

**From:** Janet Brooks  
**To:** [Sirwaldis, Sherri](#)  
**Subject:** Oct. 14th C14-2021-00012 City Council Meeting Item 61 Milwood Section 12 Neighborhood entire PDA conditional overlay/ possible restrictive covenants consideration requests  
**Date:** Wednesday, October 13, 2021 12:19:24 PM

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Sherri, please post this letter in backup files if it's not too late. As you can see below, we are having ongoing technology issues which affect the quality and timeliness of our communication.

Thanks!

10/13/21

**To: Mayor Adler, Mayor Pro-Tem Harper-Madison, and Council Members**

**From: Milwood Section 12 Neighborhood Residents within 500 ft/  
Facilitator Janet Brooks**

**Re: Oct. 14th C14-2021-0012 Research Park zoning Item 61 City Council Meeting: NEIGHBORHOOD REVISED Conditional Conditional Overlay Consideration/Restrictive Covenant Consideration Requests for entire proposed PDA combining district**

Please accept our sincerest apologies for ongoing technology delays. Overnight you should have received a Milwood Section 12 email with some of our questions, concerns, objections, and requests for support opposing Research Park PDA combining district without a detailed project plan submitted as other similar council approved projects have done. If you did not receive this email, please notify our facilitator. See contact info at end of this email. She will also be at City Council chambers Thurs. around 1:30pm or earlier and have backup copies for you. You or your staff should be able to find her, because she will be using a walker or wheelchair.

If council does not agree with our opposition requesting a detailed project plan in advance of zoning. Please consider applying these CONDITIONAL OVERLAY REQUESTS/ Possible Restrictive Covenants For entire Research Park PDA combining district before final vote.

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 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.

5. Decreased maximum impervious and building cover requirements from 60% Edwards Aquifer requirements.

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.

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 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 Facilitator  
Janet Brooks  
6313 Avery Island Ave.  
512/731-1762

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**From:** Janet Brooks  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** C14-2021-0012 Council zoning New Oct. 6th information from TCEQ Lillian Butler  
**Date:** Wednesday, October 13, 2021 12:44:25 PM

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Sherri, please add this new Oct. 6th information from TCEQ Lillian Butler to backup files for council agenda Item 61.

Thanks!

Janet Brooks  
Milwood Section 12 Neighborhood Facilitator  
6313 Avery Island Ave.  
Austin, Texas 78727  
512-731-1762

On Oct 6, 2021, at 12:31 PM, Lillian Butler <[Lillian.Butler@tceq.texas.gov](mailto:Lillian.Butler@tceq.texas.gov)> wrote:

Ms. Brooks,  
I believe I captured all of your toon from a questions from the two emails sent today.  
Please see my comments in red.

1. In their application, Karlin marked commercial, but the proposed development in Lot 11 is for a multifamily. Can that be corrected?

Our applications only have two options for land use, residential and non-residential. Multi-family will be used to identify the development type in the final letter.

2. Karlin also checked owner is NOT responsible for maintenance when the city says Karlin will have to sign separate pond maintenance agreement if SP2021-0124C is approved. There are also pre-existing City covenants and restrictions that convey with the land and future owners. Will Karlin be responsible for pond maintenance? If not, who will?

The existing pond will have some type of maintenance agreement "proposed" in the application. Responsibility will fall onto the owner of the physical location of the pond and other participants may be held liable if there is a maintenance agreement that includes all responsible parties. This will be reviewed by the EAPP team member.

3. Karlin is required to donate land for a public park. The most recent information I have is that they want to deed the lower part of Lot 11 to the city soon, which will change all

the impervious cover amounts and other calculations they submitted in their original TCEQ application to what will be a 13–15-acre multifamily site. Can Karlin legally donate this land when they don't have a TCEQ permit to commence operations of any kind?

This agreement is made with the local municipality and not the state. Our review is based on what was submitted and applicable to 30 TAC 213. If the submitted application design changes, the owner is required to submit a new/revised application for review and approval. The timing of the owner receiving approval from the local municipality versus the state is arranged by the owner and their representing agents.

b. If the city accepts parkland from Lot 11, does the TCEQ consider them a new owner requiring city to get TCEQ permit, pay application fee, etc.?

If the city obtains area from Lot 11, yes, they are the new owner of that designated area. Depending on what regulated activity the city may propose for that area, an application may be required to be submitted for review and approval. All applications are fee-based reviews.

b. What will the approximate TCEQ percent of impervious cover for Karlin's multifamily site be if it's only 13-15 acres and how will that change the size of the proposed 350 unit multifamily?

This information is not available, because our review is based on what has been submitted. Again, if that design changes, the owner is responsible for revising their site plan and submitting a new application for review.

1. Will there be a TCEQ geologic survey/map during permitting process?

The submitted application includes a completed geologic assessment because it is located on the recharge zone of the Edwards Aquifer.

2. Will there be an assessment of endangered species and fauna?

The TCEQ Edwards Aquifer Protection Program regulates activities that have the potential to pollute the Edwards Aquifer. Assessment of endangered species and fauna are not within our jurisdiction.

