

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Oak Hill Combined (West Oak Hill)

CASE#: NPA-2024-0025.01

DATE FILED: March 13, 2024

PROJECT NAME: 8900 and 8956 W SH 71 Multifamily

PC DATE: July 23, 2024
July 9, 2024

ADDRESS/ES: 8900 and 8956 W SH 71

DISTRICT AREA: 8

SITE AREA: 60.665 acres

OWNER/APPLICANT: Marx Family Property, LLC and Texas limited liability company

AGENT: Dubois Bryant & Campbell, LLP (David Hartman)

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Rural Residential **To:** Multifamily Residential

Base District Zoning Change

Related Zoning Case: C14-2024-0032

From: AG-NP

To: MF-4-NP

NEIGHBORHOOD PLAN ADOPTION DATE: December 11, 2008

CITY COUNCIL DATE: TBD

ACTION:

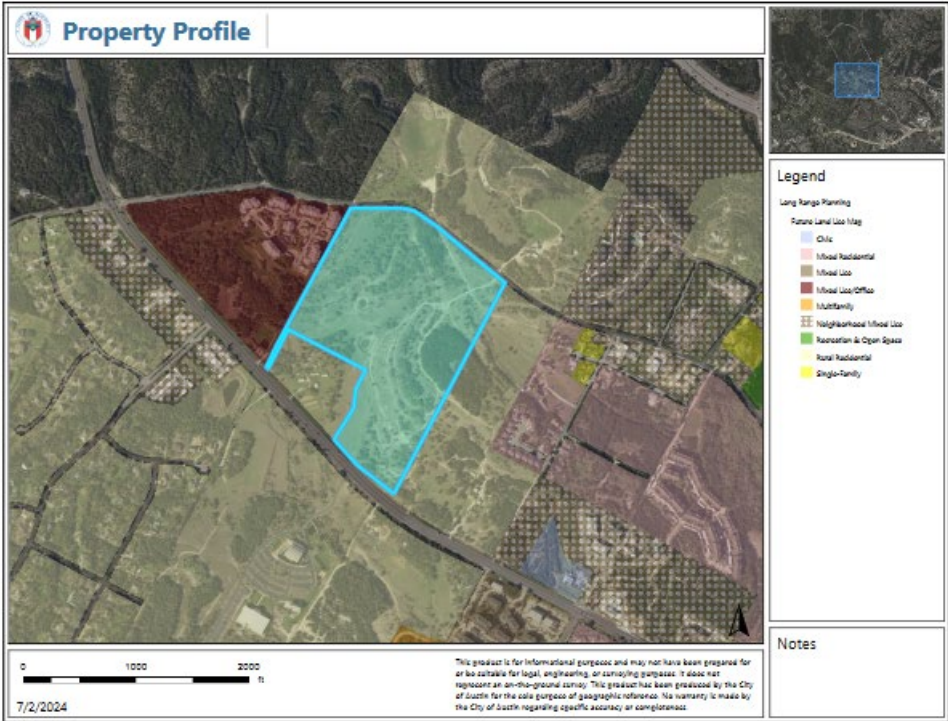
PLANNING COMMISSION RECOMMENDATION:

July 23, 2024 - Approved for Applicant’s request for Multifamily Residential land use.

July 9, 2024 - Postponed to July 23, 2024 on the consent agenda at the request of the Neighborhood. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 7-0 [G. Cox, J. Mushtaler and N. Barrera-Ramirez voted nay. P. Howard, C. Hempel and A. Phillips absent].

STAFF RECOMMENDATION: To grant the applicant’s request for Multifamily Residential land use.

BASIS FOR STAFF’S RECOMMENDATION: The applicant proposes to change the land use on the future land use map (FLUM) from Rural Residential to Multifamily Residential land use. The applicant proposes to build approximately 660 multifamily residential units on a 60.665-acre tract of land. The proposed development will provide additional residential housing units for the Oak Hill area and the city.



Below are sections of the Oak Hill Plan staff that supports the applicant’s request.

GOALS, OBJECTIVES AND RECOMMENDATIONS:

6.A. Provide opportunities for high-quality new development and re-development.

6A.1 Ensure quality of new construction and renovations.

6.B. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment.

6.B.1 Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land.

6.B.1a—Rework zoning to allow/support the vision of the Oak Hill Neighborhood Plan.

6.B.1b—Cluster higher density development in appropriate areas, striving to balance the interests of stakeholders while taking into consideration environmental concerns.

CHAPTER 8: HOUSING

8.A. Balance development and environmental protection by maintaining a vibrant residential and commercial community.

8.A.1 Assess and minimize the impact of land development on surface and ground water.

8.A.1a—Every housing development/redevelopment should include an environmental impact analysis and incorporate all necessary measures to address its potential impact on the Edwards Aquifer (impervious cover, drainage, traffic, etc.).

8.A.2 Design and place homes to minimize impacts on natural resources and the physical environment and to maximize social resources.

8.A.2a—Clustered development should be encouraged where appropriate (see Chapter 9: Neighborhood Design).

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

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.

8.B. Preserve neighborhood identity, character, affordability, and diversity.

LAND USE DESCRIPTIONS:

EXISTING LAND USE:

Rural Residential - The designation for low-density residential areas that is not suitable or desirable for urban development, generally at densities of one unit per acre or less. These areas are without typical urban services such as, public services, sidewalks, curbs and gutters.

Purpose

1. Allow limited residential development while protecting environmental quality; and
2. Encourage the clustering of homes for new residential developments to prevent sprawling, large-lot subdivisions.

Application

1. Use when zoning is least intense necessary to accommodate;
2. Should primarily apply in environmentally sensitive watersheds and predominantly rural areas; and
3. Clustering can include zoning districts other than RR, however residential density should be limited to 1 unit per acre and impervious cover to approximately 15% to 25%, depending on watershed class. However, clustering units on a larger tract with overall 15%-25% impervious cover may be preferable.

PROPOSED LAND USE:

Multifamily Residential - Higher-density housing with four or more dwelling units on one lot.

Purpose

1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.
4. Applied to existing or proposed mobile home parks.

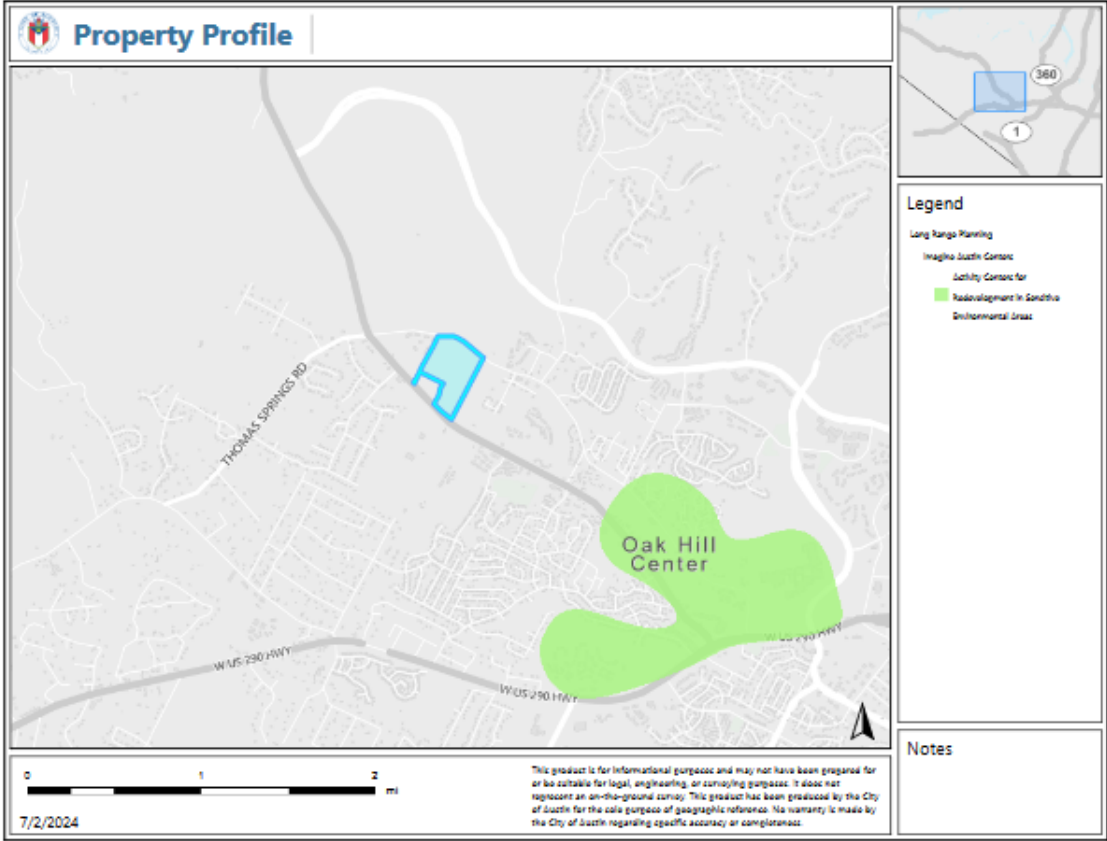
Application

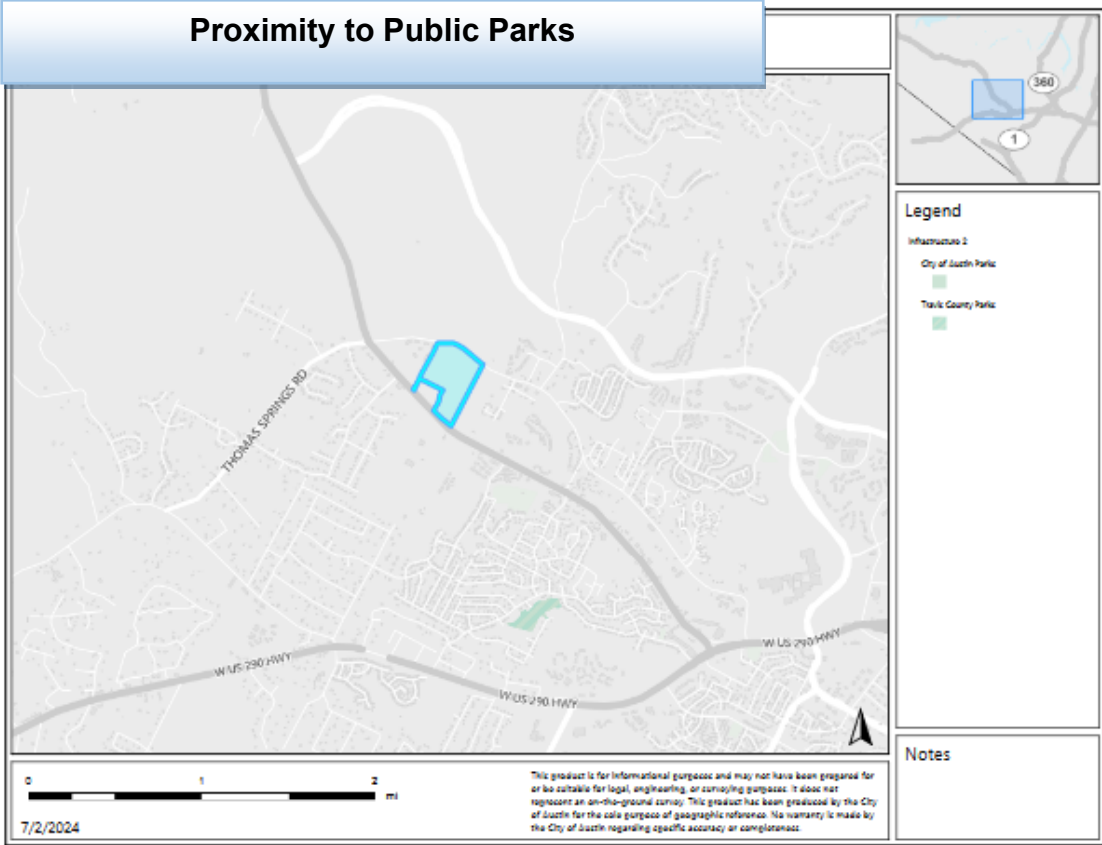
1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

