

THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2016-0106 – 4411 SoCO

REQUEST:

Approve third reading of an ordinance amending City Code Title 25-2 by rezoning property locally known as 4411 South Congress Avenue and 4510 Lucksinger Lane (Williamson Creek Watershed) from general commercial services – mixed use – neighborhood plan (CS-MU-NP) combining district zoning to general commercial services – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (CS-MU-V-CO-NP) combining district zoning. The Conditional Overlay limits height of a building or structure to 60 feet.

DISTRICT AREA: 3

DEPARTMENT COMMENTS:

At the advice of the Law Department, the following conditions are more appropriate for a private Restrictive Covenant and thus are not included in the draft rezoning ordinance:

- 1) providing 5% of the rental units at 80% median family income and 5% of the rental units at 60% median family income, and
- 2) spreading all affordable units proportionally through all unit types and making all amenities to residents of the affordable units,

City Council Questions and Answers from January 26, 2017 covering water and wastewater infrastructure are attached following this Summary Sheet.

OWNER: Olivia and Harry Wilke

APPLICANT: LEMCO Holdings, LLC (David Cox)

AGENT: Alice Glasco Consulting (Alice Glasco)

DATE OF FIRST READING: January 26, 2017, Approved CS-MU-V-CO-NP district zoning with conditions, on First Reading (8-2, Mayor Pro Tem Tovo and Council Member Alter voted nay; Council Member Casar was off the dais).

DATE OF SECOND READING: March 23, 2017, Approved CS-MU-V-CO-NP district zoning, on Second Reading (10-0, Council Member Casar was off the dais).

CITY COUNCIL HEARING DATE: April 13, 2017

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades

e-mail: wendy.rhoades@austintexas.gov



City Council Questions and Answers for
Thursday, March 23, 2017

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, March 23, 2017 at Austin City Hall
301 W. Second Street, Austin, TX



Mayor Steve Adler
Mayor Pro Tem Kathie Tovo, District 9
Council Member Ora Houston, District 1
Council Member Delia Garza, District 2
Council Member Sabino Pío Renteria, District 3
Council Member Gregorio Casar, District 4
Council Member Ann Kitchen, District 5
Council Member Jimmy Flannigan, District 6
Council Member Leslie Pool, District 7
Council Member Ellen Troxclair, District 8
Council Member Alison Alter, District 10

of the three Procurement Categories on page 256, Table 6.5 of the NERA Economic Consulting Business Disparities in the Austin, Texas Market Area study? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER: This question relates to the draft ordinance that was in backup for the March 2, 2017 Council meeting. The item was postponed to the March 23, 2017 Council meeting. In the interim, SMBR changed the draft ordinance, so that it no longer alters the annual program goals from the existing ordinance, as discussed in more detail in the March 17, 2017 Clarification Memo to Mayor and Council that is in backup.

Agenda Item # 52: Approve a resolution directing the City Manager to evaluate and explore the options available for repurposing the properties at 1215 Red River Street and 606 East 12th Street, which were previously occupied by HealthSouth.

QUESTION: Please provide some examples of currently available properties, prices, and square footage in the Central Business District. MAYOR PRO TEM TOVO'S OFFICE

ANSWER: See attachment.

Agenda Item # 55: Approve a resolution establishing a council working group to examine and provide recommendations on Austin Resource Recovery and Austin Water organics and recycling policies and contracts.

QUESTION: 1) What are best practices from other municipalities in regard to broadness of scope of their anti-lobbying ordinances? 2) Could you provide a timetable on time sensitive implications to consider for current city waste contracts? COUNCIL MEMBER ALTER'S OFFICE

ANSWER: See attachment

Agenda Item # 80: C14-2016-0106 – 4411 SOCO – District 3 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4411 South Congress Avenue and 4510 Lucksinger Lane (Williamson Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First Reading approved on January 26, 2017. Vote: 10-0, Council Member Casar was off the dais. Owner: Olivia and Harry Wilke. Applicant: LEMCO Holdings, LLC (David Cox). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

QUESTION: The department comments include recommendations from the law department to not include the affordable housing requirements in the ordinance. How are the affordable housing requirements typically codified and enforced for VMU zoning cases which include affordable housing? COUNCIL MEMBER ALTER'S OFFICE

ANSWER: By Code, the addition of a -V, Vertical Mixed Use Building combining district means that the property shall be subject to Chapter 25-2, Subchapter E, Article 4.3 (Vertical Mixed Use Buildings) as follows:

1. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (Dimensional and Parking Requirements);
2. The Property is subject to the parking reductions identified in Article 4.3.3 E.3. (Dimensional and Parking Requirements); and
3. Ten percent of residential units in a vertical mixed use building shall be reserved for rental by households earning no more than 80 percent of the Annual Median Family Income.

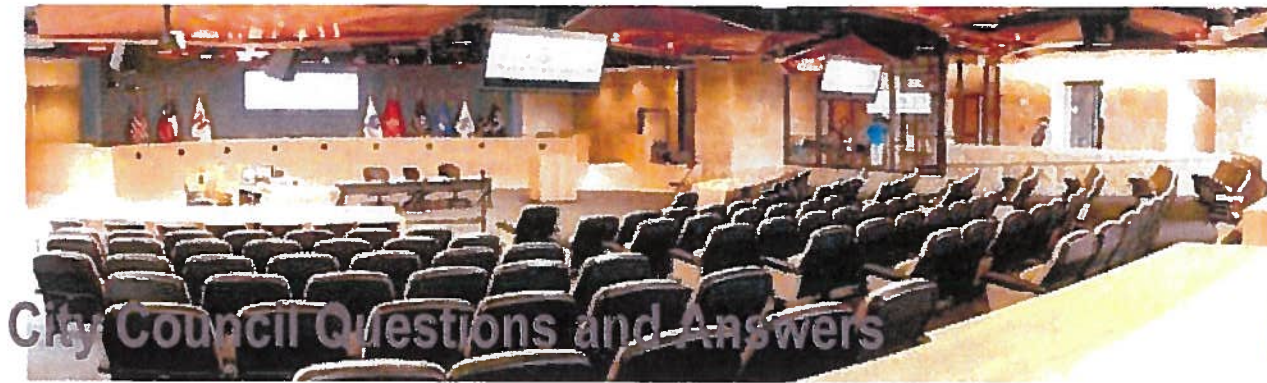
If Council approves the addition of a -V, then a property owner can opt to implement a vertical mixed use building at the time of site plan. If the Owner proceeds with a site plan that includes one or more vertical mixed use buildings, then they must obtain correspondence from the Neighborhood Housing and Community Development Department indicating that the project's proposed affordable housing component meets the Code requirements. The number of affordable housing units is shown on the site plan and "floating" units are allowed.

If Council wishes to incorporate voluntary affordability beyond that provided in code, a private restrictive covenant, to which the City is not a party, would be the appropriate mechanism. That private voluntary affordability would not be included in the ordinance.

Agenda Item # 83: C14-2014-0120 - Austin Oaks PUD - District 10 - Conduct a public hearing and approve second reading of an ordinance amending Title 25 by rezoning property locally known as 3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724, and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive (Shoal Creek Watershed) from community commercial (GR) district zoning, neighborhood commercial (LR) district zoning, limited office (LO) district zoning and family residence (SF-3) district zoning to planned unit development (PUD) district zoning. The ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved with conditions on December 15, 2016. Vote: 6-3, Council Members Casar, Gallo and Zimmerman voted nay; Council Members Garza and Troxclair were off the dais. Applicant: Graves Dougherty Hearon & Moody (Michael Whellan). Owner: Twelve Lakes LLC, Jon Ruff. City Staff: Andrew Moore, 512-974-7604. A valid petition has been filed in opposition to this rezoning request.

QUESTION: Land Use:

How much retail square footage and what type of retail use will be allowed on each site based on what passed on first reading? Does the retail square footage on the Land Use Plan match the assumptions in the TIA? When will the total retail square footage be clarified on the PUD land use plan?



**City Council Questions and Answers for
Thursday, January 26, 2017**

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, January 26, 2017 at Austin City Hall
301 W. Second Street , Austin, TX



Mayor Steve Adler
Mayor Pro Tem Kathie Tovo, District 9
Council Member Ora Houston, District 1
Council Member Delia Garza, District 2
Council Member Sabino "Pio" Renteria, District 3
Council Member Gregorio Casar, District 4
Council Member Ann Kitchen, District 5
Council Member Jimmy Flannigan, District 6
Council Member Leslie Pool, District 7
Council Member Ellen Troxclair, District 8
Council Member Alison Alter, District 10

puts the liability of producing these units and the affordability level on Endeavor. The terms of the restrictive covenant will be finalized at time of 3rd reading.

Agenda Item #80: C14-2016-0097 - South Congress Residences - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4714 South Congress Avenue (Williamson Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner: Diamond Real Estate Investment, Inc. (Curt Sutherland). Applicant: Guefen Development Company (David Kulkarni). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

QUESTION: 1) What water infrastructure will the development be required to pay for? 2) Is the existing water infrastructure sufficient to accommodate the increased density on these sites? COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The developer will be responsible for the cost of any water or wastewater infrastructure necessary to serve the development. The act of submitting construction plans will trigger a review of the development's water and wastewater demands upon the City's utility system. During that analysis, if additional infrastructure improvements are required, then the developer will be notified of such. Rezoning of a property does not trigger a review of the capabilities of the utility system because demands on the utility system can significantly change between the time that zoning has been approved and construction plans are actually submitted.

However, there is an existing 12-inch water line located in front of this site in South Congress Avenue. The existing 12-inch water line is probably sufficient to serve the development, but that determination will not be made until the plans are submitted for review.

See attachment for further information.

Agenda Item #82: C14-2016-0106 - 4411 SOCO - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4411 South Congress Avenue (Williamson Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner: Olivia and Harry Wilke.

Applicant: LEMCO Holdings, LLC (David Cox). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

QUESTION: 1) What water infrastructure will the development be required to pay for? Is the existing water infrastructure sufficient to accommodate the increased density on these sites? 2) Why is the applicant on one property willing to make 15% of the units affordable, while the other property is only making 10% of the units affordable? What differences exist between the two sites that would justify this? COUNCIL MEMBER ALTER'S OFFICE

ANSWER: 1) The developer will be responsible for the cost of any water or wastewater infrastructure necessary to serve the development. The act of submitting construction plans will trigger a review of the development's water and wastewater demands upon the City's utility system. During that analysis, if additional infrastructure improvements are required, then the developer will be notified of such. Rezoning of a property does not trigger a review of the capabilities of the utility system because demands on the utility system can significantly change between the time that zoning has been approved and construction plans are actually submitted.

However, there is an existing 12-inch water line located in front of this site in South Congress Avenue. The existing 12-inch water line is probably sufficient to serve the development, but that determination will not be made until the plans are submitted for review.

2) This question is better answered by the Applicant. During the Planning Commission hearing on these two items, the Applicant indicated that there are differing market conditions on the two properties, however, staff does not know whether the differing market conditions refer to a locational context (Item #80 is on the west side of S Congress, #82 is on the east side of S Congress) or from a target resident / office-retail context. See attachment for more information on this item.

