

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0165 – South Congress @ **P.C. DATE:** February 23, 2016
Little Texas Lane Commercial March 8, 2016

ADDRESS: 5711 South Congress Avenue

DISTRICT AREA: 3

OWNER: 5711 S. Congress, LLC
(Jimmy Nassour)

AGENT: Alice Glasco Consulting
(Alice Glasco)

ZONING FROM: GR-MU-CO-NP **TO:** CS-MU-NP **AREA:** 2.116 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district zoning. The Conditional Overlay prohibits the following uses: automotive washing (of any type), automotive sales, pawn shop services and vehicle storage.

The Restrictive Covenant is to prohibit outdoor storage.

PLANNING COMMISSION RECOMMENDATION:

February 23, 2016: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD PLAN CONTACT TEAM TO MARCH 8, 2016, BY CONSENT [J. SCHISSLER; J. VELA – 2ND] (11-0) J. SHIEH – ARRIVED LATE*

March 8, 2016: *APPROVED CS-MU-CO-NP DISTRICT ZONING WITH CONDITIONS AS STAFF RECOMMENDED, WITH AN ADDITIONAL CONDITION THAT A MINIMUM OF 5,000 SQUARE FEET OF RETAIL OR COMMERCIAL USES, EXCLUDING CONVENIENCE STORAGE BE REQUIRED ON THE FIRST FLOOR.*

[J. SCHISSLER; T. WHITE – 2ND] (10-0) J. VELA, N. ZARAGOSA – ABSENT; 1 VACANCY ON THE COMMISSION

ISSUES:

On Thursday, February 4, 2016, Staff and the Applicant met with representatives of the South Congress Combined Neighborhood Plan Contact Team. The Applicant also attended a Contact Team meeting on February 17th. The Contact Team has issued correspondence indicating a consensus of support for the zoning change. Please see attached correspondence at the back of this report.

DEPARTMENT COMMENTS:

The subject tract is located at the northeast corner of South Congress Avenue, a major arterial and Little Texas Lane, a collector street, and is presently undeveloped. It has had community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) zoning since Council approved the Sweetbriar Neighborhood Plan rezonings in August 2005. This tract was identified as Tract 265 in the 2005 rezoning case, and like many similarly situated commercially zoned tracts with arterial road frontage, the Conditional Overlay prohibits automotive sales, automotive washing and pawn shop services. There are consumer service related and auto-related uses along both sides of Congress Avenue in the vicinity (CS-MU-CO-NP; GR-MU-CO-NP), apartments adjacent to the east (GR-MU-CO-NP) and undeveloped land to the south (PUD-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to the general commercial services – mixed use – neighborhood plan (CS-MU-NP) district and develop it for Convenience Storage which is defined as the use for storage services primarily for personal effects and household goods within enclosed storage areas having individual access. A conceptual site plan is provided as Exhibit B.

In comparison with GR zoning, CS zoning is more intense and is, in fact, the highest intensity commercial zoning district, yet still oriented towards service uses. There is CS base district zoning at the southeast corner of South Congress Avenue and Stassney Lane, with the CO for the same three prohibited uses established through the 2005 rezoning case, and the PUD zoned land to the south allows for CS uses, including convenience storage to occur. Therefore, Staff is of the opinion that the convenience storage use is compatible with the adjacent uses and the Conditional Overlay will continue to prohibit the three uses from the 2005 rezoning case plus vehicle storage because these uses are already well represented on South Congress Avenue and is consistent with discussions between the City and area stakeholders in 2005. The property owner is agreeable to prohibiting outdoor storage, and because it is not an identified land use classification in the Land Development Code, it has been added as a Restrictive Covenant provision.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-CO-NP	Undeveloped
<i>North</i>	GR-MU-CO-NP; CS-MU-CO-NP	Automotive sales; Retail sales (general); Personal services; Service station with food sales
<i>South</i>	PUD-NP	Undeveloped land within the Little Texas PUD
<i>East</i>	GR-MU-CO-NP	Apartments
<i>West</i>	GR-MU-CO-NP; CS-MU-CO-NP	Tractor and lawn equipment; Automotive sales; Service station with food sales; Automotive repair; Undeveloped

NEIGHBORHOOD PLANNING AREA: South Congress
Combined NPA (Sweetbriar)

