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## **MUD REVISION REVIEW SHEET**

**CASE:** C12M-2013-0002 Senna Hills Municipal Utility District, 3<sup>rd</sup> Amendment to First Amended and Restated Consent Agreement

**P.C. DATE:** March 26, 2013

**PROPOSED CHANGES:** The applicant proposes to amend the consent agreement and land plan to (1) change two tracts designated for school and irrigation use to office use, (2) reduce the maximum residential density, and (3) reduce the maximum Living Unit Equivalents (LUEs).

**APPLICANT/OWNER:** Senna Hills Limited (Rip Miller)

**AGENT:** Alan Rhames, Axiom Engineers Inc.

**LOCATION OF MUD:** FM Road 2244 at Senna Hills Drive

**DESIRED DEVELOPMENT ZONE:** No

**WATERSHED:** Barton Creek, Lake Austin

**ZONING:** None - ETJ

### **SUMMARY STAFF RECOMMENDATION:**

The staff recommends denial of the proposed amendment to change the consent agreement and land plan to allow Office use on the School and Irrigation tracts. The proposal would increase impervious cover over what is currently allowed. Furthermore, Eanes ISD would like to preserve the option to use the site for a school in the future.

### **DEPARTMENT COMMENTS:**

The proposal was reviewed by staff members of the following departments: Austin Energy, Austin Resource Recovery Austin Water Utility, Financial and Administrative Services, Fire, Law, Neighborhood Housing and Community Development, Planning and Development Review, Public Works, Transportation, and Watershed Protection. Staff made several recommendations.

Austin Energy recommended that all buildings within the district comply with the City's Energy Code and achieve a two-star rating under the Green Building program. The applicant agreed to this recommendation for the subject tract. He does not own the remaining single-family undeveloped lots.

The Parks and Recreation Department requested that the applicant revise the land plan to show the correct boundary and acreage for the private park owned by Senna Hills HOA. The applicant has made this revision in the red-lined land plan attached to this report.

The environmental reviewer in the Planning and Development Review Department (PDRD) asked for additional information comparing impervious cover allowed on the tract under the

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current MUD land plan to the impervious cover that would be allowed with the amendment. The applicant provided the impervious cover that would be allowed with the amendment under current city code (SOS). However, the applicant has indicated that he would like to develop the tract under the regulations specified in the consent agreement, the Barton Creek and Lake Austin Watershed Ordinances, rather than current city code.

Staff has determined that development of the entire 11.73-acre site under the applicable watershed ordinances (the Barton Creek and Lake Austin Watershed Ordinances) could result in greater impervious cover than that allowed by the current land plan due to the expansion of the gross site area from 10 to 11.73 acres. When the City considers creation of a MUD, impervious cover and other aspects of environmental quality are of paramount importance in the balance of private and public benefits.

The MUD reviewer in PDRD asked why some of the tracts designated as Irrigation on the MUD land plan have not been conveyed to the MUD as required by the consent agreement. The applicant responded that most of the remaining Irrigation tracts owned by the developer are not needed for irrigation at final build-out. The MUD holds an irrigation easement on one of the tracts owned by the developer.

The MUD reviewer opposed the proposed change to Article 8, and the applicant agreed to withdraw that change.

The transportation reviewer in PDRD commented that the consent agreement requires the developer to provide a traffic signal at the intersections of any roads with FM 2244 if warranted. The applicant agreed to work with TXDOT on the warrant study. He also proposed providing direct access from the subject tract to FM 2244 to reduce commercial traffic on Senna Hills Drive, a concern of Senna Hills residents. The 1986 plat prohibits individual driveways onto FM 2244, however.

The Neighborhood Connectivity Division (NCD) of Public Works recommended that the developer provide bicycle parking and showers. The developer agreed. NCD also recommended striping 6' - 8' wide shoulders along Senna Hills Drive to improve bicycle access and safety. The developer responded that the road is owned and maintained by Travis County and that he is not in a position to agree to striping this roadway.

Eanes ISD supports retaining the school designation on the land plan. While Eanes ISD is not a party to the consent agreement and would have to buy the tract from the developer if needed, PDRD does not support releasing this tract as long as the school district is potentially interested in using the site in the future. Public facilities such as schools are important considerations for the City when consenting to MUD creation.

As of March 20, the Senna Hills MUD Board of Directors was opposed to the consent agreement amendment but was willing to discuss alternatives with the applicant. The MUD must agree for the consent agreement amendment to take effect.

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**PUBLIC COMMENTS:**

Residents in nineteen Senna Hills households contacted staff to express their opposition to the requested change. The residents are concerned that commercial development in the neighborhood will cause increased traffic and MUD taxes and diminished pedestrian safety and property values. One resident cited a concern about further development of other tracts in the MUD that were advertised as "greenbelts" when they purchased their houses. Also, residents say that the site has been advertised as a future educational facility, and they do not welcome the change to a commercial use.

**ATTACHMENTS:**

Exhibit A – Applicant's Cover Letter, Proposed Text Changes, and Redlined Land Plan  
Exhibit B – Location Map  
Exhibit C – Staff Presentation Slides  
Exhibit D – Email from Eanes ISD  
Exhibit E – Correspondence from Senna Hills Residents

**ENVIRONMENTAL BOARD RECOMMENDATION:** Scheduled for March 20, 2013

**PLANNING COMMISSION RECOMMENDATION:** Scheduled for March 26, 2013

**CITY COUNCIL DATE:** April 11, 2013

**ACTION:**

**CASE MANAGER:** Jackie Chuter  
[Jackie.chuter@austintexas.gov](mailto:Jackie.chuter@austintexas.gov)

**PHONE:** (512) 974-2613

*Updated March 20, 2013*

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**Exhibit A:**  
**Applicant's Cover Letter, Proposed Text Changes, and**  
**Redlined Land Plan**

C12M-2013-0002

Senna Hills Municipal Utility District

3<sup>rd</sup> Amendment to First Amended and Restated Consent Agreement



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January 31, 2013

Ms. Jackie Chuter, AICP  
City of Austin PDRD  
505 Barton Springs Road  
Austin, Texas 78704

Re: Senna Hills MUD Consent Agreement Amendment Application  
Case No. C12M-2013-0002

Dear Ms. Chuter:

On behalf of Senna Hills Limited, we are submitting this MUD Consent Agreement Amendment Application to propose an update to the existing MUD consent agreement. The MUD has been approximately 95% built out for a few years with only a few vacant residential lots remaining. Changes to the development over time are such that certain terms of the consent agreement are not consistent with the built-out conditions of the development. This amendment application proposes to modify the following parameters:

- The ultimate number of single-family residences and overall density is reduced to reflect the actual anticipated build out condition.
- The number of LUEs is reduced to reflect the lower ultimate number of single family residences within the MUD.
- All references to "school" are changed to "office". The local elementary school was built in a neighboring subdivision to the west.
- The proposed irrigation area table is being modified to reflect the drop in the number of ultimate LUEs, reducing the required overall area of irrigation.

