



**NOTICE OF A REGULAR MEETING
OF THE ZONING COMMISSION
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, JANUARY 26, 2022
6:00 P.M.**

Notice is hereby given that the Zoning Commission of the City of Sunset Valley, Texas, will hold a regular meeting on Wednesday, the 26th day of January 2022 at 6:00 P.M. in the Council Chambers, City Hall, 3205 Jones Road, Sunset Valley, Texas.

Due to current COVID-19 restrictions and Travis County Order 2022-01, the number of public participants allowed into the Council Chambers may be limited. Under the current order, masks are required to enter City Hall. The public is encouraged to leave public comments via Open Town Hall here: <https://www.opentownhall.com/11537>. The comments will be read by the Zoning Commissioners. Additionally, the public may livestream the meeting using this link:
http://sunsetvalley.granicus.com/MediaPlayer.php?publish_id=a73ff041-a8e0-4f8a-8b2a-e517711c7576

On this date, the following items will be discussed, to wit:

1. Call to Order
2. Citizen/Public Comments
3. Consider approval of the minutes from the November 17, 2021 called meeting.
4. Public Hearing to consider a request for a Zoning Change at 6405 Brodie Lane from SF (Single Family Residential) to NC (Neighborhood Commercial).
5. Zoning Commission recommendation to the City Council regarding a request for a Zoning Change at 6405 Brodie Lane from SF (Single Family Residential) to NC (Neighborhood Commercial).
6. Adjourn

A quorum of the City Council may attend the meeting, however, no official action by the City Council shall be taken.

I certify that the above notice of meeting was posted at City Hall, 3205 Jones Road, Sunset Valley, Texas, on Friday the 21st day of January 2022 at 6:00 P.M.


Matt Lingafelter
City Secretary



**MINUTES OF A CALLED MEETING
OF THE ZONING COMMISSION
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, NOVEMBER 17, 2021
6:00 P.M.**

Commissioners Present:

Robert Skewis, Chair
Miguel Huerta, Vice Chair
John Frick
Robert Reetz

Staff Present:

Sylvia Carrillo, City Administrator
Matt Lingafelter, Asst. to the City Administrator
Barbara Boulware-Wells, City Attorney

Commissioners Absent:

Brant Boozer

1. Call to Order

Chairman Skewis called the meeting to order at 6:03 P.M.

2. Citizen/Public Comments

Staff read into the record a comment from Lisa Versaci.

3. Consider approval of the minutes from the October 27, 2021 regular meeting.

Robert Reetz made a motion to approve the minutes, seconded by Miguel Huerta. All voted in favor and the motion carried.

4. Discussion regarding implementation of a process for the registration of Short-Term Rentals within the City.

Questions and comments from Commissioners for staff on the flow chart developed for Short-term Rental (STR) registration.

Location based revocation and/or infraction, versus penalizing the operator.

Discussion of proposed codification of the STR Registration.

Discussion of guest house/accessory structure issue with STRs in Sunset Valley.

Citizen Comment – Rudi Rosengarten

Commissioners discussed clarifying the local contact, and what was acceptable.

Discussion of scheduling a public hearing on January 26, 2022 to formally recommend adopting the STR registration within Chapter 2 of the Land Development Code. Staff was directed to draft codification of the registration process and related policies.

5. Adjourn

Miguel Huerta motion to adjourn, seconded by John Frick. All voted in favor, and the meeting adjourned at 6:42 P.M.

DRAFT

COMMISSION MEETING DATE: JANUARY 26, 2022



ZONING COMMISSION AGENDA ITEM #4-5

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, Asst. to the City Admin.
mlingafelter@sunsetvalley.org

SUBJECT: ZONING CHANGE

DESCRIPTION:

5. Public Hearing to consider a request for a Zoning Change at 6405 Brodie Lane from SF (Single Family Residential) to NC (Neighborhood Commercial).
 - a. Open Hearing
 - b. Presentation
 - c. Public Comments
 - d. Close Hearing

6. Zoning Commission recommendation to the City Council regarding a request for a Zoning Change at 6405 Brodie Lane from SF (Single Family Residential) to NC (Neighborhood Commercial).

BACKGROUND: Applicants Thomas Trubiana and Justin Trubiana are proposing a change of zoning at 6405 Brodie Lane from Single-family Residential to Neighborhood Commercial for their proposed project, a Botanical Garden Café and Eatery.

A review of the Zoning Change application has been completed by staff, and the application and supplemental materials were found to be complete, according to Section 150.064(D) of the Land Development Code.

A Notice of Public Hearing was posted at City Hall, published in the Austin Chronicle, and notices mailed to property owners within 500 feet of 6405 Brodie Lane. As of January 20th, no written comments have been received.

Originally, the Zoning Commission was to hold a Public Hearing on December 15th, and subsequently the City Council on January 4th, but two Commissioners were going to be absent for the December 15th meeting and Public Hearing. After discussions with both the Chair and the applicants, it was determined to cancel the December 15th Public Hearing and reschedule for January 26th. However, since the agenda was posted and an Open Town Hall was created, there were six Public Comments that were posted regarding this Zoning Change Application. They can be viewed here:
https://www.opentownhall.com/portals/420/Issue_11437/statements

The applicants' letter dated November 22, 2021 (provided in the supporting documents) addresses the conditions required for a change in zoning classifications, as required by Section 150.064(E)(4)(a) of the Land Development Code. For a zoning change request to be recommended for approval, the Zoning Commission must find that in its opinion, each of the following conditions have been established by competent evidence, and the burden of establishing such conditions is on the applicants. Conditions:

1. The proposed change in zoning classification is consistent with the goals, standards and policies of the City's Comprehensive Plan; and
2. Significant unanticipated changes have occurred that make development with the current land use maps unlikely and inappropriate;
3. The proposed classification will allow uses that are reasonable and not incompatible with surrounding properties and that any minor incompatible effects of uses to be allowed will be adequately mitigated;
4. The zoning classification change requested is no greater than the minimum required to allow for reasonable use of the land;
5. The proposed change in zoning classification is in the community's best interest in terms of the public health, safety and welfare;
6. Development likely to occur as a result of the proposed change in zoning classification can be served adequately by utilities, water supply systems, waste water systems, and drainage facilities;
7. Development likely to occur as a result of the proposed change in zoning classification can be served adequately by the following services: police protection, fire protection, and emergency medical care;
8. Development likely to occur as a result of the proposed change in zoning classification will not result in traffic conditions or vehicular circulation that jeopardizes the city's public health, safety, welfare, environment, or the vehicular traffic goals, standards and policies of the Comprehensive Land Use Plan;
9. Development likely to occur as a result of the proposed change in zoning classification will not disrupt the existing uses of land in the vicinity; and
10. The proposed change in zoning classification and development likely to occur as a result of the proposed change in zoning classification will not negatively affect the value of property and improvements in the vicinity.

In addition to the conceptual site plan, which is required with a zoning change request, the applicants have, in anticipation of future requirements, voluntarily provided the Appendix B – Site Plan, including parking and preliminary stormwater calculations, and Appendix B – Landscaping Plan, including landscaping requirements and a plant palette. Additionally, the project, as presented will require a watershed variance approval for impervious cover over 18%.

NEIGHBORHOOD COMMERCIAL DISTRICT

Section 150.164 states that the intent of Neighborhood Commercial (NC) is to provide sites for quiet, low-intensity, neighborhood-oriented retail and office uses on a scale that is in harmony with the rural character of the community.

Uses not allowed within NC include grocery stores, hardware stores, health/athletic clubs, recreation centers, pawn shops, pet/pet grooming shops, variety stores, event centers, and all uses prohibited under [Section 150.110](#).

The applicants' project falls within a land use permitted within the NC by a special use permit. The following chart, found in Section 150.164, outlines land uses and development standards for the district. As noted, the use, number 3 under by Special Use Permit is restaurants and also number 6, alcohol sales within the restaurant.

Permitted Uses	By special use permit	Site Requirements	Supplementary Requirements
<p>1. Retail, Limited as listed in § 150.161.</p> <p>2. Those uses permitted in O Neighborhood Office and SF Single Family Residential.</p>	<p>1. Medical-related professional offices</p> <p>2. Veterinary services</p> <p>3. Restaurants</p> <p>4. Beer and wine sales in a retail use</p> <p>5. Banks and savings and loans</p> <p>6. Alcoholic beverage sales in restaurants</p>	<p>General Requirements</p> <p>Minimum Lot Size: 1.0 acre</p> <p>Minimum Lot Width at Front Setback Line: 120 ft.</p> <p>Minimum Street Frontage:</p> <p>Standard Lot: 120 ft.</p> <p>Cul-de-Sac Lot: 60 ft.</p> <p>Minimum Lot Depth: 300 ft.</p> <p>Minimum Floor Area: 1,000 ft squared</p> <p>Maximum Floor Area per building: 15,000 ft squared</p> <p>Maximum Impervious Cover Not to Exceed Allowable under Watershed Provisions of this Code</p> <p>Primary Use and Structure Minimum Setbacks</p> <p>Front: 50 ft.</p> <p>Side: 20 ft.</p> <p>Rear: 30 ft.</p> <p>Maximum Height: 35 ft.</p> <p>Parking Lot and Other Impervious</p>	<p>Other Requirements by Reference to the Following Provisions of this Codes, as Amended:</p> <ol style="list-style-type: none"> 1. Wastewater System Provisions of this Code 2. Watershed Provisions of this Code 3. Landscaping and Buffering Provisions of this Code 4. Sign and Outdoor Lighting Provisions of this Code with the stipulation that all outdoor lighting shall be directed away from neighboring properties (i.e., either up to light tree canopies or down to light ground but not horizontal away from a building). 5. Subdivision Provisions of this Code. 6. All other applicable ordinances as amended. <p>Architectural Requirements:</p> <ol style="list-style-type: none"> 1. No flat roofs 2. Varied, multiple pitched roofs <p>Minimum Off-Street Parking:</p> <ol style="list-style-type: none"> 1. See Table 1. <p>Compatibility and Buffering Standards:</p> <ol style="list-style-type: none"> 1. 100 foot landscaped setback. See section § 150.105(B).

		Cover: Minimum Setbacks: Front: 50 ft. Side: 20 ft. Rear: 30 ft.	
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The vast majority of properties zoned for commercial use within the City are zoned Highway Commercial (HC), including the Market Fair, Village, Homestead and 4715 shopping centers. Currently, there are only two properties within the City that are zoned Neighborhood Commercial: see the [Zoning Map, last updated October 2020](#).

The first NC property is 4910 US Highway 290 is ATS Engineers, Inspectors and Surveyors, a multi-story office building along the northern frontage road of Highway 290. The second NC property is 4812 US Highway 290, which was rezoned last year in conjunction with a neighboring development (Townbridge Homes, Neighborhood Office), but is still a single-family residence.

The City's [Future Land Use Map](#), last updated in 2011, does show the property as Single Family, not Neighborhood Commercial. However, this does not preclude the applicant from submitting a request for a zoning change. Additionally, the Commission is not bound by the Future Land Use Map under the conditions listed in 150.064(E)(4)(a) when considering a change in zoning classification. Changes in land use and development in an area, when resulting in a change of zoning, require a map amendment and a review of the overall Comprehensive Plan and Land Use maps.

The two properties within the City adjacent to 6405 Brodie are two Single-Family Residential properties, one to the north and one to the east. The property to the north is owned by the City but is currently a single-family residence (the Anne Gault Life Estate). The Future Land Use Map shows this property to be Park, Greenspace or Conservation. The property to the east is 759 Oakdale Drive, a flag-shaped lot which is currently a single-family residence.

APPLICABLE CODE SECTIONS: [150.064](#), Zoning Amendments, and [NC District](#)

SUPPORTING MATERIALS PROVIDED:

- STAFF MEMO 01.20.22
- LETTER FROM APPLICANTS
- ZONING CHANGE APPLICATION
- SUP APPLICATION – RESTAURANT
- SUP APPLICATION – ALCOHOL ON PREMISE
- OWNER AUTHORIZATION LETTER
- LEGAL DESCRIPTION

- CURRENT ZONING MAP
- CONCEPTUAL PLAN BOOKLET
- APPENDIX B – SITE PLAN
- APPENDIX B – LANDSCAPING
- LETTER OF SUPPORT FROM BETTY GRUBBS ESTATE
- OPEN TOWN HALL STATEMENTS FOR 12.15.21

JANUARY 20, 2022



CITY COUNCIL & ZONING COMMISSION MEMO

ZONING COMMISSION MEETING DATE: January 26, 2022

CITY COUNCIL MEETING DATE: February 1, 2022

STAFF PREPARER: Matt Lingafelter, mlingafelter@sunsetvalley.org

RE: 6405 Brodie Lane – Zoning Change Application

APPLICANTS: Thomas Trubiana and Justin Trubiana

OVERVIEW: The subject property is 6405 Brodie Lane, the southernmost property in Sunset Valley on the east side of Brodie Lane. The platted, 4.976-acre tract is currently zoned Single-family, and a single-family residence is located on the property. Presently, no one is residing on the property. The property is owned by the Estate of Betty Grubbs; Mrs. Grubbs was a longtime resident of the City. Gary McIntosh, the Independent Executor of the Estate of Betty Grubbs, has authorized the applicants, Thomas and Justin Trubiana, to act as the agents on the behalf of the estate in connection with the rezoning and special use permit applications.

The applicants' proposed project for 6405 Brodie Lane is a Botanical Garden Café and Eatery that, according to the applicants, "would serve as a peaceful outdoor community gathering place where Sunset Valley residents could relax and enjoy local culturally diverse food and drinks." The applicants' proposal includes a statement that their project "incorporates sustainability, community and award-winning food", which they believe aligns with the both the City's values and Comprehensive Land Use Plan. Two critically-acclaimed Austin-area eateries, [Dee Dee](#) (farm-to-table Northeastern Thai food) and [Veracruz All Natural](#) (family run Mexican food), are associated with the project.

REVIEW OF ZONING CHANGE APPLICATION: A review of the Zoning Change application has been completed by staff, and the application and supplemental materials were found to be complete, according to Section 150.064(D) of the Land Development Code.

The applicants' letter dated November 22, 2021 (provided in the supporting documents) addresses the conditions required for a change in zoning classifications, as required by Section 150.064(E)(4)(a) of the Land Development Code. In order for a zoning change request to be recommended for approval, the Zoning Commission must find that in its opinion, each of the following conditions have been established by competent evidence, and the burden of establishing such conditions is on the applicants.

