

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2015-0117 – Velocity Crossing**Z.A.P. DATE:** February 16, 2016  
March 1, 2016**ADDRESS:** 3311 South FM 973 Road and 3326 East State Highway 71 Eastbound**DISTRICT AREA:** 2**OWNER:** SH 71-130 Holdings, LP  
(Karl Koebel)**AGENT:** Metcalfe, Wolff, Stuart  
& Williams, LLP  
(Michele Rogerson Lynch)**ZONING FROM:** I-RR, DR, CS-CO**TO:** LI-PDA**AREA:** 390.644 acres**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant limited industrial services – planned development area (LI-PDA) combining district zoning. The Planned Development Area allows for 1) all permitted and conditional uses in the LI district, 2) additional permitted and conditional uses in the LI district, 3) prohibits certain uses in the LI zoning district, 4) establishes that LI site development standards will apply to the property with modifications, 5) allows for vertical mixed use buildings (V) to occur and establishes parameters for affordability, 6) establishes a process for amending the Land Use Exhibit provided as Attachment A, as further outlined on pages 2 and 3 of this report.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated February 27, 2016, as provided in Attachment B.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

February 16, 2016: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO MARCH 1, 2016*

*[A. DENKLER; J. KIOLBASSA – 2<sup>ND</sup>] (9-0) J. GOODMAN – ARRIVED LATE;  
S. LAVANI – ABSENT*

March 1, 2016:

**ISSUES:**

None at this time.

**DEPARTMENT COMMENTS:**

The subject zoning and rezoning area consists of undeveloped land at the southeast corner of East SH 71 and South FM 973, and extends east to SH 130. Onion Creek forms a portion of

the southeast property line. A portion of the FM 973 frontage was previously developed with the Del Valle Opportunity Center (DR) and the remainder is used for agricultural production (I-RR; CS-CO). The southwest corner of FM 973 and SH 71 has been cleared for intersection realignment, and there are transitional housing, community center, sports complex and correctional facility uses, all operated by Travis County to the south and west (P; County). Please refer to Exhibits A (Zoning Map), and A-1 and A-2 (Aerial Views). Exhibit A-2 provides an indication of City regulations that apply to the site, including the Controlled Compatibility Land Use Area of Austin-Bergstrom International Airport which establishes height limitations and incompatible uses, Scenic Roadway designations for all existing roadway frontages, flood plain areas in proximity to Onion Creek, and a high pressure gas main along the SH 130 frontage.

The Applicant proposes to rezone property to the limited industrial services – planned development area (LI-PDA) district as the first step in preparing the site with a mixed use development. Project components include 893 multi-family residences; 1.935 million square feet of office uses; 540,000 square feet of retail and restaurant uses; 130,000 square feet of food sales; a 10-screen movie theater; 1,200 hotel rooms; and 1 million square feet of warehouse uses. A general land use exhibit is provided as Attachment A and identifies six project areas. Office, retail and hotel uses are proposed for the SH 71 frontage and its intersection with SH 130, with a maximum height of 90 feet at the southwest corner of SH 71 and SH 130 (Areas 1 and 2). Area 3 has direct frontage on FM 973 is proposed as a mixed use area and would allow for office, retail and multifamily. Area 4 contains the southern portion of the site is proposed for industrial uses. Area 5 sits between the mixed use and industrial area and is designated for multifamily residential, and Area 6 which is closest to Onion Creek is designated for open space.

The conceptual circulation plan which accompanies the traffic impact analysis shows a grid pattern of public roadways and private driveways in a grid pattern, including a road connection to the adjacent LI-CO zoned property to the south as well as a nature trail to Onion Creek from Area 5, proposed for multifamily residential uses. A 6-foot sidewalk will be provided along the FM 973 frontage and a shared use path is under construction along SH 71.

As set forth in Land Development Code Section 25-2-441, the regulations of a planned development area (PDA) may modify: 1) permitted or conditional uses authorized by the base zoning district, 2) site development regulations except for compatibility standards, and 3) off-street parking or loading regulations, sign regulations or screening regulations applicable in the base district.

The Applicant's proposed PDA consists of the following:

- 1) allow for all permitted and conditional uses in the LI district
- 2) establish the following additional permitted residential, commercial and civic uses:

alternative financial services	cocktail lounge
club or lodge	condominium residential

hospital services (general)  
liquor sales  
multi-family residential  
pet services  
recreational equipment sales  
transportation terminal

hospital services (limited)  
major utility facilities  
outdoor entertainment  
private primary educational facilities  
townhouse residential

3) establish the following commercial uses as conditional:

equipment repair services                      monument retail sales                      kennels

4) prohibit the following commercial and industrial uses:

basic industry                                      drop-off recycling collection facility  
exterminating services                      recycling center  
resource extraction                      scrap and salvage  
vehicle storage

5) allow for vertical mixed use buildings (V) to occur, and to be eligible for dimensional or parking reduction standards, provided that 5% of the owner-occupied units are reserved for households earning 80% annual median family income (MFI) for 99 years; 5% of the owner-occupied units are reserved for households at 100% annual MFI for 99 years; and 10% of rental units are reserved for households at 80% annual MFI for at least 40 years.

6) The location of uses is shown in Attachment A. An applicant may submit a request to the Director to shift the uses identified in the Conceptual Plan within the plan area and the Director may approve the request if the change would not constitute a substantial amendment. A request to shift the uses must be submitted in accordance with City Code and a decision on the request may be appealed.

7) Establishes that LI site development standards apply to the property, with the following modifications:

- a) Residential uses shall comply with site development regulations for the multifamily residence-highest density (MF-6) district, which includes a 90' height limit
- b) Commercial use shall comply with site development regulations for the general commercial services (CS) district
- c) A 25-foot wide vegetative buffer shall be provided between residential and commercial uses
- d) A 50-foot vegetative buffer shall be provided between residential and industrial uses
- e) Multiple site plans may be submitted for development on the property. Development within the property may be phased.
- f) A driveway that services an industrial use may not be located directly across the street from or less than 120 feet from an residential use unless: i) the residential use is located in a building that includes non-residential uses on the ground floor; or ii) the driveway is approved by the Director.

