

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-2015-0160 – Champion’s Tract #3

**DISTRICT:** 10

**REQUEST:**

Approve second/third readings of an ordinance amending City Code Chapter 25-2 by zoning the property locally known as 6409 City Park Road (West Bull Creek Watershed) general office-conditional overlay (GO-CO) combined district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combined district zoning.

The conditional overlay is for:

1. Height is restricted to no more than 53 feet
2. Daily vehicular trips are limited to 2100
3. Dwelling units are limited to no more than 325
4. Development is prohibited within 100 feet of the southern property line

The Ordinance reflects those conditions imposed by Council on 1<sup>st</sup> reading.

**PROPERTY OWNER:** Champion Assets LTD & Champion-Meier & Champion Legacy Partners LP

**AGENT:** Armbrust & Brown, PLLC (Richard Suttle)

**ISSUES:** The Applicant is in agreement with the Commission’s recommendation. Local residents have expressed concerns regarding the impact that traffic generated by the proposed development will have on existing conditions on City Park Road, FM 2222 and Loop 360 at West Courtyard Drive. The Scope of the TIA did not identify the intersection of Loop 360 and West Courtyard Drive as an intersection to be studied. However, the Applicant agreed to look into the issues at this intersection and agreed to put forth up to \$5,000 towards analysis of and adjusting of the signal at that location. The Neighborhood requested that a new TIA be produced citing that the traffic count data was inaccurate due to being collected in 2014 and during the summer months, when school was out for summer vacation.

**DATE OF FIRST READING/VOTE:** June 23, 2016 - *Approved 1<sup>st</sup> reading for MF-4-CO zoning with the following conditions:*

1. *Height is restricted to no more than 53 feet*
2. *Daily vehicular trips are limited to 2100*
3. *Dwelling units are limited to no more than 325*
4. *Development is prohibited within 100 feet of the southern property line*
5. *Endorsement of the Staff recommendation for signal improvements as identified in the TIA memo with the additional improvements to signal timing at the intersection of West Courtyard and Loop 360, not to exceed \$5k, and adding a turn lane on City Park Road approaching RM 2222 intersection as agreed upon by the Applicant.*

*Additionally, the public hearing is to remain open for 2<sup>nd</sup> & 3<sup>rd</sup> readings on August 11, 2016 [S. Gallo / D. Garza-2<sup>nd</sup>] (11-0).*

**CITY COUNCIL DATE:** August 11, 2016

**CITY COUNCIL ACTION:**

**ASSIGNED STAFF:** Jerry Rusthoven

**PHONE:** 512-974-3207

**EMAIL:** Jerry.Rusthoven@austintexas.gov

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2015-0160 – Champion’s Tract #3

**Z.A.P DATE:** May 17, 2016

**ADDRESS:** 6409 City Park Road

**DISTRICT AREA:** 10

**OWNER/APPLICANT:** Champion Assets LTD & Champion-Meier & Champion Legacy Partners LP

**AGENT:** Armbrust & Brown, PLLC (Richard Suttle)

**ZONING FROM:** GO-CO      **TO:** GO-CO-MU\*      **AREA:** 45.35 acres

\*The request was amended to maintain the conditions imposed by the current CO with the exception of the trip limitation set at 6,500 trips per day (see Exhibit I).

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends general office-mixed use-conditional overlay (GO-CO-MU) combined district zoning. The existing conditional overlay will be modified to remove the 6,500 daily trip limit which will be replaced by the conditions of the new Traffic Impact Analysis. All other items in the existing conditional overlay will remain, unchanged.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

May 3, 2016;      *Postponed to May 17, 2016 [S. Harris / B. Evans-2<sup>nd</sup>] (6-0-2).  
Voting Nay: J. Kiolbassa, B. Greenberg.*

May 17, 2016;      *Approved MF-4-CO zoning with the following conditions:  
1. Height is restricted to no more than 53 feet  
2. Daily vehicular trips are limited to 2100  
3. Dwelling units are limited to no more than 325  
4. Development is prohibited within 100 feet of the southern property line  
5. Endorsement of the Staff recommendation for signal improvements as identified in the TIA memo with the additional improvements to signal timing at the intersection of West Courtyard and Loop 360, not to exceed \$5k, and adding a turn lane on City Park Road approaching RM 2222 intersection as agreed upon by the Applicant.  
[S. Harris / B. Evans-2<sup>nd</sup>] (7-3). Voting Aye: S. Harris, D. Breithaupt, B. Evans, Y. Flores, S. Lavani, G. Rojas, T. Weber. Voting Nay: A. Denkler, B. Greenberg, J. Kiolbassa*

**ISSUES:** The Applicant is in agreement with the Commission’s recommendation. Local residents have expressed concerns regarding the impact that traffic generated by the proposed development will have on existing conditions on City Park Road, FM 2222 and Loop 360 at West Courtyard Drive. The Scope of the TIA did not identify the intersection of Loop 360

and West Courtyard Drive as an intersection to be studied. However, the Applicant agreed to look into the issues at this intersection and agreed to put forth up to \$5,000 towards analysis of and adjusting of the signal at that location. The Neighborhood requested that a new TIA be produced citing that the traffic count data was inaccurate due to being collected in 2014 and during the summer months, when school was out for summer vacation.

#### **DEPARTMENT COMMENTS:**

The subject property is approximately 45 acres of undeveloped land on the south side of FM 2222 and between City Park Road to the west and Loop 360 to the east (see Exhibits A & B). There are single family homes and condominiums to the south. The property is heavily wooded and has high degree of topographical changes with a difference of 250 feet in elevation between the highest elevation and the lowest elevation (see Exhibit C). In general, the property slopes downward toward FM 2222. There is driveway access at two locations along east bound FM 2222.

A rezoning to GO-MU-CO has been requested to allow the development of 325 apartment dwelling units. Additionally, a request has been made to remove an existing condition that establishes a 6,500 daily trip limit for this property, considered cumulatively and collectively with the properties that make up Champion Tracts 1 and 2, established by ordinance No. 000309-78 (Exhibit D).

