ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0118 DISTRICT: 4
St. Johns Site

ZONING FROM: P-NP, CS-MU-NP, and LO-MU-NP TO: CS-MU-V-NP

ADDRESS: 7211, 7309, and 7313 ½ North IH 35 Northbound Service Road, 819 ½ Blackson Avenue and 910 ½ E. St. Johns Avenue

SITE AREA: 19.11 Acres

PROPERTY OWNER/APPLICANT:
City of Austin Finance Department: Real Estate Services
(Michael Gates)

AGENT:
City of Austin Economic Development Office
(Christine Freundl)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:
Staff supports the Applicant's request for rezoning to CS-MU-V-NP. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:
October 11, 2022:

CITY COUNCIL ACTION:
November 17, 2022:

ORDINANCE NUMBER:

ISSUES:
In December 2017, Austin City Council passed Resolution No. 20171207-058 directing the City Manager to work with the community on a new vision for the subject property that would better serve the surrounding St. Johns neighborhood.
In July 2020, after two years of analysis and community engagement, City Council passed Resolution No. 20200729-117. This resolution affirmed the new community vision, initiated this rezoning request and the associated neighborhood plan amendment (NPA-2022-0029.02), and initiated a RFP process to solicit a development partner to realize the community vision. ***Please see Exhibit C- City Council Resolution No. 20200729-117.***

CASE MANAGER COMMENTS:
The subject property is located on the north side of IH 35 between East St. Johns Avenue and Blackson Avenue. The property is comprised of two tracts previously occupied with automotive sales and service, general retail, and civic land uses. The property is currently zoned P-NP, LO-MU-NP and CS-MU-NP and the previous land uses have been discontinued. Immediately east of the subject property are properties zoned SF-3-NP, P-NP, and MF-2-NP that are developed with single family residential, religious assembly, public park and multifamily land uses. Further to the east is the St. Johns residential neighborhood. Across Blackson Avenue to the north and northeast are properties zoned CS-MU-NP, CS-NP and P-NP. These properties are developed with automotive sales, general retail and civic land uses. Across St. Johns Avenue to the south are properties zoned CS-MU-NP, CS-MU-CO-NP and LI-CO-NP that are developed with fast food restaurant, multifamily residential, general retail, and office land uses. Across IH 35 to the west are properties zoned CS-MU-NP, CS-MU-CO-NP and SF-3-NP that are a mix of gas station, limited restaurant, limited retail, automotive sales and single family residential. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Staff has received correspondence in support of the rezoning request. ***Please see Exhibit D- Correspondence.***

Staff supports the proposed rezoning to CS-MU-V-NP. As stated in the Issues section, the rezoning request was initiated by City Council to facilitate redevelopment of the property in a way that reflect local and City-wide priorities and goals. The rezoning will allow the Applicant to consolidate the property to create a cohesive mixed use project that the current mix of LO-MU-NP, P-NP and CS-MU-NP would not allow. The designation of St. Johns as an ASMP Transit Priority Network corridor is well suited to the addition of Vertical Mix Use (V-) zoning.

BASIS FOR RECOMMENDATION:
1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
3. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

NEIGHBORHOOD PLANNING AREA: St. Johns/Coronado Hills Combined NP

WATERSHED: Buttermilk Creek

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	P-NP, LO-MU-NP, CS-MU-NP	Civic, Automotive sales and repair service - Vacant
North	CS-MU-NP, CS-NP, P-NP	Automotive sales, General retail, Civic (post office, medical office)
West	CS-MU-NP, CS-MU-CO-NP, SF-3-NP	Service station, Limited restaurant, Limited retail, Automotive sale, Single family residential.
East	SF-3-NP, P-NP, MF-2-NP	Single family residential, Religious assembly services, Civic (park), Multifamily residential (fourplex)
South	CS-MU-NP, CS-MU-CO-NP, LI-CO-NP	Limited restaurant, Multifamily residential, General retail, Administrative office

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Neighborhoods Council
Go Austin - Vamos Austin – North
Neighborhood Empowerment Foundation
Sierra Club, Austin Regional Group
St. John Neighborhood Plan Contact Team
Austin Lost and Found Pets
Friends of Austin Neighborhoods
Homeless Neighborhood Association
SELTexas
St. John Neighborhood Association

AREA CASE HISTORIES: There are no recent rezonings in the area.

