

## **ZONING CHANGE REVIEW SHEET**

CASES: C14-2023-0037-South Congress Multifamily      DISTRICT: 2

ADDRESSES: 8400-8412 (even numbers only) South Congress Avenue;  
108 Ralph Ablanado Drive

ZONING FROM: LI-CO

ZONING TO: CS-V

SITE AREA: 2.219 acres

PROPERTY OWNER: Soco Ventures, LLC (Atilla Tuna)

AGENT: DPR Construction (Stephen Rye)

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

### STAFF RECOMMENDATION:

**The Staff recommendation is to grant general commercial services – vertical mixed use building – conditional overlay (CS-V-CO) combining district zoning.**

#### **The Conditional Overlay:**

**1) Prohibits drive through service as an accessory use to a commercial use; and**  
**2) Prohibits the following uses: Alternative Financial Services, Automotive Rentals, Automotive Repairs & Services, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Campground, Carriage Stable, Commercial Off-Street Parking, Construction Sales & Services, Convenience Storage, Equipment Repair Services, Equipment Sales, Exterminating Services, Funeral Services, Indoor Sports & Recreation, Laundry Services, Monument Retail Sales, Off-Site Accessory Parking, Outdoor Sports and Recreation, Pawn Shop Services, Pedicab Storage & Dispatch, Research Services, Service Station, Vehicle Storage, Indoor Crop Production, Urban Farm, Hospital Services (Limited), Custom Manufacturing and Limited Warehousing & Distribution.** *For a summary of the basis of Staff's recommendation, please see pages 2 - 4.*

### ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**October 3, 2023: APPROVED CS-V-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT, with additional Conditional Overlay read into the record as follows:** *Vehicular access to the property from Ralph Ablanado Drive is prohibited, with the exception of ingress/egress access for emergency and service vehicles.*  
**[A. FLORES; D. FOUTS – 2<sup>ND</sup>] (10-0) C. ACOSTA – ABSENT**

September 19, 2023: *Approved a POSTPONEMENT REQUEST by staff to October 3, 2023*  
**[B. GREENBERG; A. FLORES – 2<sup>ND</sup>] (7-0) S. BOONE, K. GARRETT, L. STERN, C. THOMPSON – ABSENT**

CITY COUNCIL ACTION:**November 9, 2023:**ORDINANCE NUMBER:ISSUES:

The Applicant has met with representatives from the following three neighborhood associations in order to provide information regarding the proposed development.

- April 15, 2023 – Peaceful Hill Preservation Association
- May 2, 2023 – Parkridge Gardens Homeowners Association
- May 26, 2023 – Park Ridge Homeowners Association

CASE MANAGER COMMENTS:

The subject rezoning area consists of 2.219 acres and is located at the northwest corner of Ralph Ablanado Drive and South Congress Avenue. Several existing industrial warehouses currently occupy the property.

Since the subject area is located along the South Congress Activity Corridor, it is surrounded by multifamily, mixed use and business parks. To the north is an office, condominiums, and apartments (GR-CO; MF-4-CO; CS-MU-CO) and to the west are commercial business warehouses as well as single family residences (LI-CO; SF-4A-CO). Directly to the east, the site has frontage on South Congress Avenue and is across from undeveloped land. A restaurant is adjacent to the property (LI-CO; SF-2). Ralph Ablanado Drive is to the south with commercial businesses across the street (CS-CO; CS-1-CO; GR-MU). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The applicant is requesting general commercial services – vertical mixed use building (CS-V) combining district for a proposed development that would include multi-family units requiring an affordable component. 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. The overall project would consist of 346 residential units and 7,000 square feet of retail.

A VMU2 building is permitted along a light rail line and allows for height up to 90 feet in the CS district. There are two types of VMU2 buildings that include rental units:

- 1) 15% of the rental units in a building are affordable for a 40-year period for households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) 12% of the rental units are affordable for a 40-year period as described above for households earning 50% or less MFI.

