

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0082 – 600 Industrial Boulevard Mixed Use      DISTRICT: 3

ZONING FROM: LI-CO-NP

TO: LI-PDA-NP

ADDRESSES: 600 Industrial Boulevard

SITE AREA: 4.26 acres

PROPERTY OWNER: KC 600 Industrial LLC (Mitchell S. Johnson)

AGENT: Smith Robertson, L.L.P. (David Hartman)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

STAFF RECOMMENDATION:

**The Staff recommendation is to grant limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning.** *The basis of Staff's recommendation is provided on page 2.*

**The Restrictive Covenant includes all recommendations listed in the Transportation Impact Analysis Memo, dated September 11, 2019, as provided in Attachment A.**

PLANNING COMMISSION ACTION / RECOMMENDATION:  
**September 24, 2019:**

CITY COUNCIL ACTION:  
**October 17, 2019:**

ORDINANCE NUMBER:

ISSUES:

The City-required meeting for the Neighborhood Plan Amendment application was held on Wednesday, August 14, 2019 at the Southeast Public Library. The Applicant and representatives of the Contact Team have met several times to discuss the proposed rezoning and neighborhood plan amendment and development of the property. Correspondence from the Contact Team dated August 26, 2019 is attached at the back of this packet. Revised correspondence based on more recent discussions between the Contact Team and the Applicant may be forthcoming.

CASE MANAGER COMMENTS:

The subject property consists of four platted lots and a portion of a fifth lot and contains a few industrial warehouses and structures. The rezoning area is situated at the northwest corner of Industrial Boulevard and Terry O Lane, and there is a non-operational railroad spur and right-of-way that forms the north property line. The property has had limited industrial

services – conditional overlay – neighborhood plan (LI-CO-NP) district zoning since 1994 and the Conditional Overlay limits the square footage of certain commercial uses. Development on Industrial Boulevard, Terry O Lane and East St. Elmo Road (east) is generally characterized by warehouses containing distribution and supply companies, fabrication companies, construction sales and service businesses, and outside storage uses (LI-NP; LI-CO-NP). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant proposes to rezone property to the limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) district as the first step in preparing the site with a mixed use development. Project components include 400 multi-family residences, 12,850 square feet of retail uses, and a 5,326 square feet brewery.

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) allows for all permitted and conditional uses in the LI district, and continues to prohibit all prohibited uses in the LI district
- 2) establishes the following additional permitted residential, commercial and civic uses:
 

|   |  |
|---|--|
| bed and breakfast (groups 1 and 2)<br>family home<br>group home, class II<br>guidance services<br>multi-family residential<br>private secondary educational facilities<br>public secondary educational facilities | condominium residential<br>group home, class I (general and limited)<br>group residential<br>hospital services (limited)<br>private primary educational facilities<br>public primary educational facilities<br>townhouse residential |
|---|--|
- 3) establishes the following commercial uses as conditional:
 

|                 |                             |
|-----------------|-----------------------------|
| cocktail lounge | hospital services (general) |
|-----------------|-----------------------------|
- 4) prohibit the following commercial and industrial uses:
 

|   |  |
|---|--|
| basic industry<br>recycling center<br>scrap and salvage | monument retail sales<br>resource extraction |
|---|--|
- 5) Establishes that LI site development standards apply to the property, with the following modifications:
  - a) A maximum height of 90'
  - b) A maximum of 95% impervious cover and 95% building coverage

- c) A minimum 10' front yard setback, a 10' street side setback, a 0-foot interior side yard setback and a 5' rear yard setback

BASIS OF RECOMMENDATION:

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

The LI, limited industrial services district designation is for a commercial service use or limited manufacturing use generally located on a medium or large sized site. The PDA, planned development area combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff recommends the Applicant's request as described above for LI-PDA-NP district zoning based on the following: 1) the proposal is similar to that permitted on adjacent properties along East Ben White Boulevard, across Terry O Lane, and a 9.457 acre tract with Industrial Boulevard frontage to the west; 2) recognizing the property's proximity to the interchange of two freeways; and 3) the area is experiencing a degree of transition from stand-alone manufacturing uses to a mix of uses that include manufacturing, commercial and office uses and planned residential development.

EXISTING ZONING AND LAND USES:

|              | ZONING                | LAND USES  |
|--------------|-----------------------|--|
| <i>Site</i>  | LI-CO-NP              | Industrial warehouse and structures  |
| <i>North</i> | CS-1-CO-NP; LI-PDA-NP | Railroad tracks; Cocktail lounge; General retail sales (general); Adult lounge |
| <i>South</i> | LI-NP                 | Construction sales and services businesses; Auto repair; Auto salvage          |
| <i>East</i>  | LI-PDA-NP             | Recycling center   |
| <i>West</i>  | LI-NP                 | Construction sales and services businesses                                     |

NEIGHBORHOOD PLANNING AREA: South Congress Combined (East Congress)

WATERSHED: Blunn Creek – Urban

TIA: Is required – Please refer to Attachment A

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District  
 1173 – South Congress Combined Neighborhood Plan Contact Team  
 1228 – Sierra Club, Austin Regional Group    1363 – SEL Texas