1. The proposed change in zoning classification is consistent with the goals, standards and policies of the City's Comprehensive Plan; and
2. Significant unanticipated changes have occurred that make development with the current land use maps unlikely and inappropriate;
3. The proposed classification will allow uses that are reasonable and not incompatible with surrounding properties and that any minor incompatible effects of uses to be allowed will be adequately mitigated;
4. The zoning classification change requested is no greater than the minimum required to allow for reasonable use of the land;
5. The proposed change in zoning classification is in the community's best interest in terms of the public health, safety and welfare;
6. Development likely to occur as a result of the proposed change in zoning classification can be served adequately by utilities, water supply systems, waste water systems, and drainage facilities;
7. Development likely to occur as a result of the proposed change in zoning classification can be served adequately by the following services: police protection, fire protection, and emergency medical care;
8. Development likely to occur as a result of the proposed change in zoning classification will not result in traffic conditions or vehicular circulation that jeopardizes the city's public health, safety, welfare, environment, or the vehicular traffic goals, standards and policies of the Comprehensive Land Use Plan;
9. Development likely to occur as a result of the proposed change in zoning classification will not disrupt the existing uses of land in the vicinity; and
10. The proposed change in zoning classification and development likely to occur as a result of the proposed change in zoning classification will not negatively affect the value of property and improvements in the vicinity.

In addition to the conceptual site plan, which is required with a zoning change request, the applicants have, in anticipation of future requirements, voluntarily provided the Appendix B – Site Plan, including parking and preliminary stormwater calculations, and Appendix B – Landscaping Plan, including landscaping requirements and a plant palette. Additionally, the project, as presented will require a watershed variance approval for impervious cover over 18%.

SPECIAL USE PERMIT APPLICATIONS: With their application to request a zoning change at 6405 Brodie Lane, the applicants also submitted two Special Use Permit applications, one for operating a restaurant within the Neighborhood Commercial zoning district, and a second to allow for the sale of alcoholic beverages for on-premise consumption. These two applications cannot be considered until (and if) the Zoning Change is approved by the City Council.

SPECIAL USE PERMIT FOR A RESTAURANT IN NEIGHBORHOOD COMMERCIAL

A foundational component of the applicants' project is the café eatery, which under current zoning regulations, will require a Special Use Permit to operate within the proposed Neighborhood Commercial District. Consideration and approval of the Special Use Permit, however, is conditional upon a successful change of zoning from Single-

Family to Neighborhood commercial. In its current zoning classification, the Commission and Council cannot consider the Special Use Application to operate a restaurant at this time. Such consideration can be taken when and if, the Commission recommends the zoning change to Council and the Council grants the rezoning request.

SPECIAL USE PERMIT FOR ALCOHOL SALES FOR ON PREMISE CONSUMPTION

In addition to the Special Use Permit application to operate a restaurant, the applicants have also submitted a Special Use Permit for the sale of alcoholic beverages for on-premise consumption. Similar to the first Special Use Permit application, consideration and approval of the Special Use Permit for alcohol consumption, however, is conditional upon a successful change of zoning from Single-Family to Neighborhood commercial and the approval of the Special Use Permit for the operation of a restaurant. At the present time, the Commission and Council cannot consider the Special Use Application for alcohol because (1) the approval to rezone has not occurred and (2) the approval to operate a restaurant after zoning approval has not been granted at this time. Such consideration can be taken when and if, the Commission recommends the zoning change to Council and the Council grants the rezoning request and the Commission recommends a Special Use Permit be granted for a restaurant.

City of Sunset Valley
3205 Jones Rd
Sunset Valley, TX 78745
November 22, 2021

Re: Rezoning and Special Uses for 6405 Brodie Ln., Sunset Valley, TX 78745 (the
“Property”)

To Whom It May Concern:

Please accept the attached applications to rezone the Property, 6405 Brodie Lane, from Single-Family Residential (“SF”) to Neighborhood Commercial (“NC”) and special use requests for restaurant use and alcohol sales for on premise consumption in a restaurant. Per Sunset Valley’s development code Neighborhood Commercial zoning is *“To provide sites for quiet, low-intensity, neighborhood-oriented retail (...) uses on a scale that is in harmony with the rural character of the community.”* The project we are proposing very much meets this definition.

We are submitting the attached applications for zoning and special uses on behalf of Gary McIntosh, Independent Executor of the Estate of Betty Grubbs (the “Owner”). As part of a broader vision we, the Trubiana Family (Tom, Bennie, Justin & Lakana) and the Vazquez Family (Reyna & Maritza), owners of Veracruz, are proposing a Botanical Garden Café and Eatery that would serve as a peaceful outdoor community gathering place where Sunset Valley residents could relax and enjoy local culturally diverse food and drinks (“Project”).

We are locals with extensive experience in running successful, locally sourced food venues and other real estate businesses. For our families, this Project is more than just a business opportunity – it is a passion project with an opportunity to create an intimate gathering space that embraces Sunset Valley’s unique character and will serve as a venue that will receive both local and national media attention for Sunset Valley. We are excited to put forward this vision for your consideration.

Property Overview

The Property is located at the southernmost tip of Sunset Valley, along its border with the City of Austin. It is surrounded by The Park on Brodie Lane - a 290-unit multi-family apartment community to the south, large, big box commercial to the west (Lowe’s), a City of Sunset Valley owned parcel to the north that has been designated as a future parkland conservation area that has a current life estate, and a single-family property to the east.

The heart of the Project will be its botanical garden and café area – a garden area that preserves the natural habitat and wildlife with a seating area near the center of the Property. This central area will be ringed with three small eateries (currently estimated at 960 sf each), three covered seating areas (ranging from an estimated 835 sf to 1,512 sf), and a café (an estimated 2,880 sf). The garden and café area will be served by a winding, rural style parking that preserves the existing trees and surrounds a large interior green space with natural pedestrian walkways alongside the native buffalo grass. Additional employee parking will be located directly south of the café. Large

landscape buffer areas will sit to the north and east of the garden and café area which will maintain the natural habitat.

This project will be designed to highlight and be in harmony with the rural character of the area. The project's conceptual package is attached and includes the conceptual plan illustrating the proposed site plan layout and other Project features.

As we will discuss in more detail below, we believe that this proposal will embrace Sunset Valley's values, unique local character and provide a quality amenity for Sunset Valley residents in a manner that is fully consistent with Sunset Valley policies and good planning principles.

Comprehensive Plan Goals

We believe that our Project meets the goals Sunset Valley has outlined in its Comprehensive Plans to:

- **Preserve and protect the pleasant quality of life.** The Project will enhance quality of life for Sunset Valley by providing an intimate gathering space in a natural, garden setting where residents can enjoy food and drink with friends and family, work from during the day, or participate in wellness activities such as yoga or meditation. We will also fully embrace Sunset Valley's local character, offering locally produced food and providing a setting where residents can connect with local artists and vendors.
- **Preserve the community's natural resources, including the native wildlife habitat, natural site features, and underground water supply.** Our proposal for a botanical garden and café integrates the natural environment directly into the Project. Visitors will enter the Property from Brodie Lane and find parking along rural-esque parking areas which protects existing trees, features natural green space, and preserves large areas of native buffalo grass throughout. From there, visitors will take a garden pathway to the botanical garden, planted primarily with native plants, and the café area, where they can relax and enjoy food and drinks in a peaceful, natural, rustic garden environment with large shade trees, and raised garden beds, among other natural habitat plantings. The plantings will provide food and shelter for native wildlife including butterflies and birds. The project will be designed with stormwater treatment methods that meet the high standards of the City of Austin and Sunset Valley and preserve large areas of native vegetation which also promotes improved water quality. Our proposed site plan protects all heritage trees while adding 38 new trees to the property.
- **Protect existing and future development from increased flooding potential and erosion of soils.** The Project will feature primarily native landscaping to enhance the rural character, mature trees, raised garden beds, and other greenery as well as an on-site rainwater collection tank, helping promote healthy soil, water quality, and run-off mitigation. Increased stormwater runoff from new impervious cover will be mitigated through a stormwater detention pond, discreet in appearance, which blends with the rural character of the project. Methods of stormwater treatment will be both effective and visually appealing.

- **Promote healthy development that maintains and enhances the City's unique character.** Both the Comprehensive Plan and the recent Sunset Valley Marketing Strategy have identified Sunset Valley's natural and peaceful character as one of its key strengths. We have designed a Project that fully embraces this character – a smaller-scale, family-friendly amenity that will be available for residents' many different needs, whether they are looking for a café from which to work, a place to gather with family and friends, or simply a brief meditative nature retreat during the day. We also plan to integrate Sunset Valley's history directly into the Project. The property was formerly owned by Betty Grubbs, a World War II veteran and one of Sunset Valley's founding residents. Betty was known for helping her neighbors and for being a pioneer for women's causes, such as her philanthropy work for women's athletics at the University of Texas. At the age of 89, she was honored as Austin's Volunteer of the Year. Following in her footsteps, the botanical garden café and eatery will feature women-owned businesses and hold an annual fundraiser for the Betty Grubb's Endowed Scholarship Program for the University of Texas Women's Athletics. Lastly, a memorial plaque will be created to pay homage to her accomplished life.
- **Provide quality services and public facilities without burdensome fees or taxes.** Sales taxes represent the vast majority of Sunset Valley's annual General Fund budget, allowing the City to meet residents' needs *without* levying property taxes. As a result, strategically planned and implemented commercial projects are critical to Sunset Valley's ability to continue to simultaneously provide a high level of service *and* low taxation. Our Project helps support this goal, increasing Sunset Valley's sales tax revenues through a quality amenity that fits Sunset Valley's friendly character. This project will be a key draw for bringing people to Sunset Valley and would help stimulate additional sales revenue for other local businesses.

Conditions for Zoning Change

We also believe that our rezoning application is consistent with the code-established conditions for approving a zoning change:

1. **The proposed change in zoning classification is consistent with the goals, standards and policies of the City's Comprehensive Plan.** As discussed above, we believe that our request is fully consistent with the Comprehensive Plan.
2. **Significant unanticipated changes have occurred that make development with the current land use maps unlikely and inappropriate.** Roughly a decade ago, Sunset Valley designated this site as "Single-Family" on its Future Land Use Map ("FLUM"). However, it is surrounded to the west and the south by more intensive uses (commercial and multi-family) and is bordered to the north by a lot that the Sunset Valley has since acquired which the 2011 FLUM designated as a park, greenbelt, or conservation easement. Additionally, Sunset Valley has since launched an important marketing strategy effort, which is outlining a new vision for the types of amenities and growth Sunset Valley wants to accomplish

going forward. We believe that these factors demonstrate that an amendment to the FLUM is appropriate for the Property.

3. **The proposed classification will allow uses that are reasonable and not incompatible with surrounding properties and that any minor incompatible effects of uses to be allowed will be adequately mitigated.** The Project will offer a friendly community space where locals can relax and enjoy nature, gardens, award winning food and drink. Approving the Property for a more relaxed garden-and-café character will help achieve two key planning objectives, allowing a use that: (1) is appropriate adjacent to the surrounding higher-intensity commercial and multi-family uses and (2) serves as a 'transition area' between the busier four-lane Brodie Lane roadway and lower-intensity internal areas. This 'transition area' function is further reinforced by the significant landscaped buffer that will be installed and maintained on the eastern end of the Property, closer to more internal residential areas.
4. **The zoning classification change requested is no greater than the minimum required to allow for reasonable use of the land.** We have tailored all of our land use approval requests to a very specific and defined vision for a botanical garden café and eatery. At present, Neighborhood Commercial and Highway Commercial are the only two zoning categories that would allow for such a use. As this site is not located along a highway, Neighborhood Commercial is the only available zoning category that would allow this vision. As a result, we are requesting NC zoning.
5. **The proposed change in zoning classification is in the community's best interest in terms of the public health, safety and welfare.** Sales tax constitutes the vast majority of Sunset Valley's General Fund budget each year, allowing Sunset Valley to provide important public health, safety, and other critical municipal services without property taxation. Because of this, strategic planning for appropriate commercial uses can both help serve residents' leisure needs as well as financially supporting their municipal services. We believe that our request accomplishes both of these goals, providing quality garden-and-café space for residents, and new sales revenues from the project as well as increased sales revenue for other businesses located within Sunset Valley.
6. **Development likely to occur as a result of the proposed change in zoning classification can be served adequately by utilities, water supply systems, wastewater systems, and drainage facilities.** The Project and the adjacent tract (6401 Brodie Ln.) currently do not have access to a public water supply and utilize groundwater from onsite water wells. As groundwater is a limited supply, increased use as a sole source of water does not promote good stewardship of our natural resources. Existing public water and wastewater utilities are nearby at the intersection of Allegro Lugar and Brodie Lane. We are working with City staff to extend these utility lines within the Brodie Lane right of way to serve the Project. The lines can be further extended to serve the adjacent tract if needed in the future. The botanical garden café and eatery will utilize water conservation measures, water saving fixtures, efficient irrigation, drought tolerant landscape and rainwater collection to supplement water for irrigation. Stormwater runoff from impervious areas will be treated

to meet the City of Austin and Texas Commission on Environmental Quality requirements for protection of the aquifer.

7. **Development likely to occur as a result of the proposed change in zoning classification can be served adequately by the following services: police protection, fire protection, and emergency medical care.** As discussed above, the Project will increase Sunset Valley sales tax revenues, providing more revenues Sunset Valley can use to fund municipal and inter-local emergency services.
8. **Development likely to occur as a result of the proposed change in zoning classification will not result in traffic conditions or vehicular circulation that jeopardizes the City's public health, safety, welfare, environment, or the vehicular traffic goals, standards and policies of the Comprehensive Land Use Plan.** The Project offers a modestly sized commercial space – in contrast to larger nearby commercial and multi-family uses – and would provide full on-site parking for patrons and employees. Given the site is located on Brodie Lane, a four-lane roadway with an accompanying sidewalk, patrons can access it either on foot or by vehicle. Additional traffic generated by this project is not likely to be found on the rural roads of Sunset Valley. The project is located on the south end of the city, away from most Sunset Valley roadways, and the nearby street of Oakdale is a dead-end street making Brodie Lane the only viable route of access.
9. **Development likely to occur as a result of the proposed change in zoning classification will not disrupt the existing uses of land in the vicinity.** The Project will complement existing uses in the area, providing a smaller-scale neighborhood amenity within walking distance of multi-family and single-family residents to enjoy and serving as ‘transition area’ buffering the busier four-lane Brodie Lane roadway and lower-intensity internal areas.
10. **The proposed change in zoning classification and development likely to occur as a result of the proposed change in zoning classification will not negatively affect the value of property and improvements in the vicinity.** We believe that our smaller-scale botanical garden café and eatery would *enhance* the value of property in the area by providing a desirable, intimate amenity where families and friends can relax, chat, and generally enjoy each other’s company in nature over food and drinks. The Sunset Valley marketing strategy recognizes this dynamic, as well, identifying “great outdoor experiences – from beer gardens to food trucks to more outdoor patios” and “unique dining experiences” as key outcomes Sunset Valley is seeking to accomplish.

