

## SECOND / THIRD READINGS SUMMARY SHEET

CASE: C14-2020-0008 – South Congress Multifamily      DISTRICT: 3

ADDRESS: 4302 South Congress Avenue

PROPERTY OWNER: Lampros Moumouris

AGENT: Rivera Engineering (Michael A. Rivera)

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

REQUEST:                      **Approve Second and Third Readings**  
   **From general commercial services – mixed use – neighborhood**  
   **plan (CS-MU-NP)**  
   **To general commercial services – mixed use – vertical mixed use**  
   **building – neighborhood plan (CS-MU-V-NP), with conditions**

PREVIOUS CITY COUNCIL ACTION:

**May 7, 2020:**

April 9, 2020: *APPROVED CS-MU-V-NP DISTRICT ZONING WITH CONDITIONS OF  
RIGHT-OF-WAY DEDICATION ON SOUTH CONGRESS AVENUE, AS THE  
PLANNING COMMISSION RECOMMENDED, ON FIRST READING.  
VOTE: 11-0.*

ORDINANCE NUMBER:

ISSUES:

The ordinance and Street Deed reflect Council action taken on First Reading.

The Applicant and representatives of the South Congress Combined Neighborhood Plan Contact Team are working on a private restrictive covenant that addresses affordable housing for rental units. The Contact Team has provided correspondence in support of the Applicant's rezoning request.

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2020-0008 – South Congress Multifamily

DISTRICT: 3

ZONING FROM: CS-MU-NP

TO: CS-MU-V-NP

ADDRESS: 4302 South Congress Avenue

SITE AREA: 1.15 acres

PROPERTY OWNER: Lampros Moumouris

AGENT: Rivera Engineering  
(Michael A. Rivera)

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

### STAFF RECOMMENDATION:

**The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – neighborhood plan (CS-MU-V-NP) combining district zoning.**

**If the rezoning request is granted, it is recommended that 65 feet of right-of-way from the existing centerline be dedicated for South Congress Avenue according to the Transportation Plan prior to Third Reading of the ordinance at City Council.**

### PLANNING COMMISSION ACTION / RECOMMENDATION:

**March 10, 2020: *APPROVED CS-MU-V-NP DISTRICT ZONING WITH CONDITIONS OF RIGHT-OF-WAY DEDICATION ON SOUTH CONGRESS AVENUE, AS STAFF RECOMMENDED, BY CONSENT***

***[J. SHIEH; R. SCHNEIDER – 2<sup>ND</sup>] (11-0) A. AZHAR, P. HOWARD – ABSENT***

### CITY COUNCIL ACTION:

**May 7, 2020:**

**April 9, 2020: *APPROVED CS-MU-V-NP DISTRICT ZONING WITH CONDITIONS OF RIGHT-OF-WAY DEDICATION ON SOUTH CONGRESS AVENUE, AS THE PLANNING COMMISSION RECOMMENDED, ON FIRST READING. VOTE: 11-0.***

### ORDINANCE NUMBER:

### ISSUES:

The Applicant and representatives of the South Congress Combined Neighborhood Plan Contact Team are working on a private restrictive covenant that addresses affordable housing for rental units. The Contact Team has provided correspondence in support of the Applicant's rezoning request.

CASE MANAGER COMMENTS:

The subject undeveloped lot is located on South Congress Avenue, is undeveloped and has had general commercial services – mixed use – neighborhood plan (CS-MU-NP) zoning since Council approved the West Congress Neighborhood Plan rezonings in August 2005. There are retail and various commercial services, auto-related uses and apartments along both sides of Congress Avenue in the vicinity (CS-MU-NP; CS-MU-CO-NP/MF-6-CO-NP). ***Please see Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

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 up to 150 apartment units and ground floor retail space.

The property is designated as Mixed Use on the adopted Future Land Use Map (as is most of South Congress Avenue in the neighborhood 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 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, although they do not apply to this tract.

