

ZONING CHANGE REVIEW SHEET**CASE:** C14-2018-0004 Braker Office/Condo Park**Z.A.P. DATE:** December 4, 2018**ADDRESS:** 1308 E. Braker Lane**AREA:** 0.919 acres**DISTRICT AREA:** 1**OWNER/APPLICANT:** Realty One Texas (Sinh Trong Le)**AGENT:** Impact Design and Architecture Group (James Fisher)**ZONING FROM:** MF-4-CO**TO:** GO-MU**SUMMARY STAFF RECOMMENDATION:**

Staff supports the Applicant's request for rezoning from SF-2 and DR to SF-4A and GR, with the condition that the Neighborhood Traffic Analysis (NTA) memorandum for the property be attached by public restrictive covenant.

ZONING & PLATTING COMMISSION RECOMMENDATION:

December 4, 2018:

November 20, 2018: To grant postponement as requested by Staff to December 4, 2018, on consent.

September 18, 2018: To grant postponement as requested by Staff to November 20, 2018, on consent.

August 21, 2018: To grant postponement as requested by Staff to September 18, 2018, on consent.

July 17, 2018: To grant postponement as requested by Staff to August 21, 2018, on consent.

June 19, 2018: To grant postponement as requested by Staff to July 17, 2018, on consent.

DEPARTMENT COMMENTS:

The proposed rezoning tract is located northwest of the intersection of East Braker Lane and Dessau Road. The property is an L-shaped tract that has frontage on Braker, Dessau, and May Drive. It is currently undeveloped and zoned MF-4-CO. Immediately southeast of the rezoning tract, at the northwest corner of Braker and Dessau, is a lot zoned LR-CO that is used for personal improvement services. To the east, across Dessau Road, is property that is included in the Pioneer Crossing PUD. This includes a large undeveloped lot as well as single family homes. Also across Dessau Road, southeast of the rezoning tract, are more single family residential properties zoned SF-1, SF-2, and SF-3. Across Braker Lane, south of the rezoning tract, is property zoned LO-CO-NP that is used for religious assembly. Immediately west of the rezoning tract is property zoned NO that is occupied by professional offices. Further west, across June Drive, is more professional office and NO zoning, as well as a residential neighborhood comprised primarily of SF-2 zoning. North of the rezoning tract, across May Drive, are single family residences and undeveloped lots zoned SF-2. *Please see Exhibits A and B—Zoning Map and Aerial Map.*

A Neighborhood Traffic Analysis (NTA) has been prepared to address transportation issues for the proposed rezoning cases. Staff recommends that the site be required to comply with the NTA Memorandum. *Please see Exhibit C—NTA Memorandum..*

Staff had received Correspondence in regards to the proposed rezoning. *Please see Exhibit D- Correspondence.*

SUMMARY STAFF RECOMMENDATION:

Staff supports the requested GO-MU. Office land use would provide a transition from the commercial land uses at the intersection of Braker Lane and Dessau Road to the residential neighborhood to the north and northwest. Mixed Use adds additional flexibility for redevelopment.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- The proposed zoning should be consistent with the purpose statement of the district sought.*
The proposed rezoning would allow office, residential or mixed use. General office (GO) district is the designation for an office or commercial use that serves community and city-wide needs. A building in a GO district may contain one or more different uses.
- Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*
GO-MU would provide a transition from the LR-CO property located at the intersection of Braker and Dessau and the NO and SF-2 zoned properties to the north and northwest.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	SF-2	Single family residences, Undeveloped
<i>South</i>	LO-CO-NP	Religious assembly
<i>East</i>	PUD, LR-CO, SF-2, SF-3	Personal improvement services, Undeveloped, Single family residences
<i>West</i>	NO, SF-2	Professional offices, Single family residences

RELATED CASES:

CITY FILE # / NAME	ZONING FROM	ZONING TO	STAFF REC.	ZAP COMMISSION	CITY COUNCIL
C14-2016-0068 1308 E. Braker Ln.	SF-2	MF-4	MF-2	MF-2	Approved MF-2-CO; Multifamily use is prohibited. Ord # 20161110-52
C14-2009-0003 Austin Chinese Church	SF-2, PUD, & SF-6	LO	LO-CO: 2,000 vehicle trip limit	To grant LO-CO as rec.	04/30/2009: Approved as rec. Ord. NO. 20090430-047
C14-2016-0038 ATCIC Braker	SF-6	LO-NP	Recommended	WITHDRAWN	

AREA STUDY: N/A**NTA:** See attached- Exhibit C**DESIRED DEVELOPMENT ZONE:** No**WATERSHED:** Walnut Creek**EXISTING STREET CHARACTERISTICS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Dessau Road	124 ft.	91 ft.	Arterial	Yes	Yes, Shared Lane	Yes
Braker Lane	86 ft.	61 ft.	Arterial	Yes	Yes, Shared Lane	Yes
May Road	62 ft.	43 ft.	Local	No	No	Yes

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NEIGHBORHOOD ORGANIZATIONS:

Bike Austin

Harris Branch Master Association, Inc.

Heritage Hills/Windsor Hills Combined Neighborhood Contact Team

Austin Neighborhoods Council

Friends of Austin Neighborhoods

Yager Planning Area

SEL Texas

Sierra Club, Austin Regional Group

Austin ISD

Pioneer Crossing West Homeowners Association

CITY COUNCIL DATE:

December 13, 2018:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-2122

ADDITIONAL STAFF COMMENTS**Comprehensive Planning**

Connectivity and Mobility: Public sidewalks and crosswalks are located on both sides of this portion of Braker Lane. A CapMetro transit stop is located within walking distance of the project area on Braker Lane; and the existing public sidewalk is part of an urban trail system. The Walkscore for this site is 32/100, Car Dependent, meaning most errands require a car. The Bikes Score is 33/100, Somewhat Bikable.

Imagine Austin: The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an Activity Corridor (E. Braker Lane). Activity Corridors are designated for additional people and jobs above what currently exists on the ground. Corridors are intended to allow people to reside, work, shop, access services without traveling far distances. Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are applicable to this case:

- ☐ LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- ☐ 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.

Based upon this property being situated along an Activity Corridor, which supports mixed use; and the Imagine Austin policies referenced above that supports a variety of land uses along corridors, including mixed use and residential, this project appears to be supported by Imagine Austin.

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.

SP 4. The site is subject to compatibility standards. Along the north, south, east, and west property lines, 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.

Transportation

TR1. A Neighborhood Traffic Analysis is required for this project. The NTA requires three (3) consecutive 24 hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Please contact Scott James (Scott.James@austintexas.gov) or myself to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114. Please pay the NTA fees with the Intake staff on the 4th floor. This comment will be cleared once the Memo is approved and the fees are paid.

TR2. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR3. The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Dessau Road. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of Dessau Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

TR4. The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Braker Lane. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of Braker Lane in accordance with 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.

TR6. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR7. The Urban Trails Master Plan requires a tier II urban trail along E Braker Lane and Dessau Road. Please review the [Urban Trails Master Plan](#) for more information. Janae Spence, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101.

TR8. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is required for E Braker Lane and Dessau Road. Mike Schofield, and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

TR9. FYI – Frontage along Braker Lane and Dessau Road is less than 200 feet, therefore, direct access from Braker Lane and Dessau Road to this property is prohibited per LDC , 25-6-381(A). Direct access shall only be taken to May Drive.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Dessau Road	124 ft.	91 ft.	Arterial	Yes	Yes, Shared Lane	Yes
Braker Lane	86 ft.	61 ft.	Arterial	Yes	Yes, Shared Lane	Yes
May Road	62 ft.	43 ft.	Local	No	No	Yes

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut 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.
2. 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%

