

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Oak Hill Combined (West Oak Hill)

CASE#: NPA-2017-0025.01

DATE FILED: February 27, 2017 (In-cycle)

PROJECT NAME: Oak Bridge Amendment

PC DATE: June 13, 2017

ADDRESS: 6707 Raccoon Run

DISTRICT AREA: 8

SITE AREA: Approx. 3.396 acres

OWNER/APPLICANT: Fidelma O'Leary

AGENT: Pyramid Consulting, Yousef Nazif

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Multifamily

Base District Zoning Change

Related Zoning Case: C14-2017-0019

From: SF-1-NP & RR-NP

To: MF-1-NP

NEIGHBORHOOD PLAN ADOPTION DATE: December 11, 2008

PLANNING COMMISSION RECOMMENDATION:

June 13, 2017 -

STAFF RECOMMENDATION: Recommended

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Multifamily land use because there is Multifamily land use directly to the east and Neighborhood Commercial land use to the north along State Highway 71. To the west, the land uses are Mixed Residential along State Highway 71 and Rural Residential land uses. Multifamily land use in this location could serve as a buffer between the Neighborhood Commercial along the highway and the single family land use to the south.

The Oak Hill Plan supports a mix of uses along corridors and housing that is sensitive to the environment and is clustered. The property has four existing residential units and the proposed zoning will cap the dwelling units to four units.

Chapter 6: LAND USE AND DEVELOPMENT

- 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 all stakeholders while taking into consideration environmental concerns.

- 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.

LAND USE DESCRIPTIONS***EXISTING LAND USE ON THE PROPERTY***

Single family - Detached or two family residential uses at typical urban and/or suburban densities

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;

2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

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PROPOSED LAND USE ON THE PROPERTY

Multifamily Residential - Higher-density housing with 3 or more units on one lot

Purpose

1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.
4. Applied to existing or proposed mobile home parks.

Application

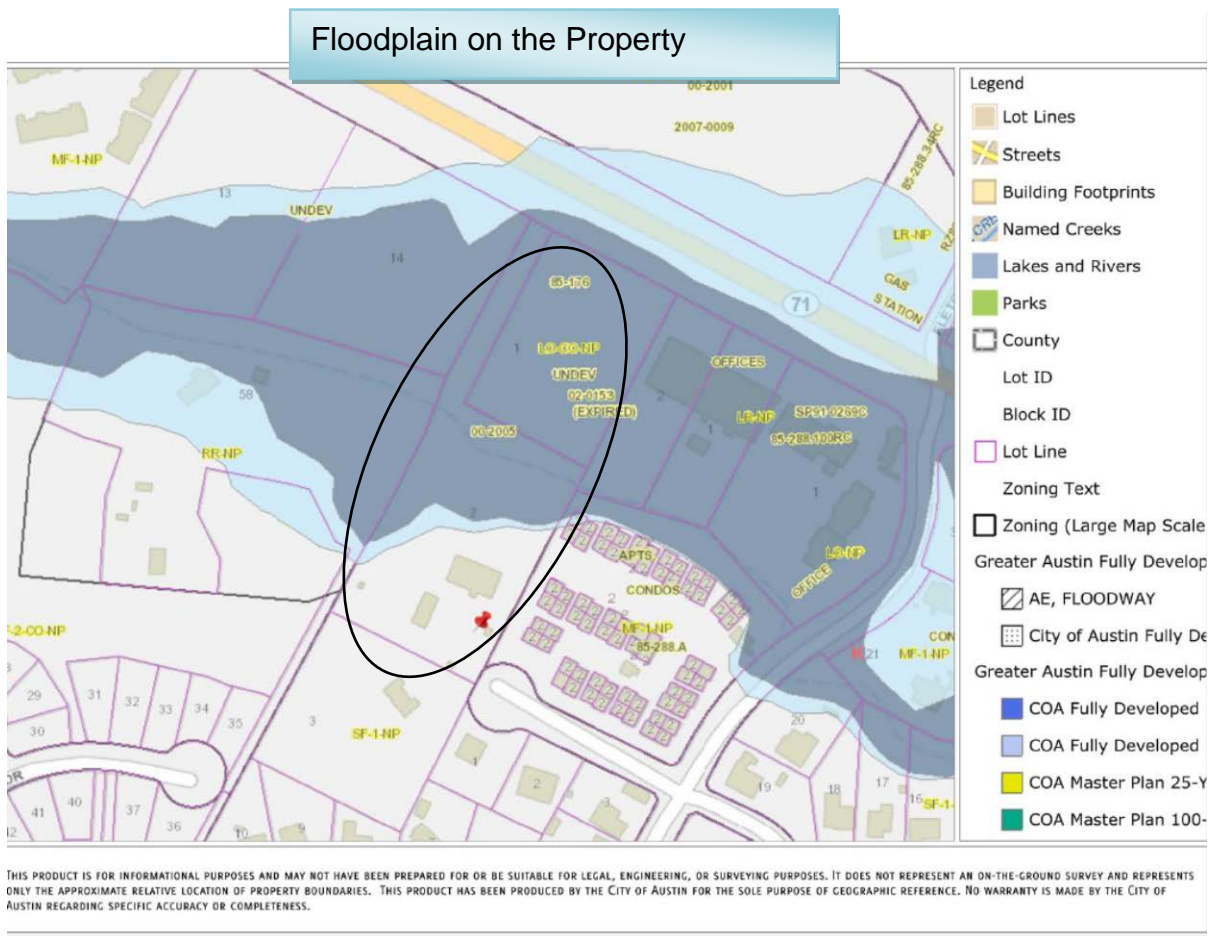
1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

