

### THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2020-0143 -- 6705 and 6501 Regiene Road

DISTRICT: 1

REQUEST: Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 6501 and 6705 Regiene Road (Boggy Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning and limited industrial services-neighborhood plan (LI-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. The ordinance may include modifications of City regulations. First Reading approved November 18, 2021. Vote 11-0. Second Reading approved January 27, 2022. Vote: 11-0. Owner/Applicant: Kunikco, LLC (Daryl Kunik). Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122.

DEPARTMENT COMMENTS: A clarification was made to allow Brewery as a permitted use and prohibit Light manufacturing land use. There is no limitation on brewery square footage.

Council action approved on first and second readings the following:

1. Permit 275 feet of building height on the western portion of the property and 120 feet on the remainder of the site.
2. Permit breweries on the property with a minimum of 50 feet from residential land uses, including multifamily.
3. Light manufacturing uses are prohibited.
4. Other permitted and prohibited land uses and site development conditions are as requested by Applicant.
5. A public restrictive covenant will be required for the associated TIA Memorandum.

OWNER/APPLICANT: Kunikco, LLC (Daryl Kunik)

AGENT: Drenner Group PC (Leah Bojo)

DATE OF FIRST READING: First reading approved on November 18, 2021.

DATE OF SECOND READING: Second reading approved on January 27, 2022.

CITY COUNCIL HEARING DATES/ACTION:

February 3, 2022:

January 27, 2022: To grant LI-PDA-NP zoning as requested by Applicant approved on second reading only, on consent. A clarification was made that Brewery square footage is not limited. (11-0)

December 9, 2021: To grant postponement to January 27, 2022, as requested by Neighborhood, on consent.

November 18, 2021: To grant LI-PDA-NP zoning as requested by Applicant approved on first reading only, on consent. A clarification was made to permit Brewery use and prohibit Light manufacturing land use. (11-0)

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin

e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

## ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0150  
6705 and 6501 Regiene Road

DISTRICT: 1

ZONING FROM: SF-2-NP and LI-NP

TO: LI-PDA-NP

ADDRESS: 6705 and 6501 Regiene Road

SITE AREA: 15.69 acres

PROPERTY OWNER:  
Kunikco LLC  
(Daryl Kunik)

AGENT:  
Drenner Group PC  
(Leah Bojo)

CASE MANAGER: Heather Chaffin (512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov))

### STAFF RECOMMENDATION:

**Staff supports the Applicant's request for rezoning to LI-PDA-NP, with conditions. Staff conditions are listed below; Applicant's overall request is outlined in *Exhibit D*.**

- 1. The Applicant is requesting 275 feet of building height on the western portion of the property and 120 feet on the remainder of the site; Staff recommends a maximum of 120 feet across the entire property.**
- 2. The Applicant is requesting Light manufacturing land use; Staff does not recommend this land use.**
  - a. If Light manufacturing land use is granted, the Applicant is requesting that breweries be a minimum of 50 feet from all residential land uses; Staff recommends that all Light manufacturing uses be setback 200 feet from all residential land uses.**
- 3. A public restrictive covenant will be required for the associated TIA Memorandum.**

*For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

### PLANNING COMMISSION ACTION / RECOMMENDATION:

November 9, 2021: No recommendation.

October 26, 2021: Planning Commission postponement to November 9, 2021. (13-0) [J. Shieh- 1st, G. Cox- 2nd]

September 28, 2021: To grant postponement to October 26, 2021 as requested by Staff and Neighborhood, on consent.

### CITY COUNCIL ACTION:

December 9, 2021:

November 18, 2021: To grant LI-PDA-NP zoning as requested by Applicant approved on first reading only, on consent. A clarification was made to permit Brewery use and prohibit Light manufacturing land use. (11-0)

ORDINANCE NUMBER:

**ISSUES:**

No issues at this time.

**CASE MANAGER COMMENTS:**

The subject property is located east of Ed Bluestein Boulevard and north of the proposed Capital Metro Green Line rail right of way. 89% of the undeveloped property is currently zoned LI-NP and 11% is zoned SF-2-NP. South and east of the property is the Walnut Creek Greenbelt, zoned P. Further south are residential properties zoned SF-2. Across Ed Bluestein Boulevard to the west is a mix of light industrial and commercial uses zoned CS-NP. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

In addition to the subject property, two related tracts are currently under review by Staff that are requesting LI-PDA-NP, C14-2021-0157 and C14-2021-0158. These properties have the same Applicant as the subject property who has stated their intent to combine the tracts as one cohesive development. These requests were filed several months after this request and will be scheduled for public hearing when Staff review is completed. ***Please see Exhibit C- Related Tracts Exhibit.***

North of the property is the former Motorola campus that is zoned LI-PDA-NP. This property was rezoned in 2020 as Zen Garden to allow increased building heights ranging from 120 to 400 feet on designated tracts. The tracts with greater height are located closest to Ed Bluestein Boulevard, and step back further east. The rezoning and proposed redevelopment of the property allow a mix of office, commercial and light industrial land uses but does not permit residential land uses. The rezoning also permitted a reduction in parking to 50%. ***Please see Exhibit D- Zen Garden Ordinance.***

The proposed rezoning on the subject tract includes land use and site development standard changes. Proposed land use changes include permitting all residential land uses and prohibiting some light industrial and commercial uses that are currently permitted on the LI-NP portion of the property. Industrial uses to be prohibited include Basic industry, General warehousing and distribution, Resource extraction and Recycling center. Commercial uses to be prohibited include Kennels, Exterminating services and several other land uses. The proposed changes to site development standards include changes to building height, floor to area ratio (FAR) and parking requirements. The Applicant proposes increasing the maximum building height from 60 feet to 275 feet on the western portion of the site and 120 feet on the eastern portion. The Applicant also proposes increasing the allowable FAR from 1:1 to 2:1, and a parking reduction of 50%, which is greater than the 80% reduction allowed by Code. ***Please see Exhibit E- Proposed Development Standards.***

A Traffic Impact Assessment (TIA) was prepared in conjunction with this rezoning request. The TIA also accounts for the two related rezoning requests that are also requesting LI-PDA-NP zoning (C14-2021-0157 and C14-2021-0158). A public restrictive covenant binding this property to the terms of the attached TIA memorandum will be required if the rezoning is granted. ***Please see Exhibit F- TIA Memorandum.***

Staff supports the rezoning request with some conditions. The proposed rezoning would allow for a mixed use development that permits residential, office, commercial and some light industrial land uses. While Staff and the Applicant do not agree on the requested Light manufacturing land use, but the request prohibits several intense commercial and light industrial land uses that are currently permitted

on the LI portion of the site. The proposed rezoning would reduce the range of intense land uses permitted in the area and would allow a range of residential land uses that are not currently available in the area. This mix of land uses would provide a transition from the more intensive LI-PDA-NP property to the north to the single family residential area to the south. The mix of permitted land uses would also provide the opportunity for employment options and access to goods and services not available in the area.

