ZONING & PLATTING COMMISSION

HANDOUTS

JULY 07, 2015

C1/259

From: Suds1130
Sent: Friday, July 03, 2015 9:57 AM
To: Haase, Victoria [Tori]
Subject: Austin PUD for Austin Oaks

Dear Ms. Haase: I will attend the July 7 meeting, but in case there is not an opportunity to speak, can you circulate this email and attachment to the members of the Commission?

Dear Commission Members: I am a 30+ year resident of Cardin Drive, off Spicewood Springs Road. I am amazed that the proposed zoning change for Austin Oaks is still on the boards, as it is grossly incompatible with the neighborhood, even with its modified form. **My attendance at the Drenner Group presentations at the Dell Jewish Community Center merely confirmed my original impressions.**

The major point I want to make is that none of Spire/Drenner's pretty pictures of the proposal make it clear to the ordinary person that the Austin Oaks land is that Austin Oaks is already elevated above Spicewood Springs Road and the area by as much as 1-3 stories.

Thus, the proposed 7 story parking garage for the corner of Hart Lane and Spicewood Springs Road will have an extra boost of nearly two stories when ground is broken. The 8 level Office Building right next to it will be the same. The current buildings are sheltered and not visible due to trees and are half the size of the proposed developments. Spire intends, of course, to essentially denude the Spicewood aspect of this area of current trees, including heritage trees. I asked Spire/Drenner if they had a 3-D model that would more accurately demonstrate the topography, and received only the vague answer that they were "working" on one. In short, no model in existence to accurately demonstrate to you the visual impact of the proposal.

In closing, let me comment on a regretable statement made a few months back by the Commission chair, which indicated that he expected neighborhood associations that are opposed to this to meet with the Dallas developer and work out a compromise. **Respectfully, this is a misplaced burden of proof on the residents.** It is not incumbent upon the residents to, in effect, bid against themselves and go hat-in-hand to the Dallas developer to beg for the integrity of their neighborhood. Drenner representatives at Dell affirmed that they bought the property (as did we all) with knowledge of the existing zoning. With apparently confidence that "money talks," they have continued to press forward on a detrimental change to current zoning that they knew when they bought the property.

It is time for the Commission to let them know in no uncertain terms that their course of action should be to develop the property within existing zoning, rather than press forward a bad-precedent-setting hyper development incompatible with the neighborhood.

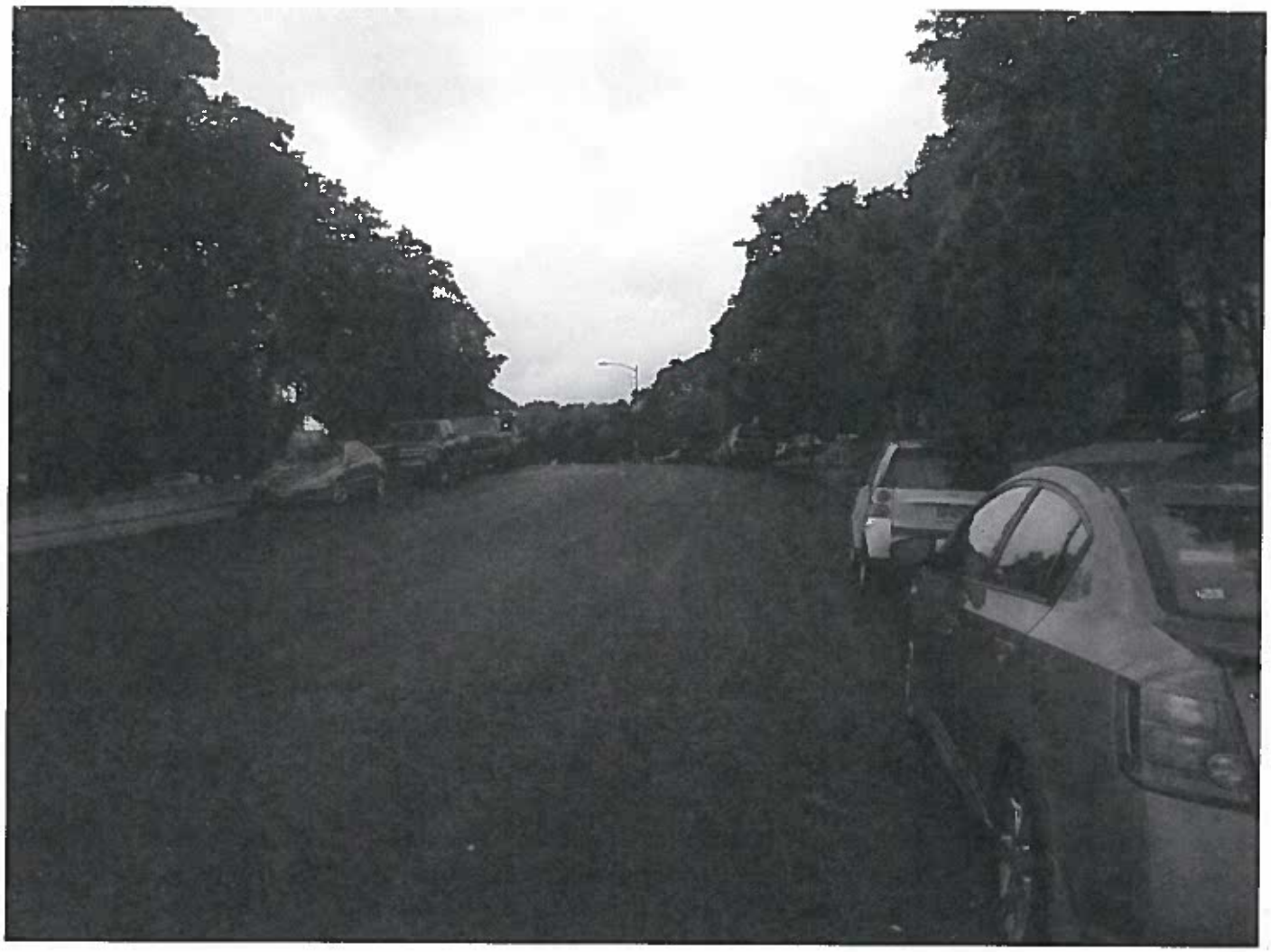
I have attached pictures of the current area. I look forward to speaking with you on July 7th.

