

ZONING CHANGE REVIEW SHEET**CASE:** C14-2017-0156**P.C. DATE:** January 9, 2018**ADDRESS:** 1105 Airport Boulevard**TOTAL AREA:** 9.86 Acres**DISTRICT:** 3**OWNER:** SL Shady Lane, LP (John Kiltz)**AGENT:** McLean & Howard, LLP (Jeffrey S. Howard)**EXISTING ZONING:** GR-MU-CO-NP**PROPOSED ZONING:** GR-MU-CO-NP, to change a condition of zoning

The rezoning request includes the following condition: The Property shall be subject to the Traffic Impact Analysis (TIA) approved by City Staff.

NEIGHBORHOOD PLAN AREA: Govalle-Johnston Terrace**TIA:** See attached memorandum**WATERSHED:** Boggy Creek**CAPITOL VIEW CORRIDOR:** No**DESIRED DEVELOPMENT ZONE:** Yes**SUMMARY STAFF RECOMMENDATION:**

Staff supports the Applicant's request to change a condition of zoning related to vehicular access; if approved, the site will no longer need a conditional overlay (CO). Therefore, Staff recommends community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. The TIA described above shall be attached to the rezoning as a public restrictive covenant (RC).

ISSUES:

This case was previously filed as Alta Trailhead, City File #C14-2017-0078. Due to a Staff error, the case was not placed on a Planning Commission agenda, which resulted in the case potentially expiring. Instead of letting it expire, the Applicant withdrew and refiled the case so it could move forward in a timely manner. No changes have been made to the refiled request.

The rezoning request proposes eliminating a conditional overlay (CO) that was established in 1998. No other changes to the base zoning are proposed. The CO stated that access to Shady Lane was prohibited, which would limit the site to take access to Airport Boulevard at the location of the existing driveway. The existing driveway is approximately 75 feet from the intersection of Airport Boulevard, Shady Lane and Bolm Road, and does not meet City standards for safety and driveway location. Also along the Airport Boulevard frontage are a bridge and grade change that would require unsafe driveway placement and/or major reconstruction of improvements.

Consequently, City Staff does not support any vehicular access to Airport Boulevard. By removing the conditional overlay, the Applicant proposes that the site access Shady Lane, which is supported by City Staff. The existing zoning also has a limit of 2,000 vehicle trips per day; however the proposed rezoning would attach a TIA that supersedes the trip limit. If the project complies with the requirements of the TIA, the trip limit CO will no longer be necessary.

A portion of the rezoning tract is located on land that was once part of the East Austin Tank Farm. The Applicant has provided documentation that the site has met the requirements for remediation to residential standards.

PLANNING COMMISSION RECOMMENDATION:

January 9, 2018:

DEPARTMENT COMMENTS:

The subject property is located north of the intersection of Airport Boulevard and Shady Lane. The site is undeveloped and zoned GR-MU-CO-NP. An undeveloped outparcel that is not part of the rezoning request (but owned by the same owner) is directly at the intersection and is zoned GR-MU-NP. The rezoning tract surrounds this outparcel and extends to its northern boundary of at the Southern Pacific railroad right-of-way (ROW). Across the ROW to the north is an undeveloped property zoned GR-MU-CO-NP. Also to the north, but south of the ROW is a property zoned GR-MU-CO-NP that is developed with an existing nonconforming use of Construction sales and services. Across Shady Lane to the northeast is the ThinkEAST Planned Unit Development (PUD). The PUD is partially developed with office and multifamily uses. East across Shady Lane are a mix of land uses. From north to south (ending at Airport Boulevard) are properties zoned SF-3-NP, P-NP, GR-MU-NP, CS-MU-CO-NP, and GR-NP. These tracts are occupied, respectively, with a vacant residential use, Govalle Neighborhood Park, business support services, multifamily residential, art workshop, and undeveloped land uses. The SF-3-NP property with the vacant residence is currently under City review for a rezoning request to MF-4-NP (City File # C14-2017-0094). Southeast of the rezoning tract, across Bolm Road and Shady Lane are properties zoned CS-CO-NP occupied by convenience store/gas station and convenience self-storage land uses. Southwest of the rezoning tract, across Airport Boulevard, are properties zoned GR-NP, GR-MU-NP, and SF-3-NP. These are occupied, respectively, with automotive sales, automotive repair, and single family land uses. West of the subject property, across Airport Boulevard, is property zoned P-NP that was previously used for general warehousing, manufacturing and distribution when the East Austin Tank Farm area was active. The site is vacant, with only paved areas remaining. Also west of the property, across both Airport Boulevard and the railroad ROW is land zoned P-NP that is developed with a mix of commercial and limited industrial uses, including a brewery, event center, restaurant and more. Also to the west, across the railroad ROW is undeveloped land zoned GR-MU-CO-NP. *Please refer to Exhibits A and B (Zoning Map and Aerial View).*

The subject property was zoned in 1998 and is subject to Ordinance 980709-D (City File # C14-98-0063). The property was rezoned from LI to GR-MU-CO, with a limit of vehicular trips to 2,000/day, and the following: "Vehicular access to the Property is permitted from the existing driveway approach on Airport Boulevard. All other vehicular access to the Property from other adjacent public streets or through other adjacent property is prohibited."

As stated in the Issues section of this report, the existing driveway is approximately 75 feet from the intersection of Airport Boulevard, Shady Lane and Bolm Road, and does not meet City standards for safety and driveway location. Also along the Airport Boulevard frontage is a bridge and grade change that would require unsafe driveway placement and/or major reconstruction of improvements. Consequently, City Staff does not support any vehicular access to Airport Boulevard. By removing the conditional overlay, the Applicant proposes that the site access Shady Lane, which is supported by City Staff. The existing zoning also has a limit of 2,000 vehicle trips per day; however the proposed rezoning would attach a TIA that supersedes the trip limit. If the project complies with the requirements of the TIA, the trip limit CO will no longer be necessary. *Please refer to Exhibit C (TIA Memorandum).*

A portion of the rezoning tract is located on land that was once part of the East Austin Tank Farm. The Applicant has provided documentation that the site has met the requirements for remediation to residential standards. *Please refer to Exhibit D (Environmental Remediation Information).*

Staff has received correspondence from interested groups and individuals regarding the rezoning request. *Please refer to Exhibit E (Correspondence).*

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-CO-NP	Undeveloped
<i>North</i>	GR-MU-CO-NP	Railroad ROW, Undeveloped, Construction sales and services
<i>South</i>	GR-MU-NP, GR-NP, CS-CO-NP	Undeveloped, Automotive sales, Automotive repair, Single family residential
<i>East</i>	PUD-NP, SF-3-NP, P-NP, GR-MU-NP, CS-MU-CO-NP, GR-NP	Vacant, Govalle Neighborhood Park, Business support services, Multifamily residential, Art workshop, Undeveloped
<i>West</i>	PUD-NP, P-NP, SF-3-NP	Mixed use commercial/limited industrial, Undeveloped

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2017-0078 Flats on Shady	SF-3-NP to MF-4-NP (under review)	01/09/2018: Request to be postponed by Staff to January 23, 2018	TBD
C814-2012-0016.SH ThinkEAST PUD	LO-MU-CO-NP, SF-3-NP to PUD-NP	05/16/2013: To grant To grant PUD-NP as recommended by Staff (8-0) [D. Chimenti- 1 st , B. Roark- 2 nd ; A. Hernandez- Absent]	06/06/2013: To grant PUD-NP with conditions (7-0) [B. Spelman- 1 st , S. Cole- 2 nd]

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Shady Lane	57-66 ft.	41 ft.	Collector	No	No	Yes
Airport Boulevard	120-140 ft.	67 ft.	Arterial	Yes	Yes	Yes

SCHOOLS:

Govalle Elementary School

Martin Middle School

Eastside Memorial HS at Johnston

NEIGHBORHOOD ORGANIZATIONS:

East MLK Combined Neighborhood Plan Contact Team
 African American Cultural Heritage District
 Friends of Austin Neighborhoods
 Claim Your Destiny Foundation
 El Concilio Mexican-American Neighborhoods
 Austin Neighborhoods Council
 Govalle/Johnston Terrace Neighborhood Plan Team
 United East Austin Coalition
 Guadalupe Neighborhood Development Corporation
 Austin Innercity Alliance

