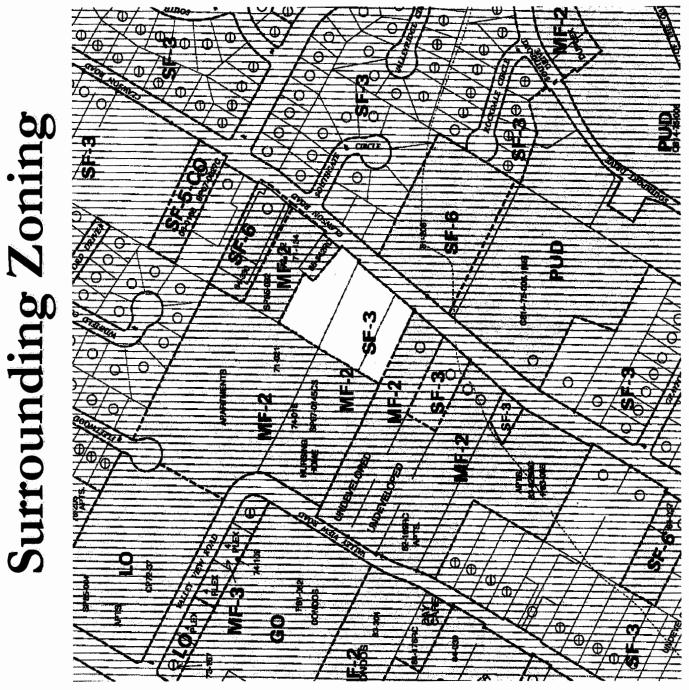
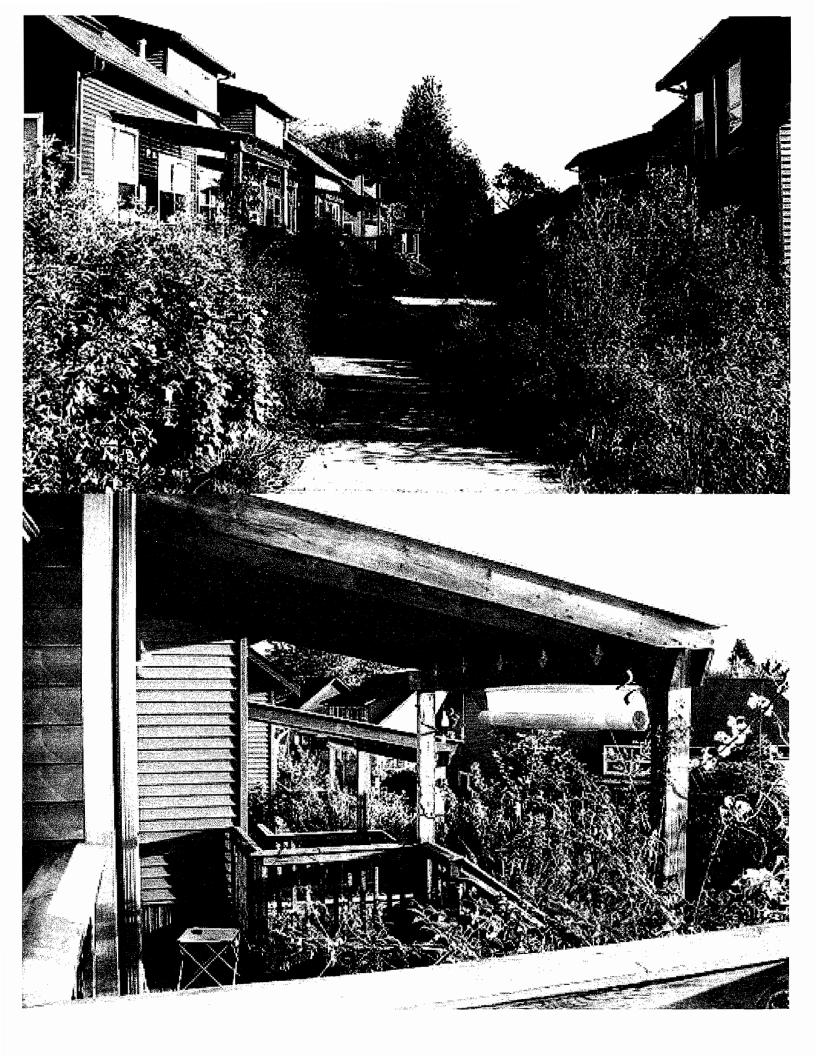
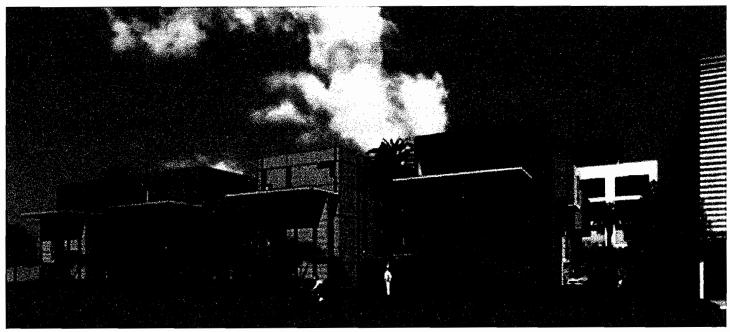
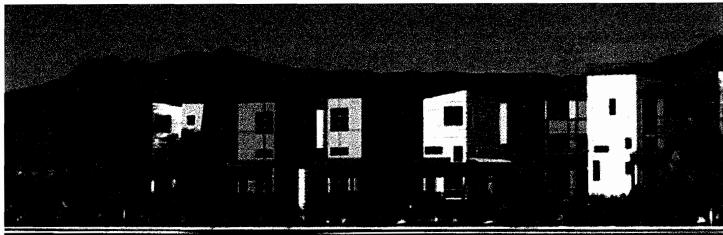
This exhibit and the following example photographs were provided by the applicant