Sunset Valley Marketing Strategy

Finally, we believe that our rezoning application would help implement the vision that the Sunset Valley Marketing Ad hoc Committee is developing through its marketing strategy process. To date, the marketing strategy materials have consistently emphasized strengthening local businesses and building and embracing local character, including Sunset Valley’s friendliness and natural beauty.

For instance, a May 2021 presentation specifically identifies “great outdoor experiences – from beer gardens to food trucks to more outdoor patios” and “more unique dining experiences – local, farm to table, celebrated local chefs” as key outcomes to achieve. This smaller-scale, locally focused vision is in alignment with the marketing strategy and stands in contrast to the types of businesses which the marketing strategy seeks to *avoid*, such as large ‘value outlets.’

Our Project would help implement this strategic vision with a unique, smaller-scale, local business run by local owners featuring locally produced food and drinks in a setting that evokes and embraces Sunset Valley’s local character. And it would do so in a context-sensitive manner that complements the adjacent commercial and multi-family uses and provides a lower-intensity commercial ‘transition’ between the busier roadway area and more internal areas.

Schedule

The property is under an option period and has not been purchased from the Betty Grubbs estate at this time. Before proceeding with the purchase, we are submitting applications for zoning, special use permits, and any variances which we plan to bring to the Zoning Commission and City Council for action at meetings scheduled in October, November, and December.

Conclusion

Thank you for the opportunity to describe our vision for a community-oriented botanical garden café and eatery project at the Property. We appreciate your consideration and look forward to answering any questions and providing further details.

Sincerely,



Tom Trubiana



Justin Trubiana

Encl:

Application for Zoning Change

Special Use Permit Application – Restaurant Use

Special Use Permit Application – Restaurant with Alcoholic Beverage Sales

Owner authorization letter from Gary McIntosh

Legal description

Zoning map

Botanical Garden Café and Eatery Presentation Booklet with Conceptual Site Plan

Appendix B - Site Plan

Appendix B - Landscaping Plan

Betty Grubbs Estate Letter from Gary McIntosh

CITY OF SUNSET VALLEY
APPLICATION FOR ZONING CHANGE



DATE: 11/22/2021

TO THE CITY COUNCIL: Thomas Trubiana and Justin Trubiana (name), hereby makes application to the City Council of the City of Sunset Valley for change in zoning designation of the property described below:

ADDRESS: 6405 Brodie Ln., Sunset Valley, TX 78745

LEGAL DESCRIPTION: ABS 3 SUR 18 BISSELL T ACR 4.976

PRESENT ZONING: Single-Family Residential (SF)

PRESENT USE OF PARCEL AND ALL CONTIGUOUS PARCELS: Parcel: Single-family

Surrounding: Multifamily (south), commercial / Lowe's (west), city-owned lot with life estate / future conservation area (north), single-family (west)

REQUESTED ZONING CHANGE: Neighborhood Commercial (NC)

REQUESTED USE OF PARCEL AND ALL CONTIGUOUS PARCELS: Parcel: Botanical garden café and eatery
(Restaurant with alcoholic beverage sales for on-premise consumption) (See attached project description)

TYPE OF OWNERSHIP: SOLE OWNERSHIP TRUST OTHER (Specify) Estate

Volume and page of deed which conveyed the property to the present owner: Vol. 1276, Pg. 22

APPLICANT NAME: Thomas Trubiana and Justin Trubiana

SIGNATURE  

ADDRESS 4401 Amarra Dr., Unit 1, Austin, TX 78735

PHONE NUMBER (512) 413-2356 EMAIL ADDRESS ttrubiana@gmail.com

IF THE APPLICANT IS NOT THE OWNER, THEN THE OWNER MUST AUTHORIZE THE APPLICANT TO ACT AS

AGENT: OWNER'S SIGNATURE AUTHORIZING APPLICANT AS AGENT: (See authorization letter)

OWNER'S NAME (if not applicant) Gary McIntosh (Independent Executor, Estate of Betty Grubbs)

ADDRESS 1601 South MoPac Expressway, Suite D250, Austin, TX 78746

PHONE NUMBER (512) 426-1128 EMAIL ADDRESS gary.mcintosh@weaver.com

If ownership is other than sole or community property, name the partners, principals, beneficiaries, etc. respectively with Name, Position, Address, and percentage ownership.

This application shall be accompanied by information which satisfies the requirements of LDC 2.305(c) and 2.305(e)(4).

Application Fee \$ _____ Date Received _____ By _____

Comments: _____

City of Sunset Valley
3205 Jones Rd
Sunset Valley, TX 78745
September 29, 2021

Re: Land Use Applications for 6405 Brodie Ln. (the "Property")

To Whom It May Concern:

I, Gary McIntosh, Independent Executor of the Estate of Betty Grubbs, hereby authorize Thomas Trubiana and Justin Trubiana to act as my agent on behalf of the Betty Grubbs Estate in connection with rezoning applications, special use permit applications, variance applications, and other related land use approvals for the above-referenced Property.

Gary McIntosh



Independent Executor, Estate of Betty Grubbs

SIGNATURE CERTIFICATE




REFERENCE NUMBER

27E96C62-9920-48D6-8687-2875A2F80DC6

TRANSACTION DETAILS	DOCUMENT DETAILS
<p>Reference Number 27E96C62-9920-48D6-8687-2875A2F80DC6</p> <p>Transaction Type Signature Request</p> <p>Sent At 09/29/2021 19:48 EDT</p> <p>Executed At 09/30/2021 08:11 EDT</p> <p>Identity Method email</p> <p>Distribution Method email</p> <p>Signed Checksum 3b9493e7caff53a9a3510481d2f3382790f13552e32bc233f5b3d7e18bdb8536</p> <p>Signer Sequencing Disabled</p> <p>Document Passcode Disabled</p>	<p>Document Name Authorization Letter</p> <p>Filename authorization_letter.pdf</p> <p>Pages 1 page</p> <p>Content Type application/pdf</p> <p>File Size 106 KB</p> <p>Original Checksum 4e08eb2fe5fdcc2a44f585f935e5b5c2e7380a8be512943aac92bbc81828229</p>

SIGNERS

SIGNER	E-SIGNATURE	EVENTS
<p>Name Gary McIntosh</p> <p>Email gary.mcintosh@weaver.com</p> <p>Components 1</p>	<p>Status signed</p> <p>Multi-factor Digital Fingerprint Checksum ab1ba6c2c39936b47aea453e2393d5cd28f751d3ea7ada67aa0088429fbf60cd</p> <p>IP Address 104.244.162.114</p> <p>Device Samsung Browser via Android</p> <p>Drawn Signature</p>  <p>Signature Reference ID 6352240E</p> <p>Signature Biometric Count 284</p>	<p>Viewed At 09/30/2021 08:11 EDT</p> <p>Identity Authenticated At 09/30/2021 08:11 EDT</p> <p>Signed At 09/30/2021 08:11 EDT</p>

AUDITS

TIMESTAMP	AUDIT
09/29/2021 19:48 EDT	Gary McIntosh (gary.mcintosh@weaver.com) was emailed a link to sign.
09/29/2021 19:48 EDT	Martha Adams (madams@abaustin.com) created document 'authorization_letter.pdf' on Chrome via Windows from 63.145.58.202.
09/29/2021 21:08 EDT	Gary McIntosh (gary.mcintosh@weaver.com) was emailed a reminder.
09/29/2021 21:46 EDT	Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via Android from 104.244.162.114.
09/29/2021 21:46 EDT	Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via Android from 35.170.190.110.
09/29/2021 21:46 EDT	Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via

Android from 54.236.143.143.

- 09/29/2021 21:47 EDT Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via Android from 104.244.162.114.
- 09/29/2021 21:48 EDT Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via Android from 104.244.162.114.
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- 09/29/2021 21:49 EDT Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Firefox via Windows from 85.14.247.26.
- 09/30/2021 07:53 EDT Gary McIntosh (gary.mcintosh@weaver.com) was emailed a reminder.
- 09/30/2021 08:07 EDT Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via Android from 104.244.162.114.
- 09/30/2021 08:07 EDT Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via Android from 54.145.248.56.
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- 09/30/2021 08:09 EDT Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Firefox via Windows from 172.255.126.195.
- 09/30/2021 08:11 EDT Gary McIntosh (gary.mcintosh@weaver.com) viewed the document on Samsung Browser via Android from 104.244.162.114.
- 09/30/2021 08:11 EDT Gary McIntosh (gary.mcintosh@weaver.com) authenticated via email on Samsung Browser via Android from 104.244.162.114.
- 09/30/2021 08:11 EDT Gary McIntosh (gary.mcintosh@weaver.com) signed the document on Samsung Browser via Android from 104.244.162.114.



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

**4.976 ACRES
THEODORE BISSELL SURVEY NO. 18, ABSTRACT NO. 3,
TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 4.976 ACRES (APPROXIMATELY 216,775 SQ. FT.) OUT OF THE THEODORE BISSELL SURVEY NO. 18, ABST. NO. 3, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 5 ACRE TRACT CONVEYED TO H.C. AND BETTY GRUBBS DESCRIBED IN A WARRANTY DEED DATED JULY 11, 1952 AND RECORDED IN VOLUME 1276, PAGE 22 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAVE & EXCEPT A 0.034 ACRE TRACT RECORDED IN VOLUME 1680, PAGE 286 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING PART OF A 158 1/2 ACRE TRACT DESCRIBED IN A DEED TO EUGENE MCGUIRE DATED JUNE 14, 1947, RECORDED IN VOL. 852, PAGE 190, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4.976 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found on the southeast right-of-way line of Brodie Lane (right-of-way width varies) as described in Volume 1680, Page 272, Volume 1680, Page 286 and Volume 1680, Page 274, all of the Deed Records of Travis County, Texas, same being the northeast line of said 5 acre tract, being the east corner of said 0.034 acre tract, being the south corner of a 0.031 acre tract recorded in said Volume 1680, Page 274, also being the west corner of a 4.978 acre tract recorded in Document No. 2009209396 of the Official Public Records of Travis County, Texas;

THENCE South 62°56'53" East, with the northeast line of the 5 acre tract, being the southwest line of said 4.978 acre tract, a distance of **829.72 feet** to a cotton spindle found for the east corner of the 5 acre tract, same being the south corner of the 4.978 acre tract, and also being an angle point in the northwest line of Lot 3 Rosemary Estates Subdivision, a subdivision of record in Volume 85, Page 7C of the Plat Records of Travis County, Texas;

THENCE South 27°39'46" West, with the southeast line of the 5 acre tract, being the northwest line of said Lot 3 a distance of **260.03 feet** to a 1/2" rebar found for the south corner of the 5 acre tract, same being the west corner of Lot 3 and also being an angle point in the northeast line of a 39.673 acre tract described in Document No. 2015111166 of the Official Public Records of Travis County Texas;

THENCE North 63°07'37" West, with the southwest line of the 5 acre tract, being the northeast line of said 39.673 acre tract, a distance of **829.48 feet** to a 1/2" rebar with "Chaparral" cap set, being the north corner of the 39.673 acre tract, same being the east corner of a 0.179 acre tract described in Volume 1680, Page 272 of the Deed Records of Travis County, Texas, same being the south corner of the 0.034 acre tract, also being on the southeast right-of-way line of Brodie Lane, from which a 1/2" rebar found for an angle point in the southeast right-of-way line of Brodie Lane and the northwest line of the 39.673 acre tract bears South 27°36'16" West, a distance of 390.93 feet;

THENCE North 27°36'16" East, crossing the 5 acre tract with the southeast right-of-way line of Brodie Lane, same being the southeast line of the 0.034 acre tract, a distance of **262.61 feet** to the **POINT OF BEGINNING**, containing 4.976 acres of land, more or less.

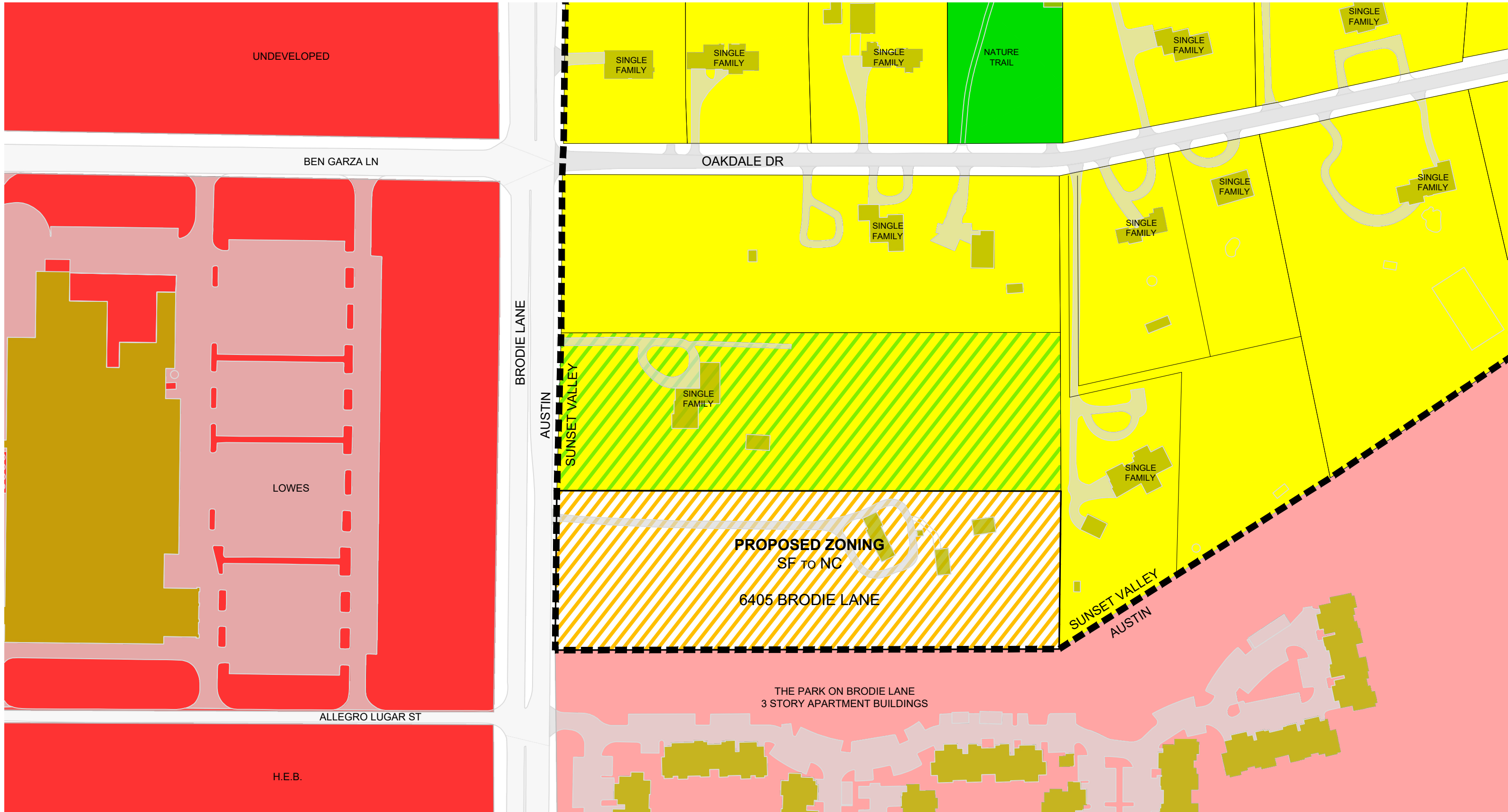
Surveyed on the ground August 3, 2021. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS Solutions Local Real Time Network (RTN).

