

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHBORHOOD PLAN:** Brentwood/Highland Combined Neighborhood Plan

**CASE#:** NPA-2010-0018.03  
(Formally case number NPA-2010-0018.02)

**PC DATE:** April 12, 2011  
March 22, 2011  
February 8, 2011

**ADDRESS/ES:** 5011 Burnet Road

**SITE AREA:** 0.559 acres

**APPLICANT/AGENT:** Armbrust & Brown, L.L.P. (Richard Suttle)

**OWNER:** E.P. Austin Properties, L.P. (George C. Thorne, Jr. & Robert L. Rock)

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Single Family

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2010-0025

**From:** SF-3-NP

**To:** GO-MU-CO-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** May 13, 2004

**STAFF RECOMMENDATION:** Recommended

**BASIS FOR STAFF'S RECOMMENDATION:** The plan amendment request meets the following Goals, Recommendations, and Action Items from the Brentwood/Highland Combined Neighborhood Plan:

## **Brentwood Land Use Objectives and Recommendations**

### **Land Use Objective B1:** Preserve single-family residential areas

#### **Recommendations:**

1. Established single-family areas should retain SF-3 zoning
2. Allow small-lot amnesty in the Brentwood neighborhood to make legally created small lots available for single-family development.

**Land Use Objective B3:** Ensure that there is a mix of residential and commercial zoning to accommodate both housing and the services resident's need in the neighborhood, and that commercial zoning in each area is appropriate for its location.

#### **Recommendations:**

1. Maintain residential zoning in the interior of the neighborhood.
2. Maintain commercial zoning on the corridors and in transitional areas between the corridors and residential areas.
3. Allow mixed use on commercial corridors.

**Land Use Objective B4:** Encourage the development of neighborhood serving businesses and offices by maintaining and adding neighborhood commercial and limited office on smaller corridors and in transitional areas between corridors and residential areas where appropriate.

#### **Recommendations:**

4. Allow neighborhood and community serving office uses on 49<sup>th</sup> Street between Burnet and Lamar
5. Allow neighborhood and community serving office uses and neighborhood serving commercial uses where appropriate in transitional areas between Burnet Road and the interior single-family residential areas.

**Land Use Objective B5:** Focus higher density uses on major corridors and add special use options to enhance the corridors

#### **Recommendations:**

1. Add the Mixed-Use (MU) Combining District on Burnet, Lamar, and Koenig Lane east of Woodrow.

### 3. Focus higher intensity uses on Burnet Road and Lamar Blvd.

**PLANNING COMMISSION RECOMMENDATION:** Approved by Planning Commission on April 12, 2011, on the consent agenda with Commissioner Kirk's motion, Commission Anderson's second. Approved 9 to 0.

**BACKGROUND:** The original application was filed on February 26, 2010 with the case number NPA-2010-0018.02, but that application expired on August 26, 2010 due to a staff error. Consequently, staff resubmitted the application on behalf of the agent. The new case number is NPA-2010-0018.03, which is used for this report.

Since the original application, the area proposed to be rezoned with a plan amendment was reduced in size from 1.011 acres to 0.559 acres.

The site has an existing eye doctor's office with parking along Burnet Road and also parking located behind the main building. The parking lot behind the building has a driveway access on Woodrow Avenue.

The Eye Physicians of Austin would like to construct a larger building on the property, which will require more parking. They propose to rezone 0.559 acres of land located behind their main building to GO-MU-CO-NP to construct more parking. The property along Woodrow Avenue will remain SF-3-NP, but will be replatted into three lots and sold for the construction of single family homes.

The request is to change the 0.559 acres of land from Single Family on the future land use map to Mixed Use, which is consistent with the Mixed Use on the rest of the property.

The Brentwood/Highland Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on May 13, 2001. The boundaries for the planning area are North Burnet Road to the west, North Lamar and Anderson Lane on the north, Koenig Lane on the east, and West 45th Street on the South.

**PUBLIC MEETINGS:** A plan amendment meeting was held on April 8, 2010 to discuss the original application NPA-2010-0018.02. Two hundred and fifty-six notices were mail to people who live within 500 feet, the Brentwood Planning Contact Team, in addition to neighborhood organizations. Thirty-six people attended the meeting.

Richard Suttle, the applicant's agent, explained that the Eye Doctor's office proposal to rezone 1.011 acres of land to CS-MU-NP in order to expand the existing business. This plan includes rezoning the property along Woodrow Avenue to CS- Commercial Services. The people at the meeting did not support this proposal and voted to not support it.

As a result of this meeting, the agent worked with the neighborhood over the next year to address their concerns. These meetings resulted in the revised application which reduced the area by half and also decreased the zoning intensity from CS – Commercial Services to GO-General Office with a conditional overlay to limited the uses to accessory parking.

On March 9, 2011, a second plan amendment was conducted to discuss the revised application. Two hundred and fifty six notices were mailed. Twenty people attended the meeting. Lynn Ann Carley, one of the agents, gave a presentation outlining how the revised request, in addition to private deed restrictions, addressed the neighborhood's concerns. The majority of the people attending the meeting supported the revised application; however, one member of the planning contact team did not, stating that the zoning request was still taking away single family zoning, which did not support the plan.

A conceptual plan is provided at the back of the report.

A letter of support from the Brentwood Planning Contact Team is provided with this report.

