

**Barton-Holmes, Christine**

---

**From:** Miriam Conner <miriam@creativepolicy.com>  
**Sent:** Thursday, March 19, 2026 2:05 PM  
**To:** Barton-Holmes, Christine  
**Subject:** RE: OPPOSITION TO SITE PLAN EXTENSION — SP-2019-0253C(XT2) | Springdale Farm, 755 Springdale Road | PSW-Springdale LLC / StoryBuilt

You don't often get email from miriam@creativepolicy.com. [Learn why this is important](#)

External Email - Exercise Caution

Dear Chair and Members of the Planning Commission:

I am writing in strong opposition to the requested three-year extension of Site Plan SP-2019-0253C for the property at 755 Springdale Road in the Govalle/Johnston Terrace Neighborhood Plan area, the former site of Springdale Farm, submitted by PSW-Springdale LLC (StoryBuilt), represented by Michael Whellan of Armbrust & Brown, PLLC.

Granting this extension would reward a developer that has demonstrated a fundamental inability to steward the land it acquired, honor the commitments it made to this community, or operate with the financial integrity required of anyone entrusted with development rights on a site as environmentally sensitive as this one. The Commission should deny this extension and require a full re-evaluation of any future development plans for the site.

### **I. A BELOVED COMMUNITY INSTITUTION WAS LOST AND THE PROMISES MADE IN ITS PLACE WERE BROKEN**

Springdale Farm, established in 2009 by Paula and Glenn Foore, was far more than a commercial venture. It was a living piece of East Austin's cultural and ecological identity, an urban farm growing over 75 varieties of vegetables, home to a beloved community farm stand, and the site of Eden East, a farm-to-table restaurant that drew people together around locally grown food. The farm closed in 2018 when the Foorees sold the property to PSW Real Estate, now operating as StoryBuilt.

In the wake of that sale, PSW/StoryBuilt engaged the Govalle neighborhood with promises of a sensitively designed mixed-use development that would preserve the character of the site, including heritage trees, open space, and a continuation of the farm and farm stand. They held multiple community meetings specifically to gather input on what the farm had meant to the community. They promised to honor it.

What the neighborhood received instead was the demolition of the historic farmstand structure that had been central to the site's community life, and ultimately, two large holes in the ground. As of 2026, city planning documents for this very site describe the current condition as "two very large holes in the ground (mothballed previous development effort)." The promises were not kept. The site has been left in a state of active harm to the surrounding environment.

## **II. THE DEVELOPER IS IN RECEIVERSHIP AND UNDER MULTI-AGENCY FEDERAL INVESTIGATION**

PSW Real Estate LLC / StoryBuilt entered voluntary receivership on July 31, 2023, following a financial collapse that included the layoff of over 137 employees, a failed attempt to raise \$10 million in rescue capital, and a request for \$2.5 million from its own investors to avoid collapse. The U.S. District Court of Travis County appointed the Los Angeles-based Stapleton Group as receiver to manage the company's financial restructuring, a process expected to span several years.

In early 2024, the Stapleton Group filed a lawsuit against StoryBuilt's former executives, CEO Anthony V. Siela, CFO J. Ryan Diepenbrock, and COO Chad Alan Shepler, alleging severe mismanagement and misuse of investor funds. Among the specific allegations: approximately \$6.7 million was raised from investors to acquire a property that was never purchased, with funds commingled and spent on unrelated expenses; \$478,000 intended specifically for the Ellie May Condominiums at 755 Springdale Road was diverted to cover costs at an adjacent property, resulting in mechanics liens against this very project; and between 2019 and 2022, investments were accepted from 320 unaccredited investors in violation of federal securities law.

These allegations have drawn the attention of the FBI, IRS, SEC, and the Texas State Securities Board, all of which are reported to be investigating StoryBuilt's operations. A class-action lawsuit was also filed in December 2023 for violation of federal labor laws, specifically for failing to pay wages and terminating employees without proper notice.

Granting a three-year site plan extension to an entity in federal receivership, with its primary officers under investigation for securities fraud and misappropriation of funds including funds designated for this specific project, is not consistent with the City of Austin's responsibility to protect the public interest and the integrity of the development entitlement process.