1424 – Preservation Austin                      1429 – Go!Austin/Vamos!/Austin (GAVA) - 78745  
 1528 – Bike Austin                                      1530 – Friends of Austin Neighborhoods  
 1531 – South Austin Neighborhood Alliance  
 1550 – Homeless Neighborhood Association                      1578 – South Park Neighbors  
 1616 – Neighborhood Empowerment Foundation

SCHOOLS:

Galindo Elementary School                      Bedichek Middle School                      Travis High School

AREA CASE HISTORIES:

| NUMBER  | REQUEST   | COMMISSION   | CITY COUNCIL   |
|---|---|--|--|
| C14-2016-0024 –<br>440 E. St. Elmo<br>Road, Bldg F  | LI-NP to CS-1-<br>CO-NP   | To Grant CS-1-CO-NP<br>w/CO prohibits adult-<br>oriented businesses and<br>limits the size of a<br>cocktail lounge to<br>2,049 sf. Restrictive<br>Covenant 1) limits the<br>cocktail lounge use to a<br>tasting room associated<br>w/the distillery, and 2)<br>permits wholesale and<br>retail sale of alcoholic<br>beverages, limited to<br>that manufactured or<br>produced by or for the<br>distillery. | Apvd as Commission<br>recommended<br>(6-16-2016).  |
| C14-2014-0034 –<br>St. Elmo's Market<br>and Lofts – 113<br>Industrial Blvd;<br>4323 S Congress<br>Ave; 4300 Blk of<br>Willow Springs Rd | CS-MU-NP; LI-<br>NP; LI-CO-NP<br>to LI-PDA-NP                         | To Grant LI-PDA-NP<br>w/conditions for a<br>Traffic Impact<br>Analysis, and add'l<br>conditions  | Apvd LI-PDA-NP w/<br>PDA for dev't stds,<br>permitted, cond'l,<br>prohibited uses, and<br>max. of 400 residential<br>units, and RC for the<br>TIA and require a<br>shared walkway/bike<br>path from S Congress<br>Ave to the food sales<br>use (11-20-2014). |
| C14-06-0126 –<br>Warehouse Saloon<br>– 4110 Terry O Ln  | LI-PDA-NP to<br>CS-1-NP   | To Grant CS-1-CO-NP<br>w/CO for 2,000<br>trips/day   | Apvd as Commission<br>recommended<br>(8-24-2006).  |
| C14-05-0107.01 –<br>Tract A – 700<br>Industrial Blvd;<br>908-932 E St Elmo  | LI-NP; CS-NP to<br>LI-PDA-NP for<br>modified site<br>standards, add'l | To Grant   | Apvd (10-20-2005).   |

|  |   |  |  |
|--|---|--|--|
| Rd; 4100-4326<br>Santiago St ( <i>City-initiated</i> ) | permitted uses,<br>and conditional<br>uses on 17.526<br>acres |  |  |
|--|---|--|--|

RELATED CASES:

The subject property is within the boundaries of the South Congress Combined (East Congress) Neighborhood Planning Area (NP-05-0020). The –NP combining district was appended to the existing LI base district (C14-05-0107). On April 7, 1994, the property was zoned LI-CO with the Conditional Overlay limiting the square footage of general retail sales, medical offices, restaurant, financial services, and food sales uses (C14-94-0028 – Wenco Distributors Remodel).

There is a corresponding neighborhood plan amendment case to change the land use designation on the Future Land Use Map (FLUM) from Industrial to Mixed Use (NPA-2019-0020.01).

The rezoning area is platted as Lots 10, 11, 12, 13, 14 and a portion of Lot 15, of the St. Elmo Heights Sec. 1 subdivision recorded in July 1951 (C8-1951-2000). Please refer to Exhibit B.

The property was annexed into the City limits in November 1969.

EXISTING STREET CHARACTERISTICS:

| Name                          | ROW                               | Pavement                       | Classification      | Sidewalks            | Bike Route     | Capital Metro |
|-------------------------------|-----------------------------------|--------------------------------|---------------------|----------------------|----------------|---------------|
| Industrial Boulevard          | 80 feet                           | 34 feet                        | Local – 2 lanes     | No                   | Yes, Route 374 | No            |
| Terry O Lane                  | 80 feet                           | 40 feet                        | Collector           | No                   | No             | No            |
| St. Elmo Road (East and West) | 72 feet (East); 56-72 feet (West) | 28 feet (East); 42 feet (West) | Collector – 2 lanes | No (East) Yes (West) | Yes, Route 47  | No            |

EXISTING CONDITIONSSite Characteristics

The site contains a few industrial and warehouse buildings, and there appear to be no significant topographical constraints on the site.

Impervious Cover

Within the Blunn Creek (Urban) watershed, the maximum impervious cover allowed by the LI zoning district is 80%, and based on the zoning regulations. The Applicant requests a maximum 95% impervious cover.

OTHER STAFF COMMENTS: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 located in the Blunn 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.

Site Plan

The proposed LI-PDA-NP zoning does not trigger the application of compatibility standards.

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

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

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

### **DEMOLITION AND HISTORIC RESOURCES**

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

### **RESIDENTIAL DESIGN STANDARDS OVERLAY**

The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

#### Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec. 25-6-142]. Comments are provided in Attachment A.

