

# 101/107/108  
106



## MEMORANDUM

TO: Mayor and City Council Members

FROM: Greg Guernsey, Director  
Neighborhood Planning and Zoning Department

DATE: August 27, 2008

SUBJECT: Oak Hill Neighborhood Plan

On August 7, 2008, the City Council continued the public hearings of the Oak Hill Combined Neighborhood Plan (NP-2008-0025), the West Oak Hill Rezoning (C14-2008-0125) and the East Oak Hill Rezoning (C14-2008-0129) to August 21, 2008, and subsequently to August 28, 2008

During the August 7<sup>th</sup> hearing, Council requested additional information related to the proposed plan and rezonings. Below are responses to the questions raised by the Council during the August 7<sup>th</sup> public hearing and presented to Council on August 21, 2008

### **Question #1:**

Work with community leaders to identify corridors along highways that could potentially mimic strip center development. Also, identify methods to mitigate such development, and gather specific ideas on what land uses should be reflected on the future land use map for those areas

### **Response:**

Highway 290 West and State Highway 71 are mostly developed with what would be considered strip commercial-type development. Attachment 1 is a map which identifies the existing tracts along the highways that are undeveloped

A possible option for mitigating such development would be to down-zone properties along the highway that are currently zoned CS, GR, and LR, to NO, LO, and GO, however, this would create legal non-conforming uses. Property owners are less inclined to redevelop property when they could lose existing development rights in the process.

Stakeholder ideas on ideas that should be reflected on the future land use map for those areas are noted on the attached motion sheets

**Question #2:**

Analyze the potential build-out of the proposed Oak Hill FLUM according to the maximum zoning base districts allowed within the various land use categories (excluding CH as a base district), and account for development regulations such as impervious cover

**Response:**

Assuming that future zoning will reflect the FLUM, an analysis of the build-out of units in terms based on current and potential future zoning will provide an additional 5,000 to 11,000 units in addition to the 20,000 units that exist in this area today. An analysis of commercial square footage provides an additional 4 million square feet

A separate analysis indicates that the FLUM does not always correlate to zoning, and, moreover, the FLUM almost never means that a property owner will be given the most intensive zoning district. Due to time constraints, a myriad of other factors that affect build-out were also not considered in this analysis. For example, strict impervious cover regulations in this area limit the potential for additional development. An analysis by the Watershed Protection and Development Review Department concluded that the percentage of impervious cover in the area could increase from 17% to 25% of total area. Any additional residential and commercial development would be limited to building in this additional area of impervious cover. Market conditions are another factor that was not considered in this analysis. From 2000 to 2007, while there was no FLUM in place, approximately 2,000 units were built in the area, therefore a significant potential exists for the addition of more units with or without the FLUM. The purpose of the FLUM is not to increase additional units. Instead, the FLUM is a reflection of the neighborhood stakeholders' desire to see these units built in mixed use developments. The analysis reflects this possibility by showing a smaller increase in commercial square footage in lieu of future potential units when compared to current zoning.

**Question #3:**

Investigate use of the Hill Country Roadway (HCR) Ordinance for highways in the Oak Hill area (Hwy 290 West, SH 71, FM 1826), with special emphasis on controls for signage, height, trees/vegetation, curb cuts, and the preservation of the natural beauty of the environment. Also, evaluate how the hill country roadway ordinance might achieve the goals of the neighborhood plan

**Response:**

- The ordinance only applies within the city limits
- Most properties along SH 71, Hwy 290 W, and FM 1826 are already developed. Some of the undeveloped parcels are in the County.
- There are few special sign regulations in the HCR ordinance. Hill Country Roadways are treated like Scenic Arterials for sign purposes. Scenic Arterial sign regulations can be applied in the ETJ without adoption of the complete HCR regulations.

- There are many small parcels that would be affected by the regulations that might have difficulty complying. Site plans on HCRs have to be approved by the Land Use Commission. Adoption of HCR requirements might be a disincentive to redevelopment of these parcels.
- There are existing critical water quality zones along SH 71 and Hwy 290 W that will affect intensity and setbacks without adoption of HCR standards.
- Access to SH 71, Hwy 290 W, and FM 1826 is regulated by TXDOT, whose driveway standards are similar to the HCR.
- Benefits of applying HCR standards in Oak Hill would be limited to a few parcels.

