

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Oak Hill Combined (East Oak Hill)

CASE#: NPA-2023-0025.01

DATE FILED: February 21, 2023

PROJECT NAME: 5725 W US Hwy 290 Eastbound

PC DATE: May 28, 2024
April 23, 2024
February 27, 2024
January 9, 2024
November 14, 2023
August 8, 2023

ADDRESS/ES: 5725 W US Hwy 290 Eastbound

DISTRICT AREA: 8

SITE AREA: 6.514 acres

OWNER/APPLICANT: Cheryl Ogle

AGENT: DuBois Bryant & Campbell, LLC (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: Neighborhood Mixed Use

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2024-0040

From: GR-NP

To: GR-DB90-NP

NEIGHBORHOOD PLAN ADOPTION DATE: December 11, 2008

CITY COUNCIL DATE: July 18, 2024

ACTION:

PLANNING COMMISSION RECOMMENDATION:

May 28, 2024 – Approve the applicant’s request for Mixed Use land use. [D. Skidmore – 1st; A. Woods – 2nd] Vote: 10-0 [J. Mushtaler abstained. P. Howard and A. Phillips absent].

April 23, 2024 – Postponed to May 28, 2024 on the consent agenda at the request of Staff. [G. Anderson – 1st; A. Woods – 2nd] Vote: 11 – 0 [G. Cox and J. Mushtaler off the dais. A. Hayes abstained from Item #27].

February 27, 2024 – Postponed to April 23, 2024 on the consent agenda at the request of Staff. [A. Azhar – 1st; A. Woods – 2nd] Vote: 11-0 [J. Mushtaler off the dais. F. Maxwell absent].

January 9, 2024 – Postponed to February 27, 2024 on the consent agenda at the request of staff. [F. Maxwell – 1st; A. Azhar – 2nd] Vote: 10-0 [G. Anderson and A. Woods absent. One vacancy on the dais].

November 14, 2023 – Postponed to January 9, 2024 on the consent agenda at the request of Staff. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 12-0 [N. Barrera-Ramirez off the dais].

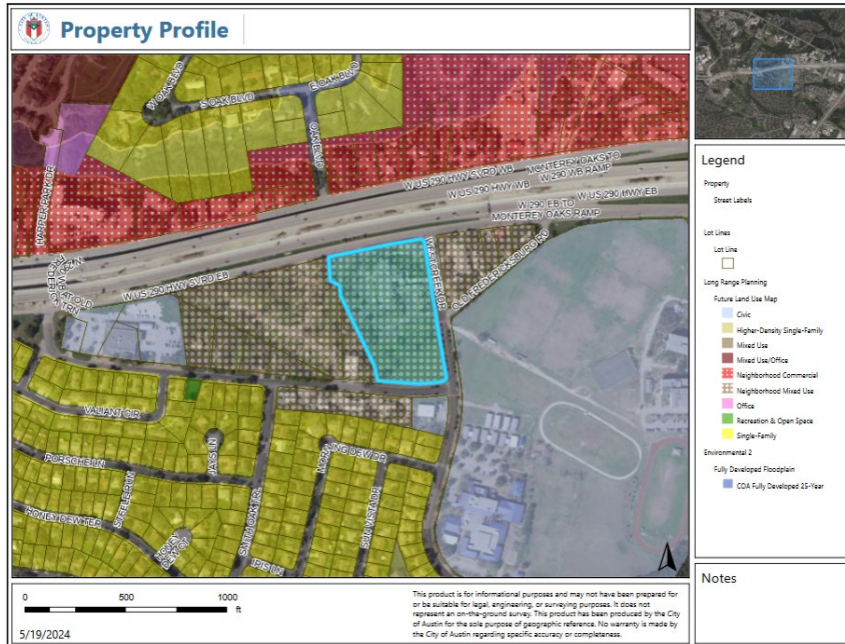
September 26, 2023 – Postponed to November 14, 2023 on the consent agenda at the request of Staff. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 10-0 [C. Hempel and P. Howard and J. Mushtaler absent].

August 8, 2023 – Postponed to September 26, 2023 on the consent agenda at the request of Staff. [A. Azhar – 1st; F. Maxwell – 2nd] Vote: 10-0 [T. Shaw and J. Mushtaler absent. One vacancy on the dais].

STAFF RECOMMENDATION: Staff supports the Applicant’s request for Mixed Use land use.

BASIS FOR STAFF’S RECOMMENDATION: The property is a 6.5-acre tract of land on the south side of US 290 Hwy EB. On the north side of US Hwy 290 WB is Neighborhood Commercial land use, which also appears to have property in the flood plain. Directly to the east of the property is Neighborhood Mixed Use and Civic land use where Clint Small Middle School is located. To the south and west is Neighborhood Mixed use land use. Although the Mixed Use land use predominately at the southwest intersection of S MOPAC Expressway and W US 290 HWY, staff believes Mixed Use land use on this tract would be appropriate given the property has frontage along a major highway.

The applicant proposes to build approximately 305 multifamily residential uses which will add housing units to help meet the Austin Strategic Housing Blueprint’s goal of producing more affordable housing units should the applicant pursue the Density Bonus – 90 development option. See zoning case report C14-2024-0040 for details on the Density Bonus -90 ordinance and how it would apply to this property.



Below are sections of the neighborhood plan that staff believes supports the applicant's request for Mixed Use land use.

CHAPTER 6: LAND USE AND DEVELOPMENT

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

6.A.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.

6.B.2

Provide business and residential expansion without creating urban sprawl.

6.B.2a—Provide support of targeted development, which are areas with existing infrastructure at commercial nodes.

- 6.C. Create a mix of uses in existing corridors of commercial development that will provide a diversity of local services convenient to neighborhoods and establish commercial “nodes” (concentrated activity areas) at strategic locations.

LAND USE DESCRIPTIONS:

EXISTING LAND USE:

Neighborhood Mixed Use - An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
2. Provide transition from residential use to high intensity commercial or mixed use.

Application

1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

PROPOSED LAND USE:

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;

3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

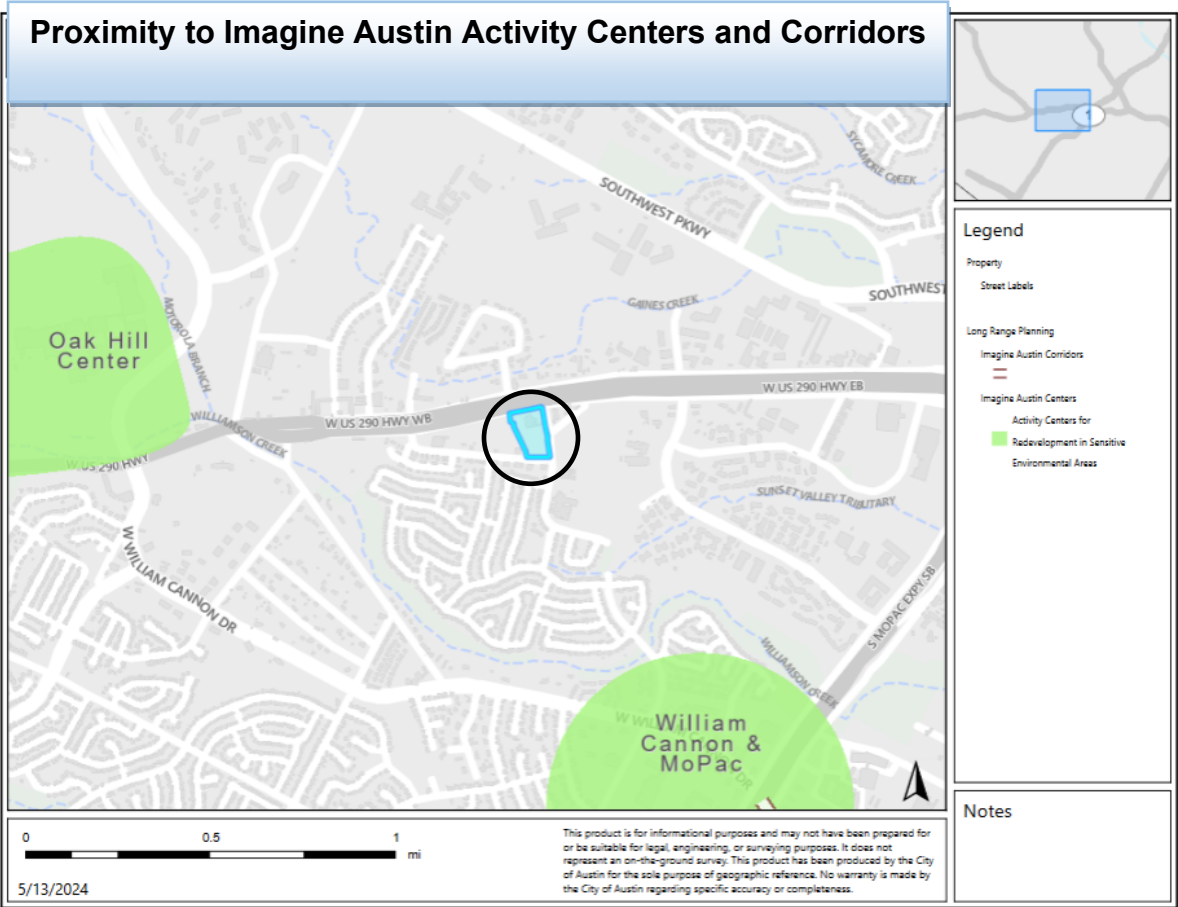
Application

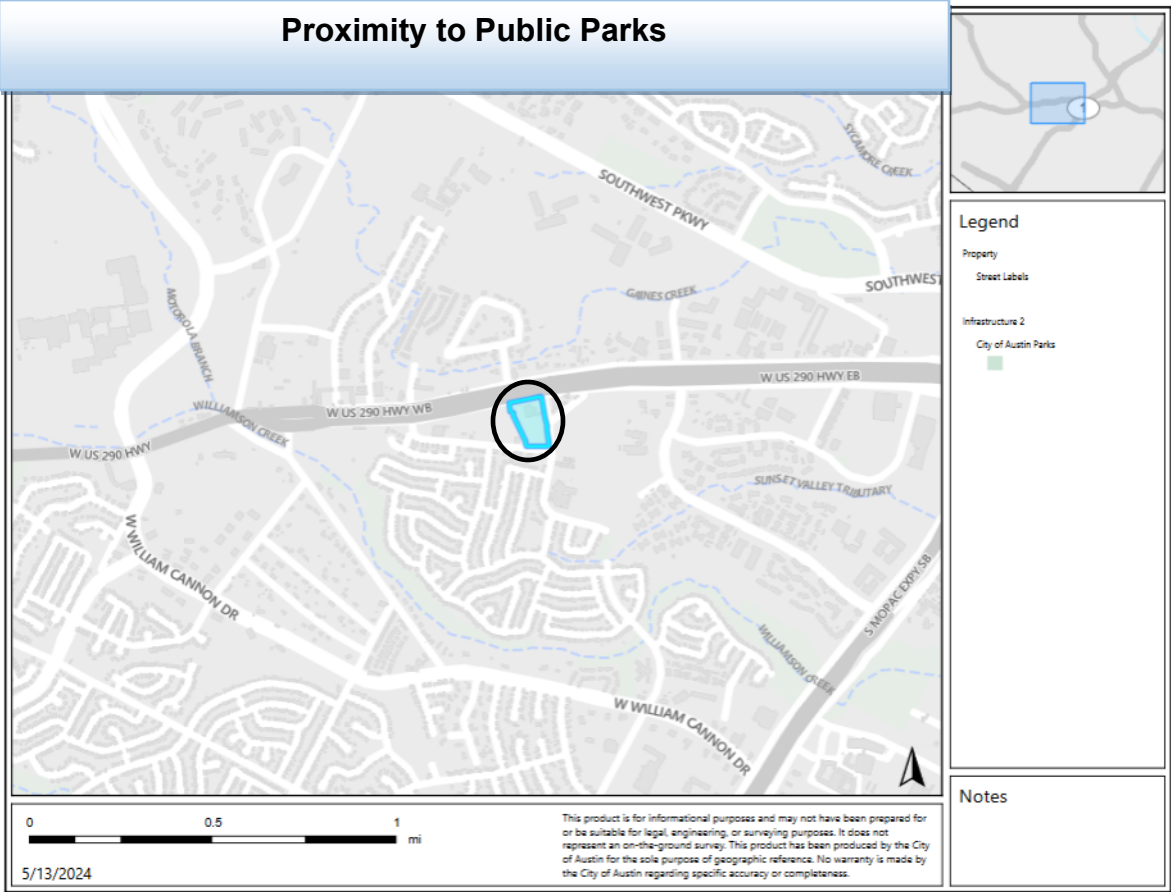
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

