| C14-2021-0023.SH Comments from CH/CNA Vice President on Behalf of affected residents | | | |
|---|---|---|---|
| **Source** | **Exact Text** | **Comment** | |
| | B-9 ZONING CHANGE REVIEW SHEET | | |
| EXHIBIT D B-9 13 of 15 | **The project anticipates a need for at least 67 feet of height which is not permitted in the LO zoning district, even with participation in AU.** While the GR zoning district does not allow for residential uses, participation in the Affordability Unlocked Program permits a residential use without the Mixed Use (MU) overlay that is typically required. Similarly, a Neighborhood Plan Amendment is not needed. | The developers admit they want a 6-story bldg; privacy concerns of people looking down into the adjoining homes (to pass the time). | |
| | The requested zoning is consistent with the zoning of the adjacent properties to the west and east that currently have GR-base zoning and we respectfully request a favorable recommendation to bring much needed, truly affordable housing | 2-3 story building is acceptable. | |
| SJCHCNPA, Page 81 | An imbalance in multi-family use...of particular interest is the high percentage of multifamily use...Coronado Hills NPA has a significantly higher percentage of land dedicated to Multi-family housing (27%) than both the St. John neighborhood (16%) and the Urban Core (11%). | Coronado Hills has "given" to the Austin community. We have an abundance of affordable housing in our area in comparison to other neighborhoods with homes valuing $300,00-500,000. | |
| | SJCHCNPA has only 2% of open space (compared to 11%, Urban Core) and is seriously deficient in parks and open spaces. Coronado Hills NPA has no land (0%) dedicated for public open space and recreation | The greenbelt along the Buttermilk Creek is all we have. a 6-story complex towering over the trees is heartbreaking. | |
| SJCHCNPA, Page 82 | Table 9 reflects of the 1567 total units in Coronado Hills NPA, 1359 or 86% are multifamily units | | |
| | This fact reveals an imbalance in renter versus homeownership in the Coronado Hills NPA. | There is already an "imbalance" why add to the issue? | |
| SJCHCNPA, Page 92 | Key Vision Points: Correct the existing imbalance in housing types (multifamily vs. single) in the planning area. | We would like starter homes, smaller urban homes that are affordable. | |
| | | | |
| | | | |
| | Comments from Affected Residents | | |
| B.T., former CH/CNA President & Member of neighborhood Planning Process | The St. John/Coronado Hills Neighborhood Plan was designed to help the officials understand the desires of the residents. Considerable effort was made to ensure we were fair in our vision to include all residential populations. | | |
| Y.P., former CH/CNA Board Member | The LO-CO-NP and RR-NP designation for the current zoning was to allow good and service type of development. | | |
| 7602 Pebble Cove | Ongoing SEVERE erosion of Buttermilk Creek at the development site. | | |
| Former employee, Ashford Costa Esmeralda (previously Creekwood Village) | An adjacent apartment complex has safety concerns of a building with foundation concerns due to the rapid erosion of Buttermilk Creek. | | |
| 7605 Glenhill Cove | Portions of the retaining wall of the adjacent apartment complex have already collapsed into Buttermilk Creek and washed away. | | |
| 8/18/2016 City Council Agenda, Item 60811, #19 | **City of Austin (CoA) investigated and confirmed the rapidly eroding stream bank along Buttermilk Creek.** | | |
| CoA Watershed documents | **In 2020, CoA addressed urgent erosion concerns of Buttermilk Creek at the development site and acknowledged additional work is required to restore the riparian zone and to stabilize the embankment of Buttermilk Creek.** | | |
| CoA Watershed documents | **The 2020-21 CoA Budget proposes a 5-yr (2021-2025) CIP Spend Plan of $3,500,000 for Erosion Control and $1,300,000 for Water Quality Improvements of Buttermilk Creek which should be fully expended before any zoning change approvals.** | | |

| C14-2021-0023.SH Comments from CH/CNA Vice President on Behalf of affected residents | | | |
|---|---|---|---|
| **Source** | **Exact Text** | **Comment** | |
| Consensus of Neighbor Assn. attendees, 5/18/2021 | CoA needs another Buttermilk Creek Bank Stabilization Project similar to the project completed for the Old Town Condominium residents in 2016 (CLMC 591, Lower Buttermilk Creek Bank Stabilization Project) when residential properties experienced similar erosion based safety hazard concerns. | | |
| Multiple Adjoining residents | To date, Buttermilk Creek still has fallen trees, dislodged sections of concrete drainage pipes, sections of collapsed retaining wall, and other obstructing debris that create a flooding hazard for the adjacent homes. | | |
| 7600 Glenhill Cove | Approving the zoning change, at this time, ignores the safety hazard of building along Buttermilk Creek and invites over-development. | | |
| Multiple Adjoining residents | Concerns of residential property damage in our area don't receive highest priority status until development opportunities arise. | | |
| 1713 Pebble Brook Dr. | Additional development should be on hold until the CoA can address the safety concerns of flooding and erosion along Buttermilk Creek | | |
| 7604 Pebble Brook Cove | The proposed site is overly ambitious in maximizing the number of apartments they can get onto the parcel of land. The effect of their ambition is that the development of the space has been pushed all the way back to the waterline! | | |

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2021-0023.SH
Anderson Creek Affordable Housing

DISTRICT: 1

ZONING FROM: LO-CO-NP and RR-NP

TO: GR-NP

ADDRESS: 1701 East Anderson Lane

SITE AREA: 4.22 acres

PROPERTY OWNER:
183 Apartment Site, Ltd.
(Patricia Ivy)

AGENT:
Thrower Design
(A. Ron Thrower)

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

STAFF RECOMMENDATION:
**Staff supports the Applicant's request for rezoning to GR-NP.**

*For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:
May 25, 2021:

CITY COUNCIL ACTION:
June 10, 2021:

ORDINANCE NUMBER:

ISSUES:
The Applicant has stated that this property will be a SMART Housing project with 100% (89) of the units serving households at or below 80% MFI for a minimum of 5 years. The Applicant has stated this will be achieved utilizing the Affordability Unlocked tool. ***Please see Exhibits C and D- SMART Housing Letter and Applicant Letter.***

