

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-1
AGENDA DATE: Thu 01/12/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0194 - Brownie Park - City Initiated - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10000-10199 Block of Brownie Drive (Little Walnut Creek Watershed) from multi-family residence-low density (MF-2) district zoning to public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P) district zoning. Applicant City of Austin Parks and Recreation Department. Agent: Neighborhood Planning and Zoning Department. City Staff: Tina Bui, 974-2755.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: _____

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0194

Z.A.P. DATE: January 3, 2006

ADDRESS: 10000 - 10199 Block of Brownie Drive

OWNER/APPLICANT: City of Austin Parks and Recreation Department (Julie Lipton)

AGENT: City of Austin Neighborhood Planning & Zoning Dept. (Tina Bui)

ZONING FROM: MF-2

TO: P

AREA: 0.387 acres

SUMMARY STAFF RECOMMENDATION:

Staff's recommendation is to grant P.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

January 3, 2006: Approved staff's recommendation of P zoning on consent. (Vote: 9-0; J.Martinez 1st, J. Gohil 2nd)

ISSUES:

Residents in the area have been concerned about quality of life issues such as crime, code violations and related problems.

DEPARTMENT COMMENTS:

The site in question is currently an undeveloped tract of land and serves as a drainage easement. The property is located at the southwestern end of Brownie Drive. The property has been deeded to the City by a private citizen. The City of Austin Parks and Recreation Department proposes to rezone the property in question to develop a small public park and playscape to serve surrounding residents.

Numerous City departments, including primarily the Police Department and Solid Waste Services, have worked with the surrounding neighborhood over the past few years on neighborhood beautification and quality of life issues in an effort called Operation Restore Hope. No public parkland exists in close proximity that can be easily accessed by pedestrians.

In 1982, a private deed restriction was drawn up and executed by the developer. The deed restriction regulates housing types, architectural controls, lot sizes, setbacks, landscaping, and related building requirements. One condition of the private deed restriction states that the entirety of the subdivision shall only be used for residential purposes and the property requested to be rezoned is dedicated as a drainage and public utility easement on the plat.

Staff supports the applicant's request to rezone the property to P (Public) because the development of this property as a public park will provide recreational services to the surrounding residential areas and will be a compatible land use.

The applicant agrees with the staff recommendation.

CORRECTED
10848

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-2	Undeveloped, drainage easement
<i>North</i>	SF-2 & MF-2	Single-family residences, fourplexes
<i>South</i>	MF-2 & MF-3	Undeveloped
<i>East</i>	MF-2	Fourplexes
<i>West</i>	SF-2	Single-family residences

AREA STUDY: N/A**TIA:** N/A**WATERSHED:** Little Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

114 – North Growth Corridor Alliance
 511 – Austin Neighborhoods Council
 742 -- Austin Independent School District
 745 – Brownie Drive HOA
 937 – Taking Action Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2215	SF-2 to CS	Approved CS-CO (7-0) on 11/28/00	Approved CS-CO prohibiting w/adult-oriented businesses prohibited and 2000-trip condition (6-0); all 3 readings on 1/18/01
C14-01-0088	CS-CO to CS-1-CO	Forwarded to Council w/o recommendation (7-0) on 07/10/01	Denied CS-1-CO (7-0) on 08/30/01
C14-02-0172	SF-2 to CS	Approved CS-CO (6-0) on 12/03/02	Approved CS-CO w/pawn shops prohibited and 2000-trip condition (7-0); all 3 readings on 1/09/03
C14-03-0184	SF-2 to LO	Approved LO (9-0) on 2/03/04	Approved LO (6-0); all 3 readings on 3/04/04
C14-03-0131	SF-2 to SF-3	Denied SF-3 (8-1) on 09/23/03	Approved SF-3 (6-0); 1 st reading on 10/23/03 Approved SF-3 (6-0); 2 nd /3 rd readings on 11/20/03
C14-03-0142	LR to CS-CO	Approved CS-CO (9-0) on 10/14/03	Approved CS-CO with 2000-trip condition (6-0); all 3 readings on 11/20/03

C14-05-0194

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	CAPITAL METRO	BICYCLE PLAN
Brownie Drive	60'	40'	Collector	No	No	No

