

**PLANNING COMMISSION SITE PLAN  
CONDITIONAL USE PERMIT REVIEW SHEET**

**CASE NUMBER:** SPC-2007-0537C **PC DATE:** May 13, 2008

**ADDRESS:** 10700 – 11025 Domain Drive

**AREA:** 39.84 acres

**PROJECT NAME:** Domain II

**APPLICANT:** Simon (Joe Stallsmith)  
The Domain Shopping Center LP  
225 W. Washington Street  
Indianapolis, IN 46204 (317-263-7958)

**AGENT:** Bury & Partners, Inc. (John Pelham)  
221 West Sixth, Suite 600  
Austin, TX 78701 (512-328-0011)

**PROPOSED DEVELOPMENT:** The applicant is proposing to construct retail (including one retail building over 100,000 square feet), restaurants, office, theater, and multi-family units with parking and other associated improvements.

**EXISTING ZONING:** The existing zoning is MI-PDA, Manufacturing - Planned Development Agreement, which allows the proposed uses. The Large Retail Use ordinance (§25-2-813) requires a conditional use site plan permit because one of the retail uses (Dillard's store) meets the definition of a large retail use.

**NEIGHBORHOOD ORGNIZATIONS** (located within one mile of the site):

Austin Independent School District  
NACA Neighborhood Plan  
Angus Valley Area Neighborhood  
River Place Residential Community Assn. Inc.  
Mesa Park Neighborhood Assn.  
Northwood Homeowner's Assn.  
Balcones Woods Homeowners  
North Growth Corridor Alliance  
Bull Creek Foundation  
Homebuilders Association of Greater Austin  
Milwood Neighborhood Assn.  
River Oaks Lakes Estates Neighborhood  
Austin Northwest Association  
Homeless Neighborhood Assn.  
Walnut Crossing Neighborhood Assn.  
Scofield Farms Resident Assn.  
North Austin Civic Assn.  
Whispering Valley Condo. Owners Assn.  
Austin Neighborhood Council  
League of Bicycling Voters

**NEIGHBORHOOD PLAN:** North Burnet/Gateway –

**T.I.A.:** A traffic impact analysis was required at the time of zoning.

**CAPITOL VIEW:** Not applicable

**WATERSHED:** Walnut (Suburban) & Shoal Creek (Urban)

**APPLICABLE WATERSHED ORDINANCE:** Comprehensive Watershed Ordinance (Suburban/Urban)

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the conditional use permit with the following condition: The site plan will include a bike facility (i.e. bicycle lane or minimum 12' trail) connecting to the two proposed rail stations. The site plan will comply with all requirements of the Land Development Code prior to its release.

**PLANNING COMMISSION ACTION:**

**CASE MANAGER:** Sue Welch  
[Sue.Welch@ci.austin.tx.us](mailto:Sue.Welch@ci.austin.tx.us)

Telephone: 974-3294

**PROJECT INFORMATION:** 39.84 acres

**ZONING::** MI-PDA

**MAX. BLDG. CVRG:** 75%

**MAX. BLDG. HEIGHT:** 120'

**ALLOWED F.A.R.:** 1:1

**MAX. IMP. CVRG:** 80%

**REQUIRED PARKING:** 2814

**EXIST. USE:** Vacant

**PROP. BLDG. CVRG:** 32%

**PROP. BLDG. HEIGHT:** 28' -62'4"

**PROPOSED F.A.R.:** 0.608:1

**PROP. IMPERV. CVRG.:** 69%

**PROVIDED PARKING:** 2869

**PROPOSED USE:** Mixed Use

**PROPOSED ACCESS:** Braker Lane & Domain Drive (Internal Circulation Route)

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The applicant is proposing to construct retail, restaurants, office, theater, and multi-family units with parking and other associated improvements. One of the retail uses (Dillard's store) meets the definition of a "large retail use" under the Large Retail Use ordinance (§25-2-813, City Code), so a conditional use site plan permit is required. The site is currently vacant (the former IBM parking lot was demolished). This development also complies with the recently adopted Commercial Design Standards, Subchapter E of the Land Development Code. Parkland fees have been paid for the residential units.

The North Burnet-Gateway Neighborhood Plan [NBG] has identified two proposed rail stations (see attached NBG Sub-district Plan, Exhibit 1) within close proximity of this site. The North Burnet/Gateway Plan vision for allowing increased density and development in the area is predicated in part on the ability for people to be able to get around using sustainable forms of transportation including walking, biking, and transit (see attached NBG Plan for bicycle corridors and open space, Exhibit 2). The proposed development to the east (Endeavor-Domain) has agreed to provide a hike/bike trail along the proposed Kramer Lane extension (private drive) through their property to help facilitate a multi-modal connection between the two rail stations and within the site. This trail will connect to the Domain II property and staff has requested the continuation of the trail (see attached memo from Public Works' Bicycle Program Manager). This tract was also identified in the adopted Bicycle Master Plan as a major "Primary Attractor" and the bike trail within the Domain will be included in the updated Bicycle Master Plan (Exhibit 3).