Staff is recommending general commercial services – vertical mixed use building – conditional overlay (CS-V-CO) combining district zoning. The proposed Conditional Overlay would prohibit drive through service as an accessory use to a commercial use and includes prohibited uses. The Applicant is in agreement with the proposed Conditional Overlay that has been incorporated in the Staff recommendation.

**BASIS OF RECOMMENDATION:**

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. 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 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.

2. *The rezoning should be consistent with the policies and principles adopted by the City Council.*

City Council has provided policy and direction for having more intensive uses and additional residential density on major corridors as well as allowing vertical mixed use building (-V) combining district on major corridors.

3. *Zoning should promote the policy of locating retail and more intense zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property has access to Ralph Ablanado Drive which is classified as a Level 2 (collector) street and South Congress Avenue which is classified as a Level 3 (minor/major arterial) street.

4. *Zoning changes should promote an orderly relationship among land uses.*

Staff is recommending (CS-V-CO) district zoning for the subject property based on the following considerations:

- 1) general commercial – vertical mixed use (CS-V) is appropriate due to its frontage on South Congress Avenue and its location at an intersection of a minor/major arterial street and collector,
- 2) commercial uses would be available to serve residents of the adjacent areas, as well as the wider community,

- 3) there is existing (CS) located at the intersection of Ralph Ablanedo Drive and South Congress Avenue.
- 4) Land uses along this segment of South Congress Avenue are in transition from undeveloped tracts and heavy commercial / industrial uses to those that include multi-family residences.
- 5) This site is located within 0.25 miles of a public transit stop and/or a future light rail station. South Congress Avenue is designated as a Project Connect corridor for the future extension of the proposed Orange Line and is currently served by two Capital Metro bus routes, including a Metro Rapid Bus Route. ***Please refer to Exhibit D.***

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	LI-CO	Industrial warehouse buildings
<i>North</i>	GR-CO; MF-4-CO; CS-MU-CO	Condominiums; Multifamily; Office; Self storage
<i>South</i>	CS-CO; CS-1-CO; GR-MU	Auto body/repair/services; Lounge
<i>East</i>	LI-CO; MF-4-CO	Undeveloped; Self storage
<i>West</i>	LI-CO; SF-4A-CO	Business warehouses; Single family residences

**NEIGHBORHOOD PLANNING AREA:** Not Applicable

**WATERSHED:** South Boggy Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:**

Williams Elementary School      Bedichek Middle School      Crockett High School

**COMMUNITY REGISTRY LIST:**

Austin Independent School District  
 Circle S. Ridge Neighborhood Association  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 Peaceful Hill Preservation Association  
 South Austin Neighborhood Alliance (SANA)  
 South Boggy Creek Environmental Association  
 South Boggy Creek Neighborhood Association  
 Sierra Club, Austin Regional Group

Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Friends of Austin Neighborhoods  
 Park Ridge Gardens HOA  
 Preservation Austin  
 Park Ridge HOA  
 Go Austin Vamos Austin 78745  
 Onion Creek HOA  
 SEL Texas