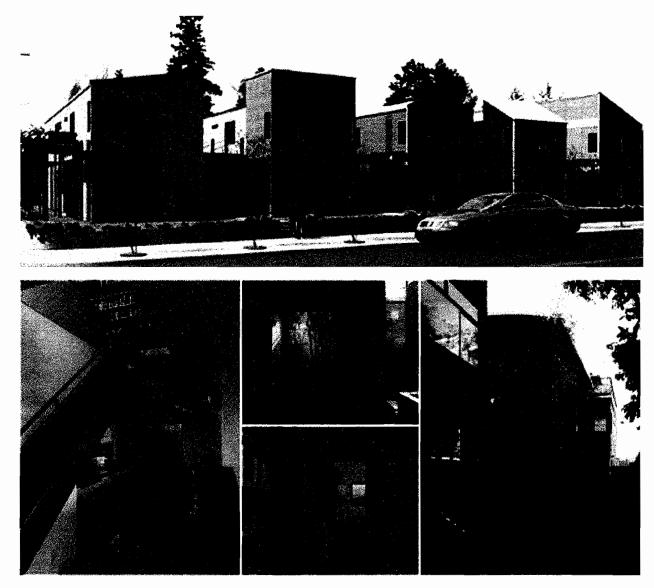




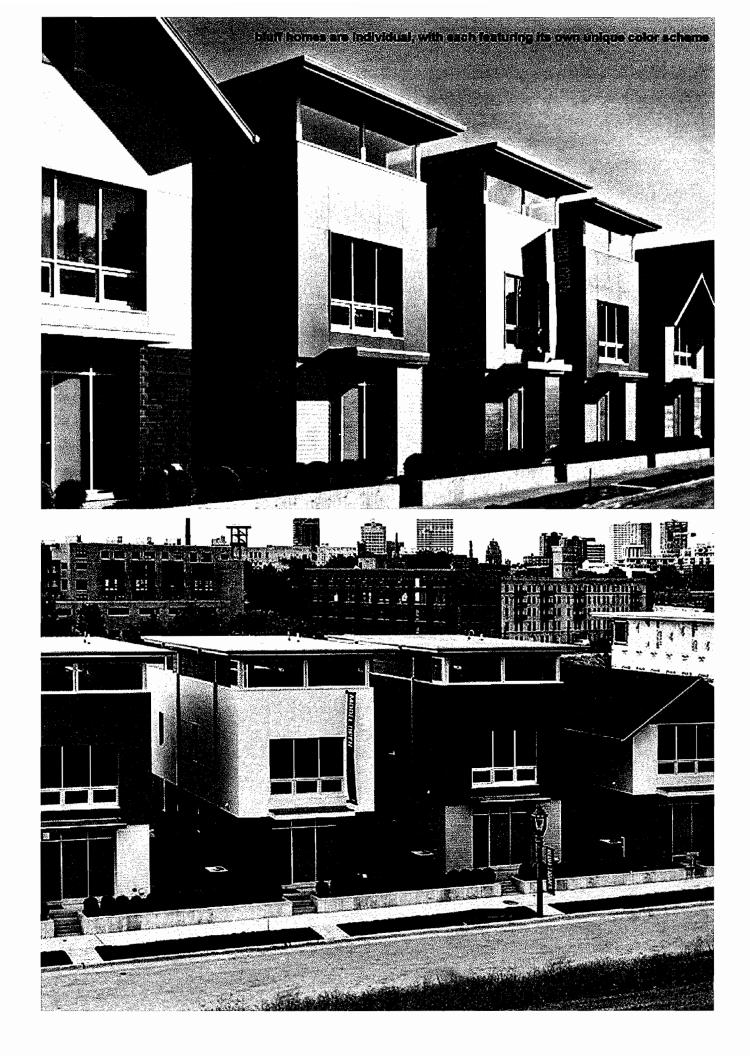








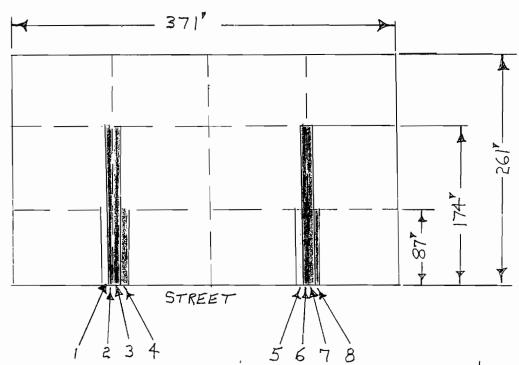




The following items were submitted by the neighborhood:

- 1) Calculations estimating the number of SF-3 flag lots that could be developed, given this size and rough shape of the subject properties.
- 2) A tree survey provided to the neighborhood by the applicant, with notes from the neighborhood (2 pages)
- 3) A draft site plan provided by the applicant, overlaid with the with comments from neighborhood.
- 4) An alternative site plan developed by the neighborhood overlaid with the tree survey, and with comments from the neighborhood.