**CITY COUNCIL DATE:** April 28, 2011

**ACTION:** (Pending)

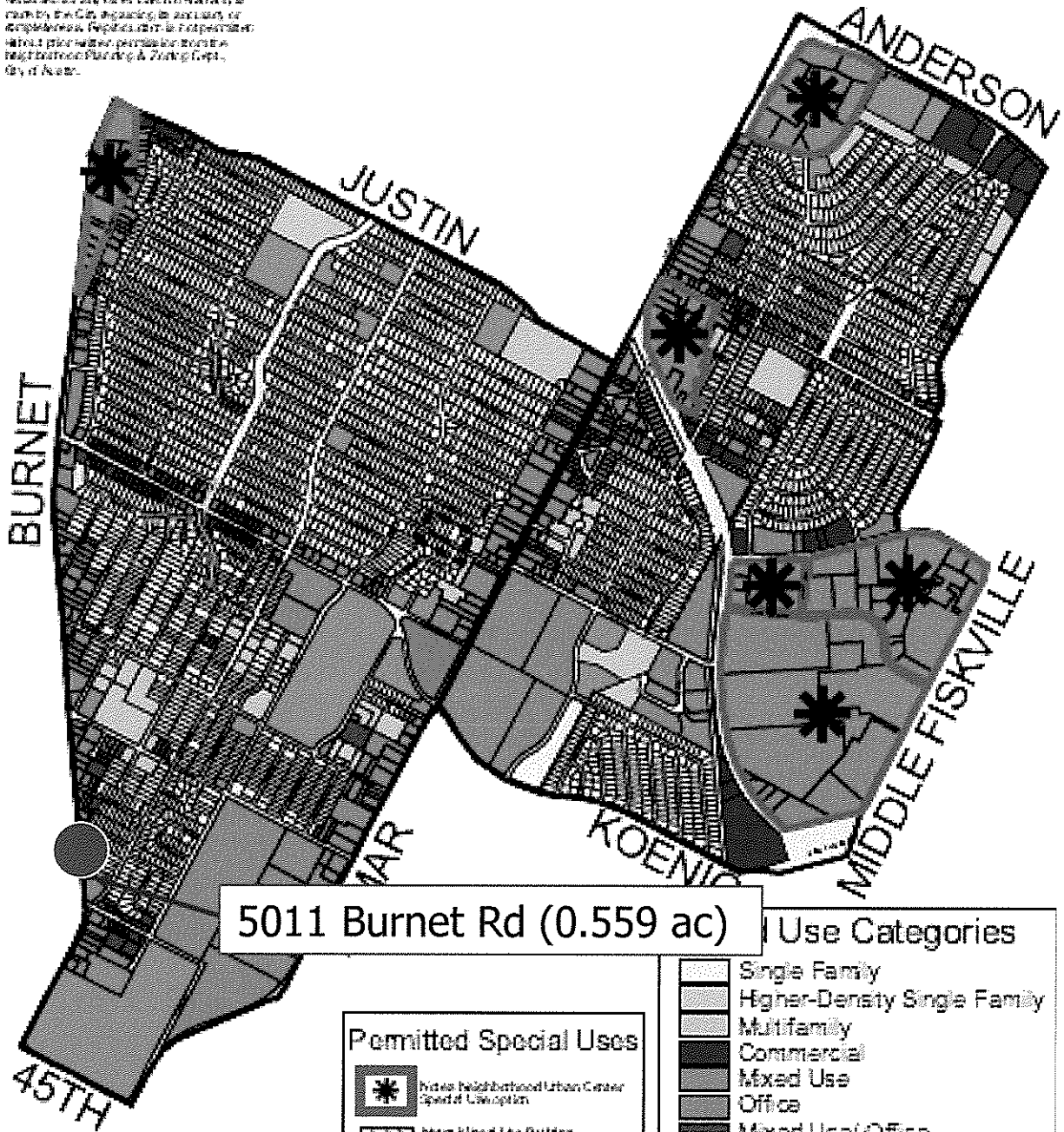
**CASE MANAGER:** Maureen Meredith, Senior Planner

**PHONE:** 974-2695

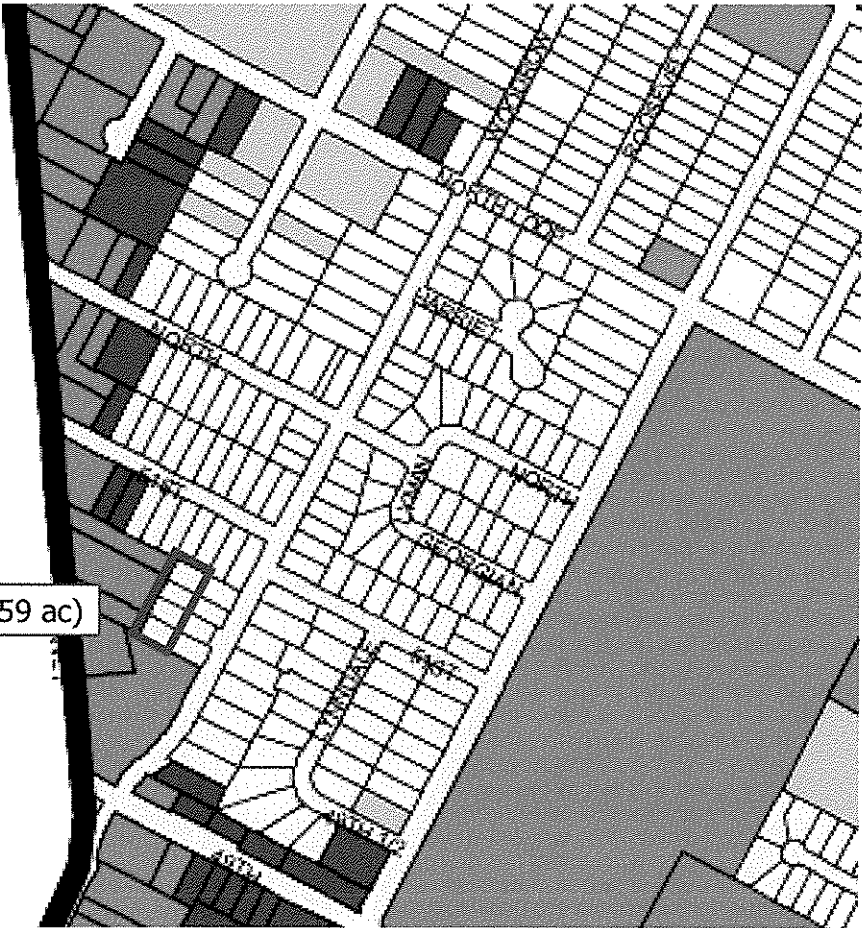
**EMAIL:** Maureen.meredith@ci.austin.tx.us

