SECOND AND THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2019-0164 -- Pecan Springs Residential

DISTRICT: 1

REQUEST: Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3500 Pecan Springs Road (Fort Branch Watershed) from family residence-neighborhood plan (S-3-NP) combining district zoning to townhouse condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Owner/Applicant: 9025BFD, LLC (Peter Gray). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.

DEPARTMENT COMMENTS: The public hearing has been left open. A valid petition has been filed on this case.

Council approved SF-6-CO-NP on first reading only with the following conditions, subject to review by City Law Department and Austin Transportation Department.
1.Vehicular access to or from the Property from Pecan Springs Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
2. Development on the site is restricted to a maximum 25 units with a minimum of 2 constructed units dedicated for affordable housing.
3. Development of the property may not exceed an impervious coverage of 45%.
4. A 35-foot building setback shall be applied to the Property's western boundary that is shared with 3408 Pecan Springs Road. Within this setback an 8 to 10-foot vegetative buffer shall be installed with, at minimum, one line of shade trees planted every 30 feet on center.
5. A 15-foot wide vegetative buffer shall be provided and maintained along the property line adjacent to Pecan Springs Road. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
6. Any building or structure constructed on the Property may not exceed 35 feet or two stories from ground level within 75 feet of the western property line and otherwise may not exceed 35 feet of height from ground level.

OWNER/APPLICANT: 9025BFD (Peter Gray)

AGENT: Thrower Design (Ron Thrower)

DATE OF FIRST READING: First reading approved on June 11, 2020.

CITY COUNCIL HEARING DATES/ACTION:
August 27, 2020:
July 30, 2020: To grant postponement by Applicant to August 27, 2020, on consent.
June 11, 2020: To keep the public hearing open and approved on first reading only with the conditions listed above, on consent. (11-0) [Harper-Madison – 1st, Garza – 2nd]
May 21, 2020: To postpone to June 11, 2020.
April 23, 2020: To grant postponement by Staff to May 21, 2020, on consent.
March 26, 2020: To grant postponement by Council to April 23, 2020, on consent.
ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0164 Pecan Springs Residential DISTRICT: 1

ZONING FROM: SF-3-NP

TO: SF-6-NP

ADDRESS: 3500 Pecan Springs Road

SITE AREA: 2.40 Acres

PROPERTY OWNERS/APPLICANT:
9025BFD, LLC
(Peter Gray)

AGENT:
Thrower Design
(Ron Thrower)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request of SF-6-NP. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:
April 28, 2020: To grant SF-6-NP as requested (10-1-1-1) [Anderson- 1st, Hempel- 2nd; Seegar- Nay; Llanes-Pulido- Abstain; Kazi- Off dais]
April 14, 2020: To grant postponement request by Staff to April 28, 2020, on consent.
March 10, 2020: To grant postponement request by Neighborhood to April 14, 2020, on consent.
February 25, 2020: To grant postponement request by Neighborhood to March 10, 2020, on consent.

CITY COUNCIL ACTION:
June 11, 2020:
May 21, 2020: To postpone to June 11, 2020.
April 23, 2020: To grant postponement by Staff to May 21, 2020, on consent.
March 26, 2020: To grant postponement by Council to April 23, 2020, on consent.

ORDINANCE NUMBER:

ISSUES:

A Valid Petition with 33.33% of eligible signatures. ***Please see Exhibit E- Valid Petition.***

CASE MANAGER COMMENTS:

The subject property is located at the northwest corner of the intersection of Springdale Road and Pecan Springs Road. The 2.40 acre lot is zoned SF-3-NP and developed with one single family residence. The north half of the property is constrained by a tributary to Fort Branch Creek, including floodplain and creek buffers. West and Southwest of the property, along Pecan Springs Road, are additional SF-3-NP properties developed with single family residences. Northwest of the property are more SF-3-NP lots, and a SF-6-CO-NP parcel. These properties are developed with single family residences. Immediately north of the property are tracts zoned GR-MU-CO-NP that include townhouse/condominium and limited retail land uses. Across Springdale Road to the east is undeveloped land zoned SF-6-NP and land zoned GR-CO-NP that contains religious assembly land use. ***Please see Exhibits A, B, and C—Zoning Map, Aerial Exhibit, and Environmental Exhibit.***

Staff supports the Applicant's request of SF-6-NP zoning. The environmental constraints of the property impact the option of subdividing and developing the site with single family residences. SF-6 zoning allows clustering of residential units to avoid the environmental features. SF-6 zoning has been approved for properties northwest and east; the GR-MU-CO-NP property immediately of the site is developed with townhouse/condominium land use. Staff has received correspondence in opposition to the rezoning request. ***Please see Exhibit D- Correspondence.***

BASIS OF RECOMMENDATION:

1. The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.

The Strategic Housing Blueprint promotes a mix of housing types and densities across the city.

2. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

Immediately north of the property are tracts zoned GR-MU-CO-NP that include townhouse/condominium and limited retail land uses. Across Springdale Road to the east is undeveloped land zoned SF-6-NP and land zoned GR-CO-NP that contains religious assembly land use. The recommended zoning change would provide a transition between these areas and the SF-3-NP residential areas to the west.

3. *Zoning should allow for reasonable use of the property.*

The environmental constraints of the property impact the option of subdividing and developing the site with single family residences. SF-6 zoning allows clustering of residential units to avoid the environmental features.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	Single family residential
North	SF-3-NP, SF-6-CO-NP, GR-MU-CO-NP	Townhouse/condominium residential, Limited retail
South	SF-3-NP, P-NP	Single family residential, Public golf course
East	SF-6-NP, GR-CO-NP	Undeveloped, Religious assembly
West	SF-3-NP	Single family residential

NEIGHBORHOOD PLANNING AREA: East MLK Combined NP Area

SCHOOLS:

Blanton Elementary School Pearce Middle School Reagan High School

TIA: N/A

WATERSHED: Fort Branch Creek

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhood Council
Anberly Airport Association
Pecan Springs — Springdale Neighborhood Association
East MLK Combined Neighborhood Contact Team
East MLK Combined Neighborhood Association
Sierra Club, Austin Regional Group
Senate Hills Homeowners' Association
Homeless Neighborhood Association
AISD
Preservation Austin
Neighbors United for Progress
Del Valle Community Coalition
Friends of Austin Neighborhoods
Neighborhood Empowerment Foundation
Friends of Northeast Austin
East Austin Conservancy

AREA CASE HISTORIES:

RELATED ZONING CASES:

CITY FILE # / NAME	ZONING FROM	ZONING TO	STAFF REC.	PLANNING COMMISSION	CITY COUNCIL
C14-2015-0001 Marlo Heights Rezoning	SF-3-NP	MF-2-NP	Tract 1MF-2-CO-NP; Tract 2 SF-6-CO-NP	09/08/2015: Tract 1MF-2-CO-NP; Tract 2 SF-6-CO-NP as rec-max 38 du, 35/2 story, setbacks	Tract 1MF-2-CO-NP; Tract 2 SF-6-CO-NP as rec, Ord # 2015-1015-064
C14-2011-0165 Randerson Creekside Rezoning	SF-3-NP	MF-2-NP	SF-6-NP	4/24/2012: MF-2-CO-NP (9-0) CO- Vehicular access to Pecan Springs Rd prohibited; max bldg height 37 feet/2 stories; max bldg coverage 40%; max IC	8/23/2012: Approved MF-2-CO-NP as rec, Ord.