CASE MANAGER COMMENTS:
The subject property is located on the south side of East Anderson Lane (US 183 eastbound frontage road) between Cameron Road and US 290. The majority of the undeveloped property is zoned LO-CO-NP, while a portion along the southern boundary is zoned RR-NP. The RR-NP portion of the site includes floodplain from the adjacent Buttermilk Branch Creek. Immediately west of the property is GR-MU-NP zoned land developed with multifamily; further west is undeveloped GR-NP land and a gas station that is zoned CS-NP. Immediately east of the subject property is an undeveloped GR-NP tract; further east is a GR-MU-NP zoned multifamily property, a GR-NP zoned financial services property, and a GO-NP zoned public elementary school. South of the subject property is Coronado Hills neighborhood, which includes single family residential and townhouse/condominium residential land uses (SF-3-NP and PUD-NP, respectively). ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Staff supports the rezoning request. As a SMART Housing project, the Applicant proposes adding 89 affordable multifamily units to the area. This reflects the policies of Commission and Council that encourage the addition of affordable housing options throughout the City. The property is located less than 1/4 mile from the Cameron & 183 Job Center and Cameron Road Activity Corridor, which provide employment opportunities and convenient commercial service options. GR zoning is appropriate for the location of the property along the US 183 eastbound frontage road and matches the GR and GR-MU zoning to the west and east. Multifamily development of this site would be ***in***consistent with these nearby residential uses, including multifamily to the west and east, single family and townhouse/condominium to the south. ***The existing multifamily complexes do not exceed 35 feet.***

BASIS FOR RECOMMENDATION
1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*
3. *Zoning should be consistent with approved and existing residential densities.*
4. *Granting of the request should result in an equal treatment of similarly situated properties.*

The addition of affordable rental units on this site would be consistent with the goals of the City Council as outlined in the Strategic Housing Blueprint and other Council-approved actions. The addition of 89 affordable multifamily rental units will add additional housing options and affordable units in the area. The GR base district would be consistent with adjacent properties, and multifamily land use would also be consistent with nearby residential properties. ***But, the proposed development of 65 ft. would be inconsistent with adjacent properties***

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|---|---|---|
| Site | LO-CO-NP, RR-NP | Undeveloped |
| North | GR-CO, LO, IP, GR | US 183, Administrative/business office, Gas station, Multifamily residential |
| South | SF-3-NP, PUD-NP | Single family residential, Townhouse/condominium residential |
| East | GR-NP, GR-MU-NP, GO-NP | Undeveloped, Multifamily residential, Financial services, Public elementary school |
| West | GR-MU-NP, GR-NP, CS-NP | Multifamily residential, Undeveloped, Gas station |

NEIGHBORHOOD PLANNING AREA: St. John-Coronado Hills Combined (Coronado Hills)

TIA: Deferred to time of site plan.

WATERSHED: Buttermilk Branch Creek

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association
Sierra Club
North Growth Corridor Alliance
Friends of Austin Neighborhoods
Neighborhood Empowerment Foundation
Coronado Hills Neighborhood Plan Contact Team
Coronado Hills/Creekside Neighborhood Association
Harris Branch Master Association, Inc.
AISD
SELTexas
Bike Austin
Austin Neighborhoods Council
Austin Lost and Found Pets

AREA CASE HISTORIES:

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|---|---|---|---|
| C14-2014-0135 Little Walnut Creek | GO-NP to GO-MU-NP | 11/12/14: To deny GO-MU-CO-NP (CO limits trips to 2,000 v.p.d.) | 4/2/2015: approve GO-MU-CO-NP (2,000 v.p.d. limit)- 1st rdg only (11-0) 6/11/2015: Indefinite postponement WITHDRAWN |

EXISTING STREET CHARACTERISTICS:

| Name | Existing ROW | ASMP Required ROW | Pavement | ASMP Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---|---|---|---|---|---|---|---|
| Anderson Ln SVRG EB | 111' | Defer to TxDOT | 46' | 4 | Yes | Yes | Yes |

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Connectivity- The closest public transit stop is located approximately 0.23 miles on Cameron Road. There is a public sidewalk located on the south side of East Anderson Lane to Cameron Road, allowing pedestrian access to the public transit stop. There are no bike lanes located along East Anderson Lane. However, there is a public elementary school located approximately 0.50 miles to the east. Mobility and connectivity options are fair in this area and do not include a variety of goods and services or parks and recreational areas within walking distance of the site.

St. John/Coronado Combined Neighborhood Plan (SJCCNP)- This property is designated at as 'Commercial' on the St. John/Coronado Future Land Use Map (FLUM), which has been neutralized by the Affordability Unlocked Program (AUP), which allows for affordable multi-family developments in all commercial zones as long as it meets the criteria of this program. ***Currently there is an imbalance of affordable multifamily housing in the area, especially compared to other neighborhoods.*** Additionally, no neighborhood plan amendment is required to amend the FLUM under the AUP. The following policies and text are taken from the SJCCNPA and are applicable to this case:

Land Use Goal: Promote a land use pattern that benefits everybody in the SJCHCNPA by enhancing neighborhood character, sense of community, pedestrian-friendliness and connectivity to neighborhood-serving amenities.

Summary of prominent land use desires in SJCHCNPA:

•Preserving Single Family residential housing stock.
•Promoting pedestrian friendly development.
•Increasing neighborhood connectivity and accessibility to neighborhood serving goods and services.
•Providing the space and environment for community gatherings and civic functions.
•**Balancing the abundant Multi Family rental housing opportunities with Single Family housing opportunities.**
•Providing additional open space and recreation opportunities, primarily in the Coronado Hills neighborhood.
•Balancing existing impacts of major highways on community life.

Objective L.1: Preserve existing use, character and integrity of residential neighborhoods.

Recommendation 179: Preserve the Multi Family land use and PUD land use in the established owner occupied, townhome and condominium neighborhoods in the Planning Area.