Attachments: Survey Drawing No. 1821-001-BASE


10.01.2021

Steven P. Timberlake Date
Registered Professional Land Surveyor
State of Texas No. 6240
T.B.P.E.L.S. Firm No. 10124500





ZONING LEGEND

- SUNSET VALLEY GREEN SPACE
- SINGLE FAMILY
- PROPOSED NEIGHBORHOOD COMMERCIAL
- PARK, GREENBELT OR CONSERVATION EASEMENT PER FUTURE LAND USE MAP
- AUSTIN COMMERCIAL
- AUSTIN MULTI FAMILY

BOTANICAL GARDEN CAFE & EATERY

6405 BRODIE LANE

ZONING MAP

Botanical Garden Café and Eatery

Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

 stansberry engineering co.





The Vision

The friendly way of life that embodies Sunset Valley is the ideal location for the botanical garden eatery and café. The botanical garden will focus on **sustainability**, **community**, and **award-winning food**. The vision is to turn the land into a spacious, peaceful, and lush collective gathering space to serve Sunset Valley with culturally diverse food and drinks.

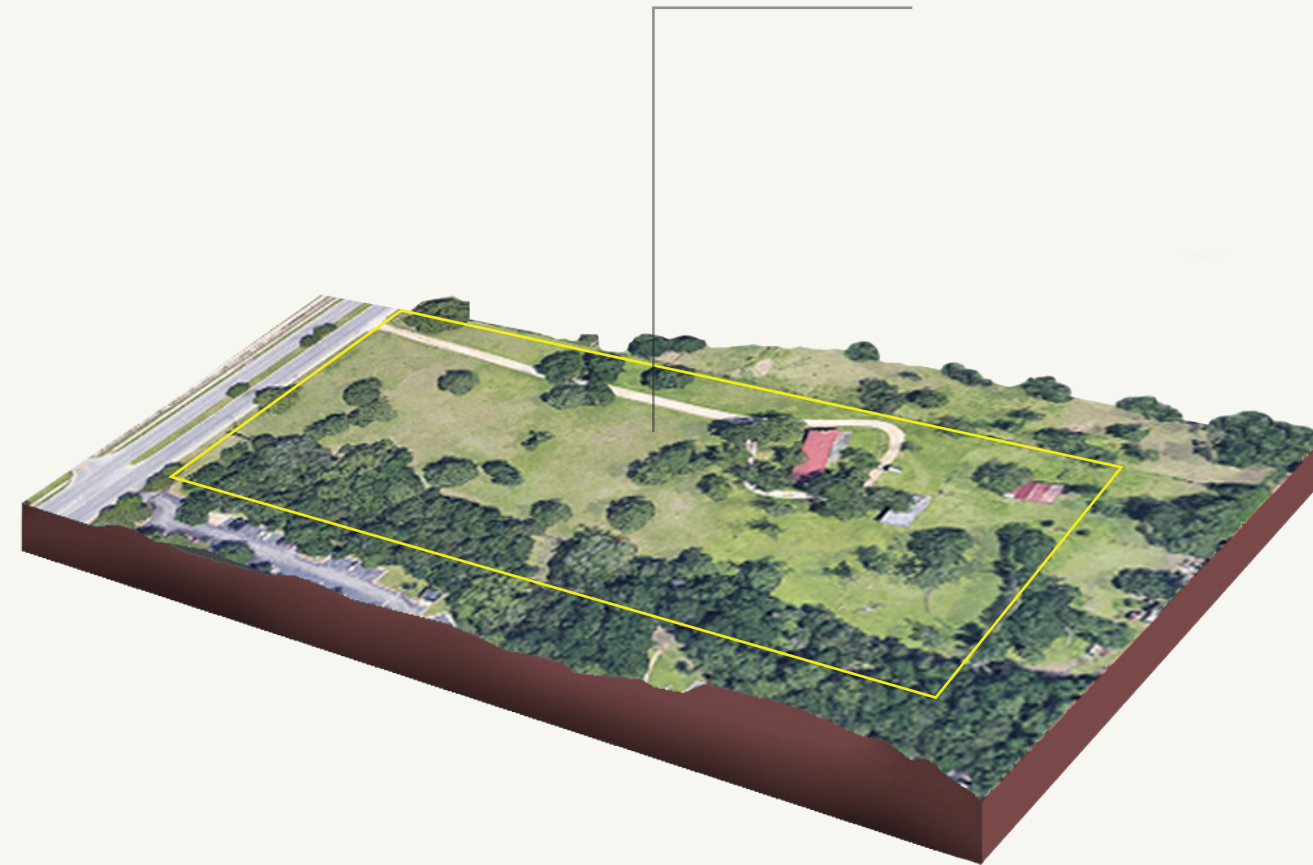
Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

 stansberry engineering co.

LOCATION

6405 Brodie Ln.
4.97 Acres





History of the Land

Betty Grubbs, a late World War II vet, previously owned the property. Betty was a strong, independent woman who believed in the value of a dollar, the importance of education and living a purposeful life. She and her husband Homer were world travelers who enjoyed their time spent in Saltillo, Mexico for their favorite Mexican dishes. Betty also traveled to small towns where she would conduct her business, often on a barrel in the back of a feed store or coffee shop.

Betty was known for helping her neighbors and for being a pioneer for women's causes, such as her philanthropy work for women's athletics at the University of Texas. At the age of 89, she was honored as Austin's Volunteer of the Year. Following in her footsteps, the botanical garden café and eatery will support women-owned businesses and hold an annual fundraiser for the Betty Grubb's Endowed Scholarship Program for the University of Texas Women's Athletics. Lastly, a memorial plaque will be created to pay homage to her accomplished life.

Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

 stansberry engineering co.



DEE DEE

Owners Lakana and Justin Trubiana, a wife and husband duo, own and operate DEE DEE, which means “Good Good” in Thai. Chef Lakana, born and raised in Roi Et, Thailand, focuses on authentic regional dishes passed down from her family. From a very young age she would help her great grandmother and mother farm and cook the meals to feed her family and local community. At DEE DEE, Chef Lakana still incorporates her love of gardening into her food by using organic herbs and vegetables from her own garden.

DEE DEE has been named as one of the top 10 restaurants in Austin by the Austin Chronicle and featured as one of the best food trucks by Condé Nast Traveler, USA Today, Eater, Austin Monthly and CultureMap. Chef Lakana and her recipes have also been featured on the Cooking Channel and she was selected as a finalist for top chefs under the age of 30 in America by Zagat.

Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

stansberry engineering co.



Veracruz

Veracruz All Natural is a family run business in Austin, Texas, founded by sisters and best friends Reyna and Maritza Vazquez in 2008. Their passion is cooking traditional, authentic food from their hometown of Veracruz, and other regions in Mexico using fresh, natural ingredients. They grew up helping their mother in the family kitchen, and some of the business's recipes have been passed down in their family for several generations.

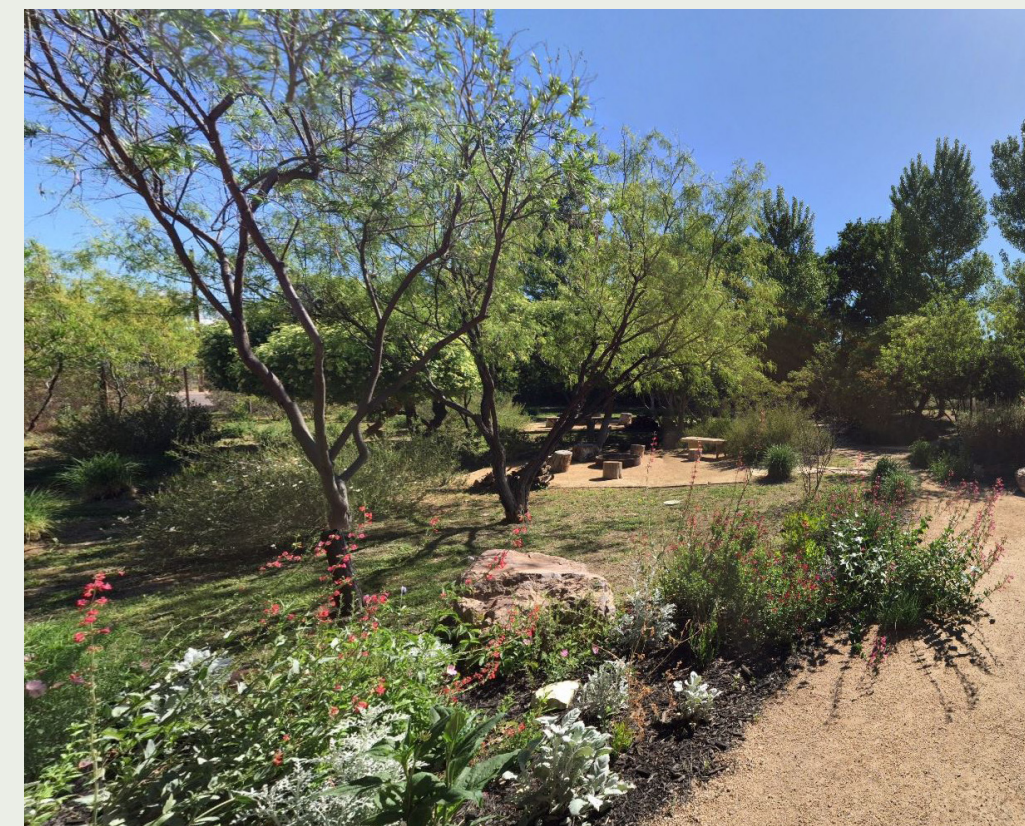
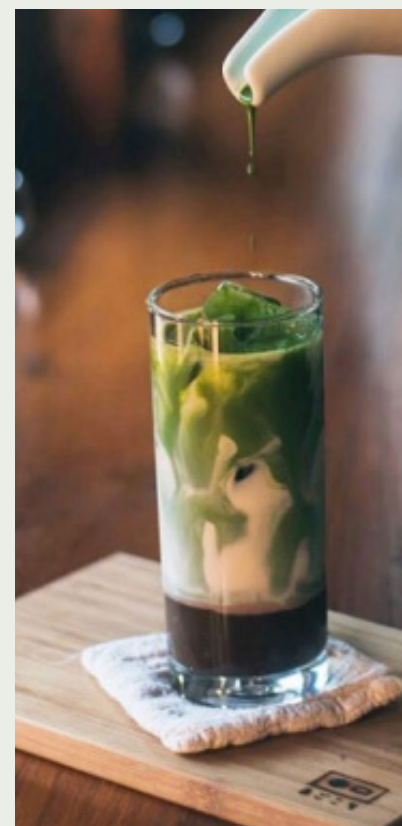
Today, Reyna and Maritza have multiple locations in Austin and Round Rock and have been featured in several media outlets including Bon Appetit, The Chicago Tribune, Eater, Forbes, Wall Street Journal, GQ Magazine, Huffington Post, Los Angeles Times, New York Times, Rolling Stone, Parade, and USA Today. The Food Network named their migas taco one of the five best tacos in America, and they have won other awards and recognitions from Eater Texas, Austin American Statesman, Austin Fit Magazine, Austin Monthly, The Austin Chronicle, CultureMap, and others. It took a lot of hard work and sacrifice for these two sisters to get to where they are, and today they are living their dream.

Michael Hsu
Office Of Architecture

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Office Of Architecture

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LANDSCAPE INSPIRATION

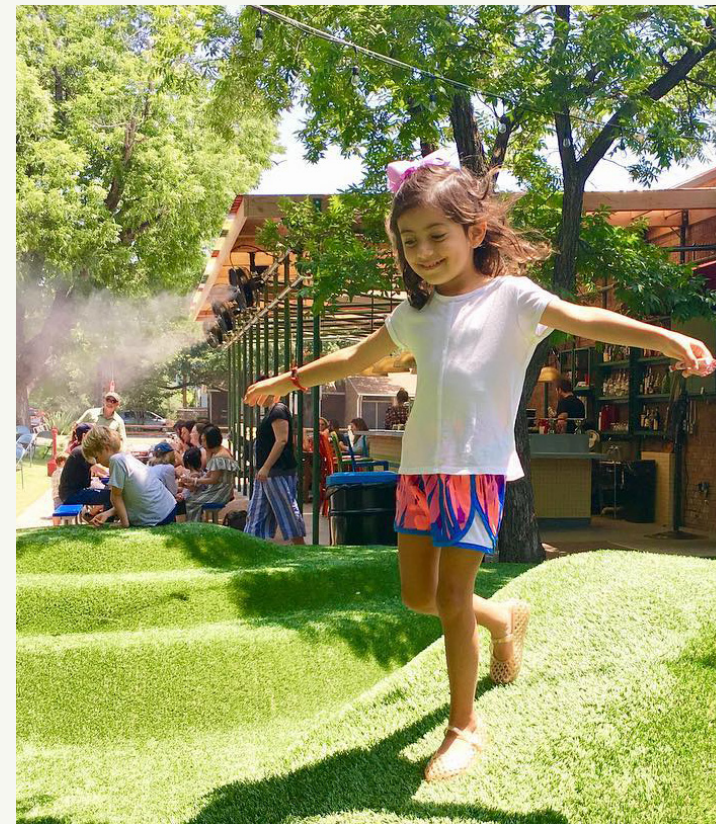


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EXTERIOR INSPIRATION



Michael Hsu
Office Of Architecture

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COMMUNITY



MICHAEL HSU OFFICE OF ARCHITECTURE

Michael Hsu Office of Architecture believes that design is for everyone.

Our practice is strongly rooted in Austin, where the firm was founded in 2005. We are a fully integrated architecture and interior design practice focused on hospitality and placemaking. We have been designing locally significant, memorable spaces in our community for over 16 years.

Michael Hsu Office of Architecture believes in the active collaboration of designer, client, and artisan. Our work connects us with nature and manifests a sense of wellbeing. We design spaces that engage our local, regional, and global communities.