3108 E. 51st Street				55%; min site area 10,500 sf; min 3,500 sf site area / dwelling unit; no parking in street yard; Multifamily use prohibited.	No. 20120823-091
C14-2011-0040 St. Stephens Baptist Church 3103—3107 East 51st St	SF-3-NP	MF-2-NP	MF-2-NP	7/12/2011: MF-2-NP as recommended (7-0)	7/28/2011: Approved MF-2-NP as rec, Ord. No. 20110728-130

EXISTING STREET CONDITIONS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Pecan Springs	52'	27'	ASMP Level 1	No	Yes	Yes
Springdale Road	78'	40'	ASMP Level 3	Yes	Yes	Yes

OTHER STAFF COMMENTS:

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is a floodplain within or adjacent to the project location.
Based on the Land Development Code, section 25-8-92, the boundaries of the Critical Water Quality Zone coincide with the boundaries of the 100-year floodplain, calculated under fully developed conditions. Per Land Development Code 25-8-261 development is limited in the Critical Water Quality Zone.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

SITE PLAN

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
SP 4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.
SP 5. The site is subject to compatibility standards. Along the west, northwest, and south property lines, the following standards apply:

- ☐No structure may be built within 25 feet of the property line.
- ☐No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- ☐No parking or driveways are allowed within 25 feet of the property line.
- ☐A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive. (use 540’ radius)
- ☐An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less property in an SF-5 or more restrictive zoning district.
- ☐A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

SP 6. The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

TRANSPORTATION

The ASMP calls for 92 feet of right-of-way for Springdale Rd. It is recommended that 46 feet of right-of-way from the existing centerline should be dedicated and/or reserved for Springdale Rd. according to the ASMP at time of site plan or subdivision. While a TIA is not triggered at this time, another TIA determination will be made once a site plan has been submitted and specific land uses are known. Off-site transportation improvements and mitigations may be required at the time of site plan submittal.

The adjacent street characteristics table is provided below:

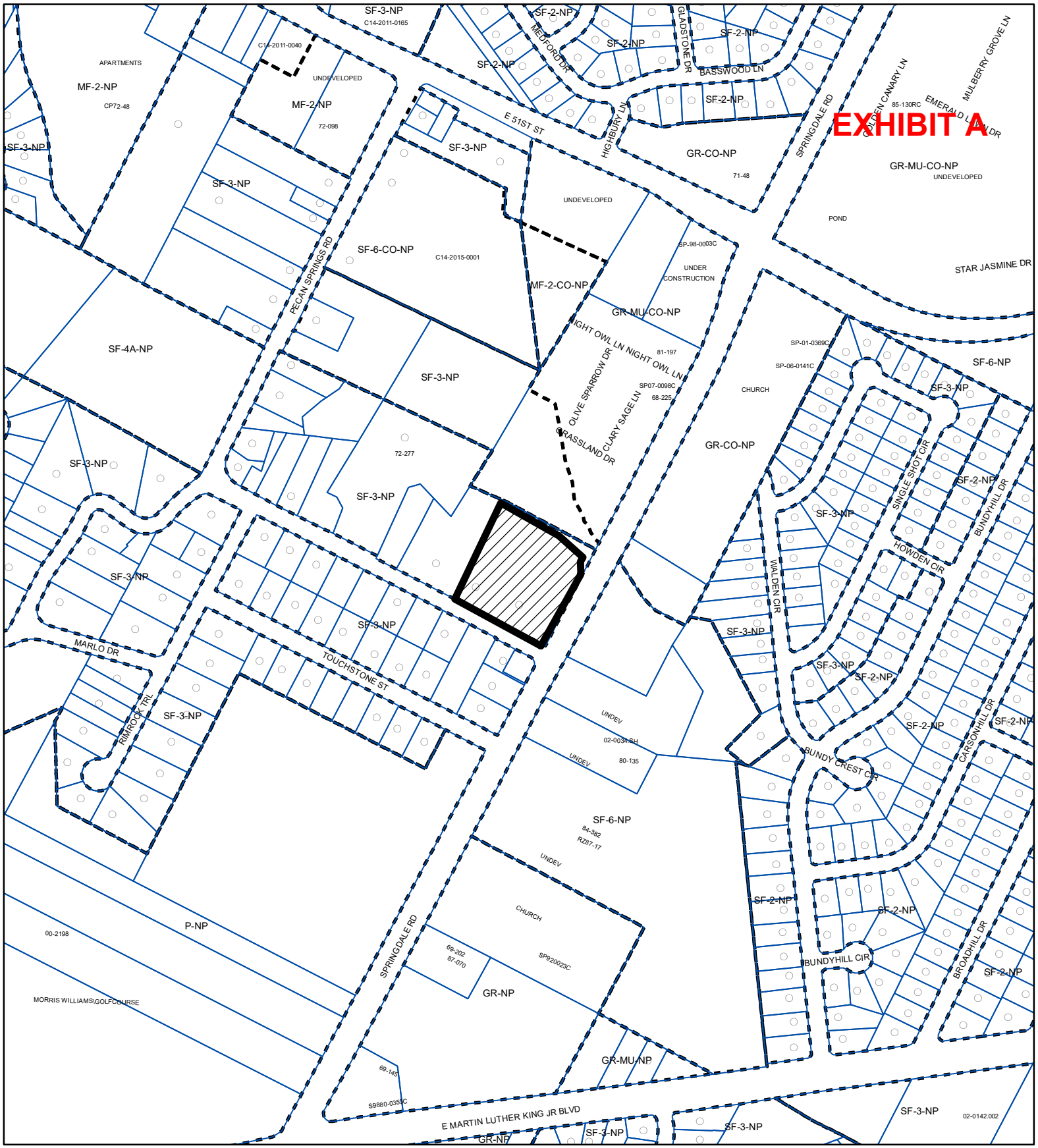
Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Pecan Springs	52’	27’	ASMP Level 1	No	Yes	Yes
Springdale Road	78’	40’	ASMP Level 3	Yes	Yes	Yes

WATER UTILITY

1. 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. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map
B. Aerial Exhibit
C. Environmental Exhibit
D. Correspondence
E. Valid Petition



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2019-0164

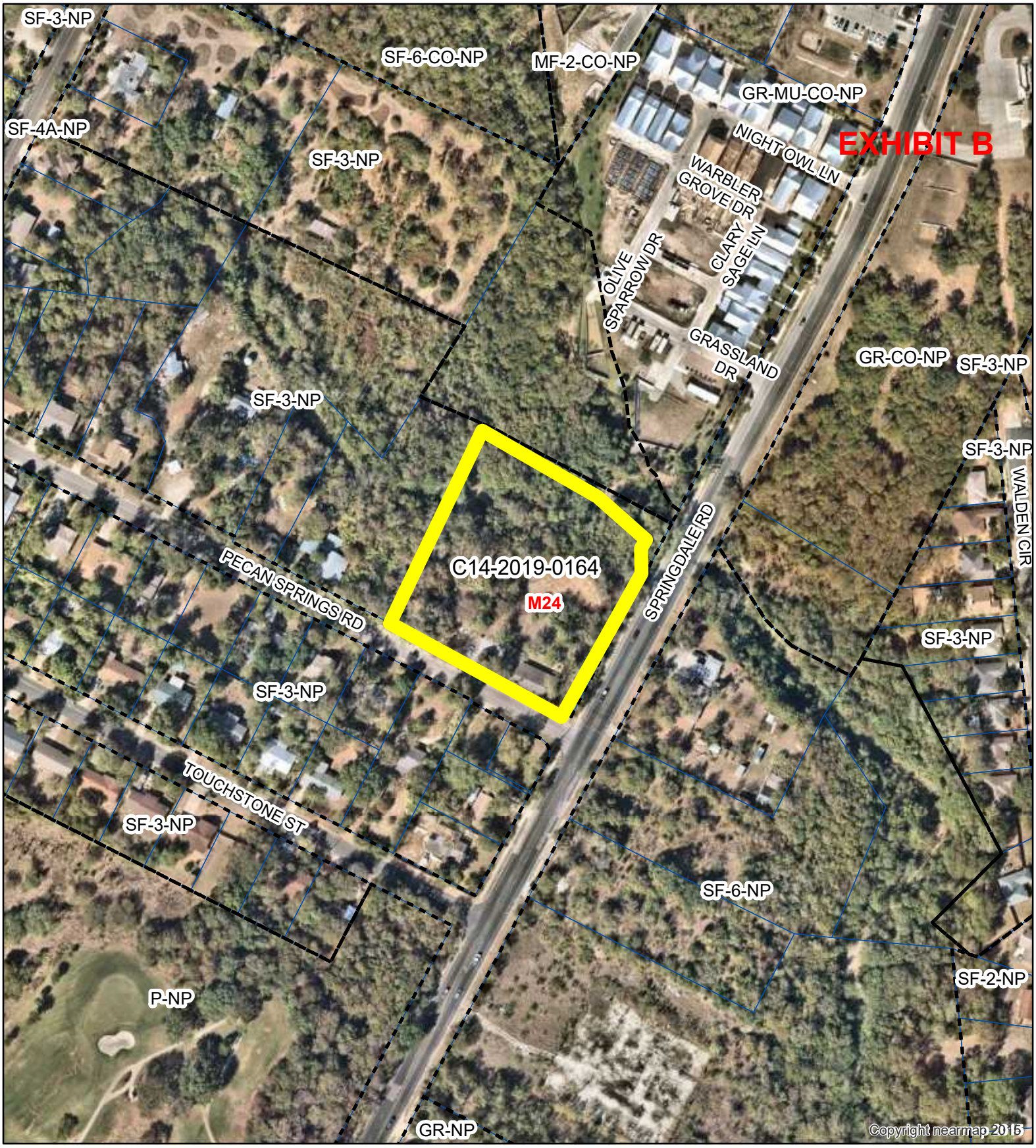
1 " = 400 '

