

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0132 – 4515 South Congress Rezoning **P.C. DATE:** January 9, 2018
January 23, 2018
February 27, 2018

ADDRESS: 4515 South Congress Avenue; 134 Sheraton Avenue

DISTRICT AREA: 3

OWNER: Life Storage LP.
(Michael J. Rogers)

APPLICANT: Lemco Holdings, LLC
(David Cox)

AGENT: Armbrust & Brown, PLLC (Michael Whellan)

ZONING FROM: CS-MU-NP; CS-MU-CO-NP

TO: CS-MU-V-NP

AREA: 3.39 acres

SUMMARY STAFF RECOMMENDATION (Revised on February 6, 2018):

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (CS-MU-V-CO-NP) combining district zoning. The Conditional Overlay prohibits automotive sales, automotive washing (of any type) and pawn shop services, and limits development to 2,000 vehicle trips per day.

PLANNING COMMISSION RECOMMENDATION:

January 9, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 23, 2018*

[P. SEEGER; A. DE HOYOS HART – 2ND] (11-0) F. KAZI – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA; T. NUCKOLS – ABSENT

January 23, 2018: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD PLAN CONTACT TEAM TO FEBRUARY 27, 2018*

[P. SEEGER; G. ANDERSON – 2ND] (10-0) A. DE HOYOS HART, J. SCHISSLER – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA; K. MCGRAW – ABSENT

February 27, 2018:

ISSUES:

The requirement to dedicate right-of-way on South Congress Avenue has been deferred to the time of site plan.

On Thursday evening, November 30, 2017, the Contact Team met with the Agent at the Pleasant Hill Library to discuss this rezoning case and the case at 4401 South Congress Avenue (C14-2017-0133).

DEPARTMENT COMMENTS:

The subject lot is located on South Congress Avenue, a major arterial, Sheraton Avenue, a collector street, and Lucksinger Lane, a local street, and contains a convenience storage use. The rectangular tract extending between South Congress Avenue and Lucksinger Lane has had general commercial services – mixed use – neighborhood plan (CS-MU-NP) and the lot at the intersection of Sheraton Avenue and Lucksinger Lane is zoned general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) zoning, with the CO limiting height to 40 feet and prohibiting automotive sales, automotive washing and pawn shops. The zoning has been in place since Council approved the East Congress Neighborhood Plan rezonings in August 2005. This property consists of one of several addresses comprising Tract 112 and all of Tract 113. There are consumer service-related services and auto-related uses along both sides of Congress Avenue in the vicinity (CS-MU-CO-NP; CS-MU-CO-NP/MF-6-CO-NP; CS-MU-V-CO-NP; CS-MU-NP), and single family residences and a manufactured home park to the east (SF-2- NP; LO-MU-NP; CS-MU-CO-NP). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B (Recorded Plat) and C (2005 NP Rezoning ordinance).

The Applicant proposes to rezone the property and add a vertical mixed use building (–V) combining district to the existing zoning and develop it with ground floor retail (up to 3,500 square feet) and 240 apartment units. The Applicant also requests to remove the 40 foot height limit that currently applies to the lot located at the corner of Sheraton and Lucksinger. The primary vehicular access is proposed from South Congress Avenue, with emergency vehicle access to either Sheraton or Lucksinger.

The property is designated as Mixed Use on the adopted Future Land Use Map (as is most of South Congress Avenue in the planning area), and the Mixed Use designation is defined as “An area that is appropriate for a mix of residential and non-residential uses.” South Congress Avenue is also designated as a Core Transit Corridor. During the Vertical Mixed Use Overlay (VMU) Opt-in/Opt-out process conducted by the Neighborhood Planning and Zoning Department in 2007-09, an application to designate certain properties as appropriate to add the –V combining district or exclude other properties from the VMU overlay was not filed by the South Congress Combined Planning Contact Team. The subject property is one that is eligible and appropriate for the addition of –V because of its commercial zoning and uses, and location on a Core Transit Corridor. There are other recently constructed condominium and multifamily residential projects on this stretch of South Congress south of Ben White and north of Ramble Lane, including one to the north at the northeast corner of East St. Elmo Road. Please refer to Exhibit D.

The addition of –V provides an additional development option to a property, but allows it to retain the ability to redevelop under the existing CS base district. A –V does not grant: 1)

additional height to the base zoning district which is 60 feet in the CS district or 2) additional impervious cover which is limited to 80 percent in the suburban portion of the Williamson Creek watershed. The addition of -V also does not waive applicable compatibility standards, and although the Applicant requests to remove the 40 foot height limit, compatibility standards still apply along the east side of the property. In that regard, height is limited to 40 feet within 100 feet of residentially zoned or occupied properties in the Greenwood Hills subdivision, noting that this limitation includes the Lucksinger / Sheraton right-of-ways. Applying compatibility standards, approximately the eastern 40 feet of the current CS-MU-CO-NP property would remain at 40 feet in height, and the eastern 140 feet would be limited to 50 feet in height or less. The western 50 feet, adjacent to the commercial shopping center would be able to achieve 60 feet in height as allowed by the CS base district.

A building built 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. On the subject property, there is also the opportunity to waive: 1) the front and interior side setbacks (except where compatibility applies), 2) the 2:1 floor-to-area ratio established by CS zoning, and 3) the minimum site area requirement which is the number of dwelling units on a site by requiring a certain amount of square footage for a specific type of multi-family unit (efficiency, one bedroom, two bedroom). A -V building is also eligible for 60 percent of the minimum requirement for off-street parking. Finally, a -V building has an established affordability level for rental units which is 10 percent of the residential units set aside for households earning no more than 80 percent of the current MFI (\$62,250), for a period of 40 years.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-NP; CS-MU-CO-NP	Convenience storage
<i>North</i>	CS-MU-NP	Automotive repair; Vacant monument retail sales
<i>South</i>	CS-MU-V-CO-NP; CS-MU-NP	Service station; Commercial shopping center with personal services, personal improvement services, alternative financial services, offices and food sales; Auto repair; Battle Bend Park
<i>East</i>	SF-2-NP; LO-MU-NP; CS-MU-CO-NP	Single family residences in the Greenwood Hill Section 1 subdivision; Construction sales and services; Manufactured home park; Service station; Automotive repair; Small-scale multi-family residential (8 units)
<i>West</i>	CS-MU-CO-NP; CS-1-MU-CO-NP	Monument retail sales; Convenience storage; Administrative offices; Restaurant (general); Hotel-motel; Automotive repair; Pawn shop; Pet services

NEIGHBORHOOD PLANNING AREA: South Congress Combined (East Congress)

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

An Educational Impact Statement is provided as Attachment A.

St. Elmo Elementary School

Bedichek Middle School

Travis High School

NEIGHBORHOOD ORGANIZATIONS:

9 – Battle Bend Springs Homeowners Association

96 – Southeast Corner Alliance of Neighborhoods (SCAN)

352 – Greenwood Hills – Colonial Park Neighborhood Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Assoc.