Yours truly, Susan M. Kelley, 8104 Cardin Drive.

01/2160

C1/2101

C1/2u2



C1/2163

C1/264

C1/2685

C1/266

C1/2L7

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: **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: C814-2014-0120
Contact: Tori Haase, 512-974-7691
Public Hearing: Jun 16, 2015, Zoning and Platting Commission

DONNA CARLSON
Your Name (please print)

☐ I am in favor
☑ I object

7807 LINDENWOOD CIRCLE
Your address(es) affected by this application

Donna Carlson — 6-24-15
Signature — *Date*

Daytime Telephone: (512) 345-8112

Comments: NO CONDOS OR TOWNHOMES, MORE STORES AND RESTAURANTS. DON'T GIVE DEVELOPER BLANK CHECK TO DO WHAT HE WANTS, HE DOES NOT CARE ABOUT AUSTIN, IT'S TREES OR THE TRAFFIC PROBLEMS. HE AND HIS DEVELOPMENT IS THE PROBLEM. MONEY VS. PEOPLE AND FAMALIES.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

C1/208

PUBLIC HEARING INFORMATION

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Case Number: C814-2014-0120
Contact: Tori Haase, 512-974-7691
Public Hearing: July 7, 2015, Zoning and Platting Commission

Leonard Roy Chapman
Your Name (please print)

☐ I am in favor
☑ I object

7600 Wood Hollow Dr #1315 Austin, TX 78731
Your address(es) affected by this application

Signature

6-22-15
Date

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

C1/209

PUBLIC HEARING INFORMATION

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Case Number: C814-2014-0120
Contact: Tori Haase, 512-974-7691
Public Hearing: July 7, 2015, Zoning and Platting Commission

CAROL A. CONE
Your Name (please print)

☒ I am in favor
☐ I object

9306 Great Hills Tr. Unit 20
Your address(es) affected by this application

Carol A. Cone — June 29, 2015
Signature — *Date*

Daytime Telephone: 512 346-4350

Comments: Lorus McCandless is No longer WITH us! She passed away ON Jan. 17th 2015. I am her Daughter, Carol Cone that has inherited the property. I am in favor of the project only it can Be made Enviromentally friendly. Our World needs To Be Clean-Air, water and recycle!

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

C1/270

PUBLIC HEARING INFORMATION

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Case Number: C814-2014-0120
Contact: Tori Haase, 512-974-7691
Public Hearing: July 7, 2015, Zoning and Platting Commission

ANNIE L. ROGERS
Your Name (please print)

☐ **I am in favor**
☒ **I object**

3809 Spicewood Springs Rd #137
Your address(es) affected by this application

Annie L Rogers — 6-26-15
Signature — *Date*

Daytime Telephone: 512-343-2431

Comments: traffic is unreal - already!

