

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0167 - Warehouse Road Water Quality Pond #1

P.C. DATE: October 14, 2008

C.C. DATE: November 20, 2008

ADDRESS: 400 Block of East Alpine Road

OWNER/APPLICANT: City of Austin - Watershed Protection and Development Review Department (Tom Franke)

ZONING FROM: RR-NP

TO: P-NP

AREA: 1.05 acres (45738 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the applicant's request to rezone the subject property to P-NP (Public/Neighborhood Plan) district zoning.

PLANNING COMMISSION RECOMMENDATION: Approval of P-NP on consent (10/14/08, 8-0).

DEPARTMENT COMMENTS:

The property is currently undeveloped and zoned RR-NP (Rural Residence District zoning/Neighborhood Plan). The City of Austin owns the property and would like to rezone the tract for use as a regional water quality pond.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR-NP	Undeveloped
<i>North</i>	Civic, RR-NP	Lodge, Undeveloped
<i>South</i>	LI-NP	Warehouse, Air Conditioning Repair
<i>East</i>	GR-NP	Cabinet Shop, Carpet Warehouse, Metal Finishing
<i>West</i>	P-NP	AISD Undeveloped Property

NEIGHBORHOOD PLANNING AREA: Greater South River City Combined Neighborhood Plan

TIA: Waived

WATERSHED: Blunn Creek- Urban

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association
Homebuilders Association of Greater Austin
Austin Neighborhoods Council
South River City Citizens Association
Austin Parks Foundation
South Austin Commercial Alliance
Barton Springs/Edwards Aquifer Conservation District

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-05-0138	Greater SRCC Neighborhood Plan	9/13/05 Approved Staff recommendation(8-1, MM-NO)	12/01/05 Approved Greater SRCC Neighborhood Plan (5-0-1, JK-ABSTAIN)

ABUTTING STREETS:

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?
Warehouse Row	80'	35'	Collector	No