Recommendation 180: Consider the use of vegetated buffers and landscaping to provide a buffer between existing residential neighborhoods and the more intense, non-residential land uses.
Objective L.2: Ensure future housing development compliments (in style and character) existing housing stock.
Recommendation 183 Residential infill (Table 12) development tools should be utilized by developers/property owners to ensure new housing compliments the **character and scale of the existing housing stock.** ***Table 12 is cited, but not applied with proposed development.***
Recommendation 184: Design tools should be utilized by developers/property owners to ensure new housing development strengthens a neighborhood "sense of place" (Table 13
Objective L.4: Provide adequate transitions and buffers between the intensity of US HWY 183, US HWY 290 and IH 35 and community life in SJCHCNPA.
Recommendation 191: Use Mixed Use land use and Commercial land use to soften the transition between US HWY 183, US HWY 290 and IH 35 and residential uses.
Recommendation 192: Consider the use of vegetated buffers and landscaping to provide a buffer between existing residential neighborhoods and the more intense, commercial uses.
Objective L.5: Increase neighborhood connectivity with a specific focus on the pedestrian environment in SJCHCNPA. Recommendation 193: While preserving the Residential Cores (see section in plan), use Mixed Use l**and use to facilitate a more pedestrian friendly development pattern** in SJCHCNPA. ***How does an affordable housing complex with many children facilitate pedestrian friendly development along a highway frontage road?***
Affordable Housing- Objective L.7: Maintain and expand affordable housing options in the SJCHCNPA community.
Recommendation 197: Ensure the current Multi Family (i.e. rental housing) stock is maintained through Multi Family land use and/or Mixed Use land use (Map 6).
Recommendation 198: **Increase affordable housing options throughout the St. John NPA** by facilitating home ownership opportunities (townhome and/or condominium developments) via Mixed Use land use designation. ***The Coronado Hills NPA already has an imbalance of multifamily units.***
Recommendation 199: **Maintain** ***(not increase)***affordable housing options in the Coronado Hills NPA by designating Multi Family developments as either Multi Family or Mixed Use land use. The SJCCNPA supports well-designed affordable housing and buffers between disparate uses.
Imagine Austin- The project is located less than a quarter of a mile from an Activity Center and an Activity Corridor and is located along a major highway. The following IACP policies are applicable to this project:

LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

HN P1. Distribute a variety of housing types **throughout** the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population. ***Coronado Hills NPA has a large percentage of multifamily, some duplexes, triplexes, and four-plexs, condos, retirement homes, and mobile homes in the area. Single family only makes up 13%.***

HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.
The Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes goals for affordable housing in every City Council district. Some of these goals include: (1) preventing households from being priced out of Austin; (2) providing an affordable housing

choice; and (3) protecting diverse communities. The property is in an area that provides only fair mobility and connectivity options to the residents in the area (a lack of parks and recreation facilities, bike lanes, **goods and services**). This project does meet one of eight Imagine Austin's priority programs (p. 186), namely 'Develop and Maintain Household Affordability Throughout Austin' by supplying additional affordable units and thus this project appears to partially support the Imagine Austin Comprehensive Plan. ***The intent of the existing LO-CO-NP zoning is to spur such "goods and services" development.***

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk 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 upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
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. ***The flooding (public safety), erosion (property protection), and water quality degradation are major concerns for residents along Buttermilk Creek.***
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. ***15-years is better protection for Buttermilk Creek.***

Site Plan

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. ***That may be too late; why aren't the additional comments included now?***

The site is subject to compatibility standards. Along the south property line, the following standards apply: ***All allowances are opposed by adjoining homeowners. No buildings in excess of 40 ft should be allowed at all. And impervious cover should not be allowed within 75 ft. of the property line to prevent run-off into Buttermilk Creek.***

· 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. Additional design regulations will be **enforced** at the time a site plan is submitted. ***"Enforced" or suggested?***

Parks & Recreation

PR1: Parkland dedication will be required for the new residential units proposed by this development at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park

amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2). If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov . At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies sufficient right-of-way for Anderson Lane SVRD EB and is deferred to TxDOT. There is a proposed Urban Trail adjacent to this site, along the Buttermilk Ranch Creek. Traffic impact analysis was waived, the determination is deferred to site plan application, when land use and intensity will be finalized.

| Name | Existing ROW | ASMP Required ROW | Pavement | ASMP Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---|---|---|---|---|---|---|---|
| Anderson Ln SVRG EB | 111' | Defer to TxDOT | 46' | 4 | Yes | Yes | Yes |