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS: 1st

2nd

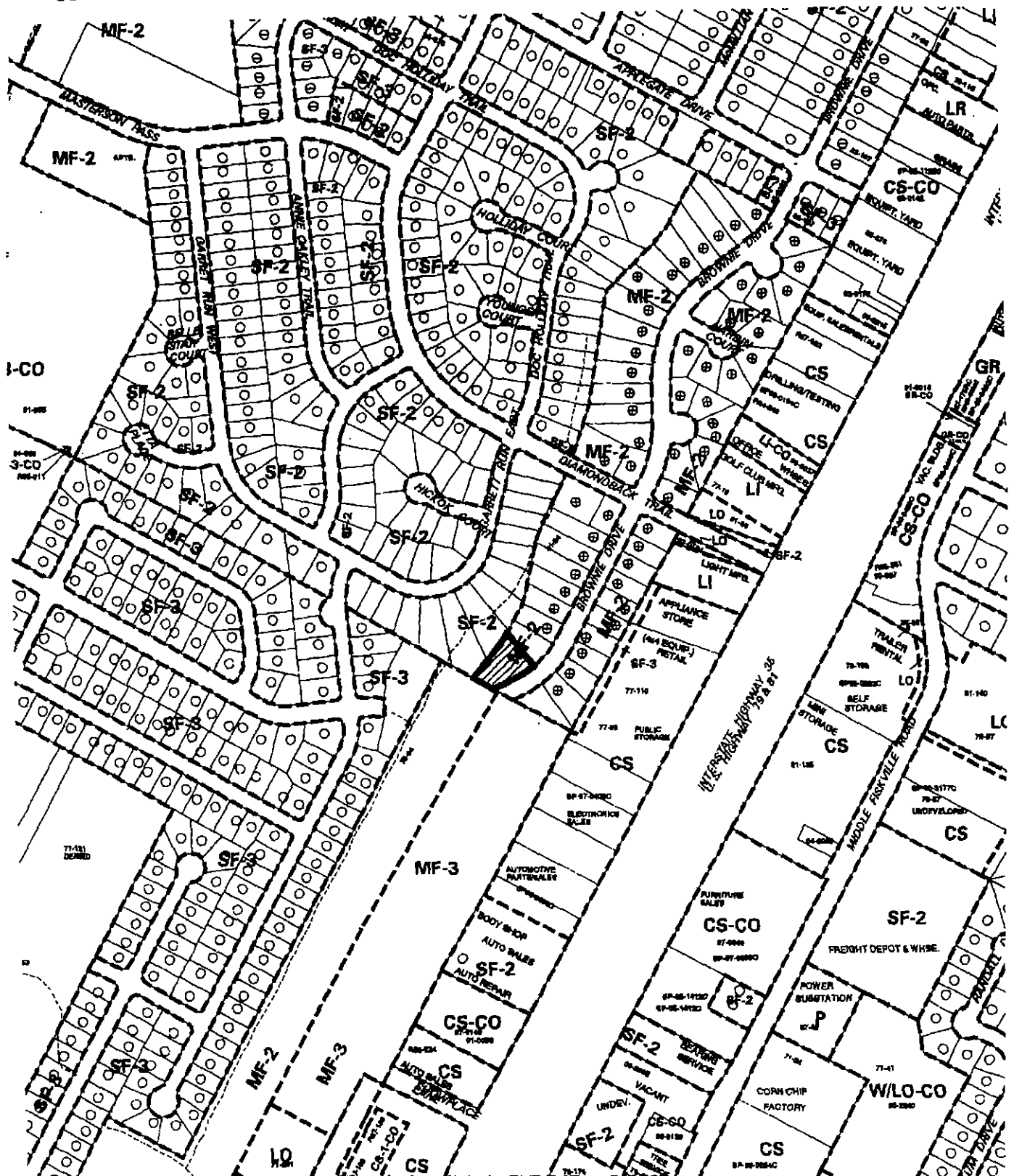
3rd

ORDINANCE NUMBER:

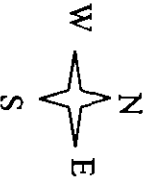
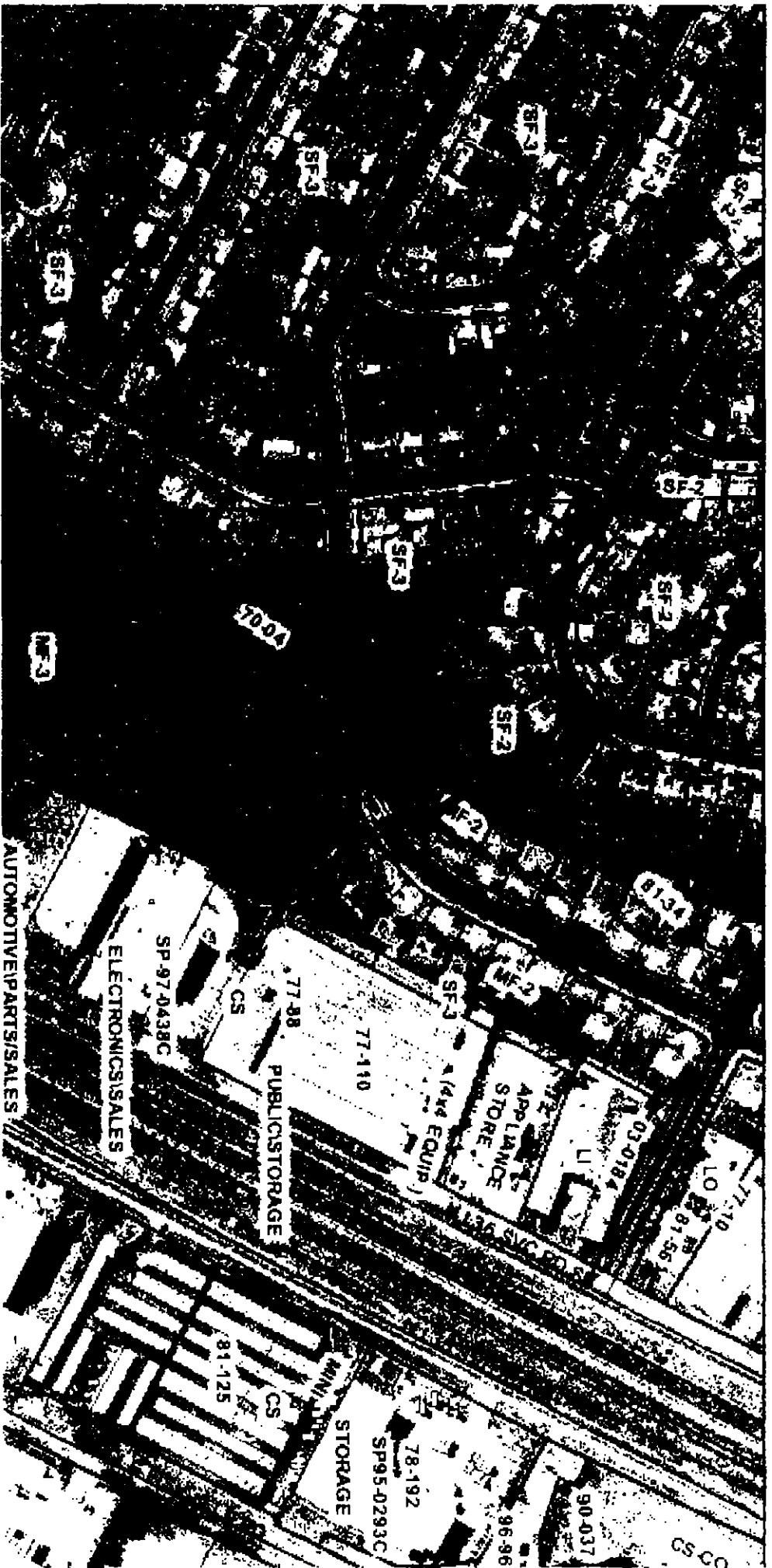
CASE MANAGER: Tina Bui

