

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0015 (The Domain Rezoning-Endeavor) **P. C. DATE:** August 10, 2010

ADDRESS: 10712, 10728, 10800, 11000, 11500, 11600 Burnet Road; 11601 Domain Drive;
2900, 3001, 3101 Esperanza Crossing

OWNER/APPLICANT: RREEF Domain LP Development Trust, Domain Gateway I, LP,
Domain Retail I LP (Chad Marsh)

AGENT: Drenner & Golden Stuart Wolff, LLP (Michele Haussmann)

ZONING FROM: MI-PDA **TO:** MI-PDA **AREA:** 169.7386 acres

The applicant is requesting to rezone the property from MI-PDA to MI-PDA to amend the Domain zoning ordinance to modify the following conditions:

- 1) To provide updated bike lanes for the development by routing sharrows and hike and bike paths throughout the site as detailed in the attached exhibit (Please see Staff Memorandum – “Attachment A”).
- 2) To request a variance through the PDA to LDC Sec. 25-2-813 to allow an administrative approval of one large retail user exceeding 100,000 square feet to be constructed on the portion of the Domain property that is located north of Esperanza Crossing. Thereby, removing the requirement to secure approval of a Conditional Use Permit for this sole large retail user at this location.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the applicant's request for the proposed amendment to the Planned Development Area, with the conditions stated by the City of Austin Bicycle Program in “Attachment A”.

PLANNING COMMISSION RECOMMENDATION:

8/10/10: Postponed to August 24, 2010 at the applicant's request.

8/24/10: Approved staff's recommendation for MI-PDA zoning (8-1, Tovo-No), with an amendment to the Public Works Department Memorandum – “Attachment A” to change the wording in the first line of item #2 from should to shall. The Commission also included findings for the justification for the approval of the proposed variance to the “Big Box” ordinance, LDC Sec. 25-2-813:

- 1) This request is a special circumstance because the property is located with a PDA overlay district.
- 2) This approval is in accordance with the North Burnett/Gateway Neighborhood Plan.
- 3) The approval for this case allows for the inclusion of the recommendations of the City of Austin Bicycle Program for the property.

DEPARTMENT COMMENTS:

The property in question (the Domain- Endeavor) is currently developed with a mixture of high density residential, commercial, office and industrial uses. In this case, the applicant is asking to

amend the Planned Development Area overlay to provide updated bike lane layouts as requested by the City of Austin Public Works Department Connectivity Division. In addition, the applicant is asking for a variance to Land Development Code Section 25-2-813 to allow for administrative approval for one large retail user exceeding 100,000 square feet to be developed in a specific area on the property for the construction of the proposed Nordstrom department store.

The staff recommends the applicant's requested changes to the MI-PDA zoning because the proposed amendments will clarify conditions in the existing ordinances and will not alter the intent of the approved MI-PDA zoning. The proposed changes will allow for one large retail user to be constructed on the site, without being subject to the conditional use permit process. In return, the applicant has worked with the City of Austin Bike and Pedestrian Program to route sharrows and hike and bike paths throughout the site that will improve connectivity to and within the Domain development. The proposed MI-PDA zoning allows for a mixture of high-density residential uses and commercial 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 property in question is located between three major roadways, MOPAC Expressway North, Burnet Road, and Braker Lane. The property in question is located within the North Burnet/Gateway Combined Neighborhood Planning Area.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MI-PDA	Commercial, Retail, Multifamily
<i>North</i>	NBG-NP	Hotel, Office, Bank
<i>South</i>	NBG-NP	Undeveloped Tract (CI4-03-0015), University of Texas J.J. Pickle Research Center
<i>East</i>	NBG-NP	Industrial/Office, Vacant Building, Gas Station, Retail Center, Bank, Service Station
<i>West</i>	MI-PDA	Commercial, Retail, Multifamily, Hotel

AREA STUDY: North Burnet/Gateway NP Area

TIA: Waived

WATERSHED: Walnut Creek/Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Monorail Project
 Austin Neighborhoods Council
 Austin Parks Foundation
 Homebuilders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 Neighborhoods of North Austin/NONA
 North Burnet/Gateway Neighborhood Planning Contact Team
 North Burnet/Gateway Neighborhood Plan Staff Liaison

North Growth Corridor Alliance
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appealers Organization
The Real Estate Council of Austin