Staff does not support the request of 275 feet of building height on the western portion of the property. Zen Garden, to the north, was granted heights ranging from 120 to 400 feet, but the rezoning was of a different nature. Zen Garden is intended to allow redevelopment of the former Motorola campus. Zen Garden was already zoned LI-PDA-NP; the 2020 rezoning only modified conditions of the PDA. This rezoning is for undeveloped land that is much closer to the residential area to the south. 120 feet of height as recommended by Staff offers a step-down between Zen Garden and the residential area.

#### BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

#### EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-2-NP, LI-NP	Undeveloped
North	LI-PDA-NP	Limited industrial, Office
South	P, SF-2	Walnut Creek Greenbelt, Single family residential
East	P	Walnut Creek Greenbelt
West	CS-NP	Limited industrial and commercial uses

NEIGHBORHOOD PLANNING AREA: East MLK

TIA: *Please see Exhibit F-Transportation Impact Assessment Memorandum.*

WATERSHED: Boggy Creek (Urban)

#### NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation	Del Valle Community Coalition
Austin Neighborhoods Council	Friends of Austin Neighborhoods
Bike Austin	Imperial Valley Neighborhood Association
SEL Texas	Sierra Club, Austin Regional Group
FRS Property Owners Association	Del Valle ISD
Austin ISD	
Lower Boggy Creek Neighborhood Association	
East MLK Combined Neighborhood Contact Team	

AREA CASE HISTORIES:

NUMBER	REQUEST	ZAP/PLANNING COMMISSION	CITY COUNCIL
C14-2021-0158 6603 Regiene Road	LI-NP to LI-PDA-NP	TBD	TBD
C14-2021-0157 6600 6702 6704 6706 Regiene Road	LI-NP to LI-PDA-NP	TBD	TBD
C14-2021-0134 Hibbetts Road	SF-2-NP to SF-6-NP	TBD	TBD
C14-2021-0032 Shelton Road	SF-2 to P	June 15, 2021: To grant, on consent	July 29, 2021: To grant, on consent
C14-2017-0148 Zen Garden	LI-NP to LI-PDA-NP	January 14, 2020: To grant with conditions	November 12, 2020: To grant with conditions
C14-2019-0137 Delwau RV Park	SF-2 to CS-MU-CO	January 7, 2020: To grant with conditions	January 23, 2020: To grant with conditions
C14-2018-0002 Delwau Campgrounds	SF-2 to CS-MU-CO and CS-1-MU-CO	May 15, 2018: To grant with conditions	August 23, 2018: To deny request
C14-2016-0017 Driveway Austin	GO to GR	August 2, 2016: To grant GR district zoning as recommended by staff, on consent.	September 22, 2016: To grant GR zoning as recommended by Staff, on consent.
C14-2011-0114 Southern Walnut Creek Hike & Bike Trail	CITY INITIATED SF-2 to P	October 18, 2011: To grant P as requested	November 3, 2011: To grant P as requested

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Regiene Road	~48'-83'	50'	16'	1	No	No	No

ADDITIONAL STAFF COMMENTS:Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within 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. Site specific information regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands will be reviewed at time of site plan.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm. EV 02 LDC 25-8-604(A)(2) requires that a proposed development preserve the natural character to the extent feasible. In addition, ECM 1.4.4 requires construction phase controls that include minimizing the size of the disturbed area as well as preserving existing vegetation to the greatest extent feasible.

#### Site Plan

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. The site is subject to compatibility standards. Along the southwest property line, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. 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.

SP3. Additional design regulations will be enforced at the time a site plan is submitted.

SP4. This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited.

#### Parks & Recreation

PR1: Parkland dedication will be required at the time of subdivision or site plan application for new residential units proposed by this rezoning, multifamily with LI-PDA, per City Code § 25-1-601, as amended. The intensity of the proposed residential use in this development creates a need for over six acres of additional parkland, per requirements described in § 25-1-602; when over six acres, parkland must be dedicated – see § 25-1-605 (A)(2)(a). As such, land dedication shall be required, unless the land available for dedication does not comply with the standards for dedication. Any remaining fees in-lieu after dedication shall also be required.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

***Please see Exhibit G- Parkland Early Determination.***

### Transportation

1. The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies Regiene Road as a Level 1 roadway; some additional right-of-way may be required at the time of subdivision or site plan.
2. The applicant has proposed a code modification to LDC 25-6, Appendix A in order to allow up to a 50% reduction to the minimum off-street parking requirements. ATD does not object to this modification request.
3. ***Please see Exhibit F-Transportation Impact Assessment Memorandum.***
4. Street characteristics:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Regiene Road	~48'-83'	50'	16'	1	No	No	No

### Water Utility

AW1. 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.

Based on current public infrastructure configurations, service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7<sup>th</sup> floor. Ph: 512-972-0211.

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.

### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit
- C. Related Tracts Exhibit
- D. Zen Garden Ordinance
- E. Proposed Development Standards
- F. TIA Memorandum
- G. Early Parkland Dedication

[illegible]

SUBJECT TRACT

PENDING CASE

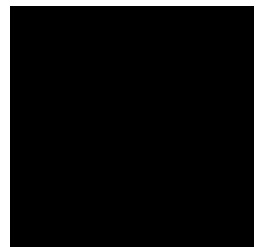
ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2020-0150

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: 12/28/2020**

$$1'' = 400'$$



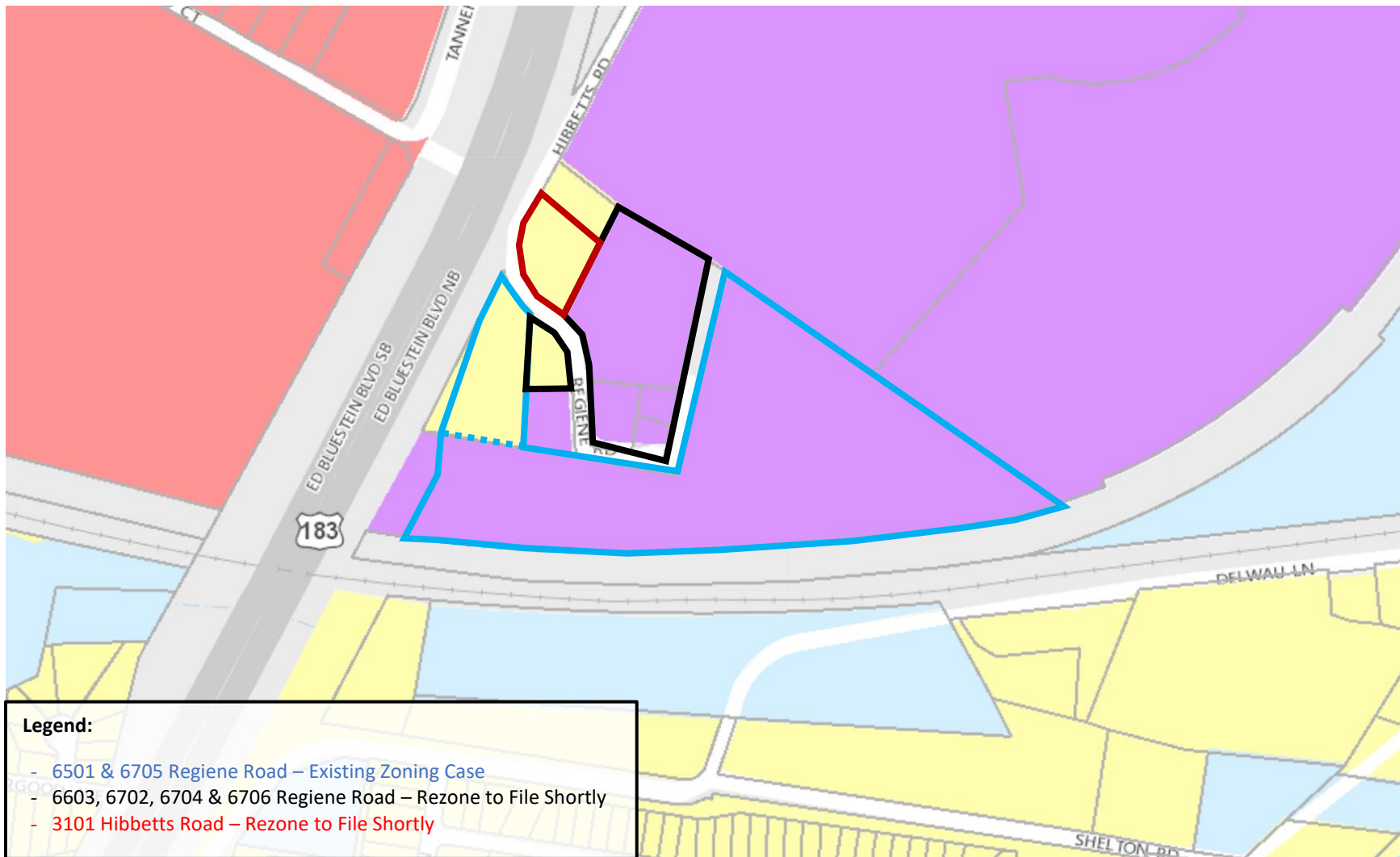




## 6501 & 6705 Regiene Road & Adjacent Sites

## EXHIBIT C

### Zoning:



**ORDINANCE NO. 20201112-048**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3443 ED BLUESTEIN BOULEVARD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN FROM LIMITED INDUSTRIAL SERVICES-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICES-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) 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 district from limited industrial services-neighborhood plan (LI-NP) combining district to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district on the property described in Zoning Case No. C14-2017-0148, on file at the Housing and Planning Department, as follows:

Tract 1:

10.407 acres, more or less, of land area, being a portion of LOT 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, a subdivision in Travis County, Texas, according to the map or plat recorded in Document No. 200900045, Official Public Records of Travis County, Texas, said 10.407 acres more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

Tract 2:

9.236 acres, more or less, of land area, being a portion of LOT 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, a subdivision in Travis County, Texas, according to the map or plat recorded in Document No. 200900045, Official Public Records of Travis County, Texas, said 9.236 acres more particularly described by metes and bounds in **Exhibit "B"** incorporated into this ordinance, and

Tract 3:

3.085 acres, more or less, of land area, being a portion of LOT 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, a subdivision in Travis County,

Texas, according to the map or plat recorded in Document No. 200900045, Official Public Records of Travis County, Texas, said 3.085 acres more particularly described by metes and bounds in **Exhibit "C"** incorporated into this ordinance, and

Tract 4:

86.915 acres, more or less, of land area, being a portion of LOT 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, a subdivision in Travis County, Texas, according to the map or plat recorded in Document No. 200900045, Official Public Records of Travis County, Texas, said 86.915 acres more particularly described by metes and bounds in **Exhibit "D"** incorporated into this ordinance (collectively referred to as the "Property"),

locally known as 3443 Ed Bluestein Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as **Exhibit "E"**.

**PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial services (LI) base district and other applicable requirements of the City Code.

**PART 3.** Development of the Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

**PART 4.** Development of the Property within the boundaries of the planned development area (PDA) combining district established by this ordinance is subject to the regulations set forth in this part:

- A. Parking and loading area requirements for the Property, as set forth in Chapter 25-6, Article 7 (*Off-Street Parking and Loading*) and Chapter 25-6, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) of City Code, are reduced by 50%.
- B. Development on the Property shall not exceed an impervious coverage of 65%.
- C. The maximum height of a building or structure on Tract 1 of the Property shall not exceed 400 feet.



- D. The maximum height of a building or structure on Tract 2 of the Property shall not exceed 280 feet.
- E. The maximum height of a building or structure on Tract 3 of the Property shall not exceed 160 feet.
- F. The maximum height of a building or structure on Tract 4 of the Property shall not exceed 120 feet.

