

A U S T I N C I T Y C O U N C I L

AGENDA

Thursday, June 22, 2006

#101 PH

Back

**Zone Hearings/App Ordinances/Restrictive Covenants
RECOMMENDATION FOR COUNCIL ACTION**

Subject: C14-06-0031 - Austin Commons - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2618 Kramer Lane (Walnut Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning with conditions. Applicant: Kelly Capital Group, Inc. (Kenneth Statterlee). Agent: Land Strategies, Inc. (Paul Linehan). City Staff: Jorge E. Rousselin, 974-2975.

Additional Backup Material

(click to open)

☐ Staff Report**For More Information: Jorge E. Rousselin, 974-2975.**

ZONING REVIEW SHEET**CASE:** C14-06-0031**P. C. DATE:** May 23, 2006**ADDRESS:** 2618 Kramer Lane**OWNER:** Kelly Capital Group, Inc.
(Kenneth Sttaterlee)**AGENT:** Land Strategies
(Paul Linchan)**REZONING FROM:** GR-CO (Community commercial) conditional overlay**TO:** GR (Community commercial)**AREA:** 7.815 Acres**SUMMARY PLANNING COMMISSION RECOMMENDATION:***May 23, 2006:****APPROVED GR-MU WITH CONDITIONS OF T.I.A.; BY CONSENT.******[J.REDDY, K.JACKSON 2ND] (8-0) G.STEGEMAN - ABSENT*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends GR (Community commercial) with conditions. The conditions shall address the requirements of the Traffic Impact Analysis (TIA). The recommendation is based on the following considerations:

- 1.) The proposed land use is compatible use with existing industrial and commercial uses in the area;
- 2.) The base zoning district shall remain in effect; and
- 3.) Vehicle trips will be addressed via the TIA and a restrictive covenant.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 7.815 acre site zoned GR-CO fronting Kramer Lane and Burnet Road. The existing conditional overlay was imposed on June 3, 1999 by Ordinance No. 990603-71 which rezoned the property from major industrial (MI) to GR-CO and limited the daily number of vehicle trips to less than 2,200 per day (Please see Attachment A). Access is proposed off Kramer Lane and Burnet Road. The original proposal for the site was a hotel. The applicant proposes to rezone the property to remove the conditions of the conditional overlay to develop a retail shopping center. An existing site plan is under review under case SP-06-0093C (Please see Attachment B).

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|------------------------------------|
| <i>Site</i> | GR-CO | Vacant school site |
| <i>North</i> | MI | Undeveloped land |
| <i>South</i> | CS-1 / LI | Gas station / Retail / Warehousing |
| <i>East</i> | P | Manufacturing |
| <i>West</i> | MI-PDA | Mixed uses: retail, hotel, offices |

NEIGHBORHOOD PLAN AREA:

North Burnet / Gateway

TIA: Yes (See TIA comments)**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

64--River Oaks Lakes Estates Neighborhood

114--North Growth Corridor Alliance

480--Scofield Farms Residents Assn.

511--Austin Neighborhoods Council

742--Austin Independent School District

SCHOOLS:

Austin Independent School District

- Pillow Elementary School
- Burnet Middle School
- Anderson High School

RELATED CASES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---------------|---|--|--|
| C14-99-0024 | MI to GR | 04/20/99: APVD STAFF ALT REC OF GR-CO BY CONSENT (7-0) | 05/20/99: APVD PC REC OF GR- CO W/CONDS (7-0) 1ST RDG 06/03/99: APVD GR-CO W/CONDS (7-0) 2ND/3RD RDGS |
| SP-06-0093C | Administrative Consolidated Site Plan | N/A | N/A |
| C8-99-0031.0A | Hardage Subdivision | 03/23/99: DISAPVD BY CONSENT (9-0) 08/30/99: Administrative approval | N/A |

