



## MEMORANDUM

**TO:** Mayor and City Council

**FROM:** Francis Reilly, Planning and Development Review, (512) 947-7657

**DATE:** September 19, 2014

**RE:** South Austin Combined Neighborhood Plan  
Case #: NP-2013-0030,  
C14-2014-0017 (Westgate),  
C14-2014-0018 (South Manchaca),  
C14-2014-0019 (Garrison Park)

This backup is in addition to backup submitted for the August 28-29 hearing for the South Austin Combined Neighborhood Plan. New information includes:

- Updated pages from draft neighborhood plan document:
  - pages 43-70 Character districts section of Compact, Accessible, and Affordable chapter
  - page 109 E P6: Preserve and enhance Williamson Creek and its tributaries (watershed map)
- Deed restrictions for Deer Park Secs. 1 and 2

The maps showing application of infill options for South Manchaca have been updated to reflect the deed restrictions for Deer Park sections 1 and 2.

## CHARACTER DISTRICTS

Throughout the planning process, residents emphasized that they value the character of their neighborhoods. Ranch houses and bungalows flank quiet, shaded streets. Convenient shopping, dining opportunities, and housing affordable to families make the neighborhood a great place to live.

Participants in the planning process also indicated that some of the commercial areas in the neighborhood are opportunities for more neighborhood-serving businesses. Participants also saw opportunities for making the neighborhood, including commercial areas, more accessible by foot or bicycle. These sentiments dovetail into *Imagine Austin's* citywide goal of creating complete communities.



**Residential Core**

**Neighborhood Transition**

This neighborhood plan uses character districts as a tool for implementing *Imagine Austin* and the neighborhood's vision. A character district is a geographic area with an identifiable sense of place. Districts are defined by elements such as the height and size of buildings, streetscape, and predominant land uses. The proposed districts for this neighborhood plan straddle current character and desired character, with the intention of preserving aspects of a district that the community currently enjoys, while enhancing aspects that the community feels should be improved.

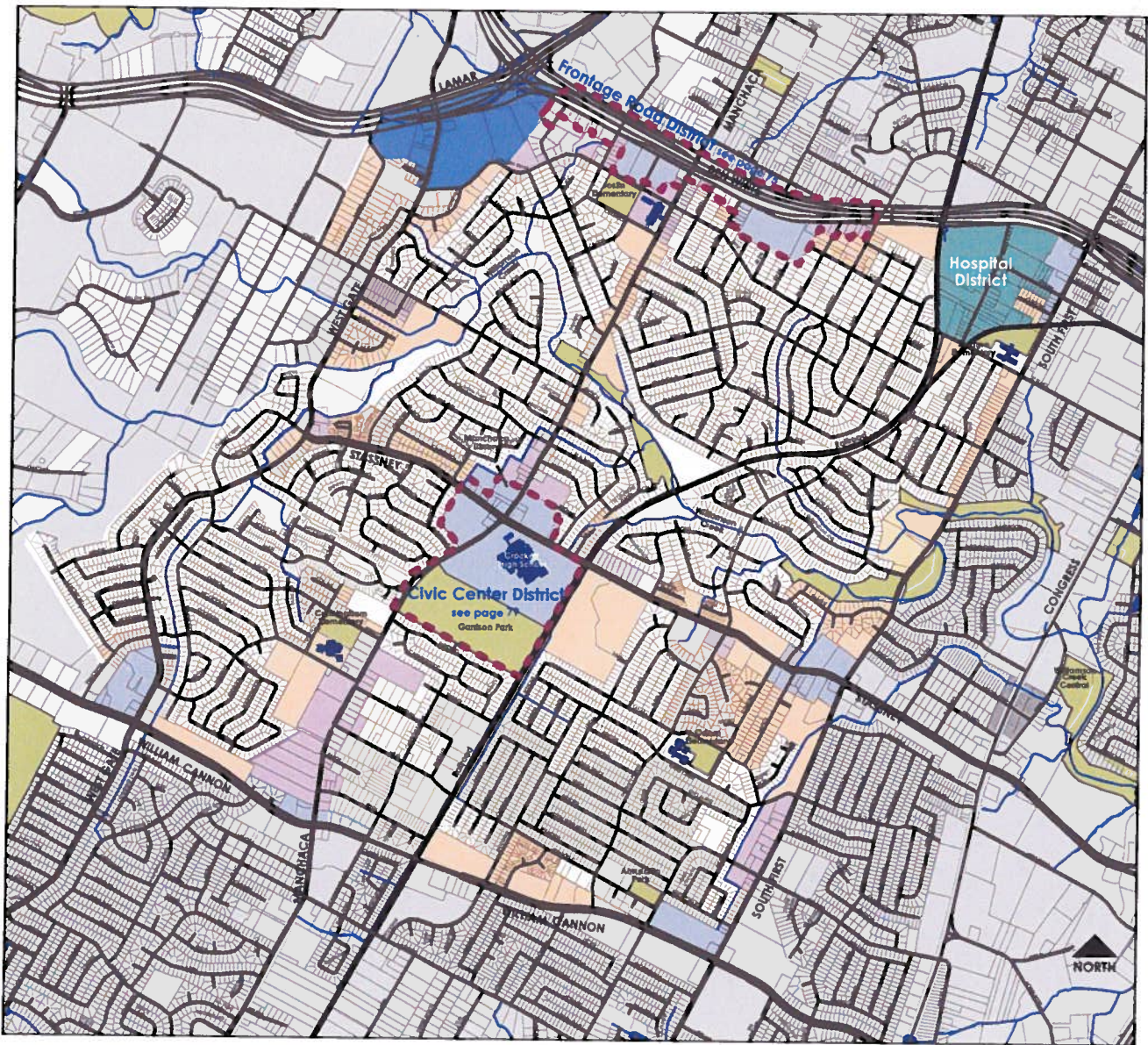
The planning area employs five main character districts developed over the course of several workshops. Participants at these workshops defined and refined the character district definitions and imagined how each district might change over time. District boundaries were drawn based on participant input, existing land uses and entitlements, and the “feeling” of places.



**Neighborhood Node**








**Mixed-Use Activity Hub/  
Corridor**






## DRAFT Character District Map

(Rev. 1/31/14)

- |  |  |
|--|--|
|  <b>Activity Center</b>                 |  <b>Residential Core</b>  |
|  <b>Mixed-Use Activity Hub/Corridor</b> |  <b>Special District</b>  |
|  <b>Neighborhood Node</b>               |  <b>District with Illustrative Vision</b><br><small>(Character Districts applied to fit community vision)</small> |
|  <b>Neighborhood Transition</b>         |  |



- |  |  |
|--|--|
|  City of Austin Parks |  Streets  |
|  Civic Buildings      |  Railroad |
|  Parcels              |  Creeks   |

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 Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

## A Spectrum of Character Districts

The five main character districts—Residential Core, Neighborhood Transition, Neighborhood Node, Mixed-use Hub/Corridor, and Activity Center—should be thought of as a spectrum of building types, uses, and activities. The level of activity, variety of uses, and height of buildings increase from least to most intense district.

The character districts in the South Austin Combined Neighborhood Plan provide a framework for how future development should occur and guide how the Land Development Code should be applied to the neighborhood. The City is currently revising its Land Development Code through the CodeNEXT process, which is slated for completion in 2015-2016. Following City Council's adoption of the Land Development Code, this plan's vision and discussion of building types should be used to apply the new Land Development Code to this neighborhood.

For the interim period before the new code's adoption, this plan identifies zoning districts that should be generally considered appropriate in each character district. The inclusion of these zoning districts should be considered when evaluating development proposals within the planning area until the conclusion of CodeNEXT and the adoption of the revised Land Development Code. Inclusion of these districts in this plan does not constitute zoning, and development proposals will still follow the zoning process described in Chapter 25-2 of the Code of the City of Austin.

This plan also includes illustrative visions for two areas of special consideration—the Civic Center, located at the intersection of Manchaca Road and Stassney Lane, and the area along and immediately south of Ben White Boulevard. These areas were given special consideration based on community input during the Kickoff Workshop and their locations relative to the surrounding neighborhoods. The Civic Center is truly at the neighborhood's center and includes three key civic assets: Crockett High School, Austin Community College, and the Manchaca Public Library. The Ben White Frontage Road is anchored on either end by key assets—Westgate Central Mark to the west and St. David's Hospital to the east—and includes several larger parcels that present significant redevelopment potential. The illustrative visions for both areas are the product of community design workshops held in March and June 2013 and provide additional guidance when considering development or improvements in those areas.



CodeNEXT is the ongoing process to revise the citywide Land Development Code.

<http://www.austintexas.gov/CodeNEXT>





Above: Homes in Garrison Park, Image:  
Paul DiGiuseppe

## Residential Core

The Residential Core districts consist of contiguous areas within the interior of the neighborhood made up of one- and two-story single-family homes and some duplexes. This is where most people in the neighborhood live. Most homes date from the 1950s to the 1980s, although some areas developed more recently (such as Independence in the mid-2000s). Streets and homes within the district are shaded by mature trees, which contribute to the sense of place distinguishing this district from others. The intent of this district is to maintain the character of the neighborhood.