#### Austin Water Utility

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.

The site is in an area of capacity concern for wastewater service. 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.

### **INDEX OF EXHIBITS AND ATTACHMENT TO FOLLOW**

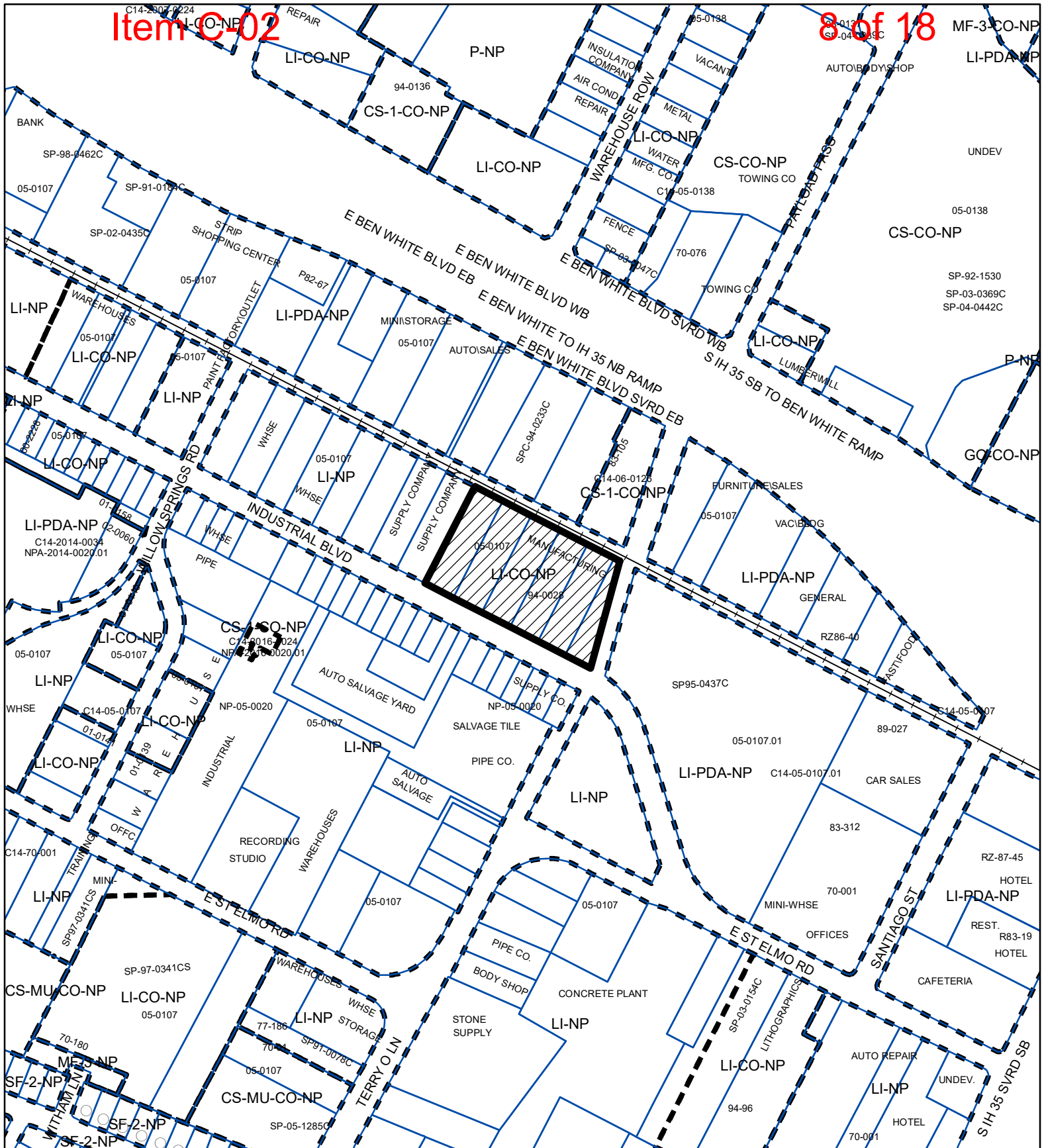
Exhibit A: Zoning Map and Exhibit A-1: Aerial Map

