NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Oak Hill Combined Neighborhood Plan (East Oak Hill)

CASE#: NPA-2013-0025.01 **DATE FILED**: February 4, 2013 (In-cycle)

PROJECT NAME: Harper Park Residential

PC DATE: September 24, 2013
September 10, 2013
August 13, 2013
July 23, 2013 (Hearing cancelled)

ADDRESS/ES: 5816 Harper Park Drive

SITE AREA: Approx. 17.75 acres

APPLICANT/OWNER: Harper Park Two LP (Gail M. Whitfield)

AGENT: The Whitfield Company (Marcus Whitfield)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Office **To:** *Mixed Use/Office
*(*The NPA application was amended on June 17, 2013 to change the original FLUM request from Multifamily to Mixed Use/Office).*

Base District Zoning Change

Related Zoning Case: C14-2013-0006
From: LO-CO-NP **To:** *LO-MU-CO-NP
*(*The zoning application was amended on June 17, 2013 to change the original zoning request from MF-2-CO-NP to LO-MU-CO-NP.)*

NEIGHBORHOOD PLAN ADOPTION DATE: December 11, 2008

PLANNING COMMISSION RECOMMENDATION: September 24, 2013 – Approved change in future land use map to Mixed Use/Office. [J. Nortey; A. Hernandez – 2nd] [B. Roark; D. Chimenti, absent] [J. Stevens – nay] Vote: 6-1-2.

Previous Actions:

September 10, 2013 – Postponed to September 24, 2013 by request of the applicant on the consent agenda (S. Oliver, J. Stevens – 2nd) Vote 7-0-2 (A. Hernandez and J. Nortey absent)

August 13, 2013 –Postponed to September 10, 2013 by the request of the neighborhood on the consent agenda (B. Roark, S. Oliver – 2nd) Vote 5-0-4 (D. Anderson, D. Chimenti, M. Smith and R. Hatfield were absent).

July 23, 2013 – Hearing was cancelled.

STAFF RECOMMENDATION: Recommended for Mixed Use/Office land use, as requested by the applicant.

BASIS FOR STAFF'S RECOMMENDATION: The change in the future land use map from Office to Mixed Use/Office land use is a compatible land use being adjacent to single family land uses and zoning because it allows for low-intensity office and residential uses.

The request meets the following Goals, Objectives, and Recommendations of the Oak Hill Combined Oak Hill Plan:

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).

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

6A.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.

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).

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.

8.B.1

Analyze transportation demands in the Oak Hill area.

8.B.1a—For housing development/redevelopment projects where traffic impact is a concern, a traffic analysis should be done due to current traffic problems, long-term challenges of road expansion and improvement, and the overall lack of connectivity of the area (see Chapter 7: Transportation and Infrastructure). Such analysis should consider the adequacy of road connectivity, mobility, alternate transit modes, access, and condition.

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.

9.E. Provide managed connectivity between various neighborhoods while maintaining the quiet enjoyment of neighborhoods.

9.E.1

All new residential development and redevelopment projects should incorporate the following design elements to increase walk-ability throughout the Oak Hill area.

9.E.1a—Provide sidewalks for all new residential subdivisions.

9.E.1b—Keep existing trees along sidewalks to provide enough shade for residents walking.

LAND USE DESCRIPTIONS

Existing Land Use

Office - An area that provides for office uses as a transition from residential to commercial uses, or for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals and non-profit organizations.

Purpose

1. Encourage office-related services in areas that cannot support the traffic generation of commercial uses;
2. Provide for small lot office conversions as a transition from commercial to residential uses; and

3. Preserve sites for employment and office related services.

Application
1. Appropriate for low volume streets such as collectors and minor arterials; and

2. Can be used to provide a transition between residential uses and more intense commercial and industrial uses.

Proposed Land Use

Mixed Use/Office - An area that is appropriate for a mix of residential and office uses.

Purpose
1. Accommodate mixed use development in areas that are not appropriate for general commercial development; and
2. Provide a transition from residential use to non-residential or mixed use.

Application
1. Appropriate for areas such as minor corridors or local streets adjacent to commercial areas;
2. May be used to encourage commercial uses to transition to residential use; and
3. Provide limited opportunities for live/work residential in urban areas.

IMAGINE AUSTIN PLANNING PRINCIPLES

The request to change the land use on the future land use map from Office to Mixed Use/Office will allow for office and residential uses. The ability to add residential uses will provide housing options to the people who live in Oak Hill and in Austin. Staff believes the land use change is consistent with these policies.

ENVIRONMENTAL

LUT P21. Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.

LUT P22. Protect Austin's natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.

CFS P8. Reduce pollution in all creeks from stormwater runoff, overflow, and other non-point sources.

CFS P12. Maintain or enhance the existing rate of recharge in the Edward's Aquifer.

CE P2. Conserve Austin's natural resources systems by limiting development in sensitive environmental areas, including the Edwards Aquifer, its contributing and recharge zones, and endangered species habitat.

LAND USE AND TRANSPORTATION POLICIES

LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.

LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.

LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

LUT P6. Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.

LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

LUT P10. Direct housing and employment growth to activity centers and corridors, and preserving and integrating existing affordable housing where possible.

LUT P22 Protect Austin's natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.

HOUSING POLICIES

H P1. Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.

H P5. Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.

HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

HN P11. Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

NEIGHBORHOODS POLICIES

N P1. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

N P2. Protect neighborhood character **by directing growth to areas of change** and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors and infill sites

N P4. Strengthen Austin's neighborhoods by connecting to other neighborhoods, quality schools, parks, environmental features, and other community-serving uses that are accessible by transit, walking, and bicycling.

N P5. Strengthen planning processes by recognizing that the Comprehensive Plan and small-area plans, such as neighborhood plans, corridor plans, and station area plans, need to respect, inform, and draw from each other.

N P6. Protecting neighborhood character by providing opportunities for existing residents who are struggling with rising housing costs to continue living in their existing neighborhoods.

Growth Concept Map

Two of the five areas called Activity Centers for Redevelopment in Sensitive Environmental Areas are located at the "Y" (State Hwy 71 and U.S. Hwy 290 West) and along Old Bee Caves Road. The property located at 5816 Harper Park Drive is less than 2 miles from these two areas. Activity Centers are identified as locations for additional people and jobs above what currently exists on the ground.

