

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0157 (Domain I and II PDA Amendment)

DISTRICT: 7

ZONING FROM: MI-PDA

TO: MI-PDA*

* The applicant is requesting a rezoning is from MI-PDA to MI-PDA, to amend the existing PDA to allow for additional height up to 420 feet, FAR up to 12:1 and remove the maximum dwelling unit limitation for future redevelopment.

ADDRESS: 11506 Century Oaks Terrace and 3414 W. Braker Lane

SITE AREA: 46.776 acres

PROPERTY OWNER: The Domain Mall II, LLC and The Domain Mall, LLC

AGENT: Armbrust & Brown, PLLC (Richard Suttle)

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

STAFF RECOMMENDATION:

Staff recommends MI-PDA, Major Industrial-Planned Development Area Combining District, zoning. The PDA amendment will permit a maximum height of 420 feet, a maximum floor to area ratio of 12:1 and remove the maximum dwelling unit limit for this portion of the PDA.

PLANNING COMMISSION ACTION / RECOMMENDATION:

April 11, 2023: Approved staff recommendation of MI-PDA zoning, to change a condition of zoning, by consent (11-0, Y. Flores, A. Haynes-absent); A. Azhar-1st, A. Woods-2nd.

CITY COUNCIL ACTION:

May 18, 2023

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 46.776 acre site that is currently developed with a variety of commercial and multifamily uses and surface parking (Domain I and II) located at the primarily on the western side of the Domain development between Domain Boulevard and W. Braker Lane along N. Mopac Boulevard/the rail line and Domain Drive. In this rezoning request, the applicant is asking to amend the Planned Development Area overlay to allow for additional height up to 420 feet, floor to area ratio (FAR) up to 12:1 and remove the maximum dwelling unit limitation for future redevelopment. The owner intends to redevelop portions of the property in the future to allow for additional residential, hotel, office and shopping center uses. (*please see Applicant's Request Letter – Exhibit C*).

The staff recommends the applicant's request to amend the Planned Development Area overlay to add height and increase the FAR to this property within the Domain development. The staff's recommendation would allow for more intensive development to be located on the western portion of The Domain, adjacent to a major highway, N. Mopac Expressway and the existing rail line. This MI-PDA rezoning request is in accordance with the recent amendments to the North Burnet Gateway Regulating Plan for the CMU-Gateway Zone, TOD-Gateway Zone and TOD-Midway Zone. On October 27, 2022, the City Council approved a code amendment to the North Burnet/Gateway Regulating Plan to allow for a maximum FAR increased from 8:1 to 12:1 (a 50% increase) and the maximum building height increased from 308 ft to 420 ft. (a 36% increase) in the CMU-Gateway subdistrict that is adjacent to the Domain development. Then on September 27, 2022, the Planning Commission initiated a code amendment to the North Burnet/Gateway Regulating Plan to modify the TOD-Gateway Zone and TOD-Midway Zone will increase the maximum FAR and building height when using a development bonus as follows: For the TOD-Gateway Zone, modify the maximum FAR from 8:1 to 12:1 and to modify the maximum building height from 360 feet to 491 feet. In the TOD-Midway Zone, to modify the maximum FAR from 5:1 to 7.5:1 and to modify the maximum building height from 240 feet to 327 feet. The staff believes the proposed amendment to the Domain PDA is compatible with City Council's direction for greater height and FAR on parcels in the surrounding North Burnet/Gateway NP area. The proposed PDA amendment is consistent with the density and uses permitted within Domain and 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 additional height, FAR and will remove the maximum dwelling unit limitation in the western portion of the Domain development which is adjacent to the North Burnet/Gateway Transit Oriented Development District (TOD). The requested PDA amendment is compatible with City Council's direction for greater height and FAR on parcels in the surrounding North Burnet/Gateway NP area and will allow for site development standards 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 (Level 5/freeway), Burnet Road (Level 4/major arterial roadway), and Braker Lane (Level 4/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:

	ZONING	LAND USES
<i>Site</i>	MI-PDA (The Domain Development)	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 NPTIA: Deferred to Site PlanWATERSHED: Shoal Creek, Walnut CreekNEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Burnet Gateway Neighborhood Plan Staff Liaison
 North Growth Corridor Alliance
 SELTexas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group
 TNR BCP - Travis County Natural Resources

