

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0088 – 7715 and 7809 Old Bee
Caves Rd.

DISTRICT: 8

ZONING FROM: RR-NP, SF-3-NP and GR-NP

TO: SF-6-CO-NP

ADDRESS: 7715 and 7809 Old Bee Caves Rd

SITE AREA: 14.17 acres

PROPERTY OWNER:
7809 Old Bee Caves LLC

AGENT:
Smith Robertson LLP (David Hartman)

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

STAFF RECOMMENDATION:

Staff recommends townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. The conditional overlay is to cap the maximum number of units on the property to 25. For a summary of the basis of staff's recommendation, see page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 13, 2021 **Approved staff recommendation of SF-6-CO-NP combining district zoning on the consent agenda. Vote: 8-0. [Vice Chair Hempel - 1st, Commissioner Flores - 2nd; Commissioners Azhar, Howard, Rosa Praxis, Llanes Pulido and Schneider were absent].**

CITY COUNCIL ACTION:

August 26, 2021 **Scheduled for City Council**

ORDINANCE NUMBER:

ISSUES

There are no known issues at this time and staff has not received any written or emailed comments in favor of or in opposition to this rezoning case.

Staff has received comments in favor of this rezoning request. For all written or emailed comments, please see *Exhibit C: Correspondence Received*.

CASE MANAGER COMMENTS:

This property is approximately 14.17 acres in size and is developed with a few free-standing structures. These structures are not dwelling units and would be demolished should redevelopment of this property occur. Current zoning of the property consists of RR-NP, SF-3-NP and GR-NP. It is adjacent to RR-NP zoning to the west; GR-NP zoning to the east; and GR-NP and CS-NP zoning to the south; across Old Bee Caves Road to the north is MH-NP zoning. Please see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

This property is located within the Williamson Creek Watershed which is classified as a Barton Springs Zone Watershed. At the time of this report it is subject to the SOS ordinance which would allow up to 25% impervious cover in the contributing zone, (see section *Other Staff Comments* below for additional Environmental comments). This impervious cover limitation supersedes higher allowable impervious cover amounts in the base zoning districts. In addition to being subject to the SOS ordinance, this property also contains floodplain and potential creek buffer areas. Due to the environmental constraints within this site, the applicant has offered a conditional overlay (CO) to cap the maximum number of units to 25.

The applicant is requesting SF-6-CO-NP to construct a maximum of 25 units on site. The future land use map (FLUM) designates this property as “mixed residential” which allows for the SF-6 base zoning district and therefore does not require a neighborhood plan amendment (NPA) to be considered with the rezoning request.

BASIS OF RECOMMENDATION:

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

This site is located over the Edwards Aquifer Contributing 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 SF-6-CO-NP would allow flexibility to develop the site within in this environmentally sensitive area.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	RR-NP, SF-3-NP and GR-NP	Undeveloped
North	MH-NP	Mobile Home Housing
South	CS-NP	Restaurant (General and Limited), Custom Manufacturing and Automotive Repair Services
East	GR-NP	Outdoor/Indoor Sports and Recreation
West	RR-NP	Single-family residential

NEIGHBORHOOD PLANNING AREA: Oakhill Combined Neighborhood Planning area (West Oakhill)

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

WATERSHED: Williamson Creek Watershed-Barton Springs Zone Watershed

OVERLAYS: Barton Springs Overlay, Wildland Urban Interface (Proximity Class - Within 1.5 miles of a Wildland Area)

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

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District	Oak Hill Neighborhood Plan - COA Liaison
Austin Lost and Found Pets	Oak Hill Neighborhood Plan Contact Team
Aviara HOA	Oak Hill Trails Association
City of Rollingwood	Ridgeview
Covered Bridge Property Owners	Save Our Springs Alliance
East Oak Hill Neighborhood Association	Scenic Brook Neighborhood Association
Friends of Austin Neighborhoods	SELTexas
Neighborhood Empowerment Foundation	Sierra Club, Austin Regional Group
Oak Hill Association of Neighborhoods (OHAN)	Thomas Springs / Circleville Alliance
	TNR BCP - Travis County Natural Resources