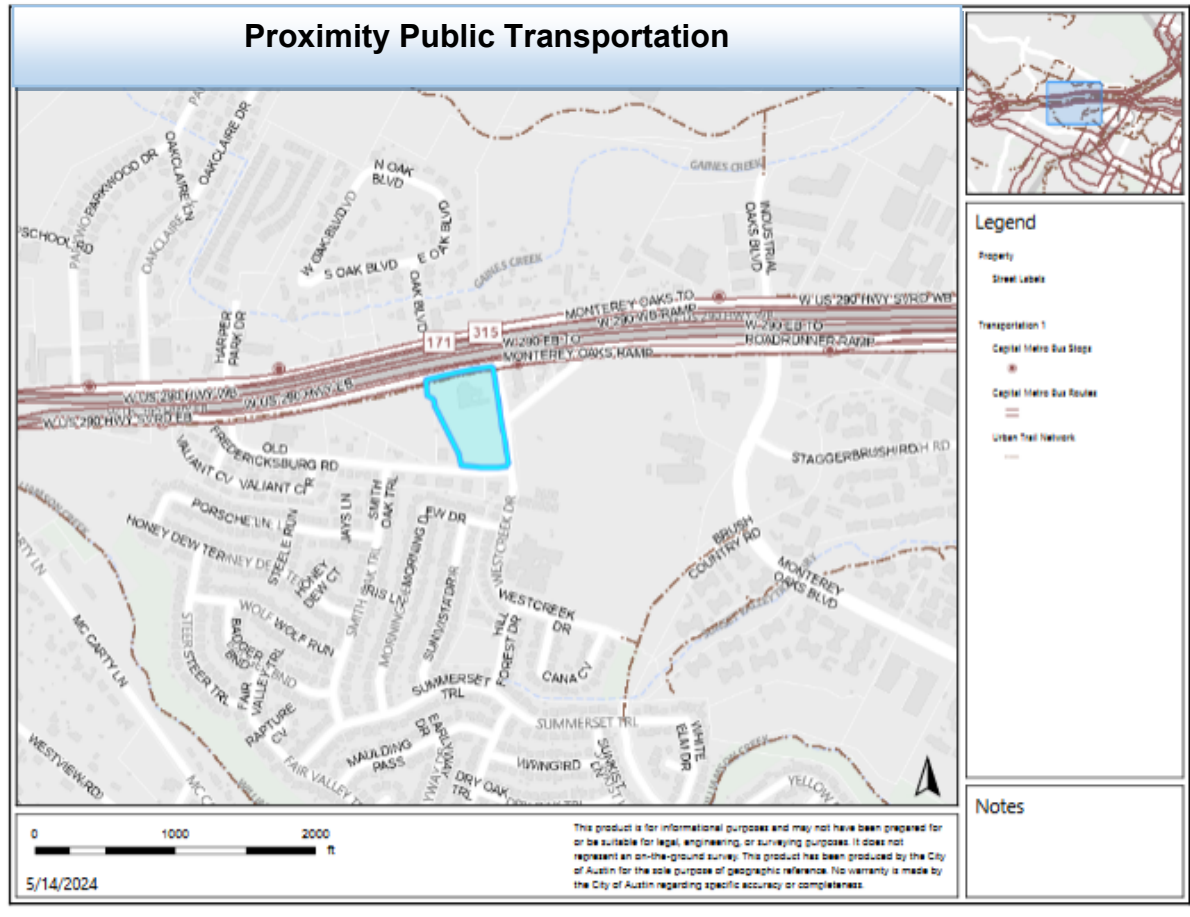
Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
No	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> 0.86 miles from Oak Hill Redevelopment in Environmental Areas Center
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> Bus routes along U.S. Hwy 290
Yes	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

	<p>services, and/or employment center.</p> <ul style="list-style-type: none"> • Limited services along U.S. Hwy 290 (U.S. Post Office, office building, care services, church, gas station.
No	<p>Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.</p> <ul style="list-style-type: none"> • 1.3 miles from Target Store with grocery
Yes	<p>Connectivity and Education: Located within 0.50 miles from a public school or university.</p> <ul style="list-style-type: none"> • 0.2 miles from Patton Elementary School •
Yes	<p>Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.</p> <ul style="list-style-type: none"> • 341 feet from Westcreek Pocket Park and soccer fields • 0.7 miles from Jerry Butler Field (Mustang 2)
No	<p>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.)</p> <ul style="list-style-type: none"> • 0.8 miles from Baylor Scott & White Medical Center
Yes	<p>Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.</p>
Yes	<p>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.</p> <ul style="list-style-type: none"> • Approximately 305 multifamily residential units are proposed
Yes	<p>Mixed use: Provides a mix of residential and non-industrial uses.</p> <ul style="list-style-type: none"> • The proposed zoning of GR-DB90-NP would allow for a mix of residential and commercial uses.
No	<p>Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).</p>
No	<p>Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.</p>
No	<p>Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)</p>
No	<p>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.</p>
No	<p>Industrial Land: Preserves or enhances industrial land.</p>
8	<p>Number of "Yes's"</p>
<p>Imagine Austin Priority Program PUD Specific Bonus Features</p>	
N/A	<p>Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).</p>
N/A	<p>Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.</p>
N/A	<p>Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.</p>
N/A	<p>Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.</p>
N/A	<p>Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.</p>
PUD Zoning is not	<p>Total Number of "Yes's"</p>

proposed	
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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 February 21, 2023.

The applicant proposes to change the land use on the future land use map from Neighborhood Mixed Use to Mixed Use for an approximately 305-unit multifamily development.

The applicant proposes to change the zoning on the property from GR-NP (Community Commercial Services district to Neighborhood Plan) to GR-DB90-NP (Community Commercial Services district – Density Bonus 90 combining district – Neighborhood Plan. For more information on the zoning request, see case report C14-2024-0040.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on April 25, 2024. The recorded meeting can be found here: <https://publicinput.com/u4327>. Approximately 337 community meeting notices were mailed to people or have utility accounts or own property within 500 feet of the property, 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 Sam Hughes, a colleague on the project. Twenty-one people from the neighborhood attended.

Below are highlights from David Hartman's presentation:

- Property is 6.527 acres. It is a vacant office building, used as the former Bank of America with a 10-lane drive through.
- US Hwy 290 is ASMP Level 5 Street, Frontage Road is ASMP Level 4 Street and Westcreek Blvd is ASMP Level 2 Street.
- There are multiple Capital Metro bus routes and stops near the property.
- It's adjacent to the new Capital Metro Pickup North Oak Hill Service Zone.
- There's an Oak Hill Parkway Bicycle Pedestrian Shared use path.
- It's currently zoning GR-NP and proposed zoning is GR-DB90-NP
- Property is nearby several Imagine Austin Centers

Q: How many floors is proposed under DB90?

A: This project has a site plan under review now and I believe it's five-stories and 70 feet in height, which is the height on the site plan being reviewed.

Q: How many housing units are proposed?

A: We don't have exact numbers, but approximately 305 units as we have it laid out.

Q: Do you have a breakdown of the size of the units?

A: The mix of units won't be decided until site plan that is under review by the City. It won't be decided until the final site development permit, which could be later this year or early next year.

Q: What are the specific infrastructure improvements that will be needed for this development?

A: That is a site plan question. Austin Water is one of the departments will review it and will comply with all requirements. Also, the Fire Department will have to make sure there is appropriate water pressure.

Q: The property has three ingress/egress access points on Westcreek Drive, do you see all three will stay?

A: This is another site plan question, but from what we know from other projects, we could possibly close one or two on Westcreek Drive and there are two on the Hwy. Typically there is one entrance from each street and possibly an emergency access point.

Q: Why is there no TIA?

A: A TIA is not required at the zoning stage but will be done at the site plan stage. We will comply with all regulations at the site plan stage and once the City gets further into the staff review.

Q: Will an Educational Impact Statement (EIS) be done?

A: Before City Council, AISD will do the EIS.

Applicant Summary Letter from Application



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

March 18, 2024

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

Re: Rezoning Application for approximately 6.527 acres located at 5725 W US Highway 290 Eastbound, Austin, Texas ("Property")

Dear Ms. Middleton-Pratt:

We respectfully submit the enclosed zoning application for 5725 W US Highway 290 Eastbound as representatives of the owner of the above stated Property. **The enclosed zoning application is submitted pursuant to Ord. No. 20240229-073 ("DB90 Ordinance"), and as such qualifies for waived application fees and expedited processing as provided in Part 5 of the DB90 Ordinance.**

The Property is comprised of a vacant office building consisting of a building that was primarily formerly used as a bank with accompanying 10-lane drive through facilities (note that the bank lease has expired). The current zoning of the Property is GR-NP (Community Commercial - Neighborhood Plan), and we are requesting GR-DB90-NP (Community Commercial – Density Bonus 90 - Neighborhood Plan) zoning for the entire Property.

A site development permit application (#SP-2023-0276C) was submitted July 19, 2023, authorizing development of a multifamily project on the Property pursuant to the "Residential in Commercial" Ord. No. 20221201-055 ("Residential in Commercial Ordinance"). This site plan application has undergone multiple rounds of site plan staff review comments/responses, and is essentially final and ready for issuance. Pursuant to 25-2-652(F)(3)(e) of the DB90 Ordinance, we request in connection with this rezoning case that the requirements of 25-2-652(F)(3)(b) of the DB90 Ordinance are not applicable to the development of the proposed multifamily development on the Property. The foregoing request for this zoning case comports with the site plan #SP-2023-0276C for the Property that has been reviewed pursuant to the terms and provisions of the Residential in Commercial Ordinance, that does not require pedestrian-oriented commercial use.

The Property is located within Oak Hill Combined Neighborhood Plan Area (East). The Future Land Use Map shows the Property as Neighborhood Mixed-Use, and a NPA application (NPA-2023-0025.01) has been filed requesting to change the FLUM designation to "Mixed Use."

If you have any questions about the rezoning application or need additional information, please do not hesitate to contact me at your convenience.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David Hartman", is written over a horizontal line.

David Hartman

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



Oak Hill NPCT

Leigh Ziegler, Chair
Anne Hawken, Vice Chair
Rita Berry, Secretary

RE: NPA2023-0025.01, C14-2024-0040

Planning Commission,

The Oak Hill NPCT is only in support of the re-development of the existing BoA site for any change in density that recognizes the limitations of this Lot within the Neighborhood Mixed Use status. Despite numerous proximal MF locations, if the developer should choose MF use on the site, the OHNPCT and the Westcreek Neighborhood Association can offer committed support toward development under the GR zoning appropriately limited by infrastructure status and school safety. Please review slides: [5725 W Hwy 71 summary points planning commission \(1\).pptx](#)

This is a unique and valuable property on a corridor with little public walkable frontage property on the Oak Hill Parkway and surrounding roadways. It is an Oak tree haven upon an elevated site encompassed by re-routed drainage across the Parkway to Gaines Creek- to the Barton Spring Zone and the DWPZ despite being primarily in the Williamson Creek Watershed.

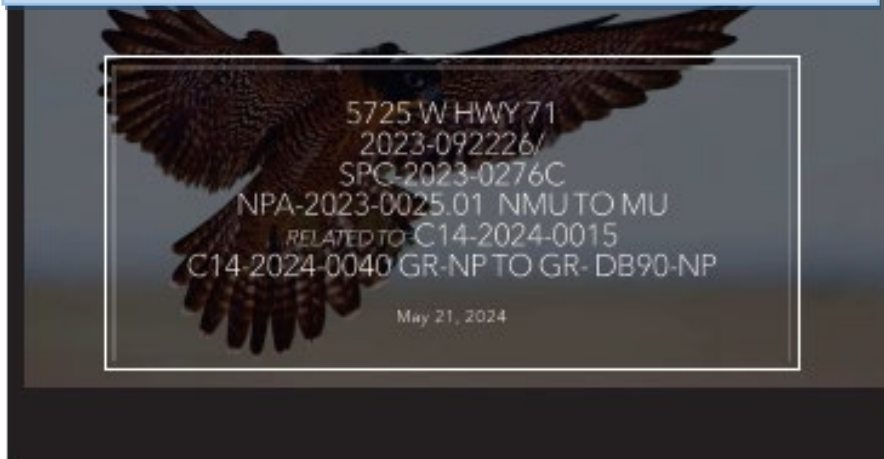
First and foremost, the Westcreek Neighborhood appreciates the complexity of the application requesting a land use change for which there appears to be little justifiable entitlement in an application that assumes but appears unqualified for the "Re-development Exception". If public safety and welfare of the neighboring 3 adjacent schools and a soccer field were not a consideration "residential in commercial" might also be applicable. Instead, we ask that you recognize the overlooked impact of rapidly changing rules and regulations which should not interfere with the best and safest outcome.

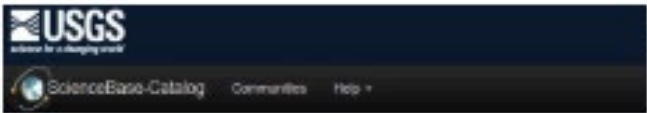
The community humbly requests no change in land use but instead recommendation for a conditional overlay at this time to be attached to the SP, currently in progress, to improve and hopefully gain another asset. While the community is open to a Neighborhood Mixed use capacity, restrictions from the current zoning and land use seems appropriate here. A conditional overlay could add necessary flexibility and safety that allow for development. Thank you for your support.