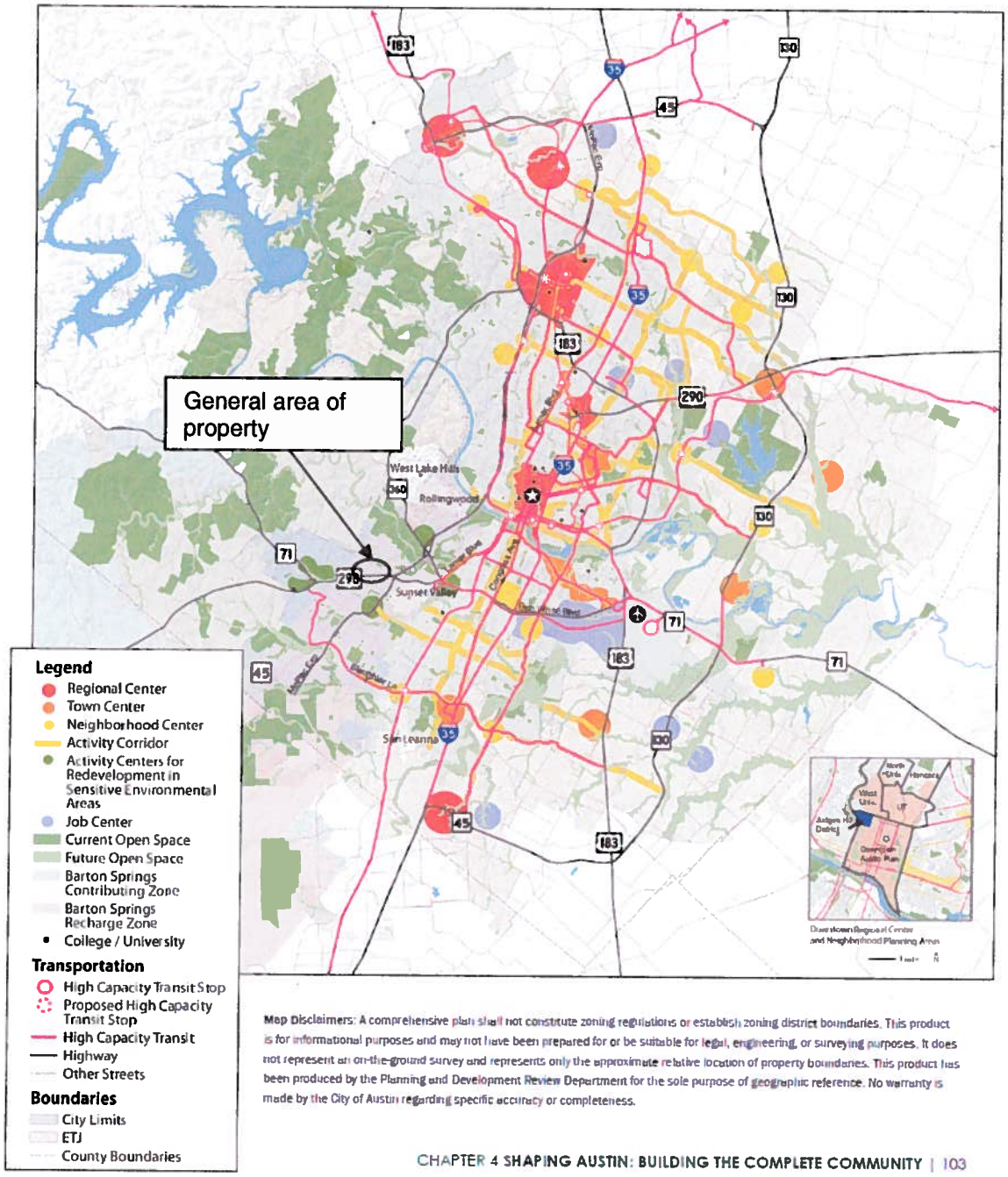
On page 106 of the Imagine Austin Comprehensive Plan, the follow description is provided for Activities Centers for Redevelopment in Sensitive Environmental Areas:

Activity Centers for Redevelopment in Sensitive Environmental Areas

Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

The land use change from Office to Mixed Use/Office is considered a low-intensity land use that staff believes is compatible for this location.

Figure 4.5 **Growth Concept Map**



BACKGROUND: The application was filed on February 4, 2013, which is in-cycle for City Council-approved neighborhood planning areas located on the west side of I.H.-35.

The initial application was to change the land use on the future land use map from Office and Neighborhood Commercial (which is a small tract of land near West U.S. Hwy 290) to Multifamily. The zoning change request was to change the zoning from LO-CO-NP and GR-

CO-NP to MF-2-CO-NP. Due to neighborhood opposition to this request, the applicants changed their application from Office to Mixed Use/Office. The revised zoning change request is for LO-MU-NP to build no more than 76 single family homes. The small tract of land near West U.S. Hwy 290 with Neighborhood Commercial land use was removed from the application.

For more information on the zoning change application for this property, please see the case report for the associated zoning case number C14-2013-0006.

PUBLIC MEETINGS: Two ordinance-required plan amendment meetings were held for this case. The first meeting was held on February 27, 2013 to allow the people who live within 500 feet of the property to discuss the applicants' initial application to rezone the property to MF-2-CO-NP and to change the FLUM to Multifamily. Due to opposition to this request, the applicants revised their application to change the zoning from LO-CO-NP to LO-CO-MU-NP and the FLUM from Office to Mixed Use/Office to build no more than 76 single family homes. The meeting to discuss this revised application was held on Monday, July 8, 2013.

At the July 8, 2013 meeting, Marcus Whitfield, one of the applicants, said David Weekley Homes are interested in building on the 17 acre property. They proposed a 25 foot vegetative buffer, a 50 foot building setback, no greater than 80 homes, low glare lights no taller than 15 feet in height, coordination to help control Oak Wilt, and masonry on three sides of the homes.

He said they are meeting the City of Austin's goals of providing different housing types by providing homes for empty-nesters. They estimated the average number of vehicles trips per day to be 717 trips for the entire development calculated at 9.57 trips per household for 75 dwelling units.

The creation of Harper Park Drive alignment will be a 4-way intersection with Fredericksburg Road, which is across from U.S. Hwy 290 West. The driveway will have minor impact on the neighborhoods.

