

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0050 (Burnet-Kramer Rezoning)

P.C. DATE: October 11, 2011

ADDRESS: 11205 & 11301 Burnet Road

OWNER: IBM Corporation

AGENT: Armbrust & Brown, PLLC (Richard Suttle, Jr.)

ZONING FROM: NBG-TOD **TO:** NBG-CMU

AREA: 21.50 acres

*Amended to 13.673 acres

***On October 5, 2011, the applicant sent a letter amending this rezoning request to remove the properties known as Tracts 1 and 3 on the applicant's survey (Please see Amendment Request Letter with Attached Field Notes/Survey-Attachment C). The areas to be removed are known as Tract 1 in the staff's recommendation (Please see Staff Tract Map-Attachment A).**

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to maintain the existing NBG-TOD zoning from the property line along Burnet Road to a depth of 250 feet (Tract 1). The staff does recommend NBG-CMU zoning for the remainder of the site to the east, the remaining approximately 1,000 feet of the property to the east (Tract 2).*

***The staff supports the applicant's request for NBG-CMU zoning for the property shown as Tract 2 on the Staff Tract Map (Attachment A) and on the applicant's amended request (Attachment C).**

In addition, if the requested zoning is granted, site development should be limited to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA (HDR Engineering, Inc. – August 22, 2011) through a public restrictive covenant. The TIA recommendations are included as Attachment B to this report.

PLANNING COMMISSION RECOMMENDATION:

10/11/11: Approved the staff's recommendation of NBG-CMU zoning for Tract 2, with the TIA conditions, by consent (9-0); M. Dealey-1st, D. Chimenti-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped and is located within the North Burnet/Gateway Combined Neighborhood Planning Area. The site to the north is developed with offices for IBM. The property to the south contains a commercial retail center (Austin Commons Shopping Center) and an undeveloped tract. To the east there is a rail line and undeveloped property. The tracts to the west, across Burnet Road, are part of the Domain development which contains commercial, hotel, multifamily, industrial/office/warehouse uses. The applicant is requesting a zoning change from NBG-TOD, North Burnet/Gateway-TOD, district to NBG-CMU, North Burnet/Gateway-Commercial Mixed Use, district zoning because they would like to develop driving range, hotel, drive-in bank, and restaurant uses on the site.

The applicant is proposing to rezone Tract 1, known as the Burnet Road retail area, from NBG-TOD to NBG-CMU. General Retail Sales (Convenience and General) uses are allowed in both NBG-TOD and NBG-CMU districts. However, the applicant has indicated that the reason they want to rezone is because they did not want to meet the NBG-TOD 2-story minimum height requirement. The staff does not recommend this rezoning because this portion of the property is closer to the Kramer Metro Rail station and the staff believes that we should maintain the NBG-TOD development standards to encourage a mixture of uses and more density at this location. The Transit oriented development sub district is the most intensively developed land use zone and will typically be expressed as high density residential or office over active ground floor uses, such as retail. This land use designation is concentrated near the Capital Metro commuter rail station. The staff's recommendation is consistent with the North Burnet/Gateway TOD's recommendations to have a 2-story minimum height requirement along Burnet Road.

The staff recommends the applicant's request for NBG-CMU zoning for Tract 2, known as the Top Golf site. The applicant is proposing to rezone this area from NBG-TOD subdistrict to NBG-CMU subdistrict because Top Golf is considered an outdoor recreational use and this use is allowed in the NBG-CMU, but not NBG-TOD. The staff agrees with this rezoning and use on the part of the site farthest from the Kramer Metro Rail station. The proposed NBG-CMU zoning will allow 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 staff was under the impression from our past meetings with the applicant that they were going to divide the property into separate tracts in their rezoning request. Therefore, the staff's recommendation to discuss the case as two separate tracts is based on these previous discussions (Please see Staff Tract Map-Attachment A).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	NBG-CMU	Undeveloped
<i>North</i>	NBG-TOD	Office (IBM)
<i>South</i>	NBG-TOD-Gateway Zone	Undeveloped Tract, Austin Commons Shopping Center (Freebirds, Derby Bar, Of Japan, Bamboo Bistro, Firehouse Subs, Froots, Lick It Bite It or Both, Star Physical Therapy, Flooring Concepts)
<i>East</i>	NBG-TOD	Rail line
<i>West</i>	MI-PDA	Commercial, Hotel, Multifamily, Industrial/Office/Warehouse (The Domain)

AREA STUDY: North Burnet/Gateway NP

TIA: Required

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
Home Builders 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
C14-2010-0087 (The Domain Rezoning- Simon)	MI-PDA to MI-PDA	8/24/10: Approved staff's recommendation of MI-PDA zoning (8-1, Chimenti-No), with the following additional conditions: 1) Require the applicant to provide bicycle access for a portion Bicycle Route Segment #905.04 (Please see Public Works Department Memorandum – "Attachment B") to allow for continuity for bicycle traffic to and through the Domain development. 2) Require a public restrictive covenant that will limit one acre of land on the Endeavor-Domain site to zero percent impervious cover to be signed and recorded before the 3 rd reading of this zoning case at City Council.	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 will limit one acre of land on the Endeavor-Domain site to zero percent impervious cover will be signed and recorded before the third reading of this zoning case. 10/14/10: Approved MI-PDA zoning on 2 nd /3 rd readings (7-0); Spelman-1 st , Leffingwell-2 nd , 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

