

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2016-0021 – Double Creek Residences

REQUEST:

C14-2016-0021 - Double Creek Residences - District 5 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 420 East FM 1626 Road (Onion Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning; general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and community commercial (GR-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions. The Conditional Overlay prohibits the following uses, as requested by the Applicant: adult-oriented businesses, agricultural sales and services, art workshop, bail bond services, campground, commercial blood plasma center, convenience storage, drop-off recycling collection facility, equipment repair services, equipment sales, exterminating services, hotel-motel, indoor entertainment, kennels, laundry services, maintenance and service facilities, monument retail sales, outdoor entertainment, pawn shop services, residential treatment, theater, transitional housing, transportation terminal, and vehicle storage. The Restrictive Covenant is for the conditions of the Traffic Impact Analysis.

DISTRICT AREA: 5

DEPARTMENT COMMENTS:

The ordinance and Restrictive Covenant are consistent with City Council action taken on First Reading.

OWNER/APPLICANT: Riddell Family Limited Partnership (Jim Henry)

AGENT: Drenner Group, PC (Amanda Swor)

DATE OF FIRST READING: March 22, 2018, Approved CS-MU-CO district zoning, with conditions, on First Reading. Vote: 8-0, Council Members Casar, Pool and Troxclair were off the dais.

CITY COUNCIL HEARING DATE: June 14, 2018

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades

e-mail: wendy.rhoades@austintexas.gov

ZONING CHANGE & RESTRICTIVE COVENANT AMENDMENT REVIEW SHEET

CASE: C14-2016-0021 & C14-03-0053(RCA) – **Z.A.P. DATE:** August 16, 2016
Double Creek Residences
October 4, 2016
November 1, 2016
December 6, 2016
January 17, 2017
February 7, 2017
August 1, 2017
September 5, 2017
October 3, 2017
October 17, 2017
February 20, 2018
March 6, 2018
June 5, 2018

ADDRESS: 420 East FM 1626 Road

DISTRICT AREA: 5

OWNER: Riddell Family Limited Partnership
(Jim Henry) **AGENT:** Drenner Group, PC
(Amanda Swor)

ZONING FROM: CS-CO; CS-MU-CO; GR-CO **TO:** CS-MU-CO

AREA: 35.032 acres (Zoning); 48.12 acres (Restrictive Covenant Amendment)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: adult-oriented businesses, agricultural sales and services, art workshop, bail bond services, campground, commercial blood plasma center, convenience storage, drop-off recycling collection facility, equipment repair services, equipment sales, exterminating services, hotel-motel, indoor entertainment, kennels, laundry services, maintenance and service facilities, monument retail sales, outdoor entertainment, pawn shop services, residential treatment, theater, transitional housing, transportation terminal, and vehicle storage.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated February 28, 2018, as provided in Attachment A.

The Restrictive Covenant Amendment releases 48.12 acres from the conditions established by the Traffic Impact Analysis recorded on December 16, 2003.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

August 16, 2016: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 4, 2016*

[A. AGUIRRE; Y. FLORES – 2ND] (8-0) VICE-CHAIR GABRIEL ROJAS, COMMISSIONERS D. BREITHAUP (ABSENT FOR CONSENT AGENDA), S. HARRIS (ABSENT FOR CONSENT AGENDA) AND S. LAVANI ABSENT

October 4, 2016: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO NOVEMBER 1, 2016*

[G. ROJAS; S. LAVANI – 2ND] (10-0) COMMISSIONER A. DENKLER WAS ABSENT.

November 1, 2016: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO DECEMBER 6, 2016*

[J. KIOLBASSA; S. LAVANI – 2ND] (11-0)

December 6, 2016: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 17, 2017*

[B. EVANS; A. AGUIRRE – 2ND] (8-0) A. DENKLER – ARRIVED AFTER PASSAGE OF THE CONSENT AGENDA; D. BREITHAUP, S. LAVANI; Y. FLORES – ABSENT

January 17, 2017: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO FEBRUARY 7, 2017*

[A. DENKLER; G. ROJAS – 2ND] (10-0) D. BREITHAUP – ABSENT

February 7, 2017: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF*

[G. ROJAS; B. EVANS – 2ND] (9-0) B. GREENBERG; J. KIOLBASSA – ABSENT

August 1, 2017: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO SEPTEMBER 5, 2017*

[D. KING; B. EVANS – 2ND] (7-0) Y. FLORES; B. GREENBERG; J. KIOLBASSA; S. LAVANI – ABSENT

September 5, 2017: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 3, 2017*

[A. AGUIRRE; Y. FLORES – 2ND] (11-0)

October 3, 2017: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 17, 2017*

[B. GREENBERG; A. AGUIRRE – 2ND] (9-0) S. LAVANI; S. TRINH – ABSENT

October 17, 2017: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY APPLICANT*

[D. KING; S; LAVANI – 2ND] (8-0) D. BREITHAUP, Y. FLORES, S. TRINH – ABSENT

February 20, 2018: *MEETING CANCELLED DUE TO AGENDA POSTING ERROR*

March 6, 2018: *APPROVED CS-MU-CO DISTRICT ZONING WITH A RESTRICTIVE COVENANT FOR THE CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS AS STAFF RECOMMENDED, AS STAFF RECOMMENDED.*

[D. KING; S; LAVANI – 2ND] (9-0) D. BREITHAUPT; J. KIOLBASSA – ABSENT

June 5, 2018:

ISSUES:

Because the update to the Traffic Impact Analysis included all of the 35.032 acres proposed for rezoning, plus an additional and adjacent 13.088 acres (for a total of 48.12 acres), a Restrictive Covenant Amendment case to the original 2003 zoning case has been filed.

DEPARTMENT COMMENTS:

The subject rezoning area is undeveloped, has access to the IH-35 frontage road and FM 1626 Road. The property is also in proximity to Old San Antonio Road to the west and abuts Stablewood Drive to the north. The property has community commercial – conditional overlay (GR-CO) combining district zoning, general commercial services – conditional overlay (CS-CO) and general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning through cases approved in 2003 and 2010, both named Double Creek Village. Within the past several years, zoning for new commercial development and redevelopment has been approved for properties south of West Slaughter Lane in proximity to the IH-35 frontage road and at its intersection with FM 1626 (zoned GR-CO – Wal-Mart, South Park Meadows; CS-CO – Double Creek Village Phase I; CS-MU-CO – Double Creek Village Phase II). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to add a –MU, mixed use component to the existing CS-CO and GR-CO zonings which would allow for residential development to occur in conjunction with commercial development, for a total of 750 apartments to be constructed in two phases with full build-out anticipated to occur by 2021. The purpose of the Restrictive Covenant Amendment is to update to the Traffic Impact Analysis originally approved in 2003 and revises the land uses to: 25,700 s.f. of sit down restaurants, 126,600 s.f. of shopping center uses and 61,000 s.f. of automobile sales and services (a car dealership). The prohibited use list is not proposed to change and will be carried over as listed in the 2003 and 2010 zoning cases. Please refer to Exhibits B and B-1.

As shown in Exhibit C, the zoning area also includes the extension of Farrah Lane, a private drive that exists on the ground south of FM 1626 and would continue into this tract and over to the southbound IH 35 frontage road. As shown in Exhibit B, a private driveway is proposed to the southbound IH 35 frontage road. Vehicular access is proposed to Old San Antonio Road until the construction of Stablewood Drive (a half loop road between FM 1626 and the IH 35 frontage road) is complete. From that point forward, access will be taken to Stablewood Drive.

Staff recommends CS-MU-CO district zoning based on the following considerations of the property: 1) location on the southbound IH-35 frontage road which is suitable for commercial uses; 2) properties to the north that access Slaughter Lane and south along the IH-35 frontage road have been approved for GR-CO or CS-CO zoning for similar commercial and retail development.

The Restrictive Covenant Amendment for the Traffic Impact Analysis (TIA) requires the commitment of the Applicant to:

- dedicate 60 feet of right-of-way (r-o-w) for a roadway along the previously identified Stablewood Drive,
- dedicate r-o-w for along FM 1626 from Old San Antonio Road to the southbound IH-35 frontage road,
- replace a portion of Old San Antonio Road with a commercial collector street to be called Stablewood Drive;

The TIA also requires:

- design, construction and delivery of a traffic signal for the FM 1626 / Stablewood Drive intersection, with associated roadway widening and revised traffic operations prior to the first Certificate of Occupancy for Phase 1 (the first 375 multi-family dwelling units). The understanding is that access to Phase 2 development will be via internal driveways until Stablewood Drive is constructed.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO; CS-MU-CO; CS-CO	Undeveloped
<i>North</i>	CS-MU-CO	Undeveloped
<i>South</i>	MF-2; CS-MU-CO	Congregate living; Apartments (569 units); Undeveloped; Service station/food sales
<i>East</i>	CS-CO; CS-MU-CO	Undeveloped; Automobile sales; Retail sales; Single family residence (vacant); Construction sales and services
<i>West</i>	P; MF-3-CO; SF-2; I-RR; LO-MU-CO	Undeveloped (proposed for a City fire station); Apartments; Two single family residences; Private primary educational facility; Practice fields for Akins High School

AREA STUDY: N/A

TIA: An update is required – Please refer to Attachment A

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
 1258 – Del Valle Community Coalition 1340 – Austin Heritage Tree Foundation
 1363 – SEL Texas 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods

SCHOOLS:

An Educational Impact Statement is provided as Attachment B.

Menchaca Elementary School

Paredes Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0077 – Whole Life Learning Center – 10801 Old San Antonio Rd	I-RR to LR-MU	To Grant LO-MU-CO w/CO for 2,000 trips/day	Apvd LO-MU-CO as Commission recommended (11-6- 2014).
C14-2013-0123 – Onion Creek Fire Station – 11112 Old San Antonio Rd	GR-MU-CO to P	To Grant	Apvd (11-21-2013).
C14-2010-0111 – 10301 Old San Antonio Road Rezone	MF-2-CO to MF-2-CO, to change a condition of zoning regarding driveway access	To Grant the Applicant's request to remove the existing CO that prohibits access to Old San Antonio Rd, and add a CO that limits the number of driveways on Old San Antonio Rd to one. Public RC to: 1) require the owner to build access through the loop road that adjoins the property along the southeast property line to the IH- 35 service road prior to issuance of a Certificate of Occupancy and 2) restrict construction traffic to the loop road	Apvd MF-2-CO to change to the CO and add a Restrictive Covenant regarding access issues, as Commission recommended (8-18- 2011).
C14-05-0119 –	I-RR to CS	To Grant CS-CO w/	Approved CS-CO as

P.C.W. Construction Equipment and Sales – 10704 S IH 35 Srvc Rd SB		CO for 2,000 trips	Commission recommended (9-29- 2005).
C14-03-0053 – Double Creek Village – 11000 Blk of S IH-35 Srvc Rd SB	I-RR to CS	To Grant CS-CO for Tract 1; GR-CO for Tract 2, with conditions of the TIA. CO is for list of prohibited uses; and prohibits access to Old San Antonio Road. Restrictive Covenant for the TIA.	Approved CS-CO for Tract 1 and GR-CO for Tract 2 with Restrictive Covenant for the TIA as recommended by ZAP (12-11-2003).
C14-00-2031 – Stablewood Apartments – Old San Antonio Rd	I-RR to MF-2	To Grant MF-2-CO w/CO prohibiting access to Old San Antonio Road, 15' wide vegetative buffer adjoining SF-2 zoned property, and 2,000 trips per day	Approved MF-2-CO as PC recommended (8- 17-2000).