Ian Dietrich, a representative from David Weekley Homes, said they are the largest private home builder in the U.S. and have been in operation for 36 years. They propose an upper-scale neighborhood to appeal to empty-nesters. The size of the units proposed will be between 1,600 and 2,300 square feet in size. They propose to build a community similar to their development called Canyon Creek Village, which home prices range from $300,000 to $350,000. The average home price in Harper Park would be about $370,000. Their target demographics are couples in their 50's without children, so it should have minimal impact on the schools.

Q. We were told that Oak Wilt spreads 100 feet a year. What you propose to do may be too little, too late.
A. We plan to dig 3 feet deep and 1 foot wide to stop the spread of Oak Wilt. We are working with a professor from Texas A & M who specializes in this area.

Q. How tall with the homes be?
A. 1 or 2 stories, about 25 feet tall.

Q. Will there be a community room?
A. No.

Q. What is Plan B if David Weekly decides not to purchase the property?
A. Another single family developer is interested, also someone is interested in building an assisted living facility. We have also had inquiries from people who want to build schools and churches.

Q. Will there be common areas within the development?
A. Yes and they will be maintained by the HOA fees.

Q. How big will the houses be?
A. We haven't finalized the size of the units because it depends on how many units we end up building, but it will be similar to Canyon Creek development.

Q. Will there be a fence built on the property line?
A. We haven't looked at fences yet, we will first look at native buffers. If we do put up a fence, maybe we will place the good side of the fence on your side of the property. We might even consider a wrought iron fence to allow the water to flow.

Q. Will you have walking trails on the property?
A. I don't think trails would work on the property.

At the meeting, one of the neighborhood leaders representing the Oak Park and Oakclaire Neighborhoods, made a presentation to the attendees outlining the neighborhoods' concerns about the development and presented alternative conditions. Once the City-sponsored meeting was adjourned, the Oak Hill Planning Contact Team convened their planning contact team meeting to discuss and vote on the proposed conditions. Some recommendations from the Oak Park and Oak Acres Neighborhoods were not supported and some of their recommendations were amended by the planning contact team.

The Oak Hill Planning Contact Team's letter of support with conditions approved at the July 8, 2013 meeting is on page 14.

The applicant has agreed to the conditions outlined in the letter submitted by the Oak Hill Planning Contact Team.

CITY COUNCIL DATE:

August 22, 2013	**ACTION:** Postponed to September 26, 2013. [B. Spelman; M. Martinez – 2nd, Vote 7 to 0].

Sept. 26, 2013	**ACTION**: Postponed to October 17, 2013. [B. Spelman, S. Cole – 2nd, Vote 7 to 0].
October 17, 2013:	**ACTION:** Approved 1st Reading.
November 7, 2013	**ACTION:** Pending.

CASE MANAGER: Maureen Meredith **PHONE:** 512-974-2695

EMAIL: Maureen.meredith@austintexas.gov

Letter from the Oak Hill Planning Contact Team

Tom Thayer, Chair
Brian Reis, Vice-Chair
Danielle Lepper, Secretary

July 22nd. 2013

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

Re: NPA Case # NPA-2013-0025.01
5816 Harper Park Dr
Owners: Gail and Marcus Whitfield

On July 8th. 2013. 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 5816 Harper Park Blvd. The applicant has requested a change in land use **from Office and Neighborhood Commercial to Mixed Use/Office**. The community meeting was held on July 8th. 2013.

July 8th. 2013. the OHNPCT voted in favor of the proposed change in land use with the following conditions: No more than 76 units with the following uses to be excluded: multifamily residential. duplex residential. two family residential. and vertical mixed use: 75 foot building setback on the Oak Acres (east) side of the property: 50 foot building setback on the Oak Park (west) side of the property: 25 foot native vegetation buffer with no development of any kind and evergreen vegetation filling in sight lines on the east and west sides of the property: plant trees/hedges at the back of the structures as shown in the David Weekly drawing: all exterior lighting on the property to be shielded down. and street lights to be low glare. shielded down. not to exceed 15 feet: the developer will develop and maintain a drainage control system to adequately control water runoff from the property and will maintain communication with the neighborhoods of Oak Park and Oak Acres during the site planning phase. No action or recommendation was made with respect to the proposed zoning change.

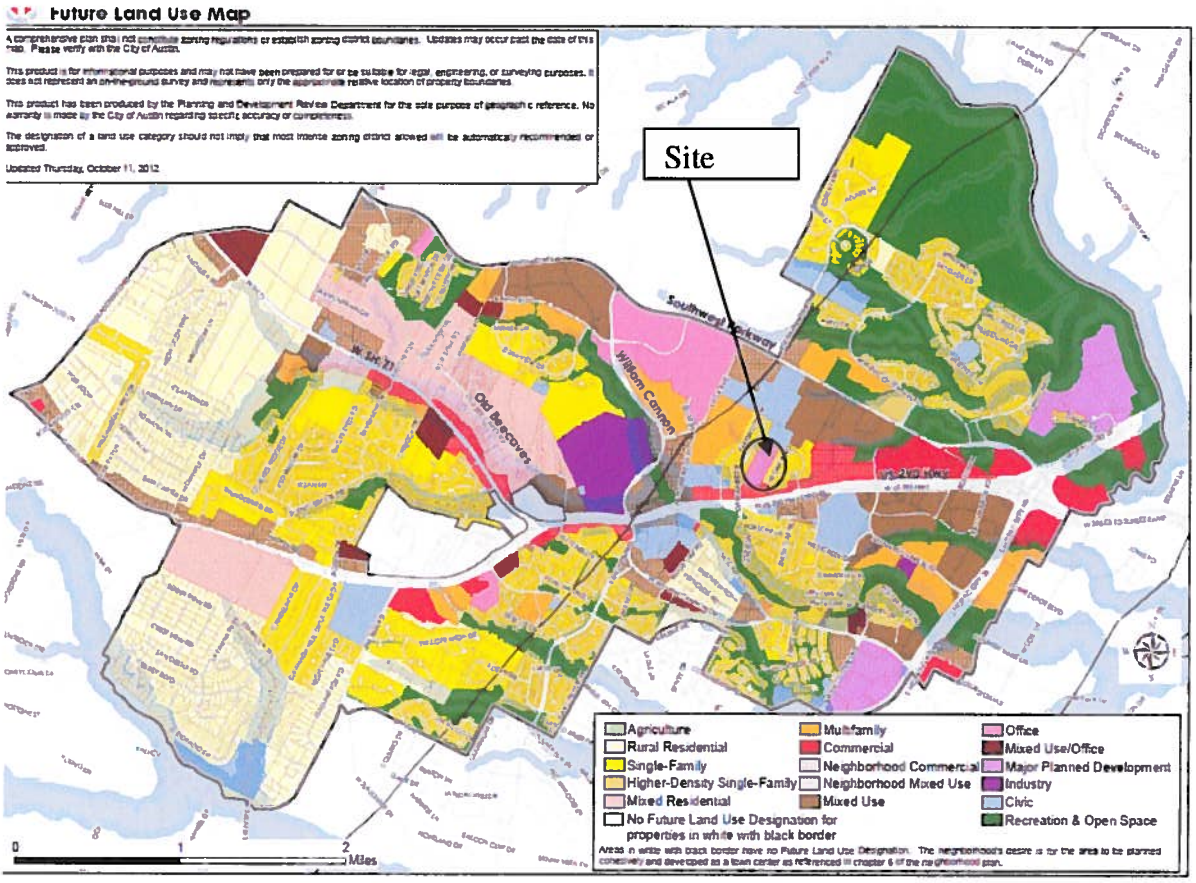
Please let me know if you have any questions.