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|-------------|------------|--|--|
| C14-02-0062 | LI to CS-1 | 06/12/02: APVD CS-1 BY CONSENT (8-0) | 07/11/02: APVD PC REC OF CS-1 (7-0); ALL 3 RDGS |
| C14-03-0015 | MI to CS | 06/11/03: APVD STAFF ALT REC OF CS-CO (8-0) | 07/17/03: PP TO 7-31-03 (STAFF); (7-0). |

ABUTTING STREETS:

| NAME | ROW | PAVEMENT | CLASSIFICATION |
|-------------|------|----------|----------------|
| Kramer Lane | 60' | 40' | Collector |
| Burnet Road | 130' | Varies | Arterial |

CITY COUNCIL DATE:
June 22, 2006

ACTION:

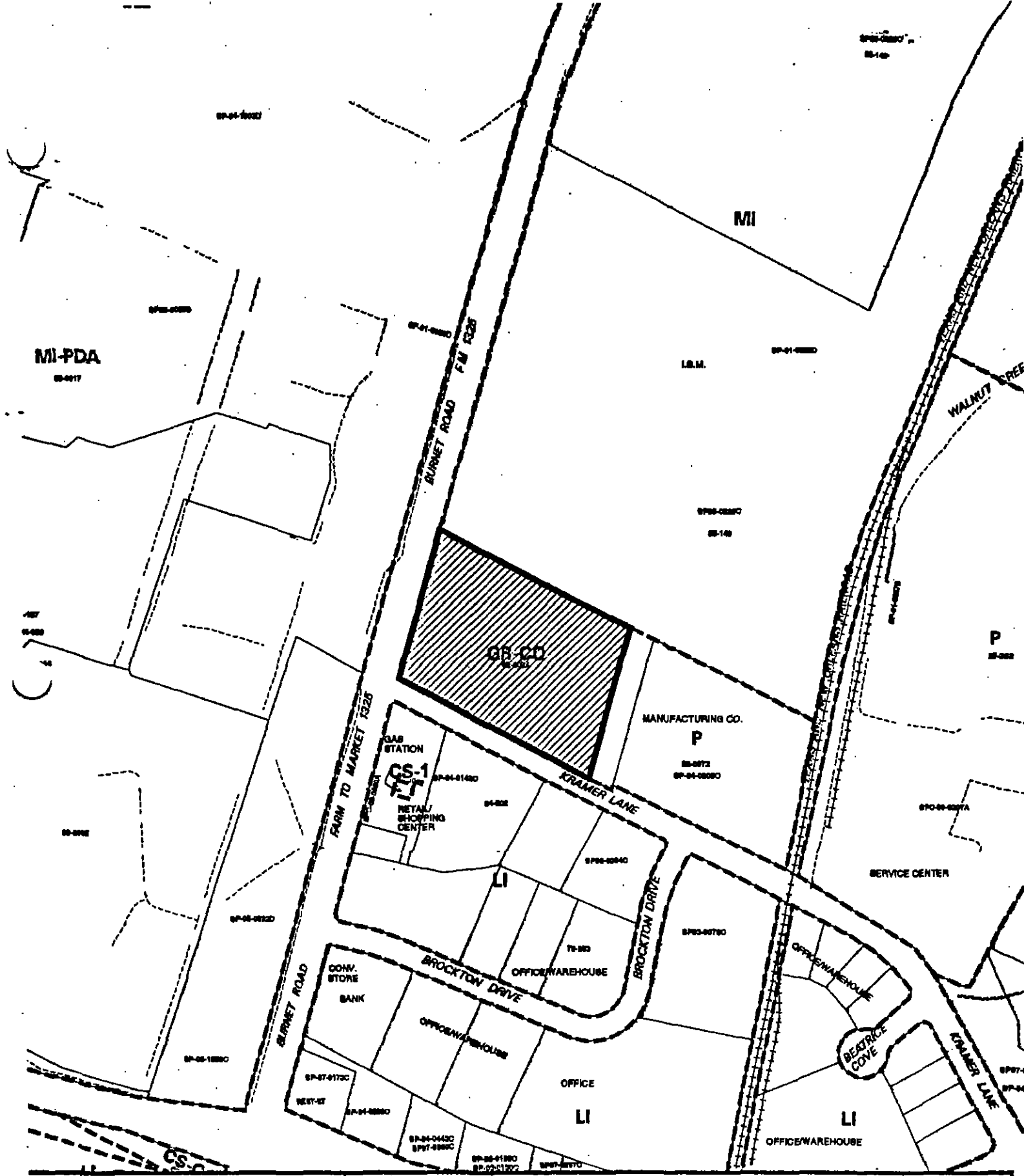
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD

PHONE: 974-2975




E-MAIL: jorge.rousselin@ci.austin.tx.us




| | | | | |
|---------------|---|--|---|--|
| 1" = 400' | SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: J.ROUSSELIN | CASE #: C14-06-0031 ADDRESS: 2616 KRAMER LN SUBJECT AREA (acres): 7.812 | ZONING DATE: 06-03 INTLS: SM | CITY GRID REFERENCE NUMBER K33 |
|---------------|---|--|---|--|

2618 Kramer Ln.
C14-06-0031

Legend

 Zoning
 Shade
 Center Line

 N

0 0 80 120 160 240 Feet

C14-06-0031

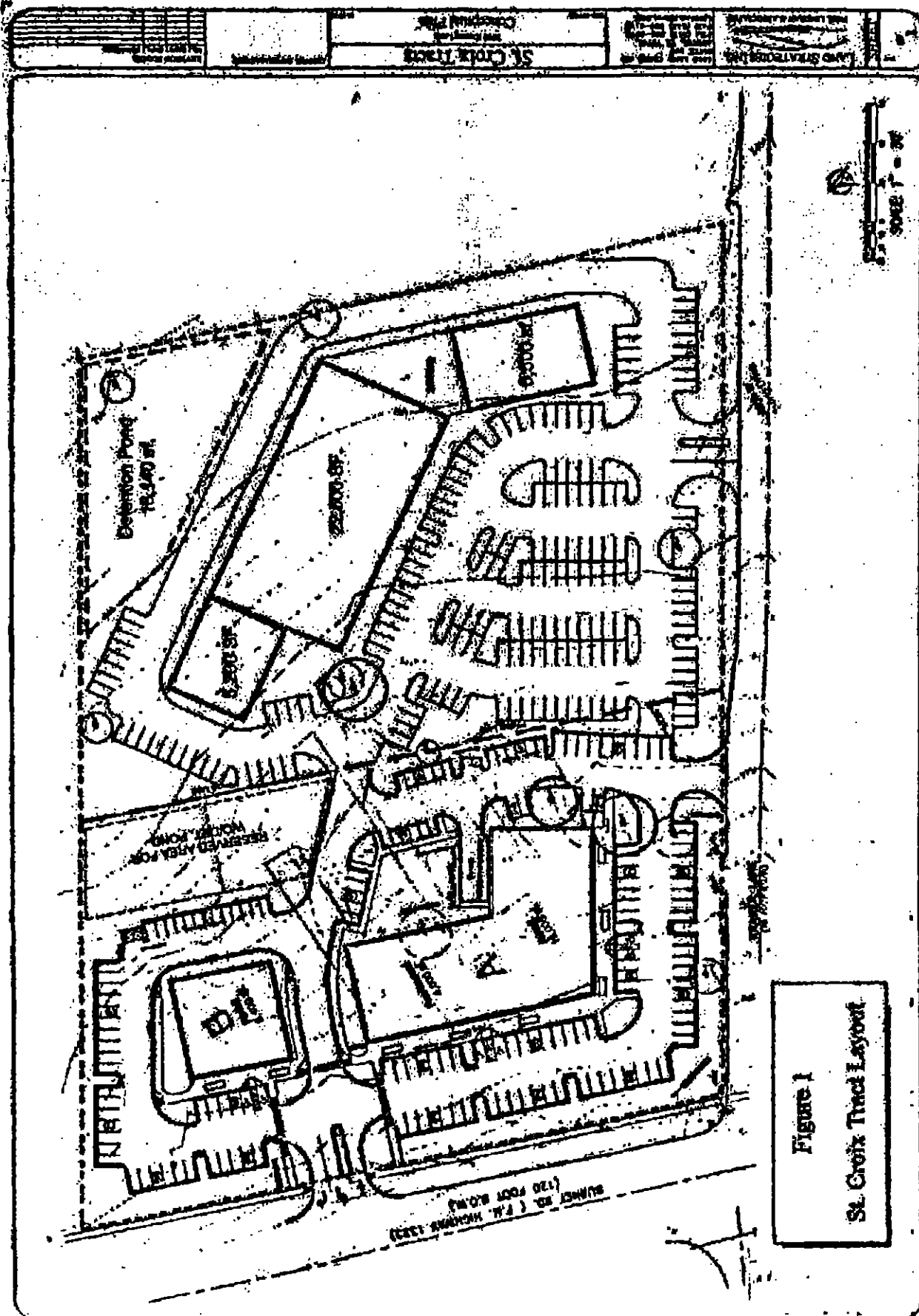


Figure 1
St. Croix Tract Layout

STAFF RECOMMENDATION

Staff recommends GR (Community commercial) with conditions. The conditions shall address the requirements of the Traffic Impact Analysis (TIA). The recommendation is based on the following considerations:

- 1.) The proposed land use is compatible use with existing industrial and commercial uses in the area;
- 2.) The base zoning district shall remain in effect; and
- 3.) Vehicle trips will be addressed via the TIA and a restrictive covenant.

BASIS FOR RECOMMENDATION

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

Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The proposed rezoning meets the purpose statement set forth in the Land Development Code. The proposed retail and commercial development will provide services to surrounding commercial and industrial uses. The site is adjacent commercial and industrial uses and has access to Burnet Road.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The proposed land use is compatible use with existing industrial and commercial uses in the area. Furthermore, the base zoning district shall remain in effect and vehicle trips will be addressed via the TIA and a restrictive covenant.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 7.815 acre site zoned GR-CO fronting Kramer Lane and Burnet Road. The existing conditional overlay was imposed on June 3, 1999 by Ordinance No. 990603-71 which rezoned the property from major industrial (MI) to GR-CO and limited the daily number of vehicle trips to less than 2,200 per day (Please see Attachment A). Access is proposed off Kramer Lane and Burnet Road. The original proposal for the site was a hotel. The applicant proposes to rezone the property to remove the conditions of the conditional overlay to develop a retail shopping center. An existing site plan is under review under case SP-06-0093C (Please see Attachment B).

