

### THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2014-0153 – The Enclave at Oak Parke

REQUEST:

Approve third reading of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10301-10317 Salmon Drive (Slaughter Creek Watershed-Barton Springs Zone) from interim – rural residence (I-RR) district zoning and interim – single family residence-standard lot (I-SF-2) district zoning to single family residence-standard lot (SF-2) district zoning, with conditions. A Restrictive Covenant would require vehicular access through the property from Salmon Drive to the northern property line.

DISTRICT AREA: 8

DEPARTMENT COMMENTS:

The ordinance is consistent with City Council action taken on First Reading.

The Owner is unwilling to sign a Restrictive Covenant outlining the requirement to provide a vehicular connection to the adjacent 12 acre tract to the north that was approved on First Reading. As directed by Council at Second Reading, the Staff and the Applicant have discussed this issue a number of times and have not reached a mutually acceptable conclusion. The requirement to provide a secondary access point from the property provides for connectivity and is not a Code requirement. Impervious cover on this property as well as the undeveloped 12 acre adjacent property to the north is limited to 15 percent which affects how the property can be developed. The Owner has provided correspondence and a substitute draft Restrictive Covenant addressing his concerns. Please refer to attached correspondence following this Summary Sheet.

Staff has determined that if permanent RR and SF-2 district zonings are approved in accordance with the lot layout shown on the existing recorded subdivision plats and the zoning map, then a Restrictive Covenant would not be required. The Owner, however, is seeking permanent SF-2 zoning that may or may not align with the current lot layout.

OWNER & APPLICANT: Mark Allan Cunningham

DATE OF FIRST READING: November 20, 2014, Approved SF-2 district zoning, with conditions, on First Reading (7-0).

DATE OF SECOND READING: February 12, 2015, Approved SF-2 district zoning with conditions of a Restrictive Covenant, on Second Reading (11-0). Direction was given to staff to work with the applicant on the conditions to be included in the Restrictive Covenant.

CITY COUNCIL HEARING DATE: October 8, 2015

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades  
e-mail: [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)

January 31, 2015

Mayor Steve Adler &  
City Council

301 W. Second St.  
Austin, TX 78701

RE: Zoning Case# C14-2014-0153

- Delia Garza | District 2
- Gregorio "Greg" Casar | District 4
- Don Zimmerman | District 6
- Leslie Pool | District 7
- Sheri Gallo | District 10
- Ora Houston | District 1
- Sabino "Pio" Renteria | District 3
- Ann Kitchen | District 5
- Ellen Troxclair | District 8
- Kathie Tovo | District 9

Dear Mayor and Council:

I am writing about an issue that needs to be addressed and resolved relative to the referenced zoning case #C14-2014-0153, which is next scheduled for review at the February 12 City Council meeting. It is not a complex issue, nor even contentious really, but unfortunately it needs some explaining ahead of time so that any questions or concerns can be addressed in advance of the meeting.

The subject property is one of two small "twin" 12 acre properties that are the remainder tracts of a large residential development (Oak Parke). These properties are squeezed between that development (Oak Parke) and Slaughter Creek and they have significant restrictions on development due to the presence of some flood plain and, more impactfully, the application of the *Save our Springs* (SOS) ordinance. I own one of these 12 acre properties, but not the other. Both were annexed by the City many years ago now and had not yet been through the zoning process. All of the surrounding property and existing development is zoned (appropriately) SF-2, and last year the Council approved, without conditions, SF-2 zoning for the adjoining "twin" 12 acre property – which, again, I do not own and which is accessed via Sawmill Rd (whereas my property is accessed via Salmon Dr.). This (re)zoning was done without controversy or restrictions and with the full support of the Oak Parke neighborhood association. I subsequently filed to have my property zoned SF-2 as well, which was approved by the Zoning and Platting Commission and then sent on for first reading by the City Council, which gave approval on November 20. However, during the zoning hearings, because my property is accessible via Salmon Dr., versus Sawmill Rd, some neighbors (on one side of the neighborhood) expressed concern about that access and the related vehicular activity.

Again, this is only a 12 acre tract, almost half of which is rendered undevelopable/unbuildable due to the presence of some flood plain and, more critically, application of the *Save our Springs* (SOS) ordinance – meaning it can only have less than 20 or so lots in a neighborhood and area where there are hundreds of homes - so there really isn't a 'traffic' issue, and whatever access issues there might be are best, and more appropriately, addressed at the time of (re)platting - when something specific can be designed, presented, and approved. As will happen in these matters, some neighbors were in favor of the existing access via Salmon while, in contrast, others were in favor of an additional/alternative access via Sawmill. However, this (my) property has no access to Sawmill, and it will never have access to Sawmill unless the adjacent property owner were to build a road through his equally small property to mine (which neither the Zoning and Platting Commission nor the City Council required of that owner and which that owner, on his own, has no reason or incentive or requirement to do). Bear in mind please also that none of this has anything to do with what the proper zoning is, which is uncontestedly SF-2, just like the adjacent 12 acre "twin" (Sawmill) property and the entire surrounding Oak Parke area.

So it can easily be argued that these access issues are (and will be) more properly managed during the platting process, when real access/road plans can and will be made - but (in a bit of a split the baby move) the Zoning and Platting Commission recommended to approve the zoning subject to a restrictive covenant requiring that access from the north be facilitated as well (even though, again, no requirement was made of the adjacent property owner to extend a road through his property to mine and, therefore, such a requirement might just be a road to nowhere for no reason, especially given the limited number of potential lots involved. Even more, the generic, boiler plate restrictive covenant that was introduced by the City staff to try and fulfill this requirement was/is inadequate to that purpose and, in fact, would place my property in violation of it as soon as it is signed and recorded – that because it requires the creation of vehicular access to the north property line while being completely silent about how or where or when or if "facilitating vehicular access" to/from the north would now or ever be accomplished and with what specifications or placement. This being even more problematic in light of the fact that the adjoining property is under no obligation to extend any road to the adjacent property line and, even if he were, there is no mechanism available to insure that the placement of this "vehicular access" would match and/or meet.

If this property was treated like the adjacent/surrounding Oak Parke property was in the past, there would be ~50 single family lots on it, but its **development is highly restricted such that, at most, maybe 20** (and maybe well less than that) **SF-2 lots could be created**. It is also conceivable that **the property may remain just 6 lots**, as previously/currently platted, or it **may legally be replatted to even fewer lots than that** (down to even 1). So, in all scenarios, the traffic/access impact on the Oak Parke development is negligible anyway and, in any case, **any restrictive covenant created and recorded needs to accommodate all of these possibilities**.

**There are two ways to address this**. The simplest, and **most appropriate** is to **drop the restrictive covenant requirement altogether**, realizing that **all of these access issues will arise again at the time of (re)plating, when they can be more appropriately addressed with specificity**. The other way to address it is to write a restrictive covenant **to replace the generic one that was used and approved at first reading** with one that is more precisely written so that it:

1. Satisfies the general, practical, and underlying intent of the original (which the current proposed restrictive covenant is considerably vague about).
2. Does not place the property in violation at the time the restrictive covenant is recorded and prior to a platting or replatting and subsequent development (which is why the current proposed restrictive can never be executed as is).
3. Does not preclude (practically or by law) any future otherwise legal platting or replatting.

**The existing proposed restrictive covenant** simply says: *"Vehicular access is required through the Property from Salmon Drive to the north property line"*. You can see that this is so vague that it becomes impractical and inappropriate - it **accomplishes nothing for any party on either side** of this issue (especially since there is no access at the north property line to connect to). Worse, it **places the property immediately in violation** because, until some future replatting and alternative development, there can/will be no such vehicular access designed or built or placed or provided. **Such a restrictive covenant will simply clutter and confuse the chain of title without practical purpose**. **If the Council**, even after this clarification and review, **still feels it must attach such a condition to this zoning, though it did not do so for the "twin" (Sawmill) property, we have proposed the attached restrictive covenant**, which more specifically and appropriately describes the situation and intent (i.e. accomplishing 1-3 above). [See #1 of the attached restrictive covenant for the relevant section.]

I believe **this replacement restrictive covenant more properly addresses this issue and covers the various practical contingencies**. Bear in mind though that **we still feel any restrictive covenant along these lines is impractical, premature, and unnecessary**, as **this issue is best, and more appropriately handled during the platting process** when specifics, and the then current reality on the ground, can and will be addressed (designed and approved) - but if a restrictive covenant must be attached to the zoning, it needs to be both more specific to this particular case while also being sufficiently broad so as to accommodate any future (otherwise allowable) legal platting or replatting - **otherwise we risk requiring the building of a road to nowhere for no reason**.

I **apologize that such a tedious issue must be placed before you**, especially because it is such a small issue and really is moot anyway until the time of (re)plating. But it is **important to me that any questions or confusion or concerns be addressed with you prior to the February 12 City Council meeting** so we can all arrive at the meeting with clarity of intent and purpose (as often these meetings are very time constrained for discussion, which can understandably sometimes lead to actions that, upon further reflection, may not be the same ones taken had there been more time to discuss and review).

So, the bottom line, **I am asking that the Council specifically agree to drop the restrictive covenant requirement altogether** - knowing that no such requirement was made of the "twin" (Sawmill) property last year and **knowing that nothing intended by it can happen until (re)plating anyway**, when all of these issues will be addressed again, in earnest, and with better clarity. **This is the best solution all around**. But if somehow this is not done, then I am asking at least that the alternative restrictive covenant (as rewritten and presented/attached here) be approved instead.

**Thank you for your time, attention, and consideration**. I am available at anytime to discuss this further with you or staff.