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0077 – 220 Ralph Ablanedo Rezoning	From / To: CS- CO; LI-CO to CS-CO, as amended	Apvd CS-CO w/CO for list of prohibited uses, max 35' building height on the west 35' of the property (Tract 2), max 50' building height on the remainder of the property (Tract 1), require a 30' vegetative buffer on east and west property lines, w/conds of the NTA	Apvd CS-CO w/conds of the NTA as Commission recommended, and an add'l -CO for a 1,000 vehicle trip / day limit (12-1-2022).
C14-2020-0139 – Cullen and Ralph Ablanedo – 8811 Cullen Ln and 203 Ralph Ablanedo Dr	CS-CO; GR- MU-CO to GR- MU on 12.95 acres	To Grant	Apvd (3-4-2021).
C14-2019-0144 – 8601 South Congress Avenue	CS-CO to CS-1	To Grant CS-1	Apvd CS-1 as ZAP recommended, (12-5-2019).
C14-2018-0091 – SOCO II – 8100, 8102 and 8104 South Congress Avenue	CS-CO to CS- MU	To Grant CS-MU-CO w/CO prohibiting adult-oriented businesses, auto rentals, repair, sales & washing, commercial blood plasma center and pawn shop services	Apvd CS-MU-CO as ZAP recommended, (11-29-2018).
C14-2018-0107 – 8200 South Congress Avenue	LI-CO; CS-CO to MF-4	To Grant MF-4-CO	Apvd MF-4-CO as ZAP recommended, (12-13-2018).
2018-0125 – 8534 South Congress Avenue	DR to CS on 2.80 acres	To Grant CS-CO w/ a 2,000 trips/day limit.	Approved CS-CO as ZAP recommended, (1-31-19).
C14-2018-0118 – 8900 South Congress Avenue	CS-CO to CS- CO to remove the 2,000 trips per day limit and replace w/the conds of a TIA	To Grant, as requested	Apvd (4-25-2019).

RELATED CASES:

C8-93-0202.0A – Quinlan Subdivision recorded on April 4, 1994.

ADDITIONAL STAFF COMMENTS:Comprehensive Planning

**Project Name and Proposed Use:** 8402 S CONGRESS AVE. C14-2023-0037. Project: South Congress Multifamily. 2.2199 acres from LI-CO to CS-V. Multifamily/Mixed use with 346 multifamily units and 7,000 sq. ft. of retail space

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures</b>
Y	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b> located along the South Congress Activity Corridor
Y	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
Y	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	<b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	<b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Y	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
Y	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
10	<b>Total Number of "Yes's"</b>

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.

#### Site Plan and Compatibility Standards

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards and multifamily density provisions in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 ft. or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. This site is subject to compatibility standards due to single family zoning and land uses to the southeast. Additional comments will be made when the site plan is submitted.

#### **Demolition**

In the event that demolition or relocation of existing buildings is proposed, the applicant is responsible for requesting demolition or relocation permits at the appropriate stage of the development process. The City Historic Preservation Office will review all proposed building demolitions and relocations. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

#### 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 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.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

#### PARD – Planning & Design Review

Please see attached Early Determination letter from the Parks and Recreation Department.  
*Please refer to Exhibit C.*

#### Austin Transportation Department – Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 165 feet of right-of-way for South Congress Avenue. It is recommended that 82.5 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].

The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Ralph Ablanado Drive. It is recommended that 36 feet of right-of-way from the existing centerline should be dedicated for Ralph Ablanado Drive according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

A Traffic Impact Analysis is not required.

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)
South Congress Avenue	Level 3 – Minor/Major Arterial	170'	110'	70'	No	Yes	Yes



Ralph Ablanedo Drive	Level 2 - Collector	72'	76'	27'	Yes	Yes	Yes
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INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Exhibit B: Applicant's Summary Letter

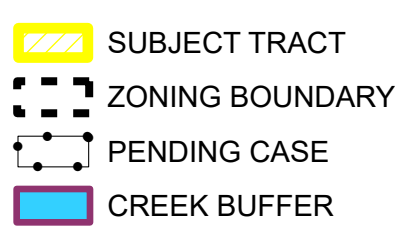
Exhibit C: PARD Early Determination Letter

Exhibit D: Capital Metro Project Connect System Plan



**Created: 3/27/2023**





ZONING CASE#: C14-2023-0037  
LOCATION: 8402-8412 S Congress Ave  
SUBJECT AREA: 2.2199 Acres  
GRID: G14  
MANAGER: Nancy Estrada



**Created: 5/18/2023**



February 26, 2023

Ms. Rosie Truelove  
City of Austin  
Director, Housing and Planning Department  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

