

SECOND / THIRD READINGS SUMMARY SHEET

CASE: C14-2021-0193 – 7400 South Congress Avenue

DISTRICT: 2

ADDRESS: 7400 South Congress Avenue

PROPERTY OWNER / APPLICANT: SL South Congress, LP (John Kiltz)

AGENT: Land Use Solutions (Michele Haussmann)

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

REQUEST:
**Approve Second and Third Readings
From single family residence – standard lot (SF-2) and
community commercial (GR)
To community commercial – mixed use – conditional overlay
(GR-MU-CO)**

CITY COUNCIL ACTION:

July 28, 2022:

June 16, 2022: *APPROVED GR-MU-CO DISTRICT ZONING AS THE ZONING AND PLATTING COMMISSION RECOMMENDED, ON FIRST READING. VOTE: 11-0.*

May 19, 2022: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JUNE 16, 2022. VOTE: 10-0, COUNCIL MEMBER RENTERIA WAS OFF THE DAIS*

April 7, 2022: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO MAY 19, 2022. VOTE: 10-0, COUNCIL MEMBER HARPER-MADISON WAS OFF THE DAIS*

ORDINANCE NUMBER:

ISSUES:

Representatives of the South Boggy Creek Neighborhood Association have met with the Applicant and provided a letter of support for GR-MU-CO combining district zoning. Please refer to correspondence attached at the back of this report.

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0193 – 7400 South Congress Avenue DISTRICT: 2

ZONING FROM: SF-2; GR

TO: GR-MU-CO

ADDRESS: 7400 South Congress Avenue

SITE AREA: 7.614 acres

PROPERTY OWNER: SL South Congress, LP
(John Kiltz)

AGENT: Land Use Solutions
(Michele Haussmann)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning. The CO, Conditional Overlay restricts the property as follows: 1) prohibits vehicular access to Blackberry Drive; 2) requires an 80-foot wide building and parking setback from the west property line; 3) establishes that general retail sales (general), personal improvement services, and restaurant (general) are subject to LDC 25-2-587(D); 4) establishes alternative financial services and medical offices exceeding 5,000 square feet of gross floor area as conditional uses; and 5) prohibits automotive sales, automotive rental, automotive repair, automotive washing (of any type), bail bond services, business or trade school, business support services, commercial off-street parking, drop-off recycling collection facility, exterminating services, funeral services, hotel-motel, indoor entertainment, indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services, research services, and theater. *For a summary of the basis of Staff's recommendation, please see pages 2 - 3.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 7, 2022: APPROVED GR-MU-CO DISTRICT ZONING AS STAFF RECOMMENDED WITH THE FOLLOWING CHANGES: 1) ESTABLISH AN ADDITIONAL CONDITIONAL OVERLAY (-CO) TO RESTRICT THE MAXIMUM HEIGHT OF THE RESIDENTIAL BUILDING CLOSEST TO THE WEST PROPERTY LINE TO FOUR STORIES; AND 2) DELETE -CO #2 REGARDING A BUILDING AND PARKING SETBACK AND REPLACE IT WITH A) A 125' BUILDING SETBACK FROM THE WEST PROPERTY LINE; AND B) A 65' VEGETATIVE BUFFER LOCATED ALONG THE WEST PROPERTY LINE FROM THE SOUTH PROPERTY LINE TO THE SOUTHERN EDGE OF THE BLACKBERRY DRIVE RIGHT-OF-WAY, BY CONSENT

[H. SMITH; B. GREENBERG – 2ND] (9-0) N. BARRERA – RAMIREZ; L. STERN – ABSENT

April 19, 2022: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO JUNE 7, 2022, BY CONSENT*

[J. KIOLBASSA; A. DENKLER – 2ND] (11-0)

March 29, 2022: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO APRIL 19, 2022, BY CONSENT*

[H. SMITH; J. KIOLBASSA – 2ND] (9-0) S. BOONE; L. STERN – ABSENT

March 1, 2022: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO MARCH 29, 2022, BY CONSENT*