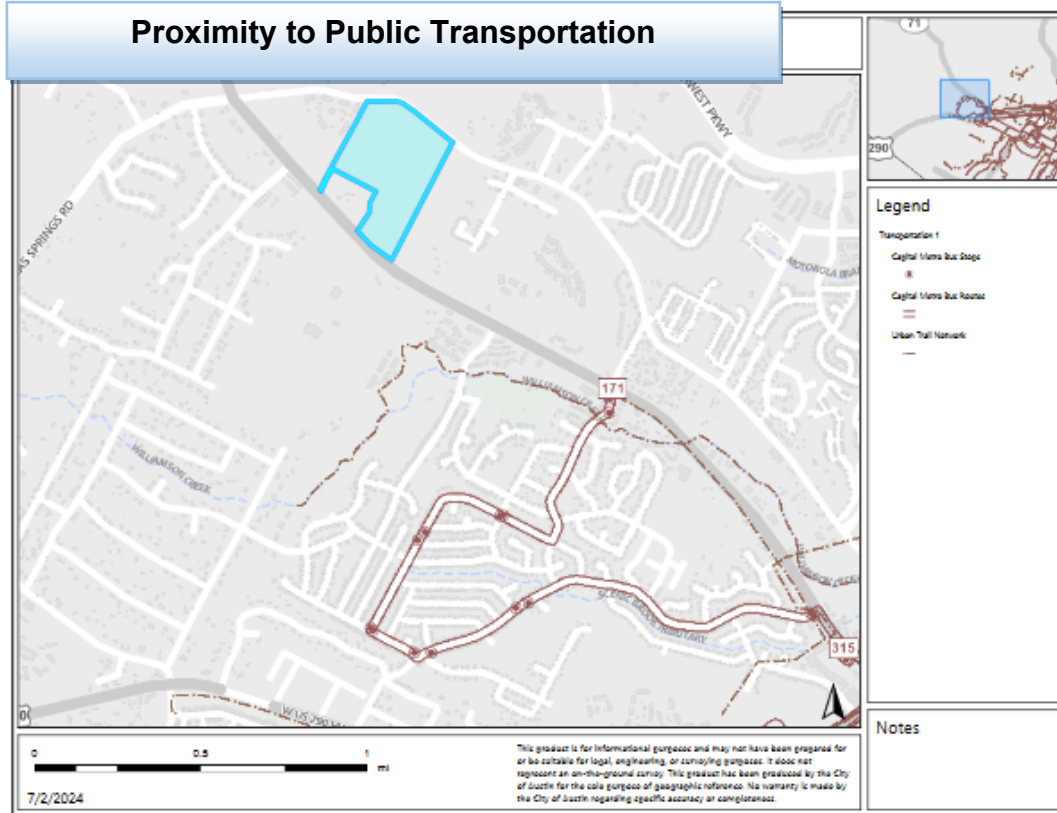
Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
No	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> • Approx. 1 mile from Oak Hill Activity Center
No	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
No	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Businesses along W. SH 71 and along Old Bee Caves Rd
No	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> • 0.7 miles from 71 Hill Market • 2.6 miles from Marigold Market & Cafe

	<ul style="list-style-type: none"> • 3.7 miles from H-E-B
No	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.5 miles from Garden Blossom Preschool (private) • 0.5 miles form Austin Eco Bilingual School (private) • 4.4 miles from Oak Hill Elementary
No	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
No	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
No	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Yes	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. <ul style="list-style-type: none"> • Approx. 660 dwelling units are proposed.
No	Mixed use: Provides a mix of residential and non-industrial uses.
No	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
Not known	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
No	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
No	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
No	Industrial Land: Preserves or enhances industrial land.
2	Number of "Yes's"

Proximity to Imagine Austin Activity Centers and Corridors







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The

buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - 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.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and

redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The plan amendment application was filed on March 13, 2024.

The applicant is proposing to build approximately 660 multifamily residential dwelling units on a 60.665 acres tract of land on the north side of W. SH 71 and south of Old Bee Caves Road.

The applicant proposes to change the future land use map from Rural Residential to Multifamily Residential.

The applicant proposes to change the zoning on the property from AG-NP (Agricultural district-Neighborhood Plan) to MF-4-NP (Multifamily Residence Moderate-High Density district – Neighborhood Plan). For more information on the proposed zoning, see case report C14-2024-0032.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on April 18, 2024. The recorded meeting can be found here: <https://publicinput.com/neighborhoodplanamendmentcases>. Approximately 291 meeting notices were mailed to people who have a utility account or own property within 500 feet of the subject tract, in addition to neighborhood and environmental groups who requested notification for the area. Two city staff members attended the meeting from the Planning Department, Maureen Meredith and Mark Walters. David Hartman from Dubois Bryant & Campbell, LLP, the applicant's agent attended and Ben Browder from OHT Partners, LLC. Eight people from the neighborhood attended.

Below are highlights from David Hartman's presentation at the meeting:

- The property is 60.665 acres that is currently agriculture and undeveloped.
- SH 71 is ASMP (Austin Strategic Mobility Plan) Level 4 Street and is adjacent to multiple ASMP Level 2 Streets.
- The property is located adjacent to Imagine Austin Oak Hill Center and three other Imagine Austin Centers.
- It is within a new Cap Metro Pickup Service Zone
- The proposed zoning is MF-4-NP and the proposed FLUM is Multifamily Residential.
- The zoning provides for clustered development, smaller footprint, more open space and less impervious cover.
- Approximately 660 apartment dwelling units are proposed, which is about 12 units/acres.
- The Landmark Conservancy apartments are immediately adjacent with 240 units on 22 acres, which is about 11 units/acres.

Q: Have you already looked into the environmental impact since this property is in the Edwards Recharge Zone?

A: The City of Austin has an order of process. We're early in the process with the rezoning and plan amendment stage. If approved by Council, then at the site plan stage is when the civil engineering analysis will happen and about thirteen departments will review the site plan. We will comply with all applicable laws. This property is not Grandfathered with higher impervious cover, so we will have to comply with all the current Code in terms of impervious cover, water quality ponds, etc.

Q: When you go through this process do you do an analysis of how many apartments are in the Western Oak Hill area, like in the last five years?

A: When we look at a property, we have a rough idea of how many units we could get, which, for this property, will have approximately 660 units. We don't know how many units have been built in the area in the last five years, but we are open to any input you might have on this front.

Q: Some of the land around it, has been dark-sky property. For another piece of property, we asked them to be night-sky appropriate. If there is outside lighting, have it shielded downward, etc. Our neighborhood has been trying to be respectful of the natural area.

A: Thanks for your comments. I appreciate what you say about the long history and environmental and natural features about this land. We feel privileged that Marx family has entrusted us with this site.

Q: We have many apartments in our area, we have the most of any district in the city. As a result, our schools are already over-taxed with no improvements in site. What we don't see is any moderate single-family developments. Have you considered other types of housing instead of apartments? Have you looked at the entire picture of the whole area, are you sure there is demand?

A: The clients I have worked for believe they will have a successful project. With the City's housing crisis, there is a need for housing to address that. For schools, AISD, will provide a review of the impact of the development on schools when the case get to City Council.

Q: Has the City considered buying the property to provide a park, which is much needed? Is your client interested in alternative uses?

A: Multifamily residential developments must satisfy the City's parkland dedication ordinance. This will be decided at the time of site plan.

Staff's Response: This is a question for Parks Department staff.

Q: Do you know how many buildings will be on the property? Do you know where the driveways will be?

A: That is something that will be determined at site plan stage. We have not studied this. Again, the driveways would be determined at site plan, but there are usually two access points, one at SH 71 and the north side of property at Old Bee Caves Road.

Q: Will there be low-rent apartments?

A: This project will be a market rate project. This will be naturally affordable due to the location in the suburbs and the construction of the development with no garages.

Q: With all the building construction in this area, will it cause flooding?

A: Currently there are no water quality or detention controls on the property, so water is just sheet-flowing across the property. Our development will meet the City Code provisions to ensure that there is no adverse impact with flooding on neighbors' property.

Applicant Summary Letter from Application



David Hartman
(512) 685-3409
dhartman@dbcllp.com
303 Colorado, Suite 2300
Austin, TX 78701
www.dbcllp.com

March 8, 2024

Lauren Middleton-Pratt
Director, Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: 8900 and 8956 W SH 71 Multifamily – Rezoning and Neighborhood Plan Amendment Application for 60.665 acres located at 8900 and 8956 W SH 71, Austin, Texas 78735 (“Property”)

Dear Ms. Middleton-Pratt:

We respectfully submit the enclosed zoning and neighborhood plan amendment applications for 8900 and 8956 W SH 71 Multifamily as representatives of the owners of the above stated Property.

The current zoning of the Property is Agricultural (“AG-NP”), and we are requesting Multifamily Residence—Moderate-High Density (“MF-4-NP”) zoning for the entire Property to authorize development of a multifamily project. This rezoning request is consistent with adjacent land uses, including the abutting Landmark Conservancy multifamily development. Development of the Property involves considerable site constraints. Therefore, the application proposes to rezone the Property to MF-4-NP designation primarily to provide for flexibility in the height of buildings as authorized pursuant to MF-4-NP zoning, thereby authorizing development with a smaller footprint and more open space/less impervious cover.

