

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

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**NEIGHBORHOOD PLAN:** Oak Hill Combined Neighborhood Plan

**CASE#:** NPA-2011-0025.01

**PC DATE:** May 24, 2011  
May 10, 2011 (Hearing cancelled)

**ADDRESS/ES:** 6408 Covered Bridge Drive

**SITE AREA:** 13.83 acres

**APPLICANT/OWNER:** Covered Bridge Assisted Living, L.P.

**AGENT:** Thrower Design (A. Ron Thrower)

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Higher Density Single Family & Mixed Use      **To:** Multifamily

**Base District Zoning Change**

**Related Zoning Case:** No zoning case submitted

**NEIGHBORHOOD PLAN ADOPTION DATE:** December 11, 2008

**PLANNING COMMISSION RECOMMENDATION:** (pending)

**STAFF RECOMMENDATION:** Recommended

**BASIS FOR STAFF'S RECOMMENDATION:** The plan amendment request meets the following Goals, Objectives, and Recommendations:

**CHAPTER 6: LAND USE AND DEVELOPMENT**

6.A. Provide opportunities for high-quality new development and re-development.

**6A.1**

Ensure quality of new construction and renovations.

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6A.1b—Businesses that redevelop should meet Development Code standards and should meet the goals and objectives of the Oak Hill Combined Plan.

6.B. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment.

**6.B.1**

Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land.

6.B.1a—Rework zoning to allow/support the vision of the Oak Hill Neighborhood Plan.

6.B.1b—Cluster higher density development in appropriate areas, striving to balance the interests of stakeholders while taking into consideration environmental concerns.

6.E. Encourage locally-owned businesses to locate in the Oak Hill area and find ways for local businesses and employers to prosper.

**6.E.1**

Oak Hill stakeholders desire more small-scale businesses with less strip commercial establishments

6.E.1c—Create a small business incubator for the Oak Hill area, to help foster the creation of locally-owned and operated businesses in the planning area.

6.E.1d—Finds ways to attract businesses that will enhance services available to the community.

6.E.1e—Encourage more doctors, dentists, and other medical professionals to locate in the area.

**CHAPTER 8: HOUSING**

8.A. Balance development and environmental protection by maintaining a vibrant residential and commercial community.

**8.A.1**

Assess and minimize the impact of land development on surface and ground water.

8.A.1a—Every housing development/redevelopment should include an environmental impact analysis and incorporate all necessary measures to address its potential impact on the Edwards Aquifer (impervious cover, drainage, traffic, etc).

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## 8.A.2

Design and place homes to minimize impacts on natural resources and the physical environment and to maximize social resources.

8.A.2a—Clustered development should be encouraged where appropriate (see Chapter 9: Neighborhood Design).

8.A.2b—Residential density should be compatible with surrounding uses and informed by a regional vision of the environmental impact development has over the Edwards Aquifer.

8.A.2c—Whenever possible, new housing development should be located where existing services and infrastructure exist. Their appearance and density should be appropriate to its environment and compatible with surrounding uses.

8.B. Preserve neighborhood identity, character, affordability, and diversity.

## CHAPTER 9: NEIGHBORHOOD DESIGN

9.A. Require landscaping along roadways, sidewalks, bike paths, and around bus stops to provide shade in order to encourage pedestrian, bicycling, and mass transportation.

### 9.A.1

Incorporate pedestrian-friendly site design standards in all new commercial development and redevelopment projects to create safe pedestrian environment in the planning area.

9.A.1a—Provide open space and/or pedestrian amenities such as benches, bike racks, fountains, etc. for development sites greater than one acre.

9.A.1b—Provide street plantings at the time of new construction or major redevelopment.

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## **9.A.2**

Encourage incorporation of pedestrian-friendly building design elements in all non-residential development and redevelopment projects within the planning area.

9.A.2a—Use limestone, brick, or other regional building materials compatible with the Oak Hill “Hill Country” look.

9.A.2b—Integrate solar power and solar hot water heating into building design.

9.A.2c—Integrate green building practices such as solar power panels, solar hot water heating, wind power, rainwater collection systems, green roofs and water quality controls as necessary. If possible, projects should strive to achieve one star or higher rating under the City of Austin Green Building Program or other environmental programs.

9.A.2d—Provide façade articulation of wall recesses and projections and/or different colors and textures.

9.A.2e—Make primary entrances visible by using architectural details, planters, enhanced light fixtures, and the like.

9.A.2f—At least 75% of the building's front façade (facing the principal street) should consist of storefronts with at least two separate entrances.

9.A.2g—Provide for liner stores in building façade. A liner store is a commercial use on the ground floor of a building located not more than 30 feet from the street right-of-way with an entrance facing the street.

9.A.2h—Provide glazing to add interest for pedestrians and provide a human-scale element on the building façade. (Glazing is the panes or sheets of glass or other non-glass material made to be set in frames, as in windows or doors.)

9.A.2i—Provide roof design such as parapets and sloping angles.

9.A.2j—Consider design and application of sustainable roof such as vegetated roofs and/or rainwater collection systems.

**9.B. Enhance the Hill Country look of Oak Hill by preserving trees and addressing aesthetic improvements in the planning area.**

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**9.B.1**

The City Council should consider the application of the Hill Country Roadway Ordinance on U.S. Highway 290 and State Highway 71 and other roadways within the Oak Hill neighborhood planning area to control signage, limit heights, plant trees, and to preserve the natural beauty of the environment.

9.B.1a—Use low-luminance light sources, light shields, and other methods on street lights to protect the night sky from light pollution.

9.B.1b—Design commercial signs and billboards in a tasteful manner that would limit light pollution after business hours.

9.B.1c—Preserve trees (such as oaks, elms, and pecan trees) that are more than 100 years old by using two feet of mulch over the roots during construction.

9.B.1d—Partner with tree preservation experts on tree preservation practices in Oak Hill during new development. Promote trenching and other appropriate methods around existing oaks to prevent the spread of Oak Wilt.

9.B.1e—Utilize design elements and native materials in a consistent manner throughout new developments.

