



# South Lamar Neighborhood Association

August 8, 2016

Mayor Adler and City Council Members  
City of Austin  
301 W. Second Street  
Austin, Texas 78701

Re: Case C14-2016-0039 2413 Thornton Road

Dear Mayor Adler and City Council Members,

South Lamar Neighborhood Association ("SLNA") opposes the applicant request for a zoning change from CS-General Commercial to MF-4-CO in Case C14-2016-0039 for the property located at 2413 Thornton Road. SLNA would support a change consistent with the base staff recommendation of a zoning change to MF-2 or the property remaining as CS-General Commercial

The current applicant plan and Planning Commission recommendation, **creates an unfunded transportation improvement project**, and increases safety risks to an overburdened infrastructure on Thornton and Kinney Oaks roads. The planning solution also undermines the recent decision Council made regarding Case C14-2015-0047 2303-2311 Thornton Road our community's support of Thornton Road Studios.

During the Planning Commission presentation, the applicant for 2413 Thornton openly acknowledged that Thornton Road infrastructure is inadequate. The traffic congestion and safety risks have been documented previously. The staff recommendation called for a complete transportation package, which would require approximately \$497,000. An alternative approach for approximately \$392,000 would provide limited benefit and would create incentive for traffic to use Kinney Oaks Road, a 24 foot roadway to access Lamar. In either transportation plan, the applicant plan for MF-4 zoning would not fund material improvements based on rough proportionality limits. The applicant's alternate plan for a 75,000 square foot general office building **could fund a basic transportation improvement** based on an estimated rough proportionality calculation of \$550,000. It should be noted that the residents at the applicant's soon to be completed 104 unit development at 2505 Thornton Road would share the benefits of these transportation improvements.

In the best case scenario a commercial development could also provide a destination for the creative community of Thornton Road Studios. With this in mind we request that any development on Thornton be required to meet at least minimum requirements of the **Agent of Change** guidelines under consideration to prevent this development affecting their current operations.

During the prior Case C14-2015-0047 2303-2311 Thornton Road, the dense development was not right for this location. Our request remains the same as it was in the prior case – determine how far overcapacity the infrastructure should eventually increase above the current level of inadequacy. The precedent of the applicant proposal would lead to a minimum of 388% volume above capacity and increase the incentive to displace existing small businesses.

South Lamar Neighborhood has worked successfully to implement affordable housing along the Lamar transit corridor including the 107-unit Foundation Communities Bluebonnet Studios project at Lamar and Del Curto. We have similarly worked with the developer on Bannister Road to make a proposed development work in locations, which have reasonable infrastructure.

The documentation attached describes the current conditions and zoning history of Thornton Road. Thornton Road has a 55-year history of Planning Commission and City Council voting **against** intensive zoning because:

- **The Neighborhood's character is predominantly SF3 and MF2,**
- **Thornton Road has inadequate width and limited connectivity**
- **Neighborhood is geographically isolated - no access across railroad**
- **Potential flooding hazards from West Bouldin Creek**

We urge you to continue this tradition and avoid creating an unfunded transportation obligation..

Sincerely,

A handwritten signature in black ink, appearing to read 'Kim Johnson', with a long horizontal flourish extending to the right.

Kim Johnson  
President South Lamar Neighborhood Association

Cc: SLNA Zoning and Thornton Road Working Group

## 2413 Thornton Road Background

### 1. South Lamar Mitigation Plan

As we presented in prior cases, the South Lamar Neighborhood Mitigation Plan<sup>1</sup>, included a requirement to address the effects of infill development on several issues. The October 3 2014 staff memo highlights goals including:

- **“address the challenges created by many years of development on a site-by-site basis, lacking water detention and exacerbated by recent infill developments where inadequate infrastructure exists”**
- **“anticipate the cumulative effects of increasing density on a neighborhood’s natural and manmade infrastructure”**
- **“incorporate methods to define and protect a neighborhood’s character, infrastructure and safety and provide commensurate mitigation requirements to better manage density and its associated costs.**

While the South Lamar Mitigation Plan has provided additional measures such as the additional water retention requirements and initial tools to anticipate the cumulative effects of density, the actual watershed and transportation infrastructure of the neighborhood and Thornton Road has not changed despite a 43% increase in dwelling units from 2004 to 2015 and another 80% jump in 2016. Recommended improvements in area drainage are not funded, the goals have not been met.

Using the initial analysis tools, the Transportation Department analysis suggested infrastructure improvements in the prior case C14-2015-0047 2303-2311 Thornton Road to **partially addresses the inadequacy of the existing infrastructure**. The staff efforts in this case demonstrated the extreme challenge of improving capacity and safety on Thornton Road. The existing problems shown in the traffic analysis identify additional volume from Thornton Road developments and other area projects such as the “Enchanted Forest” case C14-2015-0146 on Oltorf and the parking overflow from existing Oltorf businesses require significant investment to provide even minimal relief. None of the past analysis adequately analyzes the potential safety impacts from increased density and traffic on the alternate exits (Cinnamon Path etc.) for Thornton Road traffic. This issue will increase in importance as the South Lamar Corridor traffic patterns change.

Figures 1, 2 and Table 1 provide an overview of Thornton Road area. Thornton Road has a total overall length of 2700’ or .51 miles. The road dead ends at Oltorf on the north and provides limited access to other Local Roads via Bridgeway and Waterloo Trail on the south. 2413 Thornton is 0.4 miles from the intersection of Oltorf and Thornton according to Google Maps. The property is 0.32 miles from the nearest bus stop for the 338 bus route, and 0.52 miles to the 3/803, which connects to downtown and 0.7 miles to the 5 bus stops<sup>2</sup>.

Thornton Road is a local street acting as a collector. Despite numerous recommendations since 1961 that Thornton Road be widened, Thornton Road is 30’ with a 50’ ROW. In addition to access via Oltorf, Thornton Road crosses 3 streets<sup>3</sup>, none of which provides direct connectivity to an exit point. Bridgeway Drive extends 735’ between Kinney Court Circle and the RR tracks; Summer Creek is 534’ ending at a cul-de-sac to the west and the RR tracks to the east; Waterloo Trail extends 1350’ ending at a cul-de-sac to the west, the RR tracks to the east and crossing Cinnamon Path, which connects, to Del Curto.

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<sup>1</sup> Memorandum to Mayor and Council From Gregory I Guernsey October 3, 2014

<sup>2</sup> All distances calculated from CapMetro Trip Planner June 5, 2016

<sup>3</sup> See also Figure 18



Figure 1 Thornton Road Dimensions

Thornton Road is currently home to 136 residences located in 79 properties with a predominant zoning of SF-3. The estimated size of the properties bordering Thornton Road is 29.8 acres. Current projects under construction will add 104 units increasing the residential units by 76%. The following Table 1 shows the present characteristics.

Zoning	Properties	Acreage
SF3	63	13.54
SF-4B-CO	2	1.490
SF-6	3	0.326
MF-2	3	6.280
MF-3	1	0.330
CS	6	7.870

Table 1

The characteristics above are graphically presented in Figure 2 The current 6 CS properties are located 1000 feet into the core of the neighborhood and surrounded by residential properties. Historically these properties were listed as Residential A per Austin City Code or the equivalent of SF-3. Section 4 provides a brief history of Thornton Road zoning cases.