RELATED CASES:

The subject property was annexed into the City limits on December 31, 1997 (C7a-97-013 – Ordinance No 971211-B).

The majority of the property was approved for GR-CO and CS-CO zonings in December 2003 (C14-03-0053 – Double Creek Village). The Conditional Overlay establishes a list of prohibited uses and prohibits access to Old San Antonio Road and a Restrictive Covenant covers the conditions established by the Traffic Impact Analysis (TIA). A right-of-way that approximately parallels Old San Antonio Road to the west and adjacent area to the north was rezoned to CS-MU-CO in 2010 (C14-2008-0220 – Double Creek Village). The CO is for a list of prohibited uses, and a Restrictive Covenant for conditions of the TIA. A Street Deed for the new loop road right-of-way between FM 1826 and IH 35 is part of TIA approval was required to be dedicated at the time of zoning.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
IH 35 SB	308 feet	163 feet	Highway (139,695 vpd –	No	No	No

			2013)			
FM 1626	67 feet	28 feet	Major Arterial (12,122 vpd – 2013)	No	Yes	No
Old San Antonio Road	50 feet	23 feet	Collector (5,400 vpd - 2013)	No	Yes	No
Stablewood Drive	Undetermined	Unbuilt	Collector	No	Yes	No

CITY COUNCIL DATE: October 13, 2016

ACTION: Approved a Postponement request by the Staff to November 10, 2016. Vote: 9-0, Council Member Renteria and Council Member Troxclair were off the dais.

November 10, 2016 Approved a Postponement request by the Staff to December 15, 2016. Vote: 11-0.

December 15, 2016 Approved a Postponement request by the Staff to January 26, 2017. Vote: 11-0.

January 26, 2017 Approved a Postponement request by the Staff to March 2, 2017. Vote: 11-0.

March 2, 2017 Approved an Indefinite Postponement request by Staff. Vote: 10-0, Council Member Kitchen was off the dais.

September 28, 2017 Approved a Postponement request by Staff to November 2, 2017. Vote: 9-0, Council Member Renteria was off the dais, Council Member Troxclair was absent.

November 2, 2017 Approved an Indefinite Postponement request by the Applicant. Vote: 9-0, Council Members Casar and Garza were off the dais.

March 22, 2018 Approved CS-MU-CO district zoning, with conditions of the Traffic Impact Analysis, as the Zoning and Platting Commission recommended, on First Reading. Vote: 8-0, Council Members Casar, Pool and Troxclair were off the dais.

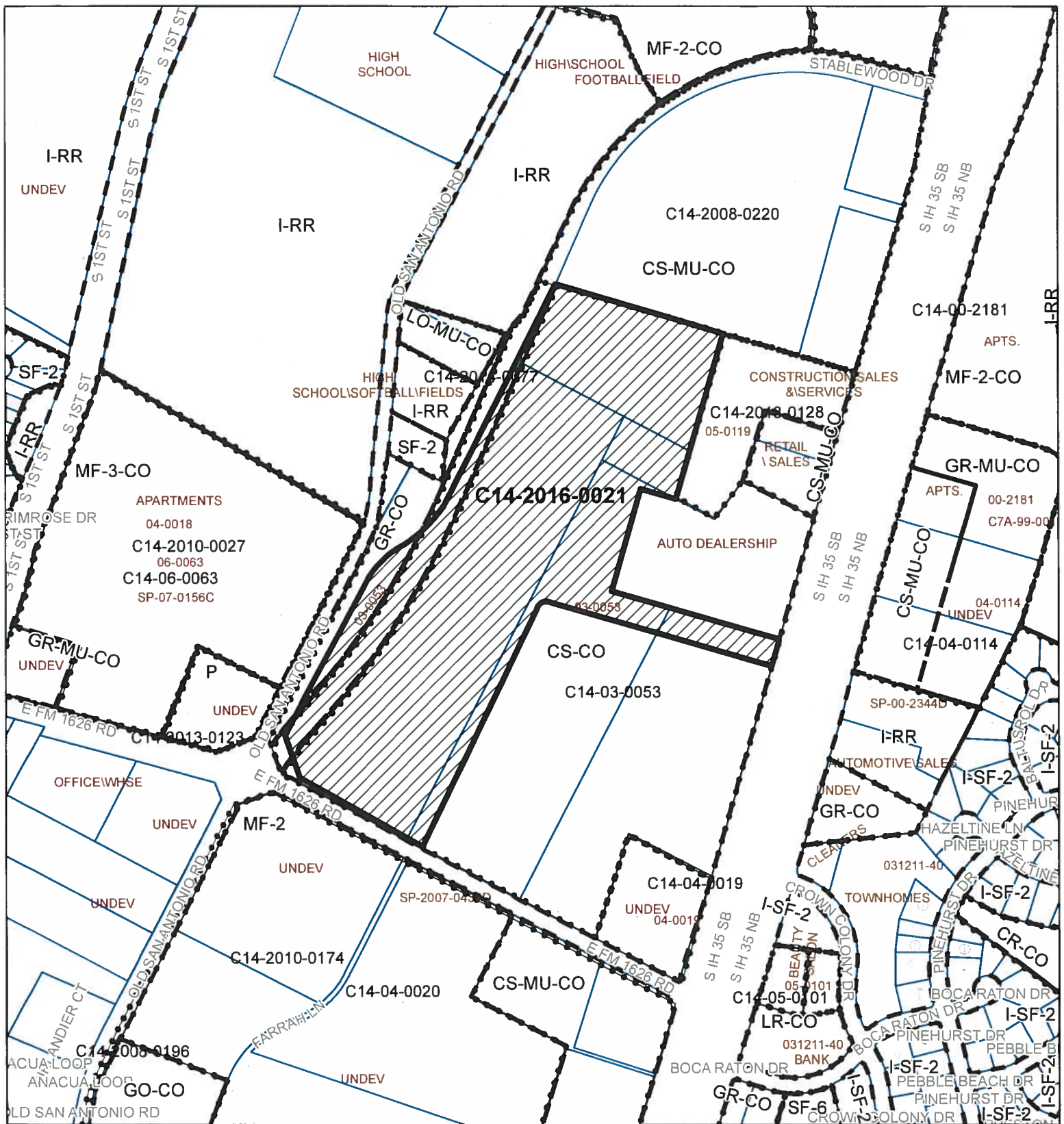
June 14, 2018

ORDINANCE READINGS: 1st March 22, 2018 2nd 3rd

ORDINANCE NUMBER:

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

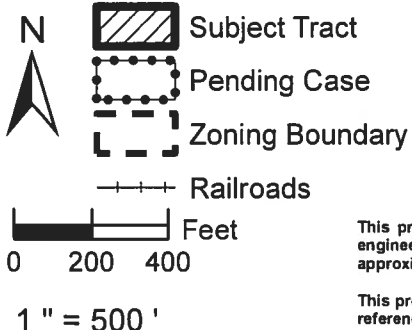
PHONE: 512-974-7719



ZONING

Case#: C14-2016-0021

EXHIBIT A



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 the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/22/2017

EXHIBIT A

Zoning Case: C14-03-0053(RCA)

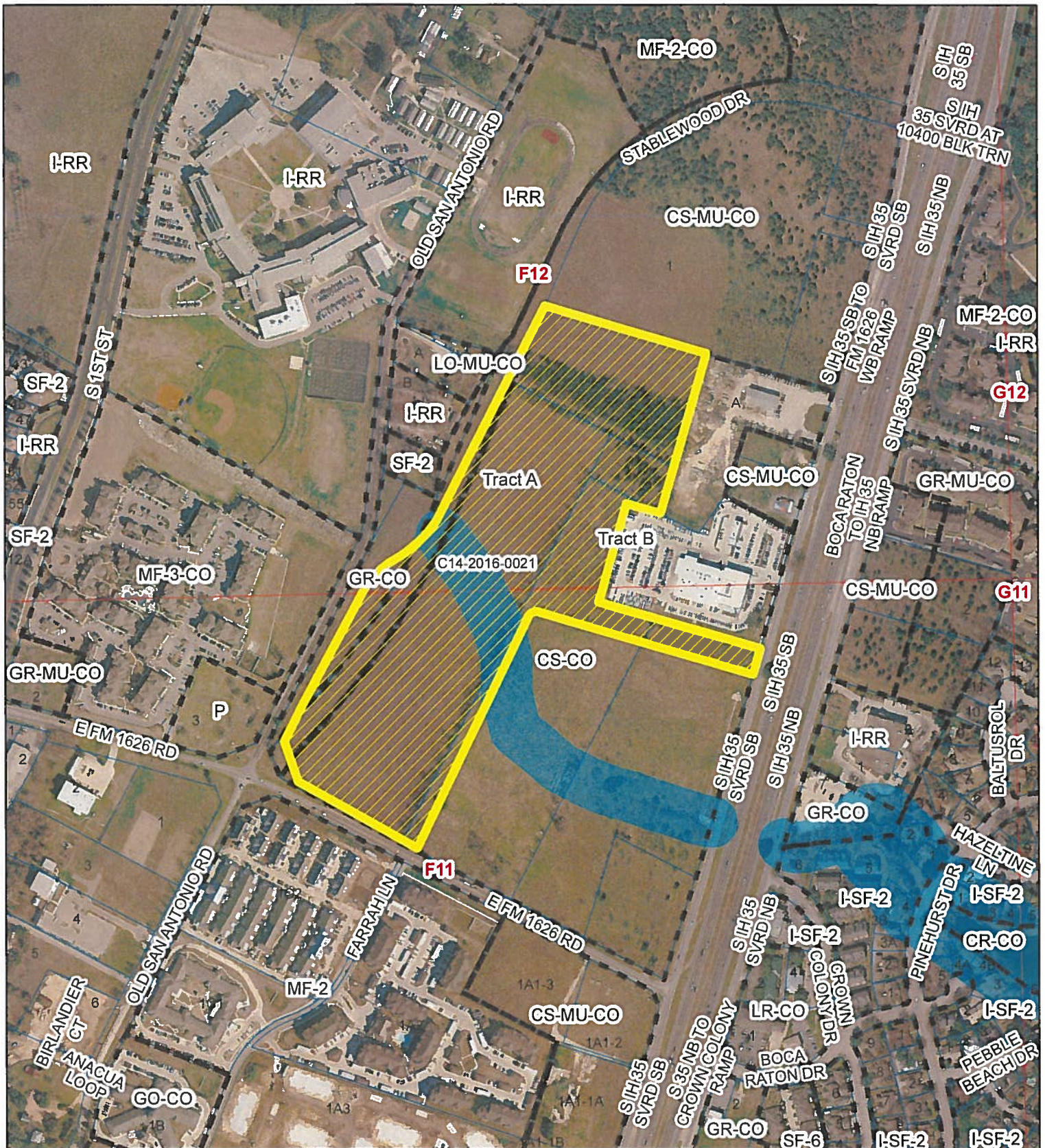


-  SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

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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$$1'' = 375'$$



DOUBLE CREEK RESIDENCES

ZONING CASE#: C14-2016-0021
 LOCATION: 420 E.FM 1626 ROAD
 SUBJECT AREA: 35.032 ACRES
 GRID: F11 & F12
 MANAGER: WENDY RHOADES