PHONE: 974-2775,
tina.bui@ci.austin.tx.us

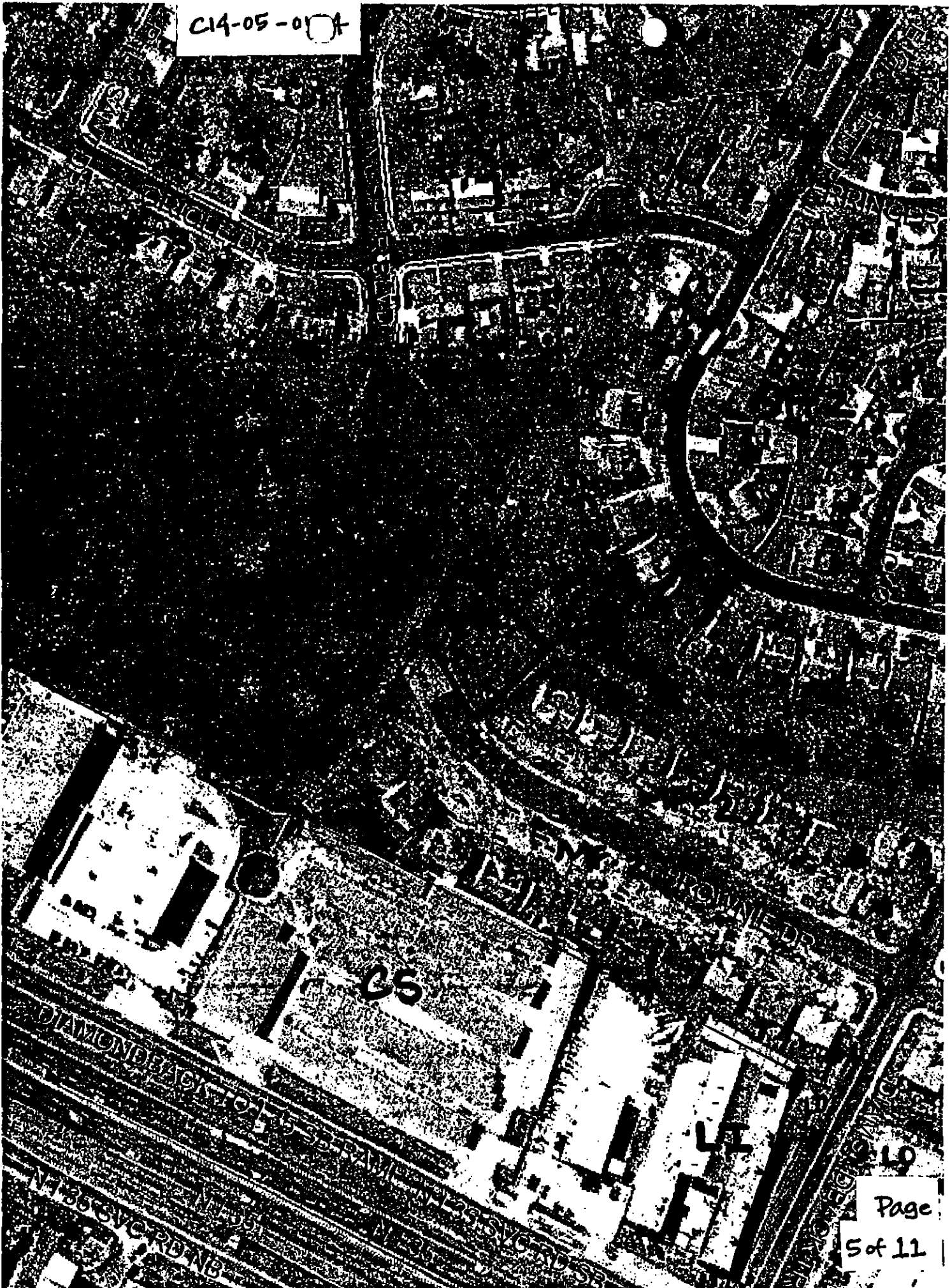
C14-05-0194



 400'	SUBJECT TRACT	CASE #: C14-05-0194 ADDRESS: 10000 - 10199 BLOCK OF BROWNIE DR. SUBJECT AREA (acres): 0.387	DATE: 05-11 INTLS: SM	CITY GRID REFERENCE NUMBER M30
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: J. ROUSSELIN			



C14-05-01A



Revised
Submitted 12/28/05

C14-05-0194

CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 17,020 SQUARE FEET OF LAND, BEING A PORTION OF LOT 24, BLOCK H, WESTERN TRAILS OF QUAIL CREEK SECTION TWO, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 81 PAGES 214-215 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found for the Southwest corner of Lot 24, Block H, Western Trails of Quail Creek Section Two, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 81 Pages 214-215 of the Plat Records of Travis County, Texas, and for the Southeasterly corner of Lot 6, Block H, Western Trails of Quail Creek Section One-A, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 81 Page 106 of the Plat Records of Travis County, Texas, and being the Southwest corner and **PLACE OF BEGINNING** of the herein described tract;