QUESTION: To prevent an environmental disaster due to the decaying pipes within the sewer system at close proximity to the area, which the new developments would be using as well. Who can give the ok in writing that the current sewer system will take on new demand (would be adding 1000+ persons per day within the area), not to leak nor break to create an environmental disaster. Who can sign off on that and who will be accountable, should an incident occur due to increased overload of the sewer system? COUNCIL MEMBER RENTERIA'S OFFICE


ANSWER:


Austin Water will authorize a connection to the City's wastewater collection system. A decision is made at the time that construction plans are submitted; and not during the zoning process because there can be a significant time delay between a zoning action and the submittal of construction plans. That decision is based upon information known at that time of the submittal. If a wastewater main is known to have re-occurring problems (which could be related to different factors), the Austin Water may either: 1). require the main to be replaced by the developer, 2). require the developer to construct a new main that would direct wastewater flows to another portion of the City's wastewater system; or 3) create a City capital improvement project because

there are problems in a larger geographical area that may include the proposed development (and in such cases, the developer may be required to participate in the cost or the construction of that project). Austin Water's Systems Planning division models and evaluates different portions of the City's wastewater system to identify wastewater constraints based upon projected population growth, known densities, and information from the Collection System Engineering division. Austin Water's Collection System Engineering division identifies areas that have wastewater problems through the smoke testing of wastewater mains, televising of wastewater mains, and walking the routes of wastewater mains to identify causes for extraneous water inflow into the City's wastewater collection system. Additionally, that division will propose capital improvement projects to address known wastewater collection system problems. Austin Water also requires developers to conduct manhole assessments if the proposed development is connecting to an existing City manhole to assist in determining if there is a potential problem with that section of the wastewater collection system.

It should be noted that in some cases, wastewater overflows are created by vandalism, accidents, or environmental events such as a flood. Austin Water conducts its due diligence to prevent any wastewater overflows from its wastewater collection system to the greatest extent financially possible. Austin Water works in conjunction with the Watershed Protection Department to mitigate any impact to the community and the environment should a wastewater overflow occur.

END OF REPORT - ATTACHMENTS TO FOLLOW

 The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

 For assistance, please call 512-974-2210 or TTY users route through 711.

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0106 – 4411 SOCO

P.C. DATE: November 8, 2016
December 13, 2016
January 10, 2017

ADDRESS: 4411 South Congress Avenue and 4510 Lucksinger Lane

DISTRICT AREA: 3

OWNERS: Olivia and Harry Wilke

APPLICANT: LEMCO Holdings, LLC
(David Cox)

AGENT: Alice Glasco Consulting (Alice Glasco)

ZONING FROM: CS-MU-NP

TO: CS-MU-V-NP **AREA:** 2.934 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – neighborhood plan (CS-MU-V-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

November 8, 2016: *APPROVED A POSTPONEMENT TO DECEMBER 13, 2016*
[P. SEEGER; F. KAZI – 2ND] (11-0) J. SCHISSLER RECUSED DUE TO A
CONFLICT OF INTEREST – PROFESSIONAL SERVICES RENDERED; A.
PINEYRO DE HOYOS – ABSENT

December 13, 2016: *APPROVED A POSTPONEMENT REQUEST BY THE CONTACT*
TEAM TO JANUARY 10, 2017
[P. SEEGER; T. WHITE – 2ND] (11-0) J. SCHISSLER RECUSED DUE TO A
CONFLICT OF INTEREST – PROFESSIONAL SERVICES RENDERED; J. SHIEH –
NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA; T. NUCKOLS; A.
PINEYRO DE HOYOS – ABSENT

January 10, 2017: *APPROVED CS-MU-V-NP DISTRICT ZONING AS STAFF*
RECOMMENDED, WITH ADDITIONAL CONDITIONS TO PROVIDE 10% RENTAL
UNITS AT 60% MEDIAN FAMILY INCOME WITH A UNIT MIX REFLECTING THE
MAKEUP OF THE UNITS AS THE REST OF THE DEVELOPMENT AND ALL AMENITIES
WILL BE AVAILABLE TO THE RESIDENTS OF THE AFFORDABLE UNITS.

[F. KAZI; J. VELA – 2ND] (10-2-1) K. MCGRAW; P. SEEGER – NAY; J. SCHISSLER
RECUSED DUE TO A CONFLICT OF INTEREST – PROFESSIONAL SERVICES
RENDERED

ISSUES:

At the advice of the Law Department, the following conditions are more appropriate for a private Restrictive Covenant and thus are not included in the draft rezoning ordinance:

- 1) providing 5% of the rental units at 80% median family income and 5% of the rental units at 60% median family income, and
- 2) spreading all affordable units proportionally through all unit types and making all amenities to residents of the affordable units,

City Council Questions and Answers from January 26, 2017 covering water and wastewater infrastructure are attached following this Summary Sheet.

The South Congress Combined Neighborhood Plan Contact Team has provided correspondence in opposition to the proposed addition of –V to the existing zoning that applies to this property. The Battle Bend Springs Homeowners Association (BBSHOA) is also opposed. Please refer to correspondence attached at the back of this report.

On Wednesday evening, October 12, 2016, the Contact Team met with the Agent at the Pleasant Hill Library. Staff was also in attendance. Questions from the Contact Team and answers from the Applicant are attached at the back of this report.

DEPARTMENT COMMENTS:

The subject lot is located on South Congress Avenue, a major arterial and Luckinsinger Lane, a local street, contains a vacant monument retail sales use and a residence. It has had general commercial services – mixed use – neighborhood plan (CS-MU-NP) zoning since Council approval of the East Congress Neighborhood Plan rezonings in August 2005. Under the current zoning, between 106 units (2 bedrooms) and 159 units (efficiencies) could be built. This property was identified as one of several addresses comprising Tract 112. There are consumer service related and auto-related uses along both sides of Congress Avenue in the vicinity (CS-MU-CO-NP; CS-MU-CO-NP/MF-6-CO-NP; CS-1-MU-CO-NP; CS-MU-NP), and a mixture of industrial, commercial and residential uses across Luckinsinger Lane to the east (LI-NP; CS-MU-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property and add a vertical mixed use building (–V) combining district to the existing zoning and develop it with 300 apartment units and 4,000 square feet of retail uses.

The property is designated as Mixed Use on the adopted Future Land Use Map (as is most of South Congress Avenue in the planning area), and the Mixed Use designation is defined as “An area that is appropriate for a mix of residential and non-residential uses.” Please refer to Exhibit B. South Congress Avenue is also designated as a Core Transit Corridor. During the Vertical Mixed Use Overlay (VMU) Opt-in/Opt-out process conducted by the Neighborhood Planning and Zoning Department in 2007-09, an application to designate certain properties as appropriate to add the –V combining district or exclude other properties from the VMU overlay was not filed by the South Congress Combined Planning Contact Team. The subject property is one that is eligible and appropriate for the addition of –V because of its

commercial zoning and uses, and location on a Core Transit Corridor. There are other recently constructed condominium and multifamily residential projects on this stretch of South Congress south of Ben White and north of Ramble Lane, including one under construction at the northeast corner of East St. Elmo Road.

The addition of –V provides an additional development option to a property, but allows it to retain the ability to redevelop under the existing CS base district. A –V does not grant: 1) additional height to the base zoning district which is 60 feet in the CS district or 2) additional impervious cover which is limited to 80 percent in the suburban portion of the Williamson Creek watershed. The addition of –V also does not waive applicable compatibility standards.

A building built under vertical mixed use building (–V) standards is required to contain a mix of residential and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on the upper levels. On the subject property, there is also the opportunity to waive: 1) the front and interior side setbacks, 2) the 2:1 floor-to-area ratio established by CS zoning, and 3) the minimum site area requirement which is the number of dwelling units on a site by requiring a certain amount of square footage for a specific type of multi-family unit (efficiency, one bedroom, two bedroom). A –V building is also eligible for 60 percent of the minimum requirement for off-street parking. Finally, a –V building has an established affordability level for rental units which is 10 percent of the residential units set aside for households earning no more than 80 percent of the current MFI (\$62,250), for a period of 40 years.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-NP	Monument retail sales (vacant); Residence
<i>North</i>	CS-MU-CO-NP; LI-NP	Automotive sales; Office / warehouses; Mixed use buildings with 149 residential units and 22,692 s.f. of retail (under construction)
<i>South</i>	CS-MU-NP	Automotive repair; Convenience storage; Vehicle storage; Service station with food sales
<i>East</i>	LI-NP; CS-MU-NP	Industrial; Two duplexes; Automotive repair; Manufactured home park
<i>West</i>	CS-MU-CO-NP; CS-1-MU-CO-NP	Administrative/business offices; Retail sales (convenience); Business park; Restaurants; Convenience storage; Hotel-motel

NEIGHBORHOOD PLANNING AREA: South Congress Combined (East Congress)

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

An Educational Impact Statement (EIS) is provided as Attachment A.

St. Elmo Elementary School Bedichek Middle School Travis High School

NEIGHBORHOOD ORGANIZATIONS:

9 – Battle Bend Springs Homeowners Association

26 – Far South Austin Community Association

96 – Southeast Corner Alliance of Neighborhoods (SCAN)

352 – Greenwood Hills – Colonial Park Neighborhood Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Assoc.

742 – Austin Independent School District

1108 – Perry Grid 644

1173 – South Congress Combined Neighborhood Plan Contact Team

1228 – Sierra Group, Austin Regional Group

1340 – Austin Heritage Tree Foundation

1363 – SEL Texas

1424 – Preservation Austin

1429 – Go!Austin/Vamos!Austin (GAVA) – 78745

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

1550 – Homeless Neighborhood Association

1578 – South Park Neighbors

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2016-0097 – South Congress Residences – 4714 S Congress Avenue	CS-MU-CO-NP to CS-MU-V-NP	To be reviewed on December 13, 2016	To be reviewed on December 8, 2016
C14-2014-0034 – St. Elmo's Market and Lofts - 113 Industrial Blvd; 4323 S Congress Ave; 4300 Blk of Willow Springs Rd	CS-MU-NP; LI- NP; LI-CO-NP to LI-PDA-NP	To Grant LI-PDA-NP w/PDA for all permitted uses and conditional uses in LI with certain prohibited uses, residential uses including multifamily and townhouse/condos, certain civic uses, adding cocktail lounge and hospital (ltd) as conditional uses, 25' front and side yard setbacks, 0' interior setback, 15' rear setback, 85% impervious cover, 1.5 to 1 floor-to-area ratio; Restrictive Covenant for the Traffic Impact	Apvd LI-PDA-NP with Restrictive Covenant for the TIA as recommended by the Commission (11- 20-2014).

		Analysis	
C14-2007-0234 – South Urban Lofts – 4367 S Congress Ave	CS-MU-CO-NP; MF-6-NP to CS-MU-CO-NP; MF-6-CO-NP, to change a condition of zoning	To Grant CS-MU-CO-NP for first 15'; MF-6-CO-NP for 15-90', w/CO for 2,000 trips/day; 90% impervious cover, limit of 25 spaces in a surface parking facility, and list of prohibited uses	Apvd CS-MU-CO-NP; MF-6-CO-NP as Commission recommended (3-20-2008).
C14-07-0009 – South Urban Lofts – 4367 S Congress Ave	CS-NP to CS-MU-CO-NP ; MF-6-NP	To Grant CS-MU-CO-NP for first 60'; MF-6-NP for 60-90' w/CO for 2,000 trips/day; 90% impervious cover, limit of 25 spaces in a surface parking facility, and list of prohibited uses	Apvd CS-MU-CO-NP; MF-6-CO-NP as Commission recommended, w/ Restrictive Covenant for minimum 2-star Green Building requirement (6-07-2007).

RELATED CASES:

The East Congress Neighborhood Plan Area rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 28, 2005 (NP-05-0020; C14-05-0107 – Ordinance No. 20050818-Z004). The property is a portion of Tract 112 that was rezoned to CS-MU-NP during the neighborhood plan rezonings (C14-05-0107 – Ordinance No. 20050818-Z004). As part of the East Congress Neighborhood Plan Rezonings, the neighborhood mixed use building and the neighborhood urban center special uses were adopted for Tract 112.

The property is a portion of Lot 25, Fortview, a subdivision of record in the Travis County Deed Records.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South Congress Avenue	94 feet	66 feet	Major Arterial Undivided 4 Lanes	Yes	Yes	Yes, Routes No. 1 and 486

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for South Congress Avenue.

