

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0143 – Matthew Brown Homestead
C14H-01-0104

DISTRICT: 5

ZONING FROM: GR-MU-H-CO (Tract 1); GR-CO (Tract 2)

ZONING TO: P-H (Tract 1 – 1.32 acres); P (Tract 2 – 2.05 acres)

ADDRESS: 10140 Old San Antonio Road

TOTAL SITE AREA: 3.37 acres

PROPERTY OWNER: City of Austin – Parks and Recreation Department (Scott Grantham)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant public – historic landmark (P-H) combining district zoning for Tract 1 and public (P) district zoning for Tract 2. For a summary of the basis of Staff's recommendation, see case manager comments.

HISTORIC LANDMARK COMMISSION:

December 16, 2019:

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

December 17, 2019:

CITY COUNCIL ACTION:

January 23, 2020:

ORDINANCE NUMBER:

ISSUES:

On September 19, 2019, City Council adopted a resolution outlining the Parks and Recreation Department's (PARC) ownership of the subject property and its intent to rezone the property to the Public (P) base district. With this resolution, City Council instructed the Planning and Zoning Department to initiate and process this rezoning case. ***Please refer to Exhibit C – Approved Council Resolution.***

CASE MANAGER COMMENTS:

The property is 3.37 acres, located on Old San Antonio Road, just west of IH-35, approximately one mile south of Slaughter Lane. The property slopes gradually towards

Slaughter Creek, which generally follows the east property line. The property includes a historic house built by Matthew Brown in the 1860s, and known as the Matthew Brown Homestead. The house is a two-story hall-and-parlor plan house built of random stone (one-room depth), with off-set front entry and rear addition. The off-set entry presents itself as an unusual configuration for this area at that time. The house remains as a rare and intact example of a mid-1860s residence in rural Travis County and is an early example of permanent buildings constructed by settlement families in the area. ***Please refer to Exhibits A and A-1—Zoning Map and Aerial Exhibit.***

In 2001, the property was rezoned from I-RR as two tracts – Tract 1 includes the historic house, and is zoned GR-MU-H-CO. Tract 2 is to the rear, and is zoned GR-CO. The Conditional Overlay includes development standards and numerous prohibited uses. The intent of that rezoning was to convert the facility into an event space and catering facility, first allowed in the GR district as an indoor entertainment use. ***Please refer to Exhibit B – 2001 Zoning Ordinance.***

In 2016, the property was purchased by the Parks and Recreation Department (PARD). By that time, the property had fallen into disrepair and was uninhabitable and unusable. PARD staff have done their best to barricade and close off the building until such time that it can be used. However, there have been countless attempts to enter the building, as well as significant amounts of vandalism and graffiti. PARD continues to deal with these issues, even as the building is being repaired and rehabilitated.

PARD's vision for the building is for an office for PARD staff, working on programming for this park and other PARD projects. The facility overall is envisioned in part of a larger network of parks connected by trails, including the Slaughter Creek Greenbelt, and Mary Moore Searight park to the west.

The proposed zoning is public-historic (P-H) for Tract 1, and public (P) for Tract 2. With a rezoning for the property, PARD staff will be able to occupy the building as an administrative services (office) use. Therefore, a regular and frequent presence will be established in the building, which will be a major deterrent for any future threats of break-ins, and a key protection for this historic building.

BASIS OF RECOMMENDATION (LAND USE AND CITY HISTORIC LANDMARK CRITERIA):

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

P, Public district zoning is intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities. This district is intended for properties, used, reserved, or intended to be used for a civic or public institutional purpose or for major public facilities. The proposed rezoning of the property to accommodate the renovation for an office use is consistent with the purpose statement of the district sought.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The City Council approved Resolution No. 20190919-090 in order to direct the Staff to initiate the rezoning process as a step to establish a PARD office on the property and to maintain the historic house.

3. *Character, interest or value as part of the development, heritage or cultural characteristics of the City of Austin, State of Texas, or the United States.*

House appears to date from c. 1867. The house's survival from this date provides evidence of occupation south of Austin along the Old San Antonio Road, a historic route blazed by the Spanish and later used by Mexicans and other regional travelers between Mexico-San Antonio-Austin-Nacogdoches-Louisiana.

4. *Embodiment of distinguishing characteristics of an architectural type or specimen.*

House is a two-story hall-and-parlor plan house built of random stone (one-room depth), with off-set front entry and rear addition. The off-set entry presents itself as an unusual configuration for this area at that time. The house remains a rare and intact example of a mid-1860s residence in rural Travis County and is an early example of permanent buildings constructed by settlement families in the area.