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0191 (Domain Central: 11500 Alterra Parkway)	MI-PDA to MI-PDA to amend the conditions of the Planned Development Area (PDA) overlay in Ordinance No. 20070412-024 to change the maximum allowable building height from 308 feet to 400 feet and to modify the required parking ratio in the PDA for this 10.377acre property located northeast of the intersection of Alterra Parkway and Esperanza Crossing within The Domain development.	12/20/22: Approved staff's recommendation of MI-PDA zoning, to change a condition of zoning, by consent (9-0), A. Azhar-1st, P. Howard-2nd.	1/26/23: Approved MI-PDA zoning, to change a condition of zoning, by consent on all 3 readings (11-0).

C14-2020-0154 (Domain Retail District 1, Block Z: 11700 Rock Rose Avenue, 3200-3250 Palm Way, 11701 ½, 11703 ½, 11711, 11711 ½, 11811, 11811 ½ Domain Drive)	MI-PDA to MI-PDA (To amend the PDA overlay in Ordinance No. 20150611-033 to permit the Pet Services use within this area of the Domain/MI-PDA)	1/26/21: 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.	3/04/21: Approved Ordinance No. 20210304-091 for MI-PDA combining district, to change a condition of zoning (10-0, Mayor Pro Tem Harper-Madison was off the dais); Council Member Ellis's motion, Council Member Kitchen's-2 nd .
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 st , F. Kazi-2 nd .	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 st , J. Stevens-2 nd .	6/11/15: Approved MI-PDA zoning on consent (11-0); A. Kitchen-1 st , P. Renteria-2 nd
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	5/27/14: Approved staff's recommendation for MI-PDA zoning by consent (8-0, J. Nortey-absent); R. Hattfield-1 st , N. Zaragoza-2 nd .	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 st , S. Cole-2 nd .

	Kenzie multifamily building.)		
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 no one user exceeding 13,000 square feet within a designated 43.267 acre area.)	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. 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 st , B. Roark-2 nd .	12/12/13: Approved MI-PDA zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
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 st , S. Kirk-2 nd .	6/28/12: Approved MI-PDA zoning to change a condition of zoning on all 3 readings (7-0); C. Riley-1 st , S. Cole-2 nd .
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:	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 st , Spelman-2 nd , 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

		<p>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) 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 3rd reading of this zoning case at City Council.</p>	<p>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.</p> <p>10/14/10: Approved MI-PDA zoning on 2nd/3rd readings (7-0); Spelman-1st, Leffingwell-2nd, 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 WHEREAS 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>
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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"> • 2 star Green Building rating • natural landscaping of all water quality ponds (existing and future); • be in compliance with TIA conditions; • the applicant's requested parkland dedication proposal; • 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. • Maximum height of 308 feet. <p>Vote: (9-0); J.Reddy-1st, G. Stegeman-2nd.</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 st , Dunkerley-2 nd .
C14-06-0154	MI-PDA to MI-PDA	8/08/06: Approved staff rec. of MI-PDA by consent (8-0)	<p>09/28/06: Approved MI-PDA (7-0); 1st reading</p> <p>10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2nd/3rd readings</p>
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	5/9/00: Approved staff rec. of MI-PDA by consent (8-0); with the following conditions: <ol style="list-style-type: none"> 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. 2) The total number of additional curb cuts on Braker Lane & Burnet Road providing access to such lots shall not exceed 50 % of the total number of such lots. 3) The foregoing limitation shall not apply to any lot of more than 3 acres, which abut Braker Lane and Burnet Road. 	6/8/00: Approved MI-PDA, with changes agreed to with neighborhood association (7-0); all 3 readings

RELATED CASES:

Previous Zoning Cases:

C14-2021-0191
 C14-2020-0154
 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:

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Domain Dr. (Private)	Level 3	80	NA Private	varies	Along most of this stretch	No	Yes
Domain Blvd. (private)	Level 1	58	NA Private	34' on south side, 64' total	Yes	No	yes
Palm Way (private)	Level 2	72	NA Private	36'	Portions	No	Yes
Century Oaks Terrace (private)	Level 1	58	NA private	~25' or 62' with on street parking	Yes	No	yes
Agave Lane	Level 1	58	NA private	43' with on street parking, 26' without	Yes	No	yes
Rogers Rd	Level 1	58	NA Private	43' with on street parking, 26' without	Yes	No	yes