The street network within the Residential Core varies. Some streets form grids, while others are more curvilinear. Block lengths are similarly varied, although many are a quarter mile long, which is an approximately five-minute walk from one end to the other. Some streets do not have sidewalks on one or both sides. These characteristics present barriers to walkability, especially as a means of transportation (refer to Transportation policy T P4, p. 29). The community would like to preserve the residential character of this district, while improving its walkability. The Residential Core also presents the opportunity to incorporate some “missing middle” housing types into the neighborhood fabric, which aids affordability and can contribute to walkability.



Homes in the Independence neighborhood



Home on Woodhue Dr. Image: Henrietta Cameron-Mann



Home in the South Manchaca planning area.

**VISION:** Well-maintained homes, an abundance of trees, and a complete sidewalk system create a safe and inviting place to walk, bike, and meet neighbors.

## Polices for the Residential Core:

**RC P1:** Maintain the residential character of the Residential Core, ensuring that future development or redevelopment is appropriate to the district and is compatible with the existing neighborhood.

**RC P2:** The following residential building types fit the character of the district and are appropriate as infill or redevelopment options (see following page for details):

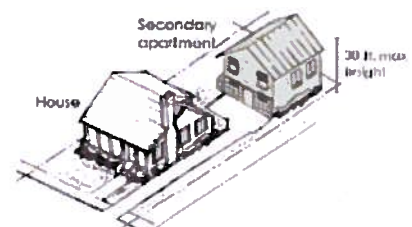
- Single family houses
- Duplexes
- Small houses on small lots
- Cottage clusters/bungalow courts

## Infill & Design Tools

Secondary apartments are allowed on SF-3 zoned lots 7,000 square feet or greater in size (see Existing Building Types on page 49).

**RC P3:** Adopt the Secondary Apartment Infill Option in the South Manchaca planning area and in Garrison Park planning area, east of the railroad tracks, to allow secondary apartments in SF-2 zoning and on lots between 5,750 and 7,000 square feet.

**RC P4:** Adopt the Small Lot Amnesia Infill Option in the South Manchaca and Garrison Park planning areas, to permit construction on legally-created lots that do not meet existing minimum lot standards.



Secondary apartment option.



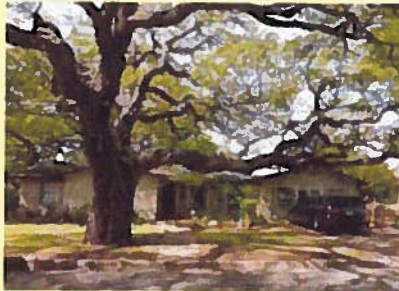
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## Residential Core: Existing Building Types

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### Single family homes

One- and two-story single-family homes facing street. Single family homes currently constitute the majority of the Residential Core and are desired to remain the dominant building type.



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### Duplexes

Individual duplexes or small groupings of duplexes. Larger clusterings of duplexes are appropriate in the Neighborhood Transition.

Missing Middle housing type



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### Garage apartments

Secondary apartments are currently allowed on SF-3 zoned lots larger than 7,000 square feet.

\* See RC P3 for applicability.





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**Residential Core: New Building Types**

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**Small houses on small lots**

Single-family homes facing street, on lots less than 5,750 square feet (2,500-5,750 s.f.)

\* See RC P4, RC P5, and RC P6 for applicability.



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**Cottage clusters/bungalow courts**

Modestly-sized houses, usually facing or around a common green space.

Missing Middle housing type



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**Corner stores**

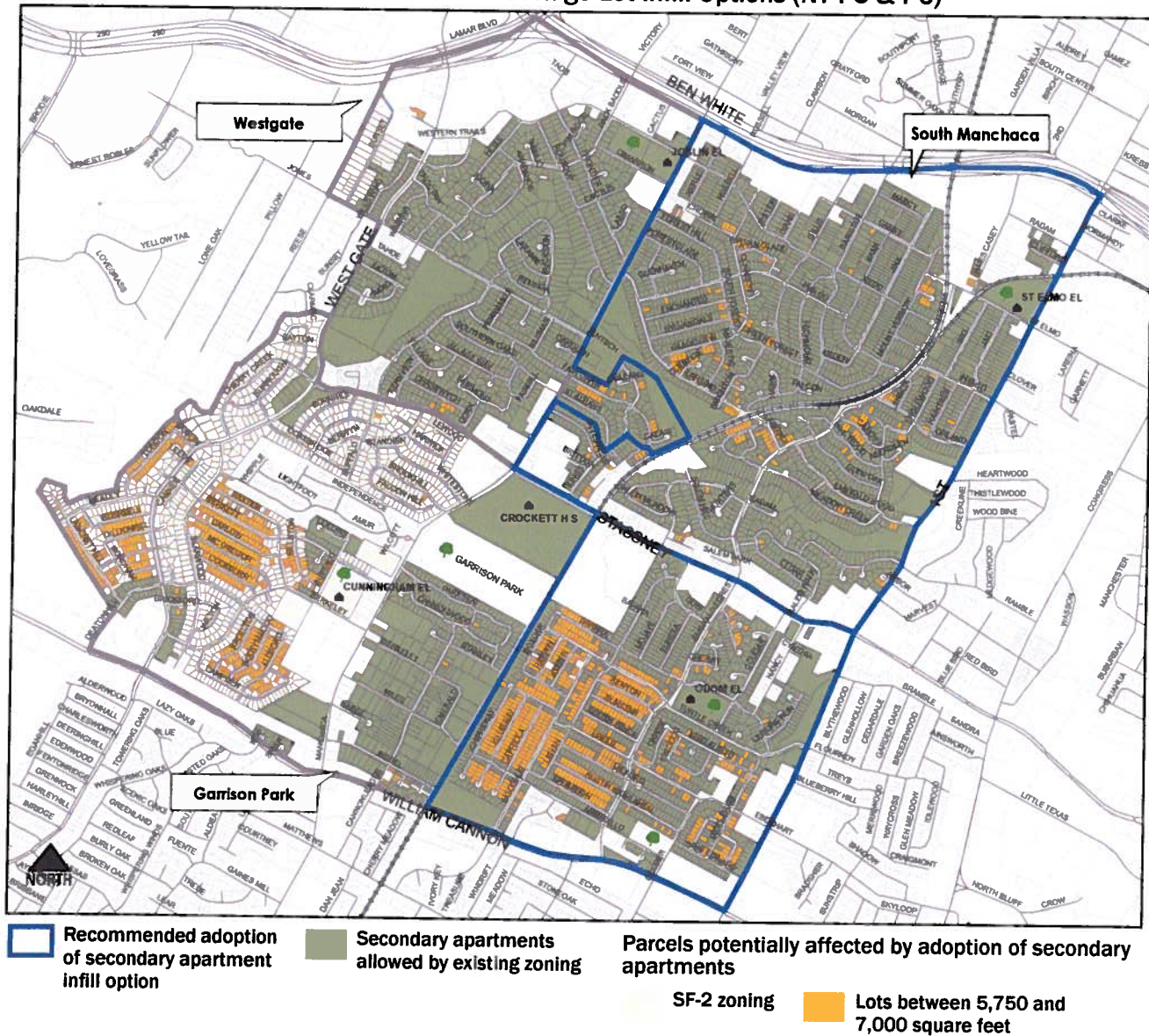
Houses repurposed into restaurants, retail, or offices, located at an intersection.

\* See RC P7 for applicability.





# Potential Application of Urban Home and Cottage Lot Infill Options (NT P5 & P6)





**RC P5:** Adopt the Corner Store Infill Design Option in a subdistrict of the South Manchaca planning area along Manchaca Rd. to permit small retail uses on property with residential zoning.

**RC P6:** Garages or carports should be constructed flush with or behind the front façade of the house for new single-family residential housing.



**RC P7:** Maintain residential character while encouraging missing middle housing types that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code being developed through CodeNEXT, the following zoning districts should be generally considered appropriate to the Residential Core character district:

**MH:** Mobile home residence

**SF-2:** Standard lot single family

**SF-3:** Family residence

**SF-4A:** Small lot single family

**SF-4B:** Single family condo

**SF-5\*:** Urban family residence

**SF-6\*:** Townhouse & condo residence

**MF-1\*\*:** Limited density multi-family

**RC P8:** Garages should be flush (left) or behind (right) the front façade.



A guide to Infill Options and Design Tools is available at [ftp://ftp.ci.austin.tx.us/npzd/Austingo/infill\\_tools.pdf](ftp://ftp.ci.austin.tx.us/npzd/Austingo/infill_tools.pdf)



See the Appendix for details about appropriate zoning districts for each character district. For complete descriptions of uses & development standards, see the Land Development Code: <http://austintexas.gov/department/austin-city-code-land-development-code>

\* Uses should be conditional and may be appropriate when located next to more permissive districts or intensive uses, depending on context.

\*\* In locations where the fronts of lots in the Residential Core abut Neighborhood Node or Mixed-Use Activity Hub districts, MF-1 may be appropriate as a transition from the more intensive district to the existing neighborhood. When located in the Residential Core, the mass and height of MF-1 zoned properties should be visually and physically compatible with the surrounding neighborhood.



