

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0130 – 5613 Patton Ranch Road

DISTRICT: 8

ZONING FROM: MF-1-NP

TO: MF-4-NP

ADDRESS: 5613 Patton Ranch Road

SITE AREA: 14.8 acres

PROPERTY OWNER:

St. Andrew's Episcopal School (Jason Near)

AGENT:

McLean & Howard (Jeff Howard)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends multifamily residence (moderate-high density) – neighborhood plan (MF-4-NP) combining district zoning. *For a summary of the basis of staff's recommendation, see page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

January 26, 2021 Scheduled for Planning Commission

CITY COUNCIL ACTION:

Not scheduled for City Council at this time.

ORDINANCE NUMBER:

ISSUES

This site is partially located over the Edwards Aquifer Recharge Zone within the Barton Creek Watershed. Project applications at the time of this report are subject to the SOS ordinance that allows 15% impervious cover in the Recharge Zone portion of the property and 20% impervious cover in remainder of property, (see Environmental comments).

The City of Austin's Watershed Department has an active project within this area called the *Oak Park Flood Risk Reduction Project*. The purpose of this project is to reduce the amount of flooding in the area and is currently in the design phase. The project is expected to go to construction in the Summer of 2022. This project is not related to the rezoning request and is not located within the boundaries of the requested rezoning area. It is however located on land owned by the applicant of this rezoning case, St. Andrew's Episcopal School.

CASE MANAGER COMMENTS:

The area being requested to be rezoned is approximately 14.8 acres and is located on the east side of both Patton Ranch and Vega Avenue. It is part of a larger lot that is currently zoned MF-1-NP. The applicant is asking to rezone a portion of their lot to MF-4-NP, the remaining area would stay MF-1-NP. Adjacent to the north of the MF-1-NP lot is a property zoned GR-CO-NP and contains the St. Andrew's Episcopal School and to the east are properties zoned SF-2-NP with single-family residences. Across School Road to the south is a property zoned P-NP which contains the Oak Hill Elementary School. To the west across Patton Ranch Road are properties zoned RR-NP containing a single-family residence and LR-NP containing an administrative and business offices. Also, to the west across Vega Avenue are properties zoned MF-2-NP containing multifamily apartments and LO-NP containing medical offices.

The applicant has told staff their intent is to build a three to four story building. Their application stated they are proposing 295 residential units with a proposed total of 20 units per acre. Specifics about the buildings design and site layout are unknown at this time.

BASIS OF RECOMMENDATION:

1. *Zoning should allow for reasonable use of the property.*

This site is partially located over the Edwards Aquifer Recharge Zone and is currently subject to the SOS ordinance limiting the allowable impervious cover. This limitation supersedes the base zoning district allowance. Rezoning this site to MF-4-NP would allow flexibility to develop vertically instead of horizontally in this environmentally sensitive area.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The area being requested to be rezoned is primarily in an area with exiting commercial and multifamily uses. The applicant is requesting to rezone a portion of their lot leaving approximately a 400-foot buffer of MF-1 zoned area between their requested MF-4 and existing SF-2 zoned areas. Rezoning this portion of their lot to MF-4-NP would not be introducing a zoning district inconsistent with the existing zoning pattern and would maintain a MF-1 buffer between this site and the neighborhood to the east.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	MF-1-NP	Undeveloped
North	MF-1-NP and GR-CO-NP	Undeveloped and private primary and secondary educational facilities
South	P-NP	Public primary educational facilities
East	MF-1-NP and SF-2-NP	Undeveloped and residential
West	RR-NP, LR-NP and LO-NP	Residential and administrative and business office

NEIGHBORHOOD PLANNING AREA: Oak Hill Combined Neighborhood Plan (East Oak Hill)

TIA: A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

WATERSHED: Barton Creek Watershed

OVERLAYS: Barton Springs Overlay, Wildland Urban Interface

SCHOOLS: Oak Hill Elementary, Small Middle and Austin High Schools

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District	Oak Hill Association of Neighborhoods (OHAN)
Austin Lost and Found Pets	Oak Hill Neighborhood Plan Contact Team
Aviara HOA	Oak Hill Trails Association
Bike Austin	Save Barton Creek Assn.
City of Rollingwood	Save Our Springs Alliance
Covered Bridge Property Owners	SELTexas
East Oak Hill Neighborhood Association	Sierra Club, Austin Regional Group
Friends of Austin Neighborhoods	TNR BCP - Travis County Natural Resources
Neighborhood Empowerment Foundation	
Oak Acres Neighborhood Association	

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2018-0085 Southwest Parkway & Vega Avenue	From LR-MU-NP to GR-MU-NP	Approved GR-MU-CO-NP; CO was to prohibit a set of land uses and make other conditional.	Approved GR-MU-CO-NP as Commission recommended. (12/13/18).
C14-2016-0011 Lantana Tract 33	From GO-NP to MF-4-CO-NP	Approved MF-4-CO-NP; CO was to restrict site development standards to MF-1 but allow for 60' height.	Approved MF-4-CO-NP as Commission recommend. (12/8/16).

