

**ZONING CHANGE AND NEIGHBORHOOD PLAN AMENDMENT
REVIEW SHEET**

ZONING CASE: C14-2007-0224 – Greater South River City
Vertical Mixed Use (VMU) Rezoning (Part)

PLAN AMENDMENT CASE: NPA-2007-0022.02

P.C. DATE: December 11, 2007

ADDRESS: 150 E Ben White Blvd. and 130 E Ben White Blvd.; 3907 S Congress Ave., 3909 S Congress Ave., and 3909 ½ S Congress Ave. (Tract 327)

AREA: 2.81 acres

APPLICANT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD),
Andrew Holubeck

TYPE OF PLAN AMENDMENT:

Change in Future Land Use Map Designation to match Vertical Mixed Use recommendation

The proposed amendment would change the land use designation on the Greater South River City Combined (GSRCC) Neighborhood Plan Future Land Use Map for properties located on the southeast corner of Ben White Boulevard and South Congress Avenue (Tract 327), from **Commercial** to **Mixed-Use**. The change in designation will allow for these properties to be included in the Vertical Mixed Use Overlay District.

PLAN ADOPTION DATE: September 29, 2005

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Neighborhoods Council
Barton Springs/ Edwards Aquifer Conservation District
Bouldin Creek Neighborhood Assn.
Bouldin Creek Neighborhood Planning Team Liaison - COA
Bouldin Forward Thinking
CIM
Dawson Neighborhood Assn.
Dawson Neighborhood Planning Team
Dawson Neighborhood Planning Team Liaison - COA
Downtown Austin Alliance
Home Builders Association of Greater Austin
Homeless Neighborhood Organization
Riverwalk Condominiums

Save Town Lake.Org
Sentral Plus East Austin Koalition (SPEAK)
SoCo-South First St.
South Austin Commercial Alliance
South Central Coalition
South Congress South First
South River City Citizens Assn.
Terrell Lane Interceptor Assn.

WATERSHEDS: Town Lake, Harper's Branch, Blunn Creek (Urban)
Country Club (Suburban)

DESIRED DEVELOPMENT ZONE: Yes

SCHOOLS:

Travis High School Fulmore Junior High School Travis Heights Elementary
Texas School for the Deaf St. Edwards University

APPLICABLE CORE TRANSIT CORRIDORS : South Congress Ave

STAFF RECOMMENDATION: Staff supports changing the FLUM designation from Commercial to Mixed Use and including these properties in the VMU Overlay District.

BACKGROUND AND BASIS FOR RECOMMENDATION:

At the November 13, 2007 Planning Commission Public Hearing, the Planning Commission postponed consideration of these properties (indicated as Tract 327) until the December 11, 2007 Public Hearing so that the required Plan Amendment could be brought forward concurrently with the VMU designation case for these properties.

The subject properties were designated as part of the Vertical Mixed Use Overlay District adopted by City Council on August 31st, 2006. In their application for the VMU Opt-In/Opt-Out process, the Greater South River City Combined (GSRCC) Contact Team recommended full inclusion in the VMU Overlay District for these properties. However, since the GSRCC Future Land Use Map designates these properties as Commercial, and not Mixed Use, a plan amendment to change the FLUM designation to Mixed Use is needed to allow these properties to be a part of the VMU Overlay District.

LIST OF ATTACHMENTS:

Attachment 1: Proposed FLUM Amendment Map

Attachment 2: Greater South River City VMU Tract Map for Tract 327

Attachment 3: Greater South River City VMU Opt-In/Opt-Out Application

Attachment 4: Zoning Map

PLANNING COMMISSION RECOMMENDATION:

December 11, 2007:

- Plan Amendment NPA-2007-0022.02 – Recommended approval of staff recommendation by consent.
- Zoning Case C14-2007-0224 (PART for Tract 327) – Recommended approval of staff recommendation by consent.

ISSUES: None at this time.