Leigh Ziegler, OHNPCT Chair

Rita Berry, OHNPCT Secretary & Westcreek Neighborhood Association President

**Presentation Submitted by the Oak Hill Combined
NPCT**





WBD HU12 Four Points derived from NHDPlus



Location of
property in
East Oak Hill

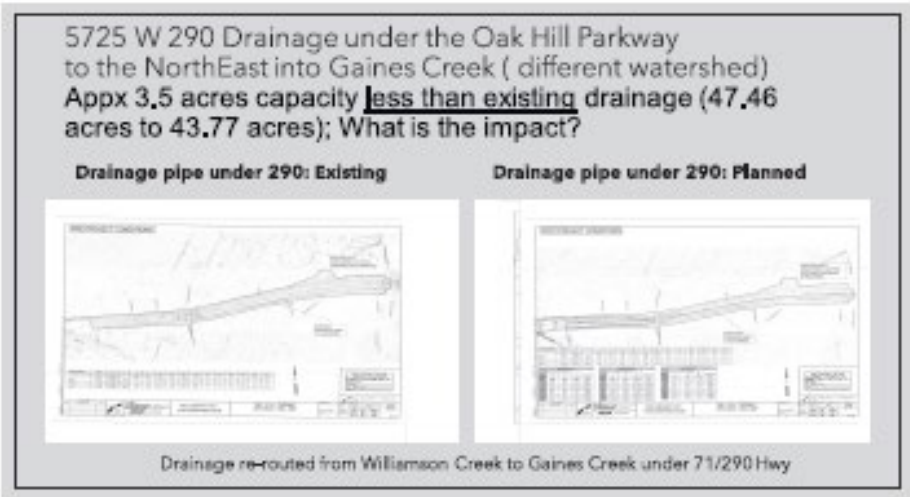
Has additional development
upstream been calculated
for maximum diversity and a
balanced effect upon water
quality? ...including the
impact of the W HWY 290
Parkway expansion.





Gaines Creek with required home buyout **directly across Hwy 290**

Drainage re-routed across Oak Hill Parkway to just **below FLOODING buy-out site** at Monterey Oaks / Industrial Oaks



Current Land Use is Neighborhood <u>Mixed Use</u> (GR Zoning (when?))				
Mixed Use	Neighborhood Mixed Use	An area that is appropriate for a mix of neighborhood commercial (small-scale retail or office, professional services, convenience retail, and shopfront) retail that serves a market at a neighborhood scale (and small to medium-density residential uses.	4, MP-3, MP-4 and SR	Brown or Maple
	Mixed Use/Office	An area that is appropriate for a mix of residential and office uses.	NO-MU, LO-MU and GO-MU (see note for vertical mixed use building "V" designation)	Reddish Brown
	Mixed Use	An area that is appropriate for a mix of residential and non-residential uses.	NO-MU, LO-MU, GO-MU, LR-MU, GR-MU, CS-MU, CS-1-MU (see note for vertical mixed use "V" designation)	Brown
	High Density Mixed Use	An area that is appropriate for a mix of residential and non-residential uses with floor-to-area ratios of 2.0 or higher.	CH, DMU, CBD (see note for vertical mixed use "V" designation)	Dark Brown



Demolish... for What?

**Land Use Change Not
consistent with FLUM**

**Need infrastructure
improvements to
support this change**

**Current Land Use already
has limited MU up to 60 ft
given by non-compliant GR
status**

**Conditional Overlays
were designed to be used
in conjunction with this type
of case to protect all and
enhance development.
Make the recommendations**



"less than 15 degree 'natural' grade"

Topography of site from east to
west has greater than a 15 degree
slope and drops significantly on
east side beyond property line.

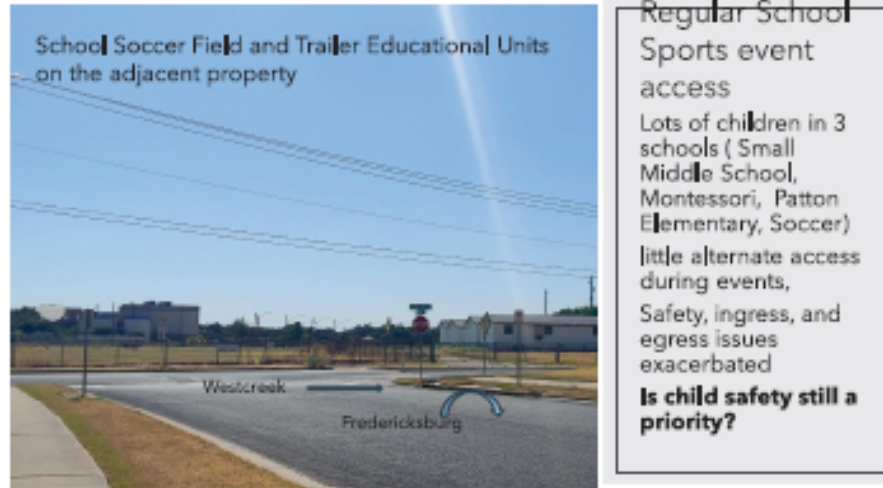
**Obvious concern for
drainage plan and
flashfloods**

**Which level will
engineer call grade?**



Business "Klingeman's
Auto" directly across
Westcreek Drive on East
and School in
Background

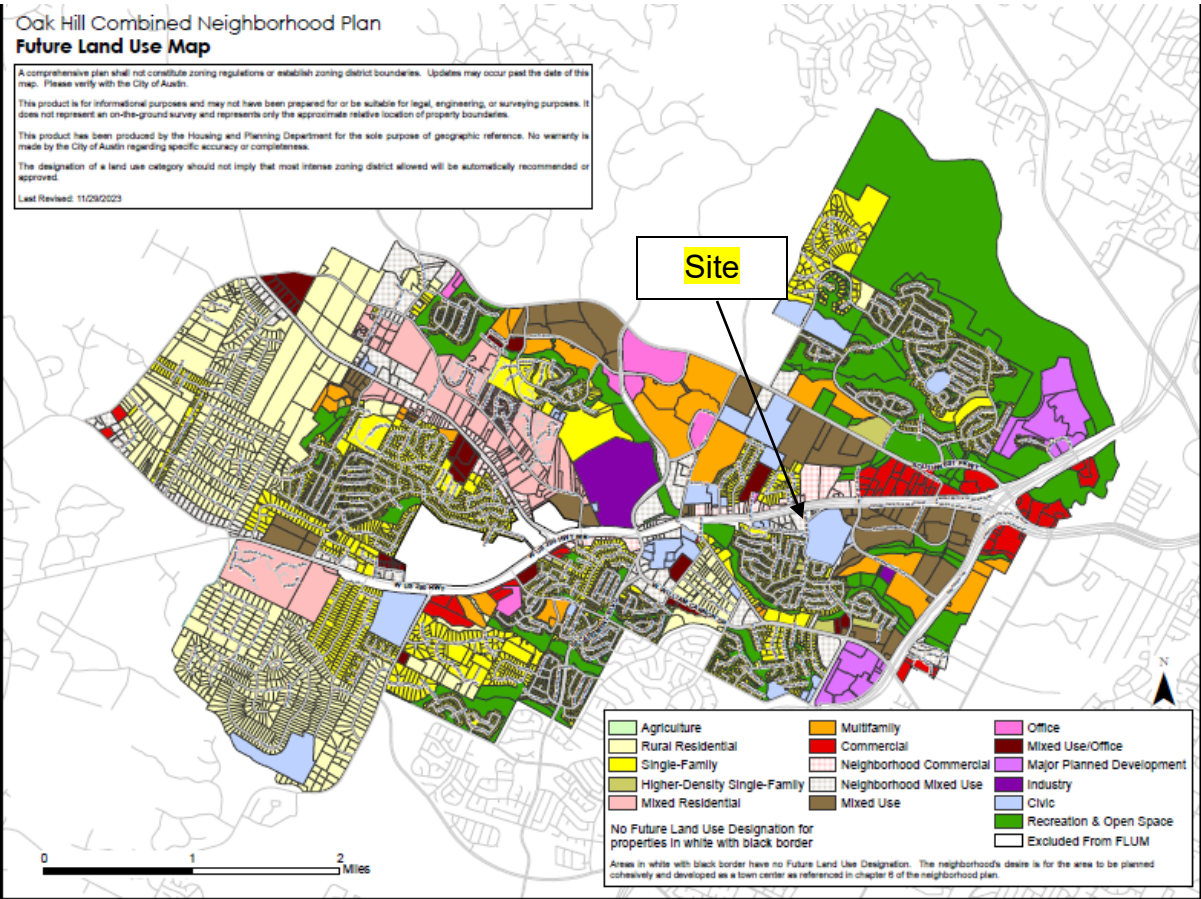
Note the drop in
elevation...
flooding will need
to be carefully
addressed

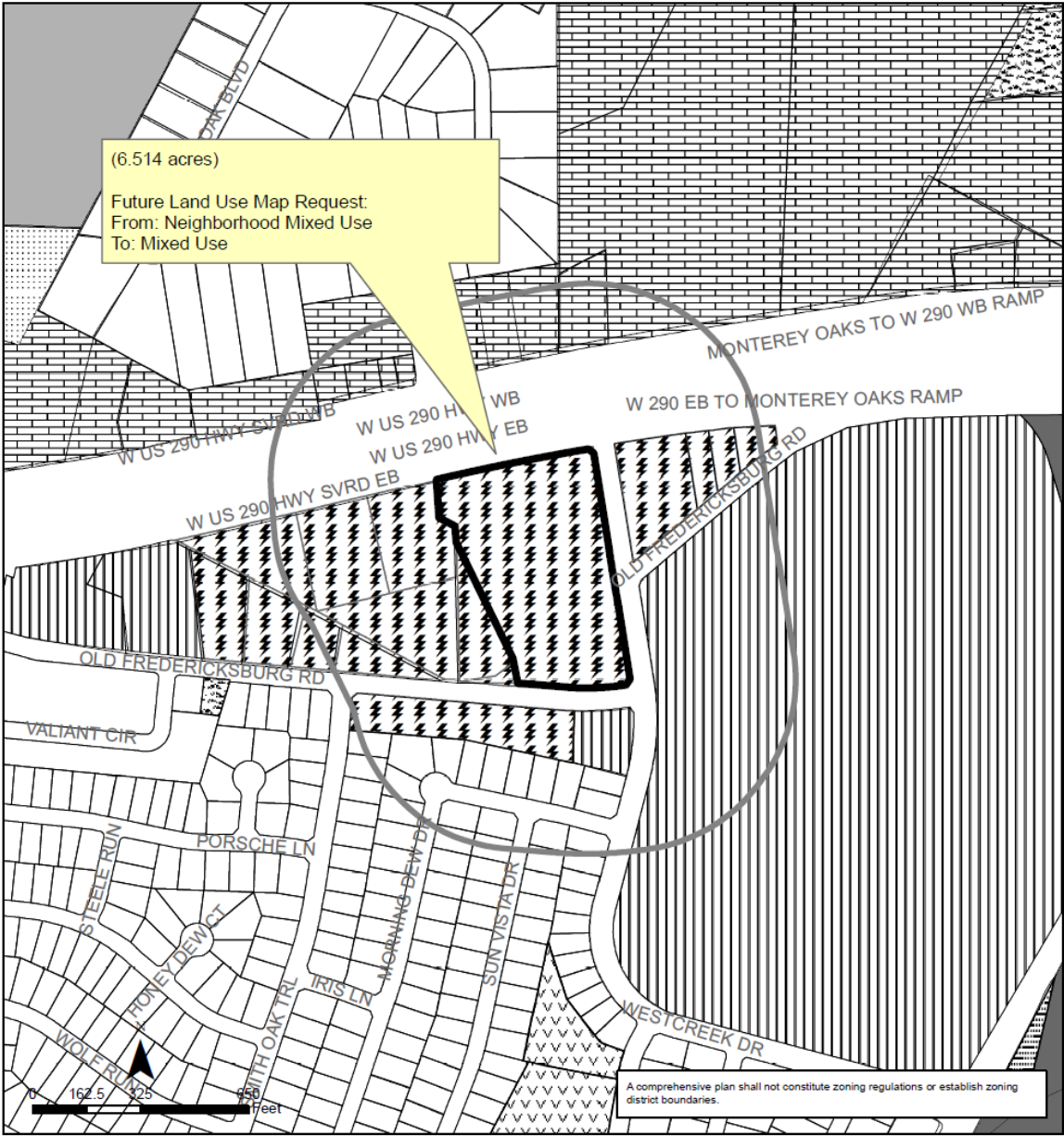


Sec. 211.004. COMPLIANCE WITH COMPREHENSIVE PLAN.ZONING

(a)Zoning regulations must be adopted in accordance with a comprehensive plan and must be designed to:

- (1) lessen congestion in the streets;
- (2) secure safety from fire, panic, and other dangers;
- (3) promote health and the general welfare;
- (4) provide adequate light and air;
- (5) prevent the overcrowding of land;
- (6) avoid undue concentration of population; or
- (7) facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.





Oak Hill Combined Neighborhood Planning Area
NPA-2023-0025.01

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.