Exhibit B: Recorded Plat

Attachment A: Transportation Impact Analysis (TIA) Memo

Correspondence Received








## ZONING

Exhibit A

ZONING CASE#: C14-2019-0082



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

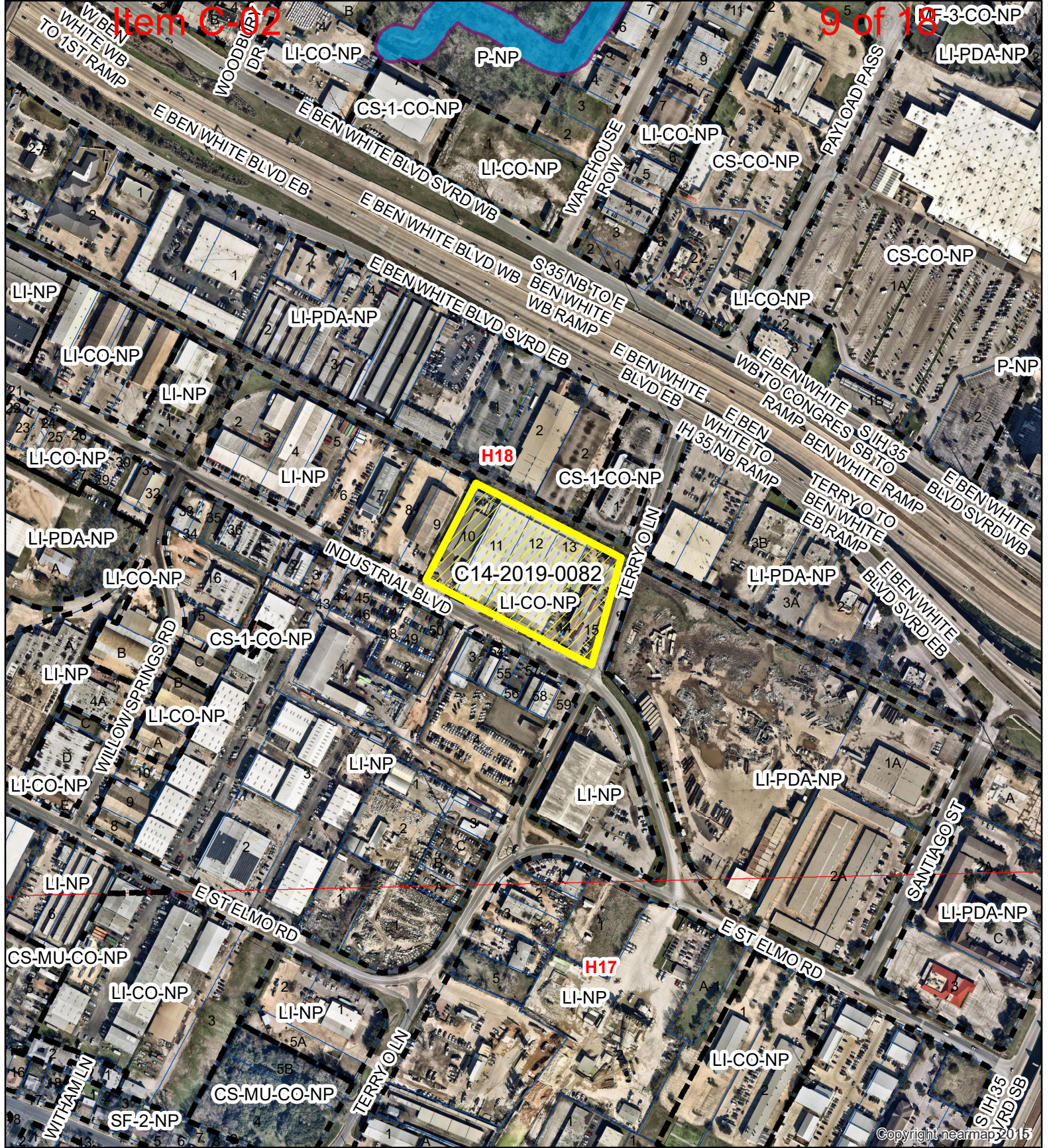
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 5/30/2019









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1" = 400'

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

600 Industrial Blvd. Mixed Use

ZONING CASE#: C14-2019-0082  
LOCATION: 600 Industrial Blvd.  
SUBJECT AREA: 4.26 Acres  
GRID: H18  
MANAGER: Wendy Rhoades

Exhibit A - 1

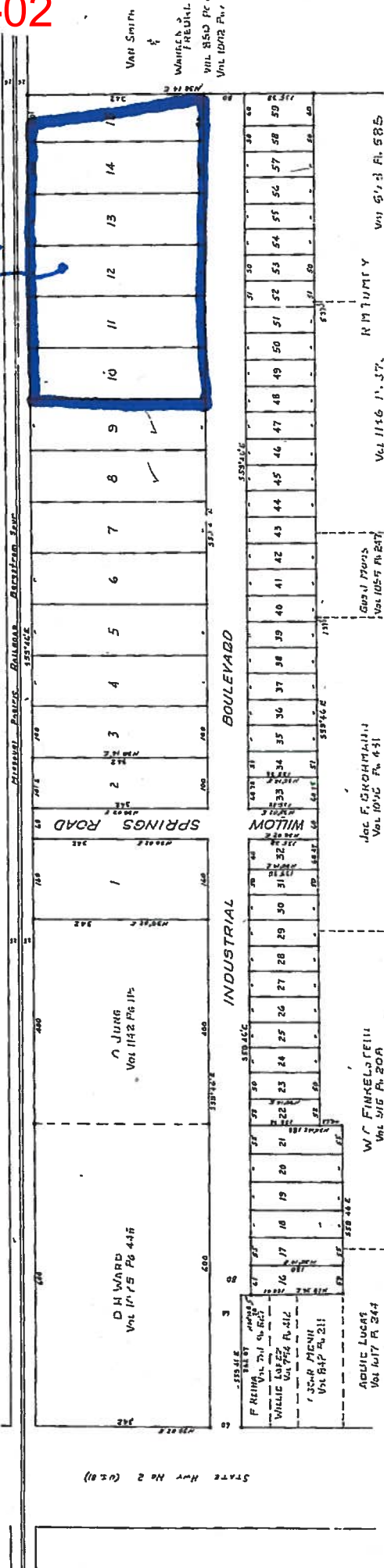


This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



ST. ELMO HEIGHTS SEC. 1

REZONING AREA



In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads and other public thoroughfares constructed and shown in this plat and all bridges and culverts necessary to be constructed or placed in such streets, roads, bridges and culverts, and the maintenance of the same, shall be the responsibility of the owner of the land shown in this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and said Court assumes no obligation to build the streets, roads, and other public thoroughfares shown on this plat, or of constructing any of the bridges or culverts in connection therewith.