Staff recommends the Applicant's concept as described above for LI-PDA district zoning based on the following: 1) the permitted and conditional uses are appropriate given the location at two major intersections in southeast Austin and provides the opportunity for needed goods and services on a larger scale to serve the surrounding area; 2) residential uses are located in close proximity to employer type office / industrial development which will provide a live / work environment while protecting the residential uses from incompatible industrial uses, and 3) buffers are provided between future residential and commercial / industrial uses.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR; DR; CS-CO	Undeveloped; Agricultural
<i>North</i>	LI-PDA	Undeveloped (Austin Interport East and West)
<i>South</i>	LI-CO; DR	Undeveloped
<i>East</i>	County	SH 130; Onion Creek
<i>West</i>	I-RR; GR-CO; P; P-CO; County	TXDoT right-of-way; Transitional housing; Community center and sports complex; Correctional facility

**AREA STUDY:** Not applicable

**TIA:** Is required – Please refer to Attachment B

**WATERSHEDS:** Onion Creek;  
Colorado River

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAYS:** SH 71, FM 973 and  
SH 130

**NEIGHBORHOOD ORGANIZATIONS:**

511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
774 – Del Valle Independent School District      1005 – Elroy Neighborhood Association  
1138 – Far Southeast Improvement Association  
1195 – Imperial Valley Neighborhood Association  
1228 – Sierra Club, Austin Regional Group  
1252 – Lexington Parke Neighborhood Association      1258 – Del Valle Community Coalition  
1340 – Austin Heritage Tree Foundation      1363 – SEL Texas  
1447 – Friends of the Emma Barrientos MACC      1528 – Bike Austin  
1530 – Friends of Austin Neighborhoods

**SCHOOLS:**

*Located within the Del Valle Independent School District*

Del Valle Elementary School

Del Valle Middle School

Del Valle High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-99-2052 and C14-99-2053 – Austin Interport (East and West) – Fallwell Ln. at SH 71 East	DR, I-SF-2, I-RR to LI-PDA	To Grant GR for Blk A & 1-2 of Blk H w/conds; GR for Blk C & 3-8 of Blk I w/conds; MF-3 for Blk B, 1 of Blk F, & 5 of Blk G w/conds; & numerous other apvls & conds too	Apvd LI-PDA with attached site development standards, RCs for 175' reservation of r-o-w on SH 71 (9-28-2000).
C14-01-0103 – 3424 FM 973 South	I-RR to LI	Withdrawn by the Applicant	Not applicable
C14-02-0013 – Interport South – 3801-4231 S FM 973 Rd	I-RR; DR to LI	To Grant LI-CO w/CO for list of prohibited uses, screening buffer for parking, loading and outside storage on FM 973, limit improvements w/i 100-year floodplain to stormwater detention, water quality facilities & utility crossings, IP dev's stds except bldg. coverage which is limited to 60% for lots <4 acres, and conds for r-o-w on FM 973 and post fiscal surety for transportation improvements in the TIA	Apvd LI-CO w/a Street Deed for add'l r-o-w as Commission recommended (3-20-2003).
C14-03-0047A – Speedy Stop 202 – 3208B SH 71 at FM 973 Rd	I-RR to GR	To Grant GR	Apvd GR (6-05-2003).
C14-03-0047B – Speedy Stop 202 – 3208 SH 71 at FM 973 Rd	I-RR to GR	To Grant GR-CO w/CO for 2,000 trips/day	Apvd GR-CO as Commission recommended (6-05-2003).
C14-05-0070 – T. Warren Investments – 3320-3404 S FM 973 Rd	I-RR to P	To Grant P-CO w/CO for 2,000 trips and subject to Staff rec for r-o-w reservation and	Apvd P-CO (9-01-2005).



		dedication on FM 973	
C14-2009-0061 – Smart Facility – 3404 S FM 973 Rd	I-RR to P	To Grant P w/r-o-w dedication on S FM 973	Apvd P (8-06-2009).

**RELATED CASES:**

In general, the DR and CS-CO zoned portions of the property were annexed into the Full-purpose City limits on September 6, 2001 (C7a-01-002). On June 21, 2007, CS-CO zoning with the CO for a list of prohibited uses was approved for 11.760 acres located at 3400-3517 South FM 973 Road and includes a “panhandle” area on East SH 71 (C14-06-0208 – Eastbourne Crossing). A public Restrictive Covenant was filed to address the conditions of the Traffic Impact Analysis and a Road Construction Agreement was also filed to establish a pro-rata share of a shared through left turn bay on FM 973. The I-RR zoned portion was annexed into the Full-purpose City limits on October 24, 2013 (C7A-2013-0010).

There is a subdivision in process along a portion of the SH 71 frontage for 2 lots on approximately 50.5 acres (C8-2015-0190.0A – Velocity Crossing Grocery/Retail). There are no pending site plan applications on the subject property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
SH 71	400-700 feet (varies)	130-550 feet (varies)	Highway	No	No facility; Route # 918	Yes
South FM 973 Road	90 feet	26 feet	Highway	No	Shared Lane; Route# 71	Yes
SH 130	740 feet	263 feet	Toll parkway	No	Wide Shoulder; Route # 441	No

There is a recommended wide shoulder on FM 973 (coordinate with the SH 71 project) and Shared Use Paths on SH 71 (currently under construction) and SH 130 (to be built by the developer). The site’s internal circulation should connect to these exterior bicycle lanes with bicycle facility as recommended in the 2014 Bicycle Master Plan.

The Central Texas Regional Mobility Authority (CTRMA) and TXDoT have begun to construct a Shared Use Path along SH 71 at this location to connect to an eventual trail system along Onion Creek.