742 – Austin Independent School District

1108 – Perry Grid 644

1173 – South Congress Combined Neighborhood Plan Contact Team

1228 – Sierra Group, Austin Regional Group

1363 – SEL Texas

1424 – Preservation Austin

1429 – Go!Austin/Vamos!Austin (GAVA) – 78745

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

1550 – Homeless Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0133 – 4401 S Congress Rezoning	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V- CO-NP w/CO prohibiting access to S Congress Ave and conds of r-o-w dedication on S Congress Ave	Apvd CS-MU-V-CO- NP as PC rec (2-1- 2018). 2 nd /3 rd Rdgs scheduled for 3-8- 2018.
C14-2016-0106 – 4411 S Congress Ave and 4510 Luckinger Ln	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V- NP w/addl conds to provide 10% rental units at 60% MFI w/a unit mix reflecting the makeup of the units as the rest of the devt and all amenities will be available to the residents of the affordable units	Apvd CS-MU-V-CO- NP w/CO for 60' height limit (4-13- 2017).
C14-2016-0097 – South Congress	CS-MU-CO-NP to CS-MU-V-NP	To Grant CS-MU-V- NP w/addl conds to	Apvd CS-MU-V-CO- NP w/CO limiting

Residences – 4714 S Congress Avenue		provide 10% rental units at 60% MFI w/a unit mix reflecting the makeup of the units as the rest of the development and all amenities will be available to the residents of the affordable units, and incorporating the conditions in the list of conditions from the October 19 th SCCNPCT meeting, to the extent possible.	height to 60', on 1 st Rdg (3-23-2017); 2 nd /3 rd Readings not yet scheduled
C14-2014-0034 – St. Elmo's Market and Lofts - 113 Industrial Blvd; 4323 S Congress Ave; 4300 Blk of Willow Springs Rd	CS-MU-NP; LI-NP; LI-CO-NP to LI-PDA-NP	To Grant LI-PDA-NP w/PDA for all permitted uses and conditional uses in LI w/certain prohibited uses, residential uses including multifamily and townhouse/condos, certain civic uses, adding cocktail lounge and hospital (ltd) as conditional uses, 25' front and side yard setbacks, 0' interior setback, 15' rear setback, 85% impervious cover, 1.5 to 1 floor-to-area ratio; Restrictive Covenant for the Traffic Impact Analysis	Apvd LI-PDA-NP with Restrictive Covenant for the TIA as recommended by the Commission (11-20-2014).
C14-2007-0234 – South Urban Lofts – 4367 S Congress Ave	CS-MU-CO-NP; MF-6-NP to CS-MU-CO-NP; MF-6-CO-NP, to change a condition of zoning	To Grant CS-MU-CO-NP for first 15'; MF-6-CO-NP for 15-90', w/CO for 2,000 trips/day; 90% impervious cover, limit of 25 spaces in a surface parking facility, and list of prohibited	Apvd CS-MU-CO-NP; MF-6-CO-NP as Commission recommended (3-20-2008).

		uses	
C14-07-0009 – South Urban Lofts – 4367 S Congress Ave	CS-NP to CS-MU-CO-NP ; MF-6-NP	To Grant CS-MU-CO-NP for first 60'; MF-6-NP for 60-90' w/CO for 2,000 trips/day; 90% impervious cover, limit of 25 spaces in a surface parking facility, and list of prohibited uses	Apvd CS-MU-CO-NP; MF-6-CO-NP as Commission recommended, w/ Restrictive Covenant for minimum 2-star Green Building requirement (6-07-2007).

RELATED CASES:

The East Congress Neighborhood Plan Area rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 28, 2005 (NP-05-0020; C14-05-0107 – Ordinance No. 20050818-Z004). The property consists of a portion of Tract 112 that was rezoned to CS-MU-NP and Tract 113 rezoned to CS-MU-CO-NP with the CO limiting height to 40 feet and prohibiting automotive sales, automotive washing (of any type) and pawn shop services. As part of the East Congress Neighborhood Plan Rezonings, the neighborhood mixed use building and the neighborhood urban center special uses were adopted for Tracts 112 and 113.

The rezoning area consists of an unplatted tract that extends between South Congress Avenue and Lucksinger Lane and a platted lot at the northwest corner of Sheraton Avenue and Lucksinger Lane, known as Lot 2 of the Thom Farrell Subdivision, recorded in October 1973 (C8s-73-253). Please refer to Exhibit B. There are no site plans in process.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South Congress Avenue	93 feet	65 feet	Major Arterial	Yes	Yes	Yes
Sheraton Avenue	70 feet	43 feet	Collector	Yes	No	Yes
Lucksinger Lane	70 feet	27 feet	Local	No	No	Yes

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for South Congress Avenue.

CITY COUNCIL DATE: February 1, 2018

ACTION: Approved a Postponement request by Staff to March 8, 2018 (11-0).