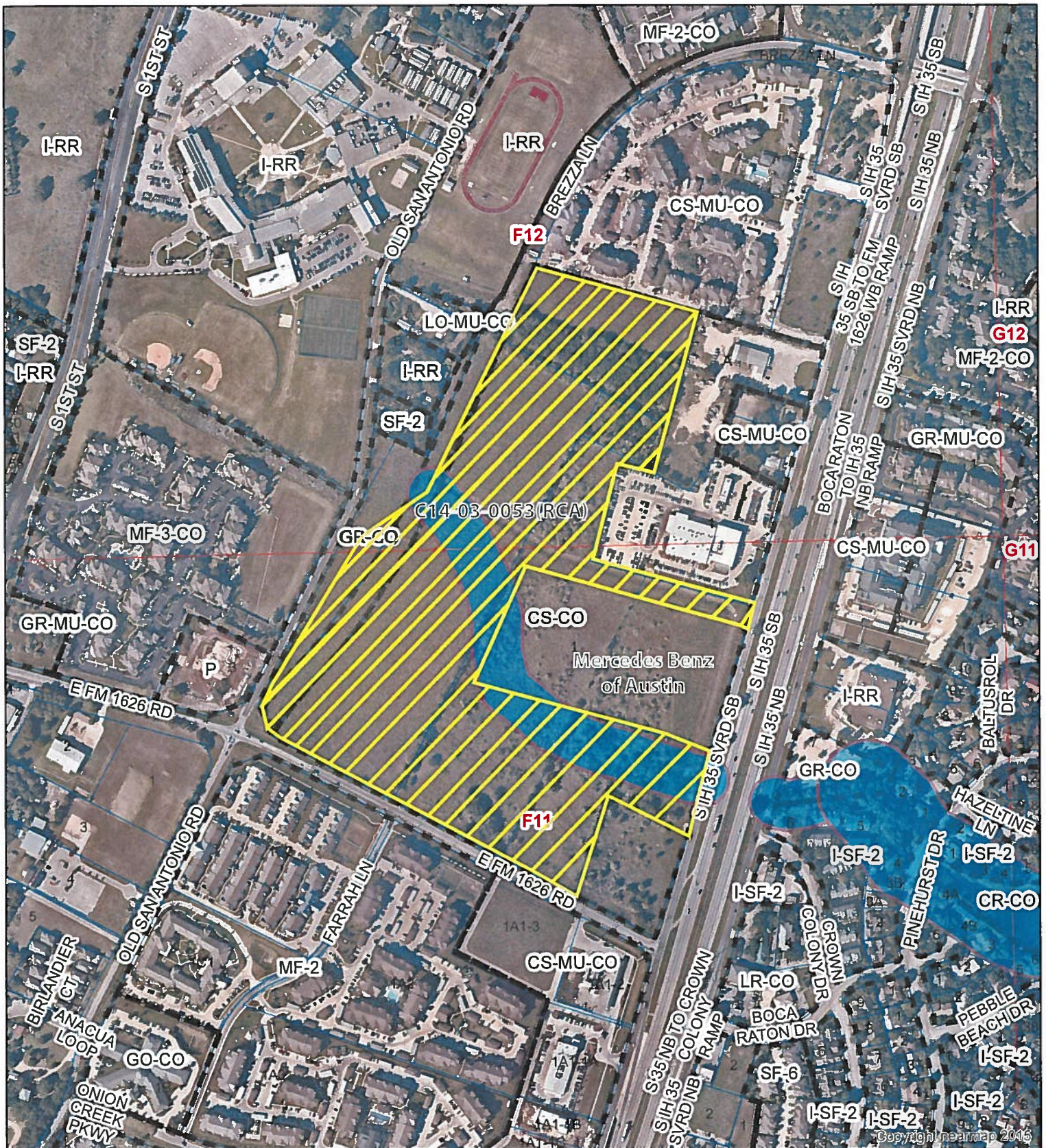
Exhibit A-1



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY
- CREEK BUFFER

1" = 500'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



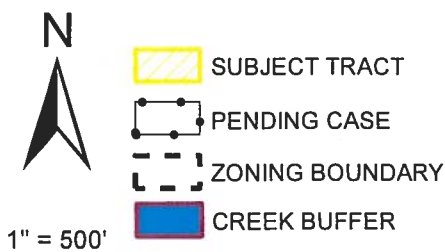
RESTRICTIVE COVENANT AMENDMENT

ZONING CASE#: C14-03-0053(RCA)
 LOCATION: 420 E. FM 1626 ROAD
 SUBJECT AREA: 50.124 ACRES
 GRID: F11 & F12
 MANAGER: WENDY RHOADES

Exhibit A-1



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



ORDINANCE NO. 031211-Z-7

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT THE 11000 BLOCK OF SOUTH IH-35 SERVICE ROAD SOUTHBOUND, REZONING AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT TWO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No.C14-03-0053, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to general commercial services-conditional overlay (CS-CO) combining district.

A 65.796 acre tract of land, more or less, out of the Santiago del Valle Grant and the S.F. Slaughter League No. 1, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From interim rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district.

A 3.790 acre tract of land, more or less, out of the Santiago del Valle Grant and the S.F. Slaughter League No. 1, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as the property located at the 11000 Block of South IH-35 Service Road Southbound, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Vehicular access from the Property to Old San Antonio Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
2. The following uses are prohibited uses of Tract One:

Agricultural sales and services	Art and craft studio (general)
Pawn shop services	Campground
Indoor entertainment	Theater
Hotel-motel	Equipment repair services
Equipment sales	Kennels
Laundry services	Vehicle storage
Bail bond services	Adult-oriented businesses
Maintenance and service facilities	Monument retail sales
Commercial blood plasma	Transitional housing
Transportation terminal	Drop-off recycling collection facility
Exterminating services	Outdoor entertainment
Residential treatment	Convenience storage

3. The following uses are prohibited uses of Tract Two:

Pawn shop services	Indoor entertainment
Theater	Hotel-motel
Bail bond services	Exterminating services
Outdoor entertainment	Residential treatment

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on December 22, 2003.

PASSED AND APPROVED

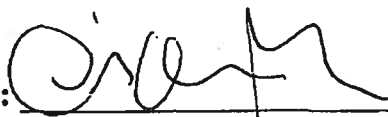
December 11, 2003

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§
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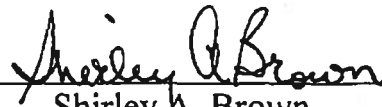
Will Wynn
Mayor

APPROVED:

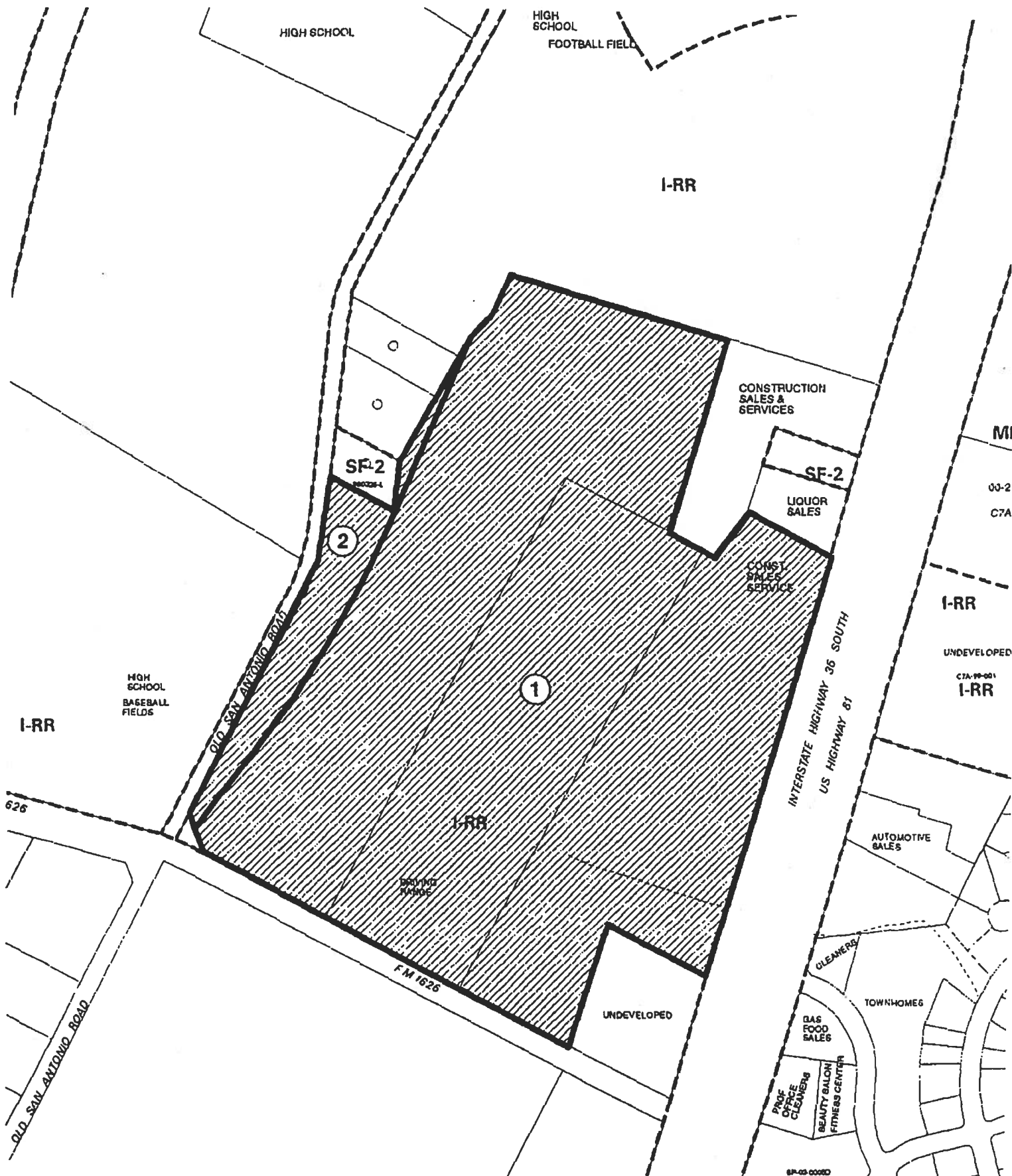


David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT		ZONING <i>EXHIBIT C</i>	CITY GRID REFERENCE NUMBER F11 F12
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: W. WALSH			
CASE #: C14-03-0053 ADDRESS: 11000 BLK S I 35 SVC RD SUBJECT AREA (acres): 69.586			DATE: 03-11 INTLS: SM	



Zoning Case No. C14-03-0053

RESTRICTIVE COVENANT

OWNER: Riddell Family Limited Partnership, a Texas limited partnership

ADDRESS: 2028 East Ben White Blvd., Suite 508, Austin, TX 78741

OWNER: Patton G. Lochridge

ADDRESS: McGinnis Lochridge and Kilgore, L.L.P.,
919 Congress Ave., Austin, TX 78701

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: A 65. 796 acre tract of land, more or less, out of the Santiago Del Valle Grant and the S.F. Slaughter League No. 1, in Travis County,, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this covenant, and

A 3.790 acre tract of land, more or less, out of the Santiago Del Valle Grant and the S.F. Slaughter League No. 1, in Travis County,, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this covenant, and

WHEREAS, the Owners of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owners of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owners of the Property, its heirs, successors, and assigns.