## **III. ACTIVE ENVIRONMENTAL HARM: WATER TABLE BREACH IN A CRITICAL WATER QUALITY ZONE AND FLOODPLAIN**

This site sits within the Boggy Creek Urban Watershed and is partially located within a floodplain. It is precisely because of these conditions that the Environmental Commission voted 8 to 1 to deny the original variance request in June 2020, with city Watershed Protection staff recommending denial, finding that the required findings of fact under LDC 25-8-261, governing development in Critical Water Quality Zones, had not been met.

Despite those concerns being significant enough to generate an 8 to 1 Environmental Commission vote against the project, the variance was later approved by the Planning Commission. Since then, the developer began excavation and struck the water table.

Rather than ceasing work, notifying the appropriate departments, and developing a responsible water management plan as any responsible developer operating in a Critical Water Quality Zone and floodplain is obligated to do, plans were made to install a pump to divert the encountered groundwater away from the foundation. This approach poses serious and direct harm to the integrity of Boggy Creek and to the surrounding hydrological system.

The result today is visible: standing water has pooled at the bottom of the excavation site, creating a stagnant pond. In a floodplain environment alongside a creek watershed, standing water of this nature creates conditions for mosquito breeding and potential disease vector

concerns, including Zika and West Nile virus. These are serious public health consequences that fall on the surrounding Govalle community, not on the developer who created the condition and then abandoned the site.

The Commission should be asking: if this developer could not responsibly manage a water table encounter during initial excavation, how can we trust an extension of rights to continue construction on a floodplain site in an Urban Watershed without a complete re-evaluation of site conditions and updated water resource protection measures?

#### **IV. THE SITE PLAN REFLECTS CONDITIONS THAT NO LONGER EXIST AND COMMITMENTS THAT WERE NOT HONORED**

The approved site plan for SP-2019-0253C was conditioned on commitments made during the community engagement process, including preservation of heritage trees, integration of a farm stand operation, open space, and an affordable housing component. It also included a riparian restoration plan, which the Planning Commission cited as a basis for approving the environmental variance over strong Environmental Commission objection.

The developer has already demolished the historic farmstand. The site has been excavated and left in a deteriorating, environmentally compromised state. The entity that made those commitments is now in receivership with its leadership facing civil and criminal proceedings. A three-year extension does not address any of these changed circumstances. It simply postpones accountability.

#### **V. WHAT THE COMMISSION SHOULD DO INSTEAD**

Rather than extending the existing site plan, the Commission should deny the extension and direct the Development Services Department to undertake the following actions.

First, require an immediate site inspection by Watershed Protection to assess the current condition of the excavation, the status of standing water, and any ongoing impact on the Boggy Creek watershed.

Second, require the receiver or any prospective successor developer to submit a new, comprehensive water resource management plan before any future development entitlements are considered, one that addresses groundwater encounters, floodplain conditions, and natural hydrology replication.

Third, engage the Govalle/Johnston Terrace neighborhood and the broader community in a transparent process to determine what development, if any, is appropriate for this site given its environmental sensitivity, floodplain location, and the broken commitments of the prior developer.

Fourth, explore in partnership with community organizations and the City's own housing and land trust programs whether community ownership structures could be applied to this site to ensure that any future development serves the long-term interests of East Austin residents rather than outside capital.

Fifth, take up the water resource protection policy proposal that has been circulated to the Council and Watershed Protection Department, which calls for explicit prohibitions on pumping encountered groundwater into creek or storm drain infrastructure and requires natural hydrology replication for all construction activities that encounter the water table.

The story of StoryBuilt at 755 Springdale Road is not simply a cautionary tale about a developer that overextended itself financially. It is a story about what happens when a community's cultural landmarks, ecological resources, and trust are treated as inputs to a development equation rather than as values to be protected. Springdale Farm was irreplaceable. The farmstand is gone. The site sits excavated and stagnant.

The Planning Commission has the authority and the responsibility to say that this cannot simply continue, that a three-year extension is not a remedy for what has happened here, and that the community of Govalle and the watershed of Boggy Creek deserve better than a rubber stamp on a broken process.

**I respectfully urge the Commission to deny the extension of SP-2019-0253C(XT2).**

Respectfully,

*Sent from my mobile device – please excuse any typos or brevity.*

**CAUTION:** This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "[cybersecurity@austintexas.gov](mailto:cybersecurity@austintexas.gov)".