[H. SMITH; A. DENKLER – 2ND] (9-0) S. BOONE; R. WOODY – ABSENT

CITY COUNCIL ACTION:

July 28, 2022:

June 16, 2022: *APPROVED GR-MU-CO DISTRICT ZONING AS THE ZONING AND PLATTING COMMISSION RECOMMENDED, ON FIRST READING. VOTE: 11-0.*

May 19, 2022: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JUNE 16, 2022. VOTE: 10-0, COUNCIL MEMBER RENTERIA WAS OFF THE DAIS*

April 7, 2022: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO MAY 19, 2022. VOTE: 10-0, COUNCIL MEMBER HARPER-MADISON WAS OFF THE DAIS*

ORDINANCE NUMBER:

ISSUES:

Representatives of the South Boggy Creek Neighborhood Association have met with the Applicant and provided a letter of support for GR-MU-CO combining district zoning. Please refer to correspondence attached at the back of this report.

CASE MANAGER COMMENTS:

The subject lot is undeveloped and located on the west side of South Congress Avenue, between William Cannon Drive on the north and Dittmar Road on the south. The property is zoned GR, community commercial along the South Congress frontage (to a depth of 385 feet) and SF-2, single family residence – standard lot for the remainder. The lot is adjacent to apartments, a single family residence, a recording studio and a recently constructed attached condominium community to the north (MF-2-CO, SF-6-CO, MF-3, SF-6); a large apartment complex and a single family residence across South Congress to the east (MF-3-CO, SF-2); a natural gas pipeline and easement, and attached condominiums to the south (DR, MF-2-CO, RR); and single family residences in the Meadowcreek subdivision to the west (DR, SF-2, SF-3). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The Applicant proposes to rezone the property to the community commercial – mixed use – conditional overlay (GR-MU-CO) district and construct up to 310 multifamily residential units and a commercial component of limited size. The proposed Conditional Overlay would limit development as follows: 1) restricts commercial uses to those allowed in the neighborhood commercial (LR) district; 2) prohibits vehicular access to Blackberry Drive (therefore access will be taken to South Congress Avenue); and 3) prohibits buildings and parking within 80 feet of the west property line.

As it pertains to the proposed dwelling units, a 50-foot building setback is required from the gas lines (as verified by a survey), and additional building construction and design standards are required for the residential units, such as sprinklering, restriction on location of and materials to be used such as rated glass windows, steel clad / solid core doors, and non-combustible material (such as metal) roofs.

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. The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

The Applicant requests the GR base zoning district which permits buildings up to 60 feet in height, -MU which includes commercial uses and residential uses, and -CO to limit development as it pertains to vehicular access, land uses, and setbacks.

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 for GR-MU-CO zoning since the proposed apartments and retail uses would be consistent with existing uses on the corridor. The proposed development is mixed use and would add to the variety of housing choices available in the area. The Conditional Overlay limits the more intensive commercial uses allowed in GR zoning, and creates an additional buffer between the proposed development and the adjacent single family residences.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2; GR	Undeveloped
<i>North</i>	MF-2-CO; SF-6-CO; MF-3; SF-6	One single family residence; Apartments; Recording studio; Attached condominiums
<i>South</i>	DR; MF-2-CO; RR	Pipeline easement; Attached condominiums
<i>East</i>	SF-2; MF-3-CO	One single family residence; Apartments
<i>West</i>	DR; SF-2; SF-3	Single family residences in the Meadowcreek subdivision