THENCE with the West line of said Lot 24, the following two (2) courses;

- 1) N 40 deg. 53' 20" E 143.96 ft. to a ½" iron rod found;
- 2) N 29 deg. 34' 00" E 39.64 ft. to a ½" iron rod set with a plastic cap imprinted with "Carson and Bush Professional Surveyors" for the most Northerly or Northwest corner of this tract, and from which a ½" iron rod found in the West line of said Lot 24 for the Southeasterly common corner of Lot 7 and Lot 8, Block H, of said Western Trails of Quail Creek Section Two, bears N 29 deg. 34' 00" E 7.52 ft.;

THENCE crossing the interior of said Lot 24 with the Northeasterly line of this tract, S 36 deg. 47' 52" E 140.06 ft. to a ½" iron rod set with the plastic cap imprinted with "Carson and Bush Professional Surveyors" in the curving Northwesterly right-of-way line of Brownie Drive for the most Easterly or Northeast corner of this tract;

end of Page 1

Page 6 of 11

C14-05-0194

- Revised
- Submitted 12/28/05


Page 2 of 2
(portion of Lot 24)

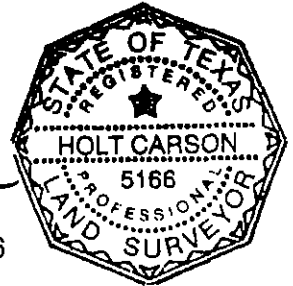
THENCE with the Northwestern right-of-way line of Brownie Drive, the following three (3) courses;

- 1) along a curve to the right with a radius of 273.20 ft. for an arc length of 55.62 ft. and which chord bears S 58 deg. 28' 55" W 55.52 ft. to a 1/2" iron rod found for a point of tangency;
- 2) S 64 deg. 15' 12" W 79.03 ft. to a 1/2" iron rod found for a point of curvature;
- 3) along a curve to the left with a radius of 330.24 ft. for an arc length of 15.41 ft. and which chord bears S 62 deg. 45' 47" W 15.41 ft. to a 1/2" iron rod found for the point of termination of the Northwestern right-of-way line of Brownie Drive and for the most Southerly or Southeast corner of said Lot 24 and being the most Southerly or Southeast corner of this tract;

THENCE with the Southwesterly line of said Lot 24, N 59 deg. 03' 25" W 76.34 ft. to the **PLACE OF BEGINNING**, containing 17,020 square feet of land.

SURVEYED: October 18, 2005.


Holt Carson
Registered Professional Land Surveyor No. 5166



see accompanying map: A 758058

FIELD NOTES REVIEWED
By John H. Moore Date 12-1-2005
Engineering Support Section
Department of Public Works
and Transportation

Page 7 of 11

- ½" Iron Rod Found
- ½" Iron Pipe Found
- ½" Iron Rod Set with plastic cap imprinted with "Garson and Birch"

---+--- Wrought-Iron Fence
Weed Bearing on Distance:

WESTERN TRAILS OF CUAIL CREEK
SECTION - WC
VOLUME 21 PAGES 214-225

BLOCK H

BROWNIE DRIVE (60')

5-4474 PLAT OF

7,000 SQUARE FEET OF LAND, BEING A PORTION OF LOT 24, BLOCK H, WESTERN TRAILS OF QUAIL CREEK SECTION TWO, A SUBDIVISION IN TARRANT COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 81 PAGES 214-215 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS.

see accompanying Field Note Description

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STAFF RECOMMENDATION

Staff's recommendation is to grant P.

BASIS FOR RECOMMENDATION

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

Public (P) district is the designation for a governmental, civic, public service, or public institution use.

- 4. Zoning changes should promote compatibility with adjacent and nearby uses.*

The P zoning district is compatible and consistent with the surrounding uses because the site is adjacent to residential uses to north (single-family residences and fourplexes), east (fourplexes), and west (single-family residences). The property to the south is currently undeveloped but zoned for multi-family apartments.

- 3. The proposed zoning should allow for a reasonable use of the property.*

The P zoning district designation will allow the City to develop the property as a public park. The proposed park will provide recreational facilities for the surrounding residential areas.

- 5. The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

No public parkland exists in close proximity that can be easily accessed by pedestrians. Therefore, staff recommends P zoning so that a small park can be developed for nearby residents.

