

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2018-0056 – 6901 Old Bee Caves Road**P.C. DATE:** November 13, 2018**ADDRESS:** 6901 Old Bee Caves Road**AREA:** 18.308 Acres**DISTRICT:** 8**NEIGHBORHOOD PLAN AREA:** West Oak Hill**OWNER/APPLICANT:** SRE/MRE Oak Hill, LTD. (J. Mark Stevenson)**AGENT:** Drenner Group, PC (Amanda Swor)**ZONING FROM:** CS-NP**ZONING TO:** CS-MU-NP**SUMMARY STAFF RECOMMENDATION:**

To grant CS-MU-NP with conditions. The recommended conditions will be incorporated into public restrictive covenants (RCs). Conditions include:

1. the approval of the associated Restrictive Covenant Amendment (C14-85-288.43(RCA)),
2. approval of the Neighborhood Traffic Analysis (NTA),
3. Residential structures are prohibited within 528 feet of the property line of 6501 West William Cannon Drive (NXP Semiconductor)

**PLANNING COMMISSION RECOMMENDATION:****ISSUES:**

The subject property is located in the Barton Springs Zone of the Williamson Creek watershed. An existing restrictive covenant (RC) currently grandfathers the subject property to 1985 watershed regulations. The RC also limits land uses, building height, FAR, and other site development regulations. A restrictive covenant amendment (RCA) is under review concurrent with the rezoning request to modify several conditions of the RC. The proposed rezoning and RCA are intended to allow development of the property with multifamily land use.

The conditions related to building setbacks are recommended by Austin Fire Department due to the proximity of the proposed multifamily site to the NXP Semiconductor facility to the east.

**DEPARTMENT COMMENTS:**

The subject property is located on the west side of Old Bee Caves Road north of the intersection with West US Highway 290. Old Bee Caves Road intersects US 290 approximately 1200 feet west of the William Cannon/US 290 intersection and approximately 1000 feet east of the “Y” in Oak Hill. The property is zoned CS-NP and currently is mostly undeveloped; the site was previously used as a dog kennel and a few structures remain. The southwest property line is adjacent to Williamson Creek, resulting in significant areas of floodplain. On the other side of the creek, to the southwest and south, are several properties that have frontage on SH 71 and US

Highway 290. Southwest is a shopping center with a mix of commercial uses which is zoned GR-NP and CS-1-NP. The properties south of the rezoning tract are zoned I-SF-2-NP, RR-NP, and SF-2-NP, and are all undeveloped. Across Old Bee Caves Road to the east and northeast are properties zoned LO-NP, NO-NP, RR-NP, CS-NP, CS-CO-NP, GO-CO-NP, and LR-NP. While many of these properties are undeveloped, a few properties are developed with Automotive repair, Firewood sales, and what appears to be Mobile home land uses. Further east are properties zoned LI-PDA-NP and P-NP; these properties include a NXP Semiconductor facility and a cemetery. North of the subject tract are properties zoned RR-NP that include undeveloped tracts and single family residences. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

As stated previously, a RCA is under review concurrent with this rezoning request, and Staff. The RCA is outlined in detail in the Staff Report for City File # C14-85-288.43(RCA), but RC elements that are closely related to zoning regulations are summarized below. In addition to the elements listed below, the proposed RCA modifies additional environmental and transportation requirements, and are discussed in the RCA report. ***Please see Exhibit C- Restrictive Covenant.***

The RCA proposes benefits to the Applicant that will make it possible to develop the site with a 315 unit multifamily development. The items requested include increasing the maximum height from 35' to 60' and increasing floor-to-area ratio (FAR) from .25:1 to .5:1. The Applicant also proposes removing some of the most intense permitted uses on the site and adding Multifamily residential as permitted. The maximum impervious coverage will be reduced from 40% of gross site area to 35% (up to 65% with parkland dedication).

Staff has conducted a Neighborhood Traffic Analysis (NTA) as well as reviewed planned TxDOT improvements for US Highway 290. Specific improvements are to be provided (by the Applicant) as part of this site development. In addition to improvements to Old Bee Caves Road, the Applicant will pay for the design and installation of a traffic signal at the intersection of Old Bee Caves Road and US Highway 290. These items will be recorded with a separate new RC. ***Please see Exhibit D- Transportation Memorandum.***

Austin ISD has prepared an Educational Impact Statement (EIS) for the proposed multifamily development. ***Please see Exhibit E- EIS Memorandum.***

As stated previously, the conditions related to building setbacks are recommended by Austin Fire Department due to the proximity of the proposed multifamily site to the NXP Semiconductor facility to the east.

Staff has received correspondence related to the rezoning and RCA requests. ***Please see Exhibit F – Correspondence.***

#### **ABUTTING STREETS:**

<b>Street Name</b>	<b>ROW Width</b>	<b>Pavement Width</b>	<b>Classification</b>	<b>Bicycle Route</b>	<b>Bus Service</b>	<b>Sidewalks</b>
Old Bee Caves Rd.	62 feet	35 feet	Neighborhood Collector	No	No	No

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-NP	Undeveloped
<i>North</i>	RR-NP	Single family residential, Undeveloped
<i>East</i>	LO-NP, NO-NP, RR-NP, CS-NP, CS-CO-NP, GO-CO-NP, LR-NP, P-NP, LI-PDA-NP	Undeveloped, Automotive repair, Construction sales and services, Mobile home residential, Cemetery, R&D/Manufacturing/Sales
<i>South</i>	GR-NP, CS-1-NP, I-SF-2-NP, RR-NP, and SF-2-NP	Undeveloped
<i>West</i>	GR-NP, CS-1-NP, RR-NP	Retail sales, restaurant, Automotive repair, Automotive rental, Daycare,

**TIA:** See attached Neighborhood Traffic Analysis (NTA)

**WATERSHED:** Williamson Creek Watershed - Barton Springs Zone

**COMMUNITY REGISTRY:**

Oak Hill Association of Neighborhoods  
 City of Rollingwood  
 Austin Independent School District  
 Neighborhood Empowerment Foundation  
 Aviara HOA  
 Estates of Loma Vista HOA  
 Save Our Springs Alliance  
 Bike Austin  
 Oak Hill Neighborhood Planning Contact Team  
 Friends of Austin Neighborhoods  
 Austin Neighborhoods Council  
 Sierra Club, Austin Regional Group  
 Covered Bridge Property Owners Association, Inc.  
 Thomas Springs Alliance  
 Oak Hill Trails Association  
 TNR BCP – Travis County Natural Resources  
 SELTexas

**ZONING CASE HISTORIES IN THE AREA:**

6804 Block of Old Bee Caves C14-85-288.126	RR to CS		Approved; 03/19/1987 Public RC limits uses, specifies standards
6804 Old Bee Caves C14-2008-0125	I-RR to LR-CO-NP (for that portion not CS)		Approved; 12/11/2008 (CO prohibits service

			station and custom manufacturing in CWQZ and WQTZ)
7401 Old Bee Caves C14-2012-0115	RR-NP to LR-NP, GO-MU-CO as amended	Recommended; 10/23/2012	Approved; 12/06/2012 (CO limits height, vtd <2000 and prohibits offsite parking)

**CITY COUNCIL DATE:** December 13, 2018

**CITY COUNCIL ACTION:**

**ORDINANCE READINGS:**

1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
e-mail address: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**PHONE:** 512-974-2122

**ADDITIONAL STAFF COMMENTS:****COMPREHENSIVE PLANNING**

This zoning case is located on the southwest side of Old Bee Caves Road, and within the boundaries of the Oakhill Combined Neighborhood Plan (OCNP) in West Oak Hill.

Connectivity - Old Bee Caves Road is a narrow rural road with heavy vegetation and trees abutting against large portions of the road. There are no public sidewalks located along Old Bee Caves Road or along the nearby intersection of the 'Y', which is the intersection of highways SH 71 and U.S. 290. Public transit is not located within walking distance because of the lack of signaled pedestrian crossings and public sidewalks situated at the convergence of these two highways. The Walkscore for this location is 38/100, Car Dependent, meaning most errands require a car. There are several proposed but no existing urban trails located within a quarter mile distance of this site.

Oakhill Combined Neighborhood Plan (OCNPA) - The OCNPA Future Land Use Map (FLUM) classifies this property as 'Mixed Use;' and Zone CS-MU is permitted under this FLUM category. Mixed Use is defined as an area that is intended for a mix of residential and non-residential uses.

Imagine Austin - The Imagine Austin Growth Concept Map identifies this property as being located over one of the five 'Activity Center for Redevelopment in Sensitive Environmental Area' as identified on the Imagine Austin Growth Concept Map.

**SITE PLAN**

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. The site is subject to compatibility standards. Along the northwest property line, the following standards apply:

- ☐ No structure may be built within 25 feet of the property line.
- ☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐ No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- ☐ A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

**TRANSPORTATION**

TR1. A Neighborhood Traffic Analysis is required for this project and has been completed and fees have been paid. The estimated number of daily trips generated by this site, in combination

with the existing traffic on Old Bee Caves Road will exceed the thresholds set forth in the LDC 25-6-116. Staff recommends the following conditions for the rezoning application:

- a. Prior to the 3rd reading at City Council, the applicant shall post fiscal in the amount of \$180,793 for the cost to provide the following transportation infrastructure improvements:
  - i. \$163,423 for the cost to resurface and install pavement markings and signage along the frontage of Old Bee Caves Road for improved travel and visibility of the roadway.
  - ii. \$17,370 to furnish and install one (1) LED streetlight on an existing pole to provide additional illumination of Old Bee Caves Road.
- b. At the time of the site plan application, the applicant shall construct items identified above (in a.) in accordance with City of Austin standards.

