

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0015 (200 S Congress Avenue)

DISTRICT: 9

ADDRESS: 200, 208, 210, and 220 ½ S Congress Avenue

ZONING FROM: LI-PDA-NP

TO: LI-PDA-NP**

* The applicant is requesting to amend the PDA to allow Automotive Sales use, for “indoors only” (please see *Applicant’s Request Letter – Exhibit C*).

**On August 2, 2023, the applicant submitted a letter to amend their rezoning request to add a condition to the proposed conditional overlay to limit the Automotive Sales (indoors only) use to a maximum of 550 square feet on the property (please see *Applicant’s Amendment Request Letter - Exhibit D*).

SITE AREA: 0.573 acres

PROPERTY OWNER: Rivian Lone Star Holdings, LLC

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends LI-PDA-NP, Limited Industrial-Planned Development Area-Neighborhood Plan Combining District, zoning to add Automotive Sales as a permitted use on the property for indoor use only.

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 25, 2023: Postponed by the Planning Commission to August 8, 2023 on consent (10-0, J. Mushtaler-absent); A. Woods-1st. J. Connolly-2nd.

August 8, 2023

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is 0.573 acre site that is currently developed with retail and office uses (Hossley Lighting Associates, Sherry Matthews Advocacy Marketing) that front onto South Congress Avenue. The land to the north is zoned PUD-NP and LI-NP and is developed with surface parking and a delivery area for the Hyatt Regency Austin hotel. Directly to the south, there is CS-1-V-NP zoning that contains a retail store (Yeti All-Weather Food & Supplies) and a hotel use (Embassy Suites) across Barton Spring Road. On the eastern side of S. Congress Avenue, the lots contain the former Austin American Stateman Newspaper site that is zoned PUD-NP. To the west, there is PUD-NP and CS-1-V-NP zoning that is developed with a hotel/restaurant and a parking garage (Hyatt Regency Austin, Southwest Bistro), an office use (210 Barton Springs) and a multifamily use (The Catherine Luxury Apartments).

The applicant is requesting a rezoning of this property located at the northwest corner of South Congress Avenue and Barton Springs Road to amend the PDA to permit the Automotive Sales use, for indoors only. The purpose of the PDA amendment is to allow the property to be redeveloped as a community hub for an electric vehicle manufacturer (*please see Applicant's Request Letter – Exhibit C*).

BASIS OF RECOMMENDATION:

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

Limited Industrial Service district is intended as an area primarily for commercial services and limited manufacturing uses, generally on moderately sized sites.

Planned Development Area combining district is intended for combination with selected commercial and industrial base districts, in order to modify base district provisions as necessary to allow for appropriate industrial and commercial uses or to reflect the terms of a Planned Development Area agreement following annexation of properties subject to such an agreement.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. The proposed zoning promotes consistency and orderly planning.

LI-PDA zoning is consistent with land use patterns in the area as there are commercial, industrial and mixed-use zoning designations (PUD-NP, CS-1-V-NP and LI-NP) and commercial, office, multifamily residential and civic uses surrounding the site under consideration to the north, south, east and west.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed PDA amendment will allow for more services in this central area of the city at the northwest intersection of two arterial/Level 3 roadways, South Congress Avenue and Barton Springs Road. The property is within walking distance of public transportation options as there are Capital Metro rapid bus routes along S. 1st Street and Riverside Drive to the west and an Urban Trail network (Ann and Roy Butler Hike and Bike Trail) along Lady Bird Lake to the north.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-PDA-NP	Retail/Office (Hossley Lighting Associates, Sherry Matthews Advocacy Marketing)
<i>North</i>	L-NP	Surface Parking, Delivery Area for the Hyatt Regency Austin, Ann W. Richards Congress Avenue Bridge, Colorado River
<i>South</i>	CS-1-V-NP	Retail (Yeti All-Weather Food & Supplies), Hotel (Embassy Suites)
<i>East</i>	PUD-NP	Old Austin American Statesman Site, Statesman Bat Observation Center
<i>West</i>	PUD-NP, CS-1-V-NP	Alley, Hotel/Restaurant/Parking Garage (Hyatt Regency Austin, Southwest Bistro), Office (210 Barton Springs), Multifamily (The Catherine Luxury Apartments)

NEIGHBORHOOD PLANNING AREA: Bouldin Creek Neighborhood Planning Area

TIA: N/A

WATERSHED: Lady Bird Lake

SCHOOLS: Austin I.S.D.
Travis Heights Elementary School
Lively Middle School
Travis High Schools

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Bouldin Creek Neighborhood Association
Bouldin Creek Neighborhood Plan Contact Team
Bouldin Creek Zoning Committee
Downtown Austin Alliance
Friends of Austin Neighborhoods

Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Preservation Austin
SELTexas
Sierra Club, Austin Regional Group
South Central Coalition
South Central Waterfront Advisory Board