Number	Request	Commission	City Council
C14-2014-0112 Lantana Tract 28, LP	From LO-NP to MF-4-CO-NP (Tract 1) and from GO-NP to GO-MU-CO-NP (Tract 2)	Approved MF-4-CO-NP (Tract 1) and GO-MU-CO-NP (Tract 2); CO for Tract 1 included limiting site development standards to MF-1 with allowance of 60' building height; CO for both tracts included limiting trip count, and compliance with current code.	Approved MF-4-CO-NP (Tract 1) and GO-MU-CO-NP (Tract 2); CO for Tract 1 included limiting site development standards to MF-1 with allowance of 60' building height; CO for both tracts included limiting trip count. (12/11/14).
C14-2013-0044 Lantana Tract 32	From GO-NP to MF-4-CO-NP.	Approved MF-4-CO-NP; CO was to restrict site development standards to MF-1 but allow for 60' height, prohibited vehicular access to certain streets except for emergency access and compliance with current code.	Approved MF-4-CO-NP; CO was to restrict site development standards to MF-1 but allow for 60' height and prohibited vehicular access to certain streets except for emergency access. (10/3/13).

RELATED CASES:

C14-2008-0129 (Oak Hill Combined Neighborhood Plan): creation of the Oak Hill Combined Neighborhood Plan, East Oak Hill NPCD, Ordinance No. 20081211-098. This property was rezoned from DR to MF-1-NP as a part of that process.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Vega Avenue	90'	35'	ASMP Level 3	No	None	None
Patton Ranch Rd	63'	25'	ASMP Level 1	No	None	None

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
School Road	60'	40'	ASMP Level 1	No	None	None

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is on an undeveloped tract that is approximately 14.81 acres in size and is located within the boundaries of the Oakhill Combined Neighborhood Plan (East Oak Hill). The property is close to the Oak Hill Center. Surrounding land uses include the St. Andrew Episcopal School and the St. Andrew Dell Fine Arts Center to the north; to the south is the Oak Hill Elementary School, retail uses and a YMCA; to the east is a single family subdivision; and to the west is a clinical lab, vacant land and an office buildings. The proposed use is a 295-unit multifamily apartment complex.

Connectivity

Patton Ranch Road has intermittent public sidewalks located on side of the street. School Road has public sidewalks on one side of the street. Public transit is not located within walking distance of this site. Connectivity is good because of the nearby public school and retail options located to the south while mobility is below average due to the lack of a complete public sidewalk system, no bike lanes and a lack of public transit stops.

Oakhill Combined Neighborhood Plan (OCNPA)

The OCNPA Future Land Use Map (FLUM) classifies this property as Multifamily Residential, which allows higher-density housing with 3 or more units on one lot. The base zoning district of MF-4 is permitted under this FLUM category. The following text, goals, objectives and recommendations are taken from the OHCNP and apply to this case:

Introduction to Chapter 6 (p. 65)

Given the environmental sensitivity of the Oakhill area, land use and zoning recommendations need to balance protecting the environment while providing development opportunities to meet the community’s desire for commercial services and housing opportunities. This balance is reflected in the overall vision statement created by the community stakeholders, which states that Oakhill should “*support measured, sustainable growth in residential and commercial development while maintaining the existence and integrity of its environmental resources, and that of the community and its neighborhoods.*”

- Goal 6.A. Provide opportunities for high-quality new development and redevelopment. (p. 66)
 - Objective 6A.1: Ensure quality of new construction and renovations.

- Goal 6.B. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment. (p. 66)
 - Objective 6.B.1: Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land activity areas) at strategic locations.
- Goal 8.A. Balance development and environmental protection by maintaining a vibrant residential and commercial community (p 120)
 - Objective 8.A2c—Whenever possible, new housing developments should be located where existing services and infrastructure exist. Their appearance and density should be appropriate to its environment and compatible with surrounding uses. (p 126)
 - Objective 8.B. Preserve neighborhood identity, character, affordability, and diversity.