I DEALIZED ESTIMATION OF NUMBER OF DUPLEXES
PERMITTED LINDER SF3 ZONING ON 2,223 ACRES



FLAGPOLES TO PROVIDE ACCESS TO INTERIOR LOTS (MINIMUM WIDTH = 15 FT.)

TOTAL AREA = 371 × 261 = 96,831 SQ.FT = 2.223 ACRES

AREA OF 8 = 4×15×87 +4×15×174 = 15,660 SQ, FT. = 16.28×TOT. AREA

FLAGPOLE

DRIVEWAYS

VS. 1+2-152 FEMMENTED BY J. BARNETT

REMAINING NON-FLAGPOLE AREA = 81,171 SO.FT.

MAXIMUM NUMBER OF = 81,171 SOFT. = 11.6 - 11 DUPLEXES

SF3 DUPLEXES = 7,000 SOFT. / DUPLEX

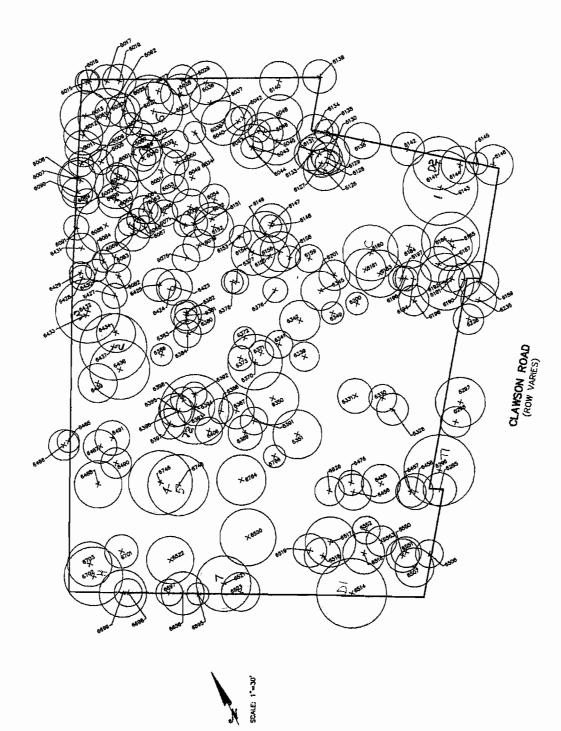
(BEFORE SITE PLAN RESTRICTIONS, WHICH MAY REDUCE THE NUMBER)

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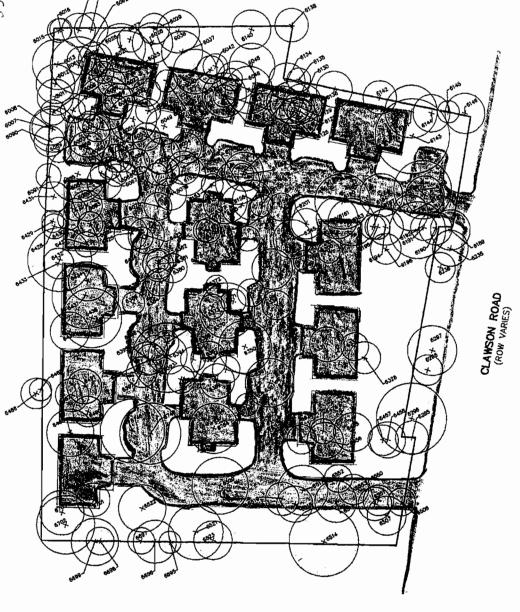


TREE SURVEY CLAWSON ROAD

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7/13 SIGNIFICANT 33/205 TOTAL



SCALE: 1"=30'

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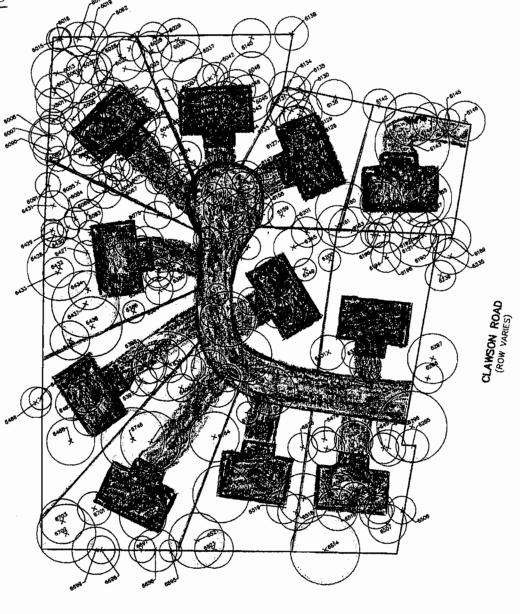
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TREE SURVEY CLAWSON ROAD

TREES SHYED

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SCALE: 1"=30"

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BILL CORSBIE, P.C. 3708 CLAWSON ROAD AUSTIN, TEXAS 78704-7802