STATE OF TEXAS  
COUNTY OF TRAVIS  
I, Miss Emily Limberry, Clerk of Travis County, Texas, do hereby certify that on this 15th day of July, A.D. 1951, the Commissioners Court of Travis County, Texas, did order that this plat be approved in the minutes of said Court in Book 5, Page 264.

WITNESS MY HAND AND SEAL OF OFFICE this 15th day of July, A.D. 1951.

By: Miss Emily Limberry, Deputy  
Clerk of Travis County, Texas

APPROVED FOR ACCEPTANCE  
Date 7-11-51  
By: C. E. Linder, Director of Public Works

NOTE: Each house constructed in this subdivision shall be subject to the terms of a design approved by the State Health Dept.

FILED FOR RECORD  
Attest: Clerk of Travis County, Texas, do hereby certify that on this 15th day of July, A.D. 1951, the Commissioners Court of Travis County, Texas, did order that this plat be approved in the minutes of said Court in Book 5, Page 264.

STATE OF TEXAS  
COUNTY OF TRAVIS  
I, Miss Emily Limberry, Clerk of the County Court, within and for the County and State, do hereby certify that this plat was filed for record in my office on this 15th day of July, A.D. 1951, and that the same is a true and correct copy of the original as the same appears in the minutes of said Court in Book 5, Page 264.

WITNESS MY HAND AND SEAL OF THE County Court of said County, this 15th day of July, A.D. 1951.

By: Miss Emily Limberry, Deputy  
Clerk of Travis County, Texas

APPROVED BY CITY PLANNING COMMISSION  
Date 7-12-51  
By: C. E. Linder, Director of Public Works

STATE OF TEXAS  
COUNTY OF TRAVIS  
KNOW ALL MEN BY THESE PRESENTS That we, Van Smith and Warren, do hereby certify that we are the owners of the herein described tracts of land and that we do hereby dedicate to the public all streets, roads, bridges and culverts shown on this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and said Court assumes no obligation to build the streets, roads, and other public thoroughfares shown on this plat, or of constructing any of the bridges or culverts in connection therewith.

WITNESS OUR HANDS this 15th day of July, A.D. 1951.

By: Van Smith and Warren, Owners

STATE OF TEXAS  
COUNTY OF TRAVIS  
Before me, the undersigned authority, on this day personally appeared Warren and Van Smith, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE this 15th day of July, A.D. 1951.

By: Miss Emily Limberry, Deputy  
Clerk of Travis County, Texas

SURVEY COMPLETED JUNE 27, 1951  
BY: James J. Watson  
JAMES J. WATSON  
LICENSED SURVEYOR  
AUSTIN, TEXAS

EXHIBIT B  
RECORDED PLAT

Note For notation re dedication see Vol. 1173 to 32 Deeds Records Embarcadero



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## MEMORANDUM

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**Date:** September 11, 2019  
**To:** Wendy Rhoades, PAZ Case Manager  
**CC:** Dan Hennessey, P.E. (Director of Transportation)  
Upal Barua, P. Eng., P.E., PTOE  
Amber Mitchell, AICP  
Joan Jenkins, EIT  
**Reference:** 600 Industrial Boulevard – TIA Final Memo (ZON-C14-2019-0082)

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### **Summary of the Transportation Impact Analysis (TIA):**

The Austin Transportation Department (ATD) has reviewed the September 6, 2019 (received September 6, 2019) “600 Industrial Boulevard” Transportation Impact Study (TIA), prepared by Big Red Dog, Inc. The proposed land uses consist of 400 dwelling units of Multifamily (mid-rise), 12,850 square feet of Shopping Center and a 5,326 square foot brewery/beer garden. Development will be located at the northwest corner of the Terry-O Lane and Industrial Boulevard intersection, in southwest Austin, and is anticipated to be completed by 2023.

The following is a summary of the review findings and recommendations:

1. A Fee-in-lieu contribution to the City of Austin shall be made for the improvements identified in Table 2, totaling **\$233,125**, before the site development permit is issued. Please see attached invoice (Exhibit A).
2. Development of this property should not vary from the approved uses or deviate from the approved intensities and estimated traffic generation assumptions within the finalized TIA document, including land uses, trip generation, trip distribution, traffic controls, driveway locations, and other identified conditions. Any change in the assumptions made to the TIA document shall be reviewed by ATD and may require a new or updated TIA/addendum.
3. Two copies of the final TIA are required to be provided prior to the issuance of any site development permit. One should be delivered to ATD and one to DSD.
4. City staff reserves the right to reassign any or all the above monies to one or more of the identified improvements.
5. The findings and recommendations of this TIA memorandum remain valid until five (5) years from the date of this memo, after which a revised TIA or addendum may be required.