East Austin Conservancy
 Black Improvement Association
 Homeless Neighborhood Association
 Del Valle Community Coalition
 Neighbors United for Progress
 SELTexas
 The Gardens Neighborhood Association
 Preservation Austin
 Sierra Club, Austin Regional Group

Item C-12

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CITY COUNCIL DATE & ACTION:

February 1, 2018:

ORDINANCE READINGS: 1st 2nd 3rd

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

ORDINANCE NUMBER:

PHONE: 512-974-2122

SUMMARY STAFF RECOMMENDATION:

Staff supports the Applicant's rezoning request. The rezoning request includes the condition that the City-approved TIA be attached via public RC. Staff supports the Applicant's request because the rezoning would eliminate a CO that would not be recommended under current City Code. Staff does not support the existing CO, and recommends that no access be taken to Airport Boulevard. A TIA has been approved for the property that applies current Code and evaluates the existing and proposed traffic conditions in the area. No TIA was prepared in support of the CO when it was added to the property in 1998. No other changes to the base zoning are proposed.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*
If the conditional overlay remains, any development of the subject property would utilize the existing driveway that does not meet City standards for safety and driveway location. Removal of the CO is supported by current City standards and the analysis included in the TIA. Redevelopment of the site should comply with current City standards, including the driveway location.

2. *Zoning should allow for reasonable use of the property.*
The subject property needs a safe alternative to the access provided for by the conditional overlay. The current driveway location does not provide reasonable and safe access to or from the property.

3. *Zoning changes should promote the health, welfare, and safety, and otherwise fulfill the purposes of zoning as set forth in the Texas Local Government Code or the zoning ordinance.*
Existing traffic conditions at the adjacent intersection of Airport Boulevard, Shady Lane and Bolm Road are already very challenging. A driveway at the current location could exacerbate the current safety issues at the intersection. Removal of the CO is supported by current City Code, as well as the priority of safety, as set forth in the Local Government Code.

Site Plan:

SP 1. Site plans will be required for any new development other than single-family or duplex residential.
SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Compatibility Standards

SP 4. The site is subject to compatibility standards. Along the northeast property line, the following standards apply:

- ☐ No structure may be built within 25 feet of the property line.
- ☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐ No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.

- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- ☐ A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH. Additional design regulations will be enforced at the time a site plan is submitted.

Airport Overlay

SP 5. FYI – This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing.

SP 6. This property is located in the Govalle/Johnston Terrace Combined NPA. Additional comments may be generated during the site plan review process.

Transportation:

TR1. 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]. Comments will be provided in a separate memo.

TR2. Due to the existing bridge, topography, and street operations, vehicular access to Airport Boulevard will be prohibited during the site plan application. All vehicular access shall be from Shady Lane.

TR3. Shady Lane is classified as a Neighborhood Collector and requires 64 feet of right-of-way. If the requested zoning is recommended for this site, 32 feet of right-of-way should be dedicated from the centerline of Shady Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

TR4. The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for Airport Boulevard. If the requested zoning is granted for this site, then 70 feet of right-of-way from the existing centerline should be dedicated for Airport Boulevard according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

TR5. Additional right-of-way maybe required at the time of subdivision and/or site plan application in accordance with the Transportation Plans.

TR6. This project is adjacent to a street where the curb is proposed to be moved to achieve superior bicycle facilities (Airport Boulevard). Staff will contact Nathan Wilkes, Bicycle Program, ATD for guidance for the proper alignment.

TR7. The Urban Trails Master Plan proposes a Tier II urban trail (Walnut Creek Trail and Mogan Corridor Trail) along the railroad and through the property connecting to the Govalle Park (across Shady Lane). Staff will contact Public Works and Parks and Recreation Department for guidance for the trail requirement. Please review the Urban Trails Master Plan for more information.

TR8. Janae Ryan, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR9. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Airport Boulevard.

TR10. Staff recommends providing a vehicular connection and joint use access with the lot to the south to reduce curb cuts to Bolm Road and Shady Lane at the time of the site plan application.

TR11. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Shady Lane	57-66 ft.	41 ft.	Collector	No	No	Yes
Airport Boulevard	120-140 ft.	67 ft.	Arterial	Yes	Yes	Yes

Comprehensive Planning:

Connectivity. There is a public transit stop located across Airport Blvd. and public sidewalks located partially along Shady Ln. (on the other side of the street). The Walkscore for this site is 49/100, meaning most errands require a car.

Govalle/Johnson Terrace Combined Neighborhood Planning Area. The Govalle/Johnson Terrace Combined Neighborhood Plan (GJTCNP) Future Land Use Plan identifies this portion of the planning area as Mixed Use, which allows for zone GR-MU. Mixed Use is defined as an area that is intended for a mix of residential and non-residential uses, including retail and commercial services.

The following goals and text are taken from the GJGCNP and are applicable to this case:

Goal 2: Preserve and protect current and future single-family neighborhoods. (Gov/JT)

- ☐ Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods. (Sector Plan)

Goal 3: Develop a balanced and varied pattern of land use. (Sector Plan)

- ☐ Provide a balance of land use and zoning for people to both live and work in the area.
- ☐ Encourage mixed use so that residential uses are allowed on some commercial properties.(Gov/JT)
- ☐ Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment.
- ☐ Ensure that new development and redevelopment respects the existing scale and character of the planning area.

Goal 5: Maintain an affordable and stable housing stock. (Sector Plan)

- ☐ Provide a diverse range of housing opportunities for all stages of life and income levels. (Sector Plan and modified by Gov/JT)
- ☐ Increase home ownership opportunities. (Sector Plan)
- ☐ Encourage the development of affordable single-family and multi-family units on vacant tracts in established neighborhoods. (Sector Plan)

Tank Farm Properties

This plan's vision for the future of these properties is as follows.

- Mix of retail, commercial, office, civic, residential, cultural and open space uses.
- The uses should be targeted to the needs of the surrounding neighborhoods, and be compatible with those neighborhoods.
- The site should be developed as a part of the community – perhaps even a focal point for community activity and community building.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this project as being by a Neighborhood Center (Springdale Station) and along an Activity Corridor.

- ☐ 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 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.

- ☐ LUT P10. Direct housing and employment growth to activity centers and corridors, and preserving and integrating existing affordable housing where possible.
- ☐ 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 schools, retail, employment, community services, and parks and recreation options.

Analysis and Conclusion

This project appears to be generally supported by the FLUM of the Govalle/Johnson Terrace Combined NP (which is adopted under Imagine Austin) but not fully by the text of the plan. This property is also located along a designated Activity Corridor and by a Neighborhood Center, which supports multifamily housing. Based on the above, this project appears to be generally supported by Imagine Austin.