Right of Way

No additional right-of-way is needed at this time

TIA

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

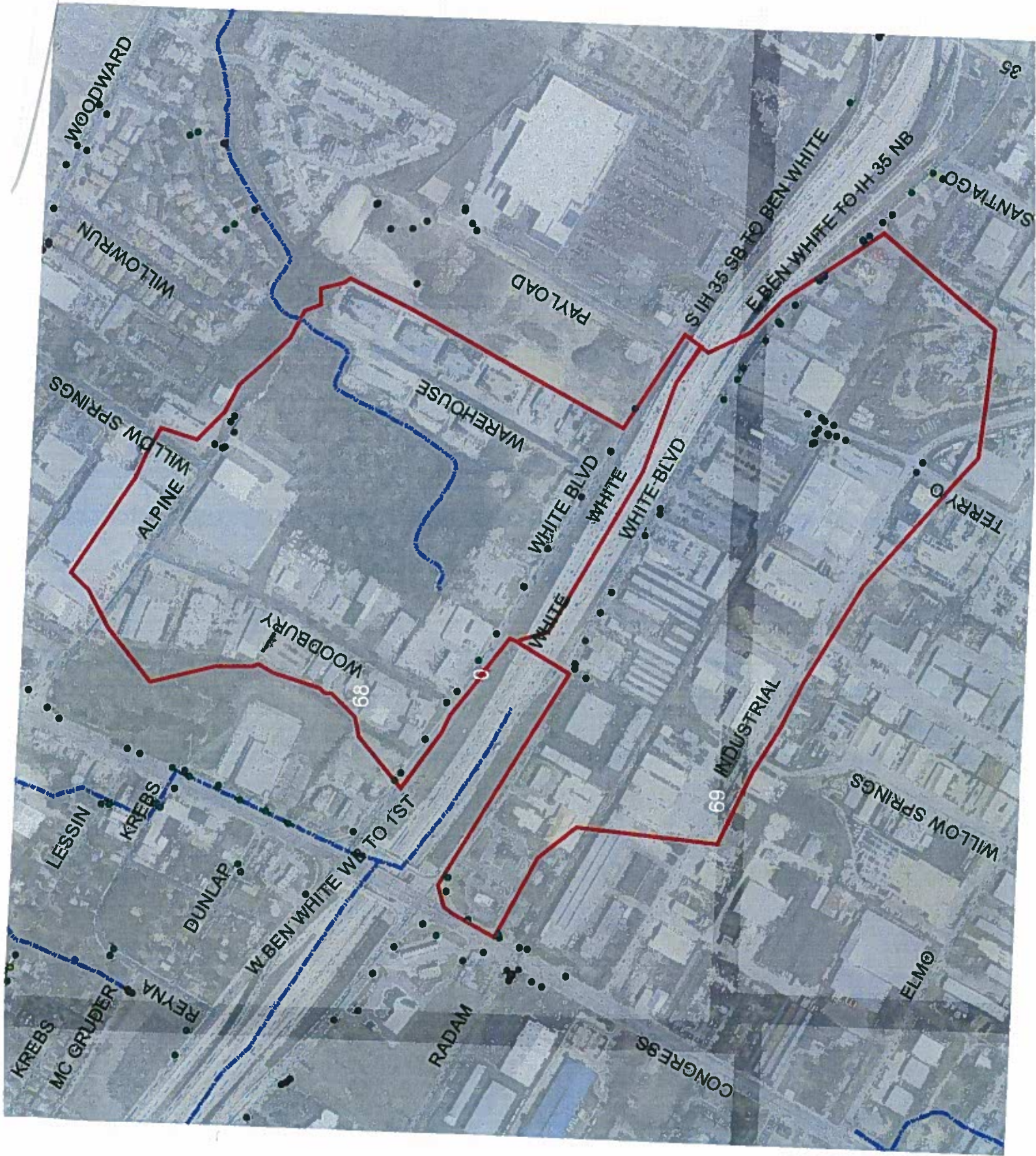
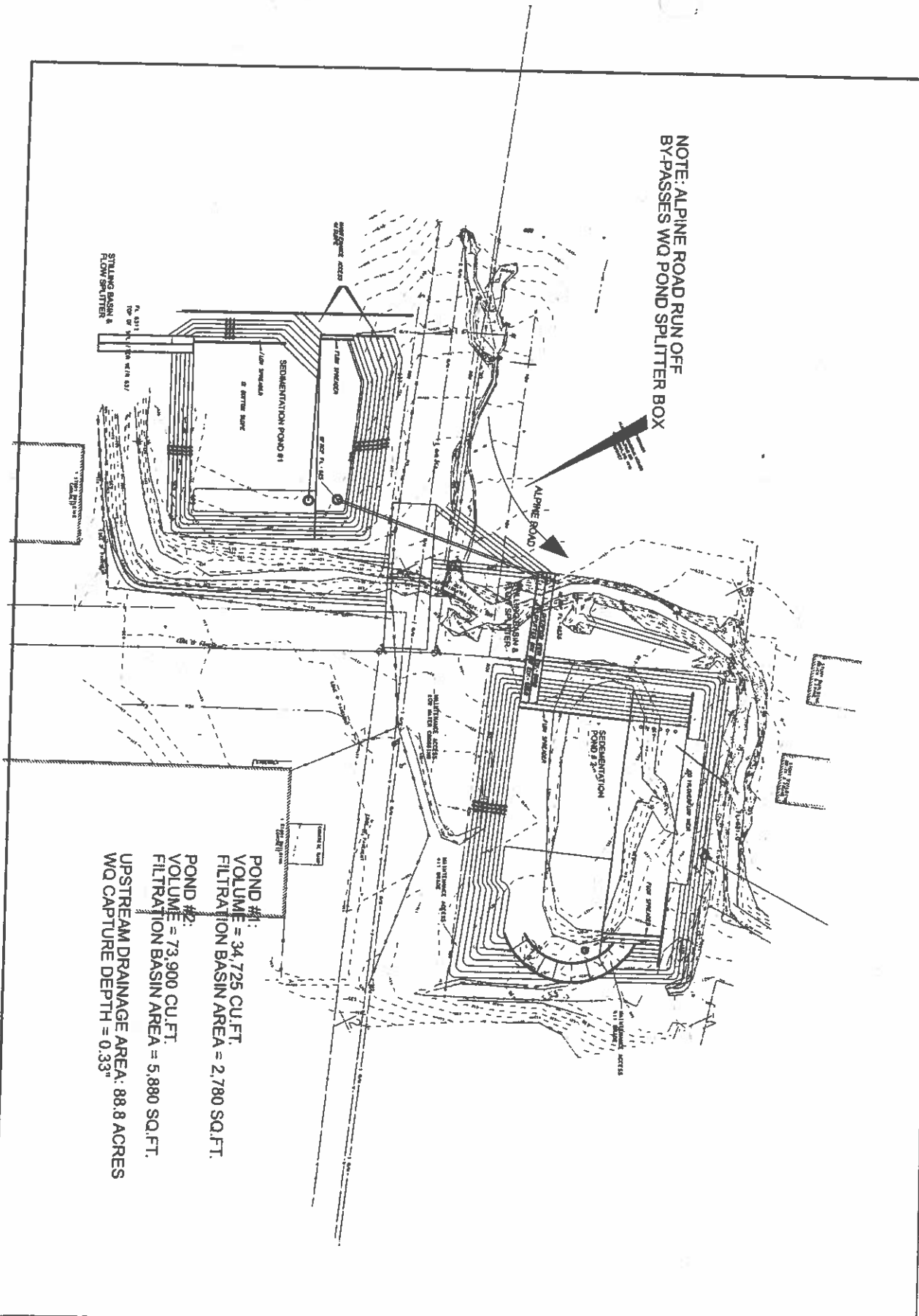