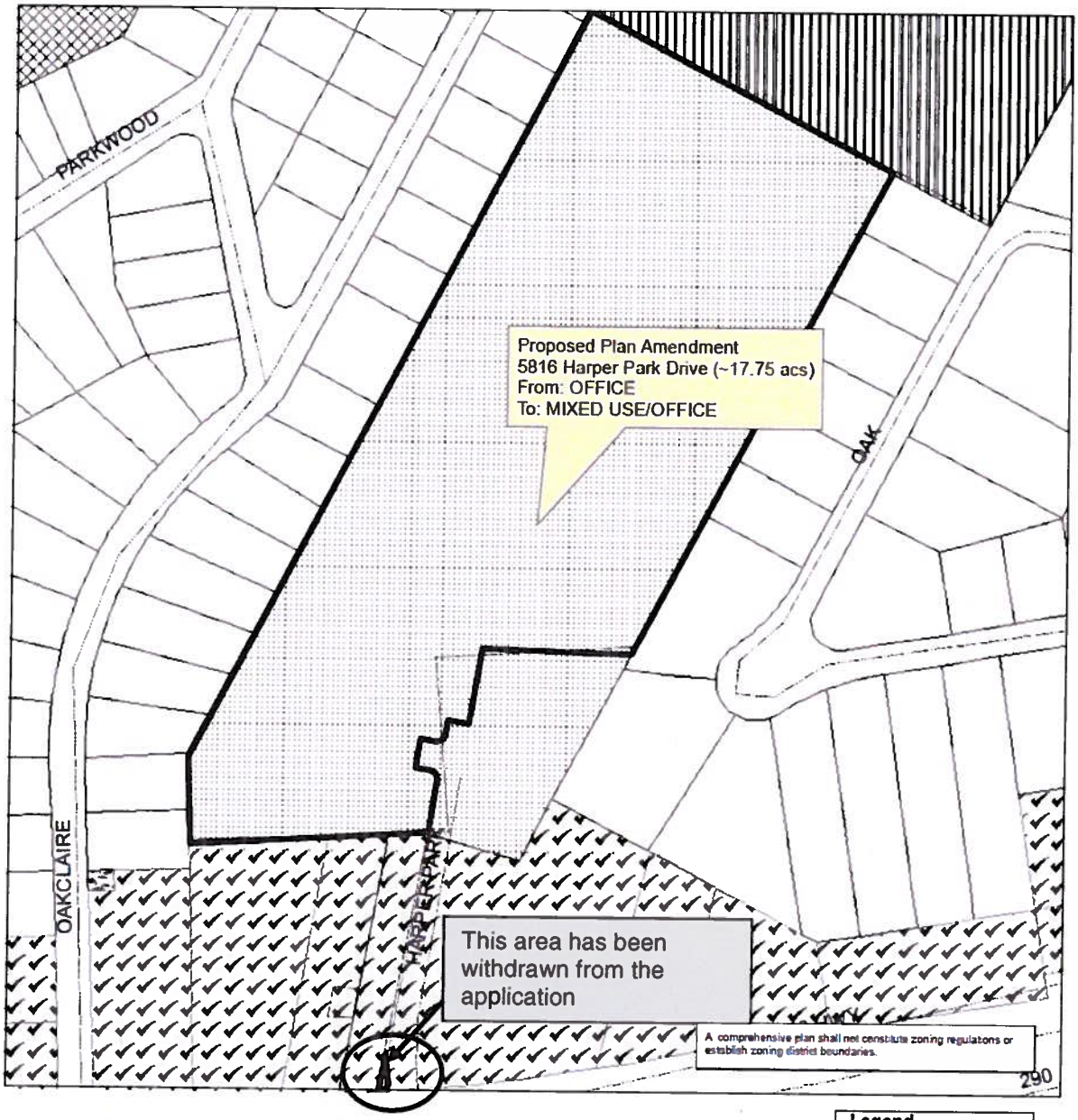
incerely.

Tom Thayer
Chair. OHNPCT

Cc: Brian Reis – Vice Chair
Danielle Lepper – Secretary

Page 1 of 1


Future Land Use Map
Site
Southwest Parkway
William Cannon
Old Bee Caves
Agriculture
Rural Residential
Single-Family
Higher-Density Single-Family
Mixed Residential
No Future Land Use Designation for properties in white with black border
Multifamily
Commercial
Neighborhood Commercial
Neighborhood Mixed Use
Mixed Use
Office
Mixed Use/Office
Major Planned Development
Industry
Civic
Recreation & Open Space
0
1
2
Miles