Attorney and Counselor at Law

Board Certified: Administrative Law Texas Board of Legal Specialization WEBSITE http://hometown.aol.com/bilcorsbie/myhomepage/index.html

PHONE 512/443-3199

FAX 512/443-9807

E-MAIL bilcorsbie@aol.com

June 1, 2007

Mr. Robert Heil CITY OF AUSTIN NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT 505 Barton Springs Road, 5th Floor Austin, TX 78704

re: Case Number C14-2007-0067

Dear Mr. Heil,

This letter is a follow-up to the voice mail I left with for you today at 974-2330. I have contacted you in response to a letter dated May 31, 2007, copy attached. My home/residence is on the 2 acre lot that I own due south of the 2.223 acre tract at 3608 Clawson Road that has requested a zoning change from SF-3 to MF-3. My home is a frame house build in the 1930's by a Mr. Overall, who died here. I bought the property from his estate in 1974, and have lived here ever since. In the 1970's, I had several dairy goats here with me on the property. I have an office in what was Mr. Overall's workshop/garage, but it is just for phones, files, and computers, no one comes here on business.

I am opposed to the requested zoning change. I have two major concerns, traffic, and flooding.

Regarding traffic, Clawson Road is very hilly and narrow, and it is not appropriate to allow re-zoning that will generate more traffic.

Regarding flooding, the subject tract is up-hill from my property, and I am very concerning about any development there increasing the stormwater flow across my property. The tract immediately north of me now has a duplex. That should not be changed in my opinion.

Please enter my opposition to this matter in the City's records, and provide me constitutionally appropriate due process for communicating my concerns to the appropriate decision makers. I would appreciate it if my opposition could be noted under PROCESS AND NOTES on the enclosed page from the City's web page.

Your attention to this matter is appreciated. Please contact me by phone or email regarding how I should proceed in making my opposition known, and please let me know

whenever this matter will be considered by the Land Use Commission and the City Council.

Bill Corsbie

BC/wp enc. xc w/enc. Ms. Diana Minter CITY OF AUSTIN LEGAL DEPARTMENT P.O. Box 1088 Austin, Texas 78767-8865

Ms. Sue Welch
CITY OF AUSTIN
LAND USE REVIEW
505 Barton Springs Road, 4th Floor
Austin, TX 78704

PUBLIC HEARING INFORMATION

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For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Tamin favor comments should include the board or commission's name, the scheduled Written comments must be submitted to the board or commission (or the date of the public hearing, and the Case Number and the contact person contact person listed on the notice) before or at a public hearing. Your **X** object If you use this form to comment, it may be returned to: Neighborhood Planning and Zoning Department Your address(es) affected by this application BVIN Lights en Contact: Robert Heil, (512) 974-2330 June 26, 2007 Planning Commission Case Number: C14-2007-0067 Signature Austin, TX 78767-8810 Your Name (please print) listed on the notice. Public Hearing: P. O. Box 1088 City of Austin 000 Robert Heil Comments:

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MF and SF-6 Zoned Properties On or Adjacent to Clawson Rd.

The applicants have stated MF-2 zoning is appropriate for their property because adjacent tracts on the north, west are zoned MF-2, and that there is a high density PUD and SF-6 zoning across the street.

Staff revised their initial recommendation of MF-2 to SF-6 due to restrictive covenant conditions which apply to two of the MF tracts that have frontage on Clawson Rd.

1. C14-70-134 - 3604 Clawson Rd. Current zoning MF-2

The property is developed with 19 apartment units and the only access to the project is from Clawson Rd. Density is approximately 20 units per acre.

2. C14-71-021 - Rear of 3633-3723 Manchaca Rd and Fleetwood Dr. Current zoning MF-2

The property is developed with an apartment complex with access to Valley View Rd which intersects with Manchaca Rd. Although the property abuts the Fleetwood Dr. cul-de-sac bubble there is no access to the project from that street.

C14-81-028 - 3701-3711 Clawson Rd. and 1507-1512 Rockdale Circle. Current zoning SF-6

The property is undeveloped, but there is an approved site plan attached to the ordinance for 26 units on 3.086 acres (8.42 units per acre). The project would have access to Clawson Rd. and Rockdale Circle from a private street that would function as an internal driveway.

4. C14-82-169 - 3804 Clawson Rd and Valley View frontage. Current zoning is MF-2

The property is not currently developed with MF uses, and if MF uses were constructed access to Clawson Rd. is prohibited by the condition of the Restrictive Covenant.

C14-83-028 - 3906 Clawson Rd. and Valley View frontage. Request for BB (MF-2) zoning granted Related case, C14p-83-085 - Special Permit Site Plan

The property is developed with 32 apartment units on 2.639 acres or 12.12 units per acre. The site is limited to emergency access to Clawson Rd. by a note on the Special Use Permit.

C14-84-330 - 3510 Clawson Rd. Current zoning is SF-6.

The property does not appear to be developed with multi-family units and is .98 acres in size and has access to Clawson Rd.

C814-75-006.01 (85) PUD on Southridge that now extends to Clawson. Granted PUD zoning for lots abutting Clawson Rd.

The property is developed with apartments at a maximum density of 10 units per acre. The site is limited to emergency access to Clawson Rd. by a note on the PUD Land Use Plan.

