

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**

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

**CASE#:** NPA-2011-0025.03

**PC DATE:** January 10, 2012

**ADDRESS/ES:** 7401 West U.S. 290 Hwy

**SITE AREA:** Approx. 2.346 acres

**APPLICANT/AGENT:** Alice Glasco Consulting (Alice Glasco)

**OWNER:** Jimmy Nassour

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Office

**To:** Commercial

**Base District Zoning Change**

**Related Zoning Case:** C14-2011-0146 (SR)

**From:** LO-NP

**To:** GR-NP

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

**PLANNING COMMISSION RECOMMENDATION:** On January 10, 2012, the motion to approve staff's recommendation for Neighborhood Mixed Use, was approved by Commissioner Donna Tiemann, Commissioner Danette Chimenti seconded the motion on a vote of 7-1; Commissioner Mandy Dealey was absent, Commissioner Jean Stevens voted against the motion (nay).

**STAFF RECOMMENDATION:** Staff recommends Neighborhood Mixed Use land use.

**BASIS FOR STAFF'S RECOMMENDATION:** The request to change the Future Land Use Map from Office to Commercial does not support the following plan Goals, Objectives, and Recommendations:

## OAK HILL VISION STATEMENT

As a unique yet integral part of Austin and Travis County, the Oak Hill Area will support measured, sustainable growth in residential and commercial development while maintaining the existence and integrity of its environmental resources, and that of the community and its neighborhoods.

## GOALS, OBJECTIVES, AND RECOMMENDATIONS

### CHAPTER 4: DEVELOPMENT IN THE BARTON SPRINGS ZONE

**4.A.** Preserve and enhance environmental resources including watersheds, air quality, and wildlife corridors.

#### **4.A.1**

Preserve the water quality of area aquifers, streams, rivers, and springs and protect endangered species dependent on the quality of those water resources.

**4.A.1b**—Where appropriate, maintain rural density in Oak Hill. To help achieve regional water quality goals, manage the urbanization of Oak Hill by minimizing dense development and guiding new development away from the recharge zone.

**4.B.** Provide opportunities for high-quality new development and redevelopment.

#### **4.B.1**

Minimize the ecological footprint of development in the Oak Hill planning area to help achieve environmental goals, particularly the preservation of water quality.

**4.B.1a**—During the development process, city staff should consider offering incentives for developers to comply with current land use regulations for “grandfathered” projects.

## **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.**

**6.A.1a—Bring back businesses that have left the Oak Hill area (example: loss of Alberston's store).**

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

**6.A.1c—Find ways to attract quality development in Oak Hill, such as Escarpment Village. Development should be innovative, mixed use, walkable, and transit-oriented.**

**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.B.2**

**Provide business and residential expansion without creating urban sprawl.**

**6.B.2a—Provide support of targeted development, which are areas with existing infrastructure at commercial nodes.**

**6.C. Create a mix of uses in existing corridors of commercial development that will provide a diversity of local services convenient to neighborhoods and establish commercial “nodes” (concentrated activity areas) at strategic locations.**

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.1a—Explore opportunities to replace anchor tenants with new tenants who can attract customers to support local small businesses.

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.

**Staff Analysis:** The Oak Hill Combined Neighborhood Plan is very unique in that the planning area has two major highways that run through it, which would seem to encourage higher intensity land uses along these corridors. However, during the neighborhood planning process and later during the City Council hearings, Oak Hill stakeholders protested against the high intensity land use recommendations (such as commercial and mixed use) along West U.S. Highway 290 and W. SH 71 because they did not want to encourage commercial-strip development such as they saw along U.S. Hwy 183/Research Blvd. Consequently, properties such as this one were not controversial and were left as Office on the FLUM because the existing zoning was Limited Office. The future land use recommendations along the U.S. Hwy 290 West and W SH 71 is mostly Neighborhood Commercial.

Unlike other properties located along U.S. Hwy 290 West, this property is located on the corner of the highway and Convict Hill Road, which is similar to property located at Wolfcreek Pass, which is zoned LR-MU-NP with the future land use of Neighborhood Mixed Use.