AREA CASE HISTORIES:

Number	Request	Commission	City Council
NPA-2016-0025.02 Oak Hill Combined Neighborhood Plan	Requested to revise text within the Neighborhood Plan	Approved staff's recommendation to revise NP text.	Approved Commission's recommendation to revise NP text (10/13/16)

RELATED CASES:

C14-2016-0008 (Old Bee Cave Rd. Subdivision): the applicant requested to rezone from RR-NP to SF-3-NP. Planning Commission approved staff's recommendation of SF-3-NP on March 8, 2016 and City Council approved Commission's recommendation on April 14, 2016.

C14-2008-0125 (Oak Hill Combined Neighborhood Plan): this rezoning case was for the creation of the West Oak Hill neighborhood plan (Ordinance No. 20081211-097). This property's base zoning did not change as a part of this process.

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Old Bee Caves Rd	~ 85' - 95'	90'	22'	3	No	Wide Curb Lane	No

OTHER STAFF COMMENTS:Comprehensive Planning

This rezoning case is located on the south side of Old Bee Caves Road on an undeveloped parcel that is approximately 14.16 acres in size. This property is also located within the boundaries of the Oakhill Combined Neighborhood Planning area (West Oakhill) and within the Oakhill Center Activity Center for Redevelopment in Sensitive Environmental Areas. Surrounding land uses includes single family housing to the north; to the south are several restaurants and commercial uses along Highway 71; to the east is a sports training facility; and to the west is a convenience storage facility, a single-family subdivision, and an apartment complex. The request is for SF-6 zoning, to construct up to 22 condo units.

Connectivity

There are no public sidewalks located around or near the subject project. A public transit stop is located 0.60 miles away on Fletcher Road, but because of the lack of signaled pedestrian crossings and public sidewalks to and from this area, access is limited to this transit stop. Mobility and connectivity options are below average due to the lack of mobility options to reach nearby commercial and civic uses.

Page 108 of the *Oakhill Combined Neighborhood Plan* states the following regarding Old Bee Caves Road: “Currently, Old Bee Caves Road is a narrow two-lane roadway with no sidewalks, curbs, or gutters. The road was designed to accommodate low-density, low-traffic developments. It currently serves single-family residences with large lots, multi-family buildings, mobile home subdivisions, and commercial property. Some sections of the roadway have dense vegetation abutting the road; other sections have barbed wire fences with cattle guard gates. These give Old Bee Caves Road its rural character. Because it is partly within water quality buffers and the 100-year floodplain, the City has no funds or plans to widen Old Bee Caves Road. This does not necessarily preclude the City from making pedestrian and bicycle improvements.”

The Oakhill Combined Neighborhood Plan (OHCNP)

The OHCNP Future Land Use Map (FLUM) designates this portion of Old Bee Caves Road as Mixed Residential. The Mixed Residential Land Use FLUM category supports a variety of different housing types in one area, including single-family residential, townhouses, duplexes, and apartments. Single-family residential should comprise approximately half of a mixed residential

area. The Mixed Use Land Use Category is defined as an area appropriate for a mix of residential and non-residential uses. The following text, policies and recommendations are excerpts from the OHCNP that are applicable to this case:

Chapter 4: Development in the Barton Springs Zone

- Goal 4.A: Preserve and enhance environmental resources including watersheds, air quality, and wildlife corridors. (p 36)
 - Recommendation 4.A.1b - Where appropriate, maintain rural density in Oakhill. To help achieve regional water quality goals, manage the urbanization of Oakhill by minimizing dense development and guiding new development away from the recharge zone.
- 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.
 - Objective 6.B.2 Provide business and residential expansion without creating urban sprawl.