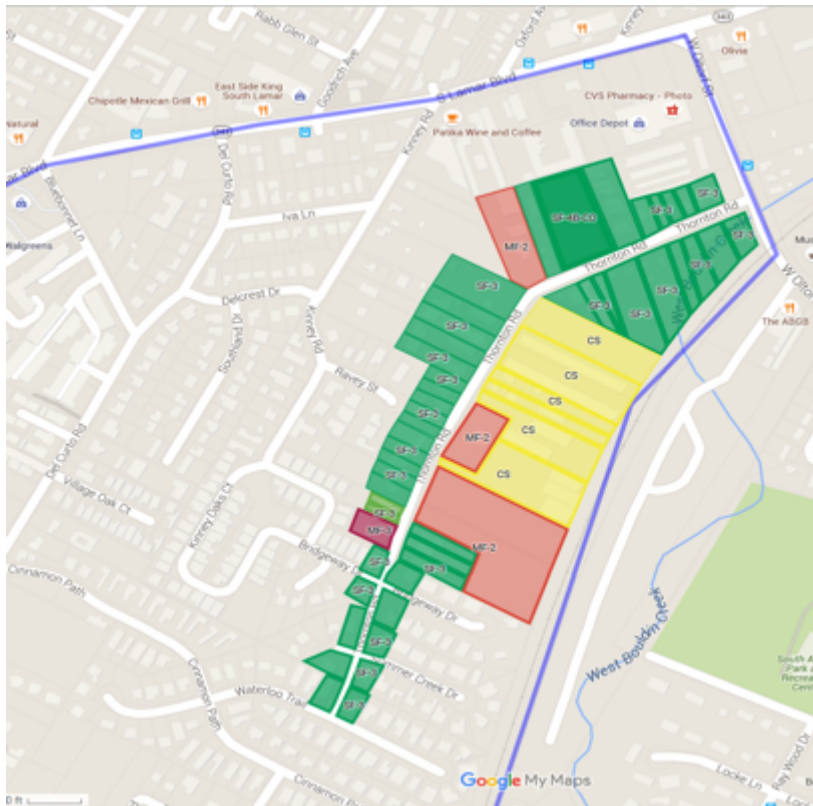


Figure 2 – Thornton Road parcel map

## 2. Traffic Analysis and Limitation of Proposed Solutions Revised

Thornton Road is currently over capacity. This project proposes no offset or accommodation for the added density. The Traffic Study for the prior case<sup>4</sup> suggests that the volume of traffic on the road is currently equal to that of a Collector Street according to the City of Austin. The Traffic Study continues with the following statement on page 1 (Item C17 page 4 of 30); “However, the existing roadway width (approximately 28’ to 30’) and right-of-way width (varies 50’ to 60’) is closer to that of a Local Street....Vehicles park along both sides of Thornton Road essentially narrowing the street to one travel lane.” The study further indicates that current daily volume over threshold of 1800 vpd for a street of this capacity is 830 vpd or 146% of capacity leading to a service level of F. 2017 volume with units under construction will bring the traffic volume to 192% above threshold. Development at MF-2 for this property and neighboring properties will lead to a projected volume of nearly 4000 vpd **or 288% over threshold**. The applicant’s plan creates a precedent for volumes that will exceed 400% of threshold.

The photos below show the state of the road Saturday January 16, 2016.

<sup>4</sup> The Traffic Study references the Thornton Traffic Study dated November 25, 2015 was included with Case C14-2015-0047





Figure 3 Thornton Just South of Oltorf January 16, 2016

Figure 4 shows the same street on the same day. The present volume on Thornton Road is exacerbated by overflow parking from Austin Beer Garden Brewing Company (ABGB). The pictures below are from a video from a recent Saturday promotion. The overflow parking stretched from Thornton to and past the subject property. Throughout this area, the traffic was essentially limited to one lane except for the no parking zone at the curve.



Figure 4. Approximately 2211 Thornton Road January 16

Even given this congestion at north end of Thornton and Oltorf, The Traffic Study does not address the impact of increased traffic on alternative routes that are in use shown in red. **Residents and businesses on the subject property normally avoid the Thornton Oltorf intersection due to the congestion. The applicant plan would put an additional 70 units (174 units total) whose most direct access to Lamar under the planned South Lamar Corridor Plan would be through Kinney Oaks, Kinney Roads to go north on Lamar or Iva/Del Curto to go south on Lamar.** The traffic analysis and development at a higher density should address the traffic considerations for these developments and future developments on other streets that are not Collectors.



Figure 5 Existing Traffic Patterns for Thornton Road

In C14-2015-0047 the staff recommendation included a plan for widening the road to include a left turn lane for northbound traffic on Oltorf with a pedestrian signal near the 331 bus stop and an optional traffic signal at Thornton and Oltorf. While the road-widening plan with pedestrian signal would produce no net benefit to users other than accelerating right turn traffic according to the traffic study it would provide some relief. The service level for the intersection would remain the same grade F as it is today in 2017. In addition, the pedestrian signal would encourage additional parking for new “Enchanted Forest” entertainment complex planned on the north side of Oltorf. No engineering has been attempted to analyze the potential path of the road widening and easements, or utility relocation that would be required to accomplish the road widening at Oltorf.

Additional information on traffic is found on the following YouTube links

[https://youtu.be/a9Ut9ccl0\\_I](https://youtu.be/a9Ut9ccl0_I)

<https://youtu.be/xS0IT2tLIXw>

### 3. Watershed Impacts

The Thornton Road area faces significant impacts from flooding as described in the South Lamar Mitigation Plan and the plan for the Del Curto Storm Drain Improvements –Phase 1B plan. The overall development of the area always presents concerns on flooding especially when existing infrastructure problems are not addressed. Any proposed development on Thornton needs to be carefully evaluated for the full impact on the West Bouldin Creek watershed. The cumulative development on the southern part of Thornton presents potential issues for Bridgeway if not done properly as shown by the Austin FloodPro map.