A building constructed 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, 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 (\$75,500, June 2019), for a period of 40 years.

**BASIS OF RECOMMENDATION:**

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 at the southeast corner of East St. Elmo Road and approved site plans for vertical mixed use building development south of East St. Elmo Road.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	CS-MU-NP	Undeveloped
<i>North</i>	CS-MU-NP	Retail sales
<i>South</i>	CS-MU-NP	Apartments
<i>East</i>	CS-MU-NP; LI-PDA-NP; CS-MU-V-NP; CS-MU-CO-NP / MF-6-CO-NP	Equipment rentals; Auto repair; Auto sales; Mobile food vending park; Convenience storage; Apartments with ground floor retail
<i>West</i>	CS-MU-NP	Construction sales and services; Apartments

**NEIGHBORHOOD PLANNING AREA:** South Congress Combined (West Congress)

TIA: Is not required

**WATERSHED:** Williamson Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:**

St. Elmo Elementary School

Bedichek Middle School

Travis High School

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council  
 742 – Austin Independent School District  
 1173 – South Congress Combined Neighborhood Plan Contact Team  
 1228 – Sierra Group, Austin Regional Group  
 1424 – Preservation Austin  
 1528 – Bike Austin  
 1531 – South Austin Neighborhood Alliance  
 1616 – Neighborhood Empowerment Foundation

627 – Onion Creek Homeowners Assoc.  
 1363 – SEL Texas  
 1429 – Go!Austin/Vamos!Austin (GAVA) – 78745  
 1530 – Friends of Austin Neighborhoods  
 1550 – Homeless Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0069 – Saint Elmo Apartments – 4315 S Congress Ave	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V-NP and conds of r-o-w dedication on S Congress Ave.	Apvd CS-MU-V-NP as Commission recommended (8-8-2019). <u>Note:</u> Staff deferred R-O-W dedication to site plan.
C14-2017-0132 – 4515 South Congress Rezoning – 4515 S Congress Ave; 134 Sheraton Ave	CS-MU-NP; CS-MU-CO-NP to CS-MU-V-NP	To Grant CS-MU-V-CO-NP w/CO for list of prohibited uses and 2,000 trips/day. <u>Note:</u> Applicant and N’hood encouraged to work together on private RC	Apvd CS-MU-V-CO-NP Commission rec, but remove the –CO for the 2,000 trips/day limit (6-14-2018).
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 (3-8-2018). <u>Note:</u> Staff deferred R-O-W dedication to site plan.
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 Ave		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 <sup>th</sup> SCCNPCT meeting, to the extent possible.	height to 60', on 1 <sup>st</sup> Rdg (3-23-2017). NOTE: Case Expired
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 FAR; 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 uses	Apvd CS-MU-CO-NP; MF-6-CO-NP as Commission recommended (3-20-2008).

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).
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#### RELATED CASES:

The West 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; C14-05-0106 – Ordinance No. 20050818-Z003). The property consists of a portion of Tract 7 that was rezoned to CS-MU-NP. As part of the West Congress Neighborhood Plan Rezonings, the neighborhood mixed use building and the neighborhood urban center special uses were adopted for Tract 7.

The rezoning area is platted as Lot 2, Birkner Addition Three recorded in April 1983 (C8S-83-031). ***Please refer to Exhibit B (Recorded Plat).*** There are no site plans in process.

#### EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
South Congress Avenue	111 feet	65 feet	Level 3 (Major Arterial Divided, 4 lanes)	Yes	Buffered Bike Lane	Yes

#### OTHER STAFF COMMENTS:

##### Comprehensive Planning

This rezoning case is located on west side of South Congress Avenue on a 1.15 acre undeveloped lot that is located within the South Congress Combined Neighborhood Planning Area, in the West Congress NP. The property is also located along the **South Congress Activity Corridor**. Surrounding land uses includes the Salvation Army, an auto rental/sale business, and the South Congress Transit Center to the north; to the south is an apartment building, a funeral home/cremation business, and retail uses; to the east is undeveloped land and food trailers; and to the west is heating/HVAC contractor and an apartment complex. The proposed use is a vertical mixed use project containing 150 units of multi-family housing and an unidentified first floor commercial component.

