

RG4N

RESPONSIBLE
GROWTH
FOR
NORTHCROSS

This informative newsletter explains the RG4N lawsuit against the City of Austin and Lincoln Property Company.

It also shares the facts with you about the redevelopment of Northcross Mall and how a Wal-Mart Superstore would adversely affect your neighborhood. For more information, visit www.rg4n.org.



The New Wal-Mart at Northcross.
The first of its kind.

RG4N Sues City of Austin & Lincoln Property Company

On June 28, RG4N filed a lawsuit in Travis County District Court to invalidate Lincoln Property Co.'s site plan for Northcross Mall.

In June, the City of Austin approved a second site plan filed by Lincoln Property Co., which includes major renovation of the eastern third of the mall and demolition of the western two-thirds of the mall to make way for a 192,000 sq. ft. Wal-Mart Supercenter and three-story parking garage. The plan also includes some additional outbuildings.

RG4N's suit follows several months of attempts by us and many others within and outside the Northcross area to persuade the City and Lincoln to address neighborhood concerns. The concerns include but are not limited to the inappropriate size of a planned Supercenter, the mass traffic

the project will generate on major and neighborhood streets, and an overall project design that will negatively affect the environment and quality of life in the area.

RG4N's lawsuit alleges that the City broke four of its own laws in approving Lincoln's site plan:

- The City used an administrative approval process rather than the required conditional use process, which includes a public hearing.
- The City failed to enforce a plat note that limits runoff from the Northcross property and protects Shoal Creek.
- The City failed to enforce traffic

and public safety provisions of the law.

- The City failed to enforce a tree protection ordinance that would prevent destruction of almost 30 mature trees on the property.

Attorneys for RG4N, the City of Austin, Lincoln and the Allandale Neighborhood Association (which has filed its own suit) have negotiated the details for moving forward. ANA's suit will be combined with RG4N's suit, because the ANA lawsuit is identical to the conditional use process claim in RG4N's suit. A trial has been set for November 13th. For a link to the full lawsuit petition, visit www.rg4n.org.

It's NOT Too Late. It's NOT A Done Deal!

- Winning our lawsuit stops construction no matter how much has been done.
- People all over Austin are committed to fighting the current plan and achieving a better development at Northcross.

rg4n

Responsible Growth for Northcross
DO IT NEIGHBORLY. DO IT RIGHT.

RG4N thanks
Discount Electronics
for its ongoing,
generous support.

Discount Electronics
1011 W. Anderson
Lane Austin, Texas
78757

Mon.-Sat. 9 to 9
Sun. 11 to 6

Retail Store:
512-459-0026

Internet Orders/Questions:
512-983-9989

Computer Stuff Cheap
www.discountelectronics.com

“Thanks Rick!”

Where We Go From Here: An Interview with RG4N’s Officers

RG4N’s Communications Committee Chair, Jason Meeker (JM), asks president Hope Morrison (HM) and vice-president Lisa Waddell (LW) some of the top questions about RG4N, what’s been happening the last several months, the lawsuit, and other steps the group is taking to achieve a better redevelopment of Northcross Mall.

JM: For those who don’t know, how did RG4N get started?

HM: RG4N got its start back in November 2006, after the Austin American-Statesman ran an article announcing that a Wal-Mart Supercenter would be built at Northcross. A group of people who live in six neighborhoods near the mall got together to discuss our concerns. Lots of neighbors and business owners were also concerned. We held our first community meeting in late November, another in late January. With so many people opposed to the redevelopment plan, the organization came together very quickly.

JM: What about the City-led negotiations between Lincoln, Wal-Mart and the neighborhoods?

LW: The City took input from neighborhood representatives but never brought the neighborhood folks and the developer together to negotiate. Still, we hoped the process would be fruitful. But it quickly became clear the City was just going through the motions, and the developer wasn’t really interested in neighborhood input. They made a few cosmetic changes, cut a few thousand sq. ft. and tried to pass that off as “responding to neighborhood concerns.”