The Property is currently vacant, and has direct access to SH 71 (an ASMP Level 5 Street) and Old Bee Caves Road (an ASMP Level 3 Street). The Property is within the new Capital Metro Pickup North Oak Hill Service Zone, and adjacent to an existing bus route/stop. The Imagine Austin Oak Hill Center is nearby. The Property falls within the Oak Hill Combined Neighborhood Plan (West Oak Hill). The current future land use designation is Rural Residential, and the NPA requests a change in the Future Land Use map to Multifamily.

If you have any questions about the applications or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

David Hartman

cc: Joi Harden, Planning Department (via electronic delivery)

Oak Hill NPCT Postponement Request

From: Meredith, Maureen
Sent: Wednesday, July 3, 2024 1:48 PM
To: David Hartman <dhartman@dbcllp.com>; Effy Anderson <eanderson@dbcllp.com>
Cc: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>
Subject: FW: C14-2024-0032 NPA-2024-0025.01, Request for Postponement

David:

See Leigh's email below. It sounds like August 27th PC date is her preference. Please let me know if you are OK with date or have an alternate date to recommend and I'll forward that suggestion to her to get her feedback.

Thanks.

Maureen

From: LEIGH ZIEGLER <
Sent: Wednesday, July 3, 2024 1:08 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: C14-2024-0032 NPA-2024-0025.01, Request for Postponement

Maureen:

In response to your communication this morning, I sent a request today for postponement preference choosing one of the 3 dates: July 23, August 13, or August 27 but have not yet received adequate response.

Of course, it is our intention to allow sufficient time for neighbors to address the issues outlined with participation of the developer under appropriate staff direction. August 27th is the most liberal choice unless it interferes with another deadline for the developer.

Thank you,

Leigh



RE: NPA-2024-0025.01, C14-2024-0032

Planning Commission and Council:

A **postponement is requested** to review undefined complexities regarding planned lot subdivision and loss of agricultural tax status relative to removal of purposeful nature pasture status in this case and surrounding properties. The large **70-acre Marx property at 8900 and 8956 W Hwy 71** has not been addressed in a greater context for existing land constraints to help determine the best limitations for a land use and zoning change for the developer. The OHNPCT and OHAN expect a change in land use from rural residential to a more suburban status but object to the lack of supporting detail in choosing **MF-4 zoning in MF residential land use** when it is apparent that **MF2** would suffice for the stated requested development.

The **Oak Hill NPCT and OHAN** would like to take this opportunity to ask the Planning Commission as well as Council to address the lack of neighborhood transparency and input into the development process that has been unfolding rapidly in our area with little attention to facts regarding property constraints and excessive development in the area. We **reject the lack of planning for public safety or consistency in planning** with an obvious zealous overestimation of the need for apartments **without any area data assessment to help guide developers**. As you know, a nearby housing development at 6811 Old Bee Cave Rd, the Shiloh Apartments of Oak Hill, has just applied for **STR designation** for >20 units making these (and other multi-family and single-family housing) unavailable for Austin residents. Continuing to add multifamily housing units while simultaneously removing other housing units via conversion to STRs or investment properties is **subsidizing investors and developers at the expense of residents**. We expect our Council and the Planning Department to make a better effort in the development of property in our community and all over Austin.

Due to **overwhelming apartment development in Oak Hill**, planned and present in this area, it is particularly disturbing that it appears **the most prime property of this lot for density development along W HWY 71 is asked to be held in reserve by subdivision under this land use change**. An explanation is in order before proceeding forward in any order of process. Can one assume **20%-25% impervious cover on both properties?** Keep in mind that this property is not along a Project Connect Corridor and the access road of **Old Bee Cave** is nothing more than a poorly paved country road overclassified during the ASMP rewrite to a level 3 category. Clearly, in its current condition it is **inadequate for over 3102 car trips** and there is concern for emergency exits particularly due to narrow width, lack of sidewalks, and poor surface conditions as well as

mounting **fire danger in the area**. There is talk about the Imagine **Austin Oak Hill Community Center**, but no re-development project has yet been initiated or funded. SH 71 is not on the Project Connect transit corridor and bus routes remain minimal.

In any case, explanation is lacking as to how MF-4 zoning (if tied to 12 units per acre as proclaimed by Mr. Hartman) meets the criterion for a level 5 Highway in any way as it would be **devoid of retail or commercial use**. On the other hand, **MF2 which allows 23 units per acre would provide sufficient upzoning to meet his plan for the interior property. MF4, which allows 34-56 units per acre, is not required for the project and only exacerbates rental overdevelopment**. An adjustment in height for this project (40-60 ft) might be decided as a development bonus at the site plan stage. Of course, these details should be addressed now. The 10 acres partially developed 'carve out' on W SH71 will presumably require distinct land use and zoning possibly not for residential apartments. Additional details of the impact of this change in land use with subdivision deserve discussion under current land use and zoning, not at site plan stage in a piecemeal fashion.

The remaining **adjacent Marx Brothers tracts** are expected to be reviewed separately, apart from predictable loss of **Agricultural Exemption under Nature Pasture (70 acres plus an additional appx 33 acres)** unrefutably affected by this development. Nevertheless, the appx 70 acres of the 2 tracts under review should be carefully addressed at this time with consideration for the 10-acre W Hwy 71 frontage property being carved out in reservation. At best a **development assessment** including a **subdivision pre-application and a managed growth assessment for multiple tracts** would be beneficial due to the larger estate subdivision within the family wherein voluntary disclosure would also help determine the most appropriate land use and zoning for the agricultural tracts. (25-1-553)

Neighbors and the community are particularly concerned regarding imminent flooding and the need for increased drainage along Old Bee Cave, degraded water quality in the DWPZ of the Williamson Creek watershed of the Barton Creek Zone including water quality protection near the Springs on the property; all of which may not have been accounted for during the expansion of the Oak Hill Parkway and probably not absorbed by the local regional pond capacity. A less intense land use will better protect the night sky in adjacent environmentally protected areas by specific height limitations. Fire is a grave concern given the existing and planned apartments along the slopes in the area.

Postponement is requested to consider alternate options and details if MF2 is not acceptable as higher land use than surrounding property, and to consider any code changes following the April presentation for a better fit on this land.

Sincerely,

Leigh Ziegler, Oak Hill NPCT Chair

Cynthia Wilcox, OHAN President

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

(No letter as of August 22, 2024)

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From: Meredith, Maureen

Sent: Tuesday, June 25, 2024 5:52 PM

Cc: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>; David Hartman <dhartman@dbcllp.com>; Effy Anderson <eanderson@dbcllp.com>

Subject: OHNPCT Rec?: NPA-2024-0025.01_8900 W SH 71

Dear Oak Hill NP Contact Team:

Cases NPA-2024-0025.01 and C14-2024-0032_8900 W SH 71 are on the July 9, 2024 Planning Commission hearing date. If you would like your Team's letter of recommendation to be included in the staff case reports, please email it to me and Cynthia Hadri, the zoning planner, **no later than Wednesday, July 3 by 4:30 pm**. If we get the letter after this date and time, it will not be included in the staff reports, but we will submit it as separate late material for the public hearing.

Thanks.

Maureen

Maureen Meredith (she/her)

Senior Planner – Long-Range Planning Division

City of Austin Planning Department

6310 Wilhelmina Delco Dr. Austin, Texas 78752 (4th Floor)

P: (512) 974-2695

E: Maureen.Meredith@austintexas.gov



July 18, 2024

RE: 8900 + 8956 W SH 71, NPA-2024-0025.01, 2024-0025.0130438ZC, C14-2024-0032

Mr. David Hartman:

We are contacting you now in writing at the express direction of Maureen Meredith following postponement more than a week ago to ask for your response to our questions about your choice of land use and the rezoning and proposed development of the 70-acre Marx property at 8900 and 8956 W Hwy 71. The Oak Hill Neighborhood Planning Contact Team (OHNPCT) and the Oak Hill Association of Neighborhoods (OHAN) expect a change in land use from rural residential to a more suburban status but have real concerns regarding the proposed density on this property by land use/zoning change regarding available transportation, commuter safety, and environmental impacts of the proposed development.

Questions:

- 1) This property is not along a Project Connect Corridor and egress will be to Hwy 71, a 4-lane highway without a median, or to Old Bee Cave Road, a narrow two-lane road. It is hardly more than a country road without shoulders or sidewalks. Both roads are at capacity during peak traffic and are regularly backed up. What do you propose to do to ensure that a minimum of an additional 660 vehicles (assuming only one per unit) does not cause gridlock on these already congested streets? Will turn lanes and sidewalks be built to increase safety and decrease traffic?
- 2) Have you considered a masterplan for the 100 acres? Retail and neighborhood commercial development have not been considered here. Please explain the carve out 10 acres fronting SH71 currently under the Ag adjustment?

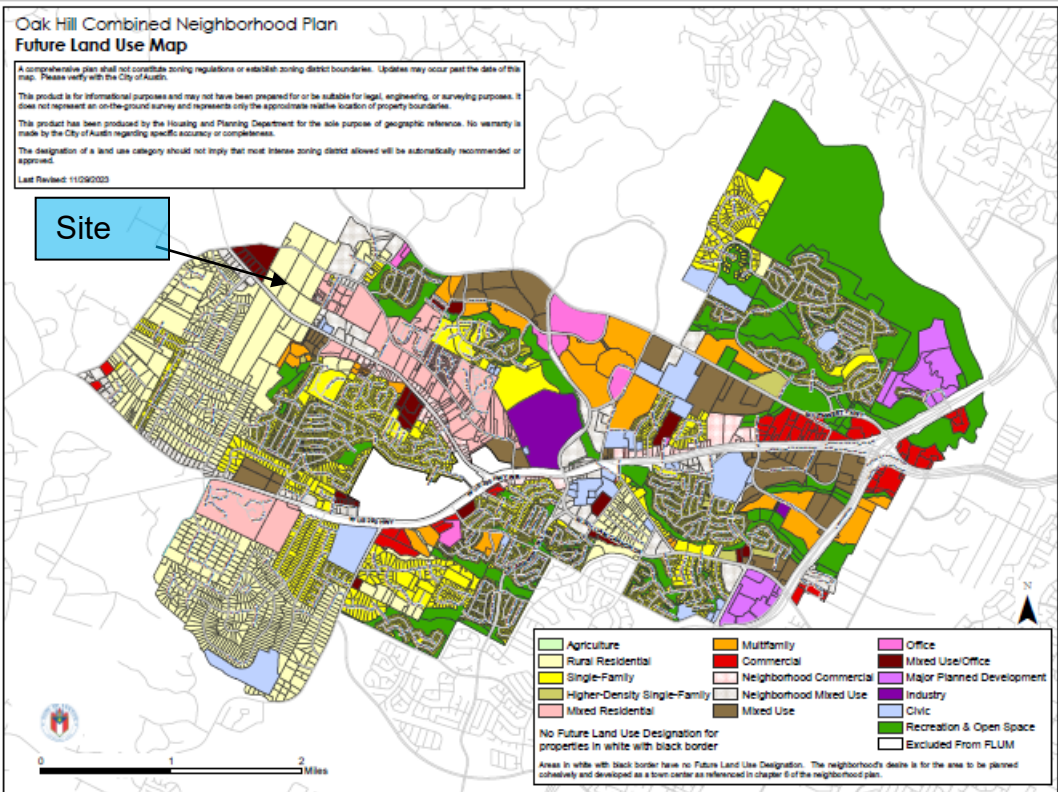
3) How did you come to the choice for market rate MF housing when there are so many units in the area already being built? Has this information - regarding additional MF units in the area already approved or in the process of being approved?

