MEMORANDUM

TO: **Mayor and City Council**

FROM: **Greg Guernsey, Director**
Planning and Development Review Department

DATE: **August 14, 2013**

SUBJECT: **NPA-2013-0025.01 – Harper Park Residential**
C14-2013-0006 / C14R-86-077(RCA)

Staff respectively requests a postponement of the above stated cases to the September 26, 2013 City Council hearing date. At the August 13, 2013 Planning Commission hearing, the cases were postponed to the September 10, 2013 hearing date at the request of the neighborhood and supported by the applicant.

If you need additional information, please contact Maureen Meredith at (512) 974-2695 or at Maureen.meredith@austintexas.gov.

Wendy W. Phoads for

Greg Guernsey, Director
Planning and Development Review Department

x: Marc Ott, City Manager
Sue Edwards Assistant City Manager

Attachments: Planning Commission postponement memo
Zoning map
Black and White FLUM map

MEMORANDUM

TO: Planning Commissioners

FROM: Lee Heckman, AICP
Planning and Development Review Department

DATE: August 6, 2013

SUBJECT: Postponement Request – Harper Park Residential
NPA-2013-0025.01/ C14-2013-0006 / C14R-86-077(RCA)

The Oak Acres Subdivision has requested a 30-day postponement of the public hearing on this project (which involves all three applications referenced above) until September 10, 2013 (please see attached; staff has confirmed with the requester that the requested date is September 10).

A postponement request was submitted by neighborhood stakeholders prior to the July 23, 2013 Planning Commission meeting, but that Commission meeting was cancelled. As such, this is the first postponement request from neighborhood stakeholders to be acted upon by the Commission.

The owner/applicant and future developer have agreed to the postponement request (see attached) and are intent to meet further with neighborhood stakeholders to discuss their outstanding concerns.

Lee Heckman
Planning and Development Review Department

From: Rodney Baker
Sent: Friday, August 02, 2013 3:13 PM
To: Heckman, Lee
Subject: Harper Park Tract - Postponement Request

Good afternoon Mr. Heckman,

Thank you so much for your detailed response to the meeting at your office with Oak Park and Oak Acres Neighborhood Association members on Monday July 30, 2013.

After careful consideration, both Oak Park and Oak Acres neighborhood association members would like to request a 30-day postponement of the upcoming planning commission and city council meetings regarding (previously referenced NPA-2013-0025.01) Harper Park Tract. We learned several new pieces of information that have given us an even greater need to have extra time for review and discussion.

These reasons include, but are not limited to, the following:

1. Review the documents that we received from you on July 31, 2013 including the 1980 City Ordinance, the 1985 Preliminary Plat of the Harper Park Tract, the 1992 Replat of Harper Park, and the 2008 Replat.

2. The lack of city staff recommendation for conditional overlays (COs). Our neighborhood association members were assured COs would help achieve protections we seek when we were initially approached by the Whitfield Group and the interested developer, David Weekly Homes. The sole reason we were persuaded to negotiate relied upon the reassurance that COs specifically would protect our interests.

3. The Whitfield Group and David Weekly Homes still have not signed off on the OHNPCT recommendations for conditional overlays.

4. The Watershed Protection Department's flood study that is ongoing. We have been instructed to expect a final report sometime in the fall. Mapi Vigil and Stephanie Lott are the WPD contact people on this project. Oak Acres Neighborhood Association members are vitally concerned about the outcome of this study as pertains to recurrent flooding of homes in our neighborhood.

5. Several key individuals will be out on vacation until early September.

Thank you for passing along our request for a postponement. If I can be of assistance, please do not hesitate to call.

Rodney Baker
Treasurer Oak Acres Subdivision
Austin, TX
(512) 431-9652

Harper Park Two, LP
901 S Mopac Ste 1-160
Austin, TX 78746

August 5, 2013

Mr. Lee Heckman
Planning and Development Review Department
City of Austin
505 Barton Springs Rd
Austin, TX 78704

Dear Mr. Heckman:

Please consider this letter our acceptance of a postponement request by the Neighbors of Oak Acres.