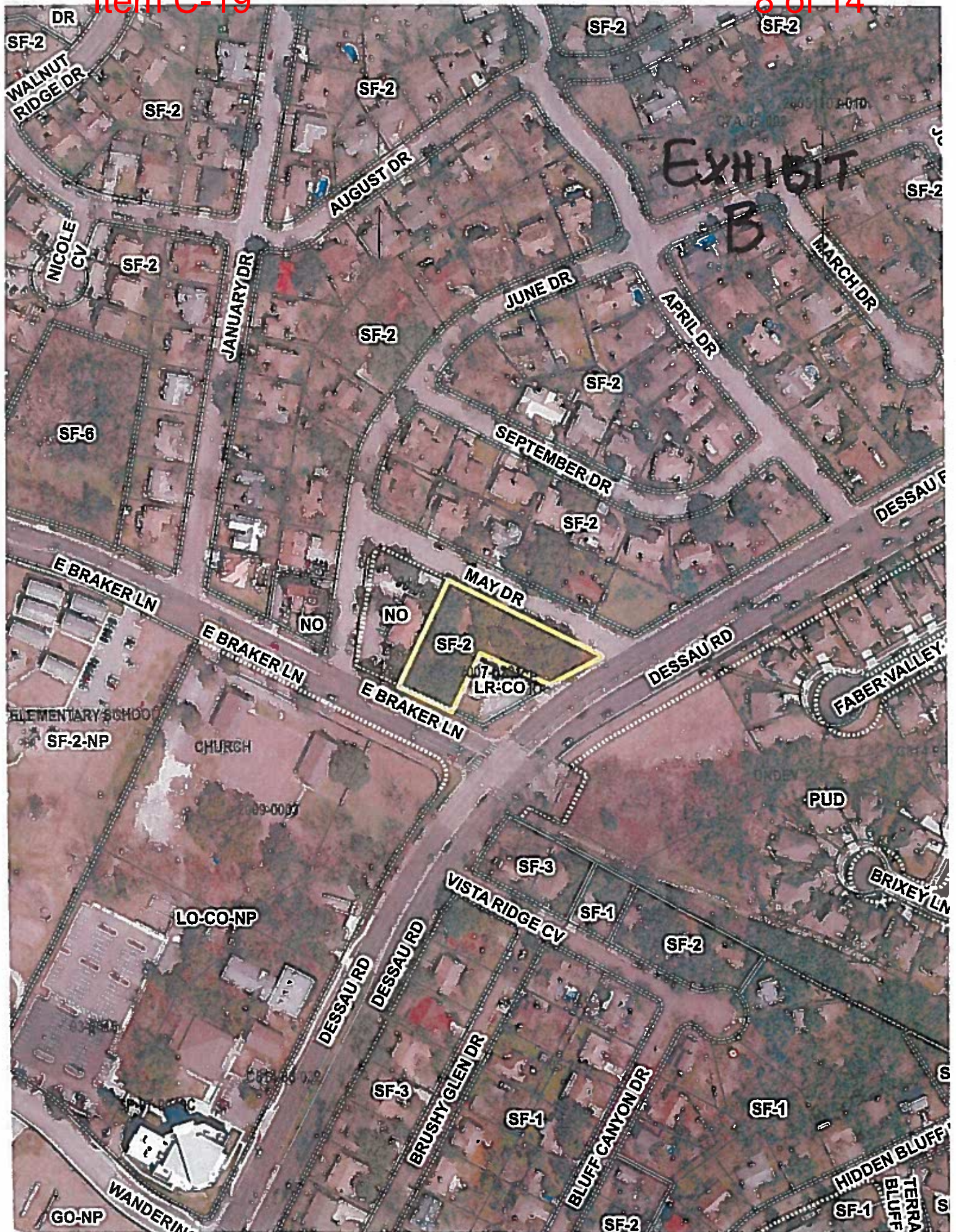
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development 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.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water utilities and an On-Site Sewage Facility approved by the City of Austin. 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 land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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 (if required by future connection requirements) utility tap permit.



