

**ZONING CHANGE REVIEW SHEET**CASE: C14-2024-0166 – W Ben White MultifamilyDISTRICT: 3ADDRESS: 603, 611, 613, 623, 625, and 629 West Ben White Boulevard Service Road  
EastboundZONING FROM: GR-V-NP; CS-V-NP; CS-1-V-NPTO: CH-PDA-NPSITE AREA: 3.966 acresPROPERTY OWNER: 603 W Ben White Owner, LLC, a Delaware limited liability  
company (Michael J. Murphy)AGENT: DuBois Bryant & Campbell, LLP (David Hartman)CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)STAFF RECOMMENDATION:

**The Staff recommendation is to grant commercial highway services – planned development area – neighborhood plan (CH-PDA-NP) combining district zoning.**  
*The basis of Staff's recommendation is provided on pages 1 - 4.*

PLANNING COMMISSION ACTION / RECOMMENDATION:**February 11, 2024:**CITY COUNCIL ACTION:ORDINANCE NUMBER:ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area consists of approximately 3.966 acres located at the southwest corner of West Ben White Boulevard Eastbound Service Road and South 1st Street. Currently, the site is developed with various commercial uses, including a supermarket, restaurant, beauty college/salon, and a cocktail lounge, along with surface parking. Additionally, a vacant medical equipment sales building is located on the property. The overall site is zoned community commercial – vertical mixed use building – neighborhood

plan (GR-V-NP) with the supermarket area zoned as general commercial services – vertical mixed use building – neighborhood plan (CS-V-NP). An 8,862 square-foot cocktail lounge on the property is zoned commercial-liquor sales – vertical mixed use building – neighborhood plan (CS-1-V-NP).

The subject area borders the Hospital Special District along its western and southern boundaries. The Hospital Special District encompasses medical offices/clinics, a medical park and St. David's South Austin Medical Center (CH-PDA-NP; LO-V-NP; PUD-NP). There is a fire station and an auto service directly to the south (GO-CO-NP; GR-V-NP) and commercial services to the east across South 1<sup>st</sup> Street (GR-V-NP; GR-NP; CS-MU-NP). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The site has frontage along West Ben White Boulevard Eastbound Service Road, a major arterial roadway, and South 1st Street, a Level 3 roadway and a designated Imagine Austin Corridor. The property will have access from both roadways.

Public transit is available with a Capital Metro bus route and bus stop along South 1st Street. Additionally, there are several bus stops located at The Capital Metro South Congress Transit Center which is located within half of a mile east of the property. A Rapid bus route is also accessible from the transit center. A FlixBus stop has recently been added at the transit center, and future plans include the addition of a light rail station at this location.

The applicant is requesting to rezone the property to commercial highway services – planned development area – neighborhood plan (CH-PDA-NP) to allow for a proposed mixed use development that would consist of 600 multifamily units and approximately 14,000 square feet for commercial/retail uses, which incorporates the existing 8,862 square feet designated for a cocktail lounge. The proposed multifamily residential units will include a voluntary affordability component.

As set forth in Land Development Code Section 25-2-441, the regulations of a planned development area (PDA) may modify: 1) permitted or conditional uses authorized by the base zoning district, 2) site development regulations except for compatibility standards, and 3) off-street parking or loading regulations, sign regulations or screening regulations applicable in the base district.

The Applicant's proposed PDA consists of the following elements:

- 1) Establishes the following additional permitted commercial use:

Cocktail lounge, limited to 8,862 square feet

- 2) Establishes that (CH) site development standards apply to the property, with the following modifications:

- a) The minimum setbacks shall apply to the Property:

Front Yard: 10 feet

Street Side Yard: 10 feet

Interior Side Yard: 0 feet  
Rear Yard: 0 feet

- b) The minimum lot width for the Property shall be 50 feet
- c) A maximum impervious cover of 95%
- d) A maximum height of 120'

NOTE: All other land use classification in the CH zoning district are permitted and conditional uses except as identified above.