Per our discussion, we understand that the City will require the consent of the MUD itself to move forward with approval of the proposed changes. We are therefore submitting this application on behalf of Senna Hills Limited to obtain input from the City of Austin on the proposed changes. Based on our conversations with City staff, we understand that the only way to obtain the City's review is to actually submit a formal application to modify the consent agreement.

If you have any questions, please feel free to call.

Very truly yours,

**Axiom Engineers Inc.**

A handwritten signature in black ink, appearing to read "Alan D. Rhames".

Alan D. Rhames, P.E.

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#### **PROPOSED CHANGES TO THE MUD CONSENT AGREEMENT**

1. Amend Article 4 to reflect the anticipated full build out LUEs and define the number to be assigned for Non-residential uses. Delete reference to School.
2. Add a note to Article 8 detailing the release of effluent irrigation easements in the future is the MUD ceases to need effluent irrigation.
3. Amend Article 9 to reflect the final residential density of the district.

Proposed changes are indicated in red on the attached two sheets.

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Section 3.7. Effluent Pond. The parties agree that the effluent storage pond shall be constructed in the Lake Austin Watershed and will be of sufficient size so as to provide up to one hundred (100) days of effluent storage, in accordance with the then current standards of the Texas Water Commission. Senna Hills shall line the holding pond with an impermeable liner which meets the specifications and requirements of the Texas Water Commission.

Section 3.8. Lift Stations. Senna Hills and/or the District shall design and install lift stations in accordance with City of Austin specifications and regulations. The City shall have the right to review and approve the design of the lift stations and overflow containment facilities.

Section 3.9. Acquisition by District. The District may reimburse Senna Hills for the cost of construction of any District Facilities constructed by Senna Hills to the extent authorized by the Texas Water Commission. To the extent the District is not permitted by the Texas Water Commission to pay Senna Hills for any facility, Senna Hills shall dedicate such facility to the District without compensation.

#### ARTICLE 4

##### OPERATION AND MAINTENANCE

Section 4.1. District Facilities. The District shall operate and maintain the District Facilities, unless the City and the District enter into a contract for the City to operate the District Facilities in such manner and for such compensation as may be mutually agreeable. The District shall have the obligation to inspect all water and wastewater connections made in the District for compliance with the requirements of the Uniform Plumbing Code, the City's local amendments thereto, the water and wastewater service detail Promulgated by the Water and Wastewater Utility of the City, as hereinafter amended from time to time, and the rules and regulations of the Texas Water Commission.

Section 4.2. Living Unit Equivalents The City acknowledges that the District's overall water and wastewater capacity demand, as expressed in living unit equivalents ("LUEs"), to fully develop the District is <sup>455</sup>494 LUEs of water service and <sup>455</sup>494 LUEs of wastewater service, based on a maximum of 484 LUEs for residential use and 10 LUEs for school-use. LUEs per land use category are calculated based on City criteria.

NON-RESIDENTIAL USES

<sup>410</sup> Additional water and wastewater requirements shall be determined if (a) the District annexes land in accordance with Article V, (b) the land use plan for the Property is amended in accordance with Article 9 or (c) zoning, platting or replatting of property within the District affects the capacity demand.

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obligations or responsibilities which may have been incurred by Senna Hills prior to annexation and dissolution of the District shall not terminate unless and until the City and Senna Hills agree otherwise.

#### ARTICLE 8

##### LAND AND BASEMENT COSTS

All easements and rights-of-way needed for District purposes within the District shall be dedicated to the District by Senna Hills, its successors or assigns. The District may acquire land outside the District for District purposes from Senna Hills or other landowners in accordance with the rules of the Texas Water Commission. Land, easements, and rights-of-way outside the District required by the District shall be acquired by the District in accordance with the usual and customary public purchasing standards and procedures applicable to the District.

Any or all of the irrigation area, PUE, or downstream buffer zone that is not required by the MUD for spray irrigation after full build out or once the MUD discontinues processing waste water or that waste water is processed off site will automatically be released from the Conceptual MUD Land Plan and from the Consent Agreement.

#### ARTICLE 9

##### LAND USE AND DEVELOPMENT

**Section 9.1 Restrictive Covenants.** Senna Hills, its successors and assigns, covenant and agree that, at the time the creation of the District is confirmed by the qualified voters in the District or prior to development of the Property, whichever occurs first, the following restrictive covenants, lettered a. through k., shall be placed of record in the Real Property Records of Travis County, Texas, in a form approved by the City Attorney, which covenants and restrictions shall run with the land and be binding upon Senna Hills, and its successors and assigns:

a. Senna Hills, its successors and assigns, shall develop and maintain the Property in accordance with the Land Plan, attached hereto as Exhibit "F" and made a part hereof for all purposes ("Land Plan"), including all notations thereon, as the same may be amended from time to time with the concurrence of a majority of the members of the City Council of the City and Senna Hills, its successors and assigns, in accordance with the Water District Procedure Ordinance, except as otherwise hereinafter provided. The District's overall gross residential density shall be limited to no more than ~~1.53~~ units per acre based on a maximum of four hundred ~~eighty-four (484)~~ residential units on ~~316.695~~ acres.