5. *Relationship to other distinctive buildings, sites, or areas which are eligible for preservation according to a plan based on architectural, historic or cultural motif.*

The house is directly related to the historic Old San Antonio Road on which it fronts. Other early 19th century building survive along the historic route on adjacent and other nearby properties. A historic 1915 low-water crossing bridge remains just east of the property; the bridge was built along with other road improvements as one of the earliest federal post road projects in the country.

6. *Exemplification of the cultural, economic, social, ethnic, or historical heritage of the City, state or United States.*

Please refer to Basis #3 above. The house remains as a rare and intact example of mid-1860s residence in rural Travis County and survives as an early example of permanent dwellings constructed by settlement families in the area.

7. *A building or structure that because of its location has become of value to a neighborhood, community area, or the City.*

The survival of this c. 1860s house along the Old San Antonio Road in far South Austin is unique and remains as a visual reminder of the road's early importance as a transportation and settlement route for the region.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-H-CO; GR-CO	Vacant single family residence
<i>North</i>	CS-CO; GR-MU-CO	Undeveloped; Detention / water quality pond
<i>South</i>	MF-2-CO; CS-MU-CO	Undeveloped; Apartments
<i>East</i>	CS-CO	Undeveloped; Commercial shopping center
<i>West</i>	GR-MU-CO; MF-2-CO; I-RR	Slaughter Creek (City-owned); Undeveloped; Apartments

NEIGHBORHOOD PLANNING AREA: Not Applicable TIA: Is not required

WATERSHED: Slaughter Creek – Suburban

CAPITOL VIEW CORRIDOR: No SCENIC ROADWAY: No

SCHOOLS:

Menchaca Elementary School Paredes Middle School Akins High School

NEIGHBORHOOD ORGANIZATIONS:

- 627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
- 1363 – SEL Texas 1528 – Bike Austin
- 1530 – Friends of Austin Neighborhoods 1531 – South Austin Neighborhood Alliance
- 1616 – Neighborhood Empowerment Foundation

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2015-0064 – Martin T. Moser Subdivision Rezoning – 10307 Old San Antonio Rd	SF-2 to MF-2	To Grant	Apvd (08-13-2015).
C14-2008-0220 – Double Creek Village – 10200- 10614 S IH 35 Service Rd SB	I-RR; CS to CS- MU	To Grant CS-MU-CO w/CO for list of prohibited uses, RC for conditions of the TIA, and Street Deed for r-o- w for the new loop road between FM 1826 and IH 35 is part of	Apvd CS-MU-CO w/ RC for conditions of the TIA and Street Deed for r-o-w for new loop road as ZAP recommended (11-18-2010).

		TIA approval and required to be dedicated at the time of zoning.	
C14-04-0160 – Harrell Tract #5 – 10184-10224 S IH-35 Service Rd SB; 10101-10139 Old San Antonio Rd	I-RR to CS-MU-CO	To Grant CS-MU-CO w/CO prohibiting certain uses and limiting development to 2,000 daily trips	Apvd CS-MU-CO as Commission recommended (12-2-2004).
C14-04-0126 – Harrell Tract #4 – 10100-10182 S IH-35 Service Rd SB; 10100-10128 Old San Antonio Rd	I-RR to CS-CO	To Grant CS-CO w/CO for list of prohibited uses, RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 sf	Apvd CS-CO as Commission recommended (12-2-2004).
C14-04-0125 – Harrell Tract #3 – 10000-10450 S First St	I-RR to MF-2-CO	To Grant MF-2-CO w/CO for 17 u.p.a. and a RC for the TIA	Apvd MF-2-CO w/RC as recommended by ZAP (12-2-2004).
C14-04-0124 – Harrell Tract #1 – 10116 S IH 35 Service Rd SB and 9800-10000 S 1 st St	I-RR to GR-MU-CO for Tract 1A and CS-CO for Tract 1B	To Grant GR-MU-CO for Tract 1A and CS-CO for Tract 1B w/CO for list of prohibited uses with RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 sf	Approved GR-MU-CO for Tract 1A and CS-CO for Tract 1B w/RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 sf as recommended by ZAP (12-2-2004).
C14-02-0052 – Wedding Facility, Catering and Restaurant – 10300 Old San Antonio Rd	I-RR to GR-MU-CO	To Grant GR-MU-CO w/CO limiting development of the property to bed and breakfast residential, indoor and outdoor entertainment and restaurants, 200 trips per day, height of 35 feet and 50% building coverage. RC specifying types of events and reservation of r-o-w on Old San Antonio Road	Apvd GR-MU-CO w/RC as Commission recommended (8-22-2002).

