



## MEMORANDUM

**TO:** Mayor and City Council Members

**FROM:** Greg Guernsey, Director  
Neighborhood Planning and Zoning Department

**DATE:** December 2, 2008

**RE:** NP-2008-0025 Oak Hill Combined Neighborhood Plan; C14-2008-0125 West Oak Hill Plan Rezoning; C14-2008-0129 East Oak Hill Rezoning

At the Council hearings of October 23, 2008 and November 6, 2008, the Mayor and City Council requested additional information from NPZD staff on the following issues:

**Tract AH (7817 - 7919 SH 71 West – Simon/Kretzschmar/Caskey Tract)** – City Council requested information about the development potential of these tracts. Development potential for the Simon and Caskey tracts is established by the Restrictive Covenants that accompanied the rezoning cases in 1988. Please refer to Attachment 1.

**Simon Tract** - The Simon Tract was zoned limited office (LO) district for Tract 1 (13.40 acres), and townhouse and condominium residence (SF-6) district for Tract 2 (10.16 acres), with an accompanying Restrictive Covenant in January 1988 (C14-85-288.23). For Tract 1, the Restrictive Covenant allows for 65% impervious cover and for Tract 2, a maximum of 50% impervious cover, a maximum of 146,000 square feet of building space; and a maximum density of 4 units per acre is allowed and a 75-foot wide undisturbed buffer adjacent to single family residences is required. In addition, both Tracts 1 and 2 allow for the application of the Williamson Creek Watershed Ordinance and the 1986 Subdivision Ordinance for the Aquifer-Related Watershed of Williamson Creek, with exceptions for development in the Critical Water Quality Zone. There is also a provision in the Restrictive Covenant for a commercial loop street extending from SH 71 that has a 70 foot wide right-of-way and 44 feet of pavement. Conceptual drawings are provided in Attachment 1. Please note that a residential loop street was planned to extend between Little Deer Crossing on the west (within the Valley View Acres subdivision), through the Simon Tract and connect to Oak Forest Lane on the south (within the Scenic Brook subdivision), although it was not specifically described in the Restrictive Covenant.

**Kretzschmar Tract** – The Kretzschmar Tract was zoned rural residence (RR) district on June 11, 1987 (C14-85-288.K). There are no accompanying Conditional Overlays or Restrictive Covenants, and thus, current City regulations apply.

**Caskey Tract** – Four zoning tracts were approved with the Caskey Tract on December 15, 1988 (C14-85-288.22). Tract 1, at 2.01 acres, was zoned single family residence large lot (SF-1) district. Tract 2, at 2.54 acres, was zoned single family residence standard lot (SF-2) district. Tract 3 is 1.94 acres and is zoned townhouse and condominium residence (SF-6) district. Tract 4, which has SH 71 frontage, was zoned general commercial services (CS) district. The Restrictive Covenant which accompanied the zoning case established the following conditions: On Tract 1, development is limited to five units and on Tract 2, development is limited to 11 units. For Tract 3, the maximum impervious cover is 50 percent and a maximum of 15 units, and on Tract 4, the maximum impervious cover is 65 percent and a floor-to-area ratio of 0.25 to 1. Both Tracts 3 and 4 allow for the application of the Williamson Creek Watershed Ordinance and the 1986 Subdivision Ordinance for the Aquifer-Related Watershed of Williamson Creek, with exceptions for development in the Critical Water Quality Zone.

Compatibility setbacks would be 25 feet from adjacent single family zoned properties.

**Tract AI (Southwest corner of U.S. 290 West and South View Road)** – City Council requested information regarding right-of-way acquisition for the U.S. Highway 290 expansion on this tract. The approved final plat for Ridgeview Phase 1 identifies a 125 feet right-of-way reservation on U.S. 290 West, measured from the roadway centerline (C8J-06-0141.1A). Please refer to Attachment 2.