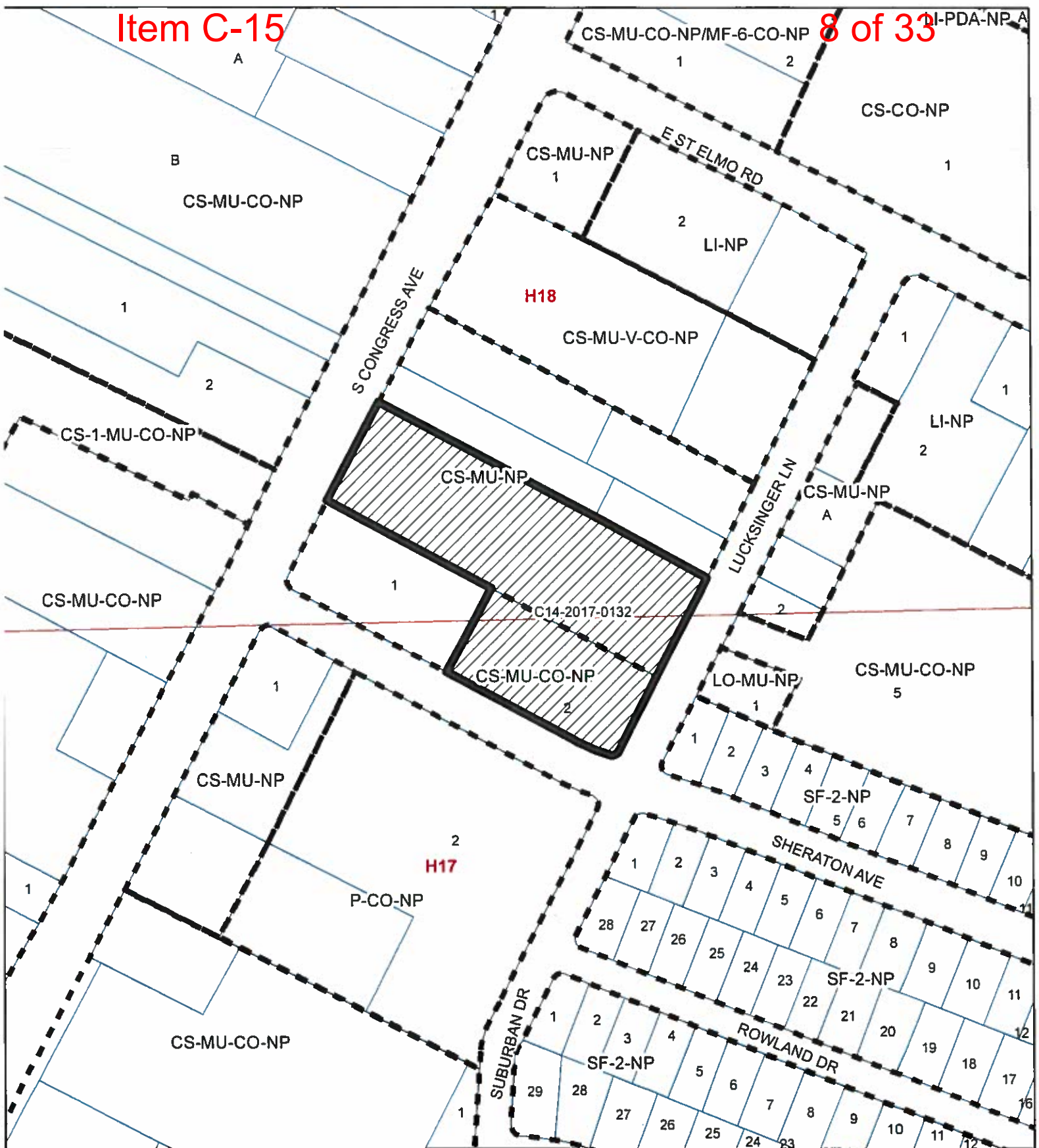
March 8, 2018

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



4515 SOUTH CONGRESS REZONING *Exhibit A*

ZONING CASE#: C14-2017-0132

LOCATION: 4515 SOUTH CONGRESS AVENUE





SUBJECT AREA: 3.39 ACRES

GRID: H17 & H18

MANAGER: WENDY RHOADES

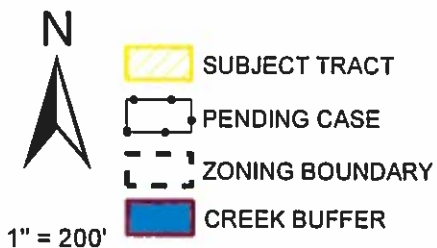
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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

1" = 200'





4515 SOUTH CONGRESS REZONING

ZONING CASE#: C14-2017-0132

LOCATION: 4515 SOUTH CONGRESS AVENUE

SUBJECT AREA: 3.39 ACRES

GRID: H17 & H18

MANAGER: WENDY RHOADES

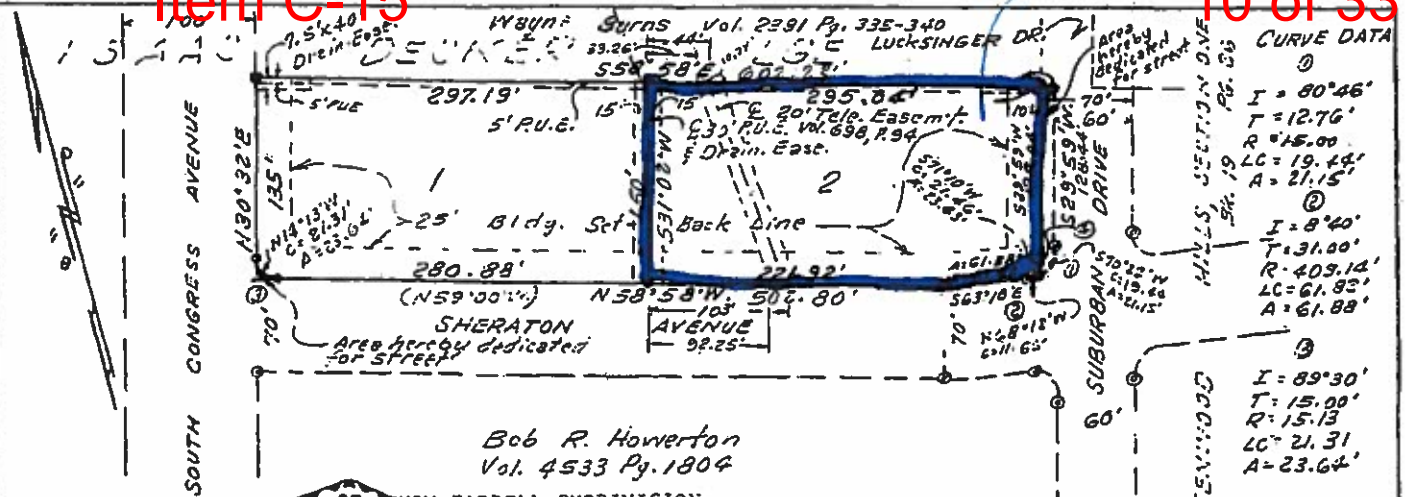
Exhibit A-1



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Item C-15

REZONING AREA
10 of 33



Bob R. Howerton
Vol. 4533 Pg. 1804

SCALE: 1" = 100'

By C. F. Bush
Claude F. Bush, Jr.
Reg. Public Surveyor
Oct. 1, 1973
THE STATE OF TEXAS
COUNTY OF TRAVIS

- LEGEND-
- - Iron Stake Found
 - - Iron Stake Set
 - - Concrete Mon. Found
- (2) Record
- I = 80°46'
T = 12.76'
R = 15.00'
LC = 19.44'
A = 21.15'
- I = 8°40'
T = 31.00'
R = 409.14'
LC = 61.83'
A = 61.88'
- I = 89°30'
T = 15.00'
R = 15.13'
LC = 21.31'
A = 23.64'
- I = 10°14'
T = 411.78'
LC = 73.45'
A = 73.55'
- I = 82°23'
T = 14.26'
R = 16.29'
LC = 21.46'
A = 23.43'

KNOW ALL MEN BY THESE PRESENTS:
That I, Bob R. Howerton, owner of the hereon designated tract out of the Isaac Decker League in the City of Austin, Travis County, Texas, being the same land described as 2.07 acres as conveyed to Bob R. Howerton by deed recorded in Volume 4533, Page 1804 of the Deed Records of Travis County, Texas, do hereby adopt this plat as my subdivision to be known as THOM FARRELL SUBDIVISION, subject to any easements or restrictions heretofore granted and do hereby dedicate to the public use all streets and easements shown hereon.
WITNESS MY HAND this the 2nd day of October, A.D. 1973

Bob R. Howerton
Bob R. Howerton

THE STATE OF TEXAS
COUNTY OF TRAVIS
Before me the undersigned authority on this day personally appeared Bob R. Howerton, known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same as his act and deed for the purposes and consideration therein expressed.
WITNESS MY HAND AND SEAL OF OFFICE this the 2nd day of October, A.D. 1973

C. F. Bush, Jr.
Notary Public in/for Travis County, Texas

APPROVED FOR ACCEPTANCE on the 30 day of October A.D. 1973.

By Richard Lillie
Richard Lillie, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 31, day of October A.D. 1973

Charles H. Heston
Secretary

W. H. Heston
Chairman

FILED FOR RECORD on the 31 day of October A.D. 1973 at 1:30 o'clock P.M.
Doris Shropshire, County Clerk, Travis County, Texas
By Wanda Wacker Deputy

THE STATE OF TEXAS
COUNTY OF TRAVIS
I, Doris Shropshire, clerk of the county court within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 31 day of October A.D. 1973 at 1:34 o'clock P.M. and duly recorded on the 31 day of October A.D. 1973 at 1:34 o'clock P.M. in the Plat Records of Travis County, Texas in Book 67 Page 21.
WITNESS MY HAND AND SEAL OF OFFICE the date last written above.
Doris Shropshire, County Clerk, Travis County, Texas
By Wanda Wacker Deputy

234567
OCT 1973
RECEIVED
67/1
C8-73-253

EXHIBIT B
RECORDED PLAT

ORDINANCE NO. 20050818-Z004

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 772.82 ACRES OF LAND GENERALLY KNOWN AS THE EAST CONGRESS NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 36 TRACTS OF LAND.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 36 tracts of land within the property described in **Zoning Case No. C14-05-0107**, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 772.82 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance (the "Property").

