

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-2016-0136 (Broadmoor)

**REQUEST:**

Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 11501 Burnet Road from north burnet/gateway-commercial mixed use-neighborhood plan combining (NBG-CMU-NP) district zoning to north burnet/gateway-transit oriented development-gateway zone-neighborhood plan combining (NBG-TOD-NP) district zoning.

The ordinance, street deed and public restrictive covenant reflect the conditions imposed by the City Council on 1<sup>st</sup> reading.

**DISTRICT AREA:** 7

**PROPERTY OWNER:** Brandywine Austin, LLC (Leon Shadowen)

**AGENT:** Drenner Group, PC (Dave Anderson)

**DEPARTMENT COMMENTS:**

The site under consideration is currently developed with an office complex (Broadmoor) containing seven-buildings with 1.1 million square feet of office space. This Broadmoor campus is located within the North Burnet/Gateway Combined Neighborhood Planning Area. The property was originally developed for IBM, which has been the sole occupant since the campus was constructed in 1991. The site is located at the southeast corner of Burnet Road and Gault Lane and is zoned NBG with a Commercial Mixed Use subdistrict designation (NBG-CMU) (Please see Figure 4-1CMU: NBG Zoning District General Site Development Standards – Attachment B). The tract of land to the north is developed with a multifamily use (Radius at the Domain Apartments). To the south there is a hotel/motel use (Home 2 Suites by Hilton) and an indoor sports and recreation/restaurant use (Top Golf). To the east there is a rail line and an office complex (Charles Schwab) with outdoor recreation (tennis courts, baseball field and soccer field). The lots 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 rezoning to the NBG with a Transit Oriented Development-Gateway Zone subdistrict designation (NBG-TOD-Gateway) to redevelop the property as a mixed-use project that will contain multi-tenants to provide new amenities for workers in and around the campus (Please see Applicant Request Letter – Attachment A).

The applicant, Brandywine Austin, LLC, is proposing to relocate the existing Kramer Metro Rail Station from the southeast corner of Kramer Lane and Brockton to the Broadmoor campus. Capital Metro has stated their support for this relocation of the Kramer station platform. However, at this time Capital Metro cannot fund the project and has stated that the financial aspects of the relocation initiative will need to be paid for by Brandywine Realty Trust (Please see Kramer Station Relocation Initiative –Letter of Support – Attachment D). Federal grants, as well as private funding will be considered to relocate the transit station. If the station platform were to be moved, then the North Burnet/Gateway Regulating Plan would need to be amended to address the revised area for the NBG-TOD-Gateway subdistrict zone. Currently the TIA

Memorandum does not contemplate the relocation of the Kramer station platform as a mitigating factor in the results of the traffic study for this property (Please see TIA Memorandum - Attachment E).

The applicant is seeking the NBG-TOD-Gateway Zone subdistrict as it will permit the highest level of intensity of development in the North Burnet/Gateway neighborhood planning area. Under the NBG-TOD-Gateway Zone subdistrict regulations, there is 80% impervious cover limit. With development bonus, the NBG-TOD-Gateway Zone will permit an 8:1 FAR and up to 360 feet in building height (Please see Figure 4-1 TOD: NBG Zoning District General Site Development Standards- Attachment C). The property to the north of the Broadmoor Campus, along Gracy Farms Lane, is zoned with the NBG-Neighborhood Residential (NR) subdistrict. The NBG-NR permits a maximum FAR of 2:1 and up to 60 feet in building height with the development bonus. There is an exception in the NBG-TOD-Gateway subdistrict regulations that limits the height adjacent to or across the street from the NR subdistrict to a maximum height of 120 feet. To the south and east, the properties are zoned with the NBG-CMU subdistrict which will permit a maximum FAR of 3:1 and up to 180 feet in building height with the development bonus. The lots to the west, across Burnet Road in The Domain development are permitted to have a maximum 8:1 FAR and up to 308 feet in building height.

The staff's recommendation is to grant the applicant's request for the North Burnet/Gateway-Transit Oriented Development-Gateway Zone-Neighborhood Plan (NBG-TOD-NP) Combining District, zoning for this property. The staff's recommendation of the NBG-TOD-Gateway Zone would permit the Broadmoor campus to be redeveloped with the highest density in the NBG area if and when the rail station platform is relocated to this Brandywine owned property. The purpose of the NBG-TOD subdistrict is to have the greatest focus on providing active pedestrian oriented uses at the ground level of buildings. The degree of development intensity permitted in the North Burnet/Gateway regulating plan is intended to be at the highest density in this TOD-Gateway Zone subdistrict and to step down away from the TOD station site to a lesser degree throughout the rest of the NBG area. The up zoning from NBG-CMU subdistrict to NBG-TOD-Gateway subdistrict will 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. 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 location of the site is appropriate for the proposed mixture and intensity of uses because the property in question fronts onto a major arterial roadway, North Burnet Road, and is located along a commuter rail line.

The applicant agrees with the City Council's recommendation at 1<sup>st</sup> reading.

**DATE OF FIRST READING/VOTE:**

April 12, 2018

**ACTION:** Approved NBG-TOD- NP zoning, with conditions, on 1<sup>st</sup> reading only (6-0, G. Casar-off dais, D. Garza, E. Troxclair, K. Tovo and S. Adler-absent); L. Pool-1<sup>st</sup>, P. Renteria-2<sup>nd</sup>.

**DATE OF SECOND/THIRD READINGS:**

May 24, 2018

**ACTION:**

**ASSIGNED STAFF:** Sherri Sirwaitis

**PHONE:** 512-974-3057  
sherri.sirwaitis@ austintexas.gov

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2016-0136 (Broadmoor)

**ADDRESS:** 11501 Burnet Road

**DISTRICT AREA:** 7

**OWNER:** Brandywine Austin, LLC (Leon Shadowen)

**AGENT:** Drenner Group, PC (Dave Anderson)

**ZONING FROM:** NBG-CMU-NP      **TO:** NBG-TOD-NP      **AREA:** 65.91 acres

**P.C. DATE:** July 11, 2017  
January 9, 2018  
January 23, 2018  
February 27, 2018  
March 13, 2018  
March 27, 2018

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant NBG-TOD-NP, North Burnet/Gateway-Transit Oriented Development-Gateway Zone-Neighborhood Plan Combining District, zoning.

The 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 (dated November 22, 2017) through a public restrictive covenant that will be recorded prior to third reading of this case at City Council. The TIA recommendations are included as Attachment A to this report.

Another item that will be included in the public restrictive covenant is the condition that Article 6: Development Bonus in the Regulating Plan for the North Burnet/Gateway Zoning District shall not be implemented for development on this property until construction of the relocated Kramer station platform has commenced on this site.

In addition, if the requested zoning is granted for this site, then 70 feet of right-of-way from the existing centerline should be dedicated for Burnet Road according to the Transportation Plan through a street deed prior to third reading of this zoning case at City Council.

### **PLANNING COMMISSION RECOMMENDATION:**

7/11/17: Postponed indefinitely at the staff's request by consent (11-0; A. Hart, J. Thompson-absent); J. Schissler-1<sup>st</sup>, P. Seager-2<sup>nd</sup>.

1/09/18: Postponed to January 23, 2018 at the staff's request by consent (11-0; F. Kazi- off dais, T. Nuckols-absent); P. Seager-1<sup>st</sup>, A. De Hoyos Hart -2<sup>nd</sup>.

1/23/18: Postponed to February 27, 2018 at the staff's request by consent (11-0; K. McGraw-absent, J. Schissler-late, A. De Hoyos Hart-off dais); P. Seager-1<sup>st</sup>, G. Anderson-2<sup>nd</sup>.

1/23/18: Postponed to March 13, 2018 at the staff's request by consent (12-0; C. Kenny-absent); J. Schissler-1<sup>st</sup>, J. Shieh-2<sup>nd</sup>.

3/13/18: Postponed to March 27, 2018 at the staff's request by consent (8-0, A. De Hoyos Hart, T. Nuckols, J. Shieh, T. Shaw, J. Thompson-absent); T. White-1<sup>st</sup>, P. Seager-2<sup>nd</sup>.

3/27/18: Approved staff's recommendation of NBG-TOD-NP zoning, with conditions, by consent (12-0, P. Seeger-absent); G. Anderson-1<sup>st</sup>, J. Thompson-2<sup>nd</sup>.

**DEPARTMENT COMMENTS:**

The site under consideration is currently developed with an office complex (Broadmoor) containing seven-buildings with 1.1 million square feet of office space. This Broadmoor campus is located within the North Burnet/Gateway Combined Neighborhood Planning Area. The property was originally developed for IBM, which has been the sole occupant since the campus was constructed in 1991. The site is located at the southeast corner of Burnet Road and Gault Lane and is zoned NBG with a Commercial Mixed Use subdistrict designation (NBG-CMU) (Please see Figure 4-1CMU: NBG Zoning District General Site Development Standards – Attachment B). The tract of land to the north is developed with a multifamily use (Radius at the Domain Apartments). To the south there is a hotel/motel use (Home 2 Suites by Hilton) and an indoor sports and recreation/restaurant use (Top Golf). To the east there is a rail line and an office complex (Charles Schwab) with outdoor recreation (tennis courts, baseball field and soccer field). The lots 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 rezoning to the NBG with a Transit Oriented Development-Gateway Zone subdistrict designation (NBG-TOD-Gateway) to redevelop the property as a mixed-use project that will contain multi-tenants to provide new amenities for workers in and around the campus (Please see Applicant Request Letter – Attachment A).

The applicant, Brandywine Austin, LLC, is proposing to relocate the existing Kramer Metro Rail Station from the southeast corner of Kramer Lane and Brockton to the Broadmoor campus. Capital Metro has stated their support for this relocation of the Kramer station platform. However, at this time Capital Metro cannot fund the project and has stated that the financial aspects of the relocation initiative will need to be paid for by Brandywine Realty Trust (Please see Kramer Station Relocation Initiative –Letter of Support – Attachment D). Federal grants, as well as private funding will be considered to relocate the transit station. If the station platform were to be moved, then the North Burnet/Gateway Regulating Plan would need to be amended to address the revised area for the NBG-TOD-Gateway subdistrict zone. Currently the TIA Memorandum does not contemplate the relocation of the Kramer station platform as a mitigating factor in the results of the traffic study for this property (Please see TIA Memorandum - Attachment E).

The applicant is seeking the NBG-TOD-Gateway Zone subdistrict as it will permit the highest level of intensity of development in the North Burnet/Gateway neighborhood planning area. Under the NBG-TOD-Gateway Zone subdistrict regulations, there is 80% impervious cover limit. With development bonus, the NBG-TOD-Gateway Zone will permit an 8:1 FAR and up to 360 feet in building height (Please see Figure 4-1 TOD: NBG Zoning District General Site Development Standards- Attachment C). The property to the north of the Broadmoor Campus, along Gracy Farms Lane, is zoned with the NBG-Neighborhood Residential (NR) subdistrict. The NBG-NR permits a maximum FAR of 2:1 and up to 60 feet in building height with the development bonus. There is an exception in the NBG-TOD-Gateway subdistrict regulations that limits the height adjacent to or across the street from the NR subdistrict to a maximum height of 120 feet. To the south and east, the properties are zoned with the NBG-CMU subdistrict which will permit a maximum FAR of 3:1 and up to 180 feet in building height with the development bonus. The lots to the west, across Burnet Road in The Domain development are permitted to have a maximum 8:1 FAR and up to 308 feet in building height.

The staff's recommendation is to grant the applicant's request for the North Burnet/Gateway-Transit Oriented Development-Gateway Zone-Neighborhood Plan (NBG-TOD-NP) Combining District, zoning for this property. The staff's recommendation of the NBG-TOD-Gateway Zone would permit the Broadmoor campus to be redeveloped with the highest density in the NBG area if and when the rail station platform is relocated to this Brandywine owned property. The purpose of the NBG-TOD subdistrict is to have the greatest focus on providing active pedestrian oriented uses at the ground level of buildings. The degree of development intensity permitted in the North Burnet/Gateway regulating plan is intended to be at the highest density in this TOD-Gateway Zone subdistrict and to step down away from the TOD station site to a lesser degree throughout the rest of the NBG area. The up zoning from NBG-CMU subdistrict to NBG-TOD-Gateway subdistrict will 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. 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 location of the site is appropriate for the proposed mixture and intensity of uses because the property in question fronts onto a major arterial roadway, North Burnet Road, and is located along a commuter rail line.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	NBG-CMU	Office (Broadmoor Campus: IBM)
<i>North</i>	NBG-NR	Financial Services (RBFCU), Multifamily (Radius at the Domain Apartments)
<i>South</i>	NBG-CMU, NBG-TOD	Hotel (Home 2 Suites by Hilton), Indoor Sports and Recreation (Top Golf)
<i>East</i>	NBG-CMU	Rail line, Office Complex (Charles Schwab) with Outdoor Recreation (Tennis Courts, Baseball Field, Soccer Field)
<i>West</i>	MI-PDA	Office (The Domain), Detention

**AREA STUDY:** North Burnet/Gateway NP

**TIA:** Required

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Neighborhoods Council  
 Bike Austin  
 Friends of Austin Neighborhoods  
 Gracywoods Neighborhood Association  
 Homeless Neighborhood Association  
 Neighborhoods of North Austin/NONA  
 North Burnet Gateway Neighborhood Association  
 North Burnet/Gateway Neighborhood Plan Staff Liaison

North Growth Corridor Alliance  
SELTEXAS  
Sierra Club, Austin Regional Group

**SCHOOLS:** Austin Independent School District

Pillow Elementary School  
Burnet Middle School  
Anderson High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0058 (Esperanza Crossing: 2800 Esperanza Crossing)	NBG-TOD-NP to NBG-CMU-NP	8/12/14: Approved staff's recommendation of NBG-CMU-CO-NP zoning, with conditions, on consent (8-0, B. Roark-absent); S. Oliver-1 <sup>st</sup> , N. Zaragoza-2 <sup>nd</sup> .	8/28/14 : Approved NBG-CO-NP zoning, with conditions, on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .
C14-2011-0050 (Burnet-Kramer Rezoning: 11205 & 11301 Burnet Road)	NBG-TOD to NBG-CMU	10/11/11: Approved the staff's recommendation of NBG-CMU-NP zoning for Tract 2, with the TIA conditions, by consent (9-0); M. Dealey-1 <sup>st</sup> , D. Chimenti-2 <sup>nd</sup> .	11/10/11: Approved NBG-CMU-NP zoning with conditions on consent on 1 <sup>st</sup> reading only (7-0); Spelman-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .  12/08/11: Approved NBG-CMU-NP zoning, with conditions, on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (6-0); C. Riley-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
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 <sup>rd</sup> 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 <sup>st</sup> , Spelman-2 <sup>nd</sup> , with the following additional conditions: 1) The applicant is to provide bicycle access for a portion of Bicycle Route Segment #905.04 to allow for continuity for bicycle traffic to and through the Domain development. 2) A public restrictive covenant that will limit one acre of land on the Endeavor- Domain site to zero percent impervious cover will be signed and recorded before the third reading of this zoning case.