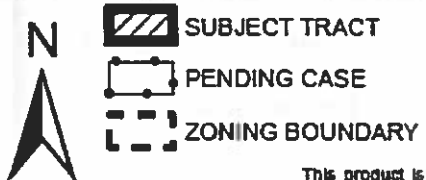
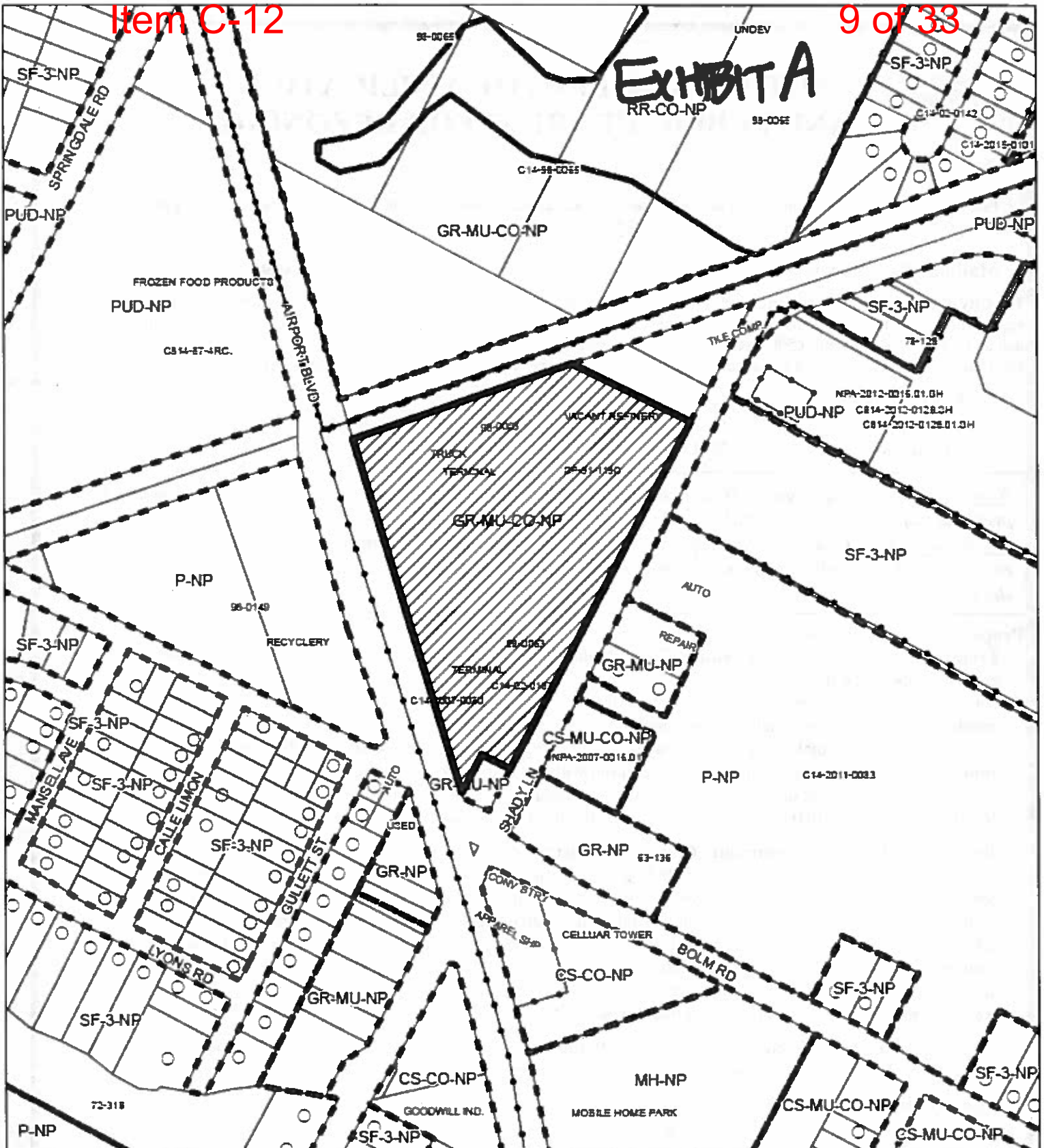
Environmental:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Water/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, 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. 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.

EXHIBIT A



ZONING
ZONING CASE # C14-2017-0156



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

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding the accuracy or completeness of the information.

1" = 300'





SQ Environmental, LLC
P.O. Box 1991
Austin, TX 78767
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(512) 900-7731

EXHIBIT D

19 July 2017

Anthony McGlown
VCP-CA Project Manager
Remediation Division
Texas Commission on Environmental Quality
MC 221, PO Box 13087
Austin, TX 78711-3087

Via E-Mail: anthony.mcgrown@tceq.texas.gov

Re: **Proof of Filing VCP Final Certificate of Completion**
1105 Airport Redevelopment Property, 1105 Airport Blvd, Austin, Travis County, Texas
VCP No. 2826, Customer No. CN605185131, Regulated Entity No. RN100636786
SQE PN: 1006.018.004

Dear Mr. McGlown:

In a Letter dated 17 May 2017, the Texas Commission on Environmental Quality (TCEQ) determined that the 1105 Airport Redevelopment Property had attained Texas Risk Reduction Program (TRRP) Remedy Standard A residential land use standards, in accordance with 30 Texas Administrative Code (TAC) §350.32, and was prepared to issue a Certificate of Completion (COC) for the site pursuant to 30 TAC §333.7©(1) and §333.10.

Subsequently, an Affidavit of Completion of Response Actions was completed and submitted to the TCEQ, and Ms. Beth Seaton of the TCEQ executed a Voluntary Cleanup Program (VCP) Final Certificate of Completion on 15 June 2017. The executed VCP Final Certificate of Completion was filed with the Real Property Records of Travis County, and the proof of filing is provided in Attachment A.

SQE appreciates the opportunity to provide proof of filing the VCP Final Certificate of Completion. Please contact me if you have any questions or would like additional information at (512) 541-6028 or r.gonzalez@sqenv.com.

Sincerely,
SQ Environmental, LLC

A handwritten signature in blue ink, appearing to read 'Randy Gonzalez'.

Randy Gonzalez
Project Manager

cc: Travis Eickenhorst, SL Shady Lane
Gerald Pels, Locke Lord
Susan Litherland, SQ Environmental

HAND DELIVERED

ATTACHMENT A



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

VOLUNTARY CLEANUP PROGRAM
FINAL CERTIFICATE OF COMPLETION

This Final Certificate of Completion (Certificate) applies to the tract of land described in Exhibit "A", attached hereto and incorporated herein by reference. This Certificate and the related protection described herein apply solely to releases at the tract of land described in Exhibit "A" prior to the execution date of this Certificate. This Certificate shall be a covenant that runs with the land.

As provided in Section 361.609 of the Texas Health and Safety Code:

I, Beth Seaton, Director, Remediation Division, TCEQ, certify as follows:

Response actions have been completed for VCP No. 2826 as of May 22, 2017, for the tract of land described in Exhibit "A" so that the tract is acceptable for residential land use.

This certification is based on the Affidavit of Completion of Response Actions (Exhibit "B") and Restrictive Covenant (Exhibit "C"), attached hereto and incorporated herein by reference, and on additional site information in TCEQ files.

The following persons are qualified to obtain the protection from liability described in Section 361.610 of the Texas Health and Safety Code, provided the applicant or future owners are not in violation of the restrictive covenant in Exhibit "C":

- 1) An applicant who on the date of submittal of an application to the Voluntary Cleanup Program was not a responsible party under Sections 361.271 or 361.275(g) of the Texas Health and Safety Code; and
- 2) All persons (e.g., future owners, future lessees, future operators and lenders) who on the date of issuance of this Certificate were not responsible parties under Sections 361.271 or 361.275(g) of the Texas Health and Safety Code.

Further information concerning this matter may be found at the TCEQ Central File Room in Building E, Room 103, 12100 Park 35 Circle, Austin, Texas 78753 under Voluntary Cleanup Program No. 2826.

EXECUTED this the 15th day of June, 20 17

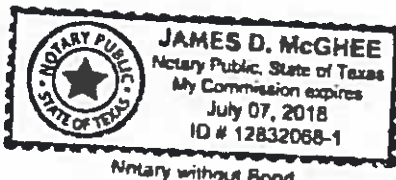
Beth Seaton

Beth Seaton, Director
Remediation Division

STATE OF TEXAS
TRAVIS COUNTY

BEFORE ME, on this the 15th day of JUNE, personally appeared, Beth Seaton, Director, Remediation Division, TCEQ, known to me to be a representative of said commission whose name is subscribed to the foregoing instrument and she acknowledged to me that she executed the same for the purposes and in the capacity therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 15th day of JUNE, 20 17