**Question #4:**

Explore using mitigation fees from redevelopment to purchase open space.

**Response:**

The Barton Springs Zone Redevelopment Ordinance requires that a redevelopment project must provide enough acres of mitigation land to bring the collective impervious cover down to 20 percent. The developer can either provide mitigation land or pay \$15,000 per acre into the Barton Springs Zone Mitigation Fund. The price of \$15,000 per acre was based on recent purchases by the City of fee simple and conservation easement lands in the more rural areas of the Barton Springs Zone. The high cost of land in Oak Hill is likely prohibitive in achieving the mitigation acreage required by the ordinance.

**Question #5**

Provide a map that layers the various maps within the plan, such as the parks, transportation recommendations, and the future land use map.

**Response**

A map with this information was created and will be added to the plan document at Council's request.

**Planning Commission Recommendation**

The Oak Hill Combined Neighborhood Plan was approved by the Planning Commission on July 8, 2008. Changes recommended by the Planning Commission have been reflected on the Future Land Use Map (FLUM) and the plan document.

**Attachments**

Below is a description of the information attached as backup for this agenda item.

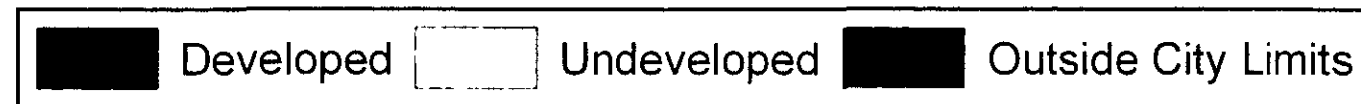
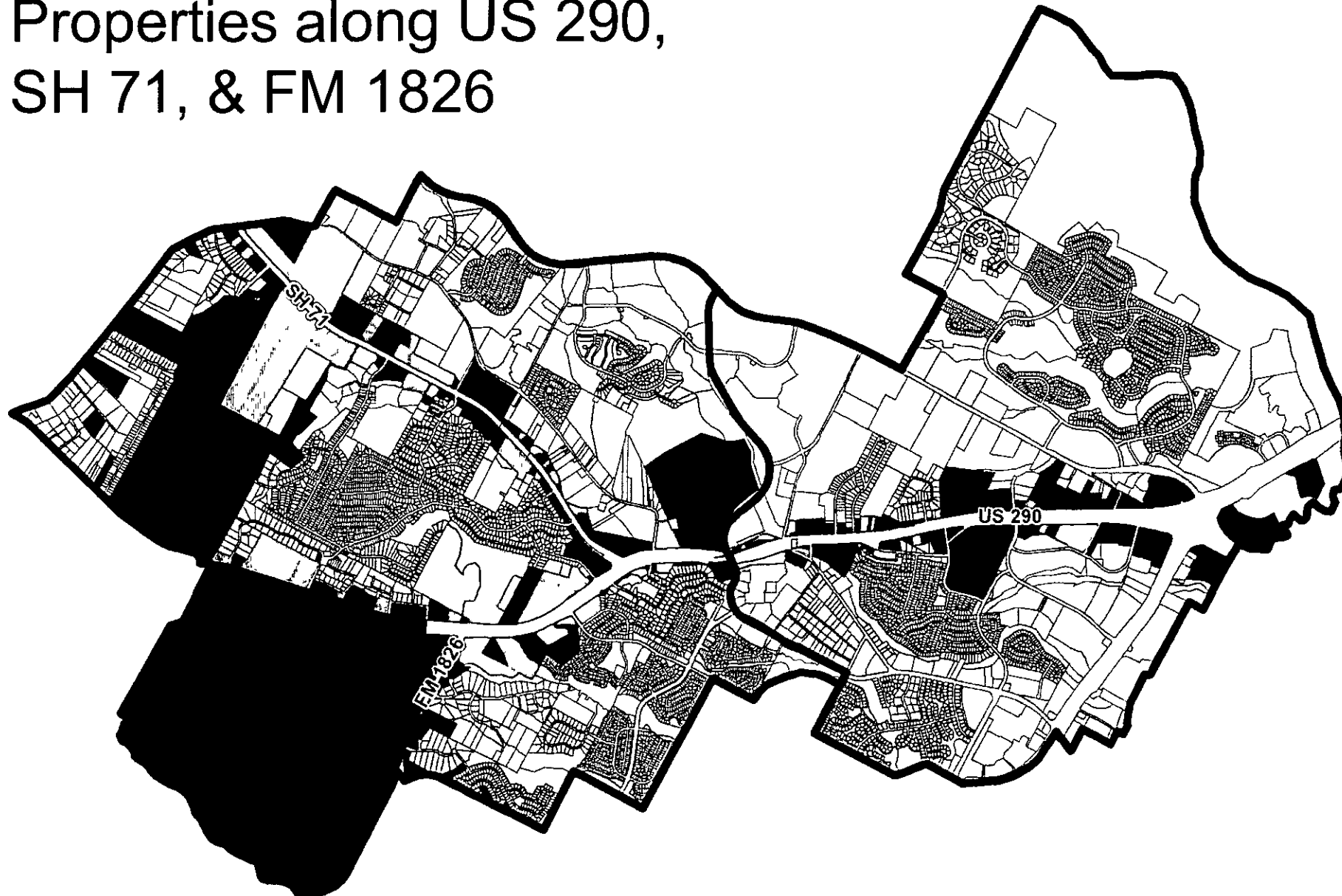
- Attachment 1 Map of highway corridors showing developed and undeveloped parcels
- Attachment 2 Future Land Use Map as approved by the Planning Commission
- Attachment 3 Motion Sheets and Maps
- Attachment 4. Citizen Communication.