			<p>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 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.</p>
C14-2008-0182 (North Burnet /Gateway NP Rezoning: Metric Boulevard)	Add NP designation to existing zoning	9/09/08: Approved rezoning of certain tracts to NBG-NP or NBG-H-NP, with conditions (8-0)	<p>10/16/08: Approved NBG-NP or NBG-H-NP (7-0); 1st reading</p> <p>3/12/09: Approved NBG-NP or NBG-H-NP (6-0); 2nd/3rd readings</p>
C14-2007-0157 (North Burnet /Gateway Neighborhood Plan Rezoning)		9/25/07: Approved staff rec. with amendments (8-0)	<p>10/18/07: Approved 1st reading of Phase 1 of NP (6-0)</p> <p>11/01/07: Approved Phase 1 of NP zonings (5-0); 2nd/3rd readings</p>
C14-2007-0171 (The Domain: 10700-11000 Burnet Road, 11100-11900)	MI-PDA to MI-PDA	10/09/07: Approved staff rec. of MI-PDA by consent (9-0)	11/01/07: Approved MI-PDA zoning on consent (6-0); all 3 readings

Burnet Road, 2800 Block of Braker Lane, 3300 W. Braker Lane)			
C14-06-0154 (The Domain: 11400 Burnet Road)	MI-PDA to MI- PDA	8/08/06: Approved staff rec. of MI-PDA by consent (8-0)	09/28/06: Approved MI-PDA (7-0); 1 st reading 10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2 nd /3 rd readings
C14-06-0121 (The Domain RCA: 10712, 10728, 10800, 11000, 11500, 11600 Burnet Road; 11601 Domain Drive; 2900, 3001, 3101 Esperanza Crossing)	MI-PDA to MI- PDA	2/13/07: Approved staff's rec. for MI-PDA zoning with additional conditions of: <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. Vote: (9-0); J.Reddy-1 st , G. Stegeman-2 nd .	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 .
C14-04-0151 (The Domain: 11400 Burnet Road)	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 (The Shops at Arbor Walk: 10515 North Mopac Expressway)	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 (The Domain- 200.286 acres: 11400 Burnet	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)

Road)		record) from Ordinance #000608-67 (8-0, R. Pratt-off dias)	
C14-03-0016 (Multek: 3300 West Braker Lane)	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 (The Domain- 0.783 acres: 11400 Burnet Road)	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 (11005 Burnet Road)	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 (Braker Pointe/ Rogers Homestead: 10801 N. MOPAC NB Expressway)	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 (Austin Tech Park: 11400 Burnet Road)	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
C14-99-0024 (Woodfin Suite Hotel: 2618 Kramer Lane)	MI to GR	4/20/99: Approved staff alternate rec. of GR-CO, with CO for 2,200 vehicle trip limit, 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

RELATED CASES: C14-2007-0157 (North Burnet/Gateway NP Rezoning)

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: November 10, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

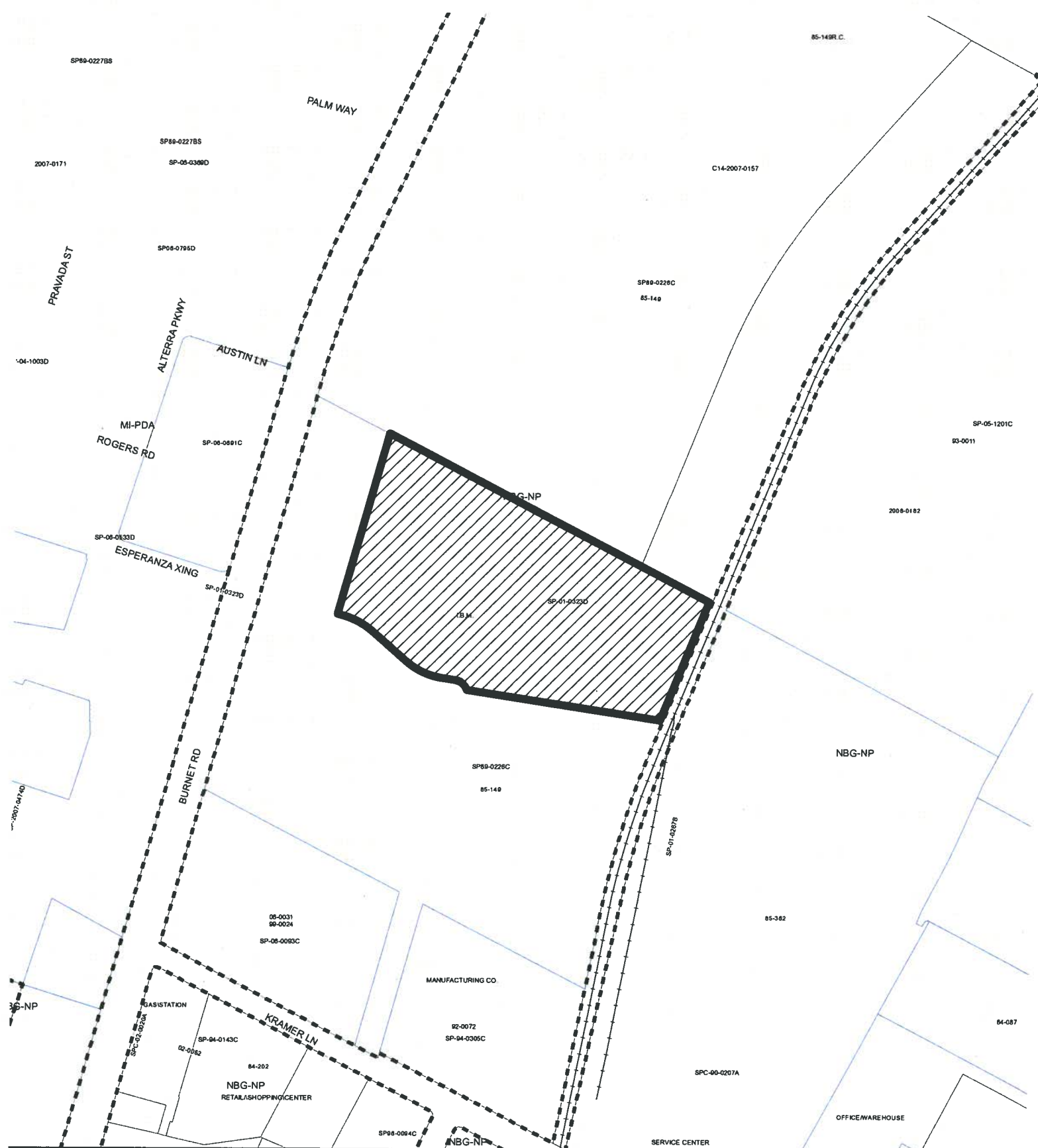
3rd




ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2011-0050 (Revised 10/5/11)
 LOCATION: 11301 BURNET RD
 SUBJECT AREA: 13.673 AC.
 GRID: K33
 MANAGER: SHERRI SIRWAITIS

