

9/6/21

TO: Zoning and Platting Commission Members

FROM: Milwood Section 12 (Old Milwood) Neighborhood
Residents Within 500 FT.

RE: C14-2021-0012 Research Park FINAL VERSION
WITH CORRECT CONDITIONAL OVERLAY REQUESTS
(Related case SP2021-0124C)

Please accept our sincerest apologies if you received or saw a pdf version dated 9/1/21 and/or correction emails/ backup files, etc. They are not correct or complete. Our attempts to remove them have been denied. Please disregard all previous copies and use letter below.

C14-2021-0012 Research Park FINAL VERSION WITH
CORRECT CONDITIONAL OVERLAY REQUESTS 9/6/21
Milwood Section 12

We currently live in a 37 year old neighborhood which is rare and unique. It is small in size with 200+ charmingly designed single family homes averaging 1400 sq.ft. Our homes are located on a long avenue or one of the curving streets, coves, or cul-de-sacs lined with mature trees including heritage oaks. Old Milwood is not as affordable as it once was but is still more affordable than other Northwest Austin neighborhoods. We love the diversity of

our residents and this neighborhood which is peaceful, quiet, and family friendly.

SECTION A: OUR CONCERNS AND OPPOSITION

We support the City of Austin 2020 Imagine Austin and Project Connect and the following City of Austin zoning principles:

1. Zoning should satisfy a specific need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning.— At Aug. 18th meeting the applicant stated he did not intend to provide any percentage of affordable housing or public transit stops on this property. The applicant's own Research Park portfolio can be found at <https://karlin.alterendeavors.com/portfolio/> It shows a site map for prospective investors which depicts a more exclusive high end mini-Domain like community with Oak Knoll from McNeil to N-183 remaining private. Despite the applicant's claim that this portion of McNeil will later be donated to the city, many private property signs are already posted and a written agreement has not been offered as proof. Please see ~~attachment~~ maps and photos *slides* depicting adjacent Research Park areas ~~are~~ *as* predominantly family residences at ArrowWood/ Milwood Section 12/Rattan Creek, a few neighborhood businesses scattered between trees and neighborhood feeder roads along McNeil, the access

road at N183 and Oak Knoll with landscaping but no businesses, and commercial strip of one story buildings with large setbacks and greenery on Technology Blvd. To find the commercial areas described in the Case Manager's report, you would need to drive over to SB 183 or past trees closer to Riata Trace. There is no need for a PDA combining district in this area. Research Park already has LI zoning and 4-story buildings like Research Park Place which tower in the background behind the one-story commercial buildings on Technology.

2. Granting the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city.—(See 1, 4, and 6).
3. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.—There are insufficient buffers between the applicant's property boundaries with Milwood Section 12 homes along Avery Island and Jennings. They do not provide adequate protection from more LI development which results in increased traffic, safety concerns, and air/light/noise pollution. More importantly they do not protect us from the dangers and proximity of the 10 caves and sinkholes in Lot 11 and adjacent Lot 12 neglected wet pond which has a leaking liner, etc.—(See 6.)

4. Zoning should promote clearly identified community goals such as...providing affordable housing and public transit. —(See 1)

5. Rezoning should be consistent with the policies adopted by the City Council and the Planning and Zoning Depts.— (See 1-6)

6. Zoning changes should promote comparability with adjacent and nearby uses and should not result in detrimental impacts on neighborhood character.—