9.B.1f—Provide design elements that are compatible with Oak Hill's Hill Country town look.

9.B.1g—Provide landscaping in medians to create scenery at interchanges.

**9.C. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment.**

**9.C.1**

Ensure that the environmental impact on the Edwards Aquifer and the existing natural landscape is kept at a minimum by new commercial development and redevelopment in Oak Hill.

9.C.1a—Incorporate water control measures within the design of the site.

9.C.1b—Provide, protect, and preserve open spaces and environmental features by encouraging cluster developments.

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## 9.C.2

All new residential development/redevelopment projects in Oak Hill should strive to ensure that the environmental impact on the Edwards Aquifer and the existing natural landscape is kept at a minimum.

9.C.2a—Development and redevelopment of large sites should include measures such as pervious paving, rainwater collection system, and smart irrigation where appropriate.

9.C.2 b—Encourage developers to explore clustered development as an option, since it provides sufficient housing units while maintaining and preserving considerable amounts of open space.

9.C.2c—Builders should use the Green Building Standards in their projects whenever possible: Using local materials, considering water needs for landscaping, and installing efficient heating and cooling systems are all steps to building greener homes.

9.C.2d—Builders should explore the option of including a trail through their project site or dedicating an easement near water quality features.

9.D. Preserve neighborhood identity, character, affordability, and diversity.

### 9.D.1

New single-family and multi-family developments/redevelopments should be compatible with existing residential architecture to reinforce the Hill Country character of Oak Hill, in terms of materials, lighting, and height.

9.D.1a—Preserve Old German-style masonry and limestone construction.

9.D.1b—Place overhangs on roofs for shade.

9.D.1c—Provide abundant porch space.

9.D.1d—Utilize metal roofing or some other comparable material.

9.D.1e—Preserve character of old while incorporating sustainable green building practices.

9.D.1f—Incorporate vegetative buffers for all new residential neighborhoods.

**Staff Analysis:** The project, as described by the property owners, will have clustered buildings located outside of the environmentally sensitive areas to preserve trees and to provide for open space. They propose limestone building construction, which is consistent

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with the Oak Hill Plan Goals. During the planning process there was strong desire for this type of use so older Oak Hillians can still live in the community with family and friends even if they are not able to live in their homes.

**BACKGROUND:** The plan amendment case was filed on January 6, 2011, with a letter from the Oak Hill Planning Contact Team to file outside of the February open filing period for City Council-approved plans located on the west side of IH-35.

The plan amendment request is to change the future land use map from Higher Density Single Family and Mixed Use to Multifamily. No zoning case has been filed at this time. The property owners propose to build an assisted living facility with 100 rooms in five buildings. The development will be built in two phases. One building will be for Alzheimer patients.

The current zoning on the property is SF-6-NP with a public restrictive covenant, a copy of which is provided at the back of this report.

The Oak Hill Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on December 11, 2008. The Oak Hill Combined Neighborhood Planning area is located in southwest Austin and is bound by MOPAC (Loop 1) on the east, Thomas Spring Road Circle Drive on the west, Southwest Parkway and Travis Country neighborhood on the north, and Convict Hill, Davis Lane, and Granada Hills neighborhood on the south.

**PUBLIC MEETINGS:** The plan amendment meeting was held on January 26, 2011. Fifty-nine notices were mailed to property owners, utility account holders, and neighborhood organizations registered on the Community Registry, in addition to members of the Oak Hill Planning Contact Team. Twenty-two people attended the meeting, including one city staff member.

The property owners and their agent, Ron Thrower, showed the conceptual plan (page 2 of the Oak Hill Planning Contact Team's letter), and provided the following information on the proposed project:

- The development will be a maximum two stories in height;
- Will have 100 rooms in five buildings;
- Will only have access to State Highway 71;
- There will not be access to Covered Bridge Drive;
- The development will concentrate buildings on the upper part of the property. The development will preserve 90% of the trees. A tree survey has been conducted.
- The buildings will not be institutional-looking, but will be built with limestone and stucco;
- The development will have wheelchair-accessible walking paths, a garden, and a community center.

No zoning case has been filed, but when the case is filed, they will ask for Planned Unit Development zoning for an assisted living facility.

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After the presentation, the following questions were asked:

**Question:** If you received your PUD zoning and the project didn't happen, what would be the worst case scenario of what could be built there?

**Answer:** With the PUD zoning, it would have to be a civic-related use, such as assisted living facility, congregate living, and group home Type 1. However, the existing zoning would allow 172 apartments, which could have 1000 vehicle trips. The proposed zoning would be 100 rooms, with 300 vehicle trips.

**Question:** Why will you seek PUD zoning?

**Answer:** We want to protect areas of the site. The PUD zoning allows us to concentrate the development in area that is best suited for development.

**Question:** How many staff will live and work there?

**Answer:** No staff will live there; about 25 will work there in Phase 1 of the development.

**Question:** What will be the average age of the patients?

**Answer:** Eighty years old.

**Question:** What other properties do you own?

**Answer:** We have a facility at 183 and Peyton Gin Road called the Colonfield House.

After the questions and answers, the Oak Hill Planning Contact team voted to support the plan amendment case based on the conceptual plan that was submitted by the applicants at the meeting. The letter of support is provided in this case report.

**CITY COUNCIL DATE:** May 12, 2011

**ACTION:** Pending

**CASE MANAGER:** Maureen Meredith, Senior Planner

**PHONE:** 974-2695

**EMAIL:** Maureen.meredith@ci.austin.tx.us



Page 1 of Oak Hill Planning Contact  
Team letter of support

Brian Reis, Chair  
Bill Schultz, Vice-Chair  
Jackie Waters, Secretary



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Date: January 31, 2011

To: Maureen Meredith, Senior Planner  
City of Austin, Planning & Development Review Department,  
505 Barton Springs Road, 5th Floor  
Austin, TX 78704

Re: 6804 Covered Bridge Drive  
Owner's Representative: Ron Thrower

On January 26, 2011, the Oak Hill Neighborhood Contact Team held a meeting in accordance with our bylaws to discuss the applicant's proposed future land use amendment for the property located at 6804 Covered Bridge Drive. The applicant has requested a **change in land use from Higher-Density Single Family to Multifamily**. Several members of the contact team attended the community meeting held early that evening and heard the request.