## **Connectivity**

A public transit stop is located within 400 feet walking distance of this site, while a transit hub is located 1,500 linear feet from the subject property, along South Congress Avenue. Public sidewalks and bike lanes are located along both sides of this street, although the large curb cuts could make walking in this area problematic. The mobility and connectivity options in the area are above average.

## **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-V-NP is permitted under this land use category. Mixed Use is defined as an area that is intended for a mix of residential and non-residential uses, including office, 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 this section of South Congress Avenue is within the St. Elmo Road District (location of subject property)

### **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 (St. Elmo District). (pgs. 54 - 56)

**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.

**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.

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

**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 1<sup>st</sup> Street should transition from the larger-scaled commercial areas east of C142<sup>nue</sup> to more neighborhood-scaled areas to the west.

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

### **South Congress Commercial Design Guidelines (p 91 – 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.

**Residential Urban Design Guideline 1** - New multi-family development should reinforce an urban pattern. (pgs 92-99)

- New multi-family development should feel as if it a part of the community. Even if a new multi-family development is a large complex, the buildings and internal street network should be designed as if the project is part of a traditional neighborhood.
- Often apartment communities are separated from surrounding development and are discontinuous with adjacent neighborhoods. Multifamily housing should blend with nearby development. The circulation pattern of multifamily communities should continue the pattern of the established neighborhood or a grid pattern and should have multiple connection points for vehicles and pedestrians. Gated communities should be discouraged.

**Residential Urban Design Guideline 2** - New multi-family development should be attractively landscaped to de-emphasize security features. When walls, fences, and other security devices are installed surrounding multifamily developments, landscaping with native materials should be used to screen and enhance their appearance.

**Residential Urban Design Guideline 3** - Native stone and masonry should be the primary building materials.

**Commercial Urban Design Guideline 1**—Local Commercial Building designs should be uniquely designed to create interest and positively contribute to the urban fabric. (pgs. 96)

**Commercial Urban Design Guideline 2**—Local Commercial Buildings should be designed to an appropriate scale. In creating a pedestrian-oriented environment, it is

important to design sites and buildings to a pedestrian scale. Buildings should be close to the street and designed with visual interest at a pedestrian level, such as shop windows. Although buildings may be multi-story, they should have a sidewalk presence, as illustrated below, to put them in scale with pedestrians at street level. (pg. 97)

**Commercial Urban Design Guideline 3**—Local Commercial Sites should be designed keeping the climate of Austin and the local environment in mind. Taking into account the orientation of a building makes it not only more comfortable to people, but is also more cost-efficient. Landscaping materials should be well-suited or native to the climate to minimize watering and create shade for buildings and pedestrians. Awnings are attractive not only for the way they frame windows and entryways, but also for the reduction in heat and cooling costs they provide. Windows should be positioned to maximize light and minimize heat. (pg. 97)

**Commercial Urban Design Guideline 5**—Local Commercial Outdoor activities should be designed for and encouraged. Amenities for pedestrians and bicyclists should be provided. Public plazas and open spaces should be a part of the variety of buildings and uses on South Congress Avenue. People should be moved by thoughtful design to take advantage of the generally favorable weather Austin enjoys throughout the year, by walking, biking, jogging, and participating in street fairs and festivals. Such amenities would include landscaping, benches, bike racks, shower and locker facilities, and pedestrian-oriented lighting. (pg. 98)

**Commercial Urban Design Guideline 6**—Local Commercial Parking in front of buildings should be reduced or eliminated. Although, South Congress Avenue is envisioned as a pedestrian-oriented district, most people will utilize cars to come to the area. Ample off-street parking should be provided. However, creative parking solutions, such as shared parking, should be explored to minimize the visual impacts of automobiles. Parking should be located behind, to the side, or under buildings. (pg. 98)