TR2. The Austin Transportation Department has waived the Traffic Impact Analysis for the zoning application because the applicant will post fiscal in the amount of \$350,000 for a traffic signal at the intersection of Old Bee Caves Road and US Highway 290 prior to 3rd reading of City Council, and shall design and construct a traffic signal at the time of the site plan application. This signal will be within TxDOT right-of-way, and will be maintained by the City of Austin Transportation Department. A traffic impact analysis shall be required if triggered at the time of the site plan application and should reflect the planned TxDOT improvements as part of the Oak Hill Parkway Project currently expected to initiate in 2020 and the 2016 Mobility Bond improvements approved for Old Bee Caves Road. LDC 25-6-113.

TR3. Old Bee Caves Road requires 64 feet of right-of-way in accordance with the TCM. If the requested zoning is recommended for this site, 32 feet of right-of-way should be dedicated from the existing centerline of Old Bee Caves Road in accordance with the TCM. LDC 25-6-55; TCM, Tables 1-7, 1-12.

TR4. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR5. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR6. The Urban Trails Master Plan recommends a tier II Williamson Creek Trail along Williamson Creek, and a tier II urban trail connecting Bee Caves Road to William Cannon Drive. Please review the Urban Trails Master Plan for more information. Janae Spence, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101.

TR7. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Old Bee Caves Road for the William Cannon Road connector. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

TR8. At the time of the site plan application, the site shall comply with the Urban Trails Master Plan and Bicycle Master Plan. Right-of-way / easement dedication and facility construction may be required in accordance with the Land Development Code.

TR9. Revise note #7 within the RC to the following: "Before the site plan is approved, the appropriate transportation analysis shall be required and the Owner shall contribute its share of the cost of any necessary transportation improvements, subject to the City of Austin's rough proportionality policy in the Land Development Code."

## FIRE DEPARTMENT

1. Provide Austin Fire Department with a preliminary layout of the proposed buildings in relation to the property line.
2. This property is < 600 feet from aboveground storage of large amounts of hazardous materials used in the manufacturing of semiconductors. As a result, Austin Fire Department will initiate a hazardous materials risk assessment to review the location of the stored chemicals in relation to the location of this proposed apartment community. The risk assessment will require 21 calendar days.



parkland dedication), no restrictions regarding cut and fill, limit water quality treatment by filtration to the first half-inch of runoff, allows 25 percent construction on slopes greater than 20 percent, has no heritage tree protections and 1981 erosion control protection requirements. The Applicant proposes bringing the site into compliance with all current environmental regulations, reduce impervious coverage to 35%, as well as dedicate 5-8 acres of public parkland to the City. The Environmental Commission voted to support these changes. *Please see Exhibits D and E- Environmental Commission Presentation and Environmental Commission Memorandum.*

Transportation. Transportation improvements were required as part of the existing RC but were undefined, requiring a “pro-rata share of the cost of necessary roadway improvements to Old Bee Caves Road.” Staff has conducted a Neighborhood Traffic Analysis (NTA) as well as reviewed planned TxDOT improvements for US Highway 290. Specific improvements are to be provided (by the Applicant) as part of this site development. In addition to improvements to Old Bee Caves Road, the Applicant will pay for the design and installation of a traffic signal at the intersection of Old Bee Caves Road and US Highway 290. These items will be recorded with a separate new RC. *Please see Exhibit F- Transportation Memorandum.*

Zoning. The RCA proposes some benefits to the Applicant that will make it possible to develop the site with a 315 unit multifamily development. The items requested include increasing the maximum height from 35’ to 60’ and increasing floor-to-area ratio (FAR) from .25:1 to .5:1. Applicant proposes removing some of the most intense permitted uses on the site and adding Multifamily residential as permitted. As stated previously, maximum impervious coverage will be reduced from 40% - 65% of gross site area to 35%.

Staff supports the requested amendments to the RC. In addition to several environmental benefits to the community, the RCA has identified significant transportation improvements that the Applicant will construct. The increased FAR and building height will allow the developer to build up instead of build out.

Staff has received correspondence related to the rezoning and RCA requests. *Please see Exhibit G – Correspondence.*

TIA: See attached Neighborhood Traffic Analysis (NTA)

WATERSHED: Williamson Creek Watershed - Barton Springs Zone

**COMMUNITY REGISTRY:**

- Oak Hill Association of Neighborhoods
- City of Rollingwood
- Austin Independent School District
- Neighborhood Empowerment Foundation
- Aviara HOA
- Estates of Loma Vista HOA
- Save Our Springs Alliance
- Bike Austin
- Oak Hill Neighborhood Planning Contact Team



C14-85-288.43(RCA)

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Friends of Austin Neighborhoods  
 Austin Neighborhoods Council  
 Sierra Club, Austin Regional Group  
 Covered Bridge Property Owners Association, Inc.  
 Thomas Springs Alliance  
 Oak Hill Trails Association  
 TNR BCP – Travis County Natural Resources  
 SELTexas

**CITY COUNCIL DATE:** December 13, 2018

**CITY COUNCIL ACTION:**

<b><u>ORDINANCE READINGS:</u></b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>
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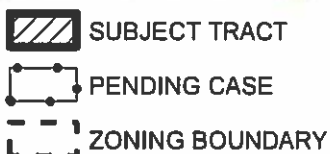
**ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
e-mail address: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**PHONE:** 512-974-2122



LI-PDA-NP



**Zoning Case**  
**C14-2018-0056**

$$1'' = 400'$$

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.







### 6901 OLD BEE CAVE ROAD

ZONING CASE#: C14-2018-0056

LOCATION: 6901 OLD BEE CAVE ROAD

SUBJECT AREA: 18.308 ACRES

GRID: C19

MANAGER: HEATHER CHAFFIN



1" = 400'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

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



DOC. NO.

89007586

FILM CODE

00004446087

EXHIBIT

Zoning Case No. C14-85-288.43

## RESTRICTIVE COVENANT

Owner: H.C.A. Properties, Inc.

4:44 PM 8591

Owner's Address: P.O. Box 550  
Nashville, Tennessee17.00 INE  
2 4 01/26/8  
890075.86-DOC  
7768.39-CHK

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

Consideration: One and No/100 Dollars (\$1.00) and other good and valuable consideration paid by the City of Austin in hand to the Owner, the receipt and sufficiency of which is acknowledged.

Owner of the Property, for the consideration, impresses the Property with these covenants and restrictions running with the land:

1. If development occurs, the ~~maximum~~ impervious coverage of the Property shall be ~~40 percent~~ decrease to 35% calculated on the entire Property. ~~If parkland, in the amount of not less than 5 acres and not more than 8 acres, is dedicated for public use, then the maximum impervious coverage of the Property shall be 65 percent, calculated on the entire Property.~~
2. If development occurs, the Property shall be limited to maximum of .25 to 1 floor to area ratio increase to .5 to 1 FAR as defined by Section 1212 of Chapter 13-2A of the Austin City Code.
3. Development of the Property shall be in compliance with Sections 9-10-171 through 9-10-230 and Sections 13-3-401 through 13-3-475 of the Austin City Code of 1981 except for the following sections:

The part of Section 9-10-191 which reads "or to a development within a recorded subdivision which was finally approved or finally disapproved by the Planning Commission prior to December 18, 1980."  
Section 9-10-208, subsections (c), (d), and (e).  
Section 13-3-408(a).  
Section 13-3-433, subsections (c), (d), and (e).

4. The Property shall be limited to the following use types, defined in the Austin City Code:

Commercial Uses

- DELETE** Administrative and Business Offices  
**DELETE** ~~Agricultural Sales and Services \*~~  
 Arts and Craft Studio (Limited)  
 Arts and Craft Studio (General)  
 Building Maintenance Services  
 Business Support Services  
 Business or Trade School  
 Campground  
**DELETE** Communications Services  
**DELETE** ~~Construction Sales and Services\*~~  
 Consumer Repair Services  
 Food Sales  
**DELETE** ~~Funeral Services\*~~  
 Indoor Sports and Recreation  
 Indoor Entertainment  
**DELETE** ~~Kennels\*~~  
**DELETE** ~~Laundry Services\*~~  
 Medical Offices  
 Outdoor Sports and Recreation  
 Personal Improvement Services  
 Personal Services  
**DELETE** ~~Pet Services\*~~  
 Professional Offices  
 Research Services\*  
**DELETE** ~~Veterinary Services\*~~

Industrial Uses

- Custom Manufacturing  
 Limited Warehousing and Distribution

Civic Uses

- College and University Facilities  
 Communication Service Facilities  
 Cultural Services  
 Day Care Services (General)  
 Day Care Services (Limited)  
 Day Care Services (Commercial)  
 Group Homes Class I (Limited & General)  
 Group Homes Class II  
 Guidance Services  
 Local Utility Services  
**DELETE** ~~Maintenance Service Facilities\*~~  
 Private Primary Educational Facilities  
 Private Secondary Educational Facilities  
 Public Primary Educational Facilities  
 Public Secondary Educational Facilities  
 Religious Assembly

Residential Uses

Multifamily residential

← Add Residential Uses as permitted

REAL PROPERTY RECORDS  
 TRAVIS COUNTY, TEXAS

10863 0755

## Safety Services

\* Not permitted in the Critical Water Quality Zone.