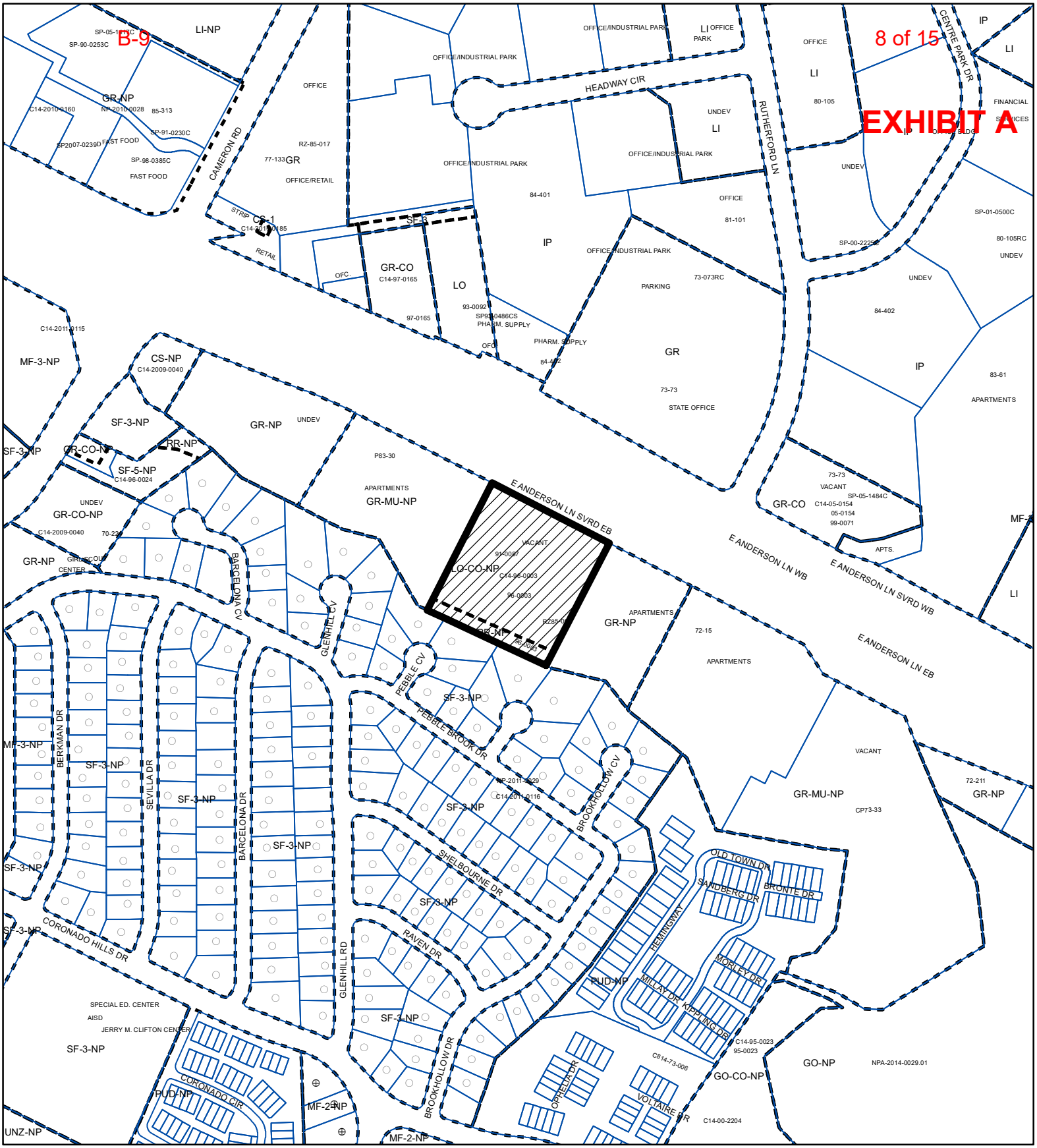
Water Utility

AW1. 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 Austin Water for compliance with City criteria and suitability for operation and maintenance. Based on current public infrastructure configurations this site is in an area with capacity concerns, and it appears that service extension requests (SER) will be required to provide service to this lot. 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. SMART Housing Letter
D. Applicant Letter

EXHIBIT A




N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2021-0023.SH

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

CITY OF AUSTIN FOUNDED 1839

**Created: 3/4/2021**

# Property Profile




## Legend

EXHIBIT B

- Street Labels
- Zoning Review Cases- IN REV
- Fully Developed Floodplain
  - COA Fully Developed 25-Year
  - COA Fully Developed 100-Year
  - COA Master Plan 25-Year
  - COA Master Plan 100-Year
  - 100-Year (Detailed-AE)
  - 100-Year (Shallow-AO,AH)
  - 100-Year (Approx-A)
- Creek Buffers/Waterway Setba
  - Critical Water Quality Zone
  - Water Quality Transition Zone
- Zoning Text

## Notes

0.1 0 0.04 0.1 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

# City of Austin

**EXHIBIT C**

*P.O. Box 1088, Austin, TX 78767*
*www.cityofaustin.org/housing*

Housing and Planning Department
**S.M.A.R.T. Housing Program**

**March 3, 2021 (Update from letter dated April 30, 2019)**

**S.M.A.R.T. Housing Certification**
**McDowell Housing Partners, LLC,**
**601 Brickell Key Drive, Suite 700 Miami, FL 33131 (ID 654)**

TO WHOM IT MAY CONCERN:

McDowell Housing Partners, LLC (development contact Ana Padilla; ph: 786-257-2774; email apadilla@mcdhousing.com) is planning to develop Anderson Creek, a **89-unit multi-family development** at 1701 E. Anderson Lane, Austin, Texas, 78752. The project will be subject to a minimum 5-year affordability period after issuance of a certificate of occupancy unless funding requirements are longer.

This development is seeking a zoning change from LO-CO-NP and RR-NP to GR-NP. The applicant has submitted evidence of contacting the Coronado Hills Neighborhood Plan Contact Team advising them of their project. The applicant has indicated they will address any legitimate concerns of the neighborhood residents.

The Housing and Planning Department (HPD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **100%** (89) of the units will serve households at or below **80% MFI**, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance. The expected fee waivers include, but are not limited to, the following fees:

| | | |
|---|---|---|
| AWU Capital Recovery Fees | Concrete Permit | Mechanical Permit |
| Building Permit | Electrical Permit | Plumbing Permit |
| Site Plan Review | Subdivision Plan Review | Zoning Verification |
| Construction Inspection | Parkland Dedication Fee | Land Status Determination |
| Demolition Permit Fee | (by separate ordinance) | Building Plan Review |
| | Regular Zoning Fee | |

**Prior to issuance of building permits and starting construction, the developer must:**

- Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenergy.com).
- Submit plans demonstrating compliance with the required accessibility or visitability standards.

**Before a Certificate of Occupancy will be granted, the development must:**

- Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter

from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

This project has received a Transit Oriented Waiver, see Attachment-1. If the project is unsuccessful in securing State or Federal Government funds, including Low Income Housing Tax Credits, the project will be ineligible to be certified S.M.A.R.T. Housing and any fees waived shall be repaid.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact Alex Radtke by phone 512.974.2108 or by email at alex.radtke@austintexas.gov if you need additional information.

Sincerely,

Sandra Harkins

Sandra Harkins, Project Coordinator
Housing and Planning Department

Attachment - Attachment 1

Cc: Kristin Martinez, AE Jonathan Orenstein, AWU Mashell Smith, ORS

ATTACHMENT 1

**S.M.A.R.T. Housing Transit Oriented Waiver Request**

**Address of Project:** 1701 E. Anderson Ln, Austin, TX

**Name of Project:** Anderson Creek

**Applicant Name:** McDowell Housing Partners, LLC

**Walking Distance from site to nearest transit route** 0.22 **miles**

---

I, Nik Echeverria, formally request a waiver from the S.M.A.R.T. Housing transit-oriented requirement. My project meets one of the following criteria.

