

## ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0154

(Domain Retail District 1, Block Z)

DISTRICT: 7

ZONING FROM: MI-PDA

TO: MI-PDA\*

\*Nature of the Request: In this rezoning request, the applicant is asking for an amendment to the conditions the Planned Development Area (PDA) overlay in Ordinance No. 20150611-033 to permit the Pet Services use within this area of the Domain/MI-PDA.

ADDRESS: 11700 Rock Rose Avenue, 3200-3250 Palm Way, 11701 ½, 11703 ½, 11711, 11711 ½, 11811, 11811 ½ Domain Drive

SITE AREA: 7.19 acres (313,196.4 sq. ft.)

PROPERTY OWNER: Domain Northside Retail Property Owner L.P.

AGENT: Armbrust & Brown, PLLC (Walter W. Cardwell, IV)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends MI-PDA, Major Industrial-Planned Development Area Combining District, zoning. The PDA amendment will permit the Pet Services use within this area of PDA.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

**January 26, 2021: Approved staff's recommendation for MI-PDA district zoning, to change a condition of zoning, by consent (12-0); A. Azahar-1st; P. Seeger-2nd.**

CITY COUNCIL ACTION:

**March 3, 2021**

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question (The Domain-Northside site) is currently developed with a mixture of high density residential, office and commercial uses. In this rezoning request, the applicant is asking for an amendment to the conditions the Planned Development Area (PDA) overlay in Ordinance No. 20150611-033 to permit the Pet Services use within this area of the Domain/MI-PDA.

The staff recommends the applicant's request to amend the Planned Development Area overlay to permit an additional use in this area of the Domain development. The staff recommendation would allow for a dog grooming business (Pet Services use) within this 7+ acre area located in the northeastern portion of the Domain development. The staff believes the proposed amendment is consistent with the uses permitted within the Domain. Therefore, the PDA amendment will not alter the intent of the approved MI-PDA designation for this site.

The proposed MI-PDA zoning will allow for a mixture of high-density residential uses, office uses, commercial uses, and industrial uses to be developed on the property in question. The location of the site is appropriate for the proposed mixture and intensity of uses because the site is located between three major roadways, MOPAC Expressway North, Burnet Road, and Braker Lane. The property in question is within the North Burnet/Gateway Combined Neighborhood Planning Area and is adjacent to the North Burnet/Gateway Transit Oriented Development District (TOD).

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

The MI district designation is for a commercial service use, research and development use, administrative use, or manufacturing use that meets strict development and performance standards and is generally located on a large site or in a planned industrial center.

The PDA combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed MI-PDA amendment will permit the applicant have an animal grooming business (Pet Services) use to provide additional amenities within the Domain development. The proposed PDA amendment will allow for uses that will be compatible with other office, commercial and residential uses that have already been constructed throughout the Domain.

3. *Zoning changes should promote an orderly relationship among land uses.*

MI-PDA zoning would allow this site to be developed with a mixture of high-density residential uses, office uses, commercial uses and industrial uses. This location is appropriate for the proposed PDA because site is located between three major roadways, MOPAC Expressway North (freeway), Burnet Road (major arterial roadway), and Braker Lane (major arterial roadway). The property in question is within the North Burnet/Gateway Combined Neighborhood Planning Area and is adjacent to the North Burnet/Gateway Transit Oriented Development District (TOD).

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	MI-PDA	Multifamily, Office, Commercial (Restaurant, Retail, Hotel uses), Industrial/Office/Warehouse (IBM)
<i>North</i>	NBG-NP	Hotel, Office, Financial Services
<i>South</i>	MI-NP	University of Texas J.J. Pickle Research Center
<i>East</i>	MI-PDA	Commercial (Retail, Restaurants, Theater uses), Multifamily, Office
<i>West</i>	NBG-NP	Office, Commercial/Retail, Vacant Tract, Commercial/Retail