8. C14-85-342 - 3604-06 Clawson Rd. Current zoning is MF-2

The property is restricted to a maximum of two individual units, and has access to Clawson Rd.

 C14p-74-18 and SPC-97-0145CS (have not found zoning case) on Valley View Rd. but backs up to lots fronting on Clawson. Current zoning is MF-2.

Property is developed with a nursing home and has no access to Clawson Rd.

What are the precedents for MF-2 zoning with sole access to Clawson Rd.

The only tract is the 19 unit apartment complex zoned MF-2 at 3604 Clawson Rd. This application was submitted in 1970, and approved by Council in 1972.

All of the other MF-2 tracts cited by the applicant have frontage on Valley View Rd. and are either prohibited from accessing Clawson Rd. or limited to emergency access.

What are the precedents for SF-6 zoning with sole access to Clawson Rd.

The property at 3510 Clawson Rd is zoned SF-6 (C14-84-330), but does not appear to be developed with multi-family uses.

The SF-6 tract at 3701-3711 Clawson Rd.is undeveloped but also has access to Rockdale Circle and is limited to 8.42 units per acre based on the approved site plan.

Clawson Road Operating Level:

The volume of traffic on Clawson Rd. far exceeds the desirable operating level specified in Sec. 25-6-116 of the Land Development Code.

Desirable Levels for Streets with Pavement Width Less than 30 feet should not exceed 1,200 vehicle trips per day.

A January 22nd, 2003 Traffic Count on Clawson north of Grayford showed 1,242 northbound trips and 1,294 southbound trips for a total traffic volume of 2,536 trips. That volume of traffic is more than double the volume of traffic specified as desirable.

In 1992, the Austin Transportation Survey of Collector Streets listed the following traffic counts for Clawson Road north of Ben White at four-year intervals starting in 1980.

1980: 1,650 1984: 2460 1988: 2080 1992: 2180

Section 25-6-141 (A) states that the Council may deny an application if the results of the traffic impact analysis demonstrate that a proposed development may overburden the City's street system.

No Neighborhood Traffic Analysis was required in this case because the applicants agreed to a level of development that would generate less than 300 vehicle trips per day and the maximum density permitted under the alternate staff recommendation of SF-6 also generates less than 300 vehicle trips per day.

Therefore, we have no current traffic analysis study to update traffic volume counts, but every traffic volume count on Clawson Rd. since 1980 shows that it is operating far in excess of desirable operating levels.

However, the lack of updated traffic volume counts cannot offset the fact that every Clawson Rd. traffic count conducted since 1980 has exceeded the desirable traffic volumes specified by the LDC. The neighborhood believes that the applicant and staff should address this issue, and that the Planning Commission and City Council should have the opportunity to consider this matter before making a recommendation and decision on this case.

Traffic Comments and Conditions from SF-6 and MF-2 Zoning Cases On and Abutting Clawson Rd. or Clawson Rd. properties:

C14-70-134: Clawson Rd. Request for BB (MF-2) zoning granted

Planning Commission Zoning Committee Comment and Action – This request should be denied, as it is an intrusion into a well developed area and would create a traffic problem.

Initial Planning Commission recommendation was denial of the application, but this decision was reversed by a 5-4 vote after the applicant asked Council to refer the case back to the Commission.

The Zoning Committee reviewed the data again and felt that planning is needed for street and traffic facilities. They were cognizant of the fact that even "A" residence zoning would add to the traffic hazard. A majority of the committee concluded the request should be denied.

Mr. Goodman (Planning Commissioner) offered a substitute motion to approve the zoning request noted that the traffic situation must be improved to provide adequate services to the area.

Mr. Reeves (Planning Commissioner) noted that it is not good planning to compound the problem in the area without first solving the problem.

Mr. Kinser (Planning Commission Chairmen) stated that the area is destined to be developed primarily with apartments because it is so close to downtown, and as each case comes in right-of-way dedication can be required to widen the street and solve the problem. He stated that it is unfair to punish the individual developer because the City does not provide adequate street facilities. The Planning Commission and City Council do not build Austin, it is developed by individuals as they can afford the cost.

C14-71-021: Rear of 3633-3723 Manchaca (backs up to C14-70-134). Request for BB (MF-2) zoning granted.

Robert Sneed (applicant's attorney) addressing access problems in the area, stated that Clawson Rd. will need to be widened and the primary consideration in planning this development has been the prevention of traffic spillage into the residentially developed areas.

Walter Foxworth (staff) feels that a provision for extension of Valley View Rd. to access this project is a necessity for the future orderly development of the area.

Valley View Rd. was extended to Manchaca Rd. to provide access for the apartment complex, and access to Fleetwood Dr. from the project is prohibited.

3. C14-81-028 - 3701-3711 Clawson Rd. and 1507-152 Rockdale Circle. Request for A-s (SF-6) granted.

Betty Baker (staff) Consideration should be given to access from Rockdale Circle because of limited visibility on Clawson Rd.

Judy Fowler (applicant's agent) The applicant does not object to providing a crash gate in the event traffic creates a problem on Clawson Rd., but the Fire Department has recommended that access to the project be provided from Clawson Rd.

Staff noted that Clawson Rd. was included in the CIP, but Ms. Fowler noted that it had been removed once again as being low priority.

Bob Liverman (staff) said that at the present time Clawson Rd. is not safe.