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

C14

C1/272

From: Janet Hagy []
Sent: Tuesday, July 07, 2015 10:24 AM
To: Haase, Victoria [Tori]
Subject: Austin Oaks PUD - NO PUD

Dear Ms. Haase

As a business and property owner who will be directly affected by the proposed PUD, I oppose the zoning change. The additional traffic and population density of the proposed PUD is not compatible with our neighborhood values. I was appalled by the obvious bias toward PUDs in the recent Littlefield Consulting survey. None of the negative aspects of this PUD application were presented in this survey, while positive attributes were lauded. See the NWACA survey for more relevant results.

Sincerely,

Janet

Janet C. Hagy, CPA
Hagy & Associates, P.C.
3818 Spicewood Springs Rd.
Suite 201
Austin, TX 78759
512-346-3782
Fax 512-346-7307
Email: jhagy@hagycpa.com
Please visit our website at www.hagycpa.com

C1/273

From: Brad Parsons
Sent: Tuesday, July 07, 2015 12:07 PM
To: Brinsmade, Louisa - BC; Denkler, Ann - BC; Flores, Yvette - BC; Goodman, Jackie - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Weber, Thomas - BC
Cc: Haase, Victoria [Tori]
Subject: OPPOSED: Austin Oaks PUD Case (C814-2014-0120)

July 7, 2015

Welcome ZAP Commissioners:

First, my family are 40 year residents about half a mile from the former Koger land now called Austin Oaks.
A few of the reasons why we do not support this case, nor even it's second postponement extension:
- Applicant filed the Traffic Impact Analysis (TIA) after the deadline, not giving Staff enough time to review it.
 -- TIA does not include the JCC background traffic that CM Spelman asked Mr. Drenner for and he agreed to include at the case's initial Development Assessment before Council on June 26, 2014. This affects the 2% baseline growth that the TIA relies upon. **(See Item 138, from 7:34 minute mark here** http://austintx.swagit.com/play/06262014-621**)**
 -- TIA contains a number of other false assumptions and inappropriate recommendations.
- Application still does not comply with *Imagine Austin* Comprehensive Plan.
 -- Does not meet City Code objectives (not compatible/does not meet the definition of a Neighborhood Center)
- Application does not comply with all of the minimum Tier One PUD requirements:
 -- Mitigate adverse transportation impacts with transit as well as roadway improvements.
 -- Provide for public facilities including schools.
 -- Proposed fund does not realize total funds for 17 years (not until 2032) and is not enforceable.

Latest proposal, inappropriate for compatibility with the surrounding neighborhood:
- Density will increase by three times: from 446,091 square feet to 1,280,000 square feet.
- Height will increase by three times: from two-and three- story buildings to six nine-story buildings.
- Traffic will increase by five times: from 4,118 trips to 19,819 unadjusted trips. (even with a manipulated low trip count)
- Sets a precedent for increased height inappropriately, both along MOPAC and across the city.
- A robo push poll conducted in May 2015 indicates bad faith on the part of the applicant's representatives.
- There is overwhelming opposition to the proposal by all of the surrounding neighborhoods.
- Developer can go to ~800,000 square feet in existing zoning or develop more densely with traditional zoning.

Going by the actual PUD notes and Plat notes, and not the non-binding "site plans" for the case being shopped around, the developer and their representative have made very little effort to bring this request for discretionary upzoning down to something that any of the surrounding neighborhoods can accept and yet still provide the new property owner with profit potential. That compromise solution actually resides in conventional zoning that in good faith by their actions the applicant or their representative has been unwilling to seriously consider. Also, in light of the threats made to the neighborhood at the St. Matthews presentation to +300 neighbors on this case in the Summer of 2014, I have no false hope that a newly proposed charrette might genuinely include conventional zoning.

Therefore, I am requesting a straight up motion to deny this case here and now.

Short of that, since the applicant willfully submitted a TIA that does not include the up-to-date JCC background traffic assumptions that CM Spelman asked for, the developer/applicant (not City Staff) should be required to use their 1 request for postponement (the prior postponement was needed by the developer but asked for by City Staff) to get a postponement of no more than 3 months.

Brad Parsons,
NW Hills,
Austin, TX

C1/274

"Austin Community, Not Commodity."