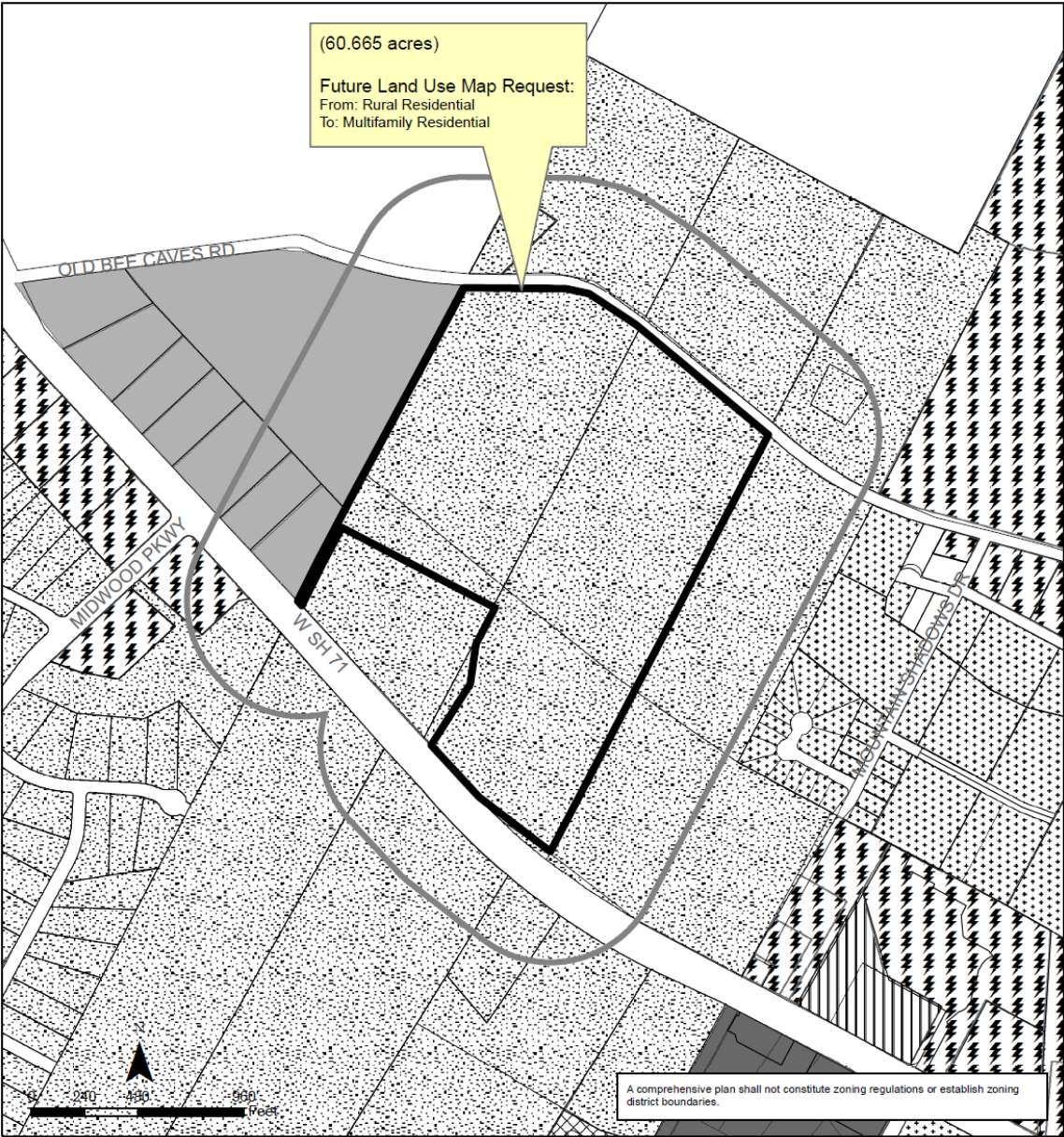
4) It is unclear why 60 ft height is required and why this property should not be developed under MF-2, perhaps with minor adjustments to height later in the development process. Can you explain the reason for requesting 60 ft, and the reason that this development could not move forward with MF-2 designation instead - perhaps with fewer units since direct access to Old Bee Cave Road is required?

Thank you for your response,

Cynthia Wilcox, OHAN President

Leigh Ziegler, OHNPCT Chair
















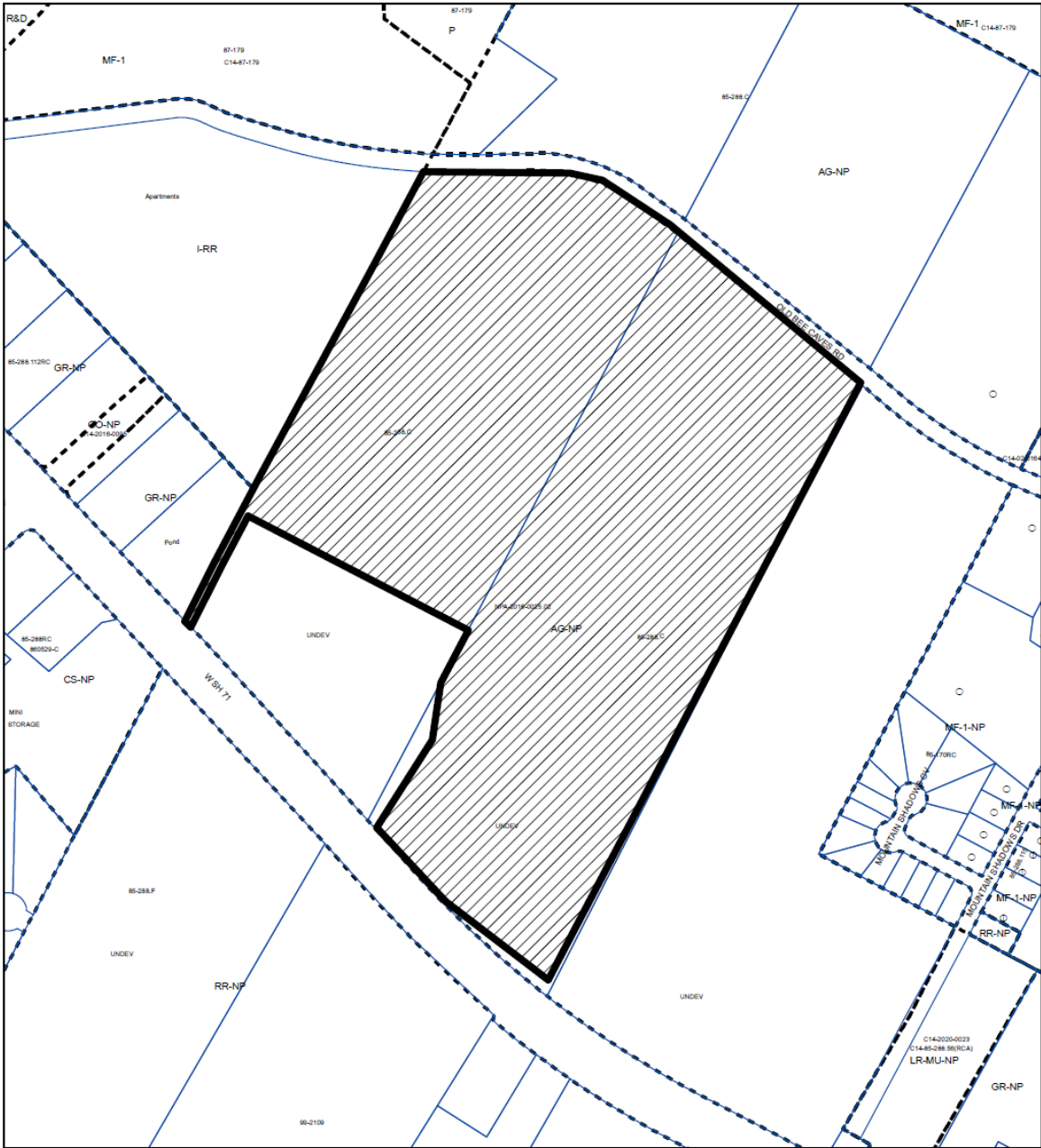
**Oak Hill Combined Neighborhood Planning Area
NPA-2024-0025.01**





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.