Staff is recommending commercial highway services – planned development area – neighborhood plan (CH-PDA-NP) combining district zoning. Its location at the intersection of West Ben White Boulevard and South 1<sup>st</sup> Street, which are major arterial roadways, is appropriate for supporting higher density development. The proposed zoning aligns with the adjacent (CH-PDA-NP) combining district zoning to the west, which will allow up to 120' in height along West Ben White Boulevard. The future development will help increase the number of housing options for both the City and the surrounding community.

**BASIS OF STAFF RECOMMENDATION:**

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

The proposed commercial highway services (CH) district is intended predominately for major mixed use developments of a service nature which typically have operating and traffic generation characteristics requiring location at the intersection of state maintained highways, excluding scenic arterials. Site development regulations and performance standards are intended to ensure adequate access to and from all uses, and to permit combinations of office, retail, commercial, and residential uses within a single development. The planned development area (PDA) combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The proposed commercial highway services (CH) zoning district is appropriate for this location, as West Ben White Boulevard is a specified highway corridor in the Land Development Code that allows for (CH) zoning. The recommended (CH) zoning district is compatible with the surrounding area since there is (CH-PDA-NP) combining district zoning to the west. The future mixed use development can help provide additional housing for the nearby major medical center and related medical offices and businesses within the Hospital Special District, as well as the broader community.

3. *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 density on major corridors.

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

West Ben White Boulevard is a major arterial, while South 1<sup>st</sup> Street is designated as both an Imagine Austin corridor and an ASMP Transit Priority Network Roadway. Due to the high connectivity of this area, commercial highway services (CH) zoning is appropriate for this intersection. The rezoning area is also within proximity to the interchange of two freeways.

Currently public transit is located on South 1st Street. The Capital Metro South Congress Transit Center is less than half of a mile from the property; therefore, additional bus routes, including a Metro Rapid Bus Route will be accessible.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-V-NP; CS-V-NP; CS-1-V-NP	Supermarket; Restaurant; Beauty college; Cocktail lounge; Medical equipment (vacant)
<i>North</i>	Not applicable	West Ben White Boulevard Eastbound Service Road and main lanes
<i>South</i>	CH-PDA-NP; GO-CO-NP; GR-V-NP	Medical offices; Fire station; Auto service
<i>East</i>	GR-V-NP; GR-NP; CS-MU-NP; SF-3-NP	Convenience store; Service station; Commercial services; Single family residences
<i>West</i>	CH-PDA-NP; LO-V-NP; PUD-NP	Medical offices; South Austin Medical Center

NEIGHBORHOOD PLAN AREA: South Austin Combined (South Manchaca)

WATERSHED: West Bouldin Creek – Urban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

St. Elmo Elementary School

Bedichek Middle School

Travis High School

COMMUNITY REGISTRY LIST:

Austin Neighborhoods Council  
Austin Lost and Found Pets  
Dawson Neighborhood Plan Contact Team  
Galindo Elementary Neighborhood Association  
Go!Austin/Vamos!Austin (GAVA) 78745  
Homeless Neighborhood Association  
Neighborhood Empowerment Foundation

Austin Independent School District  
Friends of Austin Neighborhoods  
Dawson Neighborhood Association  
Galindo Area Patriotic Porch Party  
Preservation Austin  
Perry Grid 614  
Sierra Club, Austin Regional Group

Oldham Neighborhood Association  
South Austin Commercial Alliance  
Southwood Neighborhood Association  
South Austin Neighborhood Alliance (SANA)  
South Manchaca Neighborhood Plan Contact Team  
South Congress Combined Neighborhood Plan Contact Team

