

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



**AGENDA ITEM NO.: Z-4  
AGENDA DATE: Thu 01/12/2006  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0111.02 - East Riverside/Oltorf Neighborhood Plan, Tract 204 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2507 and 2513 1/2 Burleson Road (Country Club Creek Watershed) from community commercial (GR) district zoning to multi-family residence-low density (MF-2) district zoning. Planning Commission Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Applicant: Sigvard Siversten. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

**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:**

**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.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b> | <b>LAND USES</b>                     |
|--------------|---------------|--------------------------------------|
| <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:**

| <b>NUMBER</b> | <b>REQUEST</b>   | <b>COMMISSION</b>   | <b>CITY COUNCIL</b>  |
|---------------|------------------|---|--|
| 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 <sup>st</sup> reading on 10/23/03<br><br>Approved SF-3 (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> 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  |

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

| NAME             | ROW | PAVEMENT | CLASSIFICATION | SIDEWALKS | CAPITAL<br>METRO | BICYCLE<br>PLAN |
|------------------|-----|----------|----------------|-----------|------------------|-----------------|
| Brownie<br>Drive | 60' | 40'      | Collector      | No        | No               | No              |

**CITY COUNCIL DATE:**

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

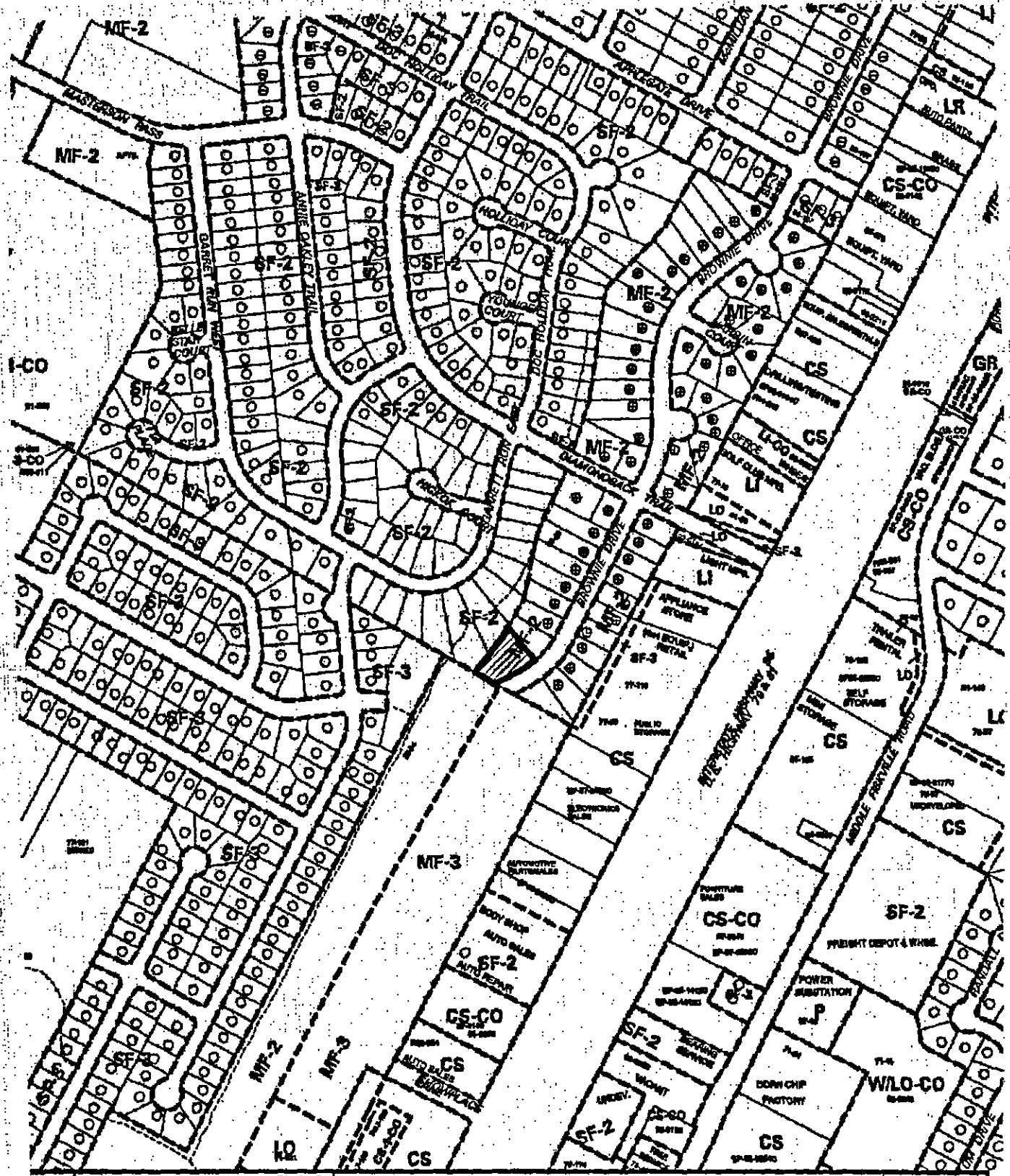
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