generally known as the East Congress neighborhood plan combining district, locally known as the area bounded by Stassney Lane on the south, IH-35 on the east, Ben White Boulevard on the north, and South Congress Avenue on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the 36 tracts of land are changed from rural residence (RR) district, single family residence standard lot (SF-2) district, interim family residence (I-SF-3) district, family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence medium density-conditional overlay (MF-3-CO) combining district, neighborhood office (NO) district, limited office (LO) district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, warehouse limited office-conditional overlay (W/LO-CO) combining district, general commercial services (CS) district, and commercial-liquor sales (CS-1) district, commercial-liquor sales-conditional overlay (CS-1-CO) combining district, limited industrial services (LI) district, and limited industrial services-conditional overlay (LI-CO)

combining district to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district, limited industrial services-neighborhood plan (LI-NP) combining district, limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district, public-neighborhood plan (P-NP) combining district, and limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district, as more particularly described and identified in the chart below:

TRACT NO.	ADDRESS	FROM	TO
101	133, 201, 205 E Ben White Blvd; 4101 & 4141 S Congress Ave	LI, SF-3	LI-PDA-NP
102	321-505 (odd only) E Ben White Blvd; 0 E Ben White Blvd (DECKER I 15X400 FT ABS 8 SUR 20); 4110 Terry-O Ln	LI, CS-1, CS-1-CO	LI-PDA-NP
103	601, 701, 705, 711, 717, & 1001 E Ben White Blvd	LI	LI-PDA-NP
104	4108, 4216, 4118, 4200, 4222 S Interstate Hy 35 Svc Rd SB	LI	LI-PDA-NP
105	4201 S Congress Ave	LI	LI-NP
107	121 Industrial Blvd	SF-3	LI-NP
108	4241, 4243, 4235, & 4237, & 4315 S Congress Ave; 0 S Congress Ave (FORTVIEW ADDN 53.36 X 181.61FT AV BLK 27)	LI, CS, SF-3	CS-MU-NP
110	4355 - 4415 (odd only) S Congress Ave	LI, CS, GR-CO, SF-3	CS-MU-NP
111	115 E St Elmo Rd	LI-CO	LI-NP
112	4401 (ST ELMO SQUARE LOT 1) S Congress Ave; 4411, 4501, & 4515 S Congress Ave; 4500 Lucksinger Ln (FORTVIEW ADDN .75 ACR OF BLK 25)	LI, CS, SF-3	CS-MU-NP
113	134 Sheraton Ave	CS	CS-MU-CO-NP
114	4619 S Congress Ave	CS	CS-MU-NP
115	4417 Lucksinger Ln	SF-3	CS-MU-NP
116	315E St Elmo Rd	SF-3	LI-NP
117	4513 Lucksinger Ln	SF-3	LO-MU-NP

TRACT NO.	ADDRESS	FROM	TO
146	5303 - 5327 S Congress Ave (odd only) and 5210 - 5308 Wasson Rd (even only) and 102 E Mockingbird Ln (PLEASANT HILL ADDN LOTS 28-58 BLK 7A	CS, MF-2, SF-3	CS-MU-NP
147	5301 S Congress Ave	CS-1	CS-1-MU-NP
150	5401 - 5501 S Congress Ave (odd only) (PLEASANT HILL ADDN LOTS 12-25 BLK 7 and PLEASANT HILL ADDN LOT 2-A-A * LESS SE TRI RESUB OF LOT 2-A THE RESUB OF LOT 1-11 BLK 7 and PLEASANT HILL ADDN LOT 2-A-B * RESUB OF LOT 2-A THE RESUB OF LOT 1-11 BLK 7)	CS	CS-MU-NP
151	5409 - 5509 Wasson Rd (odd only); 114 E Stassney Ln	CS, GR	CS-MU-NP

PART 3. The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

PART 4. The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP combining district:

1. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
2. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 of the Code.

PART 5. Tracts 105, 108, 110-115, 117, 120-121, 125-126, 128, 142, 144-147, and 150-151 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code.

PART 6. Tracts 105, 108, 110-114, 117, 120-121, 125-126, 128, 145-147, and 150-151 may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

PART 7. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

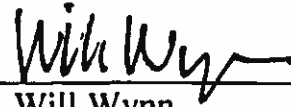
1. A 30-foot wide vegetative buffer shall be established and maintained along the property lines of Tracts 119, 120, 128 and 135, that are adjacent to a property used or zoned family residence-neighborhood plan (SF-3-NP) combining district or more restrictive.
2. The maximum height of a building or structure on Tract 113 is 40 feet from ground level.
3. The following uses are prohibited uses of Tract 113:
 - Pawn shop services
 - Automotive washing (of any type)
 - Automotive sales
4. Vehicular access from Tract 126 to Suburban Drive is prohibited. All vehicular access to the tract shall be from other adjacent public streets or through other adjacent property.
5. Development of Tract 126 may not exceed a density of 23 residential units per acre.
6. A site plan or building permit for Tract 131 may not be approved, released, or issued, if the completed development or uses of the tract, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
7. Vegetation and a six-foot high fence shall be provided and maintained for screening along the north and south property lines of Tract 131 that abut adjacent residential development as set forth in Section 25-2-1066.

PART 9. This ordinance takes effect on August 29, 2005.

PASSED AND APPROVED


August 18, 2005

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§
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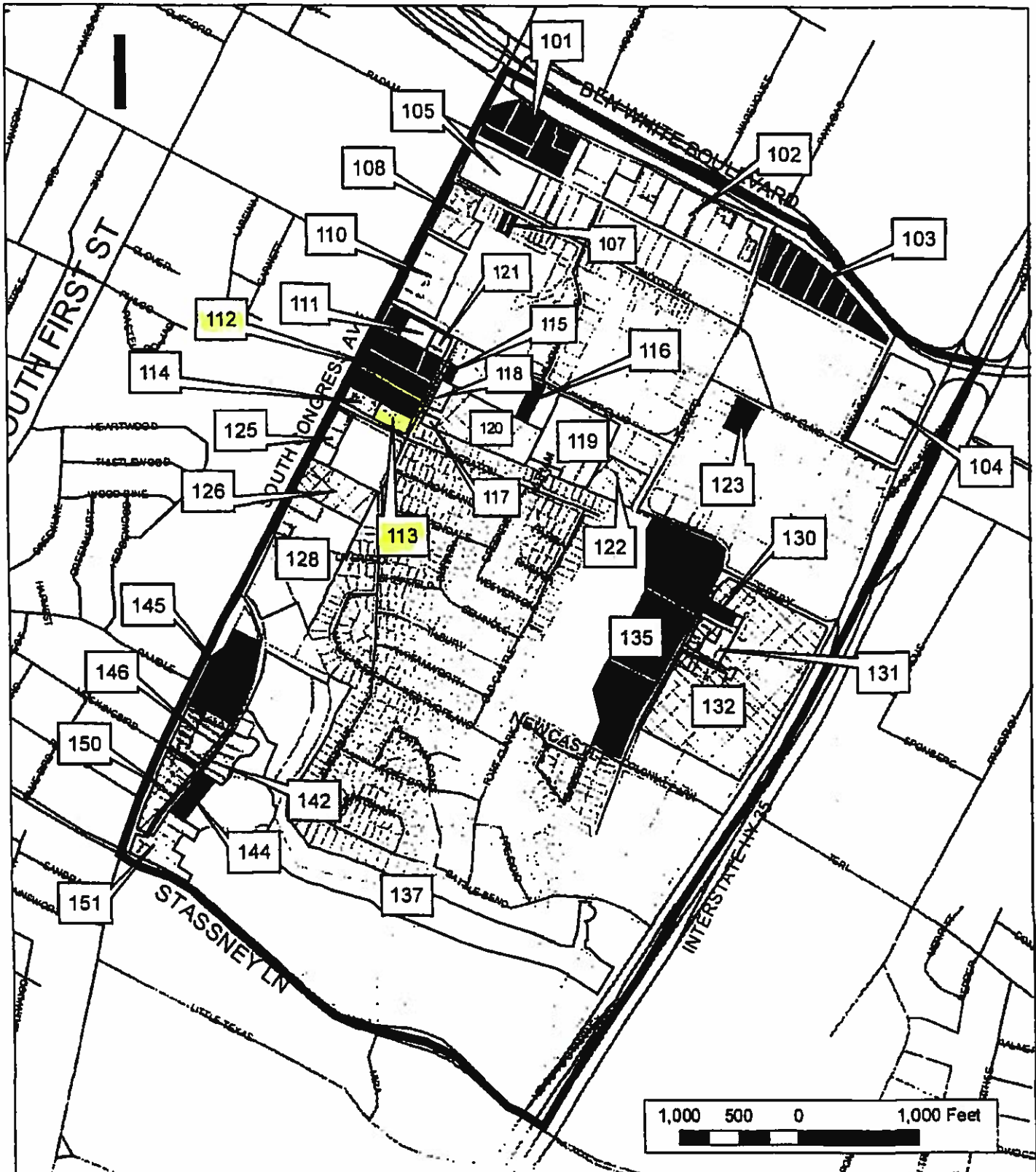
Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