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Planning Department
Created on 3/19/2024, by: MeeksS

Future Land Use			
	Subject Tract		Mixed Use/Office
	500 ft. notif. boundary		Multi-Family
	Civic		Neighborhood Mixed Use
	Mixed Residential		Rural Residential
	Mixed Use		Single-Family



-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
 ZONING CASE#: C14-2024-0032




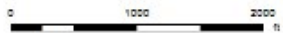
1" = 400'

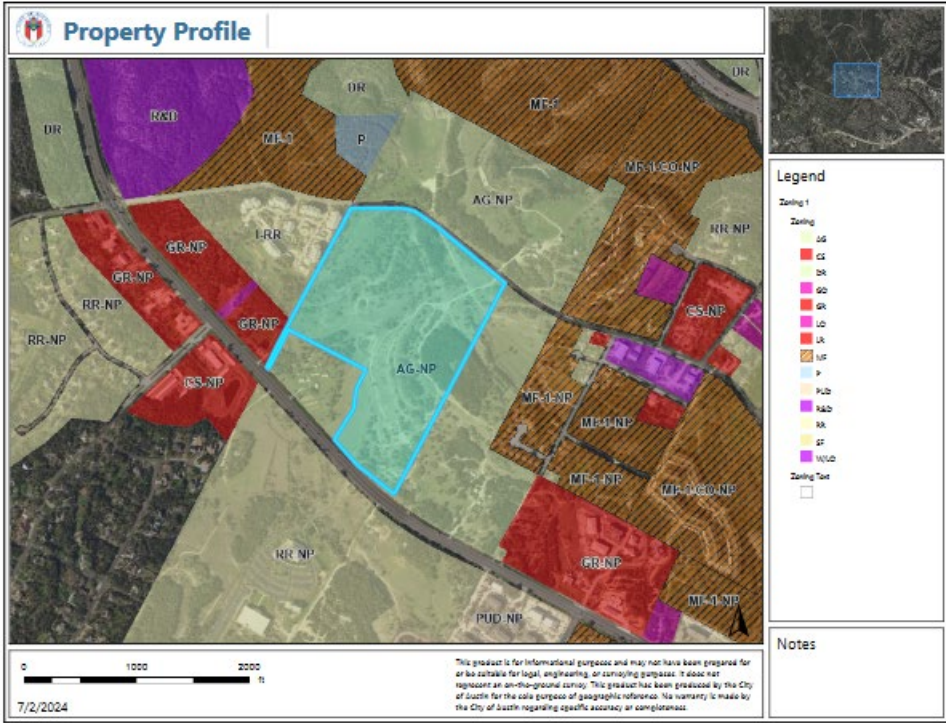
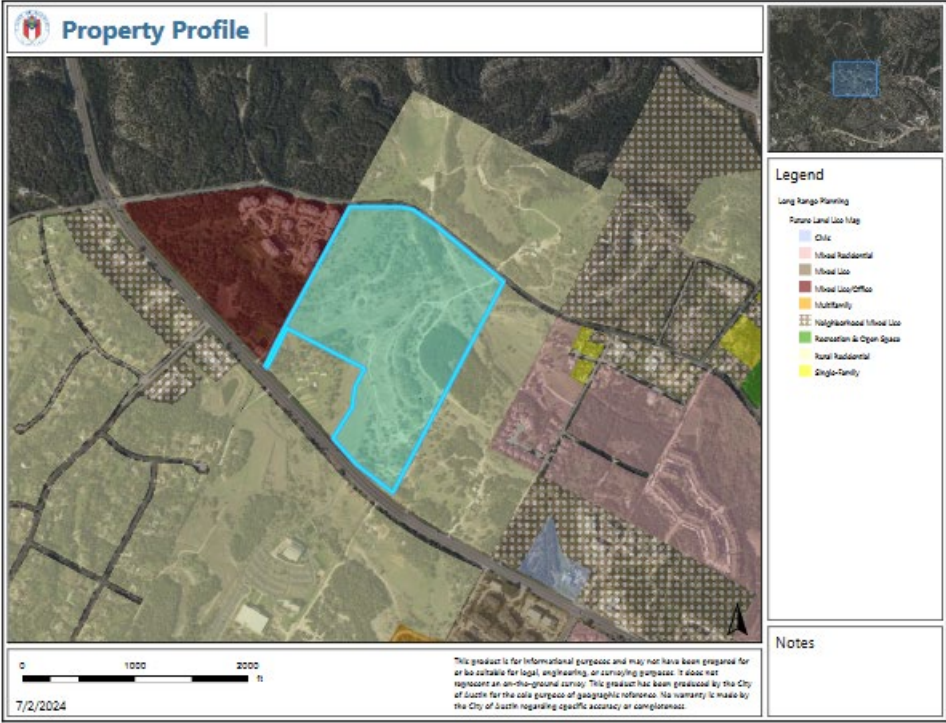
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/13/2024

 Property Profile	
	
	Legend
 7/3/2024	<p>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. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.</p>
	Notes



**David Hartman's Presentation at the April 18, 2024 Virtual
Community Meeting**

8900 and 8956 W Hwy 71
C14-2024-0032 and NPA-2024-0025.01

City Hosted Community Meeting regarding NPA
April 18, 2024

Project Overview

60.665 acres at 8900 and 8956 W. Hwy 71 abutting SH 71 and Old Bee Caves Road. Currently agriculture/undeveloped.

- SH 71 is ASMP Level 5 street, Old Bee Caves Rd. is ASMP Level 3 street, Southwest Parkway is ASMP Level 4 Street, multiple adjacent ASMP Level 2 streets.
- Located adjacent to Imagine Austin Oak Hill Center, and 3 other Imagine Austin Centers nearby (Wm. Cannon & Mopac, Lamar & Ben White, Barton Creek Mall).
- Within new Cap Metro Pickup Service zone, adjacent to bus route/stop, and bike route.

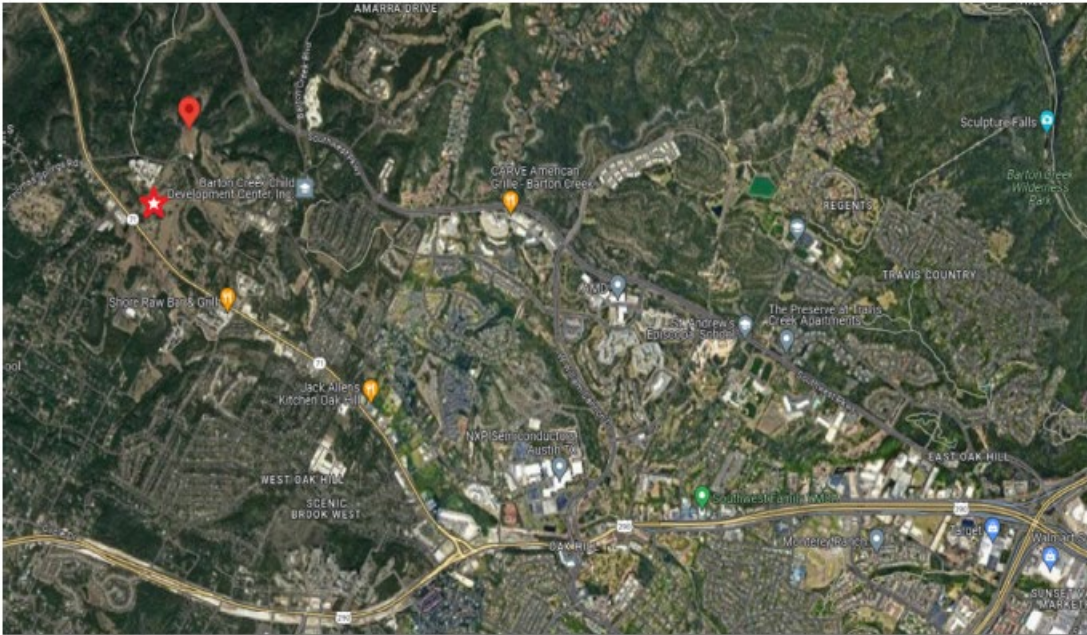
Currently zoned AG-NP (Agricultural District) per Oak Hill Combined Neighborhood Plan Ordinance No. 20081211-098. Oak Hill Combined Neighborhood Plan "Rural Residential" FLUM.

PROPOSED ZONING and FLUM: MF-4-NP, and Multifamily FLUM.

	Current	Proposed
Zoning Application	AG-NP	MF-4-NP
Neighborhood Plan Amendment	Rural Residential	Multifamily

- Provides for clustered development, smaller footprint, more open space/less impervious cover.
- Approximately 660 units proposed, about 12 units/acre (MF-1 density = 17 units/acre).
- Similar rezoning cases approved by City Council in recent years.
- Landmark Conservancy apartments immediately adjacent (240 units on 22 acres = 11 units/acre).