Robinson R	Level 1	58	NA Private	26'	Yes	No	yes
Esperanza Xing	Level 1	58	NA Private	43' with on street parking, 26' without	Yes	No	Yes
Kramer Ln	Level 1	58	NA Private	43' with on street parking, 26' without	Yes	No	Yes
Retail Way	Level 1	58	NA Private	65' with on street parking, 30 without	Yes	No	Yes
Acequia Pass	Level 1	58	NA private	30'	No	No	yes
Amy Donovan Plz	Level 1	58	Na Private	30'	Yes	No	Yes
Feathergrass Ct.	Level 1	58	NA Private	30'	Yes	No	Yes
Austin Ln	Leve 1	58	Na Private	40' with on street parking, 26' without	Yes	No	Yes

OTHER STAFF COMMENTS:Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed classified as a Suburban Watershed and Shoal Creek Watershed of the Colorado River Basin classified as an Urban 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 within the suburban watershed 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%

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

At this time, site specific information is unavailable regarding 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.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, mixed use with multi-family through an amendment to the MI-PDA zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with dedicated land onsite will be determined using the criteria in City Code Title 25, Article 14, as amended.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

Any commercial/multifamily development will require a new site plan.

Site plan design comments will be made at time of Site Plan Review.

Transportation

The site is subject to the approved TIA with the original zoning. Provide a TIA compliance memo indicating how many trips have been used, how many trips are left, etc. Additionally, provide a copy of fiscal receipts to ensure the site complies with the required mitigations.

The TIA may need to be revised upon further review. Please contact Nathan Aubert (Nathan.Aubert@austintexas.gov) and/or Maria Cardenas (Maria.Cardenas@austintexas.gov) to start this conversation.

Comment cleared – TIA compliance memo deferred to site plan.

Water Utility

No comments on zoning change.

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, 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.