Created: 1/23/2018





Development
SERVICES DEPARTMENT

Building a Better and Safer Austin Together

EXHIBIT
C

MEMORANDUM

TO: Heather Chaffin, Case Manager
Planning and Zoning Department

CC: Lee Austin, P.E.
Austin Transportation Department

FROM: Natalia Rodriguez, CNU-A
Scott A. James, P.E., PTOE
Development Services Department/Land Use Review - Transportation

DATE: November 28, 2018

SUBJECT: Neighborhood Traffic Analysis for Braker Office / Condo Park – 1308 E Braker Lane
C14 – 2018 – 0004

The Land Use Review/Transportation staff has performed a Neighborhood Traffic Analysis (NTA) for the above referenced rezoning application and offers the following comments.

The .919 acre site is located in north Austin at the intersection of East Braker Lane Dessau Road. The site is currently zoned Multi-Family Residence – Low Density (MF-2-CO) and is vacant. The site is surrounded by residential uses to the north (across May Drive) and commercial uses to the east, west, and south (across East Braker Lane). The zoning request is for General Office – Mixed Use (GO-MU).

Nearby Roadways

May Drive is classified as a residential local street and measures 43 feet in pavement width and 62 feet of right-of-way. The land uses along May Drive are commercial and residential. There are no sidewalks on either side and access is proposed to May Drive. The posted speed limit is 25 miles per hour (MPH).

East Braker Lane is classified as a major roadway and measures 61 feet in pavement width and 86 feet of right-of-way. The land uses along East Braker Lane are commercial and residential. There are sidewalks on both sides and the roadway is classified as a "low comfort" bicycle facility. Per LDC 25-6-381, access to East Braker Lane from this tract is not permitted since alternative access is available to May Drive. The posted speed limit is 35 miles per hour (MPH).

Dessau Road is classified as a major roadway and measures 91 feet in pavement width and 124 feet of right-of-way. The land uses along Dessau Road are commercial and residential. There are sidewalks on both sides and the roadway is classified as a "low comfort" bicycle facility. The posted speed limit is 40 MPH. According to Section 25 – 6 – 381 of the City of Austin Land Development Code (LDC), access to Dessau Road from this tract is not permitted since alternative access is available to May Drive.

Trip Generation and Traffic Analysis

The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by a project combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area.

Based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition, the maximum allowable intensity for the site based on the proposed GO-MU zoning would generate approximately 1,450 daily trips (summarized in Table 1).

*Table 1 – Estimated Daily Trip Generation					
TRACT NUMBER	TRACT ACRES	ZONING	INTENSITY	LAND USE (ITE Code)	TRIPS PER DAY
1	.919	GO-MU	40,031 sq.ft.	Medical/Dental Office Building (Code 720)	1,450

*This trip generation estimate is for the maximum allowable intensities for GO – MU zoning district.

Table 2 presents the expected distribution of the 1,450 daily trips:

Table 2 – Trip Distribution	
Street - Direction	Vehicle Trips
May Drive - westbound	870 (60%)
May Drive - eastbound	580 (40%)

According to the traffic count data collected during the days of September 11-13, 2018, the current average daily volumes on May Drive are 164 vehicle trips per day. As shown in Table 3, the projected daily trips from the site could increase the observed volumes on May Drive by approximately tenfold.

Table 3 – Estimated Increase in daily traffic volumes				
Street	Existing Traffic (VPD)	Site Traffic	Total Traffic	Percentage Increase
May Drive	164	1,450	1,614	984%

Desirable Operating Levels

According to Section 25 – 6 – 116 of the Land Development Code, neighborhood residential streets are operating at a desirable level if the daily volumes do not exceed the following thresholds:

Table 4 – LDC Thresholds	
Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

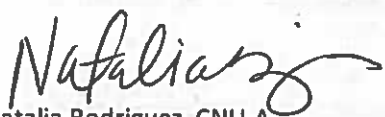
Conclusion and Recommendations

This NTA memorandum findings are determined using the the maximum allowable intensities for the requested GO – MU zoning district, which may not reflect the proposed land use mix by the applicant. However, the estimated number of daily trips generated by this site, in combination with the existing traffic on May Drive does not exceed the thresholds set forth in the LDC 25 – 6 – 116.