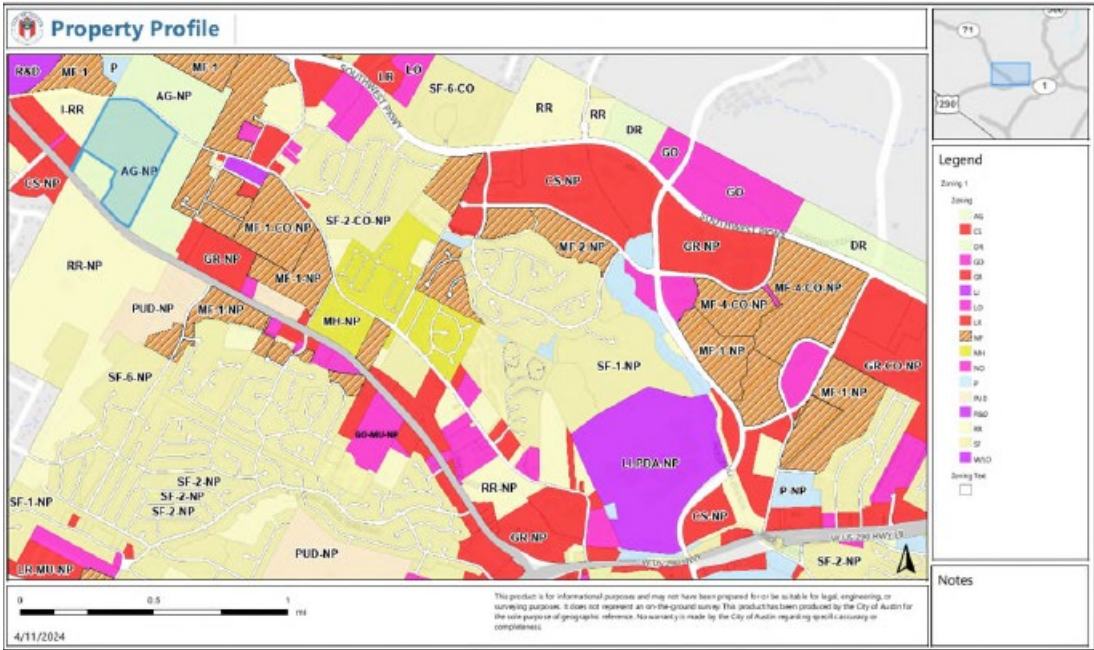
Aerial



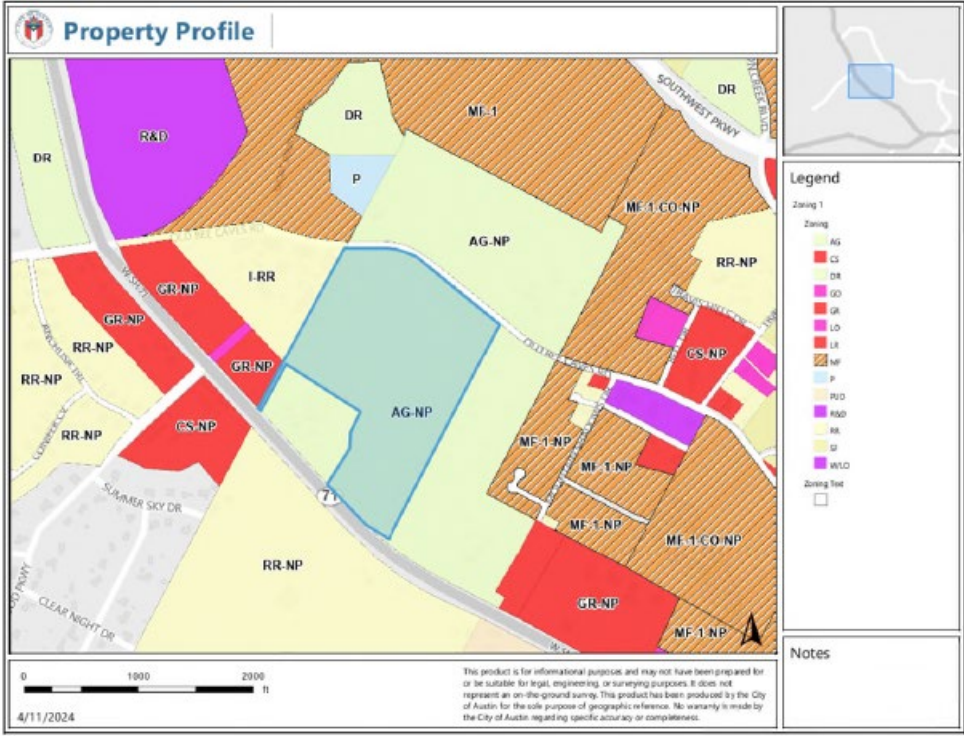
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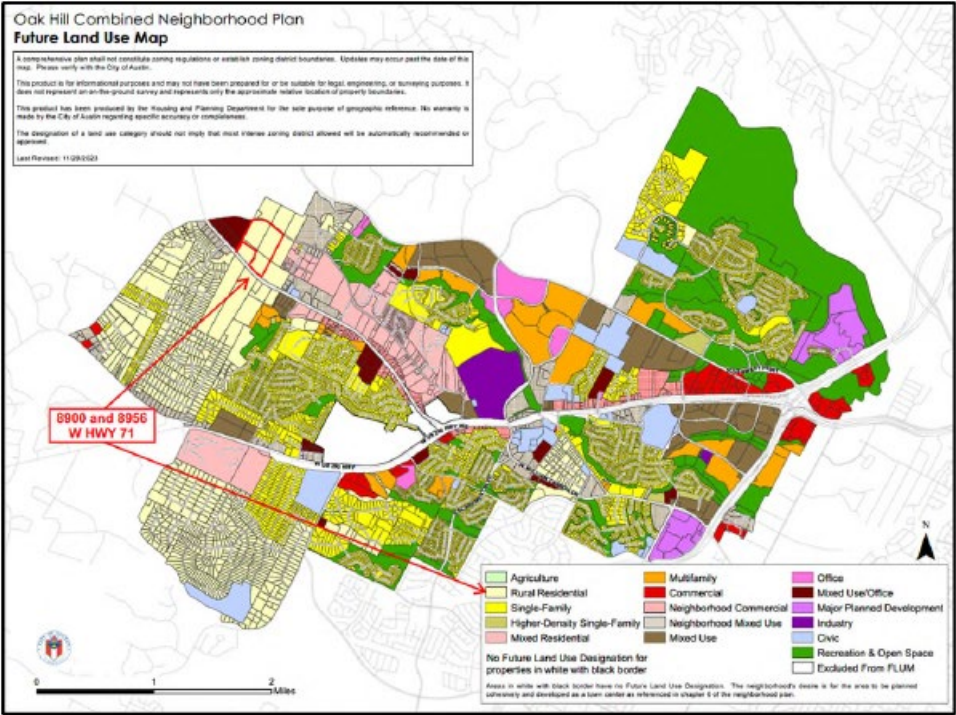
Zoning Map



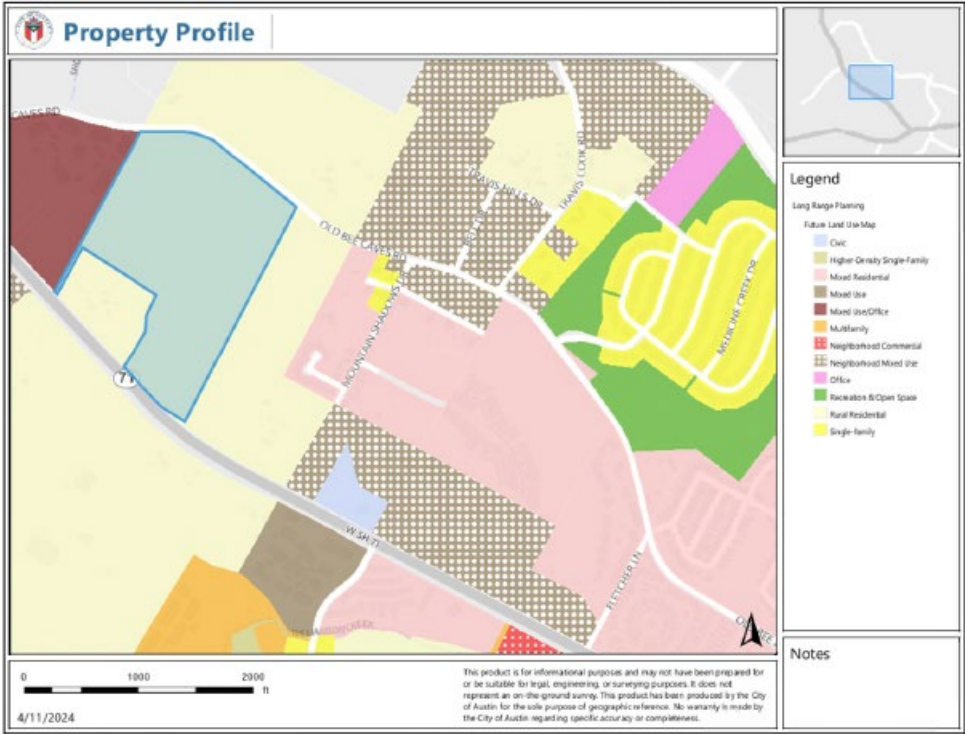
Zoning Map (Zoomed In)