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0121	MI-PDA to MI-PDA	<p>2/13/10: 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	7/31/03: Granted MI-PDA on all 3 readings (7-0)

		record) from Ordinance #000608-67 (8-0, R. Pratt-off dias)	
C14-03-0016	MI to MI-PDA	6/11/03: Approved staff's recommendation of MI-PDA zoning (8-0, R. Pratt-off dias)	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 dias)	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: 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
C14-99-0024	MI to GR	4/20/99: Approved staff alternate rec. of GR-CO by consent (7-0)	5/20/99: Approved PC rec. of GR-CO w/ conditions (7-0); 1 st reading 6/3/99: Approved GR-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-92-0072	IP to P	8/18/92: Approved	9/3/92: Approved P; all 3 readings

RELATED CASES: C14-03-0015
C14-03-0016
C14-04-0017
C14-04-0151

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
MoPac (Loop 1)	500'	Varies	Freeway	91,000
Braker Lane	114'	2@30'	Major Arterial	
Burnet Road (FM 1325)	140'	Varies	Major Arterial	24,000

CITY COUNCIL DATE: August 26, 2010

ACTION: Postponed on consent at the applicant's request to September 30, 2010 (7-0); Spelman-1st, Martinez-2nd.

September 30, 2010

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

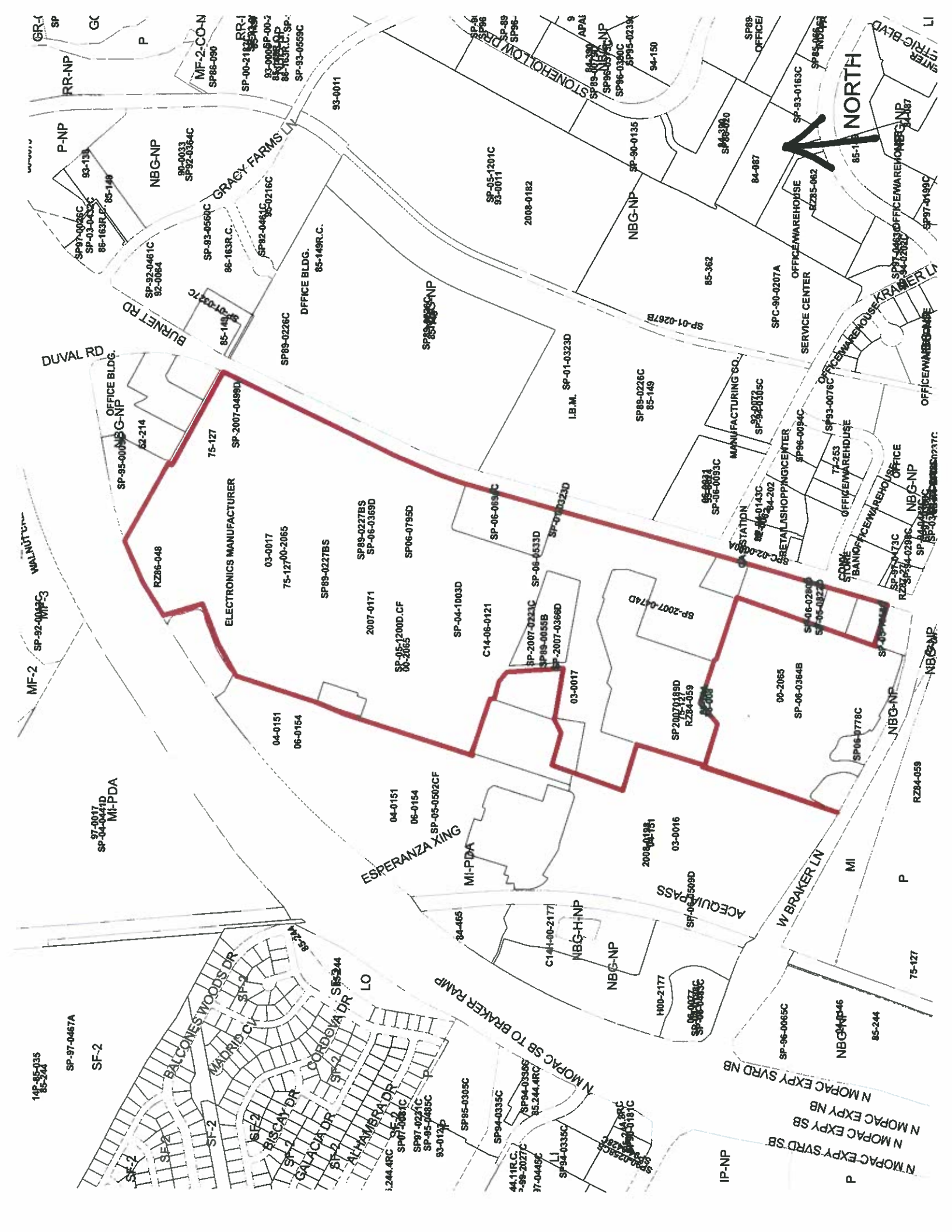
ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us

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.