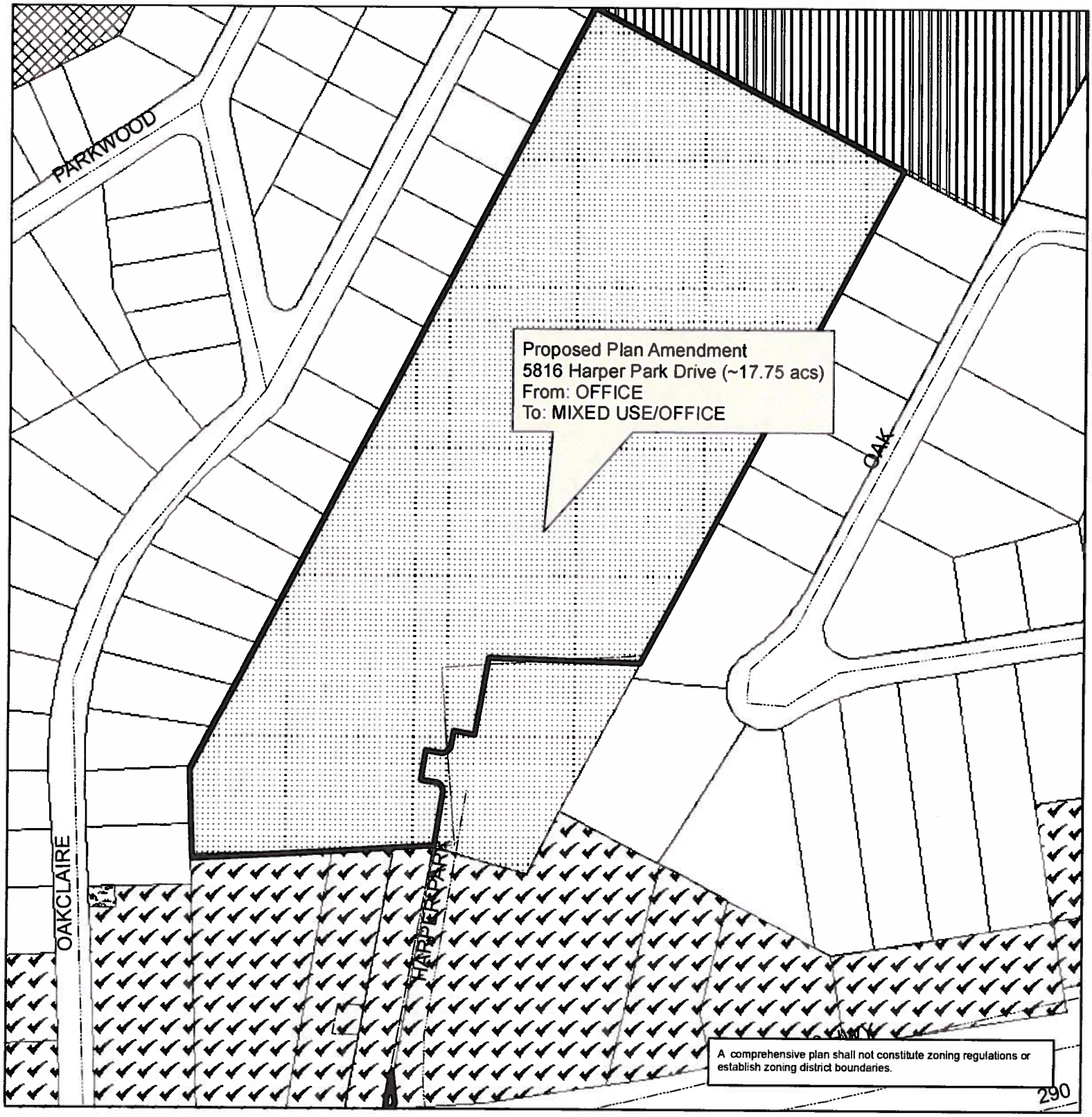
As you are already aware, we have been working diligently to find consensus and mutual agreement for the proposed addition of the Mixed Use combining district for the 17 acres at 6000 Highway 290 West. This includes multiple meetings with the Oak Acres and Oak Claire neighborhood executives along with many of the residents as well as the OHPCT. A representative with David Weekley also went "door-to-door" speaking with persons in both neighborhoods whose properties abut the subject parcel.

The primary issue at this time seems to be some confusion over how to treat or define the 25' vegetative buffer located along the boundary of the Oak Acres side. While the applicant has already agreed to a 50 foot building setback on Oak Claire and a 75' set back on the oak Acres side, the buffer areas may still may require certain items like utilities, fencing, and water detention/water quality to be located in those setback areas.

Also, since many neighbors are out of town during August, a request for postponement seems reasonable to give those persons ample time to communicate with the applicant and to be fully aware of the efforts being taken to address their concerns.