Oak Hill Combined Neighborhood Plan
NPA-2013-0025.01

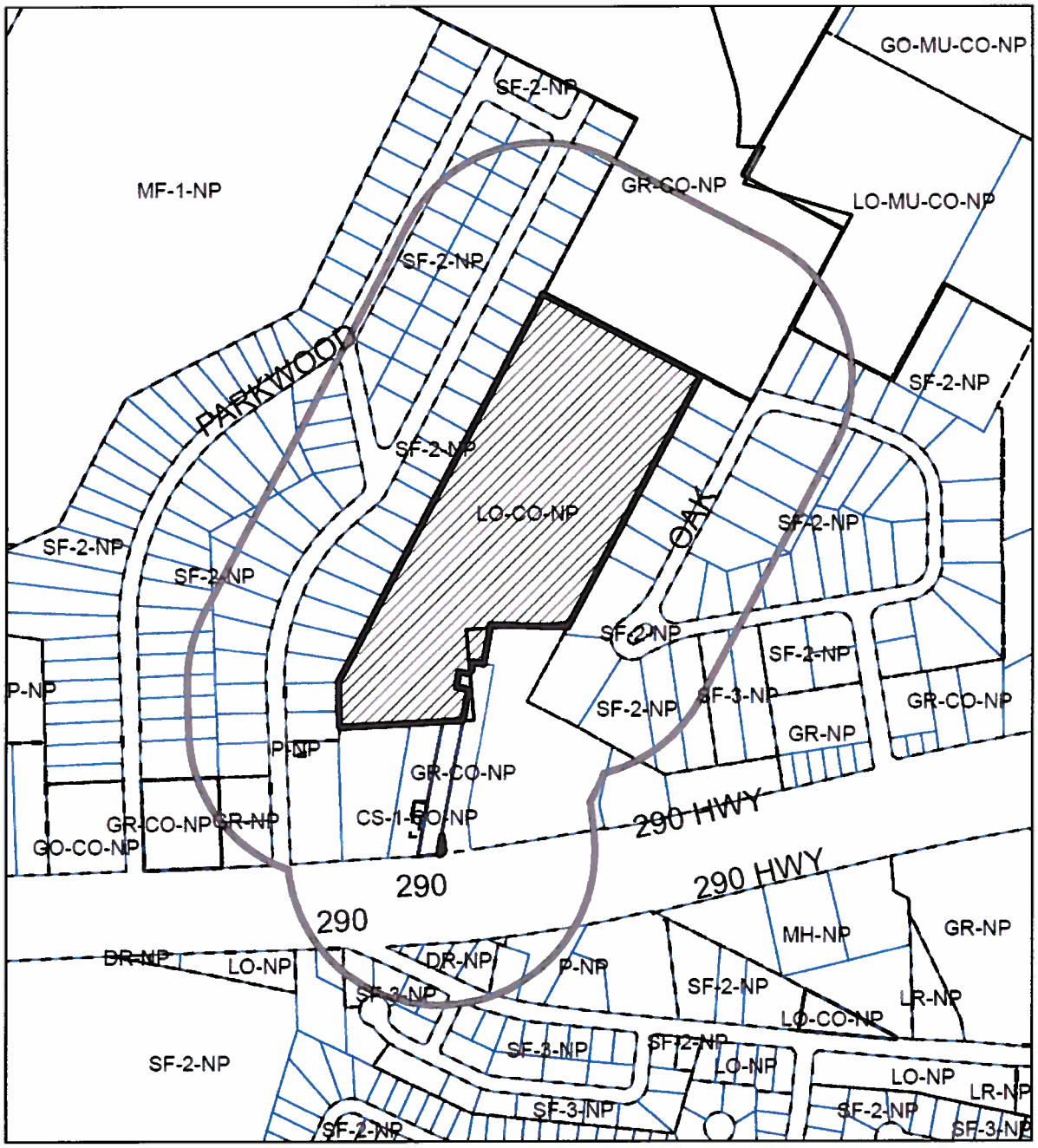
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

City of Austin
Planning and Development Review Department
Created on July 11, 2013_M Meredith

N

Legend
- Subject Tract
- Core Transit Corridors
- 500ft notification boundary
- Street Address Centerline
- NPA CASES
- Single-Family
- Multi-Family
- Neighborhood Commercial
- Mixed Use
- Office
- Civic
- Recreation & Open Space



