

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2020-0128  
(NBG Austin Energy Substation Rezoning)

DISTRICT: 7

ZONING FROM: NBG-TOD-NP

TO: P

ADDRESS: 2412 Kramer Lane

SITE AREA: 33.56 (1,461,873.6 sq. ft.)

PROPERTY OWNER: City of Austin Fleet Services

AGENT: City of Austin - Housing and Planning Department (Sherri Sirwaitis)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends P, Public District, zoning.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

**January 26, 2021**

CITY COUNCIL ACTION:

**February 4, 2021**

ORDINANCE NUMBER:

ISSUES:

This is a City initiated case on October 29, 2020 per Council Resolution No. 20201029-SPEC001. *Please see Exhibit C.*

CASE MANAGER COMMENTS:

The property in question is a 33+ acre tract of land that fronts onto Kramer Lane and is located within the North Burnet/Gateway Combined Neighborhood Planning Area. The site is currently zoned NBG-TOD-NP, North Burnet/Gateway-Transit Oriented Development-Neighborhood Plan Combining District. The Austin City Council passed a resolution on October 29, 2020 to initiate an amendment to the North Burnet/Gateway Regulating Plan to remove the property and to rezone it to the P, Public District, to permit the development of an electric substation at this location.

The site under consideration is currently developed with outdoor storage and warehouses that are used as a maintenance and service facility for City of Austin Fleet Services. The property to the north is developed with an office complex (Charles Schwab) with outdoor recreation (tennis courts, baseball field and soccer field). To the south and east there are office/warehouse uses. The rail line runs along the western border of the property and the existing Kramer Metro Rail Station is located at the southeast corner of Kramer Lane and Brockton Drive. Across the rail line to the west there is a hotel/motel use (Home 2 Suites by Hilton) fronting Burnet Road and an indoor sports and recreation/restaurant use (Top Golf) as well as office and warehouse uses.

BASIS OF RECOMMENDATION:

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

Public district land owned or leased by federal, state, county, or city government.

2. *Zoning should allow for reasonable use of the property.*

The proposed P zoning will permit the city to develop an electric substation on a portion of the property. This tract of land is located in an area that is experiencing a change in development patterns with the growth of the Domain and the construction of the Austin FC soccer stadium to the northwest. A new electric substation is needed to provide additional service to accommodate the change in demand in this area of city.

3. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The subject property is within the boundaries of a Regional Center (North Burnet/Gateway Station) as defined in the Imagine Austin Growth Concept Map. These centers are and will be the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the

tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	NBG-TOD	Maintenance and Service Facility - Outdoor Storage, Warehouses
<i>North</i>	NBG-CMU	Rail line, Office Complex (Charles Schwab) with Outdoor Recreation (Tennis Courts, Baseball Field, Soccer Field)
<i>South</i>	NBG-TOD	Office/Warehouse
<i>East</i>	NBG-TOD	Office/Warehouse
<i>West</i>	NBG-CMU, NBG-TOD	Hotel (Home 2 Suites by Hilton), Indoor Sports and Recreation (Top Golf), Office/Warehouse

NEIGHBORHOOD PLANNING AREA: North Burnet/Gateway Neighborhood Plan Area

TIA: Not Required

WATERSHED: Walnut Creek

SCHOOLS: Austin I.S.D.

Pillow Elementary School  
Burnet Middle School  
Anderson High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District  
Austin Lost and Found Pets  
Austin Neighborhoods Council  
Bike Austin  
Friends of Austin Neighborhoods  
Homeless Neighborhood Association  
Neighborhood Empowerment Foundation  
North Growth Corridor Alliance  
North Burnet/Gateway Neighborhood Plan Staff Liaison  
Redline Parkway Initiative  
SELTEXAS  
Shoal Creek Conservancy  
Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0055 (Austin FC: 10414 McKalla Place and 10617 ½ Burnet Road)	LI-NP, NBG-NP to LI-PDA-NP	5/14/19: To approve the staff's recommendation of LI-PDA zoning, with added condition to approve TIA with the site plan process, if practical (Vote: 11-2, K. McGraw and P. Seeger-No); G. Anderson-1 <sup>st</sup> , C. Kenny- 2 <sup>nd</sup> .	6/06/19: The public hearing was held and motion to close the public hearing and approve Ordinance 20190606-097 for limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Harper-Madison was absent.
C14-2016-0136 (Broadmoor: 11501 Burnet Road)	NBG-CMU-NP to NBG-TOD-NP	3/27/18: Approved staff's recommendation of NBG-TOD-NP zoning, with conditions, by consent (12-0, P. Seeger-absent); G. Anderson-1st, J. Thompson-2nd.	4/12/18: Approved NBG-TOD-NP zoning, with conditions, on 1st reading only (6-0, G. Casaroff dais, D. Garza, E. Troxclair, K. Tovo and S. Adler-absent); L. Pool-1st, P. Renteria-2nd  6/28/18: Ordinance No. 20180628-088 for north burnet/gateway-transit oriented development-gateway zone-neighborhood plan (NBG-TOD-NP) combining district zoning, with conditions was approved on Council Member Troxclair's motion, Council Member Garza's second on an 11-0 vote.
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-1st, N. Zaragoza-2nd.	8/28/14 : Approved NBG-CO-NP zoning, with conditions, on consent on all 3 readings (7-0); B. Spelman-1st, L. Morrison-2nd.
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-1st, D. Chimenti-2nd.	11/10/11: Approved NBG-CMU-NP zoning with conditions on consent on 1st reading only (7-0); Spelman-1st, M. Martinez-2nd.  12/08/11: Approved NBG-CMU-NP zoning, with conditions, on consent on