5. The following use types are permitted if approved by the Conditional Use Procedure described in Sections 6200 through 6290 of Chapter 13-2A of the Austin City Code:

Commercial Uses

Outdoor Entertainment

Civic Uses

Club or Lodge

Parking Facilities

6. Redevelopment on the part of the Property zoned "CS" Commercial Services, as defined in the Austin City Code shall be limited to a maximum of ~~two stories not to exceed a total of 35 feet~~ in height. 60 feet
7. Before the site plan is approved, Owner shall contribute its pro-rata share of the cost of necessary roadway improvements to Old Bee Caves Road, subject to review of the Owner's pro-rata share by the Transportation section of the Office of Land Development Services and the Transportation and Public Services Department. or other improvements identified,
8. If any person or entity shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law or in equity, against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
9. If any part of this agreement or covenant shall be declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
10. If at any time the City of Austin, its successors or assigns, fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
11. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin,

and (b) the owner(s) of the Property at the time of such modification, amendment or termination.

EXECUTED this the 2ND day of NOVEMBER, 1987.

H.C.A. Properties, Inc.

BY:

David J. Malone, Jr.  
David J. Malone,  
Vice President

This instrument was acknowledged before me on this the 2ND day of NOVEMBER, 1987 by David J. Malone, Vice President of H. C. A. Properties, Inc, on behalf of the corporation.

Helen W. Cook  
Notary Public, State of Tennessee  
Davidson County

NOTARY SEAL

Helen W. Cook  
Notary's name (printed):

My commission expires: January 9, 1991

8528843.RC



## WARRANTY DEED

3-52-9022

THE STATE OF TEXAS I

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

AN 16-84-2275 \* 9.00

That we, Payne Lewis and wife Katherine D. Lewis, of Travis County, Texas, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars and other good and valuable cash consideration to us in hand paid by H. C. A. Properties, Inc., a P.C. Tennessee corporation, of P. O. Box 550, Nashville, Tennessee, hereinafter called Grantee, the receipt of which is hereby acknowledged and confessed, and for the further consideration of the execution and delivery by the said Grantee, of its one certain promissory note of even date herewith for the sum of Seven Hundred Forty-six Thousand Seven Hundred Sixty-one and 70/100 (\$746,761.60) Dollars, payment of said note being secured by a vendor's lien on the hereinafter described property and said note being payable as therein provided, including interest as therein specified and continuing thereafter until paid in full, both principal and interest, said note being additionally secured by a deed of trust of even date herewith to Wm. R. Schneider, Trustee.

HAVE GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY, unto the said Grantee, all of that certain lot, tract or parcel of land lying and being situated in Travis County, Texas, together with all improvements thereon, and being more fully described as follows:

18.306 acre tract or parcel of land lying and being situated in the Thomas Anderson Survey No. 90 of Travis County, Texas, said tract being a remainder of the 26.85 acres conveyed to Payne Lewis and wife Katherine D. Lewis by deed recorded in Vol. 764, Page 216 of the Deed Records of Travis County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns, forever; and we do hereby bind ourselves, our heirs, executors and administrators to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto the said Grantee, its successors and assigns,

DEED:  
Travis County, Texas

8415 381

EXHIBIT "A"

10863 0758  
REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject, however, to all restrictions, covenants and/or easements of record applicable to said property, and to the following:

~~3-52-9023~~

Easement dated December 18, 1939, executed by Mrs. Mahala Glasscock to the City of Austin of record in Vol. 651, Page 558, Deed Records of Travis County, Texas.

A 5' electrical easement dated April 12, 1968, executed by Payne Lewis, et ux Katherine D. Lewis to City of Austin, recorded in Vol. 3489, Page 698, Deed Records of Travis County, Texas.

But it is expressly agreed that the vendor's lien as well as the superior title in and to the above described premises is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this deed shall become absolute.

Executed this the 13 day of January, 1984.

Payne Lewis  
Payne Lewis

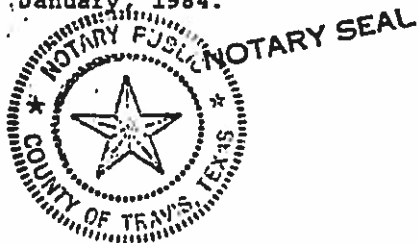
Katherine D. Lewis  
Katherine D. Lewis

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

BEFORE ME, the undersigned authority on this day personally appeared Payne Lewis and wife Katherine D. Lewis, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 13 day of January, 1984.



Debi L. Mayfield  
Notary Public, State of Texas  
My commission expires: 1-19-88

DEBI L. MAYFIELD  
NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

10863 0759

~~8415 382~~

MEASURES AND BOUNDS  
FOR  
18.306 ACRES  
OUT OF THE  
THOMAS ANDERSON SURVEY NO. 90  
TRAVIS COUNTY, TEXAS

BEING AN 18.306 ACRE TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE THOMAS ANDERSON SURVEY NO. 90 OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING A REMAINDER OF THE 26.85 ACRES CONVEYED TO PAYNE LEWIS AND WIFE KATHERINE D. LEWIS BY DEED RECORDED IN VOLUME 764, PAGE 216 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron pipe found for the northwest corner of said 18.306 acre tract and the northeast corner of a 1.50 acre tract as conveyed to Virginia Cross by deed recorded in Volume 1950, Page 341 of the Deed Records of Travis County, Texas, said iron pipe being in the south line of Old Bee Cave Road;

THENCE along said line of Old Bee Cave Road as fenced the following five (5) calls:

- 1) S 73° 47' 00" E, 630.28 feet;
- 2) S 66° 24' 00" E, 93.61 feet;
- 3) S 49° 55' 00" E, 91.94 feet;
- 4) S 16° 47' 00" E, 108.33 feet;
- 5) S 8° 18' 48" W, 700.65 feet to a 1/2" iron pipe found for corner;

THENCE N 77° 03' 21" W, along the common line of said tract being described and the resubdivision of tract 2, Harold Larson Subdivision as recorded in Book 40, Page 39 of the plat records of Travis County, Texas, passing a 1/2" iron pipe found at 565.47 feet and continuing for a total distance of 601.46 feet to a point for corner in the centerline of Williamson Creek;

HENCE along the centerline of Williamson Creek the following three (3) calls:

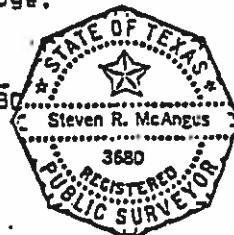
- 1) N 32° 14' 60" W, 525.84 feet;
- 2) N 40° 46' 00" W, 256.00 feet;
- 3) N 32° 59' 00" W, 86.02 feet;

HENCE along the common line of said tract being described and the foresaid 1.50 acre tract the following two (2) calls:

- 1) N 63° 03' 13" E, 24.67 feet to a 5/8" iron rod found
- 2) N 59° 53' 50" E, 424.59 feet to the POINT OF BEGINNING and containing 18.306 acres of land, more or less.

hereby certify that this measures and bounds description was prepared from an actual survey performed on the ground under my supervision and is true and correct to the best of my knowledge.

Steven R. McAngus, R.P.S. #3680



RECORDERS MEMORANDUM  
ALL OR PARTS OF THE TEXT ON THIS PAGE WAS NOT  
CLEARLY LEGIBLE FOR SATISFACTORY RECORDATION

EXHIBIT "A"

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

10863 0760

8415 363

FILED  
1939 JAN 26 PM 4:51  
DANA DE BECK  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

STATE OF TEXAS      COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED on  
the date and at the time stamped herein by, and was  
duly RECORDED, in the Volume and Page of the  
Record RECORDS of Travis County, Texas, on

JAN 26 1939



*Dana De Beck*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

*after recording return to:*

CITY OF AUSTIN  
DEPT. OF LAW  
P. O. BOX 1088  
AUSTIN, TEXAS 78767-8828

*Attn: Betty Lewis*

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

10863 0761

# 6901 Old Bee Caves Road Restrictive Covenant

Christopher Herrington, P.E.