**Answer the following questions and provide documentation as it pertains to the proposed project listed above:**

1. Per the Kirwan Institute's Comprehensive Opportunity Map of Austin, please check the Opportunity Index your project is located in:

   ☐ **Very High** ☐ **High** ☐ **Moderate** ☐ **Low** ☐ **Very Low**

2. Provide a Letter from CAP Metro confirming a future route is documented in agency plans.

3. Developer has applied for State or Federal Government funds, including the Low Income Housing Tax Credit Program, related to this project.

Authorized Representative

2-16-2021
Date

**************************For City Staff Use Only**************************

The aforementioned project is approved to receive a waiver from the transit-oriented requirements (B)(4) of Ordinance No. 20141106-124 by meeting the criteria of: Development is located in high opportunity area.

Regina M Copic
Regina Copic
Project Manager
Director Designee for Waiver related to Ord No 20141106-124 PART 3. Subsection (E)

03/02/2021
Date

Thrower Design LLC
LAND PLANNERS

March 4, 2021

Ms. Heather Chaffin
Planner Senior
Housing & Planning Department,
City of Austin

RE: 1701 E Anderson Lane – Rezoning

Ms. Chaffin,

On behalf of the property owner, and in conjunction with McDowell Housing Partners, we submit the rezoning request for the property located at 1701 E Anderson Lane, legally referred to as *Lot 1 Walnut Creek Center*. The property is in the City of Austin full purpose jurisdiction and is 4.22 acres currently zoned LO-CO-NP and RR-NP. The Coronado Hills Neighborhood Plan Future Land Use Map designates this property for *Commercial* use.

The proposed development is for 89 affordable, multifamily units through the City's Affordability Unlocked (AU) Program and S.M.A.R.T Certification has been granted. The request is to rezone the property to *Community Commercial District – Neighborhood Plan (GR-NP)* zoning to achieve the site development regulations afforded by the zoning district. For example, the project anticipates a need for **at least** 67 feet of height which is not permitted in the LO zoning district, **even with participation in AU**. While the GR zoning district does not allow for residential uses, participation in the Affordability Unlocked Program permits a residential use without the Mixed-Use (MU) overlay that is typically required. Similarly, a Neighborhood Plan Amendment is not needed.

The requested zoning is consistent with the zoning of the adjacent properties to the west and east that currently have GR-base zoning and we respectfully request a favorable recommendation to

bring much needed, truly affordable housing. Please contact our office should you have any questions or need clarification during your review process.

Sincerely,

Victoria Haase

**From:** Lulu Francois
**Sent:** Wednesday, May 19, 2021 7:36 PM
**To:** ----; ---; Chaffin, Heather <Heather.Chaffin@austintexas.gov>
**Cc:** Allen Francois
**Subject:** Multifamily Apt. Complex at 1701 E. Anderson Ln. - Case # C14-2021-0023.SH

To Whom It May Concern

My husband and I live at 7602 Pebble Cove which is directly across the creek from this development. I was not able to attend the Zoom meeting last night but am submitting my concerns to you so that they can be part of the neighborhood communication to the City of Austin.

Concerns with this development:

1. We have had three break-ins and an additional four break-in attempts to our house over the past 10 years all of which have come from the rear of the property
    1. We have had to add a high level of security to our house due to the fact that our property backs up to Buttermilk Creek and has exposure to the apartment complex that is currently across the creek from us
    2. The concern is that with yet another apartment complex being built across the creek from our property, this will open us up to the possibility of even more attempts to break into our house since anyone coming to the rear of our house is not visible from the street
    3. There are enough "curious" tenants that will want to come to the creek and cross it which puts them directly onto our property
    4. I don't believe they will ever be able to prevent or control any of their tenants from crossing the creek and coming onto our property
2. We have always had problems with the tenants, and possibly the workers, at the apartment complex that is currently there. They are always throwing their trash, clothing, furniture, etc. over the wall and onto the embankment across the creek from our house
    1. The creek along with the embankment is always littered with objects and trash that comes from the existing complex
        1. The current apartment complex management does nothing to clean this mess up even though I've contacted them numerous times about their tenants discarding a lot of trash and debris over the existing wall. I've seen cloths, trash bags, furniture, sinks, etc., thrown over the brick wall
        2. It then sits there so that we have to look at it
        3. There's always so much trash and clutter in the creek and on the other side of the embankment that we can't even enjoy the view from our backyard
    2. How much more trash will be caused by yet another apartment complex?
3. There is a major erosion problem happening on both sides of the creek
    1. I have called the City of Austin and reported this erosion since the May Day Flood and the City has yet to do anything about it
    2. The retaining wall on the embankment across the creek from us built by the developers of the current apartment complex was washed away by the May Day flood
    3. It has steadily washed away so that the brick retaining wall is completely gone now and there is a sheer drop from the brick wall that is still standing down to the creek
    4. I'm just wondering when that brick wall will collapse along with the apartment building that backs up to it
    5. My concern is additional erosion happening at a faster rate than will occur if this development is built along the creek?
4. We will have no privacy if this five-story complex is built
    1. Anyone across the creek will now be able to look down onto and into our house
    2. We won't have the greenbelt behind our house
5. How much light pollution will there be with a multi-family complex built behind our house?
    1. How much of this light will go directly into our windows at the rear of our houses?

We are strongly opposed to this zoning case and will actively work to make sure it does not pass.
Please do not hesitate to contact me with any questions.

Thank you

Lulu Francois

## PUBLIC HEARING INFORMATION

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**Case Number: C14-2021-0023.SH**
**Contact: Heather Chaffin, 512-974-2122**
**Public Hearing: May 25, 2021, Planning Commission**
**June 10, 2021, City Council**

Linda Robinson
*Your Name (please print)*

☐ **I am in favor**
☑ **I object**

7601 Pebble Cv. Austin
*Your address(es) affected by this application*

Linda Robinson 5/24/21
*Signature* *Date*

Daytime Telephone: 512-924-1940

Comments:

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

Or: heather.chaffin@austintexas.gov

**From:** Carlos Diaz
**Sent:** Monday, May 24, 2021 3:56 PM
**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>
**Cc:** chcrna
**Subject:** Rezoning. Case Number: C14-2021-0023.SH



Dear Heather,

I'm writing you to express **my objection and concern** regarding the propose rezoning for the case C14-2021-0023.SH.
The Comprehensive Plan for this land needs to be validated and understand that this land was designated to be a low density residential, ignoring this plan will increase the severe on-going erosion of the Buttermilk Creek which might negatively impact our neighborhood and properties.