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.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN FOUNDED 1839

Created: 12/9/2019



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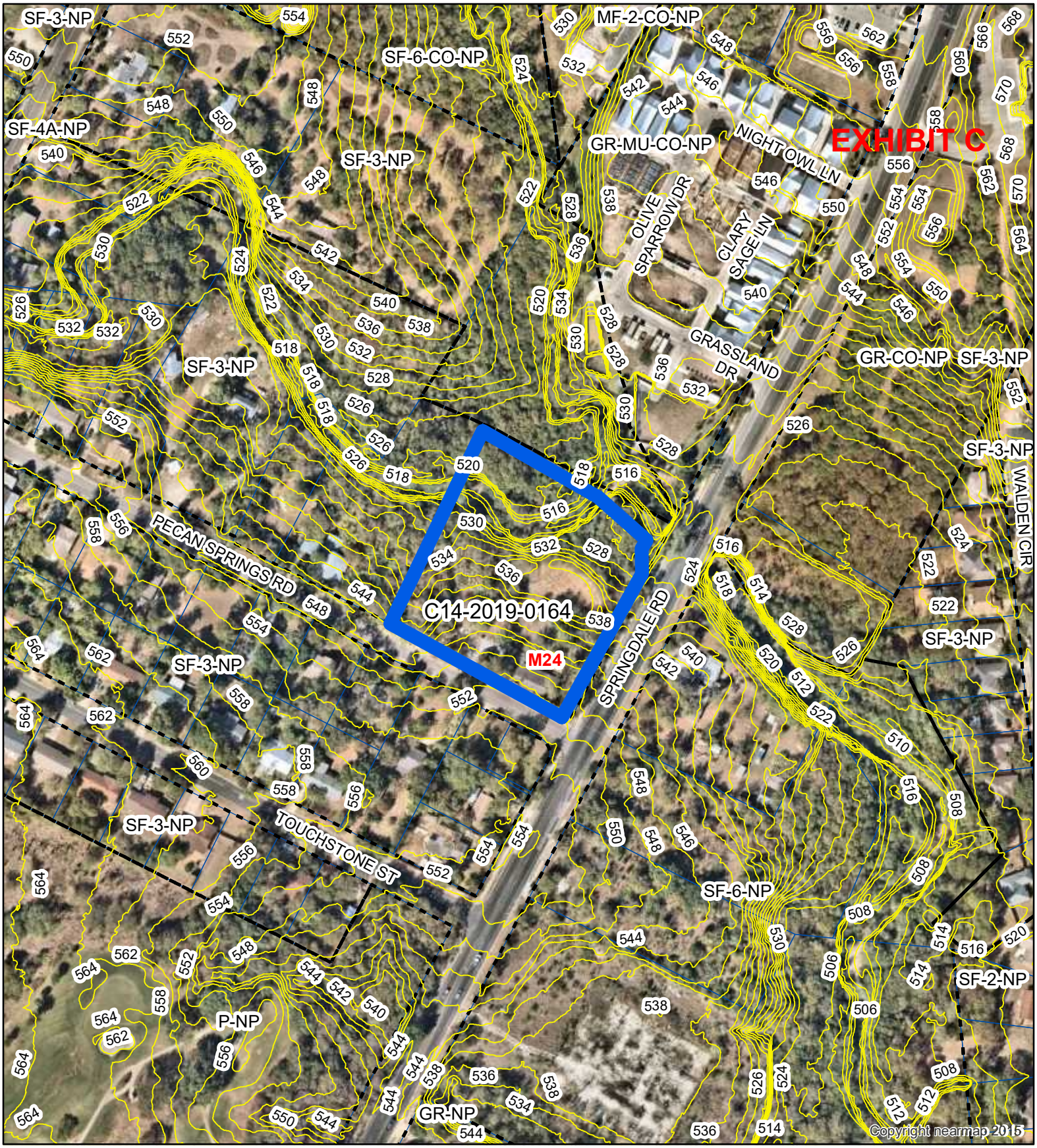
SUBJECT TRACT

ZONING BOUNDARY

Pecan Springs Residential

ZONING CASE#:	C14-2019-0164
LOCATION:	3500 Pecan Springs
SUBJECT AREA:	2.4 Acres
GRID:	M24
MANAGER:	Heather Chaffin

1" = 400'



N

SUBJECT TRACT

ZONING BOUNDARY

Elevation Contours

Pecan Springs Residential

ZONING CASE#: C14-2019-0164
LOCATION: 3500 Pecan Springs
SUBJECT AREA: 2.4 Acres
GRID: M24
MANAGER: Heather Chaffin

1" = 400'

February 21, 2020

Reference to Case Number: C14-2019-0164

EXHIBIT D

City of Austin

Planning and Zoning Department

Heather Chaffin

P.O. Box 1088

Austin, TX 78767-8810

Heather.Chaffin@austintexas.gov

From: AJ Crittendon Jr.

Address: 3408 Pecan Spring Rd, Austin, TX

78721

Public Hearing Comment

Amendment Case Number: NPA-2019-0015.02

Rezoning Case Number: C14-2019-0164

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Feb 25, 2020 – Planning Commission

Mar 26, 2020 – City Council

I object

To the rezoning of 3500 Pecan Spring Rd. from SF-3 to SF-6 with the intent of the developer to build 25 units on a buildable area of approximately 1.5 acers. There are only fifty-five residential households in the entire four street neighborhood, Pecan Spring Rd., Touchstone St., Rimrock Trail and Marlow Dr., and twenty-seven in the 500 ft. notification boundary.

This is a semi isolated neighborhood with people that still have gardens and enjoy observing small families of wildlife species driven out by other developments around the area, i.e. Nesting pair of Hawks, mated pair of Gray Fox's, the every elusive & vanishing "Road Runner" and so on.

25 units will add an extra 25 to 50 plus automobiles to the existing one plus mile of 51st St., Springdale Rd, MLK rush hour, lane jumping traffic jam. And where is that many extra automobiles going to park?

The SF-3 zone will still allow the developer to build approximately eight to ten units, divided into the minimum 50 ft width. The SF-6 will diminish the single-family characteristics of the neighborhood with 25 units of Condo "Apartment". If anything, why not SF-5 Urban Family Residence? The developer can still build their "Condos" but 25 is way too many. At 400 to 500K per unit, Where is the affordable housing?