JM: But some believe those changes represented a real compromise.

LW: Not at all. The “compromise” is actually almost identical to what they were initially planning.

HM: RG4N has advocated for a mixed-use development rather than the typical sprawl model Lincoln is planning. Their proposed changes don’t address that fundamental issue. Plus, except for the size reduction, the developer didn’t include the proposed changes in the approved site plan.

JM: Isn’t the drop from 225,000 sq. ft. to 192,000 a victory of sorts?

LW: No. We’ve been told that the reduction will be achieved by making the aisles narrower. Wal-Mart plans to sell the same number of items and they expect to draw the same number of customers as they did with the larger store. That means the same amount of traffic.

JM: Why the lawsuit? Doesn’t City approval of the site plan mean it’s a done deal?

HM: Not at all. The City broke some of its own laws in approving the site plan. [See “RG4N Sues City of Austin...” for details] We’ve tried for months to get the City to enforce the law. RG4N is basically using our energy and money to do what the City either failed or refused to do. This is a case where citizens are going to court to force our government to follow its own laws.

JM: What happens if RG4N wins the lawsuit?

LW: Lincoln will have to start over with a new site plan, which will be subject to some requirements that did not apply to the current plan: the big box ordinance, vertical mixed-use requirements and new commercial design standards. This will require a very different kind of redevelopment plan, closer to what the neighborhoods want.

JM: Does RG4N’s lawsuit stand a good chance of winning?

(continued on pg. 3)

(“RG4N Interview” continued)

HM: Absolutely! The City didn’t follow the law. The leadership of RG4N wouldn’t be investing countless hours if we had little chance of winning. We have jobs, families, other volunteer commitments, but have sacrificed the time because we think we have a good shot.

JM: Why is there still work going on at Northcross? Doesn’t that stop until the lawsuit is resolved?

HM: We’ve gotten Lincoln to agree to delay destruction of 26 mature trees on the site and not to do any exterior demolition of the part of the mall planned to be the Supercenter. They won’t do any of that until after we go to trial on November 13. But any work Lincoln does between now and the time this case is resolved is at their own financial risk. When we win, Lincoln will have to stop work and develop a new plan that meets all the new requirements and go through the approval process again.

JM: Besides the lawsuit, what is RG4N doing to affect the Northcross development?

LW: Every Saturday from 11 a.m. to noon, we protest at the corner of Anderson and Burnet. The purpose is to keep the heat on Wal-Mart to cancel its plan for a Supercenter and on the developer to build a different kind of project. We’re not going away. We also need people to keep writing Wal-Mart to urge them to pull out of Northcross. Remember, it’s not a done deal!

HM: We’re exploring other ways to affect Northcross in addition to the lawsuit. But right now, the immediate need is to see the lawsuit through. We need money to do that. People can donate online at www.rg4n.org/donate.

THANK YOU TO OUR COMMUNITY SUPPORTERS

We thank these community groups and leaders for endorsing RG4N and our mission. If you are a community leader and would like to support our efforts, please contact community@rg4n.org.

- Austin Central Labor Council
- Austin Full Circle
- Austin Neighborhoods Council
- Brentwood Neighborhood Association
- Central Austin Democrats
- Clean Water Action
- Hyde Park Neighborhood Association
- Liveable City
- North by Northwest Democrats
- Old West Austin Neighborhood Association Steering Committee
- Religion and Labor Network of Austin
- Ridgelea Neighborhood Association
- Save Our Springs Alliance
- Sierra Club
- South Austin Democrats
- South River City Citizens
- Texans Against Tolls
- Texas Community Project
- Wooten Neighborhood Association
- Sarah Eckhardt, County Commissioner
- Jennifer Kim, City Council Member
- Elliott Naishtat, State Representative

Fighting For Northcross Is Patriotic by Brigid Shea, former City Councilmember, Save

Our Springs leader, and Allandale resident

At Allandale’s Fourth of July parade, my son’s friend Nate dressed as Paul Revere and carried a sign that said “I Revere Democracy.”