Therefore, staff recommends approval of this rezoning request subject to the following conditions:

- 1) The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for Dessau Road and also 140 feet of right-of-way for East Braker Lane. Accordingly, at the time of subdivision and/or site plan, 70 feet of right-of-way, as measured from the existing centerline, shall be dedicated for both Dessau Road and East Braker Lane, to comply with the AMATP. [LDC 25-6-51 and 25-6-55].
- 2) The City of Austin Bicycle Master Plan requires protected bike lanes along Dessau Road and East Braker Lane. The Urban Trails Master Plan requires a tier II trail along Dessau Road and East Braker Lane. The City of Austin requires a 12-foot shared use path along Dessau Road and East Braker Lane frontages to accommodate the protected bike lanes and tier II urban trails. The required 12-foot shared use path shall be designed and constructed at the time of the site plan application.
- 3) Per LDC 25-6-381, access to East Braker Lane and Dessau Road from this tract is not permitted since the frontage widths of the tract are less than 200 feet and alternative access is available to May Drive.
- 4) Development of this property should not vary from the approved uses, nor exceed the approved intensities and estimated traffic generation assumptions within this NTA staff memorandum, including land uses, trip generation, trip distribution, traffic controls and other identified conditions. If the proposed uses, intensities, or traffic operations differ from this neighborhood traffic analysis, a revised Neighborhood Traffic Analysis or Traffic Impact Analysis shall be required at the time of site plan application and mitigation may be required.
- 5) The findings and recommendations of this staff memorandum remain valid until November 28, 2023, after which a revised NTA or staff memorandum may be required

If you have any questions or require additional information, please contact me at (512) 974 – 3099.


Natalia Rodriguez, CNU-A
Development Services Department

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: C14-2018-0004

Contact: Heather Chaffin, 512-974-2122

Public Hearing: June 19, 2018, Zoning and Platting Commission
August 09, 2018, City Council

Dorene Smith
Your Name (please print)

☐ I am in favor
☒ I object

1309 September Drive

Your address(es) affected by this application

D. F. Smith

Signature

6-12-18

Date

Daytime Telephone: 512-231-7400 / 512-925-2033

Comments: Since it is unknown what type of business will be there I would hate to see another meat market or convenience store. more and more the wards are being cut down. It is sad to see.

EXHIBIT D

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

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Case Number: C14-2018-0004

Contact: Heather Chaffin, 512-974-2122

Public Hearing: June 19, 2018, Zoning and Planning Commission
August 09, 2018, City Council

James C. Boyce
Your Name (please print)

☐ I am in favor
☒ I object

904 Rocky Springs Rd

Your address(es) affected by this application Austin 78753

James C. Boyce 6/19/18
Signature Date

Daytime Telephone: 512-461-8424

Comments: requesting zoning to be
NO-MU! for parts of property &
egress w/out neighborhood

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

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Case Number: C14-2018-0004

Contact: Heather Chaffin, 512-974-2122

Public Hearing: June 19, 2018, Zoning and Planning Commission

August 09, 2018, City Council

MAELHAN GIODANO

Your Name (please print)

921 Beechwood Dr., Austin, TX

Your address(es) affected by this application 78753

Margen Dividers

Signature

Date

Daytime Telephone: 512-537-4074

6-19-2018

☐ I am in favor
☒ I object

Comments: As this is an existing neighborhood, "NO" is a much more compatible option with the area in question, than "GO". Traffic with Beechwood Lane & Dossow Rd. will increase. It is very difficult to get out of our neighborhood now, with all the increased traffic from Dossow Rd. & all the new residential & commercial building there.

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

City of Austin
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Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810