The Loft at St. Stephens, 5000 Pecan Spring Rd at 51st St., is about the same building acreage, 1.5, as 3500 Pecan Spring Rd and they squeezed in 20, three story units. But that area of Pecan Spring Rd did not have any 40-foot trees or close proximity to an active creek flowing through the property or the flood potential to up or down stream neighbors.

Thanks

AJ Crittendon Jr

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:
www.austintexas.gov/planning.

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

Case Number: C14-2019-0164
Contact: Heather Chaffin, 512-974-2122
Public Hearing: Feb 25, 2020, Planning Commission
Mar 26, 2020, City Council

Chris Ring
Your Name (please print)

☐ I am in favor
☒ I object

4809 Pecan Springs Road
Your address(es) affected by this application

Chris Ring
Signature

2/15/20
Date

Daytime Telephone: 512-627-4005

Comments: I oppose changing the zoning.

The current zoning reflects the type of development the community wishes to see in the future.
There is an abundance of appropriately zoned, undeveloped land in the immediate vicinity.

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

From: Ellen Scott
Sent: Tuesday, April 21, 2020 1:21 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: 3500 Pecan Springs Rd

Good afternoon,
My name is Ellen Scott and my family has lived at 3312 Pecan Springs Rd. since 1983. Our property is within 200 feet of the property on 3500 Pecan Springs Rd, where the developer is asking for a zoning change. It is my understanding that I qualify for requesting a valid petition in opposition to the change from SF-3 to SF-6. Please advise as to the steps needed to set this in motion. Is this still on the agenda for April 28?

Thank you for your attention to this matter and please let me know if you require additional information.

Take care,
Ellen Scott

Pecan Springs ❖ Springdale Hills

NEIGHBORHOOD ASSOCIATION

Re: Plan Amendment Case: NPA-2019-0015.02
Zoning Case: C14-2019-0164
NPA & Rezoning of 3500 Pecan Springs Road

April 14, 2020

To: Planning Commission Members,

3500 Pecan Springs Road is part of the Marlo Heights neighborhood (within the PSSNA boundaries), which was established in July, 1949 with deed restrictions recorded and filed to protect the integrity of the neighborhood when lots were purchased and, additionally, specified what type of home could be built.

Victoria Haase, of Thrower Designs, came to the February 8th Pecan Springs Springdale Hills Neighborhood Association (PSSNA) meeting to describe the changes her client(s) were proposing to the established Neighborhood Plan (2002), the current zoning and to hear concerns/feedback from the PSSNA members (e.g. increased density from existing SF-3, compatibility with deed restrictions, environmental impact, traffic impact, wildlife impact, proposed product type, flooding impact, etc.).

In that meeting, as well as our March neighborhood association meeting and follow up emails, we asked a number of questions regarding making adjustments to their development plan for impervious cover, flooding, parking & traffic safety, environment, wildlife, other developments, and inclusion of retail.

Responses to PSSNA Questions:
- 20-0218 Letter to PSSNA
- Response to additional questions – 03252020

Specific neighbor quotes (see detailed typed responses in the Appendix):
- "At some point, you have to trust that citizens know what is best for themselves and take them at their word they are not arbitrarily opposing projects to deny opportunity to others, but are defending their own investments (well beyond monetary). That they are willing to live with the consequences if time proves them wrong.

  It should be up to the applicant to convince the neighborhood- the existing residents, that this is something they should support. If the applicant fails to do that, but the Plan is amended anyway, against the citizens' wishes; then the system is fundamentally flawed. If the default is to approve requests such as this, with unanimous opposition; it defeats the purpose of Zoning Laws and Neighborhood Plans altogether.

  The bottom line is the neighborhood- that is, the existing residents, after hearing what must be assumed to be the most impassioned arguments possible for supporting it, voted unanimously to oppose a 20 unit condominium project being built on the site. Do they really need a reason?" - Chris Ring, 4809 Pecan Springs Road.
- "By continuing to build, they are continuing to enhance the problem. We want a transportation study, but none is conducted. The area does not need rooftops but we feel our City doesn't get behind us. They could offer some incentives for commercial places to be built. If we had an eatery or grocery store, we would use that." - Jacqueline Williams on Carsonhill, Clifton Bailey on Bundyhill, and Ursula Carter on Northdale.

- "Developer claims all automobiles will exit from condos onto Springdale. Previously, Springdale was a 4 lane street, 2 lanes going south, two north. Recently, Springdale was reduced to one lane north and south. This reduction in lanes has provided quite a traffic jam, especially at peak travel times in the morning and afternoon. Vehicles exiting the condos will add significant congestion onto Springdale, no matter which direction the vehicles try to turn as they try to exit." - Gari Gardner, Marlo Heights neighborhood

The PSSNA's response is that we unanimously don't support the above-referenced plan amendment and related zoning case at this time since the concerns/feedback brought up listed above have not adequately been addressed.

We held our April 2020 meeting remotely via Zoom for the first time; we had our normal quorum of members attend remotely even during this stressful and complicated time. We are a tight knit group of neighbors navigating the change in Austin with realistic expectations and high ideals for the community we want to live in. We have engaged with our Councilmember, Natasha Harper-Madison, in the year that she's been in office, and expressed our willingness to collaborate in order to adjust to the changing circumstances facing Austin.

Our hope is that they'll reconsider and try and get our NA's support, prior to moving forward. **If not, we hope the Planning Commission will deny the proposed neighborhood plan amendment and rezoning request.**

Sincerely,

Nathaniel Bradford
PSSNA President
PSSNApresident@gmail.com
https://pecansprings.org/

Appendix I.

Chris Ring, 4809 Pecan Springs Road.

It is difficult for me to articulate my opposition to the NP and zoning change because to dwell on any particular topic diminishes the others; to flesh out all the facets, you end up writing a novel. It is like trying to prove a negative, or explain why one might vote for Biden over Trump.

At some point, you have to trust that citizens know what is best for themselves and take them at their word they are not arbitrarily opposing projects to deny opportunity to others, but are defending their own investments (well beyond monetary). That they are willing to live with the consequences if time proves them wrong.

It should be up to the applicant to convince the neighborhood- the existing residents, that this is something they should support. If the applicant fails to do that, but the Plan is amended anyway, against the citizens' wishes; then the system is fundamentally flawed. If the default is to approve requests such as this, with unanimous opposition; it defeats the purpose of Zoning Laws and Neighborhood Plans altogether.

The bottom line is the neighborhood- that is, the existing residents, after hearing what must be assumed to be the most impassioned arguments possible for supporting it, voted unanimously to oppose a 20 unit condominium project being built on the site. Do they really need a reason?

Having said all that, my main objection is that the lot is on the corner of a main corridor where it could be argued higher density is desired, and a quiet residential side street where a higher density is wholly inappropriate (IMO). The problem for the applicant is the lot fronts on the quiet residential street. The applicant has been unable or unwilling to formulate a mechanism that would assure the neighborhood their project will not impact the quiet residential street. If they could simply make that assurance, I believe opposition to their project would diminish considerably.

At some point it was said that it would be counterproductive if the PSSNA had a reputation for not supporting residential re-development in general. It may be useful (or not, because of precedent) to point out that ultimately, PSSNA voted to support Mike Pruitt's zoning change request. Despite having taken place during one of the most favorable economic periods in Austin history, that project has been a failure by anyone's measure. Given that history, in my opinion, it is a cautionary tale; an unfortunate that should be learned from.

Jacqueline Williams, Bundyhill neighborhood

- Austin’s growth was considered in our neighborhood plan, it was taken into account when our neighborhood association was formed. We are in a significant flood area, and the water is a huge potential hazard. We banned service / gas stations intentionally. We understand the city’s position and wanting to bring people in. Our city has invited the country & the world to this city, but we are concerned this has been done without transportation planning. By continuing to build, they are continuing to enhance the problem. We want a transportation study, but none is conducted. The area does not need rooftops but we feel our City doesn’t get behind us. They could offer some incentives for commercial places to be built. If we had an eatery or grocery store, we would use that; today we are in a unique situation where we are asked to not leave our houses due to the Covid-19 virus, but we cannot feed our families by staying in our neighborhood. The City of Austin designated East Austin as the area we should live. The Association planned accordingly, and we stand by the plan today.