**Commercial Urban Design Guideline 8**—Local Commercial Sites should be designed to maximize connections and circulation. Shared access between sites for vehicles and pedestrians should be encouraged and driveways onto South Congress Avenue should be minimized. Bicycle and pedestrian connections should be provided from sidewalks to buildings. Clearly marked pathways should direct people from parking areas to buildings. Sites should be designed to move vehicles, both motorized and non-motorized, and pedestrians efficiently. (pg. 99)

## **Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies this section of South Congress Avenue is being along an **Activity Corridor**.

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

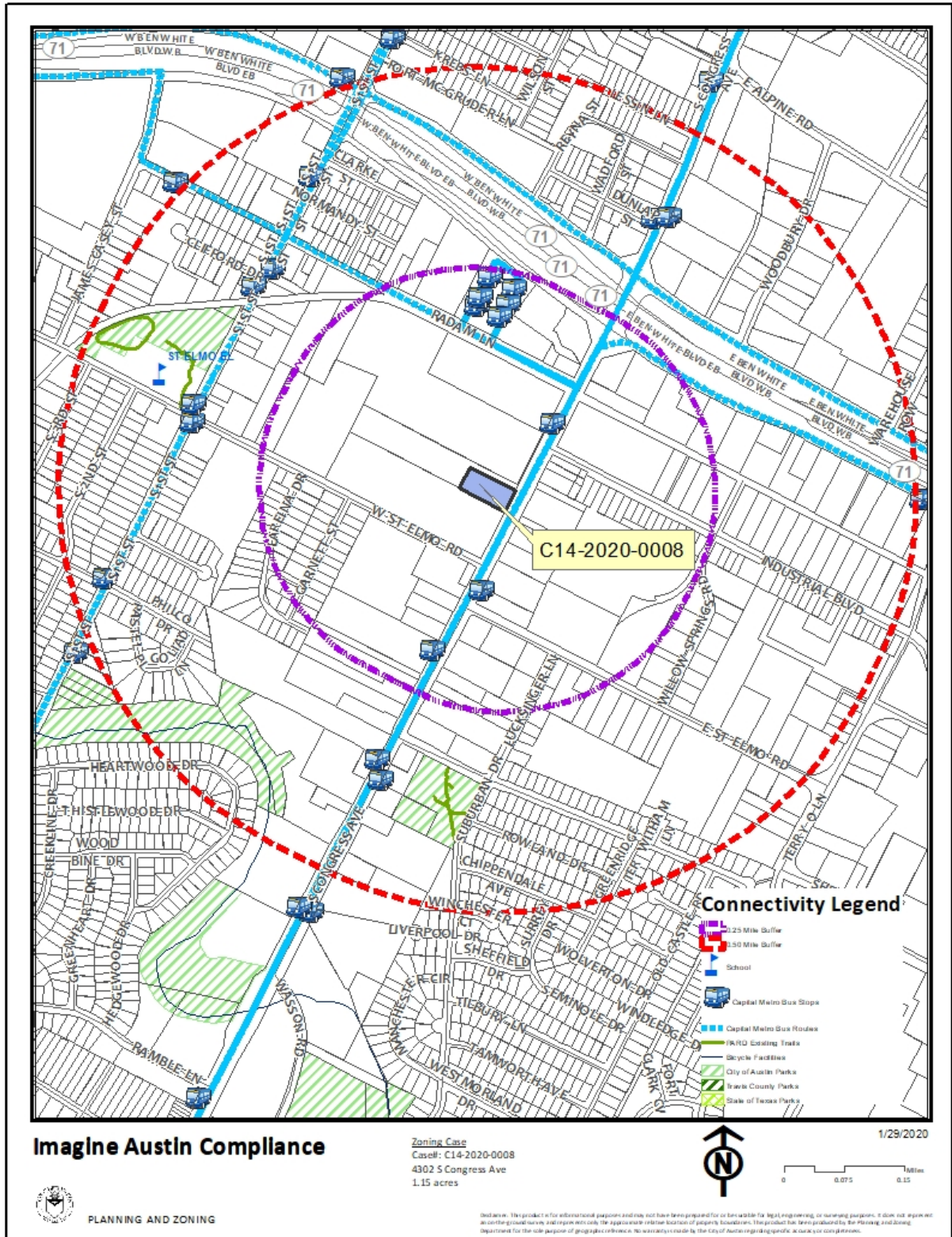
The following Imagine Austin policies are applicable to this case:

- **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.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a **mix of land uses** and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

The policies in the Imagine Austin Comprehensive Plan and the SCCNPA both support transitioning South Congress Avenue into a vibrant neighborhood serving, pedestrian oriented mixed use corridor. Based on the property being located along an Activity Corridor that encourages a variety of neighborhood serving land uses along corridors, including mixed use; and the Imagine Austin policies referenced above that supports mixed use and residential projects, this request appears to be supported by the Imagine Austin Comprehensive Plan.

**Conclusions:** South Congress Avenue is quickly transitioning away from industrial and warehouse uses, and is now a vibrant gateway into downtown Austin. A variety of neighborhood serving uses popping up in the area include: commercial and mixed uses includes restaurants, bars, coffee shops, retail stores, and high density residential uses. A number of goals, objectives, recommendations and text language taken from the South Congress Combined Neighborhood Plan supports vibrant mixed use projects as the appropriate and desired land use along this heavily travelled corridor. **The proposed multi-family/mixed use project appears to support 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.**



### 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.

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.

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

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.

Transportation

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 130 feet of right-of-way for S Congress Avenue. It is recommended that 65 feet of right-of-way from the existing centerline should be dedicated for S Congress Avenue according to the Transportation Plan prior to 3<sup>rd</sup> reading of City Council [LDC 25-6-51 and 25-6-55].

A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

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.

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.