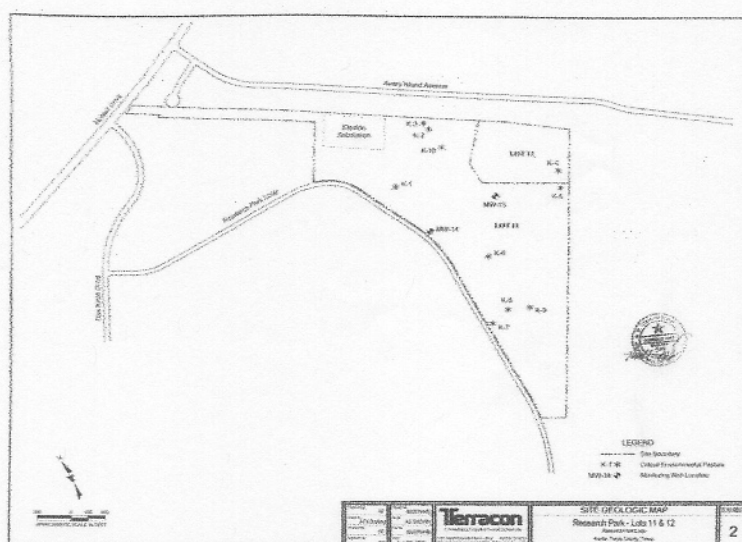
We are aware that environmental concerns are usually dealt with at site plan. However, our case was originally scheduled for the Aug. 17th public zoning hearing after the Luby's case, but it was postponed by consent to Sept. 7th. At the time we weren't aware of the issues in the Luby's case or its outcome. We had already submitted a 1998 TNRCC 0625 (now TCEQ) document to the original B07 back up file which is now in the B03 file. This document gave the number of caves, sinkholes, and solution cavities in 1998, (Please note rules 16 and 18 and Research Park Properties Trust who signed this TNRCC protection plan. More about this part later.)

In the past two weeks, we've seen two different maps and sets of related materials estimating the current number of caves and sinkholes and their locations. We appreciate the applicant for sharing these materials. We requested cross section diagrams of below ground level

cave views and a copy of the geologic report for the entire PDA combining district, but we have not received them from the applicant yet.

A few days ago we had time to examine documents in the public TCEQ files which are the most recent ~~abandoned~~ accurate information available. They are shown in the chart and map below. The number of caves and sinkholes in Lots 11 and 12 has increased to 10. Additional details and descriptions of them plus two previously unknown wells can be accessed at <https://www.tceq.texas.gov/permitting/eapp/eapp-applications-review>

Research Park Lots 11 and 12 cave, sinkhole, and wells



Research Park Lots 11 and 12 Caves Sinkholes Wells Details

ATTACHMENT A

GEOLOGIC ASSESSMENT TABLE														
PROJECT NAME: Research Park Lot 11-Multifamily, Research Park Loop, Austin, Texas														
LOCATION			FEATURE CHARACTERISTICS										EVALUATION	
1A	1B	1C	2A	2B	3	4	5	6A	6	7	8A	8B	9	10
PROPERTY	LOT/BLK	COMPLIST	FEATURE TYPE	PLATE	FORGIVEN	DIMENSIONS (FEET)	STATUS (REMARKS)	DIR	DEPTH (FEET)	DEPTH (FEET)	WELL	INFLUENCE INTERFEREN	TOOK	REMARKS
						X Y Z								
K-1	30.436030	-97.73011	SH	20	Ked	1.5 1.5 5					O	20	40	X X Hilltop
K-2	30.436642	-97.749001	C	30	Ked	1.5 3 9					N	30	60	X X Hilltop
K-3	30.436777	-97.749013	SH	20	Ked	2.5 2.5 5					O	20	40	X X Hilltop
K-4	30.435001	-97.747208	C	30	Ked	2 6 6.5	NH0E	10			N	30	70	X X Hilltop
K-5	30.434666	-97.747395	C	30	Ked	7 2 5					N	30	60	X X Hilltop
K-6	30.434248	-97.749263	SH	20	Ked	25 20 2.5					O	20	40	X X Hilltop
K-7	30.433191	-97.749850	C	30	Ked	4 4 6					N	30	60	X X Hilltop
K-8	30.433263	-97.749449	SH	20	Ked	15 15 1					O	15	35	X X Floodplain
K-9	30.433133	-97.749064	SH	20	Ked	7 7 5					O	20	40	X X Hilltop
K-10	30.436271	-97.748964	C	30	Ked	2 2 5					N	30	60	X X Hilltop

* DATUM: NAD27	
2A TYPE	2B POINTS
C Cave	30
SC Solution cavity	20
SF Solution-enlarged fracture(s)	20
F Fault	20
O Other natural bedrock features	5
MB Manmade feature in bedrock	30

8A INFILLING	
N None, exposed bedrock	
C Coarse - cobbles, breakdown, sand, gravel	
O Loose or soft mud or soil, organics, leaves, sticks, dark colors	
F Fines, compacted clay-rich sediment, soil profile, gray or red colors	
V Vegetation. Give details in narrative description	
FS Flowstone, cements, cave deposits	

Due to the proximity and increasing numbers of critical environmental features and wells on the land in Lots 11 and 12, we don't just fear impacts to our neighborhood character. We fear that the proposed zoning threatens the health, welfare, and safety of our residents and their property. We also feel it would have a similar negative impact on Research Park construction workers, future residents at the multifamily, the public in the currently proposed park in lower section of Lot 11, and proposed walking path to and from the park. The proposed public path^{is} over a mile from the deadend at Jennings near McNeil Dr. and along easement boundary in flag portion of Lot 11, Lot 11 multifamily and parking garage, and walking trail adjacent to wet pond in Lot 12 plus the park itself.