[Attachment A](#)

**Site Location and Existing Conditions:**

The proposed development is intending to use two existing driveways and one proposed, for site access. The driveway details are as mentioned below:

- Driveway A – Full access on Industrial Blvd.
- Driveway B - Full access on Industrial Blvd.
- Driveway C - Full access on Terry-O Ln.

**Assumptions:**

1. The following reductions were applied for this development:
  - Internal Capture for Retail Land Use (5.3% AM & 10% PM)
  - Pass-By Trips for Retail Land Use (34% PM)
  - Active-Modes and Transit (10% AM & PM)
2. Based on TxDOT AADT volume data, a two (2) percent annual growth rate was assumed to account for the increase in background traffic.
3. Below are the background projects that were assumed to contribute trips to surrounding roadway network in addition to forecasted traffic for 2020:
  - Saint Elmo Public Market
  - Aloft Hotel
  - Discovery Tract
  - Hopft Tract

**Proposed Conditions:****Trip Generation and Land Use**

Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (10<sup>th</sup> Edition), the development would generate approximately 3,913 average daily trips (ADT) upon final build-out. Table 1, below, shows the trip generation by land uses for the proposed development.

| Proposed Land Use<br>(ITE Code)            | Size      | 24-Hour<br>Two<br>Way<br>Volume | AM Peak Hour |            | PM Peak Hour |            |
|--|-----------|---------------------------------|--------------|------------|--------------|------------|
|  |           |                                 | Enter        | Exit       | Enter        | Exit       |
| Multifamily<br>Housing (Mid-Rise)<br>(221) | 400 DU    | 2,178                           | 35           | 98         | 102          | 66         |
| Shopping Center<br>(820)                   | 12.85 KSF | 1,490                           | 98           | 60         | 57           | 62         |
| Winery (970)                               | 5.326 KSF | 245                             | 8            | 3          | 20           | 19         |
| <b>Total</b>                               |           | <b>3,913</b>                    | <b>141</b>   | <b>161</b> | <b>179</b>   | <b>147</b> |

**Improvements to Active Modes (Pedestrian and Bicycle Infrastructure)**

Currently, there is no infrastructure for pedestrians and bicyclists in the area. The analysis identified many active modes infrastructure needs that would help meet the Austin Strategic Mobility Plan (ASMP) plans and enable seamless connectivity for pedestrians and bicyclists. Pedestrian and bicycle infrastructure improvements between S. Congress Ave.

and Terry-O Lane along Industrial Blvd. were identified as needs in the area based on the City Sidewalk Prioritization and Bicycle System plans.

As part of the proposed site construction, the applicant shall pay toward bicycle and pedestrian improvements as listed in Table 2.

**Summary of Recommended Improvements**

| <b>Table 2: Recommended Improvements and Developer's Share</b>  |  |                                       |                         |                          |
|---|--|---------------------------------------|-------------------------|--------------------------|
| <b>Intersection</b>   | <b>Improvement</b>                           | <b>Cost</b>                           | <b>Pro-Rata Share %</b> | <b>Pro-Rata Share \$</b> |
| <b>TX-71 WB Frontage Road / South Congress Avenue<br/>TX-71 EB Frontage Road/ South Congress Avenue</b> | Modify signal timing                         | \$5,000                               | 100%                    | \$5,000                  |
| <b>East Saint Elmo Road / South Congress Avenue</b>   | Modify signal timing                         | \$5,000                               | 100%                    | \$5,000                  |
| <b>Industrial Boulevard</b>   | Sidewalk on north side of roadway            | \$175,000 Fee In-Lieu Payment to City |                         |                          |
|   | Buffered bike lane on south side of roadway. | \$13,125 Fee In-Lieu Payment to City  |                         |                          |
| <b>Terry-O Lane</b>   | Sidewalk on west side of roadway             | \$35,000 Fee In-Lieu Payment to City  |                         |                          |
| <b>Total</b>  |  |                                       |                         | <b>\$233,125</b>         |

If you have any questions or require additional information, please feel free to contact me at 512-974-1449.



Justin Good, P.E.  
Austin Transportation Department

**EXHIBIT A****INVOICE****TRANSPORTATION MITIGATION FEE IN-LIEU**

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**DATE:** September 11, 2019  
**TO:** Dan Hennessey, P.E., PTOE (Big Red Dog)  
**CC:** Alyssa Gutierrez (ATD Cashier)  
901 S. Mopac Expressway, Bldg 5, Suite 300, Austin TX 78746  
**FROM:** Justin Good, P.E. Austin Transportation Department  
**AMANDA CASE#:** ZON-C14-2019-0082 (600 Industrial Boulevard)  
**FDU:** 8401-2507-1103-4163

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As a condition of approval for the site development permit, the applicant shall post a transportation mitigation fee with the City of Austin in the amount of **\$233,125.00** as listed in the TIA Final Memo in accordance with LDC. Staff has reviewed the fiscal estimates dated September 06, 2019, provided by Dan Hennessey of Big Red Dog, Inc. If you have any questions, please contact me at (512) 974-1449.