CITY COUNCIL DATE: December 8, 2016

ACTION: Approved a Postponement request by Staff to January 26, 2017. Vote: 10-0, Mayor Pro Tem was off the dais.

January 26, 2017

Approved CS-MU-V-CO-NP district zoning as Planning Commission recommended with additional conditions: 1) require 5% of the units be provided at 80% median family income and 5% of the units to be provided at 60% median family income; 2) require that all affordable units be spread proportionately throughout all unit types and make available all amenities to the residents of the affordable units; and 3) limit the maximum height of a building or structure to 60 feet from ground level, on First Reading (8-2, Mayor Pro Tem Tovo and Council Member Alter voted nay; Council Member Casar was off the dais).

March 23, 2017

Approved CS-MU-V-CO-NP district zoning with CO limiting height to 60 feet, on Second Reading (10-0, Council Member Casar was off the dais). Note: Private Restrictive Covenant to address affordability.

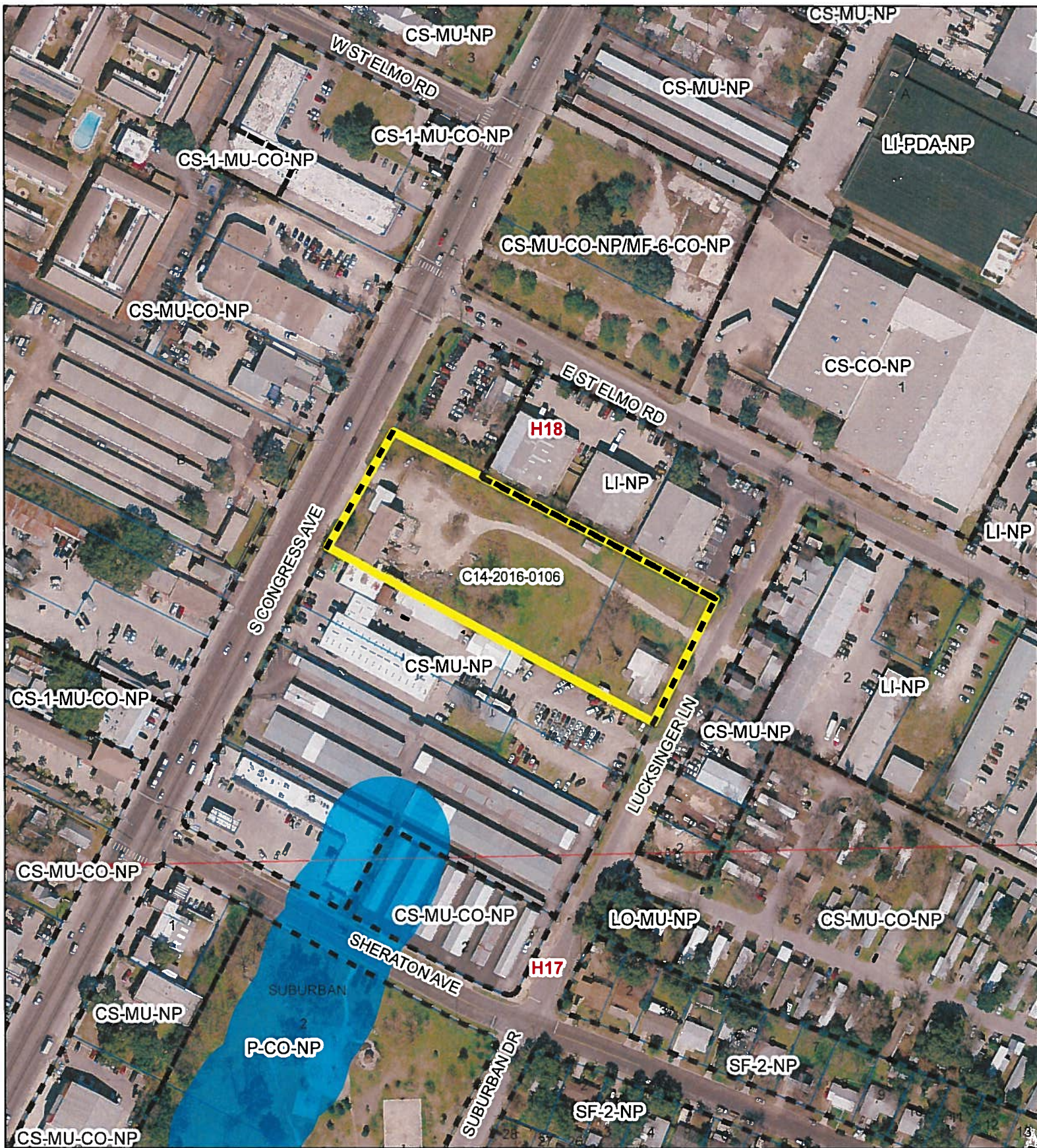
April 13, 2017

ORDINANCE READINGS: 1st January 26, 2017 2nd March 23, 2017 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



ZONING

Exhibit A1

ZONING CASE#: C14-2016-0106
 LOCATION: 4411 S. Congress Ave.
 SUBJECT AREA: 2.934 ACRES
 GRID: H18
 MANAGER: Wendy Rhoades



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



1" = 200'



SUBJECT TRACT



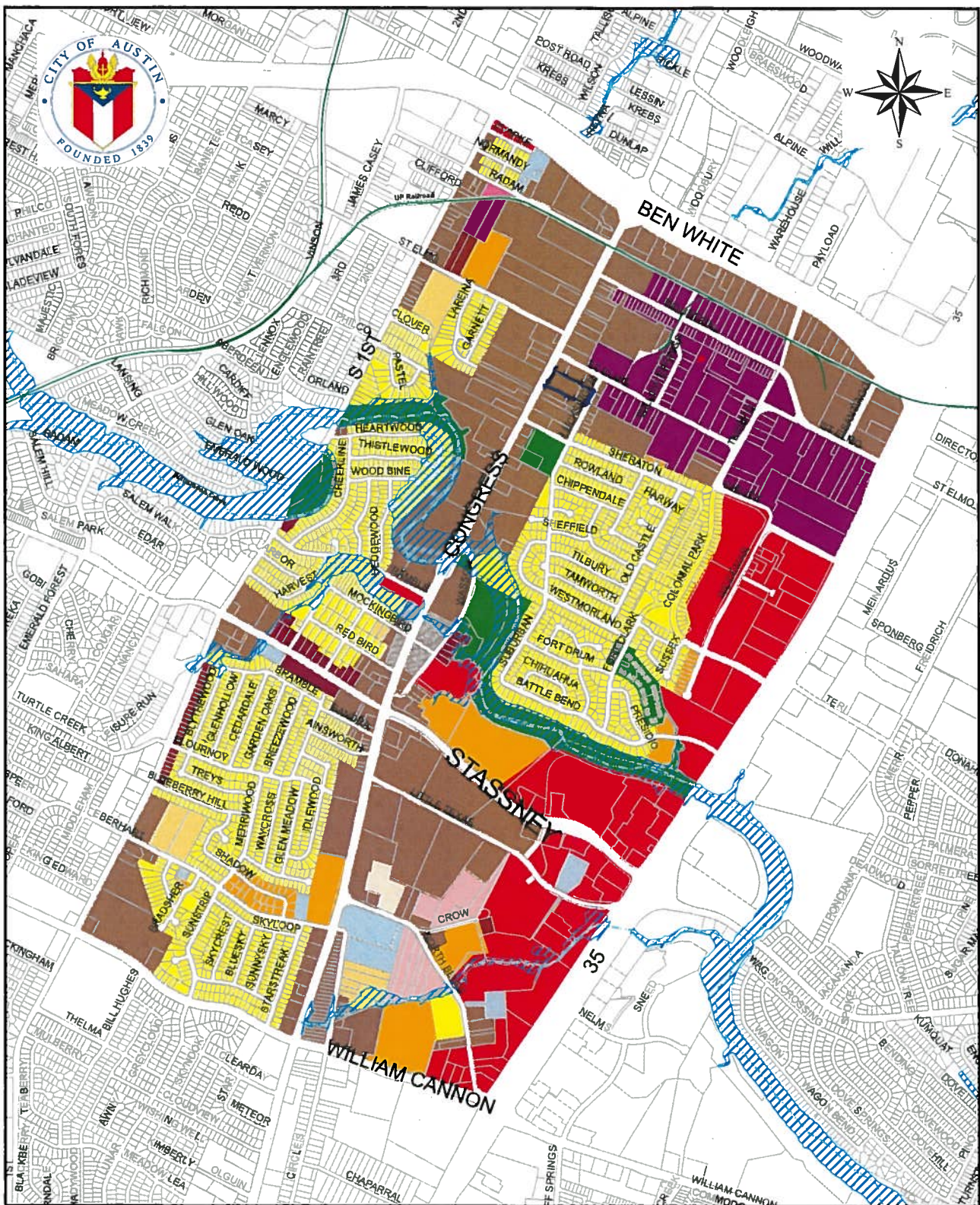
PENDING CASE



ZONING BOUNDARY



CREEK BUFFER



South Congress Combined Neighborhood Planning Area: Future Land Use Map

Produced by the City of Austin
Planning and Zoning Department
Adopted August 18, 2005
Updated August 18, 2016

This map has been produced by the City of Austin Planning & Zoning Department for the sole purpose of aiding neighborhood planning decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Legend

- | | |
|------------------------------|-------------------------|
| Civic | Mobile Homes |
| Commercial | Multifamily |
| Higher-Density Single-Family | Office |
| Industry | Recreation & Open Space |
| Mixed Residential | Residential Core |
| Mixed Use | Rural Residential |
| Mixed Use/Office | Single-Family |
| | 100-year Flood Plain |
| | Creeks |

2,000 1,000 0 2,000 Feet

EXHIBIT B

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: 4411 SOCO

ADDRESS/LOCATION: 4411 South Congress Avenue

CASE #: C14-2016-0106

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 300 STUDENTS PER UNIT ASSUMPTION
Elementary School: 0.068 Middle School: 0.029 High School: 0.036

IMPACT ON SCHOOLS

The student yield factor for the south central region (across all grade levels) is 0.133 for apartment homes. The 300 multi-family unit development is projected to add approximately 40 students across all grade levels to the projected student population. It is estimated that of the 40 students, 20 will be assigned to Galindo Elementary School, 9 to Bedichek Middle School, and 11 to Travis High School.

The percent of permanent capacity by enrollment for SY 2021-22, including the additional students projected with this development, would be within the target range of 75-115% for Galindo ES (83%) and Bedichek MS (83%), assuming the mobility rates remain the same. The projected additional students at Travis HS would not offset the anticipated decline in enrollment. Crockett (63%) would continue to be below the target range of permanent capacity, assuming the mobility rates remain the same. All of the schools will be able to accommodate the projected additional student population from the proposed development.

TRANSPORTATION IMPACT

Students within the proposed development attending Galindo ES, Bedichek MS and Travis HS will qualify for transportation due to the distance from the proposed development to the schools.

SAFETY IMPACT

There are no known safety impacts at this time.

Date Prepared: 2/14/17

Director's Signature: Paul Turner

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Galindo	RATING: Met Standard
ADDRESS: 3800 S. Second St	PERMANENT CAPACITY: 711
% QUALIFIED FOR FREE/REDUCED LUNCH: 92.17%	MOBILITY RATE: 5.6%

POPULATION (without mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	566	536	556
% of Permanent Capacity	78%	75%	79%

ENROLLMENT (with mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	587	566	587
% of Permanent Capacity	106%	80%	83%

MIDDLE SCHOOL: Bedichek	RATING: Met Standard
ADDRESS: 6800 Bill Hughes Road	PERMANENT CAPACITY: 941
% QUALIFIED FOR FREE/REDUCED LUNCH: 82.91%	MOBILITY RATE: -12.1%

POPULATION (without mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,012	880	889
% of Permanent Capacity	107%	93%	94%

ENROLLMENT (with mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	890	774	782
% of Permanent Capacity	95%	82%	83%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



HIGH SCHOOL: Travis	RATING: Met Standard
ADDRESS: 1211 E. Oltorf St.	PERMANENT CAPACITY: 1,862
% QUALIFIED FOR FREE/REDUCED LUNCH: 79.21%	MOBILITY RATE: -15.6%

POPULATION (without mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,806	1,385	1,396
% of Permanent Capacity	97%	74%	75%

ENROLLMENT (with mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	1,524	1,169	1,178
% of Permanent Capacity	82%	63%	63%

*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.

