

February 18, 2020

Pecan Springs/Springdale Hills Neighborhood Association
C/O Tyson Brown
P.O. Box 14206
Austin, TX 78761

RE: NPA & Rezoning of 3500 Pecan Springs Road

Dear PSSNA Members,

Thank you for the opportunity to come speak to all of you about the Neighborhood Plan Amendment and Rezoning for the property at 3500 Pecan Springs Road.

The City is growing at a very rapid pace and it is no wonder that many residents have concerns that need to be voiced and addressed when new projects come about. Everyone needs to be heard and considered. There were many concerns voiced at meetings with the Neighborhoods on January 13th and on February 8th. The following information addresses those concerns to the degree possible at this time.

1. Request for an environmental study to be conducted before any development begins on this site. Specifically, there is concern for a spring in the area that is responsible for the naming of this area as "Pecan Springs."

An environmental scientist walked the site and determined that there are not any identified critical environmental features that are typically associated with an Environmental Resource Inventory (ERI). The City of Austin will require an official ERI report at the time of site plan. If any critical environmental features are identified in the formal process, the development must abide by the City's regulations for protection of those features.

2. Concerns that there are many small projects that do not trigger traffic studies and the cumulation of those small projects are creating significant changes in the level of traffic in the area.

Many parts of Austin are experiencing infill development with small scale projects that do not require the need for a transportation study just like this one. While there isn't a perfect and immediate fix for this, there is a comprehensive plan that was recently adopted by City Council to help address the matter on a City-wide scale. This topic is covered in chapter 2 of the document (see link below). As citizens, we should educate ourselves about things that can be done so that we can work cohesively to make improvements that benefit our city now and into the future.

https://www.austintexas.gov/sites/default/files/files/Transportation/ASMP/ASMP_Chapter2/AdoptedASMP_Chapter2_Demand_Reduced.pdf

3. Concern for wildlife in the area.

The project does propose more development than exists on the property today. Nearly half of this property will remain in a natural state, continuing to be green, natural space for the wildlife in the area.

4. "Cookie-cutter" homes are not supported.

Most homes of the 1940's, 1950's, 1960's and 1970's are the original tract, "cookie-cutter" homes of several decades ago. With the passage of the subdivision code in the 1940's, swaths of land were cleared of trees and divided into individual lots each built with a house of a certain type and style that varied to a degree from lot to lot but was very similar in style across the subdivision. The passage of many decades has provided opportunity for properties to express individual changes such that subdivisions no longer appear sterile. Young trees were planted and have grown to become mature, appearing as if they have always been there. The new homes of today will someday feel less sterile and more lived in with time. With current SF-3 zoning, rules would allow at least 9-10 single family lots, each with a house and accessory dwelling unit (ADU) that will look different than the 1940's and 1950's homes that remain in this area today. Under this

scenario, each new lot and home would be more costly to build and thus more expensive to purchase than the project that is proposed with the rezoning to SF-6.

5. Trees that are planted are not comparable to the size of trees that are removed.

This is true to a degree. Neighbors see large tree (s) taken down only to be replaced with smaller trees planted somewhere else on the property. The City requires mitigation for protected trees and at specified rates. For example, a single, large tree will be removed, and the developer is required to plant several small trees that will grow into SEVERAL large, beautiful trees with time. The removal of one = several with time. The urban forest is living and thus dying too. It is important to plant new, young trees so that there will always be shade canopy at any given time in the future.

6. Concern for noise during construction.

This is an unfortunate and temporary symptom of a thriving city. It is a nuisance and it is not forever. If someone is operating outside of hours allowed for construction per code or at the noise levels exceeding code, it is best to call 311.

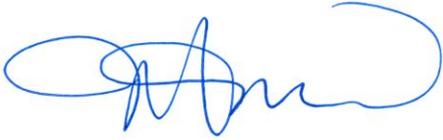
7. Concerns for infrastructure not being able to handle additional development.