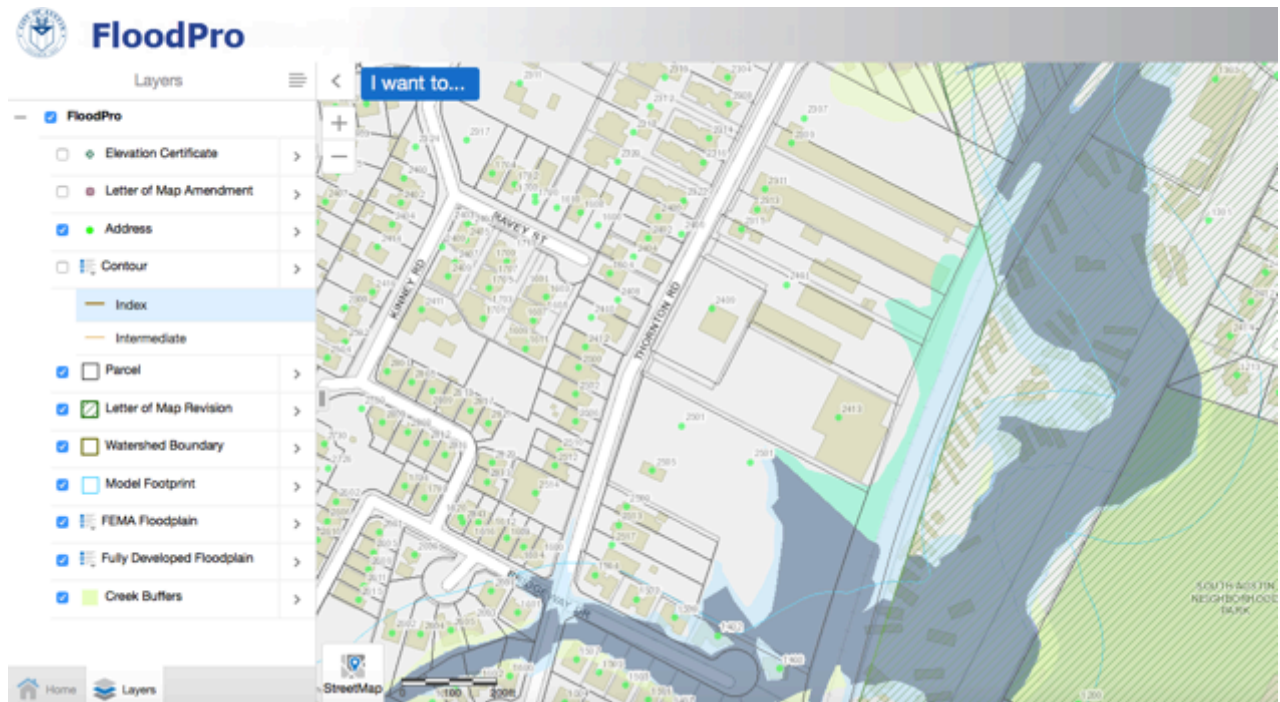


Figure 6 Drainage of Del Curto Watershed to Subject Property

The following picture shows the impact of flooding on Bridgeway on October 30, 2015, South of the subject property.



Figure 7

The following picture shows the impact of flooding on Oltorf at the railroad track north of the subject property on October 30 2015.





Figure 8 Oltorf Flooding 10-30-15 Photo Courtesy of Peter Williams

#### 4 Thornton Road History

Thornton Road has a 55-year history of Planning Commission and City Council voting **against** intensive zoning because:

- **Neighborhood is residential in character**
- **Thornton Road has inadequate width and limited connectivity**
- **Subject tracts are long distance from the thoroughfare (Oltorf)**
- **Neighborhood is geographically isolated - no access across railroad**
- **Potential flooding hazards from West Bouldin Creek**

*"I cannot figure any street system which would not work severe hardship on any of the residences in the area."* - **Planning Commission Minutes Feb 14, 1961**

This history was recently updated to show the City Council rejection of a proposed project with similar density at 2303-11 Thornton by a vote of 10-1. The case history is summarized graphically below and in narrative form in Appendix A.