NEIGHBORHOOD PLANNING AREA: Not Applicable TIA: Is not required

WATERSHED: South Boggy Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

An Educational Impact Statement is required. ***Please refer to Attachment A.***

Williams Elementary School Bedichek Middle School Crockett High School

COMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Assoc.
 742 – Austin Independent School District 1228 – Sierra Group, Austin Regional Group
 1306 – Parkridge Gardens HOA 1363 – SEL Texas
 1424 – Preservation Austin 1429 – Go Austin Vamos Austin (GAVA) – 78745
 1440 – South Boggy Creek Environmental Association
 1494 – South Boggy Creek Neighborhood Association
 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
 1787 – Circle S. Ridge Neighborhood Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0085 – 7308 S Congress Avenue	DR to MF-3	To Grant	Apvd (9-19-2019).
C14-2017-0007 – 7300 S Congress Ave Rezoning	DR to SF-6	To Grant	Apvd (5-4-2017).
C14-2013-0157 – Rezoning of 7200, 7202 and 7204 South Congress	LO to LO-MU	To Grant	Apvd (2-27-2014).
C14-01-0179 – Bethania Rezoning – 7110 S Congress Ave	DR to LO	To Grant	Apvd LO (2-28-2002).
C14-99-2065 – John Lewis Tract – 7201-7401 S Congress Ave	SF-3 to MF-3	To Grant MF-2-CO w/CO for 2,000 trips/day	Apvd MF-3-CO w/CO for 23 u.p.a., 2,000 trips and prohibit vehicular access to Circle S Rd (8-17-2000).
C14-96-0057 – Goel Zoning Change – 7310 S Congress Ave	DR to MF-2	To Grant MF-2 for Tract 1 & SF-6 for Tract 2, with conditions	Apvd MF-2-CO for Tract 1 and SF-6-CO for Tract 2, w/CO which requires access to S Congress Ave; 25' undisturbed buffer on west property line; limit Tract 2 to two single family dwelling units; and multifamily development limited to 18 units per acre on Tract 1 (9-26-1996).

RELATED CASES:

The property was annexed into the City limits on November 15, 1984 (C7A-83-017 A). In April 1985, Council approved GR zoning for the 2.58 acre South Congress frontage (C14-84-456 – Joyce & Issam Kussad). In May 1996, Council approved SF-2 zoning for the remaining 5.133 acres of the property (C14-94-0098 – Pecan Grove on the Avenue).

The rezoning area is platted as Lot 1, Block A of South Congress District Final Plat – A Resubdivision of the Ennis Subdivision, recorded in October 2021 (C8-2021-0074.0A).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
South Congress Avenue	108 feet	70 feet	Level 3 (Minor Arterial)	Yes	Bike Lane - Buffered	Yes
Broken Arrow Lane	46 feet	30 feet	Level 1 (Local)	No	No	No
Blackberry Lane	45 to 50 feet	28 feet	Level 1 (Local)	Yes	No	No

The City of Austin's 2016 Mobility Bond provided funding for development of a Corridor Mobility Plan for South Congress Avenue, south shore of Lady Bird Lake to Slaughter Lane. The plan would make recommendations to improve safety, mobility, and connectivity for all corridor users, including people who drive, walk, bike, and take transit. Below is a link to the Corridor page:

[South Congress Avenue Corridor | Open Data | City of Austin Texas](#)

ADDITIONAL STAFF COMMENTS:Inclusive Planning

This rezoning case is located on the west side of South Congress Avenue on a vacant property that is approximately 7.614 acres in size and is not located within the boundaries of a neighborhood planning area. **The property is located along the South Congress Activity Corridor.** Surrounding land uses include multifamily and single family uses to the north; to the south is a townhouse development; to the east is a multifamily complex; and to the west are single family houses.

According to the agent, the proposal is to obtain mixed use zoning to construct a 310-unit multi-family apartment complex, and potentially the inclusion of a coffee shop or restaurant for a commercial use.