**Background/History** - The subject Tract, Champions Tract 3, is 45 acres out of over 250 once owned by the Champions Family in the area of FM2222 and Loop 360. In the 1970's the State obtained right-of-way from the acreage to construct FM 2222 and Loop 360, therefore, dividing the land into 5 pieces that were, from that point on, referred to as *Champions Tracts 1-5* (see Exhibit E).

In 1986, the City Council adopted the Comprehensive Watershed Ordinance (CWO) that would impose more restrictive environmental regulations on future development than that of the Lake Austin Watershed Ordinance that was previously adopted in 1980. The CWO was amended in 1993 to add additional protections some of which were specific to land within the Bull Creek and West Bull Creek Watersheds. This amendment became known as the "Bull Creek" ordinance.

In 1994, as a result of the "Bull Creek" amendments to the CWO, the Champion Family filed a lawsuit against the City. The premise of the lawsuit was that projects had been initiated on the properties prior to the adoption of the CWO. Therefore, development on the properties would not be subject to the CWO and instead would follow the regulations of the Lake Austin Watershed Ordinance. In effect, the purpose of the lawsuit was to seek grandfathering rights before the State of Texas and the City of Austin had such policy. The lawsuit resulted in a Compromise Settlement Agreement between the City of Austin and the Champions Family that was signed in July of 1996 (see Exhibit F).

Per the 1996 Settlement Agreement, Council approved a Special Exception Ordinance (see Exhibit G). Later, in 1998 and 1999, a series of zoning cases were filed with the City for the properties of the 5 *Champions Tracts* (see *Case Histories* table below). The properties were rezoned by Council in March of 2000. The rezoning of Tracts 1, 2, and 3 included a condition that the properties would share a 6,500 daily trip limit.

In addition to the shared trip limit, additional conditions were imposed on Tract 3 which included limiting office development to no more than 30,000 square feet and prohibiting development of a building or structure within 100 feet of the southern property line (Exhibit D).

Later, in 2002 and 2003, the Champion Family sought to remove the 6,500 daily trip limit from Tracts 1 and 3 with the filing of two more re-zoning cases (C14-02-0181 and C14-03-0140). Both cases were recommended by the Zoning and Platting Commission. While the re-zoning cases were awaiting public hearing with City Council, the Champion Family filed another lawsuit against the City in February, 2004, alleging that the application of City zoning ordinances most recently approved in March of 2000 were in violation of the 1996 Compromised Settlement Agreement because the 6,500 limitation did not allow for the actualization of development that would have been allowed under the Lake Austin Watershed Ordinance. Amidst the pending lawsuit, on March 25, 2004, City Council approved first reading of the rezoning request for Tract 3 with instructions to Staff to return on second and third readings with a proposal for an alternative trip limitation to the existing 6,500 limit. While Staff was conducting the analysis requested by City Council, the Applicant amended the zoning request from GO-CO to GO-MU in July, 2004. The amended request was reviewed by Commission on October 19, 2004 and then heard by City Council for 2<sup>nd</sup> and 3<sup>rd</sup> readings on December 2, 2004. The request was ultimately denied.

The pending lawsuit filed in February of 2004 moved forward and resulted in another mediated settlement agreement that was executed in September of 2005. Per the new settlement agreement, the City agreed to re-zone Champions Tracts 1, 2 and 3 to remove the 6,500 trip limit by December 1, 2005. In doing so, The Champions Family would dismiss the lawsuit against the City with each party bearing their own costs and attorney fees. However, should the City not fulfill the agreement, the Champion Family would pursue the lawsuit.

As a result, the City initiated re-zoning cases for Champions Tracts 1, 2, and 3 with the filing of cases C14-05-0159, C14-05-0158, and C14-05-0157. The re-zonings included a new daily trip limit of 11,000, to be shared among Tracts 1, 2, and 3, and were approved by Council at 2<sup>nd</sup> reading. However, the three cases expired before the third reading occurred, voiding the proposed 2005 Meditated Settlement Agreement. After several years, the courts dismissed the 2004 lawsuit due to lack of prosecution. Today, the 6,500 trip limit remains for the properties that make up Champion Tracts 1, 2, and 3.

**Staff Review:** This current request for rezoning is similar to the previous request in 2005 (C14-05-0157), but different in that the applicant does not wish to remove the 30,000 sq. foot office use restriction and has submitted a new TIA which will replace the 6,500 trip limit.

The subject Tract is a legal, platted lot (Exhibit H) fronting FM 2222, a Hill Country Roadway. Development on the property would typically be reviewed against the provisions of the Hill Country Roadway Overlay. However, the Special Exceptions Ordinance (Exhibit G) may modify certain requirements. Currently, the plat for the property (Exhibit H) prohibits residential uses. If zoning is granted, the Applicant will need to seek an amended plat to remove the prohibition in order to proceed with the proposed multi-family project. A rezoning to add the mixed-use overlay (-MU) is required before the plat can be amended. Due to an established 100 foot, no build buffer along the southern property line, per Ordinance No. 000309-78 (Exhibit D) and a high degree of topographic changes on the property, the proposed location of the development within the 45 acres will be in the northwest corner of the 45 acres where the topography is least varied.

Staff recommends GO-MU-CO zoning for the subject Tract because the request would allow, at the very least, land uses that are supported by the Imagine Austin Comprehensive plan at a location of an

arterial (FM 2222) and major highway (Loop 360) where greater intensity of land uses are typically encouraged. The proposed multi-family project will contribute to the mix of office, commercial and residential uses in the general area and the addition of 325 apartment dwelling units will help to alleviate the existing housing shortage. Further, a new traffic impact analysis submitted for the proposed project indicates that traffic generated by the proposed development will be accommodated.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GO-CO	Undeveloped
<i>North</i>	GO-CO, LR-CO	Champion Office Park, undeveloped land
<i>South</i>	SF-2, MF-2, SF-6	Single Family, Multi-Family and Condominiums
<i>East</i>	Unzoned	Capitol of Texas Highway 360
<i>West</i>	LR-CO and DR	Retail/Office

