

## SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2007-0258 – East MLK Vertical Mixed Use Building Rezoning

REQUEST:

Conduct a public hearing and approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning selected tracts within the East MLK Neighborhood Planning Area with the vertical mixed use building “V” combining district. The planning area is bounded by former Missouri-Kansas right-of-way to the east; the Austin and Northwestern Railroad to the south; Airport Boulevard, Anchor Lane and Manor Road to the west; and Loyola Lane, Ed Bluestein Boulevard and Little Walnut Creek to the north (East Boggy Creek; Tannehill Branch, Fort Branch; Little Walnut Creek and Walnut Creek watersheds).

DEPARTMENT COMMENTS:

There are no core transit corridors within the East MLK Neighborhood Planning Area. Manor Road and Airport Boulevard (west of Manor Road) are designated as Future Core Transit Corridors. The subject rezonings consist of 20 tracts on approximately 60.18 acres.

APPLICANT: City of Austin, Neighborhood Planning & Zoning Department

AGENT: City of Austin, Neighborhood Planning & Zoning Department (Wendy Rhoades)

DATE OF FIRST READING: February 28, 2008, Approved vertical mixed use building (V) district zoning with dimensional standards, parking reduction and additional uses in office districts for Tracts 1-20, and an affordability level of 60% of the Median Family Income (MFI) requirement for VMU rental developments, on First Reading (7-0).

CITY COUNCIL HEARING DATE: March 20, 2008

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades, e-mail: wendy.rhoades@ci.austin.tx.us

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2007-0258 – East MLK Combined     **P.C. DATE:** January 15, 2008  
Neighborhood Vertical Mixed Use Building (V)  
Zoning Opt-In/Opt-Out Process

**AREA:** 20 tracts on 60.18 acres

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

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD),  
Wendy Rhoades

### **NEIGHBORHOOD ORGANIZATIONS:**

|  |   |
|--|---|
| Cavalier Park Neighborhood Assn.                           | L.B.J. Neighborhood Assn.                   |
| Pecan Springs - Springdale Neighborhood Assn.              |   |
| Stonegate Neigh. Assn.                                     | University Hills Neighborhood Assn.         |
| Craigwood Association                                      | J.J. Seabrook Neighborhood Assn.            |
| Johnston Terrace Neighborhood Assn.                        | McKinley Heights Neigh. Assn.               |
| Jackie Robinson Acres                                      | Martin Luther King Jr. Neighborhood Assn.   |
| M.E.T.S.A. Neighborhood Assn.                              | Austin Neighborhoods Council                |
| Mueller Neighborhoods Coalition                            | East MLK Neighborhood Plan Contact Team     |
| Keep the Land  | Martin Luther King Jr./Airport Blvd. Sector |
| Stone Gate Neigh. Assn.                                    | Truman Heights Neighborhood Assn.           |
| Saucedo Street Neighborhood Assn.                          | NorthEast Action Group                      |
| Upper Boggy Creek Neighborhood Planning Team Contact       |   |
| Rio Lado Neighborhood Association                          | UBC Neighborhood Planning Team Contact      |
| PODER People Organized in Defense of Earth & Her Resources |   |
| Austin Independent School District                         | Sentral Plus East Austin Koalition (SPEAK)  |
| Del Valle Neighborhood Assn.                               | Pandora-Oakgrove                            |
| Austin Heights Neighborhood Assn.                          | Rosewood Neighborhood Planning Team         |
| Lower Boggy Creek Neighborhood Association                 |   |
| Homewood Heights Neighborhood Association                  |   |
| Mueller Master Community Inc.                              |   |
| University Hills/Windsor Park NPA Staff Liaison            |   |
| Home Builders Association of Greater Austin                |   |
| Taking Action Inc.   | METSA-NIC                                   |
| Lincoln Garden Association                                 | Anberly Airport Assn.                       |
| Cedar Valley Neighborhood Assn.                            | Responsible Growth for Windsor Park         |
| Homeless Neighborhood Organization                         | Windsor Park Neighborhood Assn.             |
| Bluebonnet Hills Assoc.                                    | Govalle Park Neighborhood Association       |
| Mueller Neighborhood Association                           |   |

**AREA OF PROPOSED ZONING CHANGES:** The East MLK Combined Neighborhood Planning Area is bounded by the former Missouri-Kansas right-of-way to the east; the Austin

and Northwestern Railroad to the south; Airport Boulevard, Anchor Lane and Manor Road to the west; and Loyola Lane, Ed Bluestein Boulevard and Little Walnut Creek on the north.

**WATERSHEDS:**

East Boggy Creek; Tannehill Branch; Fort Branch; Little Walnut Creek – **Urban**  
Walnut Creek – **Suburban**

**DESIRED DEVELOPMENT ZONE:** Yes

**SCHOOLS:** Pecan Springs Elementary School; Sims Elementary School; Norman Elementary School and Ortega Elementary School

**APPLICABLE CORE TRANSIT CORRIDORS:**

There are no Core Transit Corridors within the East MLK Neighborhood Plan Area. However, Manor Road and Airport Boulevard (west of Manor Road) are designated as Future Core Transit Corridors.

**STAFF COMMENTS:**

The VMU Overlay District in the East MLK Combined Neighborhood Plan Area includes 60.18 acres. The Pecan Springs-Springdale Hills Neighborhood Association is recommending excluding all 20 tracts from the Overlay District.

All 20 tracts within the Vertical Mixed Use Overlay District are designated as Mixed Use on the East MLK Combined Future Land Use Map (FLUM).

**LIST OF ATTACHMENTS:**

- Attachment 1:** East MLK Combined Planning District Report on VMU and (VMU) Opt-In / Opt-Out Application
- Attachment 2:** List of East MLK Combined Neighborhood VMU Application Properties by Tract #, TCAD Property ID and City of Austin Address for properties in the VMU Overlay District
- Attachment 3:** East MLK Combined VMU Neighborhood Recommendations
- Attachment 4:** East MLK Combined Neighborhood Planning Area VMU Overlay District Map and VMU Tract Map
- Attachment 5:** Zoning Map
- Attachment 6:** Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process
- Attachment 7:** Planning Commission Comment Forms

**PLANNING COMMISSION RECOMMENDATION:**

January 15, 2008: *APPROVED THE NEIGHBORHOOD'S REQUEST TO EXCLUDE ALL TRACTS FROM THE VERTICAL MIXED USE OVERLAY DISTRICT.*

*[M. DEALEY, S. KIRK - 2ND] (7-0) C. EWEN - ABSENT.*

**ISSUES:** None at this time.

**CITY COUNCIL DATE:** January 31, 2008

**ACTION:** This item was postponed to February 28, 2008 on Council Member McCracken's motion, Council Member Leffingwell's second, on a 7-0 vote.