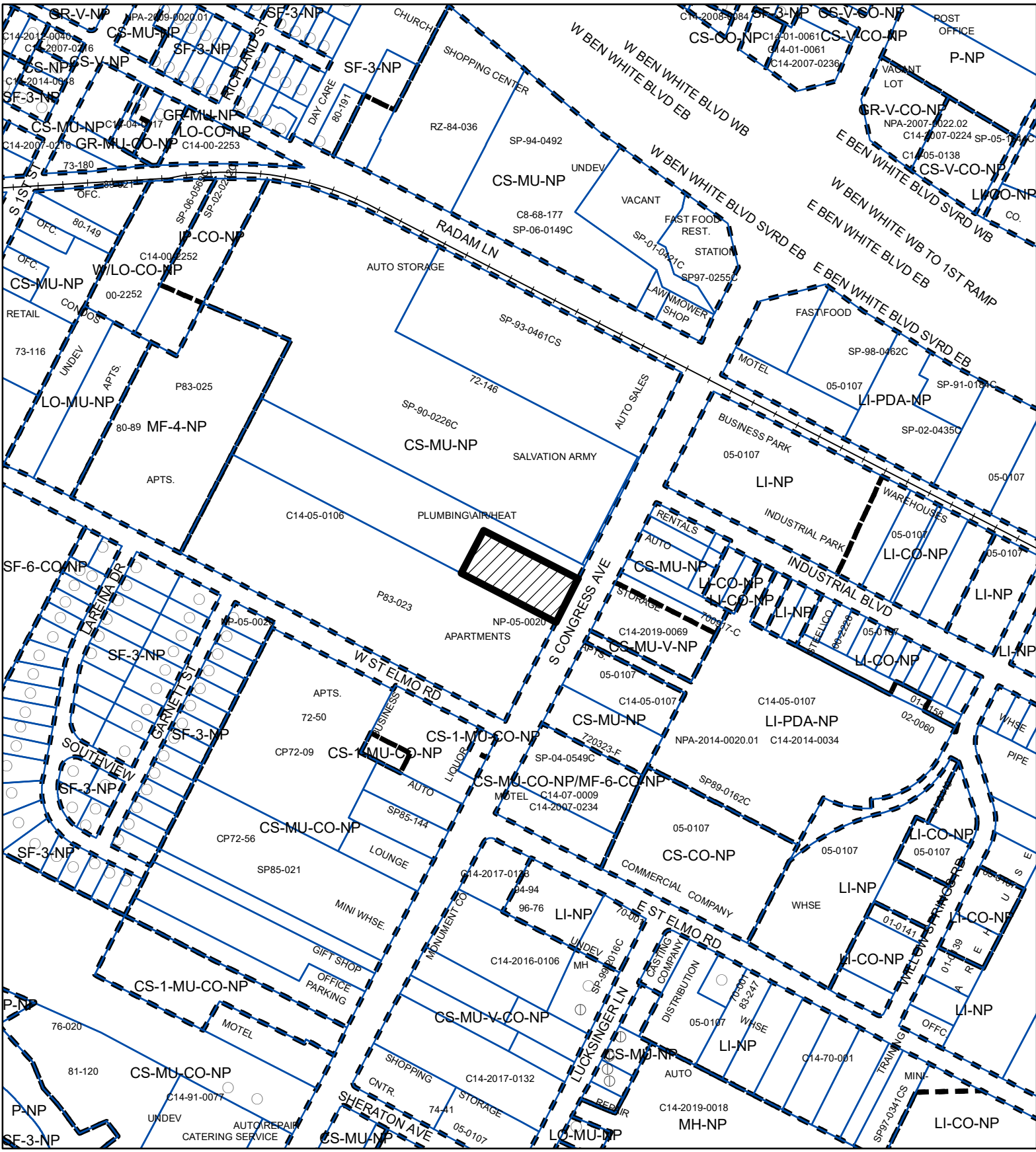
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**INDEX OF EXHIBITS TO FOLLOW**