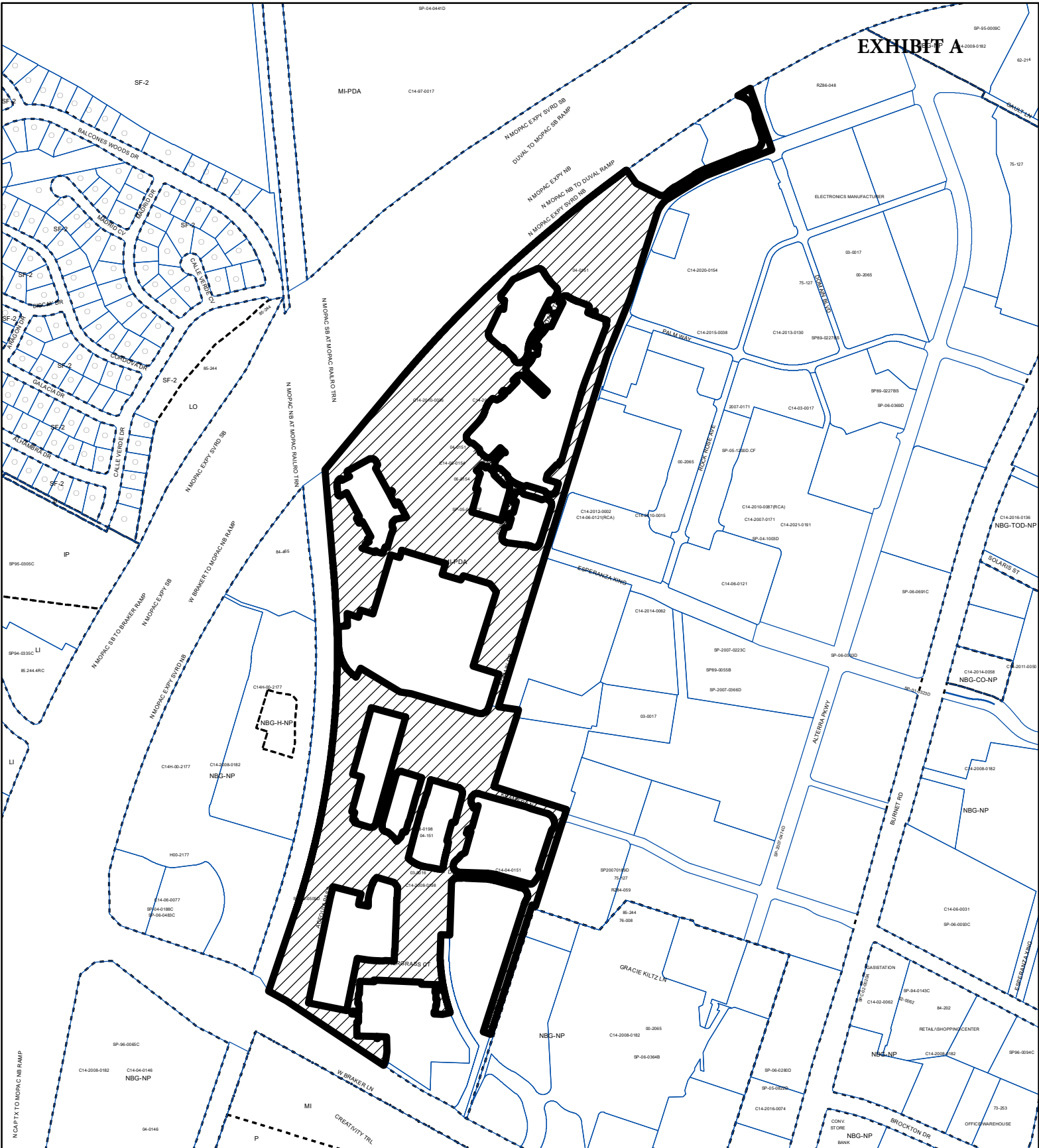
INDEX OF EXHIBITS TO FOLLOW




A: Zoning Map

B. Aerial Map

C. Applicant's Request Letter

EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2022-0157

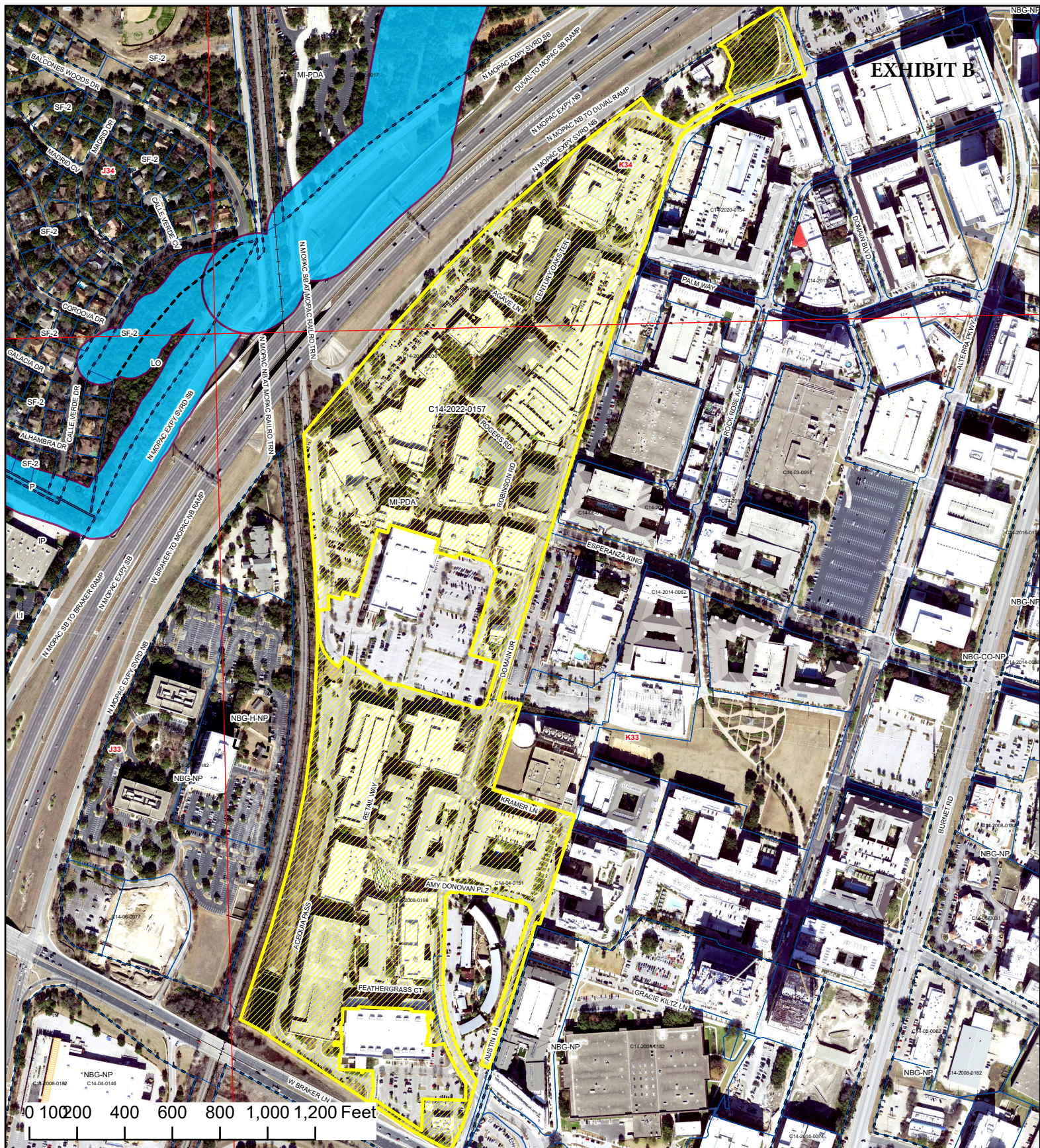
1" = 600'