February 28, 2008

Approved Vertical Mixed Use Building (V) district zoning with dimensional standards, parking reduction and additional uses in office districts for all 20 tracts, and an affordability level of 60% of the Median Family Income for 10% of rental units in a VMU Building, on First Reading (7-0).

March 20, 2008

**ORDINANCE READINGS:** 1<sup>st</sup> February 28, 2008 2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: [wendy.rhoades@ci.austin.tx.us](mailto:wendy.rhoades@ci.austin.tx.us)

**PHONE:** 974-7719

## **NEIGHBORHOOD RECOMMENDATION**

The Pecan Springs – Springdale Hills Neighborhood Association is recommending that all tracts be excluded from the VMU Overlay District, as further described on Pages 2 – 4 of Attachment A.

A table summarizing the neighborhood recommendations is found in Attachment 3.

## **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 C14-2007-0258 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the East MLK Neighborhood application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 6.

The President of the Pecan Springs – Springdale Hills Neighborhood Association submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on August 9, 2007. See the “Neighborhood Recommendation” section above for more details

### **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.

RECEIVED

AUG - 9 2007

Neighborhood Planning & Zoning

RECEIVED

AUG - 4 2007

Neighborhood Planning & Zoning

## **EAST MLK COMBINED PLANNING DISTRICT**

### **REPORT ON VMU**

**PREPARED BY STEPHANIE TSEN, PECAN SPRINGS-SPRINGDALE HILLS  
NEIGHBORHOOD ASSOCIATION PRESIDENT  
AUGUST 8, 2007**

*ATTACHMENT A*

## INTRODUCTION

The East MLK Combined Planning Area (adopted November 2002) contains Manor Road from Airport to Loyola on our west boundary. This portion of Manor Road is considered a Future Core Transit Corridor and therefore is candidate for the VMU Overlay. While the VMU Overlay initiative makes sense in many ways and has a lot of advantages, we cannot support it in our area at this time.

## REASONING

We choose to exclude all properties from the VMU Overlay Ordinance for the following reasons:

There is not enough information to make an informed decision on significant proposed developments such as the VMU Overlay District. Toby Futrell, City Manager, has recognized this and has included the following in her proposed budget:

"...adding four positions and \$300,000 to create [the] ombudsman function to provide community and neighborhood leaders with enhanced development information on significant proposed developments in their neighborhood."

The ANC Growth Resolution (July 25, 2007) states that [the City has] made decisions without adequate data or social and environmental impact projections and [has] failed to provide neighborhoods with valid information with which to plan. Additionally, examples of VMU buildings are limited. Condos are so new in central east Austin and basically non-existent in the East MLK Combined Planning Area. Therefore there are no patterns on VMU success and condo prices to create criteria for the application.

The current infrastructure will not support increased density. Bus routes on Manor Road may be direct, but the surrounding bus routes within the neighborhood are not connective. Toilets within properties of Manor Road and beyond consistently have to be plunged to flush the solid waste. As of August 2007, sidewalks remain incomplete on MLK Blvd even though funds to provide these sidewalks were approved in the 1998 Bond Election Ordinance. There are currently no bike lanes on Manor Road between Airport Blvd. and 183. Though it is enjoyable to view the stars in this area, Manor Road and connecting streets are not properly lit at night.

VMU promotes economic inequality. Condos on top of commercial space will be rightfully very desirable and will be priced to reflect its demand. In July 2007, average sales of condos (a total of 6 condos were sold) in central-east and northeast Austin was \$192,000. This will not be affordable to the average Austinite (MFI = \$69,000/family of four), much less the average resident of the East MLK Combined District (MFI = \$25,000/family of four). Therefore affluent people from areas other than ours move into the Manor Road corridor, our neighborhood border. The newcomers will be well served by the infrastructure/improved infrastructure, by design. Meanwhile, the long time Springdale Hills resident still takes 3 buses to get from her house to her workplace. She works at the neighborhood library which is less than 3 miles away. (Note that, as she was told by a Capital Metro employee, a faster way would be for her to catch a bus to the Capitol and transfer there.)

The affordability component in VMU was included to promote economic diversity within the development and VMU is considered the most aggressive program in Austin to



implement affordability. However, attending Council Member McCracken's "Affordability and VMU" on June 11, 2007, there was not a working model of affordability for ownership. The outstanding issue was regarding property taxes. Art Cory (head appraiser for Travis County) who was present explained that property taxes are based on market value and not actual sale value, per state law. As affordability criteria require a below-market sale price, property taxes would then make that unit unaffordable. As a response to whether an affordability model for ownership would be defined and determined to be feasible by the time the VMU Applications were due, the answer was no. Therefore the affordability for ownership component built into VMU could not be considered as criteria in this application.

Promoting intense development will increase impervious cover. A VMU building is an intense development, especially if there is no limit to impervious cover. A corridor of VMU buildings would therefore be a very intense development. As it rains and floods, more water will run-off rather than absorb into the ground. This effect is heightened by the mandated curbs on drives and other site-work which directs run-off away from any absorbing material, such as grass. Additionally, although detention ponds and water quality controls filters and slows the run-off into the creeks, the run-off volume to the creeks will increase as impervious cover in the watershed increases. This will affect the creeks, the banks of our creeks and therefore our neighbors' backyards. With the recent rains, a resident lost 9'-0" of width in his backyard.

There has been a lack of effective coordination. First, this VMU Overlay would be a significant change to the neighborhood plan. According to the Staff written plan for our area, significant changes to the neighborhood plan should be a result of a joint effort between Staff and neighborhood representatives. Although Staff was available and helpful, Staff did not participate in a joint effort with our neighborhood planning teams to create, mitigate, or navigate this imposed significant change. Second, Manor Road is shared between two combined planning areas. Interaction between these planning areas has been limited and not to mention, not facilitated by the City. The specific neighborhoods physically bordering Manor Road is Pecan Springs (East MLK) and Windsor Park. Currently, Windsor Park has two registered neighborhood associations, each with a similar membership count. The two group's VMU recommendations for the west side of Manor Road are opposing. Therefore it has been less than opportune to coordinate the east side of Manor (our side) with the west.