CITY COUNCIL DATE: January 10, 2008

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Andrew Holubeck
e-mail: andrew.holubeck@ci.austin.tx.us

PHONE: 974-2054

BACKGROUND

On August 31, 2006, the City Council adopted the “Design Standards & Mixed Use” ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless “opted-out”. Properties not fronting on the Core Transit Corridors are not eligible for VMU unless “opted-in”.

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2007-0224 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Greater South River City application area.

Representatives of the Greater South River City Neighborhood Plan Contact Team submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on May 9, 2007. Representatives of Greater South River City selected only one property to opt out of certain VMU-related standards.

- The Plan Contact Team recommended to opt out of the relaxed Dimensional Standards and Parking Reduction for 2715 S Congress.
- The recommended level of affordability for future VMU Rental Units is 60% of the median family income.

Impervious Cover

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u>)

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

Transportation

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

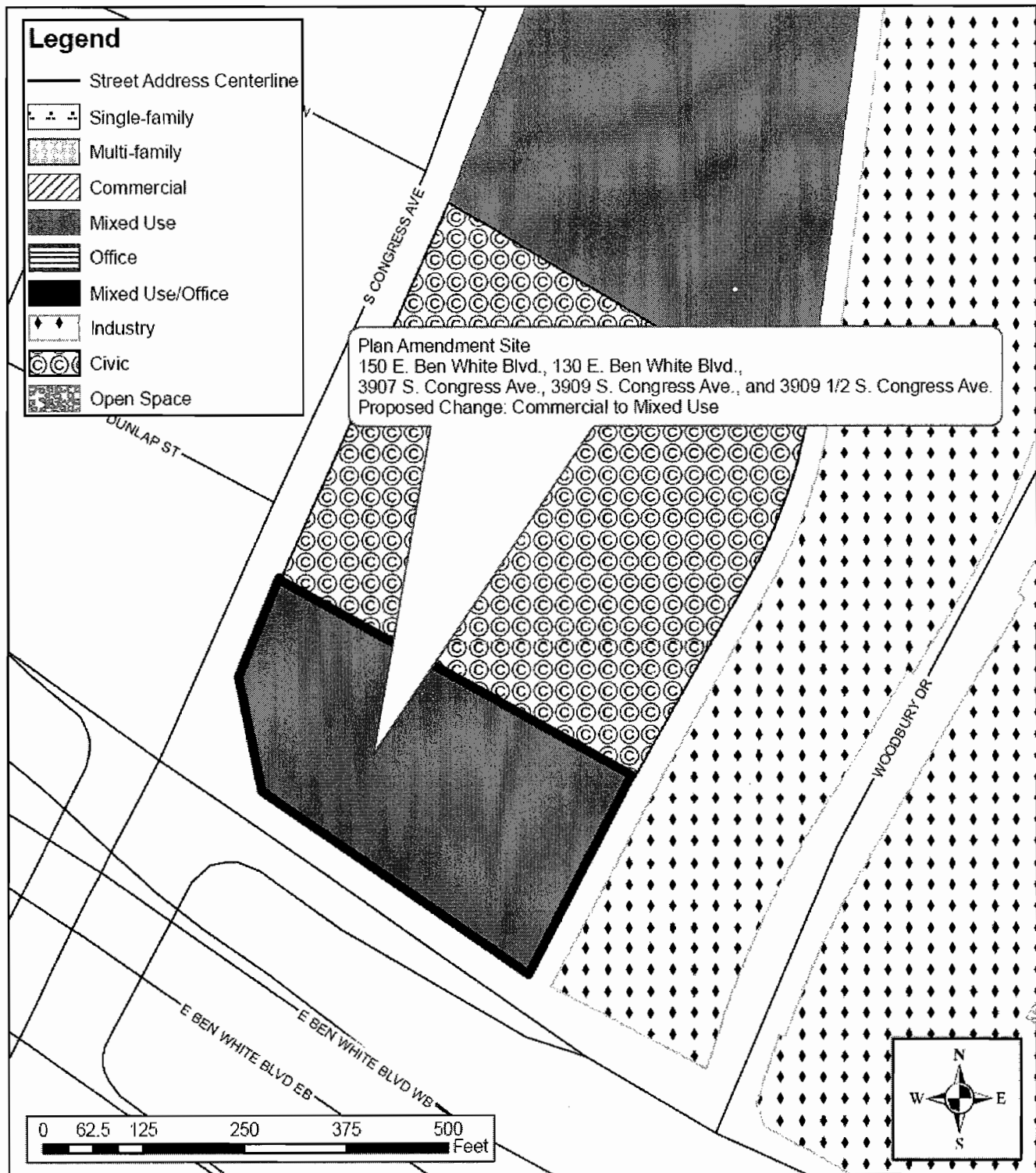
Water and Wastewater

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

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/use will be subject to compatibility development regulations.