~~T&N (410)~~ ~~1.27~~ ~~322.68~~  
b. The Property shall be developed and maintained in a manner which meets or exceeds the standards for landscaping set out in the City's Landscape Ordinance, as codified in Chapter 13-2A of the 1981 Code of the City of Austin (the "Code"), as



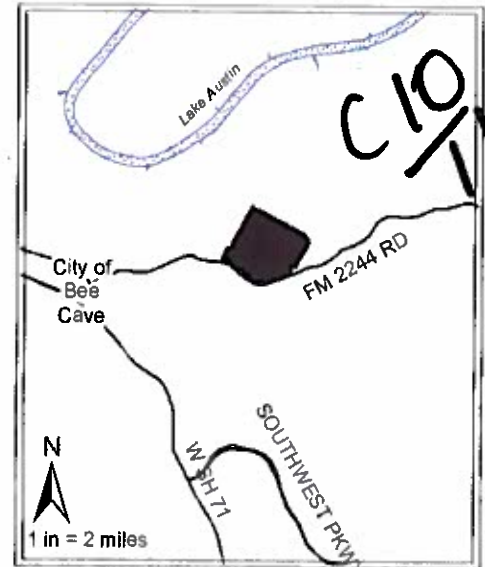
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**Exhibit B:**  
**Location Map**

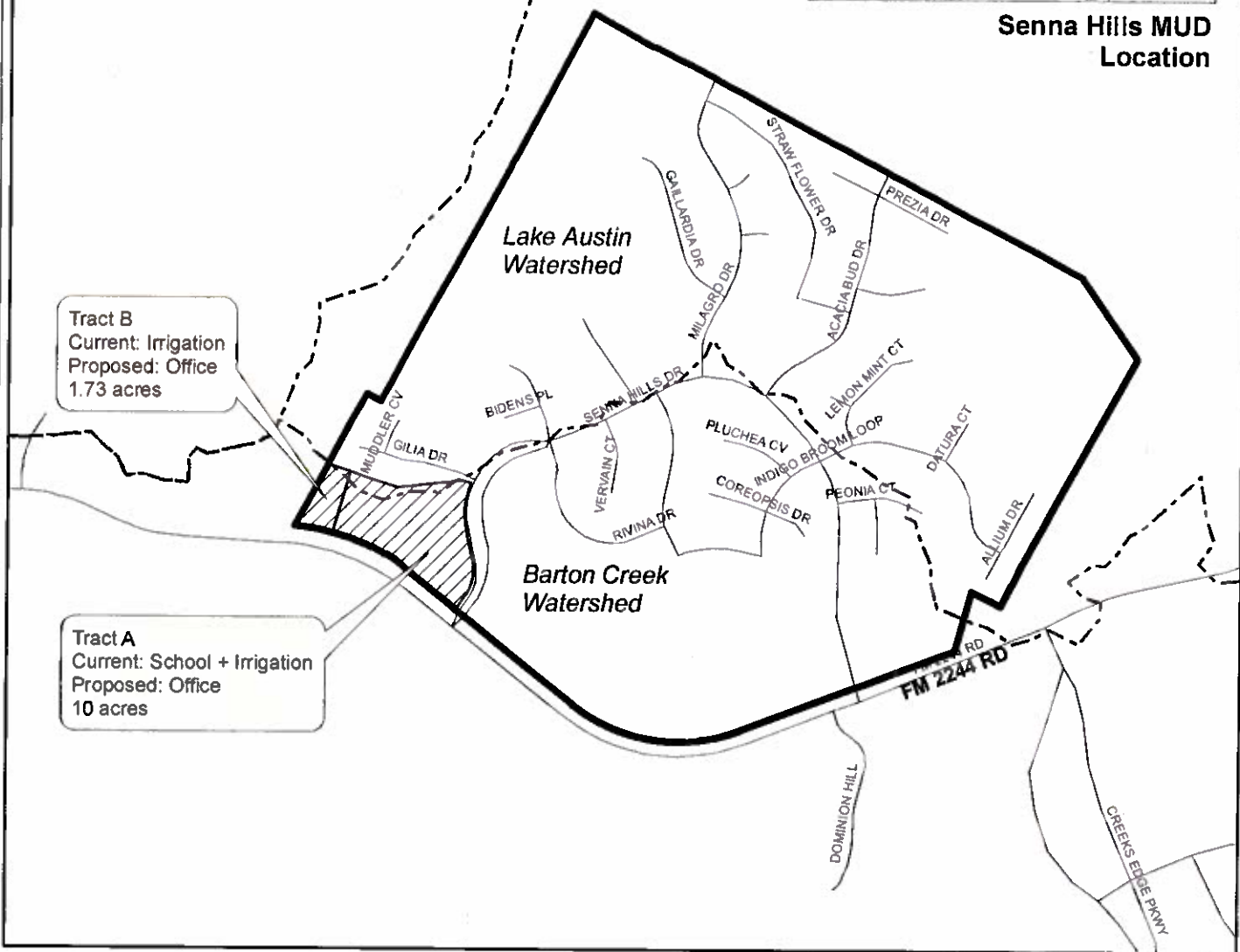
C12M-2013-0002

Senna Hills Municipal Utility District

3<sup>rd</sup> Amendment to First Amended and Restated Consent Agreement



**Senna Hills MUD  
Location**



Tract B  
Current: Irrigation  
Proposed: Office  
1.73 acres

Tract A  
Current: School + Irrigation  
Proposed: Office  
10 acres

**Senna Hills MUD  
Proposed Consent Agreement Amendment  
With Land Plan Change**

**Legend**

- Senna Hills MUD
- Subject Tract
- Watershed Boundary
- Street



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

This product has been produced by the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness. All data by City of Austin.



City of Austin PDRD  
J. Chuter  
March 1, 2013

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**Exhibit C:**  
**Staff Presentation Slides**

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Senna Hills Municipal Utility District

3<sup>rd</sup> Amendment to First Amended and Restated Consent Agreement

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# SENNA HILLS MUNICIPAL UTILITY DISTRICT (MUD) CONSENT AGREEMENT AMENDMENT #3

Case # C12M-2013-0002



## MUD OVERVIEW

- City consented to MUD creation in 1987
- Size: 323 acres
- Located on Bee Caves Rd. (FM 2244) east of the City of Bee Cave
- At the western edge of the Austin ETJ
- In the Lake Austin and Barton Springs watersheds
- Approximately 95% built-out

## MUD LOCATION MAP



## CONSENT AGREEMENT

- MUD land plan includes
  - Single-family residential
  - Park
  - Conservation
  - School
  - Wastewater effluent irrigation
- Consent agreement requires adherence to all city codes but exempts property from current watershed rules

## LAND USE



## AMENDMENT PROCESS

- Application submitted January 31
- Mailed notice to nearby property owners
- Conducted interdepartmental staff review
- Scheduled for review by Environmental Board (3/20) & Planning Commission (3/26)
- Staff and boards & commissions must send their recommendations to Council within 60 days of application (April 1)
- MUD Board takes action on amendment
- Council must act by the second regular meeting after receiving the recommendations (April 11 or 25)

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### PROPOSED AMENDMENT TO LAND PLAN

- ❖ Change the School tract to Office use
- ❖ Remove the 8-acre irrigation easement on the School tract
- ❖ Change the 1.73-acre irrigation tract to Office use

### PROPOSED AMENDMENT TO CONSENT AGREEMENT TEXT

- ❖ Reduce total Living Unit Equivalents (LUEs) from 494 to 455
- ❖ Reduce Residential LUEs from 484 to 410
- ❖ Delete 10 LUEs for School
- ❖ Add 45 LUEs for Office
- ❖ Reduce Residential density from 1.53 units per acre to 1.27 units per acre

### ADDITIONAL AMENDMENTS REQUESTED BY STAFF AND ACCEPTED BY APPLICANT

On property owned by Senna Hills Limited, the Developer will:

- Construct and maintain buildings in accordance with the City's Energy Code.
- Ensure that all buildings achieve a two star rating under the Austin Energy Green Building Program.
- Provide bicycle parking in accordance with City Code.
- Provide showers and changing facilities.