## CONCLUSION

Andres Duany, the founder of "new-urbanism" advocates the empowerment of neighborhoods. He states that "the planner's (the City) role is to create a system that allows the smallest possible effective increment (neighborhoods) to make a decision. Acting at the neighborhood level, a city can design itself." On that note of empowerment and based on the reasons listed above, the **East MLK Combined Planning Area requests that our recommendations to exclude all properties from the VMU Overlay District be approved as submitted. Furthermore, we recommend that future planning teams discussing VMU Overlay Districts should be formed relative to the affected area or corridor.**

8-6-07

Minutes of East MLK Combined Neighborhood Planning Area: VMU Meeting:  
Discussion + vote:

Stephanie Tsen used 10 photos of present buildings/soon to be built buildings. They are all flush to with the sidewalk. One picture showed the back view of a building: the entrance to the parking garage – a large concrete ramp right next to a residence.

Andrew Bucknall explained the MFI figures, comparing that for Austin/Roundrock (\$69,000/family of four) and for the East MLK Combined (\$25,000/family of four). Federal poverty guideline is \$20,650/family of four. He also discussed how our soil is less stable than in west Austin, perhaps affecting creek-bank erosion and the cost-prohibitive nature of stable foundations for relatively large VMU buildings.

Willie Lewis spoke about us having 4 main streets: 51<sup>st</sup>, Springdale, Manor, MLK. Discussion followed. Tsen discussed core and future core transit corridors based on Austin's Commercial Design Standards. Tsen determined Manor road was chosen as a FCTC because of the existing direct #20 bus route that continues along manor road to downtown. Willi Elam-Sneed thought Manor was a FCTC because of its connectivity to the airport.

It was discussed that a case by case decision would be better than a blanket decision. Related, gradual change would be better than an abrupt change. Need a buffer between downtown-type development (VMU) and neighborhood homes.

Rising property taxes are a concern.

Andrew Bucknall moves that the East MLK Combined Planning Area exclude all properties from the VMU Overlay District.

Walter Riley 2nd

For: 5

Against: 0

Abstain: 3

Recognizing that VMU discussions are not over, Willie moves that the East MLK Combined Planning Area recommend that future planning teams discussing VMU Overlay Districts should be based on the affected corridor rather than the Combined Planning Area.

Mary Hysaw 2nd

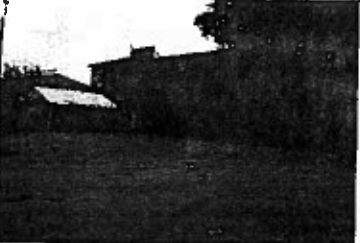





For: 6


Against: 0








Abstain: 2


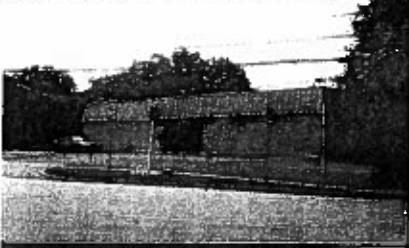





VMU Meeting : Discussion + (te

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|    | Image of Property   | ADDRESS OF PROPERTY |   | APPLICATION AREA   | Current Zoning |
|----|---|---------------------|---|--|----------------|
| 1  |   | 2213                | Airport Blvd.   | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY |                |
| 2  |    | 3701                | Airport Road  | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 3  |    | 3737                | Airport Blvd. [Note: address given on vmu map is 1909]              | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 4  |   | 3811                | Airport Blvd.   | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 5  |  | 3823                | Airport Blvd.   | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 5a |  | 1909                | E. 38 1/2 [Note: address given on vmu map is also 3823 -see line 5] | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 6  |  | 3839                | Airport Blvd.   | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |

|    | Image of Property   | ADDRESS OF PROPERTY |  | APPLICATION AREA   | Current Zoning |
|----|---|---------------------|--|--|----------------|
| 7  |   |                     | East 38th Street<br>[address given on<br>VMU map: 3114<br>Manor Rd.] | AMEND THE BOUNDARIES OF<br>THE VMU OVERLAY TO<br>EXCLUDE THIS PROPERTY |                |
| 8  |   | 3107                | Manor Road [Note:<br>address given on<br>VMU map: 3109]              | AMEND THE BOUNDARIES OF<br>THE VMU OVERLAY TO<br>EXCLUDE THIS PROPERTY |                |
| 9  |   | 3111                | Manor Road   | AMEND THE BOUNDARIES OF<br>THE VMU OVERLAY TO<br>EXCLUDE THIS PROPERTY |                |
| 10 |   | 3113                | Manor Road [ No<br>address given on<br>VMU map]                      | AMEND THE BOUNDARIES OF<br>THE VMU OVERLAY TO<br>EXCLUDE THIS PROPERTY |                |
| 11 |  | 3114                | Manor Road   | AMEND THE BOUNDARIES OF<br>THE VMU OVERLAY TO<br>EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 12 |   | 3115                | Manor Road [Note:<br>address given on<br>vmu map is 2129]            | AMEND THE BOUNDARIES OF<br>THE VMU OVERLAY TO<br>EXCLUDE THIS PROPERTY |                |
| 13 |   | 3121                | Manor Road<br>[address given on<br>VMU map: 3119]                    | AMEND THE BOUNDARIES OF<br>THE VMU OVERLAY TO<br>EXCLUDE THIS PROPERTY |                |

|    | Image of Property   | ADDRESS OF PROPERTY |  | APPLICATION AREA   | Current Zoning |
|----|---|---------------------|--|--|----------------|
| 14 |    | 3112                | Manor Road                               | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 15 |    | 3138                | Manor Road                               | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 16 |    | 3207                | Manor Road                               | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY |                |
| 17 |   | 3218                | Manor Road [No address given on VMU map] | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 18 |  | 3219                | Manor Road                               | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-CO-NP       |
| 19 |  | 3220                | Manor Road                               | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 20 |  | 3300                | Manor Road                               | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |

|    | Image of Property   | ADDRESS OF PROPERTY |   | APPLICATION AREA   | Current Zoning |
|----|---|---------------------|---|--|----------------|
| 21 |    | 3303                | Manor Road [Note: Address given on VMU map is 2213] | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY |                |
| 22 |    | 3317                | Manor Road  | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | GR-CO-NP       |
| 23 |    | 3330                | Manor Road  | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | CS-MU-NP       |
| 24 |   | 3401                | Manor Road [Note: No address given on VMU map]      | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | GR-NO-CP       |
| 25 |  | 3403                | Manor Road  | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | GR-CO-NP       |
| 26 |  | 3501                | Manor Road [Note: address given on VMU map is 3507] | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | LO-NP          |
| 27 |  | 3511                | Manor Road  | AMEND THE BOUNDARIES OF THE VMU OVERLAY TO EXCLUDE THIS PROPERTY | GR-NP          |