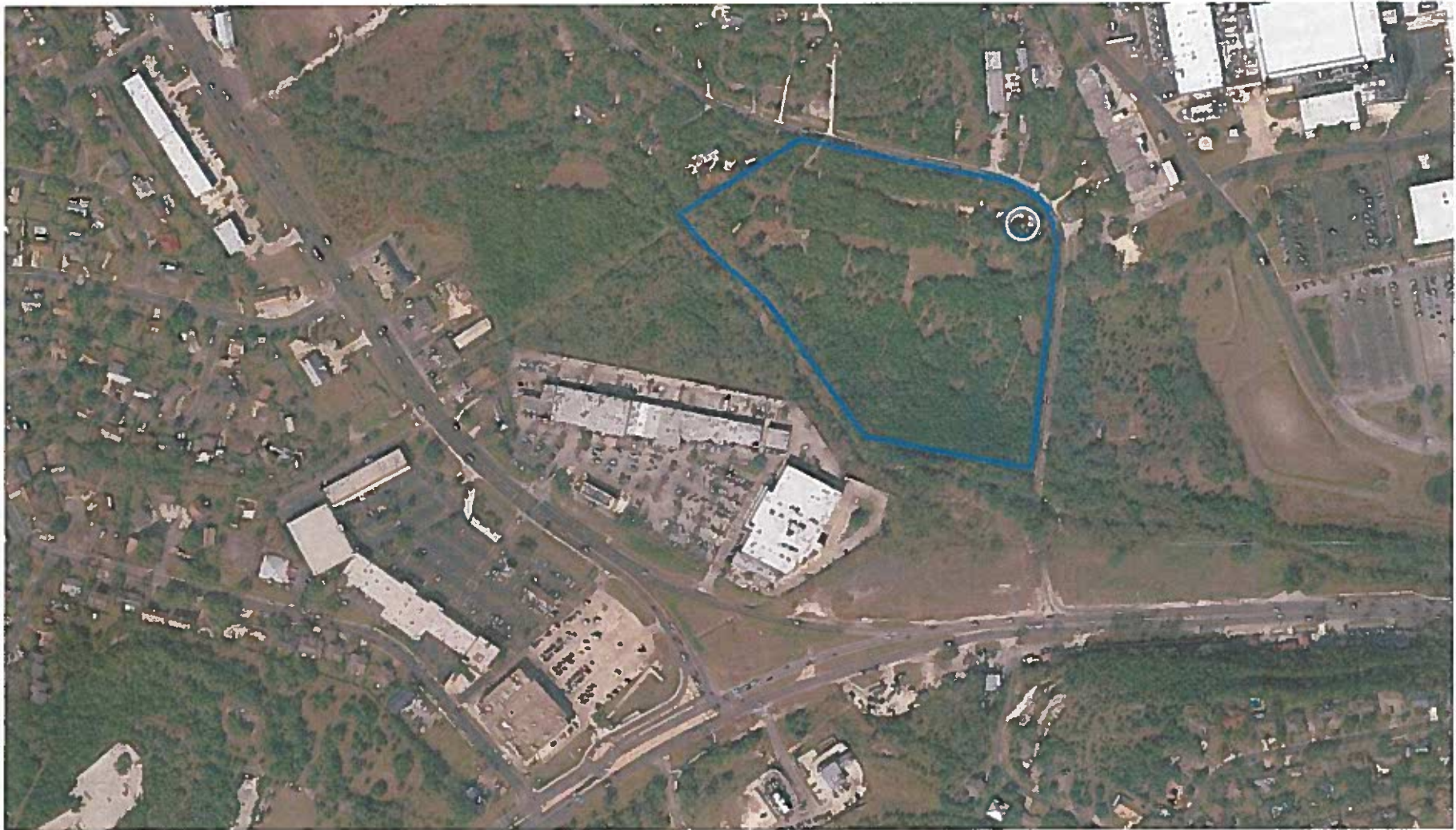
512-974-2840

[Chris.Herrington@AustinTexas.gov](mailto:Chris.Herrington@AustinTexas.gov)



EXHIBIT  
D





## Property Details

- 18.308 acres
- Currently undeveloped
- Full purpose jurisdiction
- Williamson Creek Watershed
- Edwards Aquifer Contributing Zone
- Oak Hill Combined Neighborhood Planning Area



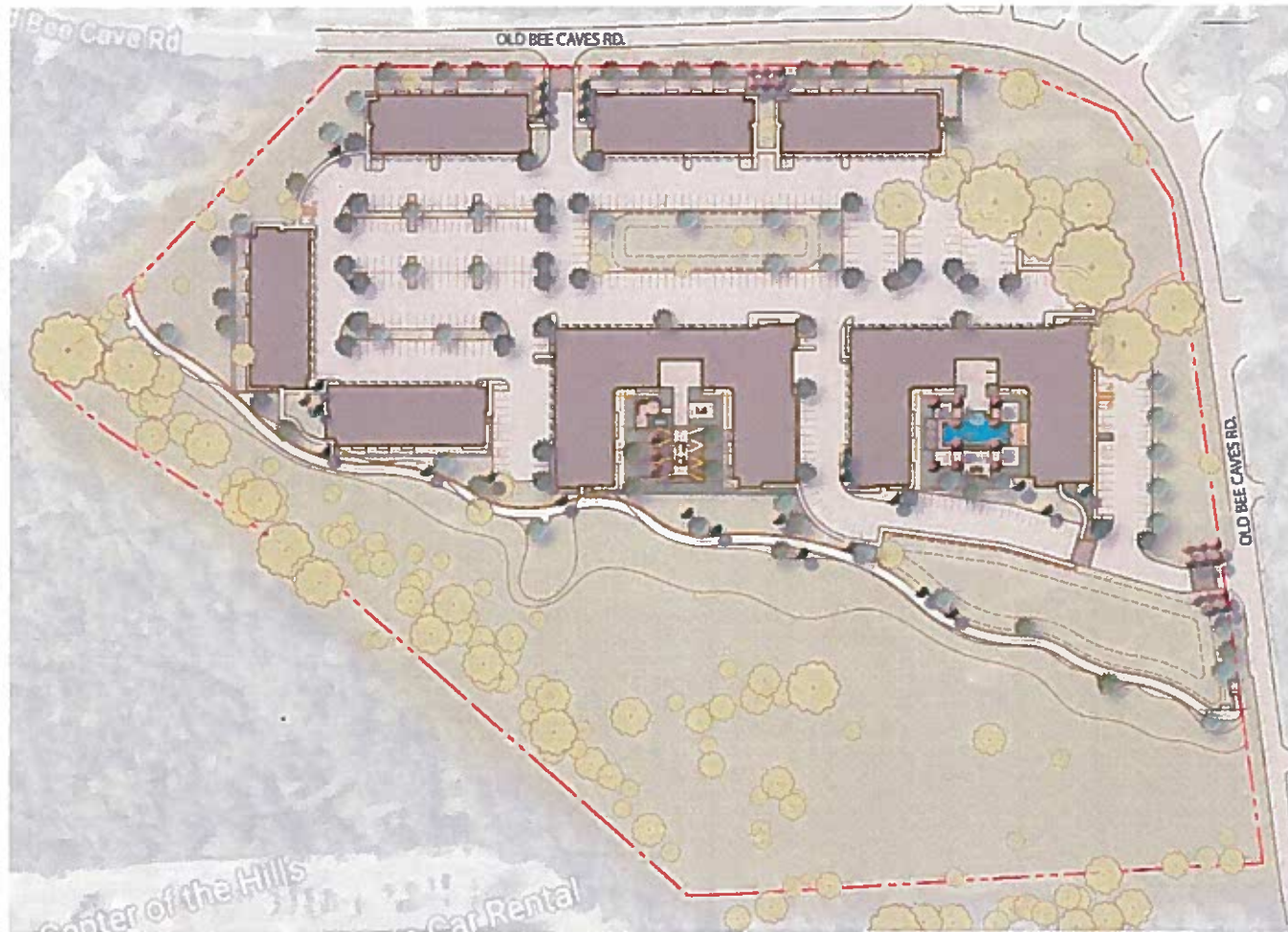
## Existing Restrictive Covenant (RC)

- 1987 Restrictive Covenant with Austin
- Locks in 1981 environmental regulations:
  - 40% impervious cover gross site area (up to 65% with parkland dedication)
  - No restrictions on cut/fill
  - ½ inch water quality treatment by filtration
  - 25% construction on slopes > 20%
  - No heritage tree protection
  - 1981 erosion controls

## Proposed RC Modification

- Change use from Commercial to Mixed Use
- Increase height from 35 ft to 60 ft
- Change floor-area ratio from 0.25:1 to 0.5:1