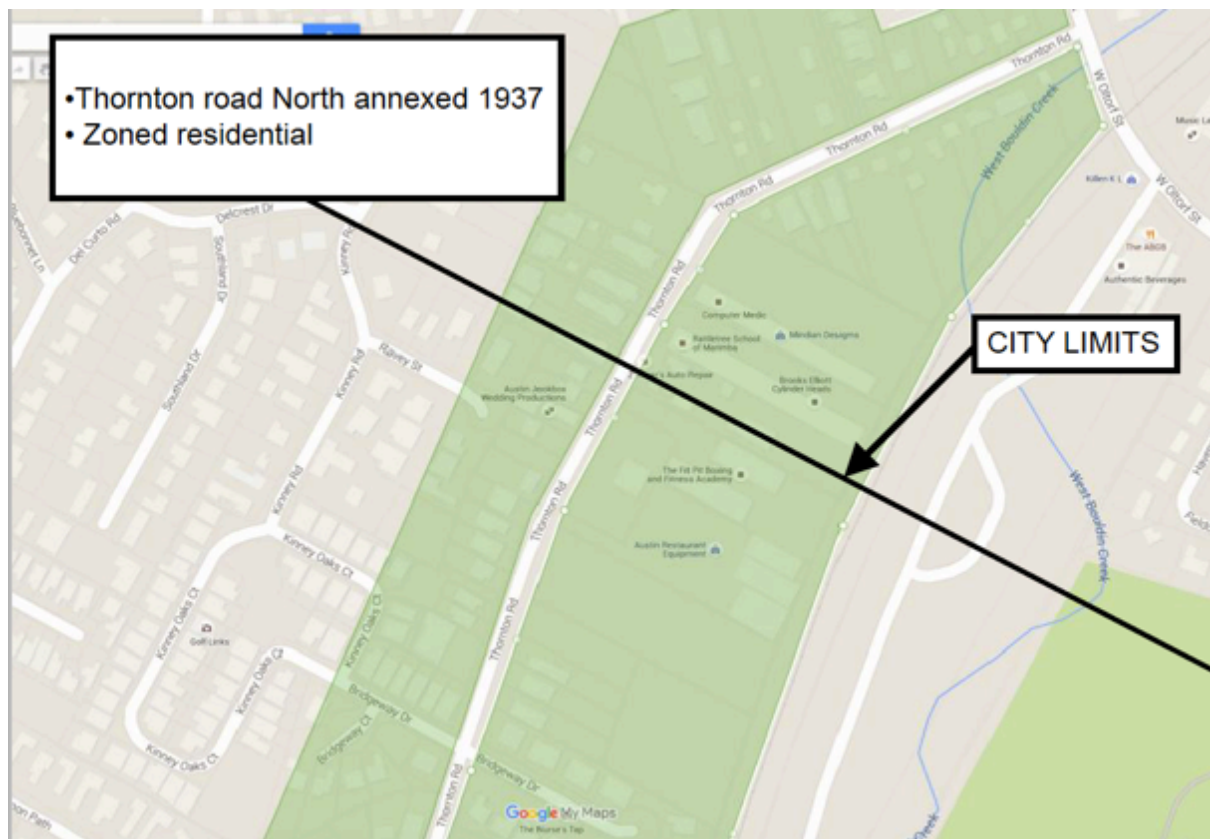


Figure 9 Thornton Road 1937

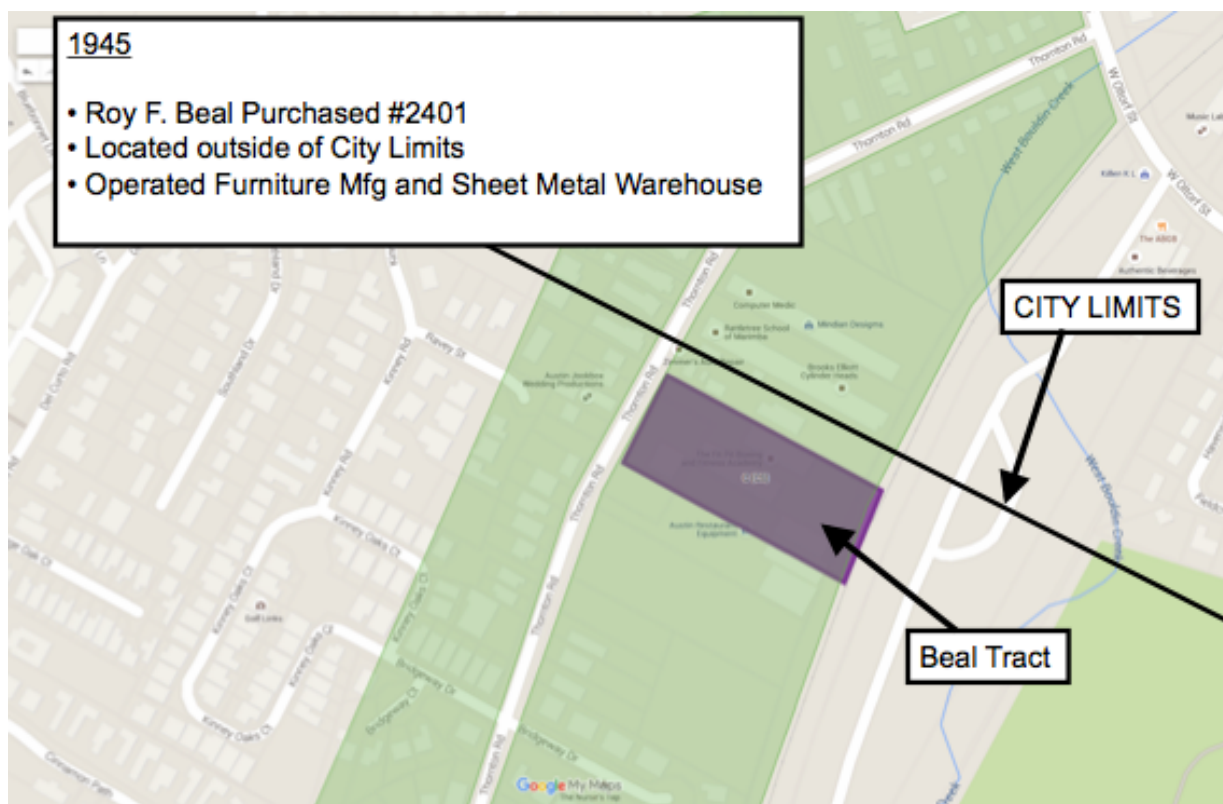


Figure 10 Thornton Road 1945

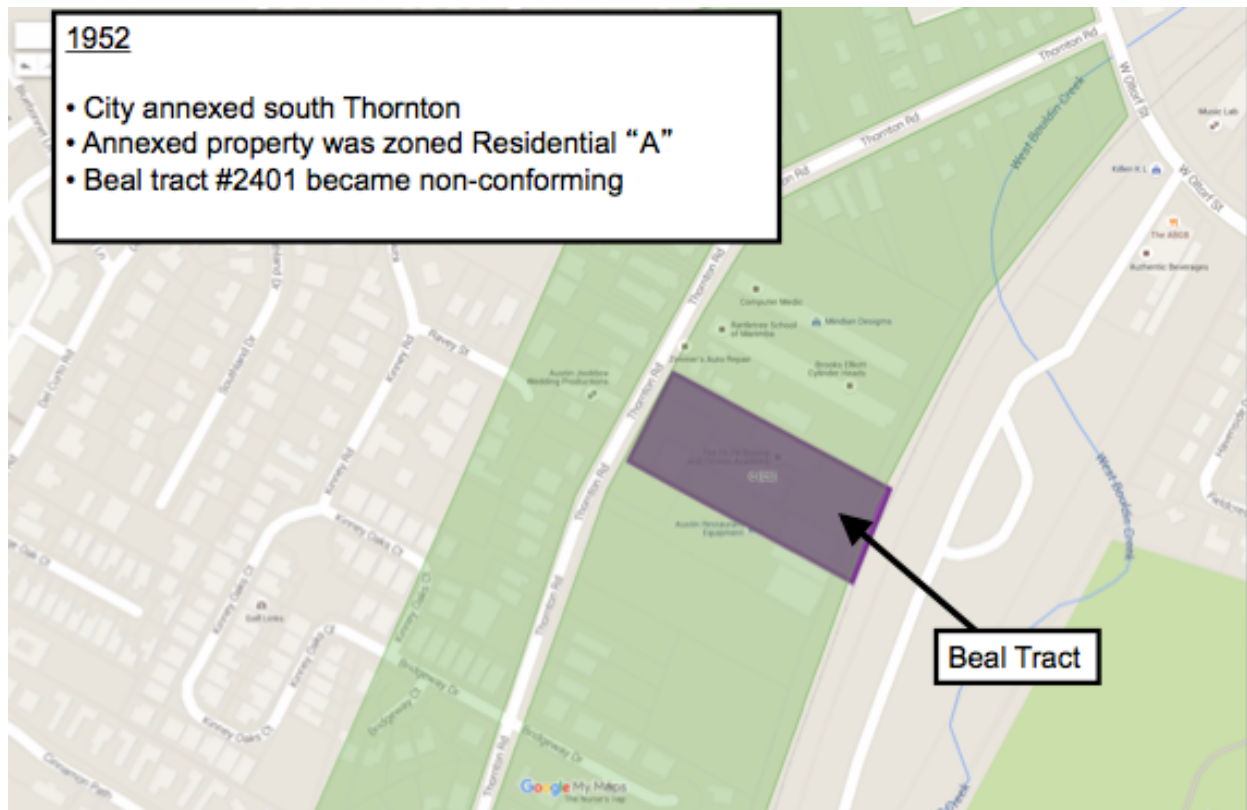


Figure 11 Thornton Road 1952

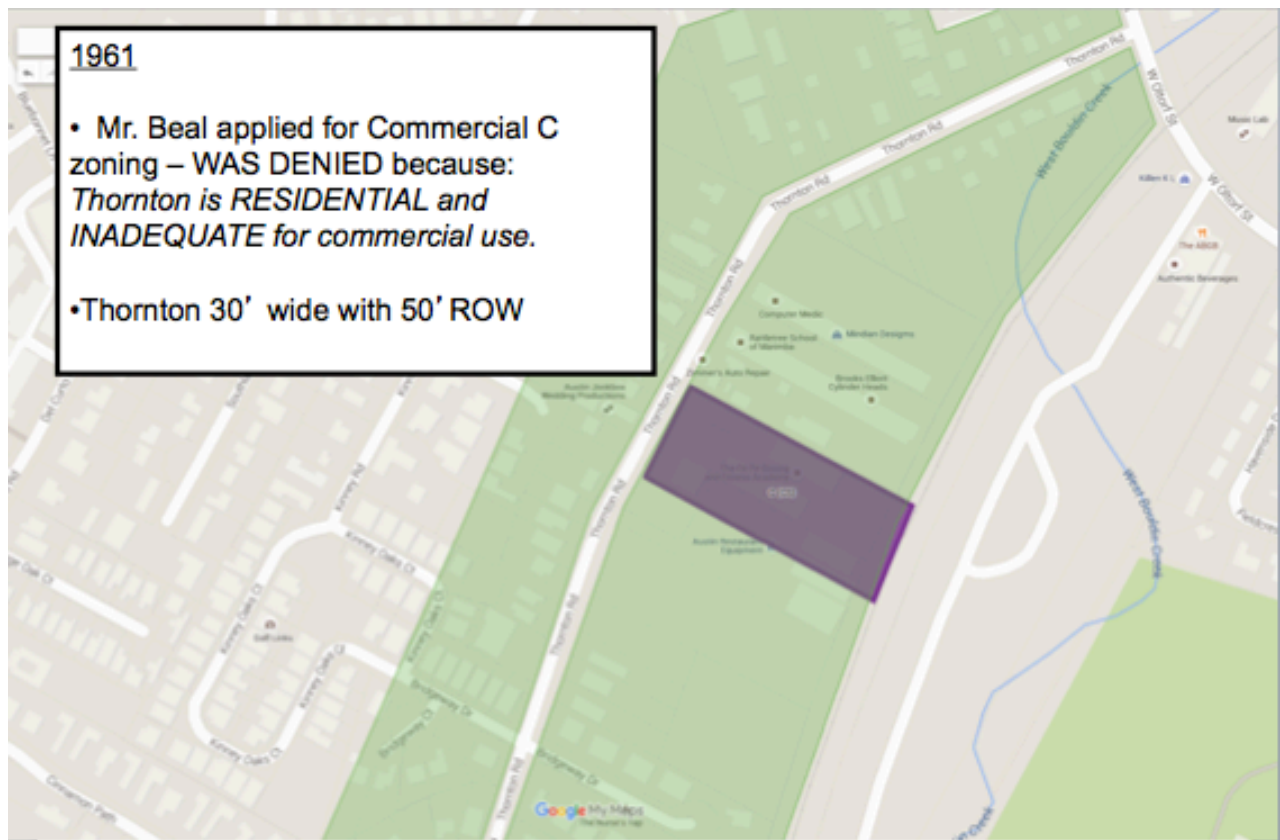


Figure 12 Thornton Road 1961



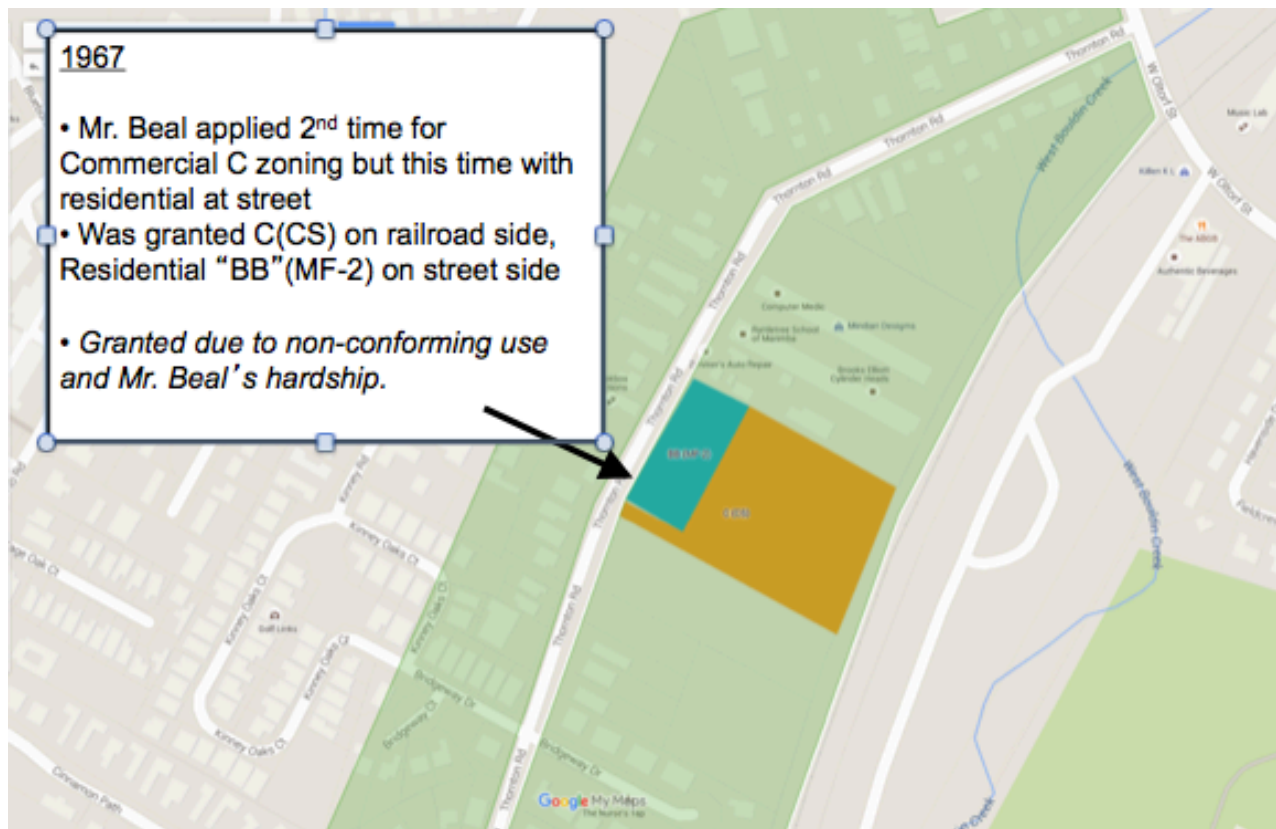


Figure 13 Thornton Road 1967

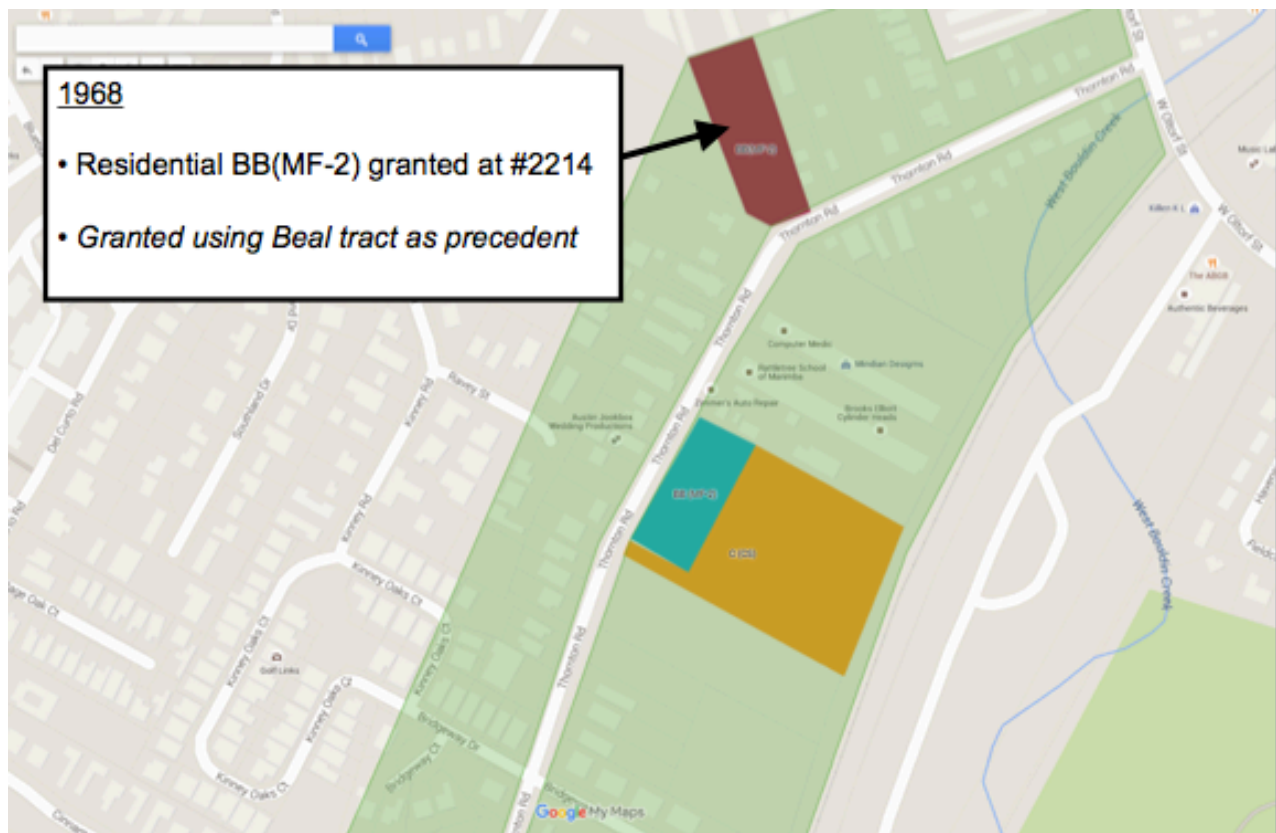


Figure 14 Thornton Road 1968



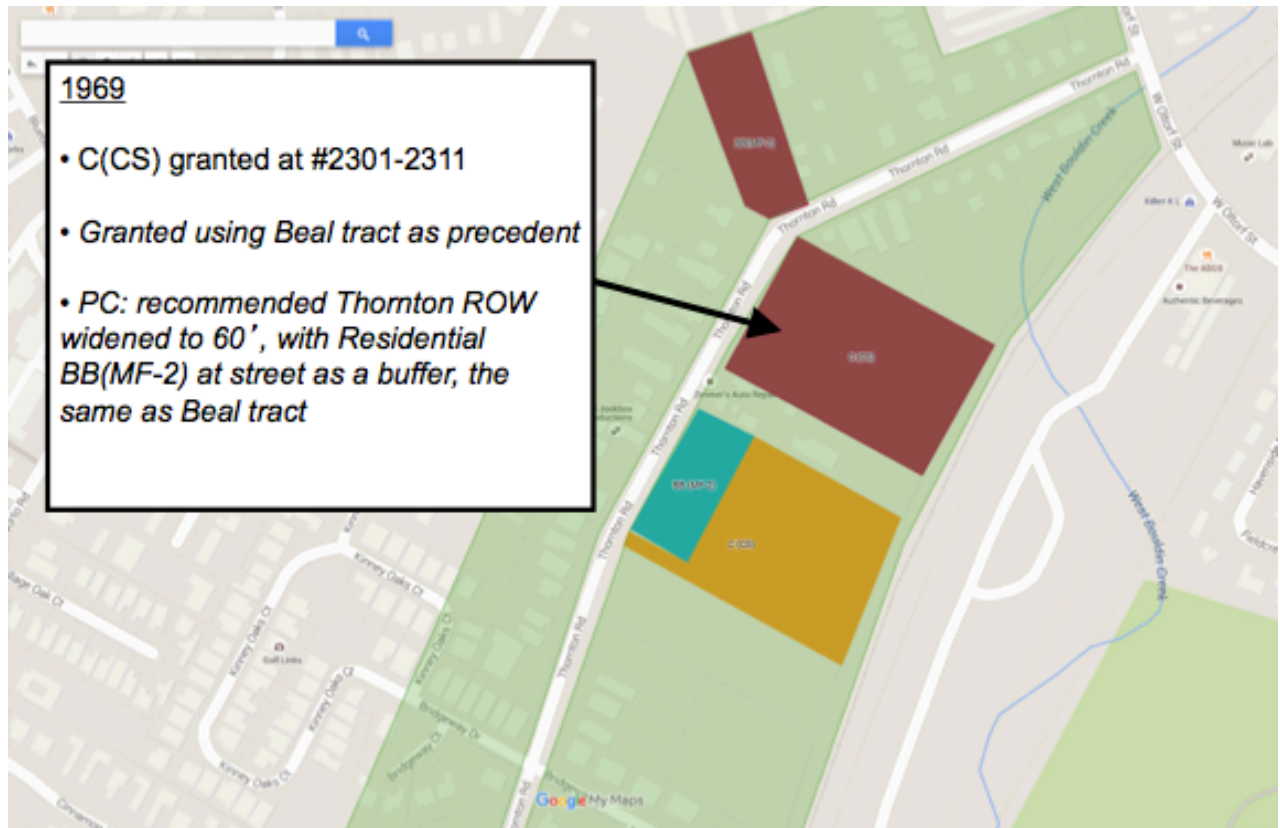


Figure 15 Thornton Road 1969a

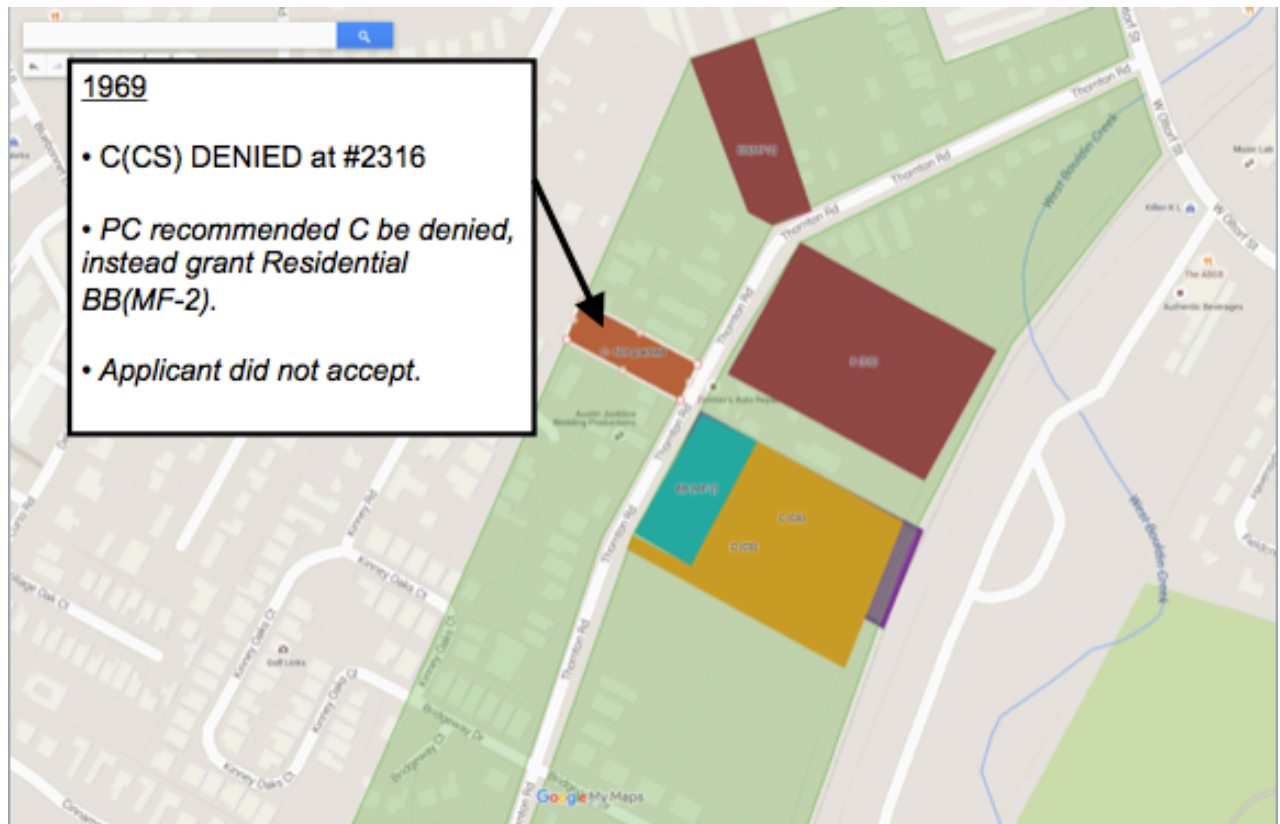


Figure 16 Thornton Road 1969b

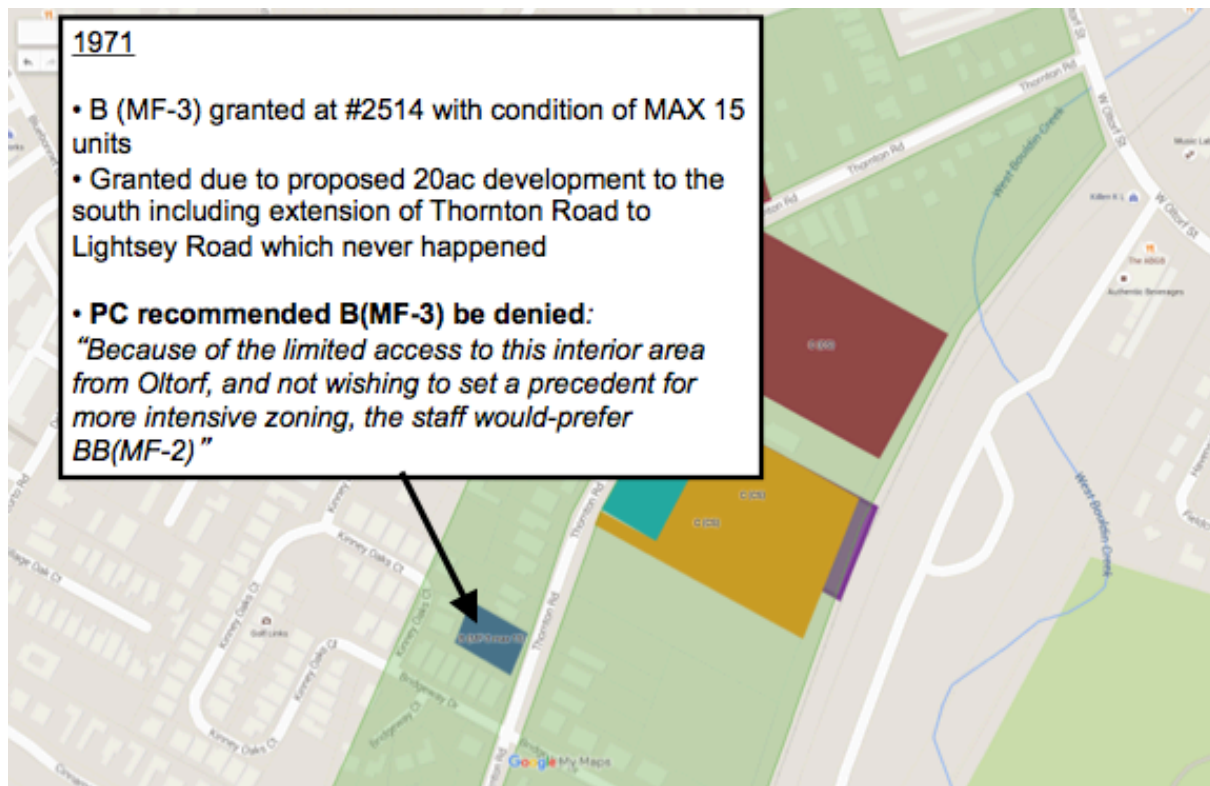


Figure 17 Thornton Road 1971

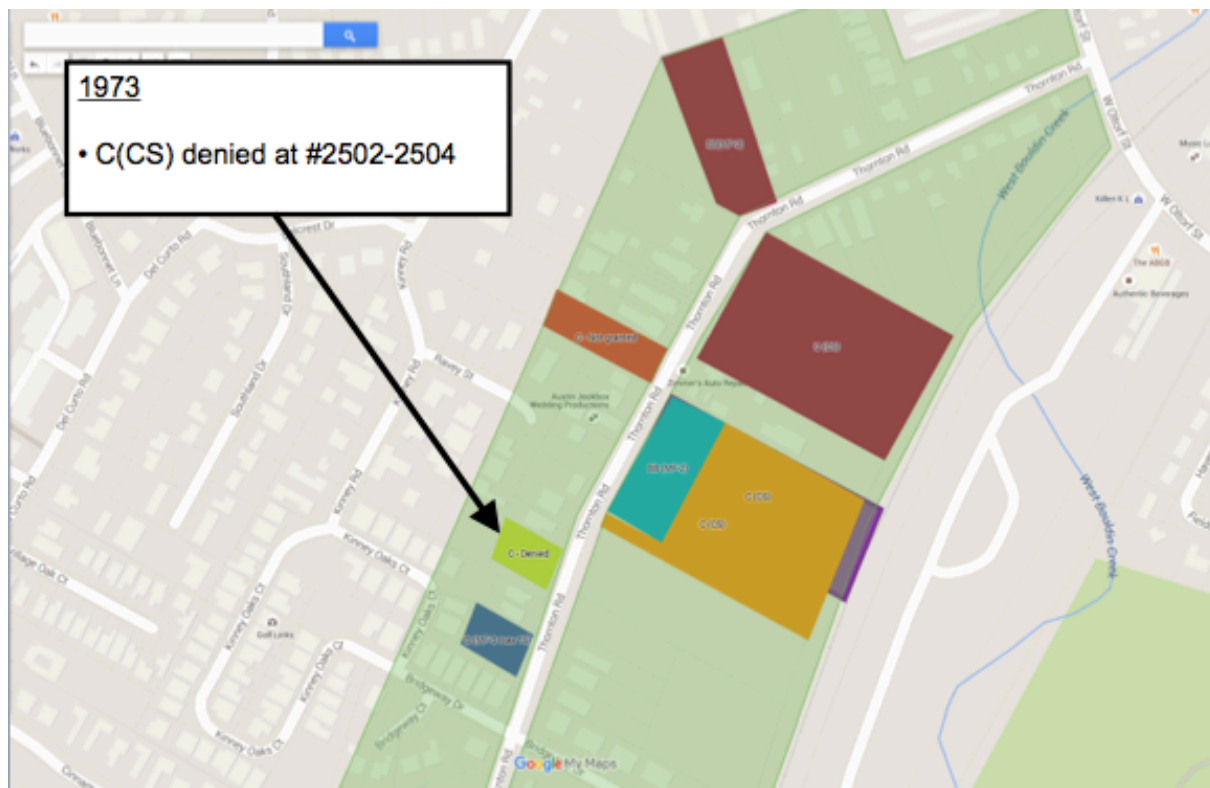


Figure 18 Thornton Road 1973



Figure 19 Thornton Road 1974



Figure 20 Thornton Road 1986



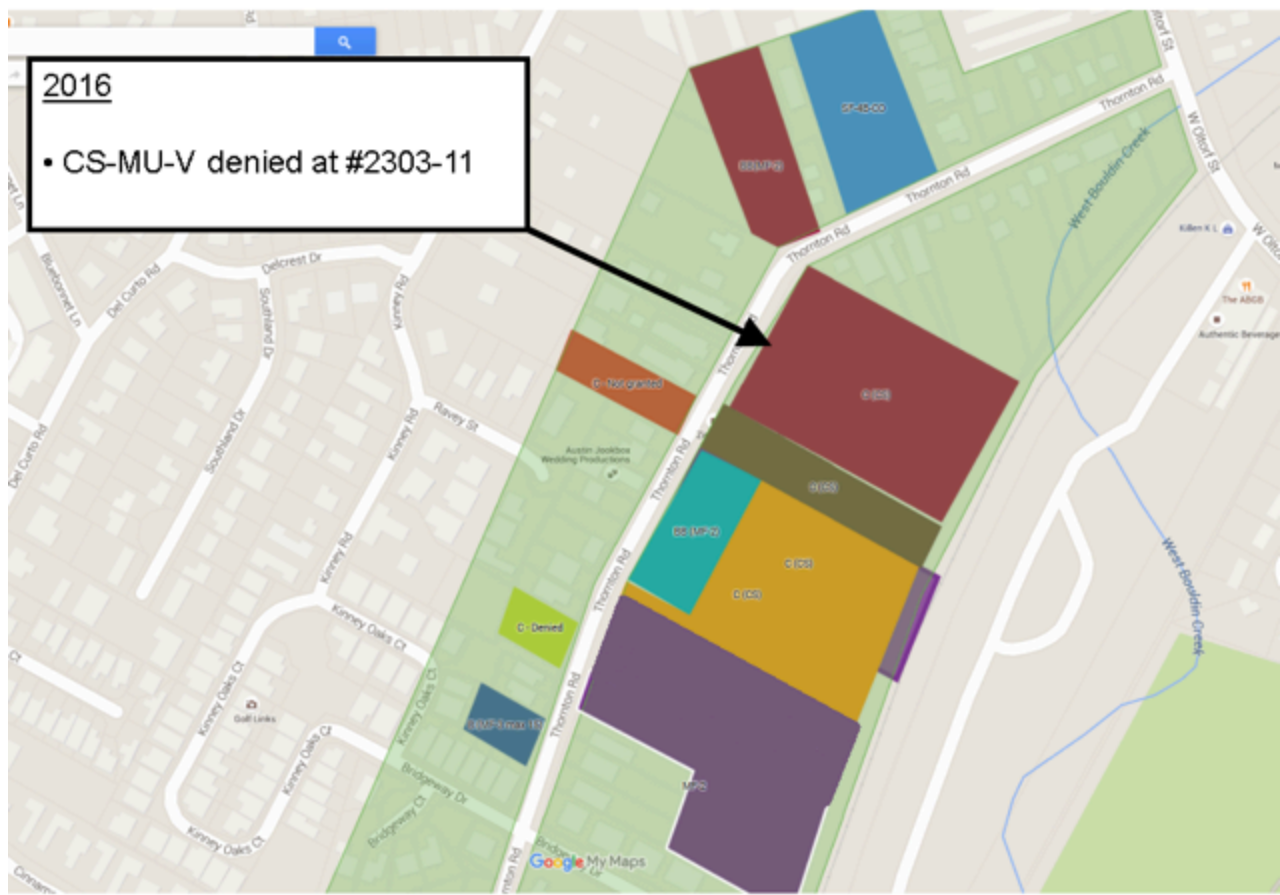


Figure 21 – Case C14-2015-0047 2303-2311 Thornton Road



## Appendix A Formerly Section 8 - Thornton Road History Notes

There are currently six commercial properties on Thornton which were zoned commercial in 3 separate zoning cases:

- 1 July 21, 1967: 2401-2413 Thornton
- 2 Nov 6, 1969: 2301-2311 Thornton
- 3 Mar 7, 1974: 2313-2315 Thornton

Note that in the final CS zoning, the planning commissioner recommended that "this tract should be more restrictive in its use", and Thornton should be widened to 60'.

The first commercial uses on Thornton Road were around 1955 at #2401 which was then just outside the city limits. City limits extended only through #2315 at that time.