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – neighborhood plan (CS-MU-V-NP) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. Zoning should promote clearly-identified community goals such as creating employment opportunities or providing for affordable housing.

The subject property is one that is eligible and appropriate for the addition of –V because of its commercial zoning and uses, and location on a Core Transit Corridor. There are other recently constructed condominium and multifamily residential projects on this stretch of South Congress south of Ben White and north of Ramble Lane, including one under construction at the northeast corner of East St. Elmo Road.

EXISTING CONDITIONS**Site Characteristics**

The subject rezoning area contains a vacant commercial building and a residence. There are several trees scattered throughout the property.

Impervious Cover

The maximum impervious cover allowed by CS zoning district would be 80%, which is based on the more restrictive watershed regulations described below.

Comprehensive Planning

This rezoning case is located on east side of S. Congress Avenue, which has a vacant commercial building on it. The property is approximately 2.93 acres in size and is located in the South Congress Combined Neighborhood Planning Area, within the East Congress NP.

Surrounding land uses includes a used car lot and an office / warehouse to the north; an automobile repair shop to the south; vehicle storage to the east, and convenience storage and retail to the west. The proposed use is a 300 unit multi-family apartment complex and 4,000 sq. feet of general retail.

Connectivity

A public transit stop is located within walking distance of this site, along S. Congress Avenue. Public sidewalks are located along both sides of this street, although the large curb cuts could make walking in this area problematic. The Walkscore for this site is 57/100, meaning some errands may be accomplished on foot.

South Congress Combined Neighborhood Plan (SCCNPA)

The SCCNPA Future Land Use Map (FLUM) classifies this portion of the planning areas as 'Mixed Use' and Zone CS-MU-V-NP is permitted under this land use category. Mixed Use is defined as an area that is intended for a mix and non-residential uses, including retail and commercial services. The following text and policies are excerpted from the SCCNPA and are applicable to this case:

Vision (p 13)

The neighborhoods of the South Congress Combined Neighborhood Planning Area should be quiet and safe communities. Tree-lined neighborhood streets should allow residents to safely travel by foot, bicycle, or car. Commercial streets, especially South Congress Avenue, should become more pedestrian-friendly and safely accessible from nearby neighborhoods. South Congress Avenue should become a mixed-use corridor serving local and regional needs.

GOAL TWO: South Congress Avenue should become a **more vibrant, accessible mixed-use corridor and a destination for nearby residents and the citizens of Austin. (p 50)**

Text from p. 50. The vision presented for South Congress Avenue is one where new development and redevelopment redefine the street in a more urban and pedestrian-friendly manner. This transformation could provide opportunities for new businesses serving nearby residents, people working in the area, other Austinites, Central Texans, and out-of-town visitors. It could include a greater variety of restaurants—large and small, an increased array of retail opportunities, and innovative residential designs reinforcing a more urban environment. As the character of the street changes, new development should be human-scaled and, where practical and appropriate, connect to adjacent, similarly designed projects.

The "Avenue" (p 52)

The two-mile segment of South Congress Avenue bisecting the planning area serves as the central corridor of the SCCNPA. An examination of the roadway indicates there are three general districts (See map on page 51). Identified by the major intersecting street, they are:

- St. Elmo Road District (location of subject property)
- Stassney Lane District
- Eberhart Lane District

The three districts share general characteristics such as a prevalence of land uses not conducive to walking, an abundance of curb cuts—in those stretches where there are curbs, significant amounts of undeveloped or underdeveloped land, and long stretches of roadway without signalized crossings at intersections.

Objective 2.1: Create incentives and programs to promote a pedestrian-oriented corridor. (p 54)

Recommendation 1: Investigate the creation of programs or incentive packages to promote new pedestrian-oriented development or redevelopment. These may include public/private partnerships and/or changes to the land development code.

Recommendation 2: Conduct a corridor study along South Congress Avenue to determine the means to enhance the streetscape and street life.

Improvements could include:

- Street tree plantings and maintenance of trees;
- Consolidation of curb cuts;
- Pedestrian-friendly amenities such as awnings and landscaping, pedestrian-scaled signs, and public art;
- Traffic safety improvements where appropriate.

Recommendation 3: Denote commercial properties along South Congress Avenue with a mixed-use future land use notation to promote mixed-use development. (p 56)

Objective 2.2: Improve the infrastructure along South Congress Avenue to make it pedestrian friendly. Upgrading the pedestrian environment is a safety issue and a means to create the vibrant, pedestrian-oriented district this plan envisions. (p 56)

Recommendation 6: Consolidate curb cuts along South Congress Avenue and, where feasible, design joint access driveways as sites are developed or redeveloped.

Recommendation 7: Locate parking lots and parking structures beside, behind or beneath new commercial or mixed-use developments.

Recommendation 8: Orient new commercial or mixed-use development along South Congress Avenue toward the street and provide street trees and other amenities promoting a more pleasant pedestrian environment.

Recommendation 9: Create internal pedestrian and automobile circulation patterns reflecting traditional street networks in new commercial or mixed-use development on larger tracts located along South Congress Avenue.

GOAL THREE: Focus mixed-use development and commercial uses along major commercial corridors and in specialized districts. (p 60)

Objective 3.3: New development along Stassney Lane between Interstate Highway 35 and South Congress Avenue should be more pedestrian-friendly. (p 64)

Recommendation 5: Assign the mixed-use future land use category to the vacant or easily redeveloped sites along Stassney Lane and Little Texas Lane to encourage vibrant, mixed-use, pedestrian-oriented development.

Objective 3.4: Stassney Lane from South Congress Avenue to South 1st Street should transition from the larger-scaled commercial areas east of South Congress Avenue to more neighborhood-scaled areas to the west.

Recommendation 6: Designate properties along Stassney Lane between South Congress Avenue and South 1st Street with the mixed-use future land use category.

South Congress Commercial Design Guidelines (p 91 – 99))

South Congress Avenue—Keep it “funky”

Keeping South Austin “funky” is a major design theme for the redevelopment of the street. Each site and building should be thought of not as a singular project, but as part of the larger urban fabric. As South Congress takes on a decidedly more urban feel, it is vital to encourage new development to enhance the sense of place unique to South Austin. The urban design guidelines for South Congress Avenue set out to create a distinctive district with a “funky, Austin-centric” feel. This development should not be a replication of other areas of Austin; rather, a new expression of the energy, culture, and individuality embodied in the slogan: “Keep Austin Weird”. New development and redevelopment should build upon local and vernacular styles to bring forth a vibrant area reflective of those people who choose to live, work, and do business along South Congress Avenue.

Residential Urban Design Guideline 1 - New multi-family development should reinforce an urban pattern. (pgs 92-93)

- New multi-family development should feel as if it a part of the community. Even if a new multi-family development is a large complex, the buildings and internal street network should be designed as if the project is part of a traditional neighborhood.
- Often apartment communities are separated from surrounding development and are discontinuous with adjacent neighborhoods. Multifamily housing should blend with nearby development. The circulation pattern of multifamily communities should continue the pattern of the established neighborhood or a grid pattern and should have multiple connection points for vehicles and pedestrians. Gated communities should be discouraged.

Residential Urban Design Guideline 2 - New multi-family development should be attractively landscaped to de-emphasize security features. When walls, fences, and other security devices are installed surrounding multifamily developments, landscaping with native materials should be used to screen and enhance their appearance.

Residential Urban Design Guideline 3 - Native stone and masonry should be the primary building materials.

Conclusions: South Congress Avenue is quickly transitioning away from industrial and warehouse uses, and is now a vibrant gateway into downtown Austin. A variety of neighborhood serving commercial and mixed uses now includes neighborhood friendly uses such as restaurants, bars, coffee shops, retail stores, and high density residential uses. A number of goals, objectives, recommendations and text language taken from the South Congress Combined Neighborhood Plan supports vibrant mixed use projects as the appropriate and desired land use along this heavily travelled corridor, and thus the **proposed mixed use project appears to be supported-by the SCCNPA**. Staff encourages the developer to review and apply the voluntary design guidelines for multi-family uses when designing this project.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies this section of South Congress Avenue is being along an **Activity Corridor**.

Activity corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites.

The following Imagine Austin policies are applicable to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **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 P5.** Create healthy and family-friendly communities through development that includes a **mix of land uses** and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **HN P5.** Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the property being located along an Activity Corridor that encourages a variety of neighborhood serving land uses along corridors, including mixed use; and the Imagine Austin policies referenced above that supports mixed use and residential projects, this request appears to be supported by the Imagine Austin Comprehensive Plan.

Environmental

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

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

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the *east* property line, the following standards apply:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the triggering property line.

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

Transportation

The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for South Congress Avenue. If the requested zoning is granted for this site, then 57 feet of right-of-way from the existing centerline should be dedicated for South Congress Avenue

according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55]. The additional right-of-way may be dedicated at the time of subdivision and/or site plan.

A traffic impact analysis (TIA) is required but has been deferred to the site plan stage when more details of land use(s) and land use intensities are available. A TIA will be required at the time of site plan if the development exceeds 2000 trips per day as a single project or cumulatively if built as two projects or more.

Water / Wastewater

Should site plans be submitted for these tracts a wastewater Service Extension Request will be required.

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.

4411 Couth Congress Avenue
Case no. C14-2016-0106
Rezoning request from: CS-MU-CO-NP to CS-MU-V-NP

List of Conditions from the October 19th South Congress Combined Neighborhood Plan
Contact Team Meeting

1. Affordable housing: consider offering more than 10% of the units as affordable – consider between 15-25% at 50% MFI or lower in perpetuity?

Response: Project costs and market rents will not support this level of affordability, particularly at this location. The developer will comply with city code requirement of 10 % of the units at 80% MFI for VMU zoning

2. All affordable units will be spread among all unit types and all amenities will be available to the residents of the affordable units.

Response: The developer will provide a mix of units for affordable housing. All project amenities will be available to residents of the affordable units.

3. Fifty percent (50%) of the units will be 3 bedrooms for families.

Response: The unit mix will be determined at a later date. However, 3-bedroom units in urban locations generally do not lease well. Accordingly, the developer would anticipate only a small number of 3BR units.

4. Building height: agree not to seek a variance to exceed the currently allowed to building height to 60 feet.

Response: The developer agrees not to seek a variance to the 60 foot height limit.

5. Will a TIA be required? If yes, when will it be prepared?

Response: If the City determines that a TIA is required during the site plan stage, the developer will prepare one at that time.

ALICE GLASCO CONSULTING

44 11 and 4714 Couth Congress Avenue

Case no. C14-2016-0097 and C14-2016-0106

Rezoning request from: CS-MU-CO-NP to CS-MU-V-NP

10/26/16

Responses to follow-up questions from the South Congress Combined Neighborhood Plan Contact Team Meeting held on October 19th, 2016

1. **Concern/Question:** Blocked fire hydrants, blocked pedestrian walkways, and parking in areas not permitted for parking. How will these developments not impede with our public safety and assure us that we will not have any of these concerns/problems.

Response: On both projects, workers will park on site in the staging area and after the parking garage is built, they will park in the garage.

2. **Concern/Question:** Who will pay for basic infrastructure costs related to the development (water, new pipes, etc.) that will be needed, do the citizens pick up the cost or the development.