The Oakhill Combined Neighborhood Plan Future Land Use Map designates this portion of the planning area as Multifamily, which allows multifamily development

Imagine Austin

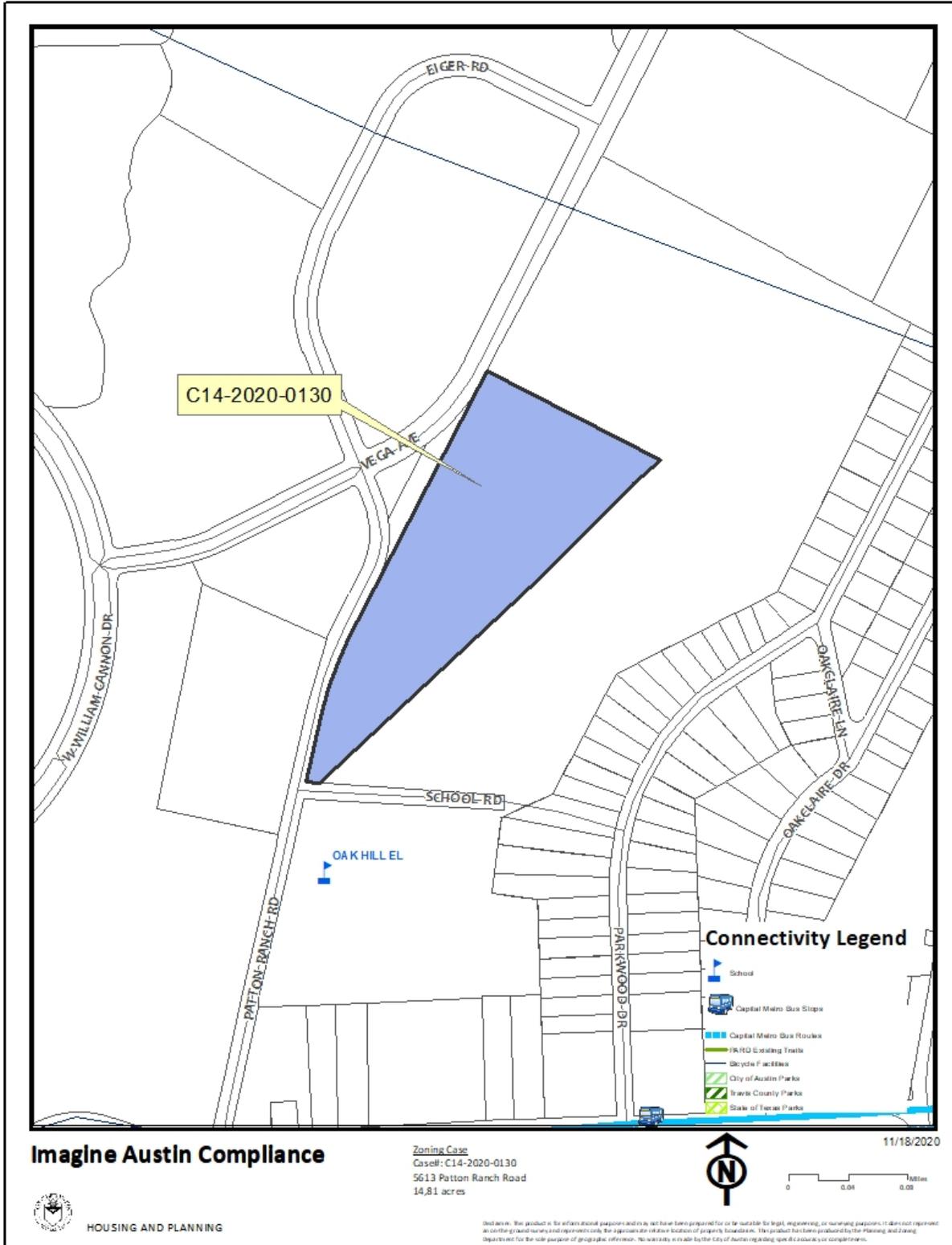
The Imagine Austin Growth Concept Map identifies this property as being near one of the five ‘Activity Center for Redevelopment in Sensitive Environmental Area’ as identified on the Imagine Austin Growth Concept Map, found in the Image Austin Comprehensive Plan. Page 106 of the Imagine Austin Comprehensive Plan (IACP) states, “Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context”. One of the Land Use and Transportation policies, LUT P21 (p. 102), clarifies this intent, “Ensure that redevelopment in the Edwards Aquifer’s recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.”

The following IACP policies are also applicable to this case:

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

- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- HN P1. Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin’s diverse population.