Exhibit A


NOTE: ALPINE ROAD RUN OFF
BY-PASSES WQ POND SPLITTER BOX



POND #1:
VOLUME = 34,725 CU.FT.
FILTRATION BASIN AREA = 2,780 SQ.FT.

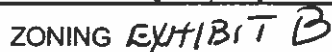
POND #2:
VOLUME = 73,900 CU.FT.
FILTRATION BASIN AREA = 5,880 SQ.FT.

UPSTREAM DRAINAGE AREA: 88.8 ACRES
WQ CAPTURE DEPTH = 0.33"

		CITY OF AUSTIN, TEXAS DEPARTMENT OF PUBLIC WORKS ENGINEERING SERVICES DIVISION		DRAFT THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INFORMATION ONLY. UNDER THE AUTHORITY OF 40 CFR 101.11		REV. BY DATE REVISION DESCRIPTION	
SHEET NUMBER 1 OF 1		SCALE IN FEET 1" = 20'		DRAFT		DRAFT	
PROJECT NAME WAREHOUSE ROW WATER QUALITY POND		PROJECT NUMBER 1000000000		SHEET TITLE PONDS WITH BIO-FILTRATION		DATE 10/1/2008	



**C14-2008-0167 - 400 East Alpine Road
From RR-NP (Rural Residence Neighborhood Plan) to
P-NP (Public Neighborhood Plan)**



BASIS FOR RECOMMENDATION

1. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The Public zoning of this property is consistent with adjacent Public and Civic zoned tracts.

2. *Zoning changes should promote the health, welfare, and safety, and otherwise fulfill the purposes of zoning as set forth in the Texas Local Government Code or the zoning ordinance.*

The proposed regional water quality pond use will benefit the surrounding community and promote an effective pollution prevention control for the urban watershed.

EXISTING CONDITIONS

Site Characteristics

The property is currently undeveloped and zoned RR-NP (Limited Rural Residence District zoning/Neighborhood Plan). The City of Austin owns the property and would like to rezone the tract for use as a regional water quality pond.

Impervious Cover

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Blunn Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to floodplain maps, there is a floodplain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

A site visit was conducted on 08/05/2008 by Keith Mars (EV Reviewer). Could not gain access to site due to perimeter fencing. Case note: There appears to be some protected size trees on the property. Further, the vegetation cover is dense and in early stages of succession. The area also appears to be heavily infested by non-native exotics, such as Chinaberry (*Melia azedarach*).

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonment required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

Compatibility Standards do not apply and there are no site plan issues with this proposed zoning change.