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by Wilber Smith Associates, dated May 2003, or as amended and approved by the Director of the Watershed Protection and Development Review Department. All development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department, dated November 19, 2003. The TIA shall be kept on file at the Watershed Protection and Development Review Department.

12-11-03

2-7

2. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
3. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
4. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
5. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the 5th day of December, 2003.

OWNER:

**Riddell Family Limited Partnership,
a Texas limited partnership**

By: _____

Wayne J. Riddell
Wayne J. Riddell
General Partner

Patton G. Lochridge
Patton G. Lochridge

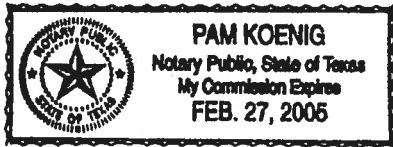
APPROVED AS TO FORM:

Debra Thomas
Assistant City Attorney
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 5th day of December, 2003, by Wayne J. Riddell, General Partner on behalf of Riddell Family Partnership, a Texas limited partnership.



Pam Koenig
Notary Public, State of Texas

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 9th day of December, 2003, by Patton G. Lochridge.



Cordelia Mendoza
Notary Public, State of Texas

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767
Attention: Diana Minter, Legal Assistant

65.796 ACRES
RIDDELL TRACT
WALTERS SOUTHWEST

C14-03-0053
TRACT 1
CS-CO Zoning
FN. NO. 03-290 (MJJ)
OCTOBER 21, 2003
BPI JOB NO. 652-39.09

DESCRIPTION

OF A 65.796 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT AND THE S.F. SLAUGHTER LEAGUE NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN 18.03 ACRE TRACT OF LAND CONVEYED TO PATTON G. LOCHRIDGE BY DEED OF RECORD IN VOLUME 8536, PAGE 209 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND ALSO BEING A PORTION OF THAT CERTAIN 125.714 ACRE TRACT OF LAND CALLED "TRACT THREE" CONVEYED TO THE RIDDELL FAMILY LIMITED PARTNERSHIP BY DEED OF RECORD IN VOLUME 12246, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 65.796 ACRE TRACT OF LAND BEING DESCRIBED MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a concrete monument found in the northerly line of F.M. 1626 (R.O.W. varies - Hwy. Sta. 109+55.1), being the southerly line of the remaining portion of said "Tract Three";

THENCE, N20°12'00"W, along the northerly line of F.M. 1626, being a portion of the southerly line of the remaining portion of said "Tract Three", a distance of 94.75 feet to the southwesterly corner hereof, from which a concrete monument found in the easterly line of Old San Antonio Road (R.O.W. varies), being the intersection of the easterly line of Old San Antonio Road with the northerly line of F.M. 1626 bears N20°12'00"W, a distance of 35.94 feet;

THENCE, leaving the northerly line of F.M. 1626, over and across the remaining portion of said "Tract Three", for the westerly line hereof, the following six (6) courses and distances:

- 1) N37°45'57"E, a distance of 309.77 feet to the point of curvature of a tangent curve to the left;
- 2) Along said tangent curve to the left having a radius of 3479.00 feet, a central angle of 14°07'41", an arc length of 857.86 feet and a chord which bears N30°42'06"E, a distance of 855.69 feet to the end of said curve;
- 3) N23°38'16"E, a distance of 21.95 feet to an angle point;
- 4) N29°22'27"E, a distance of 19.96 feet to an angle point;
- 5) N17°58'44"E, a distance of 20.24 feet to an angle point;
- 6) N23°38'16"E, a distance of 593.72 feet to a 1/2 inch iron rod with cap set for the northeasterly corner of that certain 0.335 acre tract of land conveyed to Louella M. Rollins by deed of record in Document No. 2000097088 of the Official Public Records of Travis County, Texas, same being the southeasterly corner of that certain 12.263 acre tract of land conveyed to the Austin Independent School District of record in Cause No. 2283 of the Probate Court of Travis County, Texas;

THENCE, along a portion of the easterly line of said 12.263 acre tract of land, being a portion westerly line of the remaining portion of said "Tract Three" and a portion of the westerly line hereof, the following two (2) courses and distances:

- 1) N43°22'17"E, a distance of 94.31 feet to a 1/2 inch iron rod found for an angle point;
- 2) N24°58'19"E, a distance of 146.33 feet to the northwesterly corner hereof;

THENCE, S73°51'32"E, leaving the easterly line of said 12.263 acre tract, over and across said "Tract Three", along the northerly line hereof, a distance of 734.23 feet to a 1/2 inch iron rod found at the northwesterly corner of Lot "A" Richard Marshall Addition, a subdivision of record in Volume 78, Page 131 of said Plat Records, for the northeasterly corner hereof;

THENCE, S16°07'31"W, along the westerly line of said Lot "A", being a portion of the easterly line of the remaining portion of said "Tract Three" and a portion of the easterly line hereof, a distance of 649.29 feet to a 1/2 inch iron rod found in the northerly line of said 18.03 acre tract of land, being the southwesterly corner of said Lot "A", for an angle point hereof;

THENCE, S62°13'30"E, along a portion of the northerly line of said 18.03 acre tract, being the southerly line of said Lot "A" and a portion of the easterly line hereof, a distance of 166.36 feet to a 1/2 inch iron rod found at the northeasterly corner of said 18.03 acre tract, same being the southeasterly corner of said Lot "A", for an angle point hereof;

THENCE, N36°39'03"E, along a portion of the easterly line of said Lot "A", being a portion of the easterly line hereof, a distance of 181.85 feet to a 1/2 inch iron rod found at the southwesterly corner of that certain 1.283 acre tract of land conveyed to Everett Keesee by deed of record in Volume 12487, Page 1212 of said Real Property Records, for an angle point;

THENCE, S62°07'02"E, leaving the easterly line of said Lot "A", along the southerly line of said 1.283 acre tract, being a portion of the easterly line hereof, a distance of 300.74 feet to a 1/2 inch iron rod found in the westerly line of Interstate Highway 35 (R.O.W. varies), being the southeasterly corner of said 1.283 acre tract, for an angle point hereof;

THENCE, S16°06'10"W, along the westerly line of Interstate Highway 35, being a portion of the easterly line hereof, a distance of 1418.83 feet to a 1/2 inch iron rod found at the northeasterly corner of that certain 3.41 acre tract of land conveyed to John G. Adams by deed of record in Volume 10023, Page 847 of said Real Property Records, for an angle point hereof;

THENCE, leaving the westerly line of Interstate Highway 35, along the northerly and westerly lines of said 3.41 acre tract, being a portion of the easterly line hereof, the following two (2) courses and distances:

- 1) N62°22'53"W, a distance of 353.89 feet to a iron pipe found at the northwesterly corner of said 3.41 acre tract, for an angle point hereof;
- 2) S17°38'45"W, a distance of 418.77 feet to a point in the northerly line of F.M. 1626, being the southwesterly corner of said 3.41 acre tract, for the southeasterly corner hereof;

THENCE, along the northerly line of F.M. 1626, being the southerly line of the remaining portion of said "Tract Three" and the southerly line of said 18.03 acre tract, for the southerly line hereof, the following two (2) courses and distances:

- 1) N62°22'53"W, a distance of 1230.28 feet to a concrete monument found for an angle point;
- 2) N61°51'28"W, a distance of 119.90 feet to the **POINT OF BEGINNING**, containing an area of 65.796 acres (2,866,071 sq. ft.) of land, more or less, within these metes and bounds.

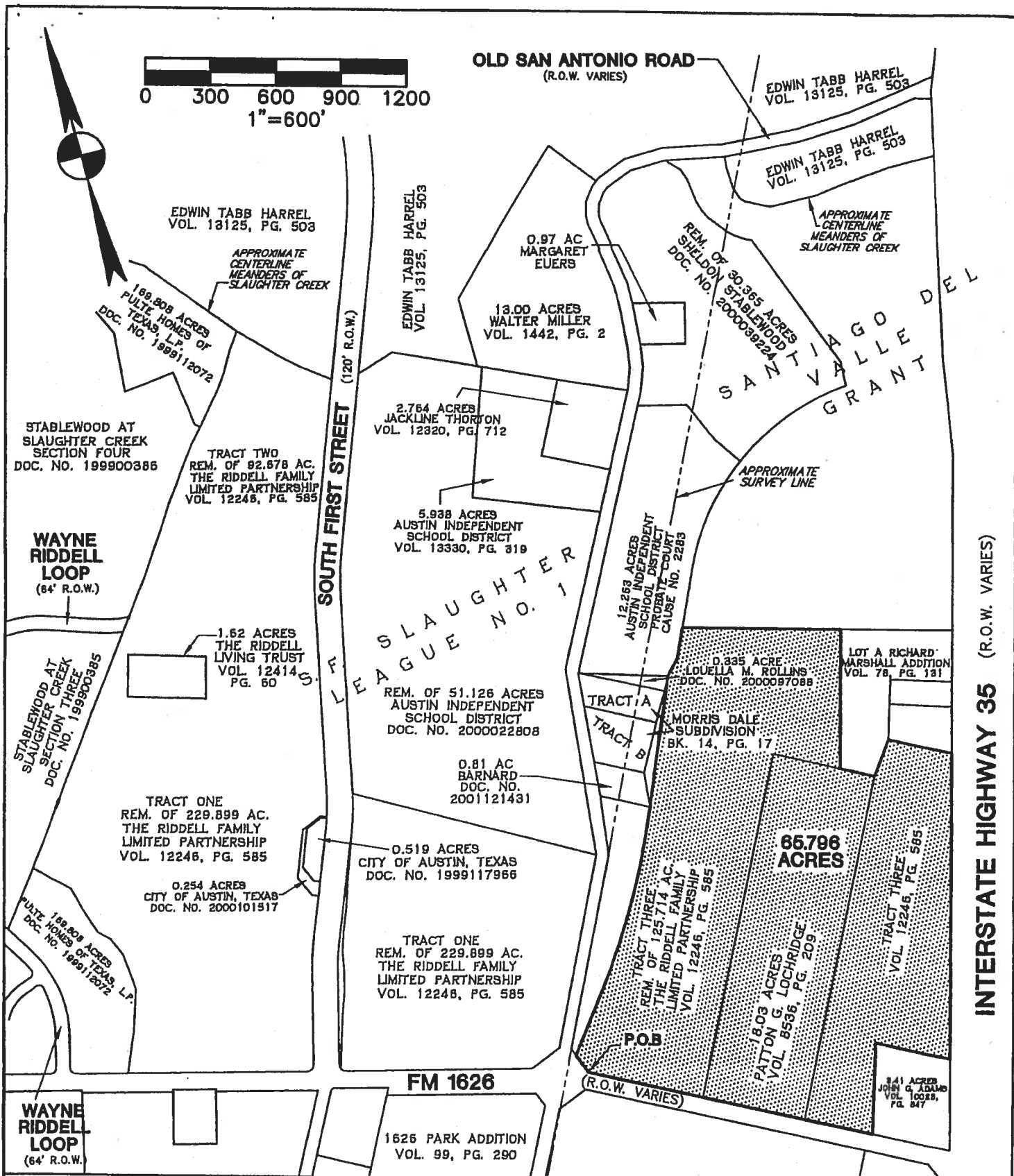
BEARING BASIS IS TEXAS CENTRAL ZONE NAD83. CONTROL MONUMENTS USED FOR THIS SURVEY ARE CITY OF AUSTIN AND LOWER COLORADO RIVER AUTHORITY MONUMENTATION.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746

Mark J. Jezisek 10/21/03
MARK J. JEZISEK
RPLS NO. 5267
STATE OF TEXAS





SKETCH TO ACCOMPANY DESCRIPTION
 OF 65.796 ACRES OF LAND BEING A PORTION
 OF "TRACT THREE" THE RIDDELL FAMILY
 LIMITED PARTNERSHIP AND THAT CERTAIN
 18.032 ACRE PATTON LOCHRIDGE TRACT,
 SITUATED IN TRAVIS COUNTY, TEXAS.