**PART 5.** Except as otherwise provided in this ordinance, the Property is subject to Ordinance No. 021107-Z-12b that established zoning for the MLK-183 Neighborhood Plan.

**PART 6.** This ordinance takes effect on November 23, 2020.


**PASSED AND APPROVED**

\_\_\_\_\_, November 12, 2020

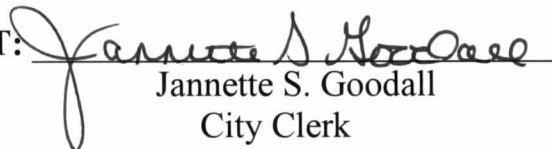
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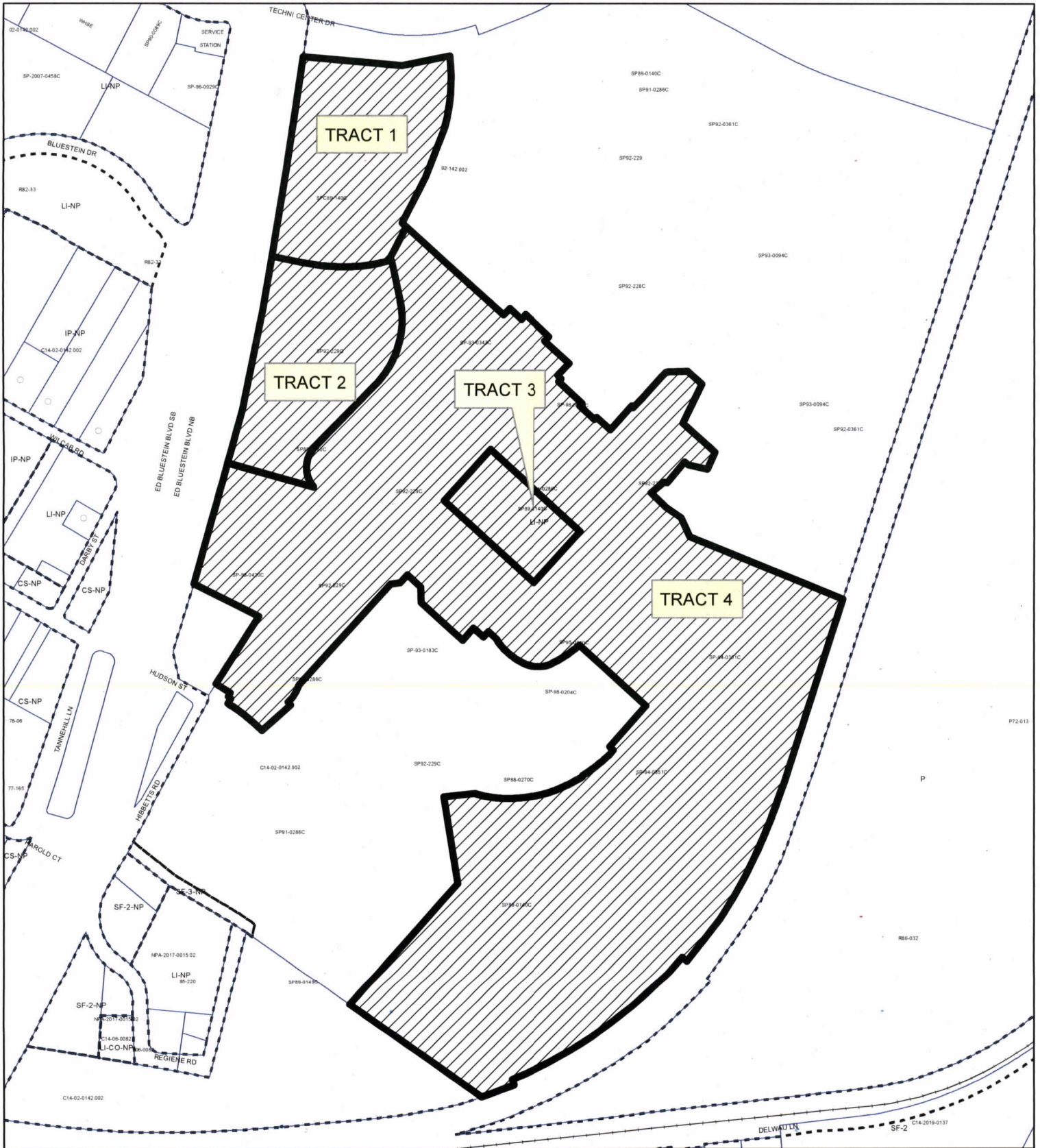
  
\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**

  
Anne L. Morgan *by*  
City Attorney *Nthemo*

**ATTEST:**

  
Jannette S. Goodall  
City Clerk



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

**ZONING**

**ZONING CASE#: C14-2017-0148**

**Exhibit E**

1" = 507'

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: 7/7/2020**

# Regiene Road LI-PDA Development Standards

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## Site-Wide Development Standards

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The following development standards are proposed for all development across the site:

Max. Height:	275' on western portion, 120' on portion adjacent to 120' portion of site to north.
Max. FAR:	2:1
Max. Impervious Cover:	80%
Building Coverage:	75%
Min. Setbacks	
- Front Yard:	0 feet
- Street Side Yard:	0 feet
- Interior Side Yard:	0 feet
- Rear Yard:	0 feet
Parking Reduction:	Allow up to a 50% reduction to the minimum off-street parking requirements of §25-6, Appendix A.

## Permitted and Conditional Residential Uses

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- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>• Bed &amp; Breakfast (Group 1)</li> <li>• Bed &amp; Breakfast (Group 2)</li> <li>• Condominium Residential</li> <li>• Duplex Residential</li> <li>• Group Residential</li> <li>• Multifamily Residential</li> <li>• Retirement Housing (Small Site)</li> </ul> | <ul style="list-style-type: none"> <li>• Retirement Housing (Large Site) (Conditional)</li> <li>• Single-Family Attached Residential</li> <li>• Single-Family Residential</li> <li>• Townhouse Residential</li> <li>• Two-Family Residential</li> <li>• Short -Term Rental*</li> </ul> |
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\* Standards in LDC §25-2-491, Zoning Land Use Summary Table, for Austin City Code apply.