Attachment 1

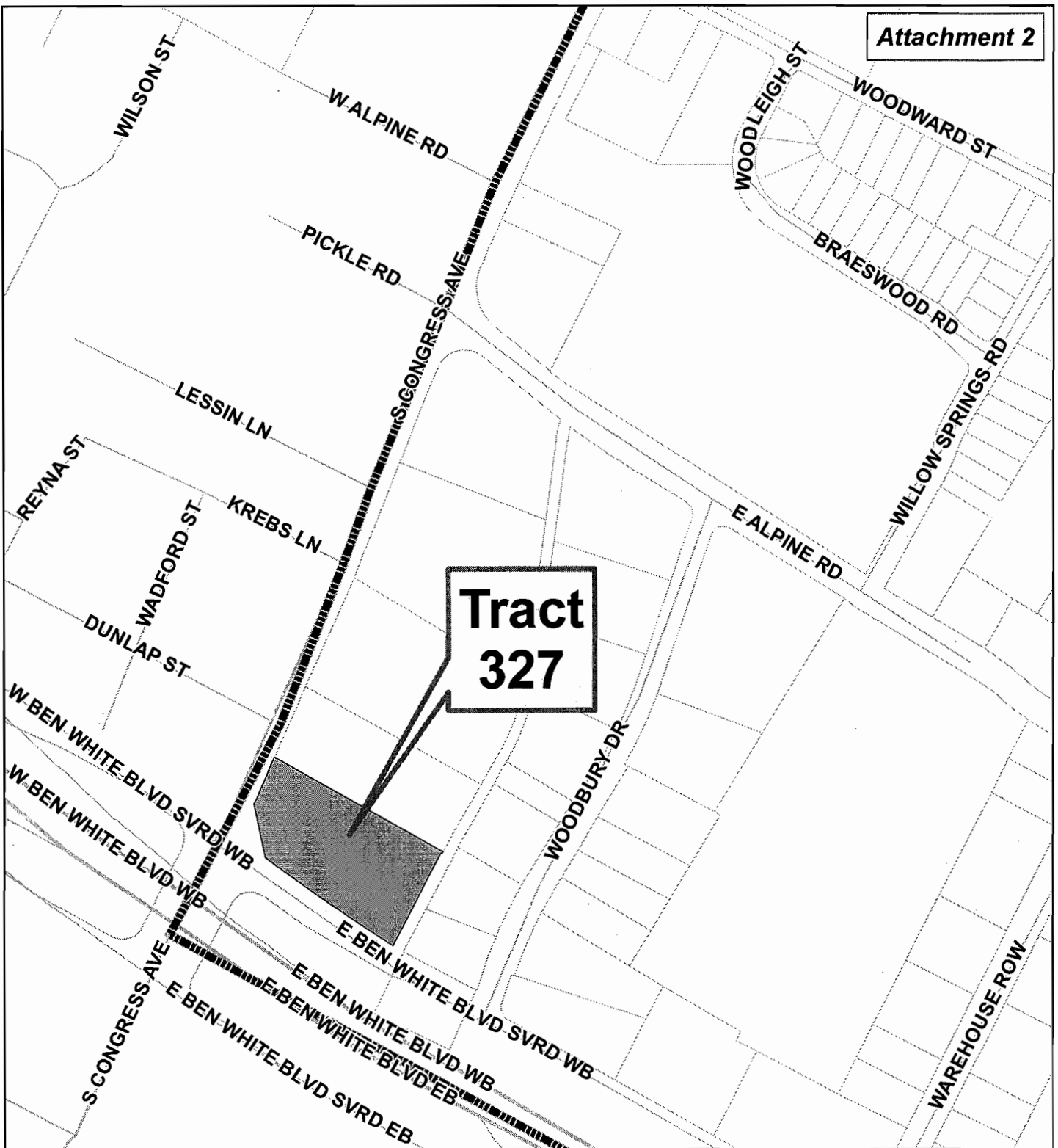


Greater South River City Neighborhood Planning Area

Proposed FLUM Amendment

This map has been produced by the City of Austin
 Neighborhood Planning & Zoning Department for
 the sole purpose of aiding neighborhood planning
 decisions and is not warranted for any other use.
 No warranty is made by the City regarding its accuracy
 or completeness.

Created by NPZD on November 21, 2007



**Greater South River City Combined Neighborhood Planning Area
Vertical Mixed Use Tract Map - Tract 327 Only
VMU Overlay District
Case # C14-2007-0224 (Part)**



0 250 500 1,000 Feet



Produced by City of Austin
Neighborhood Planning and Zoning Dept.
November 30, 2007

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VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Detailed instructions for completing this application can be found by clicking on this link:
ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf
Please read these instructions prior to completing this application. A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information please contact the VMU Help Line at:

vmu@ci.austin.tx.us

or (512) 974-2150

1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION

AREA*: Greater South River City Neighborhood Plan
(South River City and St. Edwards Plan Areas)

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <ftp://coageoid01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.

NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:

NAME _____

PHONE _____

E-MAIL _____

MAILING ADDRESS _____

SECONDARY CONTACT INFORMATION

NAME

PHONE

E-MAIL

MAIL

2. PRINT AND REVIEW THE DETAILED MAPS FOR

Detailed maps for each application area can be found by going to the map located at the bottom of www.ci.austin.tx.us/planning/verticalmixeduse.htm.

3. IF YOUR AREA HAS PROPERTIES IN THE VMU OVERLAY DISTRICT COMPLETE THE ATTACHED VMU OVERLAY DISTRICT FORM.

See Instructions for VMU Opt-In/Opt-Out Process for more detail.

A blank copy of the VMU Overlay District form is provided below. Please print additional copies as needed.