### PUBLIC COMMENTS

- ❖ Nineteen (19) Senna Hills residents contacted staff to oppose the amendment
- ❖ Concerns cited include the potential for increased traffic, diminished property values, conversion of a public amenity site to a commercial use, spillover parking, inadequate buffers, and diminished water pressure
- ❖ Eanes ISD does not want to release the School tract because it may be useful in the future.
- ❖ The MUD Board of Directors is currently opposed to the amendment but is willing to discuss alternatives.

### STAFF RECOMMENDATION

- ❖ Staff recommends denial of the amendment to change the consent agreement and land plan to allow Office use on the School & Irrigation tracts for the following reasons:
  - ❖ The proposal would increase impervious cover over what is currently allowed.
  - ❖ Eanes ISD would like to preserve the option to use the site for a school in the future.
- ❖ The Planning Commission is asked to make a recommendation to support or deny the proposal.

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**Exhibit D:**  
**Email from Eanes ISD**

C12M-2013-0002

Senna Hills Municipal Utility District

3<sup>rd</sup> Amendment to First Amended and Restated Consent Agreement

**Chuter, Jackie**

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**From:** Bob Cervi, ~~XXXXXXXXXXXX~~  
**Sent:** Friday, March 01, 2013 3:33 PM  
**To:** Chuter, Jackie  
**Subject:** Re: Inquiry about school tract in Senna Hills MUD

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Jackie,

I visited with Dr. Wellman this afternoon. She had been approached by the developer and her response was we are not going to make that decision for future Boards. That may be a spot that a future Board may want to use. If the zoning board chooses to make a change that is their decision. I hope that helps. If you have any questions please feel free to contact me at your convenience.

BC

*Bob Cervi*

Director of Maintenance and Operations  
Eanes ISD, Austin TX  
512-732-9040 Ext. 20617 Office  
405-778-4646 Cell  
~~bcervi@eanesisd.net~~ E-mail

On Fri, Mar 1, 2013 at 3:04 PM, Chuter, Jackie <[Jackie.Chuter@austintexas.gov](mailto:Jackie.Chuter@austintexas.gov)> wrote:

Good day Mr. Cervi,

As we discussed over the phone this morning, I am sending you a map of the tract in Senna Hills that is reserved for a school site.

I look forward to hearing from you again after you have had a chance to discuss the site with the superintendent.

Kind regards,

**Jackie Chuter, AICP**

Senior Planner

City of Austin

Planning & Development Review Department

505 Barton Springs Rd. 5th Floor

Austin TX 78704

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**Exhibit E:**  
**Correspondence from Senna Hills Residents**

C12M-2013-0002

Senna Hills Municipal Utility District

3<sup>rd</sup> Amendment to First Amended and Restated Consent Agreement



**Chuter, Jackie**

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**From:** Lisa McKenzie  
**Sent:** Wednesday, March 13, 2013 3:58 PM  
**To:** Chuter, Jackie  
**Subject:** Senna Hills ~ C12M-2013-0002

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Dear Jackie,

Thank you for spending time with Scott and me, answering our questions about the Notice of Filing we received last month (C12M-2013-0002). Senna Hills, Ltd. wants to change the purpose of the Senna Hills Education Center site from school to office use. We oppose the requested change because it would degrade the residential integrity of our neighborhood.

Senna Hills is a master-planned community. The plan provides for single family residences and community amenities, including a school. That land plan was approved in 1995. Lots and homes were purchased, and a community formed, based on that plan. Since Senna Hills is in the ETJ, this is our only opportunity to ensure that the land use of our school site is appropriate and compatible with our existing residential neighborhood. A high density office complex that brings hundreds of cars through our main residential street is neither.

We purchased our home in July 2012 with the understanding that a school would be built on the Senna Hills Education Center site, not an office complex. There are signs posted at the site, then and now, both on FM2244 and on Senna Hills Drive, which say "Senna Hills Education Center" in prominent lettering. We expected a school to be built there, which would have low profile buildings and ground level parking as well as open space, playing fields and other recreational facilities that would enhance our community. We expected a school to which our children could walk. Instead we are faced with this proposal and have trouble imagining anything that would benefit our community less than the office complex presented by Senna Hills, Ltd..

When this project was presented to our neighbors in early 2012, before we purchased our home, the plan showed three closely situated 3-story buildings with hundreds of underground parking spaces. The only access to the Senna Hills Education Center site is Senna Hills Drive, a residential street that is also the only access to all Senna Hills homes. Residents of all ages frequently walk along and cross Senna Hills Drive en route to the community pool/playground/tennis court, and to school bus stops, and for exercise. Senna Hills, Ltd.'s proposed office complex would have more

underground parking spaces than Senna Hills has homes, which would result in a substantial increase in traffic on Senna Hills Drive. For safety reasons, we strongly oppose having non-residential vehicular traffic on Senna Hills Drive.

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In his presentation to Senna Hills' residents, Mr. Miller pointed our community to the Westlake Medical Center near Bee Caves and Loop 360 as an example of his plan for the proposed Senna Hills offices. As frequent clients of medical offices there, we consider the Westlake Medical Center a disaster. It is very densely developed; has heavy traffic all day long; has a single entrance that is difficult to maneuver and which is frequently clogged at its traffic light; has parking spaces so narrow that it is difficult to park our Suburban; and is such a parking mess that there is an electric cart driving through the complex to help clients find a legal parking spot and to transport them to the office they need to visit. A high density development like this does not belong near Senna Hills.

Please register our opposition to this change with the Environmental Board, the Planning Commission, and the City Council. We plan to attend the public hearings that occur over the next few weeks. Thank you.