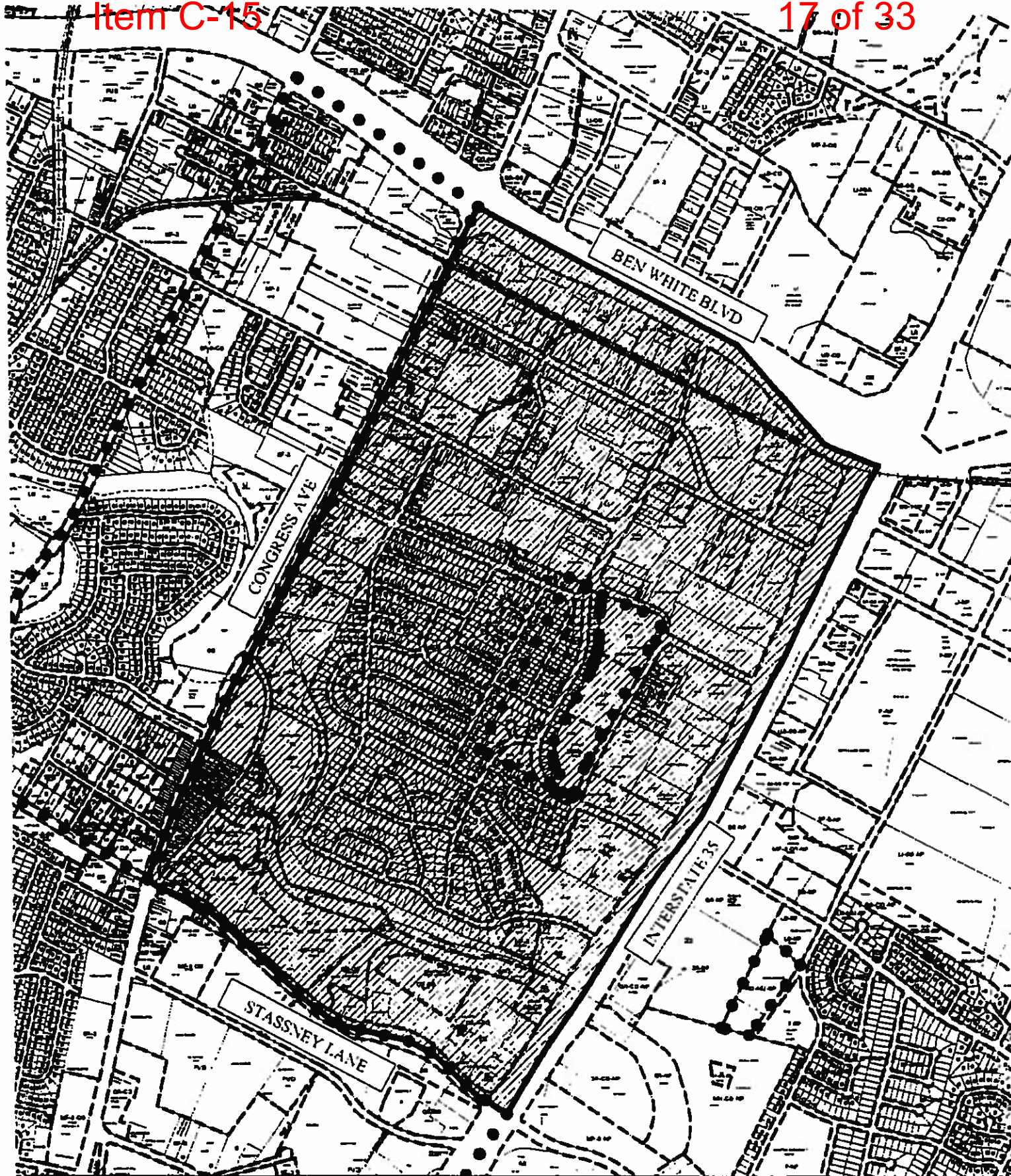
East Congress Neighborhood Planning Area:
Proposed Tracts for Rezoning
Case #C14-05-0107