**SECONDARY CONTACT INFORMATION:**

NAME DeWayne Lofton

PHONE 461-8563

E-MAIL dewayne.lofton@tasb.org

MAILING ADDRESS P.O. Box 14651

Austin, TX 78761

**2. PRINT AND REVIEW THE DETAILED MAPS FOR YOUR AREA**

Detailed maps for each application area can be found by going to the map located at the bottom of [www.ci.austin.tx.us/planning/vmu\\_outreachprocess.htm](http://www.ci.austin.tx.us/planning/vmu_outreachprocess.htm).

**3. IF YOUR AREA HAS PROPERTIES IN THE VMU OVERLAY DISTRICT COMPLETE THE ATTACHED VMU OVERLAY DISTRICT FORM.**

See Instructions for VMU Opt-In/Opt-Out Process for more detail.

A blank copy of the VMU Overlay District form is provided below. Please print additional copies as needed.



# VERTICAL MIXED USE OVERLAY DISTRICT FORM

| ADDRESS OF PROPERTY* | APPLICATION AREA:   |  |   | PAGE of  |  |
|----------------------|---|--|---|--|--|
|                      | Amend the boundaries of the VMU Overlay District to exclude this property | This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU. | Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such) | Opt-Out of Parking Reductions (commercial uses only) | Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO) |
|                      |   |  |   |  |  |
| ALL PROPERTIES       | X SEE ATTACHED  |  |   |  |  |
|                      |   |  |   |  |  |
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|                      |   |  |   |  |  |

\* If the detailed map does not include an address for a property of interest please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

4. **IF YOUR AREA HAS PROPERTIES OUTSIDE OF THE VMU OVERLAY DISTRICT ON WHICH THE NEIGHBORHOOD WISHES TO PERMIT VMU COMPLETE THE ATTACHED VMU OPT-IN FORM.**

See Instructions for VMU Opt-In/Opt-Out Process for more detail. Note: If your area does not wish to recommend VMU for properties outside of the VMU Overlay District no application is required.

A blank copy of the VMU Opt-In form is provided below. Please print additional copies as needed.

# VERTICAL MIXED USE OPT-IN FORM

[illegible]

\* If the detailed map does not include an address for a property of interest, please assign a number or address to the property and note the number or address on both the detailed map and the opt-out form.

**5. IDENTIFY A RECOMMENDED LEVEL OF AFFORDABILITY FOR FUTURE VMU RENTAL UNITS.**

Indicate a level of affordability for residential rental units. The affordability requirements are triggered only when a VMU Building takes advantage of the dimensional standards and parking reductions approved for a site.

Note: A single affordability level applies to all VMU-eligible properties within the application area. See Instructions for VMU Opt-In/Opt-Out Process for more detail.

Recommended Affordability Level for VMU-eligible properties (check one):

\_\_\_\_\_ 80% of median family income

\_\_\_\_\_ 70% of median family income

\_\_\_\_\_ 60% of median family income

\_\_\_\_\_ Other level between 60-80% of median family income

**6. PLEASE PROVIDE THE FOLLOWING INFORMATION:**

**A. The following questions refer to the official vote taken by the Neighborhood Planning Team or Neighborhood Association on the Opt-In/Opt-Out application.**

A. Was the vote taken in accordance with the Neighborhood Plan Team or Neighborhood Association by-laws?

Yes \_\_\_\_\_ No ☒ \_\_\_\_\_

If No, please explain why and how the vote was taken. For example: multiple neighborhood associations were involved with the vote and each association has different by-laws.

Multiple neighborhood associations were involved with the vote and each association has different by-laws. The associations participating within East MLK Combined Neighborhood planning area are MLK, Pecan Springs-Springle Hills, Craigwood, Truman Heights,

B. Please provide the results of the vote:

For \_\_\_\_\_ Against \_\_\_\_\_  
Neighborhood Planning and Zoning Department

C. Number of people in attendance at the meeting: \_\_\_\_\_

D. Please explain how notice of the meeting at which the vote was taken was provided:

Attendees were invited based on past indicated interest  
and past participation.

Attendees were all called  
by phone tree.

E. Please attach a copy of the notice of the meeting at which the vote was taken.

F. Please provide a copy of the meeting minutes at which the vote was taken.

G. Please read and sign the following:

THE ABOVE STATED INFORMATION IS ACCURATE AND COMPLETED IN ACCORDANCE WITH :

Neighborhood Plan Team By-Laws: \_\_\_\_\_

Neighborhood Association By-Laws: \_\_\_\_\_

Other, as described in question A., above: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**7. MAIL COMPLETED APPLICATION AND DETAILED MAPS TO:**

Neighborhood Planning and Zoning Department  
Attn: George Adams  
P.O. Box 1088  
Austin, TX 78767

or, drop-off at the NPZD office at:

One Texas Center  
505 Barton Springs Road, 5<sup>th</sup> floor

**VERTICAL MIXED USE APPLICATION  
SUBMITTAL CHECKLIST**

- \_\_\_\_\_ 1. Completed application with signature of chairperson.
- \_\_\_\_\_ 2. Detailed maps showing locations of properties opted-in or opted-out.
- \_\_\_\_\_ 3. Completed VMU Opt-Out Form, if applicable
- \_\_\_\_\_ 4. Completed VMU Opt-In Form, if applicable.
- \_\_\_\_\_ 5. Copy of the notice of the meeting at which the vote was taken.
- \_\_\_\_\_ 6. Copy of the meeting minutes at which vote was taken.