1" = 400'

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

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



STAFF RECOMMENDATION

The staff's recommendation is to maintain the existing NBG-TOD zoning from the property line along Burnet Road to a depth of 250 feet (Tract 1). The staff does recommend NBG-CMU zoning for the remainder of the site to the east, the remaining approximately 1,000 feet of the property to the east (Tract 2).*

***On October 5, 2011, the applicant sent a letter amending this proposed rezoning request to remove the properties known as Tracts 1 and 3 on the applicant's survey (Please see Amendment Request Letter with Attached Field Notes/Survey-Attachment C). The staff supports the applicant's request for NBG-CMU zoning for the remainder of the property shown as Tract 2 on the Staff Tract Map (Attachment A) and on the applicant's Field Notes/Survey description (Attachment C).**

In addition, if the requested zoning is granted, site development should be limited to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA (HDR Engineering, Inc. – August 22, 2011) through a public restrictive covenant. The TIA recommendations are included as Attachment B to this report.

BASIS FOR RECOMMENDATION

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

Tract 1:

NBG- TOD - North Burnet/Gateway district is the designation for an identified area of existing low density, auto-oriented commercial, warehouse, and industrial uses that is the subject of an approved master plan for redevelopment of the area into a higher density urban mixed-use neighborhood that is more pedestrian friendly and takes advantage of the links to commuter rail transit and the area's key position in the urban core. TOD - Transit oriented development subdistrict is the most intensively developed land use zone and will typically be expressed as high density residential or office over active ground floor uses, such as retail. This land use designation is concentrated near the Capital Metro commuter rail station.

Tract 2*:

The NBG-CMU-North Burnet/Gateway district is the designation for an identified area of existing low density, auto-oriented commercial, warehouse, and industrial uses that is the subject of an approved master plan for redevelopment of the area into a higher density urban mixed-use neighborhood that is more pedestrian friendly and takes advantage of the links to commuter rail transit and the area's key position in the urban core. CMU-Commercial Mixed Use sub district is a high density mixed use sub district in the NBG Zoning District. It allows for development such as high density residential, high rise office and entertainment complexes, destination retail and large scale civic uses.

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

The staff does not recommend the proposed NBG-CMU rezoning for Tract 1 because this portion of the property is closer to the Kramer Metro Rail station and the staff believes that we should maintain the NBG-TOD development standards to encourage a mixture of uses and more density

at this location. The Transit oriented development sub district is the most intensively developed land use zone and will typically be expressed as high density residential or office over active ground floor uses, such as retail. This land use designation is concentrated near the Capital Metro commuter rail station. The staff's recommendation is consistent with the North Burnet/Gateway TOD's recommendations to have a 2-story minimum height requirement along Burnet Road.

The proposed NBG-CMU zoning for **Tract 2*** will allow 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.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently undeveloped. The lot to the north is developed with offices for IBM. The property to the south contains a commercial retail center (Austin Commons Shopping Center) and an undeveloped tract. To the east there is a rail line and undeveloped property. The tracts to the west, across Burnet Road, are part of the Domain development which contains commercial, hotel, multifamily, industrial/office/warehouse uses.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no floodplain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment 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.

Impervious Cover

The maximum impervious cover allowed by the 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.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

Site Plan / Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be 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

A traffic impact analysis is required for this case and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on the review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo (Please see TIA Memorandum-Attachment B).

Capital Metro bus service (Routes No. 3, 240, 392, and 466) are available along Burnet Road, Braker Lane and Kramer Lane.

Burnet Road is classified in the Bicycle Plan as Bike Route No. 214. Kramer Lane is classified in the Bicycle Plan as Bike Route No. 12. Braker Lane is classified in the Bicycle Plan as Bike Route No. 10.

There are no existing sidewalks along Burnet Road. There are existing sidewalks along both Kramer Lane and Braker Lane.