Around 1960, the city annexed the remaining southern section of Thornton Road.

Here is the history with some highlighted quotes from the meeting minutes discussing the problems of Thornton Road. There are pertinent quotes in the planning commission minutes for which links are provided.

Apr 6, 1961

First zoning request for Commercial in interior of Thornton which was not granted  
City Council heard the application for zoning from "A" residential to "C" commercial at 2317-2409 Thornton ([Roy F. Beal, E.F. Evans Company](#)) and 2519-2707 Thornton (H.G. Linscomb) which was NOT RECOMMENDED by the Planning Commission with the following notes:

*The Planning Commission had studied these cases at length, and the problem of the zoning was a street problem. Mr. Beal's operations (E.F. Evans - sheet metal company) are under a non-conforming use, and are of an industrial of commercial type that is permitted under "C". Mr Linscomb (property at the south dead end of Thornton) has 6-1/2 acres and wants to put a contractor's office and equipment yard with some warehouses that will store only durable goods. He explained that about 25 acres would be earmarked for commercial uses. Discussion of former zoning, and dedication for right-of-way boulevard was held. Mr. Linscomb state he would give whatever they wanted as a reasonable amount. The Director of Planning stated the Railroad Company had indicated it would dedicate a right-of-way provided someone else developed it; and **he pointed out certain problems concerning the dedicated thoroughfare stating it would be necessary to rechannel the creek; concerning the development of Lightsey Lane in connection with the residential subdivision of South Terrace in which houses are under construction; concerning Thornton Road which is not opened on the ground on the Lindsey Tract; and concerning the early development of the entire area as residential with houses selling on three sides and the commercial area in the middle, away from the thoroughfare. He stated ultimately there would be a public responsibility to develop the streets in a large commercial area; in the meantime the residential developers are required to develop the street, put in the utilities and handle the drainage. Councilman Bechtol discussed the traffic flow, and state it would be up to the applicants to work that out and that the I&GN Railroad to join in it, and asked Mr. O'Quinn to contact the railroad and work this out. Mayor Pro-tem Palmer stated the Council would make a personal inspection of the area.***

<http://www.ci.austin.tx.us/edims/document.cfm?id=41208>

[Discussion at Planning Commission 2/14/61:](#)

<http://www.ci.austin.tx.us/edims/document.cfm?id=215317>

AND ON 3/14/61 where they voted to DENY:

<http://www.ci.austin.tx.us/edims/document.cfm?id=215318>

This case stayed pending for years, finally denied after no response from applicant:

<http://www.ci.austin.tx.us/edims/document.cfm?id=38206>

July 27, 1967

1st successful zoning on Thornton #2401

[2401-2411 Thornton from "A" residence to "BB" residence \(street side\) and 4 acres 2401-2413 Thornton \(adjacent to railroad tracks\) from "A" to "C"](#)

<http://www.ci.austin.tx.us/edims/document.cfm?id=38224>

<http://www.austintexas.gov/edims/document.cfm?id=39039>

Planning Commission minutes:

<http://www.ci.austin.tx.us/edims/document.cfm?id=215219>

Nov 6, 1969

[Council approves 2nd CS zoning in interior of Thornton](#)

<http://www.austintexas.gov/edims/document.cfm?id=38488>

[2301-2311 Thornton from "A" residence district to "C" commercial district](#)

Planning Commission minutes:

<http://www.ci.austin.tx.us/edims/document.cfm?id=215286>

Apr 9, 1970

Council heard 2316-2318 Thornton from "A" to "C", NOT recommended by Planning Commission, which recommended "BB" instead.

<http://www.ci.austin.tx.us/edims/document.cfm?id=24632>

Jan 7, 1970

Council approved 2512-2514 from "A" to "B" w/ restrictive covenant to limit of 15 units. Planning Commission did not recommend change to "B" but instead recommended "BB" which was less intensive - **"because of the limited access to this interior area from Oltorf Street and not wishing to set a precedent for more intensive zoning"**. Restrictive covenant of 15 units and subject to 5' right-of-way

<http://www.ci.austin.tx.us/edims/document.cfm?id=24553>