Worth reviewing the ZAP Dec. 16th meeting on the last indefinite postponement (30 minutes)
https://austintx.swagit.com/play/12162014-1056

Case application Planning Review, Rejected items in red:

https://www.austintexas.gov/devreview/b_showpublicpermitfolderdetails.jsp?FolderRSN=11183289

Process Description	Status	TOD	Schedule Date	Start Date	End Date	Assigned Staff	# of Attempts
Wetlands Biologist Review	Rejected		Apr 30, 2015	May 18, 2015	May 18, 2015	Andrew Clamann	2
Heritage Tree Review	Rejected		Apr 30, 2015	May 26, 2015	May 26, 2015	Keith Mars	2
NPZ Environmental Review	Rejected		Apr 30, 2015	May 18, 2015	May 18, 2015	Atha Phillips	2
NPZ Site Plan Review	Rejected		Apr 30, 2015	May 21, 2015	May 21, 2015	Rosemary Avila	2
NPZ Transportation Review	Rejected		Apr 30, 2015	May 19, 2015	May 19, 2015	Bryan Golden	2

Letter sent prior to the Environmental Board, now called the Environmental Commission:

Dear Environmental Board members:

I want to make sure you all are aware of a very problematic zoning case and the maneuvers that are being pulled for it to potentially be heard by ZAP prior to the Environmental Board. This case, **Austin Oaks C814-2014-0120**, may possibly be on your June 17 Agenda, one day after the ZAP June 16th meeting in which no action by them might still allow it to move forward.

The property at **Austin Oaks (C814-2014-0120)** can be profitably redeveloped with conventional zoning which is what all of the surrounding neighborhoods **(Allandale, BCA, NSCNA, and NWACA)** have asked for repeatedly over the past year. Significantly, conventional zoning maintains protections such as the **Heritage Tree Ordinance**. Under the requested non-entitled PUD upzoning, the protections of the Heritage Tree Ordinance can be negotiated away.

When a property has the word **'Oaks'** in it's name, it's a hint as to the significance of the trees on this property. The developer's rep focuses on the **9 or 72 Heritage Trees** that they want to cut down or unrealistically try to transplant from a rocky base, but the developer's rep usually avoids talking about the **shocking 46 of 98 Protected Trees (19"-24")** that they propose to remove under this PUD (one of your fellow Board members has been following the tree survey of this property closely). In recent weeks the **Wetlands Biologist Review, Heritage Tree Review, and Environmental Review all were REJECTED by professional City Staff on this case. (see below)**

It also seldom gets mentioned, but **most of this land** was declared **Critical Salamander Habitat** by the F&W, 2 months before the current owner/applicant bought this land in late 2013. Logically, being on the Mount Bonnell fault line of the Balcones fault zone, this land has a number of **documented sinkholes and CEF's** on it which drain into caves below.

I have chosen to write this brief note rather than give 3 minutes of Citizens Communications to you today on the matter. Please be advised that this is a very problematic case in the pipeline and regardless of the machinations that may be applied prior to bringing it to you prematurely as early as June 17th, that you should affirmatively **not support this case** to City Council.

Sincerely,

Brad Parsons,

40 year resident near Austin Oaks

Side notes: I remember as a kid picking blackberries on this Austin Oaks land before most of the original Koger buildings were even built on it; the buildings on this land are not that old, as I am only in my 40's. This land also has a documented history as an Indian gathering place, and many of the trees there then are the same ones there now.

C1/276

From: Tela Mange []
Sent: Tuesday, July 07, 2015 9:28 AM
To: Haase, Victoria [Tori]
Subject: Fwd: Austin Oaks PUD -- DENIAL, please

Thank you for your consideration.
Celia Mange
Homeowner

Sent from my iPhone, so please excuse any typos or random autocorrects.

Begin forwarded message:

From: Tela Mange < >
Date: July 6, 2015 at 9:25:54 PM CDT
To: bc-Dustin.Breithaupt@austintexas.gov, bc-Louisa.Brinsmade@austintexas.gov, bc-Ann.Denkler@austintexas.gov, bc-Bruce.Evans@austintexas.gov, bc-Yvette.Flores@austintexas.gov, bc-Jackie.Goodman@austintexas.gov, bc-Susan.Harris@austintexas.gov, bc-Jolene.Kiolbassa@austintexas.gov, bc-Sunil.Lavani@austintexas.gov, bc-Gabriel.Rojas@austintexas.gov, bc-Thomas.Weber@austintexas.gov
Cc: Tela Mange < >, William Mange < >, "ccturp@ " <CCTURP@ >
Subject: Austin Oaks PUD -- DENIAL, please

Please vote against the Austin Oaks PUD application. Please do it as soon as possible.