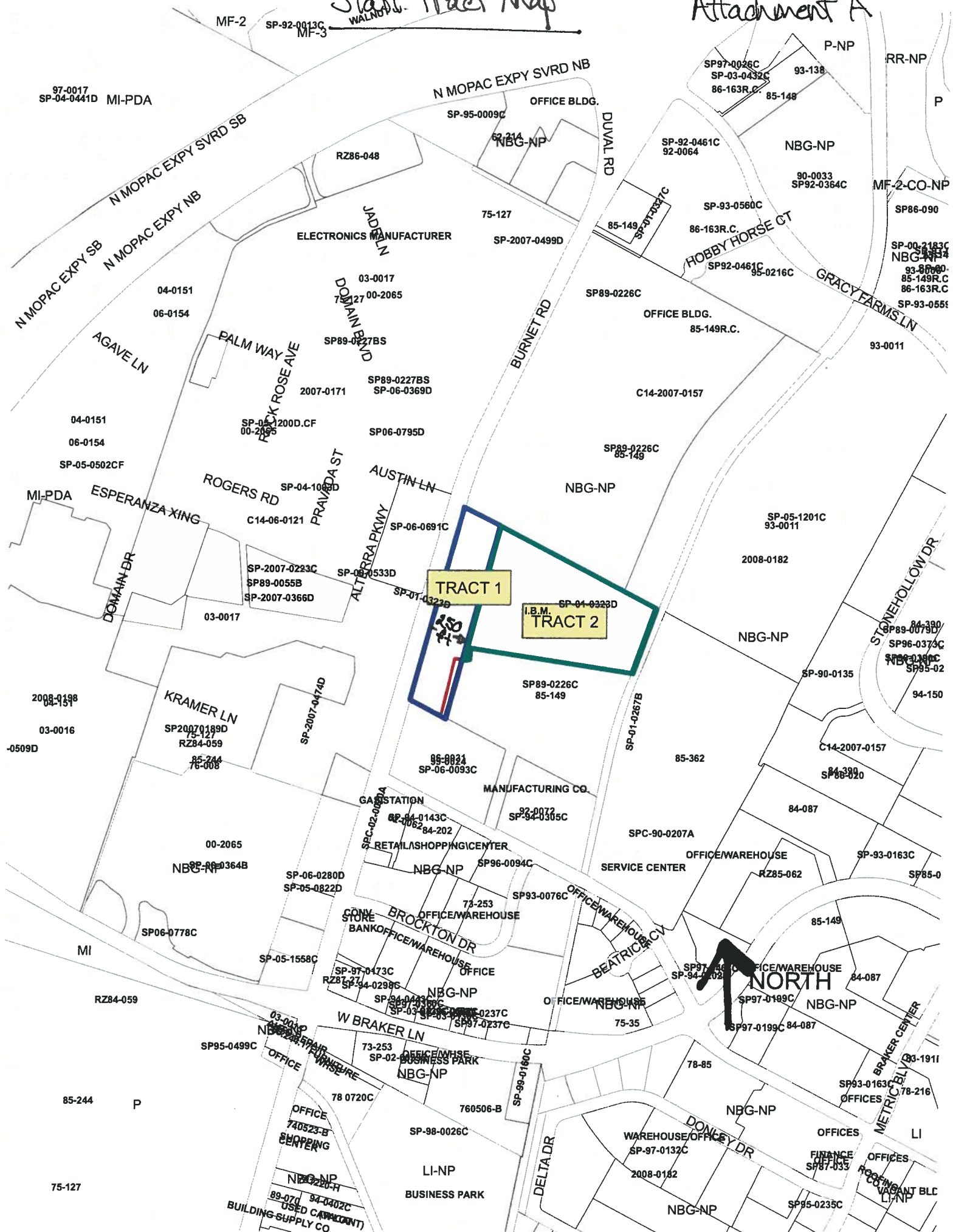
Existing Street Characteristics:

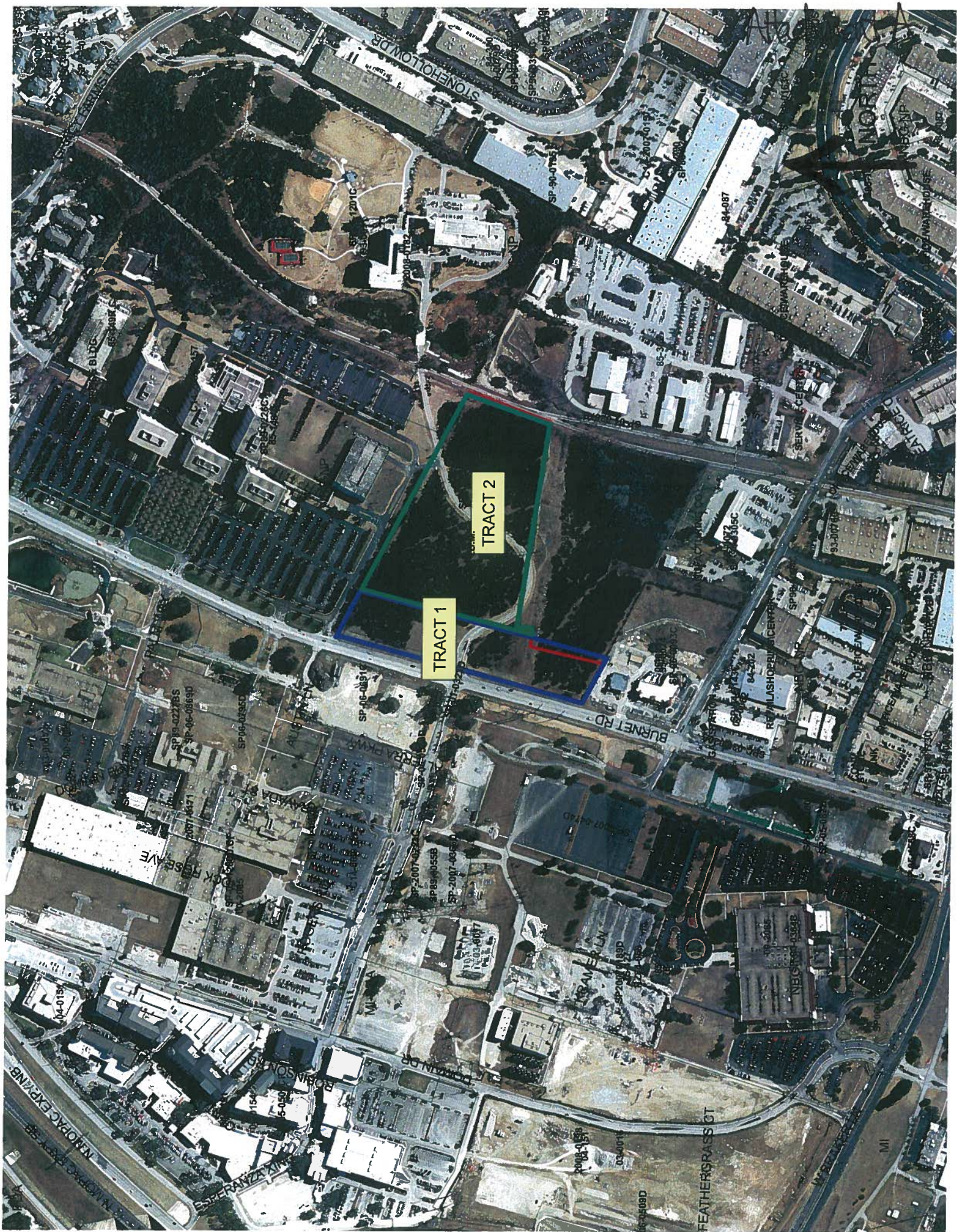
Name	ROW	Pavement	Classification	ADT	Bike Route	Capital Metro
Burnet Road	Varies	MAD 4	Major Arterial	19,400	Yes	Yes
Kramer Lane	Varies	42"	Com. Collector	6,100	Yes	Yes
Braker Lane	120'	MAD6	Major Arterial	26,000	Yes	Yes

Water and Wastewater

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. Water and wastewater utility plans 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.