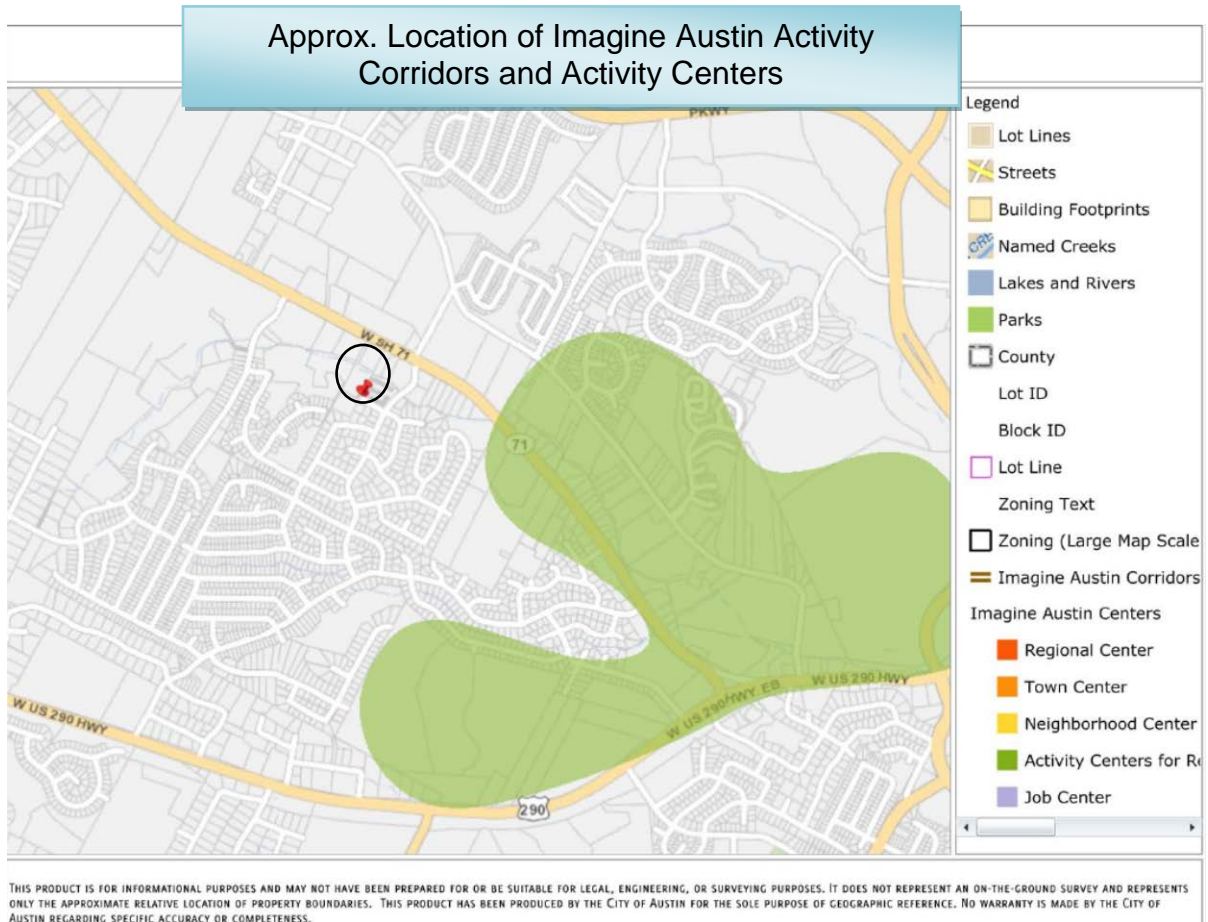
IMAGINE AUSTIN PLANNING PRINCIPLES

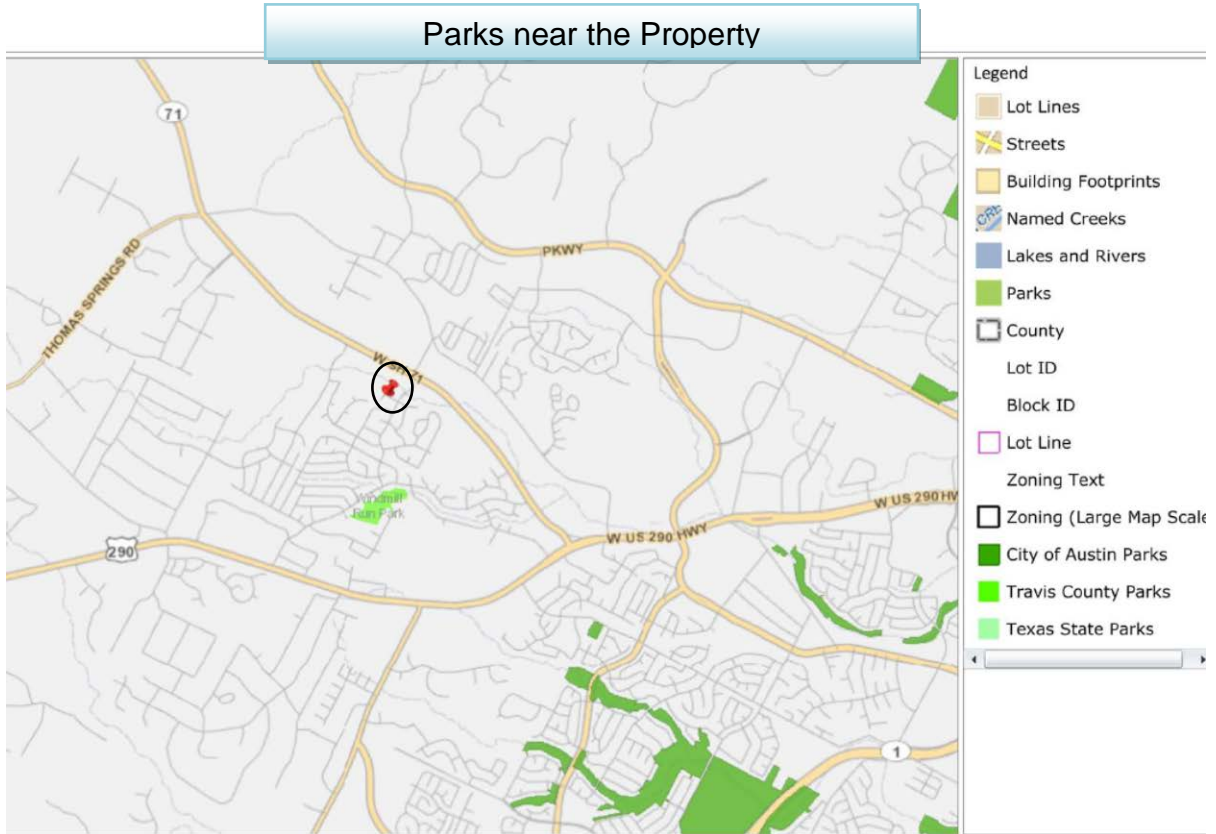
1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.

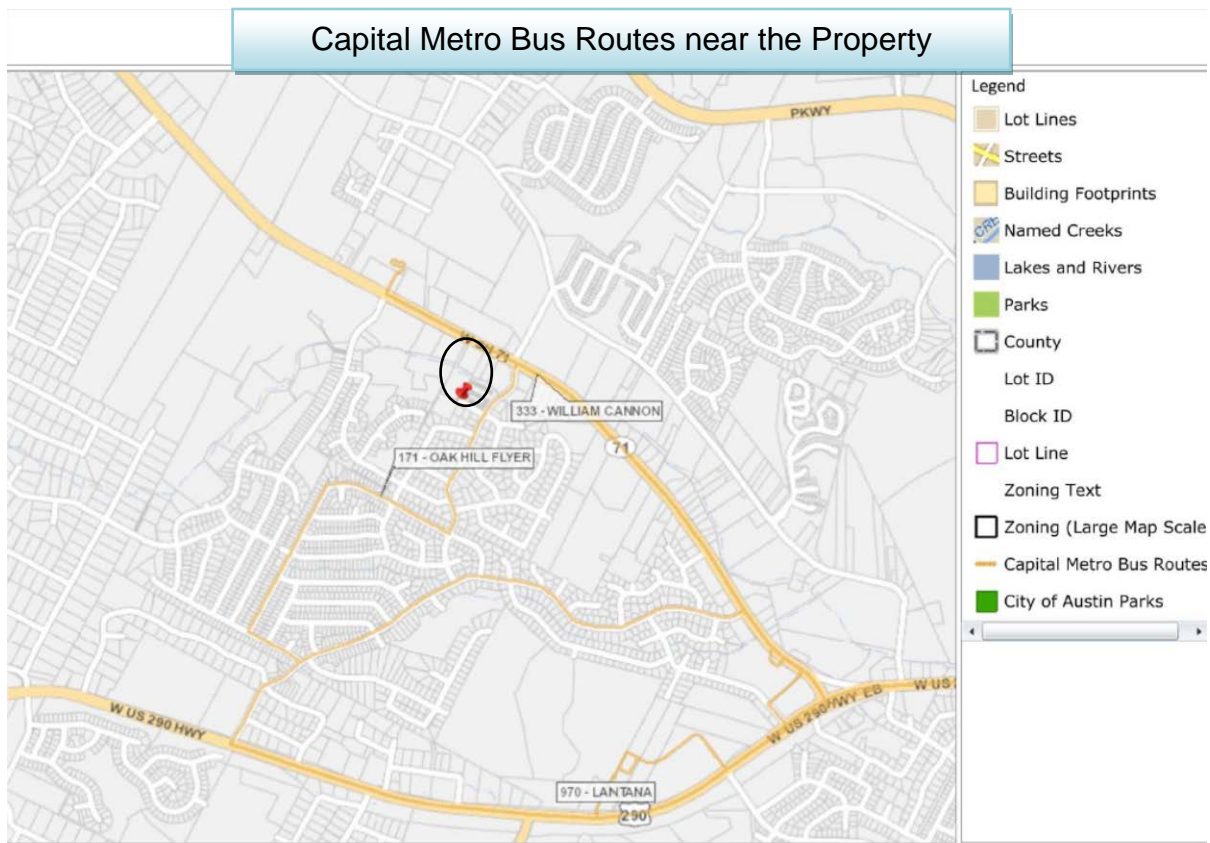
- ***The applicant proposes a zoning change to allow for a maximum of four existing residential units on the property. The property is in an area that is accessible to schools, retail, parks, etc. There are two bus routes near the property.***
- 2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
 - ***The property is not located within an Imagine Austin activity center or corridor. There are two Capital Metro bus routes within walking distance to the property.***
- 3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***The property is not within an activity corridor or activity center, but staff believes the applicant's request for low-density multifamily is appropriate for this property given its location near SH 71 and neighborhood commercial and multifamily land uses and zoning adjacent to the property.***
- 4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The proposed zoning and land use of multifamily will provide additional dwelling units to the planning area and to the city.***
- 5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***Staff believes the applicant's request for Multifamily land use is appropriate in this location with the additional protection of the conditional overlay that limits the number of dwelling to a maximum of four units.***
- 6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
 - ***The property is located in the Drinking Water Protection Zone, Barton Springs Zone Watershed and a large portion of the property is within the floodplain. The applicant said she does not propose to build within the floodplain and does not want more than four dwelling units on the property.***
- 7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
 - ***Not applicable.***
- 8. Protect, preserve and promote historically and culturally significant areas.
 - ***Not applicable.***
- 9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.