**RIDDELL
 FAMILY
 PARTNERSHIP**

b Bury+ Partners
 Consulting Engineers and Surveyors
 Austin, Texas Tel 512/328-0011 Fax 512/328-0325
 Bury+Partners, Inc. ©Copyright 2006

DATE: 10/21/03

FILE: H:\652\39\65239EX9.dwg

FN No.: FN03-290(MJJ)

DRAWN BY: MJJ

PROJ. No: 652-39.09

C14-03-0053
TRACT 2
GR-CO Zoning

3.790 ACRES
RIDDELL TRACT
WALTERS SOUTHWEST

FN. NO. 03-289 (MJJ)
OCTOBER 21, 2003
BPI JOB NO. 652-39.09

DESCRIPTION

OF A 3.790 ACRE TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT AND THE S.F. SLAUGHTER LEAGUE NO. 1, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 125.714 ACRE TRACT OF LAND CALLED "TRACT THREE" CONVEYED TO THE RIDDELL FAMILY LIMITED PARTNERSHIP BY DEED OF RECORD IN VOLUME 12246, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.790 ACRE TRACT OF LAND BEING DESCRIBED MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a concrete monument found in the easterly line of Old San Antonio Road (R.O.W. varies), being the intersection of the easterly line of Old San Antonio Road with the northerly line of F.M. 1626 (R.O.W. varies);

THENCE, leaving the northerly line of F.M. 1626, along the easterly line of Old San Antonio Road, being a portion of the westerly line of the remaining portion of said "Tract Three" and a portion of the westerly line hereof, the following two (2) courses and distances:

- 1) N26°30'11"E, a distance of 918.65 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) N08°02'39"E, a distance of 274.28 feet to a 1/2 inch iron rod found being the southwesterly corner of that certain 0.81 acre tract of land conveyed to Terrance J. Bernard and Diana Bernard by deed of record in Document No. 2001121431 of the Official Public Records of Travis County, Texas, for an angle point;

THENCE, leaving the easterly line of Old San Antonio Road, along the southerly and easterly lines of said 0.81 acre tract, being a portion of the westerly line of the remaining portion of said "Tract Three" and a portion of the westerly line hereof, the following two (2) courses and distances:

- 1) S62°25'32"E, a distance of 234.10 feet to a 1/2 inch iron rod found for the southeasterly corner of said 0.81 acre tract of land;
- 2) N06°11'33"E, a distance of 161.18 feet to an iron pipe found being the northeasterly corner of said 0.81 acre tract of land and the southeasterly corner of Tract "B" Morris Dale Subdivision, of record in Book 14, Page 17 of the Plat Records of Travis County, Texas;

THENCE, N29°38'06"E, along the easterly lines of said Morris Dale Subdivision and that certain 0.335 acre tract of land conveyed to Louella M. Rollins by deed of record in Document No. 2000097088 of said Official Public Records, being a portion of the westerly line of the remaining portion of said "Tract Three" and a portion of the westerly line hereof, a distance of 462.49 feet to a 1/2 inch iron rod with cap set for the northeasterly corner of said 0.335 acre tract, same being the southeasterly corner of that certain 12.263 acre tract of land conveyed to the Austin Independent School District of record in Cause No. 2283 of the Probate Court of Travis County, Texas, for the most northerly corner hereof;

THENCE, leaving the northeasterly corner of said 0.335 acre tract, over and across the remaining portion of said "Tract Three", for the easterly line hereof, the following six (6) courses and distances:

- 1) S23°38'16"W, a distance of 593.72 feet to an angle point;
- 2) S17°58'44"W, a distance of 20.24 feet to an angle point;
- 3) S29°22'27"W, a distance of 19.96 feet to an angle point;
- 4) S23°38'16"W, a distance of 21.95 feet to the point of curvature of a tangent curve to the right;
- 5) Along said tangent curve to the right having a radius of 3479.00 feet, a central angle of 14°07'41", an arc length of 857.86 feet and a chord which bears S30°42'06"W, a distance of 855.69 feet to the end of said curve;
- 6) S37°45'57"W, a distance of 309.77 feet to a point in the northerly line of F.M. 1626, for the southeasterly corner hereof;

THENCE, along the northerly line of F.M. 1626, being the southerly line hereof, a distance of 35.94 feet to the **POINT OF BEGINNING**, containing an area of 3.790 acres (165,083 sq. ft.) of land, more or less, within these metes and bounds.

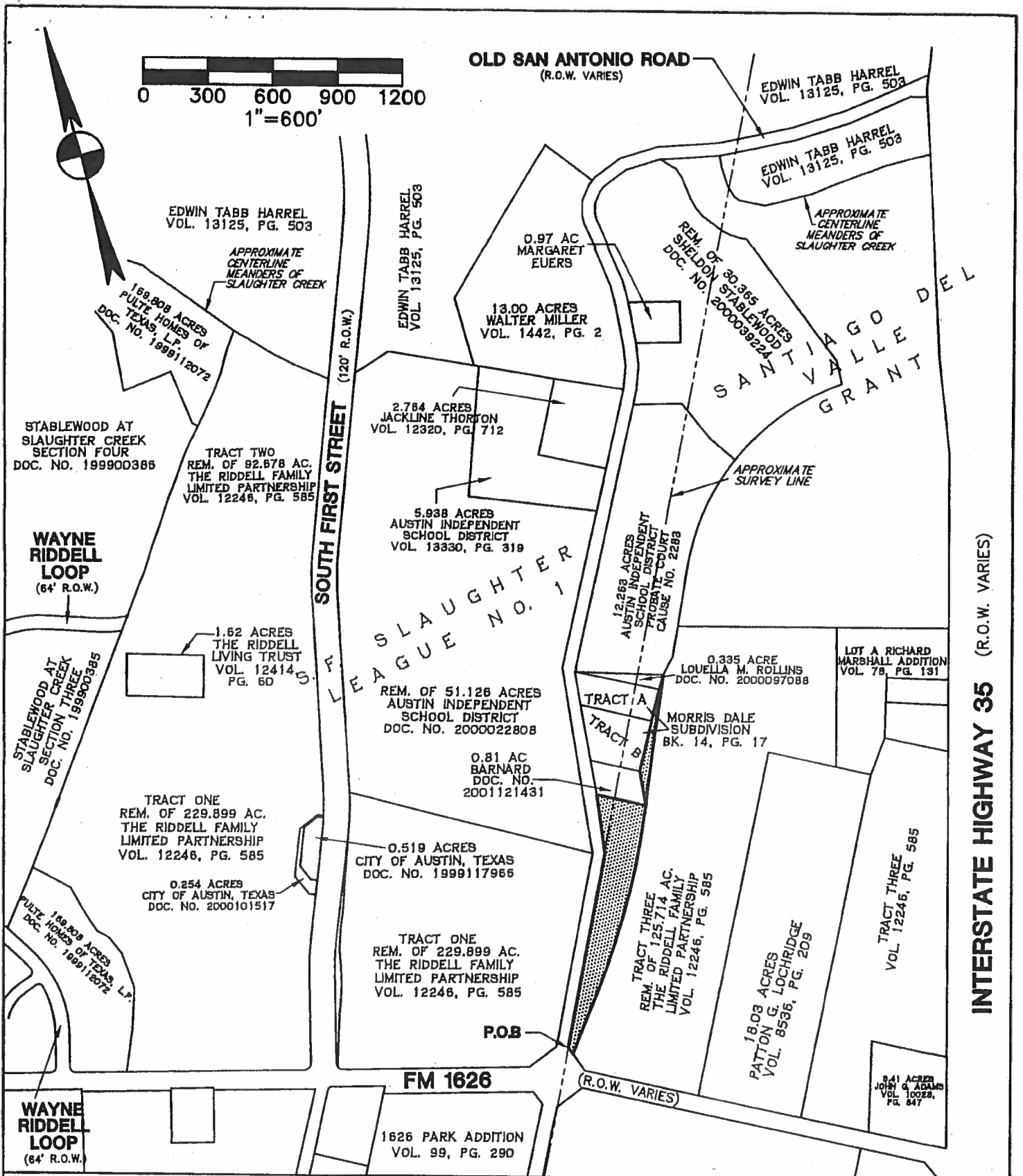
BEARING BASIS IS TEXAS CENTRAL ZONE NAD83. CONTROL MONUMENTS USED FOR THIS SURVEY ARE CITY OF AUSTIN AND LOWER COLORADO RIVER AUTHORITY MONUMENTATION.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746

Mark J. Jezisek
MARK J. JEZISEK
RPLS NO. 5267
STATE OF TEXAS





b Bury+ Partners
 Consulting Engineers and Surveyors
 Austin, Texas Tel 512/328-0011 Fax 512/328-0325
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SKETCH TO ACCOMPANY DESCRIPTION
 OF 3.790 ACRES OF LAND SITUATED IN TRAVIS
 COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN
 TRACT OF LAND CALLED "TRACT THREE" OF RECORD
 IN VOLUME 12246, PAGE 585 OF THE REAL
 PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

**RIDDELL
 FAMILY
 PARTNERSHIP**

DATE: 10/21/03 FILE: H:\652\39\65239EX8.dwg FN No.: FN03-289(MJJ) DRAWN BY: MJJ PROJ. No: 652-39.09

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

12-16-2003 10:53 AM 2003288731
BAZANJ \$34.00
DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

ORDINANCE NO. 20101118-094

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 10200-10614 SOUTH IH-35 SERVICE ROAD SOUTHBOUND AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT AND GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-2008-0220, on file at the Planning and Development Review Department, as follows:

Tract One and Tract Three: From interim rural residence (I-RR) district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district.

A 16.490 acre tract of land (Tract One) and a 7.122 acres tract of land (Tract Three), more or less, out of the Santiago Del Valle Grant and the S.F. Slaughter League No. 1, the tracts being part of a 125.714 acre tract and more particularly described by metes and bounds in Exhibit "A" and Exhibit "C" incorporated into this ordinance; and

Tract Two: From interim rural residence (I-RR) district and general commercial services-conditional overlay (CS-CO) combining district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district.

A 24.532 acre tract of land, more or less, out of the Santiago Del Valle Grant, the tract being part of a 125.714 acre tract and more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance; (the "Property"),

locally known as 10200-10614 South IH-35 Service Road Southbound, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The following uses are prohibited uses of the Property:

Adult-oriented businesses
Campground
Drop-off recycling collection facility
Exterminating services
Monument retail sales
Residential treatment

Bail bond services
Commercial blood plasma center
Equipment sales
Kennels
Pawn shop services
Transitional housing

Except as otherwise specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on November 29, 2010.