Exhibit A



City of Austin
Neighborhood Planning and Zoning Department



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: W. WALSH

CASE #: C14-05-0107

ADDRESS: EAST CONGRESS

NEIGHBORHOOD PLANNING AREA

SUBJECT AREA (acres): N/A

ZONING EXHIBIT 17 B

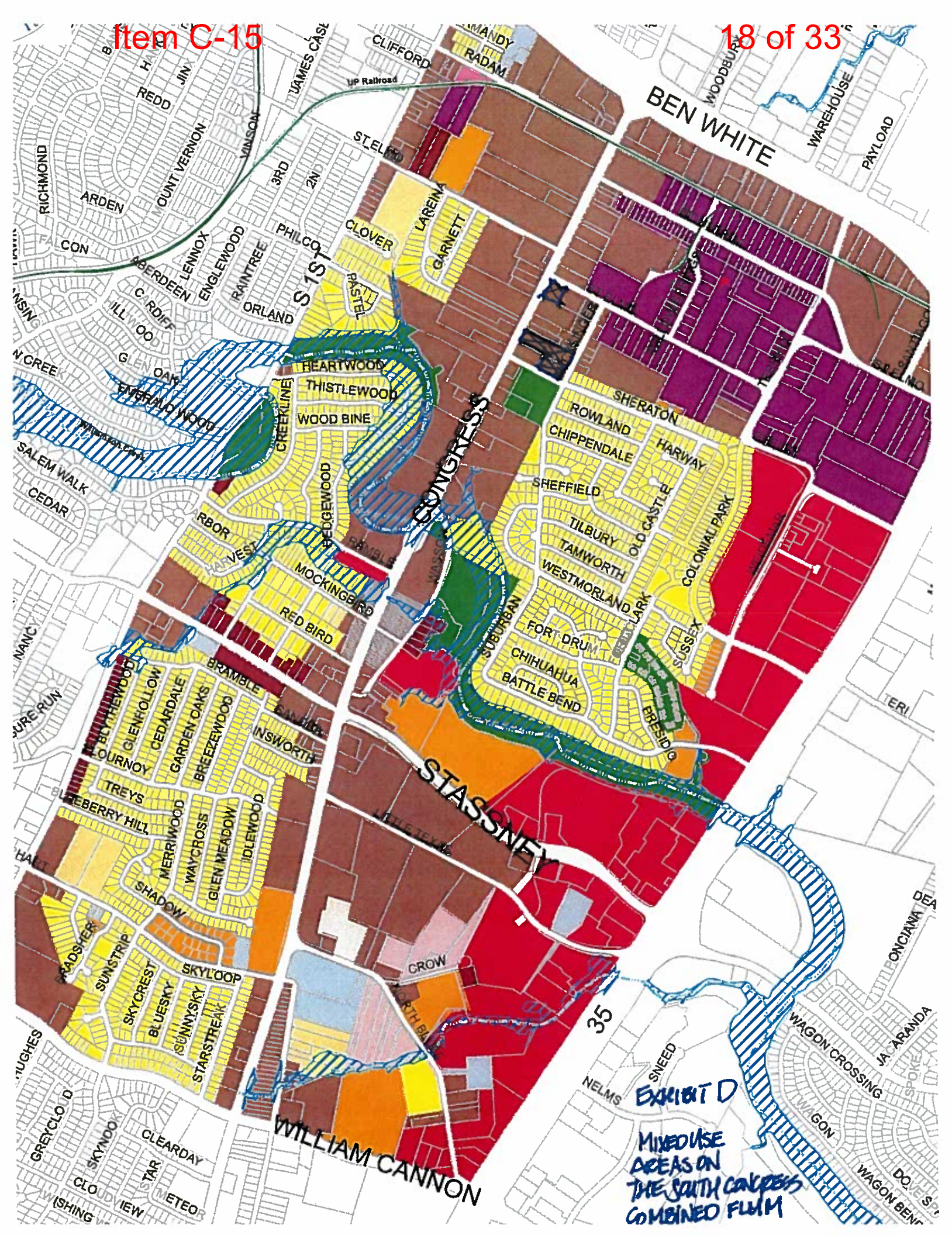
DATE: 05-07

INTLS: SM

CITY GRID
REFERENCE
NUMBER

H16-18

1" = 1200'



EDUCATIONAL IMPACT STATEMENT*Prepared for the City of Austin*Austin
Independent
School District**PROJECT NAME:** 4515 South Congress Rezoning & 134 Sheraton Avenue**ADDRESS/LOCATION:** 4515 South Congress Avenue**CASE #:** C14-2017-0132☐ NEW SINGLE FAMILY☐ DEMOLITION OF MULTIFAMILY☒ NEW MULTIFAMILY☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
 Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 270 STUDENTS PER UNIT ASSUMPTION
 Elementary School: 0.049 Middle School: 0.018 High School: 0.020

IMPACT ON SCHOOLS

The student yield factor for the central region of 0.087 (across all grade levels) for apartment homes was used to determine the number of projected students. The 270 multifamily development is projected to add approximately 23 students across all grade levels to the projected student population. However, because the project is proposed to include only one and two bedroom units, the number of students from this development may be lower than projected. It is estimated that of the 23 students, 13 will be assigned to Galindo Elementary School, 5 to Bedichek Middle School, and 5 to Travis High School.

The percent of permanent capacity by enrollment for SY 2021-22, including the additional students projected with this development, would be within the utilization target range of 75-115% for Galindo ES (81%) and Bedichek MS (83%); and would be below the target range at Travis HS (63%) due to projected student population decline within the attendance area. These enrollment projections assume the current mobility rates remain the same. All of these schools will be able to accommodate the projected additional student population from the proposed development.

TRANSPORTATION IMPACT

Students within the proposed development attending Galindo ES, Bedichek MS or Crockett HS would qualify for transportation due to the distance from the proposed development to the schools and can be accommodated on existing buses.

SAFETY IMPACT

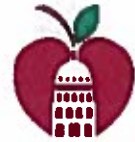
There are no know safety impacts at this time.

Date Prepared: 11 December 17

Director's Signature: _____

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District

DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Galindo	RATING: Met Standard
ADDRESS: 3800 S Second Street	PERMANENT CAPACITY: 711
% QUALIFIED FOR FREE/REDUCED LUNCH: 90.42%	MOBILITY RATE: +5.6%

POPULATION (without mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	556	536	549
% of Permanent Capacity	78%	75%	77%

ENROLLMENT (with mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	587	566	579
% of Permanent Capacity	83%	80%	81%

MIDDLE SCHOOL: Bedichek	RATING: Met Standard
ADDRESS: 6800 Bill Hughes Road	PERMANENT CAPACITY: 941
% QUALIFIED FOR FREE/REDUCED LUNCH: 84.47%	MOBILITY RATE: -12.1%

POPULATION (without mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,012	880	885
% of Permanent Capacity	108%	94%	94%

ENROLLMENT (with mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	890	774	779
% of Permanent Capacity	95%	82%	83%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



HIGH SCHOOL: Travis	RATING: Met Standard
ADDRESS: 1211 E Oltorf Street	PERMANENT CAPACITY: 1,862
% QUALIFIED FOR FREE/REDUCED LUNCH: 84.93%	MOBILITY RATE: -15.6%

POPULATION (without mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,806	1,385	1,390
% of Permanent Capacity	97%	74%	75%

ENROLLMENT (with mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	1,524	1,169	1,174
% of Permanent Capacity	82%	63%	63%

*The 5-Year Projected Enrollment (with and without the proposed development) is an estimate calculated with the assumption that the stated mobility rates (transfers in and out of the school) remain the same over the 5-year period. These estimates are for the sole purpose of the Educational Impact Statement and should not be used for any other purposes.

SUMMARY STAFF RECOMMENDATION (Revised on February 6, 2018):

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (CS-MU-V-CO-NP) combining district zoning. The Conditional Overlay prohibits automotive sales, automotive washing (of any type) and pawn shop services, and limits development to 2,000 vehicle trips per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The 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 neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. Zoning should promote clearly-identified community goals such as creating employment opportunities or providing for affordable housing.

The subject property is one that is eligible and appropriate for the addition of –V because of its commercial zoning and uses, and location on a Core Transit Corridor. There are other recently constructed condominium and multifamily residential projects on this stretch of South Congress south of Ben White and north of Ramble Lane, including one recently constructed at the northeast corner of East St. Elmo Road.

The addition of –V also does not waive applicable compatibility standards, and although the Applicant requests to remove the 40 foot height limit, compatibility standards still apply along the east side of the property. In that regard, height is limited to 40 feet within 100 feet of residentially zoned or occupied properties in the Greenwood Hills subdivision, noting that this limitation includes the Lucksinger / Sheraton right-of-ways. Applying compatibility standards, approximately the eastern 40 feet of the current CS-MU-CO-NP property would remain at 40 feet in height, and the eastern 140 feet would be limited to 50 feet in height or less. The western 50 feet, adjacent to the commercial shopping center would be able to achieve 60 feet in height as allowed by the CS base district.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area contains a convenience storage use. There is a treeline along the southwest property line, adjacent to a drainage swale.

Impervious Cover

The maximum impervious cover allowed by CS zoning district would be 80%, which is based on the more restrictive watershed regulations described below.

