

SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2023-0109 – 4323 South Congress Ave.

DISTRICT: 3

ADDRESS: 4321 ½, 4323 ½, and 4323 South Congress Avenue

PROPERTY OWNER: SE Austin Global Land, LLC

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4321 ½, 4323 ½, and 4323 South Congress Avenue (Williamson Creek Watershed). Applicant Request: To rezone from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) district zoning, to change conditions of zoning, including the maximum height, maximum number of dwelling units and maximum floor-to-area ratio (FAR).

CITY COUNCIL ACTION:

May 30, 2024: *APPROVED ON FIRST READING ONLY*

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0109 – 4323 South Congress Ave.

DISTRICT: 3

ADDRESS: 4321 ½, 4323 ½, and 4323 South Congress Avenue

ZONING FROM/TO: LI-PDA-NP, to change conditions of zoning, including the maximum height, maximum number of dwelling units and maximum floor-to-area ratio (FAR)

SITE AREA: 9.337 acres

PROPERTY OWNER: SE Austin Global Land, LLC

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant an amendment to limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning. The amendment would allow a maximum floor-to-area (FAR) ratio increase of 1.5:1 to 1.75:1, a maximum height increase from 60 feet to 90 feet, an increase to the number of residential units from 400 units to approximately 620 units, and an increase in the number of residential units per acre from 42.2968 to approximately 66.4025 as shown in *Attachment A*, the proposed revised ordinance.

PLANNING COMMISSION ACTION / RECOMMENDATION:

April 23, 2024: APPROVED LI-PDA-NP COMBINING DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT

**[G. ANDERSON; A. WOODS – 2nd] (10-0), A. PHILLIPS – OFF THE DIAS;
G. COX, J. MUSHTALER – ABSENT**

March 26, 2024: *Approved a POSTPONEMENT REQUEST by the neighborhood to April 23, 2024*

**[A. AZHAR; F. MAXWELL – 2nd] (10-0), G. ANDERSON, P. HOWARD,
A. PHILLIPS – ABSENT**

CITY COUNCIL ACTION:

May 30, 2024: APPROVED ON FIRST READING ONLY

ORDINANCE NUMBER:

ISSUES:

CASE MANAGER COMMENTS:

The subject rezoning area is approximately 9.33 acres and is located at the southeast corner of South Congress Avenue and Industrial Boulevard, just south of East Ben White Boulevard. Development in this area 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; LI-PDA-NP). ***Please refer to Exhibits A (Zoning Map), A-1 (Aerial View).***

Currently the property is developed with two multifamily residential buildings and the readapted Saint Elmo Public Market. There are 387 units within the existing multifamily buildings with the associated parking garage. The public market is within an existing warehouse building that is approximately 48,000 square feet and contains a cocktail lounge, bowling alley, and outdoor patio uses.

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 is proposing additional multifamily residential units with first floor pedestrian-oriented commercial space. The project will include 620 multifamily residences, 27,266 square feet of first floor retail, 8,679 square feet of restaurant use, and a 1,655 square foot brewery.

The Applicant's request is to amend the PDA to increase the maximum floor-to-area (FAR) ratio from 1.5:1 to 1.75:1, to allow a maximum height increase from 60 feet to 90 feet, to allow for an increase to the maximum number of residential units from 400 to 600 and to increase the number of residential units per acre from 42.2968 to 63.4249. However, the Applicant amended their request and is proposing to increase the maximum number of residential units from 400 units to 620 units and to increase the number of residential units per acre from 42.2968 to 66.4025. The change is based on data for the proposed mixed use residential building.

No other modifications to the PDA are proposed.

BASIS OF RECOMMENDATION:

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

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

2. *The proposed zoning should allow for a reasonable use of the property.*

Based on the proposed LI-PDA-NP zoning to the east of the property and other surrounding LI-PDA-NP zoning on the north side of Industrial Boulevard, Staff recommends the Applicant's request for an increase in the floor-to-area (FAR) ratio, an increase in the maximum height and number of residential units, and an increase to the number of residential units per acre. It will be consistent with the existing zoning patterns in this area.