CITY COUNCIL DATE: November 20, 2008

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604

stephen.rye@ci.austin.tx.us

11-GF# 60766 ALF
RETURN TO: HERITAGE TITLE
401 CONGRESS, SUITE 1500
AUSTIN, TEXAS 78701

SPECIAL WARRANTY DEED
(Water Quality and Drainage)

6

STATE OF TEXAS

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COUNTY OF TRAVIS

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LD

8 PGS

2006084948

DATE: 5th day of May, 2006

GRANTOR: Twin Oaks Associates, Ltd., a Texas limited partnership

GRANTOR'S MAILING ADDRESS: 400 E. St. Elmo
(including county) Austin, Travis County, Texas 78745

GRANTEE: City of Austin, a Texas municipal corporation situated in the Counties of Williamson, Travis and Hays, State of Texas.

GRANTEE'S MAILING ADDRESS:

P.O. Box 1088
Austin, Travis County, Texas 78767-8839
Attn.: Real Estate Services Division

CONSIDERATION: TEN DOLLARS AND NO/100 (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY: All that certain tract of land situated in Travis County, Texas, generally described as 1.050 acres of land, more or less, out of the Isaac Decker League as more fully described in **Exhibit "A"**, attached hereto and incorporated herein for all pertinent purposes; and together with any improvements and fixtures thereon, and any and all rights and appurtenances pertaining to the Property, including any development rights and utility rights which are appurtenant to, allocable to, or allocated to the above-described Property, and any right title and interest of Grantor in and to minerals, mineral rights and royalty interests, adjacent streets, alleys and rights of way related to the Property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, **grants, sells, and conveys** to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to **have and hold** it to Grantee, Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's administrators, successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, when the claim is made by, through or under Grantor, but not otherwise.

CONDITIONS: Grantor sells this Property to the City of Austin on the condition that by accepting this conveyance, the City of Austin dedicates the Property for Water Quality and Drainage purposes subject to the existing terms, conditions and restrictions set forth below.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

1. The items shown in **Exhibit "B"** attached hereto and incorporated herein, but only to the extent the same are valid, in existence and affect the tract or tracts noted herein and in **Exhibit "A"** or the use thereof by Grantee.
2. Easements to the City of Austin are not, and must not be deemed, merged with the title conveyed herein.
3. Ad valorem property taxes on the Property for the current year, which, having been prorated, are assumed by Grantee.

When the context requires, singular nouns and pronouns, include the plural.

GRANTOR:

Twin Oaks Associates, Ltd.
(a Texas limited partnership)

By: **TOA Management, LLC**
(a Texas limited liability company,
as sole general partner)

By: 
Joe Charles Jung, Manager

ACKNOWLEDGEMENT

STATE OF TEXAS

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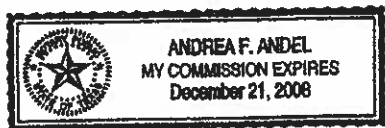
COUNTY OF TRAVIS

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This instrument was acknowledged before me on May 3, 2006 by Joe Charles Jung, Manager, of TOA Management, LLC, a Texas limited liability company, as sole general partner of Twin Oaks Associates, Ltd., a Texas limited partnership, on behalf of said limited partnership.

[SEAL]



Andrea F. Andel
Notary Public, State of Texas

ACCEPTANCE BY THE CITY OF AUSTIN

The Watershed Protection and Development Review Department, by the signature of its duly authorized representative, does approve of the water quality and drainage dedication as described below, subject to all provisions and conditions contained herein:

1.050 acre tract, more or less, out of the William Cannon League, Travis County, Texas, being more particularly described by metes and bounds on Exhibit "A".

CONDITIONS: Grantor sells this Property to the City of Austin on the condition that by accepting this conveyance, the City of Austin dedicates the Property for Water Quality and Drainage purposes, subject to the existing terms, conditions and restrictions set forth herein.

EXECUTED this 3rd day of May, 2006.

CITY OF AUSTIN, a Texas home-rule
municipal corporation

By: Nancy McClintock
Nancy McClintock, Assistant Director
Watershed Protection and Development
Review Department

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on May 3rd, 2006 by Nancy McClintock, Assistant Director, Watershed Protection and Development Review Department, City of Austin, a Texas municipal corporation, on behalf of said corporation.