Quote from Memorandum from Public Works Dept to Richard Lillie, Director of Planning:

"Over the years considerable concern has been expressed regarding traffic safety along Clawson Rd. The existing profile of the road has been described as a roller coaster."

4. C14-82-169 - 3804 Clawson Rd. Request for BB (MF-2) zoning granted

Restrictive Covenant Condition:

There shall be no access to or from said property from Clawson Rd. except during such time as property is being used only for some use or uses permitted under the A (SF-3) zoning classification of the Zoning ordinance.

5. C14-83-028 - 3906 Clawson Rd. and Valley View frontage. Request for BB (MF-2) zoning granted Related case. C14p-83-085 - Special Permit Site Plan

Special Permit Note (Case C14p-85-083):

Emergency exit to be two columns with chain cutting off access to Clawson Rd., approved by Captain Phillip Knowles, Fire Department.

6. C14-84-330 - 3510 Clawson Rd. Request for A-2 (SF-6) zoning granted.

Howard Hickman (neighborhood resident) stated that the City informed him there are no plans to upgrade Clawson Rd.

Shannon Eckols (applicant's agent) says that Clawson Rd. is basically a county road which has never been improved. He agrees that Clawson Rd. needs to be improved, but he does not feel that denying this application will alleviate the situation.

Betty Baker (staff) states that upgrading Clawson would alleviate safety factors and the dangerous traffic situation which exists at the location.

Judy Fowler (staff) notes that the City has acquired property for the widening of Clawson Rd., however, the City does not have the funds to complete the project.

Francis Schenkkan (Planning Commissioner) did not feel that the Commission should approve zoning with the hope that Clawson Rd, will be improved in the future.

 C814-75-006.01 (85) PUD on Southridge that now extends to Clawson. Granted PUD zoning for lots abutting Clawson Rd.

Site Plan Note:

At Clawson Rd.: crash gate installed - to be used by emergency vehicles only until Clawson Rd. improvements are made.- then crash gate may be removed.

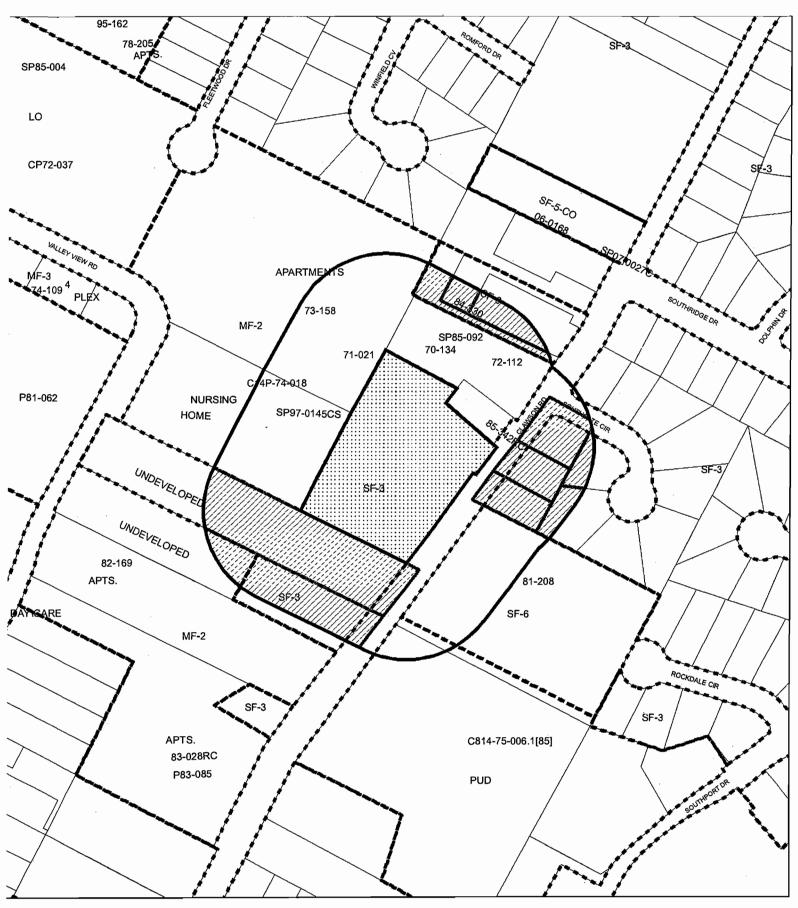
8. C14-85-342 - 3604-06 Clawson Rd. Request for BB (MF-2) zoning granted.

Restrictive Covenant Condition:

In no event shall the number of individual units located on this property exceed two.

