

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0166 – South Congress Avenue Residences DISTRICT: 2

ZONING FROM: GR-MU-CO-NP

TO: GR-MU-V-NP

ADDRESS: 6424 South Congress Avenue

SITE AREA: 0.8717 acres
(37,971 square feet)

PROPERTY OWNER: Calixto Jesus Cobos

AGENT: Alice Glasco Consulting
(Alice Glasco)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (GR-MU-V-CO-NP) combining district zoning. The CO, Conditional Overlay prohibits automotive sales, automotive washing (of any type), and pawn shop services. For a summary of the basis of Staff's recommendation, please see pages 2 - 3.

PLANNING COMMISSION ACTION / RECOMMENDATION:

February 8, 2022:

January 11, 2022: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD PLAN CONTACT TEAM TO FEBRUARY 8, 2022*
[J. SHIEH; A. AZHAR – 2ND] (12-0) P. HOWARD – ABSENT

December 14, 2021: *APPROVED A POSTPONEMENT TO JANUARY 11, 2022*
[A. AZHAR; R. SCHNEIDER – 2ND] (11-0) P. HOWARD – OFF THE DAIS; J. SHIEH – ABSENT

CITY COUNCIL ACTION:

February 17, 2022:

January 27, 2022: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO FEBRUARY 17, 2022. VOTE: 11-0.*

ORDINANCE NUMBER:

ISSUES:

The South Congress Combined Neighborhood Plan is unable to recommend the rezoning request. All correspondence received is attached at the back of the Staff report.

The Applicant and the Contact Team met virtually on Thursday evening, January 6th. The Applicant is in agreement with the Staff's recommendation to maintain the existing Conditional Overlay which applies to properties along this segment of Congress Avenue.

CASE MANAGER COMMENTS:

The subject undeveloped lot is located on the west side of South Congress Avenue, between Stassney Lane and William Cannon Drive. The property is one lot south of its intersection with Eberhart Lane, and has had community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) zoning since Council approved the Sweetbriar Neighborhood Plan rezonings in August 2005. The Conditional Overlay prohibits automotive sales, automotive washing (of any type), and pawn shop services.

There is a service station with food sales uses, alternative financial services and an administrative and business office on the adjacent property to the north, and apartments north of Eberhart Lane (GR-MU-CO-NP; MF-2-CO-NP); medical offices, retail / commercial uses across South Congress to the east (LR-MU-CO-NP; GR-MU-CO-NP); a child care facility, warehouse building, general retail uses and other commercial uses to the south (GR-MU-CO-NP); and single family residences to the west (SF-3-NP). ***Please see Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

The Applicant proposes to rezone the property to the community commercial – mixed use – vertical mixed use building – neighborhood plan (GR-MU-V-NP) district and develop it with up to 95 apartment units and 1,000 square feet of ground floor 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 neighborhood planning area), and the Mixed Use designation is defined as “An area that is appropriate for a mix of residential and non-residential uses.” South Congress Avenue is also designated as a Future Core Transit Corridor south of Stassney Lane. During the Vertical Mixed Use Overlay (VMU) Opt-in/Opt-out process conducted by the Neighborhood Planning and Zoning Department (now the Housing and Planning 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 addition of –V provides another development option to a property and allows it to retain the ability to redevelop under the existing GR base district. A –V does not grant: 1) additional height to the base zoning district which is 60 feet in GR 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 the compatibility standards that will continue to apply along the west property line.

A building constructed 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 side yard setbacks, 2) the 1:1 floor-to-area ratio established by GR 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 (\$79,100 is the June 2021 Income Limit for a 4-person household), for a period of 40 years.

BASIS OF RECOMMENDATION:

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. 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 neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

The Applicant requests GR base zoning for a district that permits buildings up to 60 feet in height, -MU and -V which includes commercial uses, residential uses and affordable residential units.

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

South Congress Avenue is a Level 3 street (arterial) in Austin's Strategic Mobility Plan (ASMP) adopted in April 2019. There are two travel lanes in each direction with a center turn lane, and sidewalks along both sides of the road. The City Council adopted Core Transit Corridors and Future Core Transit Corridors in 2006, and adopted the Imagine Austin Comprehensive Plan (IACP) on June 15, 2012. The proposed location on South Congress Avenue is an IACP activity corridor and on a designated Future Core Transit Corridor. The proposed location is where compact development should be located in conjunction with retail, service, entertainment, education and employers. Places where people can walk and bike to accomplish some daily tasks. Activity corridors help to increase the level of physical activity promoting health goals and reducing reliance on fossil-fuel based transportation thereby supporting environmental goals.