**CITY COUNCIL DATE:** March 24, 2016

**ACTION:**

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

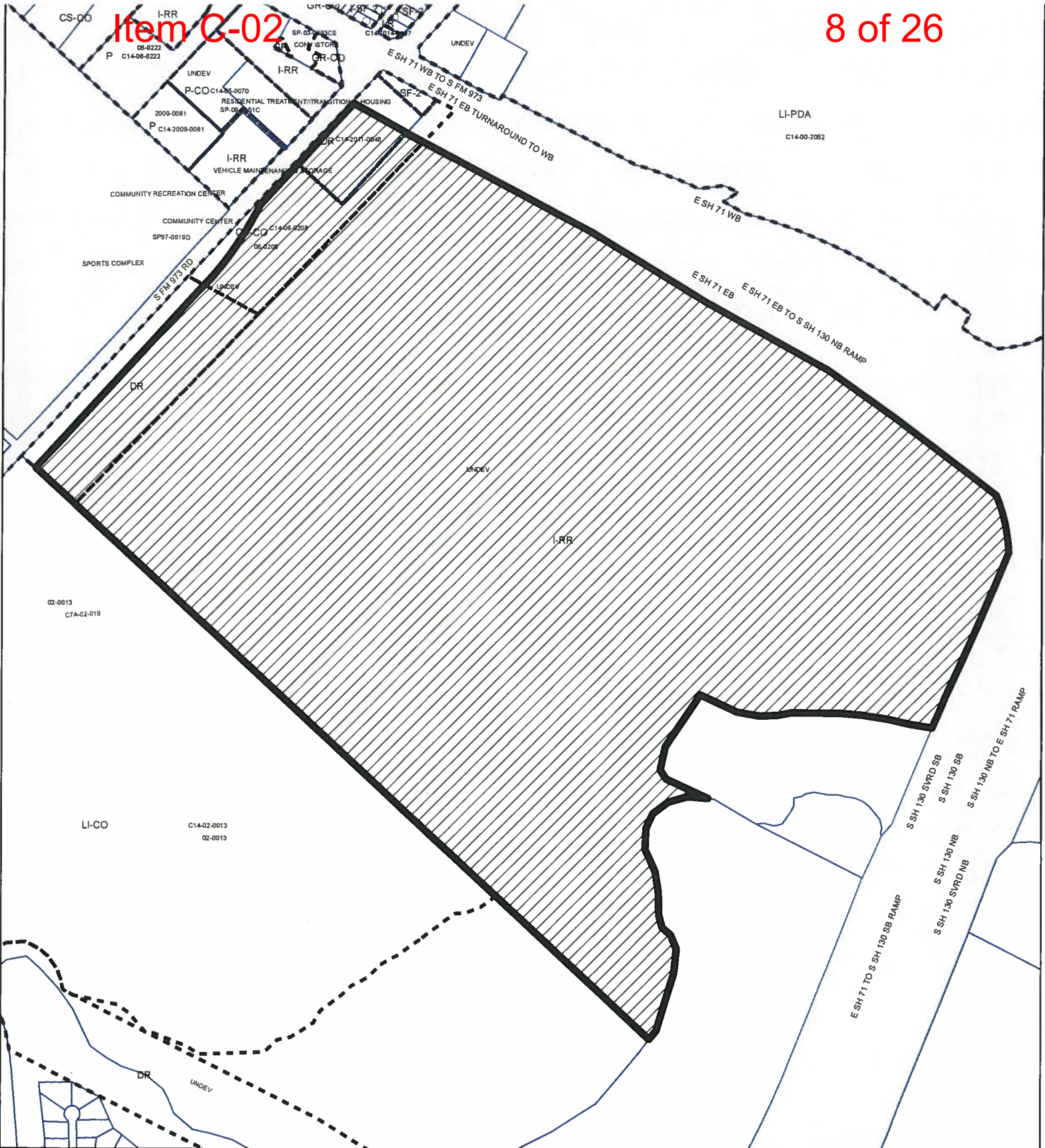
2<sup>nd</sup>

3<sup>rd</sup>


**ORDINANCE NUMBER:**


**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov


**PHONE:** 512-974-7719



**N**

 **SUBJECT TRACT**

 **PENDING CASE**

 **ZONING BOUNDARY**

**ZONING**

**ZONING CASE#: C14-2015-0117**

*EXHIBIT A*

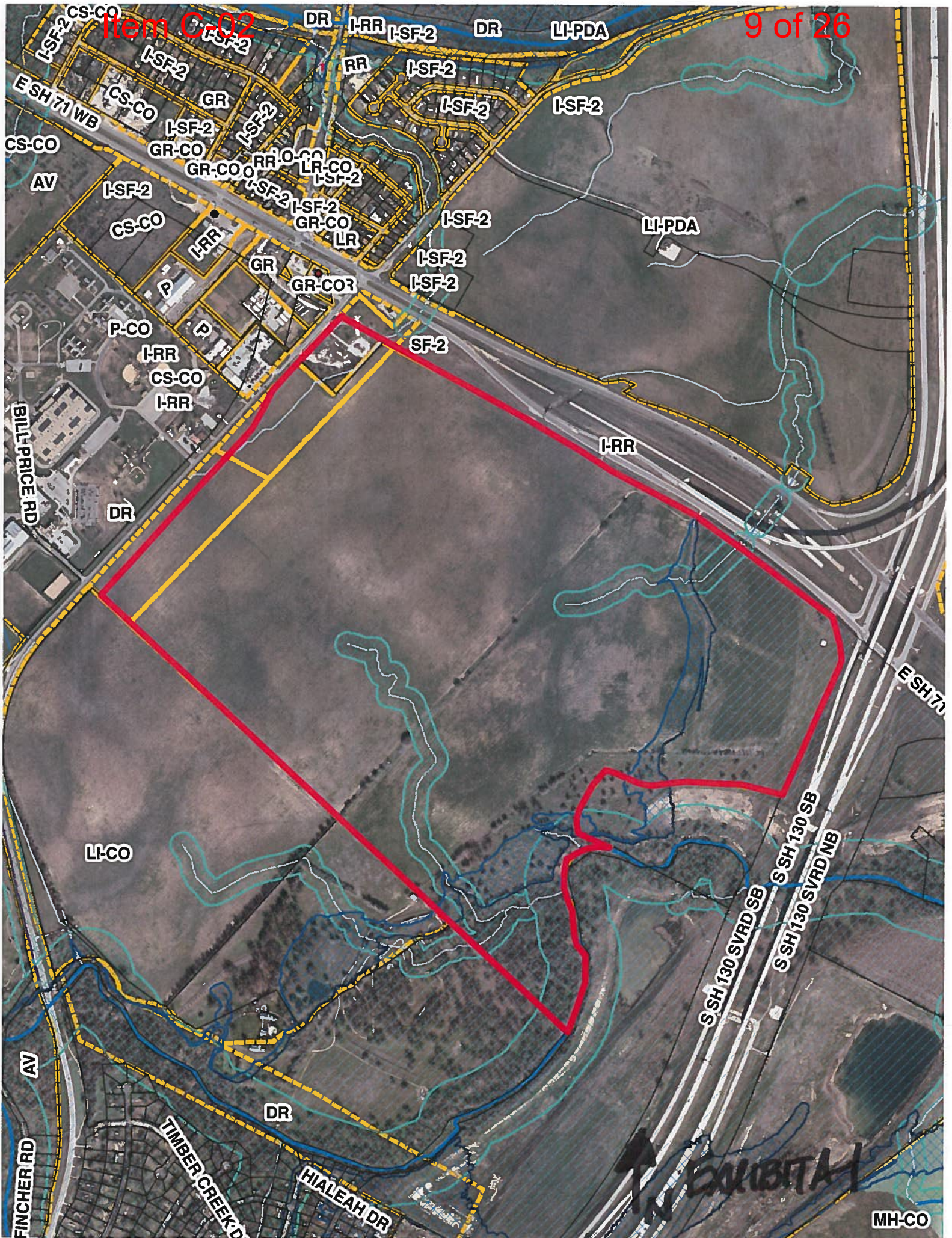
1" = 800'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