- *Not applicable.*
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
- *Not applicable.*
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
- *Not applicable.*
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
- *Not applicable.*









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IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The application was filed on February 27, 2017, which is in-cycle for neighborhood planning areas located on the west side of IH-35.

The applicant proposes to change the future land use map from Single Family to Multifamily. The proposed zoning is from SF-1-NP and RR-NP to MF-1-NP to allow for the existing four dwelling units on the property. The property has a single family home which is approximately 2,500 square feet with a garage apartment that has three dwelling units with a total of approximately 1,500 square feet.

The current owner bought the property in 2016 but found out when she tried to refinance the property that the previous owner modified the garage apartment in 2003 without permits and the additional dwelling units were not permitted in the SF-1-NP or RR-NP zoning districts. The proposed land use and zoning change requests are to make these existing units legal.

For more information on the zoning change request, please see zoning case report NPA-2017-0019.

PUBLIC MEETINGS: The ordinance required community meeting was held on April 26, 2017. Approximately 714 notices were mail to people who live or own property within 500 feet of the property, in addition to neighborhood organizations and environmental groups registered on the community registry. Ten people attended the meeting in addition to one city staff member.

After city staff gave a general presentation about the applicant's request and the planning process, Dr. Fidelma O'Leary, the property owner, said she bought the property in 2013 but when she recently tried to refinance the property 2016 she discovered that the property was not properly zoned for the exiting four dwelling units on the property. It is believe the previous owner modified the existing garage apartment adding residential units for a total of three dwelling units in the garage apartment without proper permits.

Yousef Nazif, the owner's agent and also her son, added that the proposed zoning request for MF-1-NP zoning with the future land use map request for Multifamily land use is only make the existing units legal and Dr. O'Leary has no plans to build any more dwelling units on the property.

After his presentation, the following questions were asked:

Q. Was the second structure built before or after the property was annexed into the city?

A. The second structure was built before it was annexed.

Q. You have two structures on the property. Could you subdivide the property to have one structure on separate lots?

A. No we can't subdivide for two structures. The main house is about 2,500 square feet and the garage apartment has three apartments, but we only have two tenants.

Q. So you are asking for MF-1 just for conformance?

A. Yes.

Q. Do you have two access points into the property?

A. Yes, from SH 71 and from Raccoon Run.

Q. Does the City want to demolish the second structure?

A. The City has ideas about how to correct this and going through the rezoning process was one of them.

Q. If you only want the property to be in conformance with the zoning, would you be OK with a conditional overlay that limited you to the four existing dwelling units?

A. Yes, we're OK with that.

Q. If you got the MF-1 zoning, would you be able to provide enough parking for the existing units?

A. Yes, we have enough parking, but we could add more parking if the City said we need to add more.

A. We really only want MF-1 zoning and Multifamily land use for the four units.

Comments:

- I would really like for Dr. O'Leary to have more flexibility and the opportunity to add more than four dwelling units in case she wants to retire and sell the property.
- I don't want the property to have more than four dwelling units because it could cause issues on properties downstream from them.
- If we allow them to have more than four dwelling units, then property owners around them will also try to rezone their property to get multifamily zoning and land uses as well.

CITY COUNCIL DATE: August 3, 2017

ACTION:

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

EMAIL: maureen.meredith@austintexas.gov

Summary Letter Submitted by the Applicant

City of Austin Application Packet for Neighborhood Plan Amendment
For Individual Property Owner

Page 6 of 16

Oak Bridge Amendment – Summary Letter

To: The City of Austin & The Oak Hill Community, & citizens therein,

The property located at 6707 Raccoon Run also known legally as Lot 2 of the Oak Bridge Subdivision is not in conformance with current COA - NP and Zoning requirements. The current owner Dr. O'Leary purchased the property in 2013 and in January of 2016 she became aware of a few issues she intends to address. The property as described at purchase is ~ 3.5 acres, 2 structures; the first is a single-family residence (1 unit) ~2,500SF and the second building called garage apartments (3 units) ~1,500 SF.

The previous owner appears to have significantly modified the second structure in 2003, adding a second story, a stone veneer exterior, and electricity, plumbing, and HVAQ, throughout the three converted spaces, which were finished as an upstairs apartment, a wood shop, & a pretty nice casino style game center. These modifications were done without notifying the City or getting the proper approvals for land use, zoning, and the associated required permits.

The current owner Dr. O'Leary purchased the property with the intention of leasing out the second structure to provide for property maintenance costs and to provide income allowing her to take in and finally adopt two small children via the State's Foster Program. Thus, the second structure is occupied by two long term tenants, making for a very nice little rural community, and a perfect fit for the two children she adopted last July.