PASSED AND APPROVED

_____, November 18, 2010

§
§
§



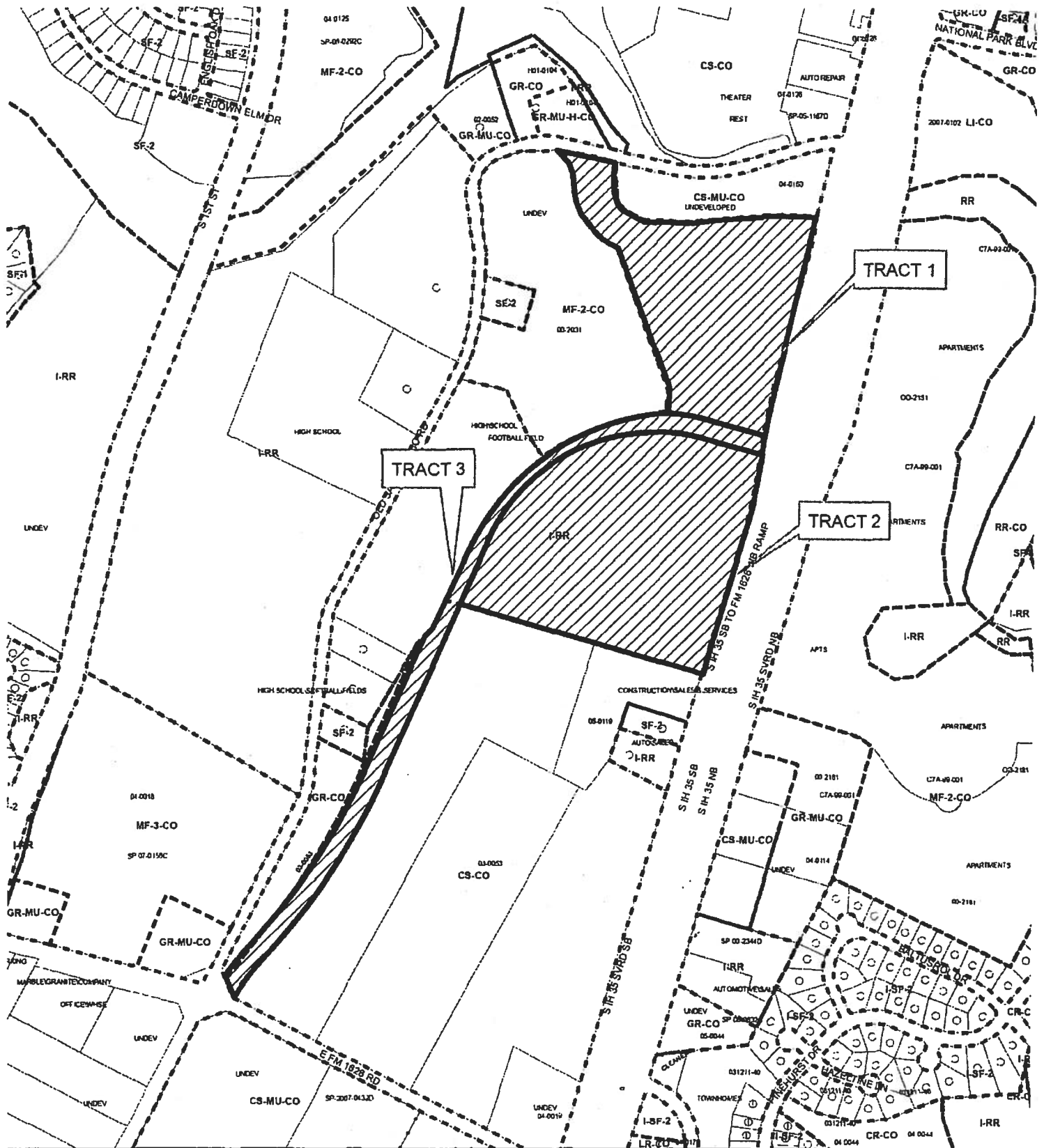
Lee Leffingwell
Mayor

APPROVED: 

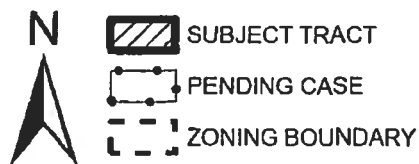
Karen M. Kennard
Acting City Attorney

ATTEST: 

Shirley A. Gentry
City Clerk



ZONING EXHIBIT D

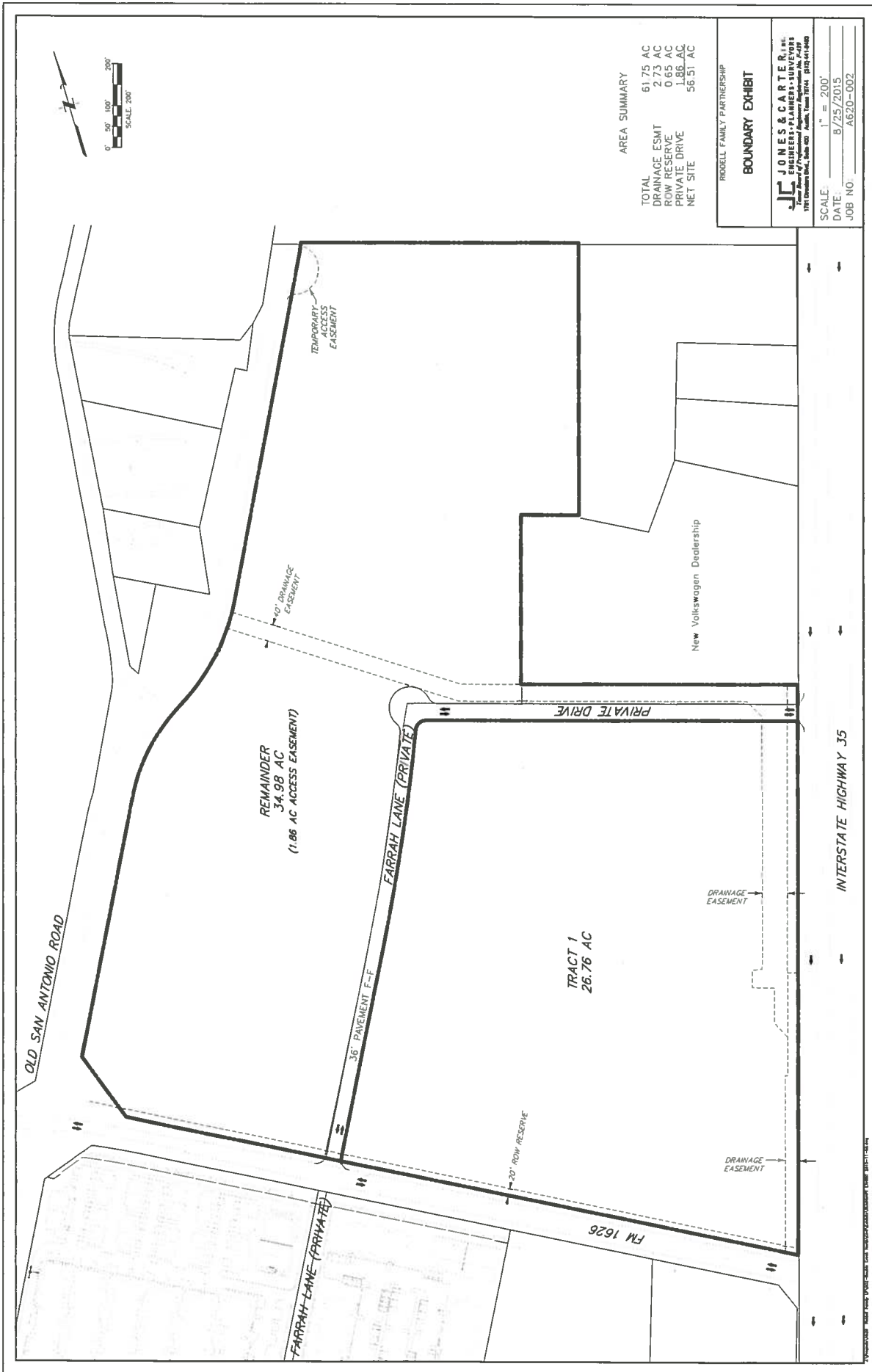


1" = 600'

ZONING CASE#: C14-2008-0220
 LOCATION: 10200-10614 S IH 35 SVRD SB
 SUBJECT AREA: 48.144 ACRES
 GRID: F11-12
 MANAGER: WENDY RHOADES



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



AREA SUMMARY

TOTAL	61.75 AC
DRAINAGE ESMT	2.73 AC
ROW RESERVE	0.65 AC
PRIVATE DRIVE	1.86 AC
NET SITE	56.51 AC

RODELL FAMILY PARTNERSHIP

BOUNDARY EXHIBIT

J. JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
Texas Board of Professional Engineers Registration No. 7-237
1901 University Blvd., Suite 400 Austin, Texas 78741 (512) 411-0400

SCALE: 1" = 200'

DATE: 8/25/2015

JOB NO: A620-002

EXHIBIT C



MEMORANDUM

TO: Wendy Rhoades, Case Manager
Planning and Zoning Department

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

DATE: ~~January 30, 2018~~ REVISED February 28, 2018

SUBJECT: Traffic Impact Analysis for Double Creek Residences
Zoning application C14 – 2016 – 0021 (update for C14 – 03 – 0053)

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 west side of IH - 35, north of FM 1626 and east of Old San Antonio Road. The applicant is proposing to rezone 35.032 acres from CS – CO, CS-MU-CO, GR – CO to CS – MU – CO with improvements to allow for the following land uses:

- 750 residential apartments
- 126,600 SF of retail shopping center
- 61,000 SF of auto sales and services (car dealership)
- 13,500 SF of sit down restaurant and
- 12,200 SF of fast-food restaurant with drive thru

The entire tract of 69.586 acres will be developed in phases, with an estimated completion year of 2021 for the residential apartments. The remaining land uses will be constructed as market trends and resources allow. All identified mitigation in the traffic study will be constructed concurrent with the residential units.

Staff from the Austin Transportation and the Development Services Departments have reviewed the February 3, 2017 Addendum to the October 4, 2016 "Traffic Impact Study, Double Creek Village – Phase 1" with the following comments:

Nearby Roadways

Interstate 35 is a six lane freeway with two lane frontage roads in the vicinity of the site. The posted speed limit for the main lanes is 70 MPH and for the frontage roads, 55 MPH. According to 2013 TxDOT traffic volumes, the average daily volume for this segment of IH – 35 is 139,695 vehicles. No sidewalks or bicycle facilities are provided.

FM 1626 is classified a major two lane undivided arterial roadway in the vicinity of the site. The posted speed limit is 55 MPH. According to 2013 TxDOT traffic volumes, the average daily volume for this segment is 12,122 vehicles. There are no sidewalks or bicycle facilities provided.

Old San Antonio Road is classified as a neighborhood collector roadway with a posted speed limit of 45 MPH. According to the Estancia Hill Country PUD traffic study (conducted in 2003), the average daily volume is 5,400 vehicles. There are no sidewalks or bicycle facilities.

South 1st Street is a four lane divided arterial roadway with a posted speed limit of 45 MPH. According to the Capital Area Metropolitan Planning Organization (CAMPO), the average daily volume is 7,900 vehicles. There is a partial sidewalk network along South 1st Street in the vicinity of Akins High School.

Farrah Lane is classified as a private local street with an assumed speed limit of 30 MPH. Peak hour traffic counts indicate a daily volume of approximately 3,000 vehicles. Sidewalks are provided on both sides however, there are no bicycle facilities.