Ellen Scott
https://mail.google.com/mail/u/0/?tab=rm&ogbl#inbox/WhctKJVqtvRSsfZlvTPmdSBgbwddQrZWhHMcCHTzpRJTpcWdpfjCjldCsgHvSXlFHmSxVpL?projector=1&messagePartId=0.1

Gari Gardner:

- Developer stated at Loyola Library meeting that he planned only 2.5 parking spaces per 3 bedroom condo. Developer is absolutely not planning for sufficient parking. Ex: for a three bedroom condo with three owners/renters, family members or visitors, where will the extra cars park? The street bordering this property to the south, Pecan Springs Road, is not an option as an alternative for parking. It is a narrow residential street, and increasing traffic will be nothing more than increasing a danger and a bottleneck for vehicles and pedestrians, as there are no sidewalks.

- Developer claims all automobiles will exit from condos onto Springdale. Previously, Springdale was a 4 lane street, 2 lanes going south, two north. Recently, Springdale was reduced to one lane north and south. This reduction in lanes has provided quite a traffic jam, especially at peak travel times in the morning and afternoon. Vehicles exiting the condos will add significant congestion onto Springdale, no matter which direction the vehicles try to turn as they try to exit. Isn't Springdale being referred to as a "Corridor"? If that infers a speedy way to get across Austin, this will not help!

Gari
P. S. - A personal note……..
I am against the idea of "pack and stack" density for the acreage in question at 3500 Pecan Springs Road, or being planned for any established neighborhood.
This neighborhood was built with the designation of one house on one lot, not 20-25-36 homes with ADUs or 20-25-36 condos, townhomes, and/or duplexes on 1 or 2 lots.
I support Austinites that have this ongoing fight to preserve the integrity of the neighborhoods they currently live in.
As a longtime resident of Marlo Heights, I am for the preservation of our neighborhood.
I am against changing the FLUM, and against the proposed re-zoning change from SF3 to SF6.
I have no sympathy for the developer who claims (as he did at the Loyola Library meeting) that the Fort Branch Creek limits the developable land from 36 to 25-20 units,
(which curbs his profit). He would have known this if doing proper research prior to purchase of the land.

April 24, 2020

Memorandum for Planning Commission thru Andrew Rivera, Staff Liaison (andrew.rivera@austintexas.gov)

Subject: April 28, 2020 Public Comment Sign-up (Pecans Springs, East Village), Transit, and Transparency Recommendations

Disparate Impacts acknowledged by Chair/lawyer Wade Cooper January 28, 2019

"It is also undeniable that individuals may have seen, in particular areas, changes that did not help those individuals and maybe disadvantaged those individuals. . . . We hear the pain and challenge, particularly, with respect to the Eastside community."

Title VI Violation: Before and after Cap Remap, Chair Cooper refused to analyze minority routes "and then implement the least discriminatory alternative" (FTA C 4702.1B, 2012, Ch. IV-16).

Now, more Northeast Austin minorities walk on high-speed roadways exceeding 20,000 vehicles per day.

1. **Cap Remap Background:** "We begin with the local bus service. This is the fundamental glue to the entire system," transit consultant Meg Merritt told Austin City Council/Capital Metropolitan Transportation Authority (Capital Metro) Members during the October 30, 2019 Joint Project Connect Work Session.[1] Project Connect high-capacity transit (light rail, pending November 2020 referendum) is the overlay for Capital Metro's June 3, 2018 "Cap Remap" 52 bus routes changes, now providing 15-minute frequent service in South/West and Central Austin (6-7 minutes North/West to The University of Texas at Austin) while North/East Black riders in Craigwood wait 60 minutes on FM 969 for "New" Route 339-Tuscany. Before Cap Remap, the same bus was 35 minutes Peak to UPS-Tuscany. Now, the bus stops too early for second shift (2.6 mile walk to Cameron Rd). It's 45 minutes on Route 392-Braker with 30-minute transfer to The Arboretum. Before Cap Remap, minorities and low-income riders had a one-seat ride. Now, it's a 30-minute transfer to the West side—diminished quality of life. Project Connect Locally-Preferred Alternative Study (2014) noted North Austin job growth through 2035. Concealed Tradeoff: Capital Metro eliminated Northeast-west connectivity ($0) to jobs but created Southeast-west connectivity ($9.9M). Zoning and Platting (ZAP) Commission passed a 2018 Title VI of the Civil Rights Act of 1964 Transit Resolution noting inequities. Capital Metro Chair Wade Cooper has since acknowledged disparate impacts in 2019 but refused to improve the system for Blacks or Northeast minorities. Instead, actors transferred $6M contingency funds to Project Connect for white choice riders. February 25, 2019 Capital Metro's Boardroom was symbolically named Rosa Parks; FY 2019-20 Budget took credit.[2] Seek transit equity during planning.

2. **CASE:** C14-2019-0164 Pecan Springs Residential DISTRICT: 1

- "B-02, Question #6: What is the best end result for you? And what benefits will the neighbors receive? Answer: the best result for us would be to receive the FLUM and zoning change we are requesting. Community benefits include sidewalks, better infrastructure, stormwater mediation" (p. 6 of 28). Weblink: http://www.austintexas.gov/edims/document.cfm?id=339147

a. Recommendation: To comply with Austin City Council's Displacement/Transit Resolution (Item 38, passed April 23, 2020), before ZAP and Planning approval, receive community benefits in writing from the developer including, but not limited to, transit and affordable home ownership options, and/or apartments (e.g., compatible with The Reserve at Springdale 60% Area Median Family Income).

b. Pending: Moving forward, please use Cap Remap [South/West/Central frequent bus network] with Project Connect Overlay to identify inequities during the planning phase. Seek developers' written commitment, especially for North/East Austin transit deserts.

3. **Public Comment Sign-up:** Request to testify in opposition to 3500 Pecan Springs, April 28, 2020 Planning Commission Meeting. In red font, the Agenda included a "NOTE: This meeting will be a consent agenda only meeting. All discussion items (cases with known opposition by individuals desiring to provide testimony) will be postponed by the Planning Commission to a future meeting date." *See* also CASE: C14-2019-0164 Pecan Springs Residential DISTRICT: 1 http://www.austintexas.gov/edims/document.cfm?id=339148

- Question: Will my opposition be stated in the April 28, 2020 Planning Commission Meeting Minutes?
- Question: Do I need to call-in on April 28, 2020 for the Chair to state for the record that a speaker on the line opposes the action?
- Process?: If members vote on Consent, procedurally what action would follow before the item goes to Council May 21, 2020?

a. April 6, 2020 Memorandum Excerpt [Jerry Rusthoven/Interim Lead Planning and Zoning Department]:
"RE: C14-2019-0164 NPA-2019-0015.02 Pecan Springs Residential District 1 Postponement Request by Staff. Staff requests a postponement of the above referenced neighborhood plan amendment (NPA) and rezoning to the May 21, 2020 agenda. The items are scheduled to be heard at Planning Commission on the April 28, 2020." https://www.austintexas.gov/edims/document.cfm?id=338619

b. 3500 Pecan Springs Rd: **This is a gentrification item!** Today a Capital Metro silver shelter sits in front of a tree line, vacant lot, across from Touchstone near Pecan Springs Residential, awaiting gentrifiers. No silver shelters exist on 392-Braker. Higher density would likely reflect homes similar to "51 East" or the white newly built homes south of Dollar General on 51st St/Springdale.