## Permitted and Conditional Commercial Uses

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- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Administrative and Business Offices</li> <li>• Art Gallery</li> <li>• Art Workshop</li> <li>• Business or Trade School</li> <li>• Business Support Services</li> <li>• Commercial Off-Street Parking</li> <li>• Communications Services</li> <li>• Consumer Convenience Services</li> <li>• Convenience Storage – not exceeding 20,000 SF</li> <li>• Financial Services</li> <li>• Food Preparation</li> <li>• Food Sales</li> <li>• General Retail Sales (Convenience)</li> <li>• General Retail Sales (General)</li> <li>• Hotel-Motel</li> <li>• Indoor Entertainment</li> <li>• Indoor Sports and Recreation</li> </ul> | <ul style="list-style-type: none"> <li>• Liquor Sales (conditional)</li> <li>• Medical Offices -- exceeding 5000 sq. ft. gross floor area</li> <li>• Medical Offices -- not exceeding 5000 sq. ft. gross floor area</li> <li>• Off-Site Accessory Parking*</li> <li>• Outdoor Entertainment (conditional)</li> <li>• Pedicab Storage and Dispatch</li> <li>• Personal Improvement Services</li> <li>• Personal Services</li> <li>• Pet Services</li> <li>• Plant Nursery</li> <li>• Printing and Publishing</li> <li>• Professional Office</li> <li>• Research Services</li> <li>• Restaurant (General)</li> <li>• Restaurant (Limited)</li> <li>• Service Station</li> </ul> |
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# Regiene Road LI-PDA Development Standards

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- Software Development
- Theater

\* Standards in LDC §25-2-491, Zoning Land Use Summary Table, for Austin City Code apply.

## Permitted and Conditional Industrial Uses

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- Custom Manufacturing
- Light Manufacturing
- Limited Warehousing and Distribution --  
- 200' separation from residential use

## Permitted and Conditional Agricultural Uses

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- Community Garden
- Indoor Crop Production
- Urban Farm

## Permitted and Conditional Civic Uses

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- Club or Lodge (conditional)
- College and University Facilities
- Communication Service Facilities
- Community Events\*
- Community Recreation (Private)
- Community Recreation (Public)
- Congregate Living
- Counseling Services
- Cultural Services
- Day Care Services (Commercial)
- Day Care Services (General)
- Day Care Services (Limited)
- Employee Recreation
- Group Home, Class I (General)
- Group Home, Class I (Limited)
- Group Home, Class II
- Local Utility Services
- Religious Assembly
- Residential Treatment
- Safety Services
- Telecommunication Tower\*
- Transitional Housing (conditional)
- Transportation Terminal (conditional)

\* Standards in LDC §25-2-491, Zoning Land Use Summary Table, for Austin City Code apply.

## Additional Requirement for Certain Uses

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Section 25-2-865 (B), (Light Manufacturing Use) is modified that the sale of beer or ale produced on-site for on-site consumption:

1. is a permitted use, if the brewery has at least 50 feet from any residential use as measured from residential use to brewery use;
2. is a conditional use, if the brewery is less than 50 feet from any residential use as measured from residential use to brewery use;
3. brewery land use location used for determining setbacks listed in (1) and (2) shall include all improvements related to the site plan area of the Brewery use, including parking and loading zones, outdoor patios, dumpsters, etc.; and
4. except as provided in Subsections (C), (D), and (E) of this section, shall not exceed 33 percent or 5,000 square feet of the total floor area of the principal developed use, whichever is less.





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MEMORANDUM

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**Date:** September 10, 2021  
**To:** Ravali Kosaraju, P.E., PTOE, WGI Engineering  
**CC:** Bryan Golden, Jayesh Dongre  
Austin Transportation Department  
Kate Clark, Housing and Planning Department  
**Reference:** Regiene Road – 6501 & 6705 Regiene Road  
6600,6702,6704 & 6706 Regiene Road and  
6603 Regiene Road  
Transportation Impact Analysis Final Memo  
C14-2020-0150

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**Summary of the Transportation Impact Analysis (TIA):**

The Austin Transportation Department (ATD) has reviewed the *“Traffic Impact Analysis for Regiene Road Rezoning in Austin, Texas”* dated December 11, 2020 and subsequent updates received on June 14, 2021, and July 28, 2021 prepared by WGI Engineering. The Regiene Road Rezoning TIA and all amendments thereto are collectively referred to herein as the “TIA”. The proposed development is located on the southeast corner of Regiene Road and Hibbetts Road in Austin, shown in Figure 1 below.

The proposed project would consist of up to 742 Dwelling Units of Mid-Rise Multifamily Housing, 470,000 square feet of General Office, 35,000 square feet of Retail Shopping Center, and 30,00 square feet of High-Turnover (Sit-Down) Restaurant. For the purposes of the analysis, Applicant’s assumption is that the half of the buildout will be developed in the first phase and the other half in the second phase, with 371 dwelling units of Mid-Rise Multifamily Housing, 235,000 square feet of General Office, 17,500 square feet of Retail Shopping Center, and 15,000 square feet of High-Turnover (Sit-Down) Restaurant space in each phase.

The existing site is vacant. The project will be built in two (2) phases. It is anticipated that Phase I of the Project will be completed by 2023, while the full buildout of the Project will be completed by 2028.

Below is a summary of our review findings and recommendations:

1. The applicant shall design and construct the improvements identified in Table 2a below and in Figure 2 prior to issuance of a temporary certificate of occupancy (TCO) or certificate of occupancy (CO) at the time of the first site development permit.
2. A fee-in-lieu contribution to the City of Austin shall be made for the improvements identified in Table 2b totaling \$220,416 prior to issuance of the first site development permit. Figure 3 below shows the associated transportation mitigation locations.