Old Bee Caves Road (pgs. 84-86)

Mixed Residential and Neighborhood Mixed Use are the primary land use recommendations along this corridor. Currently, this road has an assortment of zoning districts, ranging from Rural Residential (RR) to Commercial Service (CS), with everything in between - single family, multifamily, limited office, and community commercial. Further intensifying the land uses along this corridor is not recommended. Stakeholders reported that Old Bee Caves Road was dangerous because of its limited width (22 feet to 32 feet), its low-water crossing that prohibits access during heavy rainfall, and its curviness.

Because of these limitations, this plan primarily recommends Mixed Residential, which allows for a variety of different housing types, including single family homes, townhomes, duplexes, apartments, and limited neighborhood-serving retail. By providing a variety of housing types, this land use recommendation could help to achieve the goal under Community and Neighborhoods to “preserve neighborhood identity, character, affordability, and diversity.” This designation allows the development of small stores that serve the basic needs of residents along the corridor. This would allow people to walk or take a short drive to get a loaf of bread or a gallon of milk.

Chapter 7: Transportation and Infrastructure

- Goal 7.A. Coordinate with appropriate entities to provide safe access across major thoroughfares and alleviate cut-through traffic on already overburdened neighborhood streets. (p. 100)
 - Objective 7.A.1 Find ways to slow and control traffic on roadways to provide overall safety for automobile drivers, pedestrians, and cyclists.
- Goal 7.C Ensure and create safe pedestrian and bike corridors across major highways and throughout the neighborhood that connect to commercial centers and public parks and resources. (p. 102)
 - Objective 7.C.1 Create additional sidewalks to ensure safe pedestrian passage to areas around Oakhill.
 - Recommendation 7.C.1i—Fletcher Lane from Old Bee Caves Road to State Highway 71. (S11)
 - Objective 7.C.2 Create bike lanes or corridors to provide safe, alternative transportation options in Oakhill.
 - Recommendation 7.C.2d—Old Bee Caves Road from the “Y” to Thomas Springs Road (B8)

Chapter 8: Housing

Housing is a crucial issue in every neighborhood plan, especially in areas, like Oakhill, with strong residential identities. This chapter describes the character and housing market of Oakhill. Recommendations are driven by stakeholder concerns about protecting Edwards Aquifer and providing affordable housing. (p. 119)

- Goal 8.A. Balance development and environmental protection by maintaining a vibrant residential and commercial community (p 120)
 - Objective 8.A.1 Assess and minimize the impact of land development on surface and ground water.
 - Recommendation 8.A.2a—Clustered development should be encouraged where appropriate.
 - Recommendation 8.A.2b—Residential density should be compatible with surrounding uses and informed by a regional vision of the environmental impact development has over the Edwards Aquifer.
 - Recommendation 8.A.2c—Whenever possible, new housing development 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.

Chapter 9: Neighborhood Design

- Goal 9.C. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment. (p 134)
 - Recommendation 9.C.2 b—Encourage developers to explore clustered development as an option, since it provides sufficient housing units while maintaining and preserving considerable amounts of open space. (p 135)
- Goal 9.D. Preserve neighborhood identity, character, affordability, and diversity. (p. 135)
 - Objective 9.D.1 New single-family and multi-family developments/redevelopments should be compatible with existing residential architecture to reinforce the Hill Country character of Oakhill, in terms of materials, lighting, and height.
 - 9.D.1a: Preserve Old German-style masonry and limestone construction.
 - 9.D.1b: Place overhangs on roofs for shade.
 - 9.D.1c: Provide abundant porch space.
 - 9.D.1d: Utilize metal roofing or some other comparable material.
 - 9.D.1e: Preserve character of old while incorporating sustainable green building practices.
- Goal 9.E. Provide managed connectivity between various neighborhoods while maintaining the quiet enjoyment of neighborhoods. (p. 135)
 - Objective 9.E.1 All new residential development and redevelopment projects should incorporate the following design elements to increase walkability throughout the Oakhill area.
 - Recommendation 9.E.1a—Provide sidewalks for all new residential subdivisions.
- Goal 9.A. Require landscaping along roadways, sidewalks, bike paths, and around bus stops to provide shade in order to encourage pedestrian, bicycling, and mass transportation (p. 137)

The proposed condo development does not appear to include a mix of residential housing types but does provide additional housing. The area around this proposed site lacks mobility options, including public sidewalks, bike paths, or public transit stops to reach jobs, and nearby retail and commercial services.