Respectfully, and as a member of this hard working community, I ask you to take in consideration our concerns and support us in preventing this rezoning.

Thank you,

Carlos Diaz.
7600 Glenhill Cove

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**Case Number: C14-2021-0023.SH**
**Contact: Heather Chaffin, 512-974-2122**
**Public Hearing: May 25, 2021, Planning Commission**
**June 10, 2021, City Council**

"I Live on the Creek"

*Your Name (please print)*
LYNESE MARCHICA

☐ **I am in favor**
☒ **I object**

*Your address(es) affected by this application*
7607 GLENHILL CV.

*Signature*

5/24/2021
*Date*

Daytime Telephone: 512-745-5033

Comments: For 11 years I have watched the debris build from the apartments behind me and above the creek. Numerous calls to the apartments and the city have done nothing to improve the situation.
I vehemently oppose this Complex.

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

Or: heather.chaffin@austintexas...

contact person listed on the notice) before 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: C14-2021-0023.SH**
**Contact: Heather Chaffin, 512-974-2122**
**Public Hearing: May 25, 2021, Planning Commission**
**June 10, 2021, City Council**

Kevin Taylor
*Your Name (please print)*

☐ **I am in favor**
☒ **I object**

7603 Glenhill Cv
*Your address(es) affected by this application*

Kevin Taylor
*Signature*

5/24/2021
*Date*

Daytime Telephone: —

Comments: I do not want this zoning change. The building is too tall to be right next to our neighborhood. Single Story would be fine. I also do not want the creek to be harmed by this change.

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

Or: heather.chaffin@austintexas.gov

**From:** Lulu Francois
**Sent:** Monday, May 24, 2021 12:28 PM
**To:** CHCRNA President <>; CHCRNA VP <>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>
**Subject:** Re: Question on Residents Included in Zoning Cases

Whom within the CoA do we need to meet with to stop this practice?
Allowing renters to vote on zoning cases that affect homeowners' properties is a huge concern and gives power to people who don't have the same financial or homeowner concerns that property owners do.

You are giving developers power over homeowners by allowing renters that don't have a financial stake in what happens to the property they're currently living in. For example, mailing a zoning case notification to everyone that lives in the apartment complex next to this proposed zoning case gives renters more power than actual homeowners that pay property taxes. How many renters received notices versus property owners? Why should their voice carry any weight as to what happens to a property next to them?

The City of San Antonio does not allow renters to vote on Zoning cases for all of these reasons. The person and address that is listed on the Appraisal District records is the individual or entity that gets notified of the zoning case and only they are allowed to have a voice in what happens around their property. If for some reason a renter submits a petition either in favor or in opposition to a zoning case, the CoSA does not count that petition in the vote.

The CoA should take a lesson from the CoSA and also not allow renters to have a say so in zoning cases.
Whom within the CoA can we speak to about changing this allowance? I'm sure we're not the only Neighborhood Association that has a problem with your current process.

Thank you

Lulu Francois

On Monday, May 24, 2021, 10:04:34 AM CDT, Chaffin, Heather <heather.chaffin@austintexas.gov> wrote:

Yes, it includes renters as well as owners.

**From:** Lulu Francois <lulujasso@yahoo.com>
**Sent:** Monday, May 24, 2021 9:58 AM
**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>; CHCRNA President < >; CHCRNA VP <
**Subject:** Question on Residents Included in Zoning Cases

Heather

According to the CoA Zoning ordinance, it states that "residents" who have a City utility account address within 500 feet of the property requesting rezoning are notified of this request.

Does this include people who are renting, whether it be a house or in an apartment complex?

Or, are only property owners notified? Those who are identified as the property owners in the CoA Appraisal District system?

The City of Austin has sent this letter to inform you that we have received an application for rezoning of a property. We are notifying you because City Ordinance requires that all property owners within 500 feet, residents who have a City utility account address within 500 feet, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet be notified when the City receives an application.

Thank you

Lulu Francois

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**Case Number: C14-2021-0023.SH**
**Contact: Heather Chaffin, 512-974-2122**
**Public Hearing: May 25, 2021, Planning Commission**
**June 10, 2021, City Council**

Michael Brett Ziebarth
*Your Name (please print)*

☐ I am in favor
☒ I object

7605 Glenhill Cv.
*Your address(es) affected by this application*

*Signature*

05/23/21
*Date*

Daytime Telephone: 713-494-3669

Comments: See PDF attachement

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

Or: heather.chaffin@austintexas.gov

Primary objections to new constructions listed below: 1) Added pollution to the creek: As of now, there is an abundance of trash discarded over the retaining wall of the existing apartment complex. There seems to be no oversight here, and what should be a protected waterway is littered with garbage. A primary concern is that further development abutting the creek would lead to more pollution. 2) Degradation of the creek riparian zone: It seems the site plan for the existing apartment was poorly planned. The retaining wall is at the very edge of the riparian zone and sits atop a very steep incline. Parts of it are falling down and it seems to be precariously placed. No single family home sits so closely to the creek as the Creekwood complex. 3) Overall responsibly of the health of the creek: If it is the city's responsibility to take care of the creek to ensure it's functioning as it should, it is not being done. The single family homes abutting the creek are not the ones causing the pollution and erosion, yet we are possibly the most affected by it and have the most to lose by added structures. Micheal Ziebarth 7605 Glenhill Cv.

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**Case Number: C14-2021-0023.SH**
**Contact: Heather Chaffin, 512-974-2122**
**Public Hearing: May 25, 2021, Planning Commission**
**June 10, 2021, City Council**

Jerry Robinson
*Your Name (please print)*

☐ I am in favor
☒ I object

4604 Pebble Cove
*Your address(es) affected by this application*

*Signature*

05/25/21
*Date*

Daytime Telephone: 512-785-6895

Comments: The concerns of the residents should be addressed, before any consideration of a zoning change should commence. The potential property damage and flooding issue has been an ongoing issue for years now.