Staff supports the Applicant's request since the proposed apartments and retail uses are consistent with uses on the corridor. The proposed development is both mixed use and

compact, and adds to the variety of housing choices available in the area. The addition of affordable units consistent with requirements of the vertical mixed use building (V) zoning is also a benefit for the area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-CO-NP	Undeveloped
<i>North</i>	GR-MU-CO-NP; MF-2-CO-NP	Service station; Food sales; Alternative financial services; Administrative and business office; Apartments
<i>South</i>	GR-MU-CO-NP	Child care facility; Warehouse; General retail sales
<i>East</i>	LR-MU-CO-NP; GR-MU-V-CO-NP	Medical offices; Commercial buildings with restaurants (limited), personal improvement and medical office uses
<i>West</i>	SF-3-NP	Single family residences in the Buckingham Ridge subdivision

NEIGHBORHOOD PLANNING AREA: South Congress Combined (Sweetbriar)

TIA: Is not required

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Pleasant Hill Elementary School Bedichek Middle School Crockett High School

COMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Assoc.
 730 – Shadow Bend Neighborhood Association 742 – Austin Independent School District
 1173 – South Congress Combined Neighborhood Plan Contact Team
 1228 – Sierra Group, Austin Regional Group 1363 – SEL Texas
 1424 – Preservation Austin 1429 – Go!Austin/Vamos!Austin (GAVA) – 78745
 1530 – Friends of Austin Neighborhoods
 1531 – South Austin Neighborhood Alliance (SANA)
 1550 – Homeless Neighborhood Association
 1616 – Neighborhood Empowerment Foundation 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0027 – Congress MH / RVPark – 6111 S Congress Ave (City-initiated case)	GR-MU-CO-NP; MH-NP to MH-NP	To Forward to Council without a recommendation	Apvd MH-NP (6-20-2019).
C14-00-2093 –	MF-2-CO to	To Grant MF-2-CO,	Apvd MF-2-CO as

6300 South Congress	MF-2-CO, to change conditions of zoning	w/CO limited to 17 upa, 2,000 trips / day, prohibit access to Craigmont Dr and Eberhart Ln, require 30' wide buffer along west property line, 6' fence along entire perimeter, max 35' height, require onsite recreational facilities, and onsite detention	Commission recommended (10-12-2000).
C14-96-0088 – South Congress Project – 6319 to 6413 S Congress Ave	SF-3 to LR	To Grant LR-CO w/CO prohibiting access to Circle S Rd	Apvd LR-CO and LR-CO, w/CO for 2,000 daily trip limit, and prohibiting access to Circle S Rd and Eberhart Ln (9-12-1996).
C14-91-0063 – General American Insurance – 6510 S Congress Ave	LR to LI	To Grant LI-CO w/conditions	Apvd LI-CO w/CO for light manufacturing use and all LR uses permitted in LI, conformance w/PDA standards, and 6' fence required along the north property line; Restrictive Covenant for a rollback to LR standards if light manufacturing use ceases (1-30-1992).

RELATED CASES:

The Sweetbriar 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; C14-05-0105 – Ordinance No. 20050818-Z002). The property was identified as Tract 224 that was rezoned from GR to GR-MU-CO-NP. As part of the Sweetbriar Neighborhood Plan Rezonings, the neighborhood mixed use building and the neighborhood urban center special uses were adopted for Tract 224.

The rezoning area is platted as Lot 27 of Buckingham Ridge, Section 6, a subdivision recorded in November 1979 (C8S-79-138).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
South Congress Avenue	114 feet	70 feet	Level 3	Yes	Bike Lane - Buffered	Yes

OTHER STAFF COMMENTS:Comprehensive Planning

This rezoning case is located on the west side of South Congress Avenue on a undeveloped property that is approximately 0.87 acres in size. The property is located in the South Congress Combined Neighborhood Planning Area (Sweetbriar) and along the **South Congress Activity Corridor**. Surrounding land uses include a commercial/retail property to the north; to the south is a nursery/daycare center and commercial uses; to the west is a single-family subdivision; and to the east is a shopping center and an elementary school. The proposed use is a mixed-use project, with 95 multifamily units and 1,000 square feet of retail on the first floor.

Connectivity

Public sidewalks are located along both sides of this section of South Congress Avenue. An unprotected bike lane is located along one side of South Congress Avenue. Two transit stops are located within 600 feet of the subject property. There is a public school, restaurants, other retail and commercial uses, and mobility options beyond a car located within a quarter mile of the subject property. Mobility and connectivity options in this area are average.