Response: On both projects - the developer will pay for all infrastructure costs related to the development (water, new pipes, etc.)

3. And who will make sure that the road (pot holes fixed) is back to equal or greater than before the development came in for both 4714 & 4411.

Response: The developers will comply with the City of Austin ordinances that require developers to repair damages made to the street in the vicinity of the development site.

4. Water retention pond type, flooding considerations.

Response: both sites will have detention ponds which will help alleviate/improve any flooding in the area.

5. Fees in lieu off:

6. **Response:** Both developers are not planning on seeking any fees-in-lieu.

7. Trees:

Response: Both projects will comply with the City's tree ordinance.

8. Designated construction parking areas.

Response: On both projects, workers will park on site in the staging area and after the parking garage is built, they will park in the garage.

9. Traffic analysis-outcome:

Response: For 4411 South Congress Ave, at the time of site plan, if the proposed uses exceed 2,000 trips, the city code requires that a traffic impact analysis be submitted. For 4714 South Congress Ave, at the time of site plan, if the proposed uses exceed the trips that are currently generated by the existing uses, then a TIA will be required and both developers will comply accordingly.

10. Light management:

Response: The commercial design guidelines have lighting requirements that apply to both projects.

11. Noise, etc.

Response: Both developers will comply with all noise mitigation requirements that are in the land development code and other city codes.

Cost of Housing in Austin

	Affordable 1 bedroom (1 person household income)	Buy-Down 1 year (subsidy required)	Cumulative Buy-Down over 40 years	Affordable 3 bedroom (4 person household)	Buy-Down 1 year (subsidy required)	Cumulative Buy-Down over 40 years
Average Market Rate Rent	\$976			\$1,534		
80% MFI	\$1,005	No subsidy	No subsidy	\$1,434	\$100	\$18,056
60% MFI	\$753	\$223	\$40,264	\$1,075	\$459	\$82,875
50% MFI	\$628	\$348	\$62,833	\$896	\$638	\$115,194
30% MFI	\$377	\$599	\$108,153	\$566	\$968	\$174,778

Market rate based on The Austin Multi-Family Trends Report 2015 4th Quarter - Austin MSA averages by bedroom size.
Produced by Austin Investor Interests, LLC

	Affordable 1 bedroom (1 person household income)	Buy-Down 1 year (subsidy required)	Cumulative Buy-Down over 40 years	Affordable 3 bedroom (4 person household)	Buy-Down 1 year (subsidy required)	Cumulative Buy-Down over 40 years
Average Market Rate Rent	\$1,100			\$1,800		
80% MFI	\$1,005	\$95	\$17,153	\$1,434	\$366	\$66,083
60% MFI	\$753	\$347	\$62,653	\$1,075	\$725	\$130,903
50% MFI	\$628	\$472	\$85,222	\$896	\$904	\$163,222
30% MFI	\$377	\$723	\$130,542	\$566	\$1,234	\$222,806

Market rate based on Zillow.com Austin Median Rental List Price for April 2016



City of Austin, Neighborhood Housing and Community Development Office
P.O. Box 1088, Austin, Texas 78767
(512) 974-3100 Fax (512) 974-3161 www.cityofaustin.org/housing

FY 2016 Area Median Family Income
For Travis County, Texas
\$77,800 (4-person household) MSA:
Austin – Round Rock, TX.

2016 HOME Program Income Limits by
Household Size Effective Date: June 6, 2016

Median Income Limit	1 Person Household	2 Person Household	3 Person Household	4 Person Household	5 Person Household	6 Person Household	7 Person Household	8 Person Household
20%	10,900	12,450	14,000	15,560	16,800	18,050	19,300	20,550
* 30%	16,350	18,700	21,050	23,350	25,250	27,100	29,000	30,850
<i>(30% MFI is defined by HUD as extremely low-income)</i>								
40%	21,800	24,900	28,000	31,120	33,600	36,100	38,600	41,100
* 50%	27,250	31,150	35,050	38,900	42,050	45,150	48,250	51,350
<i>(50% MFI is defined by HUD as very low income)</i>								
* 60%	32,700	37,380	42,060	46,680	50,460	54,180	57,900	61,620
65%	35,400	40,450	45,000	50,570	54,600	58,650	62,700	66,750
70%	38,100	43,550	49,000	54,460	58,800	63,150	67,550	71,900
* 80%	43,600	49,800	56,050	62,250	67,250	72,250	77,200	82,200
<i>(80% MFI is defined by HUD as low-income)</i>								
100%	54,450	62,250	70,000	77,800	84,000	90,250	96,400	102,700
120%	65,350	74,700	84,000	93,360	100,850	108,300	115,750	123,250
140%	76,250	87,150	98,050	108,920	117,650	126,350	135,050	143,750

*** Income provided by HUD.**
Other income limits calculated by NHCD based on the formula used by HUD.
MFI Chart was expanded to include other percentages used by NHCD.

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2016-0106

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: November 8, 2016, Planning Commission
December 8, 2016, City Council**

Wendy Rhoades

Your Name (please print)

4714 S. Congress Ave

Your address(es) affected by this application

Wendy Rhoades

Signature

11/3/16

Date

Daytime Telephone: *512 422 7300*

Comments: *LET THEM DEVELOPE SO*

YOU CAN RECEIVE THE TAX

BENEFITS FOR THE CITY.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2016-0106

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: November 8, 2016, Planning Commission

December 8, 2016, City Council

CURTIS W. SUTHERLAND

Your Name (please print)

4360 S. CONGRESS AVE

Your address(es) affected by this application

Curtis W. Sutherland

Signature

Date

Daytime Telephone: *512 422 7300*

Comments:

*BUILD + TAX, BUILD + TAX,
BUILD + TAX*

☐ I am in favor
☐ I object

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2016-0106

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: November 8, 2016, Planning Commission
December 8, 2016, City Council

Albert Anton Hoelscher, Jr.
Your Name (please print)

☐ I am in favor
☒ I object

4511 Luckinsinger Ln, #43

Your address(es) affected by this application

Albert Anton Hoelscher, Jr. 12-4-2016
Signature Date

Daytime Telephone: 512-797-0011

Comments: I AM A VIETNAMESE VETERAN. THE WIDOWS & FAMILIES IN THIS PARK ARE TRYING TO FIGURE OUT HOW WHERE THEY CAN MOVE TO. PEOPLE IN THE CACTUS ROSE MOBILE HOME PARK WERE GIVEN UP TO 10,000 DOLLARS TO MOVE THEIR HOMES. AUSTIN AMERICAN STATESMAN 11-11-2016 SECTION B "Deal helps relocate mobile home owners" by Shonda Novak Novak.snovak@statesman.com I hope Villa Deere homeowners will be given the same offer. (same type of offer)

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

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

Rhoades, Wendy

From: mariocantu [REDACTED]
Sent: Monday, December 05, 2016 12:21 PM
To: Rhoades, Wendy
Cc: George Last Name Not Required; Michael Fossum; Alix Horton; Greg Steinberg
Subject: SCCNPCT- Request a postponement on hearing case numbers C14-2016-0106 and C14-2016-0097 from the December 13, 2016 (PC) meeting to the January 10, 2017 (PC) meeting. (4411 & 4714 S. Congress Ave)

Wendy,

The South Congress Combined Neighborhood Contact Team (SCCNPCT) would like to request a postponement on hearing case numbers C14-2016-0106 and C14-2016-0097 from the December 13, 2016 Planning Commission (PC) meeting to the January 10, 2017 PC meeting. It is our understanding that Chairman Stephen Oliver requested that anyone who could reschedule their case to January 10, 2017 to please do so due to the high case load for the PC agenda on December 13, 2016.

An agenda loaded with too many cases results in the merits of each case not being fully and fairly discussed (particularly after midnight). This is not fair to the applicant, the neighborhood, or the PC members. Members of the SCCNPCT have personally seen this in past meetings at the PC and City Council, and want to avoid this by delaying the cases until January 10, 2017.

In addition, there are members of the SCCNPCT who are unable to attend the December 13, 2016 PC meeting due to family, holiday, or work commitments. They will be free to attend the PC meeting on January 10, 2017, and would appreciate the PC granting the delay.

Please contact Ms. Alice Glasco to inform her of our request, and let us know if the request will be on the December 13, 2016 PC Agenda as a consent item.

Thank you.

Best Regards,

Mario Cantu, Chairman SCCNPCT

To: Planning Commissioners

Cc: Alice Glasco, Jerry Rusthoven, Wendy Rhoades, Maureen Meredith, Margaret Valenti

November 3, 2016

Dear Planning Commissioners,

The South Congress Combined Neighborhood Plan Contact Team (SCCNPCT) met with Alice Glasco representing a developer to discuss a request for a zoning change in our planning area. The SCCNPCT met on November 2, 2016 to discuss the following zoning change application:

4411 South Congress Avenue

Case No. C14-2016-0106

Rezoning request from: CS-MU-CO-NP to CS-MU-V-NP

The SCCNPCT voted to oppose this zoning change because it does not fit in with our approved Neighborhood Plan. We ask that you, please, vote NO to granting this change. Doubling the density allowed by the existing zoning on this and future projects will overwhelm existing road and sewer infrastructure in the area, and overburden our neighborhood park. The developer's offer to include affordable housing in the project in exchange for the zoning change will not significantly or effectively increase affordable housing in the area, and does not offset the burdens on the neighborhood imposed by the zoning change.

The SCCNPCT supports meaningful attempts to build new affordable housing in our area. For example, the Foundation Communities (<http://foundcom.org>) developments at Sierra Ridge, 201 W. St. Elmo Rd. and Sierra Vista, 4320 S. Congress Avenue, provide affordable housing for low to moderate income individuals and families (to as low as 30% of area MFI, <https://foundcom.org/housing/our-austin-communities>), including support services in the areas of education, financial stability and health.

A second example of effective affordable housing that we would like to see in our area has been permitted and will be built in McKinney, Texas: The Post Oak Apartments by Ground Floor Development (<http://groundfloordev.com/news>). This developer is currently building the St. Elmo Public Market project in our planning area on South Congress Avenue. The Post Oak Apartments will have 182 units, of which 130 (70% of units) will be affordable housing for people at 60% of MFI. Financing for this type of affordable housing is available through the Texas State Affordable Housing Corporation (<http://www.tsahc.org/developers-property-managers>).

The SCCNPCT believes in more meaningful and effective attempts to include affordable housing in commercial developments, such as 25% of units built designated as affordable at 60% of MFI. What was offered by the developer is not enough to mitigate the challenges faced by the neighborhood resulting from the increased density. The SCCNPCT asks that you vote NO on this zoning change.

Best regards,

Mario Cantu, mariocantu@myexcel.com
Chairman, SCCNPCT

Rhoades, Wendy

From: Alice Glasco <~~alice@agconsultingcompany.com~~>
Sent: Wednesday, December 07, 2016 10:33 AM
To: Rhoades, Wendy
Subject: RE: Postponement request from SCCNPCT for South Congress cases

Wendy,

My clients are okay with the postponement request.

Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C
Email: ~~alice@agconsultingcompany.com~~

-----Original Message-----

From: Rhoades, Wendy [<mailto:Wendy.Rhoades@austintexas.gov>]
Sent: Monday, December 05, 2016 1:34 PM
To: Alice Glasco
Subject: FW: Postponement request from SCCNPCT for South Congress cases

Alice,
Attached is the postponement request I received earlier today from the SCCNPCT. Please let me know if your client is in agreement with the request to postpone to the January 10, 2017 Planning Commission meeting.