Transportation

1. 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 attached TIA memo)

Environmental

1. The site is not located over the Edward's 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. 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 Net Site Area</i> | <i>% with Transfers</i> |
|--|---------------------------|-------------------------|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

2. According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
5. 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.
 -
6. At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Water and Wastewater

1. The landowner intends to serve the site with City of Austin water and wastewater utilities.
2. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustments are required, the landowner, at own expense, will be responsible for providing.
3. Also, the associated utility plan must be reviewed and approved by the Austin Water Utility.
4. The plan must be in accordance with the City design criteria.
5. The utility construction must be inspected by the City.
6. The landowner must pay the associated and applicable City fees.

Site Plan

1. An existing site plan is under review under case SP-06-0093C (Please see Attachment B). Additional comments will be generated at the time of site plan review.



Date: May 15, 2006
To: Jorge Rousselin, Case Manager
CC: Robert Halls, Robert J. Halls and Associates
Erin Welch, Land Strategies
Carol Barnes, COA Fiscal Officer
Reference: Austin Commons (aka St. Croix Tract) TIA C14-06-0031

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Austin Commons site, dated March 2006, prepared by Robert Halls, Robert J. Halls and Associates, and offers the following comments:

TRIP GENERATION

The Austin Commons Tract is located at the northeast corner of Kramer Lane and Burnet Road in north Austin.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 5,509 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 |
| Retail | 62,435sf | 2,868 | 77 | 254 |
| Fast Food without Drive Thru | 4,000sf | 317 | 31 | 25 |
| Total | | 3,185 | 108 | 279 |