A: Zoning Map  
A-1: Aerial Map  
B: Recorded Plat

Correspondence Received








**ZONING**

Exhibit A

ZONING CASE#: C14-2020-0008



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

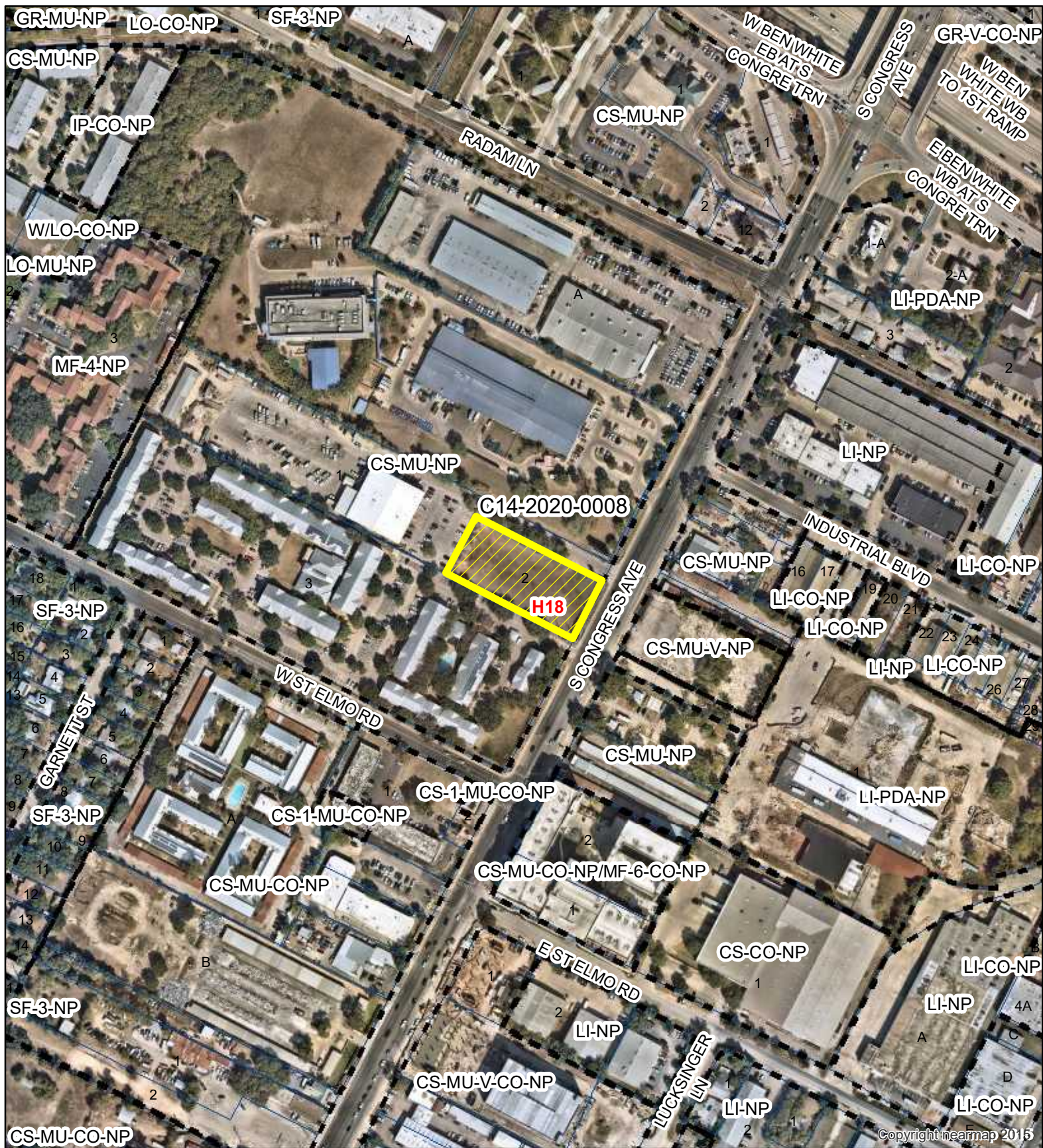
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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: 1/27/2020





# South Congress Multifamily

Exhibit A - 1

ZONING CASE#: C14-2020-0008

LOCATION: South Congress

SUBJECT AREA: 1.1509 ACRES

GRID: 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.



Plat Plain Note:

No portion of this subdivision lies within an identifiable 100-year flood plain.

PREPARED BY: William M. Martine DATE: 4/2/83  
Professional Engineer No. 48537  
1937 15th Street, Suite 9  
Austin, Texas 78701

# BIRKNER ADDITION THREE

LOT 8

BIRKNER ADDITION TWO

SEC TO 26 101

BIRKNER ADDITION

N. 60° 03' E. 1141.16'

4.14 AC

817.94'

S. 60° 03' E. 1141.94'

3

9.30 AC

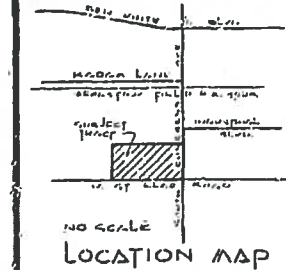
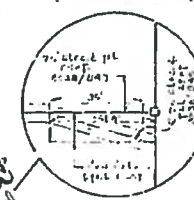
N. 60° 04' W. 1152.32'

WEST ST. ELMO

ROAD

N.O.Z. VARIES

SOUTH CONGRESS AVE.