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 GR-MU-V-NP is permitted under this land use category. Mixed Use is defined as an area that is intended for a mix of residential and non-residential uses, including office, retail and commercial services.

The following text and policies extracted from the SCCNPA are applicable to this case:

Vision (pg. 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.**

Top Ten Priorities (p. 14)

3. Improve infrastructure along South Congress Avenue to make it pedestrian friendly. Undertake a corridor improvement study for South Congress Avenue. Implement new Commercial Design Standards.

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 pg 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 (location of subject property)

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.

Eberhart Lane District (South of Little Texas Lane to William Cannon Drive – pg. 54) The southern district along South Congress Avenue is most notable for two large undeveloped tracts of nearly five and six acres, respectively. Another vacant tract is located just east of South Congress Avenue between Stassney Lane and Little Texas Lane and falls within the boundaries of both Stassney and Eberhart Lane districts. Together, these sites are nearly 16 acres of undeveloped land and represent substantial development potential. Similar to the Stassney Lane District, there are several impediments to creating a more lively, urban corridor in this district, such as the lack of a continuous turn lane on South Congress Avenue, an incomplete sidewalk network, and land uses at odds with the vision for the street.

Objective 2.1: Create incentives and programs to promote a pedestrian-oriented corridor. (pgs 54 - 56)

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 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;
- (Add) 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)

Recommendation 5: Create an association of businesses along the portion of South Congress Avenue within the planning area. As more of the desired types of businesses locate along South Congress Avenue, such an association could help market the district as a unique destination for nearby residents, Central Texans, and out-of-town visitors.

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. (pgs. 56-57)

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.

Recommendation 10: Design and implement streetscape improvement to create a unique district along South Congress Avenue. An interesting and innovative program of streetscape improvements would greatly enhance the pedestrian environment along South Congress Avenue and contribute to the character of a unique South Congress District.

Objective 2.3: Commercial and mixed-use development along South Congress Avenue should not adversely affect adjacent neighborhoods. (p 58)

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

Proposed Sidewalk Network (p. 78)

South Congress Avenue The pedestrian infrastructure for South Congress Avenue in the SCCNPA is best characterized as fragmented. Sidewalks are installed along the street from Ben White Boulevard to Williamson Creek, but the number of curb cuts and wide driveways contribute to a disjointed pedestrian environment. South of the creek, the sidewalk network is, at best, incomplete. Pedestrians are often forced to walk along the shoulder of the road or in parking lots and driveways.

Sweetbriar Neighborhood Planning Area (p 80) Build a sidewalk along North Bluff Drive (preferably the south side) from South Congress Avenue to William Cannon Drive.

Objective 4.4 - Improve traffic flow, safety, and ease of travel throughout the area while discouraging the use of neighborhood streets by through traffic. (p 82)

Recommendation 5: Complete the sidewalk network along the east and west sides of South Congress Avenue from Williamson Creek to William Cannon Drive.

South Congress Commercial Design Guidelines (p 95 – 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.

Other Local Commercial Corridors—South Congress Avenue, South 1st Street, William Cannon Drive, Stassney Lane, and Ben White Boulevard from South 1st Street to South Congress Avenue

These corridors should take on a more pedestrian-friendly feel. Mixed-use development should be encouraged where possible. The character of development should be similar to South Congress, but on a more neighborhood scale. Again, the vision is to create spaces designed to allow people to be

comfortable outside of their automobiles, and to enhance the mobility choices in the planning area

There are additional specific **voluntary Urban Design Guidelines** found in this plan, which specify the design aesthetic and layout of projects along South Congress Avenue.

The policies and text in the SCCNPA state that the community wants to see the emergence of vibrant mixed-use projects along South Congress Avenue to create a “funky Austin-centric” corridor, which is safe for pedestrians, well-designed and includes a variety of neighborhood serving uses. The proposed multi-family/mixed use project appears to be support SCCNPA policies especially if it is designed to contribute to the South Congress Avenue corridor in terms of scaling, design aesthetic, pedestrian orientation, landscaping and is designed as a neighborhood serving mixed use project.

