

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0118 – 8900 South Congress **Z.A.P. DATE:** March 19, 2019

ADDRESS: 8900 South Congress Avenue

DISTRICT AREA: 2

OWNER: ER South by South Congress, LLC **AGENT:** Drenner Group
(Nicholas K. Barber) (Amanda Swor)

ZONING FROM: CS-CO **TO:** CS-CO, to change a condition of zoning

AREA: 7.658 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis. The –CO for the list of prohibited uses and access restrictions that apply to the property remain unchanged.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated March 13, 2019, as provided in Attachment A.

ZONING & PLATTING COMMISSION RECOMMENDATION:

March 19, 2019: *APPROVED CS-CO DISTRICT ZONING, WITH CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS, AS STAFF RECOMMENDED, BY CONSENT*
[A. DENKLER; B. EVANS – 2ND] (6-0) N. BARRERA-RAMIREZ, J. KIOLBASSA, S. LAVANI, E. RAY – ABSENT; 1 VACANCY ON THE COMMISSION

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject three lots under construction have frontage on both South Congress Avenue and Cullen Lane and have had general commercial services – conditional overlay (CS-CO) district zoning since 1997. The Conditional Overlay prohibits campground, kennels, pawn shop services and vehicle storage, requires that any driveway be designed in a way that will not provide direct access from Congress Avenue to Cullen Lane, prohibits access to Cullen Lane until the required road improvements are made, and limits development to 2,000 vehicle trips per day (C14-96-0017). To the north there is a vehicle storage and equipment rental use (CS-CO), to the east is a commercial center anchored by a food sales and retail sales use (CS-CO), to the south is a landscaping / irrigation company, a pharmacy, a

restaurant, a bank and a parking lot (CS-CO), and across Cullen Lane to the west is a commercial building, undeveloped property, a club / lodge, and an indoor sports and recreation facility (GR-CO, CS-CO, I-RR). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B (1997 Rezoning Ordinance) and C (Recorded Plat).

The Applicant proposes to modify the Conditional Overlay to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis. The proposed development is a 31,816 square foot health and fitness center, 10,000 square feet of retail sales uses, and two restaurants totaling 4,980 square feet. Although there is an approved site plan on the property, the proposed rezoning would allow for the 4,980 square foot building designated for retail uses to be changed to restaurant uses (2 restaurants at approximately 2,490 square feet each). The proposed change to restaurant use necessitated an update to the Traffic Impact Analysis and reconstruction of a segment of Cullen Lane to account for the change in traffic volumes. Vehicular access will be taken to South Congress Avenue and Cullen Lane (one driveway to each). The prohibited use list and vehicle access restrictions to Cullen Lane that apply to the property will remain intact.

Staff recommends the Applicant's request, based on the following considerations of the property: 1) location at the intersection on a major arterial and a local street, the latter of which will be upgraded in conjunction with the site plan; and 2) the recommended transportation improvements identified in the Traffic Impact Analysis serve to mitigate the calculated impact to traffic resulting from the proposed development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO	Under construction for a commercial center to include a fitness center, retail sales and restaurants
<i>North</i>	CS-CO	Vehicle storage; Auto auction; Equipment (truck) rental
<i>South</i>	CS-CO	Parking area; Construction sales and services; Retail sales; Restaurant (limited); Financial services
<i>East</i>	GR-CO; CS-CO	Service station / food sales; Under construction for food sales and retail uses
<i>West</i>	CS-1; GR-CO; CS-CO; I-RR	Personal improvement services; Undeveloped; Club / lodge; Indoor sports and recreation

AREA STUDY: Not Applicable

TIA: Is required – Please refer to Attachment A

WATERSHED: Onion Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

242 – Slaughter Lane Neighborhood Association 511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association 742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group
 1374 – Friends of Williams Elementary
 1429 – Go!Austin/Vamos!Austin (GAVA) - 78745
 1496 – Park Ridge Owners Association, Inc.
 1530 – Friends of Austin Neighborhoods
 1550 – Homeless Neighborhood Association
 1616 – Neighborhood Empowerment Foundation
 1363 – SEL Texas
 1424 – Preservation Austin
 1528 – Bike Austin
 1531 – South Austin Neighborhood Alliance
 1578 – South Park Neighbors

SCHOOLS:

Williams Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0204 – Slaughter Zoning – 160 W Slaughter Ln	I-RR to GR	To Grant GR-CO w/public RC for numerous site development standards and Street Deed for r-o-w on Cullen Ln	Apvd GR-CO as ZAP rec, with add'l conds (5-3-2007).
C14-06-0203 – Cullen Zoning – 9006 Cullen Ln	I-RR to GR	To Grant GR-CO w/public RC for numerous site development standards	Apvd GR-CO as ZAP rec, with add'l conds (5-3-2007).
C14-2014-0071 – Congress Avenue Commercial Tract – 8832-½ South IH-35 Service Rd	Unzoned; DR; SF-2 to CS	To Grant CS-CO w/CO prohibiting vehicle storage and commercial blood plasma center	Apvd CS-CO as Commission recommended (6-26-2014).
C14-2012-0092 – Slaughter Crossing – 8801-½ S Congress Ave	DR; SF-2; CS-CO to CS	To Grant CS-CO w/CO prohibiting vehicle storage, pawn shops and adult-oriented uses, and a Restrictive Covenant for the Traffic Impact Analysis	Apvd CS-CO with RC as Commission recommended (01-17-2013).
C14-04-0105 – Pennington Ltd. Partnership – 8706 & 8708 S. Congress Avenue	DR to CS	To Grant CS-CO w/CO for 2,000 trips	Apvd CS-CO as Commission recommended (9-30-2004).
C14-99-2001 – 8603 Cullen Ave; 201 Ralph Ablanedo and 8503	CS-CO to CS-CO, to delete a Conditional Overlay	To Grant CS-CO	Apvd CS-CO, w/CO for 2,000 trips; prohibit pawn shops and adult-oriented

South Congress Ave			uses; F.A.R. of 1:1 (12-9-1999).
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RELATED CASES:

The property was zoned CS-CO on April 24, 1997 (C14-96-0017 – TOM F. DONNAHOO SUBDIVISION ZONING).

The rezoning area is platted as Lots 1, 2, and 3 of Pence Subdivision recorded on May 15, 2017 (C8-2013-0190.1A). A plat note requires joint access to South Congress Avenue for Lots 2 and 3.

A site plan on the subject property was approved on February 15, 2019 for a 31,816 square foot fitness club and 14,980 square feet of retail uses (SP-2017-0024C). Please refer to Exhibit D.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks (along property frontage)	Bicycle Route	Capital Metro (within ¼ mile)
South Congress Avenue	120 feet	60 feet	Arterial	No	Yes, shared lane	Yes
Cullen Lane	60 feet	22 feet	Local	No	Yes, shared lane	Yes

CITY COUNCIL DATE: April 25, 2019

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis. The –CO for the list of prohibited uses and access restrictions that apply to the property remain unchanged.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated March 13, 2019, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

The property has frontage on South Congress Avenue, a major arterial roadway.

2. Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.

Staff recommends the Applicant's request, based on the following considerations of the property: 1) location at the intersection on a major arterial and a local street, the latter of which will be upgraded in conjunction with the site plan; and 2) the recommended transportation improvements identified in the Traffic Impact Analysis serve to mitigate the calculated impact to traffic resulting from the proposed development.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area is under construction and relatively flat. There appear to be no significant topographical constraints on the site.

Comprehensive Planning

This rezoning case is located on the west side of S. Congress Avenue and east side of Cullen Lane, on a 7.65 acre undeveloped parcel. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a truck rental company, a doggy daycare, a gym, a truck depot, an auto body shop, and an auto auction business to the

north; to the south is an irrigation company, a drugstore and the Southpark Meadows Shopping Center; to the west is a private club for the deaf, a private playground/party center, and a single family subdivision; and to the east is property being developed for a grocery store and IH 35. The proposed use is a mix of commercial uses, including a health and fitness center (37,329 sf), specialty retail space (10,000 sf), fast food restaurant uses (5,000 sf), and remove the existing Conditional Overlay, which includes a 2,000 trip per day limitation.

Connectivity

The Walkscore for this site is **42/100, Car Dependent**, meaning almost all errands require a car. Public sidewalks are located intermittently along this portion of South Congress Avenue, while a CapMetro transit stop is located within 1,000 ft. of the property. There are no urban trails within walking distance to this property. The mobility and connectivity options in the area are good.