Lisa and Scott McKenzie  
10318 Indigo Broom Loop

**Chuter, Jackie**

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**From:** *Sonderman*  
**Sent:** Sunday, February 24, 2013 11:51 PM  
**To:** Chuter, Jackie  
**Subject:** Case Number C12M-2013-0002

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Dear Ms Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use. My husband and I have lived in Senna Hills for 12 years. We oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal. Our major reasons are as follows:

- o We purchased our property with the understanding that an educational facility would be built on the tract, not an office complex.
- o Mr. Miller's plans call for three buildings of several stories that abut the garden home section of our community with very little buffer space.
- o Access would be via Senna Hills Drive, which is already congested during the morning and evening rush hours and across which many children frequently travel on foot.
- o Parking spaces planned would not be adequate for the businesses expected to lease (medical).
- o Mr. Miller cites his Westlake Medical Center development as an example of his plan for the Senna Hills offices. The Westlake Medical Center is a poor model to follow and increases our concerns. It has heavy traffic all day with cars constantly arriving and departing, a tricky narrow drive around and between the buildings, and such a shortage of parking spaces that people park in no parking zones and someone was hired to drive around in a cart to help them find a legal parking spot.
- o With the capacity of Senna Hills at 95% of build-out, we think it unwise to reduce the land designated for the irrigation of effluent from the MUD's wastewater treatment plant.

We would appreciate your conveying to the staff, Planning Commission, the Water and Wastewater Commission, the Environmental Board, and the City Council our opposition to a change in the consent agreement between the City and Senna Hills MUD. Thank you.

Sincerely yours,

Thomas and Michele Sonderman

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February 25, 2013

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Dear Ms. Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use (Case Number C12M-2013-0002). We strongly oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal for the following reasons:

- We moved into the Senna Hills neighborhood in 2012 with our two small children (ages 4 and 6). We specifically chose the Senna Hills neighborhood for our family because of its approachability (most residents and their children enjoy walking around the neighborhood with its low traffic streets), access to play spaces/nature trails, and feeling of seclusion away from retail/office complexes. Most neighbors we have spoken with have acknowledged that these were main factors in their decision to move here as well. The proposed plan to build a very large office complex immediately adjacent to our neighborhood dramatically impairs what we all love about the neighborhood and will significantly reduce our property values.
- Every single family who has moved into Senna Hills has been sold on the idea of an adjacent educational facility. There are large signs posted on the adjacent property facing our neighborhood, which describe that it is the future home of an educational facility. This change in proposed use is extremely frustrating to Senna Hills residents. The continued promotion of the educational facility use of the adjacent property, when the intention clearly is otherwise, feels extremely dishonest.
- Parking spaces planned do not appear to be adequate for the businesses expected to lease. This will further congestion and inevitably lead to office tenants parking on Senna Hills neighborhood streets.
- We have serious concerns about the ability of the MUD to handle the additional capacity required of such a large office complex. There are already issues with water in the neighborhood (water pressure problems, etc.) and it is unclear how the proposed change would affect water service to Senna Hills residents.
- We are extremely concerned about the increase in traffic on Senna Hills Drive throughout the day if an office complex goes up there. The entrance will be via Senna Hills Drive, which is a road that many children and adults travel on by foot every day. There are also numerous bus stops on Senna Hills Drive (including our son's bus stop), and having an increase in traffic on that street seems very dangerous for these children, particularly during the morning and afternoon bus drop-off.

We would appreciate your conveying to the staff, Planning Commission, the Water and Wastewater Commission, the Environmental Board, and the City Council our strong opposition to a change in the consent agreement between the City and Senna Hills MUD. Thank you.

Sincerely yours,

*Michelle and John Eckman*

Michelle and John Eckman  
10627 Senna Hills Drive  
Austin, TX 78733

**Chuter, Jackie**

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**From:** A&K Roy  
**Sent:** Monday, February 25, 2013 7:23 AM  
**To:** Chuter, Jackie  
**Subject:** Case Number C12M-2013-0002

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Dear Ms. Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use. We, along with the other residents of Senna Hills oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal. Our major reasons are as follows:

- o We purchased our property with the understanding that an educational facility would be built on the tract, not an office complex.
- o Mr. Miller's plans call for three buildings of several stories that abut the garden home section of our community with very little buffer space.
- o Access would be via Senna Hills Drive, which is already congested during the morning and evening rush hours and across which many children frequently travel on foot. Senna Hills drive is not meant to handle the kind of traffic that a commercial development will bring. Right now, there are several people who enjoy the serene beauty and take walks there which they will not be able to do when traffic increases. Our streets have several kids in the neighborhood who play safely outside. It will not be possible any more.
- o Parking spaces planned would not be adequate for the businesses expected to lease (medical).
- o Mr. Miller cites his Westlake Medical Center development as an example of his plan for the Senna Hills offices. The Westlake Medical Center is a poor model to follow and increases our concerns. It has heavy traffic all day with cars constantly arriving and departing, a tricky narrow drive around and between the buildings, and such a shortage of parking spaces that people park in no parking zones and someone was hired to drive around in a cart to help them find a legal parking spot. Our family is a patient at the above facility and we know first hand how bad the traffic and parking situation is at the facility.
- o There are no traffic lights at the intersection of Senna Hills Road and Bee Caves ( 2244). It is already a very tricky intersection and at times very difficult & unsafe to negotiate. If the new development is built, it will add to the traffic problems.
- o With the capacity of Senna Hills at 95% of build-out, we think it unwise to reduce the land designated for the irrigation of effluent from the MUD's wastewater treatment plant.

We would appreciate your conveying to the staff, Planning Commission, the Water and Wastewater Commission, the Environmental Board, and the City Council our opposition to a change in the consent agreement between the City and Senna Hills MUD. Thank you.

Sincerely yours,

Anirban & Kajal Roy  
2141 Rivina Drive  
Austin, TX 78733

**Chuter, Jackie**

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**From:** Aaron Strout  
**Sent:** Saturday, February 16, 2013 9:50 AM  
**To:** Chuter, Jackie  
**Cc:** Melanie Strout  
**Subject:** Case Number C12M-2013-0002

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Jackie,

I'm writing to you in response to a letter my wife and I received as residents of Senna Hills. I would like to officially acknowledge the letter and let you know that we both oppose the proposed amendment by the developer.