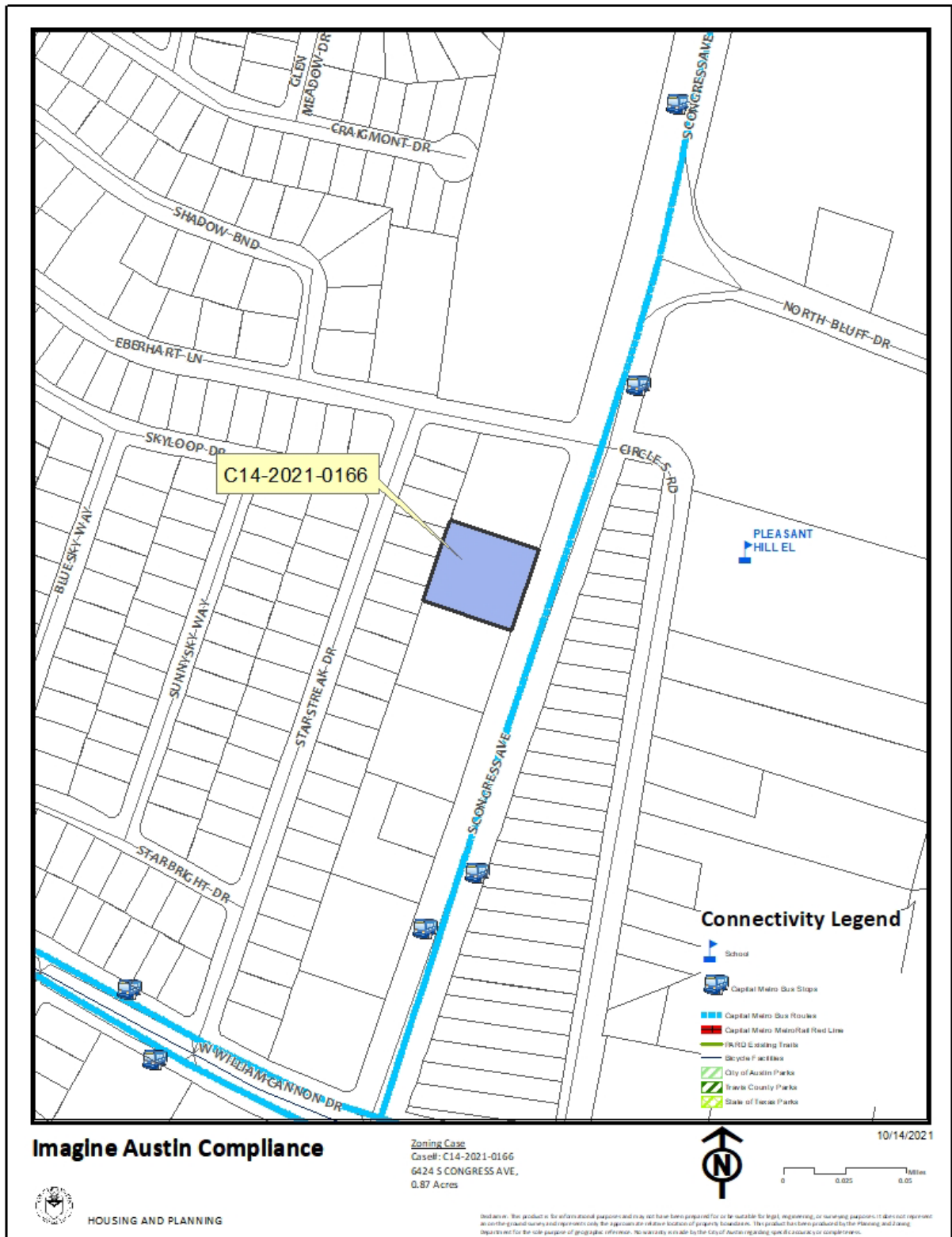
Imagine Austin

The property is located along an ‘**Activity Corridor**’, as identified on the Imagine Austin’s Growth Concept Map. 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* (p. 106).

The following Imagine Austin policies are also applicable to this case:

- **LUT P3. Promote development in compact centers, communities, or along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

South Congress Avenue has almost fully transitioned away from industrial/warehouse and auto-centric uses and into a vibrant gateway into Downtown Austin. The policies in the Imagine Austin Comprehensive Plan and the SCCNPA both support transitioning South Congress Avenue into a vibrant neighborhood serving, pedestrian oriented mixed-use corridor, and therefore this mixed-use project supports the Plan.



Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

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.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

Impervious Cover

Within the Williamson Creek watershed, the maximum impervious cover allowed by the *GR-MU-V-NP zoning district is 80% (90% with transfers)*, which is based on the more restrictive *watershed* regulations.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, multifamily with GR-MU-V-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan and Compatibility Standards

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.