Conroy Lane is classified as a local street with a posted speed limit of 30 MPH. Peak hour traffic counts indicate a daily volume of approximately 3,000 vehicles. Sidewalks are provided on both sides however, there are no bicycle facilities.

"Rex Kitchens Lane" and **"Roadway 2"** are both proposed private two lane streets within the site. They will operate as local streets and have a speed limit of 30 MPH.

Trip Generation Estimates

Based on the **ITE Trip Generation Manual, 9th Edition**, the proposed development will generate approximately 20,545 new daily trips per day (vpd) with 1408 trips occurring during the AM peak hour, and 2078 occurring during the PM peak hour. Table 1 (on the following page) provides the unadjusted estimated number of daily trips.

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)	750 DU	74	297	280	150	4,669
Shopping Center (820)	126,600 SF	112	68	337	365	7,916
Auto Sales/Service (841)	61,000 SF	88	29	56	84	1,970
Sit down Restaurant (932)	13,500 SF	80	66	80	53	1,717
Fast-food Restaurant (934)	12,200 SF	283	272	207	191	6,053
Totals		676	732	1,092	986	22,325

According to the scoping documents, reductions to the estimated generated trips were permitted for the restaurant and retail land uses. These reductions were from 10% - 45% depending upon the land use and according to the recommended practice of the ITE Trip Generation Handbook. No reductions for transit, bicycle or pedestrian trips were applied. Table 2 below presents the adjusted estimated trips for daily and peak hours, as reference in the traffic study.

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)	750 DU	74	297	280	150	4,669
Shopping Center (820)	126,600 SF	112	68	253	273	7,124
Auto Sales/Service (841)	61,000 SF	88	29	56	84	1,970
Sit down Restaurant (932)	13,500 SF	80	66	48	32	1,374
Fast-food Restaurant (934)	12,200 SF	170	162	114	105	3,632
Totals		524	622	751	644	18,769

Data Collection

Traffic counts were conducted on December 3, 2015 when public schools were in session, and driveway counts for the existing auto dealership were conducted on May 12, 2016.

Trip Distribution

Table 3 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	Residential Trips	Retail Trips
IH – 35 (southbound)	50%	30%
IH – 35 (northbound)	15%	40%
Old San Antonio Road (northbound)	10%	10%
FM 1626 (westbound)	10%	10%
Onion Creek Parkway (eastbound)	15%	10%
Totals	100%	100%

Traffic Analysis Methodology

Table 4 below 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 (on the following page) presents the existing peak hour levels of service (seconds delay per vehicle) modeled for current year.

Table 5 – Existing Levels of Service (Year 2015)				
Intersection	Control*	Peak Hour	Delay	LOS
FM 1626 at South 1 st Street/Conroy Lane	Signal	AM	137.0	F
		PM	278.6	F
FM 1626 at Old San Antonio Road	SSSC	AM	81.5	F
		PM	954	F
FM 1626 at Farrah Lane/ Roadway 2	SSSC	AM	25.6	C
		PM	31.9	C
FM 1626 at IH – 35 SB frontage road	SSSC	AM	288.9	F
		PM	69.8	F
IH – 35 SB frontage road at Onion Creek Parkway	SSSC	AM	38.9	E
		PM	37.2	E
IH – 35 NB frontage road at Onion Creek Parkway	SSSC	AM	43.7	E
		PM	10.2	B
IH – 35 SB frontage road at Slaughter Creek overpass	AWSC	AM	50.0	D
		PM	31.2	C
IH – 35 NB frontage road at Slaughter Creek overpass	AWSC	AM	40.4	D
		PM	41.7	D

*note: stop controlled intersections show only the longest approach delays, not intersection delay

Table 6 presents the model results for the “No Build” and “Built” conditions for the year 2021.

Table 6 – No Build and Built w/o mitigation Levels of Service (Year 2021)					
Intersection	Peak Hour	No Build Conditions		Built w/o mitigation	
		Delay	LOS	Delay	LOS
FM 1626 at South 1 st Street/Conroy Lane	AM	231.8	F	241.5	F
	PM	414.8	F	410.0	F
FM 1626 at Old San Antonio Road	AM	5351	F	7916.6	F
	PM	Err	F	Err	F
FM 1626 at Farrah Lane/ Roadway 2	AM	1176.6	F	3816.5	F
	PM	1191.9	F	3987.5	F
FM 1626 at IH – 35 SB frontage road	AM	383.3	F	901.1	F
	PM	1328.1	F	2583.6	F
IH – 35 SB frontage road at Onion Creek Parkway	AM	27.6	C	27.8	C
	PM	23.1	C	26.6	C
IH – 35 NB frontage road at Onion Creek Parkway	AM	33.1	C	46.6	D
	PM	18.9	B	26.7	C
IH – 35 SB frontage road at Slaughter Creek overpass	AM	76.9	E	76.1	E
	PM	54.0	D	54.3	D
IH – 35 NB frontage road at Slaughter Creek overpass	AM	87.5	F	88.2	F
	PM	68.0	E	68.3	E

Table 7 presents the results for the “Built with mitigations” scenario for the year 2021.

Table 7 – Future Levels of Service Built w/ mitigations scenario (Year 2021)				
Intersection	Control	Peak Hour	Delay	LOS
FM 1626 at South 1 st Street/Conroy Lane	Signal	AM	103.7	F
		PM	280.2	F
FM 1626 at Old San Antonio Road	Signal	AM	20.1	C
		PM	41.7	D
FM 1626 at Farrah Lane/ Roadway 2	SSSC	AM	41.4	D
		PM	42.5	D
FM 1626 at IH – 35 SB frontage road	SSSC	AM	-	A
		PM	-	A
IH – 35 NB frontage road at Slaughter Creek overpass	AWSC	AM	54.4	D
		PM	48.7	D
IH – 35 SB frontage road at Slaughter Creek overpass	AWSC	AM	34.1	C
		PM	38.3	D

(AWSC) = All-Way Stop Control; (SSSC) = Side-Street Stop Control

Summary of Future Conditions

The following conditions were identified in the TIA, as reflecting the future conditions of the project development, assuming all of the recommended improvements are implemented.

- The intersection of FM 1626 and South 1st Street/Conroy Lane will continue to operate at LOS (F) during both the AM and PM peak periods of travel.
- The intersection of FM 1626 and Old San Antonio Road will be signalized and is expected to operate with LOS (C) during the AM peak travel period and LOS (D) during the PM peak travel period, according to the travel model forecast.
- The intersection of FM 1626 at Farrah Lane is expected to operate at LOS (D) during both the AM and PM peak travel periods, and
- The intersections with the frontage road of IH – 35 will continue to operate with minimal delay to the main lanes of travel and slight delays for the side approaches, according to the travel model forecast.

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:

- 1) Improve the intersection of South 1st Street/Conroy Lane and FM 1626 to include:
 - a. Extension of the eastbound left turn lane;
 - b. Installation of westbound dedicated right turn lane, and;
 - c. Revise and optimize traffic signal timing and phasing plans.
- 2) Improve the intersection of Old San Antonio Road and FM 1626 to include:
 - a. Installation of new traffic signal;
 - b. Installation of westbound and eastbound dedicated left turn lanes, and
 - c. Installation of westbound and eastbound dedicated right turn lanes.
- 3) Improve the intersection of Farrah Lane/Roadway 2 and FM 1626 to include:
 - a. Installation of new traffic signal;
 - b. Installation of eastbound dedicated left turn lane, and
 - c. Installation of eastbound dedicated right turn lane.
- 4) Improve the intersection of FM 1626 and IH – 35 southbound frontage road to include:
 - a. Installation of southbound right turn lane,
 - b. Southbound acceleration lane.
- 5) Improve the intersection of Slaughter Creek Overpass and IH – 35 frontage roads to include:
 - a. Installation of eastbound right turn lane on SB frontage road, and
 - b. Installation of eastbound right turn lane on Slaughter Creek Overpass approaching northbound frontage road intersection.
- 6) Improve the intersection of FM 1626 and Driveway 1 (proposed) with the following:
 - a. Installation of 2nd southbound right turn lane.
- 7) Improve the intersection of southbound IH – 35 frontage road and Driveway 2 (proposed) with the following:
 - a. Installation of southbound right turn lane, and
 - b. Installation of southbound acceleration lane.
- 8) Improve the intersection of southbound IH – 35 frontage road and Rex Kitchens Lane (proposed) with the following:
 - a. Installation of southbound right turn lane, and
 - b. Installation of southbound acceleration lane.

Review staff discussed the need to implement physical improvements concurrently with the development of the site and 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 up to 750 residential apartments, 126,600 SF of retail shopping center, 61,000 SF of auto sales and services (car dealership), 13,500 SF of sit down restaurant and 12,200 SF of fast-food restaurant with drive thru service. The residential units (called Double Creek residences) will be constructed in two phases and staff from the Austin Transportation Department have determined which improvements will need to be complete prior to occupancy or construction of subsequent phases.

After consultation with the applicant, transportation review staff recommends approval of this zoning application subject to the following conditions:

Prior to the 3rd reading of City Council, the applicant shall commit to the following:

- 1) Dedicate ~~120 feet~~ 60 feet of right-of-way ~~and construct a four lane divided roadway~~ along the previously identified alignment of Stablewood Drive;
- 2) Dedicate 70 feet of right-of-way, as measured from the centerline, along FM 1626 from its intersection with Old San Antonio Road to the intersection of IH – 35 southbound frontage road.
- 3) Replace a portion of Old San Antonio Road with a commercial collector street (to be called Stablewood Drive), built to City of Austin standards, and realigned to offer connection to ~~IH – 35 southbound frontage road~~ existing roadway located north of subject property.

In addition, the applicant agrees to the design and construction of the following physical improvements identified in the TIA, as part of the residential site development:

- 4) **Prior to the issuance of the first certificate of occupancy for Phase 1 (identified as the first 375 multi-family dwelling units), the applicant shall design, construct and deliver the traffic signal identified for the intersection of FM 1626 and Stablewood Drive, with the associated roadway widening and revised traffic operations.**

Table 8 – Phase 1 List of Improvements

Location	Improvements	Total Cost	Developer Share %
FM 1626 / Old San Antonio Road	Install traffic signal	\$327,902	\$327,902 (100%)
FM 1626 at Old San Antonio Road	Installation of eastbound and westbound left turn lanes	\$707,412	\$707,412 (100%)
	Total cost participation		\$1,035,314

- 7) Prior to the issuance of the eight (8th) certificate of occupancy for Phase 2 (identified as the eighth apartment building, out of fifteen (15) total garden style apartment buildings), the applicant shall:

A) design, construct and deliver the segment of Stablewood Drive thru to its connection with ~~HH-35 southbound frontage road~~ existing roadway located to the north of subject property.

Table 9 – Phase 2 List of Improvements

Location	Improvements	Total Cost	Developer Share %
Stablewood Drive from FM 1626 to HH-35 southbound frontage road existing roadway to the north of subject property	Construction of 4 lane collector roadway	\$2,981,000	\$2,981,000 (100%)
	Total cost participation		\$2,981,000

- 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 October 4, 2016), 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 30, 2018~~ **February 28, 2023**, after which a revised TIA or addendum may be required.



Scott A. James, P.E., PTOE
Development Services Department

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: Double Creek Residences

ADDRESS/LOCATION: 420 East FM 1626

CASE #: C14-2016-0021

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 750 STUDENTS PER UNIT ASSUMPTION
Elementary School: .069 Middle School: .027 High School: .037

IMPACT ON SCHOOLS

The student yield factor for the south central region (across all grade levels) is 0.133 for apartment homes. The 750 multifamily unit development is projected to add approximately 100 students across all grade levels to the projected student population. It is estimated that of the 100 students, 52 will be assigned to Menchaca Elementary School, 20 to Paredes Middle School, and 28 to Akins High School.