Best,  
Aaron

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Aaron Strout  
Fixer  
W2OGroup

Blogs: [h](#)  
Google  
Book: [h](#)

**Chuter, Jackie**

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**From:** Adrian  
**Sent:** Friday, February 22, 2013 11:47 PM  
**To:** Chuter, Jackie  
**Subject:** Case Number C12M-2013-0002

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Dear Ms. Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use. My wife and I have lived in Senna Hills for 4 months. We oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal. Our major reasons are the same as our neighbors' reasons as follows:

- o We purchased our property with the understanding that an educational facility would be built on the tract, not an office complex.
- o Mr. Miller's plans call for three buildings of several stories that abut the garden home section of our community with very little buffer space.
- o Access would be via Senna Hills Drive, which is already congested during the morning and evening rush hours and across which many children frequently travel on foot.
- o Parking spaces planned would not be adequate for the businesses expected to lease (medical).
- o Mr. Miller cites his Westlake Medical Center development as an example of his plan for the Senna Hills offices. The Westlake Medical Center is a poor model to follow and increases our concerns. It has heavy traffic all day with cars constantly arriving and departing, a tricky narrow drive around and between the buildings, and such a shortage of parking spaces that people park in no parking zones and someone was hired to drive around in a cart to help them find a legal parking spot.
- o With the capacity of Senna Hills at 95% of build-out, we think it unwise to reduce the land designated for the irrigation of effluent from the MUD's wastewater treatment plant.

We would appreciate your conveying to the staff, Planning Commission, the Water and Wastewater Commission, the Environmental Board, and the City Council our opposition to a change in the consent agreement between the City and Senna Hills MUD. Thank you.

Sincerely yours,

Adrian and Paula Diazgonsen  
1701 Acacia Bud Dr  
Austin, TX 78733



**Chuter, Jackie**

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**From:** Brian Klaas  
**Sent:** Wednesday, February 20, 2013 10:57 AM  
**To:** Chuter, Jackie  
**Subject:** Case Number: C12M-2013-0002

C10  
26

Hi Jackie,

I am against any amendment to the MUD by Senna Hills LTD to change the tract designation. When we moved in, we were told that it would be an "education facility" or nothing by our builder. Now that they have sold all the lots they want to change their mind? It really doesn't sound fair. I would like to voice my opposition to the proposed change.

Thanks,  
Brian Klaas

**Chuter, Jackie**

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**From:** Chris Sallee  
**Sent:** Monday, February 25, 2013 1:15 PM  
**To:** Chuter, Jackie  
**Cc:** 'Deborah Sallee'  
**Subject:** Case Number: C12M-2013-0002

C10  
27

Ms. Chuter,

Thanks for giving me the opportunity to have input into Case Number C12M-2013-0002. I have been a resident of Senna Hills since 2000. When we agreed to purchase the land and have a home built on it in Senna Hills, we reviewed the plans for the neighborhood including the plan for the land along FM Road 2244 which is the land in question in this case. We are opposed to the proposed changes in the land use from a school to office use, and so we are opposed to approval of the amendment to the consent agreement between the City and Senna Hills MUD. We feel we were promised something before we purchased and we do not want the person who was the developer, Rip Miller, who we learned not to trust over the years, to be allowed to get out of his promises and change the plan. We do not want City Council to approve the amendment or the consent agreement. We want what was originally planned to continue to be the plan. We believe the proposed office use will be an eyesore, will increase traffic, potentially be less safe, and will not benefit our neighbors or ourselves. It would potentially reduce the value of our property and would make our living experience less positive than it is now, and than it would be if the original plan were followed. Despite a new set of promises we have heard Rip make, associated with the office use proposal, to do things like add amenities, we do not believe these new promises would be carried out and even if they were are not appealing enough to outweigh the negatives. We believe the only person who would benefit from acceptance of the proposed changes would be Rip Miller and we have no interest in supporting changes for Rip's sole benefit.

Regards,  
Christopher A and Deborah L Sallee  
2125 Rivina Drive  
Austin, TX 78733

**Chuter, Jackie**

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**From:** Christina Simpson  
**Sent:** Friday, February 22, 2013 9:33 PM  
**To:** Chuter, Jackie  
**Subject:** Case Number C12M-2013-0002

C10/28

Dear Ms. Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use. My husband and I have lived in Senna Hills for 12 years. We oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal. Our major reasons are as follows:

- o We purchased our property with the understanding that an educational facility would be built on the tract, not an office complex.
- o Mr. Miller's plans call for three buildings of several stories that abut the garden home section of our community with very little buffer space.
- o Access would be via Senna Hills Drive, which is already congested during the morning and evening rush hours and across which many children frequently travel on foot.
- o Parking spaces planned would not be adequate for the businesses expected to lease (medical).
- o Mr. Miller cites his Westlake Medical Center development as an example of his plan for the Senna Hills offices. The Westlake Medical Center is a poor model to follow and increases our concerns. It has heavy traffic all day with cars constantly arriving and departing, a tricky narrow drive around and between the buildings, and such a shortage of parking spaces that people park in no parking zones and someone was hired to drive around in a cart to help them find a legal parking spot.
- o With the capacity of Senna Hills at 95% of build-out, we think it unwise to reduce the land designated for the irrigation of effluent from the MUD's wastewater treatment plant.

We would appreciate your conveying to the staff, Planning Commission, the Water and Wastewater Commission, the Environmental Board, and the City Council our opposition to a change in the consent agreement between the City and Senna Hills MUD. Thank you.

Sincerely yours,

Christina Simpson and David Lippman  
10546 Indigo Broom Loop  
Austin, TX 78733

**Chuter, Jackie**

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**From:** Hiren Majmudar  
**Sent:** Thursday, February 21, 2013 10:18 AM  
**To:** Chuter, Jackie  
**Subject:** Case # C12M-2013-0002

C10  
29

Dear Jackie,

We received a notice in the mail regarding this case number and the proposed changes to the consent agreement between the City and Senna Hill MUD. As residents of Senna Hills and members/customers of Senna Hills MUD and the Senna Hills HOA, we want to voice our opposition to the proposed change in terms of the consent agreement between the City and Senna Hills MUD.

Please advise us on how we can further voice our concerns and opposition to these and any further changes to the consent agreement.

Regards,  
Mr. & Mrs. Hiren Majmudar  
10708 Straw Flower Drive, Austin 78733

**Chuter, Jackie**

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**From:** Jay Bhadra  
**Sent:** Tuesday, February 26, 2013 9:51 AM  
**To:** Chuter, Jackie  
**Subject:** Case Number C12M-2013-0002

Dear Ms. Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use. We oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal due to the following reasons:

- o We purchased our property with the understanding that an educational facility would be built on the tract, not an office complex.
- o Mr. Miller's plans call for three buildings of several stories that abut the garden home section of our community with very little buffer space.
- o Access would be via Senna Hills Drive, which is already congested during the morning and evening rush hours and across which many children frequently travel on foot.
- o Parking spaces planned would not be adequate for the businesses expected to lease (medical).