Our range of experience spans restaurants, large mixed-use developments, adaptive reuse, public realm design, architectural branding, single family homes, hotels, workspaces, and bespoke furniture design. Notable Austin projects include South Congress Hotel, Home Slice Pizza, P. Terry's, Uchi, Loro, Waterloo Park Family Pavilion, Canopy and Springdale General among others.

Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

 stansberry engineering co.

CAMPBELL LANDSCAPE ARCHITECTURE

Campbell Landscape Architecture is a forward thinking and client focused design studio helping connect people with their natural environments. Our work is site specific, environmentally conscious, and focused on enduring built environments that are truthful, highly crafted, and legible. We are critical thinkers that believe in the collaborative process, and the integration of landscape with art, architecture, engineering and ecology. Through iterative exploration and a strong regional knowledge, our work strives to produce innovative, authentic landscapes meaningful to our clients.

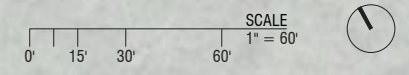
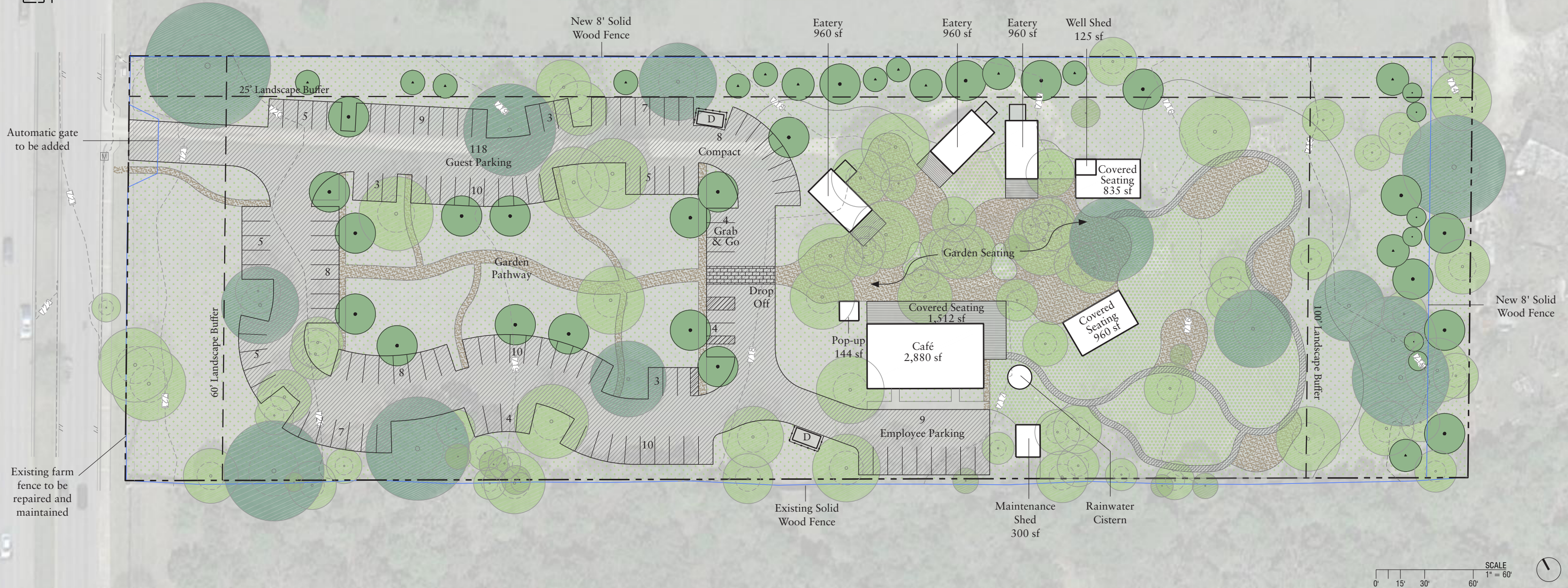
Founded by Cameron Campbell, a San Antonio native, CLA brings strong knowledge of Central Texas aesthetics, ecology and site best practices to regional projects. Cameron's ability to think at a master planning scale, while considering the details guides the office's design approach. Specifically of relevance to this project, Cameron has worked on multiple hospitality projects and commercial development projects in central Texas after attending graduate school for his Masters in Landscape Architecture at The University of Texas at Austin.

STANSBERRY ENGINEERING CO.

A fifth generation Texan and native Austinite, Blayne Stansberry received her Civil Engineering degree in 1995 from The University of Texas at Austin. In 2004, Blayne proudly incorporated Stansberry Engineering Co., continuing the same name and reputation her father upheld with his own successful local engineering firm in the 1970s. With over twenty-six years of civil engineering experience, Blayne's portfolio includes a variety of parks, residential, commercial, industrial, and public projects.

Stansberry Engineering's focus is on finding sustainable solutions that benefit clients, the project, and the environment. Blayne balances development with preserving the native ecology of our land by using low-impact development techniques such as bio filtration, pervious hardscapes, and rain water collection. Blayne's work includes civil engineering design for Barton Springs Pool, The City of Austin Libraries, Austin Fire Stations, and various local small business and restaurants such as the Vortex Theatre and Uchi.

In addition to her work with Stansberry Engineering, Blayne also serves as Precinct 2 Director and Board President of Barton Springs Edwards Aquifer Conservation District (BSEACD). BSEACD is the local science and regulatory authority that protects our groundwater aquifers for both our environment and our citizen's water source.



- Asphalt
- Decomposed Granite
- Botanical Garden
- Meadow
- Mown Meadow Path
- Non-protected tree (<10")
Replacement not required
- Protected tree (10"-23.9")
- Heritage tree (24"+)
- Proposed new tree

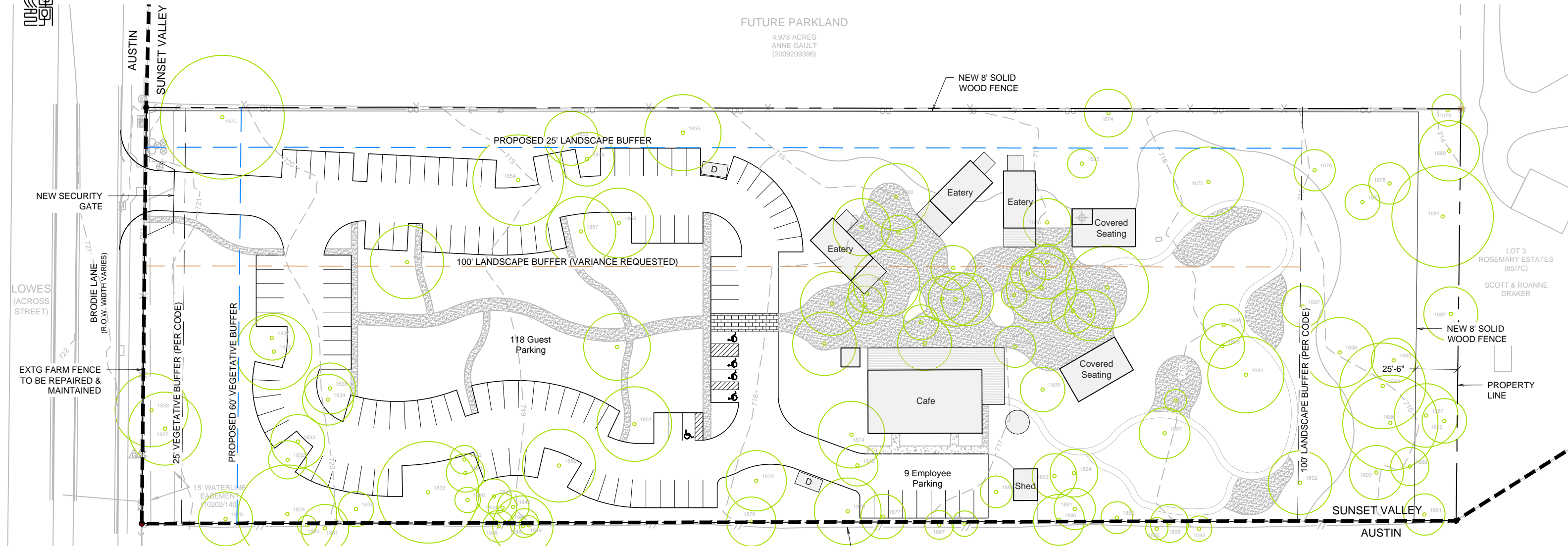
Impervious Coverage Calculations

Total Site Area	216,775 SF	
Impervious Coverage		
Buildings	5,905 SF	= 2.7% Cover
Covered Outdoor Seating	3,305 SF	= 1.5% Cover
Parking/Paved Area	47,795 SF	= 22.0% Cover
Other	980 SF	= 0.5% Cover
TOTAL	57,985 SF	= 26.8% Cover
 Greenspace	 158,790SF	 = 73.2%

Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

stansberry engineering co.



TREE INDEX

1671	PO 16	1694	PO 24	1842	CE 9	1864	PO 12	1886	CE 13
1672	CE 26	1695	CE 14	1843	CE 11	1865	PO 12	1887	CE 9
1673	PO 9	1696	PO 13	1844	CE 9	1866	PO 14	1888	CE 8
1674	PO 15	1697	CE 13	1845	CE 10	1867	PO 14	1889	PO 10
1675	PO 15 14	1698	PO 15 14	1846	CE 10	1868	CE 17	1890	PO 16
1676	PO 13	1825	LO 28 22	1847	CDR 9	1869	CE 12 9	1891	PO 13
1677	PO 11	1826	PO 23	1848	PO 19	1870	PO 8 6	1892	CE 10
1678	CE 13	1827	PO 23	1849	CDR 6	1871	PO 17	1893	PO 14
1679	CDR 8 4	1828	CDR 10 4 4 3 3	1850	PO 23	1872	PO 20	1894	PO 15
1680	PO 19	1829	LO 18 14 12	1851	CE 14 11 8	1873	PO 20	1895	CDR 7
1681	PO 14 14 10 12	1830	CDR 6	1852	CE 21	1874	PO 21	1896	CDR 12
1682	PO 17	1831	LO 10 10	1853	PO 23	1875	LO 13	1897	PO 16
1683	PO 14	1832	PO 12	1854	CE 20 17	1876	LO 14 14	1898	CDR 7
1684	PO 16 12 10	1833	PO 17	1855	CE 17	1877	LO 14	1899	PO 14
1686	CE 25 10	1834	PO 16	1856	CE 17	1878	CDR 8 5 4 3 3	1900	CE 14
1687	PO 20	1835	PO 16	1857	PO 22	1879	PO 19		
1688	PO 12	1836	PO 16 16	1858	PO 22	1880	CE 8		
1689	PO 14	1837	PO 14	1859	PO 24	1881	CE 15 14		
1690	PO 17	1838	LO 11	1860	PO 21	1882	PO 11		
1691	CE 13	1839	LO 32	1861	CE 18	1883	PO 11 11		
1692	PO 20	1840	CE 8	1862	PO 11	1884	PO 11		
1693	CE 8	1841	CE 12	1863	PO 14 14	1885	PO 15		

CDR = CEDAR
 CE = CEDAR ELM
 LO = LIVE OAK
 PO = POST OAK

IMPERVIOUS COVER

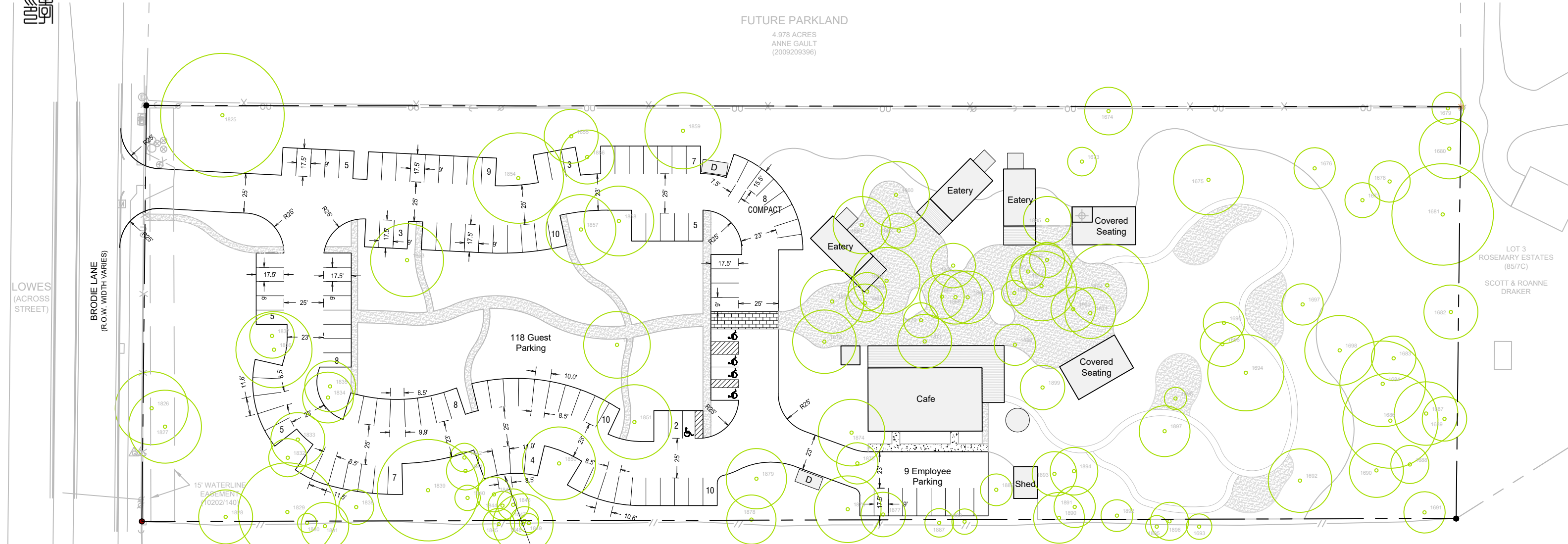
TOTAL SITE AREA	4.976 ac	
BUILDINGS	5,905 sf	2.7%
COVERED OUTDOOR SEATING	3,305 sf	1.5%
PARKING/PAVED AREA	47,795 sf	22.1%
OTHER	980 sf	0.5%
TOTAL	57,985 sf	26.8%