Connectivity

There is almost a complete public sidewalk system located along both sides of South Congress Avenue (between William Cannon Boulevard and Slaughter Lane). There is a CapMetro transit stop within 200 ft. of the property. Bike lanes are also located along both sides of South Congress Avenue. The mobility and connectivity options in the area are good. There are a variety of commercial and retail uses located to the south, less than a mile from the subject property, which is accessible by public transit and by foot.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this project as being located along an **Activity Corridor**, which is intended for a variety of activities and types of buildings for shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are applicable to this project:

- **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 P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **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 this property: (1) being situated along an **Activity Corridor**, which supports mixed use and multifamily uses; (2) other residential uses located within a quarter mile radius of this site, including single family houses, townhouses, and multifamily apartment complexes; and (3) the existing mobility and connectivity options available in the area (public sidewalks, bike lanes, a transit stops and nearby commercial and retail uses); this proposed multifamily / mixed use project supports the policies of the Imagine Austin Comprehensive 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 south Boggy 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 a floodplain adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

Austin Fire Department

Austin Fire Department (AFD) staff has reviewed the proposed rezoning case for any potential issues with hazardous materials sites in the area and found none. AFD does not oppose a multifamily development or change to residential zoning for this site.

Impervious Cover

Within the South Boggy Creek watershed, the maximum impervious cover allowed by the *GR-MU-CO 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 at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication would be required, as well as any remaining fees in-lieu. The requirement would help improve connectivity to the Meadow Lea Pocket Parks to the north of the site.

The development as proposed will require parkland dedication for the new residential units that will serve this neighborhood through the additional park investment. The Parks and Recreation Department (PARD) would consider a connection from South Congress Avenue, to Blackberry Drive and the adjacent Meadow Lea/7300 South Congress project, toward

satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would improve neighborhood connectivity to parkland, a recommendation identified in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, 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).

Should the applicant wish 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 letter of the requirements as stated in this review.

Site Plan and Compatibility Standards

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

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

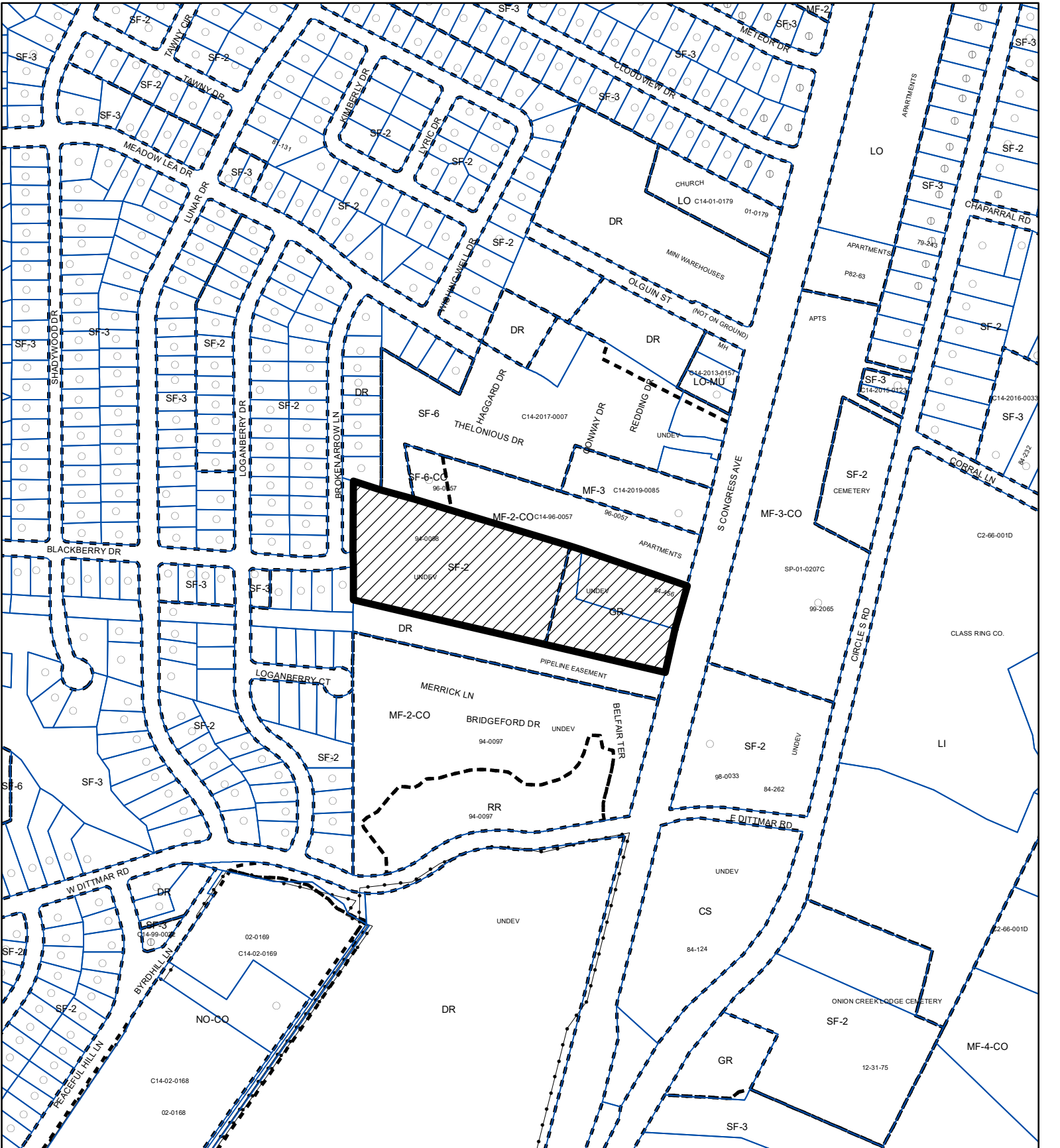
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS, ATTACHMENT, AND CORRESPONDENCE TO FOLLOW:

A: Zoning Map
A-1: Aerial Map

Attachment A – Educational Impact Statement

Correspondence Received






ZONING

Exhibit A

ZONING CASE#: C14-2021-0193



-  **SUBJECT TRACT**
-  **PENDING CASE**
-  **ZONING BOUNDARY**

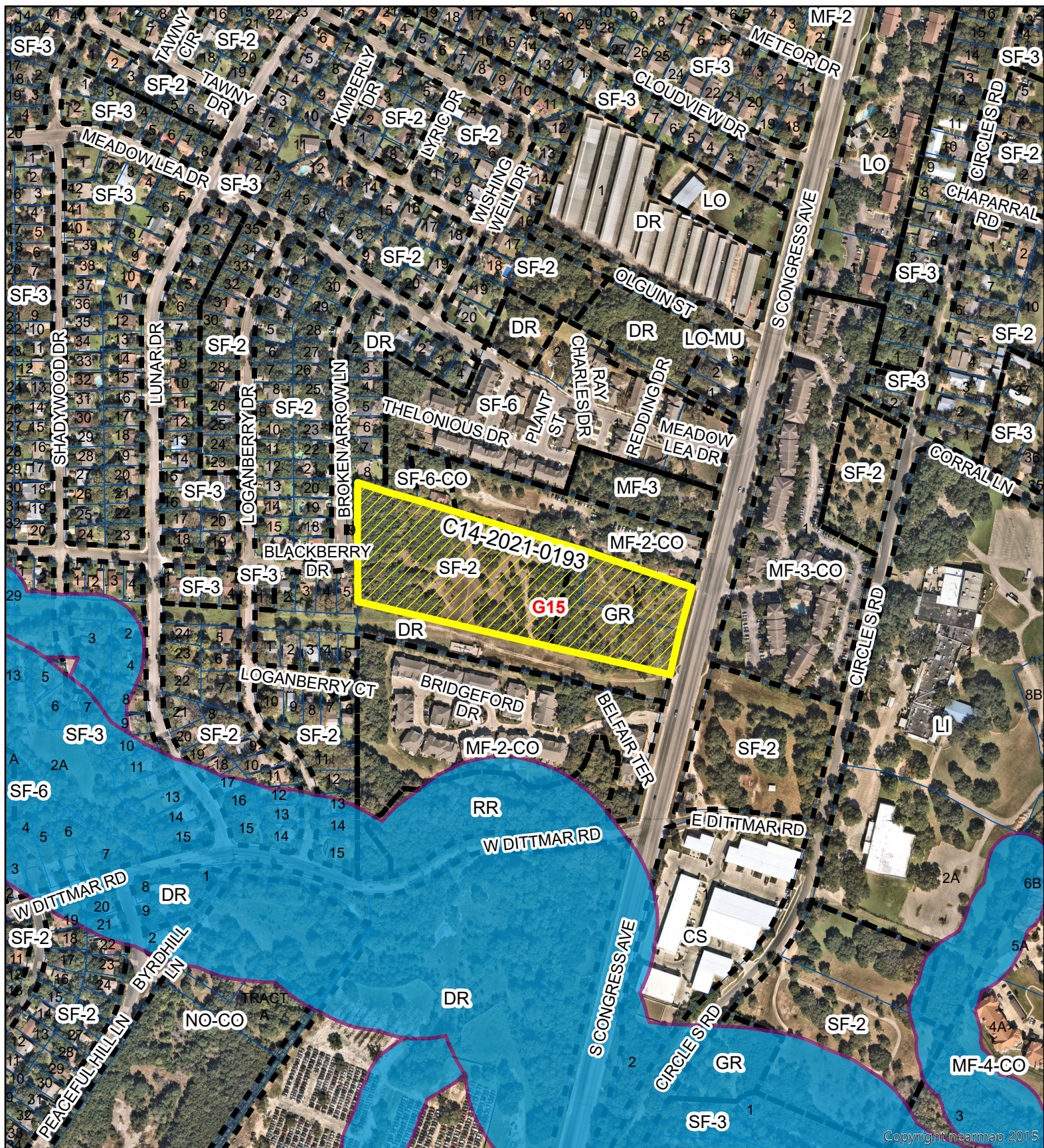
1" = 400'