**East MLK Combined Planning Area VMU Application Properties**  
C14-2007-0258

| Vertical Mixed Use (VMU) Overlay District Properties |                      |                             |                      |                          |
|--|----------------------|-----------------------------|----------------------|--------------------------|
| Tract # (1)  | TCAD Property ID (2) | COA Address (3)             | FROM                 | TO                       |
| 1  | 207590               | 3823 AIRPORT BLVD           | CS-MU-NP             | CS-MU-V-NP               |
|  | 207591               | 3839 AIRPORT BLVD           | CS-MU-NP             | CS-MU-V-NP               |
|  | 207592               | 3811 AIRPORT BLVD           | CS-MU-NP             | CS-MU-V-NP               |
| 2  | 207622               | 1909 E 38TH HALF ST         | CS-MU-NP; CS-1-MU-NP | CS-MU-V-NP; CS-1-MU-V-NP |
|  |                      | 3737 AIRPORT BLVD           |                      |                          |
|  | 207623               | 3701 AIRPORT BLVD           | CS-MU-NP             | CS-MU-V-NP               |
|  | 207633               | 3110 MANOR RD               | CS-NP                | CS-V-NP                  |
|  |                      | 3112 MANOR RD               |                      |                          |
|  |                      | 3116 MANOR RD               |                      |                          |
|  |                      | 3118 MANOR RD               |                      |                          |
|  |                      | 3120 MANOR RD               |                      |                          |
|  |                      | 3122 MANOR RD               |                      |                          |
|  |                      | 3124 MANOR RD               |                      |                          |
| 3  | 207634               | 3138 MANOR RD               | CS-MU-NP             | CS-MU-V-NP               |
|  |                      | 3218 MANOR RD               |                      |                          |
|  | 207645               | 3220 MANOR RD               | CS-MU-NP             | CS-MU-V-NP               |
|  | 207646               | 3330 MANOR RD               | CS-MU-NP             | CS-MU-V-NP               |
|  | 207647               | 3300 MANOR RD               | CS-MU-NP             | CS-MU-V-NP               |
| 4  | 204457               | 2213 AIRPORT BLVD           | CS-MU-NP             | CS-MU-V-NP               |
|  |                      | 3107 1/2 MANOR RD           |                      |                          |
|  | 204458               | 3107 MANOR RD               | CS-MU-NP             | CS-MU-V-NP               |
|  |                      | 3109 MANOR RD               |                      |                          |
|  | 204459               | 3111 MANOR RD               | CS-MU-NP             | CS-MU-V-NP               |
| 5  | 204443               | 3115 MANOR RD               | CS-MU-NP             | CS-MU-V-NP               |
|  | 204451               | 3119 1/2 MANOR RD           | GR-NP                | GR-V-NP                  |
|  |                      | 3121 MANOR RD               |                      |                          |
|  | 204471               | .49 AC OF OLT 50 DIVISION B | GR-NP                | GR-V-NP                  |
|  | 204472               | 3207 MANOR RD               | GR-NP                | GR-V-NP                  |
|  | 204473               | 3219 MANOR RD               | CS-CO-NP             | CS-V-CO-NP               |
| 6  | Portion of 204542    | 2213 TILLERY ST             | CS-CO-NP             | CS-V-CO-NP               |
| 7  | 207652               | 3317 MANOR RD               | GR-CO-NP             | GR-V-CO-NP               |
| 8  | 207657               | 3401 MANOR RD               | GR-CO-NP             | GR-V-CO-NP               |
|  | 207658               | 3403 MANOR RD               | GR-CO-NP             | GR-V-CO-NP               |
| 9  | 207661               | 3501 1/2 MANOR RD           | LO-NP                | LO-V-NP                  |
|  |                      | 3501 MANOR RD               |                      |                          |
|  |                      | 3507 1/2 MANOR RD           |                      |                          |
|  |                      | 3507 MANOR RD               |                      |                          |
|  | 207662               | 3511 MANOR RD               | LO-NP; GR-NP         | LO-V-NP; GR-V-NP         |
| 10   | 205515               | 3601 MANOR RD               | GR-NP                | GR-V-NP                  |
|  |                      | 3607 MANOR RD               |                      |                          |
|  | 205516               |                             | GR-NP                | GR-V-NP                  |
| 11   | 209557               | 4605 MANOR RD               | GR-MU-CO-NP          | GR-MU-V-CO-NP            |
|  | 210784               | 4611 MANOR RD               | GR-MU-CO-NP          | GR-MU-V-CO-NP            |
|  | 210785               | 4617 MANOR RD               | GR-MU-CO-NP          | GR-MU-V-CO-NP            |
|  |                      | 4701 MANOR RD               |                      |                          |
|  | 211944               | LOT 2 MEADOWCREEK ON MANOR  | GR-MU-CO-NP          | GR-MU-V-CO-NP            |
| 12   | 211945               | LOT 1 MEADOWCREEK ON MANOR  | GR-MU-CO-NP          | GR-MU-V-CO-NP            |
|  |                      |                             |                      |                          |
|  | 211929               | 5029 MANOR RD               | GR-MU-NP             | GR-MU-V-NP               |
|  | 211938               | 2909 E 51ST ST              | GR-MU-NP             | GR-MU-V-NP               |
|  |                      | 2913 E 51ST ST              |                      |                          |
| 13   | 213992               | 5005 MANOR RD               | GR-NP                | GR-V-NP                  |
|  |                      | 5100 1/2 OVERBROOK DR       |                      |                          |
|  |                      | 5109 1/2 MANOR RD           |                      |                          |
|  |                      | 5115 1/2 MANOR RD           |                      |                          |
|  |                      | 5201 1/2 MANOR RD           |                      |                          |
|  | 213993               | 5301 MANOR RD               | CS-NP                | CS-V-NP                  |
|  | 213994               | 2901 1/2 PECAN SPRINGS RD   | GR-NP                | GR-V-NP                  |
|  |                      | 5313 MANOR RD               |                      |                          |
|  | 213995               | 5211 MANOR RD               | GR-NP                | GR-V-NP                  |
|  | 213996               | 5209 1/2 MANOR RD           | GR-NP                | GR-V-NP                  |
|  |                      | 5209 MANOR RD               |                      |                          |
|  | 217240               | 5703 MANOR RD               | GR-MU-CO-NP          | GR-MU-V-CO-NP            |
|  |                      | 5709 MANOR RD               |                      |                          |
|  | 217241               | 5715 MANOR RD               | GR-MU-CO-NP          | GR-MU-V-CO-NP            |