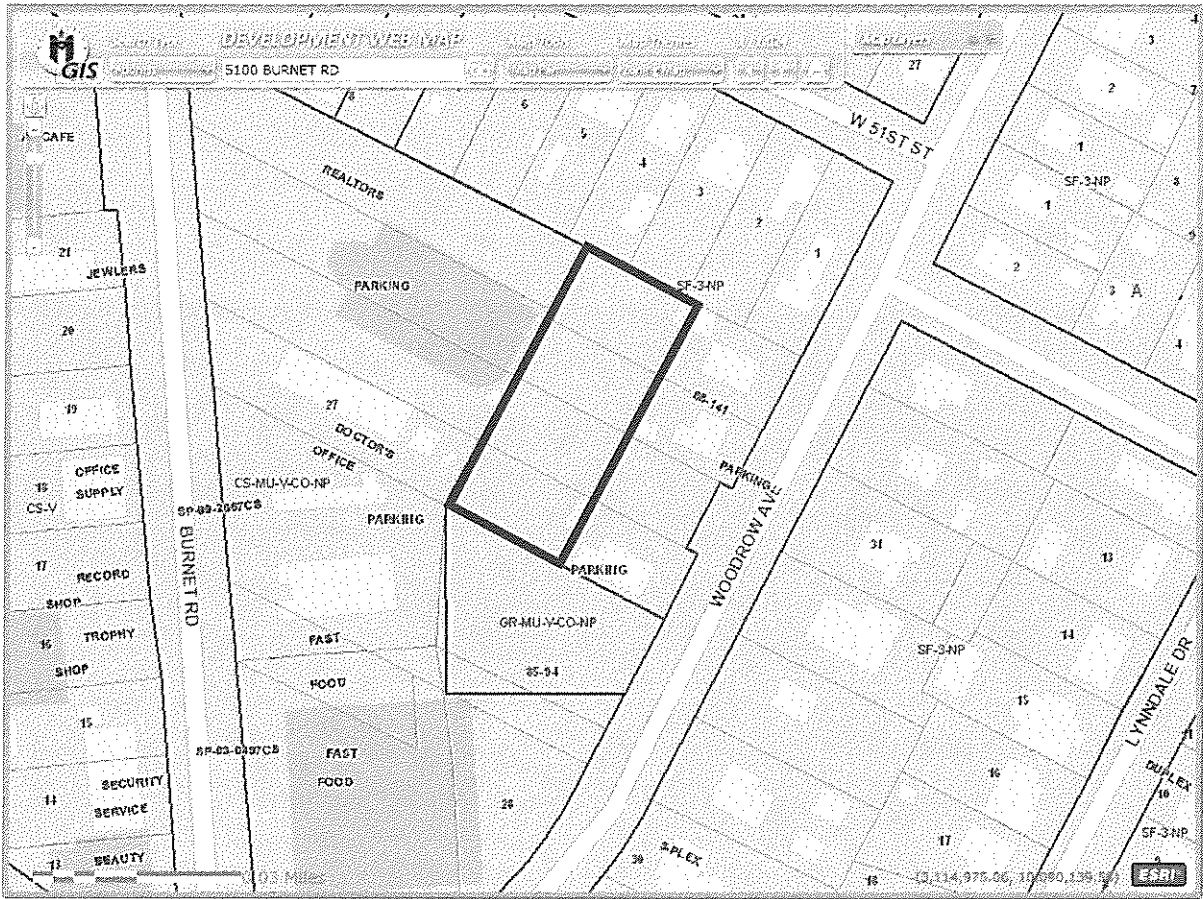
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neighborhood -



5011 Burnet Rd (0.559 ac)









## **Brentwood Neighborhood Planning Contact Team**

*Serving Our Neighborhood from 45th St. to Justin Lane and North Lamar to Burnet Road*

April 5, 2011

**To:** Maureen Meredith, Neighborhood Planner

**Subject:** Proposed Brentwood Neighborhood Plan Amendment Plan Amendment  
Case Number: NPA-2010-0018.03, Zoning Case Number: C14-2010-0025

On March 9, 2011 the Brentwood Neighborhood Planning Contact Team (BNPCT) held a public meeting in accordance with our bylaws to consider a plan amendment plan and zoning change proposal for property located @ 4914-5004 Woodrow Avenue. In attendance were 8 members of the BNPCT, Brentwood residents who live near the subject property, the applicant's agents Lynn Ann Carley & Bill Lawson, and City of Austin Neighborhood Planner Maureen Meredith. The applicants presented their case for the proposed plan amendment and zoning case. After which, the applicants fielded questions about the proposal from the attendees. The applicant's presentation, resident input, and the goals of the Brentwood Neighborhood Plan were all carefully considered before making the following recommendation:

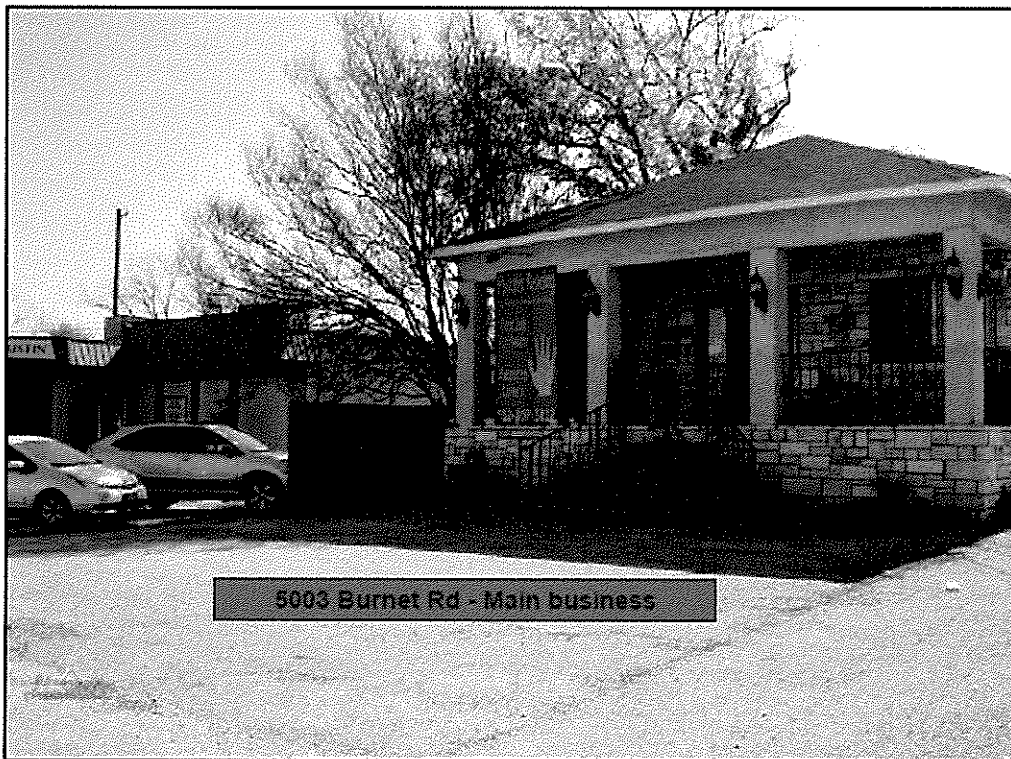
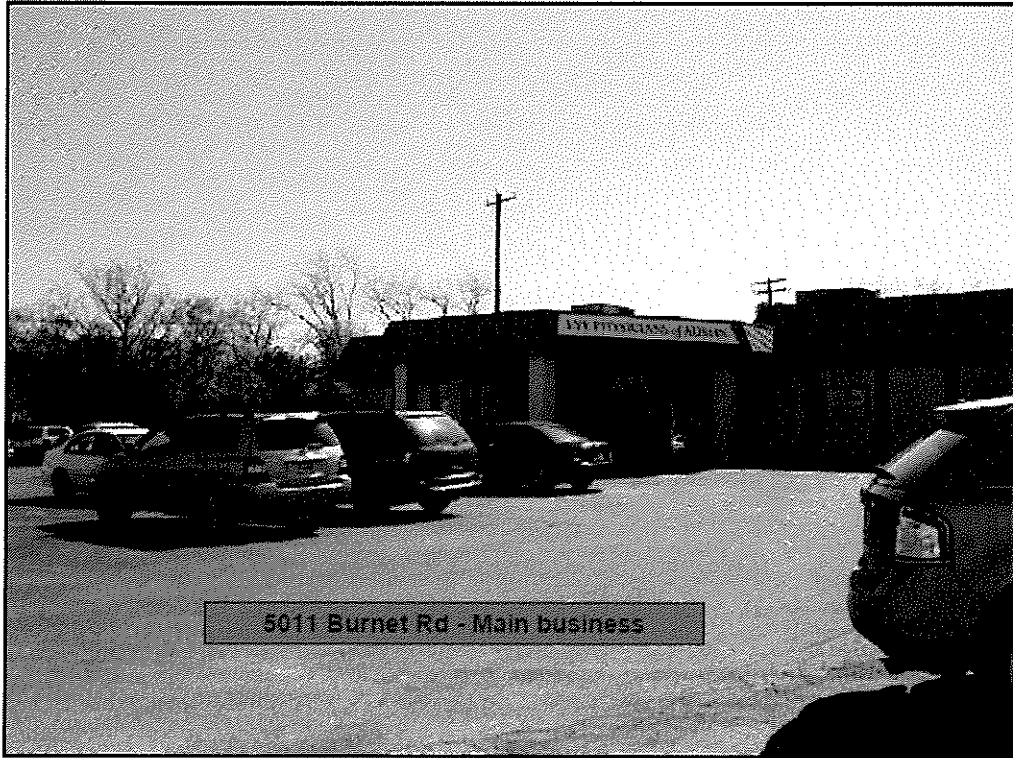
The Brentwood Neighborhood Planning Contact Team voted to support the applicant's plan amendment and zoning change request for the following reasons:

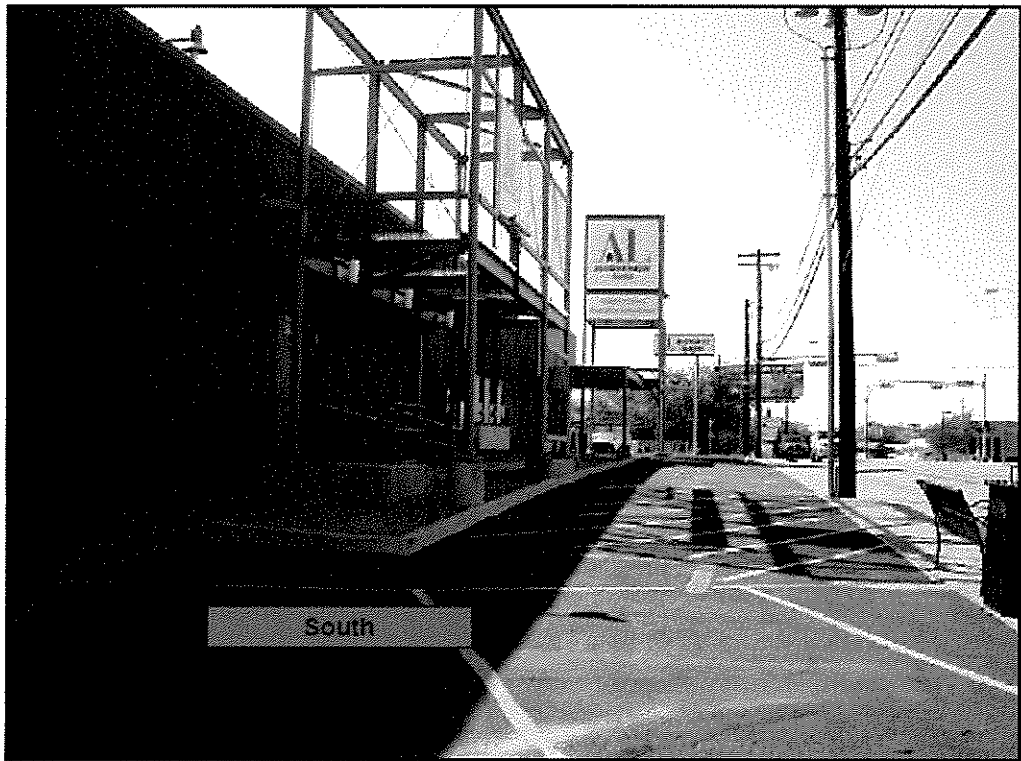
- The request creates a **GO** zoned "buffer" between **CS** properties along Burnet Road and the remaining **SF-3** properties along Woodrow.
- The request preserves a residential edge along Woodrow by leaving three legal **SF-3** lots.