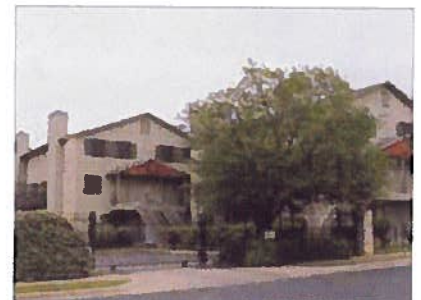


Above: Retirement community in Neighborhood Transition district, Image: Henrietta Cameron-Mann

## Neighborhood Transition

Neighborhood Transition character districts, along with Neighborhood Nodes, border the Residential Core along arterial roadways. Primarily residential, these areas consist of clusters of duplexes, fourplexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along *Imagine Austin* Activity Corridors.

Neighborhood Transition districts in particular present an opportunity to incorporate more missing middle housing types that are compatible with the neighborhood. The missing middle refers to duplexes and other housing types, such as row houses, bungalow courts and other housing types compatible with the existing neighborhood, that provide options between the scale of single-family houses and mid-rise apartments or condos. As Austin's population grows and its demographics change, these housing types provide the opportunity to accommodate growth in walkable neighborhoods while respecting neighborhood character. The variety of housing types in the missing middle promote multi-generational communities, providing options for young people and for older generations to age in place.

*Existing duplex**Existing fourplex**Existing apartments*

**VISION:** The Neighborhood Transition District blends seamlessly with the Residential Core. It contains an abundance of mature trees and landscaping and is walkable, bikeable, and supportive of transit.

### Polices for the Neighborhood Transition:

**NT P1:** This district should primarily consist of residential housing types, but at higher densities than in the Residential Core. The following building types should be encouraged in the district to meet the needs of a wider range of households (see full description on following page):

- Duplexes
- Fourplexes
- Small- and medium-sized apartments
- Cottage clusters/bungalow courts
- Row houses or townhouses
- Single family houses adapted into offices or retail
- Live/work buildings

**NT P2:** Building scale, height and siting within the Neighborhood Transition district should be harmonious with the adjacent Residential Core district.

**NT P3:** Moving from the Neighborhood Transition to the Residential Core, setbacks, similar building footprints, landscaping (including green infrastructure), similar building heights or stepbacks in building height, and/or other means should be used to create compatible developments which fit within the fabric of the neighborhood. Buildings should be no more than 3 stories tall.

*Row houses, an example of a "missing middle" building type*



## Neighborhood Transition: Existing Building Types

### Single family homes

One- and two-story single-family homes facing street.



### Duplexes

Individual duplexes or small groupings of duplexes.

Missing Middle housing type



### Fourplexes

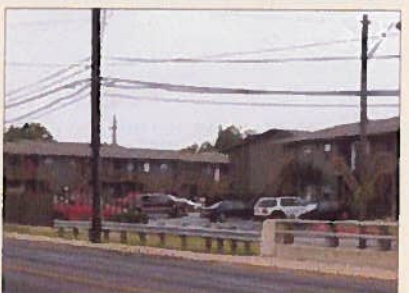
Four family housing, up to three stories tall. Fourplexes provide a transition from busier roads or more intense districts to housing in the Residential Core.

Missing Middle housing type



### Apartments

Multi-family residences, up to three stories tall, typically located along major roads.



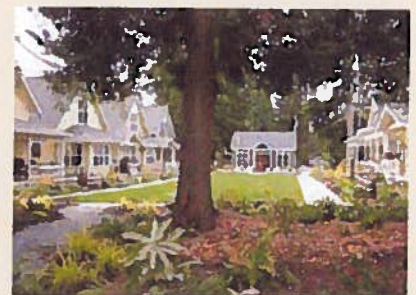


## Neighborhood Transition: New Building Types

### Cottage clusters/bungalow courts

Modestly-sized houses, usually facing or around a common green space.

Missing Middle housing type



### Row houses/town homes

A series of houses, often with similar or identical design, situated side-by-side with common walls.

Missing Middle housing type



### Single family houses adapted into retail

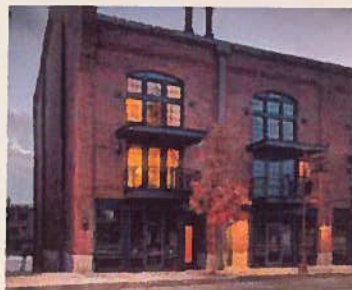
Houses repurposed into restaurants, retail, or offices, located at an intersection.



### Live/work buildings

A type of mixed-use building comprised of units each with a space for living and a space for working (e.g. studios or retail).

Missing Middle housing type





**NT P5:** Adopt the Cottage Lot Infill Option in the eastern portion of the Garrison Park planning area, within the Neighborhood Transition character district, to allow homes on lots 2,500 square feet or greater in size (see map below).

**Westgate**

**South Manchaca**

**Garrison Park**

**Crockett H S**

**Barton Springs/Edwards Aquifer Recharge Zone**

**100 year Floodplain**

**Neighborhood Transition character district**

**Urban homes and cottage lots could be used according to current lot sizes and zoning**

**Urban homes could be used according to current lot sizes and zoning**

**NT P6:** Adopt the Urban Home Infill Option in the South Manchaca planning area and the eastern portion of the Garrison Park planning area, within the Neighborhood Transition character district, to allow homes on lots 3,500 square feet or greater in size (see map on previous page).

**NT P7:** Encourage missing middle housing types that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Neighborhood Transition character district:

**SF-2\*:** Standard lot single family

**SF-3\*:** Family residence

**SF-4A\*:** Small lot single family

**SF-4B\*:** Single family condo

**SF-5:** Urban family residence

**SF-6:** Townhouse & condo residence

**MF-1:** Limited density multi-family

**MF-2:** Low density multi-family


**MF-3:** Medium density multi-family

**NO:** Neighborhood office

**LO:** Limited office

**LR:** Neighborhood Commercial

# Zone can be in a given FLUM category, but a zoning change to this district is not recommended.

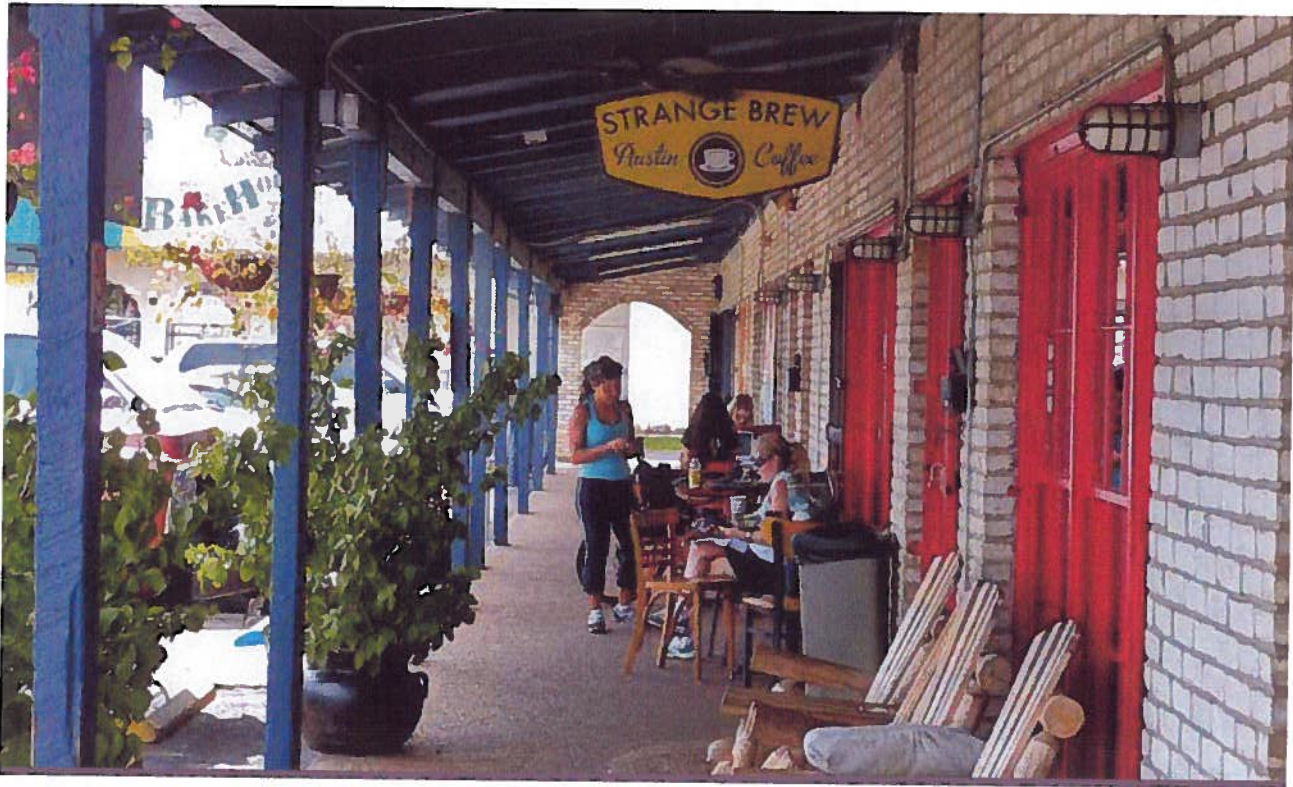
 See the Appendix for details about appropriate zoning districts for each character district.