TREE INDEX

1671 PO 16	1694 PO 24	1842 CE 9	1864 PO 12	1886 CE 13
1672 CE 26	1695 CE 14	1843 CE 11	1865 PO 12	1887 CE 9
1673 PO 9	1696 PO 13	1844 CE 9	1866 PO 14	1888 CE 8
1674 PO 15	1697 CE 13	1845 CE 10	1867 PO 14	1889 PO 10
1675 PO 15 14	1698 PO 15 14	1846 CE 10	1868 CE 17	1890 PO 16
1676 PO 13	1825 LO 28 22	1847 CDR 9	1869 CE 12 9	1891 PO 13
1677 PO 11	1826 PO 23	1848 PO 19	1870 PO 8 6	1892 CE 10
1678 CE 13	1827 PO 23	1849 CDR 6	1871 PO 17	1893 PO 14
1679 CDR 8 4	1828 CDR 10 4 4 3 3	1850 PO 23	1872 PO 20	1894 PO 15
1680 PO 19	1829 LO 18 14 12	1851 CE 14 11 8	1873 PO 20	1895 CDR 7
1681 PO 14 14 10 12	1830 CDR 6	1852 CE 21	1874 PO 21	1896 CDR 12
1682 PO 17	1831 LO 10 10	1853 PO 23	1875 LO 13	1897 PO 16
1683 PO 14	1832 PO 12	1854 CE 20 17	1876 LO 14 14	1898 CDR 7
1684 PO 16 12 10	1833 PO 17	1855 CE 17	1877 LO 14	1899 PO 14
1686 CE 25 10	1834 PO 16	1856 CE 17	1878 CDR 8 5 4 3 3	1900 CE 14
1687 PO 20	1835 PO 16	1857 PO 22	1879 PO 19	
1688 PO 12	1836 PO 16 16	1858 PO 24	1880 CE 8	
1689 PO 14	1837 PO 14	1859 PO 24	1881 CE 15 14	
1690 PO 17	1838 LO 11	1860 PO 21	1882 PO 11	
1691 CE 13	1839 LO 32	1861 CE 18	1883 PO 11 11	
1692 PO 20	1840 CE 8	1862 PO 11	1884 PO 11	
1693 CE 8	1841 CE 12	1863 PO 14 14	1885 PO 15	

CDR = CEDAR
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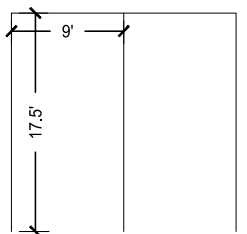
FUTURE PARKLAND
4.978 ACRES
ANNE GAULT
(2009209396)

39.673 ACRES
CPF RIVER
OAKS AUSTIN, LLC
(201511166)

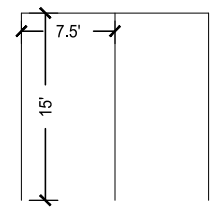
THE PARK ON BRODIE LANE
290 APARTMENTS, 3 STORY BUILDINGS

PARKING ON A CURVE IS 8.5' WIDE
AT THE MOST NARROW POINT
WIDTH AT CENTER OF SPACE IS 9'

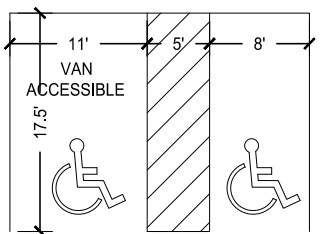
STANDARD PARKING



COMPACT PARKING



ACCESSIBLE PARKING



DRIVE AISLE
25' DOUBLE LOADED
23' SINGLE LOADED

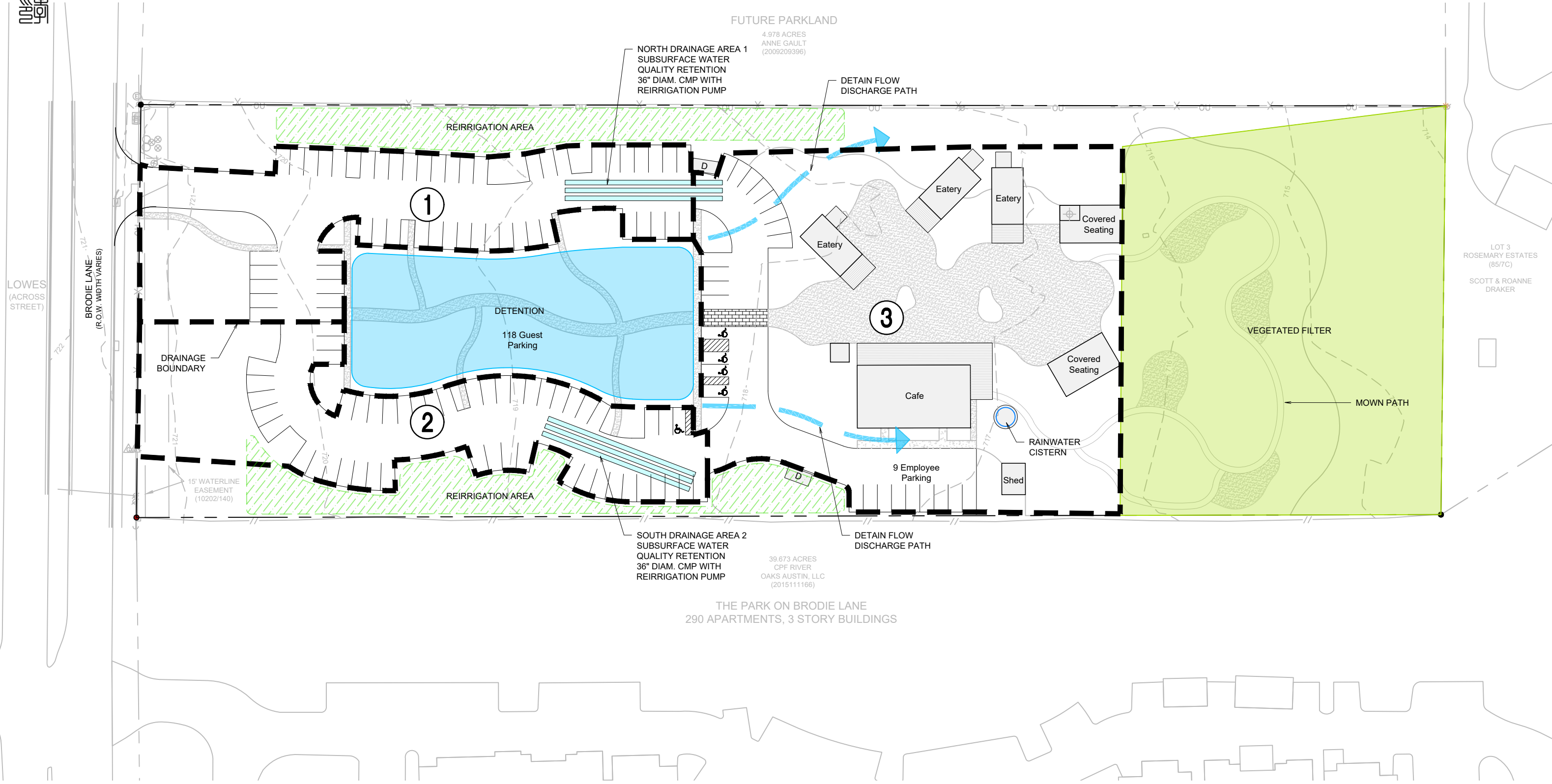
TYPICAL PARKING SPACE DIMENSIONS
NOT TO SCALE

Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

stansberry engineering co.

BOTANICAL GARDEN CAFE & EATERY
6405 BRODIE LANE
PARKING DIMENSIONS



Michael Hsu
Office Of Architecture

CAMPBELL LANDSCAPE ARCHITECTURE

stansberry engineering co.

BOTANICAL GARDEN CAFE & EATERY
6405 BRODIE LANE
PRELIMINARY STORMWATER PLAN



IMPERVIOUS COVER CALCULATIONS

	2-year	10-year	25-year	100-year				
C _{imperVIOUS}	0.75	0.83	0.88	0.97				
C _{perVIOUS}	0.29	0.35	0.39	0.46	(Ref COA Drainage Criteria Manual)			
Area Number	IC Acres	Area Acres	Percent ImperVIOUS	C Value	2-year	10-year	25-year	100-year
EXISTING CONDITION								
EX	0.29	2.51	11%		0.34	0.40	0.45	0.52
PROPOSED CONDITION								
1	0.43	0.58	75%		0.63	0.71	0.76	0.84
2	0.37	0.55	68%		0.60	0.67	0.72	0.81
3	0.53	1.38	38%		0.47	0.53	0.58	0.66
TOTAL	1.34	2.51	53%					

DRAINAGE CALCULATIONS

Area Number	Area Acres	T _c min	I ₂	I ₁₀	I ₂₅	I ₁₀₀	C ₂	C ₁₀	C ₂₅	C ₁₀₀	Q ₂ cfs	Q ₁₀ cfs	Q ₂₅ cfs	Q ₁₀₀ cfs
EXISTING CONDITION														
EX	2.51	10	4.62	6.89	8.19	10.40	0.34	0.40	0.45	0.52	4.0	7.0	9.2	13.5
PROPOSED CONDITION														
1	0.58	5	5.76	8.57	10.11	12.54	0.63	0.71	0.76	0.84	2.1	3.5	4.4	6.1
2	0.55	5	5.76	8.57	10.11	12.54	0.60	0.67	0.72	0.81	1.9	3.2	4.0	5.6
3	1.38	6	5.48	8.16	9.65	12.04	0.47	0.53	0.58	0.66	3.5	6.0	7.7	10.9
TOTAL	2.51										7.6	12.7	16.2	22.6

**CITY OF AUSTIN E.C.M. APPENDIX R-5
RETENTION/IRRIGATION POND CALCULATIONS**

DRAINAGE AREA 1 (NORTH)

DRAINAGE AREA DATA	
Drainage Area (D _a)	0.58 ac.
ImperVIOUS Cover	0.43 ac. 74.72 %
Capture Depth (CD=0.5"+(IC-20)/100))	1.05 in.
WATER QUALITY CONTROL CALCULATIONS	
25 Yr Peak Flow Rate	4.4 cfs
100 Yr Peak Flow Rate	6.1 cfs
	<u>Required</u> <u>Provided</u>
Water Quality Pond Volume, WQV=CD*D _a)	2,209 cf 2,260 cf
IRRIGATED AREA FOR INFILTRATION	
Drawdown Time, DDT	72 hr
Soil Hydraulic Conductivity, k	0.13 in/hr
Lag Time, LT	12 hr
Infiltration Area Required, A = (2*WQV)/(k*(DDT-LT))	6,954 sf 8,160 sf

**DETENTION SUMMARY
TR-20 METHODOLOGY**

HYDROLOGY VARIABLES

Area Number	Area Acres	Area Sq. Mile	I.C. %	CN	Tc (TR55)
EX	2.51	0.00392	11%	80.3	0.167
1	0.58	0.00091	75%	92.9	0.083
2	0.55	0.00086	67%	91.4	0.083
3	1.38	0.00216	38%	85.6	0.100

FLOW RESULTS

Storm Event	Q _{existing} (cfs)	Q _{proposed} (cfs)	WSEL
2-yr	5.1	4.6	718.54
10-yr	10.6	10.6	718.93
25-yr	14.8	14.1	719.08
100-yr	22.8	19.4	719.34

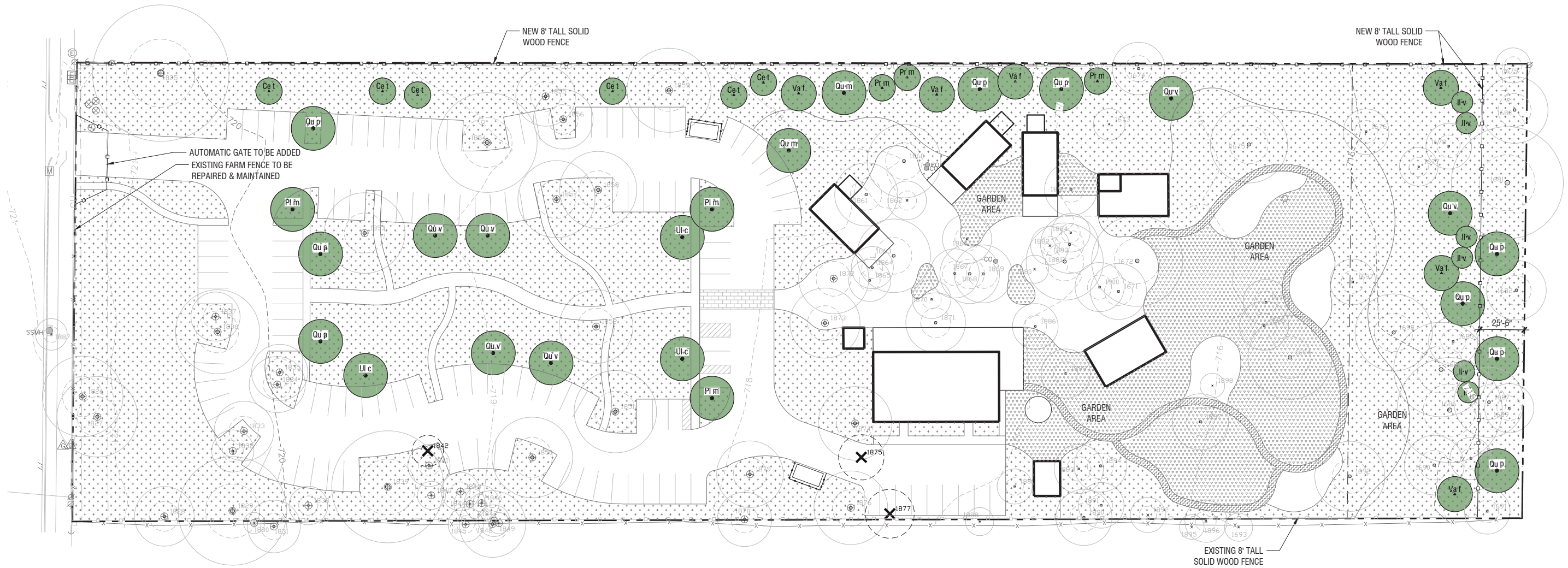
DRAINAGE AREA 2 (SOUTH)

DRAINAGE AREA DATA	
Drainage Area (D _a)	0.55 ac.
ImperVIOUS Cover	0.37 ac. 66.82 %
Capture Depth (CD=0.5"+(IC-20)/100))	0.97 in.
WATER QUALITY CONTROL CALCULATIONS	
25 Yr Peak Flow Rate	4.0 cfs
100 Yr Peak Flow Rate	5.5 cfs
	<u>Required</u> <u>Provided</u>
Water Quality Pond Volume, WQV=CD*D _a)	1,941 cf 2,000 cf
IRRIGATED AREA FOR INFILTRATION	
Drawdown Time, DDT	72 hr
Soil Hydraulic Conductivity, k	0.13 in/hr
Lag Time, LT	12 hr
Infiltration Area Required, A = (2*WQV)/(k*(DDT-LT))	6,154 sf 7,960 sf