Given this, the Neighborhood Planning staff does not support the change in the future land use map to Commercial because of the property's close proximity to multifamily and single family uses and the church to the north.

**BACKGROUND:** The plan amendment and zoning change applications were filed on October 27, 2011, which is out-of-cycle for City Council-approved neighborhood plans located on the west side of I.H.-35. The Oak Hill Planning Contact Team approved the out-of-cycle application.

The request is to change the future land use map from Office to Commercial. The zoning change request is from LO-NP (Limited Office-Neighborhood Plan) to GR-NP (Community Commercial – Neighborhood Plan) for commercial/retail uses. The property will have ingress and egress from both U.S. Hwy 290 West and from Convict Hill Road.

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 planning area is located in southwest Austin and is bound by MOPAC (Loop 1) on the east, Thomas Springs Road and 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. The area covers approximately 11,000 acres, making it the largest planning area in the City.

**PUBLIC MEETINGS:** The ordinance-required plan amendment meeting was held on November 30, 2011. Two hundred and ten meeting notices were mailed to property owners, utility account holders located within 500 feet of the property in addition to neighborhood and environmental groups registered on the City's Community Registry. Twelve people attended the meeting.

Alice Glasco, the owner's agent, said they are requesting to rezone the property from LO-Limited Office to GR- Community Commercial for commercial and retail uses. The following questions were asked:

**Q: What is the commercial zoning on the property to the west of your property?**

A. It is GR – Community Commercial, which is why we are asking for GR zoning district. We want GR so we can provide services for the students at ACC Pinnacle Campus, where they have limited choices on the premises.

**Q: Have you had feedback from Church to the north?**

A. Not recently. We are not aware of any concerns; however, we did meet with the pastor long before we applied for a rezoning. (Note: The pastor the spoke to has since left the church and new one appointed).

**Q. What kind of commercial uses?**

A. See the list of GR uses in the packet of info.

**Q. Does the Church have access through your property?**

A. Yes. We plan to formalize this access through the site plan process.

**Q. What is the future land use on the property where the apartments are located?**

A. Mixed Use/Office

**Q. Is this a legal lot?**

A. Yes. We have a preliminary plan from 1978. It was part of a 400 acre farm.

**Q. How much property did Texas Department of Transportation take for the highway?**

A. About two acres.

**Q. What are the Impervious Cover restrictions on the property?**

A. The Save Our Springs Ordinance applies, so it will be 25%, but this will be determined later in the site plan process. (Note: The zoning case report should provide more info on this subject.)

After the discussion the Oak Hill Planning Contact Team discussed and made a vote on the proposed plan amendment and zoning case. Some members said they were uncomfortable making a recommendation without the Church being at this meeting to make a recommendation on the request. Another comment from a member was why the property owner did not attend the Oak Hill Planning meeting to oppose the land use on the property. Alice Glasco said the owner did not attend all the meetings.

The attendees voted 10 to 0 to approved the change in the future land use map from office to commercial and the zoning change from LO-NP to GR-NP with the recommendation that the following uses would be prohibited.

- Bail Bond Service
- Drop-Off Recycling Collection Facility
- Custom Manufacturing
- Pawn Shop Services
- Automotive Rental
- Automotive Repair Services
- Automotive Washing (as accessory use only)
- Exterminating Services
- Outdoor Entertainment.

The letter of support from the Oak Hill Planning Contact Team is on the next page.

**CITY COUNCIL DATE:**

January 26, 2012

February 9, 2012

**ACTION:** Postponed to February 9, 2012

**ACTION:** Pending

**CASE MANAGER:** Maureen Meredith

**PHONE:** (512) 974-2695

**EMAIL:** Maureen.meredith@austintexas.gov

## Letter of Support from the Oak Hill Planning Contact Team

Brian Reis, Chair  
Stacy Engeling, Vice-Chair  
Danielle Lepper, Secretary



Date: December 6, 2011

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

Re: 7009 Convict Hill Road  
Owner's Representative: Alice Glasco

On November 30, 2011, the Oak Hill Neighborhood Planning Contact Team (OHPCT) held a meeting in accordance with our bylaws to discuss the applicant's proposed future land use amendment for the property located at 7009 Convict Hill Road. The applicant has requested a **change in land use from Office to Commercial**. Several members of the contact team attended the community meeting held early that evening and heard the request.