The objective of the requested plan amendment is to bring the property in conformance with current COA requirements as part of an integrated piece which is harmonic with the current Zoning & Land Use requirements per the "FLUM Map" as it currently stands (COA Development Office). The property sits between what will be the Covered Bridge Enclave, classified as a Single Family Moderate Density Community and the Valley View Village Condominiums, a Multi-Family High Density tract. Thus, the Multi Family Low Density recommendation provided would be a nice fit to transition between the bordering properties given their respective land uses. The amendment attains conformance as desired by the City of Austin and the current owner, while also preserving the rights of the current residents & tenants. The property owner is willing to accommodate city requests pertaining to site adjustments. The amendment corrects the Land Use "Lot Split" problem currently inhibiting proper appraisal & survey. Thus this "fix" from the Owner's perspective, is in addition to working with Mr. Thornton (City Council District 8), & the (Watershed Group) to "fix" other issues pertaining to the cleanliness and flow of Williamson Creek, which traverses said property, & required attention, necessitating this comprehensive & transparent approach pertaining to future land use.

It should be noted that Dr. O'Leary intends to continue to be a community partner who will actively partner with the city to protect & preserve this environmentally sensitive & very important area of the Barton Springs Zone of Austin's Watershed. There is no associated proposed construction or development pertaining to this amendment. From my perspective & in my professional opinion, the Staff recommendations contained within, if implemented, would constitute a win for the City, the Owner & the Community moving forward. This amendment strengthens the overall connectivity and integration of the West Oak Hill Neighborhood Plan & serves to strengthen the Oak Hill Community by preserving & protecting the natural beauty which its residents have come to love. The approval of this amendment adds & integrates a community partner and this lot into the existing network of like-minded residents in the established Oak Hill area, while also incorporating this lot into the "greater plan" as cared for by the Development Office of the city. Big picture this amendment adds another tract of land to "the plan" which ensures adherence to the appropriate change management best practices & integration for future planning; a small but important piece of the puzzle for this fast-growing city.

Sincerely,
Yousef Nazif
Chief Executive Officer
Pyramid Consulting Corporation



Date: February 20th, 2017

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Letter from the Oak Hill Combined Neigh.
Plan Contact Team

May 2, 2017

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

Re: 6707 Raccoon Run
NPA Case Number: NPA-2017-0025.01
Zoning Case Number: C14-2017-0019

Dear Maureen,

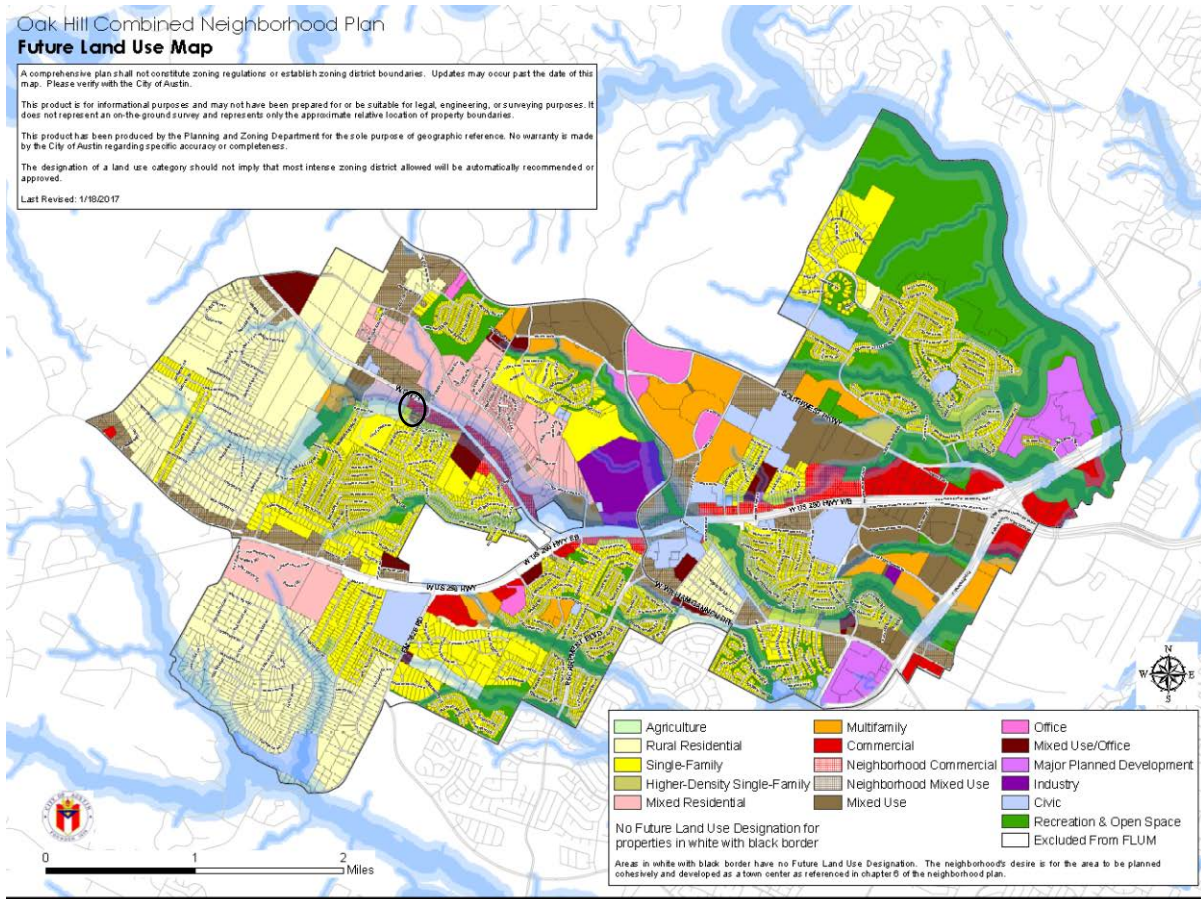
The Oak Hill Neighborhood Contact Team (OHNPCT) convened on April 26th after the City's public meeting and **voted in favor** of the plan amendment request by the applicant to change the future land use map (FLUM) from **single family** to **multifamily**. Furthermore, the contact team voted to support the requested zoning change from **SF-1-NP** to **MF-1-NP** with a conditional overlay limiting the number of dwellings to no more than four (4) units.