**Office Use only:**

Check:

Received by:

SMITH ROBERTSON, LLP

**SMITH|ROBERTSON**  
*Attorneys at Law***DAVID HARTMAN**  
PARTNERDirect Line 512.225.1704 • Direct Fax 512.225.1714  
Email dhartman@smith-robertson.com

May 23, 2019

Mr. Greg Guernsey, Director  
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road, 5th Floor  
Austin, Texas 78704

Via Hand Delivery

Re: 600 Industrial Boulevard Mixed Use Development - Rezoning Application for 4.26 acres located at 600 Industrial Boulevard, Austin, Texas ("Property")

Dear Mr. Guernsey:

We respectfully submit the enclosed rezoning application for 600 Industrial Boulevard Mixed Use development as representatives of the owners of the above stated Property. The proposed project is comprised of 400 residential multifamily units and a mix of retail, brewery/beer garden, and associated parking.

The current zoning of the Property is LI-CO-NP, and we are requesting LI-PDA-NP zoning. The Property lies within the South Congress Combined Neighborhood Plan. Accordingly, on February 28, 2019, we filed a Neighborhood Plan Amendment application to request that the South Congress Combined Neighborhood Plan FLUM be amended from Industry to Mixed Use for the Property.

**Proposed Development Standards**

The proposed development standards for the Property in connection with the zoning application are as follows:

- A. Uses. All permitted, conditional, and prohibited uses under LI zoning are permitted, conditional, and prohibited uses for the LI-PDA-NP zoning for the Property with the following modifications set forth in Section A(1) through A(3) below.
1. Permitted Uses. The following uses are additional permitted uses:
    - a) Bed and breakfast residential (Group 1)
    - b) Bed and breakfast residential (Group 2)
    - c) Condominium residential
    - d) Group residential
    - e) Multifamily residential
    - f) Townhouse residential
    - g) Family home
    - h) Group home, Class I (General)
    - i) Group home, Class I (Limited)
    - j) Group home, Class II
    - k) Guidance services
    - l) Hospital services (limited)
    - m) Private primary educational facilities
    - n) Private secondary educational facilities
    - o) Public primary educational facilities
    - p) Public secondary educational facilities



SMITH ROBERTSON, LLP

2. Conditional Uses.
    - a) Cocktail lounge
    - b) Hospital services (general)
  3. Prohibited Uses.
    - a) Monument retail sales
    - b) Scrap and salvage
    - c) Basic industry
    - d) Recycling center
    - e) Resource extraction
- B. Site Development Standards. LI site development standards and Sec. 25-2-648 (Planned Development Area Performance Standards) apply to the LI-PDA-NP zoning for the Property, with the following modifications set forth in Sec. B(1)-B(5) below.
1. Maximum Height: 90'
  2. FAR: None
  3. Impervious Coverage: 95%
  4. Building Coverage: 95%
  5. Setbacks:
    - a) Front yard: 10'
    - b) Street side yard: 10'
    - c) Interior side yard: 0
    - d) Rear yard setback: 5'

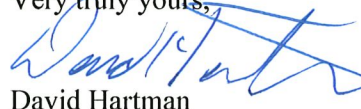
**Rezoning/Plan Amendment Application Justification**

The tracts located immediately adjacent to the Property to the north and east, along the southern frontage road of Ben White Boulevard from South Congress to I-35, and along the adjacent South I-35 frontage road are zoned LI-PDA-NP (see attached Exhibit A). In addition, the rezoning and neighborhood plan amendment approved adjacent to and southwest of the Property along Industrial Blvd. authorized the St. Elmo Market and Lofts mixed use development. More recently, a number of zoning cases authorizing multifamily projects have been approved in the area.

The proposed rezoning of LI-PDA-NP would allow a mixed use development with the same site development standards and uses (with the addition of authorizing group home use) as those specified in Ordinance No. 20050818-Z004, Part 8. Additionally, the proposed development is consistent with the goals of the South Congress Neighborhood Plan.

If you have any questions about the rezoning and neighborhood plan amendment 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.