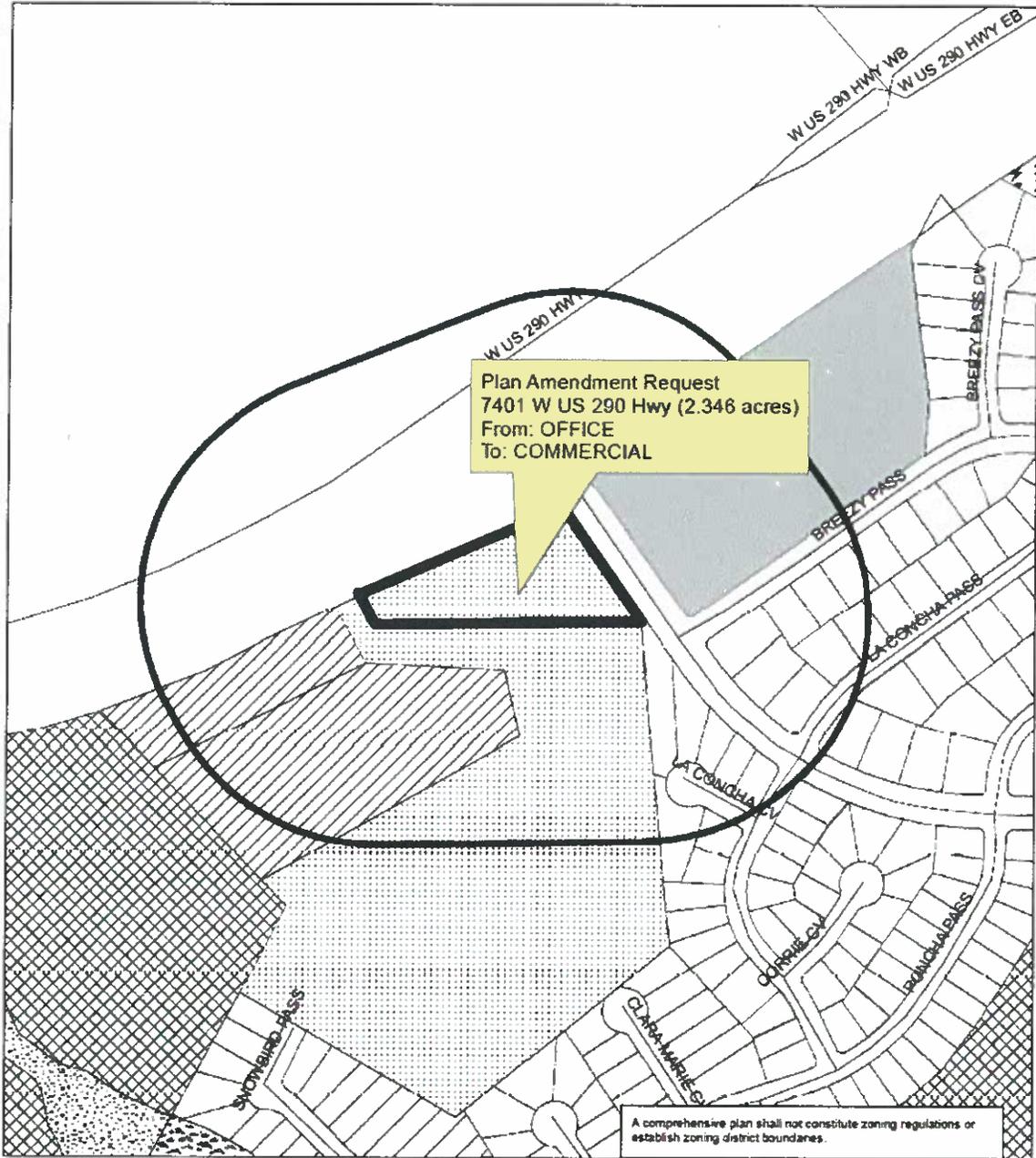
The OHPCT voted to support a change to the approved future land use map (FLUM) from Office to Commercial and the proposed zoning change from LO-NP to GR-NP with the following uses prohibited: automotive repair services, automotive rentals, automotive sales, automotive washing allowed as a secondary application only, bail bond services, custom manufacturing, pawn shop services, exterminating services, and outdoor entertainment.