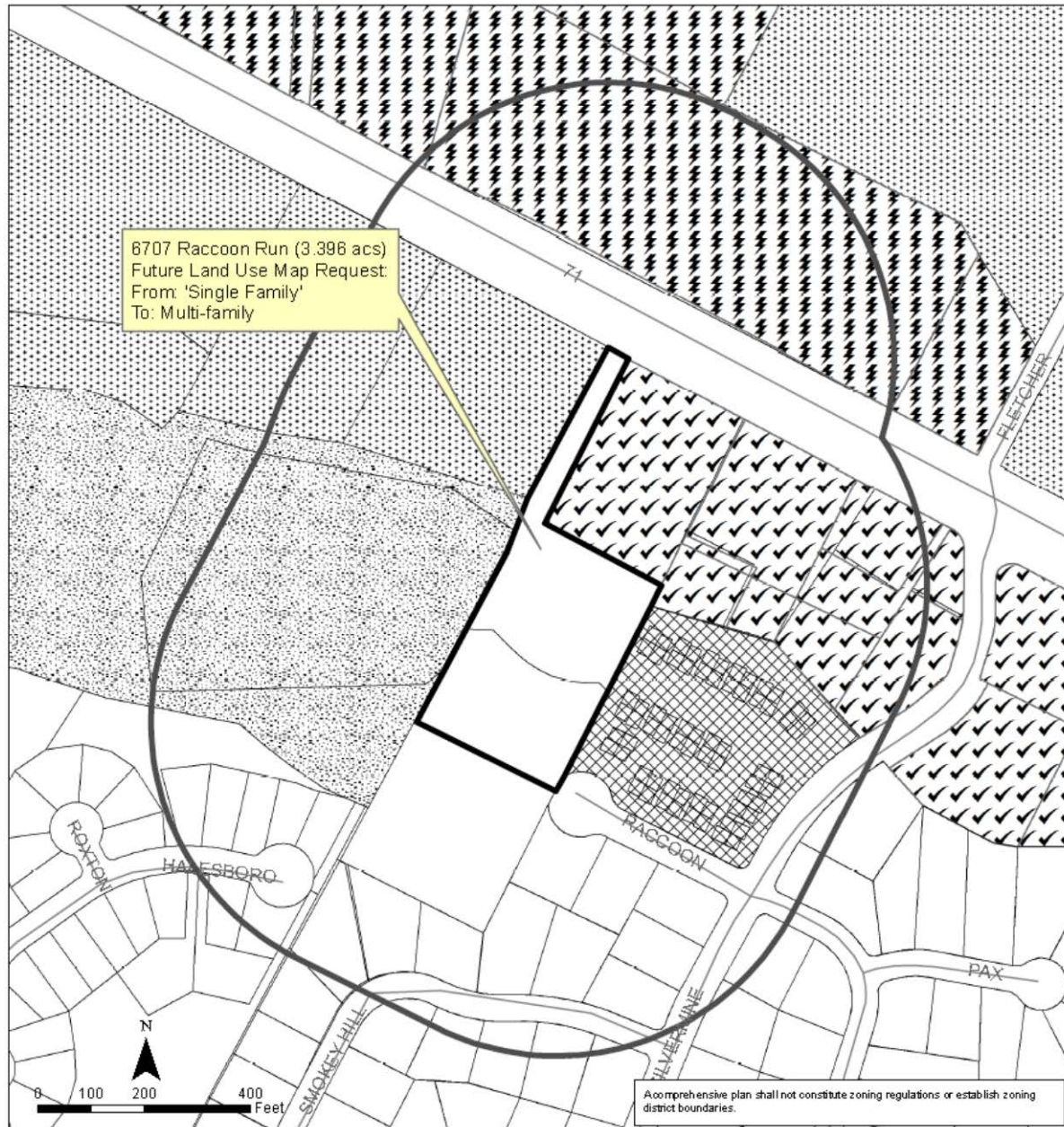
Please let me know if you have any questions.