Mark Cunningham

cc: Wendy Rhoades; Case Manager; Planning Department

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0153 – The Enclave at Oak Parke

**Z.A.P. DATE:** October 21, 2014  
November 4, 2014

**ADDRESS:** 10301 – 10317 Salmon Drive

**DISTRICT AREA:** 8

**OWNER:** Mark Alan Cunningham

**AGENT:** Frie Planning, Development  
& Construction (Ross Frie)

**ZONING FROM:** I-RR; I-SF-2

**TO:** SF-2

**AREA:** 12.82 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant single family residence – standard lot (SF-2) district zoning.

If the requested zoning is granted, it is recommended that, as a condition of zoning, Salmon Drive is extended and stubbed out at the northern edge of the property line at time of site plan or subdivision.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

October 21, 2014: *APPROVED A POSTPONEMENT TO NOVEMBER 4, 2014*  
*[S. COMPTON; B. BAKER – 2<sup>ND</sup>] (5-0) P. SEEGER; R. MCDANIEL – ABSENT*

November 4, 2014: *PUBLIC HEARING CLOSED. THE MOTION TO APPROVE STAFF'S RECOMMENDATION OF SF-2-CO DISTRICT ZONING WITH CONDITION REQUIRING THE EXTENSION OF SALMON DRIVE TO THE NORTH PROPERTY LINE TO THE ADJACENT PROPERTY, ALSO INCLUDING THE TRANSPORTATION REVIEWERS COMMENTS WAS APPROVED BY COMMISSIONER SEEGER, COMMISSIONER GABRIEL ROJAS SECONDED THE MOTION ON A VOTE OF 6-1; COMMISSIONER SEAN COMPTON VOTED AGAINST THE MOTION (NAY).*

### **ISSUES:**

The Owner does not desire to sign the Restrictive Covenant outlining the requirement to provide a vehicular connection to the adjacent 12 acre tract to the north that was approved on First Reading. Furthermore, the Owner has provided correspondence and a substitute draft Restrictive Covenant addressing his concerns. Please refer to attached correspondence following this Summary Sheet.

Staff has determined that if permanent RR and SF-2 district zonings are approved in accordance with the lot layout shown on the existing recorded subdivision plats and the



zoning map, then a Restrictive Covenant would not be required. The Owner, however, is seeking permanent SF-2 zoning that may or may not align with the current lot layout.

The Oak Parke Home Owners Association met on Thursday, October 16, 2014 to discuss the Applicant's request. All correspondence received is attached at the back of the Staff packet.

A conceptual plan was provided to Staff and shows a cul-de-sac extending from the terminus of Salmon Drive and into the adjacent 12.85 acre SF-2-CO zoned tract to the north that accesses Sawmill Drive (the Sawmill tract). The conceptual plan shows a total of 27 lots with all lots except one located on the eastern portion of the property. The conceptual plan shows that the west one-half (approximately) of the property as well as that of the Sawmill tract is within the water quality transition zone (WQTZ) and critical water quality zone (CWQZ) of the 100-year flood plain of Slaughter Creek. In the absence of a variance to the Barton Springs Zone regulations, no development may occur in the WQTZ and CWQZ.

Impervious cover is limited to 15 percent in the Barton Springs Zone which also presents a challenge in development. Staff estimates that approximately 11 single family residential lots could be constructed on the subject 12.82 acre rezoning area. Additional lots could be constructed on the adjacent SF-2-CO property to the north for a unified development, or the properties could be developed independently resulting in cul-de-sac design for both properties. In the absence of a variance, cul-de-sacs are limited to 2,000 linear feet, measured from lot line to the beginning of the "bulb" of the cul-de-sac.

In order to distribute vehicular traffic generated from the proposed development as well as that of the Sawmill tract, adjacent neighbors have expressed an interest in connecting the two developments, with street access provided to Salmon Drive as well as Sawmill Drive. The conceptual plan indicates that the existing ranch house that accesses Sawmill Drive will remain, which may explain why a through-street design is not shown. The 15 percent impervious cover limit includes street infrastructure, hence, a connection between Salmon and Sawmill would result in a higher allocation for street infrastructure, and likely, fewer lots.

#### **DEPARTMENT COMMENTS:**

The subject platted lots are undeveloped and located at the terminus of Salmon Drive. The eastern portion of the site is platted for five flag lots and zoned interim – single family residence-standard lot (I-SF-2) district and the western portion of the property is platted as one 10+ acre lot and zoned interim – rural residence (I-RR). At the time the plat was reviewed and recorded, it was subject to Travis County standards. The Applicant reports that water and wastewater lines are in place at the terminus of Salmon Drive and extend to the northeast lot of this subdivision. The property is surrounded by one single family residence to the north (zoned SF-2-CO and limited to 30 units), single family residences to the east and south within the Oak Creek Parke subdivision (SF-2), and the Circle C Ranch Metropolitan Park to the west (I-RR). Slaughter Creek traverses the west property line. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B and C (Recorded Plat).

The Applicant has requested the single family residence – standard lot (SF-2) district in order to provide additional single family residential lots on the property (under the current configuration a total of six single family residences could be constructed). One path to accomplish this would be to vacate the existing two plats on the property and plat the property with a new lot configuration. Access would be taken from the terminus of Salmon Drive. The adjacent property to the north zoned SF-2-CO may be developed in conjunction with the subject property. SF-2 zoning is consistent with the adjacent properties in the Oak Creek Parke subdivision which also have SF-2 zoning.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	SF-2-CO	One single family residence
<i>South</i>	DR; SF-2	Parkland (owned by the City of Austin); Single family residences in the Oak Creek Parke Subdivision
<i>East</i>	SF-2	Single family residences in the Oak Creek Parke Subdivision
<i>West</i>	I-RR	Circle C Ranch Metropolitan Park

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek –  
Barton Springs Zone – Recharge Zone

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association  
 298 – Oak Hill Association of Neighbors (OHAN)  
 384 – Save Barton Creek Association      427 – Circle C Homeowners Association  
 627 – Onion Creek Homeowner's Association      742 – Austin Independent School District  
 943 – Save Our Springs Alliance      967 – Circle C Neighborhood Association  
 1037 – Homeless Neighborhood Association      1075 – Bike Austin  
 1118 – Oak Parke Homeowner's Association  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1228 – Sierra Club, Austin Regional Group  
 1340 – Austin Heritage Tree Foundation      1363 – SEL Texas

**SCHOOLS:**

Baranoff Elementary School

Bailey Middle School

Bowie High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0125 – Sawmill Rezoning – 4010 Sawmill Dr (12.853 acres)	I-RR to SF-2	To Grant SF-2-CO w/CO for max. 30 units	Apvd as Commission rec. (12-12-2013).
C14-89-0060 – Bowie 200 – Along Brodie Ln and south of W Slaughter Ln	DR to SF-2	To Grant	Apvd SF-2 (1-4-1990).

**RELATED CASES:**

The subject property was annexed into the City limits on December 31, 1998 (C7a-98-005 – Ordinance No. 981210-I). The eastern portion of the rezoning area is platted as The Enclave at Oak Parke Section One and consists of five flag lots accessed from Salmon Drive. The western portion is platted as The Enclave of Oak Parke Section Two and consists of one 10+ acre lot. Both subdivisions were recorded in October 1998, prior to annexation into the City limits (C8-94-0278.1A; C8-94-0278.2A).

**ABUTTING STREETS:**

Note: The existing frontage for the site is a stub out which does not extend through the property.

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Salmon Drive	50 feet	30 feet	Local	Yes	No	No

**CITY COUNCIL DATE:** November 20, 2014

**ACTION:** Approve SF-2 district zoning, with conditions requiring vehicular access through the property from Salmon Drive to the northern property line, as recommended by the Zoning and Platting Commission, on First Reading (7-0).

December 11, 2014 Approved a Postponement request by the Applicant to January 29, 2015 (6-1, Council Member Morrison voted nay).



January 29, 2015	Approved a Postponement request by Staff to February 12, 2015 (11-0).
February 12, 2015	Approved SF-2 district zoning with conditions of a Restrictive Covenant, on Second Reading (11-0). Direction was given to Staff to work with the Applicant on the conditions to be included in the Restrictive Covenant.