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

Or: heather.chaffin@austintexas.gov

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**Case Number: C14-2021-0023.SH**
**Contact: Heather Chaffin, 512-974-2122**
**Public Hearing: May 25, 2021, Planning Commission**
**June 10, 2021, City Council**

Yuri K Prentice
*Your Name (please print)*

☐ **I am in favor**
☒ **I object**

1713 Pebble Brook Drive
*Your address(es) affected by this application*

Yuri K Prentice
*Signature*

5/22/2021
*Date*

Daytime Telephone: 512 - 291 - 7217

Comments: I have observed the destruction of Little Bitterblick Creek over 40 years. Until the City of Austin Watershed Dept. shore-up the Creek banks - no one should be allowed to further disrupt the creek by allowing construction along its banks.

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

Or: heather.chaffin@austintexas.gov

**From:** David Escamilla
**Sent:** Monday, May 24, 2021 1:47 AM
**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>
**Cc:** chcrna; Ann Meredith
**Subject:** Hearing 5/25/21 - Case #C14-2021-0023.SH

Heather,

Please let me know if this suffices in lieu of sending in a scanned handwritten form. On the other hand, if a signature is required, let me know if I can copy n' tape the comments below onto the form Cheryl Thompson (cc'd here) provided me, and then I'll sign it, scan it, and send it that way. [P.S. I also cc'd my wife, Ann Meredith, and Branston Cyphers, President of the neighborhood association on this].

Case #C14-2021-0023.SH
Public Hearing: May 25, 2021. Planning Commission; June 10, 2021 City Council

I am: David Escamilla, MD
I am NOT in favor of the request
My home address, affected by this request: 7604 Pebble Brook Cove, Austin TX, 78752

Comments:
**The 6-story proposed development is grossly out of character with other developments along Hwy 183 in Austin**. Along Hwy183, from the Austin Bergstrom Airport to Mopac, not a single 5 or 6 story building exists. The closest to a 5- or 6-story building are a 3-story apartment complex under construction just south of MLK and a 3- to 4-story building (condominiums?) north of Montopolis. It is very important to note that neither of those new developments is next to an established neighborhood with homes, homes whose values are certain to decline due to the destruction of the natural beauty of trees and the replacement with a wall of apartments. The apartments will certainly not only look down upon the homes along the creek, but also many others in Coronado Hills.

A retaining wall of that limits water flow on the development side will create a consequent significant increase in water flow on the opposite side, increasing damage to their properties. It is not proper for those on the other side of the creek to have to suffer this damage and, in order to protect against it, in haste invest in costly erosion-control measures.

The other many comments compiled by the Coronado Hills Neighborhood Association regarding the erosion in the creek are to be taken very seriously. Having liver on the creek nearly 20 years, and immediately opposite to the proposed development, I have seen significant destruction (and I have the photos to show it). I personally think the proposed site is overly ambitious in maximizing the number of apartments they can get onto the parcel of land. The effect of their ambition is that the development of the space has been pushed all the way back to the waterline! Preserving more of the natural waterway on both sides of the creek for the frequently migrating heron and other birds, the ubiquitous possums and raccoons, and the occasional coyotes and foxes that visit this area would be a far better balance for this limited animal habitat within Central Austin.

I know it is paramount to Austin's future growth to provide affordable housing to the many living here and desiring to live here. I know it is inevitable that any undeveloped areas in Austin will be sold and built upon. What is at issue is that development must be balanced with the preservation of a collective sense of Austin's native character, including the greenbelts and waterways. I believe it is in the interest of Austin now and in the future to both preserve the indigenous wildlife and, in the humanistic mode, the feeling of community within our neighborhoods. Coronado Hills is a neighborhood as unique as Hyde Park, Travis Hills, or the many other older areas within Austin. 6-story apartment buildings are simply out of character here. It is one thing for development to happen downtown with buyouts of individuals' properties at high costs, yet another thing entirely for a development to destroy a neighborhood's values without interest.

David Escamilla, MD

**From:** Lulu Francois
**Sent:** Sunday, May 23, 2021 12:51 PM
**To:** CHCRNA  Chaffin, Heather <Heather.Chaffin@austintexas.gov>;
**Cc:** CHCRNA Secretary; David Risher ; Yuri Prentice; Bonnie Turek; Debra Sistrunk; williams; Allen Francois
**Subject:** Re: Multifamily Apt. Complex at 1701 E. Anderson Ln. - Case # C14-2021-0023.SH

These are the support footings and piers underneath our deck.  According to the CoA, all of this erosion is due to rainwater running off our roof.

Lulu Francois

On Sunday, May 23, 2021, 12:47:46 PM CDT, Lulu Francois wrote:

This is a crepe myrtle hanging on for dear life.  You can see how close our fence is to the water's edge now. Our driveway is just on the other side of the fence.

Lulu Francois

On Sunday, May 23, 2021, 12:45:45 PM CDT, Lulu Francois <l> wrote:

The old, growth oak tree on our side of the creek is the same size as the oak tree that fell and was chopped up in the previous pictures I sent you.
You can see how the water is already under the embankment in this picture.  It's just a matter of time before this tree falls over also.  Just this year, we've had to cut down some major branches that cracked towards the top of the tree.

Lulu Francois

On Sunday, May 23, 2021, 12:40:48 PM CDT, Lulu Francois  wrote:

Here's a better view of the brick wall and the apartment building.  You can also see how much erosion has happened and how the waters are eroding the foliage and dirt from underneath.  The trees on the right side of this picture will be gone soon as well.  I'm just wondering when that apartment building will fall into the creek.

Lulu Francois

On Sunday, May 23, 2021, 12:36:25 PM CDT, Lulu Francois < > wrote:

I'm sending just a few of the pictures I've taken of the erosion behind our house that's happening on Buttermilk Creek. These have all been sent to the CoA Watershed Department in my communication to them about the concern about the erosion happening on our property.

Just to the top of what used to be a retaining wall is left on the opposite side of the creek. You can see how close the 6 ft. fence at the edge of what is now a steep cliff and just on the other side of the fence is the apartment building.