C14-00-2031 – Stablewood Apartments – Old San Antonio Rd	I-RR to MF-2	To Grant MF-2-CO w/CO prohibiting access to Old San Antonio Rd, 15’ wide vegetative buffer adjoining SF-2 property, and 2,000 trips per day	Apvd MF-2-CO as PC recommended (8-17-2000).
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RELATED CASES:

The subject property was annexed into the City limits on December 31, 1997 (C7A-97-013).

A Land Status Determination was made on September 6, 2000 that excepts this property from the requirement to plat (C8I-01-0360 – Michael R. Aulick).

On December 6, 2001, Council approved GR-MU-H-CO zoning for that portion of the property that includes the historic homestead and GR-MU-CO zoning for the remainder (C14H-01-0104 – Wedding / Catering Facility (AKA Matthew Brown Homestead)). On both tracts, the -CO limits development to 35’ height, 1,000 trips per day, 50% building coverage, 60% impervious cover, and uses to bed and breakfast, indoor and outdoor entertainment, and restaurants. A Restrictive Covenant defines the types of gatherings that would occur, and reserves right-of-way on Old San Antonio Road.

On December 27, 2011, an administrative site plan was approved for two general restaurant buildings (5,440 sf / 1,248 sf) with parking, driveways, utilities and other associated improvements (SP-2011-0207C – Camino Real). The site was not occupied as a restaurant use and the site plan has since expired.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Old San Antonio Road	60 feet	21 feet	Level 2 (Collector)	None	Shared Lane	None

OTHER STAFF COMMENTS:

Comprehensive Planning

This is a City-initiated rezoning case for a City owned property, which is 3.37 acres in size. This subject property of this rezoning case is not located within the boundaries of a neighborhood planning area but is adjacent to the South Park Meadows **Regional Center** and the South 1st **Activity Corridor**. Surrounding land uses include the Southpark Meadows

Shopping Center (with a variety of commercial uses, big box stores, a movie theatre, restaurants etc.) and an apartment complex to the north; to the south is undeveloped land and an apartment complex; to the east is the Southpark Meadows Shopping Center; and to the west is the Slaughter Creek at Twin Oaks Greenbelt, an apartment complex and a single family subdivision.

Proposal: In September 2019, City Council directed staff via a resolution to rezone this City owned property to add to the City's green space for infill parks, destination parks, preserves, and land along creeks for future recreation and leisure uses including greenways and trails. The historic Matthew Brown Homestead is situated on the parcel. The portion of the parcel with the house (Tract 1) has historic zoning, and the portion without the house (Tract 2) does not have historic zoning. The rezoning of the parcel to Public (P) base district will enable PARD to establish a fully staffed office at this location, to work on future programs for the park, and to maintain the historic house from GR-MU-H-CO to Public-Historic (P-H) combining district for Tract 1 and from GR-CO to Public (P) district for Tract 2.

Connectivity

There are no public sidewalks located along this portion of Old San Antonio Road, which the subject property fronts. There is a walking trail located within the Slaughter Creek at Twins Greenbelt that terminates behind the movie theater and is located next to the subject property. Public transit is available within the Southpark Meadows Shopping Center although public sidewalks are sparse within the shopping center.

Imagine Austin

The subject tract falls just outside of the Imagine Austin designated Southpark Meadows **Regional Center**. Like many Imagine Austin Centers, this center is represented by a circle that reflects the general location where the center should be located in the future. The center's actual boundaries would need to be clarified through a small area planning process. The project is also located near the South 1st Imagine Austin **Activity Corridor**. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