WALNUT





TRACT 1

TRACT 2



Date: September 12, 2011
To: Sherri Sirwaitis, Case Manager
CC: Kathy Hornaday, P.E. HDR Engineering, Inc.
Reference: Burnet Kramer TIA (Zoning Case: C14-2011-0050)

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Burnet Kramer TIA (Zoning Case C14-2011-0050), dated August 22, 2011, prepared by HDR Engineering, Inc., and offers the following comments:

TRIP GENERATION

The Burnet Kramer development is a 39.90-acre development located in north Austin northeast of the intersection of Burnet Road and Kramer Lane.

The property is currently undeveloped and zoned North Burnet / Gateway (NBG-NP). The proposed development is to consist of 15,000 SF of high turnover restaurant, a drive-in bank, a hotel, 555 apartments, and a golf driving range with 90 tees. The estimated completion of the project is expected in the year 2013.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 8,389 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development:

Table 1. Trip Generation						
LAND USE	Size	ADT	AM Peak		PM Peak	
			Enter	Exit	Enter	Exit
Apartments	555 DU	3,487	55	221	210	113
Hotel	120 Occ. Rms.	1,070	47	34	41	43
Golf Driving Range	90 tees	1,229	22	14	52	62
Drive-In Bank	5 lanes	696	27	20	67	70
High Turnover Restaurant	15,000 SF	1,907	90	83	99	69
Total		8,389	241	372	469	357

ASSUMPTIONS

- Background traffic volumes for 2013 included estimated traffic volumes for the following projects:

Domain Office Bldg. 1	SP-2006-0691C
Lighting Inc.	SP-2007-0227C
Domain Block C1	SP-2008-0609C
Chase Bank – Domain	SP-2010-0305C
Domain Whole Foods	SP-2010-0343C

- Pass-by reductions of 43% and 47%, respectively, were assumed for the high turnover restaurant and drive-in bank land uses during the PM peak period based on data provided in ITE Trip Generation, 8th Edition.

3. A 10% reduction was taken for internal capture for all land uses during the AM and PM peak periods based on data provided in ITE Trip Generation, 8th Edition.
4. No reductions were taken for transit use.

EXISTING AND PLANNED ROADWAYS

Burnet Road (FM 1325) – Burnet Road forms the western boundary of the subject site. This roadway is classified in the Austin Metropolitan Area Transportation Plan (AMATP) as a four-lane divided major arterial between Loop 1 and Rutland Drive. According to TxDOT traffic counts, the 2009 traffic volumes on Burnet Road were approximately 19,4000 vehicles per day (vpd). Burnet Road is in the Bicycle Plan as Routes 214 and 437.

Kramer Lane – Kramer Lane forms the southern boundary of the site and it is classified as a commercial collector street. The latest traffic volume for Kramer Lane is estimated at 6,100 vpd east of Burnet Road. Kramer Lane is classified in the Bicycle Plan as Routes 12 and 905.

Loop 1 (Mopac) – This roadway is classified as a six-lane freeway. The traffic volumes for year 2009 on Loop 1, north of Duval Road, were 144,000 vpd. The Austin Metropolitan Area Transportation Plan and the CAMPO Mobility Plan classify Loop 1 as an six-lane freeway between Parmer Lane and Braker Lane.

Duval Road – This roadway is classified as a four-lane divided undivided major arterial by the Austin Metropolitan Area Transportation Plan and the CAMPO Mobility Plan between Loop 1 and Whispering Valley Drive. The latest traffic volumes for Duval Road are estimated at 30,900 vpd northwest of Mopac. Duval Road is classified in the Bicycle Plan as Route 4.

Braker Lane – This roadway is classified by the Austin Metropolitan Area Transportation Plan and the CAMPO Mobility Plan as a six-lane divided major arterial between US 183 and Metric Blvd. The latest traffic volumes for Braker Lane are estimated at 26,000 vpd west of Burnet Road. Braker Lane is classified in the Bicycle Plan as Route 10.

Esperanza Crossing – This roadway is currently a four-lane divided road, west of Burnet Road, and a two-lane undivided road, east of Burnet Road. The traffic volume on Esperanza Crossing west of Burnet Road is estimated at approximately 6,900 vpd. This road is proposed as a collector street with bike lanes to be provided along the entire section between Burnet Road and Kramer Lane.