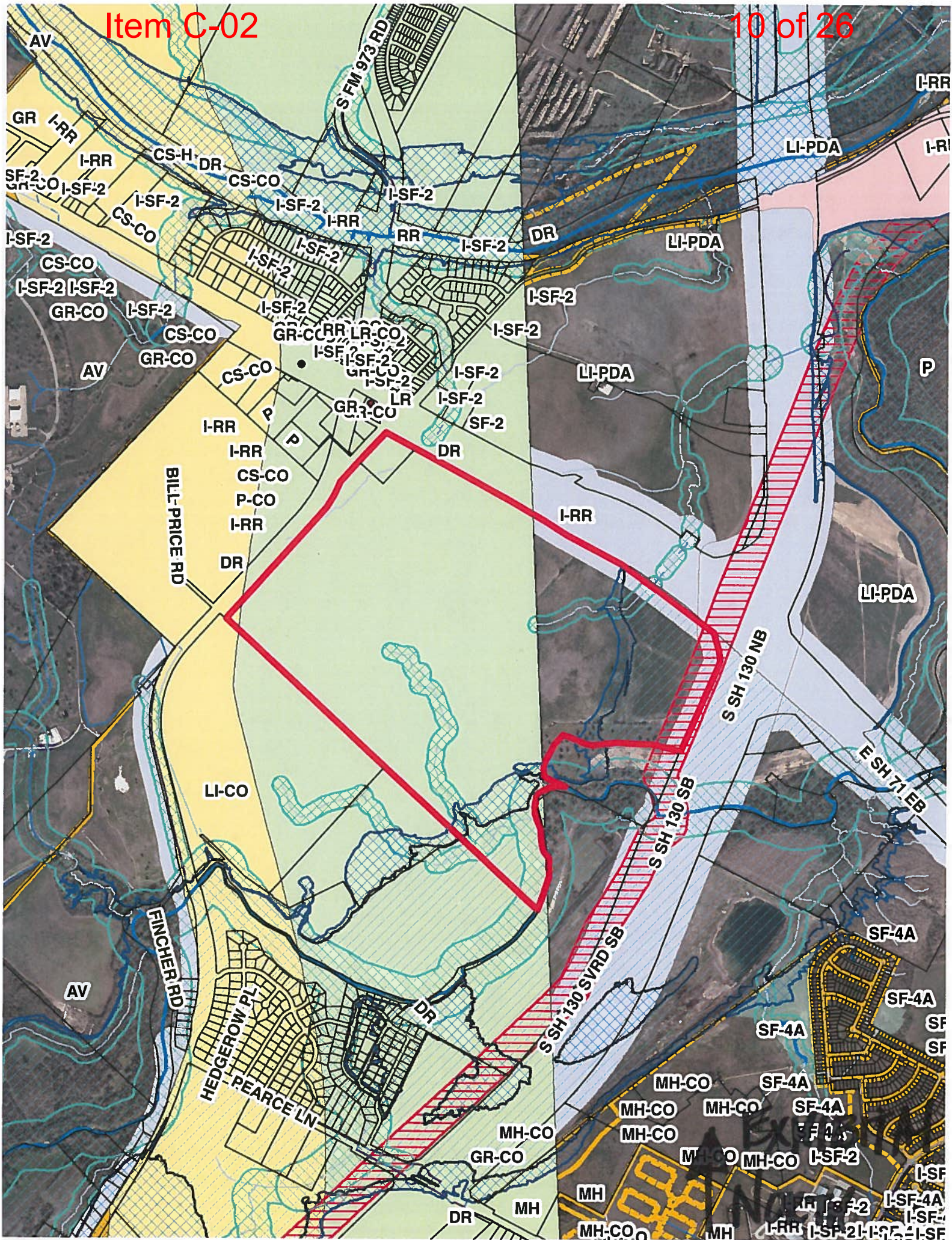
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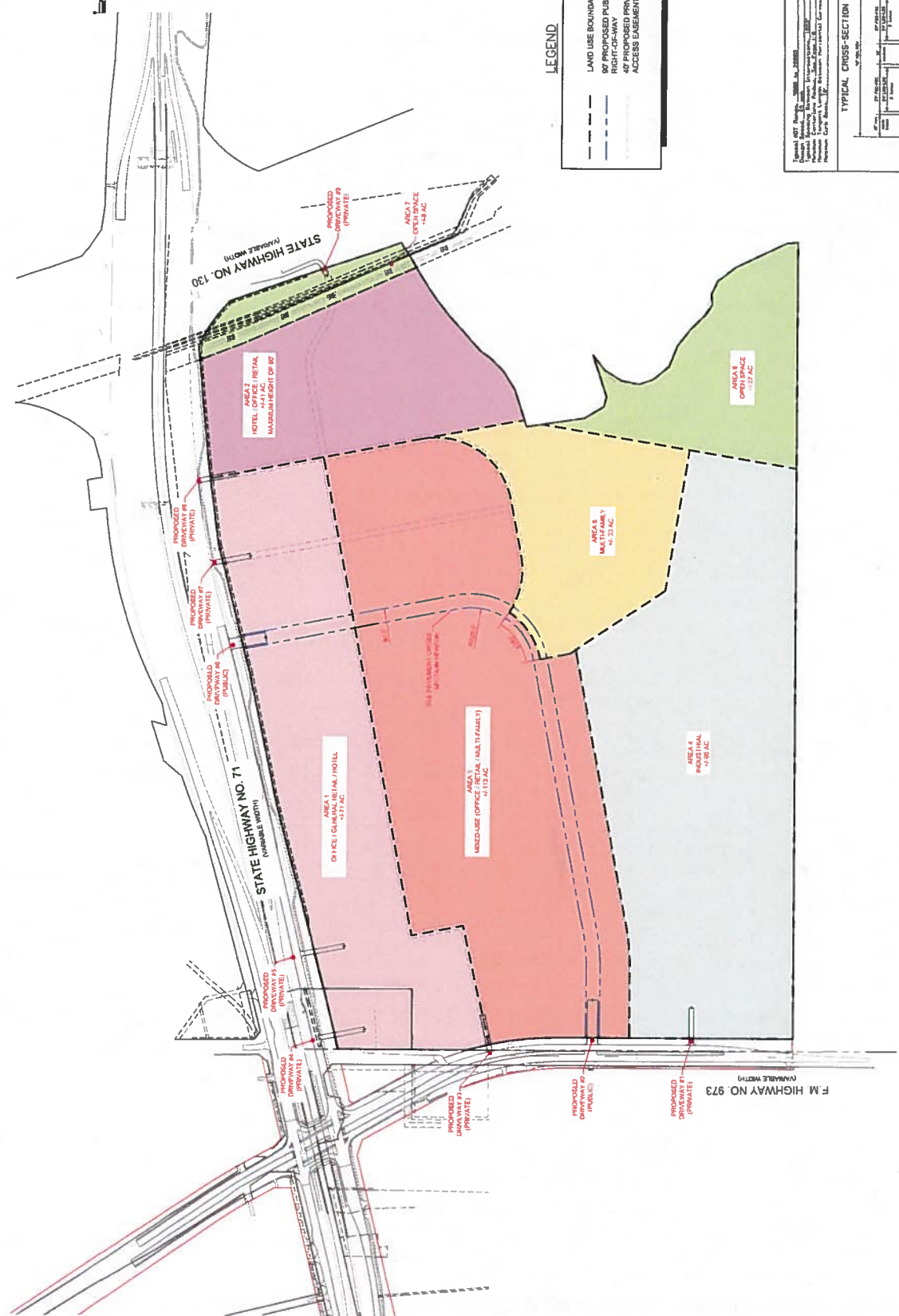