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

9 – Battle Bend Springs Homeowners Association
26 – Far South Austin Community Association
96 – Southeast Corner Alliance of Neighborhoods (SCAN)
511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
742 – Austin Independent School District
1173 – South Congress Combined Neighborhood Plan Contact Team
1187 – South Austin Neighbor Awareness Project
1228 – Sierra Club, Austin Regional Group 1340 – Austin Heritage Tree Foundation
1429 – Go! Austin / Vamos! Austin (GAVA)
1447 – Friends of the Emma Barrientos MACC
1530 – Friends of Austin Neighborhoods

SCHOOLS:

Pleasant Hill Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-91-0001.04 – Little Texas PUD Revision #4 – 6005 S Congress Ave	PUD-NP to PUD-NP to change conditions of zoning	To Grant PUD-NP for Tract 1 of Block A to add “Mixed Use” to the Commercial designation, allow an FAR of 1:1, prohibit pawn shops, automotive sales and automotive washing	Apvd PUD-NP as Commission recommended (10-18-2007).
C14-00-0223 – Talavera – 5711 S Congress Ave (adjacent to the east)	LO; GR to MF-2-CO, as amended	To Grant MF-2-CO w/CO for 144 units and 2,000 trips/day, and Street Deed for add’l r-o-w on Little Texas Ln	Apvd MF-2-CO as Commission recommended (02-15-2001).
C14-75-027 – M. H. Flournoy – 5605 Blk of S Congress	Interim “A” Residence to “C”, First Height		Apvd “C” (5-22-1975).

Ave	and Area		
C14-72-169 – M. H. Flournoy (Rear of 5601-5615 S Congress Ave.)	Interim “A” Residence to “C”, First Height and Area	To Grant	Apvd “C” (10-19-1972).
C14-71-215 – M. H. Flournoy – 5601-5615 Block of S Congress Ave at Wasson Rd	“A” Residence to “C”, First Height and Area	To Grant “C” with building setback	Apvd “C” (5-11-1972).

RELATED CASES:

The Sweetbriar 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 (C14-05-0105 – Ordinance No. 20050818-Z002). The ordinance identified the subject tract as Tract 265 and rezoned the property from GR; LO to GR-MU-CO-NP, with the Conditional Overlay prohibiting pawn shop services, automotive sales and automotive washing (of any type). As part of the Sweetbriar Neighborhood Plan Rezonings, the neighborhood mixed use building and the neighborhood urban center special uses were adopted for Tract 265.

There are no subdivision or site plan cases on the subject property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South Congress Avenue	127 feet	95 feet	Major Arterial	No	Yes	Yes
Little Texas Lane	75 feet	50 feet	Collector	Yes	No	Yes

This project is adjacent to a street where the curb is proposed to be moved to achieve superior bicycle facilities. At the time of site plan, Staff with the Bicycle Program in the Austin Transportation Department will be contacted for guidance about the proper alignment.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an on-street cycle track is recommended for South Congress Avenue.

CITY COUNCIL DATE: March 24, 2016

ACTION:

ORDINANCE READINGS: 1st

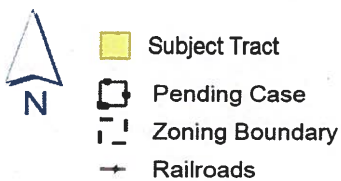
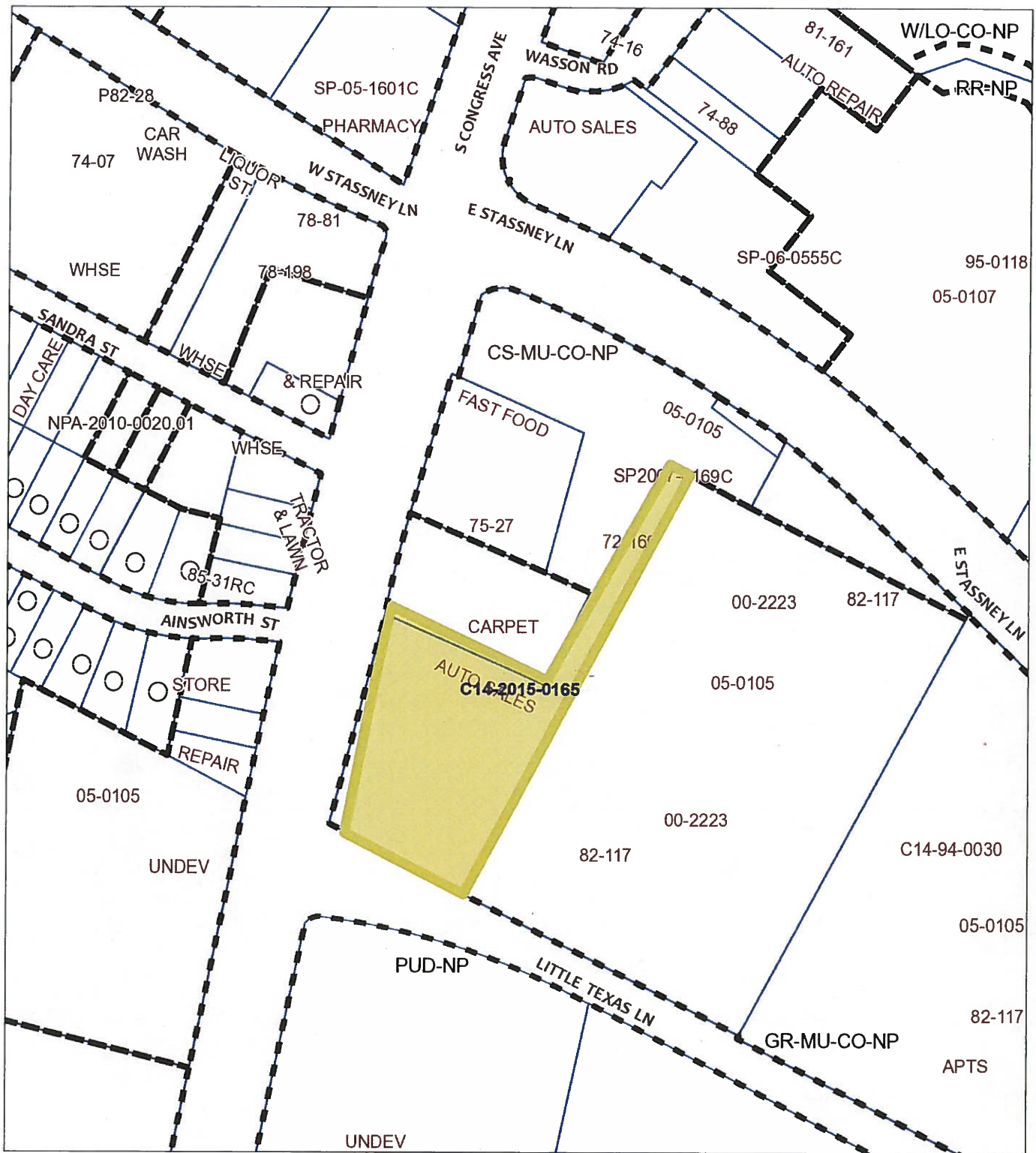
2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719



100 200 Feet

1" = 200'

ZONING

ZONING CASE#: C14-2015-0165

EXHIBIT A



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.



CS-MU-CO-NP

CS-1-MU-CO-NP

CS-MU-NP
MF-2-CO-NP

ESTASSNEY LN

SANDRA ST

CS-MU-CO-NP

GO-MU-CO-NP

CS-MU-CO-NP

SF-3-NP

LO-NP

GR-MU-CO-NP

AINSWORTH ST

SF-3-NP

GR-MU-CO-NP

GR-MU-CO-NP

S CONGRESS AVE

LITTLE TEXAS LN

PUD-NP

GR-MU-CO-NP

EXHIBIT A
NORTH

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district zoning. The Conditional Overlay prohibits the following uses: automotive washing (of any type), automotive sales, pawn shop services and vehicle storage.

The Restrictive Covenant is to prohibit outdoor storage.

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 NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

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

In comparison with GR zoning, CS zoning is more intense and is, in fact, the highest intensity commercial zoning district, yet still oriented towards service uses. There is CS base district zoning at the southeast corner of South Congress Avenue and Stassney Lane, with the CO for the same three prohibited uses established through the 2005 rezoning case, and the PUD zoned land to the south allows for CS uses, including convenience storage to occur. Therefore, Staff is of the opinion that the convenience storage use is compatible with the adjacent uses and the Conditional Overlay will continue to prohibit the three uses from the 2005 rezoning case plus vehicle storage because these uses are already well represented on South Congress Avenue and is consistent with discussions between the City and area stakeholders in 2005. The property owner is agreeable to prohibiting outdoor storage, and because it is not an identified land use classification in the Land Development Code, it has been added as a Restrictive Covenant provision.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped, moderately treed and slopes gently to the north and east following a drainage channel that is located within and near the “panhandle” portion of the property.