This area currently lacks a mobility options beyond a car, including pedestrian connections to link this proposed multi-family apartment complex to commercial and civic uses located to the south and along SH 71. The project is also located near an “Activity Centers for Redevelopment in Sensitive Environmental Area”, which targeted “to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods.” Based on the Imagine Austin text and polices above, this proposed multifamily project appears to partially support the policies of IACP.



Environmental

1. This site is partially located over the Edwards Aquifer Recharge Zone. A geologic assessment will be necessary to determine the Recharge Zone boundary as it relates to this property. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.
2. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the Recharge Zone portion of the property and 20% impervious cover in remainder of property.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

PARD Review

- PR 1. Parkland dedication will be required for the new residential units proposed by this development, multifamily with MF-4-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. At the applicant's request, PARD has provided an early determination of whether fees in-lieu of land will be allowed for this development, noting the future parkland being dedicated further north on Vega Avenue.

Any fees in-lieu of parkland dedication shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer:
thomas.rowlinson@austintexas.gov.

Site Plan

- SP 1. Site plans will be required for any new development other than single-family or duplex residential.
- SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP4. The site is limited to density requirements as outlined in 25-2-563 (*Multifamily Residence Moderate-High Density (MF-4) and Multifamily Residence High Density (MF-5) District Regulations*):

The minimum site area for each dwelling unit is:

1. 800 square feet, for an efficiency dwelling unit;
2. 1,000 square feet, for a one-bedroom dwelling unit; and
3. 1,200 square feet, for a dwelling unit with two or more bedrooms.

Compatibility Standards

- SP 5. The site is subject to compatibility height standards. Height compatibility is triggered from the east and southwest of the property.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of property zoned SF-5 or more restrictive.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - 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.
 - For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

Transportation

ASMP Assessment

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 116 feet of right-of-way for Vega Ave. It is recommended that 58 feet of right-of-way from the existing centerline should be dedicated for Vega Ave according to the Transportation with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

Transportation Assessment

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

AW1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

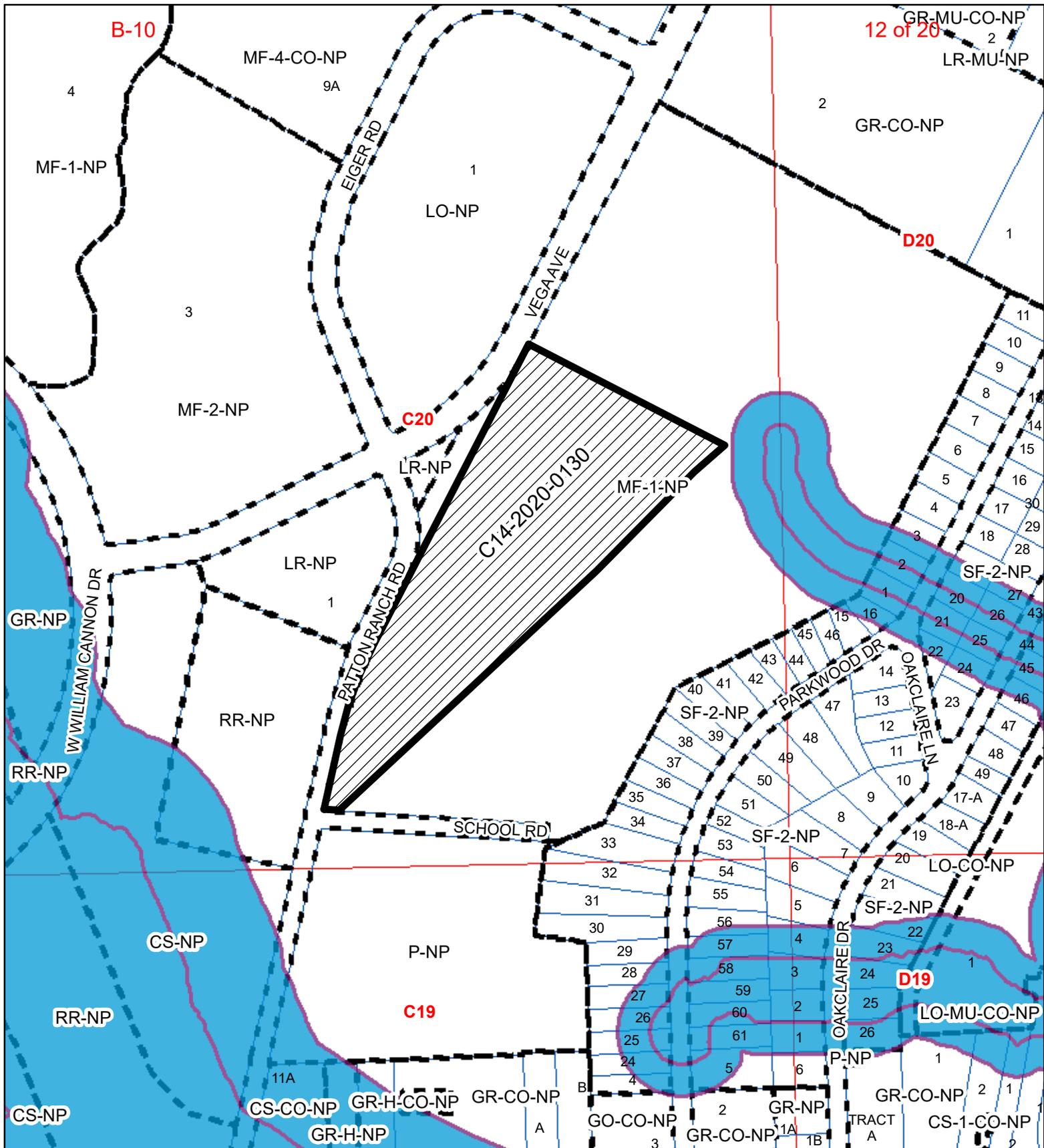
AW2. The owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at OSSF@austintexas.gov or call 512-972-0050. The cutover process may also initiate a required review by the Industrial Waste Division and/or the Cross Connection Division depending on building usage.