3. City of Austin staff reserves the right to reassign any or all the funding to one or more of the improvements identified in the TIA. Note: Cost estimates should not be assumed to represent the maximum dollar value of improvements the applicant may be required to construct.
4. The findings and recommendations of this TIA memorandum remain valid until five (5) years from the date of the traffic counts in the TIA or the date of this memo, whichever comes first, after which a revised TIA or addendum may be required.
5. The findings and recommendations of the TIA included in this memo are based on the land use, intensity, associated traffic information and analyses and phasing of the development considered in the TIA. Should any of these assumptions change, the applicant may need to complete a new TIA, or update the TIA as required by code at the time of site plan application.
6. Street Impact Fee Ordinances 20201220-061 [<https://www.austintexas.gov/edims/document.cfm?id=352887>] and 20201210-062 [<https://www.austintexas.gov/edims/document.cfm?id=352739>] have been adopted by City Council and are effective as of December 21, 2020. The City shall start collecting street impact fees with all building permits issued on or after June 21, 2022. For more information, please visit the Street Impact Fee website [[austintexas.gov/streetimpactfee](https://austintexas.gov/streetimpactfee)].

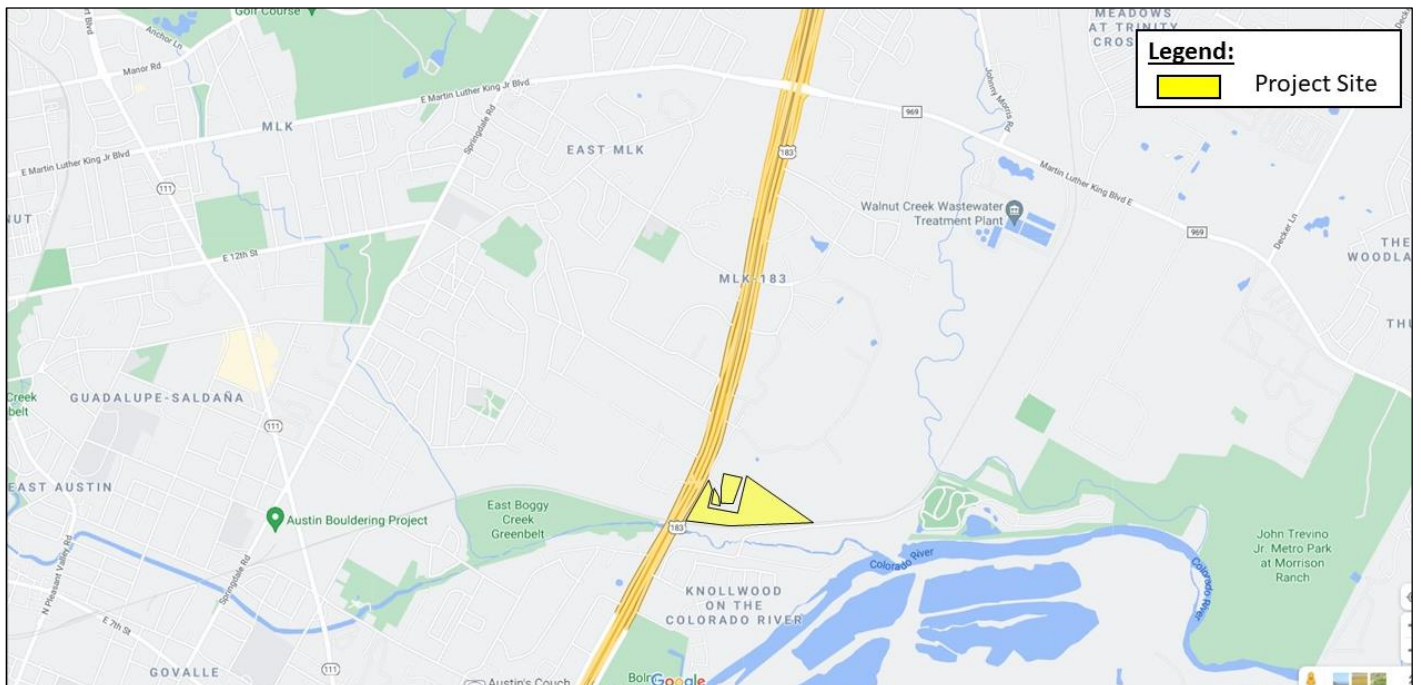
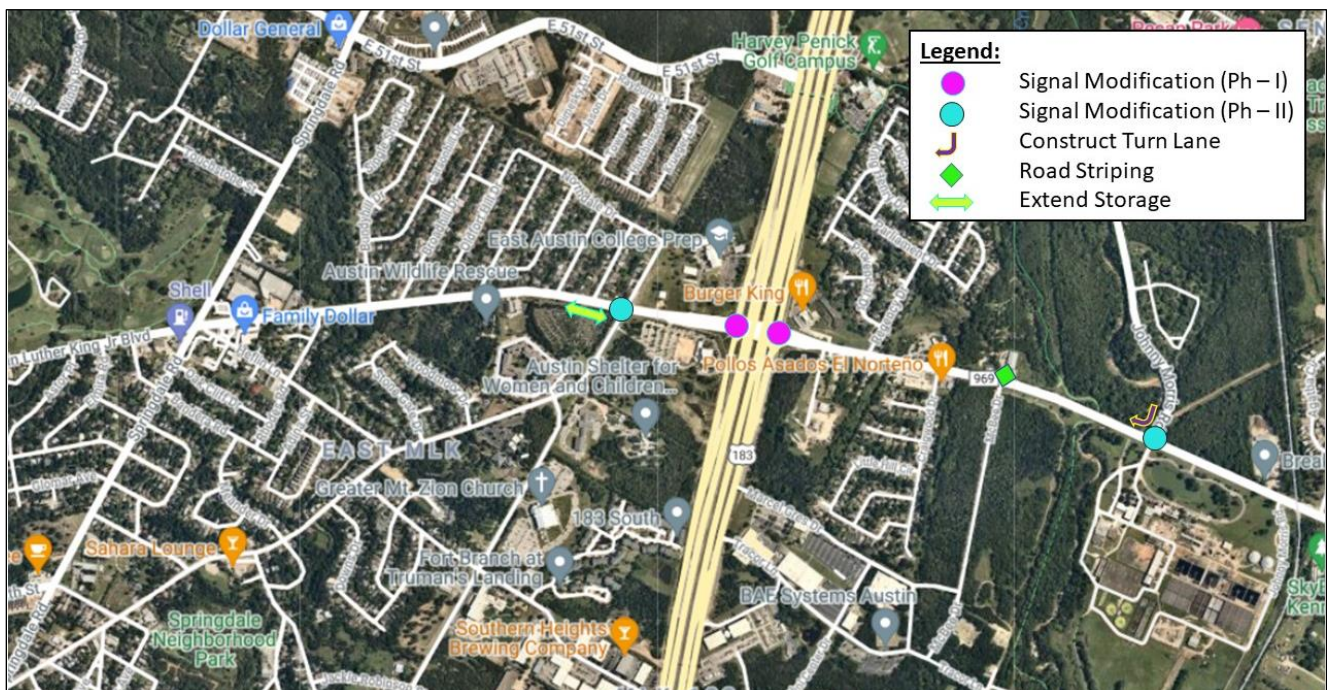