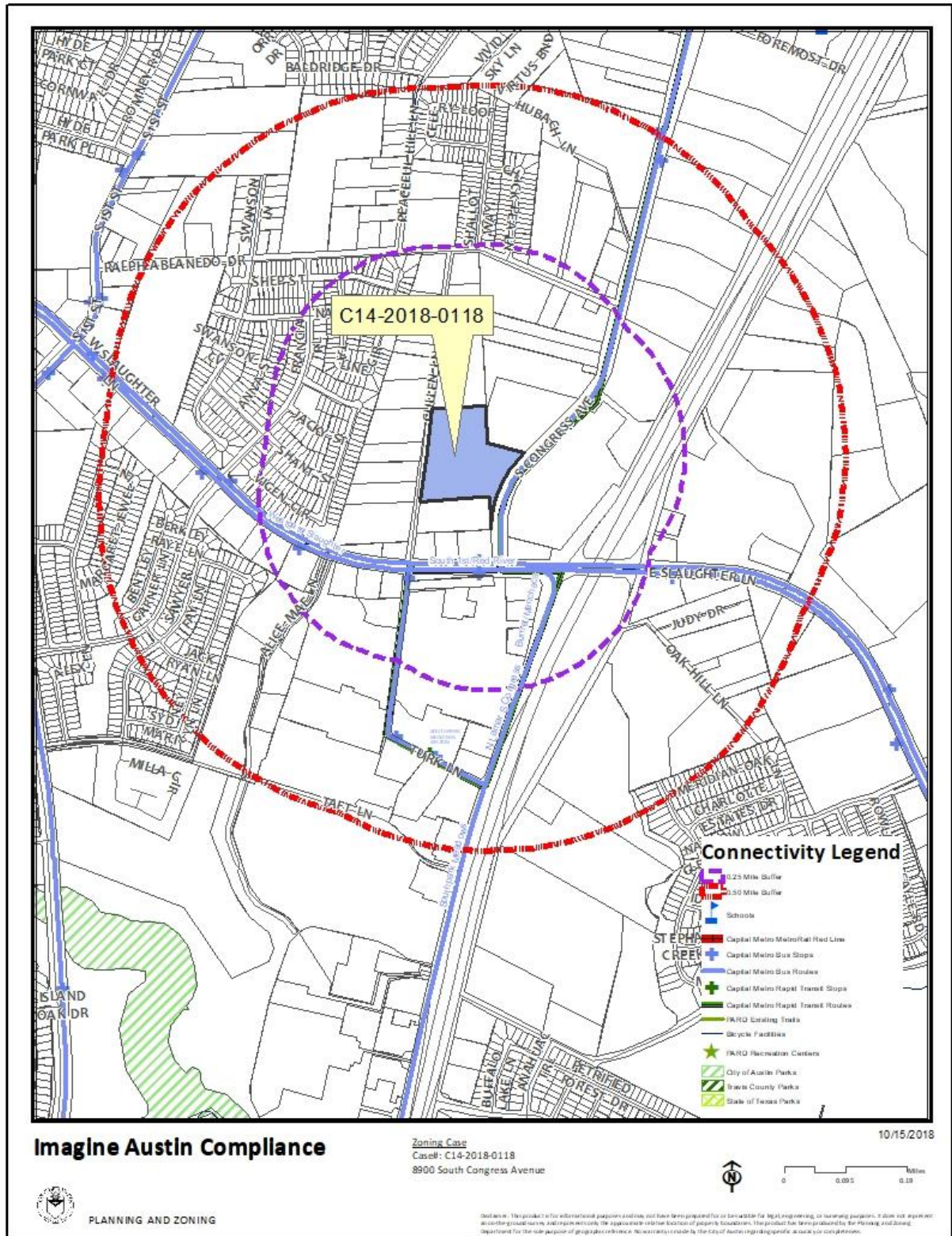
Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies this project as being by the **South Park Town Center** and along an **Activity Corridor (South Congress Avenue)**. Town Centers are intended to have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. **Activity Corridor**, which are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances.

The following Imagine Austin policies are applicable to this project:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **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.
- **HN P10.** Create **complete neighborhoods** across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on this property: (1) being situated by an **Town Center** and along an **Activity Corridor**, which supports retail and commercial uses in both centers and corridors; (2) the existing mobility options available in the area (public sidewalks, bike lanes, and a transit stop); and (3) the Imagine Austin policies referenced above that supports a variety of development, including a retail/commercial uses along major corridors, this project appears to support the Imagine Austin Comprehensive Plan.



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.

Impervious Cover

The maximum impervious cover allowed by the CS-CO zoning district is 80%, based on the more restrictive *watershed* regulations. The impervious cover on the approved site plan is 68.33%.

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 no floodplain within or adjacent to 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.

Few 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

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Transportation

The applicant has requested to remove the existing -CO of 2,000 trips limitation. Therefore, a traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC 25-6-142]. The previous zoning ordinance no. 970424-I has the following conditions:

- a. Any driveway on the Property will be designed in a way that will not provide direct access from Congress Avenue to Cullen Lane.
- b. There shall be no vehicular access from the Property to Cullen Lane until the required road improvements are made. Until such time as the road improvements are made to Cullen Lane, all vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

The Applicant has addressed the conditions of the zoning ordinance with site plan application Fitness Center / South by South Congress (SP-2017-0024C). The Austin Transportation Department has accepted and approved the improvements with the submitted traffic study with the 2017 site plan application. However, the conditions will be memorialized within this zoning application's TIA Memo. Therefore, the conditions are not necessary for the requested zoning application.