Sincerely,

Brian Reis  
Chair, OHPCT

Cc: Stacie Engeling  
Danielle Lepper

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**Oak Hill Combined Neighborhood Plan  
NPA-2011-0025.03**



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City of Austin  
Planning and Development Review Department  
Created on 12/14/2011\_ M Meredith

Legend	
	500ft notification boundary
	Rural Residential
	Single-Family
	Multi-Family
	Commercial
	Neighborhood Mixed Use
	Office
	Mixed Use/Office
	Recreation & Open Space



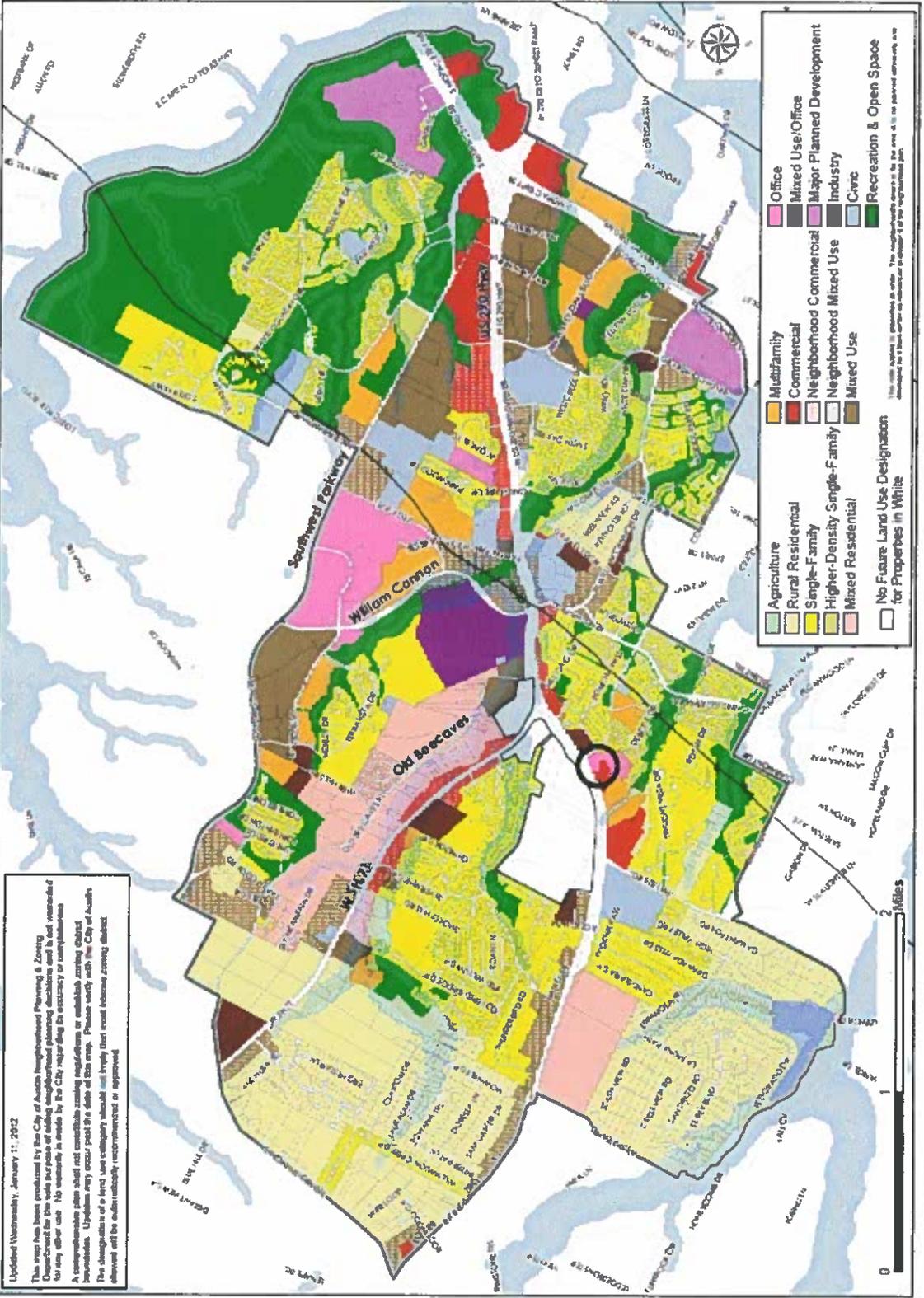
**Oak Hill Combined Neighborhood Plan  
Future Land Use Map**