 For complete descriptions of uses & development standards, see the Land Development Code: <http://austintexas.gov/departments/austin-city-code-land-development-code>



*Missing middle housing types, which provide options between the scale of single-family houses and mid-rise apartments or condos, create a harmonious transition from the Residential Core to more intensive districts or roadways.*





*Strange Brew is a popular local coffee house and example of a business retrofitting an existing building to create a neighborhood destination.*

## Neighborhood Node

Neighborhood Node districts contain restaurants, shops, offices, and multi-family housing. The form of these areas is similar to Neighborhood Transition districts but with more commercial activity. Neighborhood Nodes have a similar mix of uses as Mixed Use Hubs, but primarily serve residents in the neighborhood. Building heights range from one to two stories (although many locations are zoned for greater height).

Many of the Neighborhood Nodes designated on the Character District Map are currently strip malls developed between 1960 and 1980. Many of the businesses within these districts are neighborhood-serving and some businesses, such as Strange Brew, have retrofitted buildings.



*Neighborhood-serving offices & businesses*



*Apartments*

**VISION:** The Neighborhood Node District reflects South Austin's unique identity and includes many neighborhood-serving, local businesses and places to gather and hold events. It is easy to get around by all modes of transportation.

### Polices for the Neighborhood Node:

**NN P1:** Many sites within Neighborhood Nodes are likely to redevelop in the future, but the following design elements should be encouraged in the interim to make the district more people-friendly and walkable:

- windows and awnings
- street trees
- street furniture
- outdoor seating
- creative use of surface parking

As properties within Neighborhood Nodes redevelop, the following policies should guide building siting and form:

**NN P2:** Buildings should be up to three stories at the tallest part of the district, with appropriate step down in height or other buffering to the adjacent Residential Core district.

**NN P3:** New buildings should be mixed-use, with pedestrian-oriented ground floors. Pedestrian-oriented ground floors should incorporate:

- transparent windows
- awnings
- outdoor seating

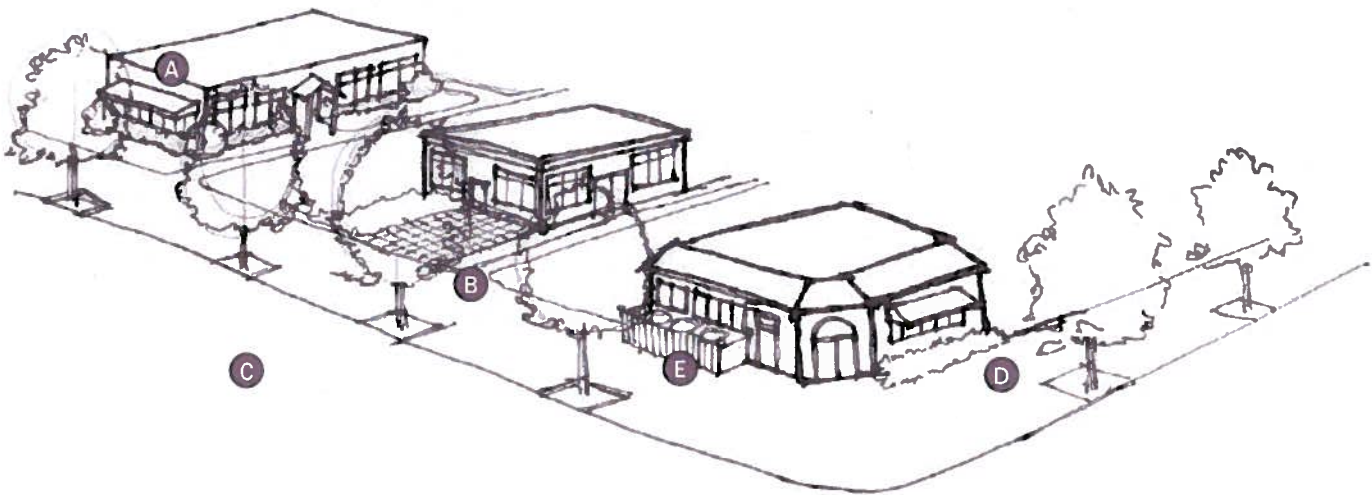
**NN P4:** New buildings should be constructed closer to the street to create people-friendly places.



*Three stories are an appropriate building height in Neighborhood Nodes.*



## Design Guidelines for Retrofitting Buildings in the Neighborhood Node district (NN P1)



**A** windows and awnings added to existing buildings



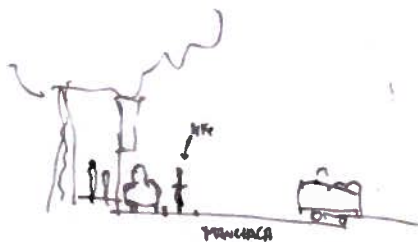
**B** bike racks and other street furniture added



**E** outdoor seating or dining areas added in front of buildings create places to sit or gather



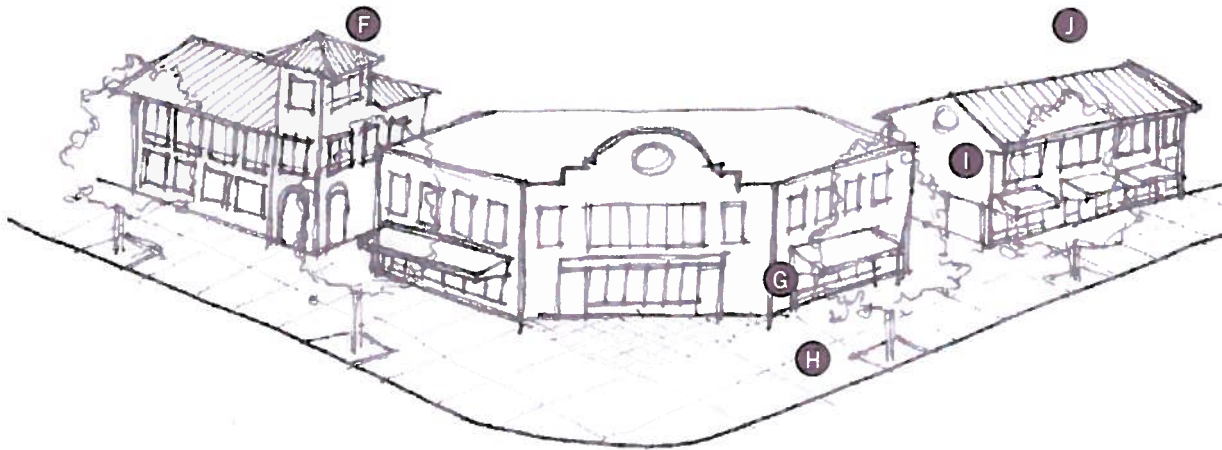
**C** food trailers or places for activities on a portion of the parking lot can turn parking into public space



**D** wider sidewalks and street trees create a pedestrian-friendly experience (sketch from the Civic Center workshop)



## Design Guidelines for Redeveloping Buildings in the Neighborhood Node district (NN P2 - P6)



**F** mixed-use buildings help facilitate lively and pedestrian-friendly streets



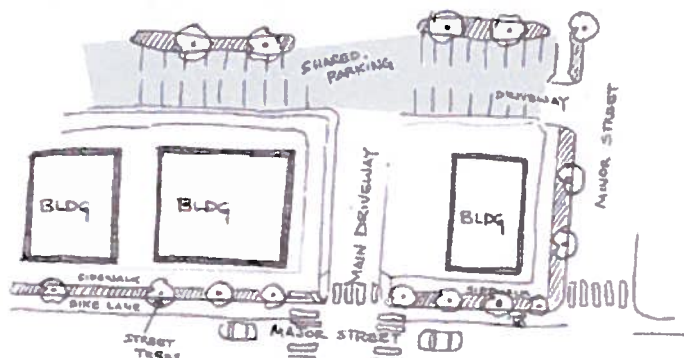
**G** transparent windows and doors add interest to the street



**H** wide sidewalks, with space for trees, sidewalk seating, or restaurant patios



**I** new buildings constructed closer to the street and/or new buildings constructed on empty lots or portions of parking lot



**J** shared parking located behind buildings improves walkability (by reducing driveways and allowing buildings to front the street) and helps reduce impervious cover



Concept sketch from the Civic Center Workshop illustrating NN P5, P6, and P7.

**NN P5:** New buildings should be connected by wide sidewalks, with space for trees, sidewalk furniture, or restaurant patios.

**NN P6:** Shared parking in structures or behind buildings should be encouraged to improve walkability.

**NN P7:** Encourage the preservation of existing and location of new local, neighborhood-serving businesses in the SACNPA.



**NN P8:** Encourage missing middle housing types and neighborhood-serving businesses that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Neighborhood Node character district.

**SF-2\*:** Standard lot single family

**SF-3\*:** Family residence

**SF-4A\*:** Small lot single family

**SF-4B\*:** Single family condo

**SF-5:** Urban family residence

**SF-6:** Townhouse & condo residence

**MF-1:** Limited density multi-family

**MF-2:** Low density multi-family

**MF-3:** Medium density multi-family

**NO:** Neighborhood Office

**LO:** Limited Office

**LR:** Neighborhood Commercial

**CS-1:** Commercial Liquor Sales

**MU Combining District:** allows mixed-use

**VMU Combining District:** allows vertical mixed use

# Zone can be in a given FLUM category, but a zoning change to this district is not recommended.



See the Appendix for details about appropriate zoning districts for each character district.