**NEIGHBORHOOD PLANNING AREA:** N/A

**TIA:** Yes

**WATERSHED:** West Bull Creek

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** Yes

**NEIGHBORHOOD ORGANIZATIONS:**

<b>Community Registry Name</b>	<b>ID</b>
2222 Coalition of Neighborhood Associations Inc	425
Bull Creek Foundation	475
Austin Independent School District	742
Austin City Parks Neighborhood Association	180
River Place HOA	1463
The Real Estate Council of Austin, Inc.	1236
Austin Heritage Tree Foundation	1340
Steiner Ranch Community Association	762
Glenlake Neighborhood Association	161
Long Canyon Phase II & III Homeowners Assn. Inc.	416
Sierra Club, Austin Regional Group	1228
Long Canyon Homeowners Assn.	269
SEL Texas	1363
Bull Creek Homeowners Association	184
Preservation Austin	1424
Northwest Austin Civic Association	53
Lakewood Homeowners Association	98
Shepherd Mountain Neighborhood Association	1566

**SCHOOLS:** Highland Park Elementary, Lamar Middle, McCallum High

**CASE HISTORIES ON NEAR-BY PROPERTIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2010-0163 – Austin Cribs; 6320 City Park Road	DR to LR	1/18/2011 – Apvd LR-CO.	2/17/2011 – Apvd LR-CO; trips limited to 500 per day; drive in services is prohibited as an accessory use.
C14-05-0158 – Champion Tract – City Park Road West; City Park Road	LR-CO and DR to GO-CO and LR-CO	11/1/2005 – Apvd GR-MU-CO	Case Expired – did not have 3 <sup>rd</sup> reading within 360 days of 1 <sup>st</sup> reading.
C14-05-0159 – Champion Tract – Tract 1; 3502 ½ FM 2222	MF-1-CO, LR-CO, GO-CO, SF-2 to MF-1-CO, GR-CO, GO-CO, SF-2-CO	11/01/2005 – Apvd MF-1-CO, GR-MU-CO, GO-MU-CO, SF-2.	Case Expired – did not have 3 <sup>rd</sup> reading within 360 days of 1 <sup>st</sup> reading.
C14-02-0181 -	DR and LR-CO to GR-MU	1/14/2003 – Apvd LR-CO; ROW dedication.	12/2/2004 – Zoning change denied.
C14-01-0019 – Champion Tract 1, 2, 1-A	DR to SF-2	4/10/2001 – Apvd SF-2-CO.	7/19/2001 – Apvd SF-2-CO; establishing minimum lot widths and setbacks.
C14-99-0077 – Champion Property (Tract 2); City Park Road	DR to LR	8/31/1999 – Apvd GR-MU-CO	3/9/2000 – Apvd LR-CO; Trips/day limited to 6,500 cumulatively with other tracts; retail gross floor area is limited to 4,000 square feet.
C14-99-0076 – Champion Tract 1B, 1C, 1D; 5800 – 6802 FM 2222 Rd	DR & SF-2 to MF-2	8/31/1999 – Apvd TR 1B: MF-1-CO; TR 1C & 1D: GR-MU-CO.	3/9/2000 – Apvd <b>TR 1 (1B):</b> MF-1-CO; townhouse and condominium development regs/ max height of 40ft.; trips/day limited to 6,500 cumulatively with other tracts <b>TR 2 (1C):</b> LR-CO; retail may not exceed 40,000 sq. ft. of GFA; clean up of lead deposits; trips/day limited to 6,500 cumulatively with other tracts. <b>TR 3 (1D):</b> GO-CO; office development may not exceed 230,000 sq. ft. of GFA, clean up of lead deposits; trips/day limited to 6,500 cumulatively with other tracts.
C14-98-0163 – Champion	SF-2 to GR	8/31/1999 – Apvd GR-MU-CO.	3/9/2000 – Apvd GR-CO; may not exceed 782 trips/day; there is

Tract 4; 5614 – 5620 FM 2222			a 75 foot setback away from the eastern property line where the gradient is 25% or more; 50ft vegetative buffer along the eastern pl; Vehicular access to Lakewood Drive is prohibited; a bldg. may not exceed 6,000 sq. ft. of gross floor area; cut and fill in excess of 4 feet is no permitted, highly reflective materials may not be used on the property; noise level of mechanical equipment may not exceed 70 DBA at the eastern pl; a building may not exceed 28 feet in height; list of prohibited uses, exterior lighting must be hooded or shielded.
C14-98-0161 – Champion Tract 1-A; 6507 Winterberry Drive	DR to SF-2	8/31/1999 – Apvd SF-2-CO.	3/9/2000 – Apvd SF-2-CO; vehicle trips may not exceed 6,500, considered cumulatively.
C14-95-0135 – Jester 3.81 Acres; Jester Blvd	DR to SF-1	10/24/1995 – Apvd SF-1	11/30/1995 – Apvd SF-1

**CASE HISTORIES SPECIFIC TO THIS PROPERTY:**

**C14-98-0162** (1998) - a rezoning from SF-2 to GO-CO; the conditional overlay did the following:

1. Limit office uses to no more than 30,000 square feet,
2. Prohibit development of a building or structure within 100 feet of the southern property line,
3. Impose a 6,500 daily trip limit, to be considered cumulatively with Champions Tracts 1 and 2.

**C8-02-0083.09** (2002) – a subdivision case of 45.357 acres, platted as Lot 1 Block A of the Champion Park East Subdivision, approved May 12, 2003.

**C14-03-0140** (2003) – request to rezone from GO-CO to GO-MU-CO; the CO was to be modified to remove the 6,500 trip limit and the condition that limits office development to no more than 30,000 sq. ft. The request was denied.

**C14-05-0157** (2005) – request to rezone from GO-CO to GO-MU-CO; the existing CO was to be replaced with a new CO that would impose a new daily trip limit of 11,000, to be shared with Tracts 1 and 2 among other items. The request was approved by Council at 2<sup>nd</sup> reading and expired before 3<sup>rd</sup> reading.

**C14-2015-0057** (2015) – a rezoning from GO-CO to GO-MU-CO; the CO was to be modified to remove the 6,500 trip limit and the condition that limits office development to no more than 30,000



sq. ft. The zoning application expired after 181 days without being scheduled for a public hearing with Zoning and Platting Commission.