3. *Zoning changes should promote an orderly relationship among land uses.*

There are numerous multifamily mixed use projects located all along South Congress Avenue within proximity to this site. The property will have access from South Congress Avenue, which is a Core Transit Corridor, as well as access from Industrial Boulevard. It is also within half a mile of Capital Metro bus routes and the South Congress Transit Center.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-PDA-NP	Multifamily residential; General retail sales
<i>North</i>	LI-NP; LI-CO-NP	Construction sales and services businesses; Vacant lots; Construction staging
<i>South</i>	LI-NP; CS-CO-NP	Industrial warehouses; Construction sales and service businesses
<i>East</i>	LI-NP; LI-CO-NP	Construction sales and service businesses; Suppliers
<i>West</i>	CS-MU-V-CO-NP; CS-MU-V-NP; CS-MU-NP	Multifamily residential; Personal services; Industrial warehouses

NEIGHBORHOOD PLANNING AREA: South Congress Combined (East Congress)

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Galindo Elementary School

Bedichek Middle School

Travis High School

COMMUNITY REGISTRY LIST:

Austin Neighborhoods Council

Austin Independent School District

Friends of Austin Neighborhoods

South Austin Neighborhood Alliance (SANA)

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Austin Lost and Found Pets

Onion Creek HOA

Preservation Austin

SELTexas

Go Austin Vamos Austin 78745

Oldham Neighborhood Association
 Sierra Club, Austin Regional Group
 South Congress Combined Neighborhood Plan Contact Team

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0062 – 439-511 & 515 Industrial Boulevard; 4208 Terry O Lane	LI-NP to LI-PDA-NP	Pending	Pending
C14-2023-0044 – 300-440 Industrial Boulevard	LI-NP to LI-PDA-NP	To Grant (11/28/2023) LI-PDA-NP	Pending
C14-2023-0046 – 506 & 600 Industrial Boulevard	LI-PDA-NP to LI-PDA-NP, to change conditions of zoning	To Grant (11/28/2023) LI-PDA-NP, with maximum height of 125' and maximum of 600 dwelling units	Pending
C14-2023-0043 – 4201 South Congress Avenue	LI-NP; LI-CO-NP to CS-MU-V-NP	To Grant (12/12/2023) CS-MU-V-CO-NP	Pending
C14-2019-0082 – 600 Industrial Boulevard	LI-CO-NP to LI-PDA-NP	To Grant (10/8/2019) LI-PDA-NP, with conditions of the TIA.	Apvd LI-PDA-NP as Commission recommended (2/6/2020)
C14-2020-0093 – 4329 South Congress Avenue	CS-MU-NP to CS-MU-V-NP	To Grant (10/27/2020) CS-MU-V-CO-NP	Apvd CS-MU-V-CO-NP as Commission recommended (10/10/2022)
C14-2020-0008 – 4302 South Congress Avenue	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V- NP and conditions of R-O-W dedication on S Congress Ave.	Apvd CS-MU-V-NP as Commission recommended (5-7-2020).
C14-2019-0069 – 4315 South Congress Avenue	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V-NP and conditions of R-O-W dedication on S Congress Ave.	Apvd CS-MU-V-NP as Commission recommended (8-8-2019).

C14-2016-0024 – 440 E. St. Elmo Road, Bldg F	LI-NP to CS-1- CO-NP	To Grant CS-1-CO-NP w/CO prohibits adult- oriented businesses and limits the size of a cocktail lounge to 2,049 sf. Restrictive Covenant 1) limits cocktail lounge use to a tasting room associated w/ distillery, and 2) permits wholesale/ retail sale of alcoholic beverages, limited to that manufactured or produced by/for the distillery.	Apvd as Commission recommended (6-16-2016).
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/conditions for a Traffic Impact Analysis, and add'l conditions	Apvd LI-PDA-NP w/ PDA for dev't stds, permitted, cond'l, prohibited uses, and max. of 400 residential units, RC for TIA and require a shared walkway/bike path from S Congress Ave to the food sales use (11-20-2014).
C14-05-0107 – East Congress Neighborhood Plan Area Rezoning	Proposed – Addition of -NP Combining District and change Base District Zoning on 36 tracts.	To Grant	Apvd to Add -NP Combining District (8/18/2005)

RELATED CASES:

The subject property is within the boundaries of the South Congress Combined (East Congress) Neighborhood Planning Area. The –NP combining district was added to the existing LI base district on August 18, 2005 (C14-05-0107).