For complete descriptions of uses & development standards, see the Land Development Code: <http://austintexas.gov/department/austin-city-code-land-development-code>



## Mixed-use Activity Hub/Corridor

Located at the intersections of major roadways, Mixed-Use Activity Hubs/Corridors are the most urban areas of the neighborhood and serve the surrounding neighborhoods and the broader community. They consist of a mix of services and housing types at a more intensive scale than a Neighborhood Node.

Mixed-Use Activity Hubs/Corridors are located along arterial roadways and building heights currently range from one to two stories (although many locations are zoned for greater height). Most are currently setback from roadways behind large surface parking lots.





Many of the areas designated on the Character District Map as Mixed-Use Activity Hubs are defined currently by large surface parking lots fronting arterial roadways.

**VISION:** The Mixed-Use Activity Hub/Corridor District contains a mix of uses and is accessible by car, bus, bike, and foot. Ample public amenities including trees and landscaping, plazas, outdoor seating, and public art create a sense of place.

### Polices for the Mixed-Use Activity Hub/Corridor:

**MUH P1:** Mixed-Use Activity Hubs/Corridors should be designed to be people-friendly, walkable, bikeable, and transit-accessible.

**MUH P2:** Many sites are likely to redevelop in the future, but the following design elements should be encouraged in the interim:

- windows and awnings
- street trees
- outdoor dining areas
- reduce the number of driveways
- pedestrian paths through parking lots
- creative use of surface parking

As properties within Mixed-Use Activity Hubs/Corridors redevelop, the following policies should guide building siting and form.

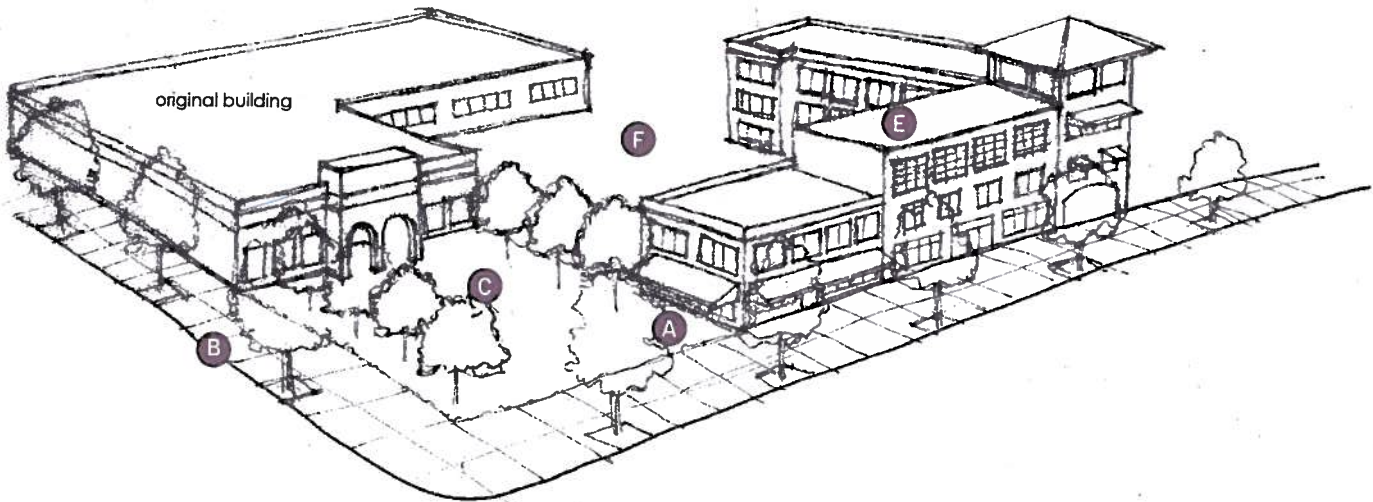
**MUH P3:** Buildings should be up to five stories at the tallest part of the district, depending on context, including consideration of adjacent districts, buildings, and land uses. Buildings should have appropriate step down in height or other buffering to the adjacent Residential Core and Neighborhood Transition districts.

**MUH P4:** New buildings should be constructed closer to the street to create people-friendly places.

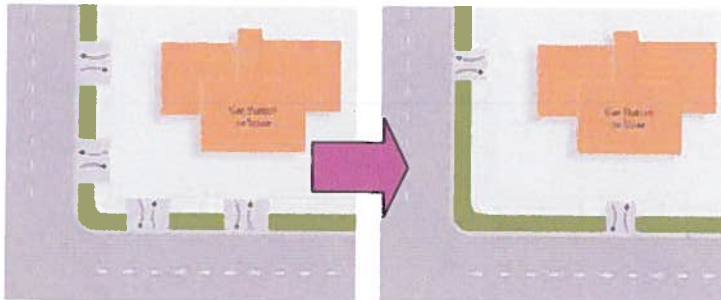


5 stories are appropriate in Mixed-Use Activity Hubs, with appropriate transitions to adjacent districts.

## Design Guidelines for Retrofitting Buildings in the Mixed-Use Activity Hub/Corridor District



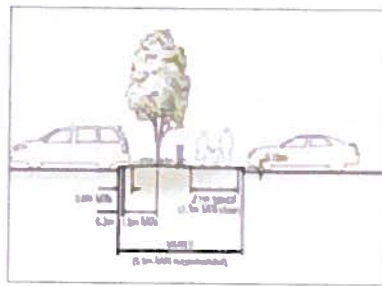
**A** outdoor seating or dining areas added in front of buildings



**B** fewer and narrower driveways help create a more cohesive sidewalk network



**C** create plazas or other public spaces on a portion of the parking lot



**D** pedestrian paths created through large parking lots encourage walking

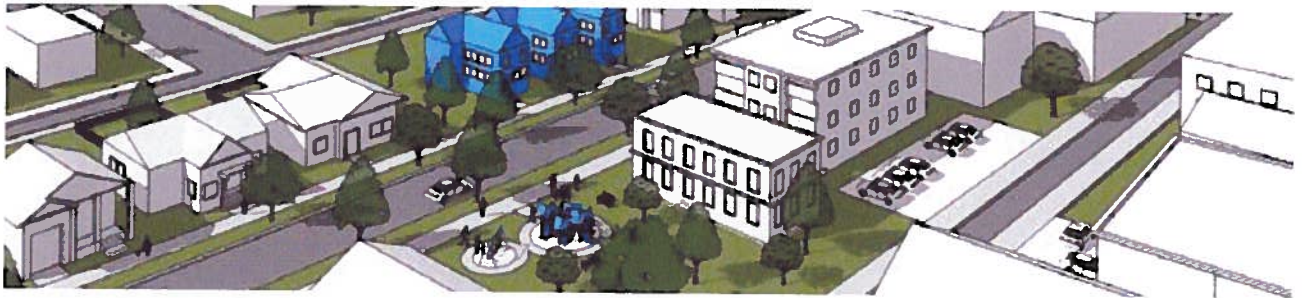
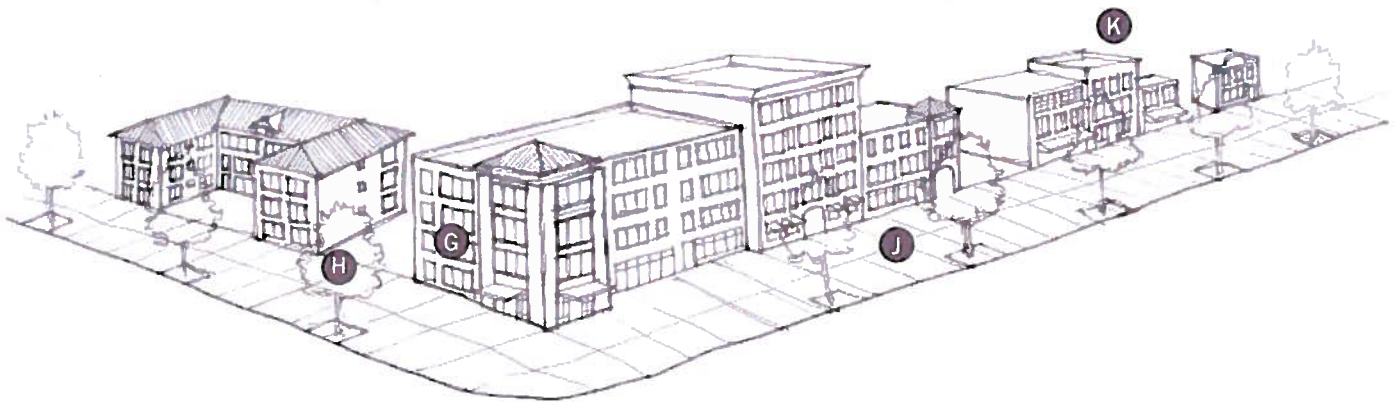


**E** new buildings constructed on surface parking lot and

**F** surface parking located at the interior of the site provide greater redevelopment opportunities and improve walkability