			<p>10/14/10: Approved MI-PDA zoning on 2<sup>nd</sup>/3<sup>rd</sup> readings (7-0); Spelman-1<sup>st</sup>, Leffingwell-2<sup>nd</sup>, with the following amendments: 1) Part 3, C, 1 of the ordinance should read: "A pedestrian/bicycle entrance shall be provided between the existing pedestrian/bicycle trail under Mopac Expressway and the Simon Project internal drive as shown on the attached Exhibit B. A minimum 12-foot wide paved path shall be constructed with an associated curb cut connecting to the internal drive prior to issuance of a certificate of occupancy for a building on Lot 5A, Block A, the Domain Shopping Center Section 3 Subdivision."; 2) Add a new paragraph to Part 3, Section D to read: "The two trees on the property numbered 5068 and 5081 as shown on Exhibit D may not be removed, unless the City Arborist approved otherwise based on the health of the individual trees."; 3) The 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); 1<sup>st</sup> reading</p> <p>3/12/09: Approved NBG-NP or NBG-H-NP (6-0); 2<sup>nd</sup>/3<sup>rd</sup> readings</p>



C14-2007-0157 (North Burnet /Gateway Neighborhood Plan Rezoning)		9/25/07: Approved staff rec. with amendments (8-0)	10/18/07: Approved 1 <sup>st</sup> reading of Phase 1 of NP (6-0)  11/01/07: Approved Phase 1 of NP zonings (5-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-2007-0171 (The Domain: 10700-11000 Burnet Road, 11100-11900 Burnet Road, 2800 Block of Braker Lane, 3300 W. Braker Lane)	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
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 <sup>st</sup> reading  10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-06-0121 (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"> <li>• 2 star Green Building rating</li> <li>• natural landscaping of all water quality ponds (existing and future);</li> <li>• be in compliance with TIA conditions;</li> <li>• the applicant's requested parkland dedication proposal;</li> <li>• height base of 140-ft; plus an additional 12-stories based on electing to provide some of the public benefits as listed in the North Burnet/Gateway Neighborhood Plan.</li> <li>• Maximum height of 308 feet.</li> </ul> Vote: (9-0); J.Reddy-1 <sup>st</sup> , G. Stegeman-2 <sup>nd</sup> .	3/01/07: Approved MI-PDA zoning with the addition of low albedo roofing materials, one star construction for the total site and two star construction for 50% of the office and residential construction (7-0); McCracken-1 <sup>st</sup> , Dunkerley-2 <sup>nd</sup> .

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 Road)	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 (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 dais)	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 dais)	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: 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	6/8/00: Approved MI-PDA, with changes agreed to with neighborhood association (7-0); all 3 readings

		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.	
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 <sup>st</sup> reading  6/3/99: Approved GR-CO w/ conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

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

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Burnet Rd	116'	70'	Arterial	No	No	Yes
Esperanza Crossing	76'	65'	Local	No	No	Yes

**CITY COUNCIL DATE:** February 15, 2018

**ACTION:** This item was postponed to March 8, 2018 at the request of staff on Council Member Garza's motion, Council Member Renteria's second on a 10-0 vote. Council Member Alter was off the dais.

March 8, 2018

**ACTION:** This item was postponed to April 12, 2018 at the request of staff on Mayor Adler's motion, Council Member Garza's second on an 11-0 vote.

April 12, 2018

**ACTION:** Approved NBG-TOD- NP zoning, with conditions, on 1<sup>st</sup> reading only (6-0, G. Casar-off dais, D. Garza, E. Troxclair, K. Tovo and S. Adler-absent); L. Pool-1<sup>st</sup>, P. Renteria-2<sup>nd</sup>.

May 10, 2018

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

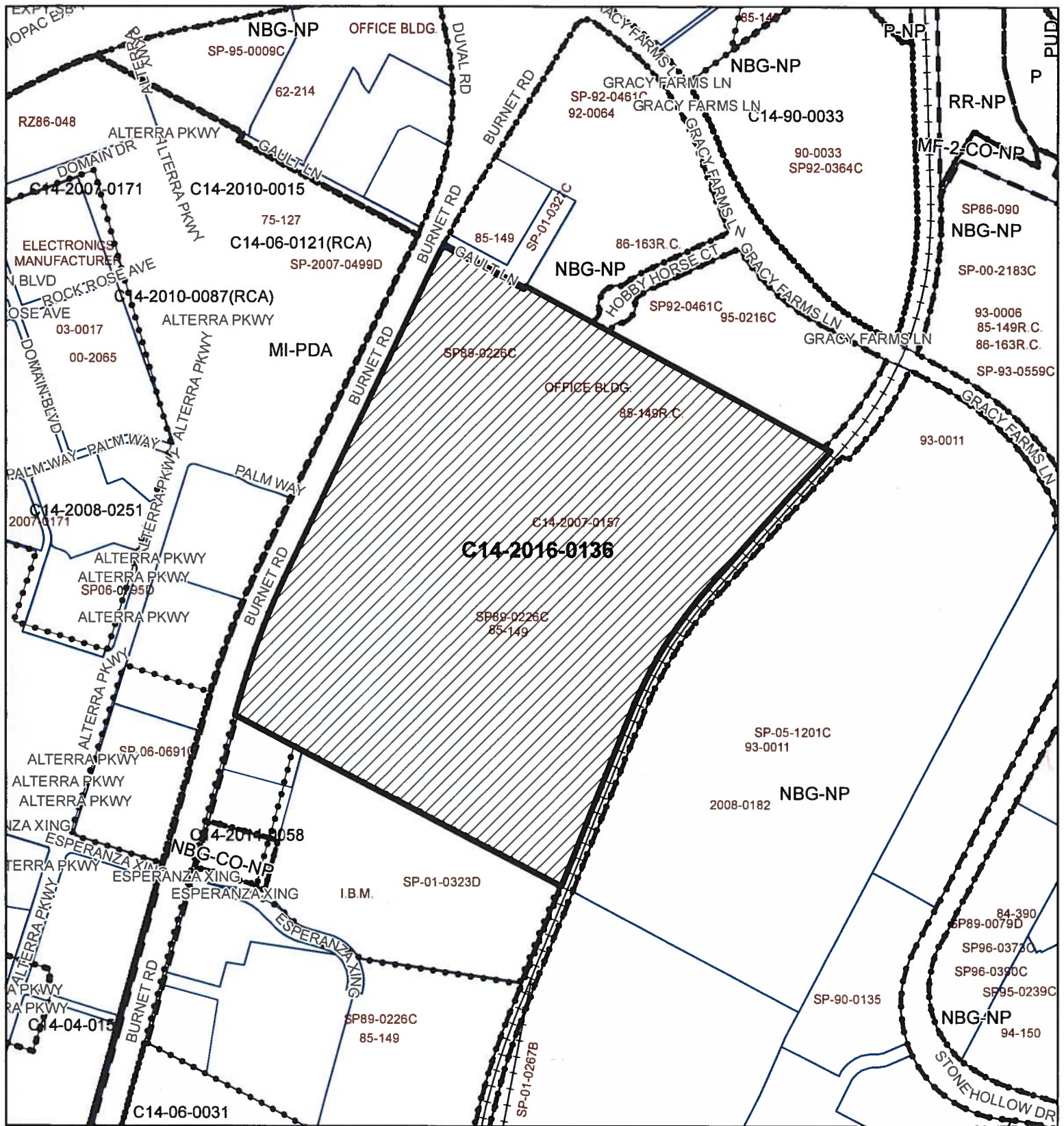
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

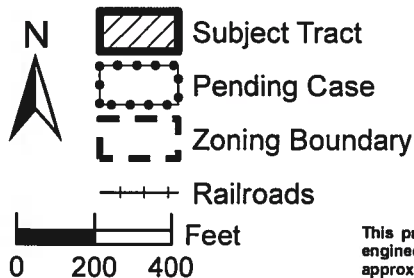
**PHONE:** 512-974-3057

[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



## ZONING

Case#: C14-2016-0136



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 Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/22/2017



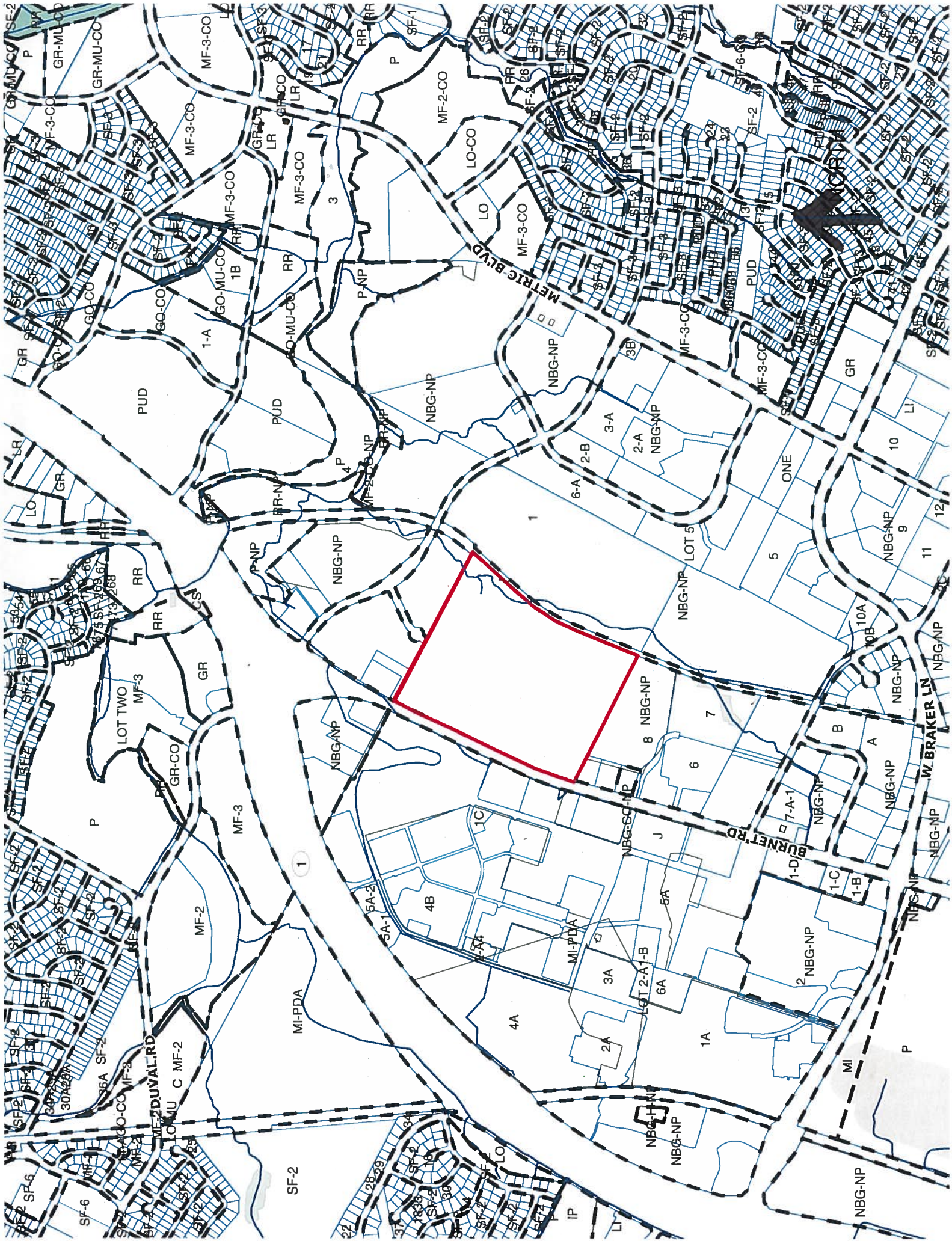


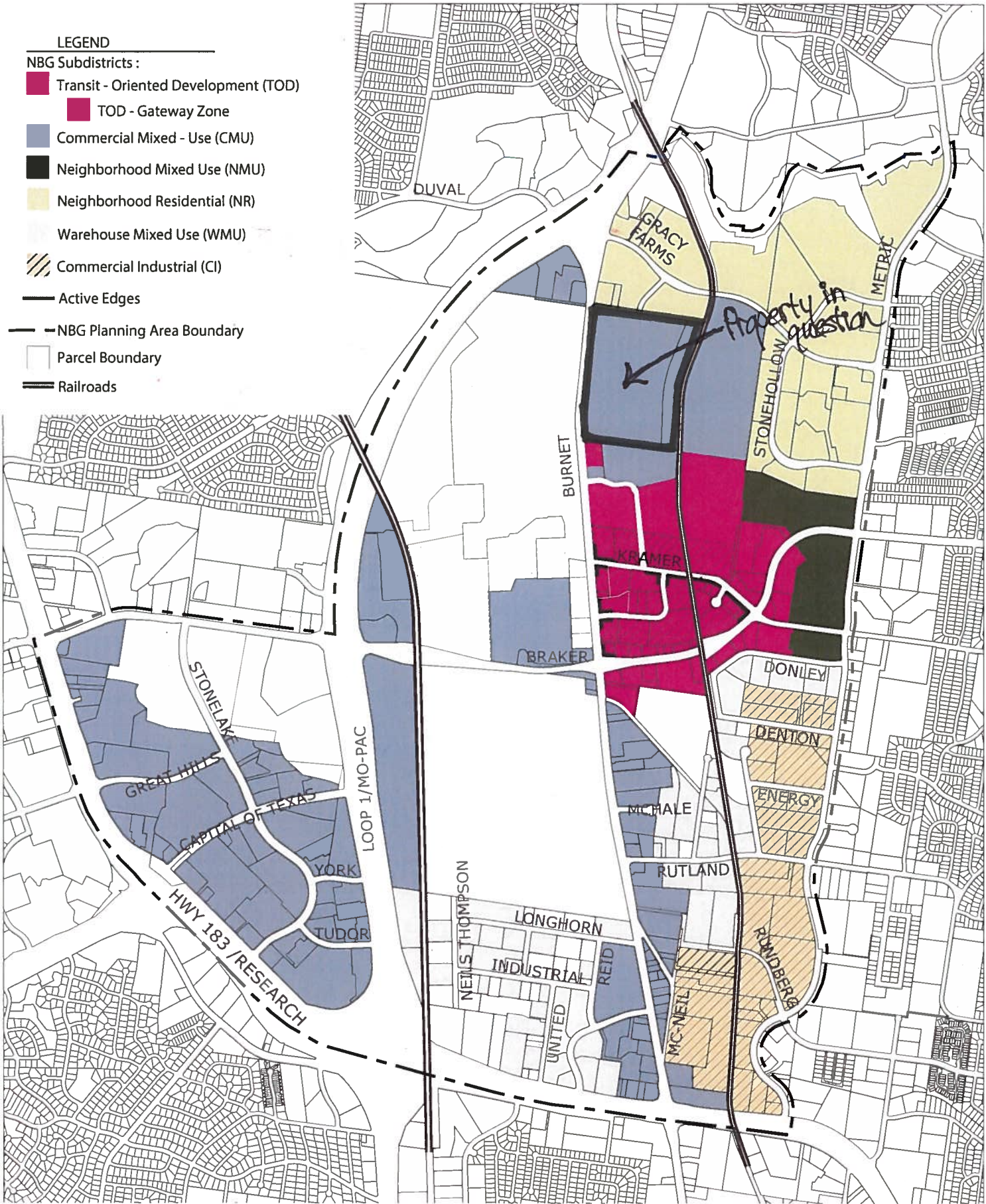






Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District  
Subdistrict Map

Revised 8-28-2014



## STAFF RECOMMENDATION

The staff's recommendation is to grant NBG-TOD-NP, North Burnet/Gateway-Transit Oriented Development-Gateway Zone-Neighborhood Plan Combining District, zoning.