PETITION

| Cas | e Number: | C14-2007-0067 | Date: | Sept. 26, 2007 |
|--------|---------------------------------------|----------------------------|------------------|----------------|
| Γota | l Area within 200' of subjec | et tract: (sq. ft.) | 375,823.96 | |
| | | FEIGHNER PETER C & | ı | |
| 1 | 04-0409-0184 | JULIA A | 3563.20 | 0.95% |
| _ | 04 0400 0405 | FEIGHNER PETER C & | 7004.00 | 4.050 |
| 2 | 04-0409-0185 | JULIA A FEIGHNER PETER C & | 7331.33 | 1.95% |
| 3 | 04-0409-0186 | JULIA A | 7987.34 | 2.13% |
| 4 | 04-0508-0430 | NUNES SEAN A | 12658.99 | 3.37% |
| • | 0100000100 | KILGORE GARY L AND | 12000.00 | 0.077 |
| | | HICKMAN HOWARD | | |
| 5 | 04-0508-0431 | • | 3943.89 | 1.05% |
| | | MILLER MICHELLE | | • |
| | 04-0508-1102 AND 04 | POWERS AND FRIDAY | | |
| 6 | 0508-1103 | LISL | 10196.33 | 2.71% |
| | | CORSBIE WILLIAM | | |
| 7 | 04-0610-0210 | LANCE JR | 54,019.60 | 14.37% |
| 8 | 04-0610-0211 | JONES GORDON L | 28416.91 | 7.56% |
| | | GIBSON CASEY LYNNE | | |
| | 04-0508-1002 AND 04 | | , | |
| 9 | 0508-1003 | A | 10,094.88 | 2.69% |
| 0 | 04-0508-0432 | ZATOPEK LINDA E | 4,604.70 | 1.23% |
| 1 | | | | 0.00% |
| 2 | | · | · | 0.00% |
| 3 | | · | | 0.00% |
| 4 | · · · · · · · · · · · · · · · · · · · | | | 0.00% |
| 5 6 | | | | 0.00% |
| 7 | | | | 0.00% |
| 8 | · · · · · · · · · · · · · · · · · · · | | | 0.00% |
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| 4 | | | | 0.00% |
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| 6 | | | | 0.00% |
| 27 | | | | 0.00% |
| 28 | | | | 0.00% |
| alid | lated By: | Total Are | a of Petitioner: | Total % |
| | Stacy Meeks | | 142,817.16 | 38.00% |





PETITIONS

CASE#: C14-2007-0067

ADDRESS: 3608 & 3706 CLAWSON RD

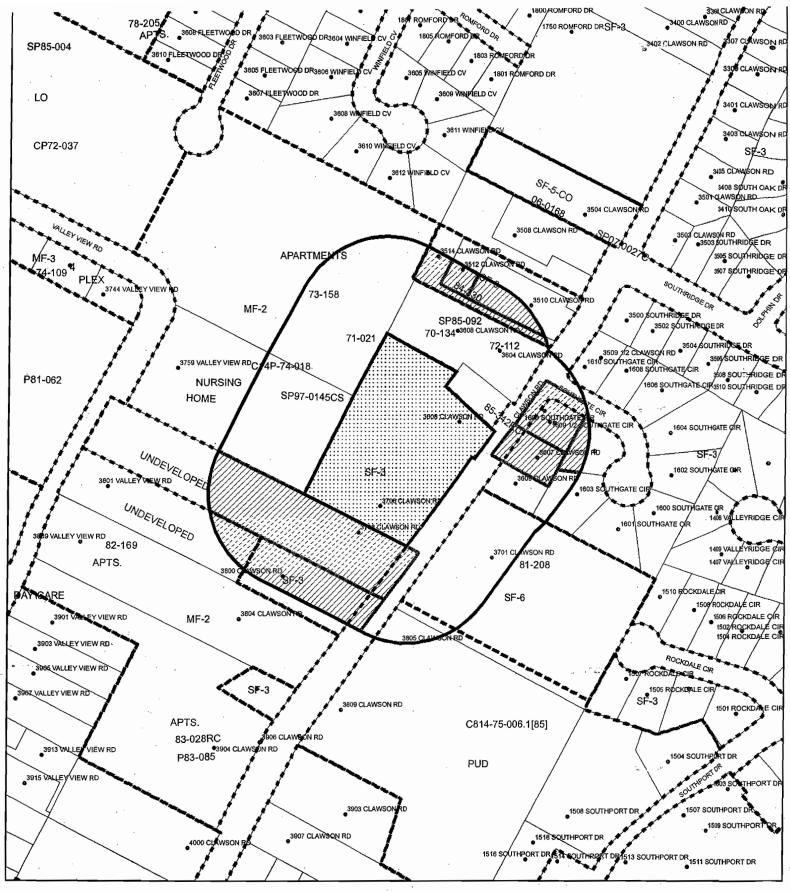
GRID: G19

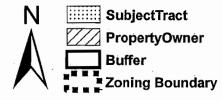
CASE MANAGER: W. RHOADES



PETITION

| Casi | e Number: | C14-2007-0067 | Date: | Sept. 20, 2007 |
|----------------------|---------------------------------------|---|------------------|----------------|
| Tota | al Area within 200' of subjec | t tract: (sq. ft.) | 375,823.96 | |
| | | FEIGHNER PETER C & | | |
| 1 | 04-0409-0184 | JULIA A | 3563.20 | 0.95% |
| | | FEIGHNER PETER C & | | |
| 2 | 04-0409-0185 | JULIA A | 7331.33 | 1.95% |
| | | FEIGHNER PETER C & | | |
| 3 | 04-0409-0186 | JULIA A | 7987.34 | 2.13% |
| 4 | <u>04-</u> 0508-0430 | NUNES SEAN A | 12658.99 | 3.37% |
| | | KILGORE GARY L AND HICKMAN HOWARD | | |
| 5 | 04-0508-0431 | | 3943.89 | 1.05% |
| | 04-0508-1102 AND 04- | MILLER MICHELLE POWERS AND FRIDAY | | |
| 6 | 0508-1103 | LISL | 10196.33 | 2.71% |
| | | CORSBIE WILLIAM | | |
| 7 | 04-0610-0210 | LANCE JR | 54,019.60 | 14.37% |
| 8 | 04-0610-0211 | JONES GORDON L | 28416.91 | 7.56% |
| 9 | | | | 0.00% |
| 10 | | | | 0.00% |
| 11 | | | | 0.00% |
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| 26 | | <u>· · · · · · · · · · · · · · · · · · · </u> | | 0.00% |
| 27 | | <u> </u> | | 0.00% |
| 28 | | | | 0.00% |
| .0 | | | | 0.00% |
| 'alid | ated By: | Total Are | a of Petitioner: | Total % |
| | Stacy Meeks | | 128,117.59 | 34.09% |