LEGEND

- LAND USE BOUNDARY
- 80' PROPOSED PUBLIC RIGHT-OF-WAY
- 40' PROPOSED PRIVATE ACCESS EASEMENT

TYPICAL CROSS-SECTION





**Date:** February 25, 2016  
**To:** Wendy Rhoades, Case Manager  
**CC:** Brian Parker, Kimley Horn & Associates  
**Reference:** Velocity Crossing, TIA, C14-2015-0117

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Velocity Crossing Zoning case, dated January 4<sup>th</sup>, and offers the following comments:

### **TRIP GENERATION**

The Velocity Crossing tract is a 400-acre development located on the south side of SH 71 between FM 973 and SH 130. The property is currently undeveloped and zoned Interim Rural Residential (IRR) & Development Reserve- Commercial Services- Conditional Overlay (DR-CS-CO). The applicant has requested a zoning change to Light Industrial- Planned Development Agreement (LI- PDA). The estimated completion of the project is expected in the year 2025.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 59,412 adjusted average daily trips (ADT).

The table below shows the trip generation by land use for the proposed development:

**Table 1**  
**Trip Generation**

Land Uses	Quantity	Units	ITE Code	Daily Trips	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Apartment	893	D.U.	220	5,536	88	353	441	331	178	509
Office	1,935,350	SF	710	12,478	1,802	245	2,047	382	1,864	2,245
Retail	350,000	SF	820	15,332	208	128	336	666	721	1,387
Warehouse	1,000,000	SF	150	3,560	237	63	300	80	240	320
Fast Food Restaurant	20,000	SF	934	9,924	463	445	908	340	313	653
Sit Down Restaurant	40,000	SF	932	5,086	238	194	432	236	158	394
Multiplex Movie Theater	10	Screens	445a	-	0	0	0	61	75	136
Hotel	1,200	Rooms	310	9,804	375	261	636	367	353	720
Supermarket	130,000	SF	850	13,292	274	168	442	628	604	1,232
Internal Capture Trip Reduction				15,600	195	195	390	596	596	1,192
Pass-By Trip Reduction				-	227	218	445	555	498	1,053
<b>TOTAL PROJECT (ALL ZONES)</b>				<b>59,412</b>	<b>3,263</b>	<b>1,445</b>	<b>4,708</b>	<b>1,940</b>	<b>3,411</b>	<b>5,351</b>

### **ASSUMPTIONS**

1. Traffic growth rates provided by the City of Austin were as follows:

Table 2. Growth Rates per Year	
Roadway Segment	1%
All Roads	1%

2. Background traffic included:  
 Interport (C14-99-2052 & C14-99-2053)  
 Interport South (C14-02-0013)
3. Additional reductions:  
 Internal Capture: 5%  
 Pass by Trips: 50% for fast food restaurant only  
 Transit: 0%

### **EXISTING AND PLANNED ROADWAYS**

**SH 71** – is currently a six-lane divided highway generally running in an east-west direction. In the project vicinity, SH 71 has signalized intersections with Presidential Blvd, FM 973, and SH 130. There are several horizontal and vertical curves on SH 71 which has a posted speed limit of 65 mph in the project vicinity. Currently, TxDOT is in the process of constructing managed toll lanes in the eastbound (EB) and westbound (WB) direction (one lane each) along SH 71 between Presidential Blvd. and just east of SH 130. The final schematic for the SH 71 Managed Toll Lane project shows an exit ramp from the EB Managed Toll Lane in front of the site between FM 973 and SH 130 (between proposed Driveway 2 & 3). At approximately the same location, the schematic also shows an entrance ramp to the Managed Toll Lane in the WB direction. This study has assumed that the new managed lanes will be constructed and operational by the proposed Phase 1 build-out year of 2020

**SH 130** – is a four-lane divided toll-way with a posted speed limit of 80 MPH. In the project vicinity, SH 130 generally runs in north-south direction. The SH 130 frontage road intersections SH 71 eastbound and westbound to form a 'box diamond' interchange. There are two direct connector (DC) ramps from SH 71 EB to SH 130 Northbound (NB) and from SH 130 Southbound (SB) to SH 71 WB.

**FM 973**– is a two-lane undivided arterial with a posted speed limit of 50 mph. In the project vicinity, FM 973 generally runs in north-south direction and intersects with SH 71 to form a 'Super Street' intersection. Currently, FM 973 does not connect on the north and south side of SH 71 and therefore creates two intersections with SH 71. At each intersection, the left turn movements from FM 973 are prohibited. Vehicles attempting a left turn must turn right and make a U-turn at a signalized downstream intersection. As part of the 'Managed Toll Lane' construction on SH 71, FM 973 will be realigned to be contiguous north and south of SH 71 and forming a conventional 'diamond' interchange with SH 71.