Re: Zoning application 8402-8412 South Congress Avenue, Austin, Travis County, Texas

Dear Ms. Truelove,

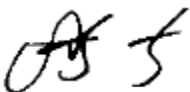
Enclave Property Management, LLC respectfully submits the enclosed zoning application package for the property located at 8402-8412 South Congress Avenue. The application requests a rezoning from Limited Industrial Service – Conditional Overlay (LI-CO) to General Commercial Services – Vertical Mixed Use (CS-V). The property is currently developed with industrial warehouse buildings. The owner of the property intends to redevelop the site with a new high quality multifamily mixed-use project to promote sustainable residential and commercial development.

The project also proposes a Vertical Mixed-Use overlay to promote walkable, multi-modal transit supportive development adjacent to a proposed Orange Line light rail station location. The project will provide on-site affordable housing and strategically located density along existing transportation routes and future core transit corridors.

The proposed project consists of 2.2199 acres with frontage along South Congress Avenue and Ralph Ablanedo Drive. The property is not within the boundaries of an approved or planned neighborhood planning area. No neighborhood plan or future land use designation will apply to this site. A traffic impact analysis waiver dated February 21, 2023 is included in this application.

Upon your review, please let me know if you would like any additional information on this project or if you or your team have any questions on the application.

Thank you,

A handwritten signature in black ink, appearing to read 'Atilla Tuna'.

Atilla Tuna  
Enclave Property Management, LLC  
4950 Terminal Street  
Bellaire, Texas 77401



# City of Austin

Parks and Recreation Department  
200 South Lamar Blvd, Austin, TX 78704

February 16, 2023

Stephen Rye  
PED # 1696

Dear Stephen Rye :

Thank you for contacting the City of Austin Parks and Recreation Department (PARD) regarding future parkland needs. We appreciate the opportunity to coordinate with you prior to filing a development application.

This letter concerns the property at 8402-8412 South Congress Avenue, referred to as South Congress Redevelopment. You have provided the following details about the property:

- The gross site area is 2.2 acres
- The proposed use is Mixed-Use
- The proposed use includes 311 market-rate residential units
- The proposed use includes 35 affordable units
- The proposed use includes 7,000 SF of retail space

The PARD staff has reviewed the site and determined the following:

- The site is not located in the parkland dedication urban core and is within in a park-deficient area.

PARD will require payment of fee-in-lieu consistent with City Code 25-1-605 due to adjacency to incoming parkland. This letter qualifies as an Early Determination under City Code 25-1-605 (C) and is valid for development applications filed within one year, provided that the number of units or square footage does not change by more than 10%.

Best regards,

Randal R.  
Scott

Digitally signed by Randal  
R. Scott  
Date: 2023.02.23  
08:14:27 -06'00'