RG4N supporters carried a banner that read “The New American Revolution.” But they could just as well have been carrying Nate’s sign, because our fight to protect our neighborhoods and quality of life is democracy in action.

At last winter’s Allandale neighborhood meeting, Lincoln Property Company and Wal-Mart told us the Northcross development was a done deal. They obviously didn’t know who they were talking to. This area consistently has some of the highest voter turnout in the city, and a long history of active involvement in area redevelopment efforts, such as the successful fight against the proposed Koenig Lane Freeway.

Faced once again with an urgent situation for civic participation, Allandale began organizing. The demolition was scheduled to begin in early January. But we did our homework and discovered that in approving the Northcross site plan, the City had violated one of the most basic rules of democracy — that citizens must be notified of their rights. And the Northcross

(continued on pg. 4)

("Fighting Wal-Mart" continued)

redevelopment, which Lincoln and Wal-Mart had expected to sail through, is now hung up in court.

Contrary to the Austin American Statesman's editorial claims, the public process has not worked. The City's development review process is designed to assure quick approval of practically any development plan, no matter how out of step with the City's overall vision and values. Worse, the process involves virtually no meaningful way for citizens to influence City decision making in this area. Come next Council election, I expect many voters will register their dissatisfaction with the lack of public input into the process and the failure of our leaders to insist on consideration of the public interest in development decisions.

In the meantime, join our fight to get a fair hearing in court. Democracy requires participation, so give whatever you can of your time, treasure or talent at



Envision A Better Redevelopment of Northcross

RG4N supports the mixed-use redevelopment of the Northcross area. Our growth-oriented solution would preserve the character, diversity and quality of life of the Northcross-area neighborhoods.

RG4N opposes the Lincoln Property Company plan to build a giant, two-story Wal-Mart Supercenter and three-story parking garage in the middle of our vibrant Austin neighborhoods.

The solution shown above was developed to address the needs and concerns expressed by Austin citizens, businesses and civic organizations while ensuring a successful, profitable endeavor for the developer.

The design featured here is but one example of the type of redevelopment that we could all enjoy at Northcross Mall.

It is the beginning of a better vision that has tremendous potential to become a great reality.

Here's why our idea is better:

- Our roads can't handle 20,000 more cars per day. The developer's traffic study shows how their project will bring streets to the brink of failure. Ours will fit in better.
- Our project would be approved only after public hearings and community review. The developer flew the Wal-Mart plan under the radar to avoid public attention. That's wrong and unacceptable.
- We propose a sustainable development. The developer's plan is another example of ugly, suburban sprawl in a place where it doesn't belong. Our city deserves better and we have city ordinances in place to promote better development.

For more about the RG4N Vision, go to: www.rg4n.org/learn-more/vision.

It's NOT a done deal!

This Time It's Personal by Christopher K. Lehman, Chairman of the Sierra Club of Austin

As an environmentally concerned citizen and Northcross area property owner, I want to help other Austinites concerned about the environment understand why they should oppose the proposed redevelopment plan for Northcross Mall.

Big Box Impact On The Environment

A big box retailer wants to locate at Northcross Mall. The profitability of big box stores comes at the expense of the environment, through contribution to sprawl and increased pollution.

Big box developments are by definition sprawl inducing: They are low-density developments that make inefficient use of scarce urban land. The proposed two-story Wal-Mart and the rest of the plan for redeveloping the 27.8 acre site offer virtually the same single use and low density of the 1973 mall they would replace. Such low-density redevelopment of urban space perpetuates sprawl by pushing our demand for land further into undeveloped areas previously serving our agricultural, recreational, wilderness and water quality needs.

Instead of a mixed-use, multi-story development with sufficient density to allow retailers to prosper within easy walking/delivery distance of the consumer, the big box serves a wide area from one location. Its success

requires that a significant number of consumers drive outside their own neighborhood area for goods. This business model results in increased pollution due both to the need to drive rather than walk to the store (because of the distance between the store and residential areas) as well as longer trips.