Updated Wednesday, January 11, 2012

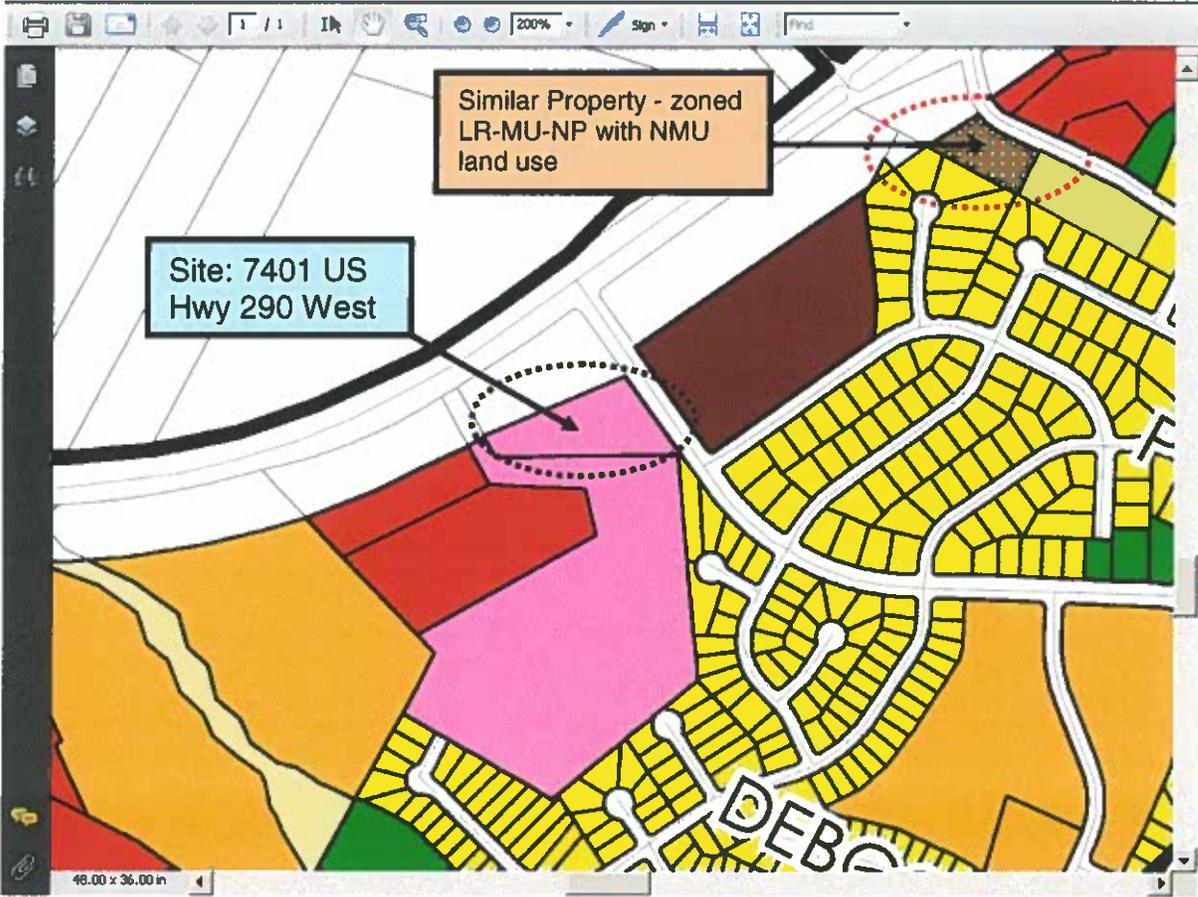
This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of making neighborhood planning decisions and is not intended for any other use. No warranty is made by the City regarding its accuracy or completeness.