Palm Way – This roadway is currently a four-lane divided road in the site's vicinity. The latest traffic volume on Palm Way is estimated at approximately 1,100 vpd, west of Burnet Road.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 8 intersections, 6 of which are signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Table 4. Level of Service				
Intersection	2011 Existing		2013 Site + Forecasted	
	AM	PM	AM	PM
Burnet Road and Esperanza Crossing*	A	A	B	D
Burnet Road and Kramer Lane*	A	C	A	D
Burnet Road and Braker Lane *	D	E	D	E
Burnet Road and Palm Way *	A	B	A	C
Loop 1 NFR and Duval Road *	F	F	F	F

Loop 1 SFR and Duval Road *	C	E	D	D
Driveway B and Burnet Road			A	A
Driveway C and Kramer Lane			A	A

* = SIGNALIZED

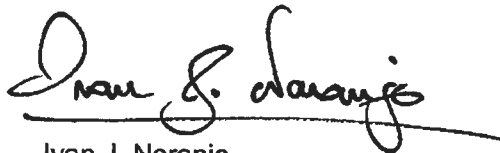
RECOMMENDATIONS

- 1) Prior to approval of Site Plan SP-2011-0183D for this development, fiscal is required to be posted for the following improvements:

Intersection	Improvements	Pro Rata Share (%)
Loop 1 S. Frontage Rd. & Duval Road	1. Construct an eastbound left-turn lane. 2. Re-stripe the eastbound approach to provide 2 left turn lanes and 1 thru lane.	5.9
Loop 1 N. Frontage Rd. & Duval Road	1. Construct a westbound right-turn bay.	3.8
Burnet Road and Braker Lane	1. Widen the eastbound approach to construct an additional left-turn lane to provide 2 left-turn lanes.	15.7

- 2) Recommend signal timing optimization during the PM peak period for the Burnet Road and Esperanza Crossing/Way (Driveway A) intersection.
- 3) Based on TxDOT Access management requirements, access to Burnet Road will be restricted to the existing main access driveway location currently in use at Esperanza Crossing/Way and one new access drive located on Lot 5.
- 4) Final approval from the Austin Transportation Dept. and the Texas Dept. of Transportation is required prior to 3rd Reading for the cost estimates of the recommended traffic improvements.
- 5) Esperanza Crossing/Way and driveways should be constructed to the widths recommended in the TIA and in accordance with the project circulation plan for the North Burnet/Gateway Zoning District.
- 6) Bike Lanes are to be provided along the entire section of Esperanza Crossing/Way between Burnet Road and Kramer Lane.
- 7) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-7649.



Ivan J. Naranjo
Sr. Planner ~ Transportation Review Staff
City of Austin – Planning and Development Review Department

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300

AUSTIN, TEXAS 78701-2744

512-435-2300

FACSIMILE 512-435-2360

FACSIMILE 512-435-2399

AMANDA MORROW
(512) 435-2368
AMORROW@ABAUSTIN.COM

October 4, 2011

Sherri Sirwitis
City of Austin
Planning Development and Review Department
505 Barton Springs Road
Austin, Texas 78701

Re: C14-2011-0050; Amendment to rezoning boundary for 11205 & 11301 Burnet
Road; IBM Tract (the "Application")

Dear Sherri:

This firm represents and this letter is submitted on behalf of the applicant in the above referenced Application. More specifically this letter is written to inform you that our client proposes to amend the zoning Application to exclude the land area referenced as "Tract 1" and "Tract 3" on Exhibit A from the rezoning boundaries. Attached as Exhibit B are field notes that described a 13.673 acre tract of land which will remain in the Application and is the subject of the area to be rezoned from NBG-TOD to NBG-CMU.

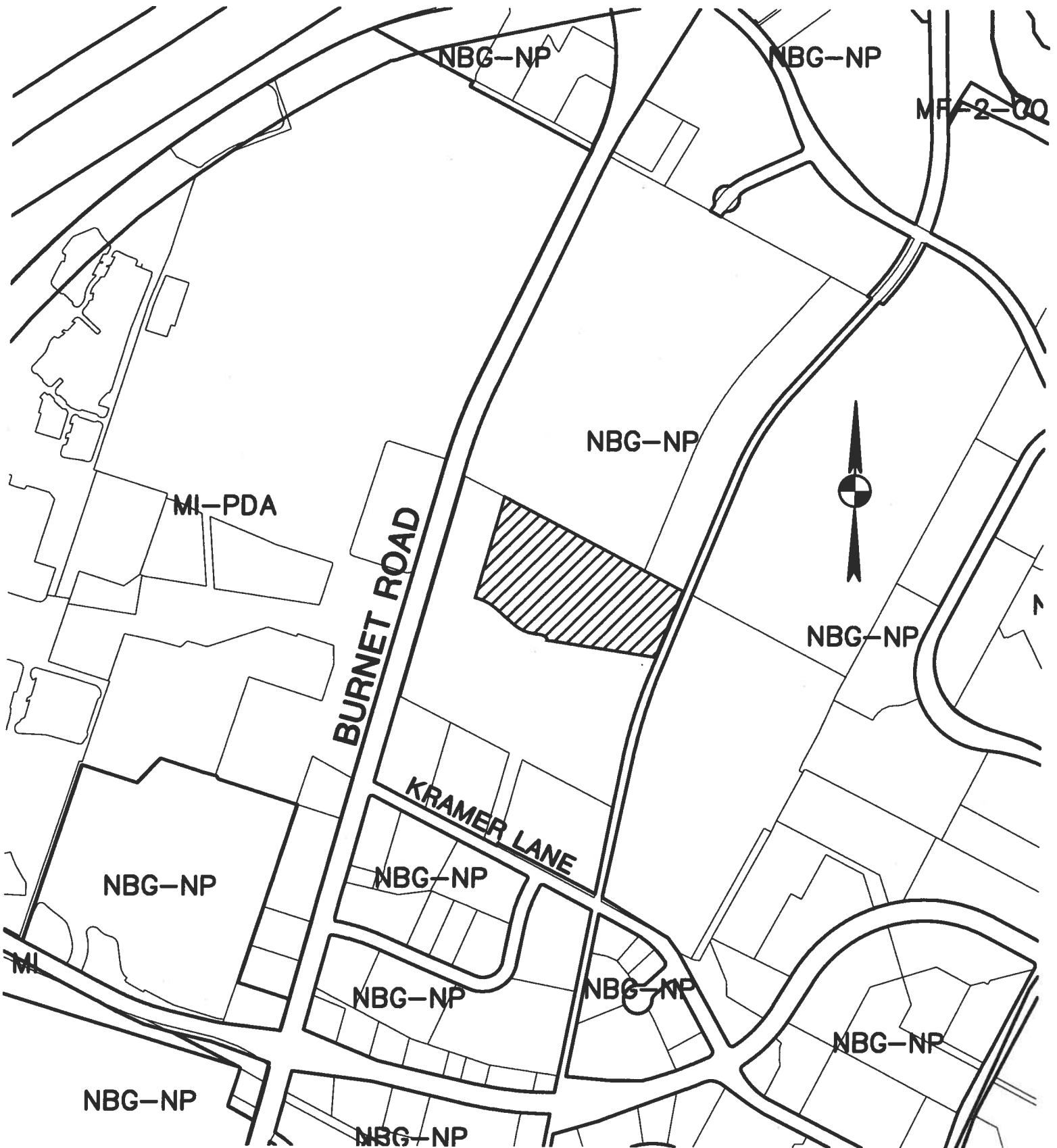
Should you have any questions, please feel free to contact me at 512-435-2368.