Imagine Austin

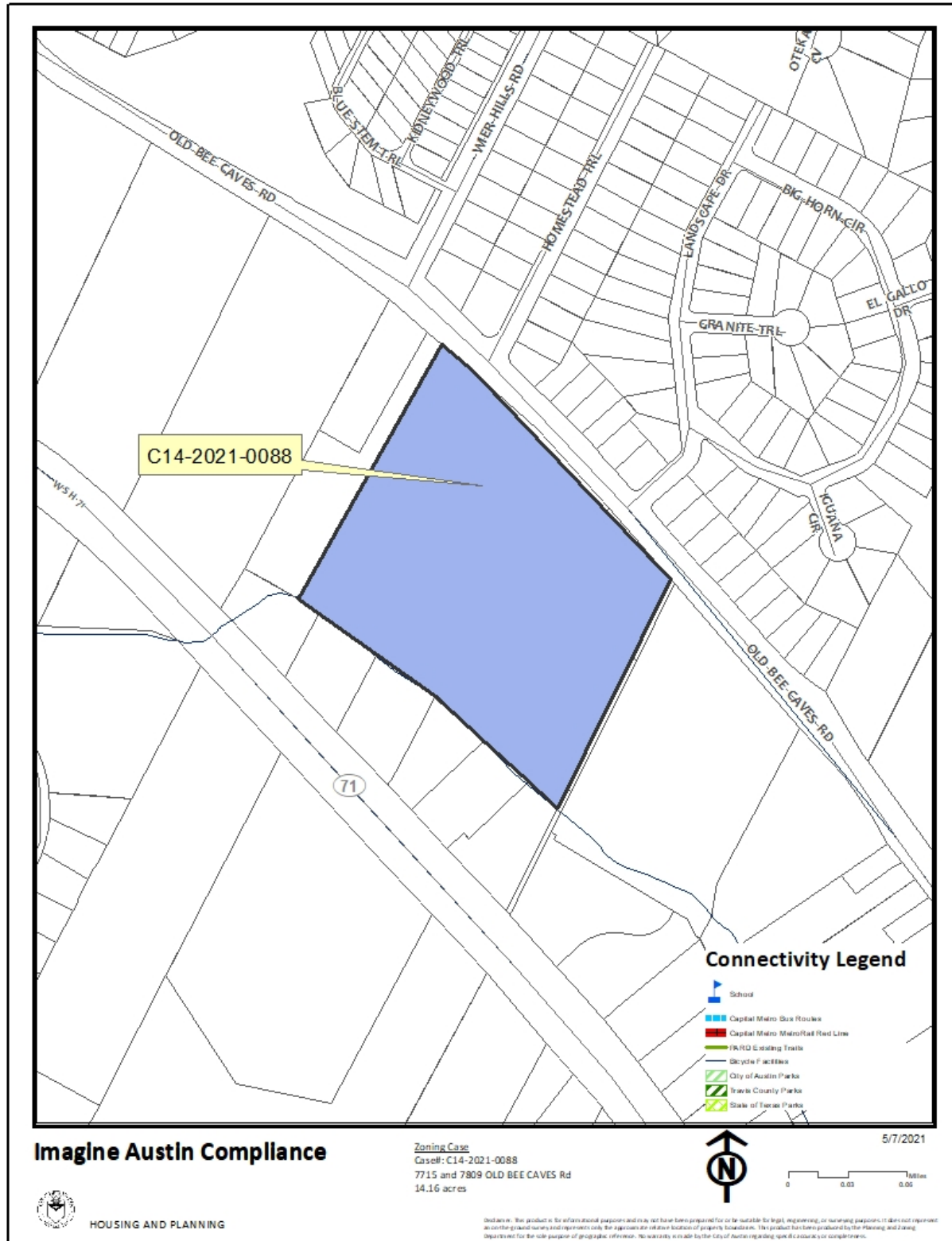
The Imagine Austin Growth Concept Map identifies this property as being located over one of the five ‘Activity Center for Redevelopment in Sensitive Environmental Area’ as identified on the Imagine Austin Growth Concept Map, found in the Image Austin Comprehensive Plan. Page 106 of the Imagine Austin Comprehensive Plan 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 the 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, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- LUT P22 Protect Austin’s natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.
- HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