This project is adjacent to a street that has been identified in Austin's Corridor Mobility Program (South Congress Avenue). Staff will contact Bryan Golden (bryan.golden@austintexas.gov) from Corridor Planning Office and ATD area engineer for streetscape coordination. FYI - The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for South Congress. Additional right-of-way may be necessary to accommodate the transportation improvements identified in the Austin's Corridor Mobility Program

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

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Cullen Lane and a protected bike lane is recommended for South Congress Avenue. Mike Schofield, 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.

FYI – Proposed sidewalk and driveway(s) along South Congress Avenue shall be reviewed and approved by TxDOT in coordination with the Corridor Mobility Program at the time of the site plan application. Any previously approved sidewalk and driveway locations may need to be revised with future site plan applications to accommodate the necessary transportation improvements.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water 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 utility tap permit.

 ZONING BOUNDARY

EXHIBIT A



Created: 3/18/2019



1" = 300'

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

8900 SOUTH CONGRESS

ZONING CASE#: C14-2018-0118
 LOCATION: 8900 SOUTH CONGRESS AVE.
 SUBJECT AREA: 7.65 ACRES
 GRID: G14
 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.

Exhibit A-1



ORDINANCE NO. 970424-I

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

LOT 3 BLOCK A, TOM F. DUNNAHOO SUBDIVISION, AND A 1.683 ACRE TRACT OF LAND OUT OF THE F.M. HODGES SURVEY, EXCEPT A 0.178 ACRE OF LAND FOR RIGHT OF WAY DEDICATION, FROM "I-RR" INTERIM RURAL RESIDENCE DISTRICT, "DR" DEVELOPMENT RESERVE DISTRICT, AND "GR" COMMUNITY COMMERCIAL DISTRICT TO "CS" COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 8905 CULLEN LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the respective base zoning districts from "I-RR" Interim Rural Residence district, "DR" Development Reserve district, and "GR" Community Commercial district to "CS" Commercial Services district-Conditional Overlay combining district on the property (the "Property") described in **File C14-96-0017**, as follows:

Lot 3, Block A, Tom F. Dunnahoo Subdivision, a subdivision in the City of Austin, Travis County, Texas, and a 1.682 acre tract of land out of the F.M. Hodges Survey No. 22, being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, EXCEPT a 0.178 acre tract of land described by metes and bounds in the Exhibit "B" incorporated into this ordinance,

locally known as 8905 Cullen Lane, in the City of Austin, Travis County, Texas, and as more particularly 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. The following uses are prohibited on the Property: Campground, Kennels, Vehicle Storage, and Pawn Shop Services.

2. Any driveway on the Property will be designed in a way that will not provide direct access from Congress Avenue to Cullen Lane.

3. There shall be no vehicular access from the Property to Cullen Lane until the required road improvements are made. Until such time as the road improvements are made to Cullen Lane, all vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

4. Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "CS" Commercial Services base district and other applicable requirements of the Land Development Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

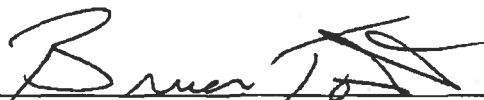
PART 4. This ordinance takes effect on May 5, 1997.

PASSED AND APPROVED

April 24

, 1997.

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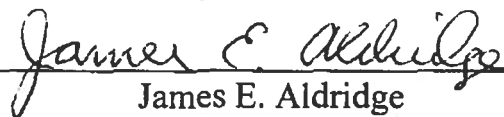
Bruce Todd
Mayor

APPROVED:

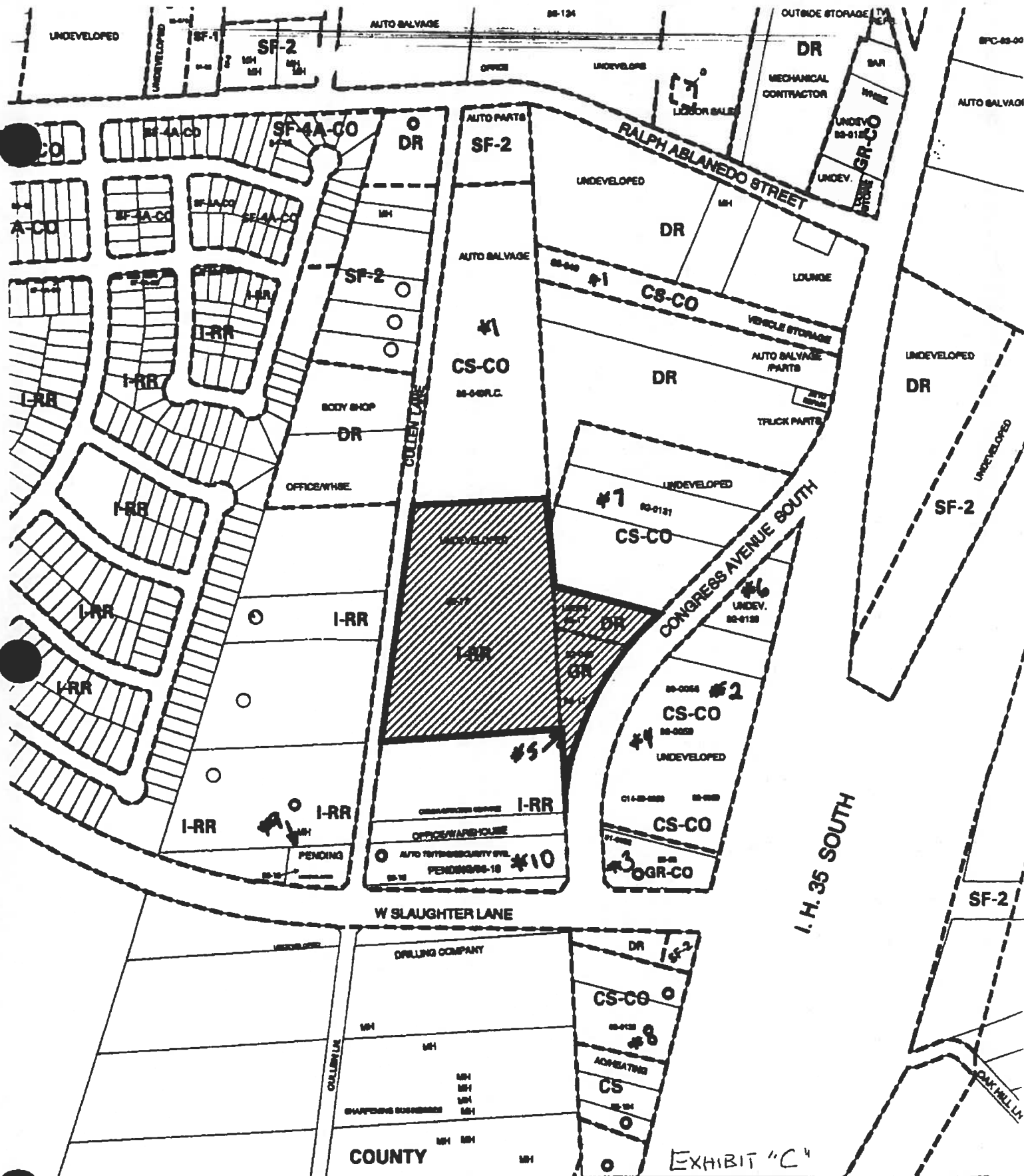


Andrew Martin
City Attorney

ATTEST:



James E. Aldridge
City Clerk




 1"=400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: A. GONZALEZ CYCLE: 96-02 INTLS: JSR	CASE #: C14-96-0017 SUBJECT AREA (acres): 10.584 ADDRESS: 9905 CULLEN LANE	CITY GRID REFERENCE NUMBER G 14
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EXHIBIT D - APPROVED PLAN SITE



MEMORANDUM

TO: Wendy Rhoades, Case Manager
Planning and Zoning Department

CC: Upal Barua, P.Eng, P.E., PTOE
Nazlie Saeedi, P.E.
Austin Transportation Department

FROM: Natalia Rodriguez, CNU-A
Scott A. James, P.E., PTOE
Development Services Department

DATE: March 13, 2019

RE: South by South Congress Fitness
Zoning Case C14 – 2017 – 0118/ SP – 2017 – 0024C

Section 25 – 6 – 114 of the Land Development Code requires that a traffic impact analysis be conducted for a zoning or site plan application if the proposed project is anticipated to generate more than 2,000 daily trips. The project site is located at 8900 South Congress Avenue in south Austin. The applicant is proposing to rezone 7.59 acres from CS – CO to CS – CO, with modification to the terms of the conditional overlay to allow for the following mix of proposed land uses:

- Up to 37,329 square feet of health and fitness center
- Up to 10,000 square feet of specialty retail
- Up to 5,000 square feet of fast food restaurant with drive thru

The development of the site is proposed in two phases, with complete build-out of the property in the year 2023. A related development application for site plan SP – 2017 – 0024C has been reviewed and approved for the health and fitness center and specialty retail uses.

Staff from the Austin Transportation and the Development Services Departments have reviewed the September 11, 2018 *"Traffic Impact Analysis for South by South Congress"* submitted by Binkley and Barfield, Inc 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 is 70 miles per hour (MPH) for the main lanes, and 55 MPH for the frontage roads. According to 2013 Texas Department of Transportation (TxDOT) traffic volumes, the average daily volume for this segment of IH – 35 is 139,695 vehicles. No sidewalks or bicycle facilities are provided.