The 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 (dated November 22, 2017) through a public restrictive covenant that will be recorded prior to third reading of this case at City Council. The TIA recommendations are included as Attachment A to this report.

Another item that will be included in the public restrictive covenant is the condition that Article 6: Development Bonus in the Regulating Plan for the North Burnet/Gateway Zoning District shall not be implemented for development on this property until construction of the relocated Kramer station platform has commenced on this site.

In addition, if the requested zoning is granted for this site, then 70 feet of right-of-way from the existing centerline should be dedicated for Burnet Road according to the Transportation Plan through a street deed prior to third reading of this zoning case at City Council.

## BASIS FOR RECOMMENDATION

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

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.

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

The NBG-TOD-Gateway Zone will permit the Broadmoor campus to be redeveloped with the highest density in the NBG area if and when the rail station platform is relocated to the Brandywine owned property. The purpose of the NBG-TOD subdistrict is to have the greatest focus on providing active pedestrian oriented uses at the ground level of buildings. The degree of development intensity permitted in the North Burnet/Gateway regulating plan is intended to be at the highest density in this TOD-Gateway Zone subdistrict and to step down away from the TOD station site to a lesser degree throughout the rest of the NBG plan area. The up zoning from NBG-CMU subdistrict to NBG-TOD-Gateway subdistrict will 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. 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 location of the site is appropriate for the proposed mixture and intensity of uses



because the property in question fronts onto a major arterial roadway, North Burnet Road, and is located along a commuter rail line.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is located at the southeast corner of Burnet Road and Gault Lane and currently developed with an office complex (Broadmoor) containing seven-buildings with 1.1 million square feet of office space. The tract of land to the north is developed with a multifamily use (Radius at the Domain Apartments). To the south there is a hotel/motel use (Home 2 Suites by Hilton) and an indoor sports and recreation/restaurant use (Top Golf). To the east there is a rail line and an office complex (Charles Schwab) with outdoor recreation (tennis courts, baseball field and soccer field). The lots 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**

Thursday, December 29, 2016

The site is not located over the Edwards Aquifer Recharge 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. The site is in the Desired Development Zone.

According to floodplain maps there is a floodplain within the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

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 512-974-1876. 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 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.

### **Impervious Cover**

Under current watershed regulations, development or redevelopment on this site 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%

### **Site Plan**

Monday, March 20, 2017

No site plan comments.

### **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**

If the requested zoning is recommended for this site, right-of-way should be dedicated for the new collector roadways in accordance with the Regulating Plan for the North Burnet/Gateway Zoning District (Figure 1-3).

The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for Burnet Road. If the requested zoning is granted for this site, then 70 feet of right-of-way from the existing centerline should be dedicated for Burnet Road according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

FYI, additional right-of-way maybe required at the time of subdivision and/or site plan.

FYI, if the requested zoning is granted, it is recommended that joint access be provided for the northern lots along Gault Lane, and for the southern lots along the private roadways.

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

FYI, Chad Crager, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

FYI, according to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Burnet Road.

FYI, if the requested zoning is granted, it is recommended, as a condition of zoning, that gates be prohibited on all driveways to this site in order to allow for connectivity between the proposed property and the existing neighborhood.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalk	Bike Route	Capital Metro (within ¼ mile)
Burnet Road	105'	60'	Major Arterial Divided 4-Lane	No	Yes	Yes

**Water and Wastewater**

Wednesday January 04, 2017

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, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.

December 22, 2016

Mr. Greg Guernsey  
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Via Hand Delivery

Re: Broadmoor Tract at 11501 Burnet Road - Rezoning application for the 65.91 acre piece of property located at the southeast corner of the intersection of Burnet Road and Gault Lane in Austin, Travis County, Texas, (the "Property").

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property, we respectfully submit the enclosed rezoning application package. The Property consists of 1 lot that totals 65.91 acres, is located at the southeast corner of the intersection of Burnet Road and Gault Lane, and is currently occupied by 1,112,236 square feet of office use. The zoning entitlements for the Broadmoor tract are codified in the North Burnet/Gateway Regulating Plan (NBGRP), which was adopted on March 12, 2009 and became effective on March 23, 2009. The site is currently zoned under the North Burnet Gateway Regulating Plan as Subdistrict Commercial Mixed-Use (NBG CMU) – see Exhibit A.

The Property abuts NBG-NR (Neighborhood Residential) zoning to the north across Gault Lane, which is currently occupied by multifamily apartments and a small amount of commercial use at the intersection of Gault Lane and Burnet Road. Across Burnet Road to the west is the Domain Mixed Use project. The tracts to the south are zoned Transit-Oriented Development (TOD) and Commercial Mixed-Use (CMU). The Capital Metro Red Line commuter rail lies along the eastern edge of the Property, with Commercial Mixed-Use (CMU) zoning directly to the east.

The requested rezoning is from NBG-CMU to NBG-TOD-Gateway Zone to accommodate a new transit station for the Red Line being planned for the Property. Staff has agreed that the best way to process the proposed change in entitlements on the Broadmoor tract is to process changes to the maps within the NBGRP. These proposed changes are as follows:

1. Figure 1-2: Change the Property Subdistrict designation from Commercial Mixed-Use (CMU) to TOD – Gateway Zone. See Exhibit B for the proposed modification.
2. Figure 4-3: Change the Maximum FAR on the Property from 5:1 to 8:1 to match with the changes to Figure 1-2. See Exhibit C for the proposed modification.

3. Figure 4-5: Change the Maximum Height on the Property from 120 feet to 360 feet to match with the changes to Figure 1-2. See Exhibit D for the proposed modification.

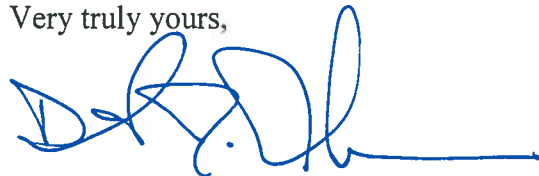
The purpose of this rezoning is to allow the height necessary near the transit station to support effective office, residential, and retail uses for the transit station. Inherent to this approach is the intent to honor the \*Exception under the Building Height section of Figure 4-1 for the TOD Subdistrict. The Applicant does not intend to exceed 120 feet in areas adjacent to or across from the Neighborhood Residential (NR) Subdistrict.

In conjunction with the rezoning request, a Traffic Impact Analysis ("TIA") is included for review.

The proposed use will serve the transit station and local community needs with the broad range of mixed uses envisioned for the site. The proposed zoning is compatible with the zoning in the area.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



David J. Anderson  
Director of Land Use  
Drenner Group

cc: Jerry Rusthoven, Planning and Zoning Department (*via electronic delivery*)  
Andy Linseisen, Development Services Department (*via electronic delivery*)  
Sherri Sirwaitis, Planning and Zoning Department (*via electronic delivery*)  
Leon Shadowen, Brandywine Realty Trust (*via electronic delivery*)  
Kathy Smith, HDR Inc. (*via electronic delivery*)  
File