This site is located within an “Activity Center for Redevelopment in Sensitive Environmental Areas”, which are areas targeted “to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods.” While the proposed project intends to cluster development outside of the environmentally sensitive areas, it is not well connected to local goods and services located to the south or designed to be a mixed residential project (providing a variety of housing types). Therefore, the proposed development appears to only partially support the Imagine Austin Comprehensive Plan.



Environmental

1. This site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson 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 25% impervious cover in the contributing zone.
3. According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist within 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

PR1: Parkland dedication will be required for the new residential units proposed by this development, condominiums with SF-6 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. Note that there is an Urban Trail alignment identified onsite, Williamson Creek Trail Tier II, as described in the Urban Trails Master Plan. Greenbelt and trail connectivity are two considerations when determining whether land will be required for subdivision and site plan applications.

Should any fees in-lieu be required, those fees 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. At the

applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

- SP1. Site plans will be required for any new development other than single-family or duplex residential.
- SP2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 90 feet of right-of-way for Old Bee Caves Road. It is recommended that 45 feet of right-of-way from the existing centerline should be dedicated for Old Bee Caves Road according to the Transportation Plan at the time of subdivision and/or site plan application, whichever comes first.

There is a proposed Urban Trail adjacent to this site, along southern property boundary.

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 trigger 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. City Council approval of the SER is required due to the property's location within the Drinking Water Protection Zone and outside the full purpose corporate limits (LDC 25-9-35). For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