The OHNPCT voted to support the request for the change in use as generally described in the meeting and illustrated in the attached concept plan for an assisted living facility.

Sincerely,

Brian Reis  
Chair, OHNPCT

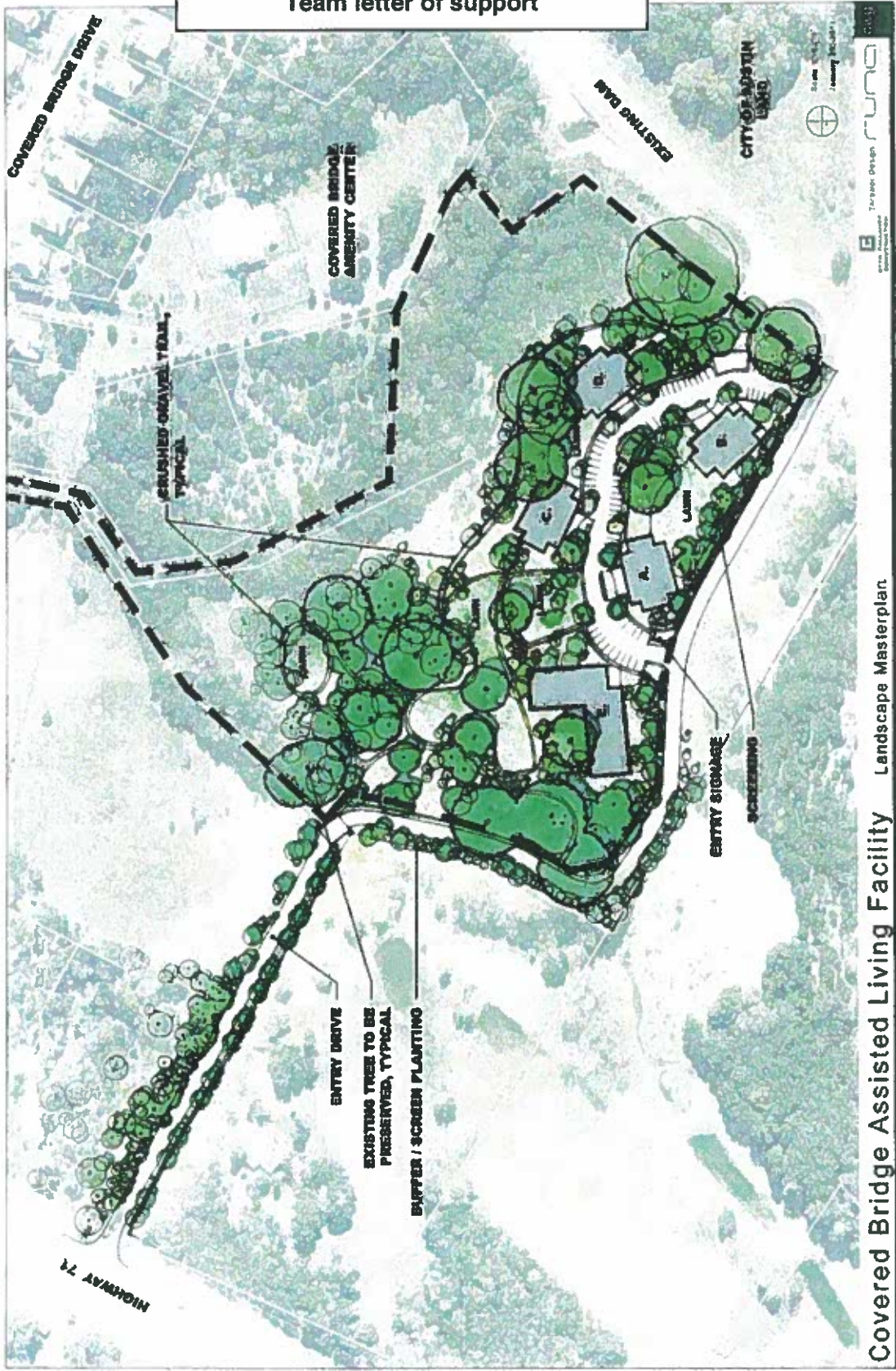
Cc: Bill Schultz  