Respectfully submitted,



Amanda Morrow
Land Development Consultant

cc: Richard T. Suttle, Jr.
Andy Pastor
Jason Thumlert
Jonathan Neslund



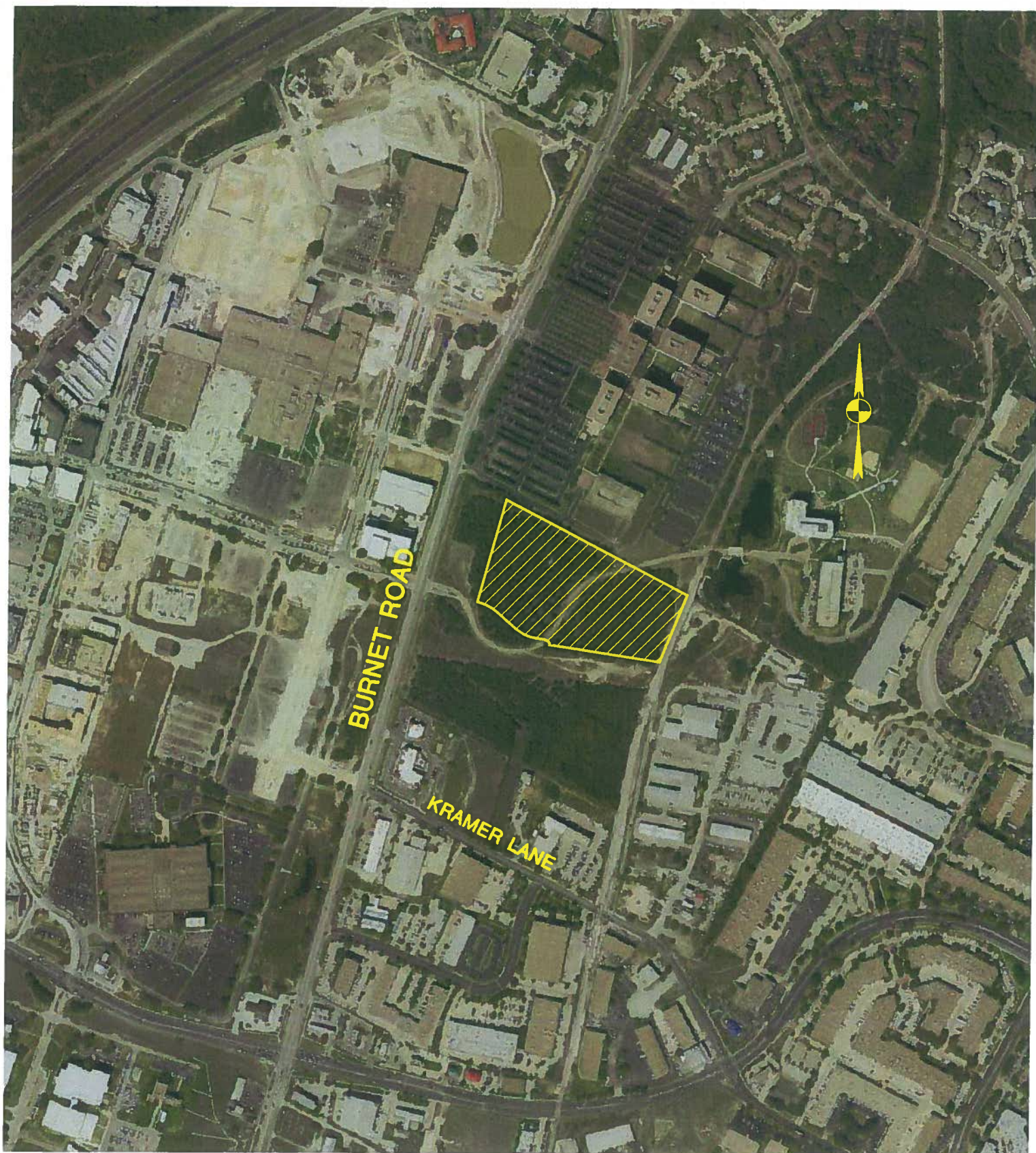
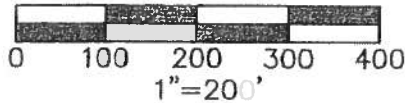


EXHIBIT A

LEGEND

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

LOT 1, BLOCK "A"
IBM SUBDIVISION EAST
VOL. 94, PG. 88



LOT 2, BLOCK "A"
IBM SUBDIVISION EAST
VOL. 94, PG. 88

BURNET ROAD (F.M. HIGHWAY 1325) (120' R.O.W.)

P.O.B.
TRACT 3

TRACT 3
3.649 AC.

TRACT 2
13.563 AC.

P.O.B.
TRACT 2

TRACT 1
4.319 AC.