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received



GR-MU-CO-NP 2
LR-MU-NP

B-10

12 of 20

D20

C20

C14-2020-0130

C19

D19



1" = 400'

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

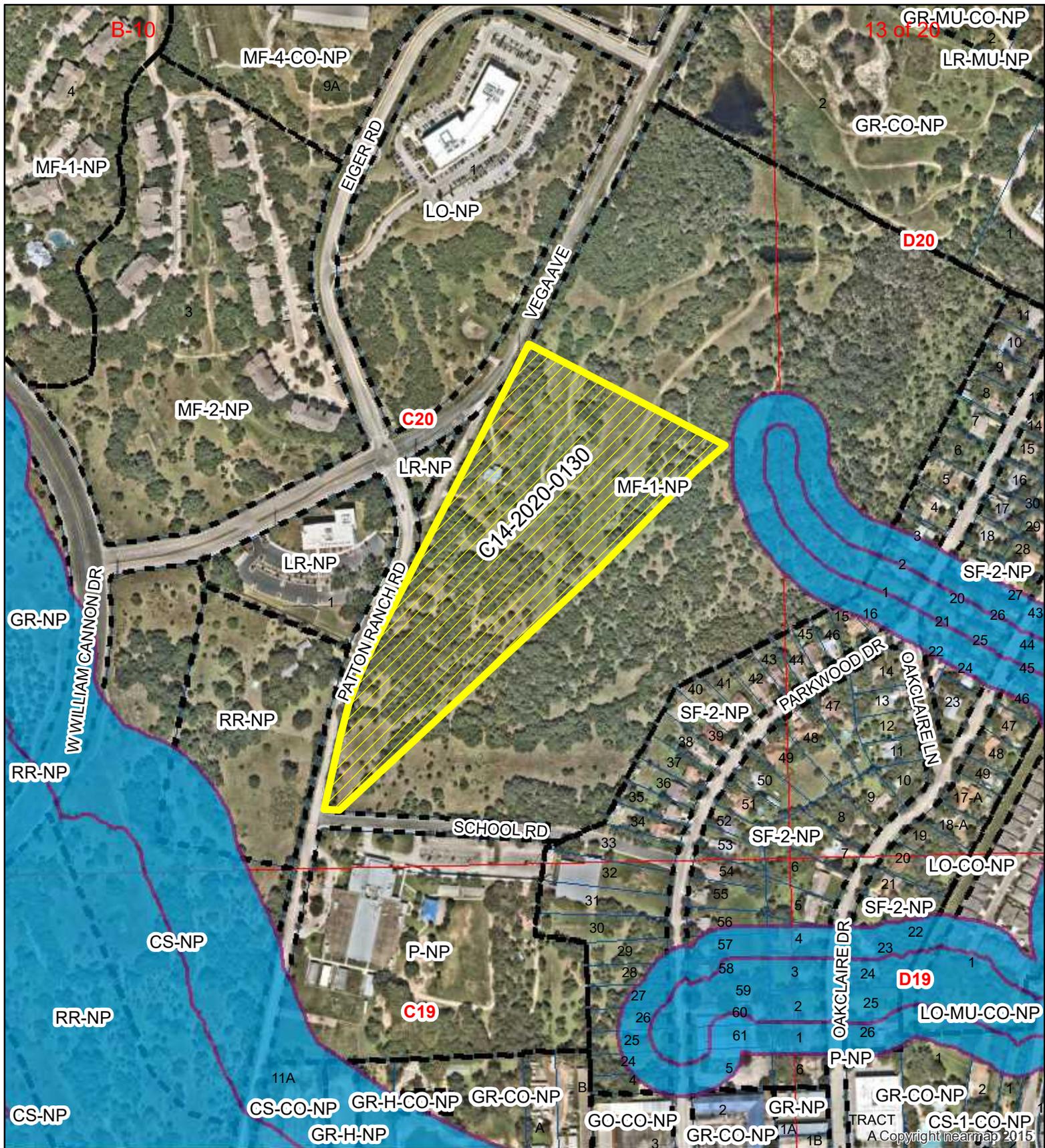
5613 Patton Ranch Road

Exhibit A

ZONING CASE#: C14-2020-0130
 LOCATION: 5613 Patton Ranch Road
 SUBJECT AREA: 14.805 ACRES
 GRID: C20
 MANAGER: KATE CLARK



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.



N



1" = 400'

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

5613 Patton Ranch Road

Exhibit B

ZONING CASE#: C14-2020-0130
 LOCATION: 5613 Patton Ranch Road
 SUBJECT AREA: 14.805 ACRES
 GRID: C20
 MANAGER: KATE CLARK



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Clark, Kate

From: Sandi Causey
Sent: Friday, December 4, 2020 12:19 PM
To: Clark, Kate
Subject: Case Number: C14-2020-0130

*** External Email - Exercise Caution ***

Ms Clark

As members of the Executive Committee of the Oak Park Neighborhood Association, we are alarmed that the city would consider approving an increase in density on any property upstream from our neighborhood. The city has already identified our neighborhood of duplexes and single-family homes as high priority for flood mitigation due to new and existing development above the neighborhood.

It is even more alarming to us that density would be allowed to almost triple directly adjacent to and above any neighborhood for whom the city has approved a flood mitigation project and that has already experienced life-threatening flooding.

We would like to know what steps we can take to oppose this change. Our questions are:

1. Will the public hearing be held before the Planning Commission?
2. How often does the Planning Commission meet?
3. Do you anticipate the public hearing will be held prior to the end of January?
4. Since normal advocacy is not a choice during COVID-19, in what forum is the public hearing conducted.
5. What other steps are available to us to oppose this change?

Oak Park Neighborhood Association Executive Committee

Mary Lynne Reebel, President