Jackie Waters

Attachment

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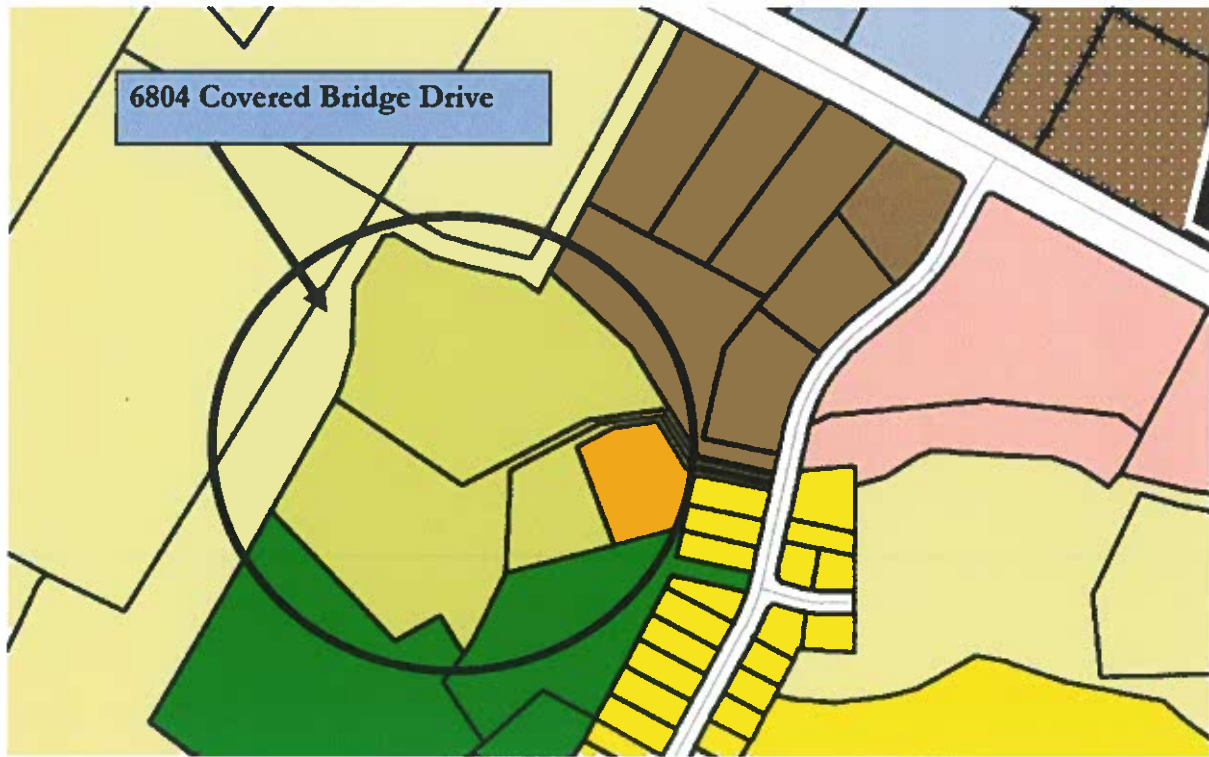
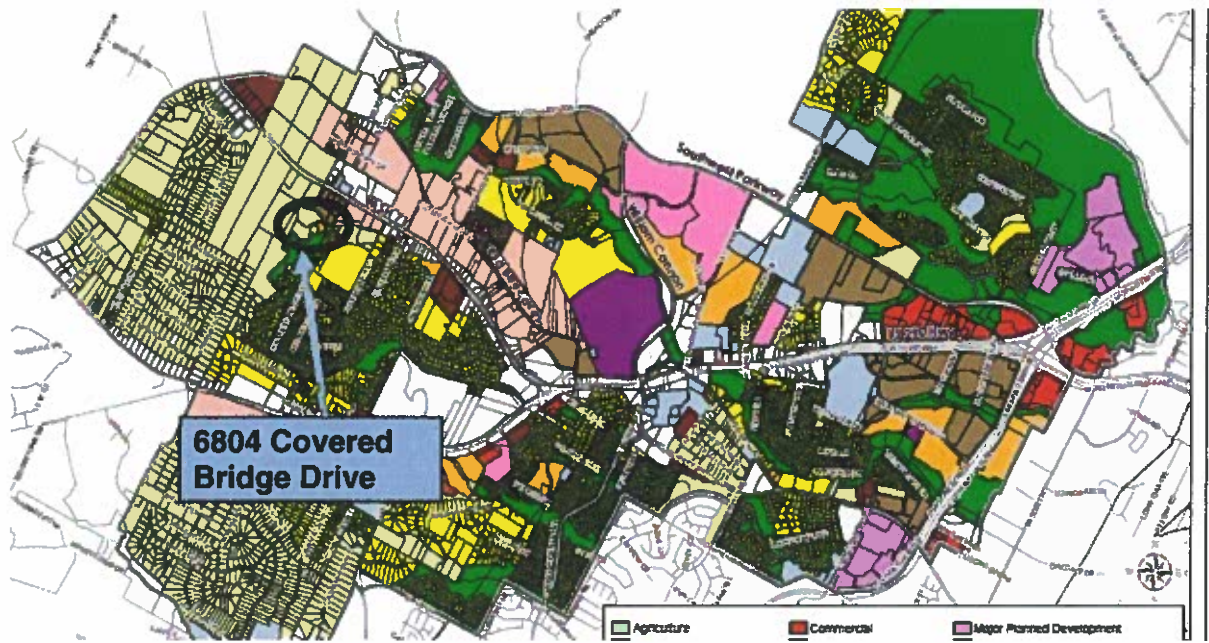
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Page 2 of Oak Hill Planning Contact Team letter of support