*ATTACHMENT 2*

**East MLK Combined Planning Area VMU Application Properties**  
**C14-2007-0258**

| Tract # (1) | TCAD<br>Property ID<br>(2) | COA Address (3)       | FROM        | TO            |
|-------------|----------------------------|-----------------------|-------------|---------------|
| 14          | 217242                     | LOT A TAYLOR W J ADDN | GR-MU-CO-NP | GR-MU-V-CO-NP |
|             | 217243                     | 5803 MANOR RD         | GR-MU-CO-NP | GR-MU-V-CO-NP |
|             | 217244                     | 5811 MANOR RD         | GR-MU-CO-NP | GR-MU-V-CO-NP |
|             | 217245                     | 2901 SWEENEY LN       | GR-MU-CO-NP | GR-MU-V-CO-NP |
| 15          | 217266                     | 2902 SWEENEY LN       | GR-MU-CO-NP | GR-MU-V-CO-NP |
|             | 219116                     | 6113 MANOR RD         | GR-MU-CO-NP | GR-MU-V-CO-NP |
|             | 219117                     | 6115 MANOR RD         | GR-MU-CO-NP | GR-MU-V-CO-NP |
|             | 219120                     | 6105 MANOR RD         | GR-MU-CO-NP | GR-MU-V-CO-NP |
| 16          |                            | 6107 MANOR RD         |             |               |
|             | 219202                     | 6201 MANOR RD         | GR-MU-CO-NP | GR-MU-V-CO-NP |
|             | 219263                     | 6413 MANOR RD         | GR-NP       | GR-V-NP       |
|             | 219378                     | 6500 SPRINGDALE RD    | GR-NP       | GR-V-NP       |
| 20          | 219375                     | 6601 MANOR RD         | GR-CO-NP    | GR-V-CO-NP    |

(1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.

(2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

(3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.



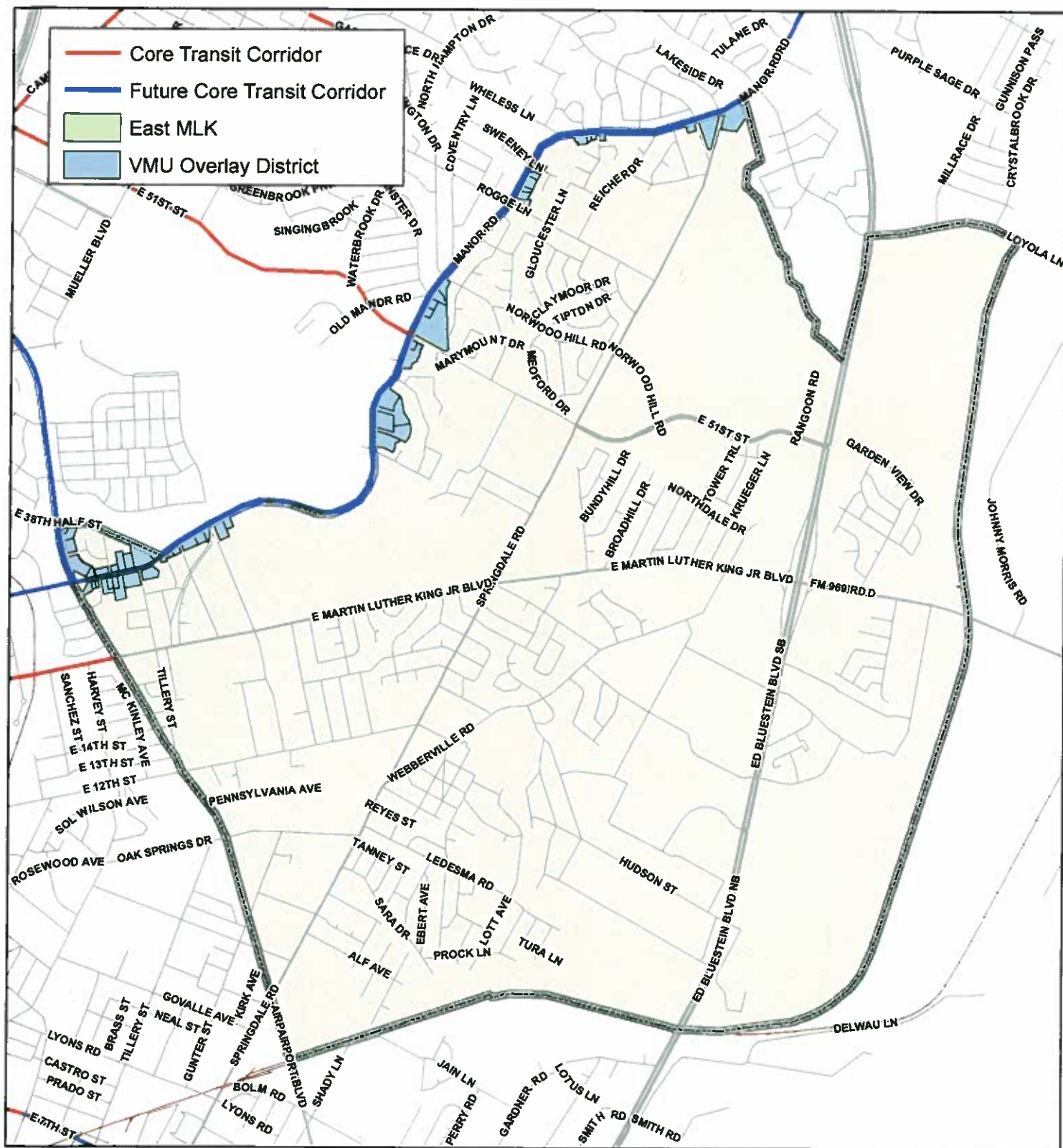
**East MLK Combined Planning Area VMU Neighborhood Recommendations  
C14-2007-0258**

**VMU Overlay District**

| Tract # (1) | All VMU-Related Standards Apply | OPT OUT (2)           |                   |  | Exclude from VMU Overlay District |
|-------------|---------------------------------|-----------------------|-------------------|--|-----------------------------------|
|             |                                 | Dimensional Standards | Parking Reduction | Additional Ground Floor Uses in Office Districts |                                   |
| 1 - 20      |                                 |                       |                   |  | X                                 |

**RECOMMENDED AFFORDABILITY LEVEL FOR 10% OF RESIDENTIAL UNITS FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING: NO RECOMMENDATION GIVEN**

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.  
 (2) Please refer to attached information for explanations of Opt-Out options.