LEGEND:

- MONUMENT FOUND
- IRON PIN SET
- CONCRETE MONUMENT FOUND
- 5 NAILS FOUND
- CONC. MONUMENT SET
- △ NAIL FOUND

STATE OF TEXAS:  
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS

That I, Edmund Wendlandt, owner of an undivided one-half interest in Lot 3 and 12.69 acres of land out of Lot 2, of Birkner Addition, a subdivision in the City of Austin, of record in Book 62, Page 80, Plat Records of Travis County, Texas, conveyed to me with other property by a deed of record in Volume 4296 Page 2272, Deed Records of Travis County, Texas, and that I, Edmund Wendlandt, owner of an undivided one-fourth interest in Lot 3 and 12.69 acres of land out of Lot 2, of said Birkner Addition, conveyed to me with other property by a deed of record in Volume 5834 Page 1723, Deed Records of Travis County, Texas, and that I, Walter Wendlandt, Independent executor of the Estate of Ted Wendlandt, owner of an undivided one-fourth interest in Lot 3 and 12.69 acres of land out of Lot 2, of said Birkner Addition, conveyed to him with other property by a deed of record in Volume 5834 Page 1723, Deed Records of Travis County, Texas, the zoning on said tract having been other than single family or one of the family residential for the preceding five years and there being no restrictions of record limiting any other lots in said Birkner Addition to one of the family residential, do hereby re-subdivide said property in accordance with the attached plat, said subdivision to be known as BIRKNER ADDITION THREE

and do hereby dedicate to the public the streets and easements shown hereon. WITNESS OUR HANDS, the date of execution.

Edmund Wendlandt 3-22-83  
By: Edmund Wendlandt Date: 3-22-83

Walter Wendlandt 3-22-83  
By: Walter Wendlandt Date: 3-22-83

City of Austin 3-22-83  
By: City of Austin Date: 3-22-83

STATE OF TEXAS:  
COUNTY OF TRAVIS:  
Before me, the undersigned authority, on this day personally appeared Edmund Wendlandt, 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 for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 22 day of March, A.D. 1983.

Judith J. McCaray  
Notary Public in and for Travis County, Texas.

JUDITH J. MCCARAY My Commission Expires: 6-30-85  
Notary Public

STATE OF TEXAS:  
COUNTY OF TRAVIS:  
Before me, the undersigned authority, on this day personally appeared Edmund Wendlandt, 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 for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 22 day of March, A.D. 1983.

Edmund Wendlandt  
Notary Public in and for Travis County, Texas.

Catherine E. M. Campbell My Commission Expires: 8-2-85  
Notary Public

NOTE: Prior to construction on any lots in this subdivision drainage plat will be submitted to the Public Works Department of the City of Austin for review. Final plat shall be held to the exact location of all unimproved status by posting of other approved plat. STREETS and easements are required on the subdivision. Lots of 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 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1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 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1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772,

DATE: April 2, 2020

TO: City of Austin 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)

Michael Rivera [michaelriveraengineering@gmail.com](mailto:michaelriveraengineering@gmail.com)

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

RE: Letter of Support  
Zoning Case C14-2020-008  
4302 South Congress  
Request for rezoning from (CS-MU-NP) to CS-MU-V-NP

Dear Council Member Pio Renteria,

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

With a finalized Restrictive Covenant (RC) already in place with the SCCNPCT for the property, we are pleased to support the owner's request, which will include 10% of the vertical units obtained with the additional "V" zoning as "affordable". Split in half, the owner agrees to allow 5% of those units to be offered for families earning 50% MFI and the other 5% for families earning 60% MFI.

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

**Despite the current climate around the Covid-19 pandemic, we greatly appreciate a developer who will make such a bold and necessary investment in the Austin we all cherish and is willing and able to bring such desired *real* affordable housing to our area and our city. Please let it be understood that this is the type of partnership we benchmark and will continue to push for with each redevelopment and zoning case.**

Please ensure this letter is added to the above case file to serve as the SCCNPCT's enthusiastic support for the re-zoning of the above property Zoning Case No: C14-2020-008

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

SCCNPCT  
Mario Cantu  
Keena Miller