Name: \_Hope Kidd\_\_\_\_\_

Address: \_6807 Santos St\_\_\_\_\_

City, State, Zip: \_Austin, Texas 78741\_\_\_\_\_

Email: \_hopeykidd@gmail.com\_\_\_\_\_

Phone: \_972.922.9862\_\_\_\_\_

Date: \_March 19, 2026\_\_\_\_\_

**Enclosures:**

March 18, 2026

Austin Planning Commission  
Christine Barton-Holmes, Case Manager  
Austin Development Services Department  
P.O. Box 1088, Austin, Texas 78767  
christine.barton-holmes@austintexas.gov

**RE: OPPOSITION TO SITE PLAN EXTENSION — SP-2019-0253C(XT2) | Springdale Farm, 755 Springdale Road | PSW-Springdale LLC / StoryBuilt**

Dear Chair and Members of the Planning Commission:

I am writing in strong opposition to the requested three-year extension of Site Plan SP-2019-0253C for the property at 755 Springdale Road in the Govalle/Johnston Terrace Neighborhood Plan area, the former site of Springdale Farm, submitted by PSW-Springdale LLC (StoryBuilt), represented by Michael Whellan of Armbrust & Brown, PLLC.

Granting this extension would reward a developer that has demonstrated a fundamental inability to steward the land it acquired, honor the commitments it made to this community, or operate with the financial integrity required of anyone entrusted with development rights on a site as environmentally sensitive as this one. The Commission should deny this extension and require a full re-evaluation of any future development plans for the site.

**I. A BELOVED COMMUNITY INSTITUTION WAS LOST AND THE PROMISES MADE IN ITS PLACE WERE BROKEN**

Springdale Farm, established in 2009 by Paula and Glenn Foore, was far more than a commercial venture. It was a living piece of East Austin's cultural and ecological identity, an urban farm growing over 75 varieties of vegetables, home to a beloved community farm stand, and the site of Eden East, a farm-to-table restaurant that drew people together around locally grown food. The farm closed in 2018 when the Foorees sold the property to PSW Real Estate, now operating as StoryBuilt.

In the wake of that sale, PSW/StoryBuilt engaged the Govalle neighborhood with promises of a sensitively designed mixed-use development that would preserve the character of the site, including heritage trees, open space, and a continuation of the farm and farm stand. They held multiple community meetings specifically to gather input on what the farm had meant to the community. They promised to honor it.

What the neighborhood received instead was the demolition of the historic farmstand structure that had been central to the site's community life, and ultimately, two large holes in the ground. As of 2026, city planning documents for this very site describe the current condition as "two very large holes in the ground (mothballed previous development effort)." The promises were not kept. The site has been left in a state of active harm to the surrounding environment.

**II. THE DEVELOPER IS IN RECEIVERSHIP AND UNDER MULTI-AGENCY FEDERAL INVESTIGATION**

PSW Real Estate LLC / StoryBuilt entered voluntary receivership on July 31, 2023, following a financial collapse that included the layoff of over 137 employees, a failed attempt to raise \$10 million in rescue capital, and a request for \$2.5 million from its own investors to avoid collapse. The U.S. District Court of Travis County appointed the Los Angeles-based Stapleton Group as receiver to manage the company's financial restructuring, a process expected to span several years.

In early 2024, the Stapleton Group filed a lawsuit against StoryBuilt's former executives, CEO Anthony V. Siela, CFO J. Ryan Diepenbrock, and COO Chad Alan Shepler, alleging severe mismanagement and misuse of investor funds. Among the specific allegations: approximately \$6.7 million was raised from investors to acquire a property that was never purchased, with funds commingled and spent on unrelated expenses; \$478,000 intended specifically for the Ellie May Condominiums at 755 Springdale Road was diverted to cover costs at an adjacent property, resulting in mechanics liens against this very project; and between 2019 and 2022, investments were accepted from 320 unaccredited investors in violation of federal securities law.

These allegations have drawn the attention of the FBI, IRS, SEC, and the Texas State Securities Board, all of which are reported to be investigating StoryBuilt's operations. A class-action lawsuit was also filed in December 2023 for violation of federal labor laws, specifically for failing to pay wages and terminating employees without proper notice.

Granting a three-year site plan extension to an entity in federal receivership, with its primary officers under investigation for securities fraud and misappropriation of funds including funds designated for this specific project, is not consistent with the City of Austin's responsibility to protect the public interest and the integrity of the development entitlement process.