**CITY COUNCIL DATE:**

**ACTION:**

June 16, 2016;

*Postponed with 1<sup>st</sup> reading to occur on June 23, 2016 and 2nd/3<sup>rd</sup> readings to occur on August 11, 2016. The public hearing shall remain open to allow public comment and testimony on August 11, 2016 on Council Member Gallo's motion, Council Member Zimmerman's 2<sup>nd</sup>. (11-0)*

June 23, 2016;

*Approved 1<sup>st</sup> reading for MF-4-CO zoning with the following conditions:*

- 1. Height is restricted to no more than 53 feet*
  - 2. Daily vehicular trips are limited to 2100*
  - 3. Dwelling units are limited to no more than 325*
  - 4. Development is prohibited within 100 feet of the southern property line*
  - 5. Endorsement of the Staff recommendation for signal improvements as identified in the TIA memo with the additional improvements to signal timing at the intersection of West Courtyard and Loop 360, not to exceed \$5k, and adding a turn lane on City Park Road approaching RM 2222 intersection as agreed upon by the Applicant.*
- Additionally, the public hearing is to remain open for 2<sup>nd</sup> & 3<sup>rd</sup> readings on August 11, 2016 [S. Gallo / D. Garza-2<sup>nd</sup>] (11-0).*

August 11, 2016;

**ORDINANCE READINGS:**    1<sup>st</sup> – 6/23/2016                      2<sup>nd</sup>                                      3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:**    Victoria Haase

**PHONE:** 512-974-7691

**EMAIL:** [tori.haase@austintexas.gov](mailto:tori.haase@austintexas.gov)

## **EXISTING CONDITIONS**

### ***Site Characteristics***

The property is undeveloped and is heavily wooded with a high degree of topographical changes. There is a difference of 250 feet in elevation between the highest elevation at approximately 790 feet along a portion of the southern property line, and the lowest elevation of 540 feet closer to the northern property line. In general, the property slopes downward toward FM 2222. There is driveway access at two locations along east bound FM 2222.

### ***Comprehensive Planning – Kathleen Fox, 512-974-7877***

This zoning case is located on the south side of City Park Road and FM 2222 Road, and to the west of Hwy 360. The property is a vacant tract of land, which is approximately 45.35 acres in size. The property is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses includes Champion City Park, an office building, and apartment complex to the north; single family subdivisions and a large apartment complex to the south; Hwy 360 to the east; and single family housing and vacant land to the west. The proposed use is mixed use project and the removal of the conditional overlay, which limits the trips per day. More specifically, the developer wants to construct a 325 unit apartment complex, 50,000 sq. ft. of office uses, and 42,000 square feet of hospital services limited use, which replaces the specialty retail use.

### ***Imagine Austin***

The overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve ‘*complete communities*’ across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. On page 107 in Chapter 4 of the IACP it states, “*While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city.*”

The following IACP policies are also applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

### ***Analysis and Conclusions***

Analyzing the land uses within a mile of radius of this subject property, there appears to be both benefits and challenges to this location. Most importantly, this area of Austin is currently lacking a variety of goods and service options for nearby residents and office workers, a variety of retail and

commercial uses, and especially safe routes for pedestrian (sidewalks and hike and bike trails) or public transportation stops available within several miles of this location.

Although this project is not located along an Activity Corridor or within an Activity Center, which the Imagine Austin Growth Concept Map targets for growth, FM 2222 is a heavily traveled arterial road, which contains myriad of office parks, residential subdivisions and multi-family apartment complexes. The proposed project could contribute to making this area a more 'complete community' (where people can live, work and play) by adding a much needed retail component and making this area more connected to adjoining land uses. To add connectivity to the area, the developer should consider installing sidewalks, hike and bike trails, and negotiating public transportation options for the users of the residential and offices uses located both within and around this site, thus reducing dependency on privately owned automobile. Based on this project contributing various land uses (medical, offices and multifamily housing), this proposal appears to be partially supported by the Imagine Austin Comprehensive Plan.

### ***Impervious Cover***

The site is subject to the regulations established by the Lake Austin Watershed Ordinance per the 1996 Settlement Agreement between the Champions and the City of Austin.

### ***Environmental – Mike McDougal, 512-974-6380***

**\*\*\*Development is subject to Ordinance No. 96-0613-J, which may amend portions of the comments below:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the West Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.
2. Under the 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>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone is limited to 18%.

3. 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 Water Quality Transition Zone / Critical Water Quality Zone exist within the project location. Development within the Water Quality Transition Zone and Critical Water Quality Zone are limited per LDC 25-8.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. 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.

***DSD Transportation – Ivan Naranjo, 512-974-7649***

See attached TIA memo at the back of this report.

***Water and Wastewater – Neal Kepple***

FYI: Currently only City water is in the area. 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 the Austin Water Utility 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 fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

***Storm Water 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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

***Site Plan and Compatibility Standards – Nikki Hoelter, 512-974-2863***

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. The site is subject to compatibility standards. Along the SOUTH and WEST property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

SP3. The site is located within 1,000 feet of RM 2222 and within a Hill Country Roadway Corridor. The site is located within the low intensity zone of the Hill Country Roadway. The site may be developed with the following maximum floor-to-area ratio (FAR):