ZTA/TIA: A Zoning Traffic Analysis (NTA) is required before 1st reading at City Council. A Traffic Impact Analysis (TIA) is deferred to time of site plan, if triggered.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East St. Johns Avenue	3	80’	86’	41’	Yes	Bike Lane	Yes
Blackson Avenue	1	64’	58’	37’	No	N/A	Yes
N IH 35 SVRD NB	4	N/A	337’	304’	No	Shared Lane	Yes

ADDITIONAL STAFF COMMENTS:

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Site Plan

SP 1. 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 due to the adjacent SF-3-NP district to the east.

SP 2. Site plans will be required for any new development other than single-family, two-family or duplex residential. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 3. This tract is currently developed and the proposed zoning change affects a building footprint within the existing development. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Parks & Recreation

PR1: Parkland dedication will be required for the new applicable uses proposed by this development, mixed use with CS-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. The development is subject to a partnership with the City of Austin; Council Resolution notes that the vision for the site includes “open space for recreation and congregation”. As such, land will be required to meet this need.Should any remaining 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.

Transportation

ATD 1. Zoning transportation analysis shall be performed prior to 1st reading at City Council for the rezoning when anticipated trips are anticipated to exceed 2,000 unadjusted trips to satisfy the LDC requirement for a TIA but does not diminish the authority to require a traffic impact analysis at site plan.

ATD 2. The Austin Strategic Mobility Plan (ASMP) calls for 64 feet of right-of-way for Blackson Avenue. It is recommended that 32 feet of right-of-way from the existing centerline should be dedicated for Blackson Avenue according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

ATD 3. The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East St. Johns Avenue	3	80'	86'	41'	Yes	Bike Lane	Yes
Blackson Avenue	1	64'	58'	37'	No	N/A	Yes
N IH 35 SVRD NB	4	N/A	337'	304'	No	Shared Lane	Yes