P.O.B.
TRACT 1
P.O.C.
TRACT 2

LOT 2, BLOCK "A"
IBM SUBDIVISION EAST
VOL. 94, PG. 88



33.56 ACRES
CITY OF AUSTIN
VOL. 3050, PG. 2340

CITY OF AUSTIN
VOL. 9837, PG. 422

LOT 1 BLOCK "A"
HARDAGE SUBDIVISION
DOC. NO. 199900271

Bury+Partners

ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 800
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0325
Bury+Partners, Inc. ©Copyright 2011

SKETCH TO ACCOMPANY DESCRIPTION

OF 21.531 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A" IBM SUBDIVISION EAST, A SUBDIVISION OF RECORD IN VOLUME 94, PAGE 88 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

ENDEAVOR REAL ESTATE GROUP

DATE: 05/09/11 FILE: H:\101231\005\101231005EX1.DWG FN No.: 11-(143-145) DRAWN BY: M.J.J. PROJ. No: R010123110005

H:\101231\005\101231005EX1.dwg May 09, 2011 - 1:55pm by: m.jezisek

EXHIBIT B

13.673 ACRES
ENDEAVOR REAL ESTATE GROUP
ZONING TRACT

FN. NO. 11-324(MJJ)
OCTOBER 3, 2011
BPI JOB NO. R010123110005

DESCRIPTION

OF 13.673 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, BLOCK "A" IBM SUBDIVISION EAST, OF RECORD IN VOLUME 94, PAGE 88 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 13.673 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap set in the easterly right-of-way line of Burnet Road (F.M. 1325 - R.O.W. varies), being in the southerly line of Lot 1, Block "A" of said IBM Subdivision East and the northeasterly corner of that certain 0.295 acre Street Deed of record in Document No. 2001185633 of the Official Public Records of Travis County, Texas, being the northwesterly corner of said Lot 2, for the northwesterly corner hereof, from which a 1/2 inch iron rod found for the northwesterly corner of said 0.295 acre Street Deed of Record, being the southwesterly corner of said Lot 1 bears, N62°24'54"W, a distance of 10.23 feet;

THENCE, S62°24'54"E, leaving the easterly line of Burnet Road, along the common line of said Lot 1 and said Lot 2, for the northerly line hereof, a distance of 255.76 feet to the **POINT OF BEGINNING** and northeasterly corner hereof;

THENCE, S62°24'54"E, in part along the common line of said Lot 1, Block "A" IBM Subdivision East and said Lot 2 and in part over and across said Lot 2, for the northerly line hereof, a distance of 1134.68 feet to a point in the westerly line of that certain tract of land conveyed to the City of Austin of record in Volume 9837, Page 422 of the Real Property Records of Travis County, Texas, being the easterly line of said Lot 2, for the northeasterly corner hereof;

THENCE, S22°01'26"W, along the westerly line of said City of Austin tract, being the easterly line of said Lot 2, for the easterly line hereof, a distance of 402.70 feet to the southeasterly corner hereof;

THENCE, leaving the westerly line of said City of Austin tract, over and across said Lot 2, for the southerly line hereof, the following seven (7) courses and distances:

- 1) N81°18'52"W, a distance of 613.78 feet to the point of curvature of a curve to the left;
- 2) Along said curve to the left having a radius of 40.00 feet, a central angle of 67°56'07", an arc length of 47.43 feet and a chord which bears, N47°20'48"W, a distance of 44.70 feet to the end of said curve;
- 3) N81°18'52"W, a distance of 44.06 feet to the point of curvature of a curve to the right;

FN 11-324 (MJJ)
OCTOBER 3, 2011
PAGE 2 OF 2

- 4) Along said curve to the right having a radius of 225.00 feet, a central angle of $32^{\circ}47'55''$, an arc length of 128.80 feet and a chord which bears, $N64^{\circ}54'54''W$, a distance of 127.05 feet to the end of said curve;
- 5) $N48^{\circ}30'57''W$, a distance of 140.22 feet to the point of curvature of a curve to the left;
- 6) Along said curve to the left having a radius of 225.00 feet, a central angle of $24^{\circ}41'17''$, an arc length of 96.95 feet and a chord which bears, $N60^{\circ}49'37''W$, a distance of 96.20 feet to the end of said curve;
- 7) $N74^{\circ}27'15''W$, a distance of 25.00 feet to the southwesterly corner hereof;

THENCE, $N15^{\circ}24'07''E$, continuing over and across said Lot 1, for the westerly line hereof, a distance of 589.96 feet to the **POINT OF BEGINNING**, containing an area of 13.673 acres (595,576 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(93).

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE LAND DESCRIPTION WAS DETERMINED BY A SURVEY MADE ON THE GROUND BY ME OR UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS
ENGINEERS-SURVEYORS
221 W. SIXTH STREET , STE. 600
AUSTIN, TEXAS 78701

Mark J. Jezisek
MARK J. JEZISEK
R.P.L.S. NO. 5267
STATE OF TEXAS



LEGEND

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

LOT 1, BLOCK "A"
IBM SUBDIVISION EAST
VOL. 94, PG. 88

P.O.B.
TRACT 2

0 100 200 300 400
1"=200'



LOT 2, BLOCK "A"
IBM SUBDIVISION EAST
VOL. 94, PG. 88

P.O.C.
TRACT 2

BURNET ROAD (F.M. HIGHWAY 1325) (120' R.O.W.)

13.673 ACRES

LOT 2, BLOCK "A"
IBM SUBDIVISION EAST
VOL. 94, PG. 88

33.56 ACRES
CITY OF AUSTIN
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CITY OF AUSTIN
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LOT 1 BLOCK "A"
HARDAGE SUBDIVISION
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SKETCH TO ACCOMPANY DESCRIPTION
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**ENDEAVOR REAL
ESTATE GROUP**

DATE: 10/03/11 FILE: H:\101231\005\101231005EX3.DWG FN No.: 11-324(MJJ) DRAWN BY: M.J.J. PROJ. No: R010123110005
H:\101231\005\101231005EX3.dwg Oct 04, 2011 - 8:13am\by:m.jezisek