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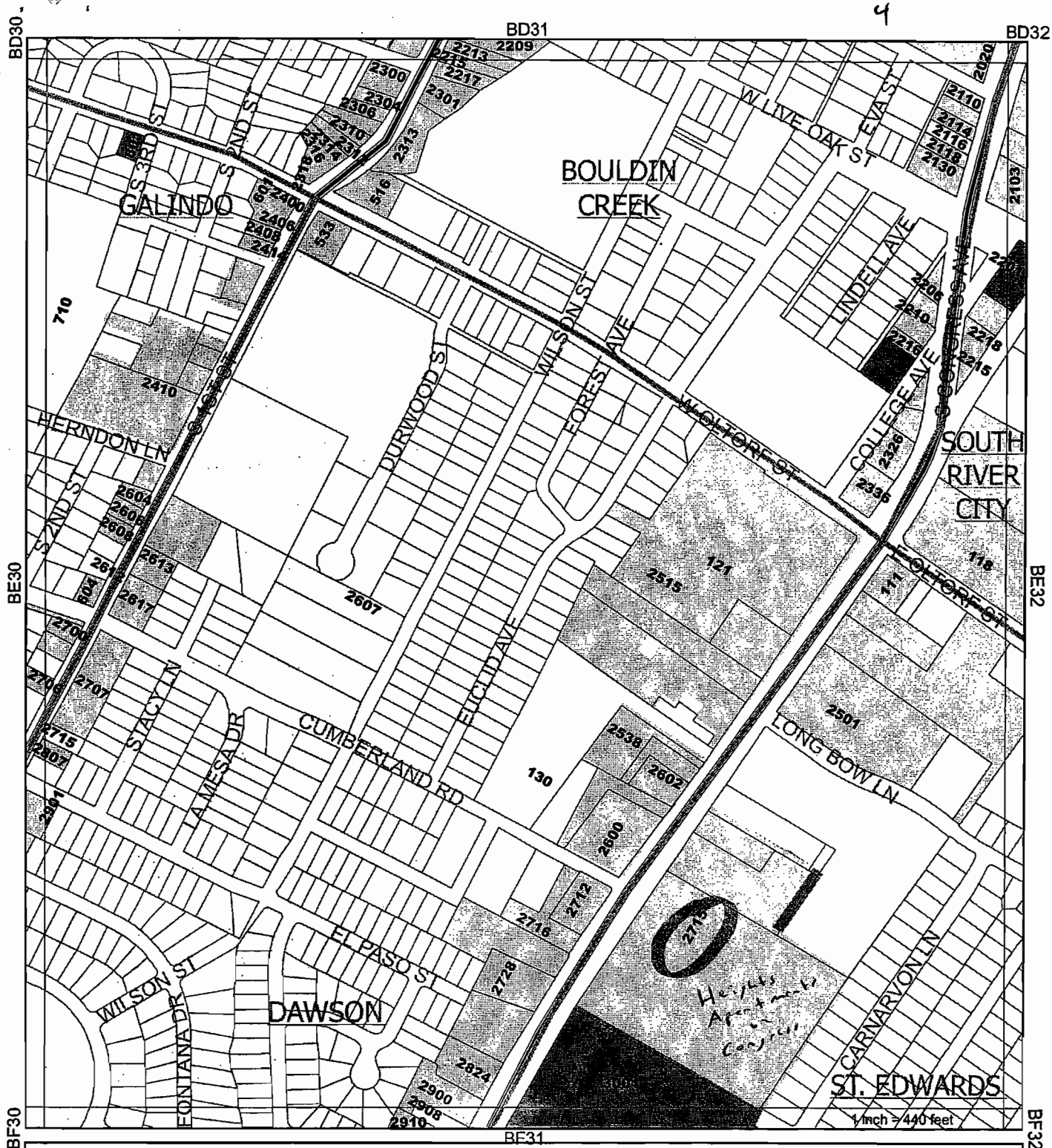
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VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE 1 of 1	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
2715 S. Congress			✓	✓	
(The Heights on Congress Apts.)					

See attached rationale

* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.



**Detailed Maps for Vertical Mixed Use
Opt-in/Opt Out Process
Grid Page: BE31**

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Vertical Mixed Use Map Grids Black and White.mxd

Legend

- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels

Rationale for opting-out of VMU bonuses for
2715 S. Congress: The Heights on Congress apartments

The Greater South River City Neighborhood Plan Contact Team voted to opt-out of relaxed standards for only one property in our boundaries (which includes 2 Core Transit Corridors – S. Congress and Riverside). That property is The Heights on Congress apartments (2715 S. Congress).

The Heights has 34 project-based Section 8 units (the subsidy is tied to the unit rather than the family) affordable for households earning $\leq 30\%$ MFI; the remaining 142 units are LIHTC and are affordable for households earning $\leq 60\%$ MFI. 20% of those 142 units are occupied by households who have Section 8 vouchers. They have clean laundry rooms; well-kept, landscaped grounds with outdoor grills and picnic tables; a clean pool monitored by a rotating camera with sensor, so when someone opens a gate, the camera captures that image; a weight room; a learning center with computers, staffed by YMCA; supervised play for children using the learning center (in addition to the learning activities); fenced and shaded playground equipment. In other words, it is a model affordable housing facility that is very well managed and is in great shape so in no need of redevelopment.