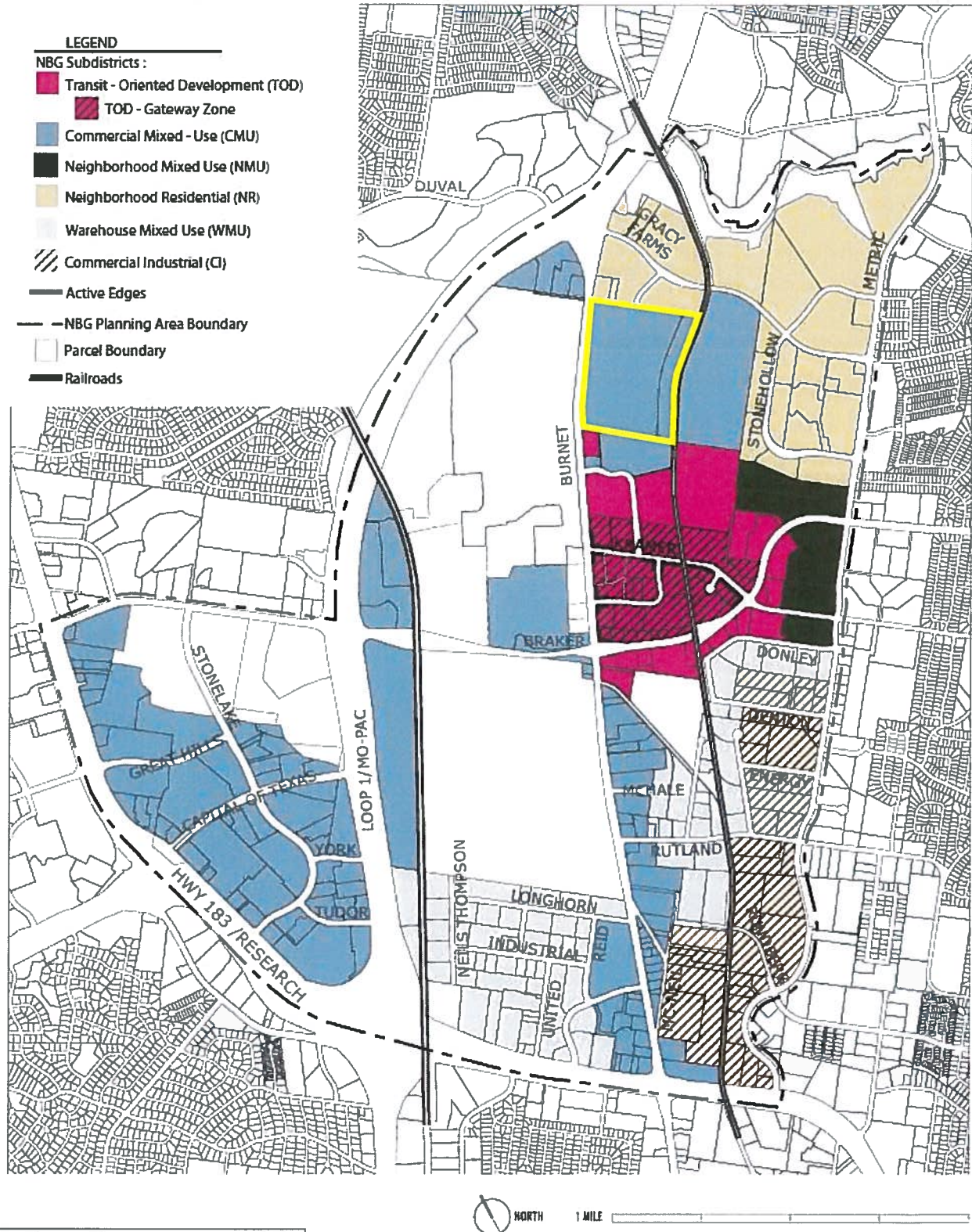




**Exhibit A. Broadmoor Tract**

Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District  
Subdistrict Map

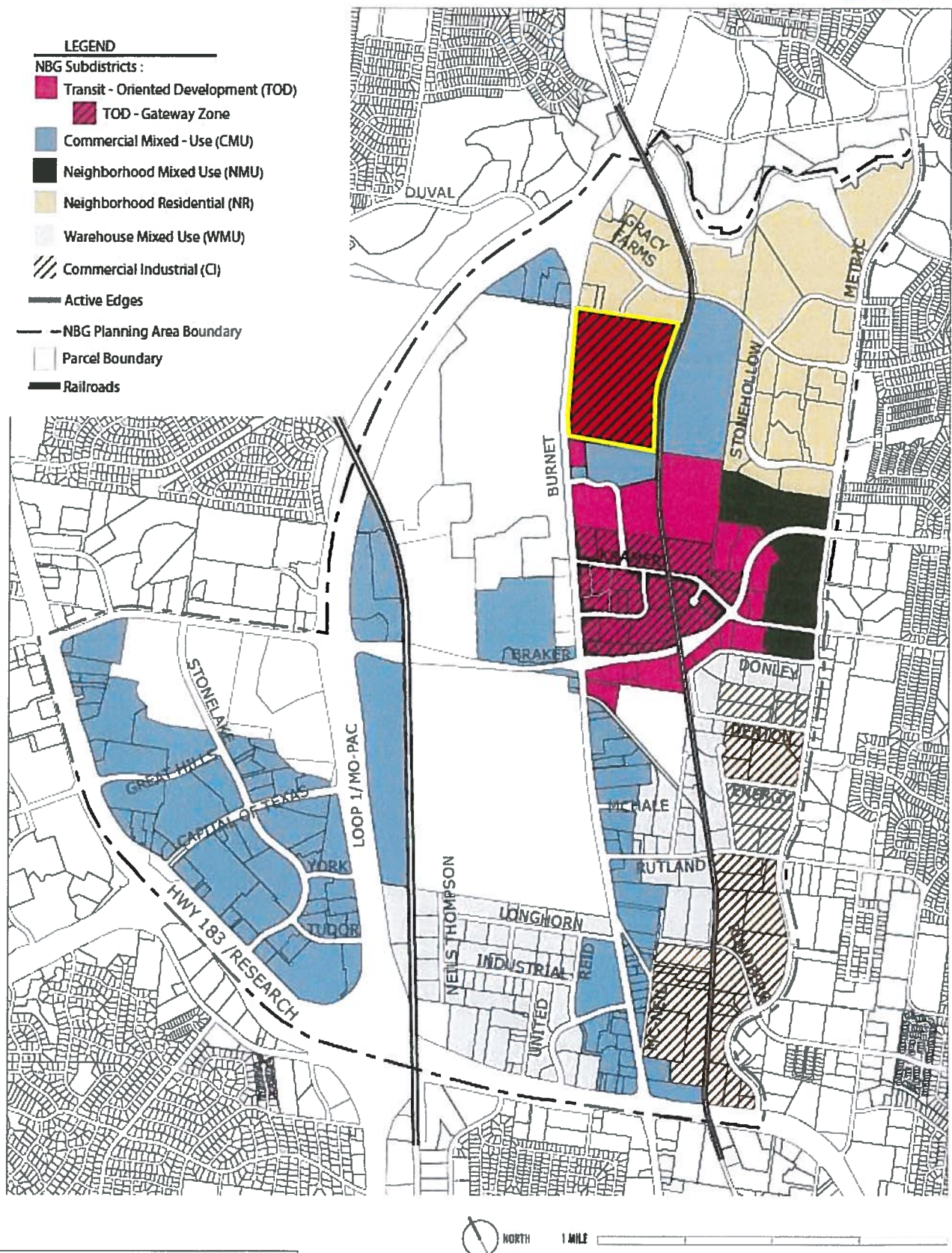
Revised 8-28-2014





**Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District Subdistrict Map**

Revised 8-28-2014

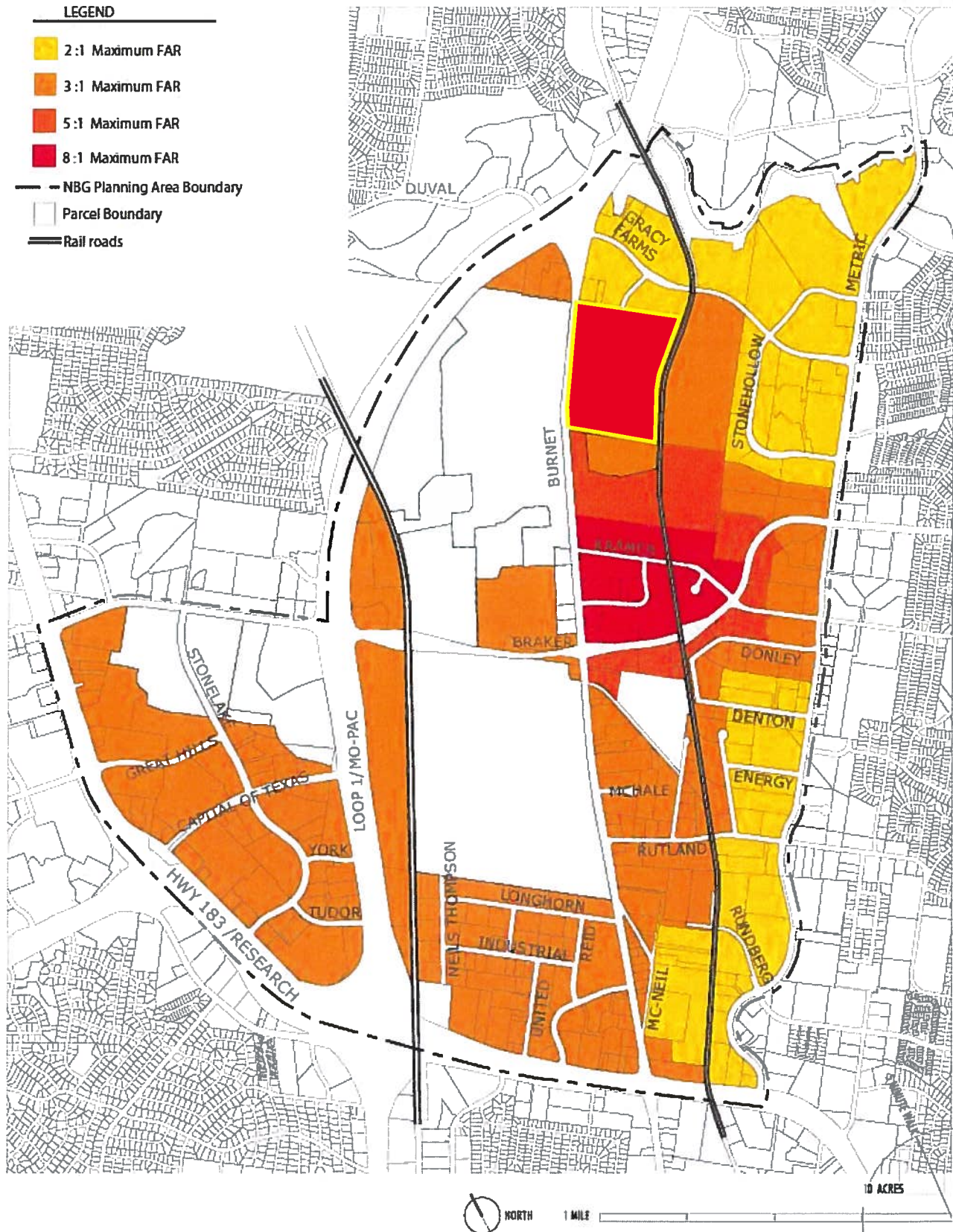


**Exhibit C. Proposed Modification to Figure 4-3**



Figure 4-3 : Maximum Floor - to - Area- Ratio (FAR) with Development Bonus

Revised 12-19-2011



**Exhibit D. Proposed Modification to Figure 4-5**



**Figure 4-5: Maximum Height with Development Bonus**

Revised 12-19-2011

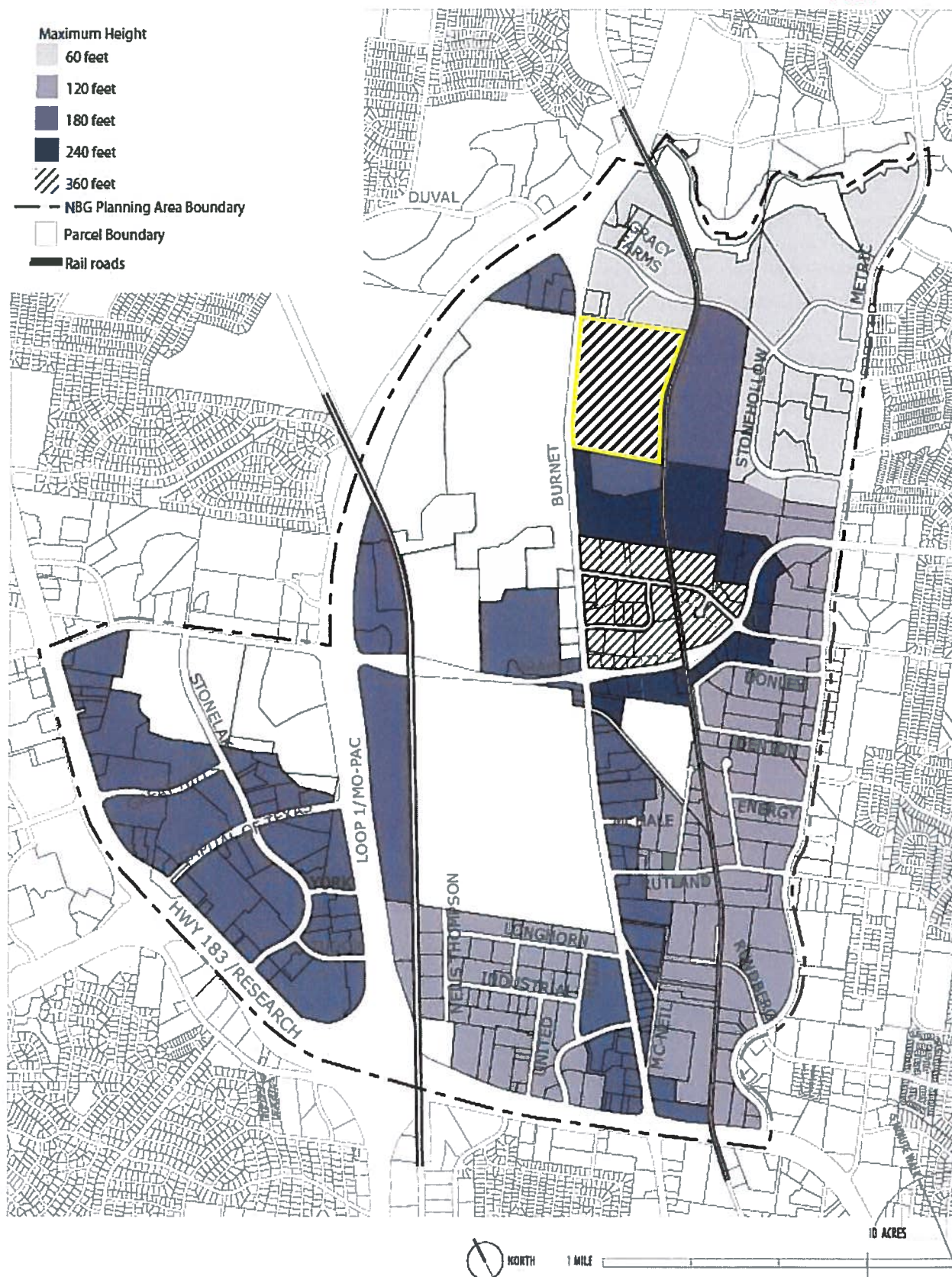


FIGURE 4 - 1 CMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS  
**COMMERCIAL MIXED USE (CMU) SUBDISTRICT**

#### LOT SIZE

Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

#### MINIMUM SETBACKS

##### Front Yard and Street Side Yard\*:

No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.

##### Front and Street Side Upper-Story Building Facade Stepbacks:

The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.

Interior Side Yard: 0 Feet

Rear Yard: 0 Feet

\* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.

#### MAXIMUM IMPERVIOUS COVER

##### If located in an urban watershed (Shoal or Little Walnut Creek) :

Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)

##### If located in a suburban watershed (Walnut Creek)\*: 80%

\* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.

#### FLOOR TO AREA RATIO

##### Maximum Floor-to-Area Ratio (FAR) by Right:

Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)

##### Maximum Floor-to-Area Ratio (FAR) with Development Bonus: 3:1

This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.

#### BUILDING HEIGHT

##### Minimum Building Height:

Not applicable

##### Maximum Building Height by Right:

Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)

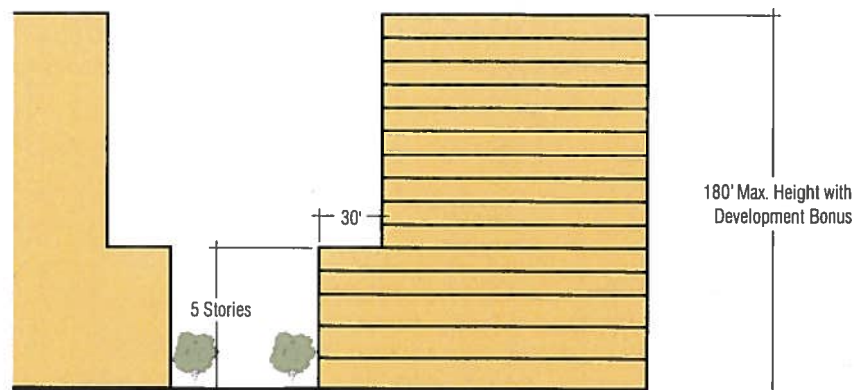
##### Maximum Building Height with Development Bonus\*: 180 Feet\*

This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.

\***Exception:** If adjacent to or across the street from NR Subdistrict the maximum height is 120 feet.



Typical examples of buildings in the Commercial Mixed Use Subdistrict.





# FIGURE 4 - 1 TOD : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS TRANSIT ORIENTED DEVELOPMENT (TOD) SUBDISTRICT

LOT SIZE	
Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
<b>Front Yard and Street Side Yard*:</b>	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
<b>Front and Street Side Upper-Story Building Facade Stepbacks:</b>	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
<b>Interior Side Yard:</b>	0 Feet
<b>Rear Yard:</b>	0 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard and street side yard setbacks for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

MAXIMUM IMPERVIOUS COVER	
<b>If located in an urban watershed (Shoal or Little Walnut Creek) :</b>	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
<b>If located in a suburban watershed (Walnut Creek)*:</b> 80%	
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

FLOOR TO AREA RATIO	
<b>Maximum Floor-to-Area Ratio (FAR) by Right:</b>	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
<b>Maximum Floor-to-Area Ratio (FAR) with Development Bonus:</b>	
TOD Gateway Zone	8:1
TOD Midway Zone	5:1
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	



BUILDING HEIGHT	
<b>Minimum Building Height:</b>	
2 Stories	
<b>Maximum Building Height by Right:</b>	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
<b>Maximum Building Height with Development Bonus*</b>	
TOD Gateway	360 Feet
TOD Midway	240 Feet
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	
*Exception: If adjacent to or across the street from NR subdistrict maximum height is 120 feet.	

Typical example of buildings in the Transit Oriented Development Subdistrict.