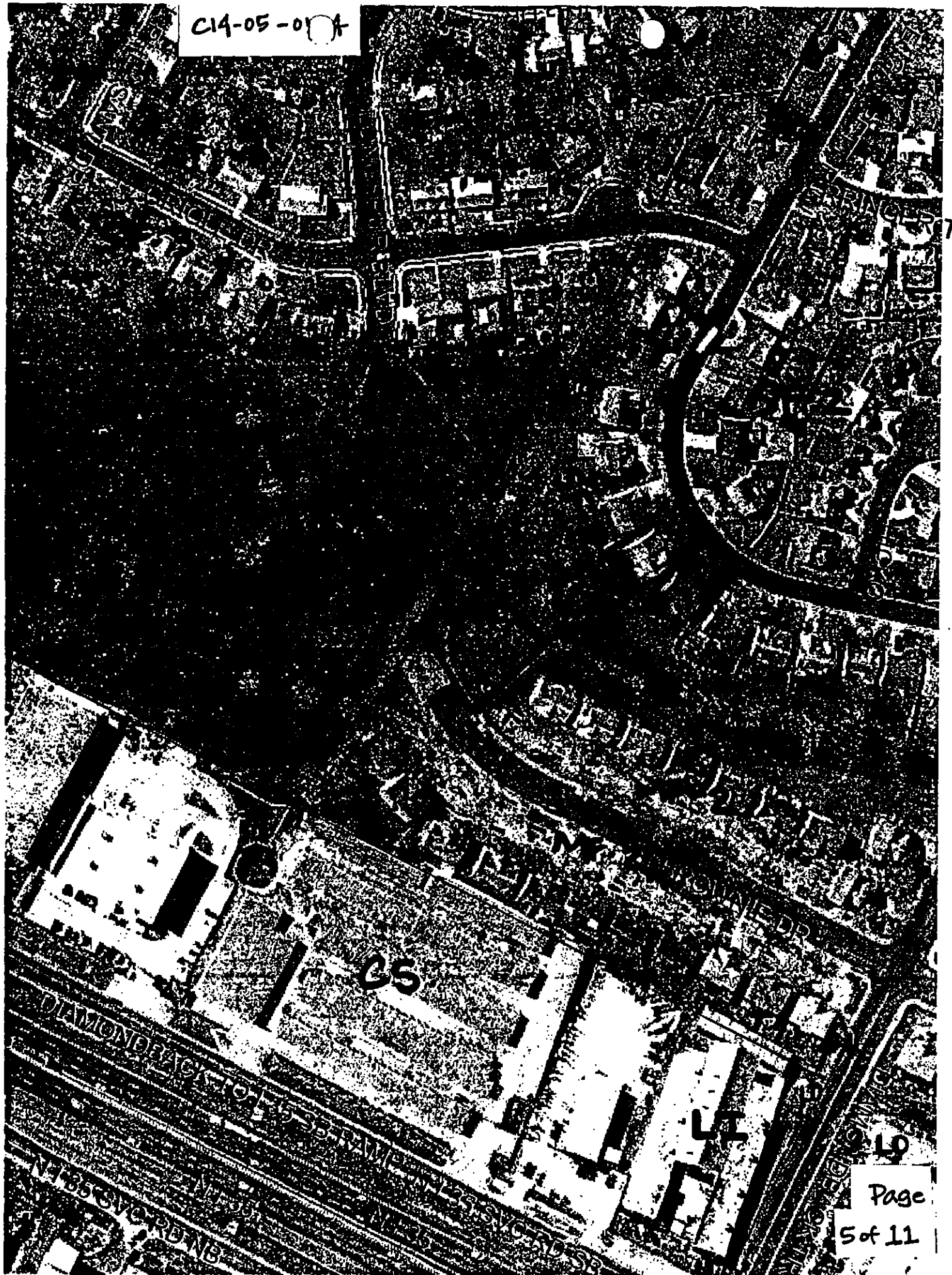
**CASE MANAGER:** Tina Bui

**PHONE:** 974-2775,  
[tina.bui@ci.austin.tx.us](mailto:tina.bui@ci.austin.tx.us)



|          |                        |  |  |                              |  |
|----------|------------------------|--|--|------------------------------|--|
| <br>400' | SUBJECT TRACT          |  | <b>ZONING</b><br><br>CASE #: C14-05-0194<br>ADDRESS: 10000 - 10199 BLOCK OF BROWNIE DR.<br>SUBJECT AREA (acres): 0.387 | DATE: 05-11<br><br>INTLS: SM | <b>CITY GRID REFERENCE NUMBER</b><br><br>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)

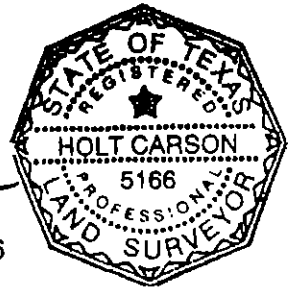
THENCE with the Northwestern right-of-way line of Brownie Drive, the following three (3) courses:

- 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

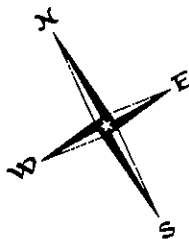


see accompanying map: A 758058

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

Page 7 of 11

● X-rod Had Found  
● X-iron Pipe Found  
● X-iron Rod Set with plastic cap  
imprinted with "Carson and Smith"



WESTERN TRAILS OF QUAIL CREEK  
SECTION TWO  
VOLUME 01 PAGES 214-215

## BLOCK H

**BROWNIE DRIVE (60')**

SURVEY PLA- CF

117,020 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

[illegible][illegible][illegible]