Figure 1: Site Location





### **Assumptions:**

1. The TIA assumes that the first phase of the project will be completed in 2023 and full buildout by 2028.
2. The project will have two access points: the primary driveway will exist from Regiene Road on to the US 183 Frontage Road, per TxDOT's approval. A secondary driveway will exist along Hibbetts Road. Both driveways will serve to all land uses within the project site.
3. Based on TxDOT Traffic Count Database System (TCDS), a 6% annual growth rate was assumed to account for the increase in background traffic.
4. Transportation Demand Management (TDM) measures would reduce vehicle trips by 10%. A TDM plan will be submitted at the time of first site plan submittal showing how the TDM measures are being met or incorporated within the site plan.
5. Should the land use or intensities be changed at any point in time or at the time of site plan, a roadway sizing capacity analysis shall be performed to analyze the new cross-sectional requirements based on the City of Austin road sizing criteria and then 24-hour vehicular volumes.
6. The applicant requested for the addition of two (2) new zoning applications at *6600, 6702, 6704 & 6706 Regiene Road* and *6603 Regiene Road* adjacent to the existing *6705 and 6501 Regiene Road TIA*, which was already under review by ATD. The consultant stated that the square footages in two of the zoning application determination forms are approximated for the purpose of the zoning request and the actual square footages will be within the trip count related to the adjacent TIA that was performed for 6501 & 6705 Regiene Road (zoning case no. C14-2020-0150). Therefore, the 13,602 Adjusted Daily Trips in the table 1 below will also account for the new trips that will be generated from these two additional zoning parcels. The applicant also requested that these TIA determinations be deferred until site plan, on the condition that the applicant agrees to execute a Restrictive Covenant that ties development on these sites to the current TIA that was conducted for 6705 and 6501 Regiene Road, City of Austin (zoning case no. C14-2020-0150).
7. The applicant shall provide the City of Austin with a detailed cross section concept for upgrading Regiene Road for the City's review and approval. The cross section shall provide two-way vehicular travel meeting City of Austin TCM and AASHTO guidance along with an off-street facility to safely accommodate pedestrians and bicyclists within the right-of-way. The approval and construction of Regiene Road shall occur prior to Phase I buildout.
8. Due to the unique circumstances and timing of Street Impact Fees (SIF) being implemented by the City of Austin which will go into effect in June 2022, fee-in-lieu for the improvements are being accepted by the City in the interim and subject only to this zoning case. If a building permit that is subject to this zoning case is pulled after June 21, 2022, the total fee-in-lieu amount and constructed improvements will be credited as an offset to the SIF.

### Proposed Conditions:

#### **Trip Generation and Land Use**

Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (10<sup>th</sup> Edition), the development will generate a total of approximately 15,112 unadjusted average daily vehicles trips (ADT) at full build out. The applicant has committed to a Transportation Demand Management (TDM) Plan to reduce the impact on the roadway system from their site by at least 10%.

Table 1 below shows the adjusted trip generation after existing trips and TDM reductions.

<b>Table 1: Adjusted Trip Generation (Includes Both Phases I &amp; II)</b>						
<b>ITE Code</b>	<b>Proposed Land Use</b>	<b>Size / Unit</b>		<b>24-Hour Two Way Volume (Approx.)</b>	<b>AM</b>	<b>PM</b>
710	General Office	470,000	SF	4,762	468	496
820	Shopping Center	35,000	SF	2,944	34	250
932	High-Turnover Restaurant	30,000	SF	3,366	298	292
221	Multifamily Housing (Mid Rise)	742	DU	4,042	244	304
<i>Unadjusted Trips</i>				<i>15,114</i>	<i>1,044</i>	<i>1,342</i>
<i>TDM Reduction (10%)</i>				<i>(1,512)</i>	<i>(104)</i>	<i>(134)</i>
<b>Total Adjusted Trips</b>				<b>13,602</b>	<b>940</b>	<b>1,208</b>

#### **Transportation Demand Management (TDM)**

The applicant has committed to attain at least a 10% TDM reduction to meet certain vehicle trip reduction targets. In the TDM plan, the applicant has identified several measures that could be incorporated with the site to achieve the targeted vehicle trip reduction. The applicant identified the following key TDM measures to reach the reduction target:

- Bicycle Parking (0.5%)
- Showers & Lockers (0.5%)
- Multimodal Wayfinding Signage (1%)
- Unbundled Parking (6%)
- Limit Parking Supply (10%)

The applicant has the flexibility to choose other relevant TDM measures at the time of site plan.



**Summary of Recommended Improvements – Includes Both Phase I & Phase II:**

<b>Table 2a: Recommended Improvements (Construction)</b>				
<b>Intersection</b>	<b>Improvement</b>	<b>Cost</b>	<b>Developer's Share %</b>	<b>Developer's Share \$</b>
US-183 NB Frontage Road / Hudson Street	Deceleration Lane at 425 ft	\$187,500	100%	\$187,500
	Acceleration Lane at 720 ft	\$ 245,455	100%	\$ 245,455
US-183 NB Frontage Road / Project Driveway 1	Deceleration Lane at 425 ft	\$187,500	100%	\$187,500
	Acceleration Lane at 720 ft	\$ 245,455	100%	\$ 245,455
<b>Subtotal</b>		<b>\$865,910</b>	<b>-</b>	<b>\$865,910</b>
<b>Table 2b: Recommended Improvements (Fee-in-Lieu)</b>				
<b>Intersection</b>	<b>Improvement</b>	<b>Cost</b>	<b>Developer's Share %</b>	<b>Developer's Share \$</b>
Tannehill Lane / FM 969	Extend EB Lane from US-183 SBFR	\$200,545	7.5%	\$15,041
US-183 NB Frontage Road / FM 969	Signal Modifications	\$6,250	100%	\$6,250
US-183 SB Frontage Road / FM 969	Signal Modifications	\$6,250	100%	\$6,250
McBee Drive / FM 969	Restripe SB Approach	\$1,500	100%	\$1,500
Tannehill Lane / FM 969	Signal Modifications	\$6,250	100%	\$6,250
Johnny Morris Road / FM 969	Signal Modifications	\$150,000	100%	\$150,000
Johnny Morris Road / FM 969	Construct SBR Lane (100 ft)	\$187,500	15.4%	\$28,875
	Signal Timing Adjustments	\$6,250	100%	\$6,250
<b>Subtotal</b>		<b>\$564,545</b>	<b>-</b>	<b>\$220,416</b>
<b>TOTAL</b>		<b>\$1,430,455</b>	<b>-</b>	<b>\$1,086,326</b>

