

Marisol Claudio-Ehalt
 3700 Sawmill Dr.
 Austin, TX 78749
 (512) 293-5033 cell.

December 11, 2013

Late Backup

File Number: **C14-2013-0125 Sawmill Rezoning**

Address of Rezoning: 4010 Sawmill Drive, Austin, TX 78749

Esteemed Austin Mayor and City Council Members:

Thank you for your consideration of this case. As the undersigned owner of property affected by the requested zoning change described in the referenced file, I do hereby: 1) Support the 11/5/13 ZAP recommendation of a Conditional Overlay (CO) limiting this property to a maximum of 30 lots; and 2) protest against any change of the Land Development Code which would zone this property to any classification other than **SF-1 or SF-2-CO**.

Reasons for protest of the application as submitted and support of the recommended overlay:

1. The SF-2 (with no CO) application submitted to the City proposing a maximum of 97 lots is NOT what the Oak Parke HOA and neighbors support. Oak Parke supports the development of 25 – 53 residential lots compatible in character to the existing neighborhood.
2. ZAP's recommended Conditional Overlay (CO) is NOT "arbitrary and capricious" as alleged by Mr. Ross Frie's letter to Mayor and Council dated December 10, 2013. ZAP's CO recommendation comes after thoughtful deliberations of the merits of the application/case, and in consideration of: applicable regulations, COA's Zoning Principles, City policies, reasonable use of the property, and site specific constraints such as single point of access. This site is located over the Edwards Aquifer Recharge Zone, in the Slaughter Creek Watershed which is classified Barton Springs Zone (BSZ), in the Drinking Water Protection Zone, and is also immediately adjacent to and slopes towards Slaughter Creek.

SAWMIL REZONING (12.853 acres x 43,560 = 559,876.68 SF)		Max Number of lots
Application for SF-2 submitted to COA . Assumes <u>ALL</u> land / square footage is available for lots = 559,876 SF / 5,750 sf/lot = 97.36		97
Applicant discussions w/ Oak Parke HOA = 10,000 SF large lots = 559,876 SF / 10,000 SF/lot = 56 (without consideration of single access, current regulations, etc.)		53
ZAP 's Recommendation (Conditional Overlay)	(Considering site specific constraints, single point of access via residential street, SOS Ordinance, etc.)	30
Conceptual Plan the Applicant provided to HOA		25

3. Safety concerns associated with access for emergency and service vehicles to the proposed subdivision via a single point of access.
4. Applicant has led Oak Parke neighbors to believe their intention is to develop 25 – 53 large 10,000 SF lots, yet the Application for Zoning filed with the City of Austin pursues more dense development under SF-2 zoning. The application shows 7.58 units/acre (97 units max.) as both the proposed number of units and maximum number of residential units allowed leaving the door open for more dense development. SF-1 or the CO proposed by ZAP are more in line with the 25 large lots plan the Applicant represented to the Oak Parke neighbors. *(Please see Exhibit #1 -Conceptual Subdivision Plan and Exhibit #2 email from Paula Ables to Oak Parke Yahoo group)*
5. In order to secure support from the Oak Parke HOA for SF-2 zoning, the current owner agreed to a Restrictive Covenant and Agreement indicating no more than 53 residential lots shall ever be platted on the property. Thus, once again leading Oak Parke residents to believe the property will be developed as 10,000 SF large lots ($559,876 \text{ SF} / 53 = 10,564 \text{ SF per lot}$). SF-1 zoning or the overlay recommended by ZAP better reflect the Applicant's pledge to Oak Parke residents, helps avoid misunderstandings with regards to the maximum number and size of lots to be developed, and eliminates the need of litigation to enforce deed restrictions the City is not party of should the current or future owners attempt to develop more than 53 lots. (Exhibit #3 – Deed Restriction)
6. The single point of access to and from the proposed development is through the Oak Parke subdivision via Sawmill Drive, a residential street. The shortest access to/from Sawmill Dr. is then onto Wolfrap Lane and Slaughter Lane. The intersection of Slaughter/Wolfrap is located between Slaughter/Brodie and Slaughter/MOPAC - intersections already in need of public funds to address capacity issues. Prior to the proposed development, Slaughter/Wolfrap is already at times backed up due to traffic to/from Oak Parke, Bowie High School, Bethany Lutheran Church, Westbound traffic from Ranch House Apts., and people cutting through the Oak Parke subdivision trying to avoid the horrible traffic on Brodie Ln. and the intersection of Slaughter/Brodie. Adding 873 trips as proposed by this application will cause further adverse impact to the area. A reduction in the number of lots reduces the number of projected vehicle days per day; and thus serves as a mitigation measure needed to minimize traffic impacts to both the residential neighborhood and the Slaughter/Brodie area.
7. The proposed SF-2 development's impact and mitigation measures needed to minimize traffic impacts at already overcrowded intersections at Slaughter/Wolfrap, Slaughter Brodie, and Slaughter MOPAC, is yet to be determined. The Neighborhood Traffic Analysis required if a projected number of vehicle trips generated by the project exceed the vehicle trips per day generated by existing uses by at least 300 vehicles per day (*Ref. City Code 25-6-114*) was not conducted. Since the Applicant showed in the zoning application "97 lots maximum x 9 trips per day = 873 trips"; a Traffic Impact Analysis (TIA) / Neighborhood Traffic Analysis was waived with the condition applicant will limit trips to less than 2000 trips per day - a commercial criteria. In the meantime, the State, County, and City continue to use public funds for infrastructure to improve traffic flow in the area. In absence of a realistic evaluation of existing and projected operating levels, identification of mitigation measures needed to minimize traffic impacts at Sawmill/Wolfrap, Wolfrap/Slaughter, etc. and the developer paying for improvements associated with their development's traffic impact; reducing the number of lots and