Nancy Baker Jones

Brett Schwab

Ralph Weston

Sandi Causey, Treasurer

Sandi Causey

6105 Oakclaire Drive

Austin, Texas 78735

512-892-0433

512-658-0434 (mobile)



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January 3, 2021

TO: Kate Clark, Housing & Planning Department kate.clark@austintexas.gov
Planning Commission
Paige Ellis, paige.ellis@austintexas.gov

RE: City Rezoning CASE # C14-2020-0130
Public Hearing Date: January 26, 2021

FROM: Oak Park Subdivision Association Executive Committee
Sandi Causey, [REDACTED]
Nancy Baker Jones, [REDACTED]
Brett Schwab, [REDACTED]

CC: Oak Hill Neighborhood Planning Contact Team (Oak Hill NPCT),
oak.hill.npct@gmail.com; East Oak Hill Neighborhood Association (OHAN),
eastOakHill@yahoo.com

PURPOSE: WE OBJECT TO THIS REZONING REQUEST

Issue:

The Oak Park Subdivision is located between Highway 290 West and Southwest Parkway, adjacent to St. Andrews School (SAS) campus. The school is selling a portion of its property (bordered by Patton Ranch Road, School Road, and Vega Avenue) for dense residential development. The property (hereafter referred to as the parcel in question) is currently zoned for Limited Density (MF-1-NP). St. Andrews School has requested that the zoning be revised to MF-4-NP to allow for construction of a 295-unit apartment development.

We, the Oak Park Subdivision Association Executive Committee, represent affected property owners.

We have substantial concerns regarding the proposed rezoning for the following reasons:

- 1. SAS has provided no planning proposal to the Oak Park Subdivision.**
- 2. This rezoning request contradicts the existing Oak Hill Combined Neighborhood Plan.**
- 3. Existing flooding risks will grow.**
- 4. Excessive traffic congestion and safety concerns are likely.**
- 5. Further overcrowding of Oak Hill Elementary School is likely. No educational impact study has been conducted.**
- 6. Environmental impact of the planned development has not been assessed.**
- 7. Historic Landmark buildings on the parcel in question are in peril.**

See discussion of each reason below.