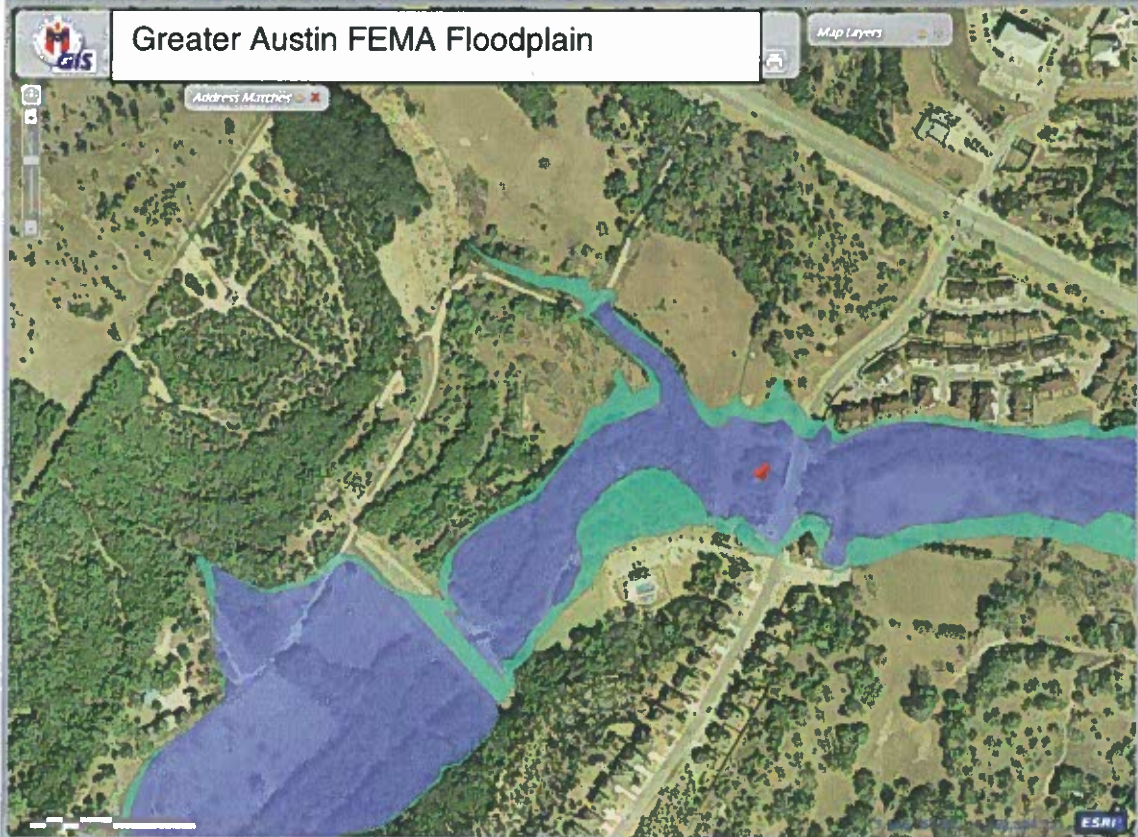
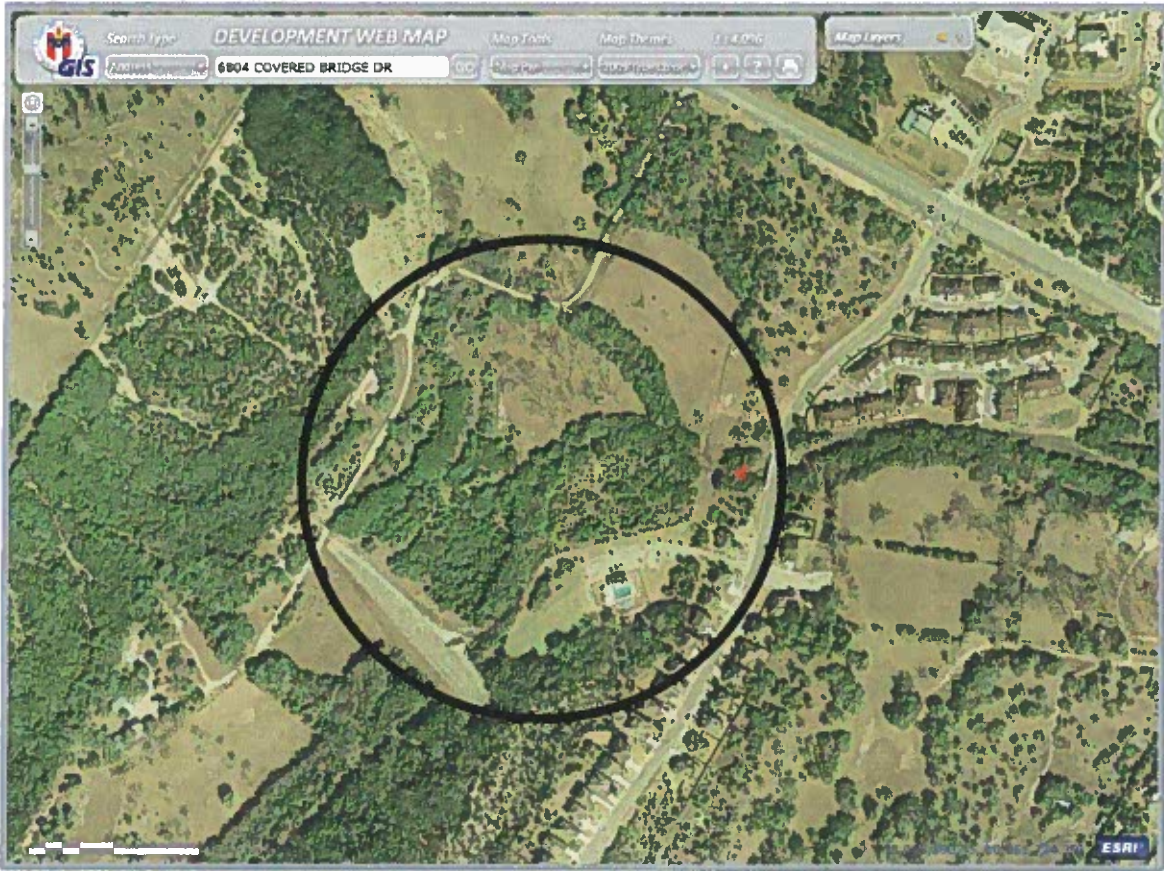