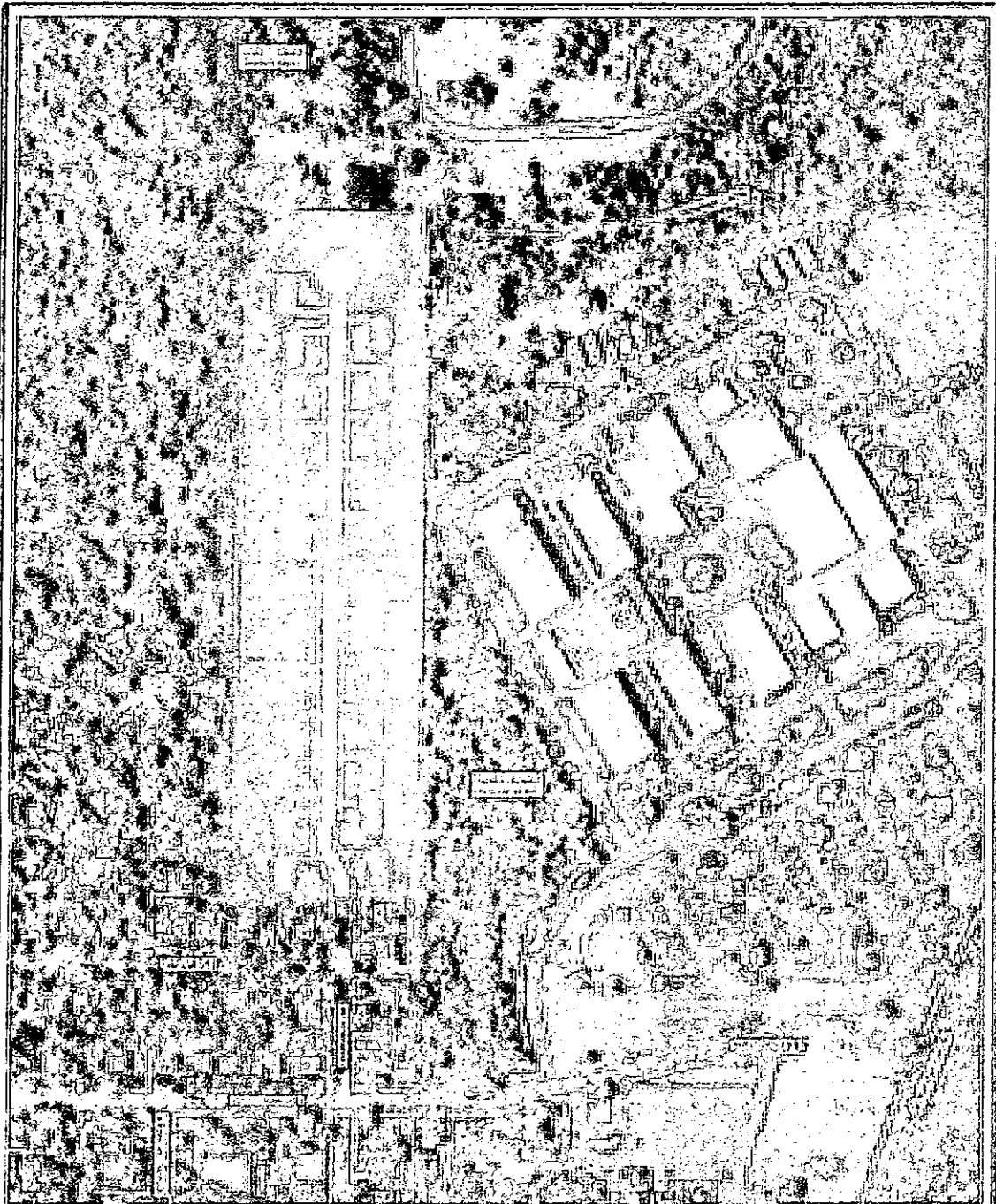
trips is recommended. Limiting land use and development in problem traffic areas, prevents further congestion.