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

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

The site is subject to compatibility standards due to adjacency of SF-3-NP zoned lots to the west. The following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- No parking or driveways are allowed within 25 feet of the property line.

- Landscaping or screening is required along the west property line in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

ATD Engineering Review

ASMP Assessment

The Austin Strategic Mobility Plan (ASMP) calls for 140 feet of right-of-way for South Congress Avenue. It is recommended that 70 feet of right-of-way from the existing centerline should be dedicated for South Congress Avenue according to the Transportation Plan with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

Transportation Assessment

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

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

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

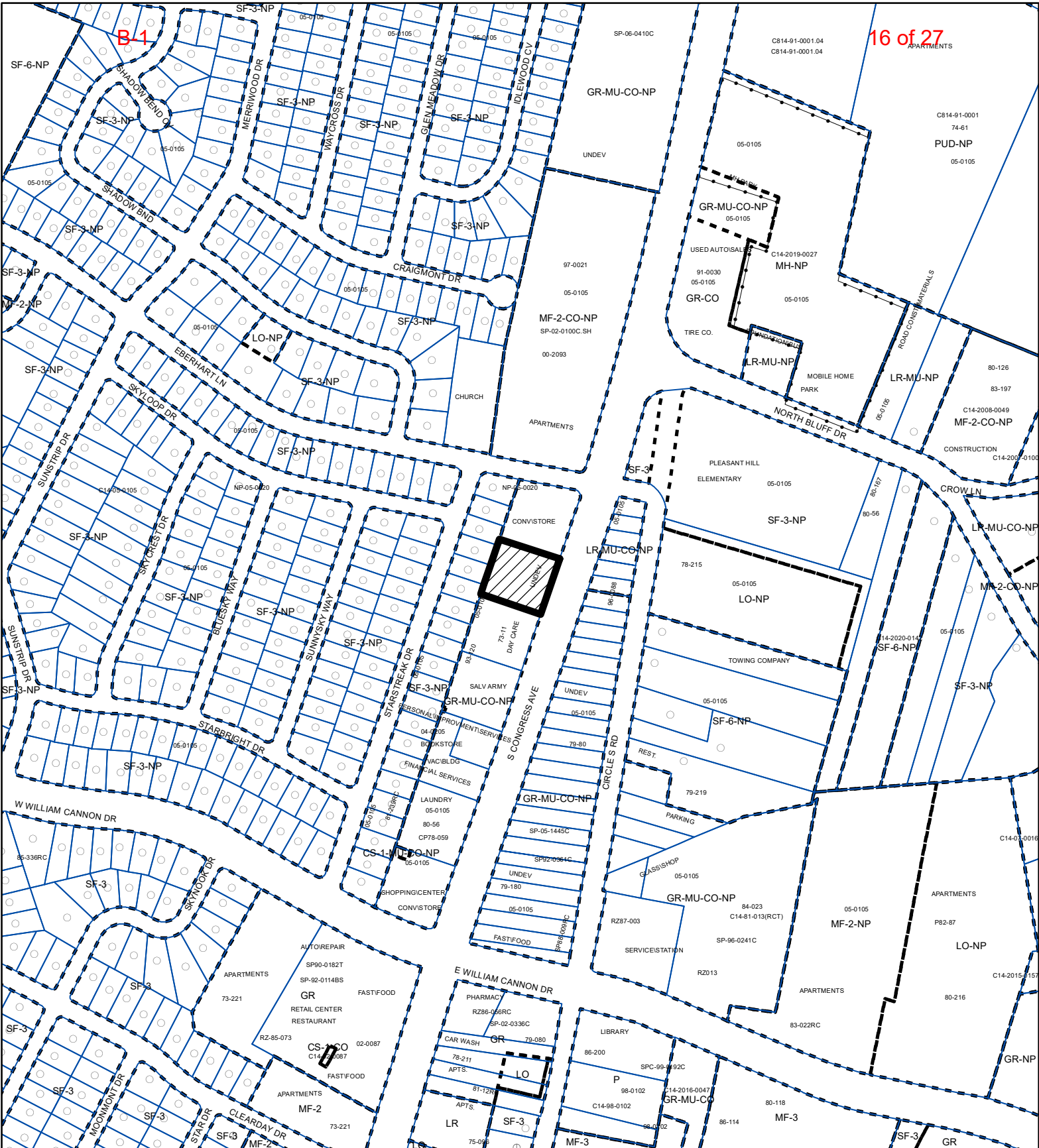
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.