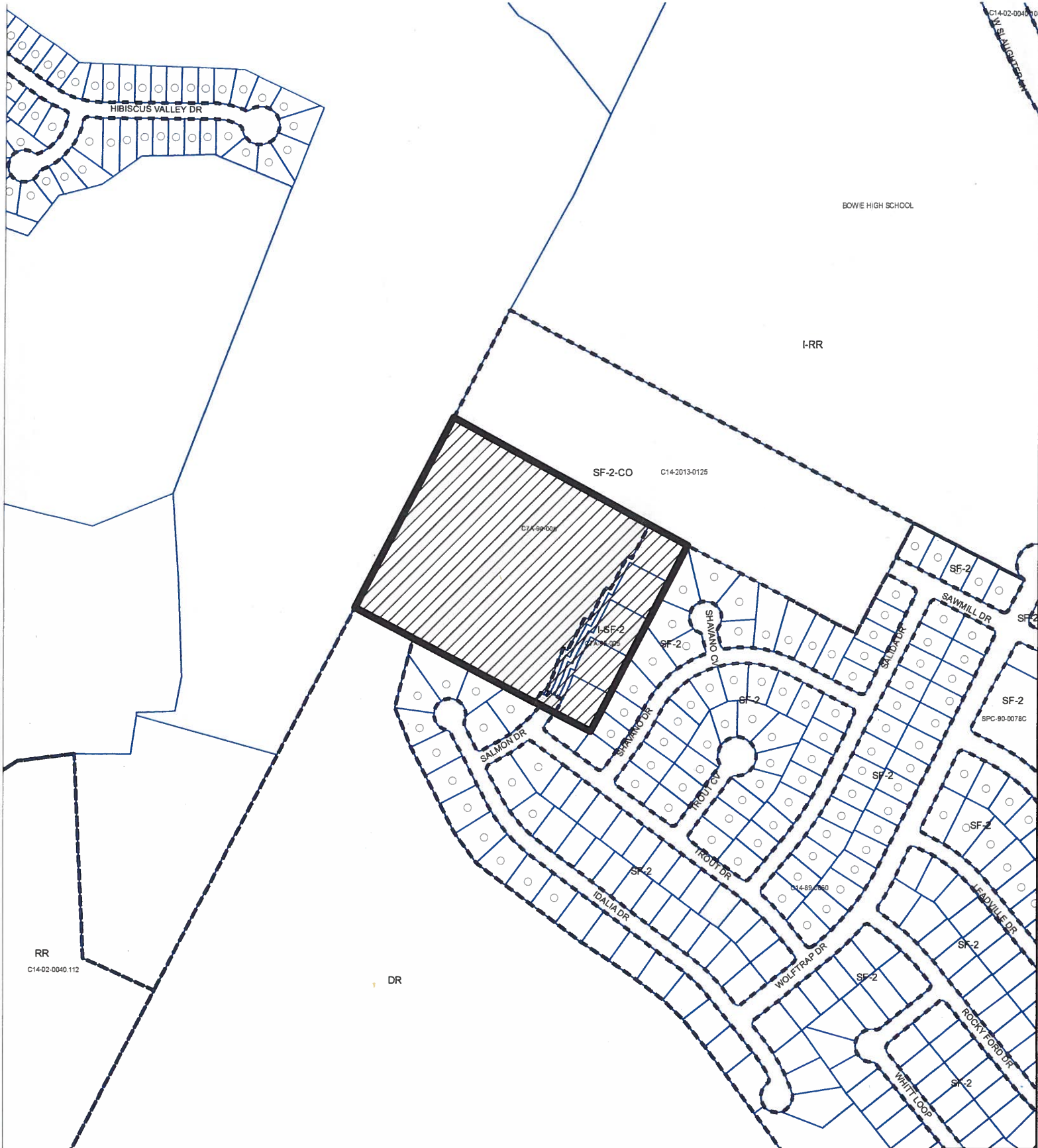
March , 2015




**ORDINANCE READINGS:** 1<sup>st</sup> November 20, 2014 2<sup>nd</sup> February 12, 2015 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
**ZONING CASE#: C14-2014-0153**

*EXHIBIT A*

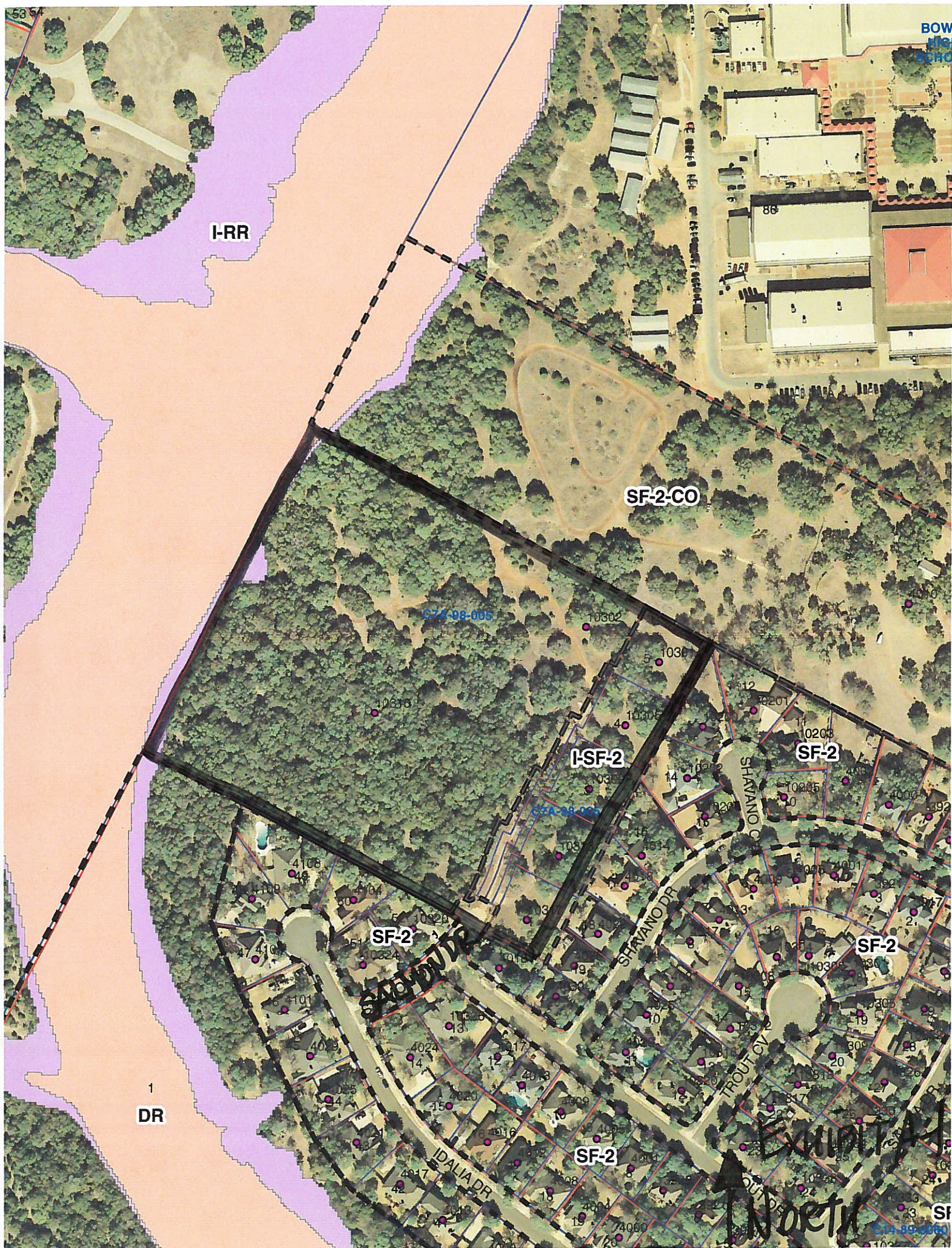


1" = 400'

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.

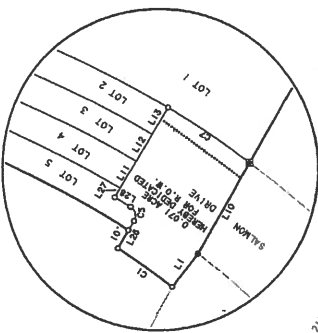
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# THE ENCLAVE AT OAK PARKE SECTION ONE



12.27 ACRES  
ENCLAVE AT OAK PARKE  
VOL. 12155, PG. 4103

SCALE: 1" = 100'

LEGEND:

- Iron Red Faced In Concrete Monument
- Iron Red Faced
- Iron Red Set
- Sidewalk

## AREA TABULATION

LOT 1	0.378 ACRE
LOT 2	0.443 ACRE
LOT 3	0.443 ACRE
LOT 4	0.443 ACRE
LOT 5	0.443 ACRE
SALMON DRIVE	0.071 ACRE
TOTAL	2.544 ACRES

45 LF of Street

DETAIL OF SALMON DRIVE  
ENLARGED FOR CLARITY

For Joint Use Agreements, Applicant  
refer to Vol. 2322, Pg. 2021  
of the Deed Records of Travis County.

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	0°44'42"	399.00'	32.18'	18.10'	32.17'	N 32°20'54"E
C 2	12°20'58"	399.00'	87.05'	43.70'	86.87'	N 30°40'42"E
C 3	07°12'19"	550.00'	70.42'	33.28'	70.38'	N 28°41'53"E
C 4	02°28'18"	545.00'	23.19'	11.60'	23.19'	N 28°47'20"E
C 5	05°35'37"	439.00'	7.83'	3.50'	7.70'	N 75°34'40"E
C 6	05°35'37"	439.00'	42.00'	20.40'	41.90'	N 75°34'40"E
C 7	05°35'37"	439.00'	38.10'	18.10'	38.10'	N 25°41'14"E
C 8	10°31'02"	414.00'	70.00'	34.10'	75.80'	N 25°41'14"E
C 9	05°33'34"	545.00'	52.88'	25.46'	52.86'	N 25°12'30"E
C 10	04°07'36"	550.00'	38.22'	19.12'	38.22'	N 27°54'30"E
C 11	05°35'37"	439.00'	78.75'	39.40'	78.64'	N 25°41'14"E
C 12	05°35'37"	439.00'	53.24'	26.64'	53.21'	N 27°09'47"E
C 13	05°35'37"	439.00'	53.24'	26.64'	53.21'	N 27°09'47"E
C 14	10°31'02"	414.00'	40.87'	20.40'	40.87'	N 25°41'14"E
C 15	01°58'30"	515.00'	17.75'	8.88'	17.75'	N 21°24'50"E
C 16	07°49'35"	500.00'	68.35'	34.23'	68.29'	N 20°05'31"E
C 17	10°31'02"	414.00'	84.34'	42.20'	84.22'	N 25°40'50"E