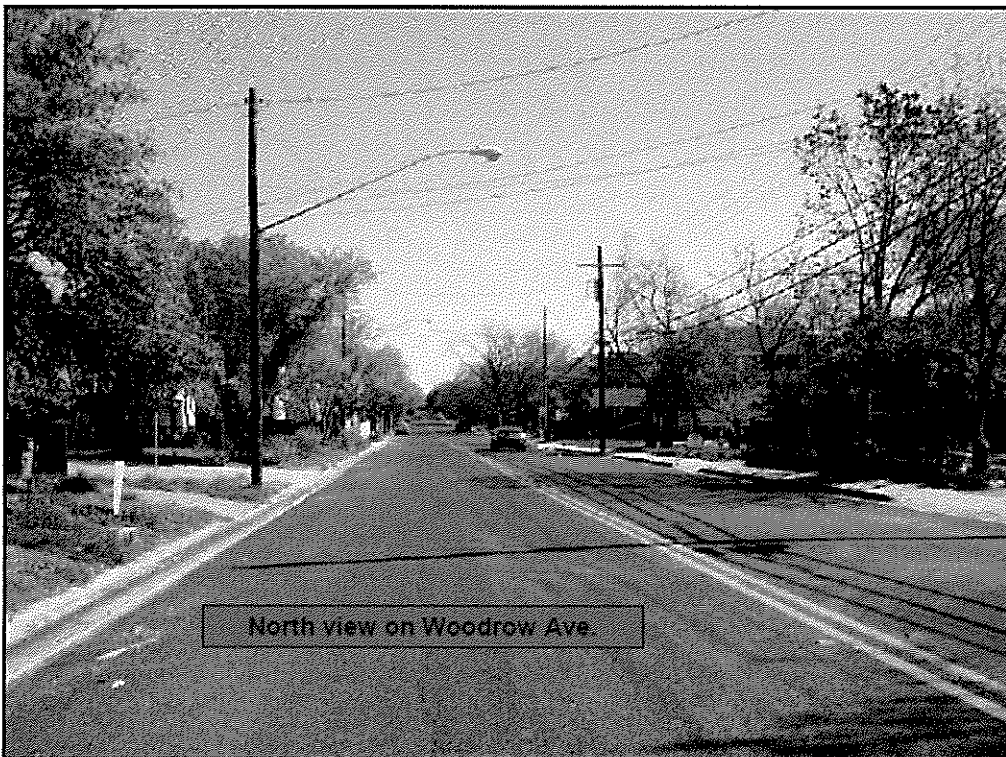
**BNPCT support is contingent on the following:**

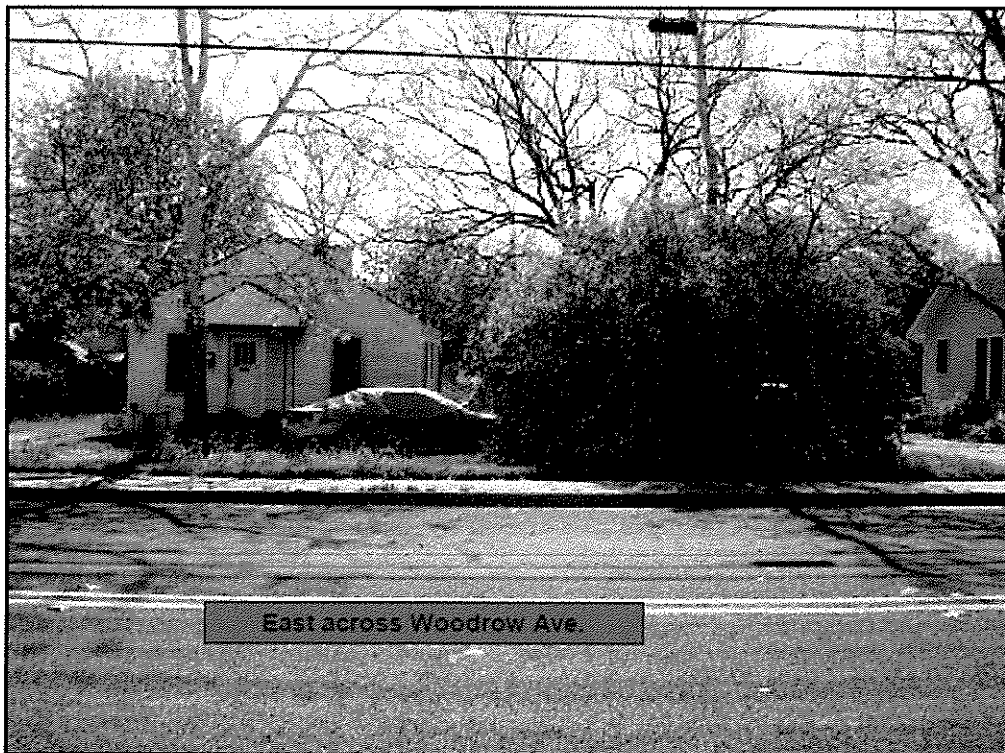
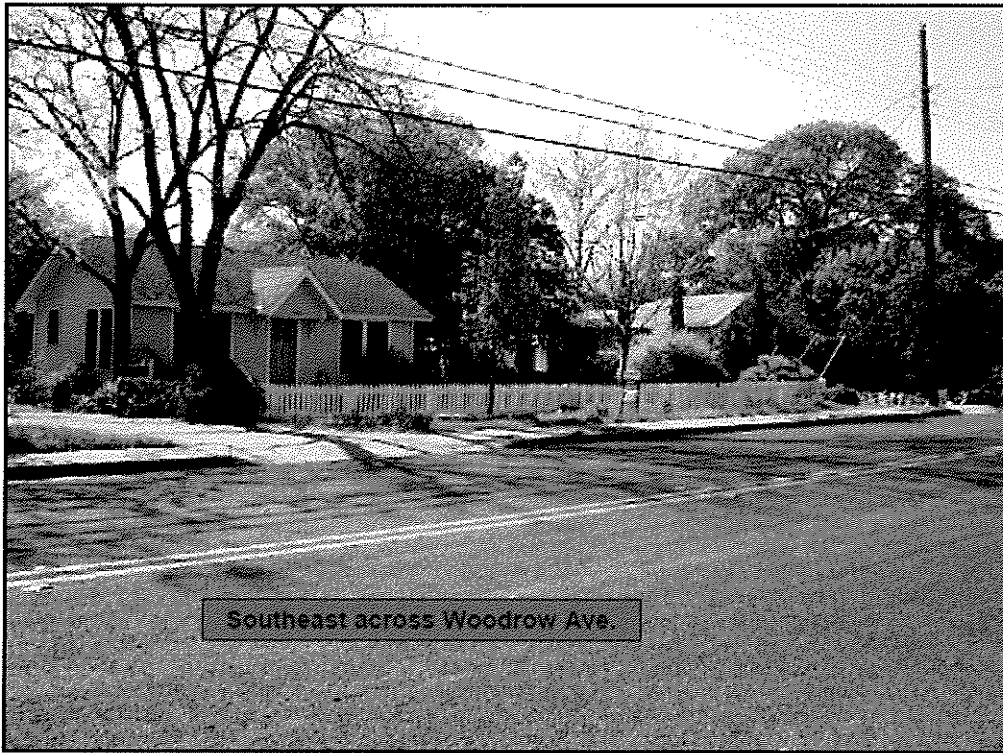
- If there is a Conditional Overlay on the **GO** zoned portion of the property that excludes all use/s but those absolutely necessary to satisfy the applicant's need for surface parking.
- If a Restrictive Covenant is in place between the applicant, nearest neighbors, and the Contact Team.
- If the residents withdraw their valid petition in opposition of a zoning change request.