**NEIGHBORHOOD PLANNING AREA:** North Burnet/Gateway NP

**TIA:** Waived

**WATERSHED:** Walnut Creek

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Bike Austin  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 North Burnet Gateway Neighborhood Plan Staff Liaison  
 North Growth Corridor Alliance  
 SELTEXAS  
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2016-0114 (Domain Entertainment District: 3121 Palm Way)	MI-PDA to MI-PDA (To allow for the sale of alcoholic beverages in conjunction with a General Retail Sales (General) use for on premise consumption for a second occupant not to exceed an additional 11,204 sq. ft. (for a total of 61,204 sq. ft. for two occupants) within this designated 43 acre area.	11/08/16: Approved staff's recommendation for MI-PDA zoning on consent (12-0, A. Pineyro DeHoyos- absent); P. Seeger-1 <sup>st</sup> , F. Kazi-2 <sup>nd</sup> .	12/08/16: Approved MI-PDA district zoning on Council Member Troxclair's motion, Council Member Zimmerman's second on a 9-1 vote. Council Member Houston voted nay. Mayor Pro Tem Tovo was absent.
C14-2015-0038 (Domain Entertainment District: 11624-11824 Burnet Road)	MI-PDA to MI-PDA (To amend the PDA to allow for the sale of alcoholic beverages as an accessory use to a General Retail Sales (General) use for on premise consumption for a single occupant not to exceed 50,000 sq. ft. within this designated 43 acre area.)	4/28/15: Approved the staff's recommendation of MI-PDA zoning with conditions (8-0, B. Roark-absent); J. Nortey-1 <sup>st</sup> , J. Stevens-2 <sup>nd</sup> .	6/11/15: Approved MI-PDA zoning on consent (11-0); A. Kitchen-1 <sup>st</sup> , P. Renteria-2 <sup>nd</sup>
C14-2014-0062 (The Kenzie: 3201 Esperanza Crossing)	MI-PDA to MI-PDA (To amend the PDA overlay to allow for a Cocktail Lounge use as a permitted use on a designated 0.084 acre (3,659 sq. ft.) parcel inside the Kenzie multifamily building.)	5/27/14: Approved staff's recommendation for MI-PDA zoning by consent (8-0, J. Nortey-absent); R. Hattfield-1 <sup>st</sup> , N. Zaragoza-2 <sup>nd</sup> .	6/26/14: Approved MI-PDA zoning, to change a condition of zoning, on consent on all 3 readings (6-0, M. Martinez-off the dais); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2013-0130 (Domain Entertainment District: 11824 Burnet Road)	MI-PDA to MI-PDA (To amend the PDA overlay to allow for 110,000 square feet of Cocktail Lounge (CS-1 district) use as a permitted use with	11/12/13: Approved staff's recommendation for MI-PDA zoning, with conditions for a limitation of 90,000 square feet of Cocktail Lounge use as permitted with no one user exceeding 13,000 sq. ft.	12/12/13: Approved MI-PDA zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .

	no one user exceeding 13,000 square feet within a designated 43.267 acre area.)	within the designated 43.267acre area (outlined in Exhibit A) located within the Property., by consent (7-0-2, D. Chimenti and A. Hernandez-absent); J. Nortey-1 <sup>st</sup> , B. Roark-2 <sup>nd</sup> .	
C14-2012-0002 (The Domain: 10728-11306 and 11500-11900 Burnet Road; 3300 West Braker Lane; 11105 and 11401-11925 Domain Drive, and 2900-3210 Esperanza Crossing)	MI-PDA to MI-PDA: To amend the PDA 1) To allow for a Cocktail Lounge use as a permitted use on a 2,198 sq. ft. parcel and 2) To relocate 1-acre of designated zero impervious area within a nine acre park to a new location within the same park.	5/08/12: Approved MI-PDA zoning by consent (9-0); D. Anderson-1 <sup>st</sup> , S. Kirk-2 <sup>nd</sup> .	6/28/12: Approved MI-PDA zoning to change a condition of zoning on all 3 readings (7-0); C. Riley-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2010-0087 (The Domain Rezoning-Simon: 11701, 11733 North Mopac Expressway; 11400, 11500 Domain Drive; 3311 Rogers Road; 3409 Esperanza Crossing; 11600 Century Oaks Terrace)	MI-PDA to MI-PDA: To amend the Domain zoning ordinance to request a change to the PDA overlay to allow 83% impervious cover for the overall site.	8/24/10: Approved staff's recommendation of MI-PDA zoning with the condition that the applicant agree to a public restrictive covenant to limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to offset the increase in impervious cover on the Simon-Domain property (8-1, Chimenti-No), with the following additional conditions: 1) Require the applicant to provide bicycle access for a portion Bicycle Route Segment #905.04 (Please see Public Works Department Memorandum – "Attachment B") to allow for continuity for bicycle traffic to and through the Domain development. 2)	8/26/10: The public hearing will remain open and the first reading of the case was approved for MI-PDA zoning (7-0); Morrison-1 <sup>st</sup> , Spelman-2 <sup>nd</sup> , with the following additional conditions: 1) The applicant is to provide bicycle access for a portion of Bicycle Route Segment #905.04 to allow for continuity for bicycle traffic to and through the Domain development. 2) A public restrictive covenant that will limit one acre of land on the Endeavor- Domain site to zero percent impervious cover will be signed and recorded before the third reading of this zoning case.  10/14/10: Approved MI-PDA zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0);