Many of the families who live at the complex have children in our local neighborhood schools (e.g. Travis Heights Elementary). If the property is redeveloped, we would lose this deep affordable housing in our neighborhood and the neighbors who currently live in the complex would be pushed out of the neighborhood and their children out of our schools. Note that VMU affordability requirements would only require 10% of the units to be at 60% MFI whereas now 100% of the 176 units are serving families at or below 60% MFI and about 20% of the units are serving families at or below 30% MFI.

We do not wish in any way to incentivize redevelopment of this property. In fact, the Neighborhood Plan Contact Team regrets that we did not understand this issue more fully when we were going through our neighborhood plan process. If we had, we would have fought staff's proposal to upzone the property to CS-MU from CS and, in fact, would have pushed for an MF zoning if the owner was agreeable.



Danette Chimenti
Chair, GSRC Neighborhood Plan Contact Team

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4. **IF YOUR AREA HAS PROPERTIES OUTSIDE OF THE VMU OVERLAY DISTRICT ON WHICH THE NEIGHBORHOOD WISHES TO PERMIT VMU COMPLETE THE ATTACHED VMU OPT-IN FORM.**

See Instructions for VMU Opt-In/Opt-Out Process for more detail. Note: If your area does not wish to recommend VMU for properties outside of the VMU Overlay District no application is required.

A blank copy of the VMU Opt-In form is provided below. Please print additional copies as needed.

None - Not applicable

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* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

5. IDENTIFY A RECOMMENDED LEVEL OF AFFORDABILITY FOR FUTURE VMU RENTAL UNITS.

Indicate a level of affordability for residential rental units. The affordability requirements are triggered only when a VMU Building takes advantage of the dimensional standards and parking reductions approved for a site.

Note: A single affordability level applies to all VMU-eligible properties within the application area. See Instructions for VMU Opt-In/Opt-Out Process for more detail.

Recommended Affordability Level for VMU-eligible properties (check one):

- _____ 80% of median family income
_____ 70% of median family income
☒ 60% of median family income
_____ Other level between 60-80% of median family income

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6. PLEASE PROVIDE THE FOLLOWING INFORMATION:

A. The following questions refer to the official vote taken by the Neighborhood Planning Team or Neighborhood Association on the Opt-In/Opt-Out application.

A. Was the vote taken in accordance with the Neighborhood Plan Team or Neighborhood Association by-laws?

Yes ☒ No _____

If No, please explain why and how the vote was taken. For example: multiple neighborhood associations were involved with the vote and each association has different by-laws.

B. Please provide the results of the vote:

For 8 Against 0 (South River City Plan Area)
Neighborhood Planning and Zoning Department 6 February 20, 2007
For 8 Against 0 (St. Edwards Plan Area - all
issues except The Heights on Congress)
For 6 Against 0 Abstain 2 (The Heights on Congress)
2715 S. Congress

C. Number of people in attendance at the meeting: 9 (1 person left early and 1 came late)

D. Please explain how notice of the meeting at which the vote was taken was provided:

All members of the NPCT were contacted via email or phone.
Notice was sent to South River City Citizens email list
and posted on the neighborhood website.
Notice was given at SRCC general meetings.

E. Please attach a copy of the notice of the meeting at which the vote was taken.

F. Please provide a copy of the meeting minutes at which the vote was taken.

G. Please read and sign the following:

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN ACCORDANCE WITH :

Neighborhood Plan Team By-Laws: ✓
Neighborhood Association By-Laws:
Other, as described in question A., above:

D. Adams
SIGNATURE OF CHAIR (OR DESIGNEE)

5-8-07
DATE

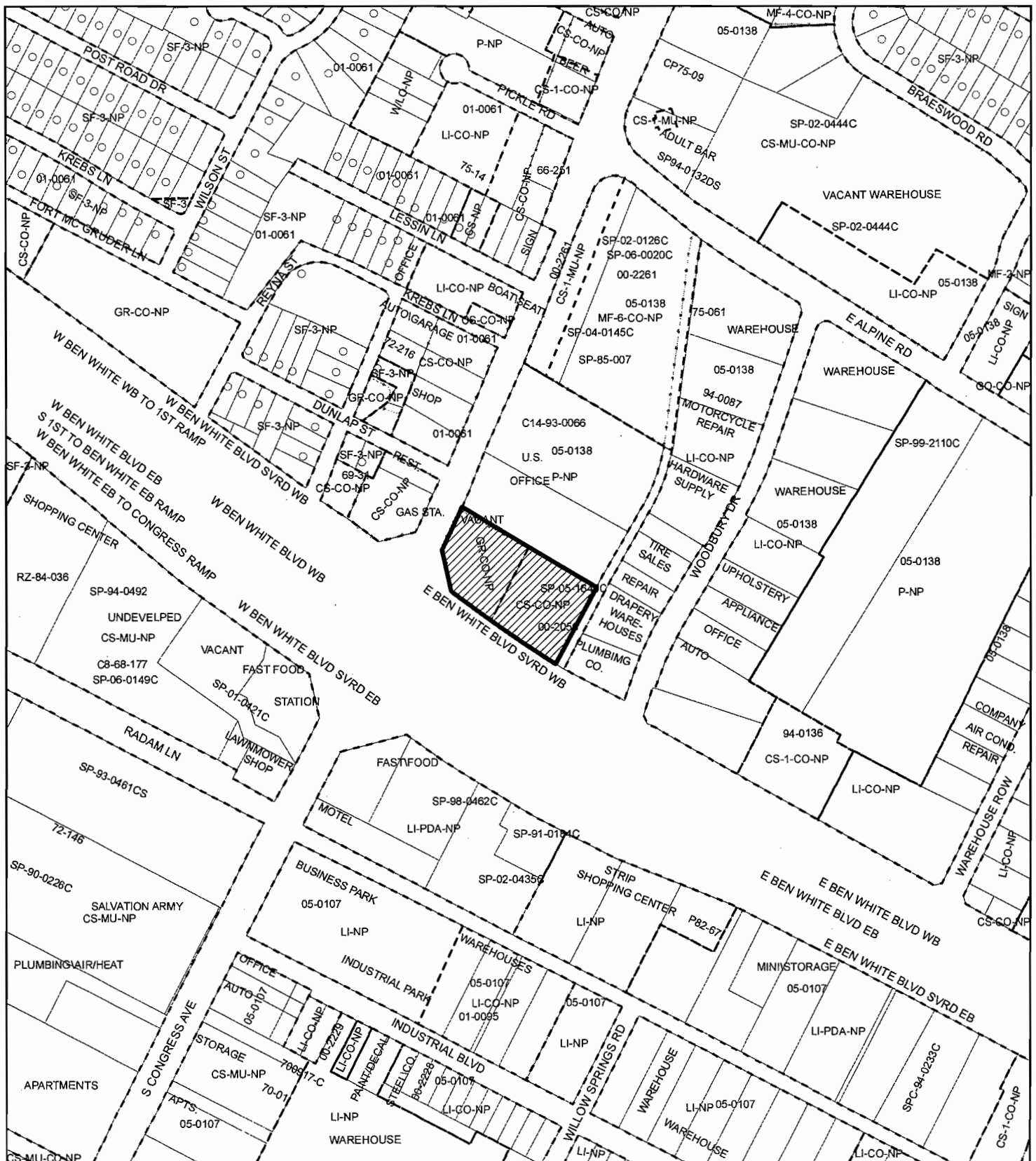
7. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:




Neighborhood Planning and Zoning Department
Attn: George Adams
P.O. Box 1088
Austin, TX 78767

or, drop-off at the NPZD office at:

One Texas Center
505 Barton Springs Road, 5th floor

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

OPERATOR: S. MECKS

ZONING

ZONING CASE#: **C14-2007-0224 (PART)**
 ADDRESS: **S CONGRESS AVE**
 SUBJECT AREA: **2.81 ACRES**
 GRID: **H18**
 MANAGER: **A. HOLUBECK**



1" = 400'

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