NPA-2014-0020.01 – land use designation changed from Industry to Mixed Use.

C14-2014-0034 – original rezoning case that established the Planned Development Area (PDA) at 4323 South Congress Avenue. Ordinance #20141120-137.

SP-2017-0210C / SP-2017-0210C(XT) – Saint Elmo Public Market– site plan to construct mixed-use buildings with associated improvements. Proposed land uses are General Retail Sales (General), Multifamily Residential, Professional Office and Food Sales (General).

SPC-2023-0406.CC – Conditional Use Permit to allow for Cocktail Lounge use.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 4321 ½, 4323 ½, 4323 S CONGRESS AVE. C14-2023-0109.

South Congress Combined Neighborhood Planning Area. FLUM: Mixed Use. The purpose of the rezoning is to amend the PDA to add additional residential units over ground-floor pedestrian-oriented commercial uses where office use had previously been proposed, in addition to amending the maximum height and floor-to-area ratio (FAR) associated with this change. The proposed amendments to the PDA overlay are to allow for an increase to the FAR from 1.50:1 to 1.75:1 FAR, to increase the maximum height on the Property **from 60 feet to 90 feet**, and **to amend the maximum number of residential units from 400 to 620 units**, along with allowing the respective increase from 42.2968 units per acre to 66.4025 units per acre allowed within the PDA. The original PDA and PDA amendment includes a proposed restaurant, brewery, multifamily, and retail uses.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers: Along S. Congress Activity Corridor; Along a Core Transit Corridor
Y	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
7	Total Number of "Yes's"

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 requires that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

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.

PARD – Planning & Design Review

Parkland dedication will be required for the new, increased residential uses proposed by this amendment, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the

criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

The area is currently park deficient, with little opportunity for new parkland immediately onsite as development has already occurred. It is recommended that opportunities for recreation be sought in the area.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Austin Transportation Department – Engineering Review

This site must demonstrate compliance with the TIA memo completed with SP-2017-0210C; the TIA may require an update upon further review.

The Austin Strategic Mobility Plan (ASMP) calls for 165 feet of right-of-way for South Congress Ave. It is recommended that 82.5 feet of right-of-way from the existing centerline should be dedicated for South Congress Ave. according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Industrial Boulevard. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for Industrial Boulevard according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
South Congress Avenue	Level 4 – Major Arterial	165'	110'	68'	Yes	Yes	Yes
Industrial Boulevard	Level 2 – Collector	84'	79'	28'	Yes	Yes	Yes
Willow Springs Road	Level 1 – Local	58'	68'	26'	No	No	Yes

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 site shall have separate wastewater taps, separate water meters, and their respective private water and wastewater service lines shall be positioned or located in a manner that will not cross lot lines.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. Previous SERs approved for this site will no longer be valid given the increased project demands. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria. 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.

All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

FYI: Dedication of private streets and public utility easements does not obligate the City to approve the placement of City water and wastewater mains within same. Water and wastewater service shall be provided to each lot at their Right of Way frontage in accordance with Utility Criteria Manual 2.9.1(A).


INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:


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


Applicant's AMENDED Summary Letter
Applicant's Summary Letter

Attachment A: Red-lined Ordinance No. 20141120-137



 SUBJECT TRACT

 PENDING CASE

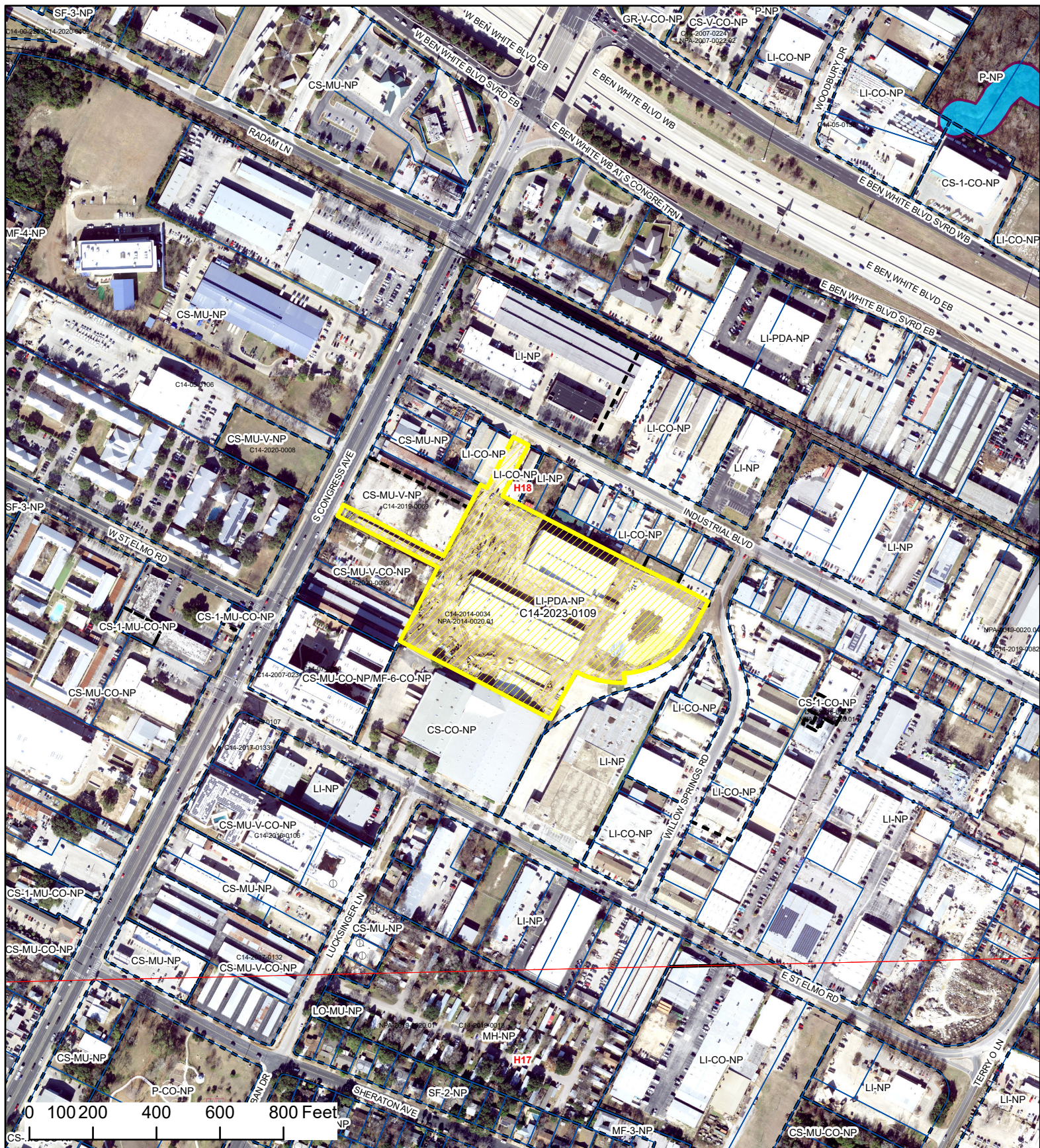
 ZONING BOUNDARY

ZONING CASE#: C14-2023-0109

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.

The logo of the City of Austin, featuring a circular seal with the text "CITY OF AUSTIN" at the top and "FOUNDED 1839" at the bottom. The center of the seal depicts a shield with a red and white design, topped by a torch and a star.





Created: 9/19/2023



4323 S Congress Avenue

EXHIBIT A-1



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

ZONING CASE#: C14-2023-0109
 LOCATION: 4321 1/2, 4323 1/2, 4323,
 4329 S Congress Ave
 SUBJECT AREA: 9.337 Acres
 GRID: H18
 MANAGER: Nancy Estrada



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

Created: 10/31/2023

March 14, 2024

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 4323 S Congress Avenue – Zoning amendment application for the approximately 9.337-acre property located at 4321 ½, 4323 ½, 4323 and 4329 S Congress Avenue in Austin, Travis County, Texas (the “Property”)

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit this letter to amend the zoning application currently under review and assigned case number C14-2023-0109, submitted on September 5, 2023.

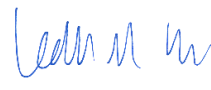
On February 16, 2023, the zoning case was amended remove the request to reduce the minimum off-street parking required on the Property based on the City Council’s adoption of Ordinance No. 20231102-028, on November 2, 2023, that allow the Property to be subject to the parking requirements of the City’s Code.