STAFF RECOMMENDATION

The staff's recommendation is to grant the applicant's request for the proposed amendment to the Planned Development Area, with the conditions stated by the City of Austin Bicycle Program in "Attachment A".

BASIS FOR 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 rezoning of the property in question to amend the Domain zoning ordinance will clarify requirements for the development of this site. The proposed amendments are minor in nature and will not alter the intent of the approved MI-PDA zoning.

The proposed change listed in item #2 will allow for administrative approval for one large retail user exceeding 100,000 square feet to be developed in a specific area on the property. The proposed modifications listed in item #1 will, in turn, provide updated bike lane layouts as requested by the City of Austin Public Works Department Connectivity Division. The routing of sharrows and hike and bike paths throughout the site will improve connectivity to and within the Domain development.

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 and commercial and industrial uses. This location is appropriate for the proposed PDA because the property in question is located between three major roadways, MOPAC Expressway North (freeway), Burnet Road (major arterial roadway), and Braker Lane (major arterial roadway). A portion of the tract also abuts the Missouri Pacific Railroad.

EXISTING CONDITIONS

Site Characteristics

The property in question is currently a large mixed use development containing commercial, retail, office and high density residential uses. It is located along Mopac Expressway North, a freeway, and Burnet Road, a major arterial roadway. A portion of the site borders the Missouri Pacific Railroad on the western side.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Environmental

A portion of the site is located over the Edward's Aquifer Recharge Zone. The site is in the Walnut and Shoal Creek Watersheds of the Colorado River Basin.

The portion of the site that is within the Walnut Creek Watershed is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no flood plain in, or within close proximity of, 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 existing trees and 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 on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals, which preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the MI zoning district would be 80 %. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

A portion of the site is located over the Edward's Aquifer Recharge Zone. The site is in the Walnut and Shoal Creek Watersheds of the Colorado River Basin. Shoal Creek is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in the Shoal Creek Watershed. The portion of the site that is located in the Shoal Creek Watershed is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the two-year storm.

The portion of the site that is within the Walnut Creek Watershed is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment within the Walnut Creek portion of the site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% 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%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

Site Plan / Compatibility Standards

This site is not subject to compatibility development regulations.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

The traffic impact analysis has been waived for the following reason(s): TIA waived until the submittal of the next site plan because the applicant has only requested a changes in zoning do not increase the development intensity. A TIA will be required at the time of site plan for the entire tract. [LDC, 25-6-117]

There are no existing sidewalks along the adjacent portions of Braker Lane or MoPac (Loop 1).

Braker Lane is not classified in the Bicycle Plan.

MoPac (Loop 1) is classified in the Bicycle Plan as a Priority Two bike route.

Bicycle facilities are required on or adjacent to all internal circulation roadways / driveways.

Capital Metro bus service is available along Braker Lane.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
MoPac (Loop 1)	500'	Varies	Freeway	91,000
Braker Lane	114'	2@30'	Major Arterial	
Burnet Road (FM 1325)	140'	Varies	Major Arterial	24,000

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. Water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.



MEMORANDUM

TO: Sherri Sirwaitis, Planner Senior, Planning & Development Review Department

FROM: Annick Beaudet, AICP, Program Consultant, Public Works Department

DATE: August 18, 2010

SUBJECT: C14-2010-0015 (Endeavor Domain)

CC: Eric Dusza, Planner III, Public Works Department
Molly Scarbrough, Principal Planner, Planning & Development Review Department

The City of Austin Bicycle Program recommends the applicant provide a bicycle network through the property to provide enhanced bicycle accessibility to and within the site. We hereby request this comment be incorporated into the staff recommendation.

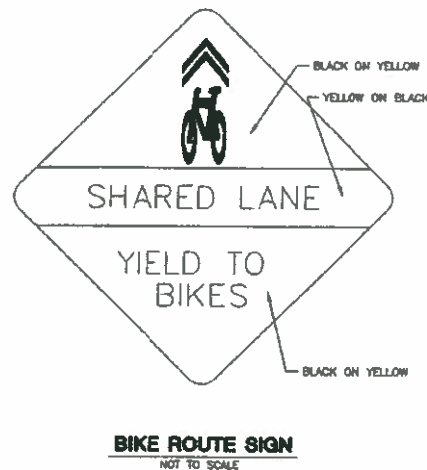
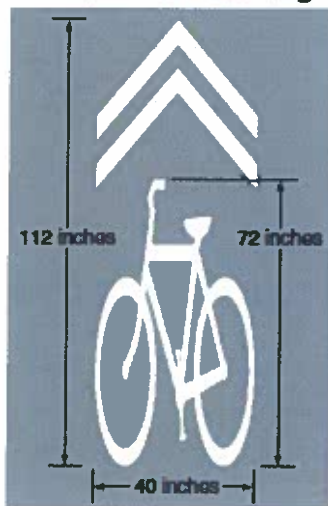
We recommend the following revisions to the language in the MI-PDA Zoning Ordinance as follows:

1. Provide bicycle facilities for the project by routing shared lane markings (sharrows) and multi-use (hike and bike) trails through the project as detailed in the attached exhibit, and in compliance with the following standards:

Sharrows

- Shared lane markings shall be installed on roadways shown as sharrow routes on the attached exhibit. The shared lane markings shall be placed with the tip of the chevron in the middle of the lane as measured from face of curb.
- A sharrow facility sign as shown below at a size no smaller than currently installed by Simon on Kramer Ln. shall be placed at least 2 per block (one on each side of the street)
- Angled and head in parking prohibited on either side of roads with required sharrows. Reverse angled parking is acceptable.
- Shared lane markings (sharrows) shall be installed within one year of this agreement on existing roadways and installed at the same time as new roadways are constructed.

Shared Lane Marking



Multi-use (hike and bike) trail

- A minimum 8-foot wide (clear space) off-street multi-use path shall be provided along roadways shown as "hike and bike trail" routes on the attached exhibit.
- Bike route signage shall be provided for the Kramer Lane bike route. The MUTC D11-1 or M1-8 signage is recommended on Kramer Ln.
- Shared use paths shall be provided in conjunction with development of building site plans.

2. The exhibit originally provided by the applicant ^{shall} ~~should~~ be updated to remove sharrows from Rock Rose Ave. and add sharrows to the following streets:

- Domain Drive between Alterra and Domain Blvd.,
- Domain Drive between Domain Blvd. to Esperanza on the east side of the street only
(note: it's our assumption that Endeavor has control over the east side of the street only).
- Esperanza between Alterra Parkway and Burnet Road, and
- Kramer Lane extending to the western property line.

3. The applicant shall update the "Domain Design Guidelines", with the below language. It should be noted that the Design Guidelines are a non-recorded document controlled by the applicant. They are suggestive in nature and are in no way a governing document.

Encouraging Multi-modal Travel

The Domain provides hike and bike trails and shared lane markings (sharrows) to encourage people to travel by bicycle to and within *the Domain*. The design of individual buildings and sites within the Domain can further encourage multi-modal travel by employees, residents and visitors. The following optional guidelines are provided to help *the Domain* achieve its goals.

Bicycle Parking – Placing bicycle racks in safe, visible and easily accessible locations near building entrances allow cyclists to easily identify where they should park their bicycle. Bicycle parking can be provided near building entryways, at employee entrances, within a building, or in a covered motor vehicle parking area. Bicycle lockers, lockable enclosures, and designated locations or lockable bicycle rooms within a building or parking garage are good alternatives to provide for office employees or other users needing longer-term bicycle parking.

Shower Facilities – Due to the hot climate in Austin, shower facilities help create a bike friendly environment by allowing employees in a professional setting to be able to bike to work. Building owners should be aware that some employers within the Domain may wish to have shower facilities for their employees. If interested in learning more, the City of Austin Public Works Dept. Bicycle Program can provide information on best practices for accommodating showers in the design of commercial buildings to encourage cycling. The size and type of buildings should be considered when programming shower facilities. Ideally, showers would be separately accessible from commercial/retail toilet facilities meant for customers and should be accompanied by an associated changing/personal item storage area.

In addition, the pedestrian diagram in the Domain Design Guidelines should be updated to show the bike route system and on page ii, the "Transit" paragraph should be renamed "Multi-modal Transportation" and the following sentence should be added: "Additionally, the Domain connects to the City bike route system and provides its own internal bike routes."

We hereby request these comments be incorporated into the staff recommendation.

The basis for this recommendation is per Goal 1 – Objectives 1.0.2 and 1.0.2b of the adopted 2009 Bicycle Plan Update, Ordinance No. 20090611-075. The Goal and Objectives state to complete the City's bicycle network by eliminating gaps in the existing bicycle network to allow continuous bicycle travel in the Austin Area. Additionally stated, new development that abuts or includes existing or planned City of Austin bicycle routes shall provide continuity of that route (and existing or planned bicycle facility) through the property, or seek an appropriate amendment to the Bicycle Plan as defined in this Plan (See Appendix H).

The City of Austin, Public Works Department, Bicycle Program is available to discuss facility design with the applicant upon request. Please contact me at 974-6505 should you need further clarification or information.