8. This site is located over the Edwards Aquifer Recharge Zone, in the Slaughter Creek Watershed which is classified Barton Springs Zone (BSZ). It is in the Drinking Water Protection Zone. The site is also immediately adjacent and slopes towards Slaughter Creek, however, at this time site specific information is unavailable regarding critical water quality zone / water quality transition zone, areas of steep slopes, or other environmental features such as bluffs, springs, caves, sinkholes and wetlands. Numerous trees will likely be impacted with a proposed development associated with this site. According to the ZAP packet; no information has been provided to the City as to whether this property has any preexisting approvals which would preempt current water quality regulations. Thus, it is not known at this time if the developer will comply with the Save Our Springs (SOS) Ordinance and other current environmental protection regulations or not. In absence of corroboration that the development will indeed comply with current water quality regulations, the SOS Ordinance and 15% impervious cover; SF-1 or the recommended CO provide better environmental protection than straight SF-2. Limiting land use and development in environmentally sensitive areas in the Barton Springs Zone, prevents further degradation of water quality, protects irreplaceable natural resource(s), and promote public health, safety and welfare.
9. Since the zoning application proposes 97 lots (less than 100 lots); school impact was not addressed. However, it should be noted that Oak Parke's children attend Baranoff Elementary, one of the largest elementary schools in Austin ISD. During the 2013-2014 school year, more than 1000 students attend this school including 8 classrooms in portable buildings.
10. Due to the location of the proposed development with regards to Oak Park Subdivision; only a few households out of 192 or so families received notice from the City about the proposed rezoning; yet the entire subdivision is affected as this development impacts the main access to/from Oak Parke. It is of utmost importance to our entire subdivision that 4010 Sawmill Drive be developed in the most responsible way possible.

In summary, the overlay recommended by ZAP allows the owner to develop their land in a profitable manner; while upholding promises made to Oak Parke neighbors, mitigating adverse public, safety and traffic impacts and providing better environmental protection.

Again, thanks for your time and consideration.

Marisol Claudio-Ehalt, Owner/Resident
3700 Sawmill Dr. Austin TX 78749
(512) 293-5033 Cell.
(512) 899-3156 home



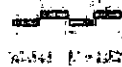
CONCEPTUAL SUBDIVISION PLAN

QUANTIFICATION
OF DEVELOPMENT POTENTIAL
DUE TO INFRASTRUCTURE

Range of scenarios
100 - 110 buildings

new and existing
building footprints

estimated by J&J



Site Plan of the Project




11/1/2011

Claudio-Ehalt, Marisol

From: [REDACTED] on behalf of Paula Ables [REDACTED]
Sent: Wednesday, October 30, 2013 6:14 PM
To: [REDACTED]
Subject: RE: [oakparke] RE: The Ranch Issue-new info [3 Attachments]

[Attachment(s) from Paula Ables included below]

As the Neighbor that is the MOST affected by the Farm development, I have done my own form of due diligence and just received the proposed plot for the farm from Ross Frie, the Rezoning and Property Development Chief (a former City Planning Director). I am also attaching the signed approval of the HOA and the Covenant Agreement that was drawn up by our HOA Attorney. As you will see, they are only planning 25 lots, approx. 100' lot line at the street. Mr. Frie says that these large lots – which are double the size of typical Oak Parke lot – will become be the largest, highest quality, newest and most affluent homes in the neighborhood. Mr. Frie believes, as I do, that this entire project is an asset to neighborhood not a detriment.



This is the best outcome we could have hoped for short of no development at all. With this information I feel that a petition is unnecessary. Hopefully this calms the fears and uncertainties of what is coming and everyone can move on to happy thoughts of puppies and butterflies...

Paula

Sawmill

From: [REDACTED] On Beh alf Of Holly Leoni
Sent: Friday, October 25, 2013 3:25 PM
To: [REDACTED]
Subject: Re: [oakparke] RE: The Ranch Issue

There's been a lot of conversation regarding the property at the end of Sawmill. I attended the HOA meeting in September and this was on the agenda & discussed by our Board of Directors, so I thought it would be best to direct everyone to the HOA website for more "official" information. <http://www.ophoa.org/>

Please review the minutes from this meeting so that you will have the correct information regarding the zoning of this property and how our HOA has been proactive in protecting our neighborhood. <http://www.ophoa.org/minutes.htm> (The meeting was Sept 17)