1. SAS has provided no planning proposal to the Oak Park Subdivision.

In the past, the Oak Park Subdivision Association Executive Committee has communicated closely with SAS about several issues, including flooding and flood mitigation, the Harper Park Subdivision, and the sale and rezoning of the parcel in question to Rawson-Saunders School, which was sold back to SAS and on which this development is now proposed to be built.

Rezoning to MF-4-NP greatly impacts our community, but SAS did not communicate with us. We heard belatedly from the Oak Hill Neighborhood Association about these plans. We have not been provided any plans, maps, conceptual designs, schematics, or other data.

2. This rezoning request contradicts our existing Oak Hill Combined Neighborhood Plan.

The city of Austin mandated in the mid-1990s that urban areas draft Neighborhood Plans to allow for the right kind of growth. The stakeholders in our Oak Hill Combined Neighborhood Plan (<https://www.facebook.com/oak.hill.neighborhood.plan/>) are homeowners, renters and business owners who worked with city planners to zone the parcel in question as MF-1-NP to allow for a buffer between dense development and our single-family residences. We are now surrounded by high-density complexes, and the rezoning of this SAS parcel would *eliminate* the buffer provided by MF-1-NP.

We respectfully insist that you respect our existing neighborhood plan by rejecting this rezoning request.

3. Existing flooding risks will grow.

Our subdivision is immediately adjacent to the parcel in question and is subject to flooding during heavy rains. Increased density adjacent to our Oak Park Subdivision will exacerbate flooding and the attendant risks that our subdivision has contended with for many years and will also add to the millions of dollars the city has spent as part of an ongoing flood mitigation project designed specifically for our subdivision.

The City of Austin's existing flood mitigation program for our neighborhood ([Oak Park / Oak Acres Flood Risk Reduction | AustinTexas.gov](#)) has already demolished and removed five homes. We are still about two years away from start of construction on the abatement project itself, which will fund extensive measures to control the water that comes off the hills west of us (beyond Vega Avenue then east and downhill through SAS property) to flow into our yards, homes, streets, and inadequate existing drainage. Neighbors have already spent time, money, and sleepless nights attempting to protect themselves and their property. This mitigation project is in the design phase; completion is projected for 2022 or later, given no additional delays.

We are rightfully concerned that the proposed zoning change will exacerbate the flooding risk that our subdivision has contended with for years. As a neighborhood we are seriously concerned about any re-zoning that increases density so close to us. A 300+-

unit apartment complex, different from the one intended for the parcel in question, is already under construction on land, also formerly owned by SAS, at Vega Avenue and Southwest Parkway. Adding the proposed second apartment complex on the same road above our subdivision will impact the flood mitigation project.

We respectfully insist that this rezoning request be denied. To our knowledge, no detailed study has been done to assess the impact of both the current and proposed apartment developments on flood mitigation in the Oak Park Subdivision.

4. Excessive traffic congestion and safety concerns are likely.

The entrance/exit to the proposed development on the parcel in question will be on the narrow, curving, two-lane, Patton Ranch Road, which lacks sidewalks and curbs and is about one block from Oak Hill Elementary School. Drivers already use Patton Ranch Road to reach 290 West in one direction or Vega Ave. in the other direction to get to Southwest Parkway or William Cannon. The added traffic of a high-density development will significantly increase traffic congestion and decrease safety in all directions from the development's entrance/exit.

Our neighborhood has few choices for safe access to major arteries near us as it is. *The traffic from this development will complicate our own lives and needlessly endanger residents, school students, their parents, and their teachers, who all currently use these narrow roads to walk as well as to drive on. This is a serious safety concern.*

In addition, the recommended [YBC \(Y at Oak Hill to Barton Creek\) Trail](#) is to run down Vega Ave. This will increase foot and bike traffic on the narrow road and decrease safety exponentially. And remember that a 300+-unit apartment complex is *currently* under construction on Vega Ave. near Southwest Parkway.

The current application is for a proposed 295-unit development producing an estimated 1,606 auto trips per day, but the number of bedrooms in the units has not been specified, so this number of trips per day is seriously underestimated. *Yet the Traffic Impact Analysis was waived – deferred until site plan application.*

We respectfully insist that this rezoning request be denied. Another high-density development is too large for this area and should not be approved. Denying this rezoning request should prevent its construction.