Wendy

January 4, 2017

Dear Planning Commissioners:

My name is Michael Fossum, and I am a member of the South Congress Combined Neighborhood Plan Contact Team (SCCNPCT). At the Planning Commission (PC) meeting on January 10, 2017, you will consider the following two zoning change cases:

4411 South Congress Avenue
Case No. C14-2016-0106
Rezoning request from: CS-MU-CO-NP to CS-MU-V-NP

4714 South Congress Avenue
Case No. C14-2016-0097
Rezoning request from: CS-MU-CO-NP to CS-MU-V-NP

I have attached some information about our area for your review. I am opposed to these zoning changes, and I will speak to PC at the meeting about my opposition, and why the SCCNPCT voted against these zoning changes. I ask that you, please, vote NO to granting this change. Doubling the density allowed by the existing zoning on this and future projects will overwhelm existing road and sewer infrastructure in the area, and overburden our neighborhood park. The information that I have attached supports this and is as follows:

Capital Improvement Plan: This is from the City of Austin website where our Neighborhood Plan is archived. This plan (dated 2013) shows where bond money will be spent on projects in our Neighborhood Plan area. The Plan shows that there is no bond money allocated to improve traffic flow on Congress Avenue. The transportation bond that passed in 2016 does not allocate any money for capital improvements, only some money for a study of the Congress Avenue Corridor.

Email from Mike Russ, Project Manager for the City of Austin, Williamson Creek sewer line repair: The existing sewer line that serves our area is near capacity and in need of repair. The city is starting a project to add more sewer capacity to the area. The timeline and funding is uncertain for this project, and density should not be increased if the infrastructure is not in place to accommodate the new development.

Future Land Use Map (FLUM): The FLUM shows our planning area, and the MU zoning along the main corridors. The only park in the area is at the corner of South Congress Avenue and Sheraton Avenue. The park is about 5 acres in size. Doubling the density of the MU zoning in the planning area will overwhelm the one small neighborhood park that is available.

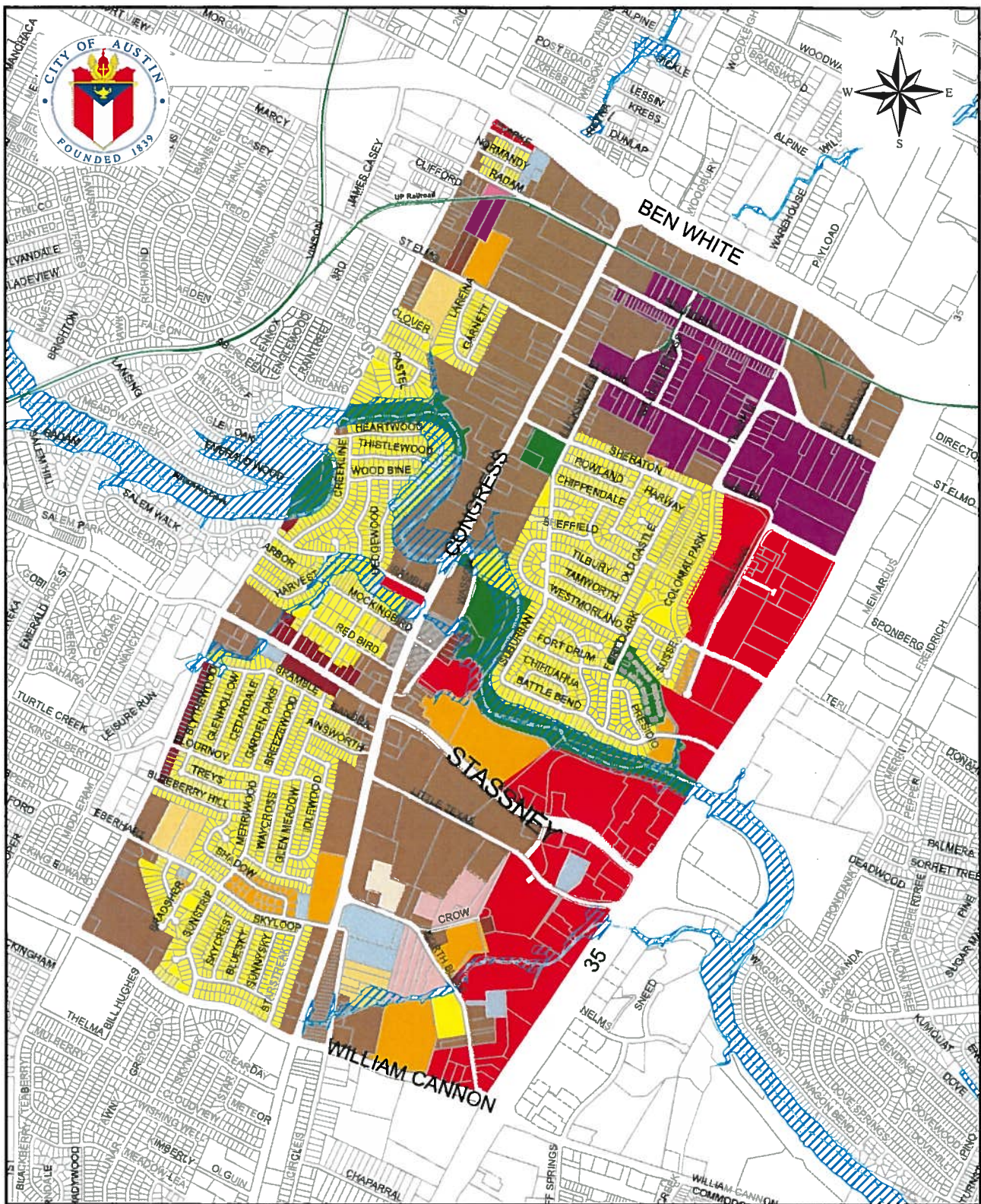
Survey of zoning of recent multi-unit projects: A survey of zoning for recent multi-unit projects in the plan area shows that projects can be built using existing zoning and be profitable while providing housing and benefits to the community.

Affordable housing survey: A survey of affordable housing in and adjacent to the plan area shows that there is a significant stock already available in the area.

Thank you for taking the time to review this material. I look forward to seeing you at the PC meeting on January 10th.

Best regards,

Michael Fossum



South Congress Combined Neighborhood Planning Area: Future Land Use Map

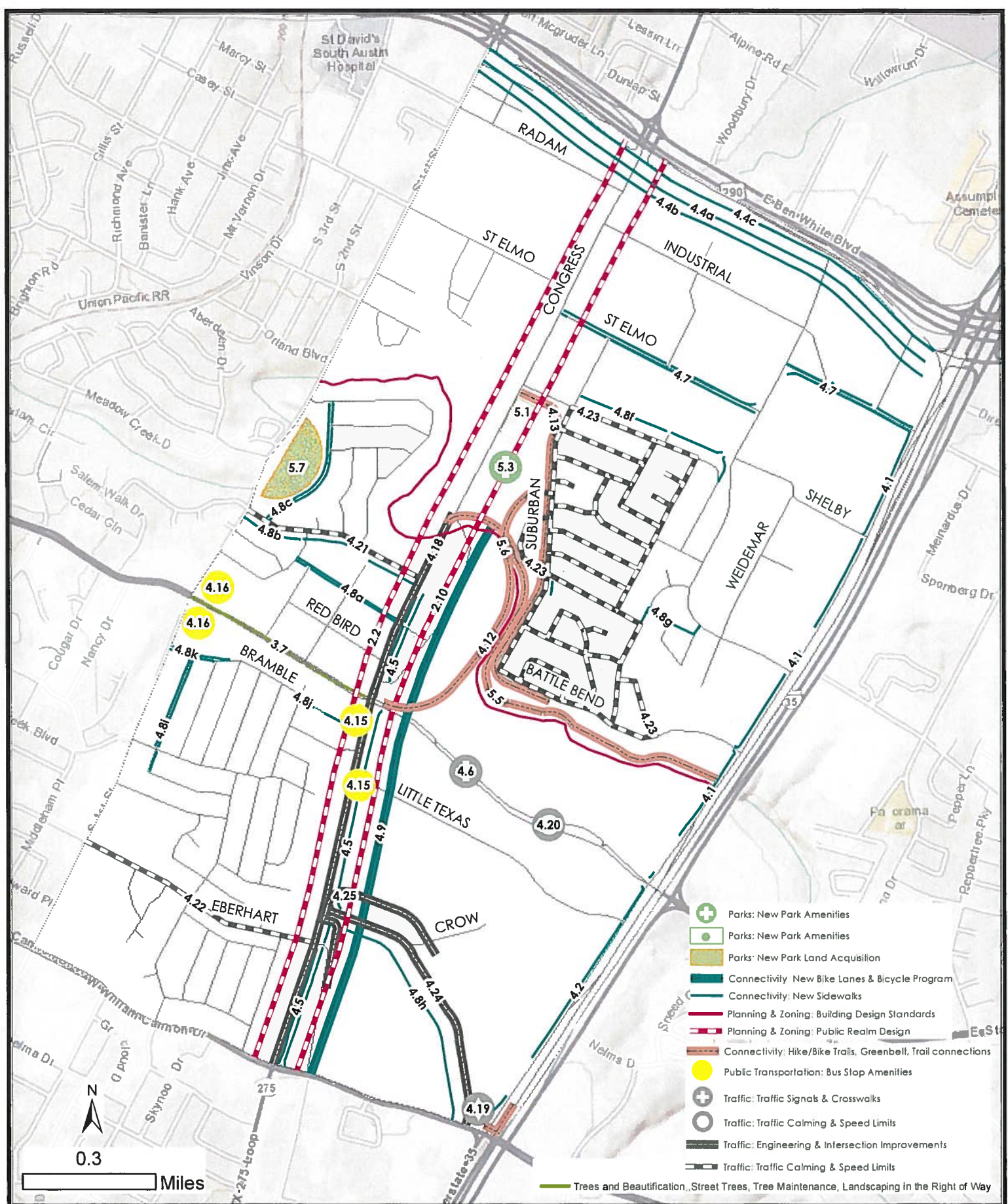
Produced by the City of Austin
Planning and Zoning Department
Adopted August 18, 2005
Updated August 18, 2016

This map has been produced by the City of Austin Planning & Zoning Department for the sole purpose of aiding neighborhood planning decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Legend

- | | |
|------------------------------|-------------------------|
| Civic | Mobile Homes |
| Commercial | Multifamily |
| Higher-Density Single-Family | Office |
| Industry | Recreation & Open Space |
| Mixed Residential | Residential Core |
| Mixed Use | Rural Residential |
| Mixed Use/Office | Single-Family |
| | 100-year Flood Plain |
| | Creeks |

2,000 1,000 0 2,000 Feet



South Congress Combined Neighborhood Plan Area-CIP Recommendations

5/9/2013



PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

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

This product has been produced by the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Hi All,

Thanks for your patience in waiting for the response. I added responses to the questions in a different color and underlined them. I am having a figure prepared to show where the sewage generated in your neighborhood area goes. The figure will come in a separate email.

Please contact me if you have any additional questions.

Mike Russ

Supervising Engineer

City of Austin | Austin Water, Collection System Engineering Division
512-972-2054 | C: 512-699-0103



From: Michael Fossum [<mailto:mfossum@austin.rr.com>]

Sent: Wednesday, December 14, 2016 3:52 PM

To: Russ, Michael <Michael.Russ@austintexas.gov>; 'Greg Waner' <gewaner@yahoo.com>; jmdonalds@att.net; 'zoila vega' <zvega@austin.rr.com>; "Jim O'Brien" <ojimo@earthlink.net>; "mariocantu" <mariocantu@myexcel.com>; 'treebrune' <treebrune@gmail.com>

Cc: Smith, Connie <Connie.Smith@austintexas.gov>; Sweat, Kevin <Kevin.Sweat@austintexas.gov>; Whatley, Ronnie <Ronnie.Whatley@austintexas.gov>; 'Gilbert Lane' <GGLane@insituform.com>; 'Josh Awalt' <jawalt@insituform.com>; Singleton, Micheal <Micheal.Singleton@austintexas.gov>

Subject: RE: Williamson Creek Pipe Lining Update - link to draft plans

Hi Mike:

Thank you for the update on the sewer line repair. It is great that you have found a way to access the northern creek bank without the planned stream crossing. I have not looked at the plans in detail yet, I will let you know if I have any questions or comments.

