thank you for your patience. I will respond with answers to your questions as soon as I am able.

Kind regards,

**Victoria Haase**

Planner

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**From:** Susan Kimbrough [[mailto:](#) ]  
**Sent:** Monday, June 13, 2016 4:20 PM  
**To:** Haase, Victoria [Tori]  
**Cc:** Gallo, Sheri; Linda Bailey; Carol Lee; Marisa Lipscher; Chase, Suzie  
**Subject:** Postponement Request Champions Tract III

Tori,

Could I please have an ack-back that you received this email and will reply soon.

Thanks, Susan

Hi Tori,

I noticed a change to the TIA in the backup materials for the 6/16/16 Council meeting.

I would like to have the meeting postponed based on the following. I am looking at the municode. Am I reading this correctly or missing something?

An applicant required to supplement an analysis under Subsection (B) must submit the required supplemental material before the 27th day before the date on which the application is scheduled for action.

Source: Sections 13-5-43, 13-5-44(b), and 13-5-46(a); Ord. 990225-70; Ord. 031211-11.

I do not believe the TIA submitted on April 20, 2016 met this posting requirement either for the May 3 or 17, 2016 ZAP meeting.

This would allow time for the neighborhoods to thoroughly review changes and prepare for the Council meeting.

Thanks,

Susan

Sent from my iPad