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 the northeast corner of South Congress Avenue and Little Texas Lane, and is situated on an undeveloped parcel that is approximately 2.1 acres in size. This project is also located within boundaries of Sweetbriar Planning Area, which is part of the larger South Congress Combined Neighborhood Planning Area. Surrounding land uses includes an auto repair shop to the north, undeveloped land to the south, a large apartment complex to the east, and a convenience store, auto repair shop, and undeveloped land to the west. The proposed use for this property is convenience storage.

The project is located less than 100 ft. away from a CapMetro station. A public sidewalk is situated along Little Texas Lane but there is no public sidewalk located along South Congress Avenue.

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 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:

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
- Stassney Lane District (location of subject property)
- 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.

Stassney Lane District (Williamson Creek to south of Little Texas Lane) p 53

The middle section of South Congress, the Stassney Lane District, also provides significant opportunities for redevelopment. However, several factors dampen those opportunities.

Among the most significant are the:

- Current road configuration—South Congress Avenue does not have a continuous turn lane south of Williamson Creek, creating hazardous left-turn situations and impeding the flow of traffic, particularly at Stassney Lane.
- Lack of curbs, gutters, and sidewalks —Pedestrians are forced to walk along the shoulder or in driveways and parking lots south of Williamson Creek.
- Large automobile salvage yard — Located on the east side of South Congress Avenue between the two branches of Williamson Creek, this facility has a significant amount of street frontage. This yard is an obstacle to new development along this segment of the street.
- Williamson Creek’s flood plain — The flood plain occupies a sizable area of the vacant land in the Williamson Creek District, rendering significant areas unbuildable

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;
- 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. (p 56)

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.

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

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. (p 78)

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

Commercial Urban Design Guideline 1—Local Commercial

Building designs should be uniquely designed to create interest and positively contribute to the urban fabric.

Commercial Urban Design Guideline 2—Local Commercial

Buildings should be designed to an appropriate scale

Commercial Urban Design Guideline 3—Local Commercial

Sites should be designed keeping the climate of Austin and the local environment in mind

Commercial Urban Design Guideline 5—Local Commercial

Outdoor activities should be designed for and encouraged.

Commercial Urban Design Guideline 8—Local Commercial

Sites should be designed to maximize connections and circulation.

Commercial Urban Design Guideline 9—Gateway

Buildings should be unique and well-designed.

Conclusions: South Congress Avenue in recent years has transitioned away from industrial and warehouse uses, and is now a vibrant gateway into downtown Austin. A variety of neighborhood serving commercial and mixed uses includes neighborhood friendly 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 South Congress Combined Neighborhood Plan, which identifies that only vibrant mixed use projects are appropriate along this heavily travelled corridor, and transitions properties along South Congress Avenue into a “funky Austin-centric” neighborhood serving corridor. **The proposed convenience storage project does not appear to be supported-the SCCNPA unless the majority of the parcel adds ‘neighborhood friendly’ commercial uses, which also positively contributes to the aesthetic appeal to the South Congress Avenue corridor in its scaling, design, and landscaping.** Furthermore, the developer would need to add a sidewalk along S. Congress Avenue to further connectivity along the corridor, which currently has only a concrete apron.

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 following Imagine Austin policies are applicable to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **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 P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.
- **N P1.** 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 a convenience storage facility does not appear to fit

with 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.*” Based on the proposed use, this particular use does not appear to be supported by the Imagine Austin Comprehensive Plan.

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 COA GIS, a Critical Water Quality Zone exists within the project location. Development within the Critical Water Quality Zone is limited per LDC 25-8.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. 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.

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

Site Plan and Compatibility Standards

Any new development is subject to Subchapter E. *Design Standards and Mixed Use* (also known as Commercial Design Standards). It would appear the site sits along two Urban Roadways which requires buildings to be placed close to the sidewalk. Due to the location of heritage trees on the site, Staff may consider Alternate Compliance with commercial design standards for building placement in order to save protected trees at the time of site plan.

Additional comments will be made when the site plan is submitted.

Transportation

If the requested zoning is granted, it is recommended that all internal roadways, private driveways or streets to have sidewalks that connect to the public right-of-way. The sidewalk requirements shall be determined by the Transportation Criteria Manual.

If the requested zoning is granted, it is recommended that internal roadways, private driveways or streets be stubbed out to the north, and east property lines.