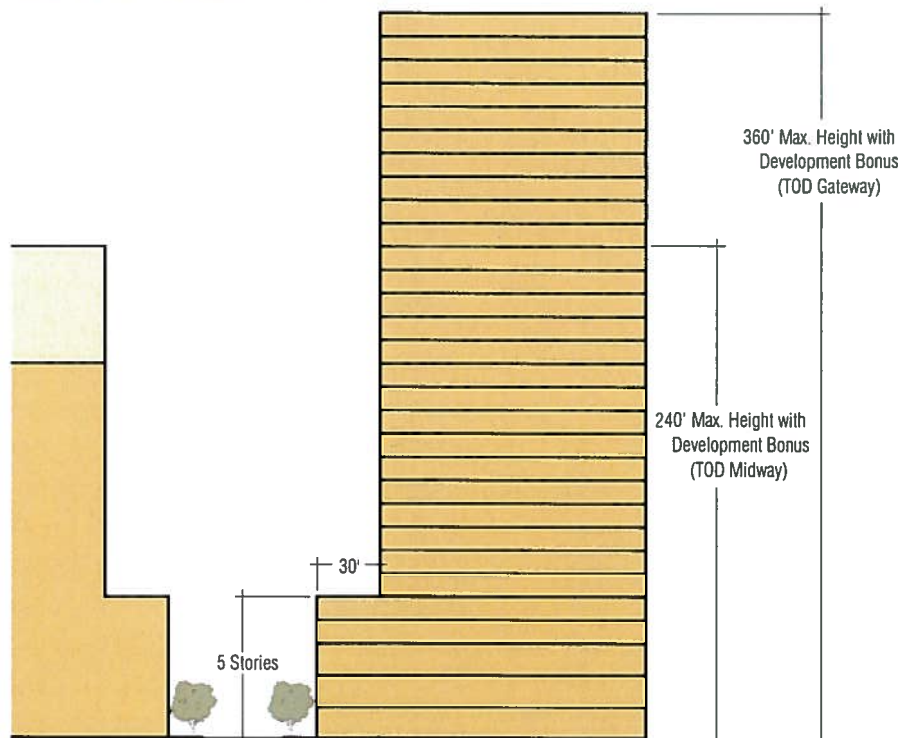


Figure 4-2 : Maximum Floor - to - Area - Ratio (FAR) by Right (with no Development Bonus)

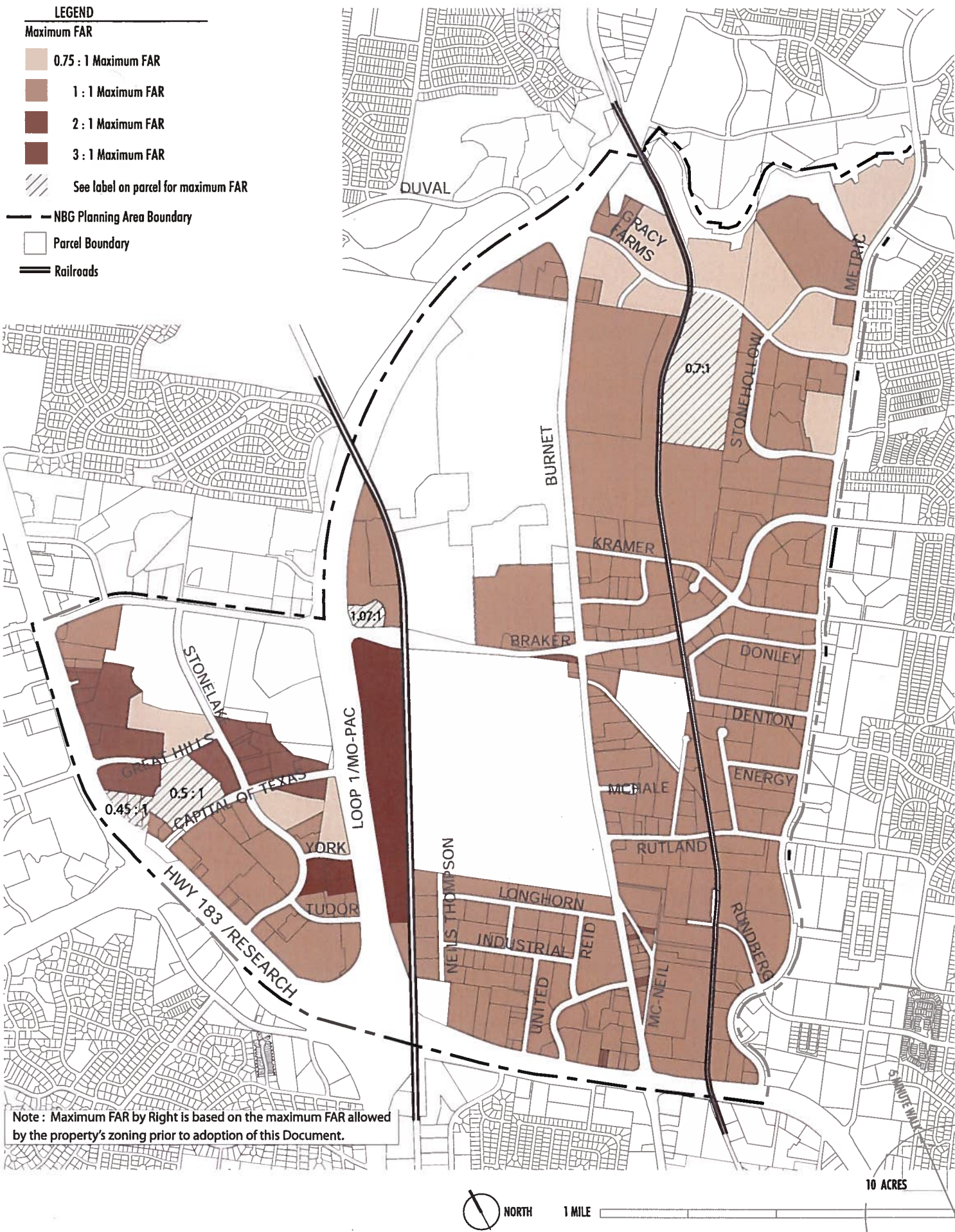
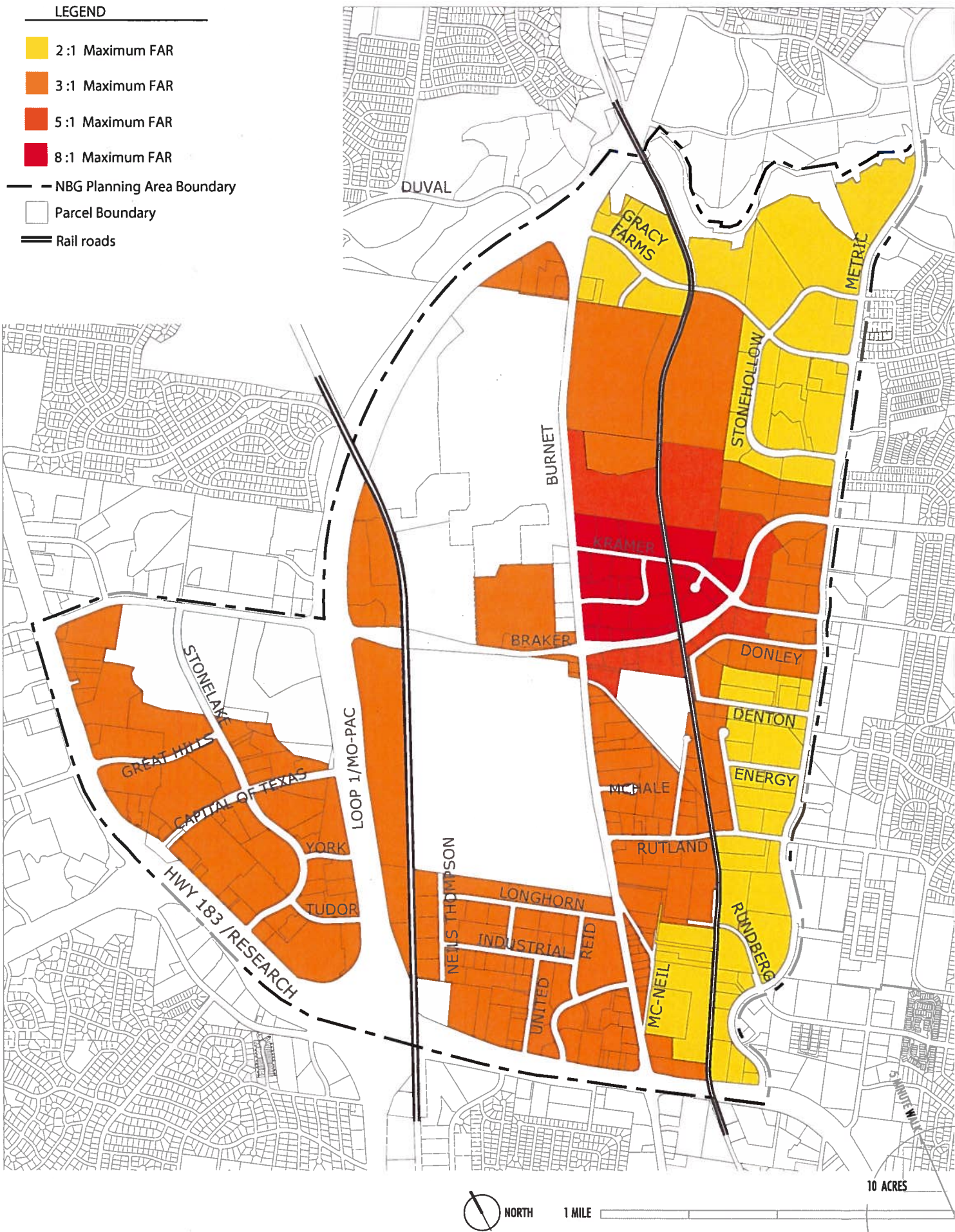




Figure 4-3 : Maximum Floor - to - Area- Ratio (FAR) with Development Bonus

Revised 12-19-2011





**Figure 4 - 4 : Maximum Height by Right (with no Development Bonus)**

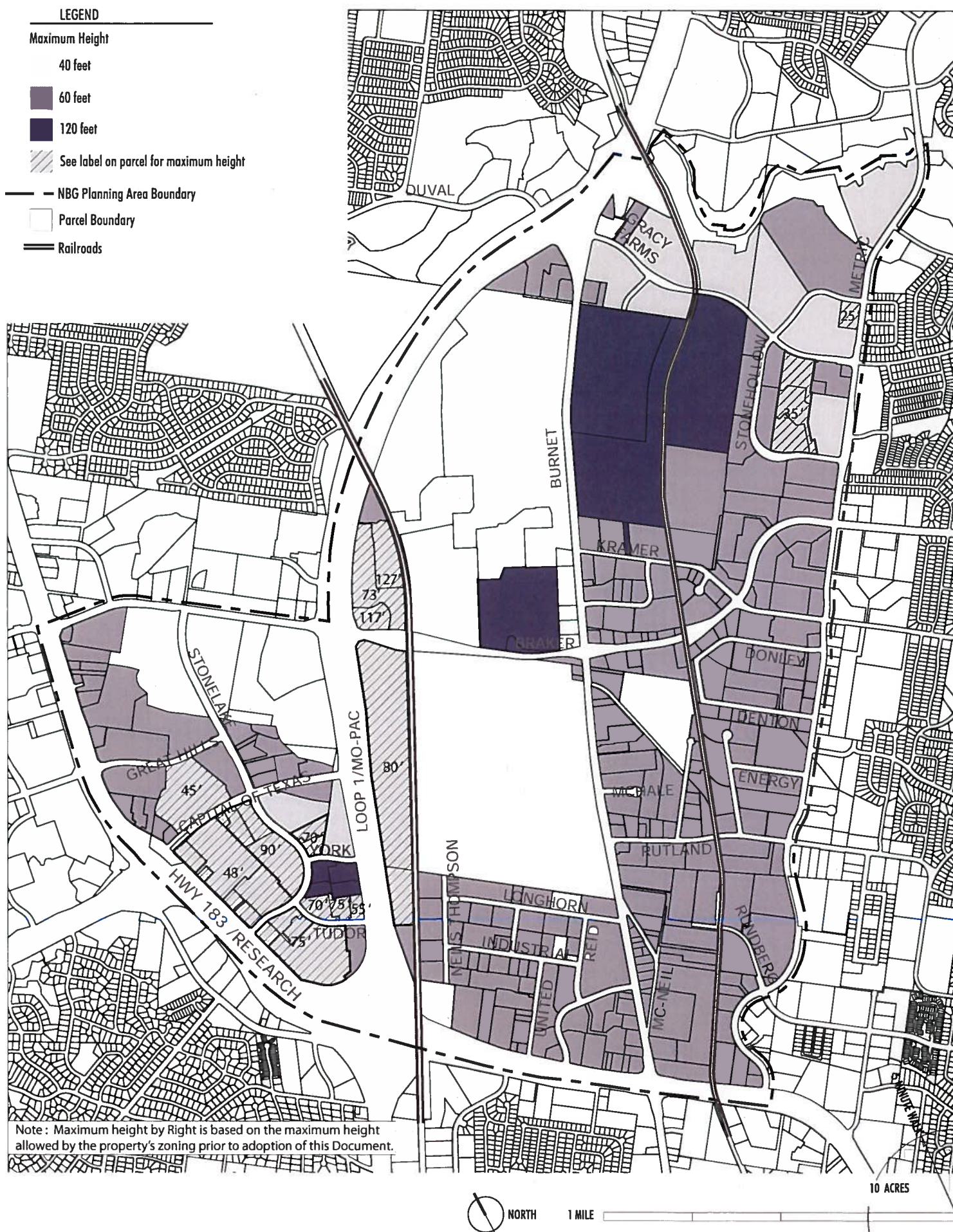
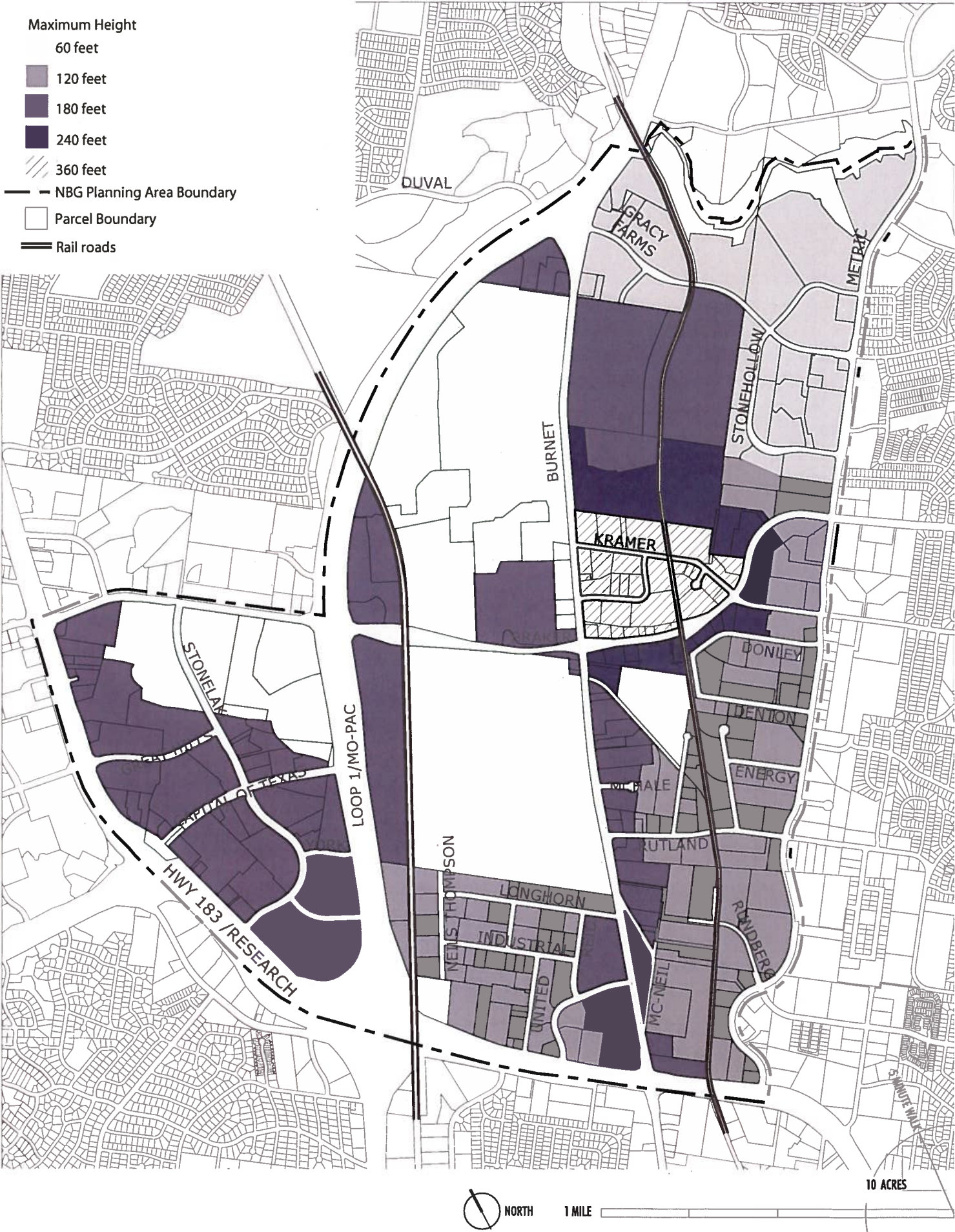