Covered Bridge Assisted Living Facility Landscape Masterplan

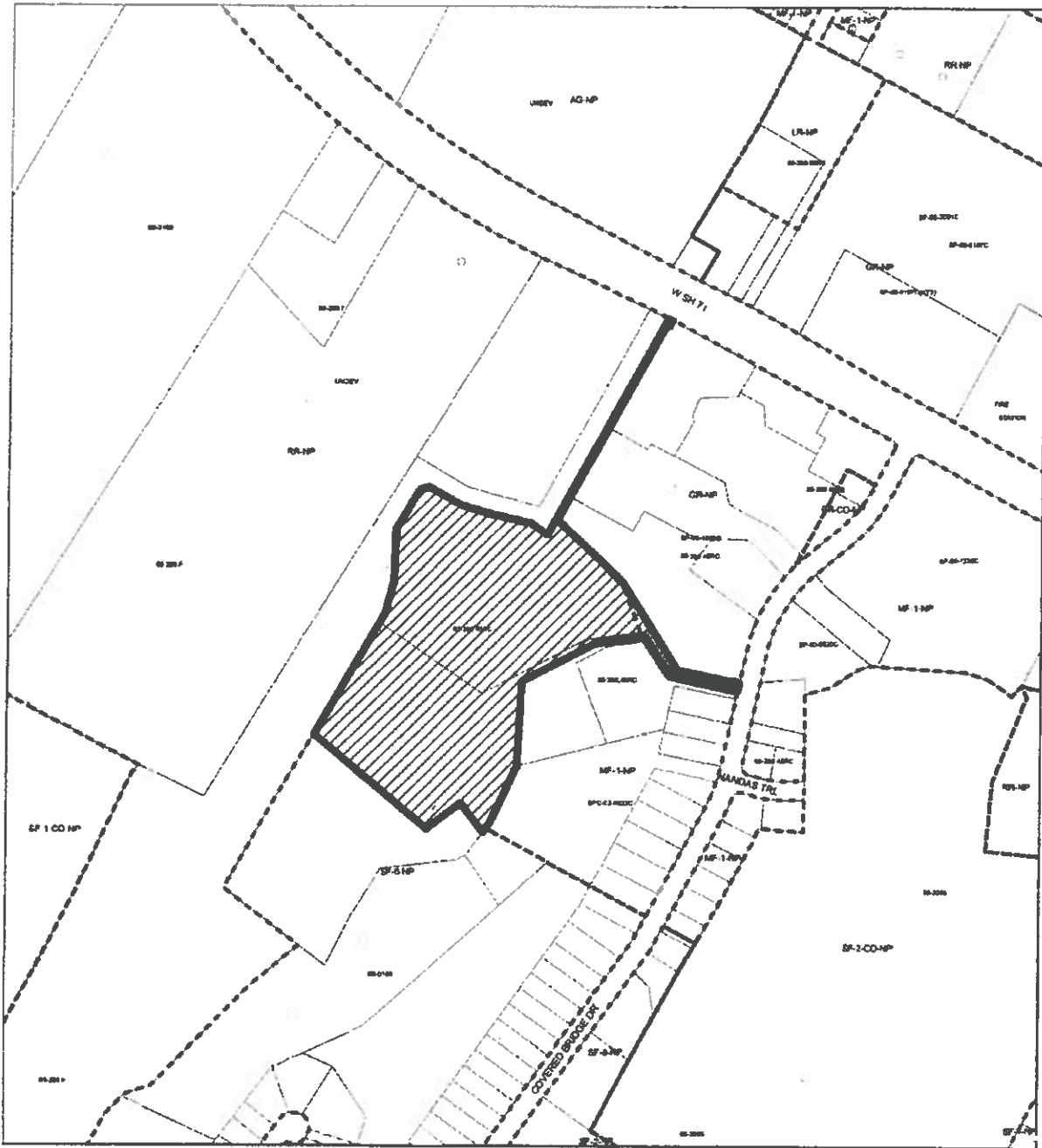
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-  PENDING CASE
-  ZONING BOUNDARY

**NEIGHBORHOOD PLAN AMENDMENT**

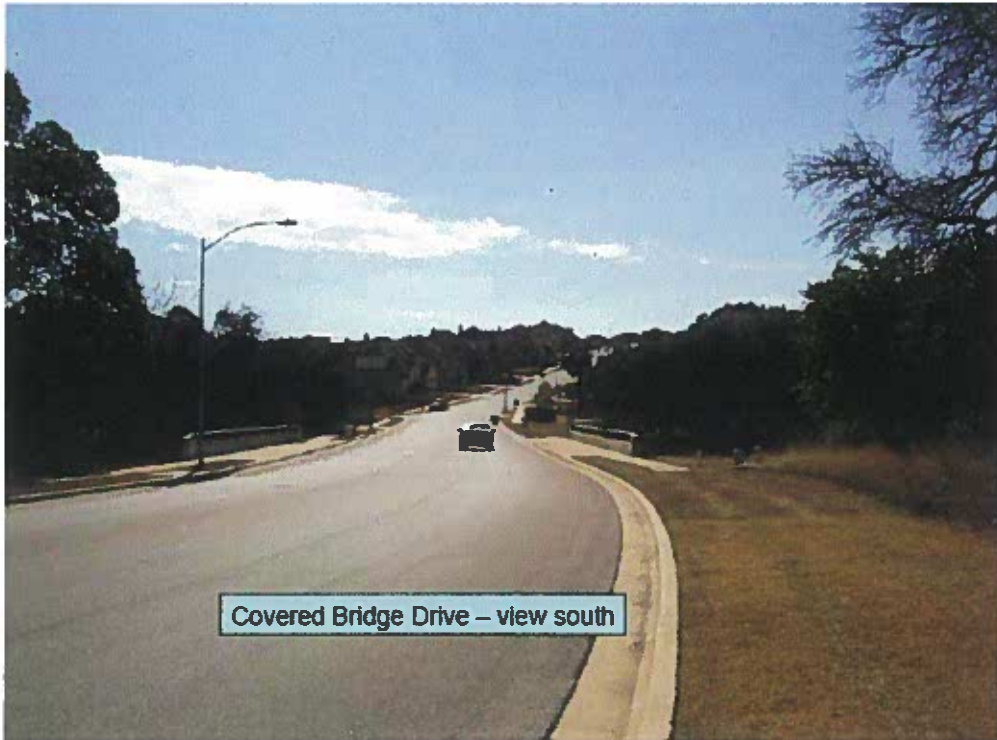
NPA CASE#: NPA-2011-0025.01  
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 SUBJECT AREA: 13.83 ACRES  
 GRID: A20-21  
 MANAGER: MAUREEN MEREDITH