With this amendment, we request to modify the maximum residential density in Part 3, E and F within the Property’s current LI-PDA-NP (Limited Industrial Services – Planned Development Area – Neighborhood Plan) Ordinance No. 20141120-137. The original request was to modify the maximum number of residential units from 400 to 600 units, along with allowing the respective residential units per acre from 42.2968 to 63.4249 units per acre. We request to modify the requested maximum number of residential units from 600 to 620 units and the respective residential units per acre from 63.4249 to 66.4025 units per acre. This modification comes from working through the conversion of the proposed office building into a mixed use residential building.

The proposed modifications to the Property’s development standards and use restrictions summary, as well as a revised redline of the original PDA ordinance, have been revised to reflect the above request and accompany this letter. No other modifications are proposed at this time.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)
Nancy Estrada, Planning Department (*via electronic delivery*)

September 5, 2023

Ms. Lauren Middleton-Pratt
City of Austin
Planning Department
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 4323 S Congress Avenue – Zoning amendment application for the approximately 9.337-acre property located at 4321 ½, 4323 ½, 4323 and 4329 S Congress Avenue in Austin, Travis County, Texas (the “Property”)

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit the enclosed zoning and Neighborhood Plan Amendment (NPA) application package. The project is titled 4323 S Congress Avenue and is approximately 9.337 acres of land, located south of Industrial Boulevard and west of S Congress Avenue. The Property is located in the full purpose jurisdiction of the City of Austin.

The Property is currently zoned LI-PDA-NP (Limited Industrial Services – Planned Development Area – Neighborhood Plan). The requested rezoning is from LI-PDA-NP to LI-PDA-NP. The Property is currently developed with residential and pedestrian-oriented commercial uses.

The purpose of the rezoning is to amend the PDA to add additional residential units over ground-floor pedestrian-oriented commercial uses where office use had previously been proposed, in addition to amending the maximum height and Floor to Area Ratio (FAR) associated with this change.

The proposed amendments to the PDA overlay are to allow for an increase to the FAR from 1.50:1 to 1.75:1 FAR, to increase the maximum height on the Property from 60 feet to 90 feet, and to amend the maximum number of residential units from 400 to 600 units, along with allowing the respective increase from 42.2968 units per acre to 63.4249 units per acre allowed within the PDA, and a parking reduction of 50%. The proposed amendments to the development standards and use restrictions also accompany this letter.

The Property is within the South Congress Combined Neighborhood Planning Area, adopted August 18, 2005, and is designated as Mixed Use on the Future Land Use Map (FLUM). A Neighborhood Plan Amendment (NPA) to the FLUM is not required for the proposed land use. A memo from Maureen Meredith dated September 5, 2023, stating that an NPA is not required is attached with this application.

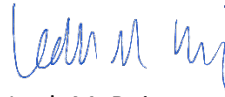
The Property must demonstrate compliance with the Traffic Impact Analysis ("TIA") completed with site plan no. SP-2017-0210C, per the attached TIA determination waiver dated August 28, 2023, and executed by Adrianna Morrow.

September 5, 2023

Page 2

Please let me know if you or your team members require additional information or have any questions.
Thank you for your time and attention to this project.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)
Nancy Estrada, Planning Department (*via electronic delivery*)
Maureen Meredith, Planning Department (*via electronic delivery*)

Revised 2024.03.14

ORDINANCE NO. 20141120-137

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 113 INDUSTRIAL BOULEVARD, 4323 SOUTH CONGRESS AVENUE AND THE 4300 BLOCK OF WILLOW SPRINGS ROAD IN THE EAST CONGRESS NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-MU-NP) COMBINING DISTRICT; LIMITED INDUSTRIAL SERVICES-NEIGHBORHOOD PLAN (LI-NP) COMBINING DISTRICT; AND, LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICES-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district; limited industrial services-neighborhood plan (LI-NP) combining district; and, limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district on the property described in Zoning Case No. C14-2014-0034, on file at the Planning and Development Review Department, as follows:

0.599 acre tract of land, more or less, out of the Isaac Decker League the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Lot A, William S. Drake Jr. Subdivision Three Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 78, Page 353 of the Plat Records of Travis County, Texas (both tracts are cumulatively referred to as the "Property"),

locally known as 113 Industrial Boulevard, 4323 South Congress Avenue and the 4300 Block of Willow Springs Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial services (LI) base district and other applicable requirements of the City Code.