(SEAL)



Marsha L. Schulz
Notary Public, State of Texas

Exhibit "A"

METCALFE & SANDERS, INC./LAND SURVEYORS

4800 SOUTH CONGRESS
AUSTIN, TEXAS 78745
(512) 442-5363

SURVEYS & RECORDS SINCE 1904

METES AND BOUNDS DESCRIPTION OF A SURVEY OF 1.050 ACRES OF LAND, A PORTION OF THE ISAAC DECKER LEAGUE SURVEY NO. 20, ABSTRACT NO. 8, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, SAID 1.050 ACRES OF LAND BEING A PORTION OF THAT 34.462 ACRE TRACT, A PORTION OF THE SAID ISAAC DECKER LEAGUE SURVEY NO. 20, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM VAN M. SMITH TO ODAS JUNG IN VOLUME 1612, PAGE 167, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALSO A PORTION OF THAT 12.8 ACRE TRACT, DESIGNATED AS TRACT #3 AND CONVEYED IN A DEED FROM ODAS JUNG TO TWIN OAKS ASSOCIATES AS RECORDED IN VOLUME 10201, PAGE 185, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AS SURVEYED FOR TWIN OAKS ASSOCIATES BY METCALFE & SANDERS, INC., LAND SURVEYORS, 4800 SOUTH CONGRESS AVENUE, AUSTIN, TEXAS.

BEGINNING at a 1/2" steel pin found in the east line of that 34.462 acre tract of land, a portion of the Isaac Decker League Survey No. 20, Abstract No. 8, in the City of Austin, Travis County, Texas, as described in a deed from Van M. Smith to Odas Jung in Volume 1612, Page 167, Deed Records of Travis County, Texas, said 1/2" steel pin found being the northeast corner of Alpine Road as shown on the map or plat of Twin Oaks Industrial Subdivision, a subdivision of a portion of the said Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, of record in Plat Book 37, Page 23, Plat Records of Travis County, Texas, and a southeast corner of that 12.8 acre tract of land, a portion of the said Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, designated as Tract #3 and conveyed in a deed from Odas Jung to Twin Oaks Associates in Volume 10201, Page 185, Real Property Records of Travis County, Texas, said 1/2" steel pin found being also in the west line of that 13.138 acre tract of land, a portion of the said Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, as described in a Special Warranty Deed with Vendor's Lien from Galaxie Corporation to KMS Retail - Ben White, LP and KMS Retail Eulless, LP in Document No. 2004216837, Official Public Records of Travis County, Texas, for the southeast corner of the herein described tract;

(1) THENCE with the north line of said Alpine Road and a south line of the said Twin Oaks Associates Tract #3 of 12.8 acres of land, N 57°32'45" W 271.37 feet to a 1/2" iron pipe found for the southeast corner of that 1.438 acre tract, a portion of the said Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, as described in a Gift Deed from Twin Oaks Associates to Austin Memorial Home in Volume 12941, Page 1913, Real Property Records of Travis County, Texas, for the southwest corner of the herein described tract;

(2) THENCE with the east line of the said Austin Memorial Home 1.438 acre tract and the west line of the herein described tract, N 26°57'40" E 169.02 feet to a 1/2" steel pin previously set and found this date in the occupied north line of the said Jung 34.462 acre tract of land and a north line of the said Twin Oaks Associates Tract #3 12.8 acres of land, said 1/2" steel pin previously set and found this date being also in the south line of Lot 16, Block A, Willow Springs Sec. 1, a subdivision of a portion of the said Isaac Decker League Survey No. 20, in the

City of Austin, Travis County, Texas, of record in Plat Book 45, Page 14, Plat Records of Travis County, Texas, for the northeast corner of the said Austin Memorial Home 1.438 acre tract and the northwest corner of the herein described tract;

(3) THENCE with the south line of said Lot 16, Block A, and the south line of Lots 17, 18 and 19, of said Block A, Willow Springs Sec. 1, and with the north line of the said Jung 34.462 acre tract of land, and being also with a north line of the said Twin Oaks Associates Tract #3 of 12.8 acres of land, S 57°41'20" E at 15.36 feet passing a 1/2" steel pin found on line, said steel pin found being at or near the southeast corner of said Lot 16 and the southwest corner of said Lot 17, at 175.16 feet passing a 1/2" steel pin found 0.05 feet south of line, said steel pin found being at or near the southeast corner of said Lot 18 and the southwest corner of said Lot 19, in all 210.26 feet to a 5/8" steel pin found at the southeast corner of said Lot 19 and the most southerly southwest or west corner of Lot 1, Block A, Resubdivision of a Portion of Tract 2, Penick Subdivision, a subdivision of a portion of the said Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, of record in Plat Book 101, Page 41 and 42, Plat Records of Travis County, Texas;