**Environmental:** This site is located in the Walnut (suburban) and Shoal Creek (urban) Watersheds. The site is located within the north Edward's Aquifer Recharge Zone. This site is in compliance with the watershed regulations.

**Transportation:** Access to the proposed retail store will be from Braker Lane and Domain Drive (Internal Circulation Route). A TIA was required at the time of zoning. The applicant is complying with all recommendations of the TIA. The applicant is also proposing to construct driveway improvements along Braker Lane and a deceleration lane along the north side of West Braker Lane ROW under an associated site plan. All transportation comments will be cleared prior to site plan release.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
Site	MI-PDA	Proposed General Retail Sales & Residential
North	MI-PDA	General Retail Sales & Residential (Domain I)
South	ROW	Braker Lane ROW (and then UT Pickle campus)
East	MI-PDA	Office, Research Svcs. & Tech. School (Tx. Culinary Inst).
West	LI-PDA	Railroad ROW, then Office, Hotel

<b><u>Street</u></b> Braker Lane	<b><u>R.O.W.</u></b> varies	<b><u>Surfacing</u></b> 2@35'	<b><u>Classification</u></b> Major Arterial
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## **CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA**

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states:

A. "The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section."

**B. A conditional use site plan must:**

1. **Comply with the requirements of this title;** Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.
2. **Comply with the objectives and purposes of the zoning district;** Staff Response: The general retail sales use is a permitted use within the MI-PDA zoning district. The proposed development complies with all site development regulations for the zoning district. A conditional use permit is required due to one of the retail uses (Dillard's store) meeting the definition of a "large retail use" under the Large Retail Use ordinance (§25-2-813, City Code).
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;** Staff Response: The site plan will comply with all requirements of the zoning district. In addition, the building complies with setback and height requirements. The site is providing connectivity to the adjoining tracts and the proposed uses are compatible with other surrounding mixed uses.
4. **Provide adequate and convenient off-street parking and loading facilities; and**  
Staff Response: The site plan complies with off-street parking and loading facility requirements. All dumpsters and loading areas shall be screened with materials the same or equal to materials used for the principal building.
5. **Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.** Staff Response: The site plan will comply with all requirements of the Land Development Code, and reasonably protects the health, safety, and welfare of persons and property.
6. **For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a Neighborhood Plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is not in the East Austin Overlay but is in the recently adopted North Burnet/Gateway Combined Neighborhood Plan. The site complies with the land use recommendations associated with the plan. Staff has asked for a bicycle facility to comply with the goal of "Increas[ing] mobility both within the North Burnet/Gateway area and to surrounding areas by improving connectivity and creating the type of environment that is conducive to more sustainable methods of transportation, including accommodations for pedestrians, cyclists and transit." The Kramer Lane bikeway is identified as a recommended route in the North Burnet/Gateway Plan, connecting two rail transit stations: Capital MetroRail which will begin service at the end of 2008 and the Austin-San Antonio (ASA) Intermunicipal Rail, which is in the regional planning stage. The bikeway will provide a connection between two other important regional bike facilities, the Walnut Creek Trail [via Metric Blvd.] and the future Rails with Trails along the ASA commuter rail line.

The City's Bicycle and Pedestrian program will be seeking funding for a bicycle facility on Kramer from Metric to Burnet Road, allowing access to the Capital MetroRail station and to the edge of the Domain development. Endeavor Real Estate has committed to continuing a bicycle facility when they extend Kramer Lane into their portion of the Domain site. The requested bike facility on the Simon Domain property is the last piece of the puzzle to connect the major activity center proposed on that property with the Capital MetroRail station and Walnut Creek trail in the short-term, and connection to the Austin-San Antonio commuter rail line and Rails with Trails in the longer-term, creating an interconnected regional mobility system between major activity centers in the city.

**C. A Conditional Use Site Plan May Not:**

- 1. More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform with all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a permitted use.
  - 2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: The site plan is not anticipated to have any detriment of vehicular safety or convenience. The proposed development required a traffic impact analysis. The Commercial Design Standards required pedestrian friendly circulation and connectivity. Staff has requested a bike trail connection for the two proposed rail stations within the vicinity. The high-density urban development envisioned in the North Burnet/Gateway Plan, including areas surrounding the Domain, requires the accommodation of pedestrian, cyclists, and transit users so that they can move between rail stations, regional bicycle facilities and activity nodes without the use of a car. The planning-level traffic analysis conducted for the North Burnet/Gateway Plan assumed auto trip reductions based on the Plan's goals of accommodating pedestrians, cyclists and transit. Without those accommodations, auto traffic will be worse in the planning area as it builds out.
  - 3. Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control. All sight lighting will comply with the Commercial Design Standards for the buildings and parking lot. All signs will comply with the Land Development Code.
  - 4. For a large retail use described in Section 25-2-813(Large Retail Uses), adversely affect the future redevelopment of the site.** Staff Response: The site is in a prime location to be developed currently and in the future as a large retail use.
- D.** A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.