PETITIONS

CASE#: C14-2007-0067

ADDRESS: 3608 & 3706 CLAWSON RD

GRID: G19

CASE MANAGER: W. WALSH



September 17, 2007

Robert Heil
Neighborhood Planning and Zoning Department
City of Austin
505 Barton Springs Rd., 5th Floor
Austin, Texas 78704

Re:

Case C14-2007-0067

3608—3706 Clawson Rd. (Clawson Property)

Dear Mr. Heil:

As owner of the property located at 3604—3606 Clawson Rd., I write to express my unqualified support for the proposed zoning change for the properties located at 3608—3706 Clawson Rd. in the above-referenced case.

I understand that the proposed project will rezone the property from SF-3 to MF-2. I understand that traffic attendant to improvements on the property will not exceed 300 trips per day.

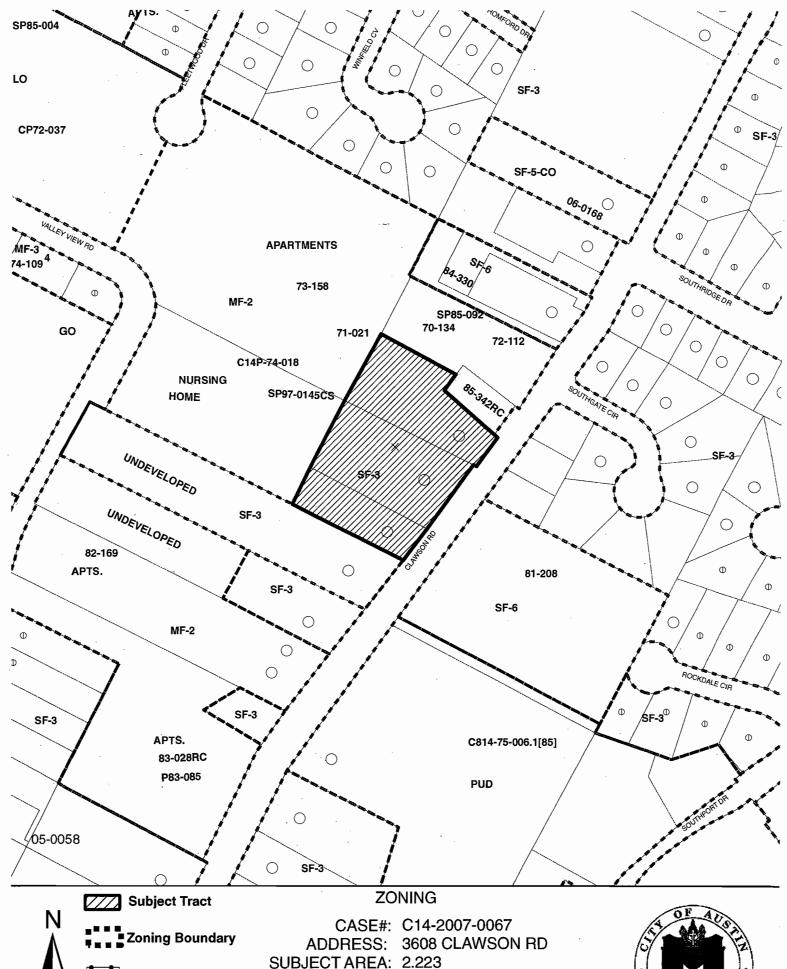
This project is consistent with my desired development for the area and will complement the existing and proposed land usages in the area. Indeed, during the ten years that I have owned my property in the area, I am proud to say that my tenants have proven to be excellent neighbors and positive additions to the neighborhood. Likewise, it is my belief that the owners and occupants of the recent development in the area, 3607—3609 Clawson Rd., have proven to be the same. I have no doubt that the proposed project will attract individuals that will further enhance the neighborhood.

It is my pleasure to support the zoning change for 3608—3706 Clawson Rd., and I do so enthusiastically. Please feel free to contact me should you have any questions.

Sincerely,

Robert S. Walt (512) 694-2019





CASE MGR: W.WALSH 1" = 400'

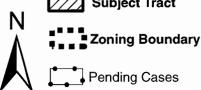
Pending Cases

GRID: G19 **INTLS: TRC**

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







CASE MGR: W.WALSH

1" = 400'

CASE#: C14-2007-0067 ADDRESS: 3608 CLAWSON RD

SUBJECT AREA: 2.223

GRID: G19 INTLS: TRC