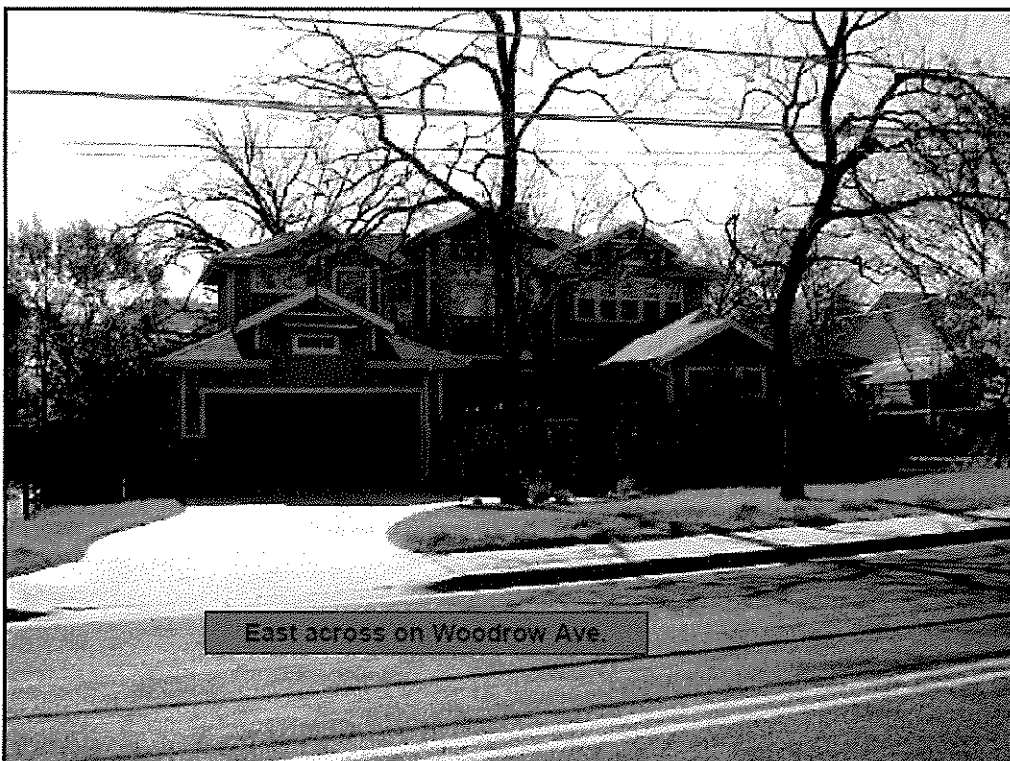
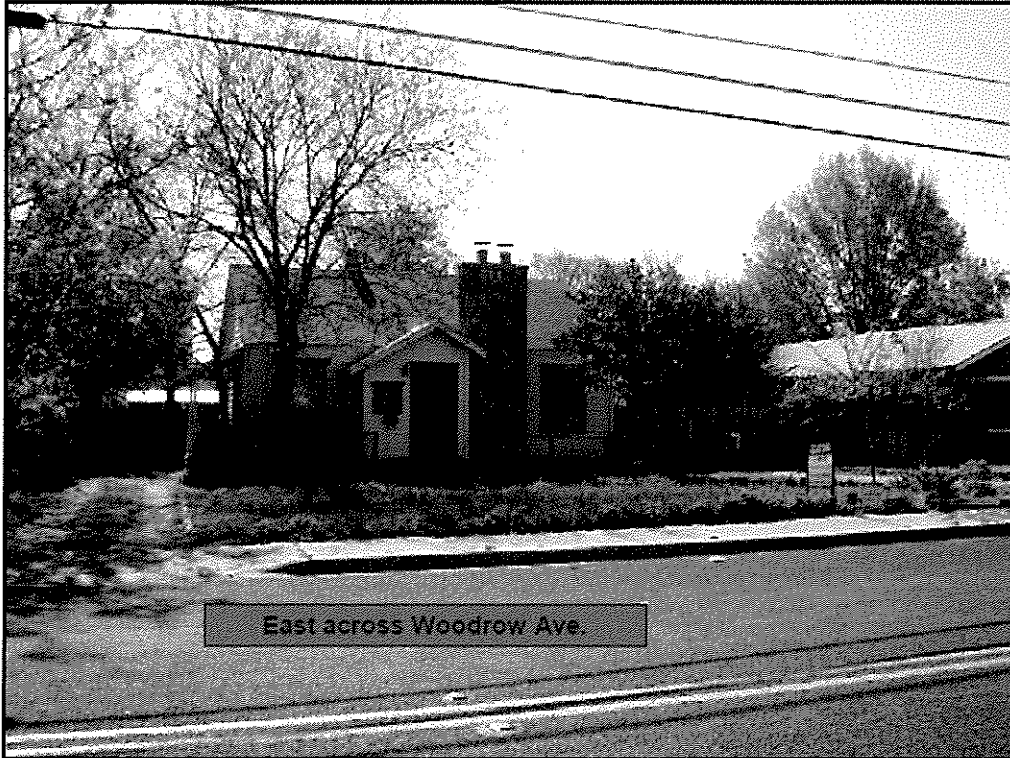
Sincerely,  
Richard Brock  
BNPCT Chair  
512) 458-3677  
[richbrock@grandecom.net](mailto:richbrock@grandecom.net)