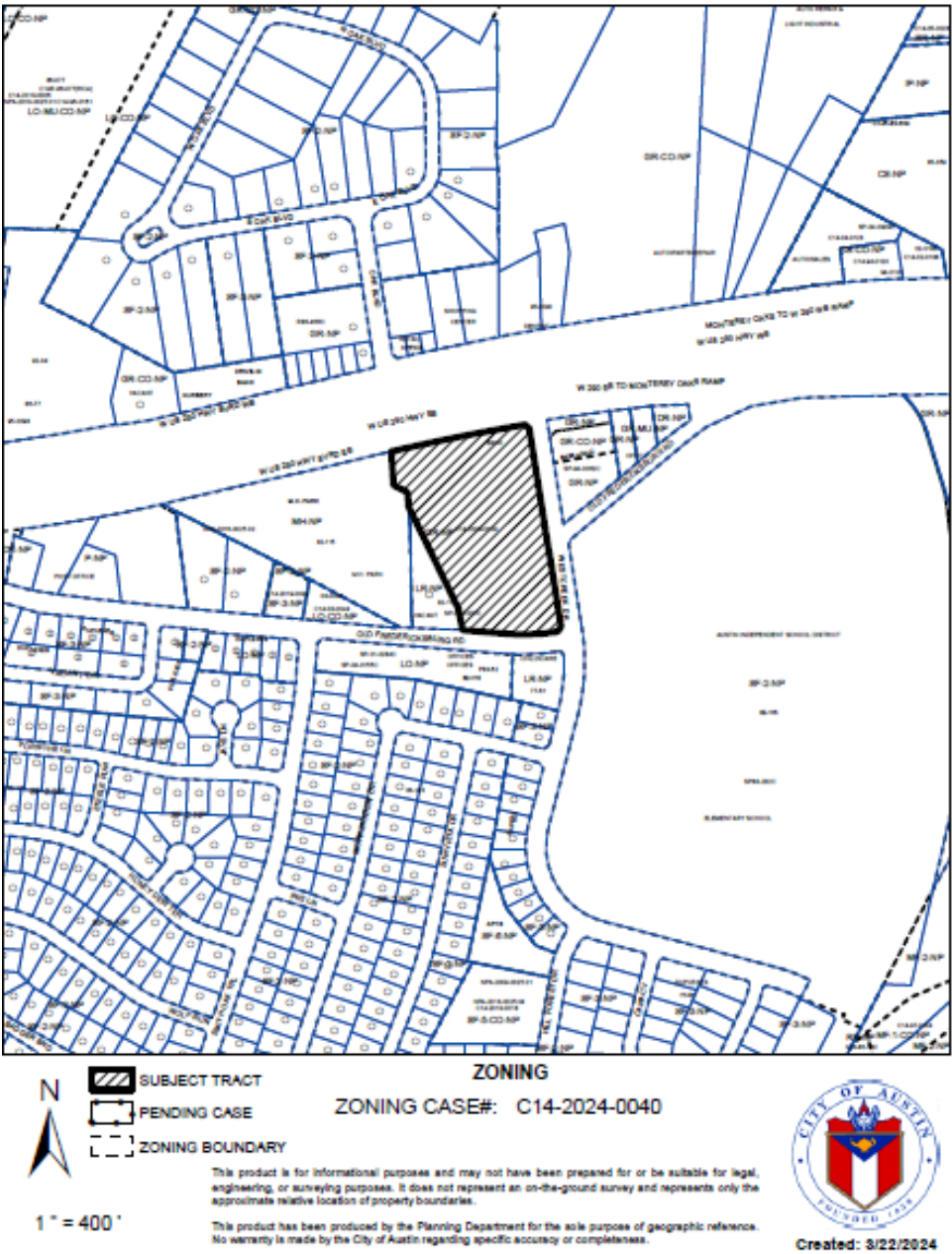
This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

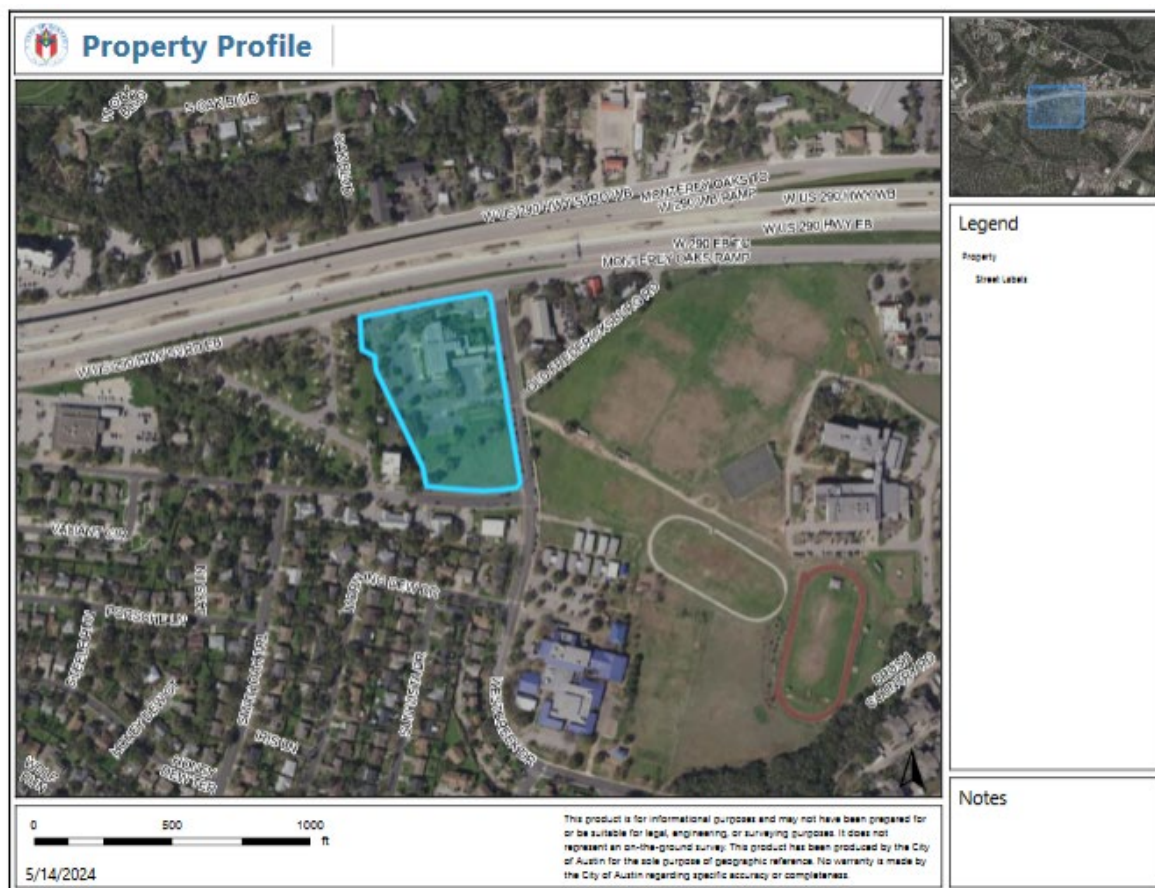


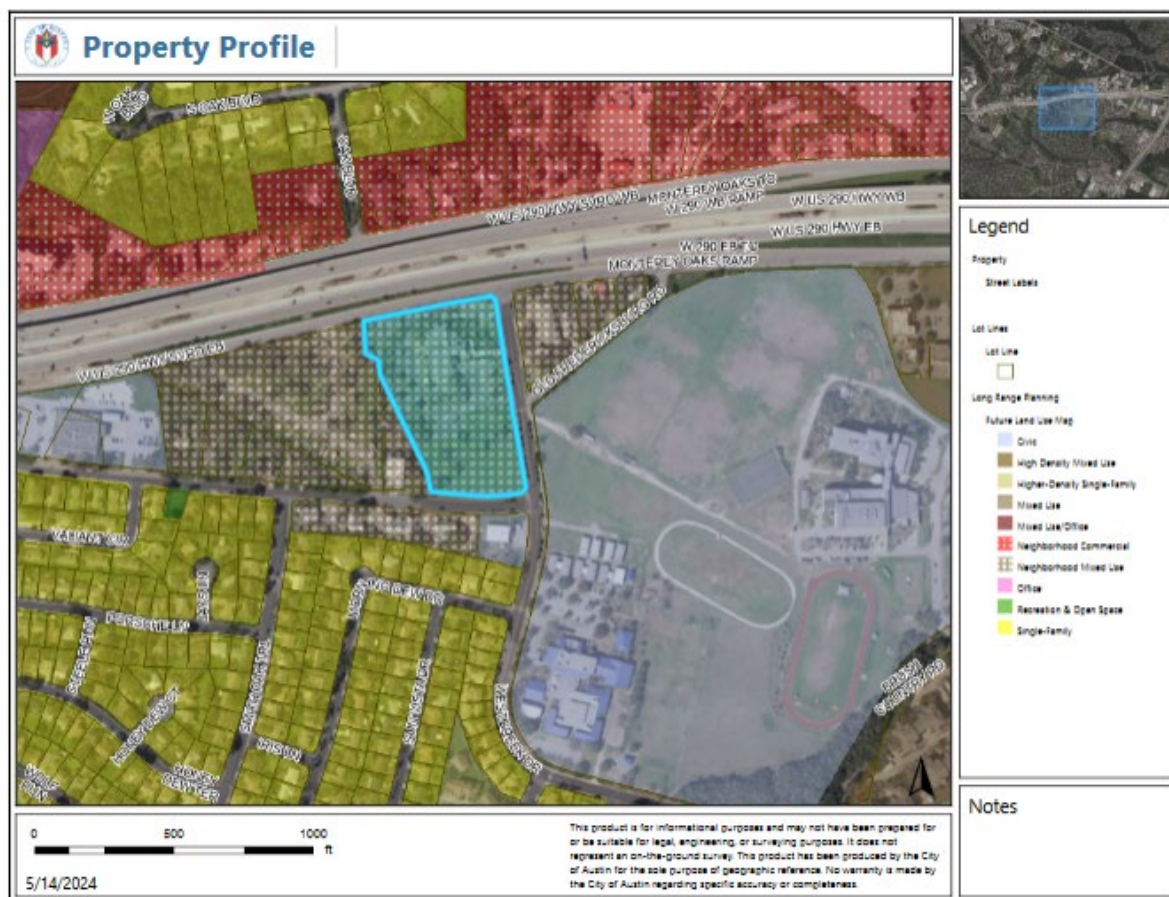
City of Austin
Housing and Planning Department
Created on 3/8/2023, by: meekss

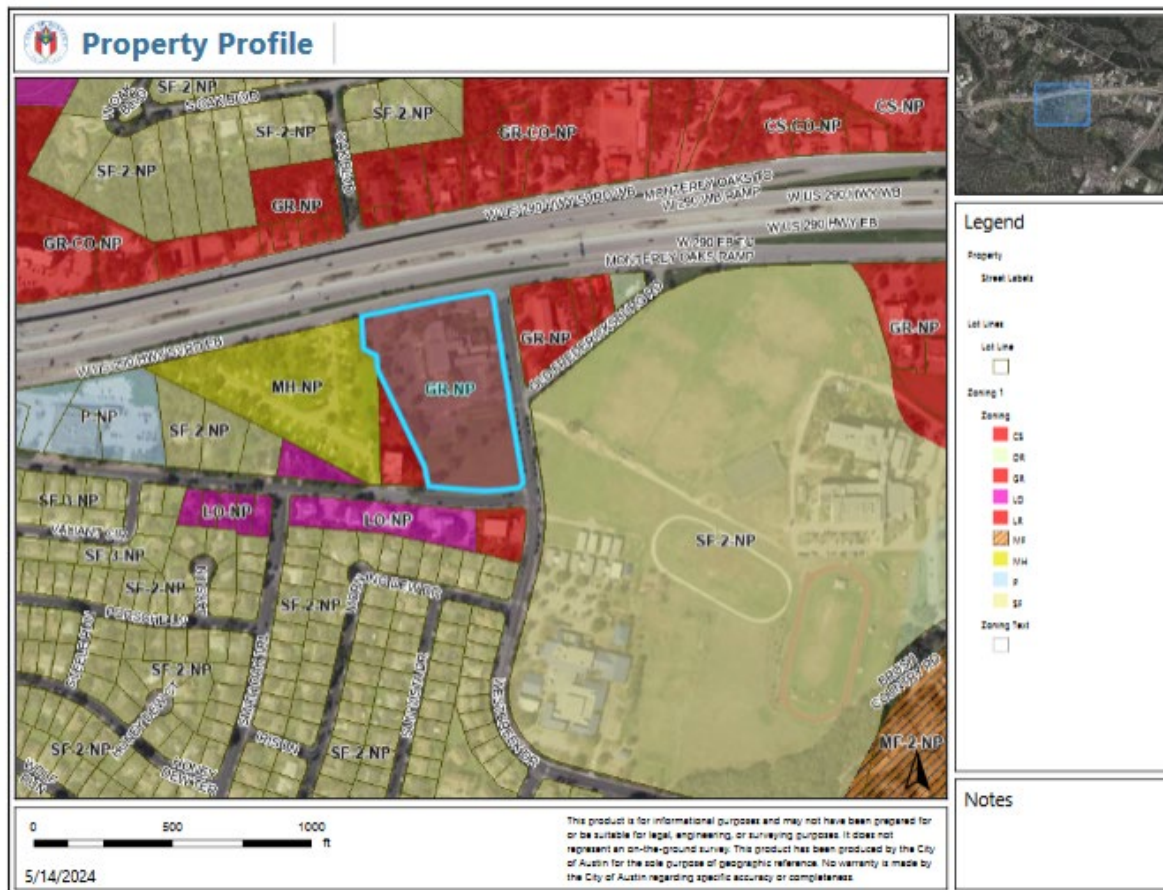
Future Land Use

	Subject Tract		Mixed Use/Office
	500 ft. notif. boundary		Neighborhood Commercial
	Civic		Neighborhood Mixed Use
	High Density Mixed-Use		Office
	Higher-Density Single-Family		Recreation & Open Space
	Mixed Use		Single-Family









**David Hartman’s Presentation at the April 25, 2024
Virtual Community Meeting**

5725 W US Hwy 290
C14-2024-0040 and NPA-2023-0025.01

Virtual Community Meeting Regarding NPA
April 25, 2024

1

Project Overview

6.527 acres located at 5725 W US Hwy 290, abutting the east bound frontage road and west of Westcreek Blvd. Vacant office building, used as former Bank of America with 10-lane drive through.