If you have any additional questions, please do not hesitate to contact me at 974-2387

Greg Guernsey, Director  
Neighborhood Planning and Zoning Department

X: Marc A. Ott, City Manager  
Sue Edwards, Assistant City Manager

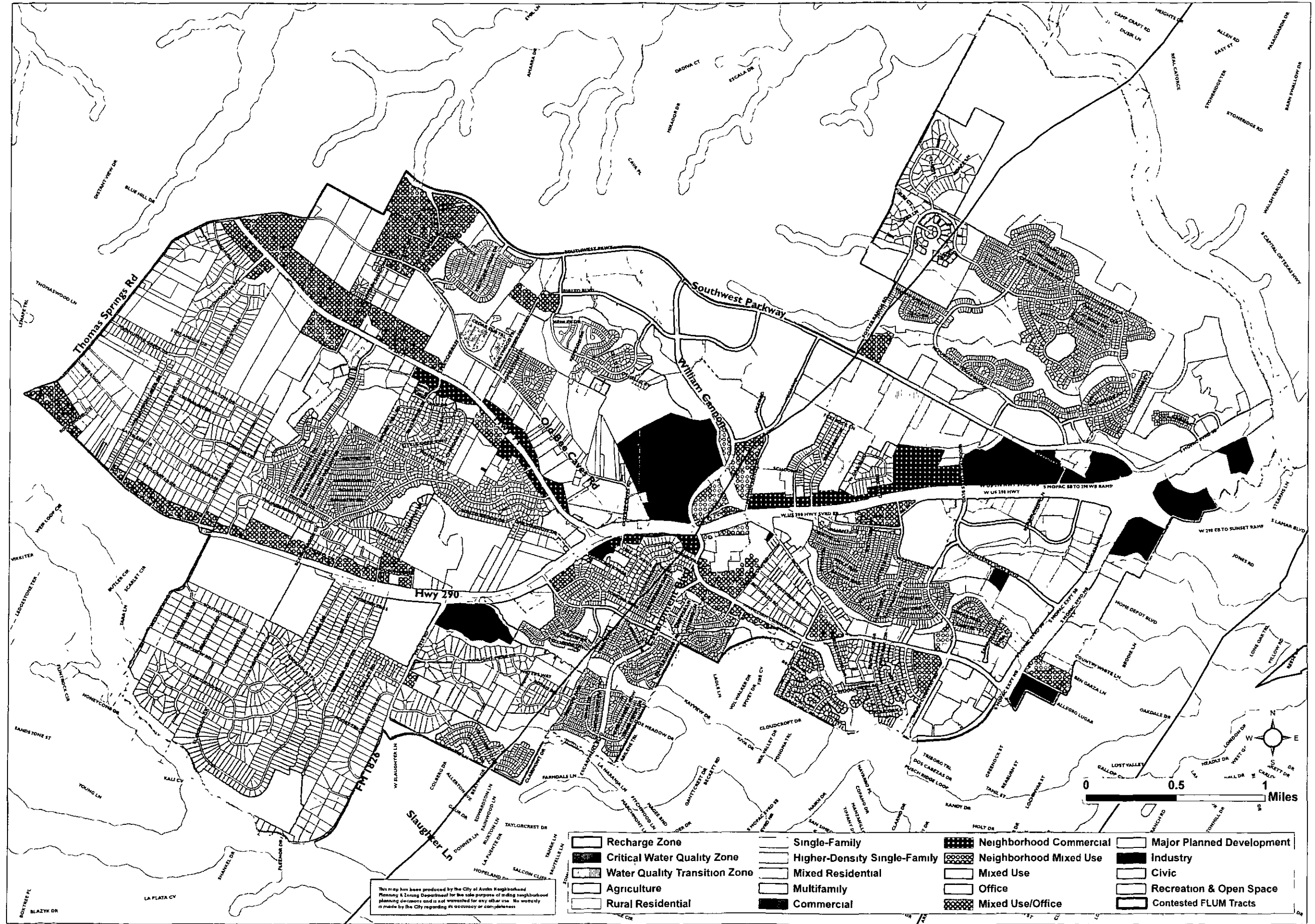
# Properties along US 290, SH 71, & FM 1826