South Congress Avenue is classified as a four-lane divided major arterial at its intersection with Slaughter Lane. Year 2000 traffic volumes for Congress Avenue between William Cannon and Slaughter were 4,800 vehicles per day (vpd). The Bicycle Master Plan designates South Congress as a 'low comfort' roadway for cycling.

Ralph Ablanedo Drive is classified a collector roadway with connection from South 1st Street in the west to South Congress Avenue. The roadway does not offer thru connection east of South Congress Avenue. The posted speed limit is 40 MPH, with a reduced speed zone for school hours located along the roadway. Ralph Ablanedo Drive has an incomplete sidewalk network. The Bicycle Master Plan designates Ralph Ablanedo Drive as 'medium comfort.'

Slaughter Lane is classified as a six lane divided major arterial between Manchaca Road and Interstate Highway 35. West Slaughter Lane is designated a 'low comfort' roadway in the Bicycle Master Plan. Sidewalks are provided on both sides of the roadway.

Cullen Lane is classified a local roadway offering connection from West Slaughter Lane to Ralph Ablanedo Drive. The current configuration is substandard with no curb, gutter or sidewalks along the roadway. The assumed speed limit is 30 MPH. The Bicycle Master Plan designates Cullen Lane as "medium comfort."

Data Collection

For this study, weekday AM and PM peak period turning movement counts were collected on Wednesday, September 13, 2017 when public schools were in session.

Trip Generation and Traffic Analysis

Using the ITE publication Trip Generation, 9th Edition, the proposed development will generate an estimated 3,574 new daily trips before applying approved reductions and adjustment factors. Table 1 on the following page summarizes the unadjusted site trip generation estimates used in the traffic analysis:

Table 1 – Unadjusted Site Trip Generation						
Land Use (ITE Code)	Intensity	24-Hour Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Health and Fitness Club (492)	37,329 SF	651	26	26	75	56
Specialty Retail (826)	10,000 SF	443	33	35	12	15
Fast food with Drive thru (934)	5,000 SF	2,480	116	111	85	78
Totals		3,574	175	172	172	149

Reductions for pass-by trips were allowed for the fast-food restaurant land use. According to the available TxDOT Average Annual Daily Traffic (AADT) counts, a two percent growth rate was applied to account for background projects. Table 2 below presents a summary of the adjusted estimated peak hour trips for this application.

Table 2 – Adjusted Site Peak Hour Trip Generation					
Land Use (ITE Code)	Intensity	AM Peak Hour		PM Peak Hour	
		Enter	Exit	Enter	Exit
Health and Fitness Club (492)	37,329 SF	26	26	75	56
Specialty Retail (826)	10,000 SF	33	35	12	15
Fast food with Drive thru (934)	5,000 SF	60	55	44	37
Totals		119	116	131	108

Trip Distribution

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

Table 3 – Directional Distribution of Site Traffic	
Direction	Percentage
Northbound South Congress Avenue (Driveway #1)	45%
Southbound South Congress Avenue (Driveway #1)	20%
Southbound Cullen Lane (Driveway #2)	25%
Northbound Cullen Lane (Driveway #2)	10%
Totals	100%

Traffic Analysis Methodology

Table 4 on the following page presents the Highway Capacity Manual (HCM) definitions of 'Levels of Service' (LOS) for *both signalized and unsignalized* intersections. Within the City of Austin, LOS "D" is considered the acceptable threshold for signalized operations. 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

Table 5 below presents a summary of the analysis performed within the TIA, for the existing (2017) and future 2018 “No Build” conditions. It provides both the calculated estimated delays (in seconds per vehicle) for the AM and PM peak travel periods, and the corresponding LOS rating for each intersection studied for this site plan application:

Table 5 – Intersection Level of Service and Delay								
Intersections	2017 Existing				2018 No Build			
	AM		PM		AM		PM	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
South Congress Avenue at Ralph Ablanado Drive	C	22.5	C	24.3	C	23.7	D	27.8
Cullen Lane at Ralph Ablanado Drive	B	12.9	B	14.5	B	12.9	B	14.5
Slaughter Lane at South Congress Avenue	D	35.6	E	70.7	D	44.6	F	93.5
Slaughter Lane at Cullen Lane	B	12.4	C	23.6	B	13.0	C	25.5
Slaughter Lane at IH – 35 frontage road SB	C	25.2	E	61.3	C	26.6	E	63.1
Slaughter Lane at IH – 35 frontage road NB	D	44.1	D	44.3	D	47.6	D	50.3

Table 6 (presented on the following page) presents a summary of the analysis performed within the TIA, for the future 2018 “Build out” conditions. It presents the calculated estimated delays (in seconds per vehicle) for the AM and PM peak travel periods, and the corresponding LOS rating for each intersection studied for this rezoning application for both un-mitigated and mitigated conditions.