INDEX OF EXHIBITS AND CORRESPONDENCE TO FOLLOW:

A: Zoning Map

A-1: Aerial Map

Correspondence Received



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

Exhibit A

ZONING CASE#: C14-2021-0166

1" = 400'

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

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



Created: 10/11/2021



1" = 100'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

South Congress Avenue Residences

Exhibit A - 1

ZONING CASE#: C14-2021-0166

LOCATION: 6424 South Congress Avenue

SUBJECT AREA: 0.8717 Acres

GRID: G16

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.



SCCNPCT - Contact Team Zoning Questionnaire

Notice of Filing of Application for Rezoning Oct 22, 2021

Responses in red from the applicant on 11/12/21

Location: 6424 S. Congress Ave

Case#:C14-2021-0166

Applicant: Alice Glasco

From: GR-MU-CO-NP

To: GR-MU-V-NP

- 1. Are any buildings being torn down? If so, what buildings?
 - **Zero**
- 2. Is this development displacing anyone? If so, who is being displaced?
 - **No displacement, property unoccupied.**
- 3. What plans do you have for affordable housing in the development? **10% at 80% MFI as required by Vertical Mixed-Use Zoning is all that is planned at this time.**
- 4. How does this development fit with the character of the existing neighborhood?
 - **Yes, this development is meant to provide professionals and families with attainable housing while striving to strengthen the existing sense of community while bringing new pedestrian activity and access to goods and services for existing and future neighborhood residents.**
- 5. What is the zoning of neighborhood properties? Is the zoning the same or different than your requested zoning?
 - **Neighborhood properties: SF3, GR-MU-CO-NP
Requested zoning: GR-MU-V-NP**
- 6. What plans do you have for maintaining water quality and mitigating flooding issues via water retention or other means?
 - **We will take all necessary measures to mitigate any negative impacts on water quality or run off in**

compliance with the City of Austin development code.

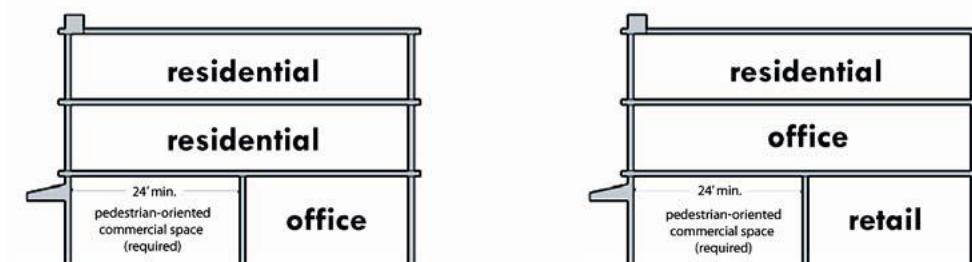
- 7. Are there heritage trees on the site? What are your plans for protecting those trees?
 - **Yes – any heritage trees will be protecting in accordance with City of Austin Development Code Requirements.**
- 8. What is the traffic/mobility impact?
 - **To be determined at the time of site plan. Traffic studies be performed if triggered by city code.**
- 9. What is the estimated time frame for this development and what are your plans for maintaining the property in the interim?
 - **Time Frame: 2 years, estimated completion: 2024**
 - **We will continuously maintain the property in the interim to ensure its current state is held or improved upon.**
- 10. When construction starts, how will you ensure that quality of life is maintained for neighbors? Please be especially detailed for projects with minimal setbacks and a high percentage of the lot being developed. Consider parking area(s) for workers onsite and offsite, road closures, etc.
 - **We will take all precautions to help minimize the impact of the development on the surrounding community, including: coordinating closely with the neighbors regarding daily construction activities and schedule, implementing construction traffic restrictions to avoid neighborhood traffic, and will have designated parking for construction crews to avoid neighborhood parking.**
- 11. Will there be any increased noise, e.g., concerts, outdoor concerts, outdoor music, outdoor speakers, outdoor paging systems, etc.?
 - **No increased noise, and none of the above**