There are many reasons why this PUD is bad for Northwest Hills and bad for Austin, but I will focus on only two:

1. This proposed project does not comply with Imagine Austin. I have a hard time understanding why we would spend so much time, effort and money developing a comprehensive urban plan for Austin neighborhoods if we are just going to throw it out when a Dallas corporation wants to play by a different set of rules.

2. This proposed project does not comply with all of the minimum PUD requirements. It does not meet the definition of a neighborhood center, it does nothing to mitigate transportation impacts (at LEAST a 350-400% traffic increase in the neighborhood!?!?!?!), and it does absolutely nothing to mitigate any population increases in neighborhood schools. Doss Elementary already has nine portable buildings...there are more than twice as many students on that campus than it was designed for...and Murchison and Anderson are in the same boat as well.

The neighborhoods in the affected area have made it clear, several times, that this project is not wanted. Please do not vote in favor of granting the Austin Oaks PUD application.

C1/277

Thank you for your consideration.

Tela (Celia) Mange

7104 Spurlock Dr.

Austin TX 78731

C1/278

From: Logan Dunning []
Sent: Tuesday, July 07, 2015 3:17 PM
To: Anguiano, Dora
Subject: Registering Against the Austin Oaks PUD for 7/7 ZAP Meeting

This message is from Logan Dunning.

Ms. Anguiano, My name is Logan Dunning. I am an Austin resident, and I saw the Austin Oaks PUD is Item #1 on the Zoning and Platting Commission's meeting this evening (7/7). I would like to register my name against the Austin Oaks PUD for public record, but I am unfamiliar about the process of doing so. Any information would be appreciated. I appreciate your time. Best, Logan M. Dunning (254) 931-3494

C14-73-104

C1/279

JUL -2-73 1639 * 2.50

81-0272

THE STATE OF TEXAS |

COUNTY OF TRAVIS |

WHEREAS, Koger Properties, Inc., is the owner of 1.52 acres of land in Travis County, Texas, herein called "subject tract" and described as follows, to-wit:

> Lot A, Society Hill Amended, an addition to the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Book 56, Page 30, of the Travis County Plat Records.

and

WHEREAS, the City of Austin and the owner have agreed that the subject tract should be impressed with certain restrictions and covenants running with the land and desire to set forth such agreement in writing:

NOW, THEREFORE, in consideration of the premises and of other good and valuable consideration moving to Koger Properties, Inc., from the City of Austin, the receipt of which is hereby acknowledged and confessed, the owner does hereby place the following covenants and restrictive covenants on the subject tract, to-wit:

(1) It is agreed that there shall be no vehicular access from the subject tract to Spicewood Springs Road.

(2) The covenants herein shall be deemed covenants running with the land. If any person or persons shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such agreement or covenant, or either to prevent him or them from so doing or to collect damages for such violation.

(3) If any part or provision of the agreement or covenant herein contained shall be declared invalid by a Judge or Court order, the same shall in nowise

C1/280

01-3273

affect any of the other provisions of this agreement, and such remaining portion of the agreement shall remain in full force and effect.

(4) The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of their right to do so.

(5) This agreement may be modified, amended or terminated only after notice and hearing to all adjoining property owners and by joint action of both (a) a majority vote of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owner of the above described property at the time of such modification, amendment or termination.

DATED: June 19TH, 1973.

(CORPORATE SEAL)

KOGER PROPERTIES, INC.

By: W. F. Kiernan
Exec. Vice President

ATTEST:

Secretary

THE STATE OF FLORIDA
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared W. F. E. KIERNAN, EXEC VICE President of Koger Properties, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19TH day of June, 1973.

Diana K. Kaufman
Notary Public in and for
Duval County, Florida

NOTARY SEAL

Notary Public, State of Florida at Large
My commission expires April 15, 1973

C1/281

CITY OF AUSTIN
Legal Department
Box 1088
AUSTIN, TEXAS

81-0274

FILED
JUL 2 8 45 AM '73

STATE OF TEXAS COUNTY OF TRAVIS

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Records of Travis County, Texas as stamped hereon by me.

JUL 2 1973

COUNTY CLERK
TRAVIS COUNTY, TEXAS

1673 2273

C1/282

RESTRICTIVE COVENANT

STATE OF TEXAS §

MAY 17-82 8191 * 9.00

COUNTY OF TRAVIS §

2-86-0520

WHEREAS, KOGER PROPERTIES, INC., of Travis County, Texas, is the owner of the following described property, to-wit:

See Exhibit "A", attached hereto and incorporated herein for all purposes.