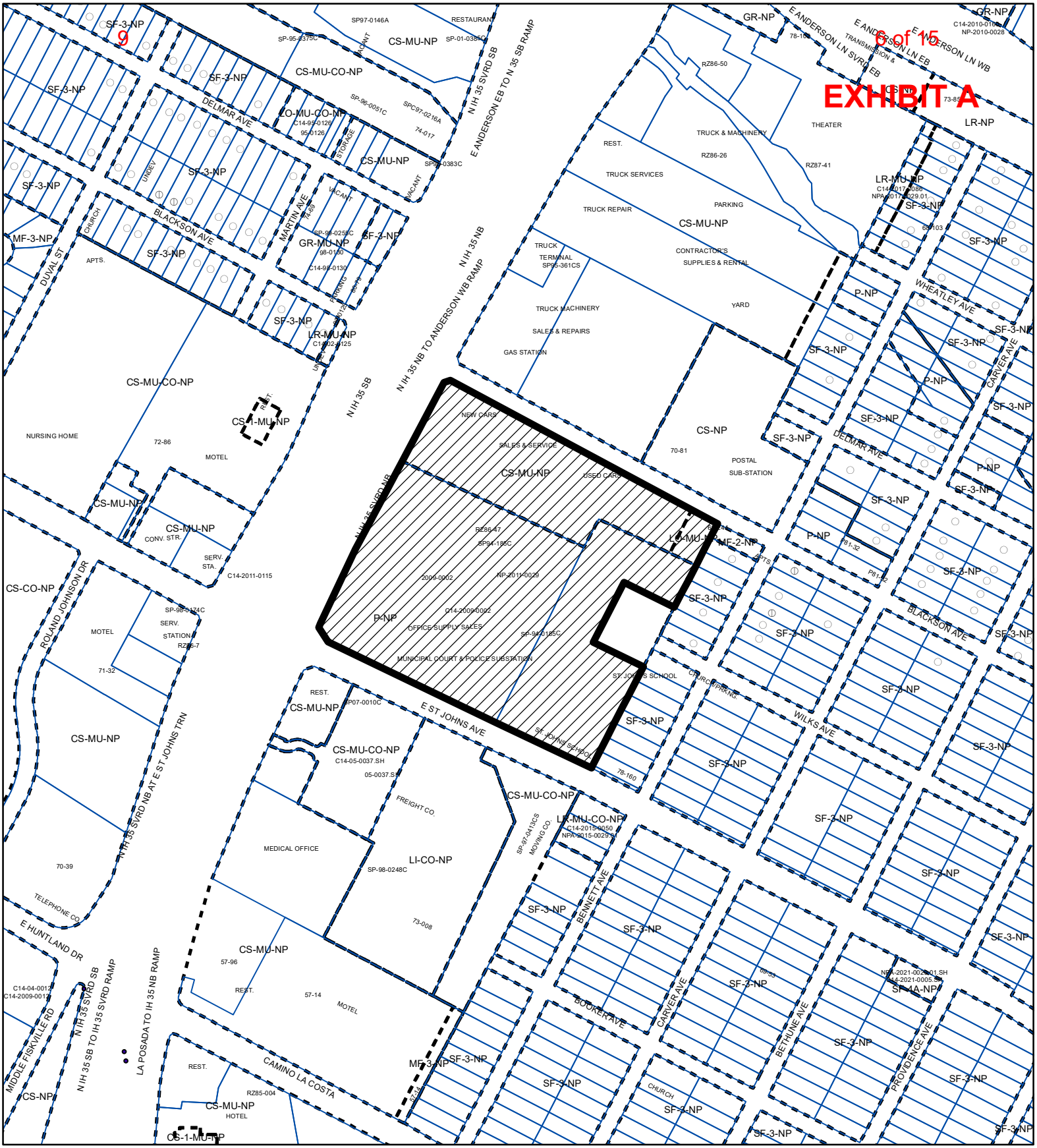
Water Utility

AW1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map
B. Aerial Exhibit
C. City Council Resolution No. 20200729-117
D. Correspondence

EXHIBIT A



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2022-0118

1 " = 400 '