The City of Austin, unfortunately, has been reactive and not pro-active in how it has, or has not, planned and spent money on infrastructure over several decades. The funding needed to do system wide upgrades over time, much less all at one time, does not exist. The result is that new development is required to pay for itself. The City requires that the developer must either build/upgrade infrastructure in and around their development or that the developer contribute funding to the City of Austin so that the City can use the funds to improve the greater network of infrastructure.

We recognize that there are likely more questions, concerns and answers that the Neighborhood would like to have addressed and many of the fine-grain details will not be known until the requested zoning is achieved, allowing us to move forward to the next phase of

planning. We hope that the Neighborhood will welcome new people and new families that need a place to live.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Victoria Haase', written in a cursive style.

Victoria Haase

@gmail.com>; Ron Thrower

Subject: RE: 3500 Pecan Springs Road - FLUM Amendment and Rezoning

Please see responses below in **red**. We hope that all are adjusting as best as can be expected during this challenging time.

We are all working from home and remain available by email or phone (cell). Please reach out if needed.

Victoria Haase

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From: PSS NA <

Sent: Sunday, March 22, 2020 10:42 PM

To: Victoria <

Cc: Jon Hagar <jo>; PSS NA <>; Nat Bradford <>; Jessica Mansfield <>; Ron Thrower <r>

Subject: Re: 3500 Pecan Springs Road - FLUM Amendment and Rezoning

Hi Victoria,

The PSSNA voted on 3/14 to delay our formal vote regarding the property until our April 11 meeting so we had the chance to send additional questions to you (Thrower Designs).

Questions:

1. Why should the neighborhood plan be changed? It was decided in our neighborhood plan nearly 20 years ago that SF6 was placed on east side of Springdale, and the west side of Springdale is

SF3. Why change existing single-family neighborhood plan, when there is adequate space for SF6 on the other side of the street?

It is expected that many residents are going to be protective of the work that was done on their neighborhood plan, regardless of how many years have gone by. Having been a Neighborhood Planner for the City of Austin, I remember how much work, effort and in some instances, sacrifice – that went into the creation of neighborhood plans. I can also tell you, first hand, that City Council never intended for the Neighborhood Plans to be static documents that would live in perpetuity, without change or amending. In fact, rules were put into place to allow for the plan to be amended as the neighborhood evolves over time. The East MLK Combined Neighborhood Plan was adopted by City Council in 2002. That was 18 years ago! So much has changed in our City and likely in this neighborhood since that time. Circumstances drive need for change. Look at where we are today...drastically different from 1 month ago.

The Neighborhood Plan should be changed to allow for the request because doing so will produce a housing product that is more responsible and sustainable for this individual property by allowing the clustering of structures so that more of the land can be left for open, green space that is collectively enjoyed. The Neighborhood Plan should be changed because the proposal will provide diversity of housing types for this area, it will promote the development and enhancement of Springdale Road, a major neighborhood corridor, and it will improve bicycle and pedestrian traffic safety on both Pecan Springs and Springdale Roads. The Neighborhood Plan should be changed because it is more responsible and sustainable to build much needed housing in this location versus building in the outskirts/suburbs of town. There is a consistent pattern of SF-6 residential density and market support for this type of residential housing as can be seen with the property to the north of the creek as well as the property on the opposite side of Springdale. Further, SF-6 zoning district is an appropriate zoning district to buffer less intense residential districts such as SF-3 from major roadways like Springdale Road. SF-6 is a compatible use and density with SF-3. There are not many buyers who want to purchase a single-family home/lot that fronts or abuts a busy roadway like Springdale Road.

2. Would your client agree to stagger seeking approval for both, changing the FLUM, and changing the zoning plan to allow for necessary discussion? That would mean delaying the zoning change request.

For the sake of conserving resources: City Staff review time, Planning Commissioner and Council Member time (public funding) and the general population's time which all equates to a monetary value, our client wishes to keep these two applications running concurrently.