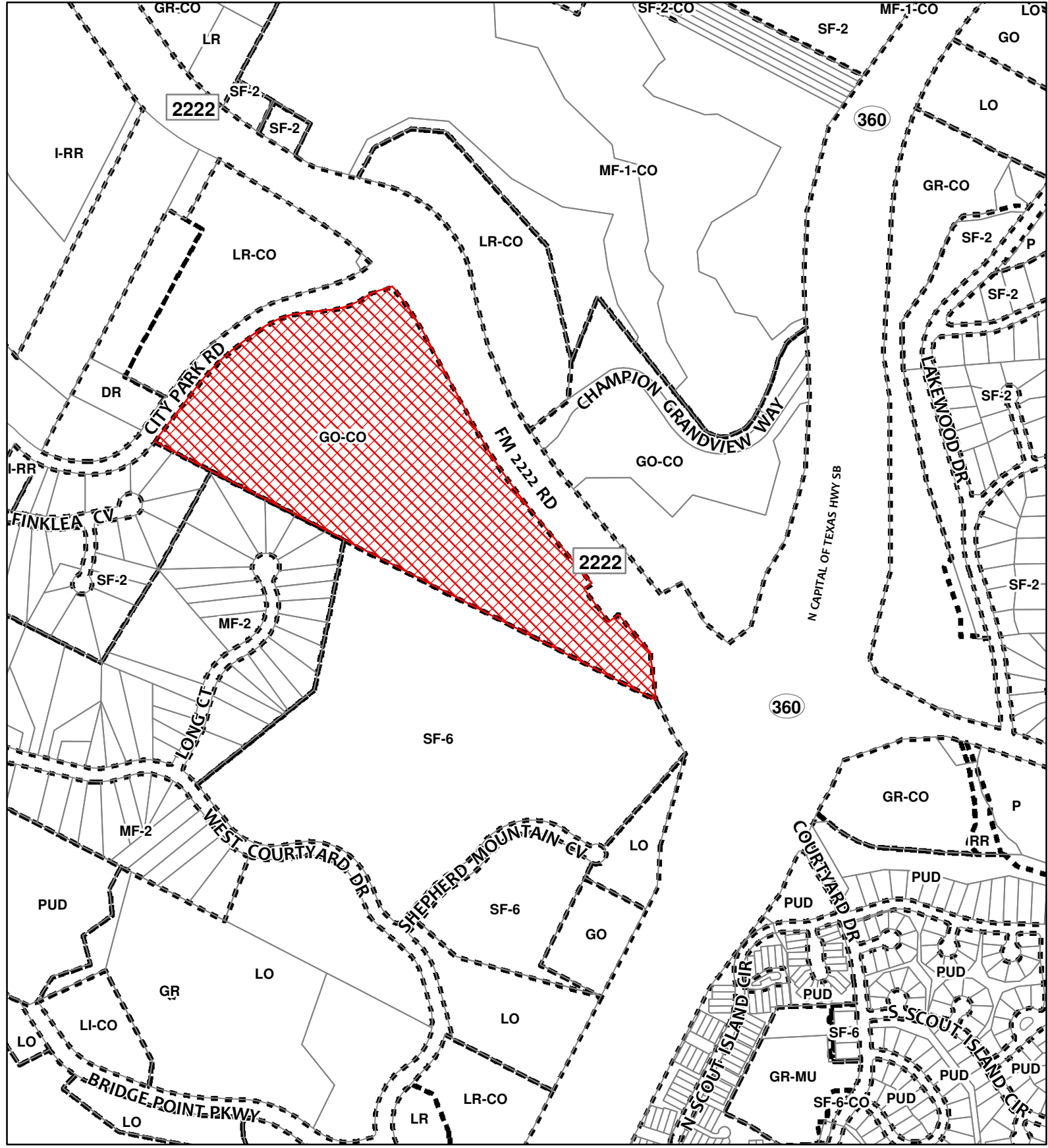
Slope	Maximum FAR
0-15%	.20:1
15-25%	.08:1
25-35%	.04:1


Except for clearing necessary to provide utilities or site access, a 100 foot vegetative buffer will be required along RM 2222. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state.

The allowable height is as follows: Within 200 feet of RM 2222 the maximum height is 28 feet.


**Development is subject to Ordinance No. 96-0613-J, which may amend portions of the above referenced comments.**

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission







N



Subject Property



Base Map



Zoning

**ZONING MAP - EXHIBIT A**  
**ZONING CASE:** C14-2015-0160  
**ZONING CHANGE:** GO-CO TO GO-MU  
**LOCATION:** 6409 Park Rd., 5909, 6103, 6425 FM 2222  
**SUBJECT AREA:** 45.35 acres  
**CASE MANAGER:** Victoria Haase




1' = 400'


This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.






N



 Subject Property

 Base Map

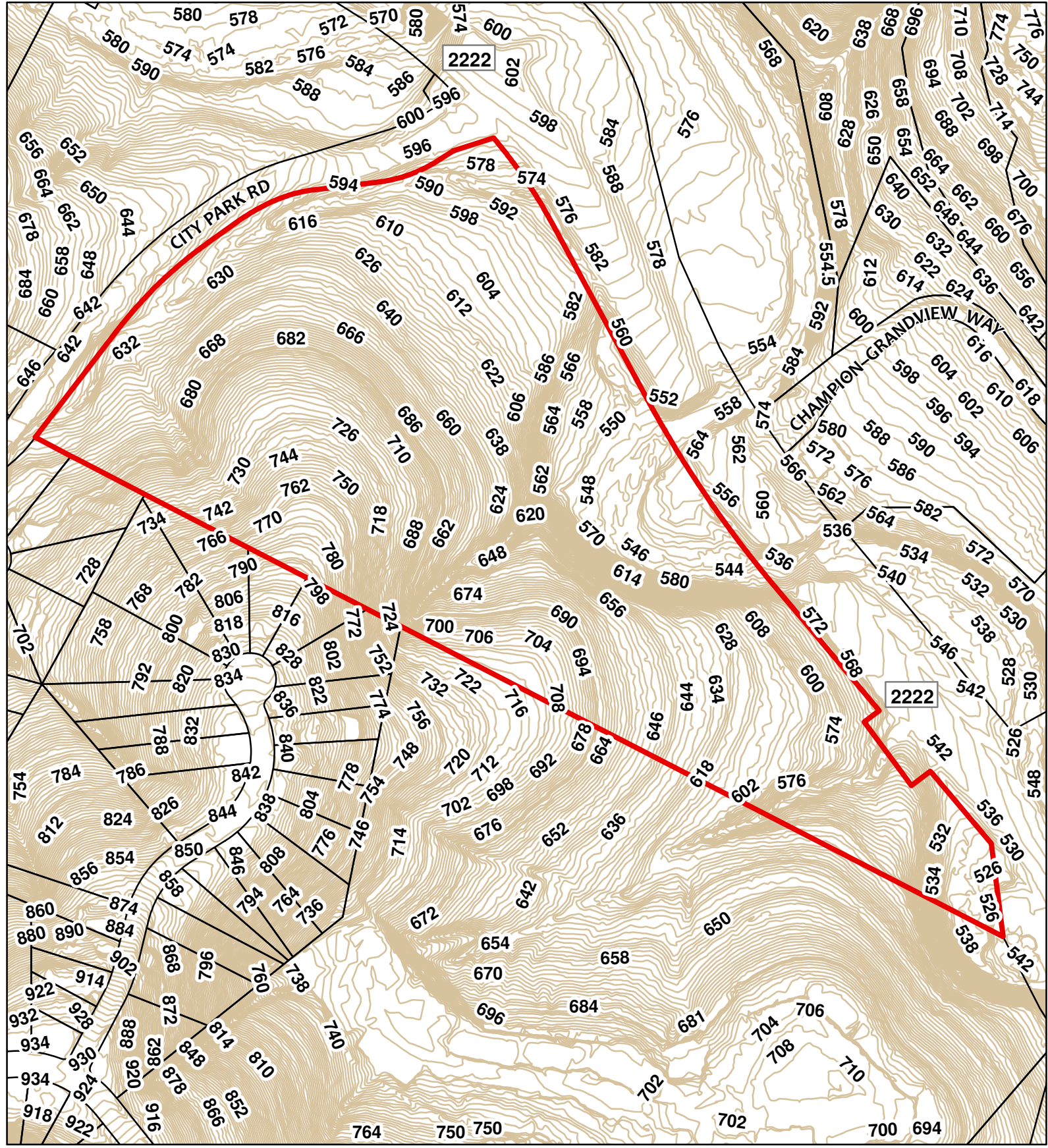
1' = 400'