## LINE TABLE

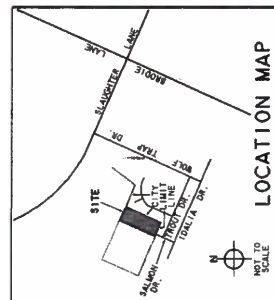
LINE	BEARING	DISTANCE
L 1	N 52°16'53"W	20.11'
L 2	S 80°02'42"E	15.01'
L 3	S 80°02'42"E	15.01'
L 4	S 80°02'42"E	15.01'
L 5	N 30°00'28"E	116.34'
L 6	S 59°59'32"E	15.00'
L 7	N 30°00'28"E	116.34'
L 8	S 59°59'32"E	15.00'
L 9	N 30°00'28"E	116.34'
L 10	S 59°59'32"E	15.00'
L 11	S 59°59'32"E	15.00'
L 12	S 59°59'32"E	15.00'
L 13	S 59°59'32"E	15.00'
L 14	S 59°59'32"E	15.00'
L 15	S 59°59'32"E	15.00'
L 16	S 59°59'32"E	15.00'
L 17	N 30°00'28"E	116.34'
L 18	S 59°59'32"E	15.00'
L 19	N 30°00'28"E	116.34'
L 20	S 59°59'32"E	15.00'
L 21	N 30°00'28"E	116.34'
L 22	S 59°59'32"E	15.00'
L 23	N 30°00'28"E	116.34'
L 24	S 59°59'32"E	15.00'
L 25	N 30°00'28"E	116.34'
L 26	S 59°59'32"E	15.00'
L 27	N 30°00'28"E	116.34'
L 28	S 59°59'32"E	15.00'

CITY OF AUSTIN LAND INFORMATION SERVICES

ADDRESSED BY DATE 10/11/18

GRID C-15 PLAT 102168

ADDRESS QUESTIONS, CALL 512-460-2777



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C8-94-0278.1A Plat No. D-055.9 SHEET 1 OF 2

EXHIBIT B  
RECORDED  
PLAT





**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant single family residence – standard lot (SF-2) district zoning.

If the requested zoning is granted, it is recommended that, as a condition of zoning, Salmon Drive is extended and stubbed out at the northern edge of the property line at time of site plan or subdivision.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The single family residence standard lot (SF-2) district is intended for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lots or to new development of single-family housing areas with minimum land requirements.

- 2. Zoning changes should promote compatibility with adjacent and nearby uses.*  
*3. Zoning should be consistent with approved and existing residential densities.*

SF-2 zoning is consistent with the adjacent lots in the Oak Creek Parke subdivision which also have SF-2 zoning.

**EXISTING CONDITIONS****Site Characteristics**

The subject property is undeveloped and slopes to the west, towards Slaughter Creek. The western portion of the rezoning area is identified as a drainage easement. In particular, the western portion of the site has dense tree cover.

**Impervious Cover**

The maximum impervious cover allowed by the SF-2 zoning district is 15% based on the more restrictive watershed regulations.

**Comprehensive Planning/ Imagine Austin**

This zoning case is located on 12.8 acres of undeveloped land, to the north of Salmon Drive. This property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes undeveloped land and Bowie High School to the north, single family houses to the south and east, and the Circle C Ranch Metro Park to the west. The proposed use is a single family.

**Imagine Austin**

The site is situated over the Barton Springs Zone and the Edwards Aquifer Recharge Zone as identified on the Imagine Austin's Environmental Resources Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer. The following Imagine Austin policies are relevant to this case:

- **LUT P21.** Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.
- **LUT P22** Protect Austin's natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.
- **CE P2.** Conserve Austin's natural resources systems by limiting development in sensitive environmental areas, including the Edwards Aquifer, its contributing and recharge zones, and endangered species habitat.

Staff believes that the proposed single family subdivision is consistent with the Imagine Austin Comprehensive Plan. However, due to the site's location over an environmentally sensitive area, there will be at the site planning stage an environmental review to determine if any critical environmental features are located on the site. If any are located, mitigation and setbacks necessitated by the land development code will be required.

**Environmental**

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the Recharge Zone.

According to floodplain maps there is a floodplain within the project location. In addition, COA GIS shows a Water Quality Transition Zone and a Critical Water Quality Zone within the project location. Construction within these areas is limited.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep

slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

### **Transportation**

If the requested zoning is granted for this site, 50 feet of right-of-way should be dedicated from each side of the centerline of Salmon Drive in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

If the requested zoning is granted, it is recommended that, as a condition of zoning, Salmon Drive is extended and stubbed out at the northern edge of the property line at time of site plan or subdivision.

Please contact Nadia Barrera, Urban Trails, Public Works Department regarding pedestrian connectivity per the Council Resolution.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Site Plan and Compatibility Standards**

No site plan comments. The site is proposed to be zoned SF-2 and does not trigger Commercial Design Standards or Compatibility, and is not located within any Overlays.

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**Case Number:** C14-2014-0153

**Contact:** Wendy Rhoades, 512-974-7719

**Public Hearing:** October 21, 2014, Zoning and Platting Commission  
November 20, 2014, City Council

*GARY W. TRUETT*

Your Name (please print)

*4018 TROUT DRIVE, AUSTIN 78749*

Your address(es) affected by this application

☒ I am in favor  
☐ I object

*10/20/14*  
Date

Signature

Daytime Telephone: *512-698-7498*

Comments:

*OUR BIGGEST CONCERN IS  
LOSING OUR PRIVACY. A BIG  
REASON WE PICKED THIS HOME IS  
BECAUSE OF THE PRIVACY BEHIND  
US.*

*WE HOPE THERE WILL BE A  
TALL FENCE SO WE MAY CONTINUE  
TO HAVE A PRIVATE YARD.*

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



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**Case Number: C14-2014-0153**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: October 21, 2014, Zoning and Platting Commission  
 November 20, 2014, City Council**

Scott Stacher

*Your Name (please print)*

3633 Malone Dr, Austin TX 78749

*Your address(es) affected by this application*

10-22-14

*Date*

*Signature*

Daytime Telephone: (512) 222-9935

### Comments:

I don't think anyone in the community has any serious objections to expanding the development, i.e. adding more homes. There will be objections if the area is rezoned for anything more than single family homes (SF2). Based on feedback I've been exposed too the primary objection (as well as mine) is related to traffic flow, during construction, as well as after (and emergency services). The streets as built may be able to accommodate the expected traffic flow per some city engineer, but the reality of the situation is that's not what the existing residents want. As long as the development plan has traffic routed through a single point of failure (Salmon via Trout) to the new homes, the plan will continue to be objected too. Two routes are desired. The primary path should be Wolftrap to Sawmill to the new homes, Wolftrap to Trout to Salmon should be secondary. Merge the open properties if necessary, but as a resident of Oak Parke, I implore you to reject any development plan that does not require extending Sawmill and access via Sawmill, or any plan that allows a housing density greater than that of the existing community.

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

City of Austin

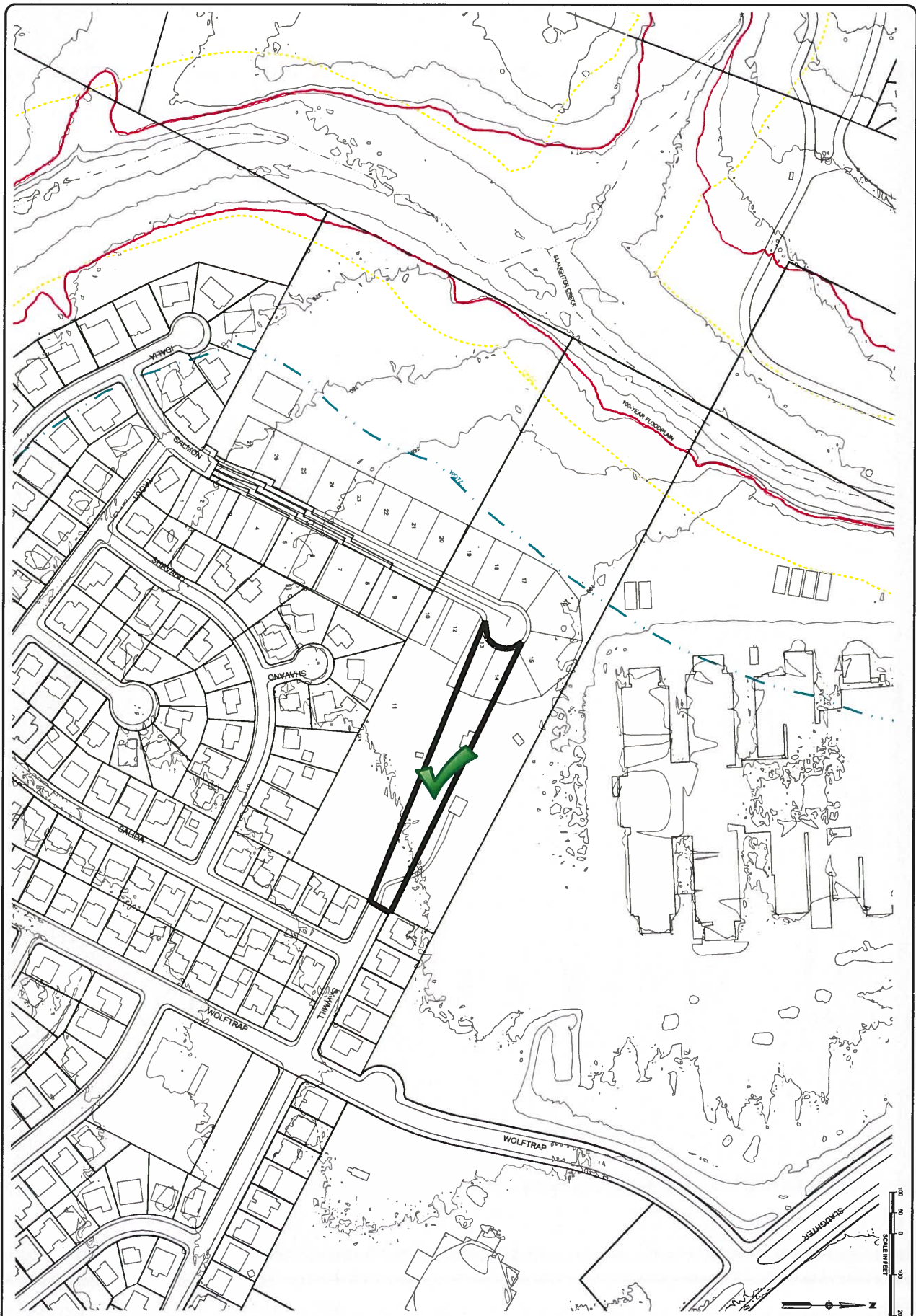
Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810