James D. McGhee
Notary Public in and for the State of Texas

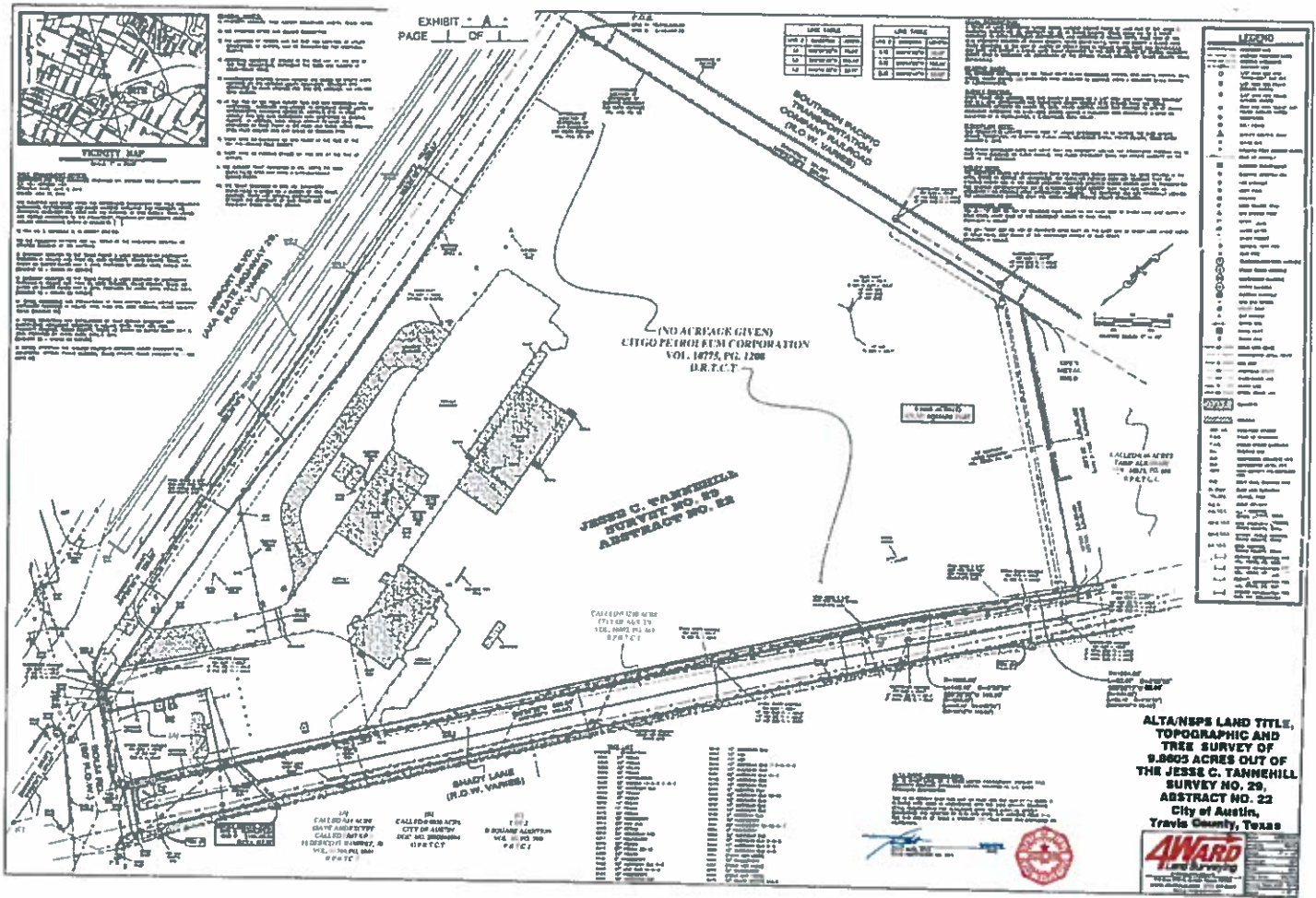


EXHIBIT "B"
AFFIDAVIT OF COMPLETION OF RESPONSE ACTIONS
VCP No. 2826

BEFORE ME, the undersigned authority, on this day personally appeared John Kiltz, as an authorized representative of SL Shady Lane, LP, known to me to be the person whose name is subscribed below who being by me first duly sworn, upon their oath, stated as follows:

I am over the age of 18 and legally competent to make this affidavit. I have personal knowledge of the facts stated herein.

SL Shady Lane, LP (Applicant) has completed response actions pursuant to Chapter 361, Subchapter S, Texas Health and Safety Code, at the tract of land described in Exhibit "A" to this certificate that pertains to 1105 Airport Redevelopment (Site), VCP No. 2826, located at 1105 Airport Blvd., Austin, Travis County, Texas. The Site was owned by Citgo Petroleum Corporation at the time the application to participate in the Voluntary Cleanup Program was filed. The Applicant has submitted and received approval from the Texas Commission on Environmental Quality (TCEQ) Remediation Division on all plans and reports required by the Voluntary Cleanup Agreement. The plans and reports were prepared using a prudent degree of inquiry of the Site consistent with accepted industry standards to identify all hazardous substances, waste and contaminated media of regulatory concern. The response actions for the Site have achieved standards acceptable for residential land use as determined by the TCEQ.

The response actions substantially eliminated present or future risk to public health and safety and to the environment from releases and threatened releases of hazardous substances and/or contaminants at or from the Site. The Applicant has not acquired this Certificate by fraud, misrepresentation or knowing failure to disclose material information. Further information concerning the response action at this Site may be found in the final report at the central office of the TCEQ under VCP No. 2826.

The preceding is true and correct to the best of my knowledge and belief.

VCP Applicant

[Signature]
 (Signature)

JOHN KILTZ
 (Printed Name)

Authorized Representative
 (Title)

STATE OF TEXAS
 COUNTY OF TRAVIS

SUBSCRIBED AND SWORN before me on this the 22 day of May, 20 17, to which witness my hand and seal of office.

[Signature]
 Notary Public in and for the State of TEXAS

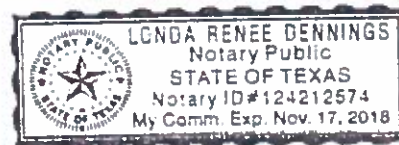


EXHIBIT "C"
Restrictive Covenant
VCP No. 2826

SL Shady Lane, LP (Owner) is the owner of the tract of land described in Exhibit "A", attached hereto and incorporated herein by reference, that pertains to 1105 Airport Redevelopment (Site), VCP No. 2826 located at 1105 Airport Blvd. in Austin, Travis County, Texas. In consideration of the Response Actions by SL Shady Lane, LP (VCP Applicant) and issuance of this Final Certificate of Completion, the Owner has agreed to place the restrictions listed below on the Site at the areas described in the attached exhibit, and in favor of the Texas Commission on Environmental Quality (TCEQ) and the State of Texas. This Restrictive Covenant is filed to provide information concerning certain environmental conditions and use limitations.

This Restrictive Covenant is required for the following reasons:

The area described in Exhibit "C-1", attached hereto and incorporated herein by reference, overlies groundwater which contains concentrations of chemicals exceeding TCEQ-approved protective concentrations, plus any additional area allowed by the TCEQ. The area described in Exhibit "C-1" is being managed such that human exposure is prevented and other groundwater resources are protected.

Now, therefore, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following Restrictive Covenant in favor of the TCEQ and the State of Texas is placed on the Site, at the areas described in the attached exhibits, to-wit:

1. The following restrictions shall be a covenant running with the land.
2. Use of and exposure to the groundwater for any purpose is prohibited without prior written approval from the TCEQ within the area described in Exhibit "C-1", or until such time when all of the chemicals of concern in groundwater within the area no longer exceed levels which are protective of the public health.
3. Removal or modification of this restrictive covenant is prohibited without prior written approval from the TCEQ.

For additional information, contact:

In person:
TCEQ Central Records
12100 Park 35 Circle, Building E
Austin, Texas 78753

Mail:
TCEQ – MC 199
P.O. Box 13087
Austin, Texas 78711-3087

This Restrictive Covenant may be rendered of no further force or effect only by a release executed by the TCEQ or its successor agencies and filed in the same Real Property Records as those in which this Restrictive Covenant is filed.

Property Owner
(Signature)

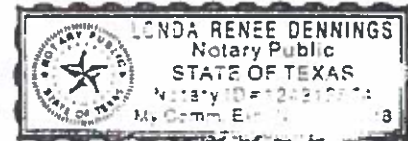
JOHN KULTZ

(Printed Name)

9600 N. MOORE, STE 250 AUSTIN, TX 78749
(Mailing Address)

STATE OF TEXAS

COUNTY OF TRAVIS



SUBSCRIBED AND SWORN before me on this the 22 day of MAY, 2017,
to which witness my hand and seal of office.

Notary Public in and for the State of TEXAS

VCP Applicant

(Signature)

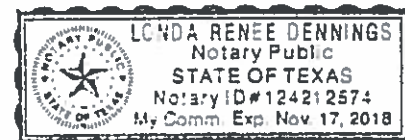
JOHN KULTZ

(Printed Name)

Authorized Representative
(Title)

STATE OF TEXAS

COUNTY OF TRAVIS



SUBSCRIBED AND SWORN before me on this the 22 day of MAY, 2017,
to which witness my hand and seal of office.