I have questions concerning the capacity of the sewer line. In one of our meetings, or when we were walking the area, I recall someone stating that the line was in dire need of repair, and is at full capacity. This is of concern to us as there are new condo and apartment developments being built on Congress Avenue, and more developments in the pipeline. I assume that these new developments have been or will be hooked up to the sewer line you are repairing. The area that we are concerned with is defined in our neighborhood plan, with the area boundaries being Ben White Blvd. to the north, South 1st Street to the west, IH 35 to the east, and William Cannon Drive to the south. The neighborhood contact team was visited by some folks from the city who told us that they were doing a preliminary study for an interceptor line to be located at the sewer line you are repairing by Wasson Road, to go south along Congress to William Cannon, and then out to Onion Creek. The intent is to take sewage from upstream of that location and route it away from the existing line. Some questions follow:

Is the sewer line that you are repairing at capacity now? The existing sewer line is near capacity now. To clarify, the project currently underway is to address the condition of the current wastewater line. It will be repaired by installing a new liner on the interior of the pipe, similar to a heavy duty coating. This will protect the sewer pipe and extend its useful life for many years to come. A new project, which just started, will address capacity, recent growth, and expected growth in the service area. Because new capital improvement projects take many years to plan, design, and construction, we have started this project to insure the new project is completed before the pipe reaches capacity. Austin Water plans to have several town hall meetings to discuss this new project and we will be sure to invite you and your neighborhood association to these meetings.

If the capacity is exceeded, can the sewage flow out of the manhole covers located in the creek bed? Yes, this is possible, however, Austin Water installs bolted and gasketed manhole lids in all creeks.

If the capacity is exceeded, can the sewage back up into people's homes? This is highly unlikely. The main in the creek is so much lower than the finished floor of the houses, so any backups will normally flow out of the lowest elevation.

Does being at capacity increase the chances for a line break or sewage spill? As noted before the line is near capacity. In general, sewer lines fail due to their condition, age, and reaching the end of their useful life. Sewage spills are also caused by debris, blockage, and occasionally during severe rain events, when the sewer systems are damaged during these storm events or the rainfall inundates the wastewater collection system. It should be noted that Austin Water has an active maintenance and operation program to minimize and prevent wastewater overflows and sewage spills.

If the capacity is exceeded, is there any part of the line that is more likely to break? Not really. If there is a failure in the wastewater collection system, it will be at the weakest point, which could be at the pipe or manholes. We have also seen failures in areas of exposed pipe; however, we are not aware of any exposed pipe in this specific project area.

Does all the sewage in the area I defined above flow into this line? No. Some flow crosses Ben White to the north and there is another crossing of IH 35 south of Stassney. I'll send a separate email with a figure created from our GIS system to show the wastewater flow in your neighborhood area.

Is there a map of the sewer lines in our area, showing what homes etc. drain into those lines?

Yes. Please see the map that will be sent separately.

Mario Cantu, the Chairman of our contact team, also had some questions:

How long will the project take to complete assuming no weather delays or unexpected problems? The lining of the existing pipe to address the current condition is anticipated to last approximately 4 to 6 months. We anticipate 2 months of preparation to be ready to line during which the route will be cleared, rock placed as a driving surface, and the bypass piping and pumps installed. The liner will be installed as 6 pieces, or

installations, over a month. The removal of the rock and vegetation restoration should take about a month. The best case scenario is a duration of 4 months of activity in the creek area. Rains or the threat of rains could delay work along the creek.

Are there any worst-case scenarios for the project (e.g. pipe break, truck overturn), and how likely are any of those to happen? As with all construction work, there are some risks; however, the project team is working to properly plan and mitigate these risks. The largest risks we see are the bypass pumping of the sewage during the construction work and lining of the pipe. To address this risk, we leak test the bypass pipes prior to the start of the bypass and provide staff on site during bypass pumping operations.

Are there any unexpected events related to the project that could happen that could result in residents being forced to leave their homes? Extremely unlikely. This work is routine for the contractor. We cannot foresee any such events to cause an evacuation.

Thank you for your hard work. I look forward to hearing from you. Thank you for your interest and questions.

Best regards,

Michael Fossum

512-739-5472

From: Russ, Michael [<mailto:Michael.Russ@austintexas.gov>]

Sent: Monday, December 12, 2016 4:12 PM

To: 'Greg Waner' <gewaner@yahoo.com>; 'jmdonalds@att.net' <jmdonalds@att.net>; zoila vega (zvega@austin.rr.com) <zvega@austin.rr.com>; mfossum@austin.rr.com; "Jim O'Brien" <ojimo@earthlink.net>; "mariocantu" <mariocantu@myexcel.com>

Cc: Smith, Connie <Connie.Smith@austintexas.gov>; Sweat, Kevin <Kevin.Sweat@austintexas.gov>; Whatley, Ronnie <Ronnie.Whatley@austintexas.gov>; 'Gilbert Lane' <GGLane@insituform.com>; 'Josh Awalt' <jawalt@insituform.com>; Singleton, Micheal <Micheal.Singleton@austintexas.gov>

Subject: Williamson Creek Pipe Lining Update - link to draft plans

All,

We last walked as a group on August 4 and it is time for an update. We have been working thru the design and permitting issues and we think we have a lower impact access plan. We will still enter off Wasson Road and continue to the edge of the bank as originally planned, but not cross the creek. To access the northern bank, we plan to enter from IH 35. We are in discussions with DriveTime on the IH 35 frontage and they have agreed in principal to allow the trucks to enter thru their parking lot and continue to the western end of their property and continue thru their fence. Then the path will be down the gas pipeline easement and into the creek bed, proceed upstream, and then up onto the bank. Access to both ends will mean no large creek crossing structure across the creek and eliminate the clearing for truck access in the middle.

The plans are draft and don't show the DriveTime access yet, they show coming of the back of the Fiesta lot. As far as schedule, I am hopeful for late spring/early summer.

If you have any comments on the plans, I welcome hearing from you.

Below is a link to draft plans:

[ftp://ftp.ci.austin.tx.us/PWD ESD/EngineeringServices/AW WilliamsonCreekCIPP](ftp://ftp.ci.austin.tx.us/PWD_ESD/EngineeringServices/AW_WilliamsonCreekCIPP)

Mike Russ

Supervising Engineer

City of Austin | Austin Water, Collection System Engineering Division
512-972-2054 | C: 512-699-0103



Survey of Development Zoning South Congress Neighborhood Plan Area

This is a survey of the zoning for multi-unit developments since the neighborhood plan was adopted in 2005. The plan area is bordered by Ben White Boulevard to the north, by South 1st Street to the west, by IH 35 to the east, and by William Cannon Blvd. to the south. The survey was done on January 4, 2017, and the number of units at each entity was taken from information published on the internet, or came from direct contact with the staff at the entity.

Address	Name	Date of permit application, case number	Zoning	Units
301 West Stassney Lane	Sweetbriar	2/15/2013, 2013-015031 SP	GO-MU-CO-NP	35
4323 South Congress Ave.	St. Elmo District Market	2/26/2014, 2014-019093 ZC	LI-PDA-NP	400
4361 South Congress Ave.	Public Lofts	6/13/2007, 2007-128929 SP	GR-CO, CS Community Commercial	160
5010 and 5100 South Congress Avenue	SUR512	11/29/2012, 2013-119231 SP	CS-MU-CO-NP	352
604 North Bluff Drive	Skybridge Lofts	7/14/2010, 2010-060505 SP	MF-2-CO	112
304 East William Cannon Drive	Abacus Southside Apartments	6/7/2012, 2013-056655-SP	GR-MU	140
				Total=1199

Survey of Affordable Housing

This is a survey of affordable housing available in or just outside the South Congress Neighborhood Plan area. The plan area is bordered by Ben White Boulevard to the north, by South 1st Street to the west, by IH 35 to the east, and by William Cannon Blvd. to the south. The survey was done on January 4, 2017, and the number of units at each entity was taken from information published on the internet, or came from direct contact with the staff at the entity. This survey has been modified to include the zoning of each entity, which is not included in the survey published in the Planning Commission back-up for the January 10, 2017 meeting.

Name	Address	# of Units	Zoning, Zoning Case or Ord.	Location
Sierra Ridge	201 W. St. Elmo	149	CS-MU-CO-NP C14-05-0106	In plan area
Sierra Vista	4320 South Congress Ave.	238	CS-MU-NP C14-05-0106	In plan area
Heights on Congress Austin	2703 South Congress Ave.	172	CS-MU-V-NP P-NP CS-MU-NP C14-2007-0224 C14-05-0138	Just north of plan area
Circle S Apartments Austin	7201 South Congress	200	MF-3-CO 99-0225-70(b)	Just south of plan area
Woodway Square Austin	14700 Teri Rd.	240	CS-CO-NP 99-0225-70(b) 021010-12a 20070809-51	Just east of plan area
Eberhart Place	808 Eberhart Lane	37	SF-6-CO-NP C14-2014-0019	Just west of plan area
Shadowbend Ridge – Austin Low Rent Public Housing Apartments	6238 Shadow Bend	50	SF-3-NP C14-05-0105	In plan area
		Total units=1086		

PUBLIC HEARING INFORMATION

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

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

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

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

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

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

Case Number: C14-2016-0106
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: November 8, 2016, Planning Commission
December 8, 2016, City Council

Angela Baker
Your Name (please print)

☐ I am in favor
☒ I object

515 Battle Bend Blvd. 78745
Your address(es) affected by this application

Angela Baker
Signature

1/3/17
Date

Daytime Telephone: 512-363-0129

Comments: Speaking on behalf of the Battle Bend Springs HOA. We, as a board, have voted to support the statements and stances that the contract team, SCCN PCT, holds. Vertical zoning changes would also change our area in negative ways if the city of Austin does not prepare before allowing contractors build new living condos.

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

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

Planning Commission Meeting January 10,214

Agenda Item 17. – C14-2016-0097 – South Congress Residences

Agenda Item 18. – C14-2016-0106 – 4411 SOCO

Slide Presentation – Michael Fossum – Opposed to zoning change

ORDINANCE NO. 20050818-Z001

AN ORDINANCE AMENDING THE AUSTIN TOMORROW COMPREHENSIVE PLAN BY ADOPTING THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN.

South Congress Combined Neighborhood Plan recommends action by the neighborhood planning team, the City, and by other agencies to preserve and improve the neighborhood. The South Congress Combined Neighborhood Plan has five major goals:

- (1) preserve and enhance the existing single-family neighborhoods and retain the affordability of these neighborhoods;
- (2) transform South Congress Avenue into a more vibrant, accessible mixed-use corridor and a destination for nearby residents and the citizens of Austin;
- (3) focus mixed-use development and commercial uses along major commercial corridors and in specialized districts;
- (4) improve the accessibility, convenience, and safety of all forms of transportation; and
- (5) preserve and enhance the public open spaces.

Does changing zoning from MU to MU-V preserve and improve the neighborhood and further the Goals of the Plan?

Goal 1. No, adoption of V zoning will accelerate increases in property taxes.

Goal 2. No, South Congress is already a mixed use corridor, and V zoning will not make it more vibrant, and will decrease accessibility because of increased traffic.

Goal 3. No, mixed use development and commercial uses are already focused on the major corridors.

Goal 4. No, V zoning will decrease accessibility and convenience, and will compromise safety of all forms of transportation due to increased traffic and traffic congestion.

Goal 5. No, the added density from V zoning will lead to overuse of the only park in the area.

Traffic: Why pour gasoline on the fire?