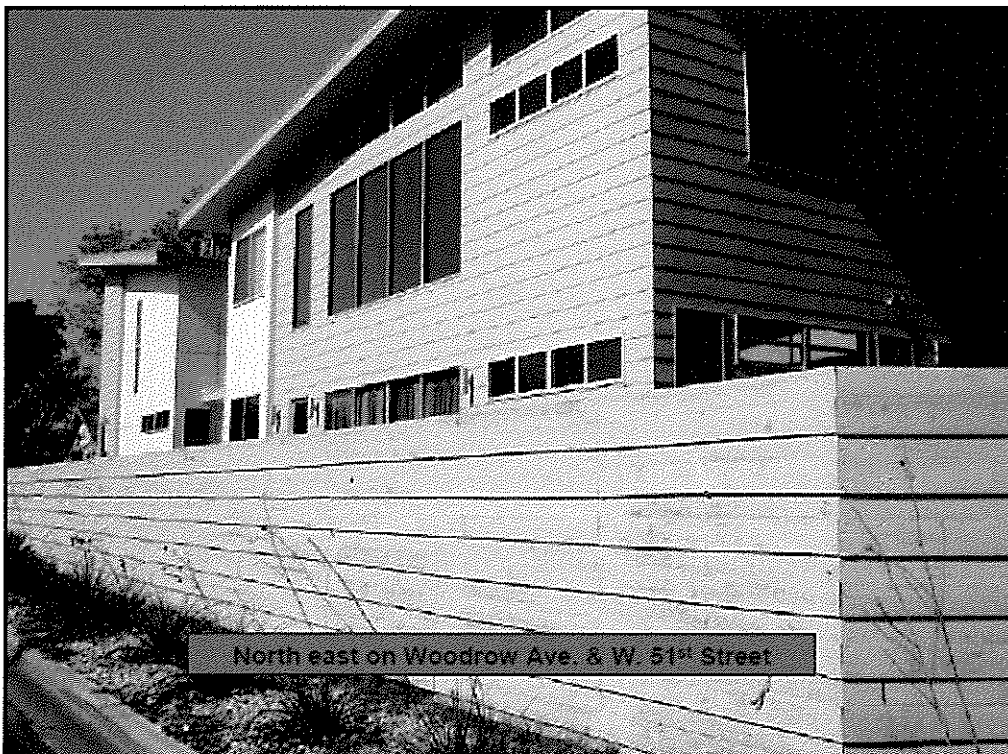
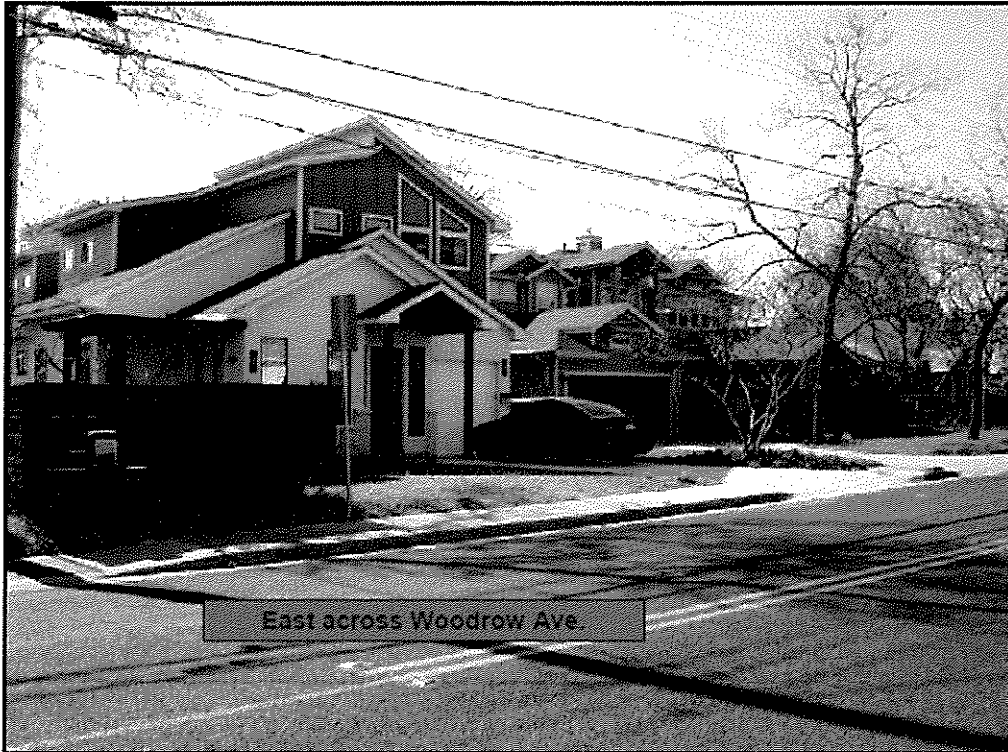