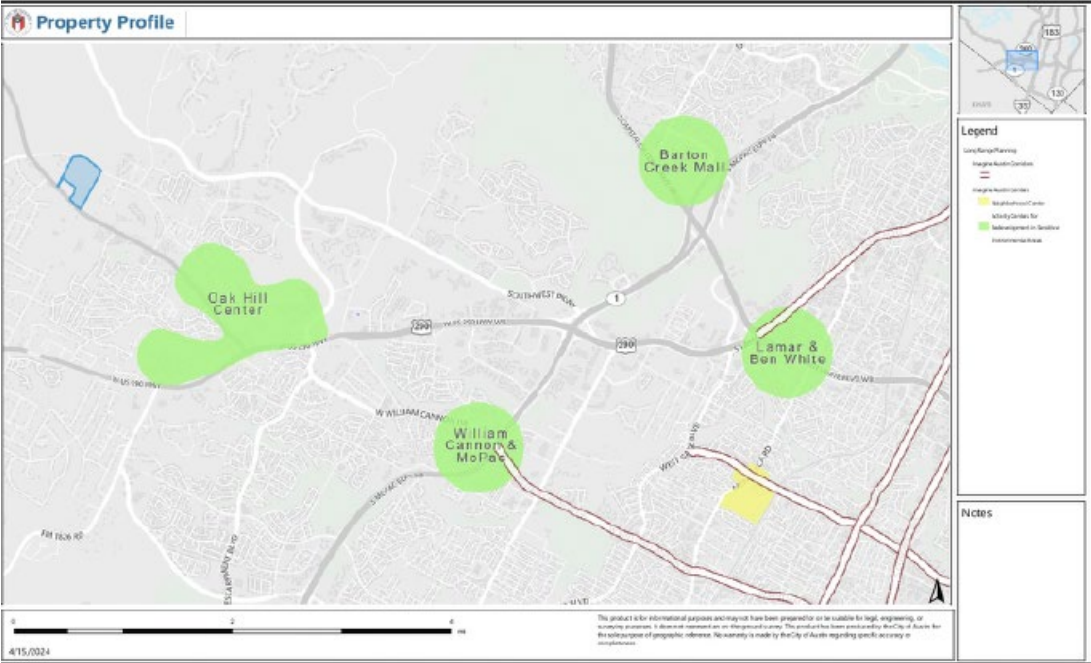
Future Land Use Map



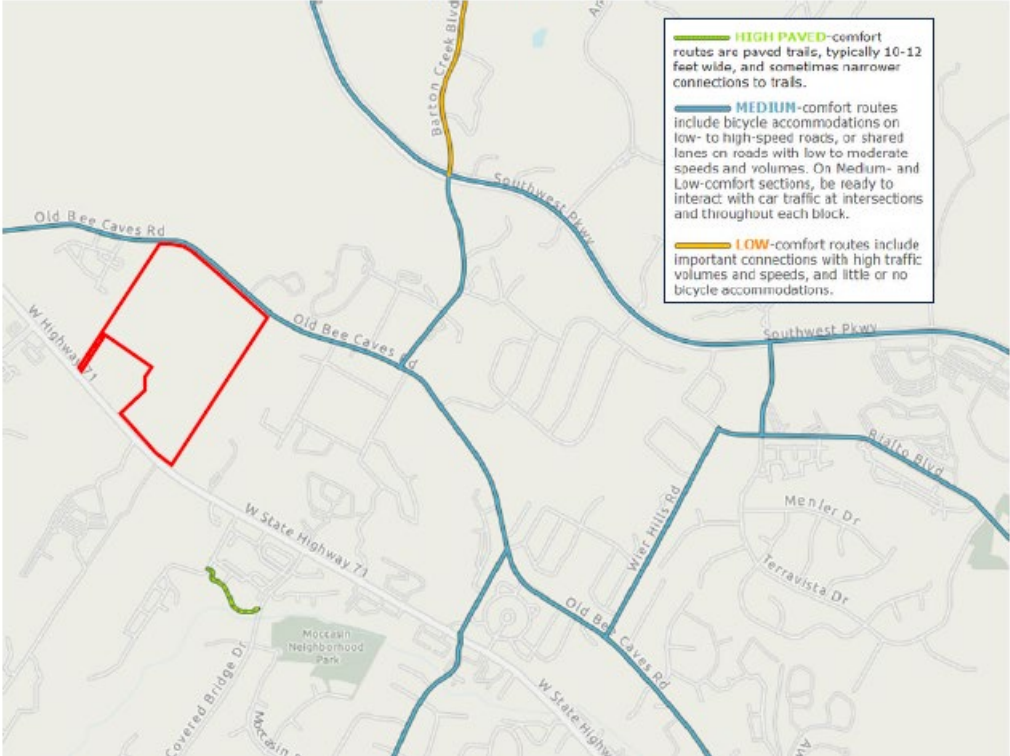
Future Land Use Map



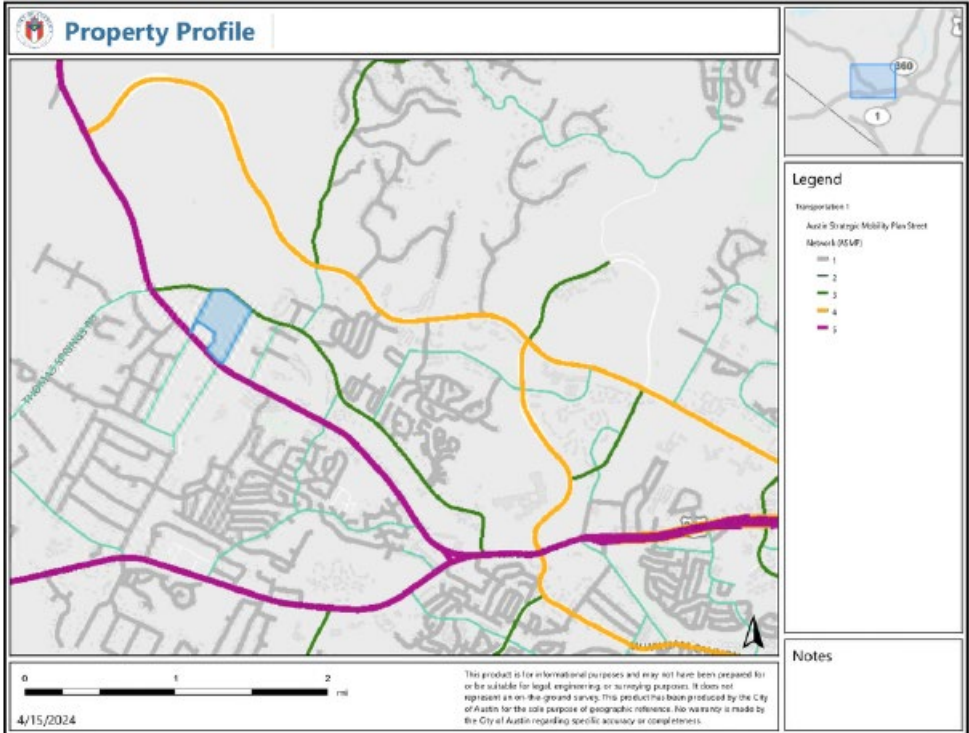
Imagine Austin Corridors and Centers



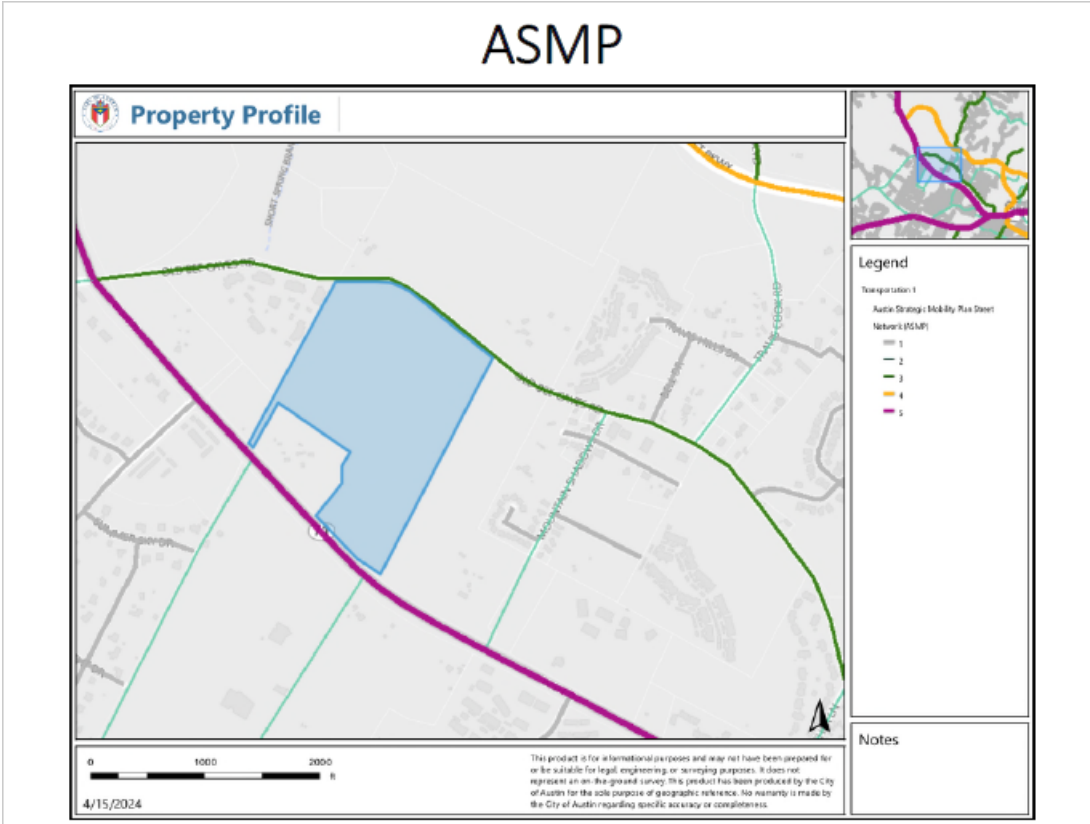
Bicycle Routes



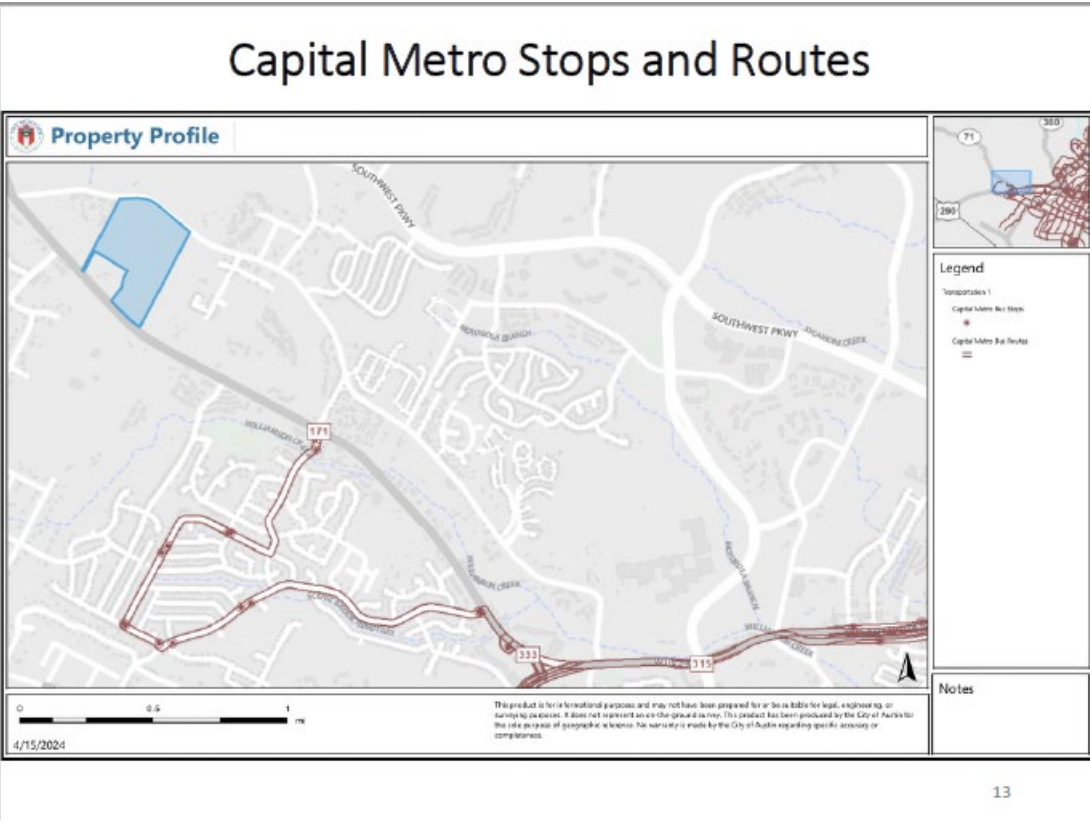
ASMP



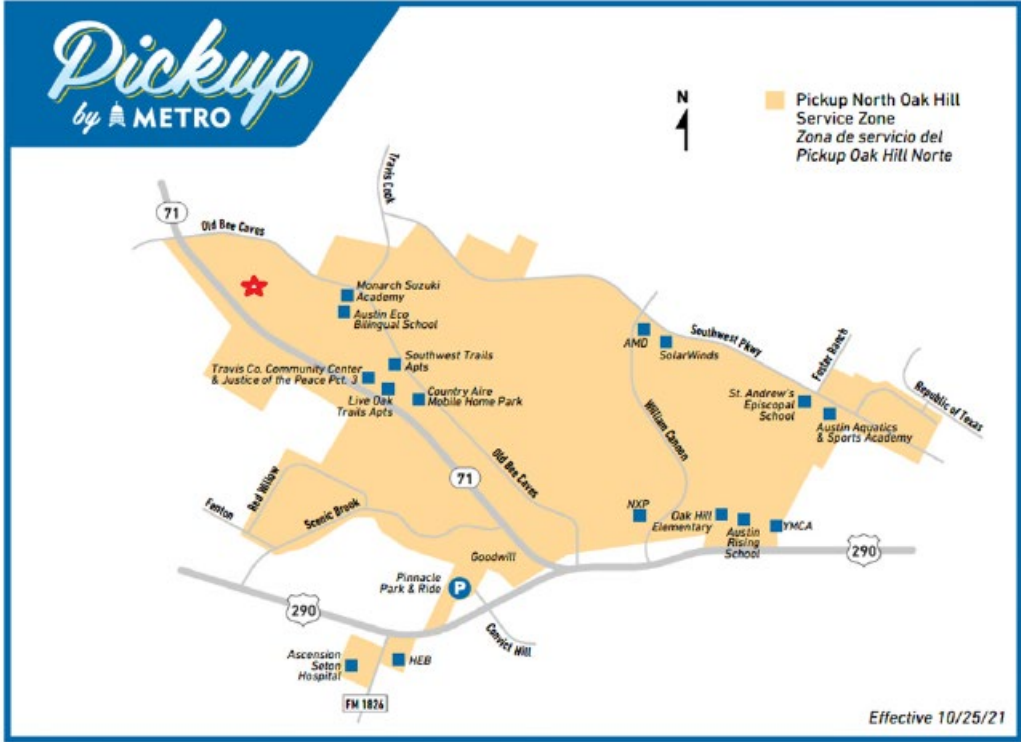
ASMP



Capital Metro Stops and Routes




Capital Metro Pickup North Oak Hill Service Zone



8900 and 8956 W Hwy 71
C14-2024-0032 and NPA-2024-0025.01

City Hosted Community Meeting regarding NPA
April 18, 2024



Development
SERVICES DEPARTMENT
Planning and Development Center | 8310 Pittman Rd, Austin, TX 78726 | (512) 478-4000