## Design Guidelines for Redeveloping Buildings in the Mixed-Use Activity Hub/Corridor District



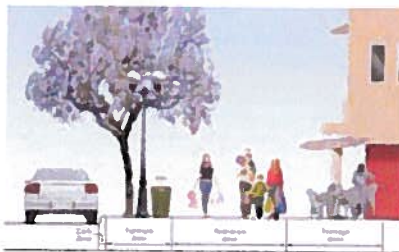
**G** buildings front street, with parking in rear or in structure

**I** mixed-use buildings provide additional housing and destinations, while helping facilitate lively streets

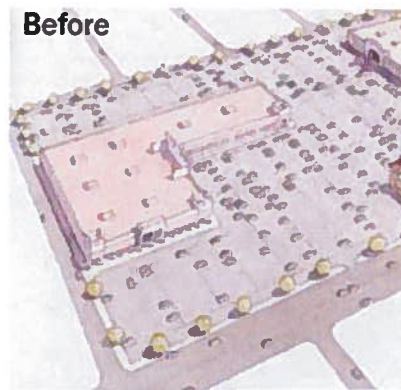
**K** building height steps down toward adjacent districts



**H** along with street trees, rain gardens help address storm water management, while contributing to an attractive street



**J** wider sidewalks with trees and street furniture create a people-friendly place to walk



*Larger Mixed-Use Activity Hubs may also be good candidates for creating new buildings, parks, or plazas on surface parking lots (accommodating cars in structured parking) and creating new internal streets. Image: Redeveloped parking lot*



*Pedestrian oriented streetscape*

**MUH P5:** New buildings should be mixed-use, with pedestrian-oriented ground floors. Pedestrian-oriented ground floors should incorporate:

- transparent windows
- awnings
- outdoor seating

**MUH P6:** New buildings should be connected by wide sidewalks, with space for trees, sidewalk furniture, or restaurant patios to create people-friendly places to walk.

**MUH P7:** Shared parking in structures or behind buildings should be encouraged to improve walkability.

**MUH P8:** When larger Mixed-Use Activity Hubs are redeveloped, new buildings and parks, plazas, or other gathering spaces should be constructed on surface parking lots.

**MUH P9:** Sites should be redeveloped with internal streets re-connecting with the street network and improving connections to the neighborhood. Incorporate Complete Streets and transition down to missing middle housing types.



**MUH P10:** Encourage missing middle housing types and neighborhood- and regional-serving businesses that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Mixed-Use Activity Hub/Corridor character district.

**SF-5:** Urban family residence

**SF-6:** Townhouse & condo residence

**MF-1:** Limited density multi-family

**MF-2:** Low density multi-family

**MF-3:** Medium density multi-family

**MF-4:** Moderate density multi-family

**MF-5:** High density multi-family

**NO:** Neighborhood office

**LO:** Limited office

**GO:** General office

**LR:** Neighborhood commercial

**CS:** Commercial Services

**CS-1:** Commercial liquor sales

**TOD:** Transit-oriented development

**W/LO:** Warehousing/limited office

**MU Combining District:** allows mixed-use

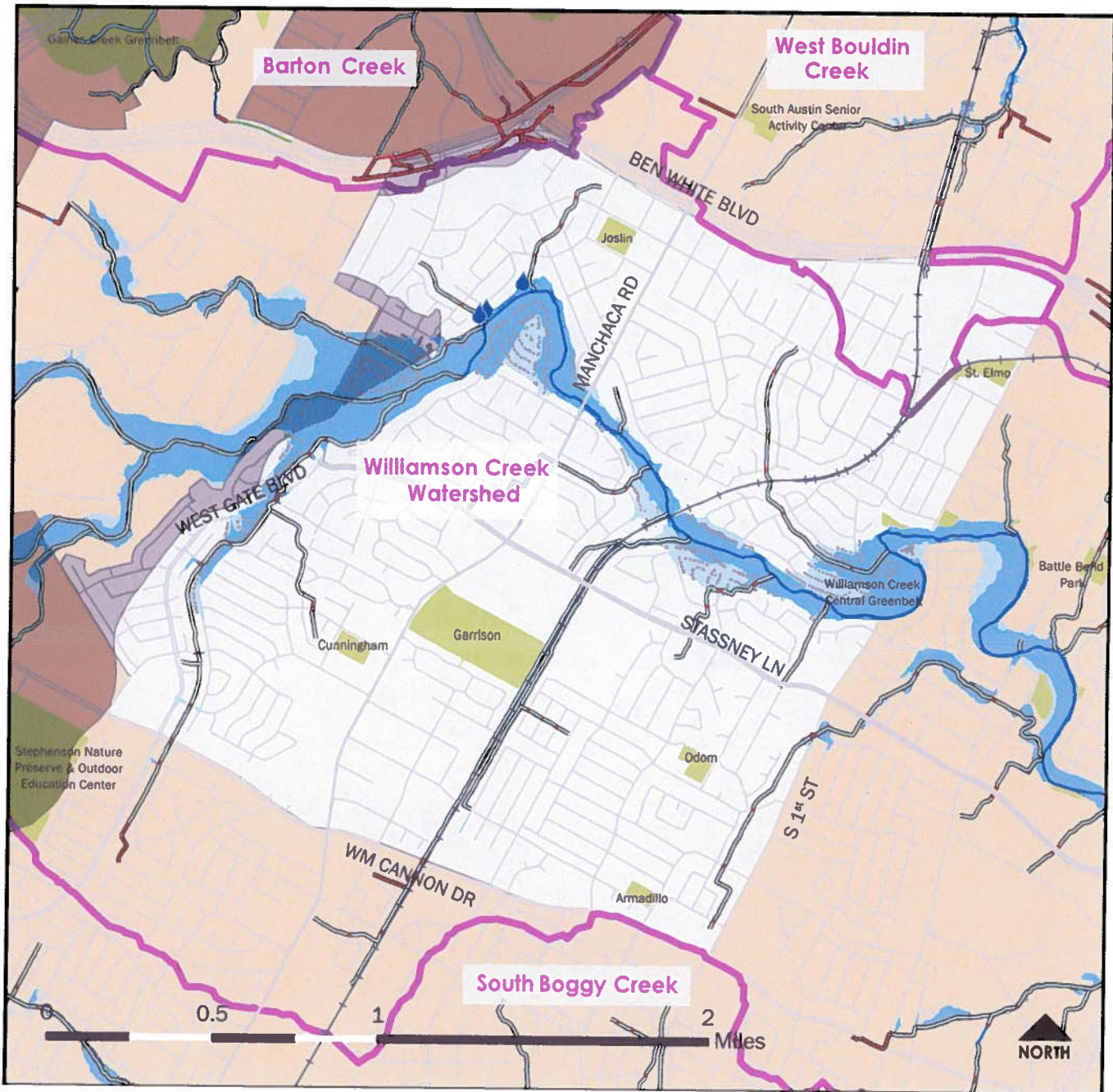
**VMU Combining District:** allows vertical mixed-use



See the Appendix for details about appropriate zoning districts for each character district.



For complete descriptions of uses & development standards, see the Land Development Code: <http://austintexas.gov/departments/austin-city-code-land-development-code>



### Preserve and enhance Williamson Creek and its tributaries (E P6)

- |                   |  |                      |
|-------------------|--|----------------------|
| — Streets         | — Watershed boundary                             | — Creek centerline   |
| +++ Railroad      | — Barton Springs//Edward's Aquifer Recharge Zone | — Natural channel    |
| ■ Parks           | — 25 year floodplain                             | — Paved ditch        |
| ■ SACNPA boundary | — 100 year floodplain                            | — Channel under road |
|                   | ■ Building footprints in floodplain              | ● Springs            |



RESTRICTIONS ON DEER PARK, SECTION 1

16-6221-5824 3.00

**VOLUME** \_\_\_\_\_  
**PAGE** \_\_\_\_\_

THE STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

30<sup>th</sup>

WAYNE BURNS COMPANY, a Texas corporation, being the owner of each of the following described lots and tracts of land situated in Travis County, Texas, more particularly described as follows, to-wit:

All of Lot Numbers One (1) through Twenty-six (26) inclusive, Block "A"; Lots One (1) through Sixteen (16) inclusive, Block "B"; Lots One (1) through Twenty-Eight (28) inclusive, Block "C"; Lots One (1) through Nine (9) inclusive, Block "D"; all in Deer Park, Section One (1), a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof, recorded in Book 14, Page 74, of the Plat Records of Travis County, Texas, to which plat and its record reference is here made for all purposes of description of said lots or tracts of land;

And said Wayne Burns Company has and does hereby fix and impress upon each and all of the above described lots of land the following restriction covenants, which shall be covenants running with the land and shall be binding upon Wayne Burns Company, its successors and assigns and any and all persons, firms or corporations hereafter acquiring title to any lot or tract of land above described for and during the period hereinafter stated and any extension thereof as hereinafter provided, to-wit:

1. No building or structure shall be erected upon any of the above described lots other than a single family dwelling unit, not to exceed two stories in height, and such other structures or buildings as are necessary incident to the occupancy of premises as a single family dwelling unit, including garages, porches, patios, terraces, and servant's quarters. The servant's quarters, servant's bona fide employed as servants to work upon the premises, visitor's quarters may be attached to or set apart from the principal house.
2. No lot above described or any part thereof shall be used for any purpose other than residential purposes, and no lot above described or any part thereof shall be used for the conduct of any kind of business or commercial activity, including storage or sale of materials or merchandise, or the breeding, raising or sale of animals, birds, fish, or reptiles, and no lot above described shall be used either temporarily or permanently for the sale of any goods or services.