Table 6 – Intersection Level of Service and Delay

Intersections	2018 built w/o mitigation				2018 built w/ mitigation			
	AM		PM		AM		PM	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
South Congress Avenue at Ralph Ablanado Dr.	C	23.8	C	23.1	No change		No change	
Cullen Lane at Ralph Ablanado Drive	B	13.4	C	15.3	No change		No change	
Slaughter Lane at South Congress Avenue	D	51.2	F	100.7	C	28.7	D	40.4
Slaughter Lane at Cullen Lane	B	13.6	C	27.5	B	10.7	C	31.3
Slaughter Lane at IH – 35 frontage road SB	C	27.2	E	62.6	C	23.1	C	29.2
Slaughter Lane at IH – 35 frontage road NB	D	49.3	D	53.6	D	36.1	C	27.9
South Congress Avenue and Driveway #1	C	18.9	D	28.1	No change		No change	
Cullen Lane and Driveway #2	A	9.9	B	10.8	No change		No change	

Summary of Recommended Transportation Improvements

As presented in the analysis, some of the studied intersections exhibited increased levels of congestion which would require mitigation. These conditions were shown for both existing and future conditions. The traffic consultant identified improvements proposed from prior development applications and incorporated these elements into the future model scenarios.

Slaughter Lane at Interstate Highway 35 southbound frontage road

Install eastbound right-turn lane on Slaughter Lane to provide free right turn movements onto southbound frontage road of IH- 35 (recommended in TIA for C14 -2012 – 0092).

South Congress Avenue at Slaughter Lane

Add exclusive southbound right turn lane from South Congress Avenue onto westbound Slaughter Lane (recommended in TIA for C14 – 2012 – 0092).

Add dual eastbound to northbound left turn lanes from Slaughter Lane onto South Congress Avenue (recommended in TIA for C14 – 2012 – 0092)

Cullen Lane improvements

In order to comply with a prior restrictive covenant, Cullen Lane should be widened to provide adequate storage and maneuvering space for entering and exiting vehicles to the site (via Driveway #2).

Table 7 below presents a summary of the analysis performed within the TIA for the future 2023 "Build out" conditions. It presents the calculated estimated delays (in seconds per vehicle) for the AM and PM peak travel periods, and the corresponding LOS rating for each intersection studied for this site plan application for both un-mitigated and mitigated conditions.

Table 7 – Intersection Level of Service and Delay								
Intersections	2023 built w/o mitigation				2023 built w/ mitigation			
	AM		PM		AM		PM	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
South Congress Avenue at Ralph Ablanado Dr.	C	24.5	B	13.3	C	22.5	B	13.4
Cullen Lane at Ralph Ablanado Drive	B	13.1	B	14.7	B	14.5	C	15.4
Slaughter Lane at South Congress Avenue	C	31.2	F	80.9	C	33.1	F	86.3
Slaughter Lane at Cullen Lane	B	14.0	C	25.9	B	14.8	C	29.8
Slaughter Lane at IH – 35 frontage road SB	D	48.9	E	57.7	D	48.6	E	57.5
Slaughter Lane at IH – 35 frontage road NB	D	49.1	E	55.8	D	50.4	E	58.9
South Congress Avenue and Driveway #1	B	14.6	C	19.6	C	21.7	D	31.9
South Congress Avenue and Driveway #2	n/a	n/a	n/a	n/a	B	10.6	B	11.1

Summary of Future Conditions and recommended improvements

As shown above, the traffic operations will be affected by the addition of the estimated peak hour trips assigned to this proposed development. The proposed mitigation measures include completion of recommended improvements from the Slaughter Crossing TIA (C14 – 2012 – 0092), upgrading Cullen Lane to provide access to the site via Driveway #2, and retiming of all traffic signals within the study area.

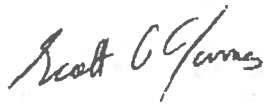
Recommendations

Review staff support this rezoning application with the following conditions:

- 1) As part of site development approved for SP – 2017 – 0024C, and to comply with conditions set forth in zoning ordinance No. 970424-I, the applicant shall reconstruct a segment of Cullen Lane to provide for a dedicated left turn storage lane and roadway transition to and from the site access driveway (Driveway #2), subject to review and approval by the Austin Transportation Department.
- 2) Development of this property should not vary from the approved uses, nor exceed the approved land use intensities describe above, otherwise revised or additional conditions, including mitigation measures may apply to this project application.

- 3) The driveways in the TIA are subject to review and approval by the Development Services Department and Austin Transportation Department in accordance with the Land Development Code and Transportation Criteria Manual at the time of the site plan application.
- 4) The conclusions and recommendations of this staff memorandum remain valid until March 13, 2024, at which time revisions to the traffic analysis or staff memorandum may be required.