		<p>Require a public restrictive covenant that will limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to be signed and recorded before the 3<sup>rd</sup> reading of this zoning case at City Council.</p>	<p>Spelman-1<sup>st</sup>, Leffingwell-2<sup>nd</sup>, with the following amendments: 1) Part 3, C, 1 of the ordinance should read: “A pedestrian/bicycle entrance shall be provided between the existing pedestrian/bicycle trail under Mopac Expressway and the Simon Project internal drive as shown on the attached Exhibit B. A minimum 12-foot wide paved path shall be constructed with an associated curb cut connecting to the internal drive prior to issuance of a certificate of occupancy for a building on Lot 5A, Block A, the Domain Shopping Center Section 3 Subdivision.”; 2) Add a new paragraph to Part 3, Section D to read: “The two trees on the property numbered 5068 and 5081 as shown on Exhibit D may not be removed, unless the City Arborist approved otherwise based on the health of the individual trees.”; 3) The approved otherwise based on fourth WHERAS of the restrictive covenant should read: “WHEREAS, the requirements of the Land Development Code for both the Endeavor Tract and the Simon Tract allow for a combined maximum of eighty percent (80%) net site area impervious cover resulting in a total allowable impervious cover area of 135.36 acres for the Endeavor Tract and 40.54 for the Simon Tract; and”.</p>
C14-06-0121	MI-PDA to MI-PDA	<p>2/13/07: Approved staff’s rec. for MI-PDA zoning with additional conditions of:</p> <ul style="list-style-type: none"> <li>• 2 star Green Building rating</li> <li>• natural landscaping of all water quality ponds (existing and future);</li> </ul>	<p>3/01/07: Approved MI-PDA zoning with the addition of low albedo roofing materials, one star construction for the total site and two star construction for 50% of the office and residential construction (7-0); McCracken-1<sup>st</sup>, Dunkerley-2<sup>nd</sup>.</p>

		<ul style="list-style-type: none"> <li>• be in compliance with TIA conditions;</li> <li>• the applicant's requested parkland dedication proposal;</li> <li>• height base of 140-ft; plus an additional 12-stories based on electing to provide some of the public benefits as listed in the North Burnet/Gateway Neighborhood Plan.</li> <li>• Maximum height of 308 feet.</li> </ul> <p>Vote: (9-0); J.Reddy-1<sup>st</sup>, G. Stegeman-2<sup>nd</sup>.</p>	
C14-06-0154	MI-PDA to MI-PDA	8/08/06: Approved staff rec. of MI-PDA by consent (8-0)	09/28/06: Approved MI-PDA (7-0); 1 <sup>st</sup> reading  10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-04-0151	MI-PDA to MI-PDA	11/23/04: Approved staff recommendation of MI-PDA, with Environmental Board conditions (9-0).	12/16/04: Approved MI-PDA (7-0); all 3 readings
C14-04-0146	P to CH	11/9/04: Approved staff's recommendation of CH zoning with conditions (9-0)	12/2/04: Approved CH zoning (7-0); all 3 readings
C14-03-0017	MI-PDA to MI-PDA	6/11/03: Approved staff's recommendation of MI-PDA zoning, with inclusion of original PDA conditions (as read into the record) from Ordinance #000608-67 (8-0, R. Pratt-off dais)	7/31/03: Granted MI-PDA on all 3 readings (7-0)
C14-03-0016	MI to MI-PDA	6/11/03: Approved staff's recommendation of MI-PDA zoning (8-0, R. Pratt-off dais)	7/31/03: Granted MI-PDA on all 3 readings (7-0)
C14-03-0015	MI to CS	6/11/03: Approved staff's recommendation of CS-CO zoning (8-0, R. Pratt-off dais)	7/31/03: Granted CS-CO on all 3 readings
C14-02-0062	LI to CS-1	6/12/02: Approved CS-1 by consent (8-0)	7/11/02: Approved PC rec. of CS-1 (7-0); all 3 readings
C14H-00-2177	LI-PDA to LI-PDA	10/24/00: Approved staff rec. of LI-PDA (TR1), LI-PDA-H (TR2) by consent (9-0)	11/30/00: Approved LI-PDA (TR1) and LI-PDA-H (TR2); (7-0); all 3 readings