(4) THENCE with the south line of said Lot 1, Block A, Resubdivision of a Portion of Tract 2, Penick Subdivision and with the north line of the said Jung 34.462 acres of land and a north line of the said Twin Oaks Associates Tract #3 of 12.8 acres of land, S 57°30'30" E 61.23 feet to a 1/2" iron pipe found at the northeast corner of the said Jung 34.462 acre tract of land and a northeast corner of the said Twin Oaks Associates Tract #3 of 12.8 acres of land, said 1/2" iron pipe found being also the northwest corner of the said KMS 13.138 acre tract of land, for the northeast corner of the herein described tract;

(5) THENCE with the east line of the said Jung 34.462 acre tract of land and an east line of the said Twin Oaks Associates Tract #3 of 12.8 acres of land, and being also with the west line of the said KMS 13.138 acre tract of land, S 27°00'55" W 169.52 feet to the POINT OF BEGINNING of the herein described tract, containing 1.050 acres of land.

Metes and Bounds Description
Prepared April 4, 2006 From a
Survey Completed January 21, 1997
And Updated March 17, 2006.

METCALFE & SANDERS, INC.
Land Surveyors



By:

A handwritten signature in black ink, appearing to read "George L. Sanders", written over a horizontal line.

George L. Sanders
Texas Registered Professional
Land Surveyor No. 1838

4. Name

REVISIONS

THE
BROADWAY
PRINCETON
CONNECTIONS CONNECTIONS

S. A. C.
ADDN
COLUMBIA

4 0902

4 1102

RESUB. OF LOTS 2, 3 & 4, BLK A
3 1100 ASSUMPTION CEMETERY SUBD.

ASSUMPTION CEMETERY SUBD.

RESUBLEASE
OF A PORTION
OF TRACT 2
PENICK SUBD

TRAVIS CENTRAL APPRAISAL DISTRICT
8314 Cross Park Drive P.O. Box 149012
Austin, Tx 78754 Austin, Tx 78714
Internet Address WWW.TRAVISCAD.ORG
Main Telephone Number 512(834-9317 Appraisal Information 512(834-9138
Fax Number 512(835-5371 TDD 512(836-3328

ASSOCIATES
CITY OF AUSTIN
AUSTIN ISD
ACC

0 100
SCALE

MAP NO.	4. 1001
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1" = 400' MAP
REFERENCE
4 1508

SOUTH RIVER CITY CITIZENS
NEIGHBORHOOD ASSOCIATION
AUSTIN, TEXAS 78704

Stephen Rye, Planner
City of Austin
Neighborhood Planning and Zoning Department
Current Planning Division
Austin, Texas
By fax: 974-6054

8 September 2008

Dear Mr. Rye,

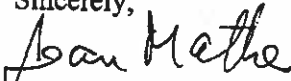
The South River City Citizens Neighborhood Association has met this evening, and has voted to support the zoning changes requested by City staff regarding the following revisions. We understand that these changes are necessary to allow construction of water quality ponds at the east end of Alpine and the north end of Warehouse Row, in the upper portion of the Blunn Creek watershed.

CASE:	C14-2008-0167 Warehouse Road Water Quality Pond #1
P.C. DATE:	September 9, 2008
ADDRESS:	400 Block of East Alpine Road
OWNER/APPLICANT:	City of Austin Watershed Protection and Development Review Department
ZONING CHANGE:	FROM: *RR-NP* TO: *P-NP
AREA:	1.05 acres (45738 sq. ft.)

CASE:	C14-2008-0169 Water Quality Pond #2
P.C. DATE:	September 9, 2008
ADDRESS:	3700 & 3708 Warehouse Row
OWNER/APPLICANT:	City of Austin Watershed Protection and Development Review Department
ZONING CHANGE:	FROM: *LI-CO-NP TO: *P-NP
AREA:	0.8969 acre (39068.964 sq.ft.)

Thank you for coordinating with our neighborhood association in this issue.

Sincerely,


Jean Mather
President

P.S. - Please confirm receipt by contacting David
Todd @ 416-0400 or dtodd@wt.org