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

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

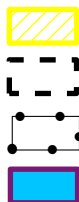


Created: 12/28/2021



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SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

7400 South Congress Avenue

Exhibit A - 1

ZONING CASE#: C14-2021-0193

LOCATION: 7400 South Congress Avenue

SUBJECT AREA: 7.614 ACRES

GRID: G15

MANAGER: WENDY RHOADES



1" = 400'

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

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: 7400 S. Congress Avenue

ADDRESS/LOCATION: 7400 S. Congress Avenue

CASE #: C14-2021-0193

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

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

MF UNITS: 270 STUDENTS PER UNIT ASSUMPTION
Elementary School: 0.074 Middle School: 0.030 High School: 0.044

IMPACT ON SCHOOLS

The student yield factor of 0.148 (across all grade levels) for apartment homes was used to determine the number of projected students. This was determined by the district's demographer by looking at similar projects in the area.

The proposed 270-unit multifamily 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 Williams Elementary School, 8 to Bedichek Middle School, and 12 to Crockett Early College High School.

The percent of permanent capacity by enrollment for School Year 2025-26, including the additional students projected with this development, would be within the optimal utilization target range of 85-110% at Williams ES (90%), below the target range at Bedichek MS (61%), and Crockett ECHS (75%).

TRANSPORTATION IMPACT

Students attending Williams ES and Bedichek MS will not qualify for transportation unless a hazardous route condition is identified. Students at Crockett ECHS will qualify for transportation with no impact.

SAFETY IMPACT

There are not any identified safety impacts at this time.

Date Prepared: 02/15/2022

Executive Director:

DocuSigned by:
Beth Wilson
38E0889C305B4F8...

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Williams

ADDRESS: 500 Mairo St.