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0026 (Bouldin Creek Neighborhood Plan Garage Placement Zoning)	Area wide plan: To add Garage Placement provisions to Bouldin Creek Neighborhood Area Plan	6/13/2017: Recommended adding placement too planning area	8/03/2017: Case was indefinitely postponed by staff; City Council did not act.
C814-2017-0001 (425 W. Riverside Drive PUD)	CS-1-V-NP to PUDNP for Mixed Uses with associated improvements	9/11/2012: Recommended staff recommendation with additional direction provided by 1) the Environmental Commission, 2) the Small Area Planning Joint Committee, and 3) the South Central Waterfront Advisory Board Working Group	5/10/2018: Approved PUD-NP zoning, with additional direction to staff and revisions to the ordinance
C814-2012-0071 (422 W. Riverside)	LI-NP to PUD- NP	9/11/2012: Recommended PUD- NP zoning	10/18/2012: Approved PUD-NP
C814-2008-0165 (222 E. Riverside Drive PUD)	L-V-NP and L-NP to PUD-NP	Recommended PUD-NP zoning	10/16/2008: Approved PUD-NP
C14-2007-0224, C14-2007-0220 Vertical Mixed Use (VMU) Zoning Cases	Area wide plans: To add VMU to various tracts in the Greater South River City and the Bouldin NP Areas	12/11/2007: Recommended adding V to zoning districts	1/10/2008: Approved adding VMU to tracts
C814-06-0106, C814-06-0106.01, C814-06-0106.02 (Fairfield/Hyatt PUD - 208 Barton Springs)	CS-1-NP and L- NP to PUD-NP Amendments were to add additional permitted uses within PUD	11/28/2006: Recommended PUDNP with conditions Recommended both amendments	2/15/2007: Approved PUD-NP 9/26/2013 and 8/7/2014: Approved both amendments

C14-99-0069 (200 S. Congress)	LI to LI-PDA	Recommended LI-PDA zoning	10/26/2000: Approved LI-PDA zoning
C814-89-0003.02 (305 S. Congress PUD)	PUD-NP to PUD-NP zoning	2/08/22: Approved an amendment to the PUD as Staff recommended, with conditions and amendments Vote: 12-0. [Commissioner Azhar; Vice-Chair Hempel – 2nd] Commissioner Praxis was absent	4/07/22: Approved an amendment to the PUD as the Planning Commission recommended, with additional amendments from Council Member Tovo, on First Reading. Vote: 10-0, Council Member Harper-Madison was off the dais. 6/16/22:

RELATED CASES:

C14-99-0069 - Previous Rezoning Case

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
S. Congress Avenue	3	116'	110'	60'	Yes	Yes	Yes
Barton Springs Road	3	116'	119'+	100'+	Yes	Yes	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

200 S Congress Avenue. C14-2023-0015.

The proposed use is not identified as a pedestrian-oriented use and is not allowed under § 25-2-691 WATERFRONT OVERLAY (WO) DISTRICT USES (C). The larger concern is not related to the use, but rather the design of the building and the back of curb streetscape elements and how it relates to South Congress Avenue and adjacent properties and the extent that the proposed project meets the intent of the South Shore Central Vision Framework Plan. The project description gives no indication as to the steps that the redevelopment will make to address these issues.

The comment is cleared. The applicant has provided the Long-Range Planning staff with a copy of the current approved SPE that shows the addition of the planted bed along the sidewalk on S Congress to accentuate and activate that entrance.

Environmental

No comments.

Fire

No comments.

Parks and Recreation

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision. PARD may consider the dedication of the Lady Bird Lake frontage included in the site, along with any remaining fees in-lieu.