5. Further overcrowding of Oak Hill Elementary School is likely.

Oak Hill Elementary School was at 114% capacity in the 2018-2019 school year (using five portables), and Small Middle School and Austin High School were at 103%. A 300+-unit apartment complex is currently under construction on Vega Ave., and the proposed development built on this rezoned parcel would strain the schools' capacity and quality.

We respectfully insist that this rezoning request be denied. No educational impact study has been conducted.

6. Environmental impact has not been studied.

According to Watershed Protection, the parcel in question is in both the recharge and contributing zones of the Edwards Aquifer ([https://www.austintexas.gov/GIS/Property Profile](https://www.austintexas.gov/GIS/Property_Profile)) and is subject to the “Save Our Springs” (SOS) ordinance, which restricts the amount of impervious cover on a site (<https://www.austintexas.gov/faqsave-our-springs-sos-water-quality-initiative>). Based on *Drainage Criteria Manual* requirements, any development within the City of Austin must limit the amount of runoff from its site to be equal to or less than the existing conditions. The only exemptions to this would be if the property has vested rights, which is a project-specific, not land-specific, variable. These determinations are made by the Development Services Department (DSD).

According to DSD’s Brent Lloyd, in a 12/20/2020 email to our Oak Park Subdivision Association, vested rights cannot be assessed without looking at the full permit history for a proposed development, at the request of the applicant, and if the applicant identifies prior applications for the same project which they believe entitle it to vesting. Mr. Lloyd said he was unaware of any pending permit applications for the area in question and has not been asked to determine vested rights.

However, he also said that in 2015, vested rights were approved for the proposed platting of the St. Andrews school property *and denied for the balance of the area that is now included in the proposed rezoning application, meaning that the development of both the vested and non-vested project would have been subject to SOS.*

Therefore, we respectfully insist that this rezoning request be denied. The degree to which the parcel in question is now subject to SOS must be determined, and the consequence(s) of that information must be described and forwarded to the parcel owners and to the Oak Park Subdivision Association.

In addition, our neighborhood is home to caves and endangered birds.

We respectfully insist that this rezoning request be denied. A survey of caves must be conducted according to the U.S. Fish and Wildlife Service and the Texas Commission of Environmental Quality guidelines, and the Texas Commission on Environmental Quality, U.S. Fish and Wildlife Service, and the Texas Parks and Wildlife Department must conduct a habitat assessment and survey of Golden-cheeked Warblers and Black-capped Vireos in the parcel in question

7. Historic Landmark buildings on the parcel in question are in peril.

The parcel in question is part of the historic Patton Ranch, which was identified in the Travis County Historical Commission’s 2015 survey as a high-preservation priority and a rare example of a farmstead associated with pioneer settlement patterns. On this parcel is a log cabin that is believed to have been constructed in 1870 by James A. Patton. Additions were made to the log cabin in the 1930s. Today, the complex consists of small agricultural outbuildings and a barn. Although the house has been altered, the alterations occurred in the historic period and only slightly diminish the integrity of design,

materials, and workmanship. Integrity of setting and association are slightly diminished because the property is no longer used for agricultural purposes. However, the diminished integrity is not to such a degree the property can no longer convey its significance. Therefore, it was recommended eligible for listing in the National Register of Historic Places under Criterion A in the area of Settlement and Exploration for its association with the earliest settlement of the Oak Hill area.

The Historic Landmark Commission met on December 14, 2020 to discuss the proposal to demolish/remove the historic buildings from the property (Historic Case # GF 20-171534, [Permit/Case 2020-159810](#)). After discussion, the Commission did NOT approve the demolition of the buildings but postponed the decision until the January meeting so they could investigate further because of its historic significance. No one in our neighborhood was able to speak at this meeting because we were informed after the deadline for speaker signup. We are hopeful we can sign up once the January meeting has been scheduled.

We respectfully insist that this rezoning request be denied. The fate of the historic property on the parcel must be determined. This issue would not exist if the property remained in its current zoning.

Conclusion:

The seven issues discussed above are vitally important to the residents of the Oak Park Subdivision.

In addition, the City of Austin's own [Guide To Zoning](#) says that city staff, stakeholders, and property owners should use its principles on page five to evaluate all zoning requests. We agree. It appears that none of them has been addressed to the degree that the zoning established in the existing Oak Hill Combined Neighborhood Plan should be overridden by the existing rezoning request.

We therefore respectfully insist that this rezoning request be denied.

Thank you for your consideration of this request and your work to create compatible land uses, ensure proper design and construction standards, and promote the overall public good.