General Information

Location: **858 W SH 71**
Parcel ID: **0102478311**
Grid: **MA25**

Planning & Zoning

Future Land Use (FLUM): **Rural Residential, Mixed Use/Office**

Regulating Plan: **No Regulating Plan**

Zoning: **AG-NP**

Zoning Cases: [MIA 2018-0026/02](#)

Zoning Ordinance: [19990215-070b](#)
[20040111-047](#)
[20141201-120](#)
[011001-C](#)

Zoning Overlay: **Barton Springs Overlay**
Wildland Urban Interface:
Proximity Class - Within 150 feet of a wildland area
WEST OAK HILL

Neighborhood Plan: **-**

Infill Options: **-**

Neighborhood Restricted Parking Areas: **Oak Hill East NPA**

Mobile Food Vendors: **Oak Hill Combined NPA**

Historic Landmark: **-**

Urban Roadways: **No**

Zoning Overlay

The [Guide to Zoning](#) provides a quick explanation of the above Zoning codes, however, the [Land Development Services Bureau](#) provides general zoning assistance and can advise you on the type of development allowed on a property. Visit [Zoning](#) for the description of each Zoning District. For official verification of the zoning of a property, please order a [Zoning Verification Letter](#). General information on the [Zoning Verification Process](#) is available from Neighborhood Planning.

Environmental

Fully Developed Floodplain: **No**

FEMA Floodplain: **No**

Austin Watershed Regulation Areas: **BSZ**

Watershed Boundaries: **Wilseman Creek**

Creek Buffers: **CWQZ, WQIZ**

Edwards Aquifer Recharge Zone: **No**

Edwards Aquifer Recharge Verification Zone: **No**

Erosion Hazard Zone Review Buffer: **Yes**

Political Boundaries

Jurisdiction: **AUSTIN FULL PURPOSE**


Council District: **8**

County: **TRAVIS**


School District: **Austin ISD**

Community Registry: **Austin Independent School District, Austin Lost and Found Pets, Austen HOA, City of Rollingwood, Covered Bridge Property Owners Association, Inc., Friends of Austin Neighborhoods, Neighborhood Empowerment Foundation, Oak Hill Association of Neighborhoods (OHAN), Oak Hill Neighborhood Plan - COA Liaison, Oak Hill Neighborhood Plan Contact Team, Oak Hill Trails Association, SETexas, Save Our Springs Alliance, Sierra Club, Austin Regional Group, TRN BCP - Travis County Natural Resources, Thomas Springs / Glendale Alliance**


Property Profile Report



Zoning Map



Imagery Map

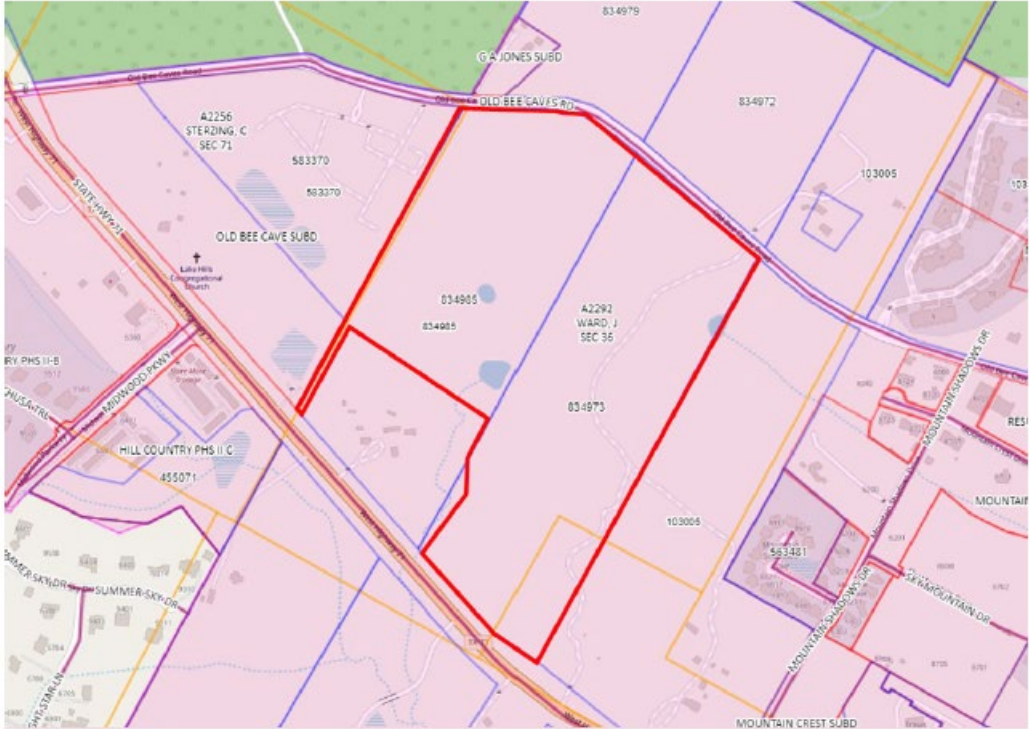


Vicinity Map

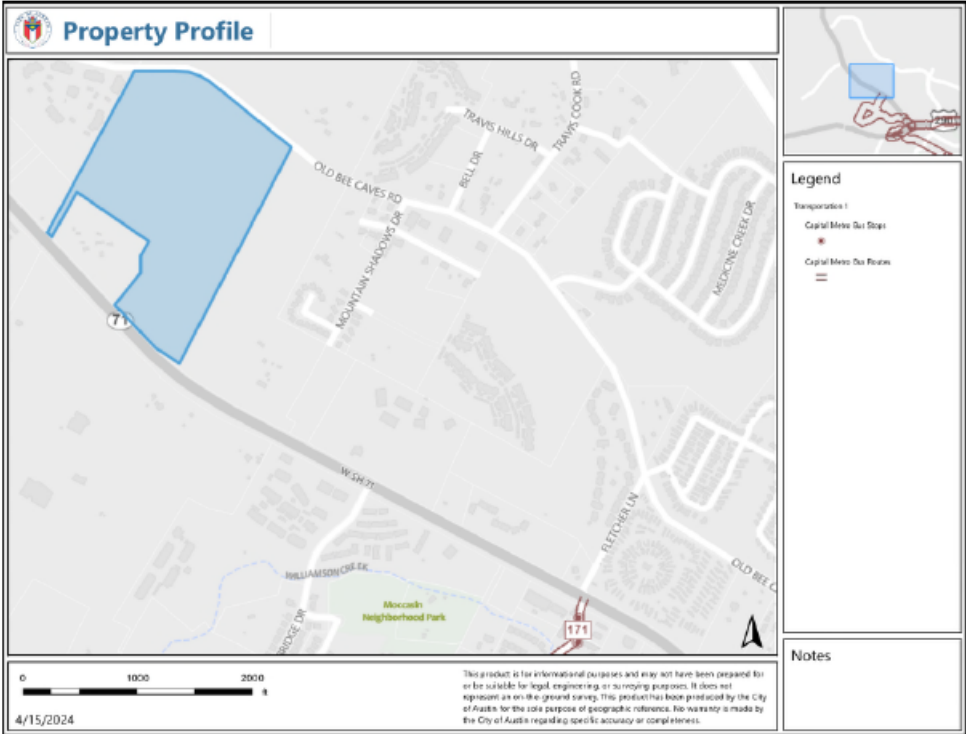
The information on this report has been produced by the City of Austin as a working document and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Date created: 28/02/24

Subject Tract



Capital Metro Stops and Routes



Correspondence Received

May 13, 2024

Cynthia Hadri
City of Austin
Planning Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: Rezoning and Neighborhood Plan Amendment for 8900 and 8956 W SH HWY 71 (Zoning Case C14-2024-0032, Neighborhood Plan Amendment Case NPA-2024-0025.01)

Dear Ms. Hadri:

I am writing in support of the above-referenced rezoning and neighborhood plan amendment cases initiated on behalf of the applicant Marx Family Property, LLC, for the property located at 8900 and 8956 W SH HWY 71 in Austin, Texas. The applicant is seeking rezoning and neighborhood plan amendment for the property to proceed with development of a multifamily project.

My property is located at 8776 W. State Highway 71, and therefore I will be one of the adjacent landowners affected by the approval of this project. I strongly support the proposed rezoning and future development of the subject property.

I believe that the proposed development will provide for certainty for the redevelopment of the underutilized large undeveloped subject tract, while allowing the applicant to provide much needed apartments to meet the City's growing demand for housing.

Sincerely,

Donald Marx
Nellie Marx

Donald and Nellie Marx
8776 W. Highway 71
Austin, Texas 78735

3066293.3

May 20, 2024

Cynthia Hadri
City of Austin
Planning Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: Rezoning and Neighborhood Plan Amendment for 8900 and 8956 W SH HWY 71 (Zoning Case C14-2024-0032, Neighborhood Plan Amendment Case NPA-2024-0025.01)

Dear Ms. Hadri:

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My property is located at 9301 Old Bee Caves Rd, and therefore I will be one of the adjacent landowners affected by the approval of this project. I strongly support the proposed rezoning and future development of the subject property.

I believe that the proposed development will provide for certainty for the redevelopment of the underutilized large undeveloped subject tract, while allowing the applicant to provide much needed apartments to meet the City's growing demand for housing.

Sincerely,



Landmark Conservancy Apartments
9301 Old Bee Caves Rd
Austin, Texas 78737