Figure 4-5: Maximum Height with Development Bonus

Revised 12-19-2011





Capital Metropolitan Transportation Authority  
2910 East Fifth Street | Austin, Texas 78702  
TEL 512.389.7400 | FAX 512.369.6596 | capmetro.org

February 15, 2017

Lauraine Rizer  
Officer of Real Estate Services  
City of Austin  
PO Box 1088  
Austin, TX 78701

Brandywine Realty Trust  
555 East Lancaster Ave.  
Suite 100  
Radnor, PA 19087

Re: Kramer Station Relocation Initiative - Letter of Support

Capital Metro maintains a commuter train station located at 2427½ Kramer Lane, Austin, TX, known as the Kramer Station ("Station"). The purpose of this letter is to express Capital Metro's position regarding Brandywine Realty Trust's request to relocate the existing Kramer Station to a position north of its current location, specifically in the vicinity of the IBM office complex/campus now owned by Brandywine Realty Trust.

The proposed improvements include the relocation of the existing Kramer station platform at the south east corner of Kramer Lane and Brockton Drive to approximately 2,000 feet north, to a location in the vicinity of the IBM office complex. The proposed Kramer station improvements include the extension of the existing double track at Esperanza Crossing to north of the proposed platform. Site work at the station will also include a kiss and ride area, bus pull outs/bus stops, realignment of Esperanza Crossing and the IBM access road intersection, improved pedestrian access, adjustment of the existing railroad signal and crossing gate at the IBM private drive and the replacement of an existing bridge north of the proposed platform as specified on the Project 10% Project Definition Report.

Capital Metro developed a "10% Project Definition" report outlining all specific requirements for the relocation of this facility.

The total Project Definition cost for the relocation of the station has been estimated at \$15.5 million.

Capital Metro is in support of this initiative for several reasons:

- This location will create the opportunity for a complete multimodal experience
- Capital Metro MetroBus service will be integrated with MetroRail for a complete trip service approach
- The opportunity to support and create a Transit Oriented Development project
- The opportunity to increase ridership on MetroBus, MetroRapid and MetroRail
- The opportunity to connect important bicycle trails as part of the area bicycle master plan
- The availability of 400 (Four Hundred) parking spaces to transit users
- The opportunity for development of a pedestrian friendly community.

**While Capital Metro is in support of this initiative, Capital Metro is not in a position to fund this initiative. Financial resources for this project will have to be identified and paid by Brandywine Realty Trust.**

Subject to full funding of the initiative to relocate the station by Brandywine, Capital Metro will perform all work necessary to relocate the Station.

Please do not hesitate to contact me if you have any further questions regarding Capital Metro's support for this initiative.

Sincerely,



Linda Watson  
President/CEO  
Capital Metropolitan Transportation Authority

cc: Todd Hemingson  
Kerri Butcher  
Elaine Timbes  
Javier Arguello





Capital Metropolitan Transportation Authority  
Approved FY2018 - FY2022 Capital Improvement Plan



**Project Name** MetroRail Red Line Kramer Station Relocation

**Project Type** Strategic Planning

**Project Description**

This project category is for the relocation of the MetroRail Red Line Kramer station.

FY2018 - FY2022 Capital Improvement Plan						
	FY2018	FY2019	FY2020	FY2021	FY2022	Total
<b>Spending Categories</b>						
Other	600,000	2,600,000	5,000,000	4,269,000	-	12,469,000
<b>Total</b>	600,000	2,600,000	5,000,000	4,269,000	-	12,469,000
<b>Funding Sources</b>						
Local	-	-	-	-	-	-
Grants	600,000	2,600,000	5,000,000	4,269,000	-	12,469,000
<b>Total</b>	600,000	2,600,000	5,000,000	4,269,000	-	12,469,000

**Estimated Operating Cost Impact**

No new operating costs are expected to be incurred as a result of this project.

**Project Benefits**

The proposed relocation of the existing Kramer Station is a private sector request to integrate the station with a new proposed development, which includes apartments, condos/townhomes, office and retail space with a direct access to the Domain activity center. The new station will provide improved pedestrian access, bus interface, parking and urban integration of transit infrastructure. Capital Metro will be reimbursed by the developer for all expenditures.

**Strategic Goal and Objective**

This project supports strategic goal and objective: 1. Deliver the best possible customer experience 1.2 Improve system reliability and convenience.



## MEMORANDUM

**TO:** Sherri Sirwaitis, Case Manager  
Planning and Zoning Department

**CC:** Eric Bollich, P.E., PTOE  
Traffic Engineering Division  
Austin Transportation Department

**FROM:** *See* Scott A. James, P.E., PTOE  
Land Use Review – Transportation  
Development Services Department

**DATE:** ~~March 7, 2018~~ REVISED April 4, 2018

**SUBJECT:** Traffic Impact Analysis for Broadmoor/IBM redevelopment  
Zoning application C14 – 2016 – 0136

---

Section 25 – 6 – 114 of the Land Development Code requires that a traffic impact analysis be conducted for a project proposed with a zoning application if the project is anticipated to generate more than 2,000 daily trips. The project site consists of 65.91 acres and is located east of Burnet Road, south of Gault Lane and to the north of Esperanza Crossing. The applicant is proposing to rezone 65.91 acres from NBG-CMU to NBG-TOD-Gateway (ordinance) to allow for for the following land uses:

Land use	Proposed Intensity
General office	2,123,137 SF
Shopping center/general retail	98,462 SF
Restaurant (high-turnover sit down)	40,000 SF
Multi family apartments	2,092 DU
Residential condominiums	150 DU
Hotel	300 rooms

The projected completion year is 2036.



Staff from the Austin Transportation and the Development Services Departments have reviewed the November 22 , 2017 *"Traffic Impact Study, Broadmoor Development in Austin, Texas"* with the following comments:

#### **Nearby Roadways**

**Mo-Pac Expressway (Loop 1)** is a six lane freeway with frontage roads in the vicinity of the project site. According to Texas Department of Transportation (TxDOT) average daily traffic counts, the 2015 traffic volume on the Mo-Pac Expressway was approximately 115,400 vehicles per day (vpd) north of Duval Road. The 2014 Austin Bicycle Plan recommends a shared use path/trail along Mo-Pac frontage roads in the vicinity of the site.

**Burnet Road (FM 1325)** is as a four lane divided major arterial paralleling the Mo-Pac Expressway in the vicinity of the site. According to TxDOT average daily traffic counts, the 2015 traffic volume on Burnet Road was approximately 26,100 vpd south of Gault Lane. The 2014 Austin Bicycle Plan recommends protected bike lanes on Burnet Road in the vicinity of the site. The North Lamar/Burnet Corridor Program (2013) identified transportation improvements along Burnet Road which are included in the 2016 Mobility Bond.

**Metric Boulevard** is a four lane divided major arterial between Parmer Lane and Braker Lane. According to TxDOT average daily traffic counts, the 2015 traffic volume on Metric Boulevard was approximately 23,900 vpd north of Braker Lane. Metric Boulevard currently provides buffered bike lanes between Stonehollow Drive and Braker Lane. The 2014 Austin Bicycle Plan recommends protected bike lanes on Metric Boulevard in the vicinity of the site.

**Gracy Farms Lane** is a four lane collector between Burnet Road and Metric Boulevard. According to TxDOT average daily traffic counts, the 2015 traffic volume on Gracy Farms Lane was approximately 9,600 vpd east of Hobby Horse Court. Gracy Farms Lane currently provides buffered bike lanes between Burnet Road and Metric Boulevard.

**Gault Lane** is a two lane local street between Alterra Parkway and Hobby Horse Court. Daily traffic volumes were not provided for Gault Lane, however, extrapolating from the observed peak period traffic counts, approximately 4,500 vpd are estimated east of Burnet Road.

**Palm Way** is a two lane local street between Alterra Parkway and Burnet Road, becoming a private internal roadway for the subject property east of Burnet Road. Daily traffic volumes were not provided for Palm Way, however, extrapolating from the observed peak period traffic counts, approximately 3,700 vpd are estimated west of Burnet Road.

**Esperanza Crossing** is a four lane divided local street between Mo-Pac northbound frontage road and Burnet Road, and a two lane local street east of Burnet Road. Daily traffic volumes were not provided for Esperanza Crossing, however, extrapolating from the observed peak period traffic counts, approximately 2,100 vpd are estimated on this roadway, east of Burnet Road.

**Kramer Lane** is a two lane local street between Alterra Parkway and Metric Boulevard. According to TxDOT average daily traffic counts, the 2015 traffic volume on Kramer Lane was approximately 6,900 vpd east of Burnet Road. Kramer Lane provides bike lanes between Burnet Road and Metric Boulevard. The 2014 Austin Bicycle Plan recommends protected bike lanes on Kramer Lane in the vicinity of the site.

**Braker Lane** is a six lane divided major arterial between Burnet Road and Metric Boulevard. According to TxDOT average daily traffic counts, the 2015 traffic volume on Braker Lane was approximately 28,500 vpd east of Burnet Road. Braker Lane currently provides bike lanes between Mo-Pac Expressway and Kramer Lane. The 2014 Austin Bicycle Plan recommends protected bike lanes on Braker Lane in the vicinity of the site.

**Hobby Horse Court** is a two lane local street between Gracy Farms Lane and Gault Lane. Daily traffic volumes were not provided for Hobby Horse Court, however, extrapolating from the observed peak period traffic counts, approximately 4,500 vpd are estimated south of Gracy Farms Lane.

**Stonehollow Drive** is a two lane local street that offers a loop connection to Metric Boulevard. The roadway intersects Metric Boulevard to the north and to the south of Gracy Farms Lane. Daily traffic volumes were not provided for Stonehollow Drive, however, extrapolating from the observed peak period traffic counts, approximately 3,400 vpd are estimated south of Gracy Farms Lane.

### **Trip Generation Estimates**

Based on the ITE Trip Generation Manual, 9<sup>th</sup> Edition, the proposed development will generate approximately 38,449 new daily trips per day (vpd) with 3663 trips occurring during the AM peak hour, and 4827 occurring during the PM peak hour. The following background projects were listed in the scoping document:

- ~~Home 2 Suites (SP – 2012 – 0281C)~~, already constructed
- Marriott Residence Inn (SP – 2014 – 0336C),
- Charles Schwab Campus (SP – 2015 – 0437C),
- The Domain – HPI Office (SP – 2015 – 01911C) and
- The Domain – IBM-Multi-family (SP – 2015 – 0191C)

On the following page, Table 1 provides the estimated number of daily weekday trips for this development proposal.

Table 1 – Estimate of weekday trip generation						
		Weekday AM Peak		Weekday PM Peak		Daily Totals
Land Use (ITE Code)	Intensity	Enter	Exit	Enter	Exit	
Apartment (220)	2,092 DU	206	823	759	409	12,801
Residential Condominium/ Townhomes (210)	150 DU	12	59	56	28	915
Hotel (310)	300 Rooms	117	84	103	107	2676
General Office (710)	2,123,137 SF*	2,718	213	404	1,974	10,248
Shopping Center (820)	98,462 SF	96	59	285	308	6,723
High-Turnover Sit Down Restaurant (932)	40,000 SF	238	195	236	158	5,086
		<b>3,387</b>	<b>1,591</b>	<b>2,068</b>	<b>4,083</b>	<b>38,449</b>

As stated within the TIA scoping document, reductions were permitted for the proposed site generated traffic to reflect the local transportation travel and transportation access patterns. Accordingly, a 15% reduction for the PM peak hour trips was permitted for restaurant and shopping center land uses. An additional 30% reduction was permitted for the combined use of public transportation, bicycles and pedestrian trips to the site plus an internal capture of a portion of the residential, office and retail trips within the site. These reductions to the estimates of peak hour trips reflect the applicant's proposal to construct a new LRT station, offering increased public transit service to the site. Table 2 below presents the adjusted estimates of site generated trips for the proposed land uses.

Table 2 – Adjusted estimate of weekday trip generation						
		Weekday AM Peak		Weekday PM Peak		Daily Totals
Land Use (ITE Code)	Intensity	Enter	Exit	Enter	Exit	
Apartment (220)	2,092 DU	144	576	531	286	8,961
Residential Condominium/ Townhomes (210)	150 DU	9	42	40	20	641
Hotel (310)	300 Rooms	117	84	103	107	2,676
General Office (710)	2,123,137 SF*	1,093	150	283	1,382	7,174
Shopping Center (820)	98,462 SF	68	42	157	170	4,707
High-Turnover Sit Down Restaurant (932)	40,000 SF	167	137	201	135	4,324
		<b>1,599</b>	<b>1,032</b>	<b>1,316</b>	<b>2,101</b>	<b>28,483</b>

\* Reflects the net additional office space: the existing 1,112,236 SF of general office is excluded.