SHEET NO. <b>1</b>	JOB NUMBER 1888	<b>LJA Engineering, Inc.</b> 5318 Highway 200 West Suite 150 Austin, Texas 78735 Phone 512.439.4700 Fax 512.439.4716 FIRM - F-1386	THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERNAL REVIEW UNDER THE AUTHORITY OF DANIEL RYAN, P.E. ENGINEER ON 4/3/14. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES	DATE: 5/29/14	REVISIONS		BY	DATE
				DESIGNED BY: JMC	NO.	DESCRIPTION		
				CHECKED BY: JMC				
				DRAWING NAME: sawmill-landfill.dwg				

**SAW MILL RD. PROPERTY**  
 TRAVIS CO., TX

**FEASIBILITY LAND PLAN**

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**Case Number: C14-2014-0153**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: October 21, 2014, Zoning and Platting Commission  
November 20, 2014, City Council**

*JEAN - DAN MILLER*

*Your Name (please print)*

*404 FAALIA DR, 78749*

*Your address(es) affected by this application*

*Dan Miller*

*Signature*

*Date*

*Daytime Telephone: 512-750-7868*

*10-21-14*

☐ I am in favor  
☒ I object

Comments:

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



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Case Number: C14-2014-0153

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 21, 2014, Zoning and Platting Commission  
November 20, 2014, City Council

Thelma and Saul Garza

Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application

4022 Shavano Drive

10/20/2014

Signature

Date

Daytime Telephone: 512-292-3435

Comments:

We object because of the possibility that the land and the adjoining land to the South that was recently re-zoned will be platted like the attached draft. We received this draft at the most recent meeting of the Oak Parke Homeowners Association meeting. This platt would be a traffic disaster for our street and neighborhood. It would create a safety hazard to the people on the proposed extension of Salmon Drive. Salmon Drive through the two new areas needs to connect to Sawmill Drive and Trout Drive to eliminate this problem. We will fight this platt with all legal means at our disposal. If you use this form to comment, it may be returned to: including the courts.

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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**Case Number: C14-2014-0153**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: October 21, 2014, Zoning and Platting Commission  
November 20, 2014, City Council**

Mike and Elizabeth Cochran

*Your Name (please print)*

3921 Trout Drive Austin, TX 78749

*Your address(es) affected by this application*

10/20/2014

*Date*

*Signature*

Daytime Telephone: 512-415-2854

Comments:

We object because of the possibility that the land and the adjoining land to the South that was recently re-zoned will be platted like the attached draft. We received this draft at the most recent meeting of the Oak Parke Homeowners Association meeting. This platt would be a traffic disaster for our street and neighborhood. It would create a safety hazard to the people on the proposed extension of Salmon Drive. Salmon Drive through the two new areas needs to connect to Sawmill Drive and Trout Drive to eliminate this problem. We will fight this platt with all legal means at our disposal, If you use this form to comment, it may be returned to: including the courts.

City of Austin

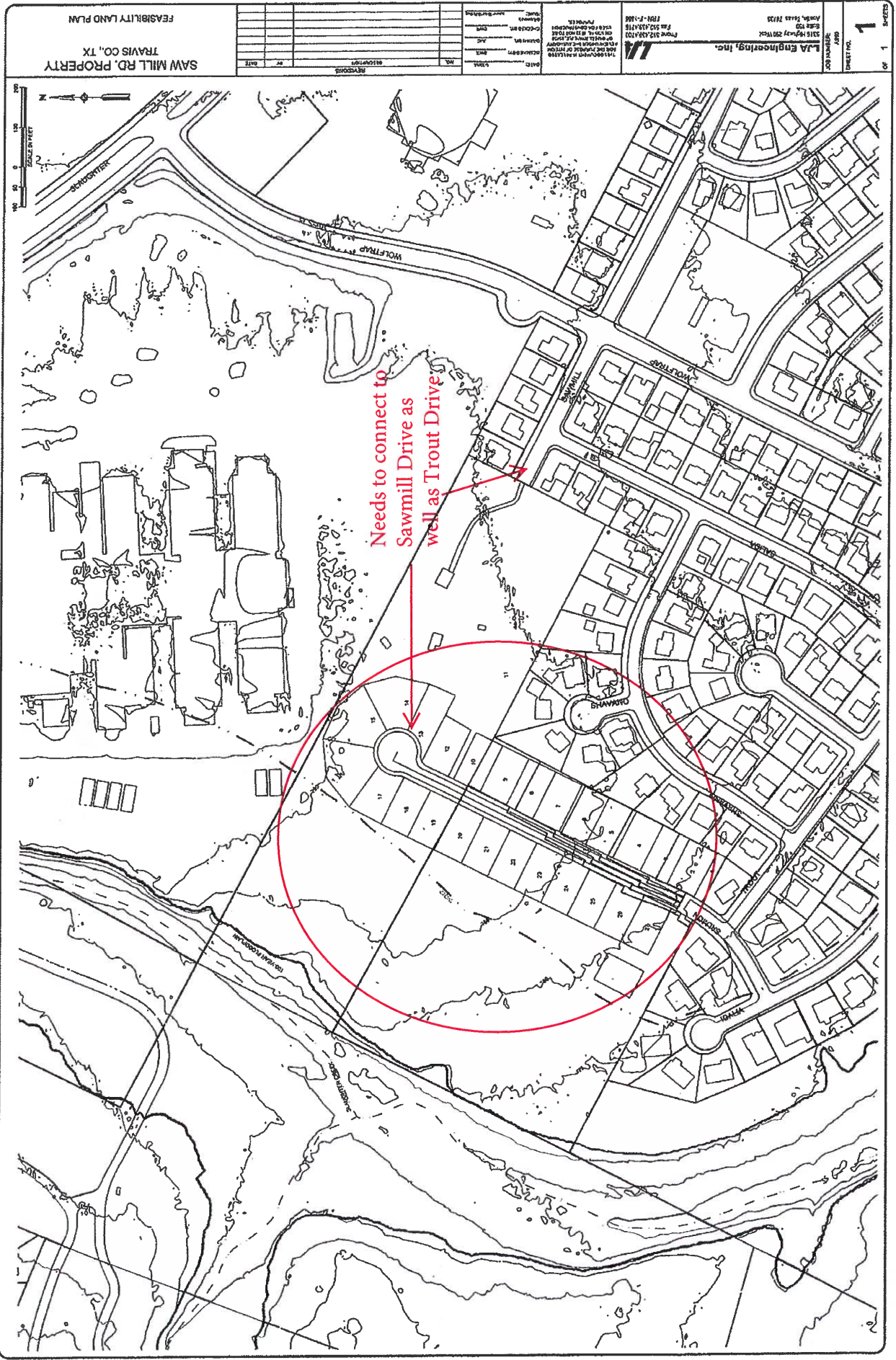
Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810





SAWMILL RD. PROPERTY  
TRAVIS CO., TX

FEASIBILITY LAND PLAN

NO.	DATE	REVISIONS
1	11/11/11	1.00

DATE	11/11/11
BY	11/11/11
CHECKED BY	11/11/11
APPROVED BY	11/11/11

**LJA Engineering, Inc.**  
3115 Highway 200 West  
Austin, Texas 78735  
Phone 512.439.1111  
Fax 512.439.1112  
www.lja-engineering.com

11/11/11



## Rhoades, Wendy

---

**From:** Kristian Koellner <Kristian.Koellner@lcra.org>  
**Sent:** Tuesday, October 21, 2014 2:08 PM  
**To:** Rhoades, Wendy  
**Cc:** hoa@ophoa.org; Monique Wells; Thelma Alvarado-Garza; Anne Koellner  
**Subject:** Citizen comments re: Salmon Drive re-zoning application  
**Attachments:** 20141014075216800.pdf; Cook-Cunningham Subdivision Design 6-3-14.pdf

Wendy,

Regarding the attached zoning case, as an affected homeowner in the immediate area, I would like to provide the following comments for consideration at this evening's Zoning and Platting commission meeting:

1. I oppose the zoning change from RR to SF-2. I feel that the areas designated as RR ought to stay RR and there is no justification to revise the zoning from RR to SF-2. Due to the area's location within the aquifer zone, the character of the area, proximity to Slaughter Creek, proximity to the Veloway, and proximity to the future Violet Crown trail, etc I feel the burden of illustrating the need & justification to revise from RR to SF-2 ought to be placed on the applicant, and they have not made a suitable case for that revision. The "default" ought to be that RR zoning remain RR, and SF-2 zoning remain SF-2.
2. The applicant has erroneous content in their application. They have included an endorsement letter from the Oak Parke HOA, which does not apply to this zoning case. I question if this was an error or intentional on the part of the applicant. I would hope that all aspects of the application be placed under sufficient scrutiny.
3. The initial layout showing entry only via Salmon Drive (and not Sawmill) is not desirable or feasible or practical. I realize the initial layout is not being ruled or decided upon today, but I want to provide this comment "early and often" to ensure this input is heard.