			2nd/3rd readings (6-0); C. Riley-1st, S. Cole-2nd.
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 3rd reading of this zoning case at City Council.	<p>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-1st, Spelman-2nd, 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> <p>10/14/10: Approved MI-PDA zoning on 2nd/3rd readings (7-0); Spelman-1st, Leffingwell-2nd, 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</p>

			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.
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)	10/16/08: Approved NBG-NP or NBG-H-NP (7-0); 1st reading  3/12/09: Approved NBG-NP or NBG-H-NP (6-0); 2nd/3rd readings
C14-2007-0157 (North Burnet /Gateway Neighborhood Plan Rezoning)		9/25/07: Approved staff rec. with amendments (8-0)	10/18/07: Approved 1st reading of Phase 1 of NP (6-0)  11/01/07: Approved Phase 1 of NP zonings (5-0); 2nd/3rd 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); 1st reading  10/05/06: Approved MI-PDA changes as a condition of zoning (6-0); 2nd/3rd readings
C14-06-0121 (The Domain RCA: 10712, 10728, 10800, 11000, 11500,	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> </ul>	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

11600 Burnet Road; 11601 Domain Drive; 2900, 3001, 3101 Esperanza Crossing)		<ul style="list-style-type: none"> <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> <p>Vote: (9-0); J.Reddy-1st, G. Stegeman-2nd.</p>	for 50% of the office and residential construction (7-0); McCracken-1st, Dunkerley-2nd.
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 (Mutek: 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 50 % of the total number of such lots. 3) The foregoing limitation shall not apply to any lot of more than 3 acres, which abut Braker Lane and Burnet Road.	6/8/00: Approved MI-PDA, with changes agreed to with neighborhood association (7-0); all 3 readings
C14-99-0024 (Woodfin Suite Hotel: 2618 Kramer Lane)	MI to GR	4/20/99: Approved staff alternate rec. of GR-CO, with CO for 2,200 vehicle trip limit, by consent (7-0)	5/20/99: Approved PC rec. of GR-CO w/ conditions (7-0); 1st reading  6/3/99: Approved GR-CO w/ conditions (7-0); 2nd/3rd readings

RELATED CASES:

C14-2018-0182 (North Burnet/Gateway NP Rezonings)

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Kramer Lane	78'	92'	42'	3	Yes	Yes	Yes
Esperanza Xing- Stonehollow Drive Connector	Future roadway (0')	92'	Future roadway	2	Not yet built	Yes	Yes



OTHER STAFF COMMENTS:Comprehensive Planning

Staff supports the rezoning a portion of this sub-district within the North Burnet Gateway Area to allow for Major Utility use for the construction of the Austin Energy Sub-Station.

Environmental

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.

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%

According to floodplain maps there is no floodplain within or adjacent to the project location. However, a portion of a critical water quality zone runs along the western boundary of the site. Development within a critical water quality zone is limited to that allowed under LDC 25-8-261 and ECM 1.5.3.

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

At this time, site specific information is unavailable regarding 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 ls that preempt current water quality or Code requirements.

Fire

No comments.

### Parks and Recreation

There are currently no parkland dedication requirements for non-residential or non-hotel developments. PARD and PWD are looking at trail connections for this property as part of the Redline Trail project to connect up to the Northern Walnut Creek Greenbelt.

### Site Plan

Sites zoned P and greater than one acre in size require a Conditional Use Permit according to the Land Development Code {Section 25-2-625}.

Sites with buildings intended for human occupation may be subject to Subchapter E, depending on the balance of uses and whether or not the site is open to the public.

### Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies existing right-of-way as sufficient for Kramer Lane. Esperanze Xing-Stonehollow Drive Connector a need for 92' of right-of-way for the extension. Right-of-way should be dedicated for this roadway at the time of subdivision or site plan. A traffic impact analysis is not required for city initiated zoning applications.

### Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

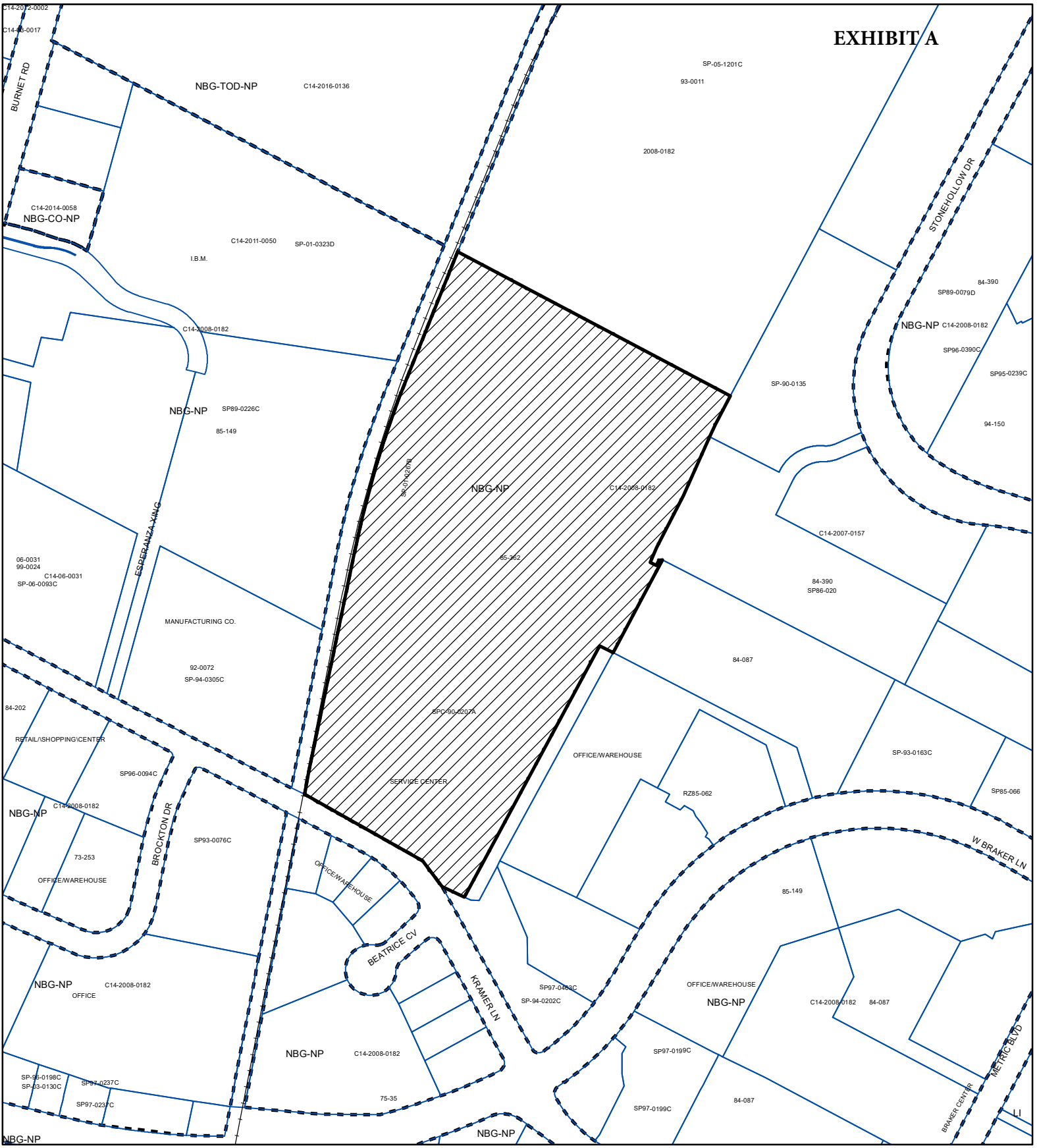
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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.

### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. City Council Resolution No. 20201029-SPEC001
- D. Imagine Austin Growth Concept Map