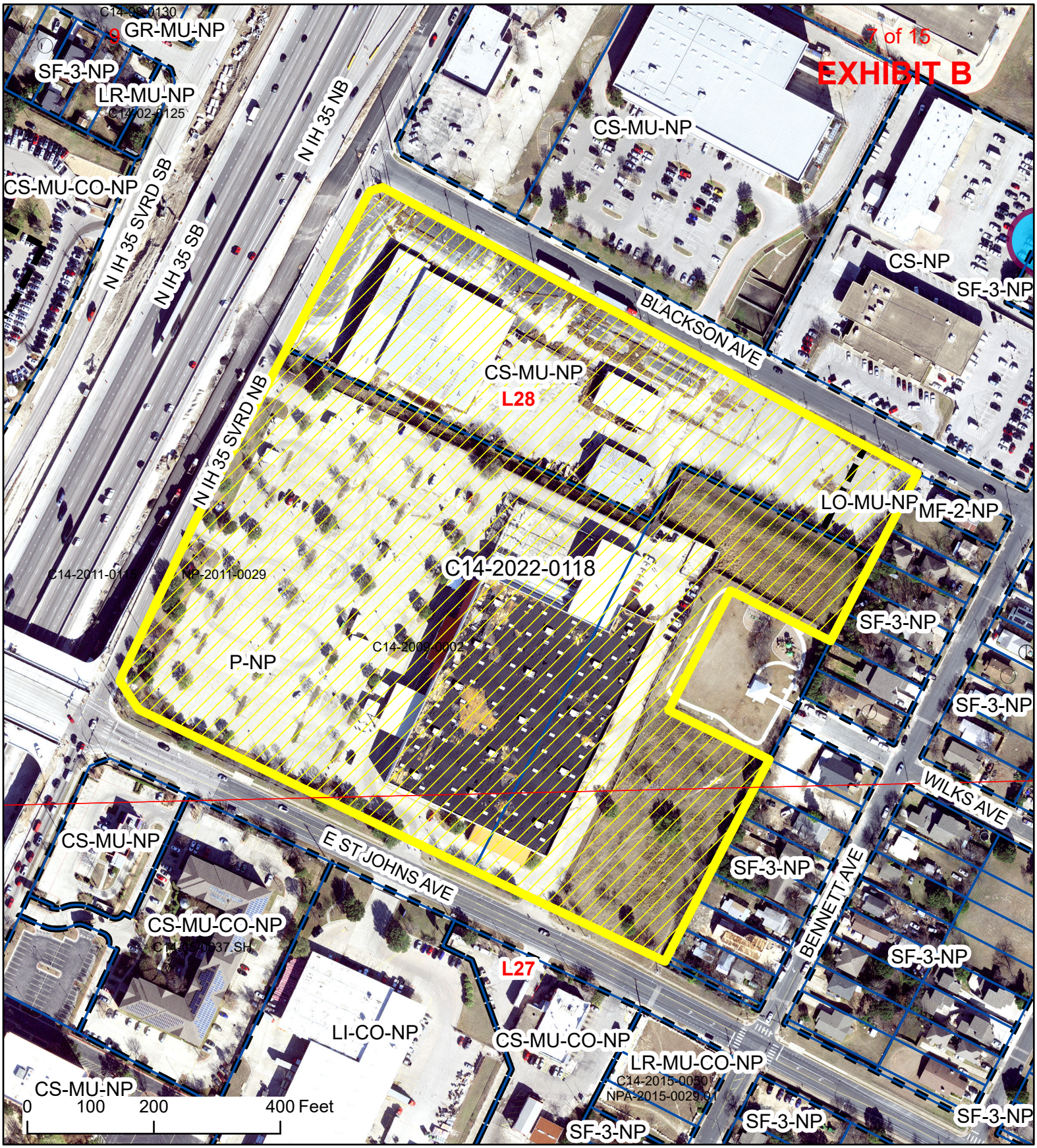
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

CITY OF AUSTIN FOUNDED 1839

Created: 8/30/2022

EXHIBIT B



St. Johns Site

N

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

ZONING CASE#:	C14-2022-0118
LOCATION:	7211 & 7309 N I35 SVRD NB
SUBJECT AREA:	19.11 Acre
GRID:	L28
MANAGER:	Heather Chaffin

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 completeness.

Created: 10/4/2022

EXHIBIT C

RESOLUTION NO. 20200729-117

WHEREAS, on December 7, 2017, City Council approved Resolution No. 20171207-058 directing the City Manager to work with community members to create a new vision for the City-owned property located at I-35 and St. Johns Avenue (St. John Property); and

WHEREAS, the St. John Property should address housing, economic, and recreational opportunities and future needs of St. John residents and residents of the surrounding areas, and honor and respect the rich Black history of the St. John neighborhood; and

WHEREAS, a robust, two-year community engagement process, including several hundred in-person and online surveys, focus groups, house meetings, school meetings, and town halls, resulted in a new, community-validated vision for the St. John Property; and

WHEREAS, the St. John community's new vision centers on supporting a complete community in a historic neighborhood by reinforcing its strengths and enhancing its services and quality of life through redevelopment, including: 1) a mixed-income, mixed-use district with affordable housing, particularly accessible to current and past neighborhood residents; 2) open space for recreation and congregation; and 3) space for community retail and support services specific to the St. John neighborhood; and