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[1] City of Austin (2019, October 30). Austin City Council and Capital Metro Board of Directors Joint Meeting [Project Connect]. http://austintx.swagit.com/play/11212019-1183/

[2] Capital Metro (2019): Proposed FY2020 Operating & capital budget; & 5 year capital improvement plan: FY2019 Accomplishments [p. 60]. https://capmetro.org/uploadedFiles/New2016/About_Capital_Metro/Financial_Transparency/Annual_Budgets/Proposed-FY2020-Operating-and-Capital-Budget.pdf

Subject: April 28, 2020 Public Comment Sign-up (Pecans Springs, East Village), Transit, and Transparency Recommendations 2

4. **Be transparent!** Please post virtual meeting sign-up instructions in red on Planning Commission's homepage with PDF of instructions. Recommend Commissioners streamline the process; allow the public to call the day of the meeting instead of in advance.

a. Examples: Yesterday (April 23, 2020) I called Austin City Hall 45 minutes in advance to testify, as required, on two Zoning cases (Pecan Springs; Pioneer Crossing East). After 15 minutes on hold, listening to music, the automated system apologized and disconnected me because "the host" (Myrna Rios, City Clerk's Office) never picked up. I then called back 1-2 minutes before Council resumed the meeting for Zoning cases at 2:00 PM; pressed *6 to mute; and then Mayor Steve Adler said, before/after Mr. Rusthoven briefed Council, "We have one caller on the line." Once called, I identified myself; thanked Mayor Adler and Council for permitting me to speak; and then testified. It was simple: No advance notice; Rios never came on the line. Travis County Commissioners Court permits speakers to address the Court in real-time, too. A Public Line number appears on-screen. A staff member answers the phone, gets the caller's name and item number, and then places the caller on hold. Judge Sarah Eckhardt then, usually, calls the speaker before the Court votes on an action item in accord with state law (HB 2840). Request Planning Commission adopt same-day sign-up methodology.

b. Audio: Please record Planning Commission virtual meetings via audio or video during the coronavirus-2019 (COVID-19) pandemic. Virtual images appear during Council Meetings. My thumbnail also appeared while listening to Capital Area Metropolitan Planning Organization's April 13, 2020 Webex presentation.

5. **State Law (HB 2840 Public Participation):** Please transparently post instructions on homepage and forward document to Council.

a. ZAP/Council Process Concern: I testified on two zoning cases yesterday (April 23, 2020), but the ZAP document below was not included in Council's Backup Materials showing the homeowner's images from cracked foundation. Though the item included a staff postponement letter, I am concerned that the Pioneer Crossing East document, for example, that I reviewed from the April 21, 2020 ZAP Meeting (below) wasn't included. Please forward ZAP and Planning documents to Council, accordingly. Otherwise, the zoning process appears futile and the decision(s) may appear predetermined in favor of the developer and FLUM, noted in Question 6 (above).

April 21, 2020

Regular Meeting of the Zoning and Platting Commission

Backup - B-10 Revised (C8-2016-0247 - Pioneer Crossing East Section 19; District 1) (4.3MB)

- http://www.austintexas.gov/edims/document.cfm?id=338884

b. Council's Lack of Transparency/Flawed Public Process. Council passed Item 38 (CM Kitchen's Transit/Displacement Resolution) related, in part, to Project Connect. Council Member Greg Casar tried to sell public transit equity using a demographic map, which was misleading. I quoted transit consultant Meg Merritt and recommended Council rely on the Project Connect Long-Range Vision Map approved by Capital Metro December 17, 2018 which excludes the area north of North Lamar Transit Center [TxDOT's road]. This area appears 24 to 30 years out, essentially never! In an unrelated item (#44), a letter from staff was printed April 10, 2020, stating that an April 14, 2020 Community Development Commission Public Hearing was held [though cancelled] but required for Housing and Urban Development Federal funding. Item 44 passed with no opposition though the process required Citizen Participation Plan (CPP) input; they simply checked the box. More oversight is needed. Recommend posting on the Planning Commission webpage under the meeting date an action update to assure the public that Council received all written testimony and case attachments with the forwarded date. This step would be helpful, considering my AOL emails to Council and City Clerk bounced this week though carbon copy to media went through with no problem. Despite my best efforts, none of my written testimony will be included in the public record. This was the second consecutive virtual meeting mishap (April 9, 2020 Relief in State of Emergency; April 24, 2020 Item 44 CPP process: no input).

6. **Closing:** Thanks for your time and consideration. Point of contact is the undersigned.

Very respectfully,

Zenobia C. Joseph

Zenobia C. Joseph

Copy Furnished:
David King, ZAP Commissioner

Thrower Design LLC
LAND PLANNERS

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_Chapters/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 tee 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,

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

Thrower Design

www.throwerdesign.com
510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

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.

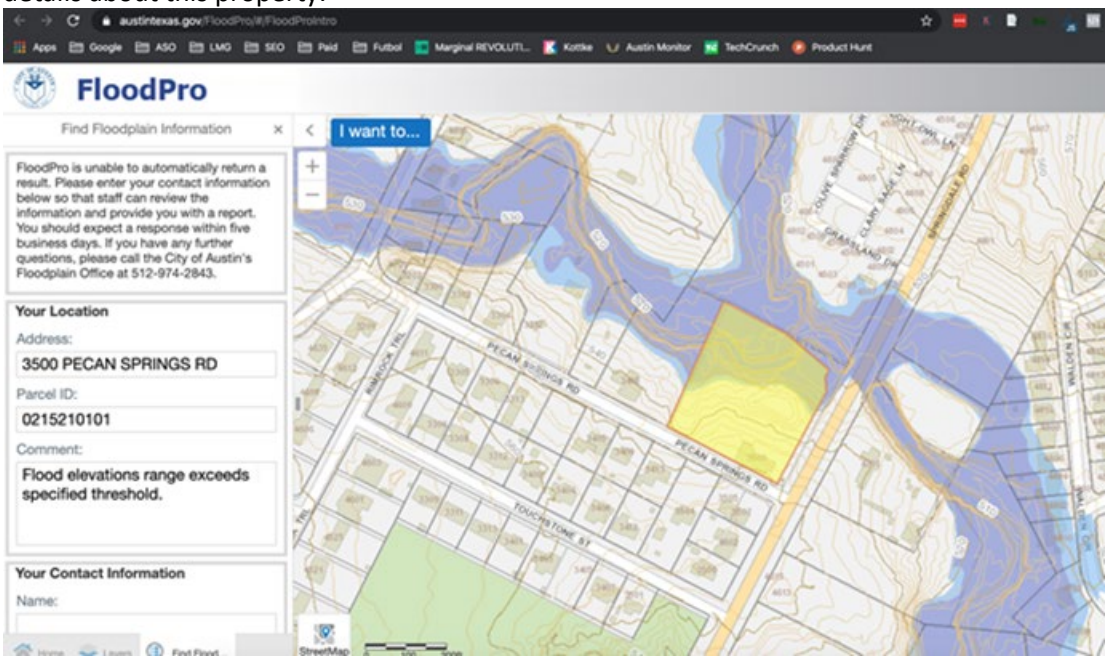
6. Would your client restrict vehicular access to Springdale Rd. only? No driveways or entrances on Pecan Springs Rd.?

   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 overly, 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

www.throwerdesign.com

510 South Congress Avenue, Suite 207

Mail: P.O. Box 41957

Austin, Texas 78704

From: Chris Ring
Sent: Tuesday, July 28, 2020 12:04 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: 3500 Pecan Springs Road, items 31 and 32 July 30 Council meeting.

Heather-

Could you please make sure this letter and the attached documents are added to the backup files for the case (C14-2019-0164).

Council member

Regarding a change in Land Use Designation and Zoning from Single Family Residence to Townhouse /Condominium. (SF3 to SF6) Item #s 31 and 32, July 30, 2020 agenda.

I am writing to urge you to support local residents and vote against this zoning change without a Conditional Overlay specifically limiting the unit count to 18.

Neighbors owning 33% of the land mass within 200 feet of the applicant property organized and submitted a valid petition opposing these changes in May.