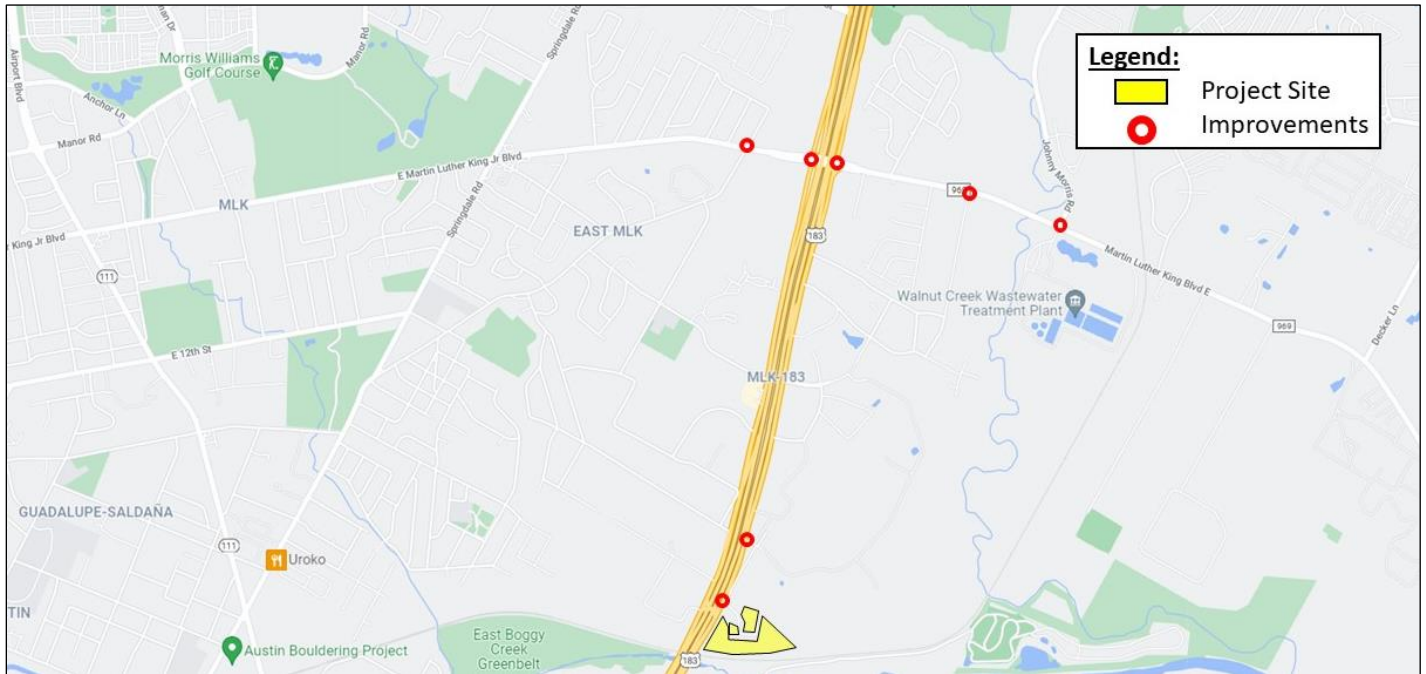


Figure 3: Summary of Transportation Improvements

All requirements in Table 2a and Table 2b must be satisfied with the first the site development permit associated with any of the three zoning cases mentioned in this memo. All construction items should be designed and incorporated into the first site plan and all fee-in-lieu items should be paid in full. No temporary certificate of occupancy (TCO) or certificate of occupancy (CO) shall be issued until the completion of all identified construction items. Please contact me at (512) 974-4073 if you have questions or require additional information.

*Nazlie Saeedi*

Nazlie Saeedi, P.E.  
Austin Transportation Department



# City of Austin

Parks and Recreation Department  
200 South Lamar Blvd, Austin, TX 78704

**EXHIBIT G**

02/24/21

Leah Bojo, Drenner Group  
[lbojo@drennergroupp.com](mailto:lbojo@drennergroupp.com)  
1159

Dear Leah Bojo,

Thank you for contacting the City of Austin Parks and Recreation Department (PARC) regarding future parkland needs. We appreciate the opportunity to coordinate with you prior to filing a development application.

This letter concerns the property at the northwest corner of **6501 and 6507 Regiene Road**. You have provided the following details about the property:

- The gross site area is 15.69 acres
- The current land use is vacant.
- The proposed development includes 370 residential units.

The PARC staff has reviewed the site and determined the following:

- The amount of parkland owed is 5.91 acres per City Code §25-1-602.
- The site is not located in the parkland dedication urban core and is in a park-deficient area.

PARC will require dedication of parkland with development of the proposed project. The parkland should serve as a public trail connection in a park easement from the Regiene ROW to the south east corner of the tract, avoiding the overhead transmission lines, to connect this and future developments to the Southern Walnut Creek Trail. The exact location and width of the park easement will be determined at SDP. The parkland may be provided on site or at an alternate location within ¼ mile of the subject tract. The alternate site must also be park-deficient and is subject to PARC approval according to the standards in the City Code and Parkland Dedication Operating Procedures.

This letter qualifies as an Early Determination under City Code §25-1-605 (C) and is valid for development applications filed within one year, provided that the number of units does not change by more than 10%.

Best regards,

Randal R. Scott  
Park Planning Program Manager

Cc: Robynne Heymans, Planner III