3. Would your client restrict the total number of units (houses and ADUs) to the same number allowed on the buildable portion of the lot, under current SF-3 zoning? (18-20 units max)(From your previous email: *"With current SF-3 zoning, rules would allow at least 9-10 single family lots, each with a house and accessory dwelling unit (ADU) that will look different than the 1940's and 1950's homes that remain in this area today."*)

There is no need to restrict the number of units by a Conditional Overlay or a Restrictive Covenant because the City's rules and regulations coupled with the site constraints will organically reduce the level of development to what is reasonable and responsible. City regulations are extensive and strict, even more so after Atlas 14 was adopted.

4. Would your client pay into park land dedication fund, to go to the Little Walnut Creek Greenbelt? This would include following the prices per unit that have been set by the city.

If the City requires parkland dedication and/or fee-in-lieu, the fees will be paid accordingly. This matter is determined at site plan. If this scenario comes into play, the City will have to provide a mechanism to earmark the funds specifically for Little Walnut Creek Greenbelt. We are not opposed to funds going directly to the cause and it is beyond our power to dictate the matter.

5. Would your client commit to at least 10 percent of each unit type provided, but not less than one total, must be affordable to households making no more than 80% of the Median Family Income for the Austin statistical metropolitan area as determined by the director of the City's Neighborhood Housing and Community Development Department?

Our Client is not opposed to providing some true affordability as per the NHCD guidelines. And, there is a hurdle to overcome. When a project has a greater level of density (more dwelling units), the loss of profit for providing the affordable unit(s) can be spread out over the number of market rate units constructed and sold. With small projects, this is extremely hard to achieve and therefore cost prohibitive in most cases because there are less market rate units to make up the difference in cost. If pursued, the end result is that the purchase price of the other units will increase.

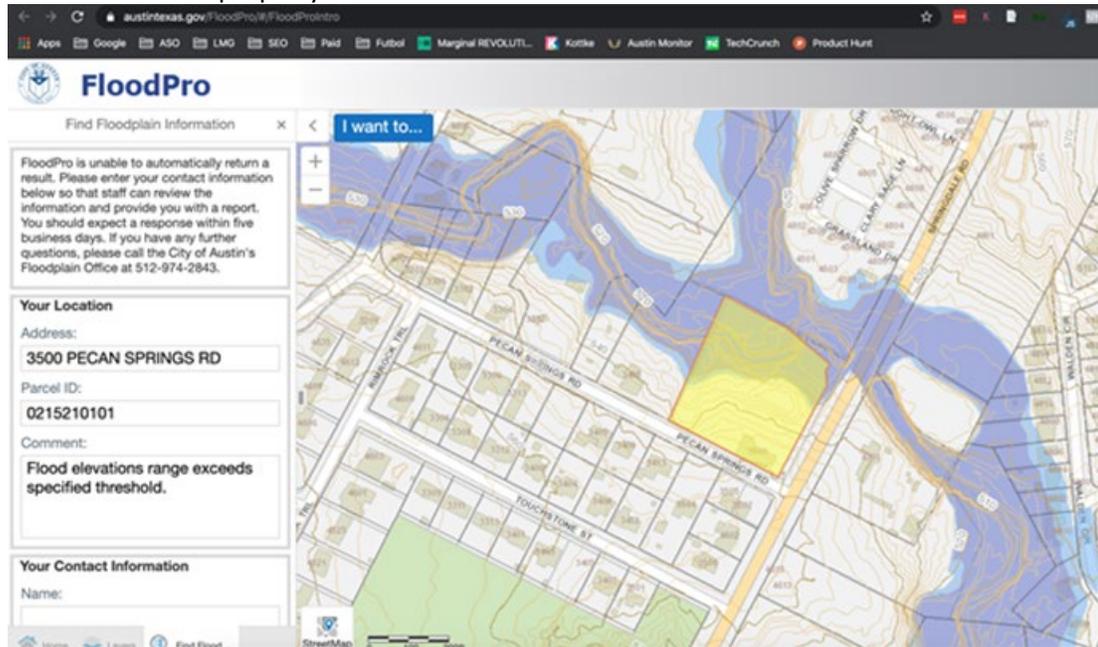
6. Would your client restrict vehicular access to Springdale Rd. only? No driveways or entrances on Pecan Springs Rd.?