These neighbors have been working with Thrower Design since that date in May identifying common ground, and expanding upon it. We have come to tentative agreement on a number of items that the zoning change would be conditional upon, and would be written in the form of both a Conditional Overlay and a Private Restrictive Covenant.

During those meetings with Thrower Design, neighbors requested a Conceptual Site Plan showing a basic layout of buildings and driveways so we could assess the suitability of Thrower Design's preference for a maximum unit count of 25. That site plan was submitted to us on July 20.

Below are the reasons we require rezoning be conditioned on an 18 unit limit.

Compatibility

A maximum unit count of 25 is higher than other Council conditioned rezoning in the area at over 10 units per acre.

Ord. 20160922-065 (3417 MLK Blvd) (SF-6) 9.13 ac / 72 or approx. 8 units per acre

Ord. 20151015-064 (4905,5001 and 5003 Pecan Springs Rd) (SF-6: Tract 2) 6.36 ac / 38 units or approx. 6 units per acre

A limit of 18 units on the 2.4 acre subject property would yield 7 units per acre which is in line with the Council-approved treatment of similar properties through zoning conditional restrictions.

For additional examples of nearby units per acre, please see the attached density graphic.

Close to half the lot in question is floodplain, with the build-able portion along Pecan Springs Road. The Conceptual Site Plan illustrates that applying the usual formula of 45% impervious cover to the lot and building 25 units results in a density along Pecan Springs Rd that is unexpected and inappropriate for the location.

Traffic

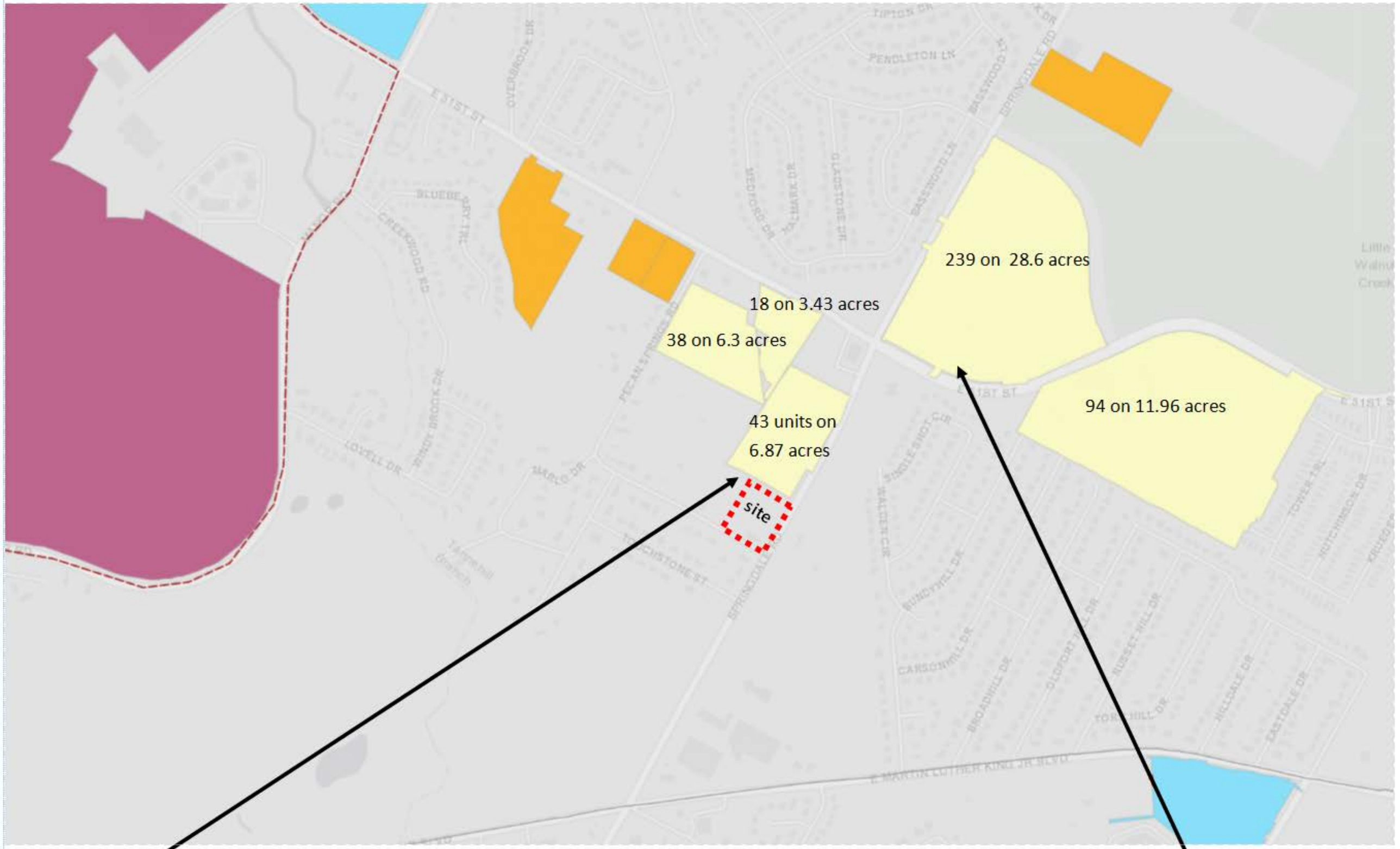
Another reason we request a lower maximum unit cap is traffic. Thrower Design agrees with the neighborhood that vehicular access should be restricted to Springdale Road. This was a huge positive for the neighborhood, and went a long way towards incentivizing neighbors to work w/ Thrower Design further. Unfortunately, Springdale Road at this specific spot has traffic safety issues; not only is it an overburdened roadway, but there are visibility issues due to rolling terrain. The existing cluster of side streets and driveways within the limited sight zone present a hazard today, and the presence of a bus stop without pedestrian crosswalks nearby introduces yet another hazard. Adding a driveway to the current situation will need to be carefully considered, and a lower unit count will help the feasibility of doing that safely.
A Neighborhood Traffic Analysis performed this June concludes Pecan Springs Road currently exceeds desirable operating levels based on 2015 counts and developments currently under construction yet to be completed. Restricting access to this lot via Springdale Rd does not preclude this project increasing traffic burden on Pecan Springs Rd. Given the difficulty/hazard of turning left onto Springdale Rd, a portion of the vehicles exiting the site will likely turn onto Pecan Springs Rd to facilitate reaching destinations to the North and West.

Watershed Concerns
I am aware flooding is not normally considered in a zoning change case, and clever engineers assure us they have control of run-off, but common sense dictates limiting the number of housing units on this site will influence flood intensity, erosion, and water quality.

Limiting the number of units to 18 will deliver the anticipated interspersion of green space with built space expected in a transition zone, and mitigate both traffic hazards and watershed concerns.

Sincerely, Chris Ring
4809 Pecan Springs Road

https://austin.maps.arcgis.com/apps/webappviewer/index.html?id=10c8349e74a341db8faa4315a266b815



6.26 units/acre

5.25 units/acre

6.03 units/acre

Range of reasonable density for the subject tract based on nearby context of new development

8.36 units/acre x 2.4 acres = 20.06 units

6.26 units/acre x 2.4 acres = 15.02 units

5.25 units/acre x 2.4 acres = 12.6 units

Maximum of 13-20 units aligns with the density of new developments nearby

8.36 units/acre

7.86 units/acre

3500 PECAN SPRINGS

SITE PLAN

JULY 16, 2020

SCALE ; 1/64" = 1' - 0"

DAVIES
COLLABORATIVE

EXHIBIT E

PETITION

Date: May 18, 2020
File Number: NPA-2019-0015.02
Address of Rezoning Request: 3500 Pecan Springs Road

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 property to any classification other than **SF - 3**.