Further discussions regarding vehicular access to South Congress Avenue will occur between transportation review and the Austin Transportation Department at the time of site plan. Given the amount of linear frontage on South Congress, a driveway may be required to align with Ainsworth Street to the west and that would not meet the 200-foot spacing requirement with the adjacent driveway to the automotive sales use to the north. It is possible that shared access will be required at that time.

The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for South Congress Avenue. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped. The applicant is encouraged to reserve 70' from the existing centerline [LDC, Sec. 25-6-51 and 25-6-55].

Additional right-of-way may be required at the time of subdivision and/or site plan.

A conditional overlay for trip limitation is NOT recommended at this time based on proposed use. A traffic impact analysis may be required at the time of site plan.

Water and 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 the Austin Water Utility 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.

JIMMY NASSOUR
ATTORNEY AT LAW

3839 Bee Cave Rd., Suite 200
AUSTIN, TEXAS 78746

TELEPHONE (512) 474-2900
FAX (512) 474-4547

February 15, 2016

Mary Rocamora
Actin Chair
South Austin Combined Neighborhood Plan Contact Team

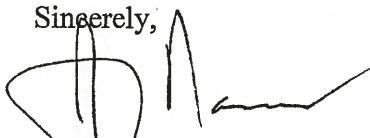
RE: 5711 South Congress Ave. Rezoning - C14-2015-00165 - Climate Controlled Storage Facility

Dear Ms. Rocamora:

I understand that at your meeting of February 4th with my agent, Alice Glasco and our zoning case manager, Wendy Rhoades, you asked if I, as the property owner, would agree, in writing, to prohibit outdoor storage. In response to your request as Chair of the South Austin Combined Neighborhood Plan Contact Team, I agree to the prohibition of outdoor storage. We look forward to working with you on this rezoning and hope to obtain support of CS-MU-NP from the contact team.

Thank you!

Sincerely,



Jimmy Nassour

Rhoades, Wendy

From: Jon Donaldson [REDACTED]
Sent: Monday, February 22, 2016 4:58 PM
To: Rhoades, Wendy
Subject: Request for public hearing postponement C14-2015-0165

To:
Wendy Rhoades,
2015-0165
Case Manager, Planning and Zoning Department

Zoning Case # C14-

I'm requesting a two week postponement for the public hearing of the planning commission on February 23, to March 8, 2016.

From the time of the applicant's presentation to our contact team (February 17) to the time the public hearing is less than a week.

More time is needed in our decision making process.

It gives neighbors the opportunity to get information and get involved if they think there might be issue.

It's also good to give people the opportunity to comment.

I have included the correspondence from the applicant.

Alice Glasco <alice@agconsultingcompany.com>

To

Jon Donaldson

CC

Wendy Rhoades (Wendy.Rhoades@austintexas.gov) Steve Portnoy (steve.portnoy@gmail.com)

Feb 17 at 8:51 AM

Mary,

We are okay postponing to March 8, 2016 and that you will be requesting the postponement as the contact team chair.

Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C
Email: alice@agconsultingcompany.com

Thank you for your consideration.

Mary Rocamora
Interim Chair
S.Congress Combined Neighborhood Contact Team

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: C14-2015-0165

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: February 23, 2016, Planning Commission

March 24, 2016, City Council

VIVIANA PATINO

Your Name (please print)

501 E. STASSNEY Apt 1033

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: (915) 383-2697

Comments:

I object to zoning change proposed for the property located at 5711 South Congress, Austin, Tx. The traffic on South Congress is already too congested in this area.

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: Jon Donaldson <jmdonalds@att.net>
Sent: Tuesday, March 08, 2016 4:41 PM
To: Rhoades, Wendy
Cc: Alice Glasco
Subject: Letter to Planning Commission Case# C14-2015-0165

Case# C14-

2015-0165

Members of the Planning Commission,

This letter is to inform you that S. Congress Combined Neighborhood Contact Team was not able to take a formal vote on the zoning change for 5711 So. Congress. In our Feb. 17, 2016 meeting, Alice Glasco and Steve Portnoy made a presentation to our group with a conceptual plan.

Points of concern included in discussion :

- watershed/impervious cover
- water retention pond
- preservation of heritage trees
- traffic safety at entrances and exits
- restrictive covenant -- restricting outdoor storage at the site

Of the active members and individuals from the neighborhood present, there was a consensus of support, with no particular issues of objection after the discussion. It was understood that a few of our concerns and questions would be addressed later in the development process.

Mary Rocamora
Interim Chair
SCCNCT