### Trip Distribution

Table 3 presents how the site traffic was assigned to the surrounding network of public streets to determine the impact of the proposed development upon existing transportation infrastructure.

Table 3 – Directional distribution of site traffic	
Roadway	% site traffic
Northbound Mopac Expressway	15%
Southbound Mopac Expressway	10%
Southbound Burnet Road	10%
Northbound Metric Boulevard	10%
Southbound Metric Boulevard	10%
Westbound Duval Road	10%
Eastbound Gracy Farms Lane	5%
Eastbound Kramer Lane	5%
Eastbound Braker Lane	10%
Westbound Braker Lane	15%
Total	100

### Traffic Analysis Methodology

Table 4 below presents the Highway Capacity Manual (HCM) definitions of 'levels of service' for both *signalized and unsignalized* intersections. Within the City of Austin, LOS "D" is considered the acceptable threshold for signalized operations and for intersections where the LOS is projected at "E" or lower, mitigation should be proposed.

Table 4 –Level of Service as defined by HCM		
Level of Service	Signalized Intersection Average Total Delay (Sec/Veh)	Unsignalized Intersection Average Total Delay (Sec/Veh)
A	≤10	≤10
B	>10 and ≤20	>10 and ≤15
C	>20 and ≤35	>15 and ≤25
D	>35 and ≤55	>25 and ≤35
E	>55 and ≤80	>35 and ≤50
F	>80	>50



The following table present a summary of the analysis performed within the TIA. Table 5 below shows the estimated delays (in seconds per vehicle) for the AM and PM peak hours of travel for three scenarios: existing conditions, forecast conditions (without the project, called "No Build") and forecast conditions with the project as proposed (called "Built"). The City of Austin assumes the morning peak hour will occur between 7 and 9 AM, and the evening peak hour between 4 and 6 PM during the regular work week (Monday – Friday).

<b>Table 5 – Calculation of Levels of Service for Existing, No Build and Built Scenarios</b>						
<b>Intersection</b>	<b>2015 Existing</b>		<b>2036 No Build (Forecast only)</b>		<b>2036 Built (Site + Forecast)</b>	
	<b>AM LOS (Delay)</b>	<b>PM LOS (Delay)</b>	<b>AM LOS (Delay)</b>	<b>PM LOS (Delay)</b>	<b>AM LOS (Delay)</b>	<b>PM LOS (Delay)</b>
Mopac SB Frontage Rd and Duval Road	F (114.1)	E (66.4)	F (278.6)	F (141.5)	F (322.9)	F (183.3)
Mopac NB Frontage Rd and Duval Road	E (55.0)	E (63.4)	F (104.5)	F (137.4)	F (158.8)	F (170.4)
Burnet Road/Mopac NB Frontage Road and Gracy Farms Lane	B (11.6)	C (20.1)	E (65.4)	E (65.3)	E (69.9)	F (92.5)
Burnet Road and Gault Lane	E (60.9)	D (52.7)	F (131.5)	F (235.2)	F (294.3)	F (587.6)
Burnet Road and Palm Way	B (11.4)	D (36.5)	B (10.2)	E (77.1)	D (44.3)	F (300.1)
Burnet Road and Esperanza Crossing	B (18.7)	D (54.5)	F (250.1)	F (503.2)	F (283.5)	F (525.6)
Burnet Road and Kramer Lane	B (11.3)	C (28.7)	D (48.9)	F (96.6)	F (85.5)	F (237.8)
Burnet Road and Braker Lane	E (62.0)	E (62.3)	F (153.3)	F (168.1)	F (217.7)	F (252.3)
Stonehollow Drive and Gracy Farms Lane	B (16.7)	C (21.2)	F (110.1)	C (34.3)	F (172.2)	E (74.9)
Kramer Lane and Braker Lane	C (21.8)	C (31.6)	C (30.2)	E (60.6)	D (46.1)	F (136.1)
Metric Boulevard and Gracy Farms Lane	C (22.1)	C (25.0)	E (69.5)	D (46.4)	E (83.8)	F (84.1)
Metric Boulevard and Braker Lane	E (62.9)	E (67.4)	F (174.1)	F (117.7)	F (193.4)	F (123.9)
Burnet Road and IBM Private Roadway	A (0.1)	A (1.5)	A (0.1)	A (6.6)	A (0.3)	A (8.7)

<b>Table 5 – Calculation of Levels of Service for Existing, No Build and Built Scenarios</b>						
<b>Intersection</b>	<b>2015 Existing</b>		<b>2036 No Build (Forecast only)</b>		<b>2036 Built (Site + Forecast)</b>	
	<b>AM LOS (Delay)</b>	<b>PM LOS (Delay)</b>	<b>AM LOS (Delay)</b>	<b>PM LOS (Delay)</b>	<b>AM LOS (Delay)</b>	<b>PM LOS (Delay)</b>
Hobby Horse Court and Gracy Farms Lane	A (9.2)	F (75.9)	F (149.8)	F (2010.5)	Err	Err
Hobby Horse Court/Roadway D and Gault Lane	B (14.1)	B (10.4)	D (31.3)	B (11.0)	F (278.1)	F (280.2)
Schwab Driveway and Gracy Farms Lane	A (1.3)	A (8.6)	F (21154)	F (7364.0)	Err	Err
Burnet Road and Roadway A	-	-	-	-	A (0.2)	B (10.2)
Burnet Road and Roadway B	-	-	-	-	A (0.4)	C (24.5)
Driveway C and Gault Lane	-	-	-	-	D (26.2)	A (6.3)
Driveway E and Gault Lane	-	-	-	-	A (1.3)	A (0.6)
Roadway A and Roadway D	-	-	-	-	A (2.1)	A (3.1)
Roadway D and Palm Way	-	-	-	-	B (12.2)	B (12.7)
Roadway D and Roadway B	-	-	-	-	A (9.9)	B (11.4)
Roadway D and IBM Roadway	-	-	-	-	A (8.5)	B (14.4)
Parkway Road and Palm Way	-	-	-	-	A (6.7)	A (4.1)
Parkway Road and Roadway B	-	-	-	-	A (7.6)	B (12.8)
Parkway Road and IBM Roadway	-	-	-	-	B (12.3)	E (41.7)

**"Err"** Calculated value exceeds limits of Synchro model

### **Summary of Existing Conditions**

As shown in the table above, certain intersections already exhibit LOS at "E" or below. These analyses reflect the baseline conditions to which site traffic (and proposed mitigations) will be added. Other

intersections were found to operate at LOS "E" or "F" after development occurs. Austin Transportation Department interprets intersections presented with LOS "E" or below as in need of mitigation.

#### **Discussion of results of TIA analysis:**

As illustrated in Table 5, future capacity concerns are identified along the Mo-Pac Expressway frontage and within the North Burnet Road corridor. Some of these concerns were identified at intersections within the study area in the Existing (2015) and Future (2036) analyses. Although major improvements are necessary at intersections along Mo-Pac Expressway, improvements were not proposed as part of this project, as they are expected to be addressed separately as part of regional improvement plans.

#### **Recommended Transportation Improvements**

The TIA identified improvements to the adjacent and internal transportation infrastructure to mitigate the calculated impact to traffic resulting from this development. Table 6 summarizes the recommended improvements. Current practice applies the percentage of site traffic using the improved facility to identify the estimated level of cost participation ("pro-rata" share).

<b>Table 6 – Summary of Recommended Improvements</b>	
<b>Intersections</b>	<b>Recommended Improvements</b>
Mopac SB Frontage Road and Duval Road	Construct SB right-turn lane
	Construct additional SB left-turn lane
Mopac NB Frontage Road and Duval Road	Construct NB through lane
Burnet Road/Mopac NB Frontage Road and Gracy Farms Lane	Construct NB right-turn lane
Burnet Road and Gault Lane	Construct WB right-turn lane
	Construct SB right-turn lane
	Construct WB left-turn lane
	Construct EB left-turn lane
	Extend SB left-turn lane storage
	Extend NB right-turn lane storage
	Signal modification and timing optimization
Burnet Road and Palm Way	Stripe EB for dual left-turn lanes
	Construct NB right-turn lane
	Construct WB dual left-turn lanes
	Signal modification and timing optimization
Burnet Road and Kramer Lane	Construct EB right-turn lane
	Construct WB right-turn lane
	Construct NB dual left-turn lanes*



Table 6 – Summary of Recommended Improvements	
Intersections	Recommended Improvements
	Construct SB dual left-turn lanes*
	Remove channelization of NB right-turn lane*
	Signal modification and timing optimization*
Burnet Road and Braker Lane	Construct EB dual left-turn lanes*
	Construct WB dual left-turn lanes*
	Construct NB dual left-turn lanes*
	Construct SB dual left-turn lanes*
	Construct EB right-turn lane*
	Signal modification and timing optimization*
	Construct WB right-turn lane
Stonehollow Drive and Gracy Farms Lane	Construct SB right-turn lane
	Signal timing optimization
Kramer Lane and Braker Lane	Construct EB right-turn lane
	Construct WB right-turn lane
	Signal timing optimization
Metric Boulevard and Gracy Farms Lane	Construct NB dual left-turn lanes
	Signal modification and timing optimization
Metric Boulevard and Braker Lane	Construct EB right-turn lane
	Construct WB right-turn lane
	Construct NB right-turn lane
	Construct SB right-turn lane
	Signal modification and timing optimization
Burnet Road and IBM Private Roadway	Install traffic signal
	Construct NB right-turn lane
	Remove median & construct WB left-turn lane
Hobby Horse Court and Gracy Farms Lane	Install traffic signal
	Construct/extend WB dual left-turn lanes
	Stripe Hobby Horse Ct to 4-lanes
Hobby Horse Court/Roadway D and Gault Lane	Install traffic signal
	Construct EB left-turn lane
	Construct WB right-turn lane
Burnet Road and Roadway A	Construct NB right-turn lane
Burnet Road and Roadway B	Construct NB right-turn lane
Parkway Rd and IBM Roadway	Construct NB channelized right turn lane

\*some improvements were identified in prior TIA's and incorporated into the future built scenario

In addition to the offsite improvements, the development proposes to construct internal roadways to serve the additional site traffic and help minimize the additional burden on the existing public roadway network. Staff from the Austin Transportation Department reviewed and endorsed the conceptual

dimensions and cross sections for these new roads. The list below summarizes key elements of the internal roads to be built within the development:

1. *Gault Lane between Burnet Road and Driveway E*: four travel lanes with dividing center median and additional turn lanes at intersections where needed.
2. *Palm Way between Burnet Road and Roadway D*: four travel lanes with dividing center median and additional turn lanes at intersections where needed.
3. *Palm Way between Roadway D and Parkway Road*: two travel lanes and center two-way left-turn lane (CTWLTL) or additional turn lanes at intersections where needed.
4. *IBM Roadway between Burnet Road and Parkway Road*: two travel lanes and center two-way left-turn lane (CTWLTL) or additional turn lanes at intersections where needed
5. *Roadway A and Roadway B*: two travel lanes and additional turn lanes at intersections when needed.
6. *Roadway D between Gault Lane and first driveway south of Gault Lane*: four travel lanes with dividing center median and additional turn lanes at intersections where needed.
7. *Roadway D between first driveway south of Gault Lane and Roadway B*: two travel lanes and center two-way left-turn lane (CTWLTL) or additional turn lanes at intersections where needed
8. *Roadway D between Roadway B and IBM Roadway* two travel lanes and additional turn lanes at intersections when needed.
9. *Parkway Road, between Driveway E and Palm Way* two travel lanes and additional turn lanes at intersections when needed.
10. *Parkway Road, between Palm Way and IBM Roadway* two travel lanes and additional turn lanes at intersections when needed.

#### **City of Austin Staff Recommendations**

Review staff discussed the need to implement physical improvements concurrently with the development of the site and thus prioritized the infrastructure elements accordingly. Staff recognized and acknowledged the need to distinguish site related traffic congestion from larger (or preexisting) regional traffic concerns. Therefore, after review and acceptance of the TIA findings, the following goals were identified:

- 1) Wherever feasible, staff prefers to have the developer construct physical improvements instead of posting fiscal towards the estimated costs of construction.
- 2) In locations where more than one improvement is identified, staff would accept a fully constructed single improvement in place of several partial funded elements.