WHEREAS, the City of Austin and KOGER PROPERTIES, INC. have agreed that the above described property should be impressed with certain covenants and restrictions running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, KOGER PROPERTIES, INC., for and in consideration of One and No/100 Dollars ($1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, the receipt of which is hereby acknowledged, does hereby agree with respect to said property described above, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding on him, his successors and assigns, as follows, to-wit:

1. At such time in the future when the then owner of either of the two tracts described on Exhibit "A" hereto shall no longer use any part of either or both parcels for any office purposes, at such time the then owner of the property will request a rollback as to such parcel or parcels no longer so used, as the case may be, from the present zoning classification of "GR" General Retail to "O-1" Office zoning or such other zoning classification most nearly identical to "O-1" as now defined in Chapter 45 of the Code of the City of Austin.

2. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

3. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in nowise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

C1/283

4. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

5. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the above described property at the time of such modification, amendment or termination.

2-86-0521

EXECUTED, this the 28TH day of JANUARY, 1982.

NO SEAL

W.F.E. KIENAST
PRESIDENT

KOGER PROPERTIES, INC.

THE STATE OF ~~TEXAS~~ FLORIDA §
§
COUNTY OF ~~TRAVIS~~ DUVAL §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared W.F.E. KIENAST ~~PRESIDENT, KOGER PROPERTIES~~, INC., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 28TH day of JANUARY, 1982

NOTARY SEAL

Davena P. Sawyer
Notary Public in and for ~~Travis County, Texas~~ State of Florida at Large

Davena P. Sawyer
Typed or Printed Name of Notary

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES AUG. 7, 1983

7752 . 733

C1/284

METCALFE ENGINEERING CO., INC.
4800 SOUTH CONGRESS
PHONE 442-5363 -- 476-1579
AUSTIN, TEXAS 78745

FIELD NOTES OF 15,876 SQUARE FEET OF LAND OR 0.3645 OF ONE ACRE OF LAND, BEING A PORTION OF LOT 3A, RESUBDIVISION OF A PORTION OF LOT 3, KOGER EXECUTIVE CENTER UNIT TWO, A SUBDIVISION OF A PORTION OF THE GEORGE W. DAVIS SURVEY NO. 15 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON A MAP OR PLAT OF RECORD IN PLAT BOOK 76, PAGE 50, TRAVIS COUNTY PLAT RECORDS, AS PREPARED FOR KOGER PROPERTIES, INC., BY METCALFE ENGINEERING COMPANY, INC., 4800 SOUTH CONGRESS, AUSTIN, TEXAS.

2-86-0522

Commencing for reference at the most westerly northwest corner of Lot 3A, Resubdivision of a Portion of Lot 3, Koger Executive Center Unit Two, a subdivision of a portion of the George W. Davis Survey No. 15 in the City of Austin, Travis County, Texas, as shown on a map or plat of record in Plat Book 76, Page 50, Travis County Plat Records, being also the southwest corner of Lot 3B of the said Resubdivision of a Portion of Lot 3, Koger Executive Center Unit Two, said point being also in the curving east line of Executive Center Drive and from which point the place of the BEGINNING bears, S 17° 50' E 64.89 feet;

(1) THENCE N 56° 22' E 126.00 feet to a point;

(2) THENCE S 33° 38' E 126.00 feet to a point;

(3) THENCE S 56° 22' W 126.00 feet to a point;

(4) THENCE N 33° 38' W 126.00 feet to the place of the beginning, containing 15,876 square feet of land or 0.3645 of one acre of land.

Field Notes Prepared December 9, 1981.

STATE OF TEXAS
GEORGE L. SANDERS
1838
REGISTERED PUBLIC SURVEYOR

METCALFE ENGINEERING COMPANY, INC.

By George L. Sanders

George L. Sanders
Registered Public Surveyor #1838

Exhibit "A"
Page 1 of 2

C1/285

METCALFE ENGINEERING CO., INC.

4800 SOUTH CONGRESS
PHONE 442-5363 — 476-1379
AUSTIN, TEXAS 78745

FIELD NOTES OF 15,876 SQUARE FEET OF LAND OR 0.3645 OF ONE ACRE OF LAND, BEING A PORTION OF LOT 3B, RESUBDIVISION OF A PORTION OF LOT 3, KOGER EXECUTIVE CENTER UNIT TWO, A SUBDIVISION OF A PORTION OF THE GEORGE W. DAVIS SURVEY NO. 15 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON A MAP OR PLAT OF RECORD IN PLAT BOOK 76, PAGE 50, TRAVIS COUNTY PLAT RECORDS, AS PREPARED FOR KOGER PROPERTIES, INC., BY METCALFE ENGINEERING COMPANY, INC., 4800 SOUTH CONGRESS, AUSTIN, TEXAS.