- Adjacent to multiple Imagine Austin Centers.
- US Hwy 290 is ASMP Level 5 Street, Frontage Road is ASMP Level 4 Street, and Westcreek Blvd. is ASMP Level 2 Street.
- Multiple Cap. Metro Bus Routes/stops at and near the property.
- Adjacent to new Cap Metro Pickup North Oak Hill Service Zone.
- Oak Hill Parkway Bicycle Pedestrian Shared Use Path.

Currently zoned GR-NP per Oak Hill Combined Neighborhood Plan Ordinance No. 20081211-098.

Oak Hill Combined Neighborhood Plan “Neighborhood Mixed Use” FLUM.

Adjacent zoning includes GR-NP, LR-NP, MH-NP, GR-CO-NP, LO-NO and SF-2-NP.

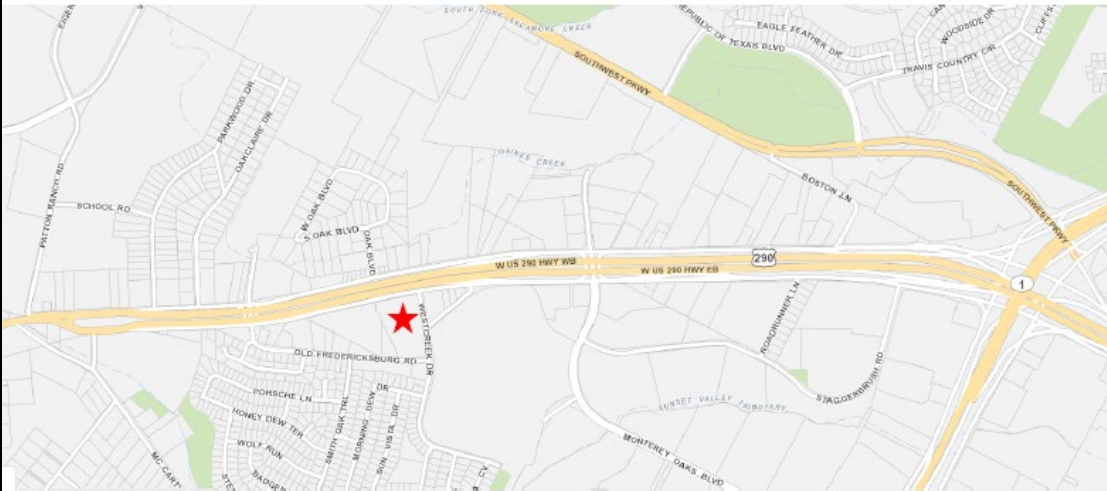
Proposed development comprised of multifamily project with associated structured parking.

Applications:

	<u>Existing</u>	<u>Proposed</u>
Zoning Application:	GR-NP	GR-DB90-NP
Neighborhood Plan Amendment:	NMU	Mixed Use

2

Location Map



3

Aerial



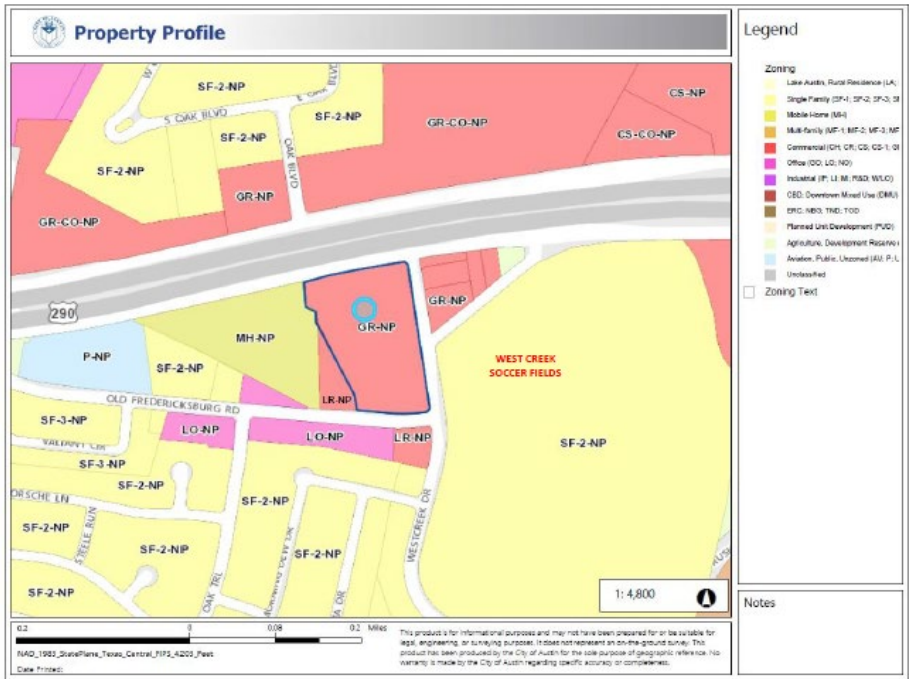
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Adjacent Uses



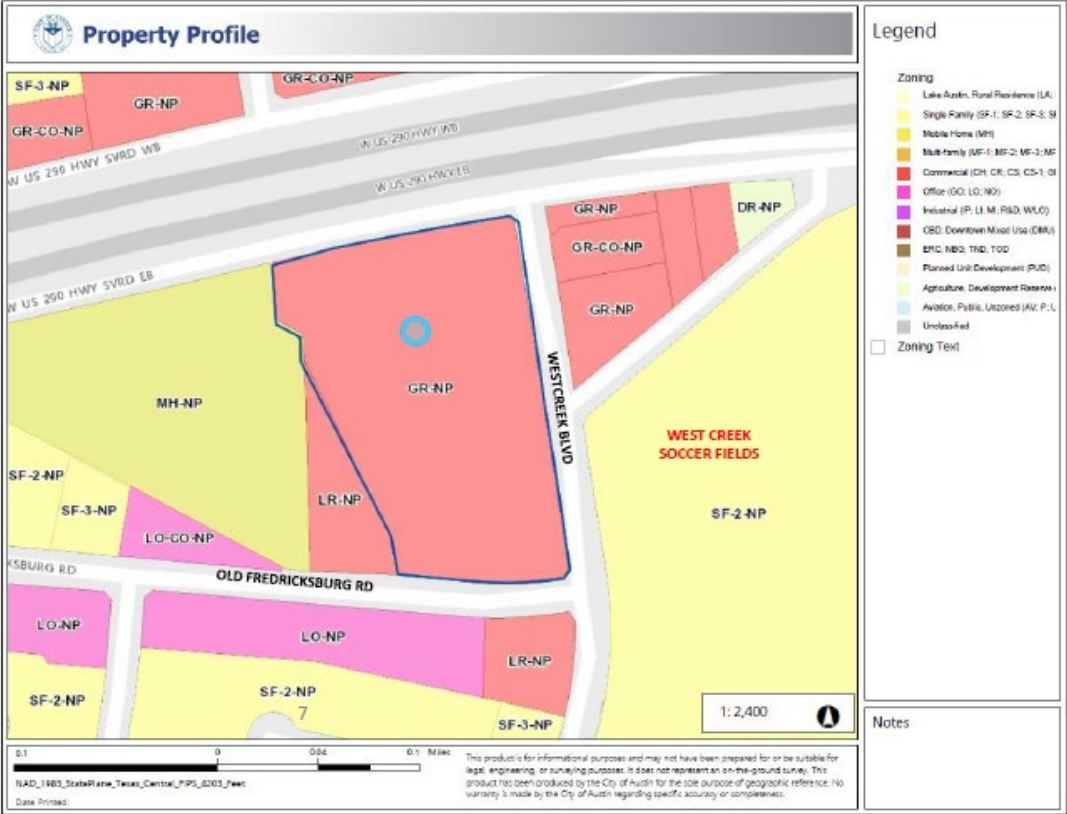
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Zoning Map



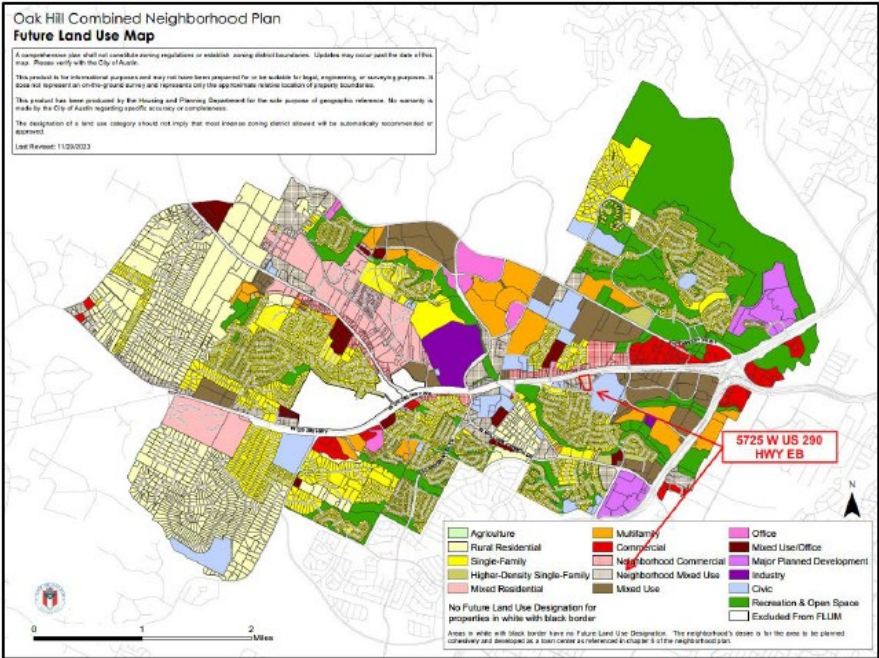
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Zoning Map



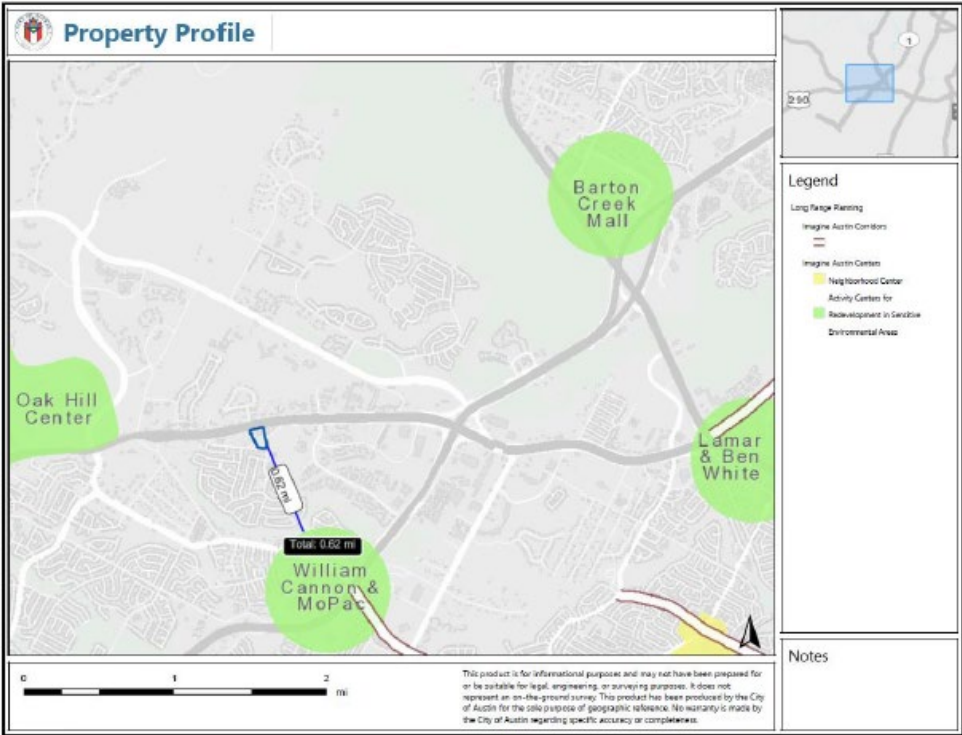
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FLUM