*Proposal consistent with Future Land Use Map*\_\_



OAK HILL APARTMENTS



Scale: 1"=100'-0"  
Date: October 2018

Draft for display purposes, subject to change

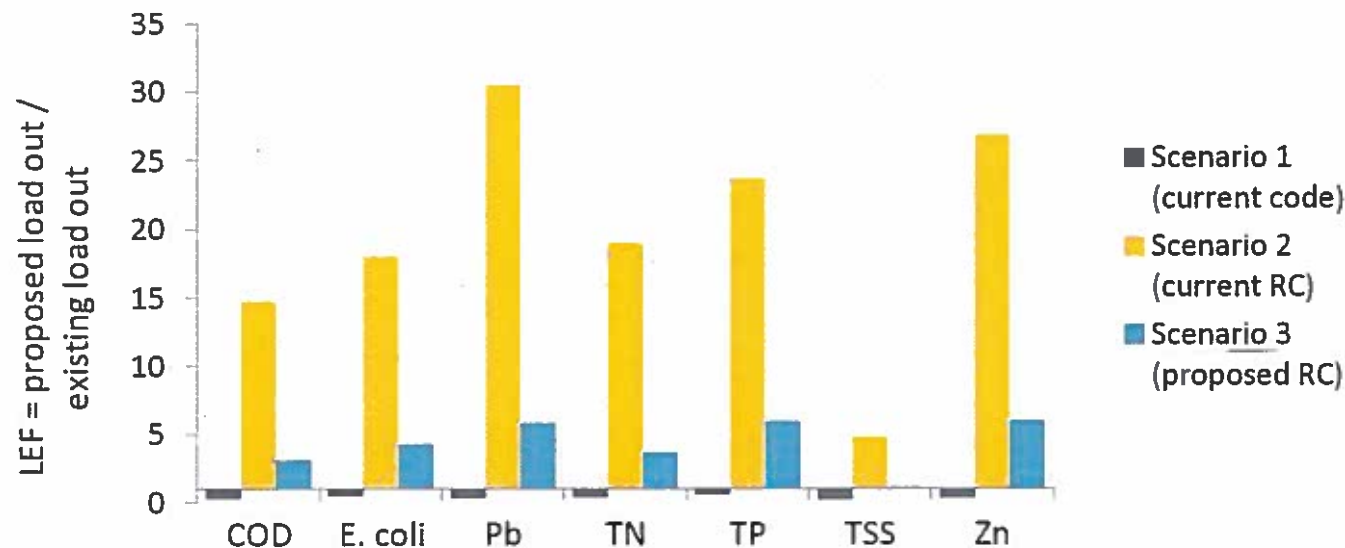
# Proposed Environmental Benefits

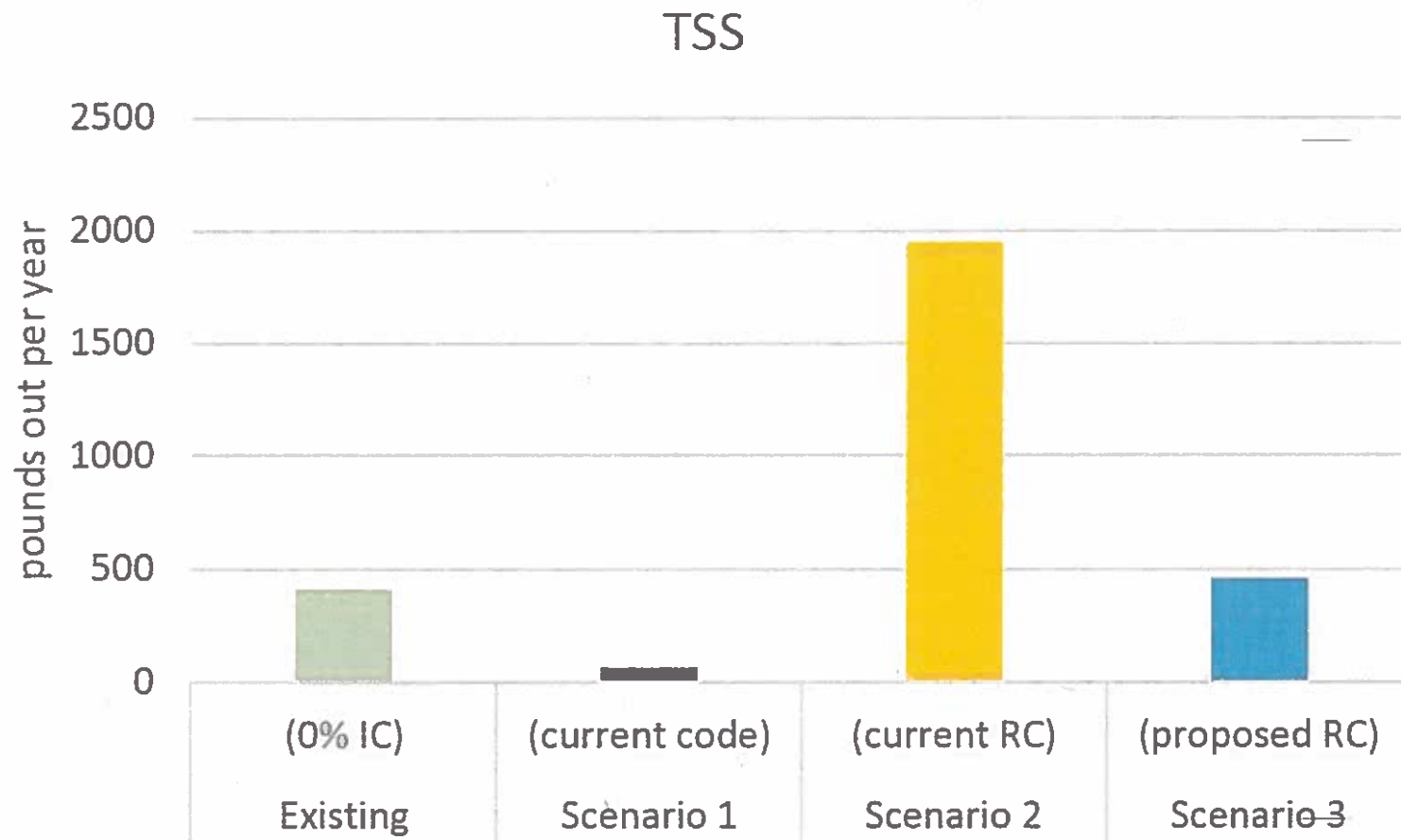
- Provide additional water quality treatment
- Reduce allowable impervious cover
- Limit cut/fill
- Reduce construction on slopes
- Current tree protections
- Current erosion controls (and erosion hazard zone)
- Remove industrial uses
- Parkland dedication, shared use path, trail easements
- Remove 'grandfathering'

	Current Code	Existing Restrictive Covenant	Proposed Modifications
Impervious Cover	25% net site area, 1.77 acres	40 – 65% gross area, 7.32 – 11.9 acres	35% gross area, 6.4 acres
Water Quality Treatment	SOS Water Quality (0.79 inch capture depth, re-irrigation)	Filtration (0.5 inch)	Sedimentation/Filtration (0.79 inch capture, > 0.39 inch-re-irrigation)
Tree Protection	Heritage and Protected Tree	Protected Tree	Heritage and Protected Tree
Cut/Fill	+/- 4 feet	unrestricted	+/- 8 feet
Slopes	slopes 0-15% = 25% slopes 15-25% = 10%	slopes 0-20% = 65% slopes >20% = 25%	slopes 0-15% = 40% slopes 15-25% = 10%
Erosion	Current ECM with erosion hazard zone	1981 standards	Current ECM with erosion hazard zone

# Pollutant Load Comparison

- Chemical oxygen demand, bacteria, nutrients, metals, suspended solids
- With current RC, 5-30x more pollution than current code
- With modified RC, 1-6x more pollution than current code





Comparison of total suspended solids (TSS) loads discharged off-site



**EXHIBIT  
E****ENVIRONMENTAL COMMISSION MOTION 20181017 008a****Date:** October 17, 2018**Subject:** Restrictive Covenant Amendment for an 18.308-acre parcel at 6901 Old Bee Caves Road**Motion by:** Hank Smith**Seconded by:** Katie Coyne**RATIONALE:**

**WHEREAS**, this tract is currently undeveloped, is in the full purpose jurisdiction, is in the Williamson Creek Watershed, is over the Edwards Aquifer Recharge Zone and is in the Oak Hill Combined Neighborhood Planning Area; and

**WHEREAS**, there is a 1987 restrictive covenant with the City of Austin that locks in the 1981 environmental regulations that have a 40 percent impervious cover limit based on the gross site area, no restrictions regarding cut and fill, limit water quality treatment by filtration to the first half-inch of runoff, allows 25 percent construction on slopes greater than 20 percent, has no heritage tree protections and establishes erosion control protection design at the 1981 level of protection; and

**WHEREAS**, the proposed modification will change the use from commercial to mixed use, increase the height restriction from 35 feet to 60 feet and change the floor-area ratio from 0.25:1 to 0.5:1, all of which are consistent with the Oak Hill Combined Neighborhood Planning Area Future Land Use Map; and

**WHEREAS**, the proposed environmental benefits of the proposed modification include:

- providing additional water quality treatment
- reducing allowable impervious cover
- limiting cut/fill
- reducing construction on slopes
- enforcing current tree protection regulations
- enforcing current erosion control criteria, including the erosion hazard zone requirements
- removing industrial uses
- requiring parkland dedication, shared use paths, and trails easement, and
- removing future "grandfathering" limitations

**THEREFORE**, the Environmental Commission recommends support of the request amending the restrictive covenant as presented.