Big Box Impact on the Northcross Neighborhoods

The fight against the big box at Northcross Mall is not just a "not in my backyard" effort. Opponents of the proposed Supercenter welcome redevelopment of the mall. But the impact of increased traffic congestion on the environment must be minimized through smarter, higher-density, mixed-use redevelopment.

Most Austin-area Wal-Mart Supercenters are located on highways and access roads. Anderson Lane and Burnet Road are not capable of handling the increased traffic burden a Supercenter will create. Whereas highway through-traffic can speed by on the highway's main lanes, Anderson Lane and Burnet Road through-traffic will be slowed by big box shoppers as they decelerate or merge into turn lanes.

The Northcross developer's Traffic Impact Analysis (TIA) shows that the development will push the surrounding roads to the brink of failure. The same month that Lincoln's first Northcross site plan was approved, August 2006, the Institute of Transportation

Engineers (ITE) published a new study providing revised trip generation rates for discount superstores of 200,000 sq. ft. or more. Such stores generate an average of 5.5 trips per 1,000 SF of store compared to the TIA's 3.96 trips per 1,000 SF. That's 39 percent more traffic per peak hour than the developer's TIA projected. The final proposed Northcross Supercenter is 192,000 sq. ft., quite close to the 200,000 threshold. And City traffic counts at Austin-area Wal-Mart Supercenters indicate that the proposed Northcross Supercenter will be well above even the revised ITE average.

All of this confusing math underscores the point that big box stores that draw from a large area and perpetuate low-density redevelopment of urban areas will generate more and longer car trips and pollution. This store could have worked if this area had the residential density and transportation infrastructure to support it. But it doesn't. Instead, our area—and our environment—would be better served by a redevelopment that includes owner-occupied, multi-family housing and a smaller, more neighborhood oriented store.

Elitism?

Some argue that resistance to business as usual is anti-business and in the case of discount retailer Wal-Mart, hardest on those who either need a job at Wal-Mart or

(continued on pg. 6)

("It's Personal" continued)

need low prices. The ability of low-income individuals to get jobs and buy necessities is a serious concern. However, it is short-sighted to trade the environment and people's health (which is harmed by a polluted environment) for what research indicates is a myth: Wal-Mart creates fewer jobs than are lost when its competitors go out of business, and doesn't always have the lowest prices.

In any case, increased driving compromises our air quality now and increases demand for oil and gas. That drives up oil and gas prices and increases urban land values, propelling the poor further outward and increasing their transportation burden.

It Isn't Impossible

When cities permit low-density, big box model redevelopment of urban areas, the environment loses. Neighborhoods lose. The poor lose. We must require business models that are sustainable—models that any retailer can adopt. Especially one with the global resources and deep pockets of Wal-Mart.

BUSINESS SUPPORTERS

These businesses support RG4N financially. Please return the favor by doing business with them. (Tell them we sent you.)

ABC Vacuum Warehouse
Alamo Drafthouse Cinema
Amy's Ice Cream
Ana Brasil
austinuts
Austin Unique
Bikram Yoga Austin, YOGAGROOVE
BodyBusiness Health Club & Spa
Brentwood Tavern
Business Success Center
Crestview Minimax IGA
Curio Corner Books
Discount Electronics
Dollar-a-Day Advertising
Donald R. Greenspan, CPA
Encore Records, Video & Apparel
Far West Optical
Five Star Autogroup
Garbo, a Salon
Genuine Joe Coffeehouse
Groomingdale's of Austin
Johnson Properties
Lamps & Accessories
Linger Bath and Body
Nomad Sound
Phil's Ice House
Satay Restaurant
Serendipity Bridal
Skandinavia Contemporary Interiors
Terra Toys
The Gallant Group
Thunderbird Coffee
Torchy's Tacos
Zinger Hardware & General Merchant

For more information, see www.rg4n.org/node/130. To add your business to our list of supporters, contact fundraising@rg4n.org.