If you have any questions or require additional information, please contact me at (512) 974 - 2208. Thank you.



Scott A. James, P.E., PTOE
Development Services Department
Land Use Review Division/ Transportation

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: C14-2018-0118

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: March 19, 2019, Zoning and Platting Commission;

April 25, 2019, City Council

BERT PENCE

Your Name (please print)

9000 SO CONGRESS

9005 CULLEN LANE

Your address(es) affected by this application

[Signature]

Signature

03/11/2019

Date

Daytime Telephone: 512-476-9200

Comments:

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

Rhoades, Wendy

From: Rhoades, Wendy
Sent: Tuesday, March 19, 2019 2:01 PM
To: King, David - BC
Cc: Amanda Swor; Rivera, Andrew
Subject: RE: Item 4 - C14-2018-0118 - 8900 S. Congress
Attachments: C14-2018-0118.pdf

Commissioner King,
Please see my responses below.

Sincerely,
Wendy Rhoades

From: King, David - BC
Sent: Monday, March 18, 2019 4:58 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Cc: Amanda Swor <A.Swor@hmcgroup.com>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: Re: Item 4 - C14-2018-0118 - 8900 S. Congress

Hello, Wendy,

Could you please help me with the following questions regarding this case?

1. Given that the lot designated as "parking" has been removed from this zoning case, how will parking for the development be addressed, particularly given that the additional restaurant will generate more customers and traffic? **Response:** Lot 4 was removed from the rezoning case because it was not part of the approved site development permit, just the previous zoning case. The site development permit meets all parking requirements on site. Please refer to the updated zoning map.
2. Given that there will be an entrance/exit on South Congress and an entrance/exit on Cullen Lane, how will cut through traffic from South Congress to Cullen Lane be effectively prohibited as required in the conditional overlay? **Response:** The design of the internal drives are such that from either driveway a "straight shot" cut-through is not visible. This design is intended to discourage people trying to cut through the property from Congress to Cullen. The design of the internal drives was reviewed for compliance as part of the Site Development Permit.
3. It appears that the only traffic mitigation required in the TIA for this development is reconstruction of a segment of Cullen Lane to provide for a dedicated left turn storage lane and roadway transition to and from Driveway #2. Is this correct? **Response:** Yes, that is correct.
4. What is the total estimated cost for the traffic mitigation in #3 above and when will the mitigation be constructed? Is the mitigation cost based on the date of construction or date of zoning approval by Council? **Response:** The estimated costs for transportation improvements is \$349,359.00. This cost estimate is current; the City issued the Site Development Permit on February 15, 2019. The improvements must be installed prior to issuance of the Certificate of Occupancy.

Thank you,
David

David King
Zoning and Platting Commission - District 5

Scheduled Meeting Disclosure Information:

Written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question for compensation on behalf of another person. Anyone scheduling or accepting a meeting invitation with a City Official must either acknowledge that the disclosure requirement does not apply or respond to the following survey:

<https://www.surveymonkey.com/r/BCVisitorLog>

From: Amanda Swor <aswor@drennergrouppc.com>
Sent: Monday, March 18, 2019 10:31 AM
To: King, David - BC
Subject: Item 4 - C14-2018-0118 - 8900 S. Congress

Hi Commissioner,

I am reaching out on Item 4, case C14-2018-0118, on the agenda tomorrow for the rezoning of 8900 South Congress. This rezoning request is from CS-CO to CS-CO to remove the 2,000 vehicle trip limitation from the property. This item is recommended by staff and will be offered on the consent agenda.

As part of the rezoning the property owners conducted a Traffic Impact Analysis to address the existing 2,000 vehicle trip limitation. The Traffic Impact Analysis identified improvements along Cullen Lane adjacent to the property, including the installation of a center turn lane. The property owner will construct these improvements in conjunction with development on the property and these improvements must be installed and inspected before a certificate of occupancy will be issued.

The change to the conditional overlay is only to remove the trip limitation. All other conditional overlays will remain on the property.

I do want to point out that the maps in the back-up that were posted on Friday include one additional lot. This lot was included in the original zoning of the property to CS-CO but is not included in this rezoning as it now has a different owner. I have attached a map that shows the property to be rezoned. New maps are being made by the City.

If you have any questions or concerns, or if I can provide any additional information, please let me know.

Have a great day!

Amanda W Swor, Director of Entitlements & Policy
Drenner Group, PC | 200 Lee Barton Drive | Suite 100 | Austin, TX 78704
512-807-2904 direct | 512-496-8573 cell | aswor@drennergrouppc.com | www.drennergrouppc.com