We would appreciate your conveying to all parties involved our strong opposition to a change in the consent agreement between the City and Senna Hills MUD.

Thanks and regards,  
-Sanchita and Jay Bhadra  
11117 Muddler Cove, Austin, TX 78733

C10/30

**Chuter, Jackie**

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**From:** Kevin Felts  
**Sent:** Wednesday, February 20, 2013 10:54 AM  
**To:** Chuter, Jackie  
**Subject:** Senna Hills MUD/HOA

C10  
/31

Dear Jackie,

We received a notice in the mail regarding the case number and the proposed changes to the consent agreement between the City and Senna Hill MUD. As residents of Senna Hills and members/customers of Senna Hills MUD and the Senna Hills HOA, we want to voice our opposition to the proposed change in terms of the consent agreement between the City and Senna Hills MUD.

Thank you for your time and taking our desires into consideration.

Kevin Felts and Keeli Hanzelka

**Chuter, Jackie**

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**From:** Richard and Jennifer Muyshondt  
**Sent:** Sunday, February 24, 2013 8:50 AM  
**To:** Chuter, Jackie  
**Cc:** Richard and Jennifer Muyshondt  
**Subject:** Case Number: C12M-2013-0002

C10  
/32

Hello Jackie.

I am a resident of Senna Hills. I recently received a letter from the city of Austin notifying us that there is an application to change the track designated for school use at the southwest corner of Senna Hills Drive and FM Road 2244 to office use (Case number: C12M-2013-0002).

I strongly oppose this change in the land use. This land change use will likely decrease our property values and more importantly will also negatively impact the overall safety in our neighborhood. It is my understanding that the access to the property is through our neighborhood (i.e., through Senna Hills Dr). We are a community with many small children that freely play throughout our neighborhood. The access to the property through our neighborhood will significantly increase the traffic on that street and will significantly increase the potential for an accident to occur involving one of our neighborhood children.

What can we do as a neighborhood to prevent this land use change to occur?

Thank you for your help on this matter,  
Richard

**Chuter, Jackie**

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**From:** Stacy Miller  
**Sent:** Sunday, February 24, 2013 1:29 PM  
**To:** Chuter, Jackie  
**Subject:** Case Number C12M-2013-0002

C10/33

Dear Ms. Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use. My husband and I have lived in Senna Hills for 12 years. We oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal. Our major reasons are as follows:

- o We purchased our property with the understanding that an educational facility would be built on the tract, not an office complex.
- o Mr. Miller's plans call for three buildings of several stories that abut the garden home section of our community with very little buffer space.
- o Access would be via Senna Hills Drive, which is already congested during the morning and evening rush hours and across which many children frequently travel on foot.
- o Parking spaces planned would not be adequate for the businesses expected to lease (medical).
- o Mr. Miller cites his Westlake Medical Center development as an example of his plan for the Senna Hills offices. The Westlake Medical Center is a poor model to follow and increases our concerns. It has heavy traffic all day with cars constantly arriving and departing, a tricky narrow drive around and between the buildings, and such a shortage of parking spaces that people park in no parking zones and someone was hired to drive around in a cart to help them find a legal parking spot.
- o With the capacity of Senna Hills at 95% of build-out, we think it unwise to reduce the land designated for the irrigation of effluent from the MUD's wastewater treatment plant.

We would appreciate your conveying to the staff, Planning Commission, the Water and Wastewater Commission, the Environmental Board, and the City Council our opposition to a change in the consent agreement between the City and Senna Hills MUD. Thank you.

Sincerely yours,

Stacy and Henry Miller  
2024 Vervain Ct.  
Austin, TX 78733



**Chuter, Jackie**

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**From:** Thu Dao  
**Sent:** Wednesday, February 20, 2013 4:48 PM  
**To:** Chuter, Jackie  
**Cc:** Thu Dao  
**Subject:** Case Number: C12M-2013-0002

C10  
/34

Dear Mr. Chuter,

I received a notice in the mail regarding the proposed changes to the consent agreement between the City and Senna Hill MUD. I'm a resident in Senna Hills and strongly oppose to this proposal.

Please let me know if there are any other way that I could make other important decision makers in the City Councils and City planning aware of the concerns and opposition to this change from the Senna Hills residents.

Regards,  
Thu & Tai Truong

**Chuter, Jackie**

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**From:** Chuter, Jackie  
**Sent:** Tuesday, February 19, 2013 10:37 AM  
**To:** 'Ronald Perez'  
**Subject:** RE: In regard to Case Number: C12M-2013-0002

C10  
35

Dear Ronald,  
Thank you for your comments. I will make a note of your opposition in my staff report.

You are welcome to attend the public meetings where this case will be heard to voice your concern. The schedule is as follows:

Environmental Board: March 6, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

Planning Commission: March 12, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

City Council: March 28, 2012, 10:00 AM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

Regards,

**Jackie Chuter, AICP**  
Senior Planner, City of Austin PDRO  
(512) 974-2613  
[jackie.chuter@austintexas.gov](mailto:jackie.chuter@austintexas.gov)

*Please note: Email correspondence to and from the City may be disclosed to another party as required by the Public Information Act.*

**From:** Ronald Perez  
**Sent:** Sunday, February 17, 2013 6:43 PM  
**To:** Chuter, Jackie  
**Subject:** In regard to Case Number: C12M-2013-0002

Dear Jackie,

We received a notice in the mail regarding this case number and the proposed changes to the consent agreement between the City and Senna Hill MUD. As residents of Senna Hills and members/customers of Senna Hills MUD and the Senna Hills HOA, we want to voice our opposition to the proposed change in terms of the consent agreement between the City and Senna Hills MUD.

Please advise us on how we can further voice our concerns and opposition to these and any further changes to the consent agreement.

Regards,

Ronald Perez & Phuochau Tran  
Senna Hills Residents  
2117 Rivina Drive, Austin, TX 78733

**Chuter, Jackie**

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**From:** Chuter, Jackie  
**Sent:** Wednesday, February 20, 2013 10:52 AM  
**To:** 'Leendert van Doorn'  
**Subject:** RE: In regard to Case Number: C12M-2013-0002

C19  
34

Thank you for your comments. I will make a note of your opposition in my staff report. If you have specific concerns about the change, please let me know. It would help me to understand the situation better.