**East MLK Combined Neighborhood Planning Area  
VMU Overlay District  
Case # C14-2007-0258**

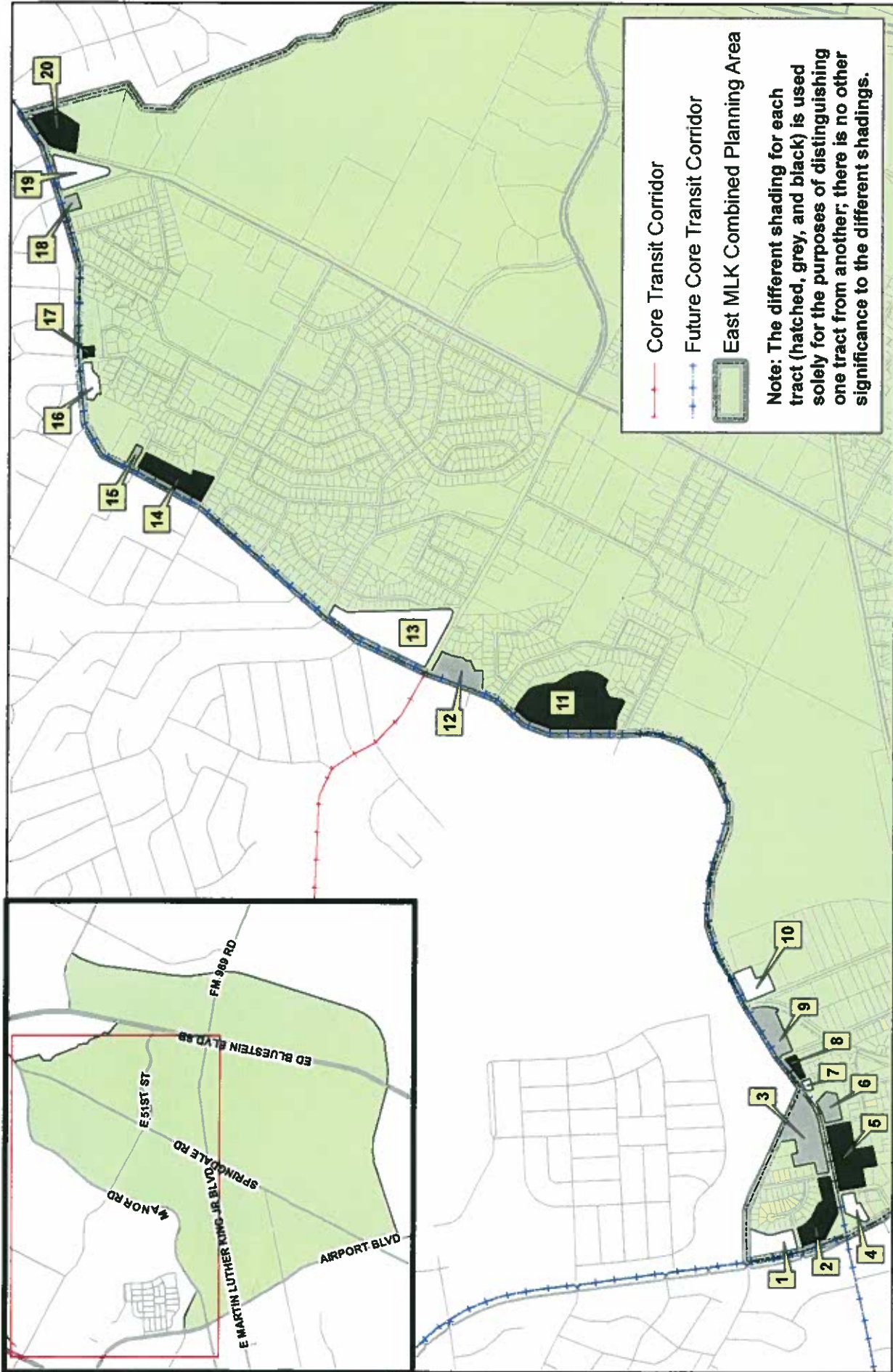
2,000 1,000 0 2,000 Feet



Produced by City of Austin  
Neighborhood Planning and Zoning Dept.  
December 20, 2007

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

*ATTACHMENT 4*



# **East MLK Combined Neighborhood Planning Area Vertical Mixed Use (VMU) Tract Map VMU Overlay District Case # C14-2007-0258**

Please refer to attached tables "East MLK Combined Planning Area VMU Application Properties" and "East MLK Combined Planning Area VMU Neighborhood Recommendations" for more information.