Top 10 Reasons People of Faith Should Oppose Wal-Mart

by Chris Pieper, Doctoral Candidate in Sociology at UT

While the proposed Northcross redevelopment is illegally approved, harmful to the neighborhoods and against the spirit of Austin, it also runs counter to the moral vision of the world's great faiths.

10. First and Second Commandments: *"You shall have no other gods before me, You shall not worship idols."*

As the world's largest retailer, Wal-Mart depends on the false idolatry of money-worship and consumerism for its very existence.

9. Jesus' Sermon on the Mount: *"Blessed are the meek, Blessed are the peacemakers."*

A 192,000 sq. ft. Supercenter doesn't exactly reflect meekness. Peacemakers believe in seeking mutuality, yet Wal-Mart has resisted the call for a significantly smaller store.

8. The Buddha's Noble Eightfold Path: *Right action prohibits voluntarily taking part in action that harms others.*

A Supercenter would increase pollution, reduce property values and threaten the viability of numerous small businesses in the area. These consequences are clearly harms.

7. In the Old Testament, poverty is second only to idolatry as the most prominent theme.

In the New Testament, one of every 16 verses is about the poor. How does Wal-Mart treat poor people? It increases unemployment by putting small businesses out of business but not creating as many new jobs as are lost. It perpetuates poverty through its wage policies and use of sweatshop labor. And it denies the dignity of labor by prohibiting its working poor employees to unionize.

6. I Peter 4: 10 *"Like good stewards of the manifold grace of God, serve one another with whatever gift each of you have received."*

God calls human beings to be responsible stewards of creation. Wal-Mart has a scandalous environmental record, with hundreds of EPA violations ranging from fuel tank leakages, water and air quality violations, to lack of erosion control.

5. Isaiah 3, 14-15 *"By what right do you crush my people, And how do you dare to bash the face of the poor who cry out to Me?"*

Wal-Mart exploits young people, immigrants and women. A 2004 report found 1,371 violations of child labor laws in a single week. Wal-Mart is also currently the target of the largest class-action sex discrimination lawsuit in US history; 2 million women allege they were passed over for pay and promotions.

4. The Quran says: *"And swallow not up the property of others by false means."* Al-Baqarah 2:188

Wal-Mart has been dishonest, secretive and undemocratic in its dealings with those most affected by its business approach, especially local neighborhoods.

3. 1 Cor 12:12-14, 24-27: *"For the body does not consist of one member but of many... But God has so composed the body... that there may be no discord in the body, but that the members may have the same care for one another. If one member suffers, all suffer together; if one member is honored, all rejoice together."*

We are all intricately interconnected. The invasion of Wal-Mart and other megastores into our communities is a fundamental threat to the well being of all Austinites. Whether you live across the street from Northcross or far across town, this issue speaks to what we want our future to look like. We must stand shoulder to shoulder and determine our own destiny.

2. Isaiah 41:10: *"So do not fear, for I am with you; do not be dismayed, for I am your God. I will strengthen you and help you; I will uphold you with my righteous right hand."*

Scripture calls us to stand up for what is right even when the odds are against us. The forces against us are often formidable. It is easy to become discouraged. But history tells us that even a small group of dedicated people, driven by their convictions and faith, cannot be denied.

1. James 2:17-18: *"Thus also faith by itself, if it does not have works, is dead. But someone will say, 'You have faith, and I have works.' Show me your faith without your works, and I will show you my faith by my works."*

As believers, we are called to live every day the teachings of our creeds. We can act on these teachings by refusing to do business with immoral firms like Wal-Mart and by stopping them from ruining our community. More importantly, we can respond with a hopeful, alternative vision for Austin that embodies the highest of these values.

The Old Testament tells its own version of our challenge. In that story, Wal-Mart was named Goliath. The brave but small hero was named David. We all know how that turned out. Let's get to work. Amen.