Thank-you for considering this input as part of the decision-making process.

Kris & Anne Koellner  
10325 Salmon Drive  
512-467-4184 (home)

***Kristian M. Koellner, PE***  
Supervisor, System Protection  
[kristian.koellner@lcra.org](mailto:kristian.koellner@lcra.org)  
512.578.4573



SHEET NO. 1 OF 1 SHEETS	<b>LJA Engineering, Inc.</b> 5316 Highway 290 West Suite 100 Austin, Texas 78735 Phone 512.636.6700 Fax 512.636.6718 FBN - F-1305	THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF TEXAS PUBLIC INFORMATION ACT. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.	DATE: 5/5/14 DESIGNED BY: DWR DRAWN BY: JAC CHECKED BY: DWR DRAWING NAME: user-001-000000.dwg	NO. 1 DESCRIPTION BY DATE	<b>SAW MILL RD. PROPERTY</b> <b>TRAVIS CO., TX</b>  <b>FEASIBILITY LAND PLAN</b>
			REVISIONS	100 0 100 200 FEET	

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Case Number: C14-2014-0153

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 21, 2014, Zoning and Planning Commission  
November 20, 2014, City Council

Terry Ann Albright

Your Name (please print)

3917 Trout Drive

Your address(es) affected by this application

T. Albright

Signature

10-21-14

Date

Daytime Telephone: 512-983-7306

Comments: I object to the development plan to

route ALL traffic from the area of new

development (both proposed new and in the

future) out onto Salmon and then Trout.

I request that a second exit route be

made onto sawmill, which is a starter and more

direct route to wolf trap and slaughter. The

increased traffic on Trout will be dangerous

and have a negative impact on the neighborhood.

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



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Case Number: C14-2014-0153  
Contact: Wendy Rhoades, 512-974-7719  
Public Hearing: October 21, 2014, Zoning and Planning Commission  
November 20, 2014, City Council

Michael Rosh

Your Name (please print)

3917 Trout Drive

Your address(es) affected by this application

Michael Rosh

Signature

10/22/14

Date

Daytime Telephone: 512-983-5096

Comments: Would like to see the development

limited to fewer than 30 homes.

Traffic - existing from the development @ Salmon

Dr would have to travel through most of

existing homes. Traffic should exit the

proposed development at Sam Mill - avoiding

95% of existing homes. Much faster car

well. Existing streets cannot absorb

additional traffic safely - many children

in neighborhood.

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0153

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 21, 2014, Zoning and Planning Commission  
November 20, 2014, City Council

Judy B. Skeen

Your Name (please print)

4101 Idalia Dr. & 4021 Shavano Dr.

Your address(es) affected by this application

Judy B. Skeen

Signature

Daytime Telephone: 512-963-1465

Date

10-21-14

☐ I am in favor  
☒ I object

I object to the access point.

Comments: Access to this property via our neighborhood streets is problematic. If rezoned it should be done so only as 'RR' to limit the number of new houses (whose residents will access via our streets). An SF2 designation would seriously increase the traffic on our streets which already have to handle Bowie High School traffic. We cannot take the additional traffic. Landowner needs to find a solution that doesn't include Trout and/or Sawmill as their access points.

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



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Case Number: C14-2014-0153  
Contact: Wendy Rhoades, 512-974-7719  
Public Hearing: October 21, 2014, Zoning and Planning Commission  
November 20, 2014, City Council

Michael Teter  
Your Name (please print)  
4030 Shawano Dr.  
Your address(es) affected by this application

April S. Teter  
Signature  
10/24/14  
Date

Daytime Telephone: 512-300-4049

Comments: The Cook Farmington development off Salmon & Sam Mill in Oak Creek Park. Show remain zoned as R2 or require at least 7500 sq ft lots. Certainly make sure never gets to SFL. There need to be access on both Salmon and Sam Mill for emergency and to reduce traffic. Please consider SAs + improved cover ordinances in this environmentally sensitive area near Bonnie Wild Flower Center - and Brodie Wild. This property should be purchased by the City of Austin and preserved.

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

Fax - 974-6054, 974-2669 \*

## PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0153

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 21, 2014, Zoning and Planning Commission  
November 20, 2014, City Council

Your Name (please print)

4021 Idalia Dr

Your address(es) affected by this application

Signature

Daytime Telephone: 512-413-9457

Signature

Date

10/23/14

☐ I am in favor  
☒ I object

Comments:

This address to be a very  
Advanced & unusual exit  
for these new houses. This  
exit routes them through an  
established community adding cars,  
increased danger to children & time  
for ingress & egress. All of  
this could be avoided by simply  
existing SE & linking up to  
Sawmill.

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Public Hearing: October 21, 2014, Zoning and Platting Commission

November 20, 2014, City Council

*Michael Jeter*

Your Name (please print)

*4030 Shawano Dr.*

Your address(es) affected by this application

*Adil R. Jethi*

Signature

Date

Daytime Telephone: *512-300-4049*

Comments: *The Cook Cunningham development*

*off Salmon & Sam Mill in Oak Creek Park*

*Shall remain zoned as RR or require*

*at least 7500 sq ft lots. Certainly*

*make sure never gets to SFL. There need*

*to be access on both Salmon and Sam Mill for*

*emergency and to reduce traffic. Please*

*consider SDS + important cover ordinances in*

*this environmentally sensitive area near Bowie Wild*

*Flower center and Brodie Wild. This property*

*should be purchased*

*by the City*

*of Austin and*

*prevented.*

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Fax - 974-6054, 974-2669 \*



## Rhoades, Wendy

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**From:** Shelley Delayne [shelley@shelleydelayne.com](mailto:shelley@shelleydelayne.com)  
**Sent:** Wednesday, October 29, 2014 2:30 PM  
**To:** Rhoades, Wendy  
**Subject:** Case C14-2014-0153  
**Attachments:** Zoning hearing OP - comment form only.pdf

Dear Wendy,

This is in regards to the rezoning request/plans for the land immediately adjacent to our Oak Creek Parke subdivision in south Austin.

My concerns about the development of these properties largely has to do with traffic. Is it possible to require the developer to manage the approval and installation of appropriate traffic signals to keep our little neighborhood safe?

We live on the corner of Wolftrap and Sawmill. In the mornings, it is nearly impossible to exit our subdivision via Aspen Creek Parkway onto Brodie northbound, because the cars come north in a steady line and will seldom let you in. So the vast majority of cars leaving our subdivision in the morning do so via Wolftrap. And since the entrance to Bowie High School is also on Wolftrap, and a great many cars cut through our subdivision to get to it — well, you can imagine the backup in the morning during the 8-9am hour. The reverse happens at 4-5pm; with it being very difficult to re-enter the subdivision.

Adding construction trucks and then significantly more cars to those logjams will be horrible. And unsafe. There are so many little kids in the neighborhood, including ours, and cars speed down Wolftrap as it is. More of them will only make matters worse.

If there were a stop sign at Wolftrap/Sawmill, it would be less of a concern to me. Same if there were a signal or stop sign at Aspen Creek/Brodie, to increase the options for traffic leaving the subdivision in the morning.

So... unless there is something done about traffic impact, I'd like to be on record as being against any increase of density to those parcels of land.

Thank you,  
Shelley

Shelley Siracusa  
10200 Wolftrap Dr

## PUBLIC HEARING INFORMATION

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**Case Number: C14-2014-0153**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: October 21, 2014, Zoning and Platting Commission  
November 20, 2014, City Council**

Shelley Siracusa

*Your Name (please print)*

10200 Wolftrap Dr

☐ I am in favor  
☒ I object

*Your address(es) affected by this application*

*Signature*

*Date*

Daytime Telephone: 512-522-7730

Comments:

I am firmly opposed to increasing the density of these

parcels to any more than RR. Because of the heavy traffic on

Brodie that likes to cut through our subdivision, over Aspen Creek to

Wolftrap to Slaughter, and because of the impossibility of exiting

northbound on Brodie from Aspen Creek in the morning, the existing

backups on Wolftrap in the morning will become horrific if

more houses are built back there. I would support SF1 zoning

if it can somehow be tied to traffic signals or stop signs

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

## Rhoades, Wendy

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**From:** Alison Seaman [alisonseaman9@icloud.com](mailto:alisonseaman9@icloud.com)  
**Sent:** Friday, October 31, 2014 2:31 PM  
**To:** Rhoades, Wendy  
**Cc:** Alison Seaman  
**Subject:** Case C14-2014-0153

Δεαρ Μσ. Ρηοαδεσ,

My husband and I are residents in the Oak Parke Development of Austin. We are writing to voice our concern for the proposed housing project that is being considered. Our concern is the traffic, congestion, and impact of this new development. While we can't expect it to never be developed, please consider doing this in a style that is less invasive to the existing homes and homeowners and the peaceful current environment. Please :

- Keep the properties zoned RR so that there are bigger houses and fewer of them.
- Limit the number of houses to no more than 30
- Ensure that the zoning does not go lower than SF2. A designation of SF1 or lower would mean small lots and dense housing
- Have an entrance at Sawmill as well so there isn't so much traffic being sent through the neighborhood and it will make it faster for fire/ems to access.

Thank you,

Alison Seaman & Roger Seaman  
10337 Salida Drive, Austin  
[alisonseaman@yahoo.com](mailto:alisonseaman@yahoo.com)



## Rhoades, Wendy

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**From:** Family Faulkner <ffaulkners@gmail.com>  
**Sent:** Saturday, November 01, 2014 11:28 AM  
**To:** Rhoades, Wendy  
**Subject:** Enclave at Oak Parke case (C14-2014-0153)

Dear Ms. Rhoades,

Thank you for the opportunity to comment on the upcoming public hearing on The Enclave at Oak Parke case (C14-2014-0153) that is scheduled for next Thursday, November 20, 2014's Zoning & Platting Commission. I have received a notification with a form for comment but I realized I could email my comments so I did that instead. I object to Enclave at Oak Parke case (C14-2014-0153) as it is currently presented to the Zoning & Platting Commission.