WHEREAS, rezoning the St. John property is necessary to successfully develop and deliver the St. John community's new vision; and

WHEREAS, on June 6, 2019, City Council approved resolution 20190606-098 directing the City Manager to negotiate an interlocal agreement with the

University of Texas Center for Sustainable Development to initiate a redevelopment planning process and for the final work resulting from the interlocal agreement to be sufficient for the subsequent release of a Request for Proposals for redevelopment of the St. John Property; and

WHEREAS, the Center for Sustainable Development team completed their study highlighting viable community-guided and anti-displacement focused redevelopment scenarios, in accordance with Resolutions 20171207-058 and 20190606-098, included a range of options such as mixed-income housing, recreation space, and non-profit space that address the current and future needs of St. John residents and the surrounding community; and

WHEREAS, the Center for Sustainable Development team's final report was reviewed by the Economic Development Department, Neighborhood Housing & Community Development, Parks and Recreation Department, City Attorney, Financial Services, Public Works, Austin Water and Austin Energy and the subsequent memorandum released on June 24, 2020, included vetted recommendations to reposition the St. John Property through a Request for Proposals process; **NOW, THEREFORE,**

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

The City Council affirms the new vision for the St. John Property, understands the need to utilize viable financing sources as outlined by the Economic Development Department in the June 24, 2020 memorandum, supports the City Manager initiating a competitive Request for Proposals process in order to achieve community priorities attached as **Exhibit "A,"** and supports the financial prioritization necessary to reposition the St. John property. Supported financial prioritization and options could include a Tax Increment Reinvestment Zone,

issuance of new debt or reprioritizing planned debt issuance for infrastructure, utilizing parkland dedication fees, invoking fee waivers to support affordable housing, and other financial options listed in the June 24, 2020 memorandum.

BE IT FURTHER RESOLVED:

The City Council initiates the rezoning and Future Land Use Map (FLUM) amendments of the properties located at 7211 N. Interstate 35, Austin, Texas, and 7309 N. Interstate 35, Austin, Texas, from public-neighborhood plan (P-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district, and FLUM changes from Civic to Mixed Use land use. The City Council intends to finalize the rezoning concurrently with finalizing an initial agreement with any developer(s).

ADOPTED: July 29, 2020 **ATTEST:** Jannette S. Goodall

Jannette S. Goodall
City Clerk

EXHIBIT A

Primary St. John Property Redevelopment Objectives:

To support a complete community in an historic neighborhood by reinforcing its strengths and enhancing its services and quality of life through redevelopment. Vision includes:

- A mixed-income, mixed-use district with affordable housing, particularly accessible to current and past residents of the neighborhood;
- Open space for recreation and congregation; and
- Space for community retail and support services that is specific to the St. John neighborhood.

Project Requirements:

- At least half of the housing units must be affordable, with more preferred.
    - Affordability should be provided for all housing types offered at the site, including rental and ownership units.
    - An affirmative marketing plan should be included and presented to the City to ensure St. John residents become aware of affordable housing opportunities.
    - Developer should work with City to connect with local community organizations to ensure that community groups, especially those with ties to the St John community, participate in the affirmative marketing. The affirmative marketing should focus on communities that may not know about affordable housing opportunities, including families who have been displaced from Austin and families who speak a language other than English as their first language.
    - A significant number of affordable units should be multi-bedroom and family-friendly.
    - The developer and any housing partners should express willingness to work with the City to implement a potential affordable housing preference policy at the site that prioritizes applicants who were displaced or at risk of displacement in the neighborhood.
- Development should include community retail space for local vendors in support of the City's complete communities goal.
- Development should identify space that could potentially accommodate local non-profits that support our diverse community, especially for workforce and youth development.
- Development should include active and community-accessible green space. Options for splash pad, walking trails, community gardening, an active boulevard, and amenities for families and children should be explored.