2-86-0523

Commencing for reference at the southwest corner of Lot 3B, Resubdivision of a Portion of Lot 3, Koger Executive Center Unit Two, a subdivision of a portion of the George W. Davis Survey No. 15 in the City of Austin, Travis County, Texas, as shown on a map or plat of record in Plat Book 76, Page 50, Travis County Plat Records, being also the most westerly northwest corner of Lot 3A of the said Resubdivision of a Portion of Lot 3, Koger Executive Center Unit Two, said point being also in the curving east line of Executive Center Drive and from which point the place of the BEGINNING bears, N 58° 29' E 108.83 feet;

(1) THENCE N 33° 38' W 126.00 feet to a point;

(2) THENCE N 56° 22' E 126.00 feet to a point;

(3) THENCE S 33° 38' E 126.00 feet to a point;

(4) THENCE S 56° 22' W 126.00 feet to the place of the beginning, containing 15,876 square feet of land or 0.3645 of one acre of land.

Field Notes Prepared December 9, 1981.

STATE OF TEXAS
GEORGE L. SANDERS
1838
REGISTERED PUBLIC SURVEYOR

METCALFE ENGINEERING COMPANY, INC.

By George L. Sanders
George E. Sanders
Registered Public Surveyor #1838

FILED
1982 MAY 17 AM 9 21
Doris Springer
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, as stamp hereon by me, on

MAY 17 1982

Doris Springer
COUNTY CLERK
TRAVIS COUNTY, TEXAS

Exhibit "A"
Page 2 of 2

7752 735

PUBLIC HEARING INFORMATION

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 a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern *(it may be delivered to the contact listed on a notice)*; or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SP-2014-0143C
Contact: Christine Barton-Holmes, 512-974-2788
Cindy Casillas, 512-974-3437
Public Hearing: Zoning and Platting Commission, Jul 7, 2015

C14

Abigail Bejrowski
Your Name (please print)

☐ I am in favor
☑ I object

5130 Mansfield View Ct. Austin, TX. 78732
Your address(es) affected by this application

Abigail Bejrowski — 6/22/15
Signature — *Date*

Daytime Telephone: (512) 745-4416

Comments: Traffic is already absolutely horrendous... one of the worst traffic intersections in Austin is 620 & 2222. This is going to make congestion even worse.

If you use this form to comment, it may be returned to:
City of Austin
Development Services Department – 4th floor
Christine Barton-Holmes
P. O. Box 1088
Austin, TX 78767-1088

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Case Number: SP-2014-0143C
Contact: Christine Barton-Holmes, 512-974-2788
Cindy Casillas, 512-974-3437
Public Hearing: Zoning and Platting Commission, Jul 7, 2015

Tim Lohman
Your Name (please print)

☐ **I am in favor**
☒ **I object**

4500 Steiner Ranch Blvd #3215, Austin 78732
Your address(es) affected by this application

Signature — 6/29/15 *Date*

Daytime Telephone: 512-450-6451

Comments: I oppose this development for several reasons. The roads and infrastructure are already over their limits in this area. The roads cannot handle any more traffic. It takes 20 minutes to go two miles in the morning from my home to the corner of 620/2222. This area is also oversaturated with homes. I went to the project web site for more info, but it does not state how many homes will be built or how big the complex will be.

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

City of Austin
Development Services Department – 4th floor
Christine Barton-Holmes
P. O. Box 1088
Austin, TX 78767-1088

PUBLIC HEARING INFORMATION

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A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

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and:

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Case Number: SP-2014-0143C
Contact: Christine Barton-Holmes, 512-974-2788
Cindy Casillas, 512-974-3437
Public Hearing: Zoning and Platting Commission, Jul 7, 205

Carla George - Secretary
Your Name (please print) Hughes Park Lake Sub2 HOA

☐ I am in favor
☒ I object

12402 Cedar St. 78732
Your address(es) affected by this application

Carla George — 7-6-15
Signature — *Date*

Daytime Telephone: 512-215-2512

Comments: The Hughes Park Lake Sub2 HOA strongly objects to this proposal for numerous reasons including safety, traffic, and dangerous road access. To access Steiner Ranch, residents will be making a U-turn in the turn lane our residents use to access 1620 North. This turn lane is already dangerous and this proposal only makes it worse. MU14 should not be approved as residential, especially multi-family duplexes or apartments. Please do not approve this request.