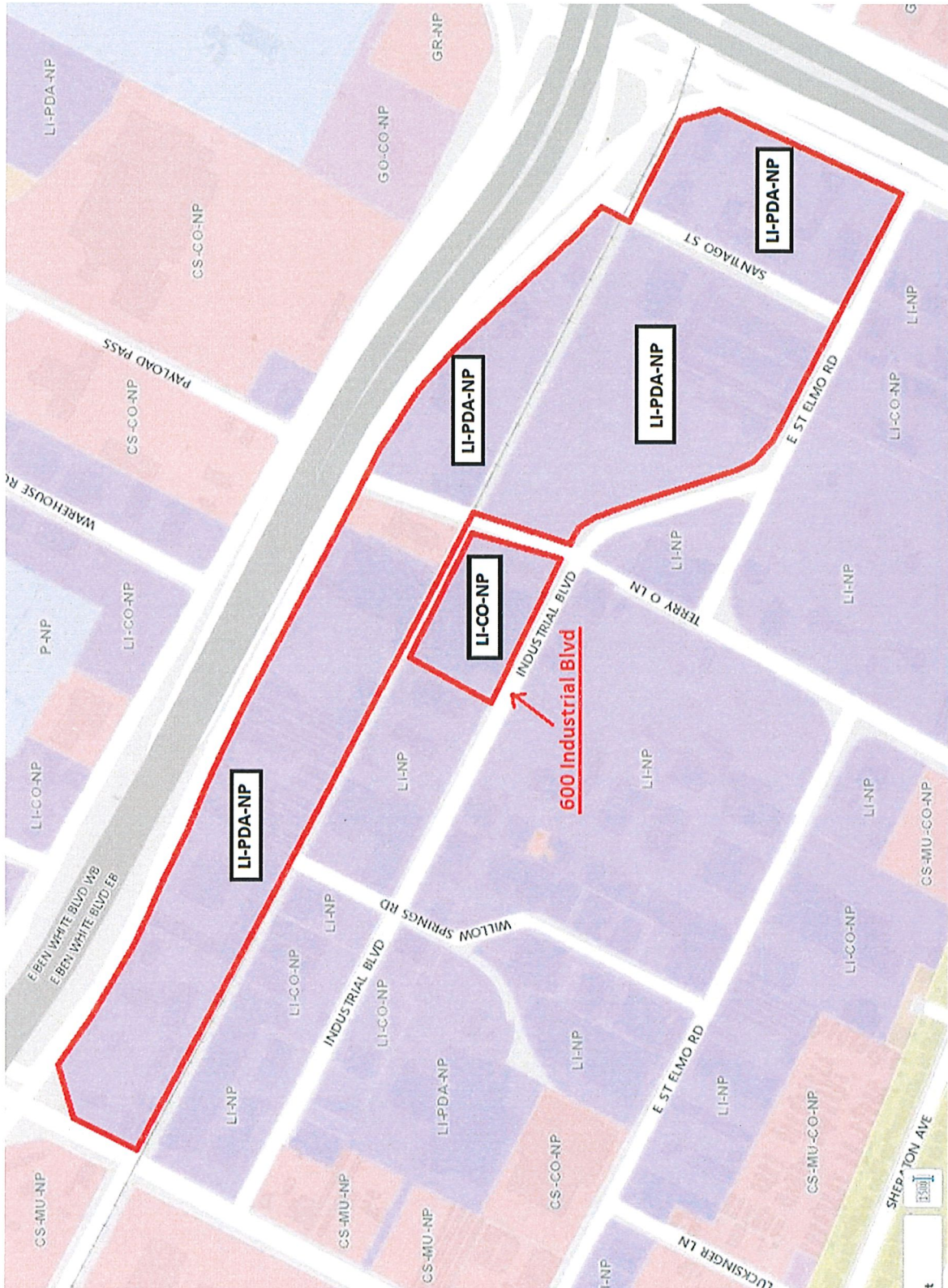
Very truly yours,



David Hartman

cc: Wendy Rhoades, Planning and Zoning Department, via hand delivery  
Maureen Meredith, Planning and Zoning Department, via hand delivery  
Jesse Gutierrez, Planning and Zoning Department, via hand delivery  
Fletcher Roberts, Keller Capital, via electronic email

Exhibit A





DATE: August 26, 2019

TO: City of Austin Planning Commission  
Council Member, Pio Renteria-District 3  
Mayor, Steve Adler  
City Council Members

CC: City of Austin Zoning Case Files  
Wendy Rhoades [Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)  
David Hartman [dhartman@smith-robertson.com](mailto:dhartman@smith-robertson.com)

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

RE: Letter Not to Support: Zoning Case No. C14-2019-0082 600 Industrial Blvd.

Dear Planning Commissioners and Council Member, Pio Renteria,

This is to inform you all that the property owner's representative has been working with the South Congress Combined Neighborhood Plan Contact Team (SCCNPCT) for rezoning the above mentioned property.

This case, No. C14-2019-0082 600 Industrial Blvd., will be on the agenda before planning commission on August 27, 2019 so that the applicant's file may remain alive.

While the SCCNPCT has had meetings with the developer and the opportunity to express a number of our neighbor's concerns, with negotiations still ongoing, we cannot support rezoning for this development at this time.

We, the SCCNPCT, maintain Austin's affordability as a main priority so true affordable housing is provided for families and children living within the contact team area and in all of Austin, Texas.

Please ensure this letter is added to the above case file to serve as the SCCNPCT's letter not to support re-zoning of the above property, Zoning Case No. C14-2019-0082.

SCCNPCT's concerns and requests, below, include:

- Affordable Housing
- Onsite Pet area
- Air Quality analysis for concerns for residents potentially living within the industrial area.
- AFD Austin Fire Department approval.
- Flood Mitigation within the area - cost to be provided by developer
- Parking and Overflow Parking for businesses
- Emergency evacuation procedure for residents
- Security
- Trees
- A contact person during construction
- Outdoor lighting, specifically from garage areas
- Road closures and parking for contractors during construction – provide a contact person.
- Sidewalk improvement costs to be provided by developer
- Straighten existing roads Terry O Lane and St. Elmo
- 400 apartment units projected
- Displacement
- Increased taxes
- Impact on neighbors/businesses

Please contact us if there are any questions. Thank you.

Respectfully,

SCCNPCT

Mario Cantu - Keena Miller - Michael Fossum