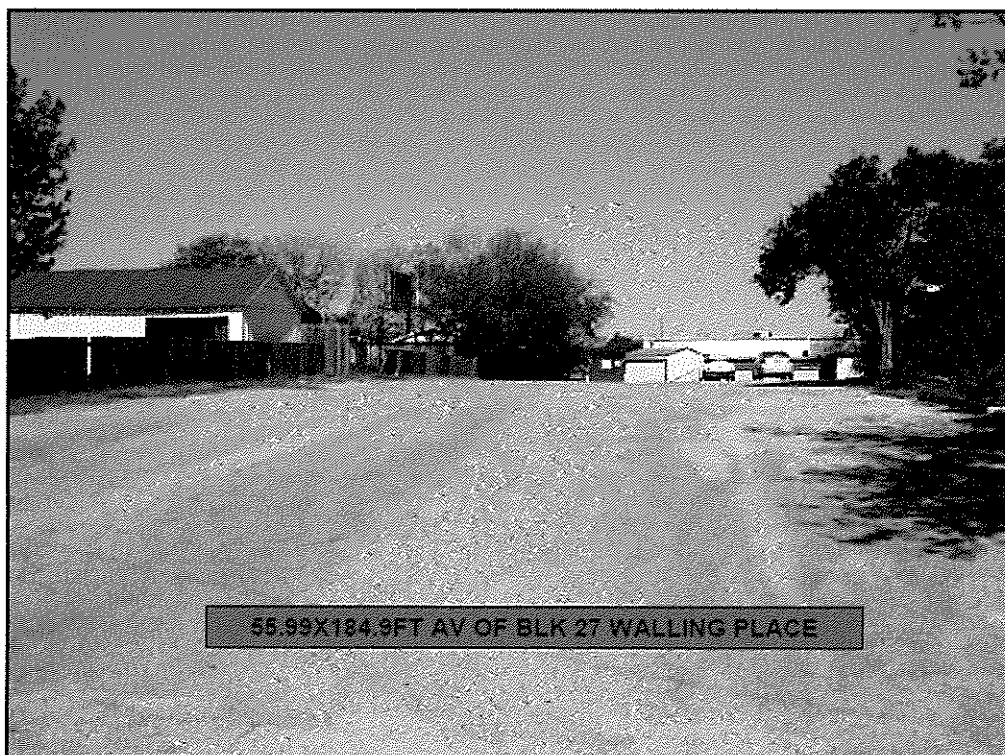


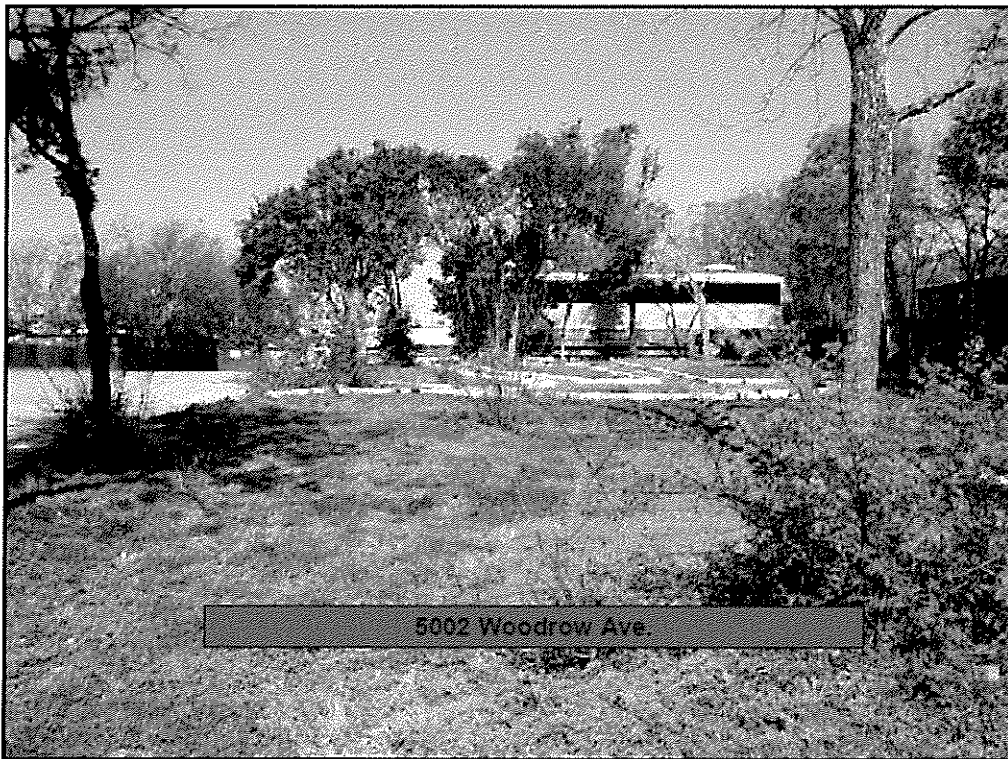




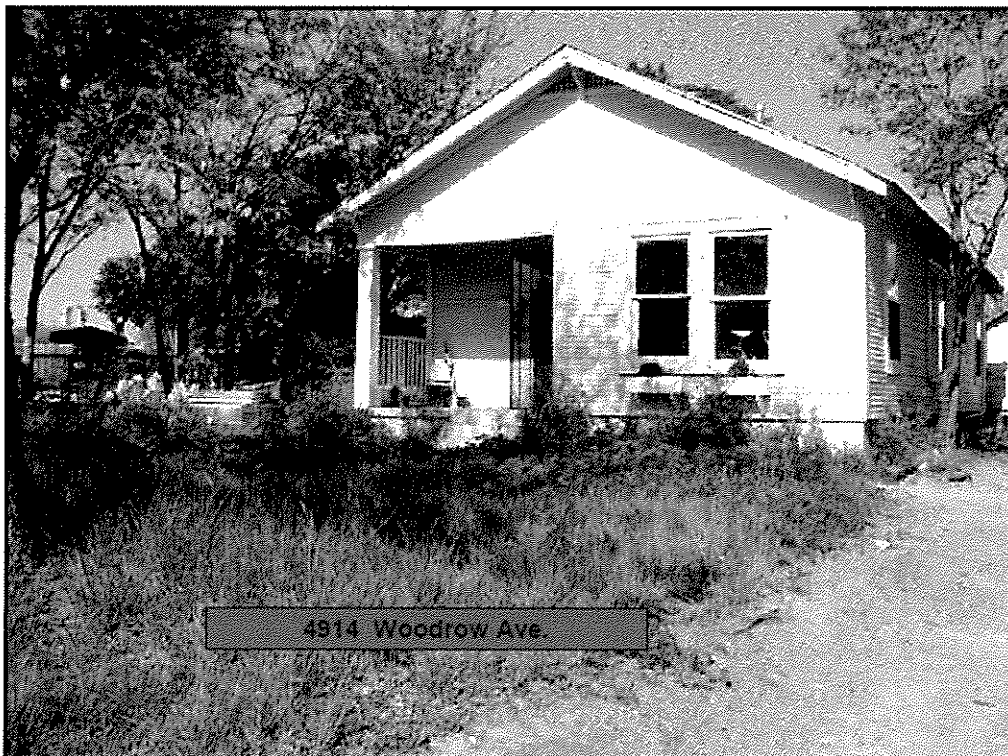








5002 Woodrow Ave.



4914 Woodrow Ave.