ASSUMPTIONS

1. Traffic growth rates provided by the Texas Department of Transportation and the City of Austin were as follows:

| Table 2. Growth Rates per Year | |
|--------------------------------|------|
| Roadway Segment | % |
| All Roads | 1.5% |

2. In addition to these growth rates, background traffic volumes for 2006 included estimated traffic volumes for the following projects:

SPC-02-0020A Kramer Center
SP-05-0502CF The Domain (TIA)

SP-02-0039C
SP-05-1201C
SP-05-1365C

Braker Lane Public Storage
Century Oaks Park Relocation
Shops at Arbor Walk

3. Reductions were taken for pass-by for the following uses:

| Table 3. Summary of Pass-By Reductions | | |
|--|----------------------|----|
| Land Use | Pass-By Reductions % | |
| | AM | PM |
| Retail | 35 | 45 |
| Fast Food without Drive Thru | 33 | 43 |

4. No reductions were taken for internal capture or transit use.

EXISTING AND PLANNED ROADWAYS

FM 1325 (Burnet Road) – Burnet Road is classified as a four lane divided major arterial between Loop 1 and US Highway 183. This facility carried 35,000vpd in 2002.

Braker Lane – This roadway is classified as a six lane divided major arterial between US 183 and North Lamar Boulevard. The traffic volumes in 1997 were 38,350 and 30,710vpd east and west of Loop 1. Braker Lane is classified in the Bicycle Plan as a Priority 1 bicycle route.

Kramer Lane – This roadway is classified as a collector street and serves as a boundary street for the site. Kramer Lane is classified in the Bicycle Plan as a Priority 1 bicycle route.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 6 intersections, 3 of which are or will be 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 | Existing | | Site + Forecasted | |
| | 2006 | | 2008 | |
| | AM | PM | AM | PM |
| Kramer Lane at Burnet Road* | S | B | B | C |
| Braker Lane at Burnet Road* | F | F | D | D |
| Kramer Lane at Braker Lane* | F | E | D | D |
| Driveway A at Burnet Road | | | B | C |
| Driveway B at Kramer Lane | | | B | B |
| Driveway C at Kramer Lane | | | B | B |

* = SIGNAL


RECOMMENDATIONS

1) Prior 3rd Reading at City Council fiscal is required to be posted for the following improvements:

| Intersection | Improvement | Total Cost | Pro Rata Share (%) | Pro Rata Share (\$) |
|----------------------------|--|------------|--------------------|---------------------|
| Braker Lane at Burnet Road | Eastbound ~ Construct a right turn lane | TBD | | |
| | Westbound ~ Construct a right turn lane | | | |
| | Northbound ~ Construct a second left turn lane | | | |
| Kramer Lane at Burnet Road | Signal Phasing | 0 | 0 | 0 |
| TOTAL | | TBD | | TBD |

- 2) Driveway alignment and minimum widths are recommended as stated in the TIA.
- 3) Two copies of the final TIA are required to be submitted prior to 3rd Reading at City Council.
- 4) Approval from TXDOT and DPWT is required prior to 1st Reading at City Council.
- 5) 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 974-2788.



Emily M. Barron
Sr. Planner - Transportation Review Staff
Watershed Protection and Development Review

ORDINANCE NO. 990603-71

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

7.812 ACRE TRACT OF LAND OUT OF THE JAMES ROGERS SURVEY NO. 19 IN TRAVIS COUNTY, FROM MAJOR INDUSTRIAL (MI) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) DISTRICT, LOCALLY KNOWN AS 2618 KRAMER LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Zoning Map established by Chapter 25-2-191 of the City Code is amended to change the base zoning district from Major Industrial (MI) district to Community Commercial-Conditional Overlay (GR-CO) district on the property described in File C14-99-0024, as follows:

7.812 acre tract of land out of the James Rogers Survey No. 19, in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 2618 Kramer Lane, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

Notwithstanding any other provision of the City Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,200 vehicle trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the Community Commercial (GR) base district and other applicable requirements of the City Code.