- Development must highlight and respect the history of the St. John neighborhood.
- Construction should follow Better Builder Standards, prevailing wage rules, the City's Construction Training Program, and the City's MBE/WBE programs.
- Development should make best use of the community input received in the last 18 months, it should serve people who live there and the nearby community and feel a part of the community. From the UT study, the developer should take into account especially:
    - Community input from the last two years;
    - Environmental considerations, including pollution mitigation;
    - Connectivity of the urban landscape, rather than segregation; and
    - Ways to transform site constraints into site assets.
- Developer should present how the project can support the surrounding community, including area schools and ways to prevent further displacement;
- Developer must participate with upfront funds to defease remaining bond debt on the site, understanding that the City as partner will work to offset these costs and other necessary project expenditures through financial commitments to be determined during the negotiation period.

EXHIBIT D

City of Austin
FSD-Real Estate Services, Building: One Texas Center-13fl, P.O. Box 1088, Austin, Texas 78767-1088
telephone (512) 974-7090 Fax (512) 974-7088

August 18, 2022

Mr. Jerry Rusthoven, Zoning Officer
Housing and Planning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via Online Submittal

Re: Application for Rezoning; 19.11 acres located at 7211 N IH-35 SVRD NB, 7309 N IH-35 SVRD NB (the "Property").

Dear Mr. Rusthoven:

The Finance Department, in partnership with the Economic Development Department, would respectfully submit the attached Application for Rezoning of the above stated Property in accordance with the adopted Council Resolution 20200729-117, which initiated the rezoning of the property and Future Land Use Map (FLUM) amendments for the Property. The Property 7211 N IH-35 SVRD NB, 7309 N IH-35 SVRD NB (see Location Map attached) is zoned Public-Neighborhood Plan Combining District (P-NP), General Commercial Services-Mixed Use Neighborhood Plan Combining District (CS-MU-NP), Limited Office Mixed-Use Neighborhood Plan Combining District, (LO-MU-NP). The Application for Rezoning requests to rezone the General Commercial Services Mixed Use Combining District Vertical Mixed Use Building Neighborhood Plan Combining District (CS-MU-V-NP) in accordance with Council direction. The Property currently has one vacant building.