# EXHIBIT A



## ZONING

ZONING CASE#: C14-2020-0128



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

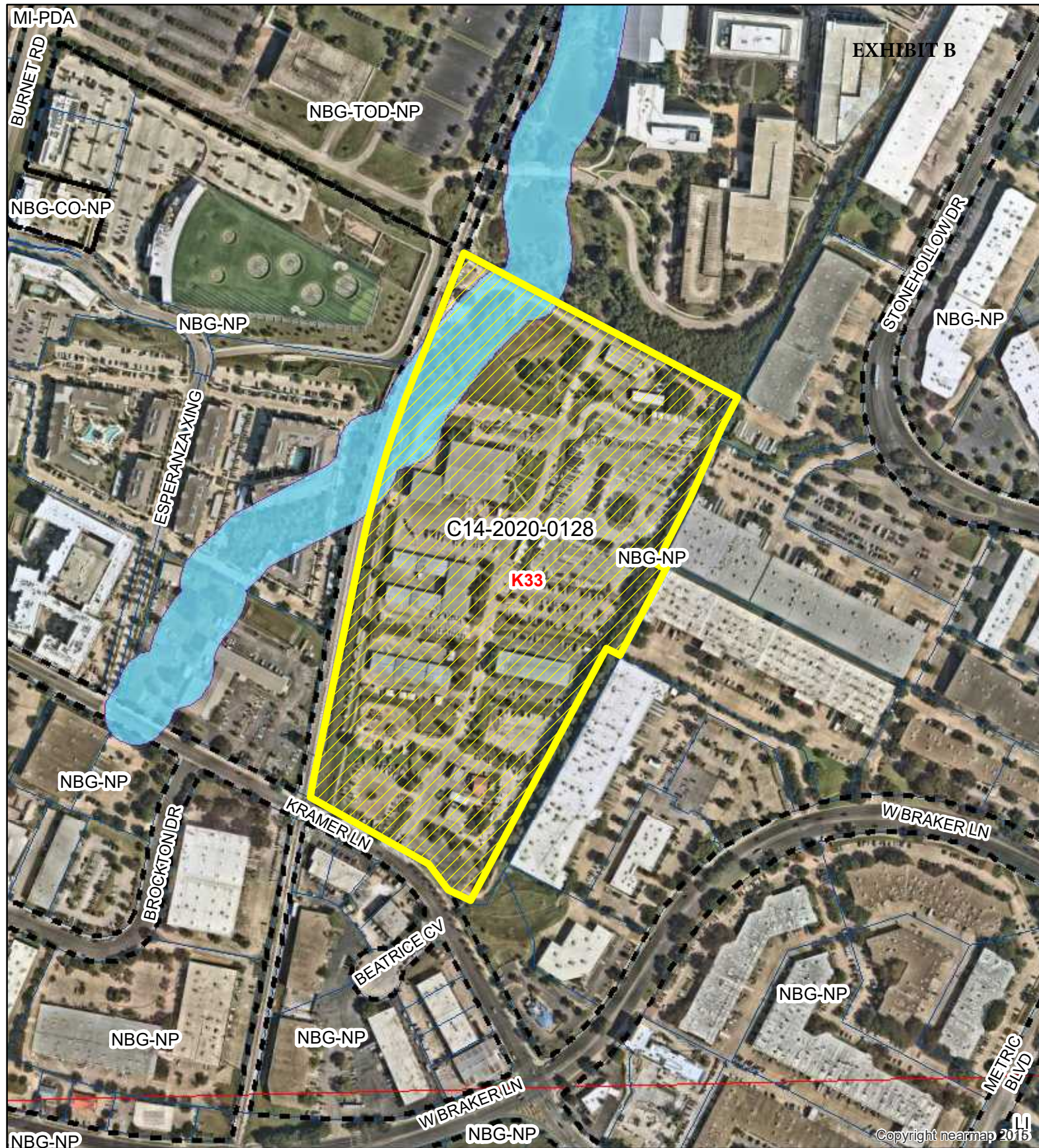
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Created: 11/5/2020





1" = 400'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

## NBG Austin Energy Substation Rezoning

ZONING CASE#: C14-2020-0128  
 LOCATION: 2412 Kramer Ln.  
 SUBJECT AREA: 33.56 Acres  
 GRID: K33  
 MANAGER: Sherri Sirwaitis



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.



**RESOLUTION NO. 20201029-SPEC001**

**WHEREAS**, the City Council desires a zoning change at 2412 Kramer Lane to support a critical infrastructure need of the City; **NOW THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council initiates the rezoning of the property generally located at 2412 Kramer Lane to zone the property as needed for an electric substation to public (P) zoning district, and initiating an amendment to the North Burnet Gateway Regulating Plan to remove the portion of property rezoned.

**BE IT FURTHER RESOLVED:**

The City Manager is directed to process the zoning application and take necessary steps to ensure that the zoning regulations and the rezoning process:

- Address the critical and time sensitive infrastructure needs of Austin Energy, and
- Ensure an efficient and expedited rezoning process to not cause unnecessary delay.

**ADOPTED:** October 29, 2020

**ATTEST:**

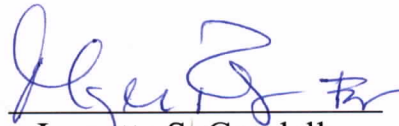
  
Jannette S. Goodall  
City Clerk

Figure 4.5 Growth Concept Map