You are welcome to attend the public meetings where this case will be heard to voice your concern. The schedule is as follows:

Environmental Board: March 6, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

Planning Commission: March 12, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

City Council: March 28, 2012, 10:00 AM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

Regards,

**Jackie Chuter, AICP**

Senior Planner, City of Austin PDRO

(512) 974-2613

[jackie.chuter@austintexas.gov](mailto:jackie.chuter@austintexas.gov)

*Please note: Email correspondence to and from the City may be disclosed to another party as required by the Public Information Act.*

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**From:** Leendert van Doorn  
**Sent:** Wednesday, February 20, 2013 10:28 AM  
**To:** Chuter, Jackie  
**Subject:** In regard to Case Number: C12M-2013-0002

Dear Jackie,

We too received a notice in the mail regarding this case number and the proposed changes to the consent agreement between the City and Senna Hills MUD. As residents of Senna Hills and members/customers of Senna Hills MUD and the Senna Hills HOA, we want to voice our opposition to the proposed change in terms of the consent agreement between the City and Senna Hills MUD.

Please advise us on how we can further voice our concerns and opposition to these and any further changes to the consent agreement.

Sincerely,

Dr. Leendert van Doorn

**Chuter, Jackie**

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**From:** Chuter, Jackie  
**Sent:** Thursday, February 21, 2013 9:03 AM  
**To:** 'Kristen A Hausman'  
**Subject:** RE: In regard to Case Number C12M-2013-0002

C12M-2013-0002

Thank you for your comments. I will make a note of your opposition in my staff report.

You are welcome to attend the public meetings where this case will be heard to further voice your concerns. The schedule is as follows:

Environmental Board: March 6, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2nd Street

Planning Commission: March 12, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2nd Street

City Council: March 28, 2012, 10:00 AM, Council Chambers of City Hall, 301 W. 2nd Street

Regards,  
Jackie Chuter, AICP  
Senior Planner, City of Austin PDRD  
(512) 974-2613  
[jackie.chuter@austintexas.gov](mailto:jackie.chuter@austintexas.gov)

Please note: Email correspondence to and from the City may be disclosed to another party as required by the Public Information Act.

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

**From:** Kristen A Hausman  
**Sent:** Wednesday, February 20, 2013 12:19 PM  
**To:** Chuter, Jackie  
**Subject:** In regard to Case Number C12M-2013-0002

Dear Jackie,

I am a resident of Senna Hills, I have received a notice in the mail regarding this case number and the proposed changes to the consent agreement between the City and Senna Hills MUD. As a resident of Senna Hills and a customer of the Senna Hills MUD I want to express my opposition to the proposed change in terms of the consent agreement between the City and the Senna Hills MUD.

My major concern is with respect to drive through traffic on Senna Hills Drive, this is a neighbourhood with children playing, walking and getting off the school bus. Also families bike and walk. Additional traffic will put residents at risk with drivers using the neighbourhood as a cut through to the office buildings.

I am also very concerned about home values decreasing due to the location of office buildings where a school had been planned. And tax increases to fund MUD expansion to support an office complex.

Thank You,  
Kristen Hausman

**Chuter, Jackie**

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**From:** Chuter, Jackie  
**Sent:** Monday, February 25, 2013 10:22 AM  
**To:** 'James'  
**Cc:** Christina Simpson  
**Subject:** RE: Subject: Case Number C12M-2013-0002

C10  
38

Dear Mr. Watkins,

Thank you for your comments. I will make a note of your opposition in my staff report. Since you have many concerns, I recommend that you or a representative of the neighborhood attend the public meetings to speak directly to these issues. I have recently revised the dates of the public meetings. Here is the revised schedule:

Environmental Board: March 20, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

Planning Commission: March 26, 2013, 6:00 PM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

City Council: April 11, 2012, 10:00 AM, Council Chambers of City Hall, 301 W. 2<sup>nd</sup> Street

Regarding your comment about reducing the acreage of land for irrigation of effluent, I wanted to let you know that Austin Water Utility staff have reviewed the proposed amendment and have no concerns.

Regards,

**Jackie Chuter, AICP**

Senior Planner, City of Austin PDRD

(512) 974-2813

[jackie.chuter@austintexas.gov](mailto:jackie.chuter@austintexas.gov)

*Please note: Email correspondence to and from the City may be disclosed to another party as required by the Public Information Act*

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**From:** James  
**Sent:** Saturday, February 23, 2013 9:47 AM  
**To:** Chuter, Jackie  
**Subject:** Subject: Case Number C12M-2013-0002

I would also want to note my opposition to the change in the use of this tract and agree with the attached letter.

James Watkins  
10623 Indigo Broom Loop  
Austin, TX 78733

**To:** '[jackie.chuter@austintexas.gov](mailto:jackie.chuter@austintexas.gov)'  
**Subject:** Case Number C12M-2013-0002

Dear Ms. Chuter,

We received the Notice of Filing to amend the consent agreement between the City of Austin and Senna Hills MUD to change the tract designated for school use to office use. My husband and I have lived in Senna Hills for 12 years. We oppose the requested change. Mr. Miller has presented his plan to the residents and we overwhelmingly rejected his proposal. Our major reasons are as follows:

C10/39

- o We purchased our property with the understanding that an educational facility would be built on the tract, not an office complex.
- o Mr. Miller's plans call for three buildings of several stories that abut the garden home section of our community with very little buffer space.
- o Access would be via Senna Hills Drive, which is already congested during the morning and evening rush hours and across which many children frequently travel on foot.
- o Parking spaces planned would not be adequate for the businesses expected to lease (medical).
- o Mr. Miller cites his Westlake Medical Center development as an example of his plan for the Senna Hills offices. The Westlake Medical Center is a poor model to follow and increases our concerns. It has heavy traffic all day with cars constantly arriving and departing, a tricky narrow drive around and between the buildings, and such a shortage of parking spaces that people park in no parking zones and someone was hired to drive around in a cart to help them find a legal parking spot.
- o With the capacity of Senna Hills at 95% of build-out, we think it unwise to reduce the land designated for the irrigation of effluent from the MUD's wastewater treatment plant.

We would appreciate your conveying to the staff, Planning Commission, the Water and Wastewater Commission, the Environmental Board, and the City Council our opposition to a change in the consent agreement between the City and Senna Hills MUD. Thank you.

Sincerely yours,

Christina Simpson and David Lippman  
10546 Indigo Broom Loop  
Austin, TX 78733

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