**Tracts 12a & L (Waters Tract) and Tract 12 (Donley/Hooks/Nowotny/Rudolph Tract)**: City Council requested information on the number of residential lots that could be built on these tracts. Please refer to Attachment 2A for a more detailed tract map.

#### **Tract 12a & L – Waters Tract**

On October 23, 2008, City Council's approved SF-1-CO with the Conditional Overlay requiring a ½ acre lot minimum, on First Reading.

- Total acres: 11.32
- 20% of land deducted for roadway & detention pond improvements: 9 buildable acres
- 2 lots per acre x 9 acres = Approximately 18 total lots.

Setbacks would be between 5 and 15 feet from property line based on lot layout and adjacent properties.

## **Tract 12 – (Donley/Hooks/Nowotny/Rudolph Tract)**

On October 23, 2008, City Council approved SF-1-CO with the Conditional Overlay requiring a ½ acre lot minimum, on First Reading.

- Total acres: 27.61 acres
- 8 acres located in the Critical Water Quality Zone (southern portion of tract) are removed from the total acreage, leaving a remainder of 19.61 acres
- 20% deducted for roadway and detention improvements: 15.69 buildable acres, and 2 lots per acre x 15.69 acres = 31 lots total

Setbacks would be the same as Tract 12a since SF zoning surrounds the tract.

### **Other issues:**

At the November 6, 2008 City Council hearing, Oak Hill resident Jill Young requested that her property located on Circle Drive be rezoned to match the future land use map so that she and her husband (Bill Grein) could expand the existing private school. The existing zoning is RR. The proposed rezoning is LO-MU-NP. Please refer to Attachment 2B for an aerial view of the Grein tract. This property was not part of the zoning public notice for Oak Hill. Only properties with interim zoning designations and a few small residentially-zoned tracts along the highways are being rezoned as part of the Oak Hill planning process. Other Oak Hill property owners were told they would have to submit a separate zoning application to change their existing zoning. The property is proposed to be Neighborhood Mixed Use on the FLUM; therefore, the property owner may submit a zoning application at any time.

At the November 6, 2008 City Council hearing, Council approved on first reading an indefinite postponement for Tract 6 & AT (Speedy Stop). This indefinite postponement will expire in 181 days from November 6, 2008. See Sec. 25-2-246 (A) (2) Expiration of Application in the Land Development Code.

After the November 6, 2008 City Council hearing, Richard Suttle informed NPZD staff that the owners of Tract AU (located on U.S. 290 West, west of Boling Drive) would like to add Mixed Use Overlay to the existing LR-zoned property. As above, this property owner can file a separate zoning application. Since the proposed FLUM designation for this property is Neighborhood Mixed Use and the property owner is requesting LR-MU, a plan amendment will not be required and they may apply for rezoning at any time.

### **City Council changes to Oak Hill Plan Document**

In the Oak Hill Combined Neighborhood Plan document, Goal 9.B.1 has been reworded to, "The City Council should consider the application of the Hill Country Roadway Ordinance on U.S. Highway 290 West and State Highway 71 and other roadways within the Oak Hill neighborhood planning area to control signage, limit

heights, plant trees, and to preserve the natural beauty of the environment". See pages xxiv, 131, and 137.

Appendix C in the plan document reflects the revised Standard Land Use Chart and Matrix created for the Oak Hill Combined Neighborhood Plan. See page 79 in Chapter 6: Land Use and Development and pages 188 – 190 in the Appendix.

Attachments:

- Attachment 1: Zoning Ordinances, Restrictive Covenants and Standard Compatibility Height and Setbacks for Tract AH
- Attachment 2: Approved Final Plat for Ridgeview Phase 1 (Centex Homes)
- Attachment 2A: Tract Map – Waters, Donley/Hooks/Nowotny/Rudolph tracts
- Attachment 2B: Grein tract on Circle Drive
- Attachment 3: Motion sheets with recent City Council FLUM
- Attachment 4: Recent citizen communication
- Attachment 5: Revised Oak Hill Plan document

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



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Neighborhood Planning and Zoning Department

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