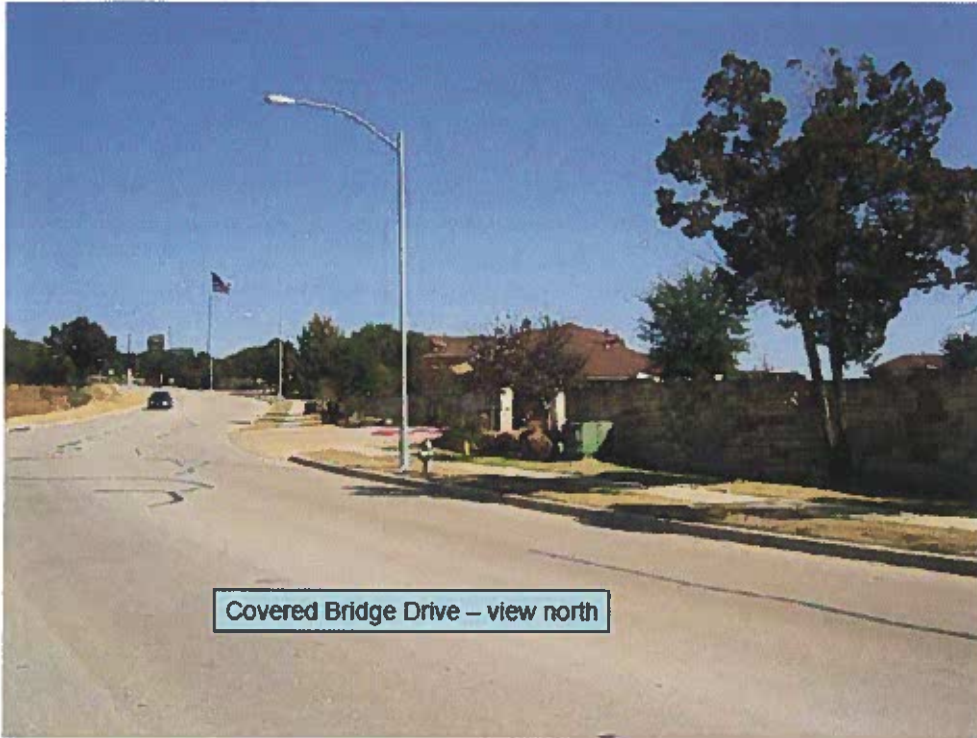
This map has been produced by the Communications Technology Management Dept on behalf of the Planning Development Review Dept for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



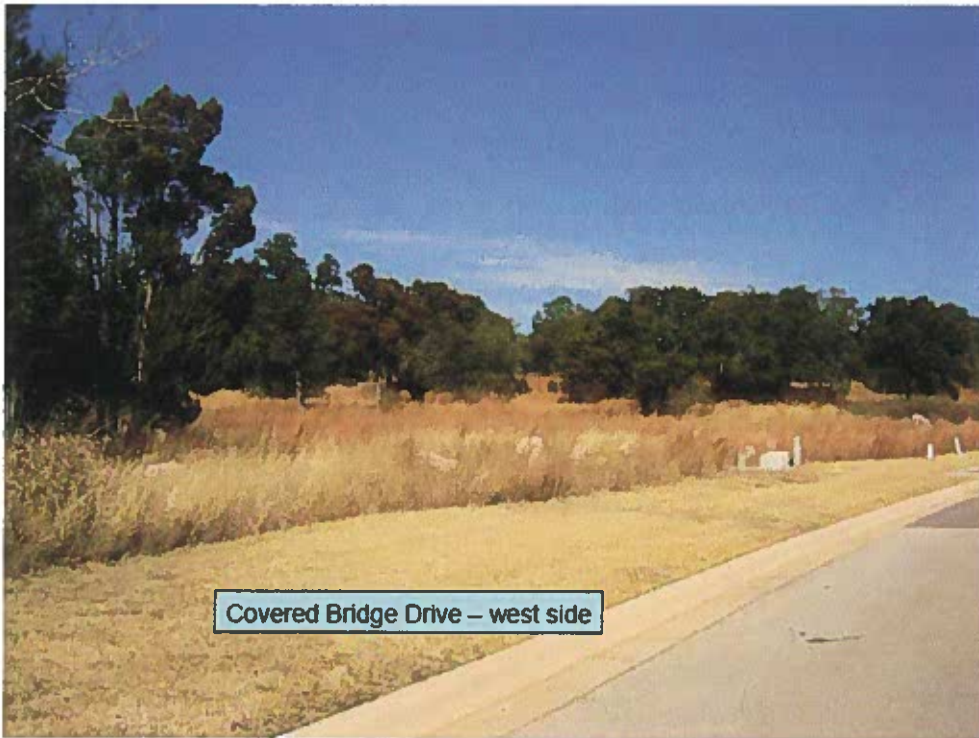
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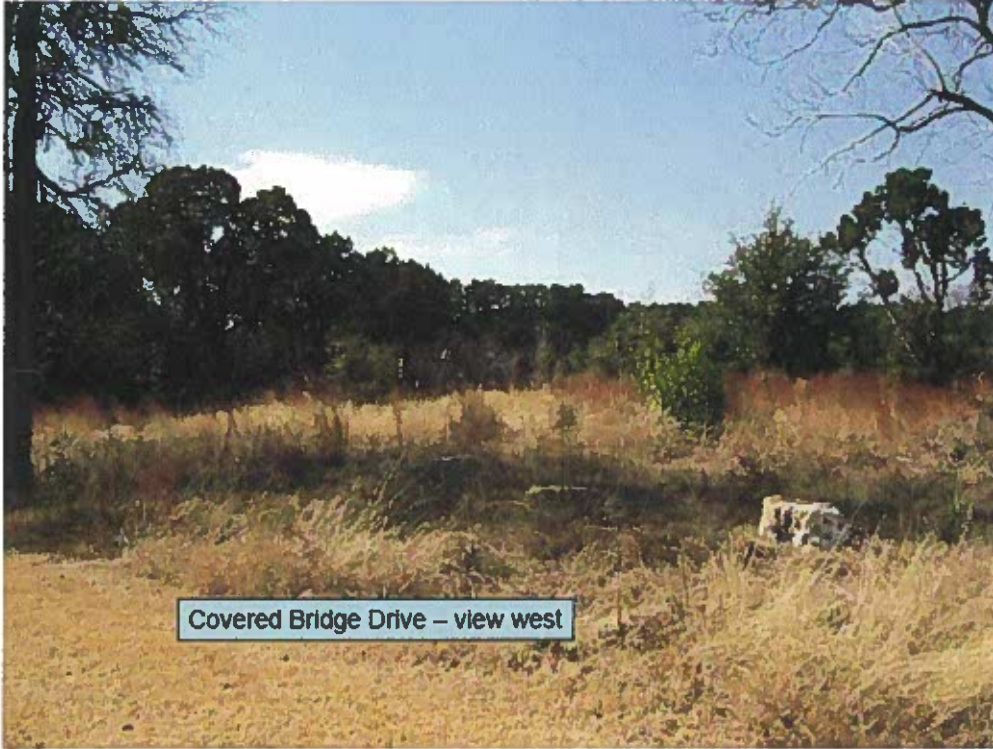
Covered Bridge Drive – view north