Here are my comments after review of the plan:

1. There needs to be more than one egress from the newly developed area. The current plan is to funnel all the traffic through already developed residential roadway. This puts unnecessary congestion into the Oak Parke neighborhood and it turns a blind eye to other solutions - a permeable roadway connecting to the newly developed areas to Sawmill Dr. and/or to Trout Dr. Such roadway is used in other parts of Austin and may be a solution here as well. If this type of roadway is NOT a solution, there still needs to be alternate connections for egress/ingress associated with these homes and the current neighborhood.
2. The zoning change from RR to SF-2 means further impervious cover in this area of the aquifer zone. Maintaining the zoning at RR is desirable for the continued health of aquifer recharge in this area and foresight needed to assure that the flood zone associated with Slaughter Creek does not increase due to the impact on run off and recharge.
3. In the original application reviewed by the Home Owner's Association (HOA) years ago, when a plat was presented for review, there was only one of the two tracts of land addressed. In the documents for the Enclave at Oak Parke case (C14-2014-0153), the comments cannot be extrapolated and presented as an extension of the previous comments. This extrapolated "approval" based on the previous HOA is an inaccurate comparison, up to and including the HOA being "in favor" of the rezoning. All of this new information should require comment by the HOA based on the current case rather than the similar, but smaller case which was reviewed in the past.

There are solutions and alternatives for each of the comments presented herein. I hope that the owner of the property and the Zoning & Platting Commission are open to finding solutions based on comments of the Oak Parke neighborhood. We look forward to working with you.

Sincerely,  
Mark and Grace Faulkner  
4004 Idalia Drive  
Austin, TX 78749  
512/280-7314

## PETITION

Date: October 31, 2014

File No.: C14-2014-0153

Address of Rezoning Request: 10301 - 10317 Salmon Drive

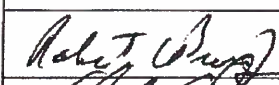
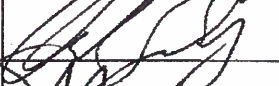
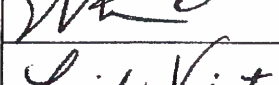
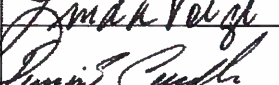
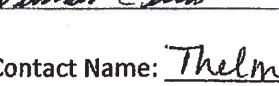
The Enclave at Oak Parke Section One and  
Two

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the properties to any other classification other than SF-1 or SF-2 with a conditional overlay requiring a maximum allowable of six lots/residential units, 15% impervious cover, and compliance with current regulations/Save Our Springs (SOS) Ordinance.

The reasons for our protest include:

1. The only access to and from the proposed development is Salmon Dr, a residential street.
2. Given the single point of access, any additional lots beyond the six lots previously platted under case number C8-94-0278.1A and .2A will present an adverse traffic impact and unsafe conditions.
3. The proposed development is in the Slaughter Creek watershed, and in the Barton Springs/Edwards Aquifer Recharge Zone. The western property limit of Lot 6 is also immediately adjacent to Slaughter Creek and contains a floodplain. However, instead of being subject to current Save Our Springs (SOS) Ordinance, the plat / C8-94-0278.1A and .2A, indicate lots shall be developed in accordance to Ordinance No. 941205-A which allows significantly more impervious cover and does not provide the level of protection current regulations do. If the property owner wishes to develop under older regulations such as Ordinance No. 941205-A via grandfathering, development should be limited to the six lots previously platted and no more. Should they wish to pursue any additional lots beyond the six originally platted; development must properly address access and be subject to current regulations, including but not limited to the 15% maximum impervious cover and environmental protection measures required under current regulations/SOS ordinance.

Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	ROBERT BROWN JR	3916 SHAVANO		342754/0426340101
	David Schulz	4017 Shavano		342797/0426340228
	Eileen Mauer	10205 SHAVANO CV		342758/0426340105
	LINDA VOIGT	10203 SHAVANO COVE		342759/0426340106
	DENNIS CAUDLE	10201 SHAVANO COVE		342720/0426340107

Contact Name: Thelma Alvarado-Garza

Phone Number: 512.517.6196

## PETITION

Date: October 31, 2014

File No.: **C14-2014-0153**

Address of Rezoning Request: **10301 - 10317 Salmon Drive**

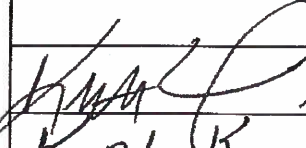
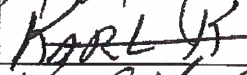
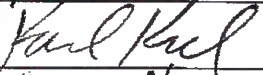
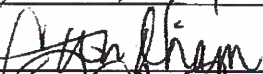

**The Enclave at Oak Parke Section One and Two**

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Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	Krista Kilbale	4001 Shavano		342772/0426340203
				
	KARL KEEL	4005 SHAVANO		342771/0426340202
	J. W. Whitham	10204 Shavano		342763/0426340110
	Rosie Sanchez	10202 Shavano		342762/0426340109

Contact Name: Thelma Alvarado-Garcia

Phone Number: 512-517-6196



## PETITION

Date: October 31, 2014

File No.: C14-2014-0153

Address of Rezoning Request: 10301 - 10317 Salmon Drive






The Enclave at Oak Parke Section One and  
Two

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Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	Matt Lavin	10311 Salida Dr		342718/0426300422
	CARL DUFFY	10314 Salida Dr		342775/0426340201
	Matthew Hammer	10377 Salida Dr		373552/0426340309
	Mark LaVine	10381 Salida Dr		342805/0426340307
	THOMAS L. YOUNG	10300 SALIDA DR		342694/0426300209

Contact Name: Thelma Alvarado-Garza

Phone Number: 512.517.6196

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File No.: **C14-2014-0153**

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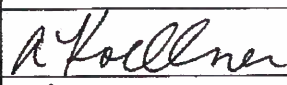



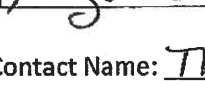
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Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	Anne Koellner	10325 Salmon Dr.		342821/0426340416
	Christine Chavez	4025 Idalia		466337/0426340130
	GARY R. ROVEY	4018 Trout		342769/0426340116
	Sandra Brinks	4013 Trout		342823/042634041
	Gary Theiss	4026 Shavano		342767/0426340114

Contact Name: Thelma Alvarado-Garcia

Phone Number: 512.517.6196

## PETITION

Date: October 31, 2014

File No.: C14-2014-0153

Address of Rezoning Request: 10301 - 10317 Salmon Drive

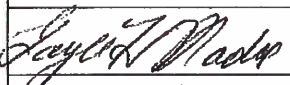


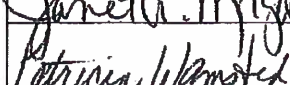
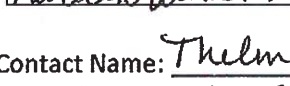
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	Gayle Macdole	4029 Idalia Dr		466336/0426340131
	JANA BRITT	3925 Trout Dr.		342827/0426340422
	John Susan	4013 Idalia Dr		466340/0426340135
	Janet A. Morgan	4017 Idalia Dr		466339/0426340134
	Patricia Wamsted	4021 Idalia Dr.		466338/0426340133

Contact Name: Thelma Alvarado Garza

Phone Number: 512.517.6196



## PETITION

Date: October 31, 2014

File No.: **C14-2014-0153**

Address of Rezoning Request: **10301 - 10317 Salmon Drive**

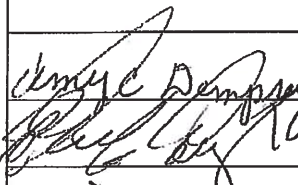


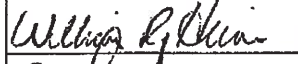

**The Enclave at Oak Parke Section One and Two**

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	AMY C. DEMPSEY	10320 Salmon Dr.		466329/0426340124
	BRENDA GAYLE	14005 Trout Dr		342825/0426340420
	VICKI JUNKER	10305 TROUT COVE		342786/0426340217
	WILLIAM HEIM	10312 TROUT COVE		342791/0426340222
	JIM CHRISTIAN	10316 TROUT COVE		342792/0426340223

Contact Name: Thelma Alvarado Garza

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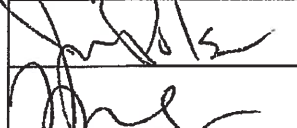
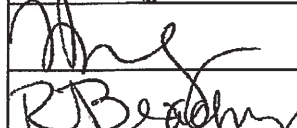
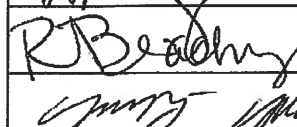
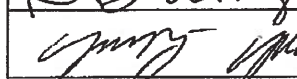
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	JAY GARRETT	4017 Trout Dr		342822/042634041
	Jon Pedson	4018 Shawano Dr		342765/042634011
	Thelma A. Garza	4022 Shawano Dr		342766/042634011
	Becky Beachy	10301 Trout Cove		342789/042634022
	Yoon	3913 Trout Dr		342806/042634040