In alignment with the Neighborhood, our Client would prefer to have vehicular access to the property from Springdale Road and to restrict vehicular access from/to Pecan Springs. However, the City's Transportation Department will have the final say in determining what they will allow/require.

7. Would your client restrict parking on Pecan Springs?

Pecan Springs Road is a public road. As such, current residents and the general public have the freedom to park on the road if they choose to do so. The City of Austin is the only entity that can restrict parking on Pecan Springs. However, this development will encourage parking on-site by providing parking for residents and guests.

8. Would your client comply with or exceed Atlas 14 flood plain requirements? We have pictures of an adjacent property flooding. We have input this property into the Atlas 14 tool and the results say "Flood elevations range exceeds specified threshold" so we are waiting to find out specific details about this property.



This development will abide by Atlas 14 requirements.

9. Would your client limit impervious cover by 40%?

Currently, the property is allowed 45% impervious cover just as all individual, residential SF-3 lots are allowed across the City. The rezoning to SF-6 would allow 55% impervious cover across the entire gross site area. Limitations on this site allow the buildable area on the south ½ of the lot. EVEN IF up to 80% impervious cover were allowed in the buildable area only, of which this is not practical, this would equate to +/- 40% across the entire gross site area of the property. In the end, the amount of impervious cover will be less than what is allowed today and therefore, this restriction is not necessary.

10. Would your client put \$25,000 into an account to be used to enforce any and all restrictions agreed upon should your client break that commitment? Then, say after 5 years, should they not be needed for enforcement action, they could be used as a contribution toward the development of the Little Walnut Creek Greenbelt or some other project deemed suitable by the PSSNA at that time?

It sounds like the fee requested here would be a sort of retainer fee in the event that agreements need to be enforced. We do not see that agreements outside of the City's regulations will be necessary. Again, site constraints and strict City regulations for this property will naturally reduce the amount of development on this site.

11. If so, what would be the mechanism used to solidify and enforce those restrictions that at this phase to ensure your client abides by them if the proposed FLUM and Zoning requests were granted? e.g. Conditional overlay, restrictive covenant, some other restriction on plan amendment, etc.?

As mentioned above, there isn't a need for conditional overlays or restrictive covenants as the site constraints will naturally limit development. Getting a site plan approved from the City of Austin is an extremely arduous process and as such, takes a year or more, and costs in the ballpark of \$20K just in City fees alone. This does not include the cost of engineers, architects, and land planners to create the site plan and then coordinate with City Staff to get it just right for approval. All of this information is to make the point that the City process is quite complicated and very strict. So much so that we do not see the necessity for to create restrictions that are already in place.

Have you gotten any indication of delays for the Planning Commission schedule given public participation is constricted with COVID-19?

All public hearings have been paused at the moment while City Council discusses how to move forward within the bounds of the law for public hearings. At this time, all virtual/remote meetings of Boards and Commissions are not permitted. City Council will have to formally address the matter and I suspect that they may do so tomorrow, Thursday March 26th.

Please let me know if you have any questions.

Many thanks,
Tyson Brown
PSSNA Vice President
PSSNAvicepresident@gmail.com
<https://pecansprings.org/>

On Tue, Mar 10, 2020 at 5:24 PM Victoria < wrote:

FYI – We just learned that the March 24th Planning Commission hearing is slated to be a date for discussion of the Land Development Code. Therefore, only cases that have support of all parties will be passed by consent vote that evening. All other cases will be postponed to April 14th.

Victoria Haase

Thrower Design

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