**ARIAL MAP - EXHIBIT B**  
**ZONING CASE:** C14-2015-0160  
**ZONING CHANGE:** GO-CO TO GO-MU  
**LOCATION:** 6409 Park Rd., 5909, 6103, 6425 FM 2222  
**SUBJECT AREA:** 45.35 acres  
**CASE MANAGER:** Victoria Haase





This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.






 N

 Subject Property

 Base Map

 Elevation Contour Lines - 2012

**TOPOGRAPHY MAP - EXHIBIT C**

**ZONING CASE:** C14-2015-0160  
**ZONING CHANGE:** GO-CO TO GO-MU  
**LOCATION:** 6409 Park Rd., 5909, 6103, 6425 FM 2222  
**SUBJECT AREA:** 45.35 acres  
**CASE MANAGER:** Victoria Haase



1' = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





## MEMORANDUM

**TO:** Victoria Haase, Case Manager  
Planning and Zoning Department

**FROM:** Scott A. James, P.E., PTOE, Land Use Review/Transportation  
Ivan Naranjo, MBA, Senior Transportation Planner  
Development Services Department

**DATE:** June 6, 2016

**SUBJECT:** Revisions to Traffic Impact Analysis for Champion's Tract 3 Development  
Zoning Case No. C14-2015-0160

---

Section 25-6-114 of the Land Development Code requires that a traffic impact analysis (TIA) 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 is located south of RM 2222 and west of Loop 360 in north Austin. The project site is currently vacant and is currently zoned GO – CO. The proposed zoning is GO-CO-MU to allow for multi-family mixed use development. The projected build out year for this development is 2018.

### **Roadways**

RM 2222 is identified in the Austin Metropolitan Area Transportation Plan as a four lane divided major arterial roadway (MAD – 4), with a center two way left turn lane (CTWLTL) in the vicinity of the site. The roadway offers connection from points west to Loop 360 and central Austin. According to the Texas Department of Transportation (TxDOT), the daily traffic volumes along RM 2222 were approximately 42,000 vehicles per day (vpd) east of City Park Road and approximately 34,300 vpd west of the site. The posted speed limit is sixty miles per hour (60 MPH) west of City Park Road and fifty-five miles per hour (55 MPH) east of City Park Road.

Loop 360 is a four lane divided grade separated highway traveling in a north-south direction with a posted speed limit of fifty-five miles per hour (55 MPH). The connection with RM 2222 is via diamond interchange. According to the Texas Department of Transportation (TxDOT), the daily traffic volumes along Loop 360 were 46,100 vpd north of the interchange with RM 2222 and approximately 44,800 vpd south of this interchange.

City Park Road is a minor arterial roadway (per the CAMPO 2010 volume map) and primary roadway serving Emma Long Park and several residential communities. The posted speed limit is forty miles per hour (40 MPH). Morning peak hour traffic counts indicate approximately 5,000 vehicles per day use this roadway.

Jester Boulevard is a minor arterial roadway (per the CAMPO 2010 volume map) and has a posted speed limit of thirty miles per hour (30 MPH). Morning peak hour traffic counts indicate approximately 3,000 vehicles per day use this roadway.

### **Trip Generation and Traffic Analysis**

Based on the ITE publication Trip Generation, 9<sup>th</sup> Edition, the proposed 325 apartment dwelling units would generate an estimated 2,094 additional vehicle trips per day (vpd). Table 1 below summarizes the site trip generation rates used in the traffic analysis:

Table 1 – Site Trip Generation

	Land Use	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
				Enter	Exit	Enter	Exit
<b>Proposed</b>	High-Rise Apartment	325 DU	2,094	33	130	128	68

Site traffic is expected to use City Park Road and one driveway on RM 2222 for access to the site. The driveway on RM 2222 is restricted to “right in/right out” operation only. Table 2 presents the percentage distribution to the surrounding roadways:

Table 2 – Distribution of site generated trips

<b>Roadway</b>	<b>Traffic Percentage</b>
North (via Loop 360)	35%
South (via Loop 360)	25%
South (via City Park Road)	2%
East (via FM 2222)	25%
West (via RM 2222)	13%
Total	100%

For this study, traffic counts were conducted on July 29, 2014 at the identified study intersections. Since data collection occurred during the summer break, the raw counts were adjusted by means of a 10% growth factor to account for school related traffic. In addition, one identified background project, located at the northeast corner of RM 2222/Champion Grandview View, was used to increase expected daily peak hour volumes.