PERMANENT CAPACITY: 561

MOBILITY RATE: -4.2%

POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	433	499	519
% of Permanent Capacity	77%	89%	93%

ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	415	486	506
% of Permanent Capacity	74%	87%	90%

MIDDLE SCHOOL: Bedichek

ADDRESS: 6800 Bill Hughes Road

PERMANENT CAPACITY: 941

MOBILITY RATE: -11.9%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	886	681	689
% of Permanent Capacity	94%	72%	73%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	781	569	577
% of Permanent Capacity	83%	60%	61%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



HIGH SCHOOL: Crockett

ADDRESS: 5601 Menchaca Road

PERMANENT CAPACITY: 2,163

MOBILITY RATE: +8.0%

POPULATION (without mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,440	1,257	1,269
% of Permanent Capacity	67%	58%	59%

ENROLLMENT (with mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	1,555	1,612	1,624
% of Permanent Capacity	72%	75%	75%

From:
To: [Rhoades, Wendy](#)
Subject: Question about Case Number - C14-2021-0193
Date: Saturday, February 12, 2022 2:18:12 PM

*** External Email - Exercise Caution ***

Hi Wendy,

My name is Neal Cook. Nice to meet you.

I received a letter about a proposed zoning change to a large plot of land close to me. I currently live at 7403 Brickyard Ct, Austin, TX 78745. The Case Number is C14-2021-0193.

I want to share my concerns over the proposed zoning change to MU - Mixed Use combining district.

The current zoning of GR and SF-2 is much more aligned with what I'd like to see in the surrounding property of South Congress. There's too much multi-family, condensed living going up in the area, and there needs to be a balance of single-family as well as office/commercial.

Anywho, that's just my opinion, but I wanted to share that with you.

I know there will be a public hearing at some point in the future, so I will be on the lookout for that date/time.

Thank you for your time, and I hope you enjoy your weekend!

Neal

--

267-528-5247

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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 participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code: <https://bit.ly/ATXZoningComment>.



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 the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2021-0193

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: March 1, 2022, Zoning and Platting Commission
April 7, 2022, City Council**

Karen Bartlett

Your Name (please print)

7415 Merrick Lane

Your address(es) affected by this application (optional)

Karen Bartlett

Signature

2/24/21

Date

Daytime Telephone (Optional): 214/435-9060

Comments:

<input type="checkbox"/>	I am in favor
<input checked="" type="checkbox"/>	I object

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

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 participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code: <https://bit.ly/ATXZoningComment>.



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 the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2021-0193

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: March 1, 2022, Zoning and Platting Commission
April 7, 2022, City Council**

Aria Brownell

Your Name (please print)

7406 Loganberry Dr, Austin, TX, 78745

Your address(es) affected by this application (optional)

W. 7

☐ I am in favor
☒ I object

3/1/22

Signature

Date

Daytime Telephone (Optional): 203-241-4732

Comments: Dear Wendy Rhoades, The scheduled dates of the public hearings are 3/1/22 and 4/7/22. The case number is C14-2021-0193 and this regards the Zoning and Platting Commission. My household including myself and Daniel Brown, object to this proposal for development. This lot would be completely crowded by the proposed housing building & prices in the neighborhood would most certainly raise. Austin locals cannot afford for this proposed construction to destroy our neighborhood.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

Re: Application for Rezoning; Case No. C14-2021-0193

To: Wendy Rhodes, Case Manager

On behalf of the South Boggy Creek Neighborhood Association, a request is made to postpone the hearing date before the Planning Commission from Tuesday, March 1, 2022, to Tuesday, March 28, 2022. The postponement is requested in order to compile the concerns of the neighborhood in a clear and concise manner.

The developer representative is cc:ed on this email. Thank you for your consideration.

Dot Aikman
President South Boggy Creek Neighborhood Association

512-633-5281

From:
To: [Rhoades, Wendy](#)
Cc:
Subject: FW: Case C14-2021-0193
Date: Monday, March 28, 2022 5:53:53 PM
Attachments: [image001.png](#)

*** External Email - Exercise Caution ***

Hello Wendy. I hope you're having a great day!

Please let me know if you have heard from any other neighbors and confirm that we are all set for the postponement tomorrow.

Thank you!

Have a wonderful evening!

Respectfully,
M

Michele Haussmann

PRINCIPAL



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From: Michele Haussmann
Sent: Monday, March 28, 2022 8:23 AM
To: Dot Aikman; wendy.rhodes@austintexas.gov; Joan Judy; Dianne & Ed
Cc: Kayla Simon
Subject: RE: Case C14-2021-0193

Wendy, I should have mentioned that the postponement request can be on the consent agenda with no discussion as the applicant supports it and we look forward to continuing to work with the neighborhood.