Randal R. Scott  
Park Planning Program Manager  
Cc: Paul Books, Planner III

**To estimate Parkland Dedication requirements, visit our [Interactive Calculator](#).**



METRO



projectconnect

# SYSTEM PLAN INITIAL INVESTMENT

Adopted June 10, 2020

EXHIBIT A

## LEGEND

### LIGHT RAIL

- Orange Line
- Potential Future Extension
- Blue Line

### METROEXPRESS

- Red Line
- Green Line
- Potential Future Extension

### METRORAPID

- Gold Line
- Enhanced MetroRapid Route
- Potential Future Extension

### METROBUS

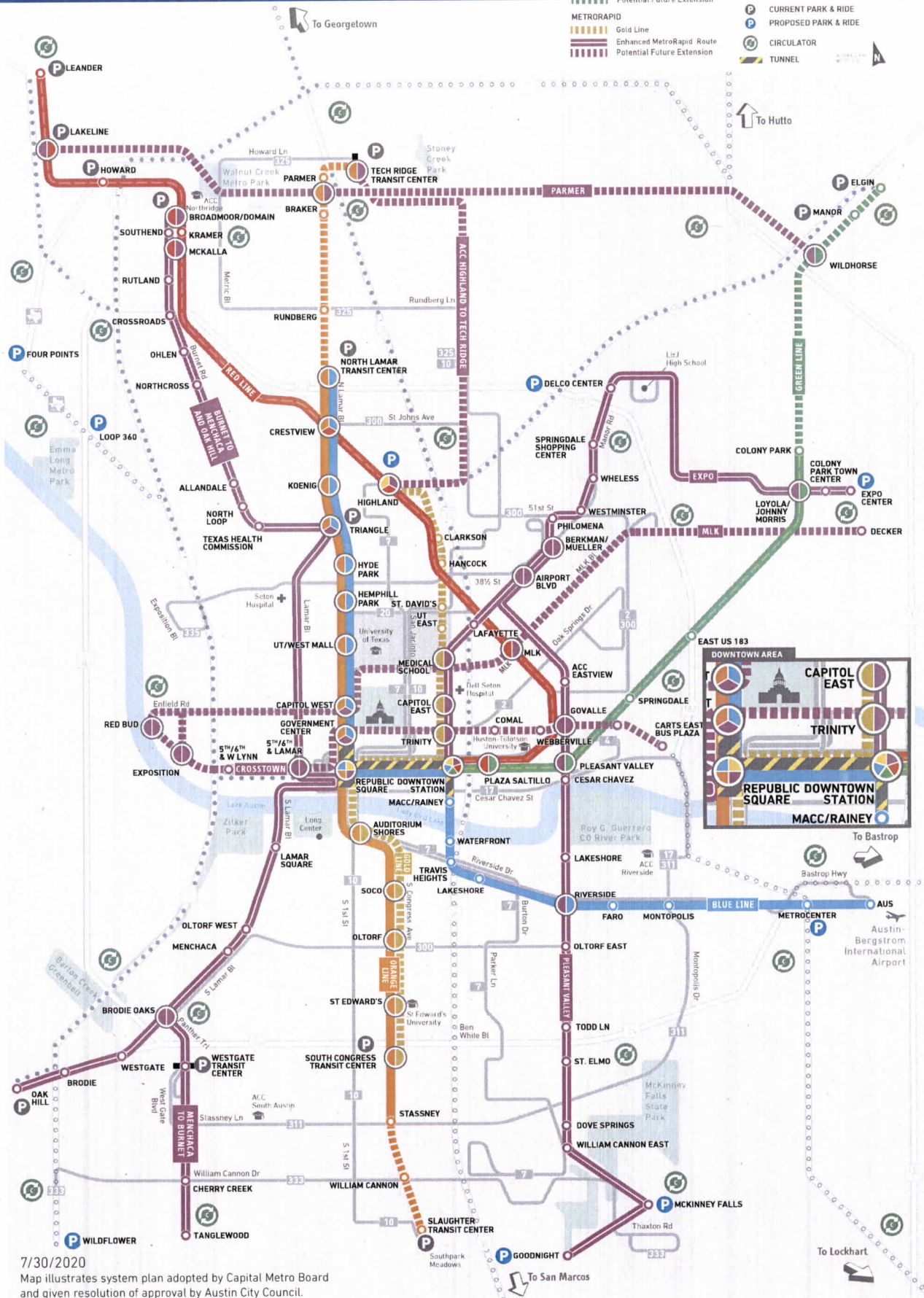
- Current Frequent Local Routes

### METROEXPRESS

- Current MetroExpress
- Future MetroExpress

### ADDITIONAL AVAILABLE SERVICES

- MetroAccess
- MetroBike
- CURRENT PARK & RIDE
- PROPOSED PARK & RIDE
- CIRCULATOR
- TUNNEL



7/30/2020

Map illustrates system plan adopted by Capital Metro Board and given resolution of approval by Austin City Council.

EXHIBIT D