This study has assumed above mentioned proposed roadway alignments and geometry for SH 71 and FM 973 for all Phase 1 and Phase 2 'No-Build' and 'Build-Out' scenarios.



**TRAFFIC ANALYSIS**

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and travel conditions were evaluated:

- 2020 Existing Conditions
- 2025 Build-Out Conditions

**INTERSECTION LEVEL OF SERVICE (LOS)**

The TIA analyzed 13 intersections. Projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Intersection	Synchro Movement	Exhibit Movement	2025 Mitigated			
			95% Queue	V/C	Delay	LOS
SH 130 SB @ SH 71 WB	SB	SB	<b>1751</b>	<b>2.27</b>	<b>402.5</b>	<b>F</b>
	NWB	WB	173	0.66	6.9	A
SH 130 NB @ SH 71 WB	NB	NB	230	0.53	35.3	D
	NWB	WB	537	0.64	26.6	C
SH 130 NB @ SH 71 EB	NB	NB	<b>447</b>	<b>0.83</b>	<b>74.4</b>	<b>E</b>
	SEB	EB	196	0.37	7.2	A
SH 130 SB @ SH 71 WB	SB	SB	205	1	27.6	C
	SEB	EB	234	0.34	21.2	C
FM 973 @ Pearce St	WB	WB	789	0.99	53.5	D
	NB	NB	491	0.92	53.4	D
	SB	SB	113	0.86	41	D
Presidential Blvd @ SH 71 EBFR	EB	EB	128	0.28	9.8	A
	NB	NB	<b>296</b>	<b>0.91</b>	<b>62.8</b>	<b>E</b>
	SB	SB	35	0.17	9.5	A
Cardinal Lp @ SH 71 WBFR	WB	WB	162	0.31	39.8	D
	NB	NB	5	0.5	4.5	A
	SB	SB	48	0.1	42.8	D
SH 71 WBFR @ FM 973	WB	WB	689	1.16	48.8	D
	NB	NB	346	0.71	12.1	B
	SB	SB	100	0.71	19	B
SH 71 EBFR @ FM 973	EB	EB	244	0.83	16.2	B
	NB	NB	158	0.78	35.6	D
	SB	SB	123	0.59	7	A
DWY 7 @ FM 973 *	WB	WB	11	0.14	22.4	C
	NB	NB	Free	Free	Free	A
	SB	SB	37	0.36	2.1	A
DWY 8 @ FM 973	WB	WB	46	0.22	33.9	C

DWY 9 @ FM 973 *	NB	NB	359	0.86	34.2	C
	SB	SB	616	0.9	11.8	B
	WB	WB	4	0.05	9.6	A
	NB	NB	Free	Free	Free	A

\* Unsignalized intersections

### RECOMMENDATIONS

- 1) The applicant shall post fiscal prior to the approval of first site plan and/or subdivision for the following transportation improvements, as identified in exhibit B:

2020 Phase 1 Pro-Rata Cost Share								
Intersection	Approach	Mitigation Measure	Unit	Preliminary * Cost Estimate	% Site Traffic	Pro-Rata Cost Share	Developer's Contribution	Developer's Cost
*FM 973/ SH 71 WBFR	Southbound	Add 600' acceleration lane for SBR movement	per LF	\$179,800	15%	\$27,792		\$0
SH 130 SBFR at SH 71 WBFR	Southbound	Add 300' of right-turn bay + Taper	per LF	\$91,149	10%	\$9,329	100%	\$91,149
*SH 71 EBFR U-Turn to SH 71 WBFR	SH71	Add additional U-Turn lane + acceleration and deceleration lanes	per LF	\$752,407	21%	\$156,894		\$0
SH 130/rdwy 6	Southbound	Add 425' of right-turn bay + taper	per LF	\$92,086	100%	\$92,086	100%	\$92,086
FM 973/ Dwy 7	Southbound	Add 425' of left-turn bay + taper	per LF	\$94,565	100%	\$94,565	100%	\$94,565
Rdwy 2,3,5 & Dwys 1& 4	Intersection	Install new aux lane between DWYs 3-5	per LF	\$1,152,123	100%	\$1,152,123	100%	\$1,152,123
<b>SUB TOTAL</b>				<b>\$2,362,130</b>		<b>\$1,532,788</b>		<b>\$1,429,923</b>
2025 Phase 2 Pro-Rata Cost Share								
Intersection	Approach	Mitigation Measure	Unit	Preliminary * Cost Estimate	% Site Traffic	Pro-Rata Cost Share	Developer's Contribution	Developer's Cost
*SH 130 SBFR at SH 71 EBFR	Southbound	Stripe new lane left-turn lane using existing	per Lane	\$5,525	20%	\$1,091	0%	\$0

		pavement						
SH 130 NBFR at SH 71 EBFR	Eastbound	Add 350' left turn lane	per LF	\$122,565	28%	\$34,311	100%	\$122,565
*SH 130 SBFR U- Turn to SH 130 NBFR	U-Turn	Add U- Turn Between NBFR and SBFR + decelerat ion lane	per LF	\$325,591	0%	\$0	0%	\$0
*FM 973/ SH 71 WBFR	Northbound	Re-stripe to add shared left-thru northbou nd move ment	per Lane	\$970	37%	\$357	0%	\$0
FM 973/ Rdwy 8	Southbound	Add 750' of left- turn bay + taper	per LF	\$248,961	100%	\$248,961	100%	\$248,961
	Intersection	Install new traffic signal	Intersectio n	\$333,675	100%	\$333,675	100%	\$333,675
SUB TOTAL				\$1,037,28 6		\$618,394		\$705,201
TOTAL				\$3,399,41 6		\$2,151,18 3		\$2,135,123

\*Pro-rata share funds for these improvements have been distributed to fund prioritized improvements at 100%.