- 6. Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

Residents in the area have been concerned about quality of life issues and numerous City departments have been involved in efforts to address these concerns. Staff recommends P zoning so that the proposed playscape can be built to serve as a public amenity for adjacent residents.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently undeveloped with a few trees on the southwestern boundary.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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. Impervious cover is not limited in this watershed class.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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. Impervious cover is not limited in this watershed class. 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.

According to flood plain maps, there is no flood plain 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.

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

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.

Transportation

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

The trip generation under the requested zoning is estimated to be 2 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

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]

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	CAPITAL METRO	BICYCLE PLAN
Brownie Drive	60'	40'	Collector	No	No	No

Right of Way

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

Water and Wastewater

If the landowner intends to serve the site with City of Austin water and/or wastewater utility service, the landowner will be responsible for providing the necessary utility improvements, offsite main extension and system upgrades. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City.

Stormwater Detention

This site is required to provide stormwater controls for the 2, 10, 25, and 100-year storm events based on the increase in stormwater flows generated. Typically, stormwater detention is handled onsite by means of ponding but there is a possibility of requesting a waiver to onsite detention if the applicant demonstrates that the proposed development will not adversely affect any downstream properties.

Compatibility Standards

This use, parks and recreation services (general), does not trigger compatibility standards.

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE 10000-10199 BLOCK OF BROWNIE DRIVE FROM MULTIFAMILY RESIDENCE LOW DENSITY (MF-2) DISTRICT TO PUBLIC (P) DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from multifamily residence low density (MF-2) district to public (P) district on the property described in Zoning Case No. C14-05-0194, on file at the Neighborhood Planning and Zoning Department, as follows:

A 17,020 square foot tract of land, more or less, out of Lot 24, Block H, Western Trails of Quail Creek Section Two Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as the property located at the 10000-10199 block of Brownie Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

www.wws

, 2006

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk

**CARSON AND BUSH
PROFESSIONAL SURVEYORS, INC.**

**1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0980
FACSIMILE: (512) 442-1084**

EXHIBIT A

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end of Page 1

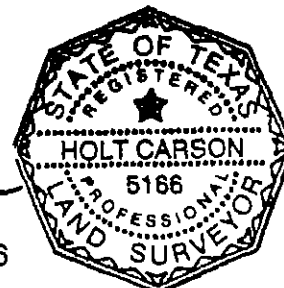
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SURVEYED: October 18, 2005.


Holt Carson
Registered Professional Land Surveyor No. 5166



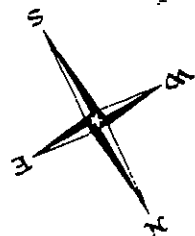
see accompanying map: A 758058

FIELD NOTES REVIEWED
By JOHN MOORE Date 12-1-2005
Engineering Support Section
Department of Public Works
and Transportation

Lebrecht

- McEwen Rod + wand
- McEwen Pope Count
- McEwen Rod (not with plastic, as implied with McEwen unit) bush

Wrought Iron Fence
Record Drawing and Estimate



WESTERN TRAILS OF QUAIL CREEK
SECTION TWO:
VOLUME 6: PAGES 153-215

BLOCK H

BROWNE DRIVE (60')

52915(1) 4.11.91
52916(1) 4.11.91

SURVEY PLAT OF

17.020 SQUARE FEET OF LAND, BEING A PORTION OF LOT 24, BLOCK 1, WESTERN TRAILS OF OUAL CREEK SECTION TWO, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAN THEREOF RECORDED IN VOLUME 81 PAGES 214-215 OF THE PLA; RECORDS OF TRAVIS COUNTY, TEXAS.

see accompanying Field Note Description

CF No 0005133.

**T.D. City of Austin
Heritage Falls Company of Austin Inc**

THE STATE OF TEXAS
THE COUNTY OF TARRANT

The undisputed does was not, certainly, that a survey was the day made on the ground of the property largely described hereon and is accurate to the last of my abilities and that there are no boundary line conflicts or encroachments, shrillings in are overlapping of improvements, within utility lines or grant in price, except as shown hereon, and said property about a detached roadway.

The property is within Zone X (average determined to be outside of the '00 Year Flood Plain) according to the Federal Emergency Management Agency Flood Insurance Rate Map Panel No. 48024 0150 1, dated June 16, 1993.

1995, the 10th day of OCTOBER, A.D., 2005.