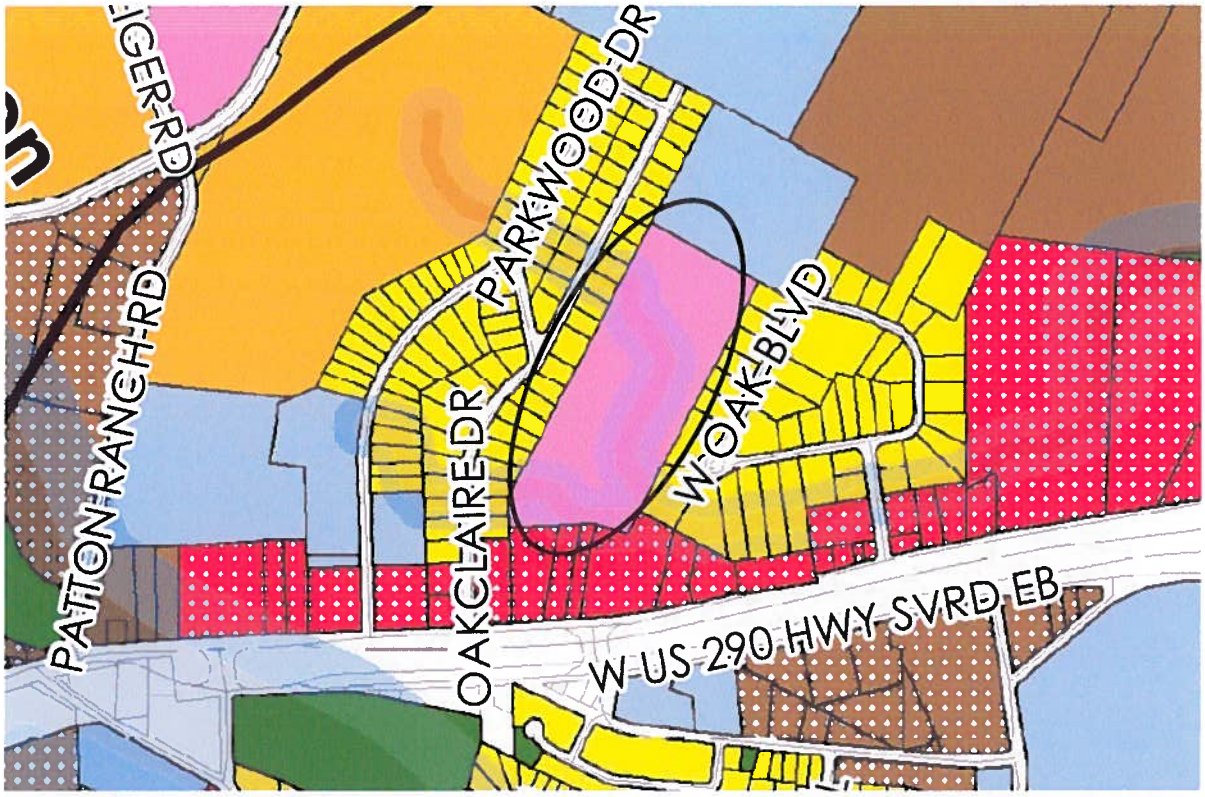
N

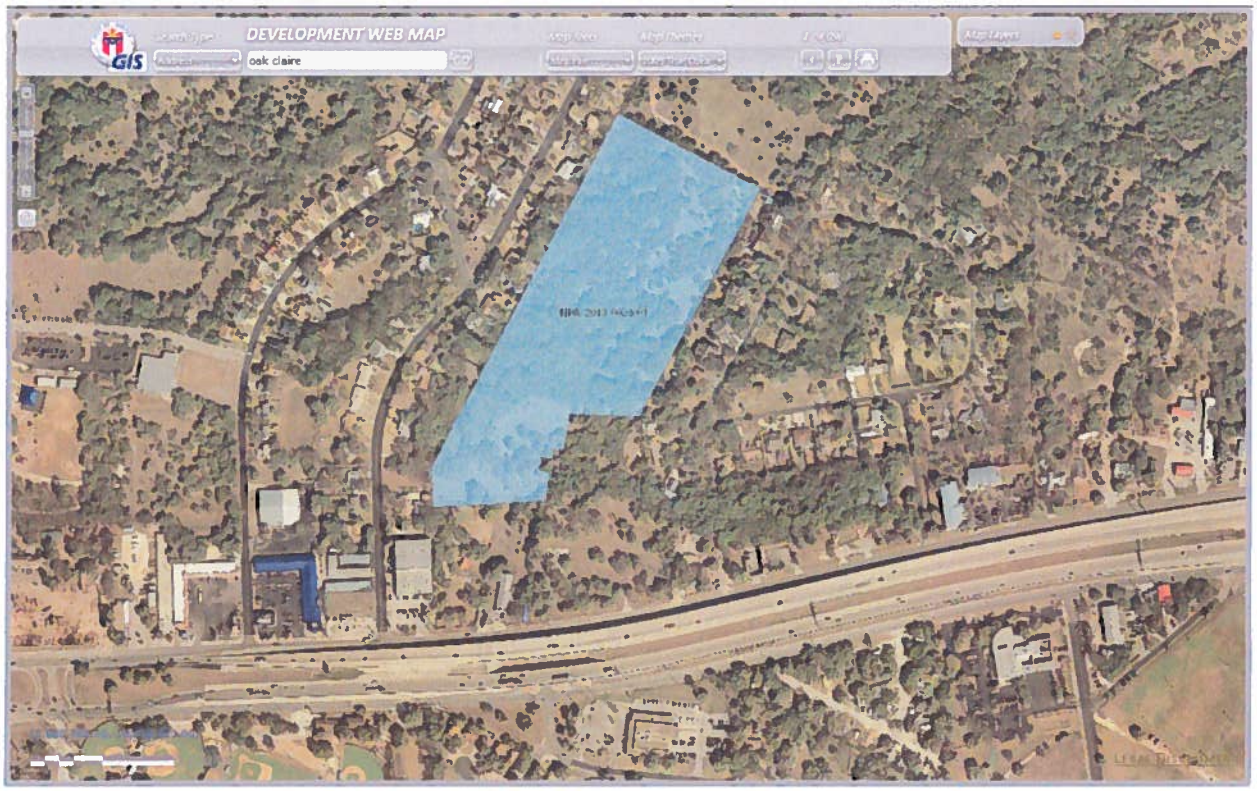
SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
500ft Notification Boundary

NEIGHBORHOOD PLAN AMENDMENT
Case Number: NPA-2013-0025.01
Addresses: 5816 Harper Park Drive (~17.75 acres)

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


GER RD
PATTON RANCH RD
PARKWOOD DR
OAKCLAIRE DR
W OAK BLVD
W US 290 HWY SVRD EB


DEVELOPMENT WEB MAP
GIS
oak claire

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission
August 22, 2013, City Council

☒ **I am in favor**
☐ **I object**

RICHARD GAYLORD
Your Name *(please print)*

5703 OAKCLAIRE DR 78735
Your address(es) affected by this application

Signature

7/15/13
Date

Comments:

PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed amendment. You may also contact a registered neighborhood or environmental organization that that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Aust[illegible] ng and Development Review Department at the number [illegible] express your sup[illegible] in several ways:

- by attenc[illegible] concerns
- by submi[illegible]
- by writin[illegible]

For additional [illegible] website: www.a[illegible]

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission
August 22, 2013, City Council

☐ I am in favor
☒ I object

Maysell R Ramsey
Your Name *(please print)*

6007 Oakclaire Dr., Austin, TX 78735-8609
Your address(es) affected by this application

Maysell R. Ramsey — 7-15-13
Signature — Date

My name is Maysell R. Ramsey. I own and have lived at 6007 Oakclaire Dr., Austin, TX since construction of my home in 1967. My home is constructed over the Edwards Aquifer (confirmed through US Geological Survey). In January, 2013, sitting in my home I felt my brick floor rise and then settle back down. I was told that people in Arizona had experienced the same type occurrence when water was pumped from an aquifer. Also, on the north side of my home (facing west) is a sunken area occurring in recent years that is not the result of soil erosion contrary to Ms. Whitfield's comment on July 8, 2013.