3. If so, how will these surveys/assessments/maps be publicly available?

Again, the submitted application includes a completed geologic assessment. The application was available to the public during the 30-day comment period. Once the review process is completed and "if" approved, the application will again be available through a public information request.

Sincerely,

**Lillian Butler**

Section Manager

Edwards Aquifer Protection Program

Texas Commission on Environmental Quality

E: [Lillian.butler@tceq.texas.gov](mailto:Lillian.butler@tceq.texas.gov)

P: 512-239-1929

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**From:** Janet Brooks  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Oct. 14th C14-2021-0012 Item 61 Research Park PDA Zoning Traffic Design Conditional Overlay  
**Date:** Wednesday, October 13, 2021 12:57:24 PM

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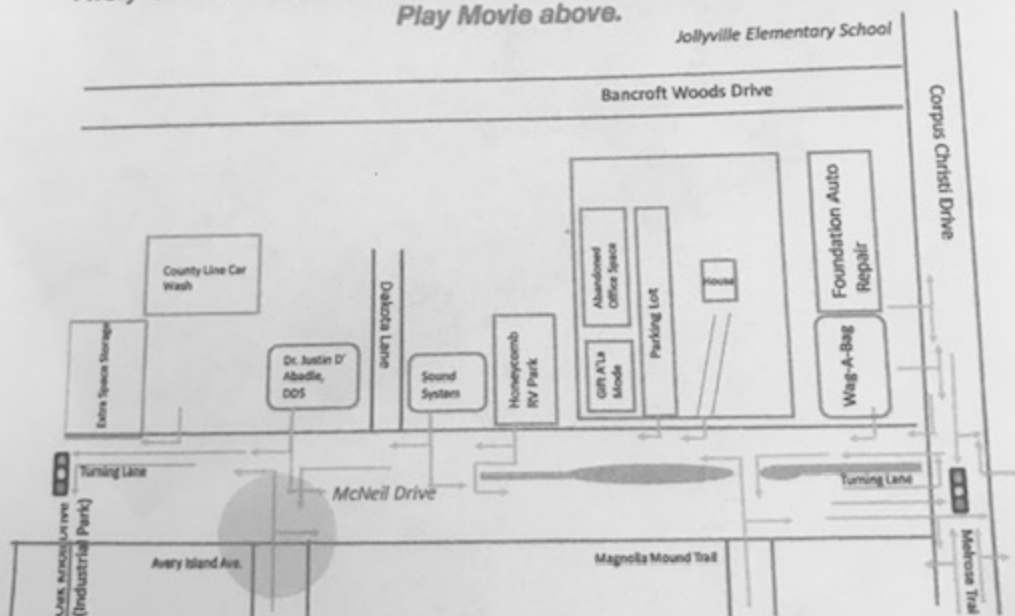
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Please post in backup files. Thanks!

Janet Brooks  
Milwood Section 12 Neighborhood Facilitator  
6313 Avery Island Ave.  
Austin, Texas 78727  
512-731-1762



Avery Island Ave. at McNeil Dr. turn taking, 4 min each on a light traffic day.  
*Play Movie above.*



# **C14-2021-0012**

## **Milwood Section 12 – Slide 6**

- **Conditional Traffic Overlays**

- A. Immediate full TIA 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 along McNeil Dr.
- D. Limit entire Research Park to TOTAL trips per day to 10,000 or less
- E. Remove and prevent impediments to traffic sightline at neighborhood feeder roads
- F. Put a traffic light at Avery Island Ave. and McNeil Dr.
- G. Adjust traffic signals to allow more time for motorists to enter and exit from neighborhood feeder roads
- H. Have a moratorium on multi-family projects

Sent from my iPhone

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**From:** Janet Brooks  
**To:** [Sirwaltis, Sherri](#)  
**Subject:** C14-2021-0012 tree Buffer conditional overlay and park  
**Date:** Wednesday, October 13, 2021 1:02:05 PM

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Please post slide below. Thanks!

Janet Brooks  
Milwood Section 12 Neighborhood Facilitator  
6313 Avery Island Ave.  
Austin, Texas 78727  
512-731-1762

# C14-2021-0012

## Milwood Section 12 – Slide 7

### Research Park – Lot 14F

#### Conditional Overlay for Tree Buffers

Due to easements, City of Austin service road and substation, utility poles and power lines, and critical environmental features; the buffer request require special placement and parameters which are not typical of traditional Overlays.

#### Description

Extended dense continuous and maintained mature tree buffers to within the first 200 ft. of Lot 14F along its closest boundary with Avery Island Ave. and Jennings AND where applicable in Lot 11 a similar 500 ft. dense continuous and maintained tree buffer around critical environmental features and their TCEQ required mitigations along the boundary of Avery Island Ave. from the substation to Lot 12.

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Park – We feel that this Lot 14F is a better location for the proposed park because it is adjacent to the deadens Jennings walking path, has flat terrain sports, games, seniors, and ADA accessibility. There is a possibility of using existing parking across Research Park Loop. This park in Lot 14F would need more trees which could be transplanted from tree removal from Lot 11 and other areas along Research Park. This park placement would avoid dangerous situations from critical environmental features along the public walking trails and currently proposed park site.

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