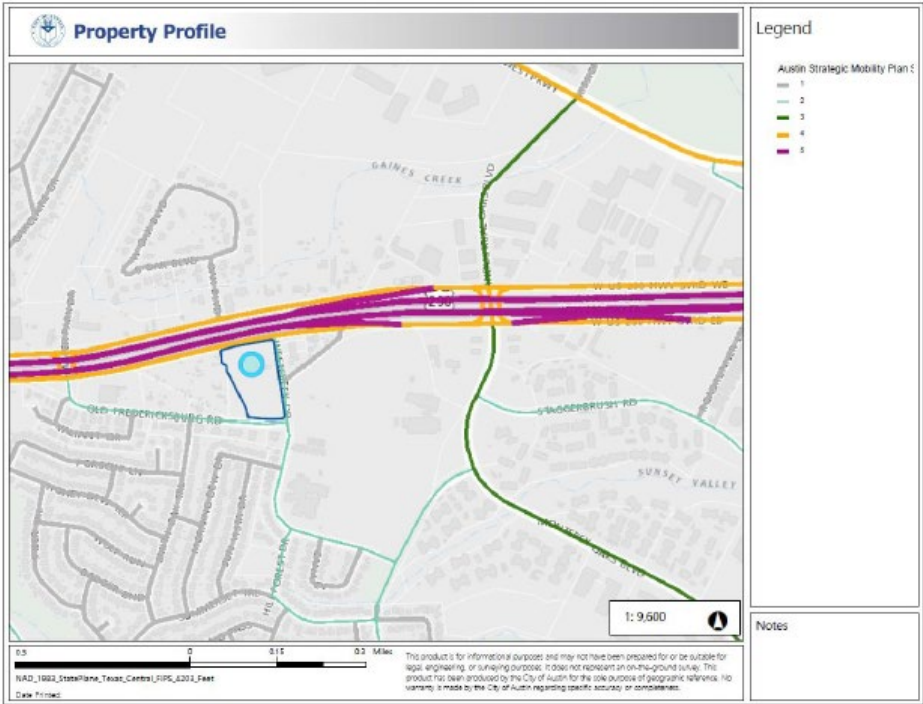
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Imagine Austin Corridors and Centers



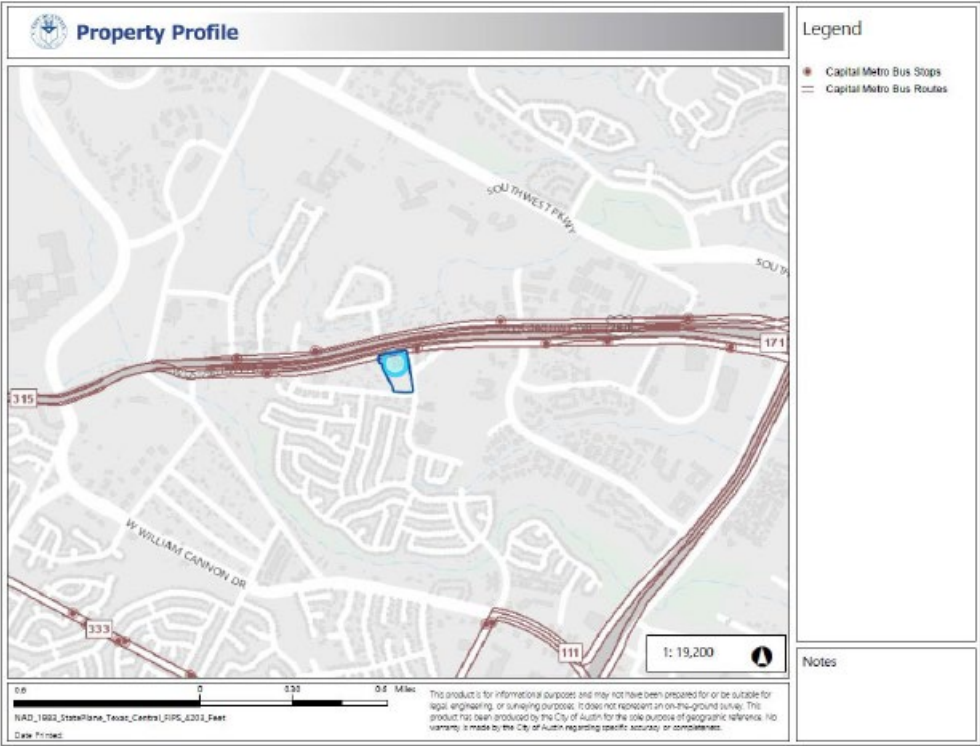
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ASMP



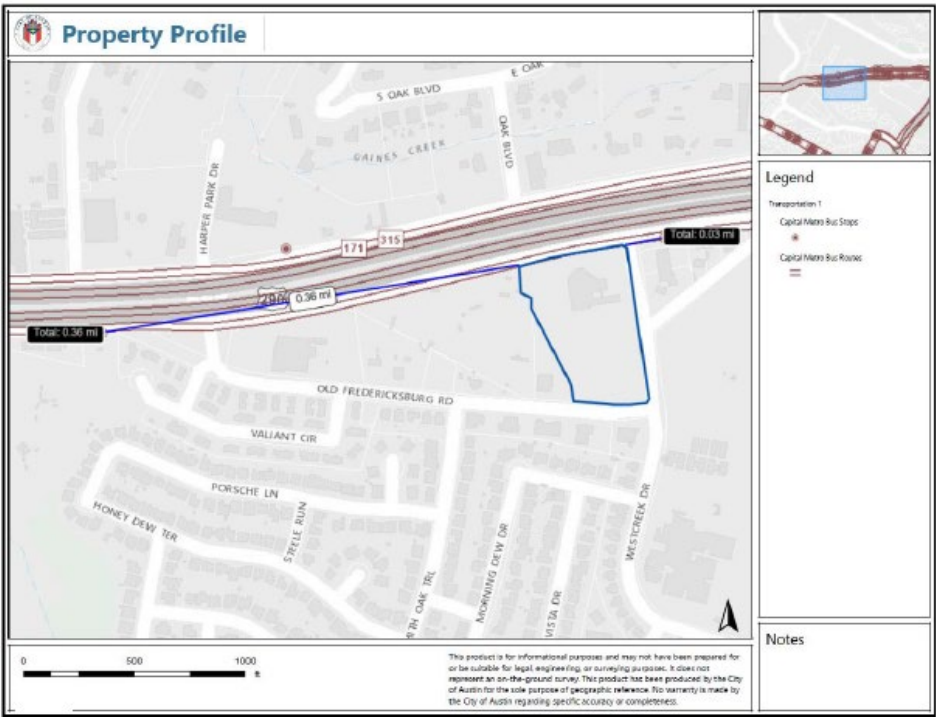
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Existing Capitol Metro Routes and Stops



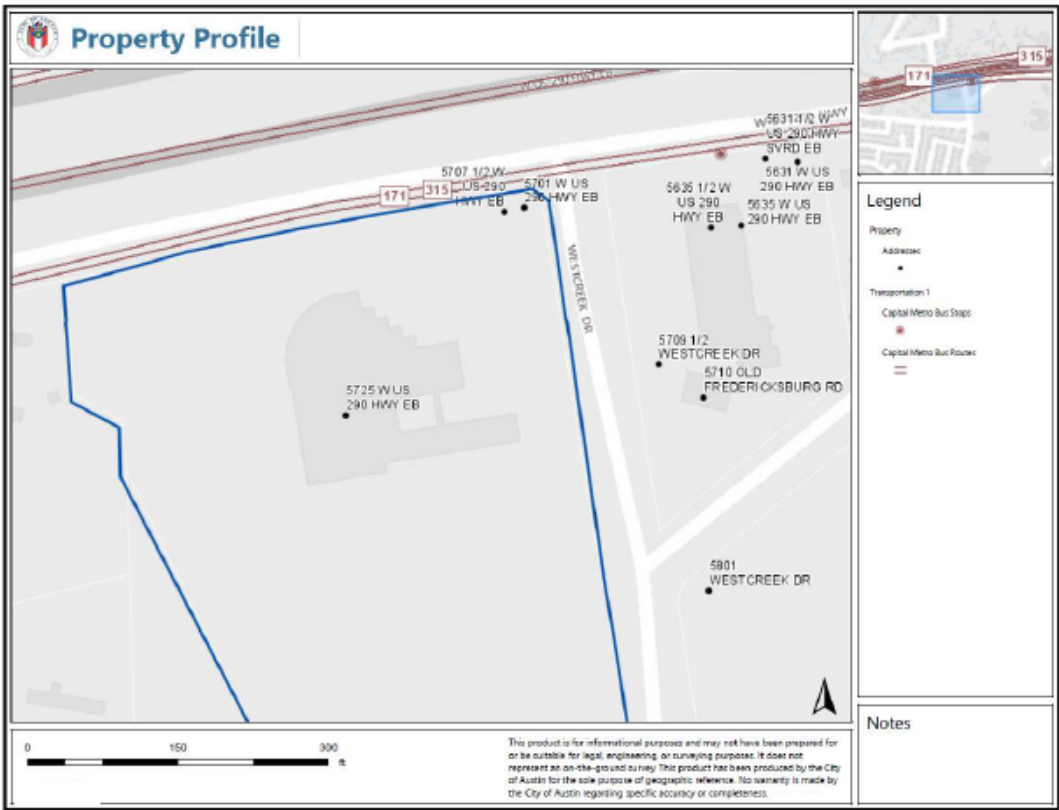
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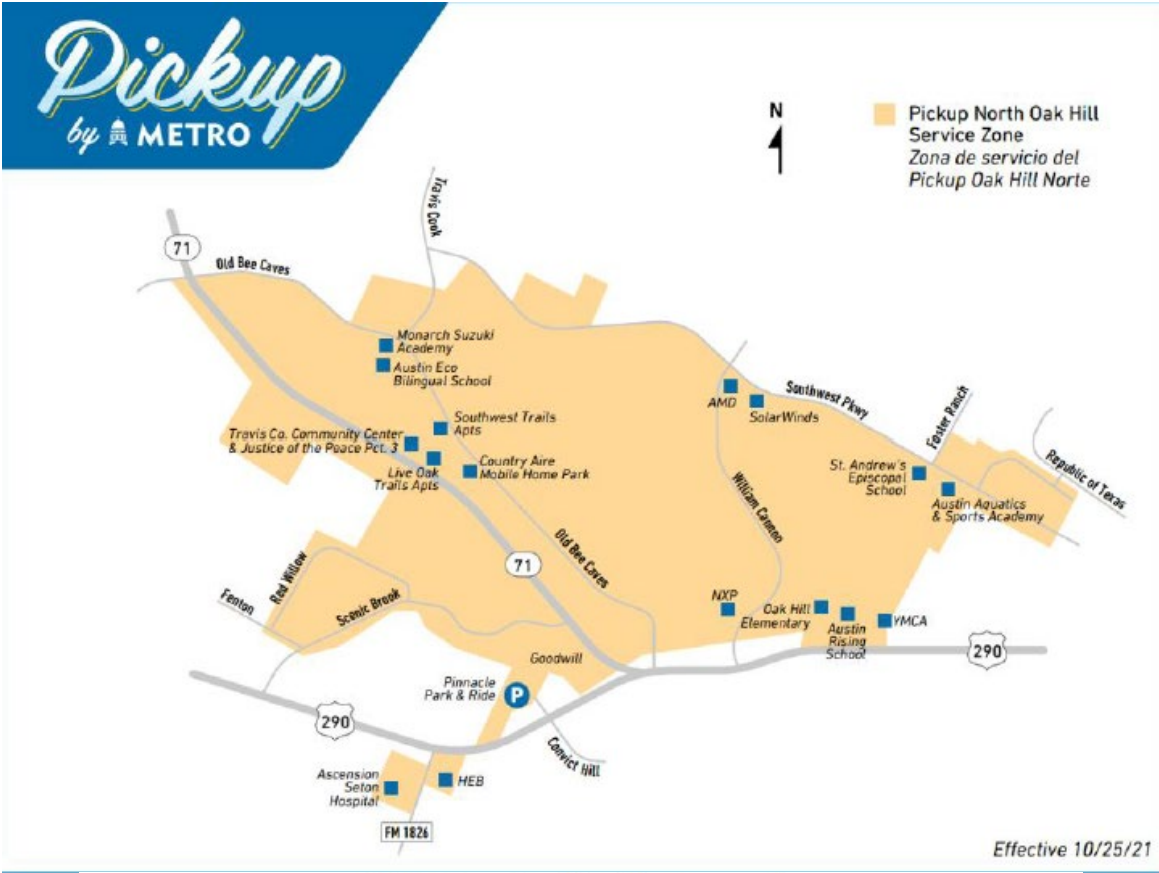
Existing Capitol Metro Routes and Stops



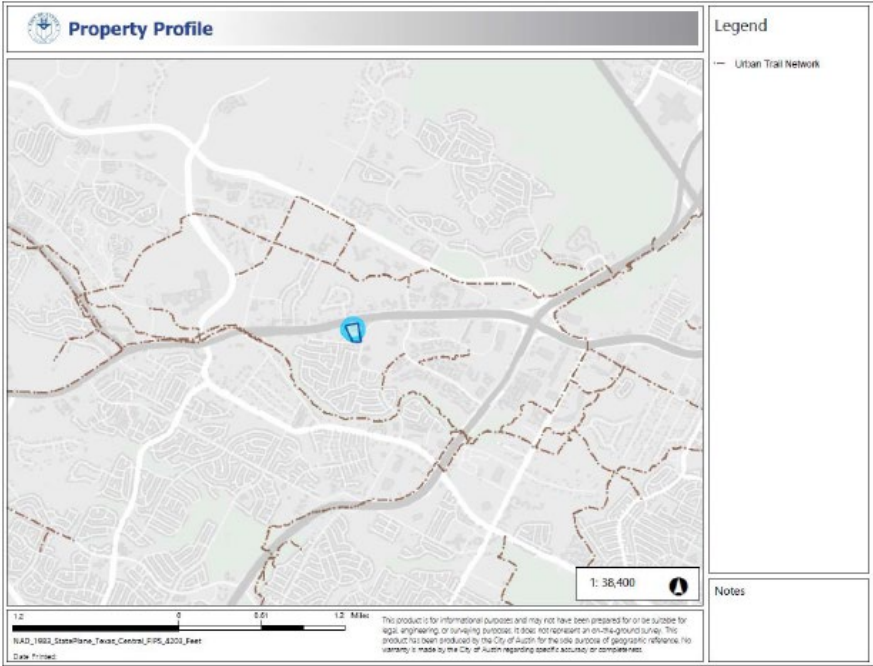
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Existing Capitol Metro Routes and Stops





Urban Trails Network







17

Aerial



18

5725 W US Hwy 290

C14-2024-0040 and NPA-2023-0025-01

Virtual Community Meeting Regarding NPA
April 25, 2024



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

March 18, 2024

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

Re: Rezoning Application for approximately 6.527 acres located at 5725 W US Highway 290 Eastbound, Austin, Texas ("Property")

Dear Ms. Middleton-Pratt:

We respectfully submit the enclosed zoning application for 5725 W US Highway 290 Eastbound as representatives of the owner of the above stated Property. **The enclosed zoning application is submitted pursuant to Ord. No. 20240229-073 ("DB90 Ordinance"), and as such qualifies for waived application fees and expedited processing as provided in Part 5 of the DB90 Ordinance.**

The Property is comprised of a vacant office building consisting of a building that was primarily formerly used as a bank with accompanying 10-lane drive through facilities (note that the bank lease has expired). The current zoning of the Property is GR-NP (Community Commercial - Neighborhood Plan), and we are requesting GR-DB90-NP (Community Commercial - Density Bonus 90 - Neighborhood Plan) zoning for the entire Property.