Notary Public in and for the State of TEXAS

Accepted as Third Party Beneficiary this the 15th day of JUNE 2017

Texas Commission on Environmental Quality

Beth Seaton
(Signature)

Beth Seaton
(Printed Name)

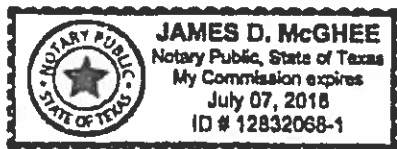
Director
(Title)

STATE OF TEXAS

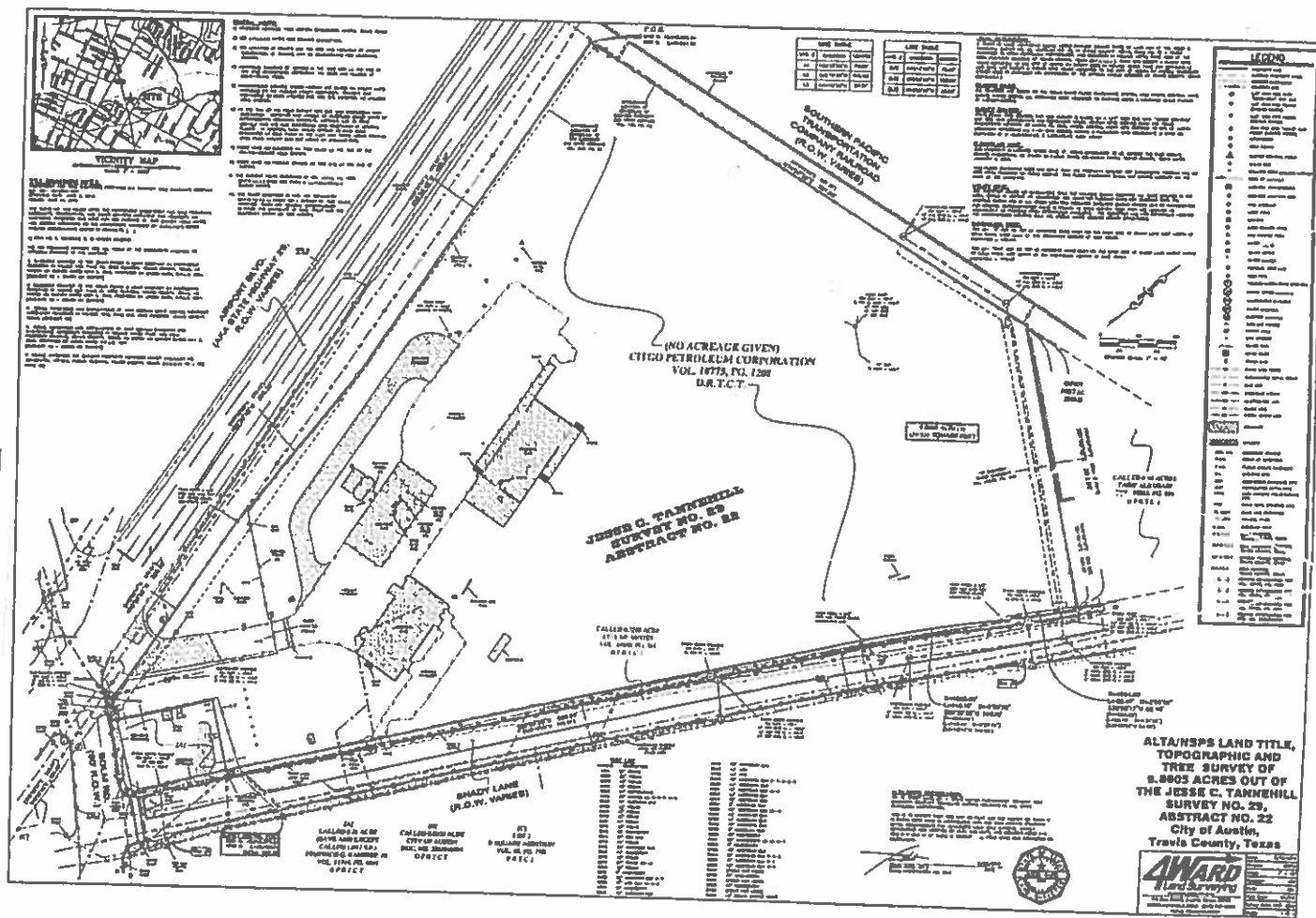
TRAVIS COUNTY

SUBSCRIBED AND SWORN before me on this the 15th day of JUNE 2017,
to which witness my hand and seal of office.

James D. McGhee
Notary Public in and for the State of TEXAS



Notary without Bond

EXHIBIT C-1
PAGE 1 OF 2

BLE	
N	LENGTH
"W	79.97'
"W	103.59'
"W	23.82'

LEGAL DESCRIPTION:

A TRACT OF LAND CONTAINING 9.8805 ACRES (429,321 SQUARE FEET) OF LAND OUT OF THE JESSE C. TAMMILL SURVEY NO. 29, ABSTRACT NO. 22, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A TRACT CONVEYED TO CITGO PETROLEUM CORPORATION, AND RECORDED IN VOLUME 10773, PAGE 1208 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.), SAVE AND EXCEPT A 0.3210 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY STREET DEED IN VOLUME 10403, PAGE 384 (R.P.R.T.C.T.), AND SAVE AND EXCEPT A 0.0030 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY SPECIAL WARRANTY STREET DEED IN DOCUMENT NO. 2002048984 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.).

BEARING BASE:

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83 (CORR), ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000074921373.

SURVEY CONTROL:

STATE PLANE GRID CONTROL FOR THIS SURVEY IS BASED ON A 1/2" IRON ROD WITH "WARD CONTROL" CAP SET, GRID COORDINATES AND ELEVATIONS SHOWN HEREON WERE DERIVED FROM THE TEXAS COOPERATIVE NETWORK ON MARCH 23, 2018, "WARD CONTROL" POINT WAS CHECKED TO CITY OF AUSTIN MONUMENT REFERENCE NO. L-21-2001 (CB39), HAVING A PUBLISHED GRID COORDINATE & NAVD 83 ELEVATION OF N 10,087,547.88, E 3,129,712.88, ELEV. 452.91'.

FLOODPLAIN NOTE:

THIS PROPERTY IS LOCATED WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON FIRM, PANEL NO. 48433C 04634, TRAVIS COUNTY, TEXAS DATED JANUARY 8, 2016.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

UTILITY NOTE:

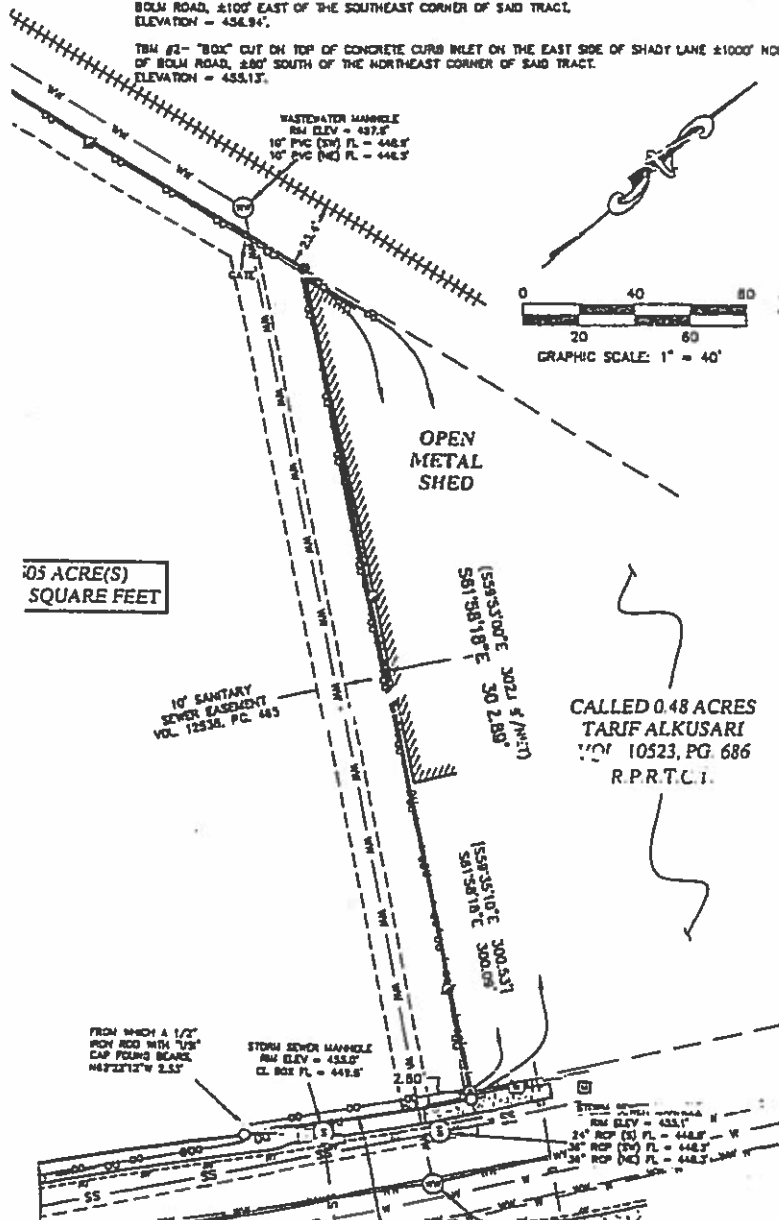
THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED (UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR GRAPHIC REPRESENTATION ONLY) ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ONLY THE USABLE ABOVE GROUND UTILITY STRUCTURES.