A comprehensive plan shall not constitute zoning regulations or establish zoning districts. Ordinance 160909 shall govern the zoning of the City of Austin.

The designations of a land use category should not imply that every lot within a zoning district otherwise will be automatically reclassified or approved.



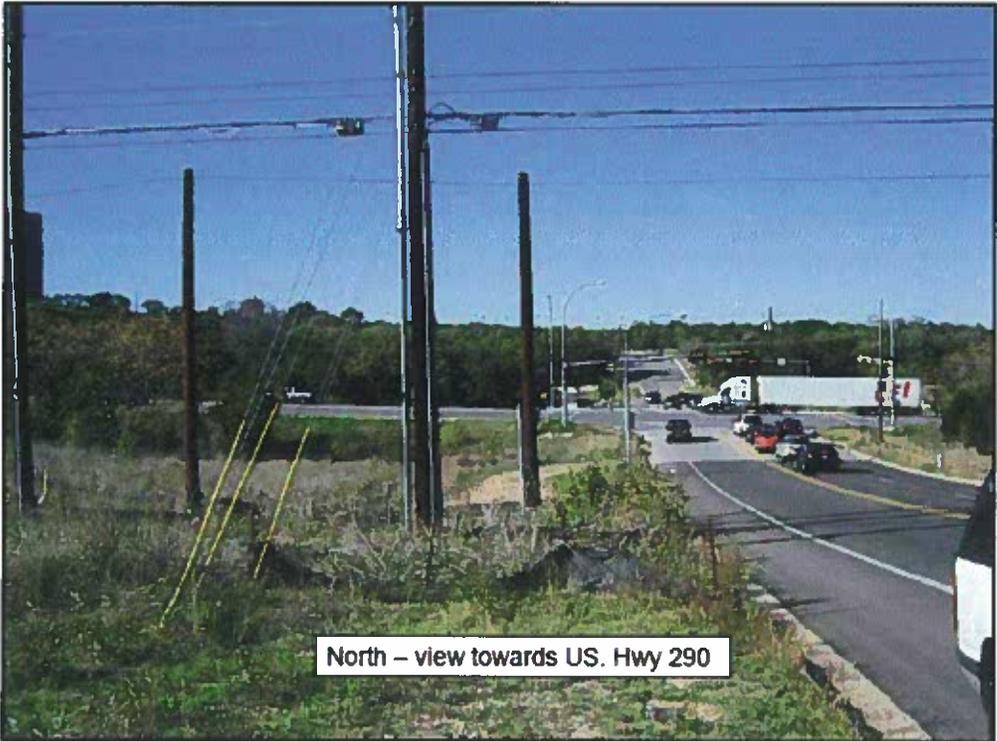
- |  |  |  |                           |
|--|--|--|---------------------------|
|  | Agriculture  |  | Office                    |
|  | Rural Residential                                      |  | Multifamily               |
|  | Single-Family  |  | Commercial                |
|  | Higher-Density Single-Family                           |  | Neighborhood Commercial   |
|  | Mixed Residential                                      |  | Major Planned Development |
|  | No Future Land Use Designation for Properties in White |  | Neighborhood Mixed Use    |
|  |  |  | Mixed Use                 |
|  |  |  | Civic                     |
|  |  |  | Recreation & Open Space   |
- This map applies to properties in color. The neighborhood shown in the map area is to be planned according to the designations in this map as shown on the map of the neighborhood plan.







Site - 7401 W. 290 Hwy



North - view towards US. Hwy 290