Mar 8, 1973

Council DENIED 2502-2504 Thornton from "A" to "C" but APPROVED "A" to "BB" which is what Planning Commission recommended "BB", explaining: **"Thornton Road is a dead-end street extending southerly off of Oltorf. It is an area developed prior to annexation and many of the uses there now are still single family. Recent zonings cover very deep lots, fronting on Thornton Road; and there is a warehouse fronting on the railroad track. Three zoning requests had been zoned "BB" residence and "B" residence and the fourth request was recommended for denial of the "C" Commercial zoning, but recommended for (low density-hence "BB") apartment zoning."**

[Mar 7, 1974](#)

3rd successful commercial zoning case

Council approved 2313-2315 Thornton from "A" to "C"

Planning Commission recommended the change **subject to 1/2 the r-o-w (5') to increase Thornton Road to 60'**. Planning commission comments: **"this was an older area in South Austin on a very long dead-end street and was predominantly residential. The previous requests for "C" Commercial, which had been granted, had either been dismissed because of incompleteness of requirements or their not being used for "C" purposes. He added that it was the opinion of the staff that rather than continue to zone "C", this tract should be more restrictive in its use."**

<http://www.ci.austin.tx.us/edims/document.cfm?id=27013>

<http://www.austintexas.gov/edims/document.cfm?id=27345>