BENCHMARK NOTE:

TBM #1 - "X" CUT ON TOP OF CONCRETE CURB INLET ON THE EAST SIDE OF SHADY LANE ±50' NORTH OF BOLD ROAD, ±100' EAST OF THE SOUTHEAST CORNER OF SAID TRACT, ELEVATION = 456.94'.

TBM #2 - "BOX" CUT ON TOP OF CONCRETE CURB INLET ON THE EAST SIDE OF SHADY LANE ±1000' NORTH OF BOLD ROAD, ±80' SOUTH OF THE NORTHEAST CORNER OF SAID TRACT, ELEVATION = 455.13'.

UTILITY MANHOLE
RM ELEV = 457.8'
PVC (RM) FL = 448.1'
PVC (MC) FL = 448.5'



105 ACRE(S)
SQUARE FEET

CALLED 0.48 ACRES
TARIF ALKUSARI
VOL. 10523, PG. 686
R.P.R.T.C.T.

LEGEND

---	PROPERTY LINE
---	EXISTING PROPERTY LINES
---	EXISTING EASEMENTS
---	CONTOUR LINE
○	1/2" IRON ROD WITH "WARD-5811" CAP SET
●	1/2" IRON ROD FOUND (UNLESS NOTED)
○	5/8" IRON PIPE FOUND (UNLESS NOTED)
□	IRON ROD WITH "WALIS" CAP FOUND (UNLESS NOTED)
○	BENCHMARK
○	SOIL FOUND
△	SURVEY CONTROL POINT
○	CLEAN OUT
●	BOLLARD POST (UNLESS NOTED)
---	EDGE OF ASPHALT
⊠	ELECTRIC TRANSFORMER
⊙	ELECTRIC JUNCTION BOX
◆	FIRE HYDRANT
☆	LIGHT POLE
□	MAILBOX
⊠	CARD READER TPAD
△	GAS MARKER POST
○	WATER VALVE
○	WATER METER
○	WATER FAUCET
●	VERTICAL VENT PIPE
○	VENT PIPE
○	TELECOMMUNICATIONS MANHOLE
○	STORM SEWER MANHOLE
○	WASTEWATER MANHOLE
○	WATER MANHOLE
○	ELECTRIC MANHOLE
○	SIGN (AS NOTED)
○	UTILITY POLE
↓	CUT ANCHOR
---	GUARD RAIL
⊠	DRAIN INLET
⊠	TRASH CAN
---	CHAIN LINK FENCE
---	CORRUGATED METAL FENCE
---	GAS LINE
---	OVERHEAD UTILITY
---	WASTEWATER LINE
---	WATER LINE
---	STORM SEWER LINE
⊠	CONCRETE
⊠	BUILDING
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
B.L.	BUILDING LINE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
HDPE	HIGH-DENSITY POLYETHYLENE PIPE
PVC	POLY VINYL CHLORIDE PIPE
FL ELEV	FLOW LINE ELEVATION
VOL./PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
(---)	RECORD INFORMATION PER VOL. 18773, PG. 1208
(---)	RECORD INFORMATION PER VOL. 10323, PG. 1041
(---)	RECORD INFORMATION PER VOL. 11744, PG. 1041
(---)	RECORD INFORMATION PER DOC. NO. 2002048984

Return:

RANDY GONZALEZ

3020 BELGRAVE FALLS LN.

AUSTIN, TX 78748

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Jun 16, 2017 11:01 AM

2017096562

RAMIREZA: \$58.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

EXHIBIT E

Chaffin, Heather

Subject: FW: Urgent Concern - 1105 Airport Blvd C14-2017-0078

From: Susana Almanza
Sent: Tuesday, July 25, 2017 6:01 PM
To: Chaffin, Heather
Subject: Re: Urgent Concern - 1105 Airport Blvd C14-2017-0078

Hello Heather- Thank you for your quick response and for your further review of this site. Susana Almanza, PODER

On Tue, Jul 25, 2017 at 4:56 PM, Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:
Susana,

The property at 1105 Airport Boulevard was rezoned from LI to GR-MU-CO-NP on July 9, 1998. The ordinance can be found at: <http://austintexas.gov/edims/document.cfm?id=47966>. I cannot immediately access the paper files/records for the old case (Zoning Case # C14-98-0063), because they have been sent to our offsite records retention facility. However, I will file a request to pull those files for review. I will also request that the Applicant provide any information they have regarding any clean-up on the site.

I'll let you know when I have any more of the historical documentation, and if I receive any relevant information from the Applicant. The current rezoning request will not proceed to any Boards or Commissions (or Council) until more research is completed.

Thank you,
Heather

Heather Chaffin
Senior Planner-- Zoning Review Division
Planning and Zoning Department
City of Austin
505 Barton Springs Road, Suite 500
Austin, Texas 78704
T: [512.974.2122](tel:512.974.2122)
heather.chaffin@austintexas.gov
austintexas.gov

From: Susana Almanza
Sent: Tuesday, July 25, 2017 4:07 PM
To: Chaffin, Heather
Cc: Daniel Llanes; Marisa Perales; Garza, Oscar; Moore, Andrew; Adler, Steve; Rodriguez, Frank; Guernsey, Greg
Subject: Urgent Concern - 1105 Airport Blvd C14-2017-0078

Hello Ms. Heather Chaffin- I am writing concerning the above case located at 1105 Airport Blvd. C14-2017-0078. Please inform PODER when this site was designated GR-MU-CO-NP. When PODER and area residents worked on the Govalle/Johnston Terrace Plan adoption, we realized that at the last moments some zoning changes took place without our total knowledge. This might be one of the cases.

PODER is very concerned that there might be a possibility of housing be constructed at this site. This site was one of the fuel storage facilities known as the "Tank Farm". Citgo storage facility was located at this site. This site was only cleaned up to industrial standards, which means that housing should never be constructed on

this site. The only gasoline storage site that was cleaned to residential standard was Gulf Coastal States, located at Jain Lane.

PODER is concerned with the health of the community and the environment as a possible developer decides to build on this site. This case should not move forward without more stringent review. This case should be reviewed by the Environmental Board, Health Department, and City Council.