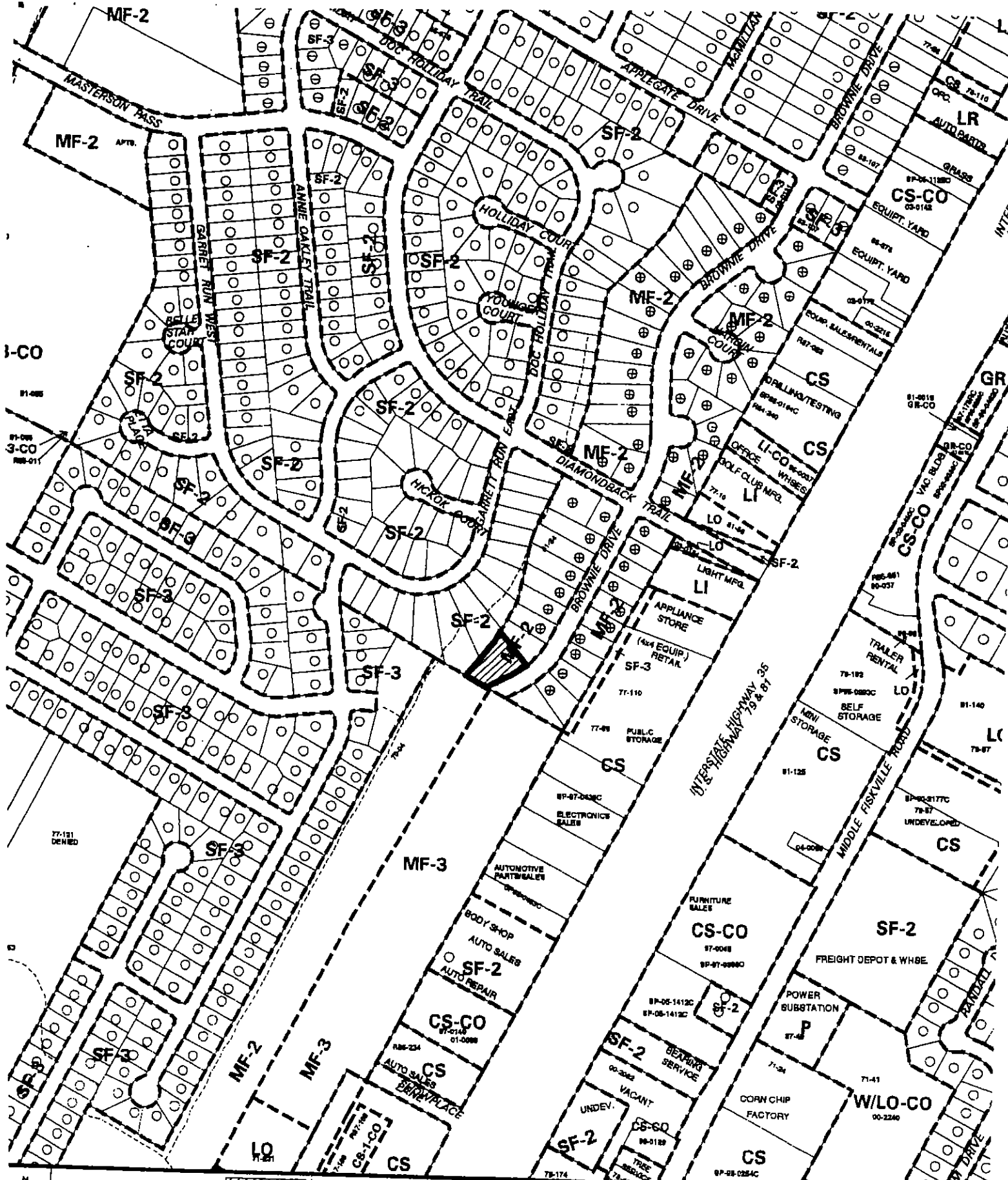
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Holl: CNA.com

Registered Professional Land Surveyor No. 5155
CARSON AND BUSH PROFESSIONAL SURVEYORS, INC.





<p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: J. ROUSSELIN</p>	<p>CASE #: C14-05-0194</p> <p>ADDRESS: 10000 - 10199 BLOCK OF BROWNIE DR.</p> <p>SUBJECT AREA (acres): 0.387</p>	<p>ZONING EXHIBIT B</p> <p>DATE: 05-11</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>M30</p>
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