Because of these reason's, I do not concur with these zoning changes.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission Aug 13
August 22, 2013, City Council

☐ I am in favor
☑ I object

Your Name (please print) Shirish Vivin / Alex Srinivasan Suresh

5640 Oak Blvd. W Austin, TX 78735
Your address(es) affected by this application

Signature: Shirish Vivin Date: 8/1/13

Comments: Purchased land/house in 1999 when property was zoned LO-CO-NP we do not support any changes to that zoning.
I object to changes in the land use/zoning until the city renders a decision re: impervious cover restrictions (critical water quality zones + water quality transition). Shirish Vivin

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission Aug 13
August 22, 2013, City Council

☐ I am in favor
☒ I object

Your Name (please print) Karla Lambert Bynum

5645 Oak Blvd
Your address(es) affected by this application

Signature: Karla L. Bynum Date: 8/4/13

Comments: We are very concerned about the significant negative impacts the proposed development will have, particularly from an environmental perspective (increased flooding, possible damage to neighborhood caves, etc.). Additionally, this proposed high density development threatens the very nature of our rural, quiet and vegetation + wildlife-centered neighborhood.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
Maureen Meredith
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Aug 13, 2013, Planning Commission
Aug 22, 2013, City Council

☐ I am in favor
☒ I object

NANCY C. YORK
Your Name *(please print)*

5636 OAK BLVD WEST AUSTIN TX 78735
Your address(es) affected by this application

Nancy C. York — 8-4-2013
Signature — Date

Comments: I object to the proposed zoning change for the following reasons:
1) I bought my home with the understanding only offices for the neighborhood would be behind my property, not 80 houses.
2) There is no way to ensure a developer will not build very dense multifamily homes with an LR-MU zoning which would drastically impact my quality of life

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission Aug 13
August 22, 2013, City Council

☐ I am in favor
☒ I object

Guenther Oswald
Your Name *(please print)*

5644 Oak Blvd Austin
Your address(es) affected by this application

Guenther Oswald — GUENTHER OSWALD — 8-4-13
Signature — Date

Comments: I want the landuse to remain LO-CO-NP

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission Aug 13
August 22, 2013, City Council

John Ryan
Your Name *(please print)*

☐ I am in favor
☒ I object

5612-B Oak Blvd South
Your address(es) affected by this application

Signature — Date: 8/4/13

Comments: I am opposed to any development or zoning change that has the potential to: 1) Allow commercial development, 2) allow any multi-family, multi-story, or dense urban-style residential development 3) allow any development that exceeds the current maximum limit of 15% impervious cover in sensitive recharge zone, which this site is. There are multiple karst features draining storm runoff,
See back...

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
Maureen Meredith
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Aug 13, 2013, Planning Commission
Aug 22, 2013, City Council

Deloris Carroll
Your Name *(please print)*

☐ I am in favor
☒ I object

5612-A Oak Blvd. South
Your address(es) affected by this application

Deloris Carroll — Signature — Date: 8/4/13

Comments: I am ~~opposed~~ opposed to the requested change. A hard rain brings water up to my door. I am very worried about flooding.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission Aug 13
August 22, 2013, City Council

Shirley London Martin

Your Name *(please print)*

☐ I am in favor
☒ I object

5626 OAK BLVd

Your address(es) affected by this application

Signature: [illegible]

Date: 8/3/13

Comments:

See attached

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
Maureen Meredith
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Aug 13, 2013, Planning Commission
Aug 22, 2013, City Council

Dawn Glasgow

Your Name *(please print)*

☐ I am in favor
☒ I object

5048 Oak Blvd Austin TX 78735

Your address(es) affected by this application

Signature: [illegible]

Date

Comments:

The owner is not acting in good faith and has rejected neighbor recommendations that limit her net profit even when said recommendations support the limited impact on existing neighborhood character.

CASE # NAA-2013-0025.01
PLANNING COMMISSION AUG 13, 2013
CITY COUNSIL AUG 22 2013
MAUREEN MEREDITH

I am against this type of high density development being wedged into the land between two rural residential neighborhoods. It is not compatible next to our homes. Both of our neighborhoods (Oak Acres and Oak Park) only allow one story homes and there is a rural feel with lots of trees and natural vegetation.

We were willing to consider changes to the zoning only because we were told by Whitfield and Weekly Homes that they would put in Conditional Overlays that would protect our vegetation buffer, limit the number of homes, provide a good setback, etc. Since they will not put any of this in writing, I have no confidence they will abide by the conditions that were agreed to at the OHAN meeting. And just recently we found out that the city does not recommend CO's for these types of protection, so with the MU zoning it could be a nightmare to us homeowners what could end up on this property. We cannot go along with putting the restrictions in Restrictive Covenants because if Whitfield, or some other developer , does not abide by them, we do not have the $$$$$ to hire lawyers and fight them. Again, a nightmare for us homeowners who are just trying to protect the soul of our neighborhood, the nature around us, and one of the biggest investment in our lives – our homes.

Sincerely,

Shirley London Martin

PUBLIC HEARING COMMENT FORM

2

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
Maureen Meredith
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Aug 13, 2013, Planning Commission
Aug 22, 2013, City Council

property ID: 308564

(512) 669-8551 LOT 4A Oak Acres Resub

Paula Cox

Your Name *(please print)*

☐ I am in favor
☑ I object

5607 Oak Blvd., Austin, TX 78735

Your address(es) affected by this application

Paula Cox — Signature

8/14/13 — Date

Comments: Transportation issues are my biggest concern.

Please do a traffic impact analysis before ever considering a zoning change or land use designation change for this property. This change will hugely impact our quality of life and neighborhood character

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submit ed to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hear ng, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: ~~Jul 23~~, 2013, Planning Commission Aug 13
August 22, 2013, City Council

Jesse Gevirtz

Your Name *(please print)*

☐ I am in favor
☑ I object

5639 Oak Blvd. 78735

Your address(es) affected by this application

Jesse Gevirtz — Signature

8/3/2013 — Date

Comments:

We are concerned about the following: Environmental impact, Water quality as well as flooding. Also, Quality of life impact on surrounding Neighborhoods. Primarily, this is the recharge zone & must, by law be protected. Most importantly whitfield bought it as co, we negotiated for co, and she can sell it as co.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission Aug 13
August 22, 2013, City Council

☐ I am in favor
☒ I object

Lisa & Chalo Chehadi
Your Name (please pri)

5020 Oak Blvd S, Austin Tx 78735
Your address(es) affected by this application

Lisa Chehadi & [signature] 8-13-13
Signature Date

Comments: Our property is cut in half by the City of Austin easement. Currently during heavy rainfall water fills the 45 ft deep creek and comes within feet of our home. Our concern is that proposed 75-80 homes, and roadway to support the increased traffic, would require enough impervious cover that would put our home and safety in jeopardy. We do not feel the proposed water retention structure is sufficient enough to handle the run-off and protect those along the creek/easement. Please see attached photos