STATE REASONS FOR YOUR PROTEST
There is strong consensus in the neighborhood that high-density single-family housing is best situated on the undeveloped portions of higher-intensity arteries that do not take access to substandard residential roadways. Higher-density projects positioned as transitions to lower-density residential areas should be carefully tailored to ensure safety and quality of life for all residents. To date, the applicant has declined to place conditions on his request for SF-6 to substantively address the need for these safeguards. Absent meaningful compromise, the Pecan Springs-Springdale Hills Neighborhood Association unanimously opposed the proposed zoning and FLUM changes for this property.

Signature	Printed Name	Address
AJ Crittendon	AJ (Albert) Crittendon	3408 Pecan Spring Rd Austin, TX 78723
Cliff Scott	Clifford Nelson Scott	3312 Pecan Springs Rd Austin 78723
Ellen Scott	Ellen Turner Scott	3312 Pecan Springs Rd, AUSTIN, TX 7872
Lyova Rosanoff	Lyova Rosanoff	4809 Pecan Springs Rd
Chris Ring	Chris Ring	4809 Pecan Springs Rd
[illegible]	ELIZABETH GIBSON	3408 TOUCHSTONE St.
[illegible]	Brendan Sweeney	3601 Pecan Springs Rd
[illegible]	Hannah Serwatka	3405 Pecan Springs Rd
[illegible]	Eli Zamarripa	3413 Pecan Spring Rd

Date: 05/18/2020 Contact Name: Ellen Scott Phone: 512-992-3021

Case Number:

C14-2019-0164

PETITION

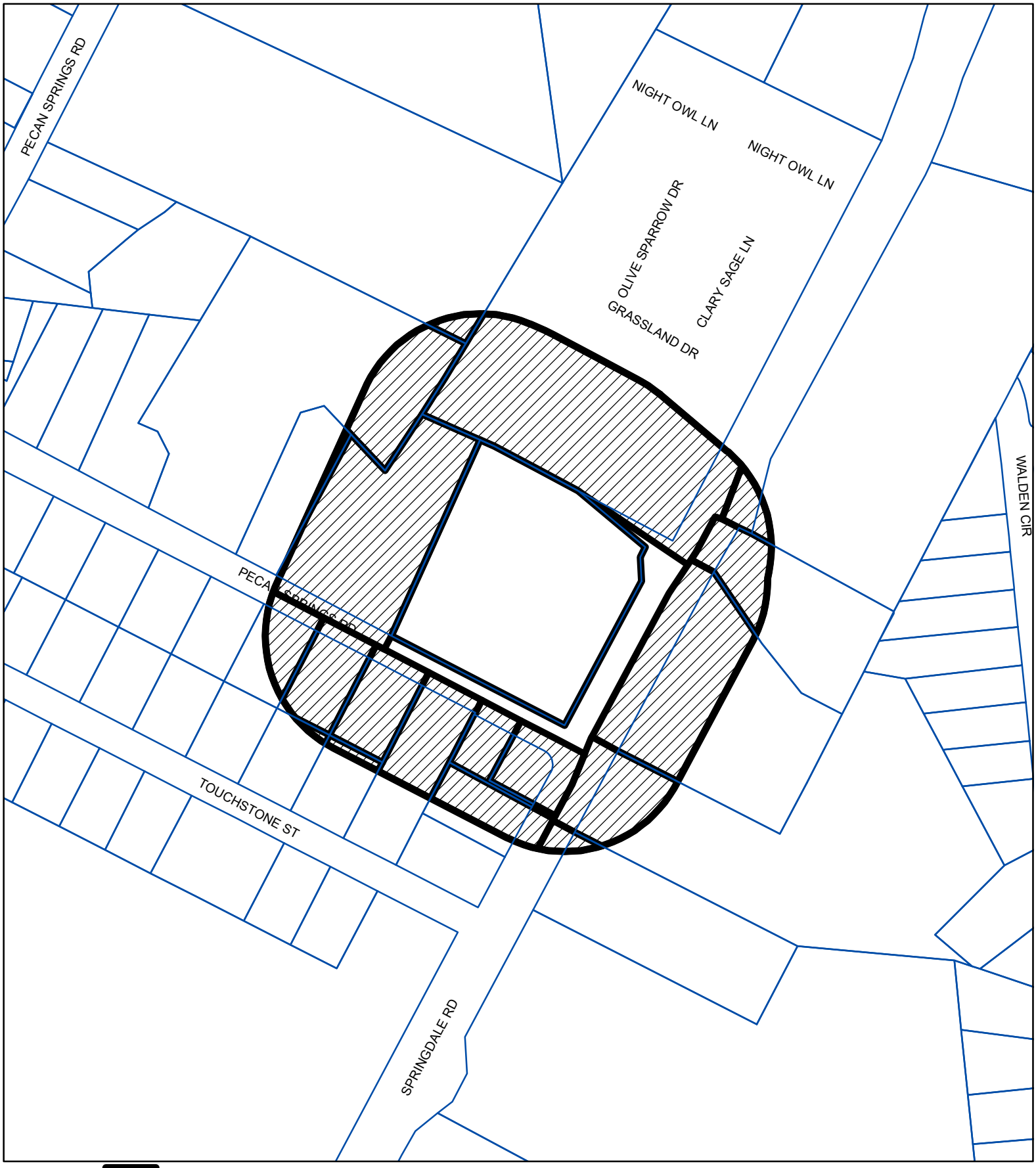
Date: 5/28/2020

Total Square Footage of Buffer: 381266.0016

Percentage of Square Footage Owned by Petitioners Within Buffer: 33.33%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Precent
0215210121	3408 PECAN SPRINGS RD 78723	CRITTENDON ALBERT J JR	yes	62820.20	16.48%
0215210122	3408 PECAN SPRINGS RD 78723	CRITTENDON ALBERT J JR	yes	765.03	0.20%
0213220417	SPRINGDALE RD 78721	DAVID CHAPEL MISSIONARY	no	19000.40	0.00%
0213220414	4613 SPRINGDALE RD 78721	DAVID CHAPEL MISSIONARY	no	2659.97	0.00%
0215210214	3408 TOUCHSTONE ST AUSTIN 78723	GIBSON ELIZABETH M	yes	552.75	0.14%
0215210211	4602 SPRINGDALE RD AUSTIN 78723	GREEN BILLY WAYNE	no	11623.53	0.00%
0215220202	4701 SPRINGDALE RD 78723	HALL BURNIS L JR	no	45942.62	0.00%
0215220204	4801 SPRINGDALE RD 78723	REDDY RATHNA S	no	12191.72	0.00%
0215210105	4809 PECAN SPRINGS RD AUSTIN 78723	RING CHRISTOPHER & LYOVA ROSANOFF	yes	2152.60	0.56%
0215210207	3409 PECAN SPRINGS RD 78723	SCORE DEAN MICHAEL	no	14844.01	0.00%
0215210135	3312 PECAN SPRINGS RD 78723	SCOTT CLIFFORD NELSON & ELLEN TURNER SCOTT	yes	20456.86	5.37%
0215210206	3405 PECAN SPRINGS RD AUSTIN 78723	SERWATKA HANNAH	yes	8681.74	2.28%
0215210213	3412 TOUCHSTONE ST 78723	SHADDOCK HOMES LTD	no	1441.15	0.00%
0215220205	4907 SPRINGDALE RD	SPRINGDALE FLATS LLC	no	4925.15	0.00%
0215210209	3501 PECAN SPRINGS RD 78723	SWEENEY DAVID	yes	16580.75	4.35%
0215210208	3413 PECAN SPRINGS RD AUSTIN 78723	ZAMARRIPA ELEAZAR	yes	15056.47	3.95%
0215210223	Address Not Found		no	8360.38	0.00%
0215210401	Address Not Found		no	94523.75	0.00%
0215210224	Address Not Found		no	12679.94	0.00%
Total				**355259.04**	**33.33%**



N

BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2019-0164

1 " = 200 '

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

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN FOUNDED 1839