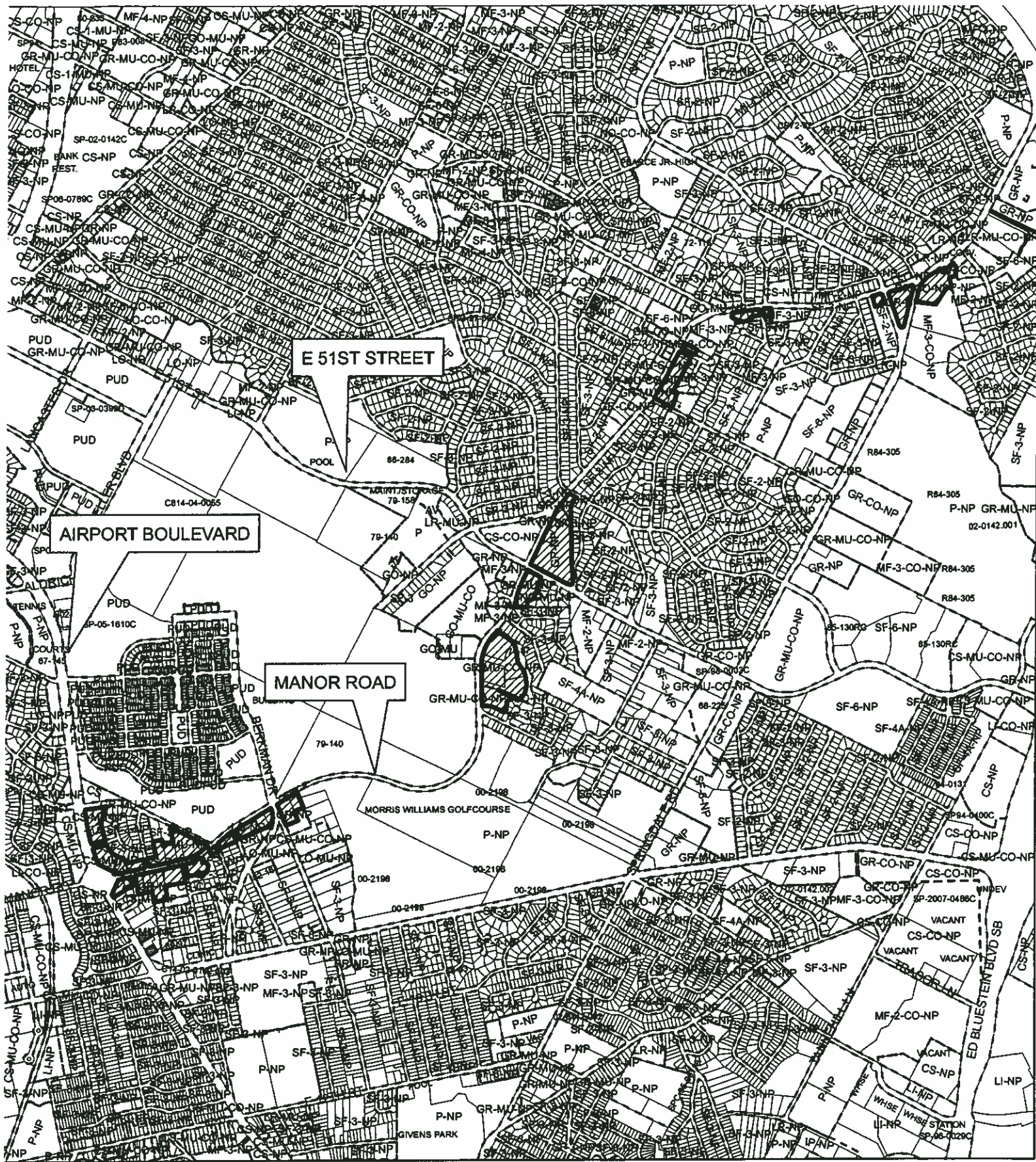
Produced by City of Austin  
Neighborhood Planning and Zoning Dept.  
December 20, 2007



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ATTACHMENT 4





ATTACHMENT 5



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE#: C14-2007-0258  
 ADDRESS: E MLK COMBINED NPA  
 SUBJECT AREA: 60.18 ACRES  
 GRID: L24-25  
 MANAGER: W. RHOADES

OPERATOR: S. MEEKS



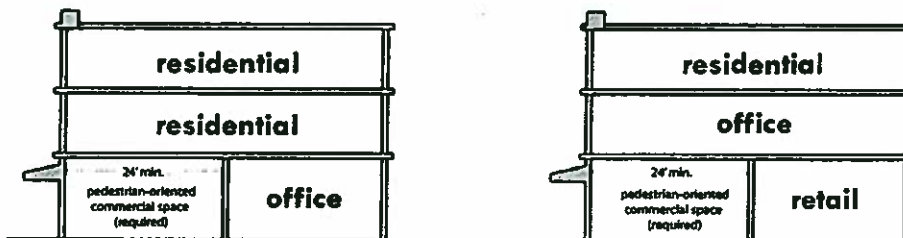
1" = 1800'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

# **OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS**

## **WHAT IS A VERTICAL MIXED USE BUILDING?**

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



## **WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?**

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

## **WHY VERTICAL MIXED USE BUILDINGS?**

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

## **WHAT ARE THE STANDARDS FOR A BUILDING?**

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component

## WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

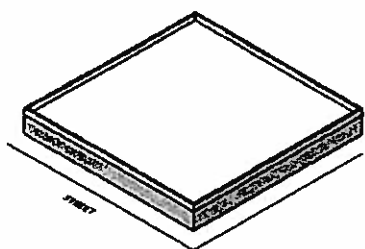
### Dimensional Standards

These dimensional standards listed below are a “package” and must be accepted or rejected as such in the opt-in/opt-out process.

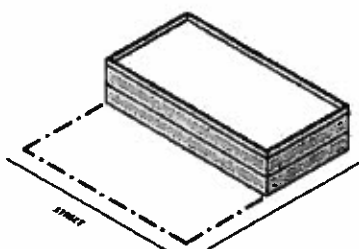
- **Setbacks**—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- **Floor to Area Ratio**—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

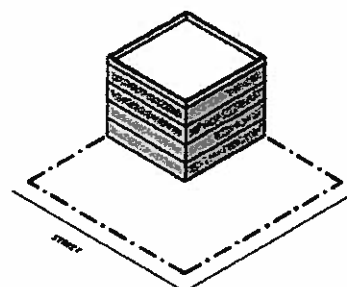
For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



**FAR=1.0**  
10,000 sq. ft. building  
covering 100% of lot



**FAR=1.0**  
10,000 sq. ft. building  
covering 50% of lot



**FAR=1.0**  
10,000 sq. ft. building  
covering 25% of lot

- **Building Coverage**—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- **Minimum Site Area**—no “minimum site area” requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

### Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances



such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

#### **Additional Ground Floor Commercial Uses in Office Districts**

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:  
[http://www.ci.austin.tx.us/zoning/downloads/np\\_guide.pdf](http://www.ci.austin.tx.us/zoning/downloads/np_guide.pdf).

#### **WHAT IS THE OPT-IN/OPT-OUT PROCESS?**

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

#### **WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?**

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and parking exemptions they are subject to certain affordability requirements.

**Owner-Occupied Units**—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

**Rental Units**—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

## **OTHER FREQUENTLY ASKED QUESTIONS:**

### **DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?**

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

### **HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?**

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

### **IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?**

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

### **HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?**

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Site plans approval requires a public hearing before the Planning Commission. All property owners and registered neighborhood organizations within 300 feet of a proposed vertical mixed use development will be notified of the public hearing via US Mail.



### **WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?**

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

### **HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?**

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

### **IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?**

The City's impervious cover limits and compatibility standards will still apply.

### **WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?**

[http://www.ci.austin.tx.us/planning/downloads/Subchapter\\_E\\_Design\\_Standards.pdf](http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf)

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>