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5. No dwelling shall be erected or placed on any lot having a width of less than 30 feet at the minimum building setback line nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet and a frontage of less than thirty (30) feet upon the street.
6. No dwelling shall be permitted on any lot at a cost of less than \$7,500.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of open porches and garages, shall not be less than 950 square feet heated area for dwellings of one story; the ground floor area of the main structure, exclusive of open porches and garages, shall not be less than 850 square feet heated area for dwellings of more than one story. No less than 20% of the total outside wall area of the main structure shall be of masonry construction.
7. No building or any residential building plot shall be nearer than twenty-five (25) feet to the front lot line. On corner lots, no building shall be constructed nearer than ten (10) feet to the lot line abutting the side street or right-of-way. No building shall be constructed nearer than five (5) feet to any side lot line, provided that such side lot line restriction shall not apply to a garage located on the rear one-quarter of a lot except as to the above restriction with reference to side street lot lines.
8. No building constructed upon any of the above described lots shall be altered, changed or used in such manner as to violate these restrictions.
9. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear five feet of each lot.
10. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
11. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign or not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
12. No fence, wall, or hedge shall be built or maintained forward of the front wall line of the respective house on a lot.
13. Each person, firm or corporation acquiring the title to any of the above described lots shall be deemed to covenant and agree with the owners of the remaining lots above described to abide by the above stated restrictions and further to agree to pay all reasonable costs and expenses, including reasonable attorney's fees and court costs incurred by any other owner or owners of the above described lots in enforcing the above stated restrictions or preventing or restraining a violation thereof.

The foregoing restrictions and restrictive covenants shall be in full force and effect from and after the filing of this instrument in the office of the County Clerk of Travis County, Texas, until February 21, 1960, and shall thereafter be automatically extended for successive periods of one year until such time as the same shall be changed in whole or in part by the owners of the lots above described or by a three-fourths (3/4) of said lots.



VI 2413 109245

corporation shall at any time during said initial period of any extension thereof, or above provided, violate or attempt to violate any of the foregoing restrictions or restrictive covenants, any other person, persons, firm or corporation owning any other of the above described lots shall have the right to enforce the foregoing stated restrictions and restrictive covenants or in restraining a violation thereof.

Invalidation of any of the above enumerated restrictions or restrictive covenants or any other provision hereof by final judgment of any court shall in no manner affect or destroy any other restriction, restrictive covenant or provision hereof, and such portions not invalidated shall remain in full force and effect.

EXECUTED this the 13<sup>th</sup> day of February, A.D., 1961.

(301)

Secretary

Wayne

THE STATE OF TEXAS

COUNTY OF DALLAS

BURAS

Wayne

Wayne

116 330  
10-20 5000



VOL 2413 PAGE 244

THE STATE OF TEXAS,

COUNTY OF DALLAS

KNOW ALL MEN BY THESE PRESENTS,

16-02-5739 1.00

That I, Frank L. Dorsey

of the County of Dallas State of Texas for and in consideration of the sum of

FOUR HUNDRED DOLLARS, to me in hand paid by GILBERT G. BARTZ

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

GILBERT G. BARTZ of the County of Travis State of Texas, all that certain place or parcel of land located in CAPITAL HILL PARK in Travis County, Texas and described as follows: Lots No. 197 & 217, Section E, said Section being recorded in Plat Records of Travis County in Book 5, Page 11b.

It is understood by the grantees herein that the conveyance of the above described property is subject to the rules, regulations and by-laws of the CAPITAL HILL PARK INC.

The above described tract being the same land conveyed to the grantor herein by CAPITAL HILL PARK, INC. December 6, 1949 by deed of record in Book No. 925 Page 226, said Records of Travis County, Texas;

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said GILBERT G. BARTZ his heirs and assigns forever; and I do hereby bind myself, my heirs, executors and administrators, to Warrant and Forever Defend all and singular the said premises unto the said GILBERT G. BARTZ, his heirs and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

Witness my hand and seal at Dallas, Texas

this 10th day of February

1950

Witnesses at Request of



JOINT ACKNOWLEDGMENT

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STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned, a Notary Public,

in and for said County, Texas, on this day personally appeared

Frank D. McCullough

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 16th day of February, A. D. 1962

(L.S.) (Jean P. McCullough) Notary Public Dallas County, Texas

JOINT ACKNOWLEDGMENT

THE STATE OF TEXAS  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public,

in and for said County, Texas, on this day personally appeared

and his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said

wife of the said having been

examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

acknowledged such instrument to be her act and deed, and she declared that she willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of A. D. 19

(L.S.)

WIFE'S SEPARATE ACKNOWLEDGMENT

THE STATE OF TEXAS  
COUNTY OF

BEFORE ME, the undersigned, a Notary Public,

in and for said County, Texas, on this day personally appeared

wife of

known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of A. D. 19

Filed Feb 16 1962 at 8:10 A.M.  
Recorded Feb 20 1962 at 8:10 A.M.

CLERK'S CERTIFICATE

THE STATE OF TEXAS  
COUNTY OF Travis

Emilie L. Linder

Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing dated on the

6 day of Feb, A. D. 1962 with its Certificate of Authentication, was filed for record in my office on the 6 day of Feb, A. D. 1962 at 1:20 P.M. and duly

recorded on the 20 day of Feb, A. D. 1962 at 8:10 A.M. in the

Books of said County, in Volume 2413 on page 240.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF said County, at Austin, Texas,

County Clerk County, Texas

WARRANTY DEED

WILLIAM BERG



SEP 26 1961 7.00

VOL 2517 PAGE 1

THE STATE OF TEXAS X  
COUNTY OF TRAVIS X

KNOW ALL MEN BY THESE PRESENTS:

That WHEREAS, Wayne Burns Company  
corporation duly organized and incorporated under the laws of the State of  
Texas, acting by and through its President, Wayne Burns  
hereunto duly authorized, is the owner of Lot 2, Block A, Deer Park Section 1  
in the City of Austin, Travis County, Texas, being locally known as  
1906 Fair Oaks Drive ; and,

WHEREAS, the said Wayne Burns Company  
desires to construct a concrete driveway and entrance walk on  
said property and the sidewalk area abutting same at a grade which is above  
the standard fixed by specifications adopted by the City of Austin in 1945,  
and the grade for such construction work proposed by said Wayne Burns Company  
is not in accordance with the grade  
recommended by the Director of Public Works,

NOW, THEREFORE, Wayne Burns Company, in  
consideration of the fact that the City of Austin has agreed to permit it to  
construct such concrete driveway and entrance walk on a higher  
grade than the regular standard grade adjacent to its property, does hereby  
release and acquit the City of Austin from any and all damages that may result  
to its property by any future change in grade requirements of said concrete  
driveway and entrance walk.



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and the Grantor hereby binds itself, its successors and assigns to reconstruct or remove said concrete driveway and entrance walk upon demand of the City Council of the City of Austin, and will not require nor request the City of Austin to assume any portion of the expense of reconstruction or removal of said concrete driveway and entrance walk.

WITNESS the execution hereof, this 23<sup>rd</sup> day of

July, 1962.

By Wayne Burns, President

ATTEST:

M. C. Rowland  
Secretary

THE STATE OF TEXAS I  
COUNTY OF TRAVIS I

BEFORE ME, the undersigned authority, on this day personally appeared Wayne Burns, President of Wayne Burns Company, a corporation known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as President of Wayne Burns Company and for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 24<sup>th</sup> day of July, 1962.

Notary Public in and for Travis County, Texas.