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

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







Created: 4/11/2023



Domain I and II PDA Amendment



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

ZONING CASE#: C14-2022-0157
 LOCATION: 11506 Century Oaks Terrace;
 3414 W. Braker Ln
 SUBJECT AREA: 46.776 Acres
 GRID: J33, K33, K34
 MANAGER: Sherri Sirwaitis



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

Created: 11/16/2022

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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Jewels Cain
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September 29, 2022

Jerry Rusthoven, Chief Zoning Officer
Housing and Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, TX 78702

Re: Planned Development Area Amendment Application for 11506 Century Oaks Terrace and 3414 W. Braker Lane (TCAD Parcel No. 0256060203 and 0254060119) (the "Application")

Dear Mr. Rusthoven:

This firm represents and this Application is submitted on behalf of The Domain Mall II, LLC and The Domain Mall, LLC. The property subject to this request consist of 46.776 acres of land located at 11506 Century Oaks Terrace and 3414 W. Braker Lane (the "Property"). Field notes are included with this Application to define the footprint of the PDA Amendment request. For clarification, the only property subject to this Application is the land owned by The Domain Mall II, LLC and The Domain Mall, LLC, which does not include the condominium areas.

The Property is currently zoned Major Industrial – Planned Development Area (MI-PDA) and developed with a mix of uses. The request is to amend the existing PDA to allow for additional height up to 420 feet, FAR up to 12:1 and remove the maximum dwelling unit limitation for future redevelopment. The owner intends to redevelop portions of the Property in the future to allow for additional residential, hotel, office and shopping center uses. A copy of the redlined PDA Ordinances 030731-Z-5 and 030731-Z-3 is provided with the Application showing the requested modifications.

The Property is located within the North Burnet Gateway Planning Area. The Property is currently designated on the Future Land Use Map (FLUM) as High Density Mixed Use. No amendment is needed to the FLUM for future redevelopment. A letter from Maureen Meredith on September 20, 2022 is included with the submittal package confirming this information.

ARMBRUST & BROWN, PLLC

Page 2

Thank you in advance for your time and consideration of this rezoning request. If you have any questions or need additional information, please do not hesitate to contact me or Jewels Cain at (512) 435-2318.

Very truly yours,

ARMBRUST & BROWN, PLLC

A handwritten signature in dark ink, reading "Jewels Cain". The signature is written in a cursive, flowing style. The first name "Jewels" is written with a large, looped 'J' and the last name "Cain" is written in a similar cursive style.

Jewels Cain
Land Development Consultant

cc: Joi Harden, Housing and Planning Department
Sherri Sirwaitis; Housing and Planning Department
Patrick Peterman, Simon Property Group, L.P.
Kathleen Shields, Simon Property Group, L.P.
Rich Kelly, Simon Property Group, L.P.
Amanda Morrow, Armbrust and Brown, PLLC
Richard Suttle, Armbrust and Brown, PLLC