As we wait for the cave cross section diagrams and entire PDA combining district geologic study from the applicant, we grow more fearful about the safety and stability of the land and the critical electric substation near Lot 11. Large nearby cave systems were discovered along the widening of McNeil Dr. from Melrose Trail to HEB at Parmer and more recently at McNeil High School parking lot construction. Residents along Jennings and Avery Island Ave. Have long suspected there are similar cave systems in Research Park. They have reported an echo effect which magnifies traffic noise on N. 183, car alarms and dumpsters in Flextronics area of Research

Park, and laundry buzzers at ArrowWood apartments. This echo effect makes these noises sound like they are coming from the backyards of residents' homes instead of far away.

This land is also within the protection of the Balcones Canyonland Preserve and its endangered species and their habitats. About 50 white-tail deer live at Research Park and are often seen at dawn and dusk in the wooded areas of Lots 11 and 12. They will be negatively impacted as much as the land and human residents will during the 2-6 or more years of proposed PDA construction. All of these factors will put an increased demand on our infrastructure and resources.

We respectfully urge you to examine related case SP2021-0124C, the TCEQ geologic data, and the applicant's pending geologic information and diagrams. We also urge you to consider the impact of the existing critical environmental features on the land before making a decision about land use.

SECTION B: CONDITIONAL OVERLAY REQUESTS

If this case moves forward at the public hearing, it is vital to protect the health, safety, and welfare of adjacent residents, their property, and the environment through noise/light/air pollution limits, prohibited uses,

Section B CONDITIONAL OVERLAYS cont

decreased density, restrictive building practices, specific traffic design requirements, etc.

The pre-existing easements, City of Austin service road and substation, flag lot portion of Lot 11, utility lines and poles, and critical environmental features in Lots 11 and 12 interfere with commonly accepted overlay placements and parameters. So does the proposed walking path from the deadend of Jennings in flag lot 11 to and from multi family in Lot 11, failing wet pond in Lot 12, and proposed park in lower section of Lot 11.

We are requesting your consideration of applying the following conditional overlays to the boundaries of C14-2021-0012 which are adjacent to its boundaries with Avery Island Ave. and Jennings as described on the next pages and below.

EXHIBIT "A"

Legal Description:

Lot 1, Lot 10, Lot 11, Lot 15, and Lot 16, Research Park a Resubdivision of Technology Subdivision, a Subdivision in Travis and Williamson Counties, Texas, according to the map or plat thereof recorded in Volume 101, Page(s) 214-217 of the Plat Records of Travis County, Texas, and in Cabinet , Slide(s) 383-386 of the Plat Records of Williamson County, Texas.

Lot 14C, Lot 14D, Lot 14E and Lot 14F, Research Park Section 2, a Resubdivision of Lot 14 of Research Park Subdivision in Travis and Williamson Counties, Texas, according to the map or plat recorded under Document No. 200000371 of the Official Public Records of Travis County, Texas, and Cabinet T, Slide(s) 244-247 of the Plat Records of Williamson County, Texas.

Lot 1-B, Block A, Amended Plat of Research Park Section 3A, a Resubdivision of Lot 1, Block A, Research Park Section 3, in Travis County, Texas, according to the map or plat thereof recorded under Document No. 200200182 of the Official Public Records of Travis County, Texas.

Section B CONDITIONAL OVERLAYS cont.