- 12. How will you ensure that any commitments made to the neighbors are honored? Who can we contact with any issues?
 - **We will honor all commitments made to the neighbors to the best of our abilities and will be responsive to the concerns and comments of the community. Contact: Benjamin Hines, bhines@journeymanco.com 512-671-0002**
- 13. Pavement and sewage impacts. Will pavement be returned to original or higher quality?
 - **Yes, pavement will be returned to original or higher quality. Any required improvements will be made to the sewer system to ensure standards are upheld and adequate service is available.**
- 14. Will the Street Asphalt and Sidewalk be returned to equal or greater as before the start of the development? Will the cost be paid for by the development?
 - **Yes, Street Asphalt and Sidewalk will be returned to equal or greater impact as before the start of the development. Any incurred costs will be paid for by the development**
- 15. Please provide a table comparing what you can currently do with the zoning, and what you will be able to do with the zoning change you are requesting. Please bring any maps or diagrams that you may have.
 - **Included Below (next page).**

Zoning Change Comparison Chart – 6424 S Congress Ave Case#: C14-2021-0166

•	Current Zoning: GR-MU (Mixed Use)	Proposed Zoning: GR-MU-V (Vertical Mixed Use)
Setback Requirements	-Front Yard: 10ft Max. -Street Side Yard: 10ft Max.	-No minimum front, street side or interior side yard setbacks (COA Compatibility Setback Standards still apply)
Floor Area Ratio (FAR)	-1:1	-No floor to area ratio (FAR) limit
Building Coverage	-75%	-No building coverage limit (COA impervious cover limits still apply)
Minimum Site Area	Site area required for each dwelling unit: * Efficiency – 800sq/ft 1-Bedroom – 1,000 sq/ft 2+ Bedroom – 1,200 sq/ft	-No minimum site area requirements
Maximum Building Height	-60ft	-60ft
Standards for Building	-Must regulate minimum site area per each dwelling unit, as described above and below (*)	-Must Have a mix of uses -Must have pedestrian-oriented spaces on the ground floor -Must contain residential dwelling units

Example of VMU Building



* Table 4. Site area required for each dwelling unit

Zoning District	Unit type		
	Efficiency	1-Bedroom	2- or more bedroom
NO	3,600 sq ft	4,000 sq ft	4,400 sq ft
LO, LR	1,600 sq ft	2,000 sq ft	2,400 sq ft
GO, GR, CS, CS-1	800 sq ft	1,000 sq ft	1,200 sq ft

- 16. Any height considerations being anticipated with the zoning change.
 - **The base zoning of GR, which is 60 feet, will remain unchanged – adding the V overlay does not allow a height increase. GR zoning restrictions dictate the maximum height.**
- 17. Before construction, will the property be boarded up with no trespassing signs on site and registered with APD for no trespassing, and monitored for trespassing or entry into property structures. If issues/concerns exist with the proposed zoning of property to the neighborhood, we ask that all and any issues/concerns are resolved before zoning is discussed with Planning Commission and Austin City Council.
 - **Yes, we will take all of the above actions to maintain or improve the security and safety of the surrounding neighborhood.**
- 18. Due to Covid-19 will health and safety be considered/implemented within the development to prevent spreading to other tenants.
 - **Yes, there will be strict safety regulations and guidelines in place to ensure the health and well-being of tenants and the surrounding community.**
 -
- 19. Will you be held to compatibility setbacks?
 - **Yes**
- 20. Do you plan to build at maximum zoning requirements, e.g., height, maximum build?
 - **Yes**
- 21. Would you consider a restrictive covenant signing, sealed/registered with Travis County prior to City Council first reading with request/changes regarding zoning?
 - **No – we do not currently own the property so cannot**

agree to any restrictive covenants.

- a. 22. Who will be responsible for construction and building, e.g.
- Journeyman Construction.
- b. 23. Please provide any maps, sketches, and intent of development/Zoning change and or structures
- None available at this time.
- c. 24. Will you have onsite parking or a designated parking area for the construction workers/deliveries.
- Yes, there will be onsite parking and/or a designated offsite parking area for these activities.
- d. 25. Will you have an onsite pet area within the development.
- Yes, there will be onsite pet areas within the development
- e. 26. Will the car garage lighting be higher than the height of the garage top level, will you consider shielding or screening the garage lighting.
- f.
- The car garage lighting will not be above the height of the garage top level. The development will comply with light shielding and screening as prescribed by City Code under compatibility and commercial design Standards.

DATE: December 6, 2021

TO: Case Manager: Wendy Rhodes Wendy.Rhoades@austintexas.gov

CC: Applicant: Alice Glasco

Case File: Planning Commission 6424 S. Congress Ave Case#:C14-2021-0166

FROM: SCCNPCT Postponement request

Re: Requesting Postponement Planning Commission Meeting December 14, 2021

Re: From: GR-MU-CO-NP
To: GR-MU-V-NP

Dear Wendy Rhodes,

We, the SCCNPCT are requesting postponement for December 14, 2021 Planning Commission to January 25, 2022 Planning Commission. We the SCCNPCT will need time to communicate with the neighborhood regarding case number: 6424 S. Congress Ave Case #: C14-2021-0166.