Lulu Francois

On Sunday, May 23, 2021, 11:07:03 AM CDT, Lulu Francois
wrote:

Ms. Chaffin

I mailed our letter in opposition to this zoning and development project on Friday but to make sure you receive it before the May 24th deadline date, I'm also sending you a soft copy of it. Please see the attached form. I've also attached email conversations I've had about the trash and erosion problems I've been reporting to the CoA since 2014.

I can send additional pictures, but you should also have this information in your records since CoA personnel have all been cc'd on these communications. I am going to send a couple of other pictures of what the erosion looks like now but will do so in a separate email second email.

In the picture of the tree, you can see how close the embankment is to the bottom of the creek.
It is much, much wider now.

Thank you

Lulu Francois
210-867-5413 (M)

On Thursday, May 20, 2021, 11:53:12 AM CDT, Lulu Francois < > wrote:

Would it be possible to schedule a zoom call to discuss not only the zoning issue and our goal to prevent it from happening but the erosion issue as well?
I must apologize for not being more active in the NA but my schedule has made it difficult to do so.
I have been fighting with the City of Austin since the May Day flood about the erosion that is happening on both sides of the creek along my property line. Our property actually crosses the creek.

I can share the email discussion history I've had with City personnel about our concern about the apartment complex across the creek from us as well as the damage that is already happening to our house.
They continue to tell me that we shouldn't have any concern about further erosion to the embankment on our side of the creek but we have foundation problems with our house and the cement posts and footings that hold the east side of our deck up are moving and cracking in multiple places. I've gotten quotes from foundation companies to fix the foundation but no one wants to work on our house until the erosion problem is fixed but I can't get the city to resolve the erosion problem

We're caught between a rock and a hard place and the City of Austin is deaf to all my concerns.

Thank you

Lulu Francois

On Thursday, May 20, 2021, 10:16:30 AM CDT, CHCRNA VP < > wrote:

Hello, Ms. Francois,

This is to acknowledge receipt of your email.

I will incorporate your questions and concerns with our other residents' documentation.

Our first priority will be challenging the Rezoning. The timeline on that effort is tight…**we must be ready by Monday, May 24th** because **the ONLINE Planning Commission hearing is on Tuesday, May 25th.**

I'm hopeful we can convince the Planning Commission that rejecting the rezoning request/application, at this time, is prudent based on the ongoing public safety concerns about the significant erosion of **Buttermilk Creek.**

Any development along **Buttermilk Creek**, at this time, will detrimentally impact the creek and have unintended consequences that our neighborhood would be forced to incur for years. And, we all know, it will be impossible to "hold back" the aggressive-type development once the zoning deviates from the current RR-NP (and LO-CO-NP) that we worked so hard to establish.

At this time, our major concern is the City has yet to prioritize the management of the erosion of **Buttermilk Creek**; thus, there are fallen trees in the creek, dislodged sections of concrete drainage pipes in the creek, private fencing along the easement falling into the creek, and even an adjacent apartment complex that has inhabitable/abandoned structures due to the danger of falling into the creek. Surely, they won't seriously consider compounding the public safety problem.

So, until the City can fully address the erosion of **Buttermilk Creek** and subsequent flooding concerns due to increased impervious surface stormwater runoff, it is incomprehensible for us to consider any imminent development along the banks of **Buttermilk Creek**.

I'll be in touch shortly with more details on how your voice may be heard.

Kind regards,
~Cheryl

CHCRNA Vice President

---------- Forwarded message ---------
From: **Lulu Francois** <
Date: Thu, May 20, 2021 at 8:35 AM
Subject: Re: Multifamily Apt. Complex at 1701 E. Anderson Ln. - Case # C14-2021-0023.SH
To: >,<heather.chaffin@austintexas.gov>, CHCRNA
Cc: Allen Francois

To Whom It May Concern

My husband and I live at 7602 Pebble Cove which is directly across the creek from this development. I was not able to attend the Zoom meeting last night but am submitting my concerns to you so that they can be part of the neighborhood communication to the City of Austin.

Concerns with this development:

1. We have had three break-ins and an additional four break-in attempts to our house over the past 10 years all of which have come from the rear of the property
1. We have had to add a high level of security to our house due to the fact that our property backs up to Buttermilk Creek and has exposure to the apartment complex that is currently across the creek from us
2. The concern is that with yet another apartment complex being built across the creek from our property, this will open us up to the possibility of even more attempts to break into our house since anyone coming to the rear of our house is not visible from the street
3. There are enough "curious" tenants that will want to come to the creek and cross it which puts them directly onto our property
4. I don't believe they will ever be able to prevent or control any of their tenants from crossing the creek and coming onto our property
2. We have always had problems with the tenants, and possibly the workers, at the apartment complex that is currently there. They are always throwing their trash, clothing, furniture, etc. over the wall and onto the embankment across the creek from our house
1. The creek along with the embankment is always littered with objects and trash that comes from the existing complex
1. The current apartment complex management does nothing to clean this mess up even though I've contacted them numerous times about their tenants discarding a lot of trash and debris over the existing wall. I've seen cloths, trash bags, furniture, sinks, etc., thrown over the brick wall
2. It then sits there so that we have to look at it
3. There's always so much trash and clutter in the creek and on the other side of the embankment that we can't even enjoy the view from our backyard
2. How much more trash will be caused by yet another apartment complex?
3. There is a major erosion problem happening on both sides of the creek

1. I have called the City of Austin and reported this erosion since the May Day Flood and the City has yet to do anything about it
2. The retaining wall on the embankment across the creek from us built by the developers of the current apartment complex was washed away by the May Day flood
3. It has steadily washed away so that the brick retaining wall is completely gone now and there is a sheer drop from the brick wall that is still standing down to the creek
4. I'm just wondering when that brick wall will collapse along with the apartment building that backs up to it
5. My concern is additional erosion happening at a faster rate than will occur if this development is built along the creek?
4. We will have no privacy if this five-story complex is built
1. Anyone across the creek will now be able to look down onto and into our house
2. We won't have the greenbelt behind our house
5. How much light pollution will there be with a multi-family complex built behind our house?
1. How much of this light will go directly into our windows at the rear of our houses?

We are strongly opposed to this zoning case and will actively work to make sure it does not pass.
Please do not hesitate to contact me with any questions.

Thank you

Lulu Francois