Sincerely,

Marcus Whitfield



Oak Hill Combined Neighborhood Plan
NPA-2013-0025.01

Legend

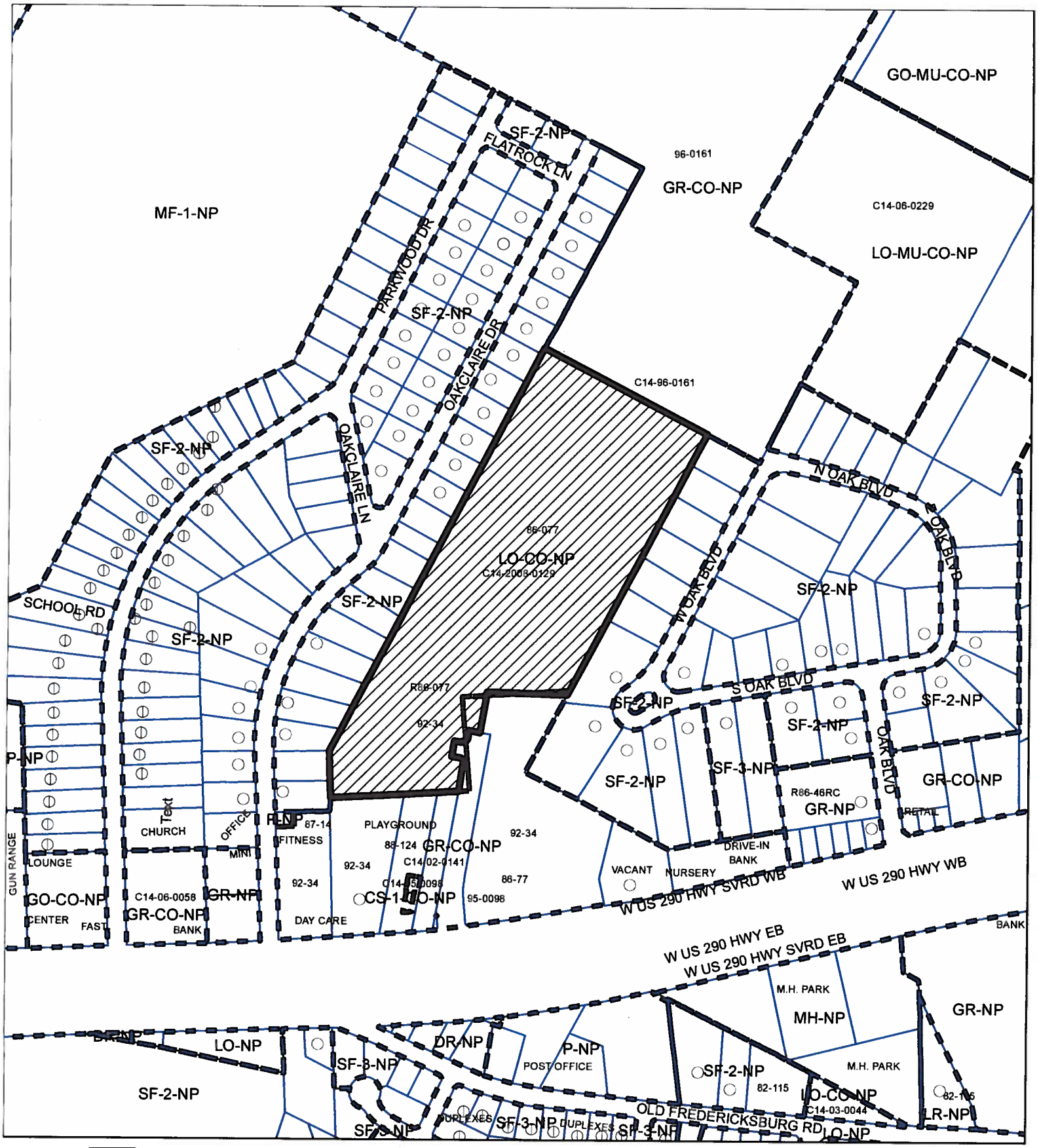
- Subject Tract
- Core Transit Corridors
- 500ft notification boundary
- Street Address Centerline
- NPA CASES
- Single-Family
- Multi-Family
- Neighborhood Commercial
- Mixed Use
- Office
- Civic
- Recreation & Open Space

N

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 the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

City of Austin
Planning and Development Review Department
Created on July 11, 2013_M Meredith



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING CASE

ZONING CASE#: C14-2013-0006

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.

CITY OF AUSTIN FOUNDED 1839