- We need to notify the neighborhood with details about the intent for development.
- Schedule a meeting with the applicant.
- Pending logistics.
- Pending plan of the area.
- We need more details about the development.
- We have not met with the applicant Alice Glasco about Case #: C14-2021-0166
- We the SCCNPCT **request postponement for the December 14, 2021 Planning Commission Meeting to January 25, 2022 Planning Commission meeting.**

Thank you,

Mario Cantu Chair SCCNPCT

From:
To:
Cc: [Rhoades, Wendy](#);
Subject: RE: 6424 S. Congress Ave Case#:C14-2021-0166 Applicant: Alice Glasco From: GR-MU-CO-NP To: GR-MU-V-NP-Reply
Date: Tuesday, December 7, 2021 10:31:32 AM

*** External Email - Exercise Caution ***

Mario,

My client, JCI Residential, has the property under contract and their feasibility period ends on 2/8/22. So, we agree to a postponement to January 11th, so we can stay on the January 27th City Council meeting.

=====

Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C
Email:

From: mariocantu
Sent: Monday, December 6, 2021 10:00 PM
To: Alice Glasco
Cc: Wendy.Rhoades@austintexas.gov; Ross Hamilton; Kurt Goll; Benjamin Hines
Subject: 6424 S. Congress Ave Case#:C14-2021-0166 Applicant: Alice Glasco From: GR-MU-CO-NP To: GR-MU-V-NP

Alice,

Per notice received yesterday this case will be going to Planning Commission on December 14, 2021. After a number of unanswered requests to meet for information about this case, we need an opportunity to meet and get information for the neighborhood that they've been waiting on. A request for PC postponement will be needed. Let me know if I need to loop with the client for information and meeting requests, or will I need to loop with you and the client. We are unable to meet before the December 14, 2021 Planning Commission.

We always send out a questionnaire to the applicant when we receive Notice of Filing of Application for Rezoning and you always reach out to us for a meeting(s). I remember over a week ago at PC you

mentioned that we supposedly met five times before Planning Commission regarding another case.

M.

On Dec 5, 2021, at 12:31 PM, Alice Glasco wrote:

Mario,

No, I did not reach out to you requesting a meeting because you beat me to it when you sent me a list of questions to respond to on 11/2 - see attached email from you on 11/2 and my response to your questions dated 11/12/21. Since I did not receive your reply after I sent you a response to your questions, I assumed that you were satisfied with our responses.

Moving forward: seems it appears that things fell through the cracks – let's move forward and look at a meeting on **Tuesday 12/7 or Wednesday, 12/8 or Friday, 12/10.** Tell us what day and time will work for your team.

=====

Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C
Email:

From: Mario Cantu

Sent: Sunday, December 5, 2021 11:13 AM

To: Alice Glasco <

Cc: Wendy.Rhoades@austintexas.gov; Ross Hamilton; Kurt Goll; Benjamin Hines

Subject: [Re: Location: 6424 S. Congress Ave Case#:C14-2021-0166 Applicant: Alice](#)

DATE: January 10, 2022

TO: Case Manager: Wendy Rhodes Wendy.Rhoades@austintexas.gov

CC: Applicant: Alice Glasco

FROM: SCCNPCT

Re: SCCNPCT **unable to support** C14-2021-0166 – 6424 S. Congress Ave.

Re: From: GR-MU-CO-NP
To: GR-MU-V-NP

Dear Planning Commission,

We, the SCCNPCT **will not be able support this development due to the affordable housing not being equal or greater to what other developments have provided to the SCCNPCT – South Congress corridor.**

- The developer is proposing 95 units mixed with affordable housing at 10% - 80% MFI.
- Commercial (V) at ground level will benefit the developer and not the neighborhood.
- The developer will build 31-47 units if the variance is not granted.
- We the SCCNPCT are asking for 5%- 50%MFI & 5%-60%MFI for a total of 10 units out of 95 units.
- We feel that the community is handing over a zoning request, while the developers are not willing to give anything back to the community, therefore, we are unable to support the variance request.
- **We support recommendations that would provide better affordable housing within the 5%- 50%MFI & 5%-60%MFI range.**

Thank you,

Mario Cantu Chair SCCNPCT