66-22473  
P.L. 86-360, 501 DODGE MAIN ST. P.O.  
Box 1411, WINDSOR, ONT. L9A 3Y1  
9444 104 Avenue North, Saskatoon  
S7N 1A6

## 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.com

, 2006

Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_

David Allan Smith  
City Attorney

Shirley A. Gentry  
City Clerk

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

**1904 FORTVIEW ROAD  
AUSTIN, TX 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084**

**EXHIBIT A**

**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

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 ½" iron rod found for a point of tangency;
- 2) S 64 deg. 15' 12" W 79.03 ft. to a ½" 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 ½" 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;

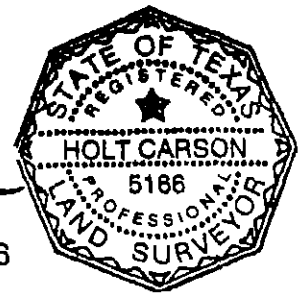
THENCE with the Southwesterly line of said Lot 24, N 59 deg. 03' 25" W 76.34 ft. to the **PLACE OF BEGINNING**, containing 17,020 square feet of land.

SURVEYED: October 18, 2005.

*Holt Carson*

Holt Carson

Registered Professional Land Surveyor No. 5166



see accompanying map: A 758058

FIELD NOTES REVIEWED  
By *JWH Moore* Date *12-1-2005*  
Engineering Support Section  
Department of Public Works  
and Transportation