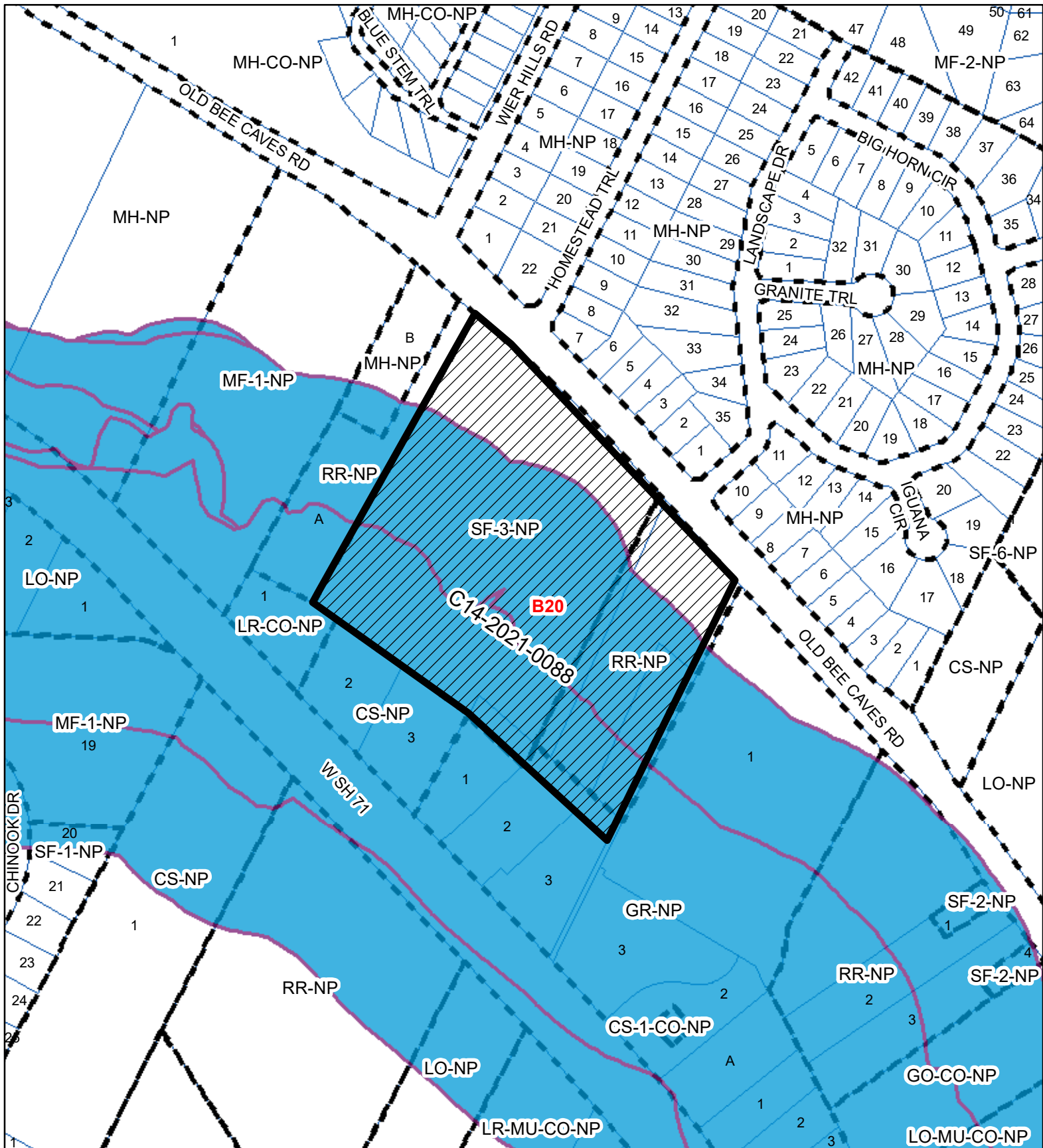
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