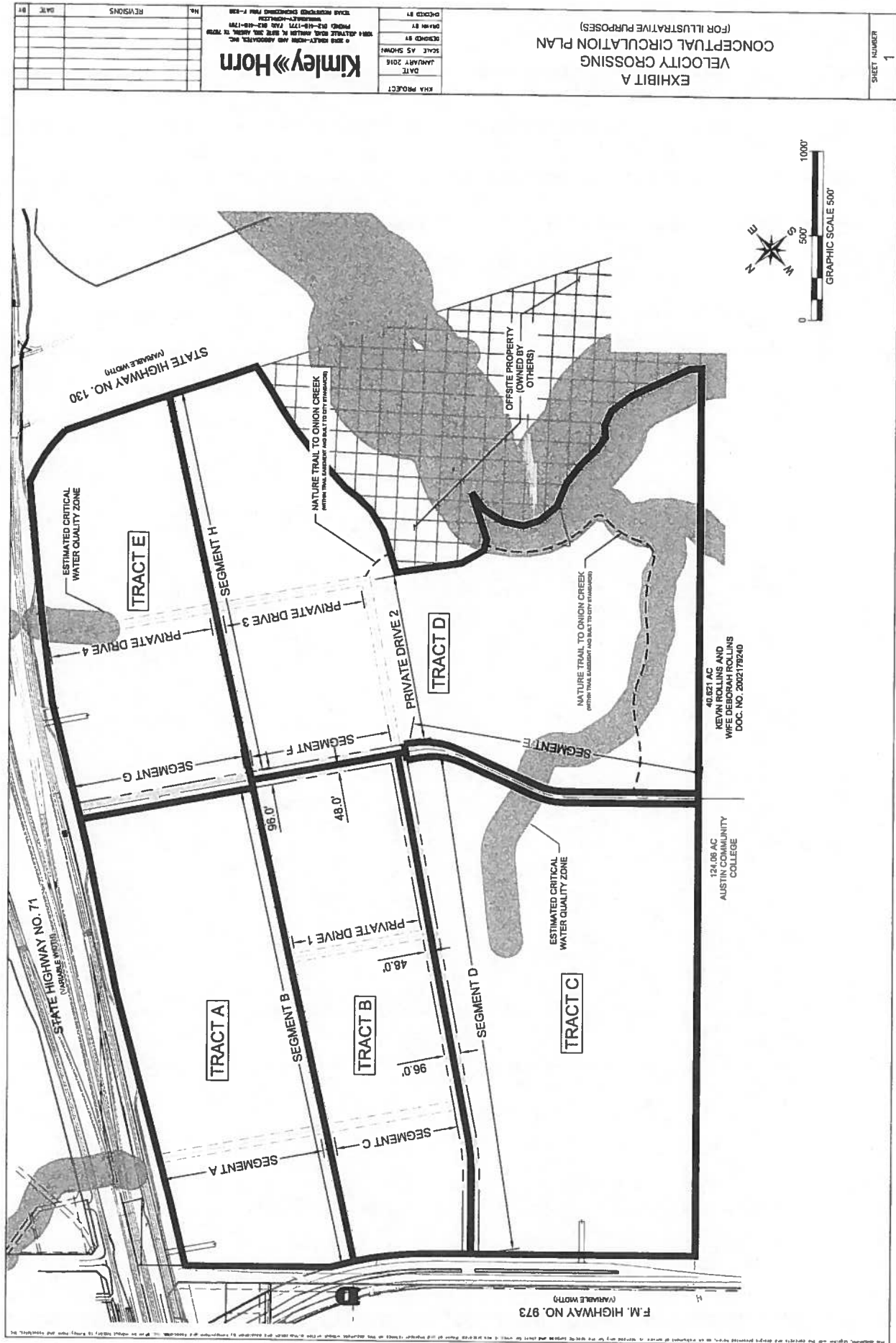
- 2) The zoning tract must be broken up by roadways, which may be a combination of public or private, as indicated in Exhibit A.
- 3) All internal roadways, either public or private, must be built to COA standards and shall adhere to all principles of the Complete Streets Policy (Ordinance # 20140612-199).
- 4) All private drives must be recorded in a City of Austin approved public access easement and must provide a 12' sidewalk on both sides to consist of a 5' hardscaped clear zone with a 7' buffer zone.
- 5) Roadway and private drive dedication and fiscal posting/ construction phasing:
  - a) No plat in Tract A, as established in Exhibit A, may be approved until the ROW for a public roadway, identified as roadway segment A, has been dedicated as part of the subdivision platting process. No site plan application in Tract A may be approved and released until public roadway segment A is either, constructed or fiscal has been posted.

- b) No plat in Tract B, as established in Exhibit A, may be approved until the ROW for public roadway segments B, C & D has been dedicated and, either, constructed or fiscal has been posted as part of the subdivision platting process. Approval of a site development permit for the construction of plan private drive 1 shall require approval of the alignment and cross section of private drive 1 in accordance with City of Austin standards.
  - c) No plat in Tract C, as established in Exhibit A, may be approved until ROW for public road, segment E, has been dedicated.
  - d) No plat in Tract D, as established in Exhibit A, may be approved until the ROW for public roadway segments E & F has been dedicated and, either constructed or fiscal has been posted as part of the subdivision platting process. Approval of a site development permit for the construction of private drives 2 and 3 shall require approval of the alignment and cross section of private drives # 2 and 3 in accordance with City of Austin standards.
  - e) No plat in Tract E, as established in Exhibit A, may be approved until the ROW for public roadway segments G & H, has been dedicated, and either constructed or fiscal has been posted as part of the subdivision platting process. No site plan may be approved and released until the alignment of private drive # 4 has been approved in accordance with City of Austin standards.
- 6) A trail, built to the COA standards, through Onion Creek shall be provided through the zoning tract as reflected in Exhibit A and must be recorded in a public trail easement. Approval of the first site plan application within Tract D must include construction of the trail and recordation of the easement.
  - 7) The exact locations, dimensions and related cost estimates of all site driveways and street connections shall be reviewed and approved by the City and TxDOT at the time of site plan review.
  - 8) TxDOT and Austin Transportation Department have approved this TIA.
  - 9) For TxDOT improvements, the developer will pay 100% for preliminary engineering, technical services, utility relocations, acquisition of right-of-way, construction engineering and administration and any construction overruns.
  - 10) After January 1, 2021, an updated Traffic Impact Analysis may be required at the time of Site Development Permit to reflect current conditions at the time of development.
  - 11) For information: Three copies of the final version of the TIA incorporating all corrections and additions must be submitted prior to final reading of the zoning case.
  - 12) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 512-974-2881.

Amanda Couch  
Transportation Review Staff  
Development Services Department







### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant limited industrial services – planned development area (LI-PDA) combining district zoning. The Planned Development Area allows for 1) all permitted and conditional uses in the LI district, 2) additional permitted and conditional uses in the LI district, 3) prohibits certain uses in the LI zoning district, 4) establishes that LI site development standards will apply to the property with modifications, 5) allows for vertical mixed use buildings (V) to occur and establishes parameters for affordability, 6) establishes a process for amending the Land Use Exhibit provided as Attachment A, as further outlined on pages 2 and 3 of this report.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated February 27, 2016, as provided in Attachment B.

### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The LI, limited industrial services district designation is for a commercial service use or limited manufacturing use generally located on a medium or large sized site. The PDA, planned development area combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts.

- 2. Zoning changes should promote consistency and orderly planning.*  
*3. Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

Staff recommends the Applicant's concept as described above for LI-PDA district zoning based on the following: 1) the permitted and conditional uses are appropriate given the location at two major intersections in southeast Austin and provides the opportunity for needed goods and services on a larger scale to serve the surrounding area; 2) residential uses are located in close proximity to employer type office / industrial development which will provide a live / work environment while protecting the residential uses from incompatible industrial uses, and 3) buffers are provided between future residential and commercial / industrial uses.

### **EXISTING CONDITIONS**

#### **Site Characteristics**

The subject property is undeveloped with groupings of trees at the southeast portion of the property. The west and central portions of the property are relatively flat, while the east portion slopes to the south, towards Onion Creek.



### **Impervious Cover**

The maximum impervious cover allowed by the LI base zoning district would be 80% which is based on the more restrictive zoning regulations.

### **Comprehensive Planning**

This zoning case is located on the southeast corner of FM 973 and State Highway 71, on an undeveloped property that is approximately 390.57 acres in size. The property is not located within the boundaries of a neighborhood planning area and is located east of the airport. Surrounding land uses includes vacant land to the north, south and east, and mobile home sales park, a health clinic, softball fields, the Travis County Sheriff Training Academy, and the Travis County Correction Complex to the east. The proposals calls for a mixed use center, consisting of multi-family uses, a hotel, retail, a movie theater, warehouse uses, and food services/restaurants.

### **Imagine Austin**

One of the goals of the Imagine Austin Comprehensive Plan (IACP) is to achieve 'complete communities.' Page 88 of the IACP states that complete communities are areas that provide amenities, transportation, services, and opportunities that fulfill all residents' material, social, and economic needs. Page 107 of the IACP also states, "*While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city.*"

The following IACP policies are applicable to this project:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

- **UD P1.** Develop accessible community gathering places such as plazas, parks, farmers' markets, sidewalks, and streets in all parts of Austin, especially in the Downtown, future TODs, in denser, mixed-use communities, and other redevelopment areas, that encourage interaction and provide places for people of all ages to visit and relax.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

### **Conclusion:**

This proposed mixed use project plans for residential, commercial and retail, entertainment, and a variety of jobs in an area of Austin that lacks much in the way of commercial and retail uses to residents living east of the airport. This project also meets a number of Imagine Austin core principles for action (p. 10 - 11) including: (1) Grow as a compact, connected city; and (2) Develop as an affordable and healthy community. Staff also strongly encourages that the developer consider installing sidewalks and bike trails throughout the project to make it pedestrian friendly and connect it to public transit. Based on the Imagine Austin text and policies above, this proposed neighborhood center, with opportunities to live, work, and play, appears to be supported by the Imagine Austin Comprehensive Plan.

### **Environmental**

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

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

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

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



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

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

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

#### **Site Plan and Compatibility Standards**

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

Open space is required for sites 5 acres or greater, based on Subchapter E Section 2.7. It may be helpful to identify or specify in the PDA whether open space will be provided based on the gross site area of the PDA or individually for each site.

All development subject to Section 2.7 of Subchapter E shall devote a minimum of 5% gross site area to one or more of the following types of private common open space or pedestrian amenities:

- 1) Natural, undeveloped private common open space, for use of residents, employees, and visitors;
- 2) Landscape area beyond minimum landscape requirements, meeting specified standards;
- 3) A plaza with outdoor seating areas, provided it has a minimum depth and width of 20 feet and minimum total area of 650 sq. ft, with pedestrian amenities as described in 2.7.;
- 4) A play area with amenities or equipment suitable for children under 9 years of age, subject to details described in section 2.7;
- 5) Spaces that provide educational, historic, or cultural features, or sensory experiences as described in 2.7;
- 6) Swimming pools, wading pools, or splash pads;
- 7) Water quality and storm detention ponds designed as an amenity and approved by the Director;
- 8) A multi-use trail proposed in the COA Trails Master Plan, Austin Parks and Rec Long-Range Plan, Sidewalk Master Plan, or Bicycle Plan;
- 9) Basketball, tennis, volleyball, or other sport courts or play fields,

10) A combination of above

The following is not counted for open space/pedestrian amenity: 1) Open space in a required street yard; 2) Public/private streets or ROW; 3) Off-street parking, loading, driveway, or service areas; 4) Water quality/stormwater detention ponds.

The Area(s) shall meet specified location and design criteria (Subchapter E, 2.7.D)

The Area(s) shall be maintained by owners of development (§ 2.7.3.E.)

Sites of 5 acres or greater will be required to comply with the Internal Circulation Roadway standards. ICR's are public streets or private drives edged by a planting zone and clear zone within a development (Section 2.2.5.) It's important to note these requirements are to encourage better connectivity with developments and adjacent developments. This would include pedestrians, cyclist, and vehicular traffic.

Compatibility Standard requirements are triggered from adjacent SF-5 or more restrictive land use or zoning district.

An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining property used or zoned as SF-5 or more restrictive [Section 25-2-1067(F)].

If a community recreation use is a conditional use, baseball, softball, and football fields and other similar outdoor athletic fields must be at least 300 feet from an SF-5 or more restrictive zoning district [Section 25-2-837(E)].

This site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, but outside the Airport Overlay Zones. For more information, contact Joe Medici, Airport Planner, 512-530-6563.

If multiple site plans are submitted for development of the property then a waiver of Section 25-5-44 (*Previously Approved Site Plan*) will be required.

### **Transportation**

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec. 25-6-142]. Please refer to Attachment B.

TxDOT approval will be required for all proposed driveway locations on SH 71, FM 973, and SH 130, as these roadways are within TxDOT jurisdiction.

Complete streets recommendations per Ordinance # 20140612-119:

1. As a condition of zoning, it is recommended that the 390.57 acre site be divided by fully dedicated right of way to create block lengths not to exceed 1,200 feet.

2. Provide pedestrian and bicycle access to the existing Onion Creek Trail adjacent to the site.
3. Provide stub-outs to the south of the property for future connection.
4. Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) shall apply to the entirety of the zoning tract.

**Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.