TOGETHER, WE CAN DO IT. IT'S NOT A DONE DEAL!

If you've already contributed to RG4N, thank you. But make no mistake, this fight is tough and expensive. Your ongoing generosity is needed each month to fund the lawsuit.

When we all make small monthly donations, it adds up to big money:

- 100 people giving \$100 per month for six months = \$60,000
- 200 people giving \$50 per month for six months = \$60,000
- 200 people giving \$25 per month for six months = \$30,000
- That's \$150,000

We don't know with certainty how much the lawsuit will cost. But by looking at other developer/Wal-Mart fights around the country as a guide, \$100k - \$200k is probably the minimum amount.

Make a donation to RG4N

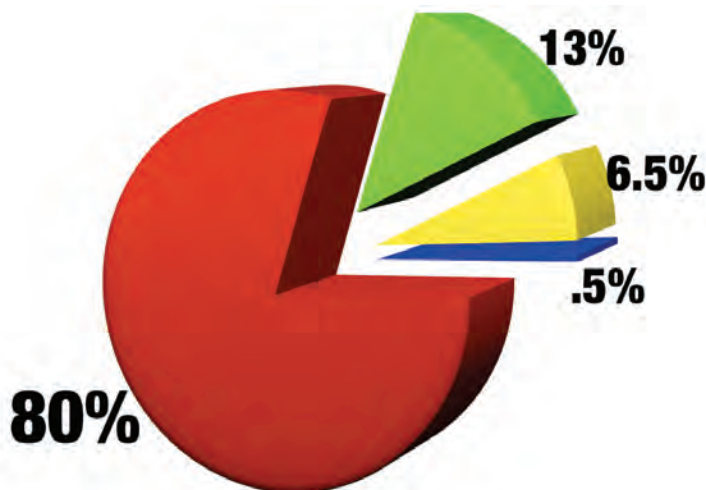
Donate Monthly. Commit to contribute monthly using a credit card online. Go to www.rg4n.org/donate or contact us at fundraising@rg4n.org to set it up. Subscribe to a 6-Month Contribution Program and get a FREE RG4N t-shirt as our thanks to you.

Checks can be mailed to: **RG4N, PO Box 66127, Austin, TX 78766**

Support our Business Supporters. Shopping locally and helping our supporters helps us, so give them your business. When you see an RG4N donation jar, drop in your change—or a check.

Join the RG4N Fundraising Committee. We need your help and ideas. To join us, email: join@rg4n.org.

"Where does the money go?" This chart shows you.



Here's how each dollar donated to RG4N is allocated:

- LEGAL: 80¢ pays for your legal battle.
- PUBLIC EDUCATION: 13¢ goes to yard signs, flyers, newsletters and community meetings.
- FUNDRAISING: 6.5¢ pays for fundraising costs.
- OTHER: .5¢ is needed for PO Box fees and other expenses.

GET A SIGN!

Support RG4N and put a "No Wal-Mart Supercenter" sign in your yard.

Here's how to get one:

- ➔ Go to Zinger's, Genuine Joe Coffeehouse, Discount Electronics or Thunderbird Coffee.
- ➔ Request one at: www.rg4n.org/take-action/yard-sign
- ➔ Contact a Neighborhood Sign Captain:

Allandale: Laurelin Mullins
allandale-captain@rg4n.org
791-0408

Brentwood: Cindy Fisher
brentwood-captain@rg4n.org
453-2444

Crestview: Kat Correa
crestview-captain@rg4n.org
225-4732

Northwest Hills: Bev Kuenast
nwhills-captain@rg4n.org
771-7812

Rosedale: Don Clinchy
rosedale-captain@rg4n.org
371-3891

North Shoal Creek:
Heather Keizman
nsc-captain@rg4n.org
917-9689

Wooten: Imron Goldstein
wooten-captain@rg4n.org
380-9367

rg4n

Responsible Growth for Northcross
DO IT NEIGHBORLY. DO IT RIGHT.