

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2007-0262 – Central Austin **P.C. DATE:** January 15, 2008; February 12, 2008  
Vertical Mixed Use Building (V) Rezoning

**AREA:** 70 tracts on 65.53 acres

**APPLICANT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD)

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD),  
Andrew Holubeck

### **NEIGHBORHOOD ORGANIZATIONS:**

Alliance to Save Hyde Park  
Austin Independent School District  
Austin Neighborhoods Council  
Beau Site Neighborhood  
Caswell Heights Neighborhood Association  
Caswell Pease Neighborhood Association  
Central Austin Neighborhoods Planning Area Committee  
City of Austin Downtown Commission  
Dellwood Neighborhood Assn.  
Downtown Austin Alliance  
Downtown Austin Neighborhood Assn. (DANA)  
Downtown Austin Neighborhood Coalition  
Eastwoods Association  
Five Rivers Neighborhood Assn.  
Greater West Austin Neighborhood Planning Area  
Hancock Neighborhood Assn.  
Heritage Neighborhood Assn.  
Home Builders Association of Greater Austin  
Homeless Neighborhood Organization  
Hyde Park Neighborhood Assn.  
Judges' Hill Neighborhood Association  
Keep the Land  
M.K. Hage  
Mueller Neighborhoods Coalition  
Non-Profit Student Housing Preservation Group  
North Austin Neighborhood Alliance  
North Capitol Area Neighborhood Assn.  
North Loop Neighborhood Planning Liaison-COA  
North Loop Neighborhood Planning Team  
North University Neighborhood Assn.  
North University Planning Team  
Old Enfield Homeowners Assn.

Pemberton Heights Neighborhood Association  
PODER People Organized in Defense of Earth & Her R  
Ridgetop Neighborhood Association  
Rosedale Neighborhood Assn.  
Sentral Plus East Austin Koalition (SPEAK)  
Shoal Crest Neighborhood Assn.  
Taking Action Inc.  
The Original West University Neighborhood Association  
University Area Partners  
Upper Boggy Creek Neighborhood Planning Team  
West Campus Neighborhood Association  
West University Neighborhood Association  
Wilshire Wood-Dellwood I Neigh. Assn.

**AREA OF PROPOSED ZONING CHANGES:** The Central Austin Combined Neighborhood Planning area is bounded by Lamar Blvd. and Duval Street to the west, 38th & 45th Streets to the north, IH-35 to the east and Martin Luther King, Jr. Blvd. to the south (excluding the University of Texas at Austin Campus). Please refer to attachments.

**WATERSHEDS:** Shoal, Waller, Boggy (urban)

**DESIRED DEVELOPMENT ZONE:** Yes

**SCHOOLS:** Lee Elementary School

**APPLICABLE CORE TRANSIT CORRIDORS :** N Lamar Ave, W 38<sup>th</sup> St, E MLK Blvd, Airport Blvd.

**STAFF COMMENTS:**

The VMU Overlay District in the Central Austin Combined Neighborhood Planning Area includes 57.95 acres. The Dawson Neighborhood Plan Contact Team is recommending excluding properties from the Overlay District totaling approximately 49.10 acres. For those properties recommended to remain in the Overlay District, the Contact Team has recommended that 5.55 acres be opted out of the Parking Reduction incentive (but the other incentives apply), and that 3.30 acres be opted out of all incentives (Dimensional Standards, Parking Reduction, Additional Ground Floor Uses in Office Districts). The Contact Team also recommends opting into VMU regulations about 7.58 acres. Of these Opt-In properties, approximately 1.62 acres are recommended for the Dimensional Standards incentive only (not Parking Reduction or Additional Ground Floor Uses in Office Districts) and approximately 5.96 acres are recommended for the Dimensional Standards and Additional Ground Floor Uses in Office Districts incentives (not Parking Reduction). The net acreage of the Contact Team's recommendations for properties to be given the Vertical Mixed Use (V) zoning designation is 16.43 acres.

**LIST OF ATTACHMENTS:**

**Attachment 1:** Central Austin Combined VMU Neighborhood Recommendations

**Attachment 2:** List of Central Austin Combined Neighborhood VMU Application Properties by Tract #, TCAD Property ID and City of Austin Address for properties in the VMU Overlay District and for Opt-In Properties

**Attachment 3:** Central Austin Combined VMU Tract Map – VMU Overlay District Tracts

**Attachment 4:** Central Austin Combined VMU Tract Map – VMU Opt-In Tracts

**Attachment 5:** Zoning Map

**Attachment 6:** Central Austin Combined Neighborhood Vertical Mixed Use (VMU) Opt-In / Opt-Out Application

**Attachment 7:** Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process

**Attachment 8:** Planning Commission Comment Forms

**PLANNING COMMISSION RECOMMENDATION:**

January 15, 2008: Postponed to February 12, 2008: Postponed to April 22, 2008

**ISSUES:** None at this time.

**CITY COUNCIL DATE:** January 31, 2007

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Andrew Holubeck  
e-mail: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us)

**PHONE:** 974-2054

**NEIGHBORHOOD RECOMMENDATION**

In addition to the recommendations detailed in the Central Austin VMU Neighborhood Recommendations table (Attachment 1), the neighborhoods also recommend strict screening requirements for parking facilities and utility and service equipment on properties adjacent to single-family residential uses. However, the city's design standards for commercial development already provide the following screening requirements:

“Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscape so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Screening materials for solid waste collection and loading areas shall be the same as, or of equal quality to, the materials used for the principal building.”

Additionally, the City’s compatibility standards require that developments screen mechanical equipment, storage, refuse collection, and off-street parking by providing a yard, fence, berm, or vegetation. Also, a permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from a single-family property. And compatibility standards require a setback for parking areas that is 25 feet for sites greater than 125 feet wide, with a gradually decreasing setback requirement for more narrow sites.

Staff feels that these existing standards and requirements address neighborhood concerns for screening.

The Central Austin neighborhoods also expressed a concern for design standards for the “back” portion of VMU buildings that face the neighborhood. They request that more attention be paid to requiring better design so that neighborhoods are not forced to face unattractive portions of buildings such as large blank walls or a parking garage. Additionally, they would like compatibility standards to apply to multifamily as well as single-family properties. Since these requests deal with adjusting the VMU standards as a whole, rather than just specific properties in this neighborhood, staff is not including these requests as part of this rezoning case.

Please see Attachment 1 for additional information concerning Neighborhood Recommendations.

## **BACKGROUND**

On August 31, 2006, the City Council adopted the “Design Standards & Mixed Use” ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless “opted-out”. Properties not fronting on the Core Transit Corridors are not eligible for VMU unless “opted-in”.

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2007-0262 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Central Austin Combined Neighborhood application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 7.

Representatives of the Central Austin Combined Neighborhood Plan Contact Team submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on June 4, 2007. The Contact Team submitted an amended application on August 9, 2007.

### **Impervious Cover**

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u> )

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

### **Transportation**

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip

generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

### **Water and Wastewater**

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

### **Compatibility Standards**

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/use will be subject to compatibility development regulations.