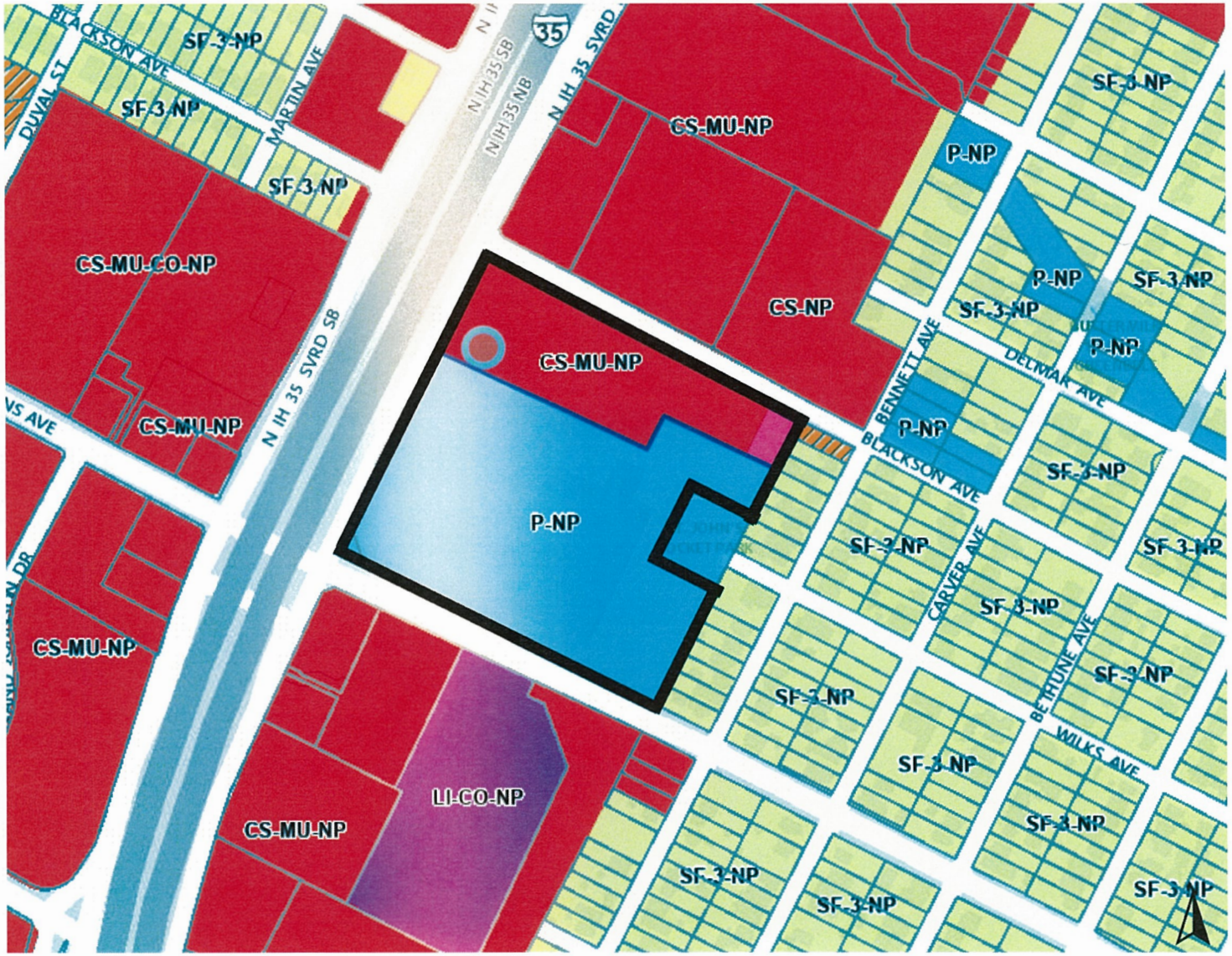
The Property is within the St. Johns/Coronado Hills Combined Neighborhood Plan and a Future Land use amendment is needed. It is currently designated as Mixed Use, Civic, and Neighborhood Mixed Use. The Application includes a FLUM amendment to change the designation to Mixed Use.

If you have any questions about this Application for Rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Sincerely,

Michael Gates

CURRENT ZONING EXHIBIT



From: Akeem McLennon
Sent: Tuesday, October 4, 2022 4:29 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: jweeks; Anissa Carbajal-Diaz; Thelma Williams; B Taylor; Robert Meisel; Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Freundl, Christine <Christine.Freundl@austintexas.gov>
Subject: Re: St. John NPCT Rec? NPA-2022-0029.02_7211 N IH-35 (St. John Site)

*** External Email - Exercise Caution ***
Hello members of the Austin City Council and city staff,

I would like to send this letter on behalf of the St John Neighborhood Association in recommendation for the development on 7211 & 7309 N IH 35 SVRD NB. The proposed zoning changes to include mixed use multifamily and commercial development are in line with a long process of community engagement to improve and redevelop the area.

Over the last few years, the neighborhood has worked closely with members of city council, staff, and the University of Texas, to transform the property in question from an abandoned Home Depot to something that can benefit the community and city as a whole. Ultimately, we arrived on a RFP process that called for additional affordable housing, improved greenspace, retail, and non-profit opportunities in the area. This is in line with the proposed zoning changes.

Since winning the bid to redevelop the property, HACA / Greystar has also done further engagement with the community on some of the specifics of what would be built.