SELTexas  
South Central Coalition  
Save Our Springs Alliance  
Onion Creek HOA

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2023-0096 – 4007 James Casey Street	GR-V-NP to CH-PDA-NP	To Grant (2-13-2024) CH-PDA-NP	Approved as Commission recommended (3-21-2024)
C814-95-0001.02 – South Austin Medical Center	PUD-NP to PUD-NP	To Grant PUD-NP as staff recommended to increase maximum height	Approved (7-22-2022)
C14-2017-0134 – Gardens – 4310 James Casey Street	LO-V-NP to GO-V-NP	To Grant	Approved (2-1-2018)
C14-2007-0216 – South Manchaca Vertical Mixed Use (VMU) Rezoning – West Ben White (north), South 1st St (east), Stassney Lane (south), Manchaca Rd (west)	Apply -V to 20 tracts on approximately 63 acres	To Grant VMU related standards to all Tracts except Tracts 10 and 12 (dimensional standards only), 60% MFI for VMU rental developments	Approved (12-13-2007)

RELATED CASES:

C8S-75-108 – The property is platted as W.H. Bullard Addition, a subdivision recorded on September 3, 1975.

C14-2014-0018 – The subject property is within the boundaries of the South Austin Combined (South Manchaca) Neighborhood Planning Area and is adjacent to the designated Hospital Special District on the adopted Future Land Use Map (NP-2014-0030). The (–NP) combining district was appended to the existing base districts on November 6, 2014 (Ordinance No. 20141106-087).

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

**Project Name and Proposed Use:** 603 W BEN WHITE BLVD SERVICE ROAD EB. C14-2024-0166. South Austin Combined NP. Character District: Mixed Use Activity/HUB Corridor. Project: 603 W Ben White Multifamily. 3.9655 acres from GR-V-NP, CS-1-V-NP, and CS-V-NP to CH-PDA-NP. Existing: cocktail lounge, cosmetology school, restaurant, medical equipment sales, and supermarket. Proposed: mixed use, 600 multifamily units and cocktail lounge. Demolition is proposed. Note that a maximum of 120 feet in height would be authorized with this rezoning.

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>Names of Activity Centers/Activity Corridors/Job Centers *:</b> <ul style="list-style-type: none"> <li>• <b>Adjacent to South First Activity Corridor</b></li> </ul>
Y	<b>Mobility and Public Transit *:</b> Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> <li>• <b>Adjacent to bus stop along S 1<sup>st</sup> ST</b></li> </ul>
Y	<b>Mobility and Bike/Ped Access *:</b> Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> <li>• <b>Sidewalk present along W Ben White BLVD and S 1<sup>st</sup> ST</b></li> </ul>
Y	<b>Connectivity, Good and Services, Employment *:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> <li>• <b>Goods and Services present along W Ben White BLVD and S 1<sup>st</sup> ST</b></li> </ul>
	<b>Connectivity and Food Access *:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	<b>Connectivity and Education *:</b> Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> <li>• <b>0.5 miles to St. Elmo Elementary School</b></li> </ul>
Y	<b>Connectivity and Healthy Living *:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> <li>• <b>0.5 miles to St. Elmo Elementary School park</b></li> </ul>
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.) <ul style="list-style-type: none"> <li>• <b>0.4 miles to St. David's South Austin Medical Center</b></li> </ul>
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.
	<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>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.)
	<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.
Y	<b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>
10	<b>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

Site plans will be required for any new development other than residential only project with up to 4 units.

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

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

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.

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.

### Fire

Approved with no comments.



### 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. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609, as amended.

Note that residential units that are certified affordable and income-restricted are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4).

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

### Austin Water Utility

No comments on zoning change.

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. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

### Austin Transportation Department – Engineering Review

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)
West Ben White Boulevard	Level 4 – Major Arterial	Coordinate with TxDOT	344'	60'	Yes	Yes	Yes