Contact Name: Thelma Alvarado Garza

Phone Number: 512.517.6196

## PETITION

Date: October 31, 2014

File No.: **C14-2014-0153**

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Judy B. Skeen	Judy B. Skeen	4021 Shavano Dr. Austin, TX 78745		342796/0426340227
Judy B. Skeen	Judy B. Skeen	4101 Idalia Dr. Austin, TX 78745		466335/0426340130
W. Fitzpatrick	Walt Fitzpatrick	4008 Idalia Dr. Austin, TX 78745		342816/0426340411
Scott Robuck	Scott Robuck	4005 Idalia Dr. Austin, TX 78749		466342/042634013
Kristina Smith	Kristina Smith	4024 Idalia Dr. Austin, TX 78745		342820/0426340415

Contact Name: Thelma Alvarado Garza

Phone Number: 512.517.6196



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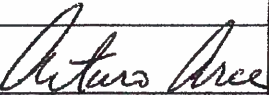
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Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	Arturo Arce	4001 Idalia Dr.		466343/0426340138

Contact Name: Thelma Alvarado Garza  
Phone Number: 512.517.6196

## PETITION

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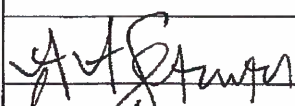


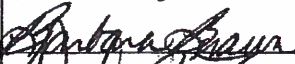

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	Alison Seaman	10337 Salida		342801/0426 340303
	Greg & Sara Chavarria	10334 Salida		342780/0426 340211
	Debra Howel	3905 Trout		342808/0426 340403
	Barbara Braun	4105 Idalia		466334/0426 340129
	David Favor	3920 Idalia		342813/

0426 340408

Contact Name: Thelma Alvarado-Garza

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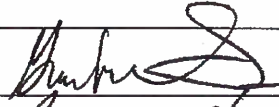
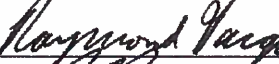



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	Grace Faulkner	4004 Idalia		342815/0426340410
	Raymond Vargas	4009 Idalia		466341/0426340136
	Patrick Ray	4012 Idalia		342817/0426340412
	Linda Checkley	3811 Idalia		345621/0426340107
	Keith Carrabike	10416 Wolftrap Drive		342800/0426340302

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_



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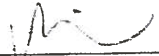
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	DILSHAD SHAHID	10310 SALIDA DR. AUSTIN TX 78749		373550/0426340230
	VIVIAN LU	3601 ASPEN CREEK PKWY		345570/0428300405

Contact Name: Thelma Alvarado-Garcia

Phone Number: 512.517.6196

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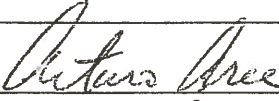

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	Holly Leon	3809 Aspen Creek		342721/0426300503
	Rosalind Poynter	3813 Aspen Creek		342720/0426300502
	Ramiro Hernandez	3632 Malone Dr.		373533/0426301019
	Milton R. Davis	3701 Malone Dr.		373471/0426300608
	Lupel Cobos	3600 Aspen Creek		373711/0428300801

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<i>W. F. Foon</i>	<i>Roggy Foon</i>	<i>10204 Salida</i>		<i>342692/0426300207</i>
<i>Elizabeth Angus</i>	<i>Elizabeth Angus</i>	<i>10208 Salida Dr</i>		<i>342693/0426300208</i>
<i>Brent Weiser</i>	<i>Brent Weiser</i>	<i>10309 Salida Dr.</i>		<i>342697/0426300401</i>
<i>Thomas Barry</i>	<i>Thomas Barry</i>	<i>10304 Salida Dr</i>		<i>342695/0426300210</i>

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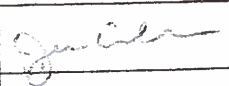



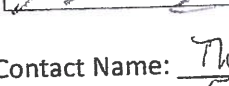
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3. The proposed development is in the Slaughter Creek watershed, and in the Barton Springs/Edwards Aquifer Recharge Zone. The western property limit of Lot 6 is also immediately adjacent to Slaughter Creek and contains a floodplain. However, instead of being subject to current Save Our Springs (SOS) Ordinance, the plat / C8-94-0278.1A and .2A, indicate lots shall be developed in accordance to Ordinance No. 941205-A which allows significantly more impervious cover and does not provide the level of protection current regulations do. If the property owner wishes to develop under older regulations such as Ordinance No. 941205-A via grandfathering, development should be limited to the six lots previously platted and no more. Should they wish to pursue any additional lots beyond the six originally platted; development must properly address access and be subject to current regulations, including but not limited to the 15% maximum impervious cover and environmental protection measures required under current regulations/SOS ordinance.

Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	Jessica Cullen	3900 Sawmill Dr		342686/0426300201
	Wendy Krenz	10412 Wolftrap		342799/0426340301
	David Baqueros	3912 Sawmill Dr		342689/0426300204
	Megan Strauss	3916 Sawmill Dr		342690/0426300205
	Paul Rojas	10200 Solida Dr		342691/0426300206

Contact Name: Thelma Alvarado Garza  
Phone Number: 512.517.6196

## PETITION

Date: October 31, 2014

File No.: C14-2014-0153

Address of Rezoning Request: 10301 - 10317 Salmon Drive

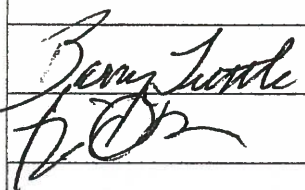
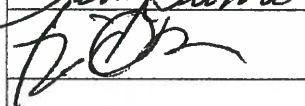
The Enclave at Oak Parke Section One and  
Two

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the properties to any other classification other than SF-1 or SF-2 with a conditional overlay requiring a maximum allowable of six lots/residential units, 15% impervious cover, and compliance with current regulations/Save Our Springs (SOS) Ordinance.

The reasons for our protest include:

1. The only access to and from the proposed development is Salmon Dr, a residential street.
2. Given the single point of access, any additional lots beyond the six lots previously platted under case number C8-94-0278.1A and .2A will present an adverse traffic impact and unsafe conditions.
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Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	William Barry Tuttle	10301 Salmon Dr		
	TR PHAM	4108 Ldalia Dr		

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_



## PETITION

Date: October 31, 2014

File No.: **C14-2014-0153**

Address of Rezoning Request: **10301 - 10317 Salmon Drive**

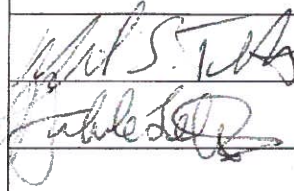
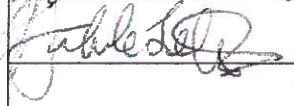
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Signature	Owner Name	Address	Vesting Deed	Property ID / Geo ID
	Michael Teter	4030 Shavano	—	342768/ 0426340115
	Michele Teter	4030 Shavano	—	342768/ 0426340115

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

## 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/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0153

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 21, 2014, Zoning and Planning Commission  
November 20, 2014, City Council

Scott MADOLE

Your Name (please print)

4029 Idalia Dr Austin 78749

Your address(es) affected by this application

Signature

Date

Daytime Telephone: 512-413-7147

Comments:

Please see attached

☐ I am in favor  
☒ I object

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

City of Austin  
Planning & Development Review Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810

## PUBLIC HEARING INFORMATION

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Case Number: C14-2014-0153

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: October 21, 2014, Zoning and Platting Commission  
 November 20, 2014, City Council

*Bill and Roz Dwyer*  
 Your Name (please print)

*3813 Aspen Creek V/Ray*  
 Your Address (as affected by this application)

*Bill and Roz Dwyer*  
 Your Address (as affected by this application)

*11/1/2014*  
 Date

*(512) 392-3625*  
 Daytime Telephone

Comments:

*Will add 7000 truck traffic  
 to our neighborhood. The plan  
 was misrepresented.*

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

City of Austin  
 Planning & Development Review Department  
 Wendy Rhoades  
 P. O. Box 1088  
 Austin, TX 78767-8810



Re: Case Number" C14-2014-0153

Contact: Wendy Rhoades

My name is Scott Madole. I own the house at 4029 Idalia. It is located just south of the intersection of Salmon and Idalia. I object to the proposed zoning application. The Feasibility Land Plan from LJA Engineering, Inc. incorporates the development of two separate areas - the Sawmill and the Salmon - with a single access. The plan includes land that is part of two zoning initiatives and envisions a single access to both parcels through the Oak Park neighborhood. The result of 27 new houses with the only access through the neighborhood adds significant traffic to streets and extends the times of fire and EMS response particularly for future owners of homes on the proposed north end of Salmon.

If the Salmon and Sawmill parcels are to be combined and developed simultaneously, it would make more sense to approve the application with the addition of an overlay that includes access from both Sawmill and Salmon. The overlay would mediate the additional traffic caused by the residents of this area transiting the entire neighborhood to gain access to their homes from likely access from Slaughter.

A handwritten signature in blue ink, appearing to read "Scott Madole", followed by a long horizontal flourish.

December 10, 2014

Mayor Lee Leffingwell &  
City Council  
301 W. Second St.  
Austin, TX 78701

RE: Postponement of December 11, 2014 Agenda Item#148 Zoning Case# C14-2014-0153

Dear Mayor and Council:

Regarding Zoning Case# C14-2014-0153 and the restrictive covenant associated with it, an issue has arisen regarding the appropriateness of the restrictive covenant language relative to both the intent of the restrictive covenant and the legal status of the property (as well as that of adjacent properties). We believe the issue can be easily resolved to the satisfaction of all but time is needed to work with the planning staff to this end, and staff seems amenable to that.

Accordingly, we officially request a postponement of Agenda Item#148 Zoning Case # C14-2014-0153 from the City Council Meeting of December 11, 2014 to the meeting of February 12, 2015.

Thank you.

A handwritten signature in black ink, appearing to read 'Mark Cunningham', is written over a horizontal line.

Mark Cunningham

cc: Wendy Rhoades  
Case Manager  
Planning Department