I am attaching a map of the Tank Farm Site produced by the Department of Health in 1992. Thank you, Susana Almanza, PODER and member of the Govalle/Johnston Terrace Contact Team

--

PODER

P.O. Box 6237

Austin, TX 78762-6237

www.poder-texas.org

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0078

Contact: Heather Chaffin, 512-974-2122

**Public Hearing: December 12, 2017, Planning Commission
February 01/2018, City Council**

Robert Ehlers

Your Name (please print)

☒ I am in favor
☐ I object

Airport Blvd
Your address(es) affected by this application

12/11/2017

Signature

Date

Daytime Telephone: *512-451-5166*

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

EXHIBIT C



MEMORANDUM

TO: Heather Chaffin, Case Manager
Planning and Zoning Department

FROM: *Gay* Scott A. James, P.E., PTOE
Natalia Rodriguez
Development Services Department/Land Use Review

DATE: January 3, 2018

SUBJECT: Traffic Impact Analysis for 1105 Airport Blvd (alta Trailhead)
Zoning application C14 – 2017 – 0156

Section 25 – 6 – 114 of the Land Development Code requires that a traffic impact analysis be conducted for a project proposed with a zoning application if the project is anticipated to generate more than 2,000 daily trips. The project site is located on the northeast side of Shady Lane and Airport Boulevard in east Austin. The applicant is proposing to rezone 9.8605 acres from GR – MU – CO – NP to GR – MU – CO – NP to remove a conditional overlay prohibiting access to Shady Lane and to permit the construction of up to 308 residential apartment units.

Staff from the Austin Transportation and the Development Services Departments have reviewed the August 8, 2017 "Traffic Impact Analysis – 1105 Airport" prepared by HDR Engineering, Inc. with the following comments:

Airport Boulevard

The AMATP and CAMPO Plan classify Airport Boulevard as a six lane major arterial between Lamar Boulevard and US Highway 183. According to TxDOT average daily traffic counts, the 2015 traffic volume on Airport Boulevard south of Springdale Road, was approximately 23,500 vehicles per day (vpd). The posted speed limit on Airport Boulevard is 45 miles per hour (MPH). The 2014 Austin Bicycle Plan recommends a protected bike lane on Airport Boulevard between Lamar Boulevard and US Highway 183.

Springdale Road

The AMATP and CAMPO Plan classify Springdale Road as a four lane major arterial, from East 7th Street to Manor Road. According to TxDOT average daily traffic counts, the 2015 traffic volume on Springdale Road north of

Airport Boulevard was approximately 9,100 vpd. South of Airport Boulevard the daily volume was 9,000 vpd. The posted speed limit on Springdale Road is 30 MPH. Currently there are unprotected bike lanes on Springdale Road east and west of Airport Boulevard. The 2014 Austin Bicycle Plan recommends a protected bike lane on Springdale Road. Implementation of this improvement may require the removal of street parking. As previously described, the 2014 Airport Boulevard Corridor Development Program has recommendations on this roadway.

Shady Lane

Shady Lane is a two lane collector street. According to TxDOT average daily traffic counts, the 2015 traffic volume on Shady Lane was approximately 3,000 vpd south of Airport Boulevard. The posted speed limit on Shady Lane is 30 MPH. The 2014 Austin Bicycle Plan recommends a protected bike lane on Shady Lane between Bolm Road and East 5th Street.

Bolm Road

Bolm Road is a two lane collector street. According to TxDOT average daily traffic counts, the 2015 traffic volume on Bolm Road was approximately 2,300 vpd west of Airport Boulevard and 5,600 vpd west Gardner Road, respectively. The posted speed limit on Bolm Road is 30 mph. Currently there are unprotected bike lanes along Bolm Road between Shady Lane and US 183. The 2014 Austin Bicycle Plan recommends an unprotected bike lane west of Shady Lane.

Gardner Road

Gardner Road is a two lane collector street with a posted speed limit of 30 MPH. According to peak hour traffic counts, approximately 1,700 vpd travel along Gardner Road.

Trip Generation Estimates

Based on the ITE Trip Generation Manual, 9th Edition, the proposed development will generate approximately 28,803 new daily trips per day (vpd) with 1808 trips occurring during the AM peak hour, and 2355 occurring during the PM peak hour. According to the scoping document, reductions for transit, bicycle, and pass-by traffic were permitted in the analysis. Table 1 below provides the unadjusted estimated number of daily trips for this development proposal.

Table 1 – Unadjusted Estimate of weekday trip generation						
		Weekday AM Peak		Weekday PM Peak		Daily Totals
Land Use (ITE Code)	Intensity	Enter	Exit	Enter	Exit	
Apartments (220)	308 DU	31	124	122	65	1990
Totals						*1990

*note – this figure does not represent the maximum allowable intensity for the requested zoning category.

Adjustments for the estimated number of daily trips

The scoping process identified available transit and non-automotive options for access to the proposed residential development. Accordingly, a combined ten percent (10%) reduction for peak hour trips was allowed for both transit and pedestrian/bicycle trips for this site.

Table 2 – Adjusted Estimate of weekday trip generation						
		Weekday AM Peak		Weekday PM Peak		Daily Totals
Land Use (ITE Code)	Intensity	Enter	Exit	Enter	Exit	
Apartments (220)	308 DU	28	112	110	59	1,796
Totals						1,796

Data Collection

Traffic counts were conducted on Tuesday, May 9, 2017 when public schools were in session. The following background projects were included in the study: ThinkEast (SP – 2016 – 0099C.SH) and 1023 Springdale Road (SP – 2015 – 0385C). A two percent annual growth rate was applied to the analysis.

Trip Distribution

Table 3 below presents how the site generated traffic was assigned to the surrounding network of public streets. These percentages were used to determine the impact of the proposed development upon existing transportation infrastructure.

Table 3 – Directional Distribution of Site Traffic	
Direction	Percentage
Westbound Airport Boulevard	30%
Eastbound Airport Boulevard	30%
Northbound Springdale Road	10%
Southbound Springdale Road	10%
Southbound Shady Lane	5%
Northbound Gardner Road	5%
Southbound Gardner Road	5%
Eastbound Bolm Road	5%
Totals	100%

Traffic Analysis Methodology

Table 4 on the following page presents the Highway Capacity Manual (HCM) definitions of ‘levels of service’ for both *signalized and unsignalized* intersections. Within the City of Austin, LOS “D” is considered the acceptable threshold for signalized operations and for intersections where the LOS is projected at “E” or lower, mitigation should be proposed.

Table 4 – Summary of Level of Service as defined by HCM		
Level of Service	Signalized Intersection Average Total Delay (Sec/Veh)	Unsignalized Intersection Average Total Delay (Sec/Veh)
A	≤10	≤10
B	>10 and ≤20	>10 and ≤15
C	>20 and ≤35	>15 and ≤25
D	>35 and ≤55	>25 and ≤35
E	>55 and ≤80	>35 and ≤50
F	>80	>50

The following tables present a summary of the analysis performed within the TIA. Table 5 below presents the modeled existing peak hour levels of service (seconds delay per vehicle) for the current year.

Table 5 – Existing Levels of Service (Year 2017)		
Intersection	AM	PM
Airport Boulevard and Springdale Road	C (31.4)	D (41.4)
Airport Boulevard and Bolm Road	F (103.3)	F (82.9)
Airport Boulevard and Shady Lane	E (57.6)	E (60.4)
Springdale Road and Bolm Road	A (2.3)	A (1.8)
Shady Lane and Bolm Road	A (3.2)	A (3.0)
Gardner Road and Bolm Road	B (11.3)	D (27.4)

Table 6 presents the model results for the “No Build” condition for the year 2020.

Table 6 – “No Build” Levels of Service (Year 2020)		
Intersection	AM	PM
Airport Boulevard and Springdale Road	D (35.9)	D (51.4)
Airport Boulevard and Bolm Road	F (181.2)	F (142.4)
Airport Boulevard and Shady Lane	E (77.4)	E (78.7)
Springdale Road and Bolm Road	A (2.9)	A (2.3)
Shady Lane and Bolm Road	A (2.6)	A (2.5)
Gardner Road and Bolm Road	B (12.3)	E (44.1)

Table 7 presents the model results for the "Build w/o mitigation" and "Build with improvements" conditions.