### **Conclusions and Recommendations**

While not all of the identified improvements necessary will be constructed as part of this site development, review staff is in agreement that the applicant's contributions, both constructed and in fiscal support, will satisfactorily mitigate the impact determined in the TIA document if certain critical improvements are made as a part of the site development. Therefore, staff recommends approval of this zoning application subject to the following conditions:

Prior to the 3<sup>rd</sup> Reading of City Council, the applicant shall agree to the following conditions:

- 1) Dedication of right of way along North Burnet Road up to ~~60~~ 70 feet as measured from centerline, to permit implementation of identified roadway improvements.
- 2) Dedication of Palm Way as a public road, from its intersection with North Burnet Road to Roadway D, of a total width of 135 feet from Burnet Road to Roadway D, and narrowing to a width of 105 feet from Roadway D to Parkway Road.
- 3) Dedication of Gault Lane as a public road, 46 feet in width from its intersection with Burnet Road to Hobby Horse Court/Roadway D.
- 4) Dedication of Roadway D as a public road, approximately 80 feet in width, from its intersection with Gault Lane to Palm Way.
- 5) In addition, the following physical improvements are to be constructed as part of site plan development within the project:

Table 7 – List of improvements to be built by developer				
Location	Improvement	Cost Estimate	Developer Share %	Developer Cost
Burnet Road and IBM Roadway	Install traffic signals	\$300,000	100.0%	\$300,000
	Add WB LT lane*	\$150,000	100.0%	\$150,000
Burnet Road and Roadway B	Add NB RT lane*	\$150,000	100.0%	\$150,000
Burnet Road and Palm Way	Add 2nd WB LT lane*	\$150,000	100.0%	\$150,000
	Upgrade signals infrastructure and revise signal timings*	\$150,000	100.0%	\$150,000
Burnet Road and Roadway A	Add NB RT lane*	\$150,000	100.0%	\$150,000
Total value of constructed improvements				\$1,050,000



- 6) Prior to the issuance of the first site development permit, the applicant shall post fiscal in the amount of \$1,970,051 for the improvements identified in the TIA and presented below:

Table 8 – List of improvements for fiscal participation				
Location	Improvement	Total Cost	Developer Share %	Developer Cost
Burnet Road and Braker Lane	Add 2nd EB LT lane	\$204,000	76.0%	\$155,040
	Upgrade signals and revise signal timings			
Burnet Road and Kramer Lane	Modify turn lanes	\$204,000	51.0%	\$104,085
	Upgrade signals and revise signal timings			
Burnet Road and IBM Roadway	Add NB RT lane	\$150,000	89.4%	\$134,100
Burnet Road and Palm Way	Add NB RT lane	\$150,000	95.8%	\$143,700
Burnet Road and Gault Lane	Add WB RT lane	\$49,911	12.8%	\$6,389
	Add WB LT lane	\$250,000	68.5%	\$171,250
	Extend SB LT lane	\$150,000	58.1%	\$87,150
	Extend NB RT lane	\$75,000	73.9%	\$55,425
	Upgrade signals and revise signal timings	\$150,000	68.5%	\$102,750
Hobby Horse Court/ Roadway D and Gault Lane	Install WB turn lane	\$150,000	58.4%	\$87,600
	Install EB turn lane	\$150,000	96.5%	\$144,750
	Install traffic signal	\$300,000	90%	\$270,000
Mopac SB Frontage Road and Duval Road	Add 2 <sup>nd</sup> SB LT lane	\$150,000	20.9%	\$31,350
Mopac NB Frontage Road and Duval Road	Add 2 <sup>nd</sup> northbound lane	\$89,306	11.4%	\$10,181
Stonehollow Drive and Gracy Farms Lane	Add SB turn lane	\$150,000	25%	\$37,500
	Revise signal timings	\$5,000	100.0%	\$5,000
Braker Lane and Kramer Lane	Add WB RT lane	\$150,000	33.1%	\$49,650
	Revise signal timings	\$5,000	100.0%	\$5,000
Metric Boulevard and Gracy Farms Lane	Upgrade signal equipment	\$5,000	33.6%	\$1,680
	Revise signal timings	\$5,000	100%	\$5,000
Metric Boulevard and Braker Lane	Upgrade signals infrastructure and revise signal timings	\$150,000	8.6%	\$12,900

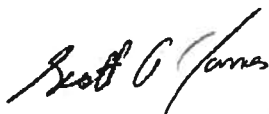
**Table 8 – List of improvements for fiscal participation**

Location	Improvement	Total Cost	Developer Share %	Developer Cost
Hobby Horse and Gracy Farms Lane	Stripe Hobby Horse Court to four lanes	\$10,000	76.2%	\$7,620
	Add 2nd WB LT lane	\$150,000	38.0%	\$57,000
	Extend WB LT lane	\$75,000	38.0%	\$28,500
	Install traffic signal	\$300,000	67.9%	\$203,700
Pedestrian improvements from North Burnet Gateway Plan	Sidewalk improvements (Braker Lane to Mopac Expressway)	\$279,000	18.9%	\$52,731
<b>Total participation</b>		<b>\$3,506,217</b>		<b>\$1,970,051</b>

- 7) Staff review considers the total value of the dedicated public rights-of-way, in combination with the proposed on-site transit station, public and private roadways, and contribution to the costs to construct off-site improvements, to meet in full the determined roughly proportionate mitigation as outlined by City of Austin policy. No additional participation, either built or financial is recommended by staff.
- 8) Development of this property should not vary from the approved uses, nor exceed the approved intensities and estimated traffic generation assumptions within the TIA document (dated November 22, 2017), including land uses, trip generation, trip distribution, traffic controls and other identified conditions.
- 9) The findings and recommendations of this TIA memorandum remain valid until ~~March 7~~, April 4, 2023, after which a revised TIA or addendum may be required.

Please contact me at (512) 974 – 2208, if you have any questions or need additional information.

Thank you.



Scott A. James, P.E., PTOE  
Land Use Review – Transportation  
Development Services Department

## ARTICLE 6: DEVELOPMENT BONUS

### 6.1. INTENT

- 6.1.1. Enable developers in the NBG Zoning District to build projects with density higher than previously allowed by zoning in exchange for the provision of community benefits.
- 6.1.2. Encourage the provision of affordable housing and mixed income communities;
- 6.1.3. Accommodate additional density while allowing new development to support “public benefits” that are important to achieve as the North Burnet/Gateway area transforms in to a high-density urban neighborhood. These public benefits include vehicular, bicycle and pedestrian connectivity, stormwater management, parks and open space, civic facilities, green building/ sustainability, and transit.
- 6.1.4. Provide interim development bonus standards for the NBG Zoning District until the City of Austin develops a development bonus framework for the city and sets specific ratios for the NBG area of public benefit provision requirements (or fee-in-lieu payments) to bonus FAR/additional height granted.

### 6.2. INTERIM DEVELOPMENT BONUS STANDARDS

#### 6.2.1. Development Bonus

##### A. Applicability

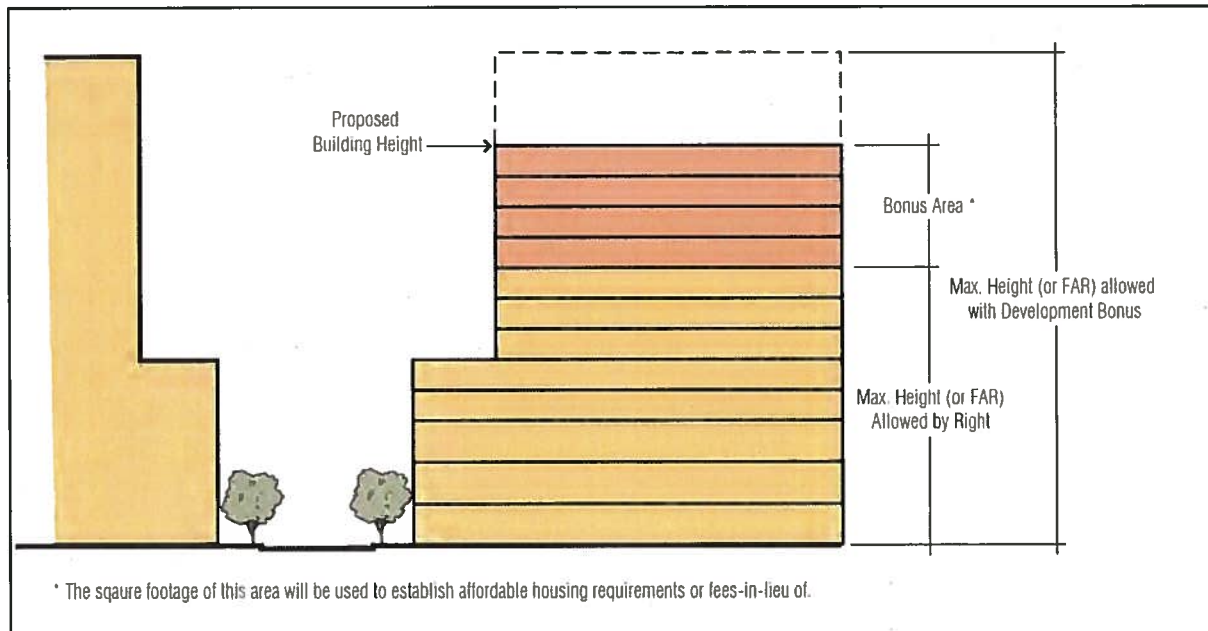
Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 6.2.1 Development Bonus	●	●	●	●	●	●	●	●	●	●	All properties or portions of properties in the NBG Zoning District are eligible for a development bonus.

##### B. Interim Development Bonus Standards

1. A development bonus shall be granted to a development that meets the NBG Design Standards as required in Subsection C and either the affordable housing or collector street standards in Subsections D or E below (Note: not all properties are eligible for a development bonus for providing collector streets. See Subsection E for more information).
2. The development bonus allows development on a site to exceed its “maximum floor-area-ratio (FAR) by right” limitation and “maximum height by right” limitation up to the “maximum FAR with development bonus” limitation and “maximum height with development bonus” limitation established in Section 4.2 (Development Standards) for each subdistrict.
3. For purposes of applying standards in this section, the bonus area is:
  - a. The gross floor area that exceeds the site’s “maximum FAR by right” limitation; or
  - b. The gross floor area that exceeds the “maximum height by right” limitation; or



- c. In cases where both the “maximum FAR by right” limitation and “maximum height by right” limitation are exceeded, the bonus area is the greater of the gross floor area calculations of either subsections a. or b. above.



**Figure 6-1** Illustration of Development Bonus Area

### C. NBG Design Standards

Unless exempted by Section 1.2.3.B, at a minimum, all development shall comply with the development standards listed below to be eligible for a development bonus. (For redevelopment or major rehabilitation, the Director shall determine the portion of the site to which the standard applies, based on the extent of change proposed).

1. Sidewalk standards in Section 3.3;
2. Landscape buffering for surface parking between the clear zone (or supplemental zones if provided) or the existing sidewalk and the parking area, according to the off-street parking design standards in Section 4.4.B.;
3. Bicycle parking requirements according to Section 4.4.5; and
4. Screening of equipment and utilities according to Section 4.7 of this Document.

### D. Provision of Affordable Housing

To be eligible for the development bonus described in Subsection B above through the provision of affordable housing, habitable space equal to a minimum of ten percent of the bonus area granted shall be reserved as affordable in residential or residential mixed-use developments. The ten percent requirement may be met by providing affordable owner-occupied units, rental units, or a combination of both. The following requirements assign the specific level of affordability for each unit type, which shall run with the land:

**1. Affordability Requirements for Owner-Occupied Units**

Habitable space equal to a minimum of ten percent of the bonus area of the development shall be reserved as affordable through a City approved affordable housing land trust or other shared equity model approved by the Director of NHCD, for not less than 99 years from the date a certificate of occupancy is issued, for ownership and occupancy by households earning no more than 80 percent of the Annual Median Family Income for the City of Austin Metropolitan Statistical Area as determined by the Director of the Neighborhood Housing and Community Development Department (NHCD).

**2. Affordability Requirements for Rental Units**

Habitable space equal to a minimum of ten percent of the bonus area of the development shall be reserved as affordable, for a minimum of 40 years following the issuance of the certificate of occupancy, for rental by households earning no more than 60 percent of the Annual Median Family Income.

**3. Other Requirements**

- a. The development must comply with the City's S.M.A.R.T. Housing Program; and
- b. The City may elect to subsidize an additional ten percent of residential units in the building for ownership or rental purposes for residents at any level of affordability pursuant to criteria and procedures established by the Director of the NHCD.
- c. The director may require the developer to execute an agreement, restrictive covenant, or other binding restriction on land use that preserves affordability for the required period.

**4. Affordability Definition**

For purposes of this section, a unit is affordable for purchase or rental if the household is required to spend no more than 30 percent of its gross monthly income on mortgage or rental payments for the unit, or up to 35% of its gross income on mortgage if a household member receives City-approved homebuyer counseling, in addition to meeting the requirements of this section.

**5. Fee-in-lieu Payments for Affordable Housing and Community Benefits**

Subject to the approval of the Director of the NHCD, a developer may pay a fee-in-lieu payment instead of providing affordable housing on-site.

- a. For a residential use, the developer shall pay into the Housing Assistance Fund 100 percent of the fee prescribed by Subsection c. below for each square foot of the bonus area; or
- b. for a commercial or mixed use:
  - (i) The developer shall pay into the Housing Assistance Fund 50 percent of the fee prescribed by Subsection c. for each square foot of the bonus area granted; and
  - (ii) Pay into the Community Benefits Fund 50 percent of the fee prescribed by Subsection c. for each square foot of the bonus area granted.

- c. The current fee to be paid into the City funds for each square foot of bonus area is established as six dollars (\$6). This fee is adjusted annually in accordance with the Consumer Price Index All Urban Consumers, US City Average, All Items (1982-84 = 100), as published by the Bureau of Labor Statistics of the United States Department of Labor. The City Manager shall annually determine the new fee amounts for each fiscal year, beginning October 1, 2008, and report the new fee amounts to the City Council.
- d. The developer must pay the fee prescribed by this section prior to the issuance of the Certificate of Occupancy.

**6. Allocation of City Funds**

- a. The Director of the Austin Neighborhood Housing and Community Development Dept. (NHCD) shall allocate money from the Housing Assistance Fund collected under Subsection 5 for the financing or production of affordable units within 2 miles of the intersection of Burnet Rd. and Braker Ln. that meet the following criteria:
  - (i) Owner-occupied units are reserved as affordable for a period of not less than 99 years by a family whose gross household income does not exceed 80 percent of the median family income for the Austin metropolitan statistical area; or
  - (ii) Renter-occupied units are reserved as affordable for a period of not less than 40 years by a family whose gross household income does not exceed 60 percent of the median family income for the Austin metropolitan statistical area.
- b. The Director of the Neighborhood Planning and Zoning Dept. (NPZD), subject to the approval of the appropriate Land Use Commission, may allocate money from the Community Benefits Fund collected under Subsection 5, for programs that serve one or more of the following purposes for the North Burnet/Gateway Planning Area:
  - (i) Vehicular, bicycle and/or pedestrian connectivity
  - (ii) Stormwater management
  - (iii) Parks and open space
  - (iv) Civic facilities
  - (v) Green building/Sustainability
  - (vi) Transit



**E. Construction of New Collector Streets**

As described in Section 3.5.1 Project Circulation Plan, right-of-way shall be dedicated for collector streets identified on the NBG Collector Street Plan (Figure 3-12). If a site is less than five acres in size, or would otherwise not be required to provide a new street(s) on the site in compliance with the block size standards in Section 3.5.2 or any other requirement, and the project builds the collector street in accordance with one of the Primary Collector Street cross-sections provided in Appendix A, the site may be eligible for a development bonus described in Subsection B above. In exchange for building the collector street in the required collector street ROW, a development bonus shall be granted to the "maximum FAR with development bonus and "maximum height with development bonus" limits established in Section 4.2 (General Development Standards). FAR calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number: C14-2016-0136**  
**Contact: Sherri Sirwaitis, 512-974-3057**  
**Public Hearing: January 09, 2018, Planning Commission**  
**February 15, 2018, City Council**

*Lucy Nguyen*  
 Your Name (please print)

*2320 Gracy Farms Ln #913*

Your address(es) affected by this application

*Lucy Nguyen*

Signature

Daytime Telephone: *512-713-9477*

Date

*01/30/2018*

Comments:

*I object this area to rezone*

If you use this form to comment, it may be returned to:

City of Austin  
 Planning & Zoning Department  
 Sherri Sirwaitis  
 P. O. Box 1088  
 Austin, TX 78767-8810