Study intersections were evaluated using the Highway Capacity Manual (HCM) method for capacity analysis. When the estimated additional trips were added to the identified intersections, the traffic analysis showed increased congestion and delay at some intersections. Table 3 (presented on the following pages) provides a summary of the calculated average delay(s) for each of the study intersections:

Table 3 – Calculation of intersection level of service (LOS)\* and delay (in seconds per vehicle)

Intersection Studied	Movement	2014 Existing		2016 Forecasted		2016 Mitigated Site + Forecasted	
		AM	PM	AM	PM	AM	PM
Jester Blvd & RM 2222	NB	A (5.7)	<b>E</b> <b>(75.4)</b>	A (6.6)	<b>F</b> <b>(101.4)</b>	A (6.1)	<b>F</b> <b>(102.9)</b>
	SB	<b>F</b> <b>(138.8)</b>	C (22.3)	<b>F</b> <b>(171.7)</b>	C (24.4)	F (166.7)	C (25.7)
	EB	<b>E</b> <b>(67.1)</b>	<b>E</b> <b>(68.2)</b>	<b>E</b> <b>(67.4)</b>	<b>E</b> <b>(68.3)</b>	<b>E</b> <b>(68)</b>	<b>E</b> <b>(68.8)</b>
	WB	<b>E</b> <b>(60)</b>	<b>E</b> <b>(75.8)</b>	<b>E</b> <b>(60.4)</b>	<b>E</b> <b>(79.7)</b>	<b>E</b> <b>(61.9)</b>	<b>E</b> <b>74.5)</b>
City Park Road & RM 2222	NB	D (48.2)	<b>F</b> <b>(188.1)</b>	D (49.8)	<b>F</b> <b>(208.3)</b>	D (51.4)	<b>F</b> <b>(214.0)</b>
	EB	<b>F</b> <b>(281.7)</b>	D (40.8)	<b>F</b> <b>(321.1)</b>	D (52.2)	<b>F</b> <b>(312.7)</b>	D (51.5)
	WB	C (28.7)	C (27.0)	C (30.6)	C (32.7)	D (44.7)	D (48.9)
Champion Grand View Way & RM 2222	SB	<b>F</b> <b>(287.9)</b>	<b>F</b> <b>(224.6)</b>	<b>F</b> <b>(1321.2)</b>	<b>F</b> <b>(7126)</b>	<b>F</b> <b>(1518.6)</b>	<b>F</b> <b>(8386)</b>
	EB	C (17.4)	<b>F</b> <b>(57.6)</b>	<b>E</b> <b>(37.9)</b>	<b>F</b> <b>(87.9)</b>	<b>E</b> <b>(39.6)</b>	<b>F</b> <b>(106.0)</b>
	WB	-	-	-	-	**	**
Loop 360 SB & RM 2222	SB	D (43.1)	A (9.0)	D (54.7)	D (36.0)	D (54.0)	D (47.7)
	EB	D (40.8)	<b>E</b> <b>(71.6)</b>	D (41.6)	<b>F</b> <b>(102.7)</b>	D (51.1)	<b>E</b> <b>(69.4)</b>
	WB	B (14.7)	A (4.4)	C (21)	A (5.5)	A (8.0)	A (9.1)
Loop 360 NB & RM 2222	NB	<b>F</b> <b>(337.6)</b>	<b>F</b> <b>(268.3)</b>	<b>F</b> <b>(414.7)</b>	<b>F</b> <b>(303.3)</b>	<b>F</b> <b>(304.6)</b>	<b>F</b> <b>(114.2)</b>
	EB	A (5.3)	A (6.4)	A (5.6)	B (11.4)	A (5.0)	B (16.2)
	WB	<b>F</b> <b>(149.1)</b>	D (44.1)	<b>F</b> <b>(195.4)</b>	<b>E</b> <b>(55.8)</b>	<b>F</b> <b>(128.2)</b>	D (48.5)

\* Traffic analysis based on 2000 Highway Capacity Manual methodology

\*\* This is a free movement at this intersection

Table 3 (continued) – Calculation of intersection level of service (LOS) and delay

Lakewood Drive & RM 2222	SB	<b>E</b> <b>(69.0)</b>	<b>E</b> <b>(70.1)</b>	<b>E</b> <b>(69.0)</b>	<b>E</b> <b>(71.5)</b>	<b>E</b> <b>(69.0)</b>	<b>E</b> <b>(71.5)</b>
	EB	A (1.6)	B (14.9)	A (1.5)	B (16.0)	A (1.3)	B (12.5)
	WB	A (7.1)	C (26.2)	A (7.8)	C (30.6)	A (7.8)	C (32.1)
Loop 360 & Champion	SB	-	-	-	-	-	-
	EB	<b>F</b> <b>(184.1)</b>	<b>F</b> <b>(54.0)</b>	<b>F</b> <b>(457)</b>	<b>F</b> <b>(635.4)</b>	<b>F</b> <b>(488.8)</b>	<b>F</b> <b>(714.3)</b>
Driveway #1 & RM 2222	NB	-	-	-	-	<b>F</b> <b>(399.6)</b>	<b>E</b> <b>(39.4)</b>
	EB	-	-	-	-	A (free)	
Driveway #2 & City Park Road	NB	-	-	-	-	B (12.4)	C (16.2)
	WB (left)					A (8.3)	B (10.0)

\* Traffic analysis based on 2000 Highway Capacity Manual methodology

\*\* This is a free movement at this intersection

The results of the analysis conducted within the TIA identify several locations operating at LOS E or F under current conditions as well as in future scenarios. The additional peak hour traffic related to this development is shown (under mitigated conditions) to slightly increase the average delays. The following mitigation measures were included in the study:

- Adjusted signal timing was adjusted for the signalized intersection of RM 2222/Jester Blvd
- Adjusted signal timing and phasing for the signalized intersection of RM 2222/City Park Road
- Adjusted signal timing and phasing for the signalized intersection of RM 2222/Loop 360
- Assumed installation of right in/right out channelizing concrete medians for RM 2222/Champions Grandview Way and proposed Driveway #1/RM 2222 connection.

In addition to the above recommended measures, transportation review staff identified a need to evaluate the queuing demand along City Park Road approaching the intersection of RM 2222. Additional capacity for left turn movements (both in/out of the site) may be required at the time of site plan, when specific site design information is available.