Table 7 -- "Build with and w/o mitigation" Levels of Service (Year 2020)				
Intersection	Build w/o mitigation		Build with improvements	
	AM	PM	AM	PM
Airport Boulevard and Springdale Road	D (36.5)	D (53.5)	C (29.3)	D (40.1)
Airport Boulevard and Bolm Road	F (254.0)	F (175.4)	E (71.3)	F (89.4)
Airport Boulevard and Shady Lane	E (78.4)	F (85.1)	D (35.1)	E (68.2)
Springdale Road and Bolm Road	A (3.4)	A (2.6)	A (3.4)	A (2.6)
Shady Lane and Bolm Road	A (4.3)	A (3.9)	A (4.3)	A (3.9)
Gardner Road and Bolm Road	B (12.6)	E (46.7)	B (12.6)	E (43.5)
Driveway A and Shady Lane	A (2.1)	A (1.8)	A (2.1)	A (1.8)
Driveway B and Shady Lane	A (0.5)	A (0.4)	A (0.5)	A (0.4)
Driveway C and Shady Lane	A (1.7)	A (1.4)	A (1.7)	A (1.4)

Summary of Future Conditions

The following future conditions were identified in the TIA, reflecting the project development.

Airport Boulevard and Springdale Road

The intersection will operate at LOS C and D under "2020 site plus forecasted traffic" conditions during the AM and PM peak periods, respectively. This evaluation assumes the future improvement of restriping of the eastbound and westbound approaches of Springdale Road to provide one left-turn lane, one through lane, and one through/right-turn shared lane, per the 2014 Airport Boulevard Corridor Development Program. This restriping will require the removal of the bike lanes at the intersection and provide shared use path markings. The two through lanes on Springdale Road will merge to a single lane past the intersection. No additional improvements are recommended at this intersection as part of this project.

Airport Boulevard and Bolm Road

The intersection will operate at LOS E and F under "2020 site plus forecasted traffic" conditions during the AM and PM peak periods, respectively. This evaluation assumes the construction of a westbound right-turn lane on Bolm Road and signal timing optimization. No additional improvements are recommended at this intersection as part of this project.

Airport Boulevard and Shady Lane

The intersection will operate at LOS D and E under “2020 site plus forecasted traffic” conditions during the AM and PM peak periods, respectively. This evaluation assumes the removal of the “slip lane” and signal timing optimization. The removal of the “slip lane” will require converting the northbound through lane on Shady Lane to a right-turn lane. No additional improvements are recommended at this intersection as part of this project.

Springdale Road and Bolm Road

The intersection will operate at LOS A under “2020 site plus forecasted traffic” conditions during both the AM and PM peak periods. No improvements are recommended at this intersection as part of this project.

Shady Lane and Bolm Road

The intersection will operate at LOS A under “2020 site plus forecasted traffic” conditions during both the AM and PM peak periods. The applicant recommends removal of the existing northbound “slip lane” and reassignment of this traffic to the intersection of Shady Lane and Airport Boulevard as mentioned previously. No other improvements are recommended at this intersection as part of this project.

Gardner Road and Bolm Road

The intersection will operate at LOS B and E under “2020 site plus forecasted traffic” conditions during the AM and PM peak periods, respectively. This evaluation assumes restriping of the southbound approach of Gardner Road to provide one left-turn lane and one through/right-turn shared lane with a channelized right turn. Striping and signage should also be provided for the northbound left turn to clarify traffic operations. No additional improvements are recommended at this intersection as part of this project.

Driveway A and Shady Lane

Driveway A should be constructed as a stop-controlled approach with a minimum 30 foot cross-section that provides one inbound and one outbound lane. This intersection is forecast to operate at LOS A under the “2020 site plus forecasted traffic” conditions during both the AM and PM peak periods.

Driveway B and Shady Lane

Driveway B should be constructed as a stop-controlled approach with a minimum 30 foot cross-section that provides one inbound and one outbound lane. This intersection will operate at LOS A under the “2020 site plus forecasted traffic” conditions during both the AM and PM peak periods.

Driveway C and Shady Lane

Driveway B should be constructed as a stop-controlled approach with a minimum 30 foot cross-section that provides one inbound and one outbound lane. This intersection will operate at LOS A under the “2020 site plus forecasted traffic” conditions during both the AM and PM peak periods.

Recommended Transportation Improvements

The TIA identified improvements to the surrounding public infrastructure to mitigate the calculated impact to traffic resulting from this development. The following is a summary of the proposed improvements:

- Airport Boulevard and Springdale Road:
 - a) Restripe EB and WB approaches to provide one left, one through, and one through/right. Restriping shall replace bike lanes with shared use paths..
 - b) Signal timing optimization.
- Airport Boulevard and Bolm Road:
 - a) Construct WB right-turn lane
 - b) Signal timing optimization.
- Airport Boulevard and Shady Lane:
 - a) Remove “slip” lane
 - b) Restripe NEB through lane to a right-turn lane
 - c) Signal timing optimization
- Gardner Road and Bolm Road:
 - a) Restripe SB approach to provide one left and one through/right
 - b) Restripe NB approach to clarify roadway operations

Review staff discussed the need to implement physical improvements concurrently with the development of the site and thus prioritized the infrastructure elements accordingly. Therefore, after review and acceptance of the TIA findings, the following goals were identified:

- 1) Wherever feasible, staff prefers to have the developer construct physical improvements instead of posting fiscal towards the estimated costs of construction.
- 2) In locations where more than one improvement is identified, staff would accept a fully constructed single improvement in the place of several partial funded elements.

Conclusions and Recommendations

This zoning application will permit vehicular access onto Shady Lane and the construction of up to 308 residential apartments. Staff review of the TIA indicated that improvements to the adjacent intersections should be implemented to address the estimated traffic impact of this site. After consultation with the Austin Transportation Department, transportation review staff recommends approval of this zoning application subject to the following conditions:

- 1) Staff supports permitting vehicular access from this property to Shady Lane and recommends removal of the prohibition of access.
- 2) Prior to the 3rd Reading at City Council, the applicant shall post fiscal in the amount of \$39,480 towards a portion of the cost to construct the identified improvements listed below:

Table 8 – List of Improvements			
Location	Improvements	Cost Estimate	Developer Share %
Airport Boulevard and Springdale Road	Restripe eastbound/westbound approaches	\$20,000	\$560 (2.8%)
	Optimize signal timing	\$5,000	\$5,000
Airport Boulevard and Bolm Road	Construct westbound right turn lane	\$125,000	\$16,000 (12.8%)
	Optimize signal timing	\$5,000	\$5,000
Airport Boulevard and Shady Lane	Remove 'slip lane' – restripe approaches to intersection	\$100,000	\$5,400 (5.4%)
	Optimize signal timing	\$5,000	\$5,000
Gardner Road and Bolm Road	Restripe northbound approach	\$10,000	\$1,260 (12.6%)
	Restripe southbound approach	\$10,000	\$1,260 (12.6%)
*Totals		\$280,000	\$39,480

***City of Austin reserves the right to revise the estimated cost of improvements based on the current market rates at the time of the site plan application.**

- 3) Shady Lane is classified as a Neighborhood Collector and requires 64 feet of right-of-way. Prior to the 3rd Reading at City Council, the applicant shall dedicate up to 32 feet of right-of-way as measured from the existing centerline of Shady Lane to comply with the City of Austin Transportation Criteria Manual.
- 4) The Austin Metropolitan Area Transportation Plan requires 140 feet of right-of-way for Airport Boulevard. Prior to the 3rd Reading at City Council, the applicant shall dedicate up to 70 feet of right-of-way as measured from the existing centerline of Airport Boulevard to comply with the AMATP.
- 5) Prior to the release of the site plan application, the applicant shall provide the following improvements:
 - a. Dedicate a sidewalk, trail, and recreational easement for the Walnut Creek Trail and Mogan Corridor Trail in accordance with the Urban Trails Master Plan; and
 - b. Construct the Walnut Creek Trail and Mogan Corridor Trail according to City of Austin standards.

- 6) The Austin Transportation Department and Public Works Departments reserve the right to require additional roadway improvements or modifications as a part of the review of related site plan applications in accordance with applicable policies.
- 7) At the time of site plan, review staff will confirm the location and number of access driveways comply with current City of Austin Code and safety regulations.
- 8) Development of this property should not vary from the approved uses, nor exceed the approved intensities and estimated traffic generation assumptions within the TIA document (dated August 8, 2017), including land uses, trip generation, trip distribution, traffic controls and other identified conditions.
- 9) The findings and recommendations of this TIA memorandum remain valid until January 3, 2023, after which a revised TIA or addendum may be required.

Please contact me at (512) 974 – 2208 if you have any questions or wish further information.



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