Comprehensive Planning

This rezoning case is located on a double frontage lot, which is on the east side of S. Congress Avenue, the west side of Lucksinger Lane, and the north side of Sheraton Avenue. The two tracts when combined total 3.39 acres in size and currently contains a convenience storage facility and a warehouse. This project is also located within boundaries of East Congress Neighborhood Plan Area, which is part of the larger South Congress Combined Neighborhood Planning Area. Surrounding land uses includes an auto body shop to the north; a gas station and the Battle Bend Neighborhood Park to the south; single family houses to the east; and a restaurant and office to the west. The proposed use is a 240 unit vertical mixed use project, and remove the CO, which currently limits the building height to 40 ft. or less.

Connectivity

The project is located less than 200 ft. away from a CapMetro station. Public sidewalks are located partially along S. Congress and Sheraton Avenues but not along Lucksinger Lane. The Walkscore for this site is 60/100, Somewhat Walkable, meaning some errands can be accomplished on foot.

South Congress Combined Neighborhood Plan (SCCNPA)

The SCCNPA Future Land Use Map (FLUM) classifies this portion of the planning areas as 'Mixed Use' and Zone CS-MU-NP-V is permitted under this land use category. Mixed Use is defined as an area that is intended for a mix and non-residential uses, including retail and commercial services. The following text and policies are excerpted from the SCCNPA and are applicable to this case and go into great detail about future development along S.

Congress Avenue:

Vision (p 13)

The neighborhoods of the South Congress Combined Neighborhood Planning Area should be quiet and safe communities. Tree-lined neighborhood streets should allow residents to safely travel by foot, bicycle, or car. Commercial streets, **especially South Congress Avenue**, should become more pedestrian-friendly and safely accessible from nearby neighborhoods. **South Congress Avenue should become a mixed-use corridor serving local and regional needs.**

Top Ten Priorities (p. 14)

3. Improve infrastructure along South Congress Avenue to make it pedestrian friendly. Undertake a corridor improvement study for South Congress Avenue. Implement new Commercial Design Standards.

GOAL TWO: South Congress Avenue should become a more vibrant, accessible mixed-use corridor and a destination for nearby residents and the citizens of Austin. (p 50)

Text from p. 50. The vision presented for South Congress Avenue is one where new development and redevelopment redefine the street in a more urban and pedestrian-friendly manner. This transformation could provide opportunities for new businesses serving nearby residents, people working in the area, other Austinites, Central Texans, and out-of-town visitors. It could include a greater variety of restaurants—large and small, an increased array of retail opportunities, and innovative residential designs reinforcing a more urban environment. As the character of the street changes, new development should be human-scaled and, where practical and appropriate, connect to adjacent, similarly designed projects.

The “Avenue” (p 52)

The two-mile segment of South Congress Avenue bisecting the planning area serves as the central corridor of the SCCNPA. An examination of the roadway indicates there are three general districts (See map on page 51). Identified by the major intersecting street, they are:

- St. Elmo Road District (location of subject property)
- Stassney Lane District
- Eberhart Lane District

The three districts share general characteristics such as a prevalence of land uses not conducive to walking, an abundance of curb cuts—in those stretches where there are curbs, significant amounts of undeveloped or underdeveloped land, and long stretches of roadway without signalized crossings at intersections.

St. Elmo Road District (pgs. 52-53)

This is the most vibrant commercial district of the three and is the only section where most of South Congress Avenue is curbed and guttered. Although there is a good deal of activity in this district, the majority of the commercial uses are not conducive to creating and sustaining a pedestrian-oriented environment. Regardless, participants in the planning process considered this segment of South Congress Avenue the segment likely to first see redevelopment and revitalization. The re-invigorated Hill’s Café Bel Air Condominiums currently under construction could spur the renewal of the northern segment of South Congress Avenue.

Moreover, most of the land in the St. Elmo District could be redeveloped into more urban and pedestrian-oriented sites.

Objective 2.1: Create incentives and programs to promote a pedestrian-oriented corridor. (p 54)

Recommendation 1: Investigate the creation of programs or incentive packages to promote new pedestrian-oriented development or redevelopment. These may include public/private partnerships and/or changes to the land development code.

Recommendation 2: Conduct a corridor study along South Congress Avenue to determine means to enhance the streetscape and street life. Improvements could include:

- Street tree plantings and maintenance of trees;
- Consolidation of curb cuts;
- Pedestrian-friendly amenities such as awnings and landscaping, pedestrian-scaled signs, and public art;
- (Add) traffic safety improvements where appropriate.

Recommendation 3: Denote commercial properties along South Congress Avenue with a mixed-use future land use notation to promote mixed-use development. (p 56)

Objective 2.2: Improve the infrastructure along South Congress Avenue to make it pedestrian friendly. Upgrading the pedestrian environment is a safety issue and a means to create the vibrant, pedestrian-oriented district this plan envisions. (pgs. 56-57)

Recommendation 6: Consolidate curb cuts along South Congress Avenue and, where feasible, design joint access driveways as sites are developed or redeveloped.

Recommendation 7: Locate parking lots and parking structures beside, behind or beneath new commercial or mixed-use developments.

Recommendation 8: Orient new commercial or mixed-use development along South Congress Avenue toward the street and provide street trees and other amenities promoting a more pleasant pedestrian environment.

Recommendation 9: Create internal pedestrian and automobile circulation patterns reflecting traditional street networks in new commercial or mixed-use development on larger tracts located along South Congress Avenue.

Recommendation 10: Design and implement streetscape improvement to create a unique district along South Congress Avenue. An interesting and innovative program of streetscape improvements would greatly enhance the pedestrian environment along South Congress Avenue and contribute to the character of a unique South Congress District.

Objective 2.3: Commercial and mixed-use development along South Congress Avenue should not adversely affect adjacent neighborhoods. (p 58)

GOAL THREE: Focus mixed-use development and commercial uses along major commercial corridors and in specialized districts. (p 60)

TEXT: A different future is also envisioned for the other major thoroughfares in the planning area—Ben White Boulevard, Interstate Highway 35, Stassney Lane, William Cannon Drive, and South 1st Street. Each of these corridors should have a particular sense of place, whether it is a street with neighborhood-serving retail or a highway offering goods and services for the region. As development pressure in the SCCNPA increases, new growth, both residential and commercial, should be directed along these corridors.

Objective 3.3: New development along Stassney Lane between Interstate Highway 35 and South Congress Avenue should be more pedestrian-friendly. (p 64)

Recommendation 5: Assign the mixed-use future land use category to the vacant or easily redeveloped sites along Stassney Lane and Little Texas Lane to encourage vibrant, mixed-use, pedestrian-oriented development.

Objective 3.4: Stassney Lane from South Congress Avenue to South 1st Street should transition from the larger-scaled commercial areas east of South Congress Avenue to more neighborhood-scaled areas to the west.

Recommendation 6: Designate properties along Stassney Lane between South Congress Avenue and South 1st Street with the mixed-use future land use category.

Proposed Sidewalk Network (p. 78)

South Congress Avenue The pedestrian infrastructure for South Congress Avenue in the SCCNPA is best characterized as fragmented. Sidewalks are installed along the street from Ben White Boulevard to Williamson Creek, but the number of curb cuts and wide driveways contribute to a disjointed pedestrian environment. South of the creek, the sidewalk network is, at best, incomplete. Pedestrians are often forced to walk along the shoulder of the road or in parking lots and driveways.

Recommendation 5: Complete the sidewalk network along the east and west sides of South Congress Avenue from Williamson Creek to William Cannon Drive.