Also, please add our HOA as an interested party.

If you use this form to comment, it may be returned to:
City of Austin
Development Services Department – 4th floor
Christine Barton-Holmes
P. O. Box 1088
Austin, TX 78767-1088

Fax # 512-974-2620

#22

CHARLES M. BENSON

12710 Encino Drive
Manchaca, Texas 78652
Phone (512) 925-6294
cmbensonrpls@yahoo.com

June 30, 2015
Case No: C8J-2014-0131
Contact: Joe Arriaga
Public Hearing: July 7, 2015, Zoning and Planning Commission

COA Staff;

I/we are formally objecting to the development on Twin Creek Road currently known as Cebolla Creek. I/we believe there are too many variances that have to be given to make the development happen, plus the density is more than twice the neighboring area.

I am sure that the engineer has done full due diligence on all aspects of this development, but I would just like to put in my concerns on some issues:

DRAINAGE: The Proposed Cebolla Creek site is currently the drainageway/wetland for all surface and street drainage for the Mystic Oaks and Onion Creek Meadows area. I am aware that these developments were built in a different time, and formal storm and surface drainage issues were not a large consideration, but here we are today. Travis County has come back in over the years to remedy some of the surface/storm water issues, but they could use some updating, maintenance and consideration as to the downstream effects. To my end, I do not want to have the City of Austin telling me in two years that I have too much impervious cover, and I need to tear up my site to accommodate the "current" impervious cover model, even though my structures have been in place for more than ten years, and constructed under different rules. The drainage onto the Proposed Cebolla Creek from Mystic oaks and Onion Creek Meadows was O.K. when it was a Dairy Farm, and Nursery, but how will everyone feel when water is running in their new back door from these areas? Are the drainage ponds, drainage structures and the downstream Onion Creek area engineered for the catastrophic rain/flooding events we have experienced as of late? I would stress that a full drainage study of the whole area, dovetailed into the current flood studies being done on Onion Creek and the downstream effects be done, studied, and the effects be fully addressed.

TRAFFIC: I have read that this development will not add a significant additional traffic load on the area. I would like to question the idea of significant. Having lived here for the past twenty years I would have to say that the traffic has more than doubled. Twin Creek has a very high commuter traffic load, due partly to the northern Hays county development, area development, and delayed infrastructure improvements. A casual glance of traffic issues are: The build out of Estancia, the partial widening of FM 1626, the dumping of traffic from the 45 build out on to FM 1626 (traffic to NE Hays and Buda), and access to proposed development of the IH-35 and 45 area. I/we don't want to be like the nice folks in Shady Hollow, waiting for the promised highway to relive the twice daily Brodie Lane parking lot. A full traffic study sure would be nice, showing the current approved build outs and the FULL traffic impact to our area.

ENVIROMENT: Drainage and storm water issues are one item. The effect of the additional impervious cover dumping into Onion Creek has a huge effect. Trees are nice, and it comes into question if the development done a full tree study to save use all the protected trees 18" and above? How are the trees going to be effected with the drainage work? Or is this yet another variance given to make this development happen? The site was last known as a commercial nursery. Has a study been done to check on possible effects of storage and wide use of fertilizers and pesticides across the site? Effects of construction and runoff associated with contaminated soils. The site is to be served by a Wastewater lift station, which, work great when they work, providing it was engineered/designed properly, installed correctly, and has a strong lifetime maintenance program in place.

To review our objections: Lot size too small, the development is too dense for the area. The additional traffic load will add to growing and ignored traffic problems. Drainage issues, on and off site. Preservation of the trees on site, and the issues associated with a sewer lift station.

Charles M. Benson

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Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision

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Case Number: C8J-2014-0131
Contact: Joe Arriaga, 512-854-7562 or Cindy Casillas, 512-974-3437
Public Hearing: July 7, 2015, Zoning and Platting Commission

Charles M Benson
Your Name (please print)

☐ I am in favor
☒ I object

12710 Encino Dr Manchaca, Tx
Your address(es) affected by this application

June 30, 2015
Signature *Date*

Daytime Telephone: (512) 925-6294

Comments: See attached.

If you use this form to comment, it may be returned to:
Single Office: Travis County/City of Austin
Joe Arriaga, Senior Planner
700 Lavaca, 5th Floor
Austin, TX 78767-1748

Received
JUL 02 2015
Travis County-TNR