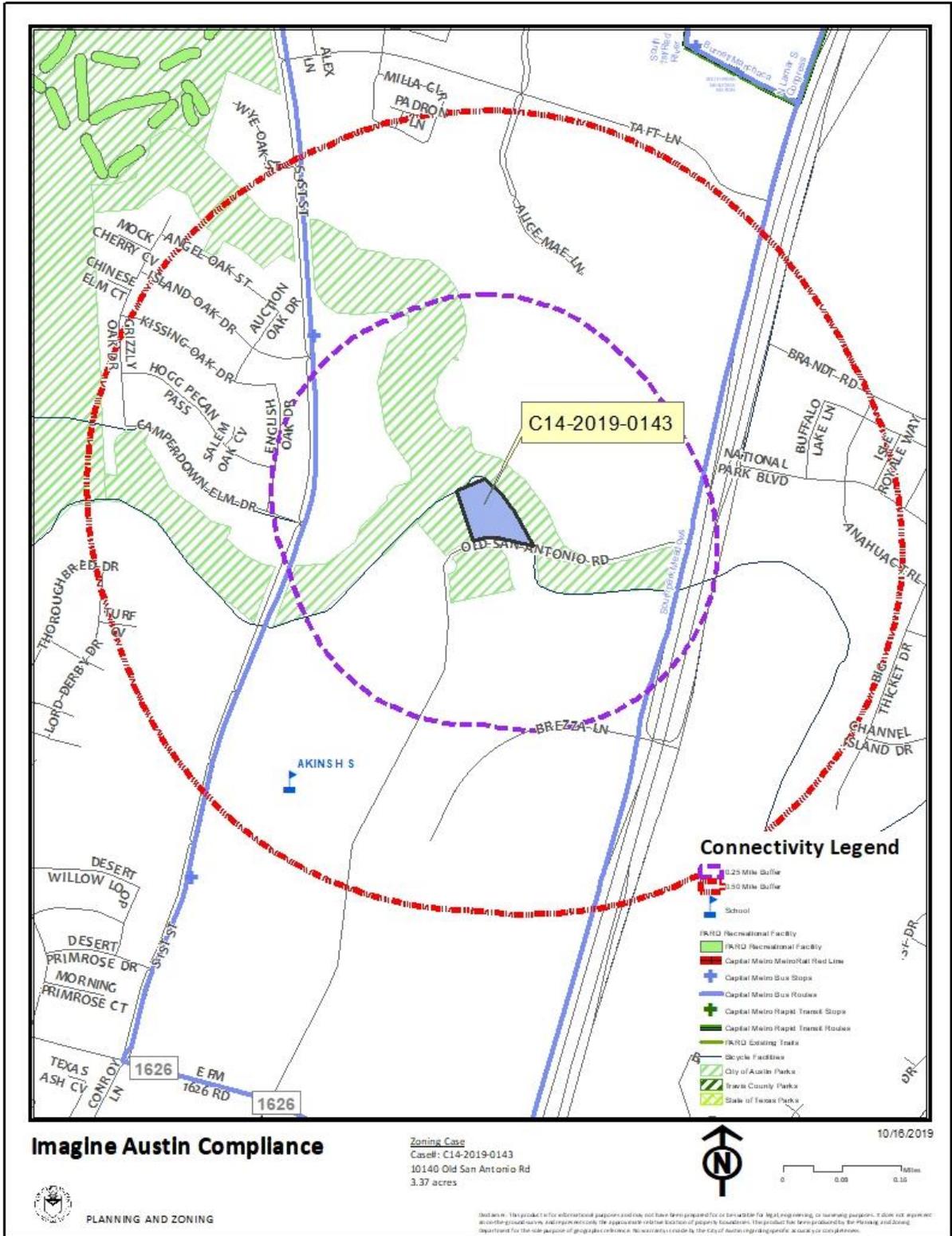
Regarding Austin's historic assets, Imagine Austin states that this includes neighborhoods, buildings, and sites reflecting Austin's cultural, ethnic, social, economic, political, and architectural history, many of which lack formal historic designation (p 116).

The following Imagine Austin policies are applicable to this case:

- **LUT P38.** Preserve and interpret historic resources (those objects, buildings, structures, sites, places, or districts with historic, cultural, or aesthetic significance) in Austin for residents and visitors.
- **LUT P41.** Protect historic buildings, structures, sites, places, and districts in neighborhoods throughout the City.

- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and **parks and recreation** options.
- **CFS P41.** Ensure and increase equitable access to and opportunities for arts, **recreation, and leisure activities** for all ages throughout the City.
- **CFS P42.** Increase connectivity between neighborhoods and from neighborhoods **to parks and greenways** through the use of sidewalks, bicycle lanes, multi-use paths, and trails.
- **CFS P43.** Maximize the **role of parks and recreation** in promoting healthy communities and lifestyles.
- **S P3.** Encourage more active lifestyles through new and redevelopment that supports walking and bicycling. Locate retail, services, and **public facilities such as parks**, health services, and libraries in or near neighborhoods to reduce traffic congestion and contribute to an improved sense of community.

Based on the policies above that supports preserving and protecting historic assets and creating new public facilities throughout Austin, including park and recreation areas, this projected appears to support the Imagine Austin Comprehensive Plan.



Drainage

The majority of the property is located within the City's fully developed 100-year floodplain of Slaughter Creek, with the exception of the southwest corner located within the fully developed 25-year floodplain.

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

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

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

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

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the P zoning district is established by a conditional use site plan.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

FYI: The subject property is included in the following approved site plans: SP-06-0113C; SP-06-0113C(XT); SP-06-0113C(XT2); SP-2011-0207C.

FYI: This property is in an erosion hazard zone.

Transportation

A traffic impact analysis was not required for this case because the site is for a City-owned project.

A neighborhood traffic analysis was not required for this case because the site is for a City-owned project.

The Urban Trails Master Plan recommends a Tier 2 Urban Trail along Slaughter Creek.

Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

A-1: Aerial Map

B: 2001 Zoning Ordinance

C: September 2019 Council Resolution