South 1 <sup>st</sup> Street	Level 3 – Minor / Major Arterial	80'	89'	56'	Yes	Yes	Yes
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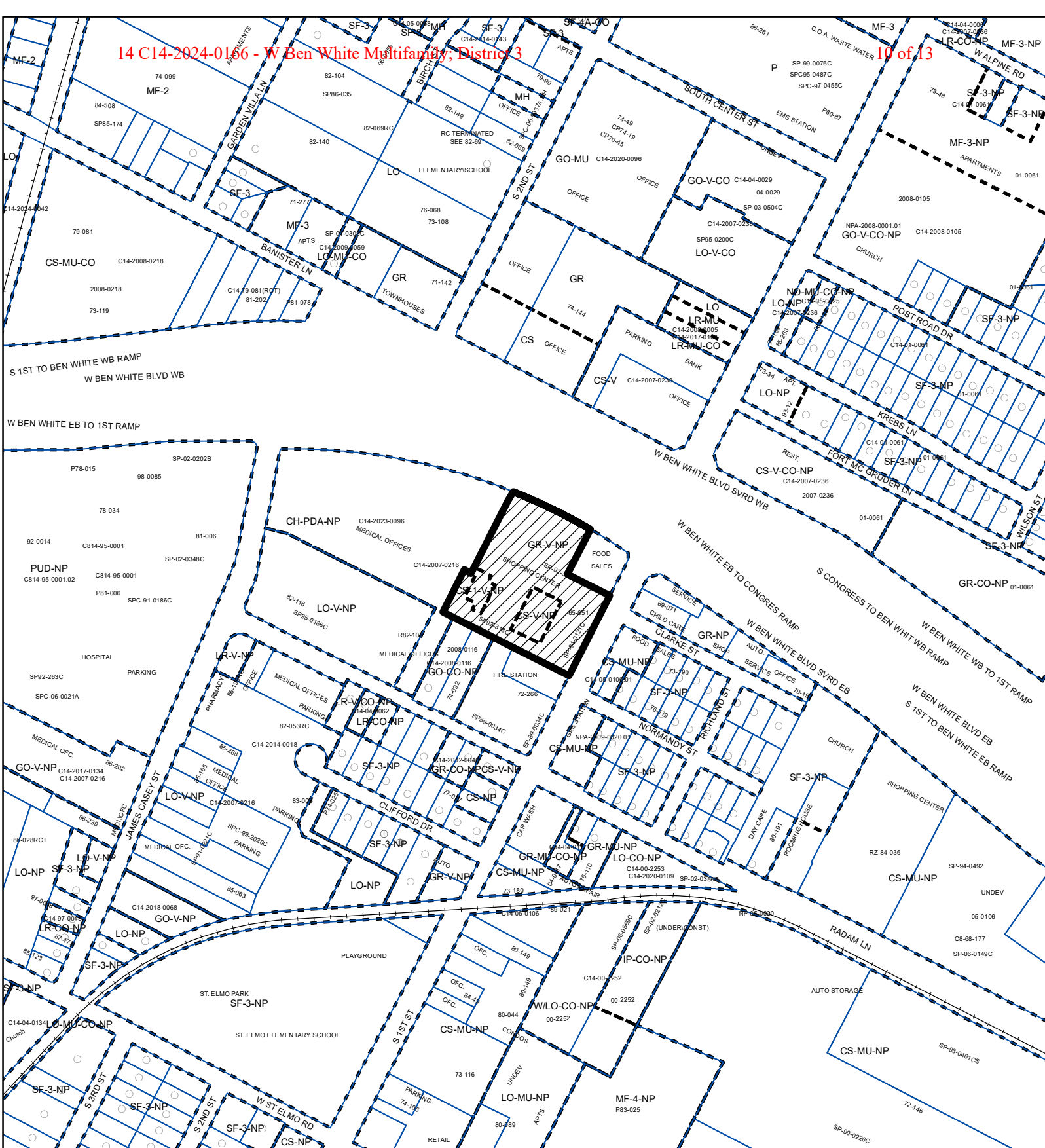
A Traffic Impact Analysis is not required.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Applicant Summary Letter



## ZONING

ZONING CASE#: C14-2024-0166

## EXHIBIT A



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.