Sincerely,



Brian Reis
Chair - OHNPCT





Oak Hill Combined Neighborhood Planning Area NPA-2017-0025.01

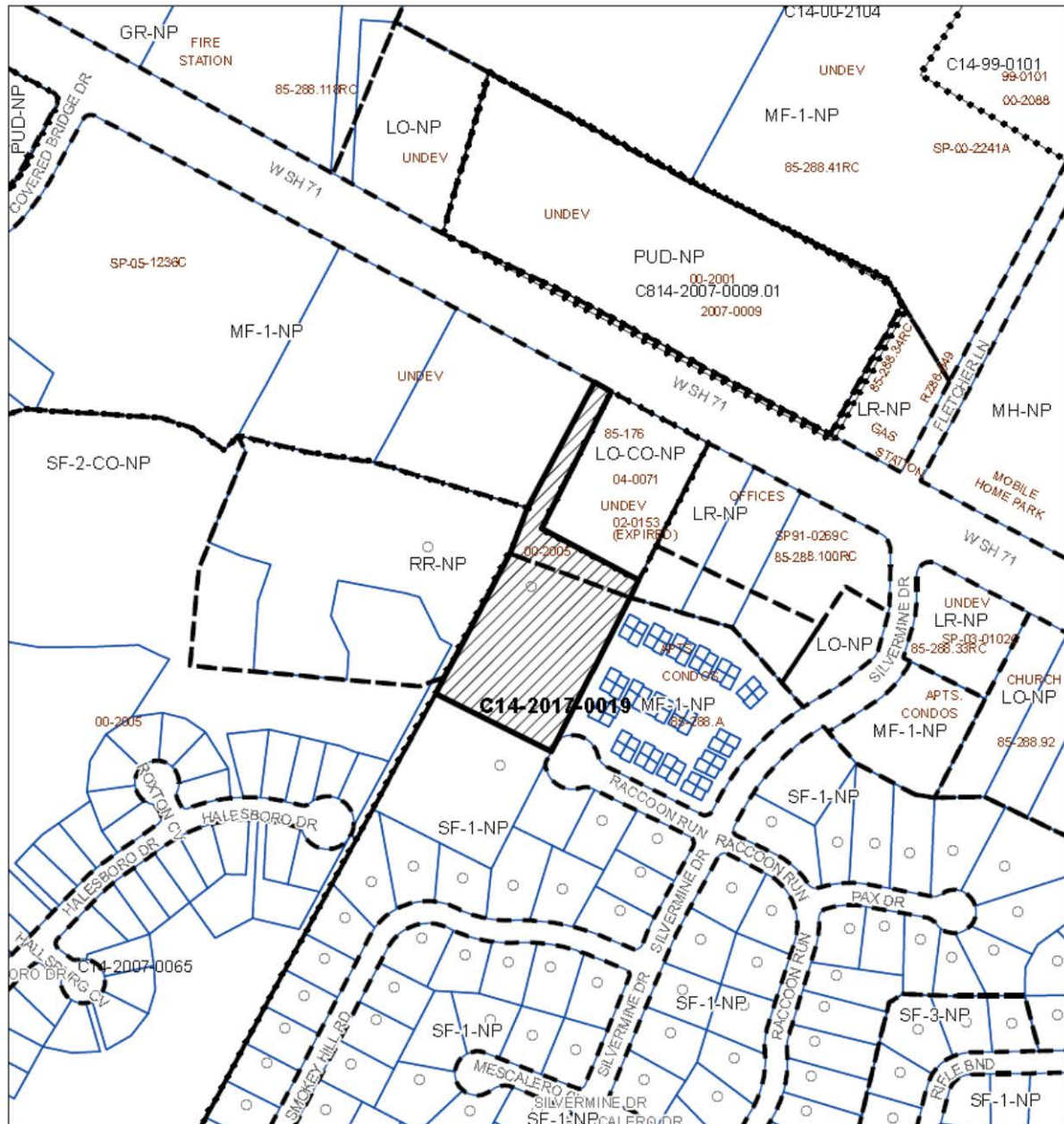
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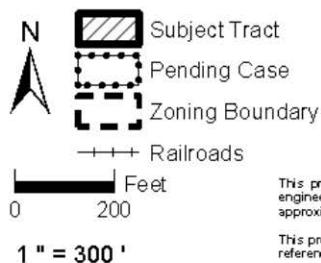
City of Austin
Planning and Development Review Department
Created on 3/6/2017, by: meredithm

Future Land Use

	Multi-family		Neighborhood Commercial
	500 Notif. Boundary		Neighborhood Mixed Use
	Rural Residential		Mixed Use
	Single-Family		Mixed Use/Office
	Higher-Density Single-Family		Civic
	Mixed Residential		Recreation & Open Space
	Multi-Family		<Null>