Mrs. Lizzie Jentsch, et al  
Vol. 397, P. 167

*Mrs. Lizzie Jentsch, et al*  
*Vol. 397, P. 167*

DEED PADK  
SEC. 1

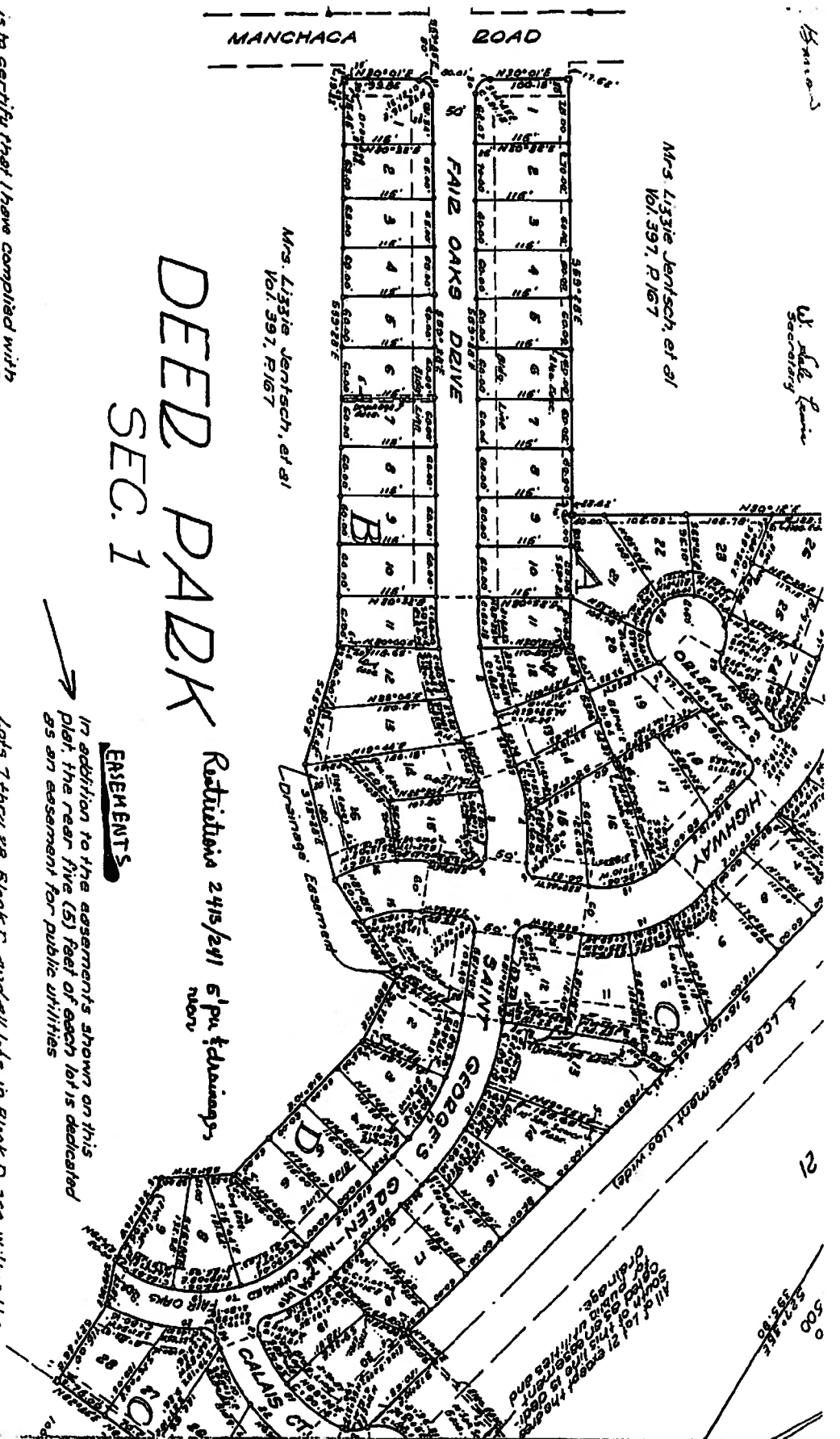
Restrictions 2415/241 5'pu & drawings  
new

## EASEMENTS

*In addition to the assessments shown on this plot, the rear five (5) feet of each lot is dedicated as an easement for public utilities*

lots 7 thru 28, Block C, and all lots in Block D are within the following taxing units: The City of Austin, the State of Texas, the County of Travis, The Austin Independent School District, and Travis County Water Control and Improvement District No. 5.

is to certify that I have complied with  
 11 of the Subdivision Ordinance of  
 City of Austin *B. J. Hunt* Date: October, 1961  
 Witnessed by: *R. Christ* Reg. Sub. Surveyor



RESTRICTIONS ON DEER PARK SECTION TWO (2)

JUN 24 63 3201 \* 3.00

THE STATE OF TEXAS }

COUNTY OF TRAVIS }

KNOW ALL MEN BY THESE PRESENTS: That,

WAYNE BURNS COMPANY, A Texas Corporation, being the owner of each of the following described lots and tracts of land situated in Travis County, Texas, more particularly described as follows, to-wit:

Lots 17 through 35 inclusive, in Block B; Lots 16 through 23, inclusive, in Block D; Lot 1, Block F; and Lots 2 through 16, inclusive, Block E, all in Deer Park Section 2, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of said subdivision of record in Book 17, Page 83, Plat Records of Travis County, Texas.

And said Wayne Burns Company has and does hereby fix and impress upon each and all of the above described lots of land the following restrictive covenants, which shall be covenants running with the land and shall be binding upon Wayne Burns Company, its successors and assigns and any and all persons, firms or corporations hereafter acquiring title to any lot or tract of land above described for and during the period hereinafter stated and any extension thereof as herein-after provided, to-wit:

1. No building or structure shall be erected upon any of the above described lots other than a single family dwelling unit, not to exceed two stories in height and such other structures or buildings as are normally incident to the use and occupancy of the premises as a single family dwelling unit, including garages for one or two automobiles and servant's quarters to be used and occupied only by persons bona fide employed as servants to work upon the premises, which servant's quarters may be attached to or set apart from the principal dwelling house.
2. Not lot above described or any part thereof shall be used for any purpose other than residential purposes, and no lot described or any part of any lot shall be used for the conduct of any kind of business or commercial enterprise, including storage or sale of materials or merchandise, or the breeding, raising or sale of animals, birds, fish, or reptiles, and no lot above described shall be used either temporarily or permanently for the conduct of any profession or trade.



3. No trailer, basement, tent, shack, garage, barn or other building except permanent servant's quarters shall be erected for use as a residence, temporarily or permanently, nor shall any person be permitted to occupy any such structure as residence either temporarily or permanently.
4. No building or structure erected or constructed at another location shall be moved upon any of the above described lots.
5. No dwelling shall be erected or placed on any lot having a width of less than 50 feet at the minimum building set back line nor shall any dwelling be erected or placed on any lot having an area of less than 6,000 square feet and a frontage of less than thirty (30) feet upon the street.
6. No dwelling, exclusive of open porches, garages, carports and patios, shall be permitted on any lot at a cost of less than \$8,500.00, based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of open porches and garages shall not be less than 1,000 square feet heated area for dwellings of one story; the ground floor area of the main structure, exclusive of open porches and garages, shall not be less than 850 square feet heated area for dwellings of more than one story. No less than 20% of the total outside wall area of the main structure shall be of masonry construction.
7. No building or any residential building plot shall be nearer than twenty-five (25) feet to the front lot line. On corner lots, no building shall be constructed nearer than ten (10) feet to the lot line abutting the side street right-of-way. No building shall be constructed nearer than five (5) feet to any side lot line, provided that such side lot line restriction shall not apply to a garage located on the rear one-quarter of a lot except as to the above restriction with reference to side street lot lines.
8. No building constructed upon any of the above described lots shall be altered, changed or used in such manner as to violate these restrictions.
9. Easement for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat and over the rear five feet of each lot.
10. No noxious or offensive activity shall be carried on upon any lot, nor shall any thing be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

11. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

12. No fence, wall, or hedge shall be built or maintained forward of the front wall line of the respective house on a lot.

13. Each person, firm or corporation acquiring the title to any of the above described lots shall be deemed to covenant and agree with the owners of the remaining lots above described to abide by all the above stated restrictions and further to agree to pay all reasonable costs and expenses, including reasonable attorney's fees and court costs incurred by any other owner or owners of the above described lots in enforcing the above stated restrictions or preventing or restraining a violation thereof.

The above and foregoing restrictions and restrictive covenants shall be in full force and effect from and after the filing of this instrument in the office of the County Clerk of Travis County, Texas, until June 24, 1993, and shall thereafter be automatically extended for successive periods of ten (10) years each unless released, amended or changed in whole or in part by the execution of a written instrument by the owners of three-fourths (3/4) of said lots or tracts above described, and if any person, firm or corporation shall at any time during said initial period of any extension thereof, as above provided, violate or attempt to violate any of the foregoing restrictions or restrictive covenants, any other person, persons, firm or corporation owning any other of the above described lots shall have the right to enforce the foregoing stated restrictions and restrictive covenants or in restraining a violation thereof.

Invalidation of any of the above enumerated restrictions or restrictive covenants or any other provision hereof by final judgment of any court shall in no manner affect or destroy any other restriction, restrictive covenant or provision hereof, and such portions not invalidated shall remain in full force and effect.

EXECUTED this the 24<sup>th</sup> day of June, A. D. 1963.

WAYNE BURNS COMPANY

BY

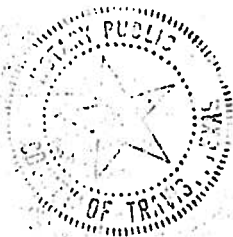
Wayne Burns  
Wayne Burns, President



THE STATE OF TEXAS }  
COUNTY OF TRAVIS }

BEFORE ME, the undersigned authority, on this day personally appeared  
WAYNE BURNS, President of WAYNE BURNS COMPANY, known to me to be the person  
whose name is subscribed to the foregoing instrument, and acknowledged to me  
that he executed the same as the act and deed of the said WAYNE BURNS COMPANY,  
as the President thereof, for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 24 day of June, A. D.  
1963.



*Paula Gutierrez*  
Notary Public, Travis County, Texas

STATE OF TEXAS }  
COUNTY OF TRAVIS }

I hereby certify that this instrument was FILED on the  
date and at the time stamped hereon by me; and was duly  
RECORDED, in the Volume and Page of the named RECORDS  
of Travis County, Texas, as Stamped hereon by me, on



JUN 26 1963  
*Emilie Limberg*  
COUNTY CLERK,  
TRAVIS COUNTY, TEXAS

FILED  
*Emilie Limberg*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS  
JUN 24 4 18 PM '63