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1 inch equals 400'

## 603 W Ben White Multifamily

EXHIBIT A-1

ZONING CASE#: C14-2024-0166  
 LOCATION: 603, 611, 613, 623, 625, and 629 W. Ben White Blvd. SVRD EB  
 SUBJECT AREA: 3.9655 Acres  
 MANAGER: Sherri Sirwaitis



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



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Created: 11/19/2024





**David Hartman**  
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Austin, TX 78701  
[www.dbcllp.com](http://www.dbcllp.com)

October 31, 2024

Lauren Middleton-Pratt  
Director, Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

Re: Rezoning Application for 3.9655 acres located at 603, 611, 613, 623, 625, and 629 W. Ben White Blvd. SVRD EB, Austin, Texas 78704 ("Property")

Dear Ms. Middleton-Pratt:

We respectfully submit the enclosed zoning application for 603, 611, 613, 623, 625, and 629 W. Ben White Blvd. SVRD EB as representatives of the owners of the above stated Property.

The Property is currently zoned Commercial Services-Vertical Mixed Use-Neighborhood Plan ("CS-V-NP"), Commercial Services-Liquor Sales-Vertical Mixed Use-Neighborhood Plan ("CS-1-V-NP") and Community Commercial-Vertical Mixed Use-Neighborhood Plan ("GR-V-NP"). The Property is currently developed as a supermarket, medical equipment sales, restaurant, cocktail lounge, Bella Beauty College, and related parking.

This zoning application requests Commercial Highway-Planned Development Agreement-Neighborhood Plan ("CH-PDA-NP") zoning for the Property. The proposed Planned Development Area development standards for the Property in connection with the zoning application are set forth on attached Exhibit "A". The proposed zoning would authorize maximum 120' height for a proposed mixed use/multifamily development to provide much needed housing for adjacent medical employees. City Council approved the adjacent Ben White Blvd. Medical Office zoning case that authorizes a maximum 120' height on the 3-21-24 City Council consent agenda, and the existing adjacent St. David's S. Austin Medical Center is also 120' tall.

The Property is located at Ben White Blvd. and S 1<sup>st</sup> St., and has direct access to both. The Property is adjacent to multiple Imagine Austin Centers, and S. 1<sup>st</sup> Street is an Imagine Austin Corridor and an ASMP Level 3 Street. A Capital Metro bus stop/route exists at the Property, and it is located adjacent to the South Austin Transit Center (with Metro Rapid bus routes) and bike route.

The TIA Determination Worksheet dated October 29, 2024, states that a Traffic Impact Analysis is not required. The Property is located in the South Austin Combined Neighborhood Plan (South Manchaca) area, and the Future Land Use designation is Mixed-use Activity Hub/Corridor. The enclosed memorandum from Maureen Meredith states that a Neighborhood Plan Amendment is not required.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read 'David Hartman', is written over a light blue horizontal line.

David Hartman

cc: Joi Harden, Planning Department (via electronic delivery)  
3985977.1

**Exhibit “A”****Site Development Standards****Section 1. Applicable Site Development Regulations**

As set forth in Land Development Code Section 25-2-582(C), if there is a conflict between this ordinance and the requirements of the Land Development Code Section 25-2-582(B), this Ordinance shall control.

**Section 2. Site Development Regulations****A. Base District Regulations**

- a. Development of the Property shall conform to the site development regulations authorized for the Commercial Highway Services (CH) district as set forth in the City Code, except as provided for in this Ordinance.

**B. The following development regulations shall apply to the Property:**

- a. The following minimum setbacks shall apply to the Property:
  - i. Front yard: 10 ft.
  - ii. Street side yard: 10 ft.
  - iii. Interior side yard: 0 ft.
  - iv. Rear yard: 0 ft.
- b. The minimum lot width for the Property shall be 50 ft.
- c. The maximum impervious cover for the Property shall be 95 %.
- d. The maximum height for the Property shall be 120’.
- e. Cocktail Lounge is proposed as an additional permitted use of the Property, limited to 8,862 square feet as further described in Exhibit A-1.