**VOTE 8-0**

For: B. Smith, Creel, Perales, Thompson, H. Smith, Gordon, Coyne, Maceo

Against: None

Abstain: None

Recuse: None

Absent: Neely, Guerrero

Approved By:

**Wendy S. Gordon**

Digitally signed by Wendy S. Gordon  
DN: cn=Wendy S. Gordon, o, ou,  
email=wendy@ecologiaconsulting.com, c=US  
Date: 2018.10.23 18:21:21 -05'00'

Wendy Gordon, Environmental Commission Vice-Chair

EXHIBIT  
F

## MEMORANDUM

**TO:** Heather Chaffin, Case Manager  
Development Services Department

**CC:** Upal Barua, P.Eng., P.E.  
Austin Transportation Department

**FROM:** *NR* Natalia Rodriguez, CNU-A  
Scott A. James, P.E., PTOE  
Development Services Department/Land Use Review - Transportation

**DATE:** November 6, 2018

**SUBJECT:** Neighborhood Traffic Analysis for 6901 Bee Caves Road  
C14 – 2018 – 0056

The Land Use Review/Transportation staff has performed a Neighborhood Traffic Analysis (NTA) for the above referenced rezoning application and offers the following comments.

The 18.308 acre site is located in south Austin along Old Bee Caves Road, north of its intersection with US Highway 290/State Highway 71. The request is to rezone from CS – NP to CS – MU – NP to allow for the construction of up to 309 residential dwelling units. A previous zoning case, C14-85-288.43(RCA) also applies to this location.

Table 1 – list of proposed land uses	
Land Use	Intensity
Multi-family apartments	309 dwelling units

**Roadways**

**Old Bee Caves Road** is classified as a local collector roadway and measures 20 feet in width. The land uses along Old Bee Caves are primarily residential. There are no sidewalks on either side and access is proposed to Old Bee Caves Road. The posted speed limit is 40 miles per hour (MPH).

### Trip Generation and Traffic Analysis

The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by a project combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area.

Based on the Institute of Transportation Engineer's Trip Generation Manual, 10<sup>th</sup> Edition, the proposed mixed use development would generate approximately 2,295 daily trips (summarized in Table 2).

Table 2 – Estimated Daily Trip Generation					
TRACT NUMBER	TRACT ACRES	ZONING	INTENSITY	LAND USE (ITE Code)	TRIPS PER DAY
1	18.31	CS – MU – NP	309 DU	Multifamily Housing (Code 220)	2,295

Table 3 presents the expected distribution of the 2,295 daily trips:

Table 3 – Trip Distribution	
Street - Direction	Vehicle Trips
Old Bee Caves Road – southbound to US Hwy 290	1721 (75%)
Old Bee Caves Road – westbound to SH 71	574 (25%)

According to the traffic count data collected on April 25, 2018 and on September 25, 2018, an average of 2,368 vehicles travel along Old Bee Caves Road daily. As shown in Table 4, the projected daily trips from the site would increase the observed volumes on Old Bee Caves Road by up to 51%.

Table 4 – Estimated increase in daily traffic volumes				
Street	Existing Traffic (VPD)	Site Traffic	Total Traffic	Percentage Increase
Old Bee Caves Road	2368	2295	4663	51%

### Desirable Operating Levels

According to Section 25 – 6 – 116 of the Land Development Code, neighborhood residential streets are operating at a desirable level if the daily volumes do not exceed the following thresholds:

Table 5 – LDC Thresholds	
Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

**Conclusion and Recommendations**

The estimated number of daily trips generated by this site, in combination with the existing traffic on Old Bee Caves Road will exceed the thresholds set forth in the LDC 25 – 6 – 116. Therefore, mitigation is required for development of this site. According to the previous terms (note #7) of the Restrictive Covenant, improvements to Old Bee Caves Road will be required as part of the site plan development.

Therefore, in accordance with Section 25 – 6 – 116 and the prior RCA, review staff recommends the following conditions of approval for this rezoning application.

- 1) Prior to the 3<sup>rd</sup> reading at City Council, the applicant shall post fiscal in the amount of \$530,793 for the cost to provide the following transportation infrastructure improvements:
  - a. \$163,423 for the cost to resurface and install pavement markings and signage along the frontage of Old Bee Caves Road for improved travel and visibility of the roadway.
  - b. \$17,370 to furnish and install one (1) LED streetlight on an existing pole to provide additional illumination of Old Bee Caves Road.
  - c. \$350,000 for the cost to design and construct a traffic signal for the intersection of Old Bee Caves Road and US Highway 290. This signal will be within TxDOT right-of-way, and will be maintained by the City of Austin Transportation Department.
- 2) Prior to 3<sup>rd</sup> reading at City Council, the applicant shall dedicate up to 32 feet of right-of-way from the existing centerline of Old Bee Caves Road to provide the required 64 feet of right-of-way in accordance with the Transportation Criteria Manual.
- 3) At the time of the site plan application, the applicant shall construct items identified above in #1 in accordance with City of Austin standards.
- 4) At the time of the subdivision and site plan applications, the site shall comply with the Urban Trails Master Plan and Bicycle Master Plan.
- 5) A traffic impact analysis shall be required at the time of the site plan application if triggered per LDC 25 – 6 – 113, which may identify further mitigation measures.
- 6) Development of this property should not vary from the approved uses, nor exceed the approved intensities and estimated traffic generation including land uses, trip generation, trip distribution, traffic controls and other identified conditions.
- 7) The findings and recommendations of this staff memorandum remain valid until November 6, 2023, after which a revised NTA or staff memorandum may be required

If you have any questions or require additional information, please contact me at (512) 974 – 2208.

  
Scott A. James, P.E., PTOE  
Development Services Department

Amanda Swor  
direct dial: (512) 807-2904  
aswor@drennergroupp.com

# DRENNER GROUP EXHIBIT G

May 24, 2018

Mr. Greg Guernsey  
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Via Hand Delivery

Re: 6901 Old Bee Caves Road. – Rezoning application and restrictive covenant amendment application for the 18.308 acre piece of property located at 6901 Old Bee Caves Road in Austin, Travis County, Texas (the “Property”)

Dear Mr. Guernsey:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application and restrictive covenant amendment packages. The project is titled 6901 Old Bee Caves Road, consists of 18.308 acres, and is located on the south side of Old Bee Caves Road, approximately 330 feet north of the intersection of Old Bee Caves Road and U.S. Highway 290 West/Texas Highway 71 West. The Property is currently undeveloped. The site is currently zoned CS-NP, General Commercial Services – Neighborhood Plan. The requested rezoning is from CS-NP to CS-MU-NP, General Commercial Services – Mixed Use – Neighborhood Plan, zoning district. The purpose of this rezoning is to allow for residential uses on the Property.

The existing restrictive covenant on the property provides for site development regulations and applicable regulations that are not consistent with current regulations. The restrictive covenant currently restricts maximum floor to area ratio (FAR) to 0.25:1, building height to 35 feet, and maximum impervious cover to 65%, provided that between 5 and 8 acres of land is dedicated for public parkland. Additionally, residential uses are not permitted by the current zoning or the restrictive covenant. The requested amendment to the restrictive covenant will increase maximum FAR to 0.5:1, increase building height to 60 feet, decrease the maximum allowed impervious cover to 35% and add residential uses as a permitted use. Additionally, the project will come into compliance with current City of Austin tree regulations and water quality regulations.

The Property is located within the Oak Hill Combined Neighborhood Planning Area. The Future Land Use Map shows the Property as Mixed Use, therefore a Neighborhood Plan Amendment is not required with this rezoning. A Traffic Impact Analysis (“TIA”) has been waived via a TIA waiver from Mehmaz Mehraein, P.E. dated March 6, 2018 with the requirement that necessary transportation improvements for safe vehicular access from Old Bee Caves Road and U.S. Highway 290 West are to be provided at the time of development. This request is consistent with the land uses surrounding the Property, which include residential and a variety of retail and general commercial uses.

May 24, 2018

Page 2

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor

cc: Jerry Rusthoven, Planning and Zoning Review Department (*via electronic delivery*)  
Wendy Rhoades, Planning and Zoning Review Department (*via electronic delivery*)



**Chaffin, Heather**

---

**Subject:** FW: OBC Rd Oak Hill Apartment Proposal

---

**From:** Sally Bradley**Sent:** Thursday, October 18, 2018 4:34 PM**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>; MaryAnn.Neely@austintexas.gov; Hank.Smith@austintexas.gov; linda.h.guerrero@austintexas.gov; Smith, Brian <Brian.Smith@austintexas.gov>; Pam.Thompson@austintexas.gov; Andrew.Creel@austintexas.gov; Peggy.Maceo@austintexas.gov; Marisa.Perales@austintexas.gov; Katie.Coyne@austintexas.gov; Wendy.Gordon@austintexas.gov; william.burkhardt@austintexas.gov; James.Shieh@austintexas.gov; Karen.McGraw@austintexas.gov; Faye.Kazi@austintexas.gov; Jeffrey.Thompson@austintexas.gov; Angela.DeHoyosHart@austintexas.gov; Greg.Anderson@austintexas.gov; Conor.Kenny@austintexas.gov; todd.shaw@austintexas.gov; Yvette.Flores@austintexas.gov; Ann.Teich@austintexas.gov; Houston, Ora <Ora.Houston@austintexas.gov>; Garza, Delia <Delia.Garza@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Casar, Gregorio <Gregorio.Casar@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Flannigan, Jimmy <Jimmy.Flannigan@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Troxclair, Ellen <Ellen.Troxclair@austintexas.gov>; katie.tovo@austintexas.gov; Alter, Alison <Alison.Alter@austintexas.gov>; Adler, Steve <Steve.Adler@austintexas.gov>**Subject:** OBC Rd Oak Hill Apartment Proposal

As a resident of Aviara, the closest neighborhood to the planned development, and as a neighbor and commuter of Old Bee Caves Road, I SUPPORT the Old Bee Caves Rd/Oak Hill Apartments plan. I believe that it serves as the best land use alternative and will positively impact the surrounding neighborhoods, as well as Oak Hill. It is equally important to me that the developer and the city continues their promise to install the approved stop and go signal light at the intersection of Old Bee Caves Rd and US 290, along with separate additional ingress and egress lanes for this planned development. These in combination will help relieve the extraordinarily stressed Old Bee Caves Road shared by our neighborhood, surrounding neighborhoods, churches, commuters and businesses.