Site Plan

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

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

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

Transportation

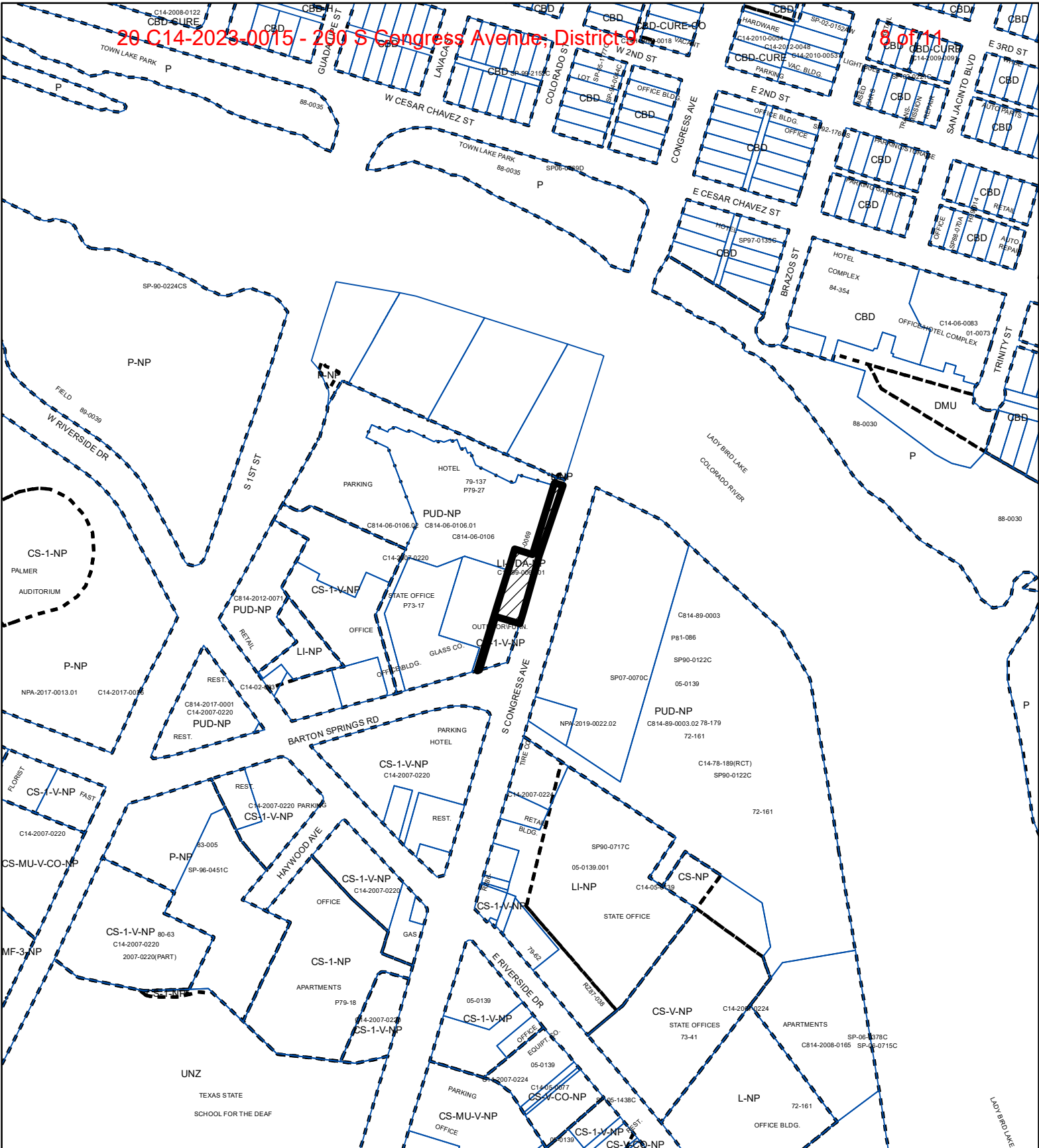
ATD has no objection to the proposed land use changes.

Water Utility

No review required.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Applicant's Amendment Request Letter






ZONING

EXHIBIT A

ZONING CASE#: C14-2023-0015



-  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: 2/13/2023

Leah M. Bojo
lbojo@drennergroupp.com
512-807-2900



January 12, 2023

Ms. Rosie Truelove
Housing and Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 200 S Congress Avenue – Planned Development Area Amendment application for the approximately 0.57-acre property known as 200, 208, 210, and 220 ½ S Congress Avenue in Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed Planned Development Area (PDA) Amendment application. The project is titled 200 S Congress Avenue and is approximately 0.57 acres of land, located at the northwest corner of S Congress Avenue and Barton Springs Road. The Property is in the Full Purpose Jurisdiction of the City of Austin.

The Property is currently zoned LI-PDA-NP (Limited Industrial Services – Planned Development Area – Neighborhood Plan). The original Planned Development Agreement (Zoning Case C14-99-0069; Ordinance No. 20001026-060) was amended on July 16, 2022 via Ordinance No. 20220616-073 to allow Indoor Entertainment and Restaurant (General and Limited) as permitted uses, to amend access restrictions, and to remove minimum parking requirements for the Property.

As part of this application, we are requesting to amend the PDA to allow Automotive Sales use, indoors only. The purpose of the PDA amendment is to allow the Property to be redeveloped as a community hub for an electric vehicle manufacturer.

The Property is located in the Bouldin Creek Neighborhood Planning Area (NPA), adopted May 23, 2002. The Bouldin Creek Neighborhood Plan Future Land Use Map (FLUM) designation is mixed-use. The attached email from Mark Walters states that a NPA amendment is not required with this PDA amendment request.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Leah M. Bojo".

Leah M. Bojo

cc: Joi Harden, Housing and Planning Department (*via electronic delivery*)

Leah M. Bojo
lbojo@drennergroupp.com
512-807-2900

DRENNER
GROUP

August 2, 2023

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 200 S Congress Avenue – Planned Development Area Amendment application for the approximately 0.57-acre property known as 200, 208, 210, and 220 ½ S Congress Avenue in Austin, Travis County, Texas (the “Property”)

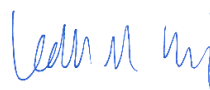
Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit this letter to amend the zoning application currently under review and assigned case number C14-2023-0015, submitted on January 13, 2023.

With this amendment, we request to limit Auto Sales (Indoors Only) use to a maximum of 550 square feet. No other amendments are proposed at this time.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)
Sherri Sirwaitis, Planning Department (*via electronic delivery*)