1. An extended dense continuous and maintained mature tree buffer to within the first 200 ft. of Research Park Lot 14F described in Exhibit "A" and adjacent to single family homes along its closest boundaries with Avery Island Ave. and Jennings AND where applicable in Lot 11 a similar 500ft. extended dense continuous and maintained mature tree buffer around critical environmental features and their ~~and~~ ~~their~~ TCEQ required MITIGATIONS.
2. Prohibited uses expanded to include:
 - a. Laundry services
 - b. Off-site accessory parking
 - c. Outdoor entertainment
 - d. Vehicle storage
 - e. Maintenance and Service Facilities
 - f. Transportation Terminal
 - g. Automotive rentals
 - h. Building maintenance services
 - i. Commercial off-street parking
 - j. Construction sales and services
 - k. Convenience storage
 - l. Drop off recycling collection facility
3. Decreased density from 350 units to 300 units
4. Decreased building heights from 80ft. to 60ft.

Section B CONDITIONAL OVERLAYS cont.

5. Decreased maximum impervious and building cover requirements from 60% to what TCEQ requires
6. Require the following specific traffic design features to minimize the effects of traffic of intersections at Oak Knoll/McNeil/neighborhood feeder roads:
 - a. Immediate full TIA including public input and backup files and findings from this and related cases with traffic concerns along McNeil Dr. from Corpus Christi Dr. to Oak Knoll
 - b. Full traffic light at Oak Knoll and McNeil Dr.
 - c. No right turn on red at Oak Knoll for traffic heading East on McNeil Dr. towards Parmer.
 - d. LIMIT number of entire Research Park PDA combining district TOTAL trips per day to 10, 000 or less
 - e. Remove and prevent impediments to traffic sight lines (fences, poles, vegetation, signs, etc.) at Neighborhood feeder roads, McNeil Dr., Oak Knoll, and N. 183
 - f. At unprotected feeder road intersections along McNeil Dr. and Oak Knoll implement MITIGATIONS (traffic light at Avery Island Ave. and McNeil Dr., adjust traffic lights to allow more time for motorists to enter and exit from unprotected intersections, moratorium on multi families ~~or~~ along McNeil Dr.

Section B CONDITIONAL OVERLAYS cont.

7. Reduce LI / PDA combining district sound decibel levels, lighting, and 24 hour operations to comply with City of Austin neighborhood ordinances within 250ft of boundary of Lot 14F and adjacent to and along Avery Island Ave. and Jennings and also boundaries of Lot 11 adjacent to and along boundaries with Avery Island Ave. from substation to Lot 12 boundary with ArrowWood apts.

Respectfully,
Milwood Section 12 Facilitators

Janet Brooks
6313 Avery Island Ave.
522-731-1762

Angie Netzel
6325 Avery Island Ave.
Austin, TX 78727
512-660-0022

PLEASE NOTE:

1.
Our Milwood Section 12 neighbors are opposed to the current proposed park location in lower section of Lot 11,

because it has dangerous critical environmental features, dense trees which will be removed, a path that exceeds one mile walking distance and is adjacent to additional dangerous critical environmental features, and limited parking access and ADA features. We believe moving the park to Lot 14F adjacent to the deadend walking path at Jennings deadend is a better location with some already flat terrain for sports and games, easier accessibility for Seniors and ADA needs, shorter within 1 mile walking distance, and feasible parking. The park in 14F needs more trees. Perhaps some of the trees removed in Lot 11 and elsewhere at Research Park can be transplanted in Lot 14F.

2. We also object to the neglect of the leaking wet pond in Lot 12 which is supposed to service the multi family in Lot 11. It may have contaminated our groundwater and definitely causes flooding towards backyards and close to foundations of homes around 6007 Avery Island Ave. when it rains heavily. We also object to the abandonment of an unfinished parking garage in Lot 11 which should have been removed and land returned to original state, ^{but} ~~but~~ instead has endangered our lives and property by being a haven for graffiti, drugs, criminal mischief, and homeless camps requiring arrests as recently as July 1, 2021. Its caves and steep ramp have endangered all trespassers including young skateboarders. Research Park Properties Trust signed the TNRCC 1998 protection plan agreement.

Please see TCEQ Lillian Butler questions and answers in backup to verify that applicant cannot commence operation on this land until new protection plan is approved which may take up 90 days. The name Research Park Properties Trust is on some of the tax certificates for lots in this zoning case. See abconnect online site for downloadable documents for this case. Hopefully the tax certificates have been paid and just need to be updated as paid. Proof of Research Park Properties Trust true ownership and its ownership of various Karlin Road Estate LLCs and Karlin Assets Management, etc. is available upon request by contacting us at jlbk5@ickoud.com