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission AUG 13
August 22, 2013, City Council

☐ I am in favor
☒ I object

RODNEY BAKER
Your Name *(please print)*

5638 OAK BLVD. AUSTIN, TX 78735
Your address(es) affected by this application

Rodney Baker — 8-03-13
Signature — Date

Comments: BECAUSE MU IS TOO BROAD. IT ALLOWS RETAIL & COMMERCIAL WHICH I DO NOT WANT IN MY BACKYARD. IT ALLOWS MULTI FAMILY, DUPLEX SMALLLOT SINGLE FAMILY, TOWNHOUSE, VERTICAL MIXED USE, GROUP HOMES & GROUP RESIDENTIAL WHICH I OPPOSE. MY FEAR IS IF MU IS GRANTED DEVELOPERS WILL USE THE COURT SYSTEM TO OVERRIDE ANY CO'S, PUBLIC OR PRIVATE RESTRICTIVE COVENANT THE CITY PUTS ON THE PROPERTY. STRONGLY OPPOSE MU

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
512-974-2695
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Jul 23, 2013, Planning Commission
August 22, 2013, City Council

☐ I am in favor
☒ I object

Kurt Feist
Your Name *(please print)*

5634 OAK BLVD Austin TX 78735
Your address(es) affected by this application

Kurt Feist — 4 August 2013
Signature — Date

Comments: For me to support the zoning change I would need a more solid guarantee that the number of units on the property would not exceed 76 units and that there would be NO improvements at all within 25' of my property line.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
Maureen Meredith
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2013-0025.01
Contact: Maureen Meredith, 512-974-2695
Public Hearing: Aug 13, 2013, Planning Commission
Aug 22, 2013, City Council

☐ I am in favor
☑ I object

John & Vicky Knox
Your Name *(please print)*

5632 OAK BLVD.
Your address(es) affected by this application

John Knox Vicky Knox 8/4/2013
Signature Date

Comments: See attached

CASE # NPA-2013-0025.01
PLANNING COMMISSION
HEARING AUG 13, 2013 PC
" AUG 22, 2013 CITY COUNCIL

MAUREEN MEREDITH

We bought our property in 1995. We bought with the knowledge that the property behind us (subject of this proposed zoning change) was zoned LO-CO. We were OK with that and purchased the property with this knowledge.

Several years ago, Gail Whitfield chose to buy the subject property and she also had the knowledge that it was zoned as LO-CO.

From discussion with long time residents of Oak Acres, many years ago there was a thoroughly negotiated, well thought out agreement between all parties (neighborhoods and land owner) to agree to this LO zoning with the Conditional Overlays that exist on this property to this day.

Furthermore, in 2010, the City of Austin, Oak Hill residents, and stake holders finalized a Neighborhood Plan/Future Land Use Map for Oak Hill East and West which again confirmed that this subject property should be zoned LO-CO.

Now, here we are, with Gail Whitfield, owner of the subject property, asking everyone to toss aside and negate the longstanding years of agreement on how this property should be zoned and the Neighborhood Plan. WE STRONGLY OBJECT TO THIS!!!

The following are other reasons why we object to the change in re-zoning and to the Neighborhood Plan:

LACK OF ADEQUATE PROTECTION FOR OUR NEIGHBORHOOD THROUGH PROPOSED CONDITIONAL OVERLAYS (COs) OR RESTRICTIVE COVENANTS (RCs)

Gail Whitfield and Weekly Homes are proposing a high density development that will be SQUISHED into the subject property between two incompatible neighborhoods - we have a rural feel, large lots, are highly vegetated, and through deed restriction are one story homes. The subject property is NOT in the city's desired development zone - high density building is neither desired nor appropriate!!

We had a neighborhood meeting with Whitfield and Weekly Homes where they agreed to, and stated, that we could get COs to assure vegetation buffers, the number of homes, set backs, lighting, flood control, etc. We agreed to proceed with conversations on zoning changes based on the belief that these COs would be put in place in order to protect our neighborhood. These conditions were agreed to at the OHAN meeting in July. To this date, Whitfield/Weekly will not put agreement to these COs in writing which makes us believe they have no honor, and no intention, to follow through with their statements. Additionally, we have learned the City of Austin does not recommend these COs for the type of protections we seek, but rather Restrictive Covenants. The fact is, the only way these RCs would possibly be enforced are through private and/or neighborhood lawsuits - no City protection. We do not have the means/deep pockets to fight this - so we would be thrown to the wolves in trying to protect our neighborhood and enforce the RCs.

THIS LAND IS VERY ENVIRONMENTALY SENSITIVE AND IS IN THE EDWARDS AQUIVER RECHARE ZONE. CAVES EXIST ON THIS PROPERTY.

It is not disputed that this land is environmentally sensitive. It is over the recharge zone. We object to the further consideration of this re-zoning/land use without the city rendering an opinion as to the watershed regulations and requirements, and until there has been a determination if it must comply with 15% impervious cover, or not?? Furthermore, there are Critical Water Quality Zones and Water Quality Transition Zones located on subject property. We object to changes until the city renders a decision regarding the impervious cover restrictions on the development site at the time of development.

Caves exist on the subject property. These caves should be investigated, mapped, and recorded by the City before any land use, zoning change or development begins. We want to protect these sensitive features, and believe the City shares this desire and responsibility.

FLOODING CONCERNS IN THE OAK ACRES NEIGHBORHOOD

During heavy rains, our neighborhood has water entering homes, as well as, deep standing water in yards, in drainage ditches and culverts along the road. Again, I re-emphasize, we are a rural neighborhood. We do not have the curbs and storm drains afforded a more modern, urbanized development. A major source of the water entering our neighborhood is from the Harper Tract/subject property which is up-elevation from us. We are very concerned that additional impervious cover on the subject property will increase the flooding problem in our neighborhood. The results of the Watershed Protection Plan's Flood Study should be known before any further consideration of zoning or land use changes are considered. (Last estimate was that this study will be released in Fall 2013). A dense development with 35% impervious cover could result in catastrophic consequences for our neighborhood during periods of heavy rainfall.

As longtime citizens of the City of Austin, we respectfully request you will consider the objections and concerns of our neighborhood and deny the changes to the zoning and neighborhood plan for this subject property.

John & Vicky Knox
5632 Oak Boulevard