The percent of permanent capacity by enrollment for SY 2020-21, including the additional students projected with this development, would be within the target range of 75-115% for Paredes MS (90%) and Akins HS (112%), assuming the mobility rates remain the same.

Menchaca Elementary School's current enrollment of 759 places the percent of permanent capacity at 130%, above the target range of 75-115%. The projected increase in enrollment by SY2020-21, coupled with the additional students from the proposed development, would increase the percent of permanent capacity to 139%, assuming the mobility rates remain the same. The school community and administration may need to discuss strategies to address overcrowding.

TRANSPORTATION IMPACT

Akins HS is located within 2 miles of the proposed development; therefore students would not qualify for transportation unless a hazardous route condition was identified. Students within the proposed development attending Menchaca ES and Paredes MS will qualify for transportation due to the distance from the proposed development to the schools. Additional buses would most likely be needed for the Menchaca and Paredes students.

SAFETY IMPACT

There are no known safety impacts at this time.

Date Prepared: 7/26/16

Director's Signature: Paul Turner

[1]

ATTACHMENT B

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Manchaca

RATING: Met Standard

ADDRESS: 12120 Manchaca Road

PERMANENT CAPACITY: 585

% QUALIFIED FOR FREE/REDUCED LUNCH: 48.75%

MOBILITY RATE: -3.1%

POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2015-16 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	739	783	835
% of Permanent Capacity	126%	134%	143%

ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2015-16 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	716	759	811
% of Permanent Capacity	122%	130%	139%

MIDDLE SCHOOL: Paredes

RATING: Met Standard

ADDRESS: 10100 S. Mary Moore Searight

PERMANENT CAPACITY: 1,156

% QUALIFIED FOR FREE/REDUCED LUNCH: 72.92%

MOBILITY RATE: -20.1%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2015-16 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,251	1,281	1,301
% of Permanent Capacity	108%	111%	113%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2015-16 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	1,000	1,024	1,044
% of Permanent Capacity	87%	89%	90%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



HIGH SCHOOL: Akins	RATING: Met Standard
ADDRESS: 10701 S. First St.	PERMANENT CAPACITY: 2,394
% QUALIFIED FOR FREE/REDUCED LUNCH: 66.73%	MOBILITY RATE: -19.0%

POPULATION (without mobility rate)			
HIGH SCHOOL STUDENTS	2015-16 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	3,373	3,278	3,306
% of Permanent Capacity	141%	137%	138%

ENROLLMENT (with mobility rate)			
HIGH SCHOOL STUDENTS	2015-16 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	2,733	2,656	2,684
% of Permanent Capacity	114%	111%	112%

*The 5-Year Projected Enrollment (with and without the proposed development) is an estimate calculated with the assumption that the stated mobility rates (transfers in and out of the school) remain the same over the 5-year period. These estimates are for the sole purpose of the Educational Impact Statement and should not be used for any other purposes.

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: adult-oriented businesses, agricultural sales and services, art workshop, bail bond services, campground, commercial blood plasma center, convenience storage, drop-off recycling collection facility, equipment repair services, equipment sales, exterminating services, hotel-motel, indoor entertainment, kennels, laundry services, maintenance and service facilities, monument retail sales, outdoor entertainment, pawn shop services, residential treatment, theater, transitional housing, transportation terminal, and vehicle storage.

The Restrictive Covenant Amendment includes all recommendations listed in the Traffic Impact Analysis memorandum, dated February 28, 2018, as provided in Attachment A.

The Restrictive Covenant Amendment releases 48.12 acres from the conditions established by the Traffic Impact Analysis recorded on December 16, 2003.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

General commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The MU, mixed-use district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The CO combining district may be applied in combination with most base districts. The district is intended to provide flexible and adaptive use or site development regulations by requiring standards tailored to individual properties.

2. Zoning should promote the policy of locating retail and more intense zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

3. Intensive multi-family zoning should be located on major arterials and highways.

4. Zoning changes should promote an orderly relationship among land uses.

Staff recommends CS-MU-CO district zoning based on the following considerations of the property: 1) location on the southbound IH-35 frontage road which is suitable for commercial uses; 2) properties to the north that access Slaughter Lane and south along the IH-35 frontage road have been approved for GR-CO or CS-CO zoning for similar commercial and retail development.

In addition, the Traffic Impact Analysis (TIA) requires the commitment of the Applicant to:

- dedicate 60 feet of right-of-way (r-o-w) for a roadway along the previously identified Stablewood Drive,
- dedicate r-o-w for along FM 1626 from Old San Antonio Road to the southbound IH-35 frontage road,

- replace a portion of Old San Antonio Road with a commercial collector street to be called Stablewood Drive;

The TIA also requires:

- design, construction and delivery of a traffic signal for the FM 1626 / Stablewood Drive intersection, with associated roadway widening and revised traffic operations prior to the first Certificate of Occupancy for Phase 1 (the first 375 multi-family dwelling units). The understanding is that access to Phase 2 development will be via internal driveways until Stablewood Drive is constructed.

EXISTING CONDITIONS

Site Characteristics

The subject property consists of undeveloped land. The site is relatively flat and there appear to be no significant topographical constraints.

Comprehensive Planning

This rezoning case is located on northeast corner of Old San Antonio Road and E. FM 1626, in South Austin. This undeveloped parcel is approximately 35 acres in size, which is part of a larger 60 acre site. This site is also located in an area without an adopted neighborhood plan. Surrounding land uses includes multifamily housing to the north; apartments and senior living residences to the south; undeveloped land and a Volkswagen auto dealership to the east; and apartments to the west. The proposed use is 750 unit apartment complex. The other part of the project not included in this request would include the shopping center and two restaurants included in the other 25 acre portion of the site.

Connectivity: There are no public sidewalks or bike trails located along Old San Antonio Road. The senior living complex located on the corner of FM 1626 and Old San Antonio Road has a crushed gravel path located along FM 1626 but there are no other public sidewalks are located nearby. Atkins High School is located less than 500 ft. to the north on Old San Antonio Road and S. 1st Street, while Southpark Meadows Shopping Center is located a mile away. However, there are no public sidewalks to access either of these two developments. This property is also not located near a public transit stop. The Walkscore for this area is a 28 out of 100, meaning most errands would require a car. Both Old San Antonio Road and FM 1626 are rural roads, with open drainage swales, narrow roads, no curbing, or sidewalks.

Imagine Austin

The Growth Concept Map identifies does not identify this area as being located within a Activity Center or Corridor (a Regional Center is located 1 mile north of this property) however the overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve '*complete communities*' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. On page 107, found in Chapter 4 of the IACP it 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 Imagine Austin policies are taken from Chapter 4 of the IACP, and are applicable to this project:

- **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.**
- **LUT P29.** 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.**

Conclusions:

In the last several years, Old San Antonio Road and FM 1626 has seen several large residential projects go up, which have provided a variety of housing types including senior living, apartments and single family subdivision, but providing little in the way of connectivity, including shaded public sidewalks, bike paths, or public transit stops to access nearby goods and services located at Southpark Meadows or the public high school off Old San Antonio Road.

The Imagine Austin text and policies excerpted above appear to support this multifamily project, which is part of larger mixed use project. This proposed mixed use project would provide additional residential housing, and goods and services (to the east – abutting the IH-35 frontage road), for residents living in the area. Staff recommends that the developer install public sidewalks and bike trails along FM 1626 and Old San Antonio Road to provide needed connectivity, which is currently absent in this area of Austin. Additionally, staff encourages the developer to contact CapMetro to explore the feasibility of locating a public transit stop within a quarter of mile of this mixed use project in the near future to provide additional connectivity. Public greenspace and recreational areas are also lacking in this area, and the developer is encouraged to provide a public greenspace component (such as a plaza, pocket park or walking trail) within the 60 acre mixed use project area to provide much needed greenspace and outdoor

recreation for both residents and customers within the development and make it a true complete community.

Drainage

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

Environmental

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

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

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

According to floodplain maps there is a floodplain and a Critical Water Quality Zone 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.

Site Plan and Compatibility Standards

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

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

The site is subject to compatibility standards. Along the South East property line, the following standards apply:

- No structure may be built within 25 feet of the property line, or triggering property line
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the triggering property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the triggering property line.
- No parking or driveways are allowed within 25 feet of the property line.
- *For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.*
- 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 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- 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.

Transportation

TxDOT and the Austin Metropolitan Area Transportation Plan calls for a total of 114 feet of right-of-way for FM 1626. If the requested zoning is granted, then it is recommended that 57 feet of right-of-way should be dedicated from the existing centerline of FM 1626 in accordance with the Transportation Plan. [LDC, Sections 25-6-51 and 25-6-55]. *Additional right-of-way may be required at the time of subdivision and/or site plan for Stablewood/Old San Antonio/New Loop Road.*

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for IH 35. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sections 25-6-51 and 25-6-55].

According to the Austin 2014 Bicycle Plan Update approved by Austin City Council in November 2014, a bicycle facility is recommended for Old San Antonio Road (shared lane) and FM 1626 (shared use path/trail).

At the time a site development permit is requested, it is recommended that all internal roadways, private driveways or streets to have sidewalks that connect to the public right-of-way. The sidewalk requirements shall be determined by the Transportation Criteria Manual.

Removal of Condition Overlays and Restrictive Covenants:

It is recommended that the existing conditional overlay which prohibits vehicular access to Old San Antonio Road be removed.

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.

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: C14-2016-0021

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: August 16, 2016, Zoning and Platting Commission
October 13, 2016, City Council**

Michael Carberry
Your Name (please print)

10801 Old San Antonio Rd.

Your address(es) affected by this application

[Signature]
Signature

8-11-16

Date

Daytime Telephone: 512.944.0279

Comments: Behind the proposed development are two existing residences and our small business, a private elementary + preschool. The proposed development raises many concerns about noise, pollution and safety due to the increased volume of traffic. We just want to keep our kids safe and keep our backyard from becoming a busy drive + parking lot. Thank you.

[Signature]

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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.

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Case Number: C14-2016-0021

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: August 1, 2017, Zoning and Platting Commission
September 28, 2017, City Council**

Beverly Adkisson

Your Name (please print)

11301 Farrah Unit 1021 Austin TX 78748

Your address(es) affected by this application

Beverly Adkisson

Signature

8-01-2017

Date

Daytime Telephone: 512-386-3150

Comments: I would prefer and recommend to Wendy Rhoades, Planning & Zoning Dept. to advise the zoning and Platting Commission to NOT approve the proposed zoning change. Case number: C14-2016-0021, to be heard by the city Council on September 28, 2017.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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.

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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: C14-2016-0021

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: August 1, 2017, Zoning and Platting Commission
September 28, 2017, City Council**

Kenneth Rodriguez

Your Name (please print)

11301 Folsom Ln Unit

Your address(es) affected by this application

8-1-17

Date

Signature

Daytime Telephone: 512-386-3150

Comments: I prefer and recommend to Wendy Rhoades, Planning and Zoning Department to advise the Zoning and Platting Commission to not approve the proposed zoning change, Case number is C14-2016-0021, to be heard by the City Council on September 28, 2017.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810