## RECOMMENDATIONS

- 1) Prior to the 3<sup>rd</sup> reading of the zoning case, transportation review staff requests the applicant post fiscal for the following improvements:

Table 4 – List of Improvements				
Location	Improvements	Total Cost	Pro Rata Share %	Pro Rata Share \$
City Park Road at RM 2222	Signal equipment upgrade	\$38,102	100%	\$38,102
City Park Road approaching RM 2222 intersection*	Lengthening turn lane storage	TBD	TBD	TBD
Driveway #1 at RM 2222*	Construction of diverter island	\$25,000	100%	\$25,000
<b>Total</b>				<b>\$63,102</b>

\* Fiscal will not be collected for these improvements as they would be required at the time of site plan review.

- 2) City Park Road and RM 2222 – The applicant proposes to contribute to necessary traffic signal improvements to permit timing and phasing changes at this intersection. Staff from the Austin Transportation Department, in coordination with TxDOT, have identified additional equipment necessary to improve traffic signal operations as a result of the additional traffic due to this site development:
  - a) Traffic Signal detection equipment and installation;
  - b) Modifications to pavement markings and roadway signage;
  - c) Implementation of new signal timing plans to optimize traffic operations
- 3) Prior to site plan approval, a revised TIA may be required by staff to identify the need for additional capacity and/or channelization on City Park Road to serve the anticipated volumes of entering and exiting vehicles. Specifically, the widening of the approach to Driveway #2 on City Park Road in order to provide for left turning vehicles accessing the site.
- 4) In addition, applicant agrees to participate (up to \$5,000) in the costs for signal timing changes at the intersection of Loop 360/West Courtyard Drive, if warranted as determined by additional traffic study and analysis during the time of site plan review.
- 5) Per TxDOT, direct driveway access onto RM 2222 shall be restricted to 'right in/right out' operation only. Applicant has agreed and proposes to construct diverter island to reinforce 'right in/right out only' access restrictions.
- 6) 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 April 20, 2016), including land uses, trip generation, trip distribution, traffic controls and other identified conditions.

If you have any questions or require additional information, please contact me at (512) 974 – 2208. Thank you.

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

# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent  
School District



PROJECT NAME: Champions Tract #3

ADDRESS/LOCATION: 6409 City Park Road, 5909, 6103 & 6425 FM 2222

CASE #: C14-2015-0057

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

# SF UNITS: \_\_\_\_\_ STUDENTS PER UNIT ASSUMPTION

Elementary School: \_\_\_\_\_ Middle School: \_\_\_\_\_ High School: \_\_\_\_\_

# MF UNITS: 325 STUDENTS PER UNIT ASSUMPTION

Elementary School: 0.124 Middle School: 0.035 High School: 0.071

## IMPACT ON SCHOOLS

The district-wide student yield factor (across all grade levels) is 0.23 per apartment. Using the district-wide average, the 325 multifamily development is projected to add approximately 75 students across all grade levels to the projected student population. It is estimated that of the 75 students, 40 will be assigned to Highland Park Elementary School, 12 to Lamar Middle School, and 23 at McCallum High School.

The percent of permanent capacity by enrollment for SY 2019-20, including the additional students projected with this development, would be within the target range of 75-115% for Lamar MS (96%), assuming the mobility rates remain the same.

The projected increase in enrollment by SY 2019-20 coupled with the additional students from the proposed development would increase the percent of permanent capacity to 119% at Highland Park ES and 125% at McCallum HS, assuming the mobility rates remain the same. The school community and administration would need to monitor enrollment at these schools and possibly discuss intervention strategies to address overcrowding.

## TRANSPORTATION IMPACT

All students residing within the planned multifamily development attending Highland Park ES, Lamar MS, or McCallum HS would qualify for transportation.

## SAFETY IMPACT

A circle or drive located off the main road of the planned multifamily development to accommodate a bus would provide a safe place for students waiting to be picked up or dropped off by the bus.

Date Prepared: 07/15/2015

Director's Signature: \_\_\_\_\_

# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent  
School District



## DATA ANALYSIS WORKSHEET

**ELEMENTARY SCHOOL:** Highland Park

**RATING:** Met Standard

**ADDRESS:** 4900 Fairview

**PERMANENT CAPACITY:** 585

**% QUALIFIED FOR FREE/REDUCED LUNCH:** 5.47%

**MOBILITY RATE:** 6.0%

### POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	603	618	658
% of Permanent Capacity	103%	106%	112%

### ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	639	655	695
% of Permanent Capacity	109%	112%	119%

**MIDDLE SCHOOL:** Lamar

**RATING:** Met Standard

**ADDRESS:** 6201 Wynona

**PERMANENT CAPACITY:** 1,008

**% QUALIFIED FOR FREE/REDUCED LUNCH:** 34.30%

**MOBILITY RATE:** 13.6%

### POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	780	841	853
% of Permanent Capacity	77%	83%	85%

### ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	886	955	967
% of Permanent Capacity	88%	95%	96%



# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent  
School District



<b>HIGH SCHOOL: McCallum</b>		<b>RATING: Met Standard</b>
<b>ADDRESS: 5600 Sunshine Drive</b>		<b>PERMANENT CAPACITY: 1,596</b>
<b>% QUALIFIED FOR FREE/REDUCED LUNCH: 31.62%</b>		<b>MOBILITY RATE: 22.0%</b>

<b>POPULATION (without mobility rate)</b>			
<b>HIGH SCHOOL STUDENTS</b>	<b>2014-15 Population</b>	<b>5- Year Projected Population (without proposed development)</b>	<b>5-Year Projected Population (with proposed development)</b>
<b>Number</b>	1,362	1,614	1,637
<b>% of Permanent Capacity</b>	85%	101%	103%

<b>ENROLLMENT (with mobility rate)</b>			
<b>HIGH SCHOOL STUDENTS</b>	<b>2014-15 Enrollment</b>	<b>5- Year Projected Enrollment* (without proposed development)</b>	<b>5-Year Projected Enrollment* (with proposed development)</b>
<b>Number</b>	1,662	1,970	1,993
<b>% of Permanent Capacity</b>	104%	123%	125%

\*The 5-Year Projected Enrollment (with and without the proposed development) is an estimate calculated with the assumption that the stated mobility rates (transfers in and out of the school) remain the same over the 5-year period. These estimates are for the sole purpose of the Educational Impact Statement and should not be used for any other purposes.