

**Sirwaitis, Sherri**

Item # 70  
P & Z Dept.

**Importance:** High

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**From:** sam sam  
**Sent:** Tuesday, August 02, 2016 3:01 PM  
**To:** Pool, Leslie  
**Cc:**; Sirwaitis, Sherri; Fernando Mercado  
**Subject:** Opposed to C14-2014-0023.SH  
**Importance:** High

Good afternoon Leslie Pool,

I have been a resident and homeowner in the Northwood neighborhood for over 17 years. I am writing to you today to ask you to OPPOSE the approval of the re-zoning for the Oak Creek Apartments. As a resident, I have witnessed increased flooding in the creek, increased traffic congestion off of the frontage road, and an increase in traffic into our neighborhood as a result of the traffic congestion from Mopac.

We understand that there is a need for the low income housing in Austin; we just don't believe that the location off of Oak Creek is the best one. We have many concerns of having the rezoning approved. The increased impervious cover (asphalt, buildings, parking lot, etc) will add to an increased flooding risk. The runoff from this area will be diverted from its natural path, which already has water levels reaching our neighbors backyards, up to their back doors. The creek will rise quicker since the water will now be concentrated and cause the low water crossing near the railroads to flood even more.

As a mother of three young children, I am extremely concerned of the dangers of increased traffic. Our home is a corner lot. Our front yard and fence have been hit before and have also had several close calls with vehicles. As the congestion off of Mopac has increased recently, we have seen more traffic through our neighborhood. It is my fear that if these apartments are approved, the traffic will ONLY increase through our neighborhood and the dangers to our residents, especially the children, will increase. It is concerning to us to take family walks in our neighborhood, when there are many drivers that use our streets as a detour to the congestion off of Mopac and Parmer, and speed thru our neighborhood.

Because the COA has allowed for the waiver of the Transportation code, in this area, the need for a bus stop in this area is no longer needed. Unfortunately, with these apartments being for low income tenants, many will probably be in need of public transportation, which WILL NOT be available to them. The closest bus stop is about a mile away on the opposite side of Mopac and across Parmer Lane, which are very busy roadways.

As you are aware, these apartments are located less 0.25 mile away from a railroad crossing. Approximately 4 years ago, on the RR crossing just north of the Oak Creek crossing, there was a fatality involving one of the residents in the property adjacent to where the apartments would be located. They have made some improvements to our railroad crossing, but many pedestrians from these apartments will be exposed to this crossing. Vehicles that want to turn onto Oak Creek Drive must often stop on the frontage road while waiting for the train to pass; adding more residents will only increase this danger. There isn't any protection for drivers waiting to turn onto Oak Creek Drive from the frontage road of Mopac.

There is a lack of access to grocery stores, transportation, such as accessible and safe routes to groceries stores, such as HEB, restaurants, bus stops, business in the area where some of these tenants may be employed at, such as Fry's, Taco Cabana, HEB, Firestone, Walgreens, etc. Reaching any of these places means that people have to walk along the high speed frontage road, unprotected. The sidewalk doesn't offer any protection from vehicles along the frontage road and on the turning lanes. A few years back, a pedestrian was struck at the right turn lane.

The land where the apartments may be built on is full of caves, which are the home to many species. An environmental assessment of the land has not been done at this point. What will happen if once the builder begins construction, that they will have to halt the unsightly construction due to hazardous conditions on the land of an endangered species?

Once again, I'd like to voice my OPPOSITION to the rezoning of this land to allow for the construction of these apartments.

Sincerely,

Sonia Mercado

**Sirwaitis, Sherri**

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**From:** Darian

**Sent:** Tuesday, August 02, 2016 2:37 PM

**To:** Pool, Leslie

**Cc:** Sirwaitis, Sherri;

**Subject:** Opposed to C14-2016-0023.SH Elysium Park

Hello,

My husband and I are homeowners in the Northwood neighborhood where the developers are trying to change the zoning so they may build apartments. We oppose these apartments for several reason, but primarily for the safety and quality of life for all residents.

The location of the proposed apartments are in a very inaccessible location . Our neighborhood has only two entrances and both are high volume and somewhat risky. We have watched cars zooming up and down the streets which makes it dangerous for people walking, biking, or even driving. To get to any shopping or drugstores or restaurants, you must have a car. Otherwise, you must try to cross Parmer by foot which has speed limits of 60 mph ( that is the posted mph but people go way faster). We would never let our daughter do this by herself--even when she was in high school. The traffic in the neighborhood is difficult at best during morning and evening commutes. The school buses even have challenges with all the existing traffic---why would we make it more dangerous for kids?