Sincerely,

Sally Bradley

**Chaffin, Heather**

---

**Subject:** FW: OBC Rd Oak Hill Apartment Proposal

---

**From:** Sally Bradley

**Sent:** Thursday, October 18, 2018 4:34 PM

**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>; MaryAnn.Neely@austintexas.gov; Hank.Smith@austintexas.gov; linda.h.guerrero@austintexas.gov; Smith, Brian <Brian.Smith@austintexas.gov>; Pam.Thompson@austintexas.gov; Andrew.Creel@austintexas.gov; Peggy.Maceo@austintexas.gov; Marisa.Perales@austintexas.gov; Katie.Coyne@austintexas.gov; Wendy.Gordon@austintexas.gov; william.burkhardt@austintexas.gov; James.Shieh@austintexas.gov; Karen.McGraw@austintexas.gov; Fayez.Kazi@austintexas.gov; Jeffrey.Thompson@austintexas.gov; Angela.DeHoyosHart@austintexas.gov; Greg.Anderson@austintexas.gov; Conor.Kenny@austintexas.gov; todd.shaw@austintexas.gov; Yvette.Flores@austintexas.gov; Ann.Teich@austintexas.gov; Houston, Ora <Ora.Houston@austintexas.gov>; Garza, Delia <Delia.Garza@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Casar, Gregorio <Gregorio.Casar@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Flannigan, Jimmy <Jimmy.Flannigan@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Troxclair, Ellen <Ellen.Troxclair@austintexas.gov>; katie.tovo@austintexas.gov; Alter, Alison <Alison.Alter@austintexas.gov>; Adler, Steve <Steve.Adler@austintexas.gov>

**Subject:** OBC Rd Oak Hill Apartment Proposal

As a resident of Aviara, the closest neighborhood to the planned development, and as a neighbor and commuter of Old Bee Caves Road, I SUPPORT the Old Bee Caves Rd/Oak Hill Apartments plan. I believe that it serves as the best land use alternative and will positively impact the surrounding neighborhoods, as well as Oak Hill. It is equally important to me that the developer and the city continues their promise to install the approved stop and go signal light at the intersection of Old Bee Caves Rd and US 290, along with separate additional ingress and egress lanes for this planned development. These in combination will help relieve the extraordinarily stressed Old Bee Caves Road shared by our neighborhood, surrounding neighborhoods, churches, commuters and businesses.

Sincerely,

Sally Bradley

**Chaffin, Heather**

---

**To:** Amanda Swor  
**Subject:** FW: traffic light proposal at Old Bee Caves and 290

---

**From:** Shari Noonan <[Shari.Noonan@austintexas.gov](mailto:Shari.Noonan@austintexas.gov)>  
**Sent:** Thursday, October 25, 2018 2:47 PM  
**To:** Chaffin, Heather <[Heather.Chaffin@austintexas.gov](mailto:Heather.Chaffin@austintexas.gov)>; Troxclair, Ellen <[Ellen.Troxclair@austintexas.gov](mailto:Ellen.Troxclair@austintexas.gov)>  
**Subject:** traffic light proposal at Old Bee Caves and 290

Thank you for your service to our community and for considering proposals on various needs of the community.

That being said, I am hearing there is a proposal to add a light at Old Bee Caves Rd and 290. The traffic at "the Y" at 290 and 71 is awful to begin with. I can sit there 20 minutes some days to get from Hwy 71 to Hwy 290. As it is I have had to adjust my work schedule to accommodate for that traffic.

I don't think the light at Old Bee Caves and 290 would help this situation at all, but will only make it worse. It would help a minority of people to have a minor convenience and would hurt a majority of people with a major inconvenience.

Please do not consider this proposal.

Thank you!

Shari  
(long time Austin resident)  
(almost as long time Oak Hill resident)

**Chaffin, Heather**

---

**Subject:** FW: Light on old bee caves road

-----Original Message-----

From: Jeannie Ferrier

Sent: Wednesday, October 24, 2018 7:39 PM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Light on old bee caves road

Hello

I have lived in oak hill since 1991. Lots of changes over the years. If a light is placed on 290 and bee caves it will slow the traffic even more. No more lights. Thanks Jeannie Ferrier

Sent from my iPhone

**Chaffin, Heather**

---

**Subject:** FW: concerns about development on old bee caves

-----Original Message-----

From: Jacqueline May <

Sent: Thursday, November 01, 2018 10:37 AM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: concerns about development on old bee caves

Dear Ms. Chaffin,

Thank you for speaking with me this morning.

I am writing to express my concerns about the proposed development immediately adjacent to my home on Old Bee Caves.

I do like it that they have reduced the buildable area, however, I would prefer a type of building that is single family, and/or homeowner occupied, as opposed to an apartment complex with lots of transient occupants coming and going, bright lights, and lots of traffic generated. If a park area is created, what steps will be taken to keep noise away and preserve my privacy in my back yard? Will everything become mowed down so the nature is gone? There are so many beautiful wild animals that use the Williamson Creek corridor.

What steps will be taken to preserve the rural character of the road and its natural beauty? 60 feet of height really seems like a lot for this country lane. Has there been any thought about making it beautiful? The current stretch of graffiti covered fencing is not promising.

This area has no sidewalks, no bike lane, and no speed humps of any kind, despite being conspicuously abused for cut through traffic. The road itself can't support more traffic.

I know everyone in my area would like to keep it homeowner and family occupied.

They should at a minimum be asked to negotiate with their neighbors.

Thank you for your attention.

Sincerely,

Jacqueline May

**Chaffin, Heather**

---

**Subject:** FW: Proposed Traffic Light at Old Bee Caves Road and 290/71 - FOR!!!

**From:** Andria B

**Sent:** Monday, October 15, 2018 11:27 AM

**To:** A Brannon <andriaebay@gmail.com>

**Subject:** Proposed Traffic Light at Old Bee Caves Road and 290/71 - FOR!!!

To Whom It May Concern:

As a resident of Aviara in Oak Hill, the closest neighborhood to the planned apartment development on Old Bee Caves Road, as a neighbor of and commuter on Old Bee Caves Road, and as a new step-mom to two fantastic kids, I SUPPORT the Old Bee Caves Rd/Oak Hill Apartments plan to install a light at what is a dangerous, congested and confusing intersection.

The intersection of OBC and 290/71 has long been a source of frustration to me and to my neighbors. Now that I am responsible for the transportation of my two step-children on a daily basis - I will drive FAR out of my way to avoid this very dangerous part of our route to and from home.

I believe that the construction of apartments on Old Bee Caves Road serves as the best land use alternative - as opposed to another commercial entity - and will positively impact the surrounding neighborhoods, as well as Oak Hill as a whole. It is equally important to me that the developer and the city fulfill their promise to install the approved stop and go signal light at the intersection of Old Bee Caves Rd and US 290, along with separate additional ingress and egress lanes for this planned apartment community development. These transportation features, in combination, will relieve the extraordinarily stressed Old Bee Caves Road shared by our neighborhood, surrounding neighborhoods, churches, commuters and businesses.

Sincerely,

Andria Brannon

7424 Sunset Heights Circle (in Aviara)

Austin, TX 78735



**Chaffin, Heather**

---

**Subject:** FW: OBC Rd Oak Hill Apartment Proposal

**From:** Robert Tobiansky

**Sent:** Monday, October 15, 2018 12:36 PM

**To:** Robert Tobiansky

**Cc:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>; MaryAnn.Neely@austintexas.gov; Hank.Smith@austintexas.gov; linda.h.guerrero@austintexas.gov; Smith, Brian <Brian.Smith@austintexas.gov>; Pam.Thompson@austintexas.gov; Andrew.Creel@austintexas.gov; Peggy.Maceo@austintexas.gov; Marisa.Perales@austintexas.gov; Katie.Coyne@austintexas.gov; Wendy.Gordon@austintexas.gov; william.burkhardt@austintexas.gov; James.Shieh@austintexas.gov; Karen.McGraw@austintexas.gov; Fayez.Kazi@austintexas.gov; Jeffrey.Thompson@austintexas.gov; Angela.DeHoyosHart@austintexas.gov; Greg.Anderson@austintexas.gov; Conor.Kenny@austintexas.gov; todd.shaw@austintexas.gov; Yvette.Flores@austintexas.gov; Ann.Teich@austintexas.gov; Houston, Ora <Ora.Houston@austintexas.gov>; Garza, Delia <Delia.Garza@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Casar, Gregorio <Gregorio.Casar@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Flannigan, Jimmy <Jimmy.Flannigan@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Troxclair, Ellen <Ellen.Troxclair@austintexas.gov>; katie.tovo@austintexas.gov; Alter, Alison <Alison.Alter@austintexas.gov>; Adler, Steve <Steve.Adler@austintexas.gov>

**Subject:** OBC Rd Oak Hill Apartment Proposal

Hello,

As a resident of Aviara, the closest neighborhood to the planned development, and as a neighbor and commuter of Old Bee Caves Road, I SUPPORT the Old Bee Caves Rd/Oak Hill Apartments plan. I believe that it serves as the best land use alternative and will positively impact the surrounding neighborhoods, as well as Oak Hill. It is equally important to me that the developer and the city continues their promise to install the approved stop and go signal light at the intersection of Old Bee Caves Rd and US 290, along with separate additional ingress and egress lanes for this planned development. These in combination will help relieve the extraordinarily stressed Old Bee Caves Road shared by our neighborhood, surrounding neighborhoods, churches, commuters and businesses.