A site development permit application (#SP-2023-0276C) was submitted July 19, 2023, authorizing development of a multifamily project on the Property pursuant to the "Residential in Commercial" Ord. No. 20221201-055 ("Residential in Commercial Ordinance"). This site plan application has undergone multiple rounds of site plan staff review comments/responses, and is essentially final and ready for issuance. Pursuant to 25-2-652(F)(3)(c) of the DB90 Ordinance, we request in connection with this rezoning case that the requirements of 25-2-652(F)(3)(b) of the DB90 Ordinance are not applicable to the development of the proposed multifamily development on the Property. The foregoing request for this zoning case comports with the site plan #SP-2023-0276C for the Property that has been reviewed pursuant to the terms and provisions of the Residential in Commercial Ordinance, that does not require pedestrian-oriented commercial use.

The Property is located within Oak Hill Combined Neighborhood Plan Area (East). The Future Land Use Map shows the Property as Neighborhood Mixed-Use, and a NPA application (NPA-2023-0025.01) has been filed requesting to change the FLUM designation to "Mixed Use."

If you have any questions about the rezoning application or need additional information, please do not hesitate to contact me at your convenience.

Very truly yours,

David Hartman

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Correspondence Received

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

Maureen Meredith
City of Austin
Street Jones Bldg.
Planning Department
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2023-0025.01
Contact: Maureen Meredith, 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearing: Aug 08, 2023 - Planning Commission

☐ I am in favor
☒ object

Your Name (please print)
Dorren S. Simon

Your address(es) affected by this application
6027 Old Fredericksburg

Signature
Dorren S. Simon

Date
8-9-23

Comments:
Traffic along Old Fredericksburg is already an issue and our neighborhood doesn't need more cars on this small road.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

Maureen Meredith
City of Austin
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Case Number: NPA-2023-0025.01
Contact: Maureen Meredith, 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearing: Aug 08, 2023 - Planning Commission

☐ I am in favor
☒ object

Your Name (please print)
Jackie & Vicki Austey

Your address(es) affected by this application
6027 Smith Oak Trl.

Signature
Vicki Austey

Date
7-28-2023

Comments:
This property is on the only main road into school zone of Patton Elementary. This could be a low impact zone for retail but putting a 2 or 3 stories of apartments the traffic to and thru our house housing area also already used by William Cannon as cut thru what eyes ages in needs to be west street entrance. 11011 inside Dr. West street

City Hosted Community Meeting – April 25, 2024
regarding NPA # 2023-0025.01 at 5725 W US HWY 290

Geoff Bradford (Unverified) 6:59 PM

GB. Hi, this is Geoff Bradford, I'm a homeowner and I live within 500 ft. I'm in favor of the zoning change and allowing apartments to be built. There is lots of employment in the area – teachers at Patton and Small, staff at the BS&W hospital to the east, there's a Social Security office north of Ben White. And there must be hundreds of jobs in the stores and restaurants in Arbor Trails and the mall with the Target by MoPac.

I think a lot of the people working the area would like to be in an apartment in the area, instead of, for example, living in Buda and commuting back and forth every day, that puts a strain on the highways above and beyond what's projected for this neighborhood.

I think a lot of young people starting out in their careers live in apartments while they are getting established, certainly I did. As a father and grandfather, I support giving young people a chance to live in places like Austin.

May 19, 2024

Regarding: Citizen/Neighborhood Resident Feedback on NPA Case

Site Plan: SPC-2023-0276C

Case Number: NPA-2023-0025.01

Neighborhood Plan Amendment Request: To change the future land use designation for the specified properties within the Oak Hill Combined neighborhood plan from Neighborhood Mixed Use to Mixed Use. 5725 W. US Hwy 290 EB, Austin, TX

Dear City of Austin staff and Planning Commission Members:

I write in hopes that my concerns, which echo many in my community, are heard and taken into serious consideration as you review this case.

Why this is important to me and my neighbors

I am a 22-year Westcreek neighborhood resident/homeowner and formerly served on the Westcreek Neighborhood Association (WNA) Board in several positions to include several years as president. I have also been involved with several Westcreek/COA traffic calming initiatives, Westcreek/COA Safe Routes to Schools initiatives, Westcreek beautification projects (to include a large park and trailhead project with the COA's Neighborhood Partnering Program) and served as neighborhood watch chair over the years.

Additionally, I have been involved with several zoning, FLUM, and neighborhood planning cases both in Westcreek and SW Austin, to include participating on the Oak Hill Neighborhood Planning Contact Team (OHNPCT). I was very involved in the zoning and neighborhood challenges and agreements regarding Westcreek's 6110 Hill Forest lot and worked with the then-developer and City Council to come to a mutually agreeable and reasonable plan for the property.

I included this personal information to convey how invested I am in our neighborhood and how familiar I am with the impacts of development on the surrounding area's infrastructure, traffic congestion and speeding, pedestrian and bicycle safety, school overcrowding, and affordability.

Purpose of this letter

Below is some history and concerns about the proposed development based on first-hand knowledge of this area and the information made available to our community thus far. Also attached are photos showing the congestion, regular illegal parking, parking zones that need adjusting, and limited sight distances in this area.

Although the following issues may need to be addressed down the line (the developer is also requesting to rezone from GR-NP to GR-DB90-NP), it is not unreasonable for people in our community to ask for these matters to be considered ahead of this process which we expect to push through with ease along the city decision pipeline once this - the first step - is completed.

If solutions to these issues as proposed below are not addressed through documented agreements, I cannot support the developer's requests to change the future land use. Again, I realize that this is very early in the process and that the solutions proposed below are addressed as a site plan and design is developed and during the city's review and requirements process; however, without knowing that these current issues will be addressed and that a development of this size will only exacerbate problems that are only getting worse over time, I cannot support further strain on this area. Consequences from development need to be looked at early on and it is not feasible to simply accept that consequences will be addressed when the "time is right".

Affordable Housing

Issue:

- According to a May 7, 2024 article from the Austin Monitor <https://www.austinmonitor.com/stories/2024/05/council-oks-restrictive-covenant-for-southwest-parkway-apartments/>) District 8, which lacks affordable housing, is performing well below target

goals of the 2017 Strategic Housing Blueprint. The proposed development could be a significant contributor to adding affordable housing to this area.

Solution:

- If the developer were to commit to percentages similar to the 8413 Southwest Parkway development (see article), there would be a substantial percentage of affordable units at this complex. If an agreement like this can be made on Southwest Parkway, it can certainly be made in our neighborhood/area.
- Affordable housing at these percentages would benefit this area considerably and would garner support from area residents.

Existing Westcreek Drive Traffic Hazards

Issue:

- Westcreek Drive is a heavily used main artery for the neighborhood, only one of three entrances/exits for the neighborhood, and is in need of significant changes to parking and safety measures for the high-volume pedestrian and vehicle traffic. The proposed development will border Westcreek Drive, Hwy 290 W frontage (eastbound), and Old Fredericksburg Road (westside of Westcreek Drive). The development will add a considerable amount of additional vehicles and pedestrians to this area.
- Further information:
 - Westcreek Drive Issues:
 - major cut-through
 - for non-resident traffic (not only due to traffic and Oak Hill Parkway construction, but also due to convenience to nearby shopping and neighborhoods)
 - near-miss vehicle and pedestrian accidents
 - occur on a regular basis. Personal experience with it as well as seeing it.
 - borders the grounds of two AISD schools, a daycare/preschool, existing retail, and a high-volume soccer association practice and tournament field (AISD land leased by Lone Star Soccer)
 - extremely heavy pedestrian use
 - there is no AISD bus service for Patton ES nor Small MS as it is all walking distance for children in Westcreek and surrounding housing
 - due to daily Lone Star Soccer practices and tournaments
 - Limited parking
 - vehicles must also park along Old Fredericksburg Road (both sections) and in Patton Elementary's parking lot to access the schools and/or the soccer fields
 - The Bank of America lot (where the proposed development will be located) has no parking for soccer signs and towing warning signs because the soccer parking is so problematic in the area. However, the property owner has allowed soccer parents to park in the paved lot and/or the vacant field portion of the lot for a fee during higher-volume times such as tournaments. This actually helps with the illegal parking. However, this will obviously not be an option when a development is built.
 - illegal parking
 - vehicles parking beyond signage and parking zones is a daily occurrence, to include parking over crosswalks and blocking ADA sidewalk ramps.
 - Vehicles illegally park even when there is room to park along Old Fredericksburg Rd. Instead of parking a short distance away and walking, there are always vehicles that ignore the no parking zones.
 - vehicle driver visibility is severely limited
 - especially where Westcreek Drive intersects with Old Fredericksburg Road, due to heavy parking on both sides, especially difficult when cars illegally park

- when cars are parked along the street, in order to turn left or right from any side street or ingress/egress onto Westcreek Drive it is necessary to pull into the street in the way of oncoming traffic to be sure it is clear. This puts a vehicle into the path of oncoming and unsuspecting traffic as travelers' visibility is impacted.
- Past Efforts to Mitigate Westcreek Drive issues:
 - This area is such a traffic, parking, and pedestrian hazard that the following efforts and initiatives have been pursued:
 - Westcreek WNA worked with COA to
 - install two crosswalks with a pedestrian state law crossing sign near Old Fredericksburg Rd (both the east and west portion)
 - install pedestrian islands at Westcreek Drive and Morning Dew Drive as well as Hill Forest (on other side of Patton Elem.)
 - Westcreek residents and the WNA have
 - ongoing requests to the COA to adjust the no parking zones at several Westcreek Drive locations and/or pursue other remedies due to limited visibility and illegal parking exacerbating the issues. An AISD crossing guard recently provided an interview to a city engineer about the issues and dangers she and the children/parents face during her daily shifts.
 - repeatedly asked for APD to ticket for illegal parking, but it has been several years since APD has had the resources to address this.
 - made several requests to Lone Star Soccer over the years to stress to the players' parents to not illegally park. Unfortunately, nothing has changed.

Solutions:

- Traffic Calming Measures
 - City of Austin provide for traffic calming measures (to include addressing illegal parking) on Westcreek Drive. At the very least, this could be done along the portion from Hwy 290 frontage to Old Fredericksburg Road (west portion that is adjacent to the daycare/preschool) where the development borders. See note below regarding issues in front of Patton Elementary.
 - Parking Zones
 - Unfortunately, no parking signs, which are currently in place, are not enough. There is no chance that law enforcement will be able to address this. Rubber bollards are an eyesore. A permanent pavement/sidewalk adaptation to the no parking zone areas is necessary to prevent illegal parking for the safety of pedestrians and vehicles.
 - Adjust the no parking zones in certain areas to address limited site visibility and proximity to pedestrian crossing strips. This is especially an issue in the following areas:
 - BOA lot has 1 of 3 ingress/egress locations that is just a few feet away from an allowable parking zone and has another 1 of 3 that is just a few feet away from a pedestrian crossing strip (on both the west and east side of Westcreek Drive and near the Old Fredericksburg Rd. west section)
 - parking areas along Westcreek Drive's east side where they are too close to intersection with the Old Fredericksburg Rd. east section.
 - Additional note - the development will result in an inevitable increase of pedestrian and vehicular traffic and student enrollment at Patton Elementary and Small Middle School. The City of Austin needs to adjust parking zones at the Morning Dew and Westcreek Drive intersection (on east side of Westcreek Drive) in front of Patton Elementary

- Beacon crossing sign
 - This may be an option for a heavily used crossing on Westcreek Drive; however, it will be ineffective if the parking zones and the permanent barriers to illegal parking are not addressed.
- Speed Limit Reduction
 - The majority of Westcreek Drive is a school zone. When school zone times are not applicable, Westcreek Drive is currently 30 MPH. Reducing the entire street to 25 MPH should be considered. I realize, of course, that the effectiveness of reducing the speed is reliant upon drivers obeying the law.