In past conversations with council members and members of various boards: “Everybody hates traffic, it will worsen no matter what, give me a valid reason why you oppose project xyz.”

This time there is a choice:

Combined acreage of 2 sites = 5.7

Combined units on two sites with V zoning = 553

Granting V zoning roughly doubles the density on these two sites

Goodnight/Hill’s South Congress (4700 S. Congress Ave.) filings online indicate that they will soon develop 13.3 acres right next door.

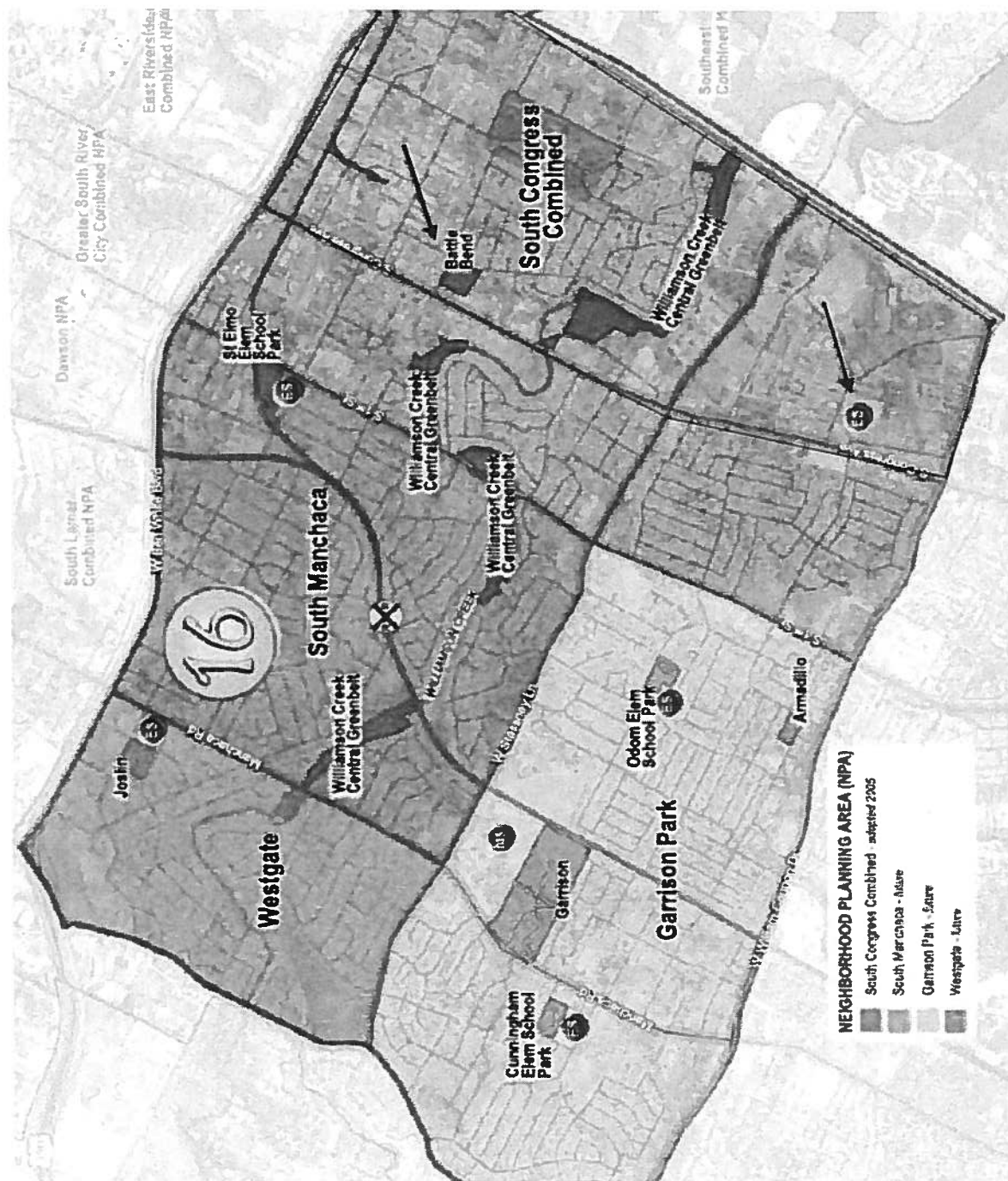
Development will continue, granting V zoning will result in gridlock.

No traffic relief any time soon:

Plan Area-CIP Recommendations 5/9/2013 – No bond money for improvements to South Congress Avenue

Traffic Bond passed 2016 – No bond money for improvements to South Congress Avenue, money for study only (1 of 10 study areas).

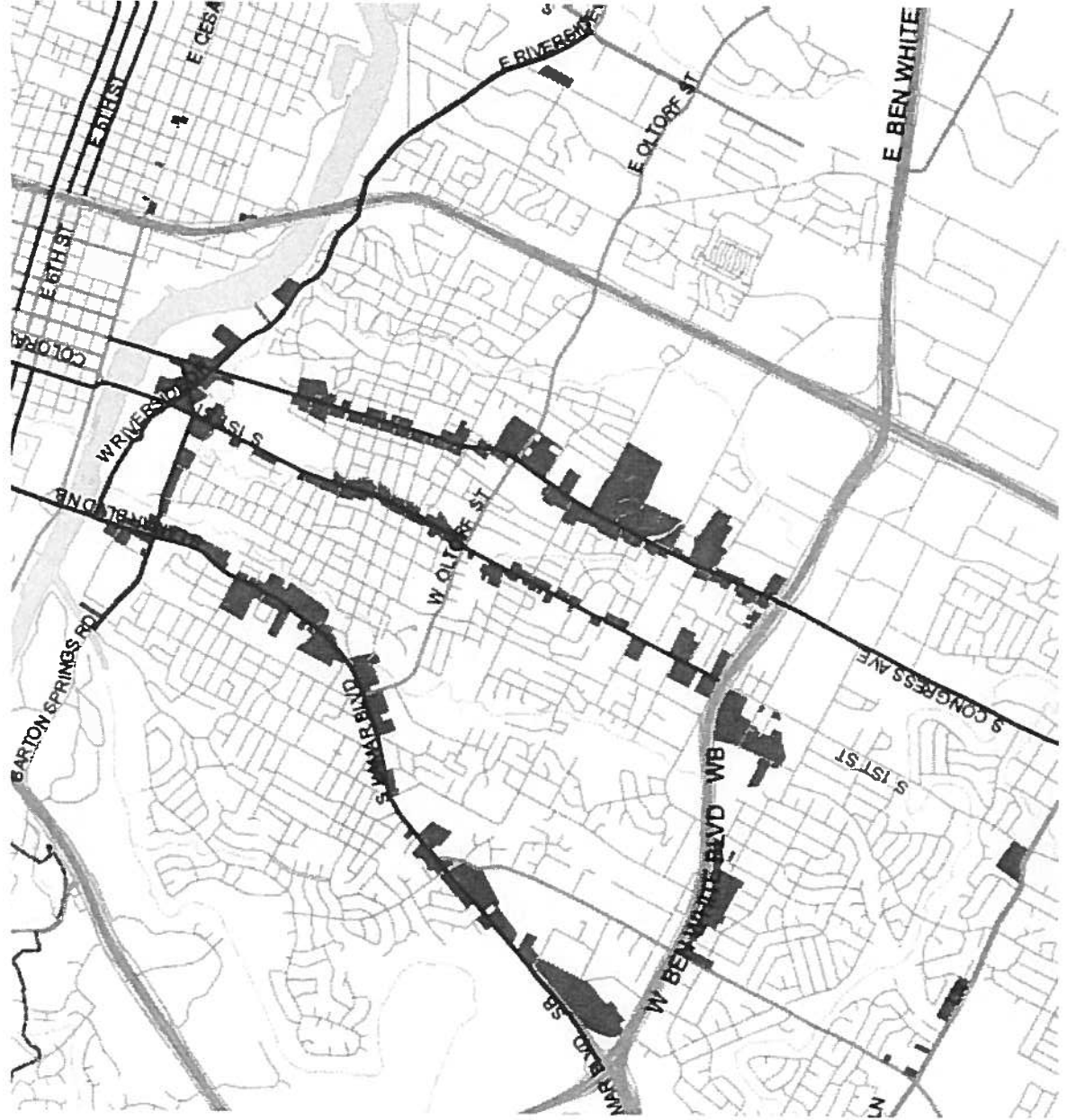
City Council 2011 Policy: Residents outside urban core should be in $\frac{1}{2}$ mile walking distance of a park. Parks Master Plan calls for 1 acre of parkland per 1000 residents.



**2011-2016 Long Range Plans for Land, Facilities, and Programs
Parks and Recreation Department
Vertical Mixed Use District Map
VMU Building Combined Districts – Brown rectangles**



**Imagine Austin – Calls for high density in urban core.
Urban core extends south to Ben White Blvd.
VMU combined districts located in urban core.**



Plan Area Affordable Housing Survey January 4, 2017

Name	Address	# of Units	Zoning, Zoning Case or Ord.	Location
Sierra Ridge	201 W. St. Elmo	149	CS-MU-CO-NP C14-05-0106	In plan area
Sierra Vista	4320 South Congress Ave.	238	CS-MU-NP C14-05-0106	In plan area
Heights on Congress Austin	2703 South Congress Ave.	172	CS-MU-V-NP P-NP CS-MU-NP C14-2007-0224 C14-05-0138	Just north of plan area
Circle S Apartments Austin	7201 South Congress	200	MF-3-CO 99-0225-70(b)	Just south of plan area
Woodway Square Austin	14700 Teri Rd.	240	CS-CO-NP 99-0225-70(b) 021010-12a 20070809-51	Just east of plan area
Eberhart Place	808 Eberhart Lane	37	SF-6-CO-NP C14-2014-0019	Just west of plan area
Shadowbend Ridge – Austin Low Rent Public Housing Apartments	6238 Shadow Bend	50	SF-3-NP C14-05-0105	In plan area
		Total units=1086		

Plan Area Affordable Housing in Context

Substantial existing stock of affordable housing in and immediately adjacent to plan area.

Adding 10% x 553 units = 55 units of affordable housing

Increasing existing stock by only 5%.

Cost of increased affordable housing stock is increased traffic, overuse of existing (inadequate) parkland, and decrease in quality of life.

Existing affordable housing stock consists of large developments with many units, a better choice would be to encourage more developments of this type.

Survey of Development Zoning in Neighborhood Plan Area January 4, 2017

Address	Name	Date of permit application, case number	Zoning	Units
301 West Stassney Lane	Sweetbriar	2/15/2013, 2013-015031 SP	GO-MU-CO-NP	35
4323 South Congress Ave.	St. Elmo District Market	2/26/2014, 2014-019093 ZC	LI-PDA-NP	400
4361 South Congress Ave.	Public Lofts	6/13/2007, 2007-128929 SP	GR-CO, CS Community Commercial	160
5010 and 5100 South Congress Avenue	SUR512	11/29/2012, 2013-119231 SP	CS-MU-CO-NP	352
604 North Bluff Drive	Skybridge Lofts	7/14/2010, 2010-060505 SP	MF-2-CO	112
304 East William Cannon Drive	Abacus Southside Apartments	6/7/2012, 2013-056655-SP	GR-MU	140
				Total=1199

Please deny the request for zoning change from CS-MU-CO-NP to CS-MU-V-NP

Neighborhood preference for development in plan area corridors is MU as codified in 2005 Neighborhood Plan and FLUM.

Residents and Contact Team met and discussed zoning change and voted against change.

Zoning change works against goals Neighborhood Plan.

Increased density results in making terrible traffic congestion worse.

Existing parkland is not adequate for future or existing residents.

The plan area is outside of the urban core. Higher density developments should be located in the urban core.

There is already substantial existing affordable housing in the plan area.

Larger more significant developments of affordable housing should be encouraged.