PART 3. Development of the Property within the boundaries of the planned development area (PDA) combining district established by this ordinance is subject to the use and site development regulations set forth in this part:

A. The following site development standards apply to the Property.

1. The minimum front yard setback is 25 feet.
2. The minimum street side yard setback is 25 feet.
3. The minimum rear yard setback is 15 feet.
4. The minimum interior yard setback is 0 feet.
5. The maximum floor-to-area ratio is ~~1.5~~ to 1.
6. The maximum height is 90 feet. 1.75

B. The following uses are conditional uses of the Property:

Cocktail lounge
Hospital services (general)

C. The following uses are not permitted uses of the Property:

Basic industry	Monument retail sales
Recycling center	Resource extraction
Scrap and salvage	

D. The following uses are permitted uses of the Property:

Bed and breakfast residential (group 1)	Bed and breakfast residential (group 2)
Condominium residential	Group residential
Guidance services	Hospital services (limited)
Multifamily residential	Private primary educational facilities
Private secondary educational facilities	Public primary educational facilities
Public secondary educational facilities	Townhouse residential
Family home	

- E. Development of the Property may not exceed ^{66.4025}~~42.2968~~ residential units per acre.
- F. Development of the Property may not exceed ⁶²⁰~~400~~ residential units.

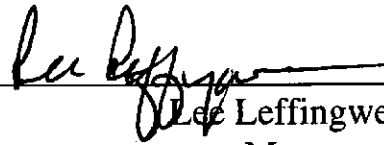
PART 4. The Property is subject to Ordinance No. 20050818-Z004 that established the East Congress neighborhood plan combining district.

PART 5. This ordinance takes effect on December 1, 2014.

PASSED AND APPROVED

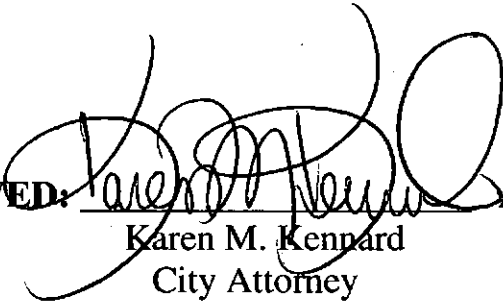
November 20, 2014

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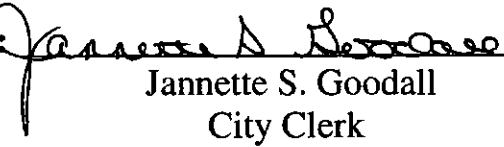
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

0.599 ACRE
ISAAC DECKER LEAGUE
AUSTIN, TX

FIELD NOTE FILE: 14.045
PROJECT NO.: 248-001
SEPTEMBER 27, 2014

LEGAL DESCRIPTION

BEING A 0.599 ACRE TRACT OUT OF THE ISAAC DECKER LEAGUE, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING THAT CERTAIN 0.599 ACRE TRACT CONVEYED TO JAMES F. PARKER INTERESTS, INC., BY DEED OF RECORD IN DOCUMENT NO. 2007068481, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.599 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron rod with "Terra Firma" cap found in the east line of Lot A, William S. Drake Jr. Subdivision Three, of record in Volume 78, Page 353, of the Plat Records of Travis County, Texas, being the southwest corner of that certain tract (called Tract 4) conveyed to Twin Oaks Associates, Ltd., by Deed of record in Document No. 2006077189, of said Official Public Records, for the northwesterly corner of said 0.599 acre tract and hereof;

THENCE, S60°48'58"E, leaving the east line of said Lot A, along the south line of said Twin Oaks Associates, Ltd. tract, being the north line of said 0.599 acre tract, a distance of 116.53 feet to a 1/2-inch iron rod with "Terra Firma" cap found at the northeast corner of said 0.599 acre tract, being in the west right-of-way line of Willow Springs Road (r.o.w. varies), for the northeasterly corner hereof;