### **III. ACTIVE ENVIRONMENTAL HARM: WATER TABLE BREACH IN A CRITICAL WATER QUALITY ZONE AND FLOODPLAIN**

This site sits within the Boggy Creek Urban Watershed and is partially located within a floodplain. It is precisely because of these conditions that the Environmental Commission voted 8 to 1 to deny the original variance request in June 2020, with city Watershed Protection staff recommending denial, finding that the required findings of fact under LDC 25-8-261, governing development in Critical Water Quality Zones, had not been met.

Despite those concerns being significant enough to generate an 8 to 1 Environmental Commission vote against the project, the variance was later approved by the Planning Commission. Since then, the developer began excavation and struck the water table.

Rather than ceasing work, notifying the appropriate departments, and developing a responsible water management plan as any responsible developer operating in a Critical Water Quality Zone and floodplain is obligated to do, plans were made to install a pump to divert the encountered groundwater away from the foundation. This approach poses serious and direct harm to the integrity of Boggy Creek and to the surrounding hydrological system.

The result today is visible: standing water has pooled at the bottom of the excavation site, creating a stagnant pond. In a floodplain environment alongside a creek watershed, standing water of this nature creates conditions for mosquito breeding and potential disease vector concerns, including Zika and West Nile virus. These are serious public health consequences that fall on the surrounding Govalle community, not on the developer who created the condition and then abandoned the site.

The Commission should be asking: if this developer could not responsibly manage a water table encounter during initial excavation, how can we trust an extension of rights to continue construction on a floodplain site in an Urban Watershed without a complete re-evaluation of site conditions and updated water resource protection measures?

### **IV. THE SITE PLAN REFLECTS CONDITIONS THAT NO LONGER EXIST AND COMMITMENTS THAT WERE NOT HONORED**

The approved site plan for SP-2019-0253C was conditioned on commitments made during the community engagement process, including preservation of heritage trees, integration of a farm

stand operation, open space, and an affordable housing component. It also included a riparian restoration plan, which the Planning Commission cited as a basis for approving the environmental variance over strong Environmental Commission objection.

The developer has already demolished the historic farmstand. The site has been excavated and left in a deteriorating, environmentally compromised state. The entity that made those commitments is now in receivership with its leadership facing civil and criminal proceedings. A three-year extension does not address any of these changed circumstances. It simply postpones accountability.

#### **V. WHAT THE COMMISSION SHOULD DO INSTEAD**

Rather than extending the existing site plan, the Commission should deny the extension and direct the Development Services Department to undertake the following actions.

First, require an immediate site inspection by Watershed Protection to assess the current condition of the excavation, the status of standing water, and any ongoing impact on the Boggy Creek watershed.

Second, require the receiver or any prospective successor developer to submit a new, comprehensive water resource management plan before any future development entitlements are considered, one that addresses groundwater encounters, floodplain conditions, and natural hydrology replication.

Third, engage the Govalle/Johnston Terrace neighborhood and the broader community in a transparent process to determine what development, if any, is appropriate for this site given its environmental sensitivity, floodplain location, and the broken commitments of the prior developer.

Fourth, explore in partnership with community organizations and the City's own housing and land trust programs whether community ownership structures could be applied to this site to ensure that any future development serves the long-term interests of East Austin residents rather than outside capital.

Fifth, take up the water resource protection policy proposal that has been circulated to the Council and Watershed Protection Department, which calls for explicit prohibitions on pumping encountered groundwater into creek or storm drain infrastructure and requires natural hydrology replication for all construction activities that encounter the water table.

The story of StoryBuilt at 755 Springdale Road is not simply a cautionary tale about a developer that overextended itself financially. It is a story about what happens when a community's cultural landmarks, ecological resources, and trust are treated as inputs to a development equation rather than as values to be protected. Springdale Farm was irreplaceable. The farmstand is gone. The site sits excavated and stagnant.

The Planning Commission has the authority and the responsibility to say that this cannot simply continue, that a three-year extension is not a remedy for what has happened here, and that the community of Govalle and the watershed of Boggy Creek deserve better than a rubber stamp on a broken process.

**I respectfully urge the Commission to deny the extension of SP-2019-0253C(XT2).**

Respectfully,