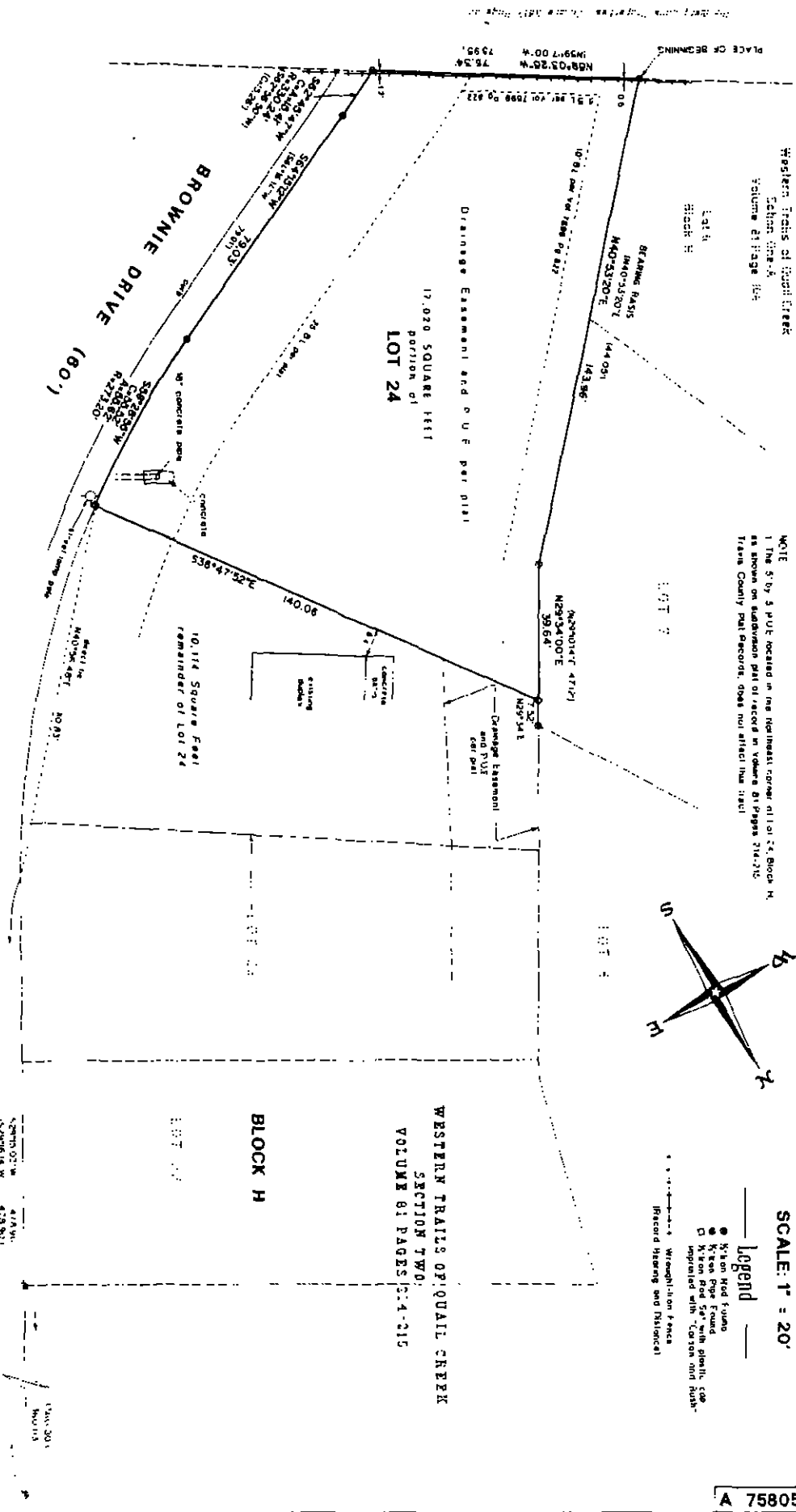
Western Trails of Quail Creek  
Section Two, A  
Volume 81 Pages 214-215

NOTE  
1 The S by S pole located in the Northeast corner of Lot 24, Block H, as shown on subdivision plat of record in Volume 81 Pages 214-215, Travis County Real Records, does not affect this plat.

SCALE: 1" = 20'

Legend  
● Iron Rod Found  
○ Iron Rod Found  
□ Iron Rod 5' with plastic cap  
imprinted with "Carson and Bush"

Wrought-Iron Fence  
(Record Bearings and Distances)



BROWNIE DRIVE (60')