When it rains, the flooding is ridiculous and then there is only one access in and out of the neighborhood. Also, the train blocks traffic all the time, causing more backups in the morning and evening- not to mention the tragic accidents on the train tracks. Our house backs up to the creek---again, we live here and have experienced this ourselves.

My husband teaches 5th grade. As you know, the schools that the apartment would feed into are already overcrowded. I do not understand why we would add more students to an already stressed school system. Neither the teachers, students, or Austin will be successful. Would you consider this before approving the rezoning for an apartment complex?

All of the information has been well presented to the apartment developers and they continue to move forward on a profit driven apartment complex which clearly is not suited for individuals and families. I live here and see this every single day. I would not want any of my family members to rent an apartment in that location for the reasons listed above. Please do not approve the rezoning for this project.

We regret we are unable to attend the hearing. My husband was just released from the hospital today, however, it is important that you understand our opposition of the rezoning.

Thank you for your consideration.

Darian and David Glasgow  
12803 Palfrey Drive  
Austin, Tx 78727

**Sirwaitis, Sherri**

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**Importance:** High

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**From:** Joan Yaffe  
**Sent:** Tuesday, August 02, 2016 12:24 PM  
**To:** Pool, Leslie  
**Cc:** Sirwaitis, Sherri;  
**Subject:** Opposed to C14-2016-0023.SH  
**Importance:** High

Dear Ms. Pool,

My name is Joan Yaffe and I live at 12911 Trailwood Road in the Northwood neighborhood.

As my City Council representative, I wanted to let you know about my concerns regarding the proposed development at 3300 Oak Creek Drive in the Northwood neighborhood.

The proposed site is next to Walnut Creek which floods during heavy rains. The added impervious cover created by such a development so close to the creek will potentially worsen the flooding not only on Oak Creek Drive, but downstream as well.

This is a pocket neighborhood which currently has only two main entrances, one of which only allows southbound traffic out of the neighborhood. The other entrance, with the only traffic light, has a long line of cars exiting every morning. Both of these are residential streets and would not easily accommodate adding potentially 200 more vehicles as a 120 unit apartment complex could produce. It would be a nightmare in the mornings and evenings as people travel to and from work and school. In addition, the proposed development is near the railroad tracks which poses more problems with increased traffic.

The proposed development creates safety issues due to added traffic, the train (both to children who could be playing near the track and cars) and flooding.

The schools in this district are already overcrowded and another 47 home subdivision is currently being built in the Scofield area which will also be in this school district adding more children into these overcrowded schools. The potential for more children in the Oak Creek Drive development would only exacerbate the overcrowding problem.

Finally, the proposed development does not support any of the tenets of the Imagine Austin plan: it is not compact, is connected to nothing, and is not in walking distance to businesses or public transportation. More appropriate development for the site would be a small business or office building like the one at the corner of Oak Creek Drive and the Mopac access road. It fits very well into the neighborhood.

Because of the above concerns, I am strongly opposed the proposed development at this time.

Sincerely,

Joan Yaffe  
12911 Trailwood Road  
Austin, Texas 78727  
512-244-3998

**Sirwaitis, Sherri**

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**From:** Sara Quirk  
**Sent:** Tuesday, August 02, 2016 11:04 AM  
**To:** Pool, Leslie  
**Cc:** Sirwaitis, Sherri;  
**Subject:** Opposed to C14-2016-0023.SH Elysium Park

Hello,

I am writing to express my opposition to the Elysium Park development in Northwood.

As a parent of two small children, I am very concerned about the dangers that result from increased traffic through the neighborhood. We live off of Oak Creek and spend a lot of time with our children in the front yard. We regularly see cars speeding on this road.

There is also an increased flooding risk if the apartments are built. With heavy rains that Austin is subjected to, this area is at risk for flooding.

This is not a safe location for this site for many reasons. Residents have no safe access to grocery stores, restaurants, or stores. They must access these points by way of the frontage road. The frontage road by the railroad tracks is a death trap. Many accidents have been reported here.

Please take in to consideration our objections to this proposed development. Your position on this issue will absolutely affect our voting decisions in the future.

Thank you,

Sara Quirk  
12904 Trailwood Road  
512-897-7997

**Sirwaitis, Sherri**

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**From:** Melissa Schulle

**Sent:** Monday, August 01, 2016 3:05 PM

**To:** Pool, Leslie; Sirwaitis, Sherri

**Cc:**

**Subject:** Opposed to C14-2016-0023.SH Elysium Park

To: Leslie Pool,

I am writing this email to let you know that I am opposed to the proposed Oak Creek Apartments, "Elysium Park". There are several reasons why I am opposed to this development. There is an increased risk of flooding. Oak Creek Drive has been flooded on several occasions in the past year and there was even a water rescue. There are other safety concerns as well. This location is close to railroad tracks; vehicles that want to turn onto Oak Creek Drive must often stop on the frontage road while waiting for the train to pass; adding more residents will only increase this danger.