Thank you so much for your time and assistance.

Respectfully,
M

Michele Haussmann

PRINCIPAL



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From: Michele Haussmann

Sent: Monday, March 28, 2022 8:05 AM

To: Dot Aikman; wendy.rhodes@austintexas.gov; Joan Judy; Dianne & Ed

Cc: [Kayla Simon](#)

Subject: RE: Case C14-2021-0193

Good morning all. I hope everyone had a nice weekend.

Wendy, Dot is correct that we are continuing to work with the neighborhood. The applicant does not oppose the requested postponement to April 19th.

Thank you.

Respectfully,
M

Michele Haussmann

PRINCIPAL



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From: Dot Aikman

Sent: Sunday, March 27, 2022 8:10 PM

To: wendy.rhodes@austintexas.gov; Michele Haussmann; [Joan](#)

Judy; Dianne & Ed

Subject: Case C14-2021-0193

We are still working on compromises between the neighborhood and the development. We are requesting a zoning meeting postponement. Please advise. Thank you

Dot Aikman
512.633.5281

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.



LandUseSolutionsTX.com

Michele Haussmann
PRINCIPAL

April 19, 2022

Ms. Wendy Rhoades
Housing and Planning Department
City of Austin
VIA Electronic Mail Wendy.Rhoades@austintexas.gov

Re: Updated Postponement Request – 7.614 acres located at 7400 South Congress in the City of Austin, Travis County, Texas (“Property”)
Zoning Case Number: C14-2021-0193

Dear Ms. Rhoades:

As representatives of the owner and developer of the above stated Property, SL South Congress, LP (“Applicant”), I respectfully request a postponement of the April 19, 2022 Zoning and Platting Commission public hearing to June 7, 2022 meeting date. The postponement request is to continue working with the South Boggy Creek Neighborhood Association.

Please contact me if you have any questions or need additional information.
Thank you for your time and assistance with the postponement request.

Respectfully,

Michele Haussmann

CC: Kayla Simon, Land Use Solutions, *via electronic mail*
Dot Aikman, South Boggy Creek Neighborhood Association, *via electronic mail*

June 3, 2022

Ms. Wendy Rhoades
City of Austin
Housing & Planning Department
VIA ELECTRONIC MAIL Wendy.Rhoades@austintexas.gov

Re: 7400 South Congress - Zoning Application City File Number C14-2021-0193

Dear Ms. Rhoades:

The South Boggy Creek Neighborhood Association (Neighborhood) supports the following requests:


7400 South Congress: Rezoning to GR-MU-CO

The Neighborhood had multiple meetings with the Applicant's representatives since July 2021 and appreciated the engagement, willingness to provide feedback and the Applicant's offer to include Conditional Overlays to address concerns. The following are the Conditional Overlays the Applicant is proposing and we agree to:

1. Prohibit access to Blackberry Drive.
2. 125' building setback from the west property line.
3. 65' vegetative buffer located along the west property line from the south property line to the southern edge of the Blackberry Drive right-of-way.
4. Restrict the maximum height of the residential building closest to the west property line to four stories.

We believe prohibiting access to Blackberry Drive and the 125' building setback will maintain that level of quality of life desired by residents. In addition, the proposed drainage will be redirected east of the identified 65' vegetative buffer next to Ed Miller's eastern property line. Also, the Applicant agreed to include a fence along the west property line starting at the southern edge of Blackberry Drive to the north property line, and agreed to work with the Neighborhood on the type of fencing during the site plan stage of the City of Austin development process.

Thank you for your attention to this letter.

DocuSigned by:

7C985E2241B94CE...

Dot Aikman, President
South Boggy Creek Neighborhood Association

CC: Michele Haussmann, Land Use Solutions, Michele@landusesolutionstx.com
Kayla Simon, Land Use Solutions, Kayla@landusesolutionstx.com