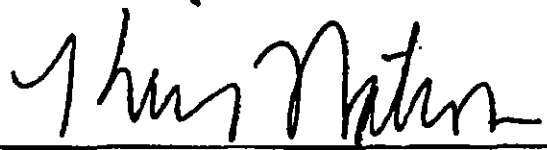
PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on June 14, 1999.

PASSED AND APPROVED

June 3, 1999


§
§
§



Kirk Watson
Mayor

APPROVED: 

Andrew Martin
City Attorney

ATTEST: 

Shirley A. Brown
City Clerk

7.812 ACRES
HARDAGE SUITE HOTELS, INC.
WOODFIN HOTEL

FN. NO. 98-153(DMG)
MAY 19, 1998
BPI JOB NO. 870-01.08

DESCRIPTION

OF A 7.812 ACRE TRACT OR PARCEL OF LAND OUT OF THE JAMES ROGERS SURVEY NO. 19, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 7.815 ACRE TRACT OF LAND CONVEYED TO HARDAGE SUITE HOTELS, INC. BY DEED OF RECORD IN VOLUME 13018, PAGE 1546 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 7.812 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found at the intersection of the easterly line of F.M. Highway 1325, also known as Burnet Road (120' R.O.W.) with the northerly line of Kramer Lane (70' R.O.W.), same being the southwesterly corner of said 7.815 acre tract;

THENCE, N17°51'44"E, leaving the northerly line of Kramer Lane along the easterly line of F.M. Highway 1325, same being the westerly line of said 7.815 acre tract, a distance of 502.72 feet to a 1/2 inch iron pipe found being the northwesterly corner of said 7.815 acre tract, same being the most southerly west corner of Lot 2, Block "A" of IBM Subdivision East, a subdivision of record in Book 94, Page 88 of the Plat Records of Travis County, Texas;

THENCE, leaving the easterly line of F.M. Highway 1325 along the southerly and westerly lines of said Lot 2, Block "A" of IBM Subdivision East, same being the northerly and easterly lines of said 7.815 acre tract, the following two (2) courses and distances:

- 1) S59°59'50"E, a distance of 692.39 feet to a 1/2 inch iron rod found, being the northeasterly corner of said 7.815 acre tract and hereof, same being an ell corner of said Lot 2, Block "A" of IBM Subdivision East, from which a 1/2 inch iron rod found, being another ell corner of said Lot 2, Block "A" of IBM Subdivision East, and also being the northwesterly corner of that 6.758 acre tract conveyed to the City of Austin by deed of record in Volume 11655, Page 65 of said Real Property Records bears S59°46'57"E, a distance of 81.12 feet;

EXHIBIT "A"

990603-7i


FN. NO. 98-153(DMG)
MAY 19, 1998
PAGE 2 OF 2

- 2) S17°52'10"W, a distance of 502.79 feet to a 1/2 inch iron rod found, in the northerly line of Kramer Lane, being the southeasterly corner of said 7.815 acre tract, same being the most southerly southwest corner of said Lot 2, Block "A" of IBM Subdivision East, from which a 1/2 inch iron rod found, being the most southerly southeast corner of said Lot 2, Block "A" of IBM Subdivision East, same being the southwesterly corner of that said City of Austin 6.758 acre tract bears S59°49'09"E, a distance of 82.18 feet;

THENCE, N59°59'25"W, leaving the southeasterly corner of said 7.815 acre tract, along the northerly line of Kramer Lane, a distance of 692.35 feet to the POINT OF BEGINNING, containing an area of 7.812 acres (340,306 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746