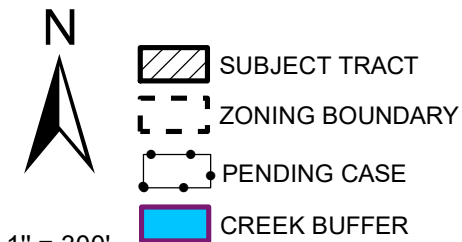
Exhibit B: Aerial Map

Exhibit C: Correspondence Received



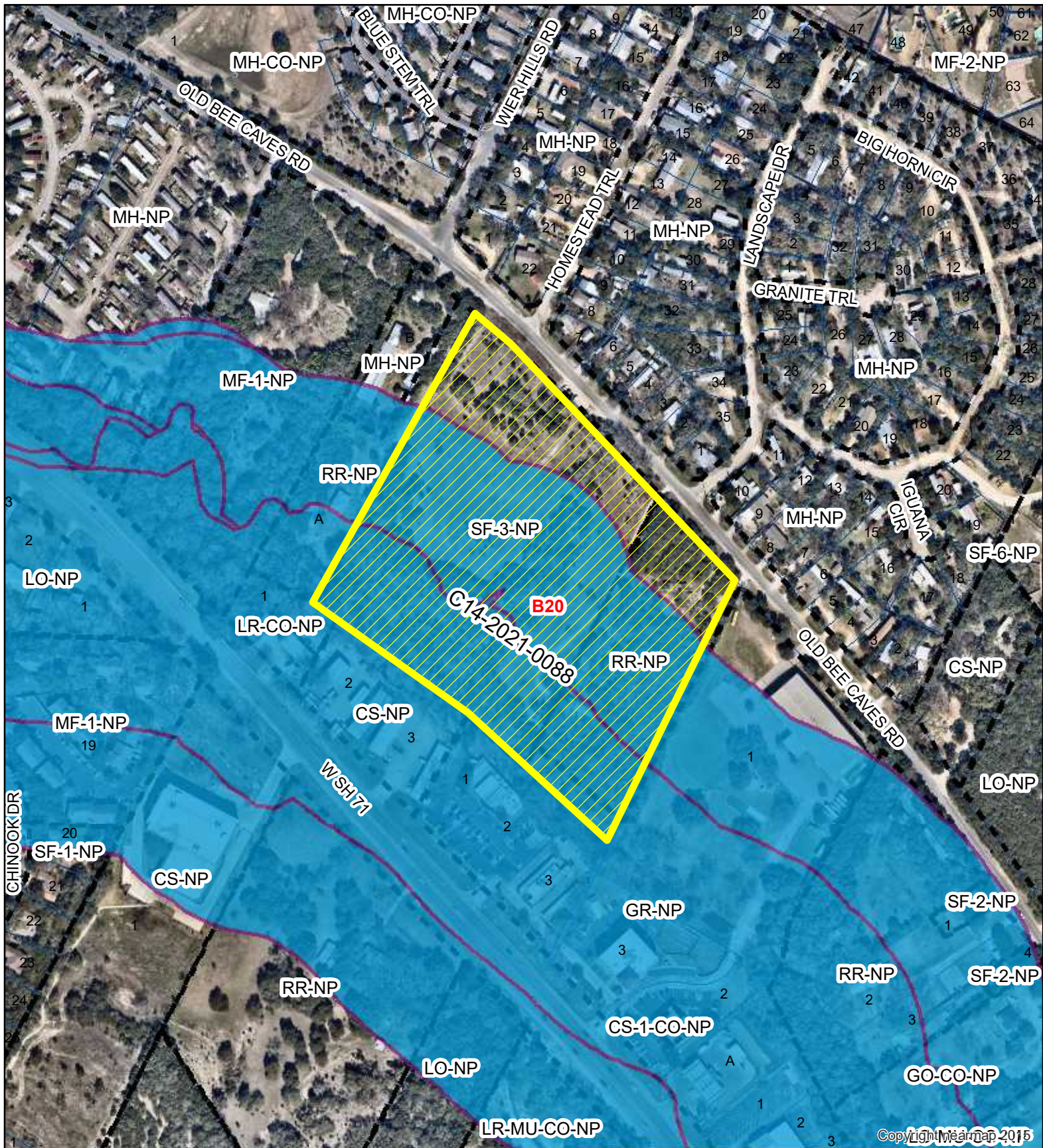
7715 and 7809 Old Bee Caves Road Exhibit A

ZONING CASE#: C14-2021-0088
 LOCATION: 7715 and 7809 Old Bee Caves Road
 SUBJECT AREA: 14.161 Acres
 GRID: B20
 MANAGER: KATE CLARK



- 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.



7715 and 7809 Old Bee Caves Road Exhibit B

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

ZONING CASE#: C14-2021-0088
 LOCATION: 7715 and 7809 Old Bee Caves Road
 SUBJECT AREA: 14.161 Acres
 GRID: B20
 MANAGER: KATE CLARK



1" = 300'

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.



NOTICE OF PUBLIC HEARING FOR REZONING

Mailing Date: July 2, 2021

Case Number: C14-2021-0088

Este aviso le informa de una audiencia pública ante la cual se discutirá un cambio de zonificación dentro de una distancia de

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2021-0088
Contact: Kate Clark, 512-974-1237
Public Hearing: July 13, 2021, Planning Commission

Minda & Rasa Jankevicius
Your Name (please print)

☒ I am in favor
☐ I object

7703 Old Bee Caves Rd. Austin TX
Your address(es) affected by this application (optional)

[Signature]
Signature

07.06.2021
Date

Daytime Telephone (Optional): 732.822.2500

Comments: we are in favor

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department

Kate Clark
P. O. Box 1088, Austin, TX 78767

Or email to:
Kate.Clark@austintexas.gov