Development's Egress and Ingress Concerns

Issue:

- There are currently three egress/ingress locations on Westcreek Drive for the Bank of America lot. There is one egress/ingress off of Hwy 290 frontage road.
 - Dangers posed by number and locations:
 - Egress #1: The egress/ingress on Westcreek Drive (as a vehicle turns right (south) from Hwy 290 Frontage onto Westcreek Drive) is dangerous because vehicles driving highway speed eastbound on Hwy 290 frontage road take their right turn on to Westcreek very quickly and are suddenly upon this egress/ingress.
 - Egress #2:
 - Situated so close to the parking zones and to the other egress/ingress that it is both unnecessary and dangerous where there is next to zero visibility for people exiting the complex and for those driving on Westcreek watching for those exiting. Illegal parking here exacerbates this issue.
 - Egress #3: situated so close to parking zones and to a pedestrian crossing strip that it is very dangerous for entering/exiting vehicles, pedestrians, and traff on Westcreek Drive

Solutions:

- At the very least
 - Remove egresses #1 completely.
 - Reduce egress/ingress on Westcreek Drive to at least 2, adjust parking zones and provide safe distances from pedestrian crossing strips.
- Additional option
 - Create an additional egress/ingress on Hwy 290 frontage road

Traffic Impact Analysis is Necessary

Issues:

- During an 08/02/2022 meeting I attended with Westcreek Board and Oak Hill Planning Contact Team members and the developer, the developer answered that they would do a TIA.
- From viewing current information on the city's site, the paperwork indicates that no traffic impact analysis is necessary.
 - DB90 Application dated 03/13/2024 is marked as "Site Plan" (though we are in development assessment at this time).
 - The application indicates 1250 Trips Per Day for the bank yet only 1528 Trips Per Day for the proposed complex
 - This is only 278 more Trips Per Day.
 - there is now next-to-zero traffic utilizing this complex, the complex has always had extremely light traffic use even when tenants were in place. It is rare to see anyone enter or exit this property.
 - In fact, the property owner had to put up "NO SOCCER PARKING" signs to discourage parents from parking in the lots as they are always empty and the street parking is always full. This has been the case for decades.
 - Additionally, in past documents posted to the city's website, the TIA application indicated that no TIA was necessary and that the current

property has 2929 trips per day. The development TPD was also at 1528 on that document. The very same document indicated that a TIA would be performed by the city. It is unclear why there were 2929 TPD in late 2023 yet now there are only 1250 TPD in May 2024.

- In view of this, a 300+ unit apartment complex with retail will certainly generate a great deal more traffic than the current business complex.

Solution:

- Perform a traffic impact analysis at this site to get realistic data. Should be performed during a school year at school start or dismissal times and during soccer playing at the fields to get a realistic view of the true traffic situation as it stands without a development here.

Impervious Cover and Flooding

Issue:

- Flooding occurs in Westcreek Neighborhood, even in areas that are blocks away from homes along Williamson Creek. Adding impervious cover to this area will exacerbate the issue and lead to more issues.

Solution:

- Confirm in writing that the impervious cover of this development will not exceed the current property's impervious cover.

Thank you for considering this information and evaluating how these issues can be addressed and committed to so that a development added to this area is a benefit for Austin residents and does not lead to more problems for current and future residents.

Best regards,



Jennifer Voss
Westcreek Neighborhood Resident

cc: Westcreek Neighborhood Association Board

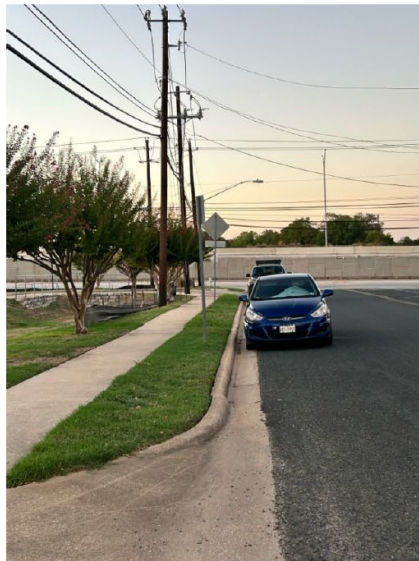
Attachment – photos of area around proposed development

Pictures of Westcreek Drive showing egress/ingress from bank lot, parking zone signs (and proximity to egress/ingress and to intersections and to crosswalks), traffic, illegal parking, etc. (pictures taken over a period of time)

1st of 3 Egress/ingress to property that is just feet away from where 290 frontage intersects with Westcreek Drive.



Facing (north) at 2nd of 3 egress/ingress (facing Hwy 290 / frontage road)



Facing (south) at 2nd of 3 egress/ingress into property Parking signs go up so close to egress/ingress that there is only about a car length of room – illegal parking occurs here so this leaves even less view.







When parking is allowed by property owner for a charge paid for by soccer club





Facing south at 3rd egress/ingress of 3. Hardly any room between egress/ingress and crosswalk and no parking zone





View of 3rd egress/ingress where crosswalk is - facing north (the east portion of Old Fredericksburg Road is on right side of photo – also parking and crossing hazards)



Facing north at 2nd egress/ingress



Facing north -Soccer field egress/ingress, Old Fredericksburg Road (east side) and crosswalk in middle of it. The no parking sign is up against an egress/ingress and intersection



Typical view during weekday evenings and Saturdays/Sundays











Facing south – approaching the intersection with Old Fredericksburg Rd (west portion) and a crosswalk





Truck illegally parked here leaves no visibility to traffic trying to pull out from Old Fredericksburg Rod.



Illegal parking even when there's space to park legally



White Chevy pulled out due to poor visibility from parking on east side of Westcreek Drive, resulting in having to slam on brakes to avoid an accident.



Parking goes all down Old Fredericksburg Rd. for soccer field participants



Overflow parking at Patton Elementary



Illegal parking along the west side of Westcreek Drive



Red arrow shows where no parking zone starts















This is view from Morning Dew Drive (facing east) and sitting behind the crosswalk to show how site visibility is poor and requires pulling onto Westcreek Drive to be sure it is clear to turn left. If there was a car parked in between the 2 cars shown here, the visibility would be even worse.



This is view from Morning Dew Drive looking north towards Westcreek Drive and having to enter onto Westcreek Drive and get in traffic's way in order to see if any traffic is coming.



From: Ross LyBrand
Sent: Tuesday, May 21, 2024 6:53 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; marcelle.budreaux@austintexas.gov
Subject: Response to Case C14-2024-0040

Maureen/Marcelle,

I'm writing in again about related zoning case C14-2024-0015. Not only are my sentiments on this rezone request a **no**, but they are a **hard** [REDACTED] **no**, as is every person I've talked to in this neighborhood of Westcreek. **WHY THE [REDACTED] IS THIS EVEN IN APPLICATION CITY OF AUSTIN?** Can't you sniff out anything for [REDACTED] sake.

This developer is **lying** about their intent, but they are doing it in plain sight with the DB-90 ask/add (taking cues from City Council). This developer cannot make the construction of their deal work without this designation and rezone by the current owner because interest rates are too high so they think us taxpayers are communist [REDACTED] like them and we should pay for everything by giving them this designation so they can qualify for CDBG Grants and funding (FREE GOVERNMENT TAXPAYER MONEY).

The current owner can only get her sales asking price that she wants for this land if she adds this designation, then flips it to the developer.

Both of these [REDACTED] [REDACTED] think that my neighborhood needs more affordable housing, but we already have Alexander Oaks. You tell those [REDACTED] they are NOT WELCOME. If I weren't going to be out of town on 5/28 (sneaky [REDACTED] scheduling around the holidays) I'd be there with my boots to stick straight up a lying [REDACTED] I want [REDACTED] answers NOW, why the [REDACTED] wasn't app rejected?

Ross LyBrand
713-906-2039



Westcreek Neighborhood Association

To Whom It May Concern:

May 21, 2024

The Westcreek Neighborhood Association Board (WNA) and several past Board members met with Wayfinder Real Estate and David Hartman on August 2, 2022 to discuss the property at 5725 W. US 290 and their request to file an out-of-cycle application pertaining to a zoning change from GR-NP to GR-MU-V-NP to the Oak Hill Neighborhood Planning Contact Team. Although, the Board voted in favor of approving the out-of-cycle application with the hope and understanding that any traffic study would be done during peak traffic season (school in session and active soccer season). We are concerned that a normal, in-cycle application may reflect a traffic study outside of our peak traffic season, which would underestimate our needs regarding this project.

Current request:

C14-2024-0040: To change the zoning from GR-NP to GR-DB90NP for multifamily uses.

The proposal for a DB90, even if limited to 70 feet or above in height, does not seem to be a good fit for this location.

These are the concerns the Westcreek Neighborhood Association (WNA) has with the development based on the general information provided:

Safety for Children and Families in Close Proximity to the Location

The proposed project location (currently Bank of America) is on a large tract of land at the intersection of the highway address above and Westcreek Drive, one of three entry/exit points to and from the Westcreek neighborhood. This immediate area has a high density of both pedestrian and vehicular traffic by children and families from Westcreek and surrounding neighborhoods due to the following:

- Patton Elementary School which is already operating near capacity with over 800 students from multiple neighborhoods in the Oak Hill area
- Ashford Montessori School located immediately across Old Fredericksburg Road from the project location
- Lone Star Soccer fields located immediately across Westcreek from the location and serving students from Austin and surrounding suburbs
- In addition, the Small Middle School campus which is in the contiguous area to Patton and the Soccer fields, just .05 miles from the current bank location, serves over 1,150 students from Westcreek and surrounding neighborhoods, also adds pedestrian, bicycle and vehicle traffic to the area.

All of these child, student and family uses naturally bring a level of congestion to the area, not only in the form of pedestrian street-crossings and vehicular traffic but also result in intermittently heavy street parking as there are no designated parking spaces for soccer and limited "visitor" spaces at the schools.

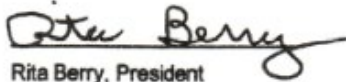
The Westcreek NA would request that any multi-family project in this location be required to provide all parking on site of the project location of (.5 spaces for each bedroom dwelling unit and .5 spaces for additional unit bedrooms) according to code.

The Westcreek Board is also concerned with a possible increase in stormwater drainage and would request that the impervious cover requirements meet the redevelopment exception in the Barton Springs Zone code 25-8-26, with a commitment not to increase the existing level of impervious cover.

There are numerous trees, including several beautiful heritage trees on the 5725 W. Hwy 290 location, there is a concern that a high percentage of trees have been tagged for removal. The Westcreek NA would like to see all of the protected, heritage trees, and as many other trees as possible, be saved on the site.

During our meeting, Wayfinder referenced the Troubadour as being a similar style development as the one intended on W. Highway 290 and Westcreek Drive. Several Board members toured the Troubadour, inside and out. It is a very nice building with a lot of amenities and mostly one-bedroom units. The Troubadour appeared to be a good fit for this walkable area near the University of Texas and adjacent to other similar VMUs. Nevertheless, it is a huge building which takes up almost all of the tract—from sidewalk to sidewalk—upon which it was built. It appears that less than a handful of mature oak trees that were original to that tract of land, remain on the site.

We are concerned that the only logical location for the main garage and entry facade to the building would front Westcreek Drive. If that is the case and the project were to be built in the style of the Troubadour, this would entail garage entry and exits directly onto Westcreek Drive where safety issues as described above are already of concern. In addition, the Troubadour's main entry side includes multiple curb cuts for visitors and deliveries which would also add to the existing traffic congestion and safety concerns.



Rita Berry, President



Shannon James, Vice President



Sue Stewart, Treasurer

Meredith, Maureen

To: Andrea Reed
Subject: RE: NPA 2023-0025.01

-----Original Message-----

From: Andrea Reed
Sent: Tuesday, May 28, 2024 9:54 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: NPA 2023-0025.01

I can't figure out the zoom instructions or make it to the meeting (rescheduled many times) to ask city council NOT to amend the neighborhood plan. Do you or council members ever visit the sites where builders want the area restrictions lifted? If so, you'd understand why the proposed change to apartments and businesses would disrupt an established neighborhood. A much-used athletic field next to an elementary school would suffer or be eliminated with the extra traffic from apartments, etc. A bank was no problem; an apartment complex with businesses would be a huge safety problem. NO to amending the neighborhood plan! Thank you!

Andrea Reed
6501 Brush Country Rd.
Austin 78749

Sent from my iPad

Meredith, Maureen

To: Peggy 4900
Subject: RE: Opposition to Low Income Housing proposal in Westcreek

From: Peggy 4900 <
Sent: Monday, May 27, 2024 10:07 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Peggy Boice -
Subject: Opposition to Low Income Housing proposal in Westcreek

Thanks so much, Maureen.

One reason for my opposition is how close it will be to the neighborhood elementary school, which is already overcrowded.

Another concern is safety. Low-income housing projects often have a lot of crime. That happened in my neighborhood in Houston after New Orleans low-income residents were moved here during and after Hurricane Harvey. Even though a lot moved back to New Orleans, the crime has continued in my formerly safe neighborhood.

Finally, I think a lot of Westcreek residents, like my tenant, are elderly. They, and young families, would be targets for crime.

Thank you for submitting my comments. I'm sure many more residents have tried to email you their comments, but Westcreek gave out an incorrect email for you and so far they haven't corrected it yet.

Margaret Boice
Owner of 5093 Wing Rd, Austin 78749
Houston residence: 9479 Briar Forest Dr,
Houston, TX 77063
Cell: 281-744-1260