South Congress Commercial Design Guidelines (p 95 – 99)

South Congress Avenue—Keep it “funky”

Keeping South Austin “funky” is a major design theme for the redevelopment of the street. Each site and building should be thought of not as a singular project, but as part of the larger urban fabric. As South Congress takes on a decidedly more urban feel, it is vital to encourage new development to enhance the sense of place unique to South Austin. The urban design guidelines for South Congress Avenue set out to create a distinctive district with a “funky, Austin-centric” feel. This development should not be a replication of other areas of Austin; rather, a new expression of the energy, culture, and individuality embodied in the slogan: “Keep Austin Weird”. New development and redevelopment should build upon local and vernacular styles to bring forth a vibrant area reflective of those people who choose to live, work, and do business along South Congress Avenue.

Other Local Commercial Corridors—South Congress Avenue, South 1st Street, William Cannon Drive, Stassney Lane, and Ben White Boulevard from South 1st Street to South Congress Avenue

These corridors should take on a more pedestrian-friendly feel. Mixed-use development should be encouraged where possible. The character of development should be similar to South Congress, but on a more neighborhood scale. Again, the vision is to create spaces designed to allow

people to be comfortable outside of their automobiles, and to enhance the mobility choices in the planning area

There are additional specific voluntary Urban Design Guidelines found in this plan, which specify the design aesthetic and layout of projects along S. Congress Avenue.

Conclusions: South Congress Avenue is quickly transitioning away from industrial and warehouse uses, and developing into a vibrant gateway into downtown Austin. A variety of neighborhood serving commercial and mixed use project along this corridor includes uses such as restaurants, bars, coffee shops, retail stores, and high density residential uses. A large number of goals, objectives, recommendations and text language above are taken from the SCCNP identifies that states it wants to see vibrant mixed use projects along this heavily travelled avenue in order to transition properties along South Congress Avenue into a “funky Austin-centric” neighborhood serving corridor (walkable, designed well and having a variety of neighborhood uses). **The proposed multi-family/mixed use project appears to be supported the SCCNPA especially if it contributes to the South Congress Avenue corridor in terms of: scaling, design aesthetic, pedestrian orientation, and landscaping and consideration of the commercial component to this project to make this a vibrant mixed use project.**

Imagine Austin

The property is located along an ‘**Activity Corridor**’, as identified on the Imagine Austin’s Growth Concept Map. Activity Corridors are characterized by *a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices* (p. 106). The property is also located over the Edwards Aquifer Recharge Zone, which is an environmentally sensitive area. The following Imagine Austin policies are applicable to this case:

- **LUT P3. Promote development in compact centers, communities, or along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **HN P10. Create complete neighborhoods** across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Overall Conclusions: South Congress Avenue is identified as an Activity Corridor by the Imagine Austin Comprehensive Plan, and in the South Congress NP, which supports vibrant, neighborhood serving and pedestrian friendly mixed use and multi-family projects. Based on the proposed use, this project appears to be supported by the Imagine Austin Comprehensive Plan.

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.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson 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.

No trees are located on this property. At this time, site specific information is unavailable regarding other 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.

Fire Department

In December 2017, inspections were performed of the two exposure buildings at 220 and 210 E. St. Elmo Rd., respectively. The hazardous materials inventory at 220 E. St. Elmo Road has been reduced and they have removed a 500 gallon aboveground LP-Gas stationary container. The hazardous materials at this site present a minimal risk to the proposed apartment building at 4515 S. Congress Avenue if a spill or release occurs on site.

The hazardous materials inventory at 210 E. St. Elmo has changed and the amount of flammable liquids has increased. However, the size of the packaging and the stored liquids present a minimal risk to the proposed apartment building. AFDs Hazardous Materials Section is changing the inspection status on this building to High Priority because of the proximity of this building to 4515 and the new condominiums at 4361 S. Congress Avenue so we can better manage the hazardous materials and fire protection risks by increasing its inspection frequency.

Based on the hazard assessment, AFD will approve the proposed zoning change for C14-2017-0132.

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.

Compatibility Standards

The site is subject to compatibility standards. Along the south and east property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

The Austin Metropolitan Area Transportation Plan calls for a total of 114 feet of right-of-way for Congress Avenue. If the requested zoning is granted, then 57 feet of right-of-way should be dedicated from the existing centerline of Congress Avenue in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55]. **This requirement has been deferred to the site plan phase.**

A Neighborhood Traffic Analysis may be required at the time of site plan if the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 vehicle trips per day [LDC, Sec. 25-6-114].

This project is adjacent to a street where the curb is proposed to be moved to achieve superior bicycle facilities. Staff will contact Nathan Wilkes, Bicycle Program, ATD for guidance for the proper alignment.

Water / Wastewater

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.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0132

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 9, 2018, Planning Commission

February 01, 2018, City Council

Kim Klataske, Edgarsbo Roweth
Your Name (please print)

☐ I am in favor
☒ I object

4513 Luckinsinger Lane

Your address(es) affected by this application

Klataske
Signature

1/8/18
Date

Daytime Telephone: 512-806-9506

Comments: My concerns being the home owner facing the property are that a vertical development will block the sunlight to my house. It is also proposed that apartments will be facing my property, which affects my privacy. In addition, traffic on the small street in front of my house - Luckinsinger Lane, will inevitably increase, causing issues.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Rhoades, Wendy

From: mariocantu <mariocantu@myownlaw.com>
Sent: Monday, January 22, 2018 3:29 PM
To: Rhoades, Wendy
Cc: Alix Horton; [REDACTED]; Caitlin Admire
Subject: SCCNPCT requesting postponement for Case Number C14-2017-0132 4515 S. Congress / 134 Sheraton.
Attachments: Requests from the South Congress Combined Neighborhood Contact Team – SCCNPCT_01-17-18.pdf

Wendy,

The SCCNPCT would like to request a postponement for Case Number: C14-2017-0132 4515 S. Congress / 134 Sheraton from January 23rd planning commission meeting to February 27th 2018. We would like to have more time for a site plan review, affordable housing matrix, and to sort out a restrictive covenant.

Thank you.

Mario Cantu Chair South Congress Combined Neighborhood Plan Contact Team - SCCNPCT.

Requests from the South Congress Combined Neighborhood Contact Team – SCCNPCT

Conversation with the developer relating to projected units for 4515 S. Congress 250 units projected for 4515 S. Congress 10%-80% MFI with 1 unit at 10%-60%.

If the units would increase to 280 – 25 units 80%MFI & 3 units 60%MFI.

- Consider a restrictive covenant for a commitment to:
 1. Entrances & exits designated as fire/emergency response to remain designated for that use only.
 2. Onsite pet use area – designated area within the development.
 3. Ensure the garage is wrapped to decrease light pollution from the development – minimizes light/lighting pollution into residential property.
- Not to widen Lucksinger Road so that traffic on that street will remain the same.
- Ask for at least 10% affordable units at 60% MFI, on 2-3 bedroom units
- Sign off ensuring that Lucksinger exits are only for emergency vehicles
- Additional water retention; ensuring water isn't sent out into neighborhood along Sheraton
- Don't want lights shining into park and neighborhood from garage
- Onsite area for pets on both locations
- Agreements about maintaining quality of life for neighbors during construction with go-to person, ensured via performance bond
- Sidewalk improvements on Lucksinger
- Street improvements on Lucksinger
- Ensure garage is wrapped
- Voted unanimously to approve these requests