**CITY OF AUSTIN E.C.M. APPENDIX R-9
VEGETATED FILTER CALCULATIONS FOR DISCONNECTED IMPERVIOUS COVER**

DRAINAGE AREA 3

DRAINAGE AREA DATA & WATER QUALITY VOLUME DATA	
Drainage Area, D _a	1.38 ac.
Proposed ImperVIOUS Cover, IC _{Proposed}	22,997 sf
Base ImperVIOUS Cover, IC _{Base}	12,447 sf
ImperVIOUS Cover Requiring Water Quality, IC	10,550 sf
ImperVIOUS Cover Requiring Water Quality, IC	0.24 ac
ImperVIOUS Cover Percentage, IC _%	17.54 %
ImperVIOUS Cover, IC	0.24 ac.
Capture Depth, CD=0.5"+(IC _% -20)/100	0.48 in.
Total Site Required Water Quality Volume, WQV=CD*D _a *3630	2,383 cf.
VEGETATED FILTER STRIP CALCULATIONS	
Site Area Draining to VFS	1.38 ac.
ImperVIOUS Cover Treated by VFS, IC _{Treated}	0.24 ac.
ImperVIOUS Cover Factor, IAF=IC _{Treated} /IC	1.00 Maximum 1.0
Size of VFS per Acre of D _a (per ECM 1.6.7.B.3)	0.8 ac.
Size of VFS required, A _{ECM}	1.10 ac.
Size of VFS proposed (A _{Vfs})	1.16 ac.
A _{Vfs} / A _{ECM}	1.00 Maximum 1.0



LEGEND - PLANTING PLAN

SYMBOL	ITEM
---	PROPERTY LINE
○	EXISTING TREE TO PROTECT
⊗	EXISTING TREE TO REMOVE
●	PROPOSED SHADE TREE
●	PROPOSED ORNAMENTAL TREE
●	PROPOSED EVERGREEN SHRUB
—○—○—○—	PROPOSED SOLID WOOD FENCE

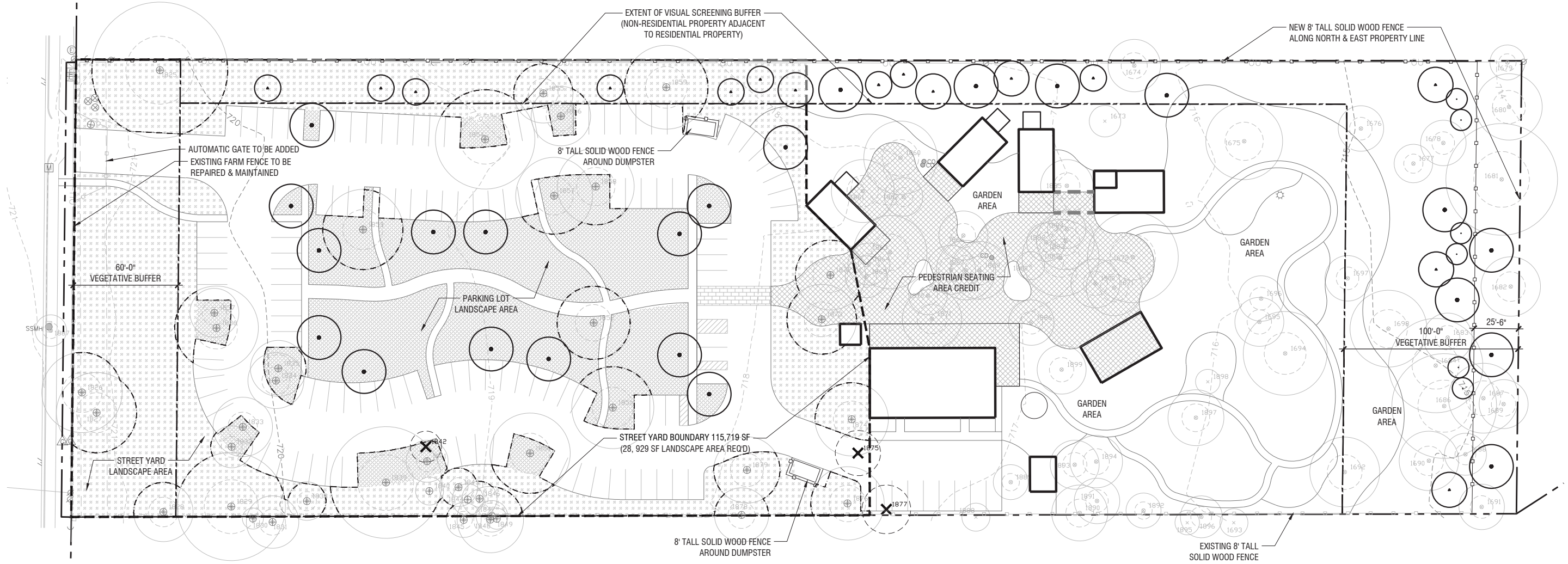
City of Sunset Valley - Tree Mitigation Calculations [LDC Ch. 16 Sec.16.201]

Tag #	Tree Species	Trees To Be Removed					Total
		Non protected Tree < 10"	Protected Tree 10" - 23.9"	Heritage Tree 24" - 29.9"	Ancestral Tree 30"+	Non-listed species	
1842	cedar elm	9"					
1870	post oak		8.6 (multi)"				
1875	live oak		13"				
Caliper inches per column:		9"	24"	0	0	0	
		Total Caliper Inches Removed: 33"					
Tree Replacement Ratio		0	1/3	1	2	0	
Replacement inches per column:		0	8"	0	0	0	
		Total Caliper Inches Required: 8"					
		Total Caliper Inches Proposed: 137"					

PLANT LEGEND

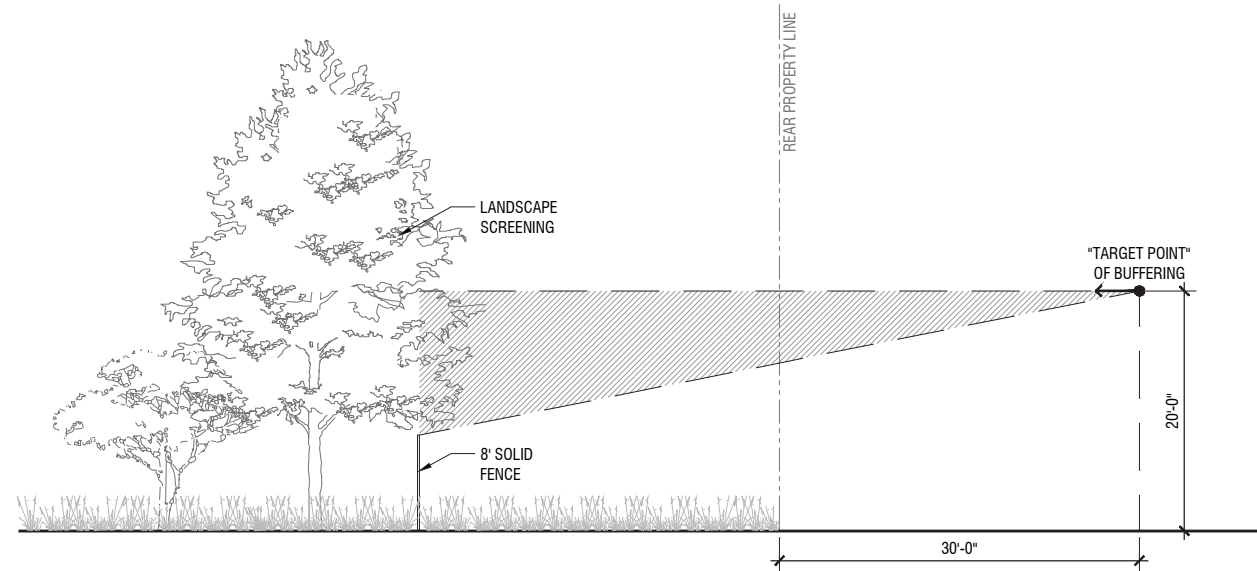
SYM	PLANT	SIZE	QTY
●	LARGE TREES		
Pl m	<i>Platanus mexicana</i> Mexican sycamore	4" CAL.	3
Qu m	<i>Quercus muhlenbergii</i> Chinquapin oak	4" CAL.	2
Qu p	<i>Quercus polymorpha</i> Monterrey oak	4" CAL.	9
Qu v	<i>Quercus virginiana</i> Live oak	4" CAL.	6
Ul c	<i>Ulmus crassifolia</i> Cedar elm	4" CAL.	3
TOTAL LARGE TREES			23
●	ORNAMENTAL TREES		
Ce t	<i>Cercis canadensis</i> var. <i>texensis</i> Texas redbud	3" CAL.	6
Pr m	<i>Prunus mexicana</i> Mexican plum	3" CAL.	3
Va f	<i>Vachellia farnesiana</i> Huisache	3" CAL.	6
TOTAL ORNAMENTAL TREES			15
TOTAL TREES			38

●	EVERGREEN SHRUBS		
Il v	<i>Ilex vomitoria</i> 'Pride of Houston' Yaupon holly, Pride of Houston	5 GAL	6
GROUND COVER/SEED MIXES			
Meadow mix:		1 GAL @	
Equal percentage mix of Lindheimer muhly, sideoats grama, little bluestem, deer muhly, & gulf muhly		4' O.C.	
Botanical garden			
Mown meadow path			



LEGEND - LANDSCAPING REGULATIONS

SYMBOL	ITEM
	PROPERTY LINE
	EXISTING TREE TO PROTECT
	EXISTING TREE TO REMOVE
	STREETYARD BOUNDARY
	EXTENT OF VEGETATIVE BUFFER
	EXISTING PRESERVED TREE CREDIT
	DRIP LINE CREDIT
	PEDESTRIAN AMENITIES CREDIT
	STREETYARD LANDSCAPE AREA
	PARKING LOT LANDSCAPE AREA
	PROPOSED SHADE TREE
	PROPOSED ORNAMENTAL TREE
	PROPOSED EVERGREEN SHRUB
	PROPOSED 8' SOLID WOOD FENCE



Visual Screening Sec. 2.505(b)(4)(A)

PLANT LEGEND

SYM	PLANT	SIZE	QTY
Ab c LARGE TREES			
Pl m	<i>Platanus mexicana</i> Mexican sycamore	4" CAL.	3
Qu m	<i>Quercus muhlenbergii</i> Chinquapin oak	4" CAL.	2
Qu p	<i>Quercus polymorpha</i> ** Monterrey oak	4" CAL.	9
Qu v	<i>Quercus virginiana</i> ** Live oak	4" CAL.	6
Ul c	<i>Ulmus crassifolia</i> Cedar elm	4" CAL.	3
Ab c ORNAMENTAL TREES			
Ce t	<i>Cercis canadensis</i> var. <i>texensis</i> Texas redbud	3" CAL.	6
Pr m	<i>Prunus mexicana</i> Mexican plum	3" CAL.	3
Va f	<i>Vachellia farnesiana</i> Huisache	3" CAL.	6
Ab c EVERGREEN SHRUBS			
Il v	<i>Ilex vomitoria</i> 'Pride of Houston' Yaupon holly, Pride of Houston	5 GAL	6

GROUND COVER/SEED MIXES

	Meadow mix: Equal percentage mix of Lindheimer muhly, sideoats grama, little bluestem, deer muhly, & gulf muhly	1 GAL @ 4' O.C.
	Botanical garden	
	Mown meadow path	

EVERGREEN SHADE TREES

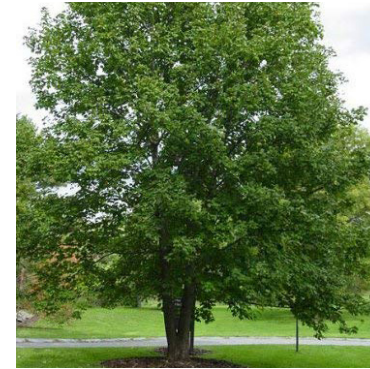


Monterrey oak



Live oak

DECIDUOUS SHADE TREES



American sycamore



Chinquapin oak



Cedar elm

ORNAMENTAL TREES



Texas redbud



Mexican plum



Huisache

EVERGREEN SHRUBS



Yaupon holly



Sunset Valley Land Development Code
Chapter 13 Landscaping Regulations

Sec. 13.200 Street Yard Landscape

- (a) **Landscape minimum:** At least 25% of the area of the street yard shall be landscaped area.
- (b) **Tree requirements:** A minimum of five different species must be planted if more than 50 caliper inches of trees are required. A minimum of seventy-five percent (75%) of all required trees shall be large canopy trees.
- Total street yard area over 10,000 SF: required 20 trees, plus 2 trees per 2,500 SF over 10,000 SF.
- (d) **Plant selection:** All required vegetation shall be plants included in the Sunset Valley Recommended Plant List.
- (e) **Landscaping credits:**
- (1) **Existing Preserved Tree Credit:** An existing surveyed or planted tree which is at least four inches (4") shall be considered as two trees for purposes of satisfying requirements of this subsection.
- (2) **Drip Line Credit:** Each square foot of permeable surface below the drip line of the existing preserved tree shall count as 125% square feet of landscape credit.
- (3) **Pedestrian Amenities:** For each square foot of publicly accessible special pedestrian facilities and features such as plazas, covered walkways, fountains, lakes and decorative water ponds, seating areas and outdoor recreation facilities; such areas will reduce the amount of required landscaped area of the site by an equivalent square footage up to only 10% of the required landscaped street yard.
- (4) **Berm Credit:** Landscape areas incorporating berms a minimum of three feet in height will be given 5% additional credit toward reducing square footage requirements for landscaped areas. Berms must have no greater than 3:1 slope.
- (5) **Proposed Trees Credits:** Newly planted trees of at least 4 caliper inches and at least 12' tall shall be considered as 1-1/2 trees for purposes of satisfying the requirements of this Chapter.

REQUIRED

28,929 SF

5 different species
75% canopy trees

36 trees

SV approved plants

PROVIDED

41,251 SF

5 species
YES or NO

101 trees credit (see below) +
14 proposed trees
(excludes buffer zone)

YES or NO

CREDIT

40 preserved trees in street yard = 80 trees credit

25,243 SF permeable surface = 31,554 SF credit toward landscaped area

15,954 SF toward landscaped area

0 SF toward landscaped area

14 trees > 4" cal = 21 trees credit (street yard only)

Sec. 13.202 Vegetative Buffer Requirement

- (a) **Vegetative Buffer Requirement:** There shall be a vegetative buffer zone of twenty-five (25) feet next to the right-of-way lines of all streets and roadways.

REQUIRED

25' vegetative buffer

PROVIDED

60' vegetative buffer

Sec. 13.203 Landscaping in Parking Areas

- (a) Vehicular use areas, parking areas, service areas, parking lots and their parked vehicles shall be required one point of landscape buffering (refer to section 13.301) for each linear foot of required landscaping along the property line.
- (b) A minimum total area of 120 square feet of landscaped islands, peninsulas and medians is required for each 12 parking spaces anywhere on the site, including the street yard.
- (g) **Special Provisions for Large Parking Lots:**
(1) Trees within the median must be located so that one tree shall be located within 25' of each parking space adjacent to the median.