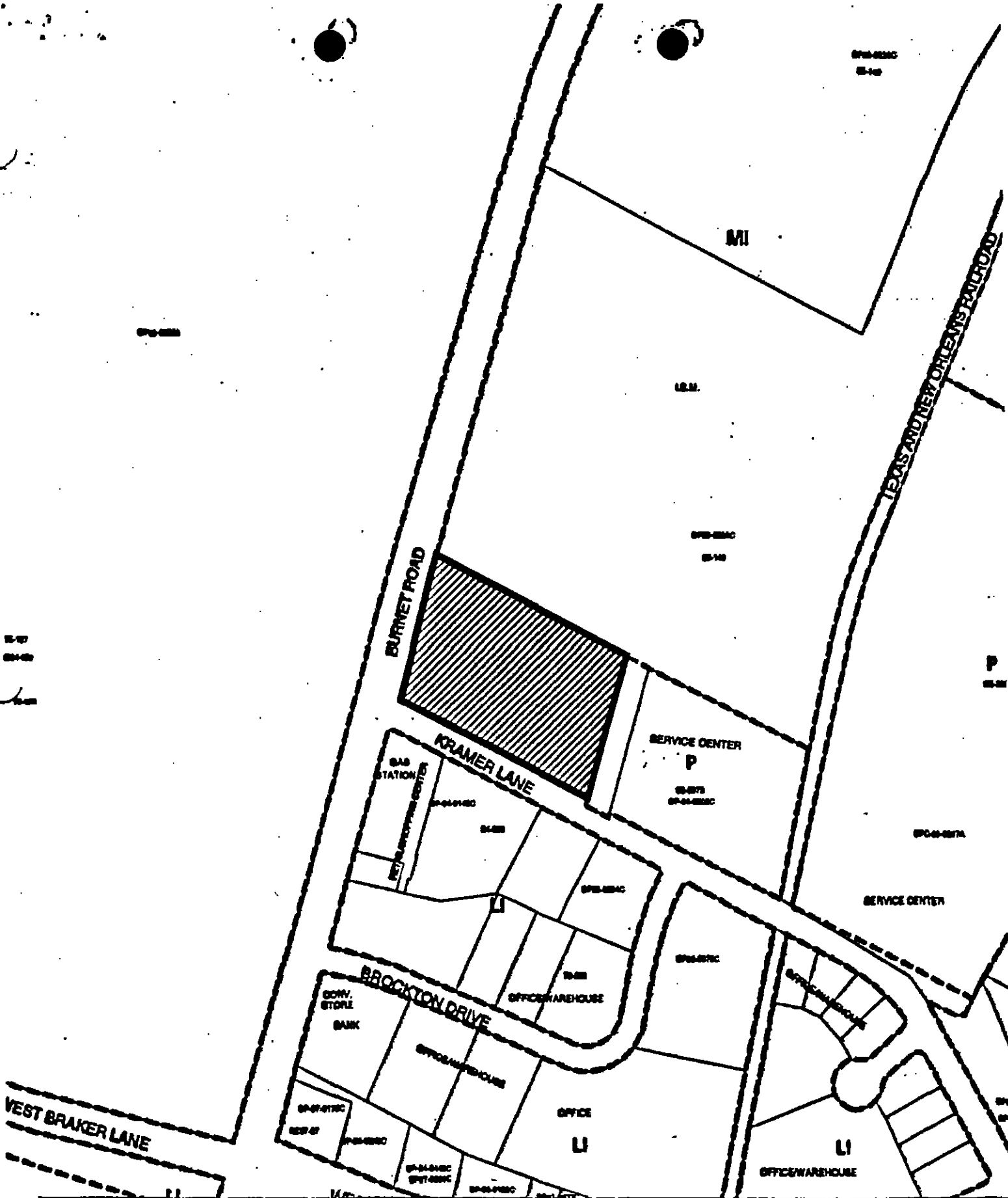


JOHN T. BILNOSKI
NO. 4998
STATE OF TEXAS

5/19/98
DATE



990603-71



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: AGONZALEZ

CASE #: C14-99-0024
ADDRESS: 2518 KRAMER LA.
SUBJECT AREA (acres): 7.812

ZONING: R4H, B1T, B1

DATE: 89-02
WTR: TRC

**CITY GRID
 REFERENCE
 NUMBER**
 K33