# Oak Hill Combined Neighborhood Plan Planning Commission Recommendations Future Land Use Map

Planning Commission approved July 8, 2008



Oak Hill Combined Neighborhood Plan  
August 28, 2008 - City Council Public Hearing  
**Motion Sheet for Uncontested Items**

**ATTACHMENT 3**  
Item # 106 PH, 107 PH, 108 PH

Combined West and East Oak Hill Neighborhood Plan						
Motion #	Agenda Item #	Proposed Action	Staff Comments	Planning Commission Recommendation July 8, 2008	Notes	City Council August 28, 2008
1	106 PH	Approve the Oak Hill Combined Neighborhood Plan and the Future Land Use Map with the exception of tracts A - Z, AA - AH, AK, AL, AN - AP, AR, AS on the Future Land Use Map	The land use/zoning designations for the contested tracts will be discussed separately	Approved uncontested Future Land Use Map tracts as staff recommended  Approved Oak Hill Combined Neighborhood Plan with two changes 1) Remove ST 1 Brush Country Street Extension from the Appendix 2) Add language pertaining to location of a Transit Oriented Development close to the "Y"	Please refer to Contested FLUM Tracts motion sheet for recommendations on contested FLUM tracts	

Proposed Rezoning: West Oak Hill NPCD						
Motion #	Agenda Item #	Proposed Action	Staff Comments	Planning Commission Recommendation July 8, 2008	Notes	City Council August 28, 2008
2	107 PH	Approve the zonings and rezonings of the tracts as recommended by staff, and neighborhood planning contact team for West Oak Hill planning area with the exception of tracts 5, 7, 12, 12a	Staff, and the neighborhood planning contact team are in agreement with the proposed zoning changes, with the exception of the contested tracts	Approved staff recommendation on uncontested tracts and contested tracts 7 & R	Please refer to Zoning and FLUM / Zoning Contested Tracts motion sheet for tracts 5 and Y, 12a and L, 12	

Proposed Rezoning: East Oak Hill NPCD						
Motion #	Agenda Item #	Proposed Action	Staff Comments	Planning Commission Recommendation July 8, 2008	Notes	City Council August 28, 2008
3	108 PH	Approve the zonings and rezonings of the tracts as recommended by staff, and neighborhood planning contact team for East Oak Hill planning area with the exception of tracts 208a, 209a, 216, 220	Staff and neighborhood planning contact team are in agreement with the proposed zoning changes, with the exception of the contested tracts	Approved staff recommendation on uncontested tracts and contested tracts 208a, 209a, 216, 220	Please refer to Zoning and FLUM / Zoning Contested Tracts motion sheet for recommendations on tracts 208a, 209a, 216 and 220 and W	

Combined West and East Oak Hill Neighborhood Plan: Contested Items						
Motion #	Agenda Item #	Proposed Action	Staff Comments	City Council August 28, 2008		
4	106 PH, 107 PH, 108 PH	Continue public hearing to another date to hear public comments and approve the contested tracts related to the Future Land Use Map and rezonings	The contested FLUM tracts and zoning tracts will be presented and discussed at another public hearing			