**ZONING**

Case#: C14-2017-0019

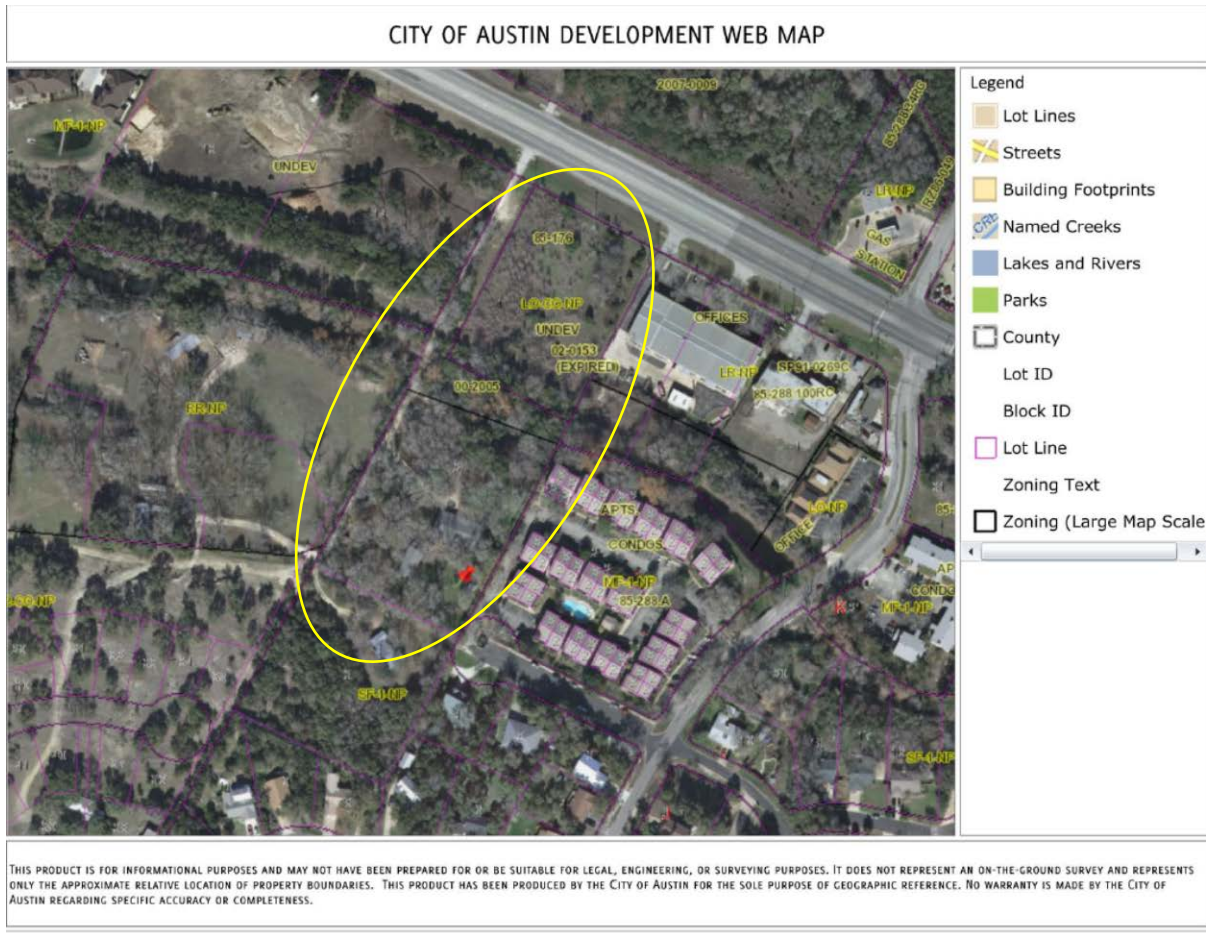


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Created: 3/22/2017



Comments from Citizens

From: J R B

Sent: Wednesday, April 26, 2017 5:54 PM

To: Meredith, Maureen

Subject: Oak Hill Combined Neighborhood Plan and Future Use Map

April 26, 2017 Tuesday 5:40 pm

Maureen Meredith- City of Austin,

Maureen Meredith-City of Austin

Re:NPA Case Number: NPA -2017-0025.01

Zoning Case Number: C14-2017-0019

Dear Maureen Meredith,

I am writing in reference 6707 Raccon Run, Tax ID 0404440101. I am against the proposed plan amendment and zoning change application. In this request to consider the change in the future land use from Single Family use to Multifamily . I am against the idea because when it rains the water from the south side which is the hill above us, the rain flows in sheets across Raccoon Run down the hill into our parking lot and swimming pool.

Every time it rains it brings dirt, debris, rain water. This HOA is immediately west of the proposed property. Any impervious cover will add to our existing problems.

I have spoken to the watershed dept but our cries fall on deaf ears. I have photos and videos I have personally taken but I am not computer literate so I can not send them with this email.

Sincerely,

Juan Barajas, Sr

512.573.5986

From: J R B

Sent: Thursday, April 27, 2017 6:34 PM

To: Meredith, Maureen

Subject: 6718 Silvermine Dr Austin, TX 78736

April 27, 2017 Thursday

I am writing in reference 6707 Raccon Run, Tax ID 0404440101. I am against the proposed plan amendment and zoning change application. In this request to consider the change in the future land use from Single Family use to Multifamily . I

am against the idea because when it rains the water from the south side which is the hill above us, the rain flows in sheets across Raccoon Run down the hill into our parking lot and swimming pool.

Every time it rains it brings dirt, debris, rain water. This HOA is immediately west of the proposed property. Any impervious cover will add to our existing problems. I have spoken to the watershed dept but our cries fall on deaf ears. I have photos and videos I have personally taken but I am not computer literate so I can not send them with this email.

Sincerely,

Juan Barajas, Sr
512.573.5986



26 % 3.54 MB / 22.41 MB 5/22/2017 / 16:45:17

April 27, 2017 Thursday
Re: NPA Case Number NPA 2017-0025.01
Zoning Case Number: C14-2017-0019

 [VVV.mp4](#)

I have attached a video of what happens at our HOA Condo every time it rains. This video should reflect the water from the south of 6718 Silvermine Drive, the water flows from up the hill. The rain flows across the surface of Raccoon Run and down the hill onto our swimming pool and our parking lot.

Every time it rains the rain brings dirt, debris etc.... In the last twenty years the water has risen twice up to 1 inch from coming into my condo.

I have brought this situation to the watershed department several times but our cries fall on deaf ears.

Our condo HOA is immediately east of 6707 Raccoon Run. The amount of impervious cover this zoning change will add to Williamson Creek will surely flood our units.

Sincerely,

Juan Barajas
6718 Silvermine Dr #1403
Austin, TX 78736
512.573.5986