1,270 SF landscaped islands, peninsulas, medians

1 tree within 25' of each parking space

23,669 SF

YES or NO

Sec. 13.300 Buffering Requirements

- (b) **Non-Residential Property Adjacent to Residential Property:** Sec. 2.505 shall apply.
Sec. 2.505 Visual Screening Table A
Method of screening (used singly or in combination: landscaping with a combination of trees, shrubs, and grasses, both deciduous and evergreen; walls constructed of wood, stone or masonry; earthen berms.
- Dumpsters & utility equipment: 100% to a min. height of 7', no gaps larger than 1' horizontally
- Parking & driveways: 80% to a min. height of 4', no gaps larger than 3' horizontally
- Commercial building walls: 65% to the max. height of the element to be screened, no gaps larger than 8' horizontally

100% screening

80% screening

65% screening

100 %

100 %

80 %



Sec. 13.301 Buffering Standards

(a) **Buffering Standards:**
(1) Landscape buffers shall contain at least two (2) of the following elements: trees, shrubs, berms

(4) For each linear foot of buffer area required, one (1) point of buffering element should be provided within the buffer area. The buffer area does not have to be planted at the same density throughout. However, the elements should be combined so that no more than 1/4 of the buffer area is absent of elements and no less than two (2) elements are used for more than 50 percent of the buffer length.

REQUIRED

2 elements

1,090 total points

PROVIDED

2 elements
= trees & shrubs

3,549 total points

Table 13.2 Buffering Point System

Trees (Recommended Plant)

1- 1 1/2" caliper 3 points
2- 2 1/2" caliper 6 points
3- 3 1/2" caliper 9 points

Shrubs (Recommended Plant)

1 gallon 1 point
5 gallon 3 points

Walls & Berms

Decorative wall (3' min. ht.) 3 points/LF
Berm (3' min. ht.) 1 point/LF

N/A trees = 0 points
N/A trees = 0 points
38 trees = 342 points

N/A shrubs = 0 points
6 shrubs = 18 points

1,063 LF = 3,189 points
N/A LF = 0 points

TOTAL = 3,549 points

City of Sunset Valley and Its Residents
3205 Jones Road
Sunset Valley, TX 78745
November 22, 2021

Re: Redevelopment of 6405 Brodie Lane to a Botanical Garden Café and Eatery

Dear Sunset Valley Residents,

It is absolutely my honor to serve as the independent executor for the Estate of Betty Grubbs, my dear friend, the current owner of 6405 Brodie Lane. I knew Betty and Homer Grubbs since 1975 and have cherished my relationship with these wonderful founding members of Sunset Valley. Betty and Homer loved living in Sunset Valley and relished in the value its residents place on the importance of community, sustainability, and beautiful natural outdoor settings. Homer and Betty bought this property in 1952 and owned it the rest of their lives. The people of Sunset Valley, and especially the men and women of the police department of the city, who were Betty's honorary pallbearers, have been very special to this amazing woman.

Betty particularly was loved for helping her neighbors and for being a pioneer for women's causes such as her philanthropy for women's athletics at the University of Texas. In keeping with Betty's last wishes, the proceeds from the sale of the property primarily funds the Betty Grubbs Endowed Scholarship Program for the University of Texas Women's Athletics.

Betty and I spent a lot of time over the last several years of her life, deciding what she wanted to do with the property, and what she wanted her legacy to be. We discussed these things many times. She had named me her executor back in 1997 after Homer had passed on. Her instructions to me were to maximize the value of her endowment fund from the sale of the property but to ensure that the property was not sold for an office building, a shopping center, or the expansion of the apartment complex next door. She knew in her later years that the property's value was increasing rapidly but that its value would likely be substantially higher with commercial zoning. I've tried very hard to choose a potential buyer that would honor her requests.

The proposed development of a low-density botanical garden café and eatery is uniquely in keeping with Betty's wishes and with Sunset Valley residents' core values. While it converts the property to a commercial property, it does so in a manner that Betty would be proud of. This proposal would create a place that would serve as a peaceful, environmentally sensitive outdoor community gathering place where Sunset Valley residents and their families could relax and enjoy local, culturally diverse and award-winning food and drink. The proposed development utilizes and supports women-owned businesses and is in keeping with Sunset Valley residents' core values and Betty's wishes for her home site. The proposed development owners have offered and will sponsor an annual fundraiser for the Betty Grubbs Endowed Scholarship Program for UT Women's Athletics and place a memorial plaque on site in a prominent location to pay homage to Homer and Betty's amazing, accomplished lives and legacy.

On behalf of the Betty Grubbs Estate, I wholeheartedly support this project and ask other residents of Sunset Valley to do so as well. The proposed low-density botanical garden development has been thoughtfully designed to be in keeping with Sunset Valley's core values, provides residents with a wonderful community space to share great food and drink in a beautiful natural outdoor garden habitat all while honoring the legacy of Homer and Betty Grubbs and the spirit of the founding members of this great city.

Sincerely,



Gary D McIntosh
Independent Executor of the Estate of Betty Grubbs

Zoning Commission Meeting 12.15.21 CANCELLED

Zoning Commission Meeting, December 15th has been cancelled

Individual Registered Statements

Topic Registration Type: Registration required

Karen Medicus

December 10, 2021, 6:07 PM

Item: Rezoning request for 6405 Brodie Lane
Protecting the integrity of our single family neighborhoods should be the top priority when considering a zoning change. The proposal being presented for this parcel is an interesting concept. However, owners and concepts change over time as we have seen several times in our city. Once a zoning designation is changed any allowed use in the category can be built. It is this long term reality that concerns me should a zoning change be allowed. If your single family property adjoined a property changed to NC zoning would you be in favor of these uses? In our code section 150.161 these are the allowed uses in NC provided that there is no nuisance factor:

- (A) Those uses permitted in SF and O Districts;
- (B) Antique shop;
- (C) Arts and crafts supply store;
- (D) Bakery;
- (E) Barber or beauty shop;
- (F) Book or stationery store;
- (G) Carpeting, floor covering, and rug store;
- (H) China or glassware shop;
- (I) Clothing or shoe store;
- (J) Confectionery store;
- (K) Delicatessen or catering service;
- (L) Florist;
- (M) Gift shop;
- (N) Health food store;
- (O) Ice cream parlor;
- (P) Jewelry shop;
- (Q) Laundry and dry cleaning substation, with no actual cleaning work being performed on the premises;
- (R) Nursery or greenhouse;
- (S) Optical goods store;
- (T) Personal service establishment;
- (U) Pharmacy;
- (V) Seamstress, dressmaker or tailor shop;
- (W) Specialty food store;
- (X) Studio for art, dance, drama, music, photography, or interior decorating;
- (Y) Toy store;
- (Z) Accessory uses customarily incidental to any of the foregoing permitted uses. See § 150.106; and

(AA) Temporary field or construction office. See definition in § 150.007.

These are additional uses that could be in NC. 150.162
SPECIAL USES PERMITTED IN NC, NEIGHBORHOOD
COMMERCIAL.

- (A) Medical-related professional office.
- (B) Veterinary services.
- (C) Restaurant.
- (D) Alcoholic beverage sales for on-premise consumption in a restaurant.
- (E) Alcoholic beverage sales for off-premise consumption in a retail use.

1 Supporter

Roger Edmondson

December 13, 2021, 3:28 PM

I am writing in favor of the proposed zoning change for the property on Brodie Lane that is owned by the estate of Betty Grubbs. My reasons for supporting the change in zoning is multi-fold. In full transparency, I own property that fronts Brodie Lane. Some residents may make the claim that this proposed development could be the first in a series of dominoes of Brodie Lane development and that my property ownership colors my support of this case. I can assure you that issue is not at the root of my support of this application. If anything, it makes me more critical of the project and how it evolves. I have live her for 42 years and plan on being here the rest of my life. That more than anything colors my support.

My support stems from my past two years of serving on CED and Marketing committees. The reasons for my support are as follows:

1. The Marketing Committee discussed and favored attracting new retail businesses that are unique and local. The proposed business is certainly unique in its concept and its design and I believe would attract a healthy and respectful clientele.
2. The development incorporates the characteristics of Sunset Valley that our residents embrace with the use of the natural attributes of the property and enhancements to them.
3. The buyers have enlisted the professional advice and council of a firm that holds the environment in general and

Zoning Commission Meeting 12.15.21 CANCELLED

Zoning Commission Meeting, December 15th has been cancelled

the aquifer in particular dear and integral to the development of the property.

4. The physical and environmental attributes of the proposed development set a standard for future development in SSV.

5. There are a limited number of residents with proximity to the new development that would be most impacted and the concerns for the impact on them should be taken into serious account by the City as the plans come into full view for the development. But the Commission should be fully that the applicants have been in discussion with residents and have made their concerns part of their planning. I am confident those concerns can be addressed to everyone's satisfaction.

I call to the committees attention the fact hat I have lived in proximity to a bar and food truck court the past few years which was not as carefully planned as the one before the commission. I found that I was able to work directly with the owners to address the few concerns I had to my satisfaction, without ever having to raise an issue with the City. Most importantly, my family's quality of life did not suffer in any way. So I know from first hand experience that these types of businesses and residents can co-exist.

6. If this application is denied, there may be multiple homes built on that property requiring services from the City to be provided at a significant cost to the City with no off-setting property taxes. The proposed development will generate significant property tax revenue to off set the cost of city services.

In summary, I believe this proposed development is in the best interest of the City of Sunset Valley as a whole as proposed. In the final analysis I don't believe it will have a negative impact on any of the residents with proximity. It will generate revenue and help to skew the image of the city even more toward the modern and environmentally sensitive city that it is. I feel sure that it would meet with Betty Grubbs' approval.

6 Supporters

Phil Ellett

December 14, 2021, 9:20 AM

I am in favor of the proposed zoning change on Brodie Lane. The planned project is supportive of the values of this City and will provide a great venue for both residents and visitors. I am appreciative of the manner in which the project owners have communicated with and engaged the residents of Sunset Valley.

2 Supporters

Macy Hurwitz

December 14, 2021, 3:29 PM

I am in favor of the proposed zoning change on Brodie Lane. I live on Oakdale, and I can see Mrs. Grubbs' house from my back porch, so I was definitely concerned at first and eager to learn more about the proposal. I was and am very impressed once I learned more about what is proposed.

I have served on the Community and Economic Development committee for the past year, and we spent a lot of time talking about how we would like to encourage small businesses to find a home in Sunset Valley. I know that has been true of the marketing committee and city council as well. This is exactly the kind of development that I would hope to see. The people behind the proposed development have been extremely proactive and have been working with us for quite a while to make sure that the neighborhood's concerns are heard. They've also made modifications to their plans to alleviate several of the neighborhood's concerns.

I was born and raised on Oakdale Drive, and I plan to be here with my family for the rest of my life. I learned how to ride a bike on Oakdale when it was still a caliche road, and I remember how excited I was to finally have sewer and water utilities. Obviously, a lot has changed around here over the years, and things will continue to change. I'd love to just have nothing behind us forever, but I know that's not a possibility.

I have every confidence based on the way that the partners in this endeavor have run their businesses in years past that they will approach this development with integrity and with a level of professionalism that will make it a great success. This would be a boon for our community, both as a place to gather and as a contributor of revenue to the city.

I understand that change can be scary, but the zoning requested is not something that will allow the kinds of uses that would worry me. The level of expertise of the civil engineering, the care and concern for the environment in the plan, and the stellar reputations of all the parties involved has put me at ease. I hope that we as a city walk the walk in supporting this kind of innovative, community-oriented development because we have certainly been talking the talk. I think it would be a great shame if we shot this idea down in favor of residential development that would require more resources and not contribute to our tax revenue.

Zoning Commission Meeting 12.15.21 CANCELLED

Zoning Commission Meeting, December 15th has been cancelled

I want to thank everyone involved in the proposed development for being so transparent and seeking us out early to discuss the plan.

7 Supporters

Myles Fox

December 16, 2021, 9:48 AM

Regarding the rezoning request for 6405 Brodie Lane... I support the request, IF it first meets with approval of very nearby residents. Also, I do not want this change to be a floodgate for other "unchecked" conversions of residential to commercial in Sunset Valley. Each future request must be decided on its own merit and not solely on this as a prerequisite. But this one meets all the requirements for a space that is on the edge of town along our commercial strip. While I do not expect it to be a major contribution to the city sales tax revenue, if they go ahead and employ MICHAEL HSU as the architect it will be very attractive and a draw for city residents and, importantly, its commercial visitors.

2 Supporters

Sharon Drinkwine

December 16, 2021, 12:00 PM

I am writing in support of the rezoning of the 6405 Brodie Lane property if all of the conditions required for a change in zoning classifications are met.

The Ad Hoc Marketing Committee's research showed that although the residents of Sunset Valley enjoy and are proud of our quality of life, there's not much "there there" to promote us as a UNIQUE shopping/dining destination.

If this project can be developed as promised. It would...

- Create a promotable feature that generates more tax revenues (through sales on site and by enticing more shoppers to the area) .
- Enhance our SSV quality of life by providing delicious food, a beautiful gathering space, yoga and meditation classes, pop up art experiences, etc..

From my first reading of the proposal a few issues stood out...

The impact on the single family residence to the East
Although I personally would give my left pinky to be within

walking distance of DeeDee and Veracruz, the right to the quiet enjoyment of one's own property is important. How do we protect the family homestead to the east and others within earshot? Will there be enough sound mitigation upon completion of the project to preserve it? I notice quite a few new trees will be planted, will they be large enough and leafy enough to absorb noise from the get go? Is an 8' high fence enough? Should hours of operation be restricted?

Traffic issues

Will the city incur more costs or will residents be impacted by the increased traffic on Brodie? Probably. But if one of our city objectives is to bring in more shoppers then there's no avoiding that. Let's also keep in mind that because of Austin's growth and spread (i.e. new Brodie Oaks development) Brodie Lane traffic will certainly be increasing anyway. Are there plans in the works now to get ahead of the problem so that cross traffic doesn't make shopping here a logistical nightmare?

The term "Botanical Garden"

Using this term in the application has great emotional appeal but is this an accurate description (or does this refer to a group of trees and some grasslands)? Will there be some guarantee that the botanical garden will be preserved if more parking is someday needed or more eateries added?

Vendors

"Farm to Table" and "Women owned businesses" are mentioned in the proposal. DeeDee and Veracruz are locally owned and well loved. All good! But what happens if they pull out and are substituted by less desirable national chains. Do we really need more fast food restaurants? Should the city specify that only locally owned eateries be represented here (as the Austin Bergstrom Airport seems to do)? Is it legal to do so?

3 Supporters