Covered Bridge Drive – west side



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Covered Bridge Drive – view west



Covered Bridge Drive – Creek

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ZONING CASE NO. C14-85-288  
(part - case 45)

RESTRICTIVE COVENANT

THE STATE OF TEXAS  
COUNTY OF TRAVIS

§  
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KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the undersigned, of Deaf Smith County, Texas is owner of the following described property (hereinafter referred to as "the property"), to-wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas, described in Exhibit "A" attached hereto and made a part hereof for all purposes, to which reference is here made for a more particular description of said property;

and,

WHEREAS, the City of Austin, Texas, a municipal corporation, and the undersigned owner of the property have agreed that the property should be impressed with certain covenants and restrictions running with the land, for the benefit of the owner, the benefit of the public, and the more appropriate development and benefit of the property, and desire to set forth such agreement in writing;

NOW, THEREFORE, for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand paid by the City of Austin, the receipt and sufficiency of which is hereby acknowledged and confessed, the undersigned owner does hereby impress upon the property, the following covenants, Conditions and restrictions, which shall be deemed and considered to be covenants running with the land, and which shall be binding on the undersigned owner, its personal representatives, successors and assigns, as follows, to-wit:

1. The portion of the property zoned "GR" and designated as PARCEL 1 in Exhibit "B" attached hereto and made a part hereof for all purposes shall be limited to a maximum impervious coverage of fifty (50) percent and to a maximum building area of 105,500 square feet, and shall be further

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limited to two curb cuts among State Highway 71. Development of PARCEL 1 shall be in compliance with all provisions of the Williamson Creek Watershed Ordinance, Section 13-3-401 through 13-3-475 of the Austin City Code of 1981, as amended from time to time, except for the following ordinance sections:

Ordinance 801218-W: part 1, Section 203.3(c), (d) and (e); all of part 2;

Ordinance 810319-M: the part of section 101.2(b) reading "...or to a development within a recorded subdivision which was finally approved or disapproved by the Planning Commission prior to December 18, 1960[.];" all of sections 103.3(c), (d) and (e).

2. The portion of the property zoned "MF-1" and designated as PARCEL 2 and PARCEL 3A on Exhibit "B" each shall be limited to a maximum impervious coverage of fifty (50) percent, and PARCEL 2 shall be further limited to two curb cuts along State Highway 71. Any residential dwellings constructed upon these PARCELS shall be limited to a maximum of 120 units for PARCEL 2 and a maximum of 78 units for PARCEL 3A. Development of any PARCEL of the property zoned MF-1 shall comply with the same provisions of the Williamson Creek Watershed Ordinance as set forth in paragraph 1 of this covenant.

3. The portions of the property zoned "SF-6" and designated as PARCEL 3B and PARCEL 4 on Exhibit "B" each shall be limited to a maximum impervious coverage of fifty (50) percent. Any residential dwellings constructed upon these PARCELS shall be limited to a maximum of 72 units for PARCEL 3B and a maximum of 250 units for PARCEL 4. Development within any PARCEL of the property zoned SF-6 shall not occur on any slope which is fifteen (15) percent or greater.

4. Any residential dwellings constructed upon the portion of the property zoned "SF-2" and designated as PARCEL 5 on Exhibit "B" shall be limited to a maximum of 75 units. Development of any PARCEL of the property zoned SF-2 shall

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comply with the same provisions of the Williamson Creek Watershed Ordinance as set forth in paragraph 1 of this covenant.

5. Any residential dwellings constructed upon the portion of the property zoned "SF-1" and designated as PARCEL 6 on Exhibit "B" shall be limited to a maximum of 75 units.

6. Any residential dwellings constructed upon the portion of the property zoned "RR" and designated as PARCEL 7 on Exhibit "B" shall be limited to a maximum of 13 units.

7. During the process of subdividing the property, right-of-way for the proposed Covered Bridge Parkway (a 4-lane divided roadway) shall be dedicated from State Hwy 71 to the rear property line. The alignment of such right-of-way shall be coordinated with adjoining property owners and the obligations for construction of said roadway as normally apply in the subdivision process shall apply.

8. When a proposed site plan for any portion of the property which is subject to site plan review under the City of Austin Zoning Ordinance is submitted to the City for approval, notice of said submittal shall be given to the Westview Estates Homeowner's Association, Windmill Run Neighborhood Association and West Oaks Neighborhood Association. If notice is not given by the City, the applicant shall give such notice which shall be given in writing by certified mail, return receipt requested, to the representative of each such association as registered with the City and shall be given within three working days of site plan submission to the City by depositing said notice in the U.S. Mail.

9. If any persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to

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Prosecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant; or to take any other action authorized by ordinance or utility service regulations of the City of Austin.

10. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in nowise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

11. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

12. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owner(s) of the above-described property at the time of such modification, amendment or termination.

EXECUTED this the 28th day of August, 1986.

HI-PLAINS SAVINGS & LOAN ASSOCIATION

By Bernard M. Capps, Sr.  
Name: Bernard M. Capps, Sr.  
Title: President

THE STATE OF TEXAS  
COUNTY OF DEAF SMITH

Notary Public

This instrument was acknowledged before me on August 28th, 1986 by Bernard M. Capps, Sr., President of Hi-Plains Savings and Loan Association, a savings and loan association, on behalf of said association.

My commission expires: 04-20-88

Bruce Cargo  
Notary Public - State of Texas



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EXHIBIT B