Thank you for your time. I hope you will support the citizens of Northwood and hear our voices related to this proposed development.

Thank you!

Melissa Schulle

12707 Palfrey Drive

Austin, TX 78727

**Sirwaitis, Sherri**

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**From:** Nicholas Kramer  
**Sent:** Monday, August 01, 2016 3:55 PM  
**To:** Pool, Leslie  
**Cc:** Sirwaitis, Sherri;  
**Subject:** Northwood Neighborhood : Opposed to C14-2016-0023.SH

Dear Council Member,

**I would like to voice my opposition to C14-2016-0023.SH.**

Changes to the proposed zoning represent several concerning issues including:

- Increased flooding risk with more impervious cover
- Dangers of increased traffic – this neighborhood has very limited access that is already strained on busy roads
- Location is near the frontage road and railroad line (within limited exit and entry capacity busy high speed roads)
  - If a train is present traffic will back up on the access road trying to enter neighborhood from Mopac.  
There is barely room for 2 cars to get off the roadway.
- Lack of easy access to grocery stores, transportation
  - As the crow flies there is a grocery store relatively near, but requires traversing an access road and three major intersections with traffic moving 50mph+.
- Possible environmental issues with flood prone creek and caves in the area

Thank you for your consideration and attention.

Nick Kramer  
Northwood Resident  
13200 Council Bluff Dr.

**Nick Kramer**  
Director of Account Services

direct: (512) 236-2682



main: (512) 481-8819

511 W. 7th St.  
Austin, TX 78701



**Sirwaitis, Sherri**

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**From:** Matt Synatschk  
**Sent:** Monday, August 01, 2016 5:27 PM  
**To:** Adler, Steve  
**Cc:** Sirwaitis, Sherri; 'Donna Blumberg'  
**Subject:** C14-2016-0023.SH Elysium Park

Good afternoon Mayor Adler,

My name is Matt Synatschk and I live in the Northwood neighborhood. The Public Hearing and First Reading for the Elysium Park apartment rezoning application is scheduled for Thursday, August 4<sup>th</sup>. I have concerns about the zoning change and wish to detail them for you in this email.

1. The for profit developer has received approval for fee waivers of \$5,819.00 per unit, resulting in approximately \$500,000 in lost revenue. While fee waivers are appropriate for non-profit and other similar developments, this project is a for profit venture and the loss of revenue for the city only increases the burden on the taxpayers to fund essential city services. Paul Zucker, of Zucker Systems, conducted a process audit of the Planning and Development Review Department in May 2015. The final report detailed 462 recommendations for improving the functions of the PDRD. The lost \$500,000 could be highly useful in implementing many of the recommended changes.
2. The staff report states that the "Walkscore for this site is 23 out of 100 (meaning almost all errands require a car)..." The Walkscore only captures part of the pedestrian issues. The proposed site is isolated by Mo-Pac Expressway to the east, and Parmer Lane to the south. Pedestrians are forced to cross at least one, if not more, major roadways with posted speeds of 55 mph. In addition, the Capitol Metro Red Line rails run close to the site, further compromising a pedestrian's ability to access necessary services.
3. The City of Austin Zoning Guide states "This district [MF-4] is appropriate for moderate-high density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin and major institutional or employment centers, and in other selected areas where moderate-high density multifamily use is desirable." The proposed site is not centrally located, nor adjacent to downtown. The surrounding residential properties are primarily zoned Single Family 3 (SF-3) and Rural Residential (RR). The high density MF-4 District is not appropriate for this location.

In closing, I hope you will join with the neighborhood and oppose the rezoning of this property.

Please feel free to contact me with any questions.

Sincerely,

Matt Synatschk  
Zoning Chair  
Northwood Neighborhood Association



**Sirwaitis, Sherri**

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-----Original Message-----

From: Bradley Boyett

Sent: Monday, August 01, 2016 6:27 PM

To: Sirwaitis, Sherri

Subject: Opposed to C14-2016-0023.SH

We, Brad Boyett & Roland Canales, have lived in the Northwood Subdivision for 16 years. It's a place we have planned on calling home until the time comes that we must go to "THE HOME" :-). We are asking you to vote NO to the rezoning of the Oak Creek location where Saigebrook Development plans to build the apartment complex. Im sure that I don't need to go into detail because you are already aware of our concerns (flooding, traffic, etc.....). When we first met with the Developer several months ago, the question was asked "Isn't there other available properties where you can build your apartment that doesn't have an effect on an entire subdivision?" The answer was "Yes, but we just like this piece of property best." I realize that as Austin grows, things are bound to change but theres right ways and wrongs ways of implementing change and the Saigebrook Development Oak Creek project is not the right way!