THENCE, along said west right-of-way line of Willow Springs Road, being an east line of said 0.599 acre tract, along a non-tangent curve to the left, having a radius of 180.71 feet, a central angle of 03°00'18", an arc length of 9.48 feet, and a chord which bears S10°41'47"W, a distance of 9.48 feet to a calculated point at the end of said curve, being a north corner of that certain tract conveyed to Missouri Pacific Railroad Company, by Deed of record in Volume 1418, Page 48, of the Deed Records of Travis County, Texas;

THENCE, leaving said west right-of-way line, along the north and west lines of said Missouri Pacific Railroad Company tract, being the east line of said 0.599 acre tract, the following three (3) courses and distances:

- 1.) N62°22'43"W, a distance of 9.31 feet to a 1/2-inch iron rod with "Terra Firma" cap found, for an angle point;
- 2.) S27°51'02"W, a distance of 85.68 feet to a leaning 1/2-inch iron rod at the point of curvature of a curve to the right;
- 3.) Along said curve, having a radius of 267.45 feet, a central angle of 51°43'40", an arc length of 241.46 feet, and a chord which bears S53°54'05"W, a distance of 233.34 feet to a calculated point in an asphalt parking lot, being the southeast corner of said Lot A, for the most southerly corner of said 0.599 acre tract and hereof;

0.599 ACRE
ISAAC DECKER LEAGUE
AUSTIN, TX

FIELD NOTE FILE: 14.045
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SEPTEMBER 27, 2014

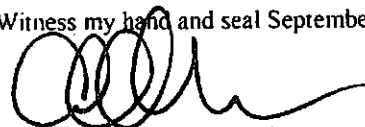
THENCE, leaving the west line of said Missouri Pacific Railroad Company tract, along the east line of said Lot A, being the west line of said 0.599 acre tract, the following two (2) courses and distances:

- 1.) N26°23'22"E, a distance of 294.21 feet to a 5/8-inch iron rod found, for an angle point;
- 2.) N27°51'18"E, a distance of 13.01 feet to the **POINT OF BEGINNING**, and containing 0.599 acre (26,075 square feet) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83(2012A), CENTRAL ZONE, UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

I HEREBY CERTIFY THAT THIS DESCRIPTION AND ANY ACCOMPANYING SKETCHES ARE THE RESULT OF AN ACTUAL ON-THE-GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF SEPTEMBER, 2014, AND ARE TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

Witness my hand and seal September 27, 2014


Abram C. Dashner, R.P.L.S. 5901
PROJECT NO. 273-001



TWIN OAKS ASSOCIATES, LTD.
TRACT 4
DOC. NO. 2006077189

POINT OF BEGINNING S60°48'58"E 116.53'

WILLOW SPRINGS ROAD
(R.O.W. VARIES)

0.599 ACRE
(26,075 SQ. FT.)

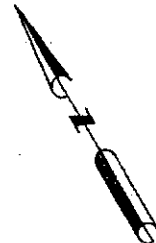
LOT A
WILLIAM S. DRAKE JR.
SUBDIVISION THREE
VOL. 78, PG. 353

JAMES F. PARKER
INTERESTS, INC.
0.599 ACRE
DOC. 2007068581

N26°23'22"E 294.21'

C1
S27°51'02"W 85.68'

C2



LEGEND

- 1/2-INCH IRON ROD FOUND
- ▲ CALCULATED POINT

M.P.R.R. CO.
VOL. 1418
PG. 48



LINE TABLE

LINE	BEARING	DISTANCE
L1	N62°22'43"W	9.31'
L2	N27°51'18"E	13.01'

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	180.71'	3°00'18"	9.48'	S10°41'47"W	9.48'
C2	267.45'	51°43'40"	241.46'	S53°54'05"W	233.34'

FIELDNOTE NO:
14.045

JOB NUMBER:
248-001

ISSUE DATE:
09/27/14

SHEET:

3 OF 3

0.599 ACRE OUT OF THE ISAAC
DECKER LEAGUE, TRAVIS
COUNTY, TEXAS.
AUSTIN, TX

BOUNDARY EXHIBIT

kbge
KIMBELL & BRUENI GARCIA & TESTES
1111 West University Drive, Suite 300, Austin, Texas 78704
737.451.8888 or 1.800.888.8888
www.kbge.com

CLIENT INFORMATION

GROUND FLOOR DEVELOPMENT
3109 KNOX STREET
SUITE 305
DALLAS, TEXAS 75205
214-937-9305