C14-00-2065	MI to MI-PDA	<p>5/9/00: Approved staff rec. of MI-PDA by consent (8-0); with the following conditions:</p> <ol style="list-style-type: none"> <li>1) That minimum lot size be 1 acre provided for any lots that directly abut Braker Lane and Burnet Road (but not both) and which are less than 3 acres in size.</li> <li>2) The total number of additional curb cuts on Braker Lane &amp; Burnet Road providing access to such lots shall not exceed 50 % of the total number of such lots.</li> <li>3) The foregoing limitation shall not apply to any lot of more than 3 acres, which abut Braker Lane and Burnet Road.</li> </ol>	<p>6/8/00: Approved MI-PDA, with changes agreed to with neighborhood association (7-0); all 3 readings</p>
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RELATED CASES:

Subdivision Case:

Zoning Cases: C14-2016-0114  
C14-2015-0038  
C14-2014-0062  
C14-2013-0130  
C14-2012-0002  
C14-2010-0087  
C14-04-0151  
C14-03-0017  
C14-03-0016  
C14-03-0015



EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Palm Way	48'	78'	44'	2	Yes	No	Yes
Domain Dr	46'	74'	30'	2	Yes	No	Yes
Rock Rose Ave	25'	Existing ROW	20'	1	Yes	No	Yes

OTHER STAFF COMMENTS:Comprehensive Planning

No comments.

Environmental

The amendment request is to modify the uses that are outlined in Ordinance 030731-Z-3 to include pet services. There are no EV comments at this time; however, note that subsequent site plan applications for the PDA shall conform to environmental regulations under the applicable ordinance.

Fire

No comments.

Parks and Recreation

The application to amend this Planned Development Area does not include an increase residential or hotel-motel units. As such, it does not affect parkland dedication requirements.

Site Plan

Site plan comments will be made at time of site plan review, if a new building is constructed.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies a need for 78' of right-of-way for Palm Way and 74' of right-of-way for Domain Drive. Traffic impact analysis was waived, site must demonstrate compliance with TIA approved with C14-06-0121. TIA may require update upon further review.


Water Utility


No comments on ordinance change.


INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's request letter

[illegible]

 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

ZONING CASE#: C14-2020-0254

$$1'' = 400'$$

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

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



**Created: 11/30/2020**





## Domain Retail District | Block Z

ZONING CASE#: C14-2020-0254

LOCATION: 11700 Rock Rose Blvd; 3200-3250 Palm Way;  
11703-1/2, 11711, 11711-1/2, 11701-1/2, 11811  
and 11811-1/2 Domain Dr

SUBJECT AREA: 7.19 Acres

GRID: K34

MANAGER: Sherri Sirwaitis

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.



1" = 400'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER



**ARMBRUST & BROWN, L.L.P.**

ATTORNEYS AND COUNSELORS

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November 20, 2020

Jerry Rusthoven  
City of Austin  
Housing & Planning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

Re: PDA Amendment Application for Domain Retail District District I Block Z (the "Application") covering  $\pm 7.190$  acres of land legally described as Lot 4B, RREEF Domain Z4 Subdivision (the "Property").

Dear Mr. Rusthoven:

This firm represents and this letter is submitted on behalf of the Owner in the above referenced Application. The area subject to this amendment is comprised of a  $\pm 7.190$  tract of landed located along the 11700 block of Rock Rose Avenue and the 3200 block of Palm Way in Austin, Travis County, Texas. The purpose of this Application is to amend Ordinance 030731-Z-3 to allow Pet Services as an additional permitted use of the Property in order to expand the range of services provided at the Domain.

Currently, portions of the Property are leased by tenants that provide retail products directed at and marketed towards household pet owners. However, these tenants have encountered a demand among their customers for grooming services. Accordingly, these tenants would like to meet this demand by converting a portion of their floor space to provide grooming services for household pets in addition to the retail products they sell.

The City of Austin Land Development Code defines "Pet Services", as:

*PET SERVICES use is the use of a site for the retail sale of small animals customarily used as household pets, or the provision of veterinary, **grooming**, or boarding services, totally within a building.*

The amendment need only apply to a single lot, Lot 4B of the RREEF Domain Z4 Subdivision. The Property owners expect no increase in road or foot traffic, or any other material or significant change to the current commercial routine at the Domain Retail Project as a result of this proposed amendment.

**ARMBRUST & BROWN, L.L.P.**

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The redlined PDA ordinance is enclosed with this Application showing the areas we intend to modify to reflect the PDA amendment request. Thank you in advance for your time and consideration of this matter. If you have any questions, comments, or require additional information, please feel free to contact me at (512)-435-2353.

Very truly yours,

A handwritten signature in black ink, appearing to read "Walter W. Cardwell IV", with a long, sweeping horizontal stroke extending to the right.

Walter W. Cardwell IV

cc: Amanda Morrow, Armbrust & Brown PLLC  
Amanda Surman, Armbrust & Brown PLLC  
Richard T. Suttle, Jr., Armbrust & Brown PLLC

Enclosures