

From:
To: [Rhoades, Wendy](#)
Cc: [Kitchen, Ann](#)
Subject: Item #70 C14-2022-0056
Date: Tuesday, October 11, 2022 6:22:07 PM
Attachments: [letter to council on 7415 Albert.pages](#)

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Thank you

Dear Mayor Adler and Council Members,

I am writing today in reference to item number 70 on the agenda for the October 13, 2022 City Council meeting. The Mathews Lane Neighborhood Association asks that you to support the ZAP recommendation of SF3-CO with a limit of 4 units at 7415 Albert Rd (C14-2022-0056).

The MLNA Outreach committee has also asked me to address some of the statements made by Mr. Mondragon in his latest letter to City Council. He stated that he met with neighborhood representatives and they were in agreement to allow 7 units. This is false. Council member Kitchens' office facilitated a meeting, but excluded myself and the president of the Outreach Committee, Eugene Sutton. We tried to enter the teams meeting for over an hour with no response. Donna Tiemann responded to my calls after the meeting was over and was able to verify that we had the correct meeting number and apologized for not "seeing" us in the waiting room. The members who did join did not agree to anything as they are not petitioners and do not have the power to make that decision, they told the meeting attendees that they would have to speak to the Outreach Committee. Jeff Dickerson, who is hearing impaired, was in attendance and asked for closed captioning. He requested a copy of the transcript so he could correct any errors in the record, but was told that transcript is unavailable. I later spoke to Council member Kitchens at length regarding the offer. I let her know that the neighborhood would not agree to 7 units, but as a show of good faith would consider 5 units. Apparently Mr. Mondragon rejected this offer and no other attempts were made to find a compromise.

The petitioners feel that our exclusion from the meeting was intentional and their voices are being ignored.

Mr Mondragon's argument that ZAP's recommendation was unfair because no other lots have unit limits is also false. Rezoning requests for SF3 were negotiated with conditional overlays limiting the number of units to 4 at 1103 and 1105 Matthews Lane and an older rezone at the corner of Mathews and Albert Rd. had a limit of 9 units on 2 ½ acres. The neighborhood association supported SF-3 zoning at 1501 & 1512 Damon. A single family home and an ADU are being constructed at 1501 Damon and the owner of 1512 Damon intends to do the same. There are no plans for further subdivision which is why the neighborhood agreed to SF3, there is a CO for 1501 Damon excluding duplexes. The other existing homes with SF3 zoning have one single family home and an ADU. All these cases show that other owners and developers were able to hear the neighborhood's concerns and incorporate them into their plans. He also mentions two upcoming cases requesting SF6 on three acre lots, we have valid petitions for both cases and have spoken to the owners about unit limits. Mr. Henson is a long time resident and shared his plans for a tiny home community that would limit units to preserve green space, a vision we are behind as it gives space to all the displaced wildlife in the neighborhood (including the large flock of federally protected black vultures) addresses flooding issues, and would actually provide affordable housing. Mr. Mondragon's plan does not, his application calls for 8 homes with a price estimate of \$500,000-\$1,000,000 per unit.

The width of Albert Rd. at the mail box of 7415 is 18 ½ feet and is flanked by bar ditches as the road

narrows uphill. Ponding has been reported by the immediate neighbor to the north, water cascades downhill (7404 Albert) to railroad tracks on western properties and to the east through the yards along the 7400 blocks of Forest Wood and Elm Forest Rd. No sidewalks, curbs or storm drains exist on Albert and requests for mitigation of flooding has led to response from the city to have the residents deepen the bar ditches running through their yards. The neighborhood is primarily single family homes with lots ranging in size from 1 to 3 acres. There are no multi family units in the neighborhood. Oak wilt has decimated most of the trees on this particular property, however a nice red oak and old peach tree exist closer to Albert and should be retained within the 75 foot setback. Neighbors realize the need for infill, but wish to proceed in a prudent manner and in line with the neighborhood character, four units is that appropriate number. Please see the excerpt below from an article in the Austin Monitor regarding the ZAP decision on this case.

Neighbors cited the inadequate road and utility infrastructure as additional reasons for their opposition. As a compromise, the neighbors said they would support an alternative rezoning to Single Family-Standard Lot (SF-2) with a maximum of four units.

After some discussion, the commissioners concluded that the property could likely only yield four units anyway, disregarding the applicant's intention to build eight units.

Though the 1-acre property could theoretically be divided into seven SF-3 lots, a rule requiring each lot to have frontage on Albert Road would make that challenging – especially given the property's long, narrow shape.

Commissioner Betsy Greenberg motioned for SF-3 with a cap of four units “just to prevent some other kind of subdivision using flag lots.” The commission passed the motion unanimously.

A valid petition against the rezoning by adjacent residents means at least nine out of 11 Council members must vote in support for the rezoning to pass.

(ZAP Votes to Support Albert Road Rezoning

Tuesday, August 23, 2022 By Jonathan Lee)

Mr Mondragon also stated that the property is close to transit, but this is also false. The nearest bus stop is over half a mile on narrow streets with no sidewalks. Please note that the only “yes” selected for Imagine Austin was housing choice, not any of the other options, due to the lack of connectivity and distance from the transit corridor. MLNA believes ZAP took the time to study the case and discuss all the issues we face as well as the configuration of the lot and made the correct determination to limit the number of units and we ask that you support their recommendation. Thank you for your consideration on this matter.

Best Regards,

Karen Fernandez

President

Mathews Lane Neighborhood Association

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