WESTERN TRAILS OF QUAIL CREEK  
SECTION TWO  
VOLUME 81 PAGES 214-215

BLOCK H

SURVEY PLAT OF

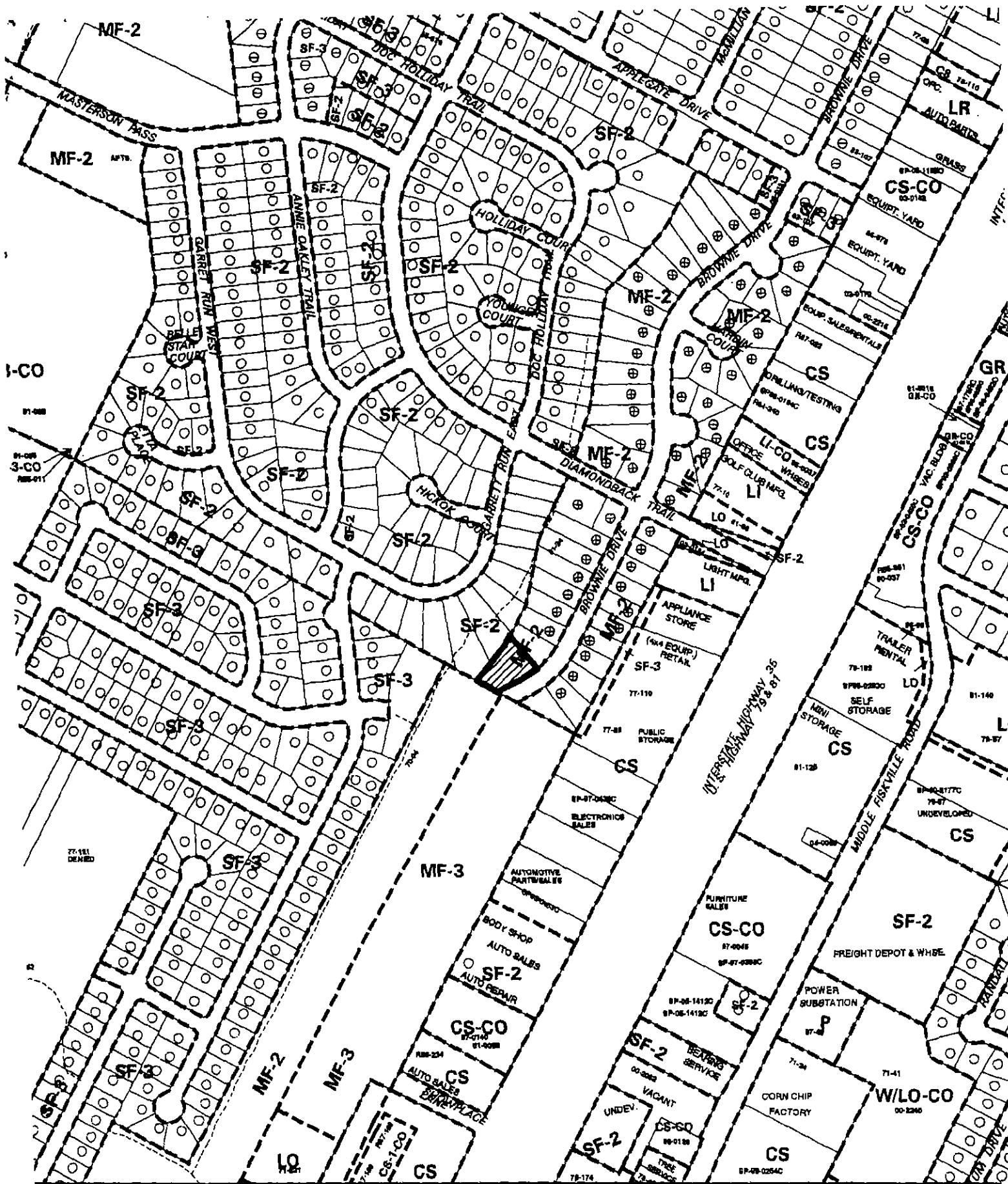
17.020 SQUARE FEET OF LAND, BEING A PORTION OF LOT 24, BLOCK H  
WESTERN TRAILS OF QUAIL CREEK SECTION TWO, A SUBDIVISION IN  
TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF  
RECORDED IN VOLUME 81 PAGES 214-215 OF THE PLAT RECORDS OF  
TRAVIS COUNTY, TEXAS.

see accompanying field note description



OF No 00051322 TO City of Austin  
Heritage Title Company of Austin, Inc.  
Commonwealth Land Title Insurance Company  
THE STATE OF TEXAS  
COUNTY OF TRAVIS  
The undersigned does hereby certify that a survey was this day made on the  
ground of the property legally described hereon and is accurate to the best of my  
skill and that there are no boundary line conflicts, encroachments, shortages in  
area, overlapping of improvements, visible utility lines or roots in place, except as  
shown hereon and said property about a dedicated roadway.  
This property is within Zone X (areas determined to be outside of the 100 Year Flood  
Plain) according to the Federal Emergency Management Agency Flood Insurance  
Rate Map FIRM No 48033-010 E, dated June 16, 1993  
THIS DAY OF OCTOBER, A.D. 2005

By  
Carson and Bush Professional Surveyors, Inc.  
8604 Fairview Road Austin, Texas 78704  
(512) 442 0990



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

**ZONING EXHIBIT B**