Kind regards,



Robert A Tobiansky, Aviara HOA Board past President  
Aviara Community Impact Committee Chairperson  
Aviara HOA Board Consultant

OHAN (Oak Hill Association of Neighborhoods), past Secretary  
OHAN Transportation Committee, Co-Chair person  
Mobile: 847.530.3520



**O H A N**  
OAK HILL ASSOCIATION OF NEIGHBORHOODS

**Chaffin, Heather**

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**Subject:** FW: Old Bee Caves Road Oak Hill Apartment Proposal

**From:** Austin Walker

**Sent:** Tuesday, October 16, 2018 6:48 AM

**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>; MaryAnn.Neely@austintexas.gov; Hank.Smith@austintexas.gov; linda.h.guerrero@austintexas.gov; Smith, Brian <Brian.Smith@austintexas.gov>; Pam.Thompson@austintexas.gov; Andrew.Creel@austintexas.gov; Peggy.Maceo@austintexas.gov; Marisa.Perales@austintexas.gov; Katie.Coyne@austintexas.gov; Wendy.Gordon@austintexas.gov; william.burkhardt@austintexas.gov; James.Shieh@austintexas.gov; Karen.McGraw@austintexas.gov; Fayez.Kazi@austintexas.gov; Jeffrey.Thompson@austintexas.gov; Angela.DeHoyosHart@austintexas.gov; Greg.Anderson@austintexas.gov; Conor.Kenny@austintexas.gov; todd.shaw@austintexas.gov; Yvette.Flores@austintexas.gov; Ann.Teich@austintexas.gov; Houston, Ora <Ora.Houston@austintexas.gov>; Garza, Delia <Delia.Garza@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Casar, Gregorio <Gregorio.Casar@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Flannigan, Jimmy <Jimmy.Flannigan@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Troxclair, Ellen <Ellen.Troxclair@austintexas.gov>; katie.tovo@austintexas.gov; Alter, Alison <Alison.Alter@austintexas.gov>; Adler, Steve <Steve.Adler@austintexas.gov>  
**Subject:** Old Bee Caves Road Oak Hill Apartment Proposal

As a resident of Aviara, the closest neighborhood to the planned development, and as a neighbor and commuter of Old Bee Caves Road, I SUPPORT the Old Bee Caves Rd/Oak Hill Apartments plan. I believe that it serves as the best land use alternative and will positively impact the surrounding neighborhoods, as well as Oak Hill. It is equally important to me that the developer and the city continues their promise to install the approved stop and go signal light at the intersection of Old Bee Caves Rd and US 290, along with separate additional ingress and egress lanes for this planned development. These in combination will help relieve the extraordinarily stressed Old Bee Caves Road shared by our neighborhood, surrounding neighborhoods, churches, commuters and businesses.

Sincerely,

Austin Walker  
6203 Aviara Dr.

**Chaffin, Heather**

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**Subject:** FW: OBC Rd Oak Hill Apartment Proposal

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**From:** Sally Bradley

**Sent:** Thursday, October 18, 2018 4:34 PM

**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>; MaryAnn.Neely@austintexas.gov; Hank.Smith@austintexas.gov; linda.h.guerrero@austintexas.gov; Smith, Brian <Brian.Smith@austintexas.gov>; Pam.Thompson@austintexas.gov; Andrew.Creel@austintexas.gov; Peggy.Maceo@austintexas.gov; Marisa.Perales@austintexas.gov; Katie.Coyne@austintexas.gov; Wendy.Gordon@austintexas.gov; william.burkhardt@austintexas.gov; James.Shieh@austintexas.gov; Karen.McGraw@austintexas.gov; Fayez.Kazi@austintexas.gov; Jeffrey.Thompson@austintexas.gov; Angela.DeHoyosHart@austintexas.gov; Greg.Anderson@austintexas.gov; Conor.Kenny@austintexas.gov; todd.shaw@austintexas.gov; Yvette.Flores@austintexas.gov; Ann.Teich@austintexas.gov; Houston, Ora <Ora.Houston@austintexas.gov>; Garza, Delia <Delia.Garza@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Casar, Gregorio <Gregorio.Casar@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Flannigan, Jimmy <Jimmy.Flannigan@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Troxclair, Ellen <Ellen.Troxclair@austintexas.gov>; katie.tovo@austintexas.gov; Alter, Alison <Alison.Alter@austintexas.gov>; Adler, Steve <Steve.Adler@austintexas.gov>

**Subject:** OBC Rd Oak Hill Apartment Proposal

As a resident of Aviara, the closest neighborhood to the planned development, and as a neighbor and commuter of Old Bee Caves Road, I SUPPORT the Old Bee Caves Rd/Oak Hill Apartments plan. I believe that it serves as the best land use alternative and will positively impact the surrounding neighborhoods, as well as Oak Hill. It is equally important to me that the developer and the city continues their promise to install the approved stop and go signal light at the intersection of Old Bee Caves Rd and US 290, along with separate additional ingress and egress lanes for this planned development. These in combination will help relieve the extraordinarily stressed Old Bee Caves Road shared by our neighborhood, surrounding neighborhoods, churches, commuters and businesses.

Sincerely,

Sally Bradley

**Chaffin, Heather**

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**Subject:** FW: Concern - Case # C14-2018-0056

-----Original Message-----

From: Jacqueline May

Sent: Tuesday, June 19, 2018 12:25 PM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Concern - Case # C14-2018-0056

Dear Heather,

I am writing regarding a proposed development on Old Bee Caves Rd.

I live directly next to where this development is proposed, (7101 Old Bee Cave Rd.) and yet I did not receive any rezoning letter; I heard about it from the neighbors. So I think I need to get registered somehow as one of the affected parties.

It is of tremendous concern to me that my home, zoned Rural Residential, might come to abut an enormously dense apartment complex. I did not move to a rural area, plant trees and gardens, and tenderly bring a historic structure back to life, to be next to a giant, unattractive apartment complex with light pollution, constant car alarms, traffic, and oceans of hot concrete. As you can imagine, I need to get more information and see what I can do to preserve the value of my home and my quality of life. We desperately need parkland, not concrete.

Thank you for your work on this,

Jacqueline May

**Chaffin, Heather**

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**Subject:** FW: Concern - Case # C14-2018-0056

**From:** Carri & Marie <  
**Sent:** Friday, June 15, 2018 7:23 AM  
**To:** Chaffin, Heather <Heather.Chaffin@austintexas.gov>  
**Subject:** Concern - Case # C14-2018-0056

Hello Heather,

I just received notice of the filing of application for rezoning - for apartments. I am extremely concerned about this filing.

- Traffic on Old Bee Caves Road
- Dangerous windy roads with no shoulder
- that curve where the property entrances are located are VERY dangerous
- The continuous flow lanes at the Y at Oak Hill already prevent us from leaving the neighborhood at 71 and Old Bee Caves Road. The single line to get out takes 10 min or more due to the small amount of time between the next flow of cars. At most 10 seconds.
- Williamson Creek Environmental issues and concern
- No street lights
- Multiple fatalities on this road already
- no other entrance out of this property besides this single lane road.

Please come out here and see for yourself at rush hour times and all weekend long. Really most of the time. Please advise on these issues.

Thank you,  
Carri



**Chaffin, Heather**

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**Subject:** FW: 6901 Old Bee Caves Rd C14-2018-0056

-----Original Message-----

From: Thomas Thayer <

Sent: Monday, June 11, 2018 10:08 PM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: 6901 Old Bee Caves Rd C14-2018-0056

Hello,

I am the Chair of the Oak Hill Neighborhood Planning Contact Team, and although this property does not involve a land use change I have a couple of questions about the rezoning.

Why was the TIA waived? How can you know if the transportation improvements will be enough without a TIA? What transportation improvement have they committed to? Old Bee Caves is a narrow, country road that really should not be burdened with too much traffic. High traffic volumes could be dangerous and not in line with the Vision Zero goals the city has set forth.

Will the dedication of 5-8 acres of parkland in the current restrictive covenant be affected by this rezoning? Adding additional residents should not result in any less requirement to dedicate parkland since this area is relatively park-poor (the closes park being a small pocket park not even within walking distance).

I am interested in being notified when the public hearing for this will be.

Thanks.

Tom Thayer