I have been a Barber for 35 years and talk to customers all day long. I often hear comments like "you know what they say, you can't fight city hall". Should I really need to "fight" city hall or the council members elected to represent me? Who's side are you on..... Big Developers or the residents that make Austin what it is?

I hope we can count on your support.

Brad Boyett & Roland Canales

12721 Timberside Dr.

Austin, Tx 78727

512-694-2533

**From:** marian and rod

**Sent:** Monday, August 01, 2016 1:18 PM

**To:** Pool, Leslie; Adler, Steve; Houston, Ora; Renteria, Sabino; Zimmerman, Don; Troxclair, Ellen; Gallo, Sheri

**Cc:** Sirwaitis, Sherri;

**Subject:** Northwood resident Opposed to C14-2016-0023.SH on Oak Creek Dr. 78727 a

To: District 7 Councilperson Leslie Poole, the Honorable Mayor and Council Members

We are Rodney and Marian Chervenka; we own the 1.24-acre home/property directly across Oak Creek Drive from the proposed development.

Please accept and review this letter as we are both physically handicapped and unable to stand for long periods of time. We don't know if we will be able to attend the scheduled meeting in its entirety.

We are opposed to the proposed development for the following reasons.

- **Flooding risk.** As we understand the setback from the creek, we believe there will be a substantial increase in the risk of flooding. The great loss of natural cover at the proposed development, when added to the large loss of cover at the large church and parking lot under construction across the street, will overburden the capacity of the creek on a regular basis, and result in increased danger to the community and damage to city infrastructure.
- **Safety.** The proposed development will be pinched between the railroad line/Mopac frontage road and our neighborhood's "Dead Man's Curve". The proposed exit for the development would be located right at the start of the curve, a location that has already seen cars take out poles, fences, trees, yards and even run into a living room. Increased traffic from this development, when exiting at this location would be extremely dangerous. It should also be noted that there is not a continuous sidewalk, or bike lane in our neighborhood and that the sidewalk on the Mopac access road (speed limit 55mph) is unprotected and not safe for regular travel by bicycles or foot.
- **Accessiblity.** Although our part of the neighborhood has easy access to the Mopac frontage road, we regularly have to go through the neighborhood to exit onto Parmer Lane. There is no "U" at the intersection of the frontage road and Parmer. This can result in a travel time of 20 min or more to get from Oak Creek to the Howard train station (a distance of only 2 miles). The access road is already backed up to Oak Creek Drive in the morning rush hour. The proposed development would face the same accessibility issues. No one in their sound mind would bicycle from our part of the neighborhood to the HEB. Also note: there is no continuous sidewalk or bike lane in or out of either end of our neighborhood and the sidewalks that do exist are broken, buckled or missing and not suitable for walking, running or the physically impaired. Also note: there are many hundreds more apartments about to come on the market near our neighborhood on west Parmer and further north on the Mopac frontage road/FM 1325.
- **Environmental/historical issues.** We believe there is substantial evidence of karst features on the property of the proposed development, including but not limited to cave openings, sink holes and sink depressions. There is also evidence of someone having poured concrete to cap a spring or well near the edge of the property. The site may have been occupied by Native Americans; has it been surveyed for mounds, etc.?

- If the development were allowed to be built, the City of Austin would be faced with the expense of fixing existing sidewalk issues and providing even more sidewalks and bicycle lanes to provide the proper level of safety and accessibility.

Thank you for your time. We appreciated everyone's service to the city and the need to balance the needs of all citizens.

Sincerely,

Rodney and Marian Chervenka

3503 Oak Creek Drive

Austin, 78727

512.255.1026

**Sirwaitis, Sherri**

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**Subject:** FW: Opposed to C14-2016-0023.SH

**From:** Ausocd

**Sent:** Monday, August 01, 2016 12:31 PM

**To:** Pool, Leslie

**Cc:** Sirwaitis, Sherri;

**Subject:** Opposed to C14-2016-0023.SH

Hi, Leslie, although our time at VTR only overlapped for a short period, I still remember the kindest you showed to the new kid on the block.

As you can tell from the subject line, I am opposed to this development. It just is not the right location, in my opinion, for any housing development. By now you have heard all the reasons why it is wrong - traffic, railroad lines, limited access, flooding potential and no public transportation - and they are valid points. Several years ago, during a heavy storm, my car was almost swept off Oak Creek Drive by the water cascading across the roadway.

I urge you to oppose this zoning change. I also encourage you to persuade the other council members to oppose this change.

Thank you for your help in this matter.

All the best,

Duane Pufpaff

4305 Oak Creek Drive, Austin, TX 78727