

JUN 04 2007

**VERTICAL MIXED USE OPT-IN FORM**[illegible]

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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.

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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

Rosedale

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

Rosedale

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.

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

B. Please provide the results of the vote:

For 9 Against 0  
Neighborhood Planning and Zoning Department

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C. Number of people in attendance at the meeting: 20 (not all on Steering Committee) <sup>Neighborhood Planning & Zoning</sup>

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

Neighborhood list serve was used as means  
of notification. Time was during the  
regular monthly steering committee meeting

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

see attached

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

see attached

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: \_\_\_\_\_

George Adams  
SIGNATURE OF CHAIR (OR DESIGNEE)

5/30/07  
DATE

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

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**Neighborhood Planning & Zoning**

**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.

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of Women  
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Spiderman 3  
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Kickin' It Old Skool

Neighborhood Planning & Zoning

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tracydatkins · atkins@austin.rr.com | Group Member - Edit Membership

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**May Rosedale Steering Committee Meeting - VMU**

M

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Please join the Rosedale Neighborhood Association Steering Committee at our regularly scheduled monthly meeting on Monday, May 21. The meeting will begin at 6:45 p.m at the Yarborough Library.

Sat May 19, 2007

▷ Show Message

\*\*\*\*\*

May 21, 2007 - 6:45 PM  
Yarborough Library

**AGENDA:**

- Vertical Mixed Use (VMU) Preliminary Recommendations
- Zoning and Variances
- Triangle Update
- Fourth of July Carnival and Parade
- June Newsletter
- The Parks Grant
- Tree Planting in the Park
- Formation of Committees
- Other Updates from SC Coordinators

"Dianne Holle Mountain"  
<dholley@...>  
diannemountain  
Offline  
Send Email  
Invite to Yahoo

This is your opportunity to ask questions and voice your opinions. Please plan to attend on Monday and let your neighbors, who may not be on this list-serve, know about the meeting.

Dianne Mountain  
Co-president

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Rosedale Neighborhood Association  
dholley@...

[Non-text portions of this message have been removed]

 Forward

Message #11818 of 11947 < Prev

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<b>May Rosedale Steering Committee Meeting - VMU</b> Please join the Rosedale Neighborhood Association Steering Committee at our regularly scheduled monthly meeting on Monday, May 21. The meeting will begin at ...	Dianne Holley Mountain diannemountain 	May 5:13
< Prev Topic   Next Topic >		

Message #



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**RNA Meeting Summary for May 21st**

**Posted by: "mjbrown@austin.rr.com" mjbrown@austin.rr.com mjbrown**  
**Tue May 22, 2007 2:55 pm (PST)**

**RNA Meeting Summary**  
**May 21, 2007**

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**JUN 04 2007**  
**Neighborhood Planning & Zoning**

**AGENDA ITEMS:**

**Vertical Mixed Use (VMU)**

Tracy, Dianne and Ambrose presented an overview of Vertical Mixed Use Development. The designated corridors for possible VMU development in Rosedale (with the Steering Committee member in charge of gathering information about that area) are:

- 35th and 38th Street (Dianne)
- Burnet Rd (Tracy)
- North Lamar (Ambrose)

Waterloo and 1212 W. 38th Street are two properties that will be excluded from the VMU overlay. After discussion, the following options were considered for vote:

- Opt in to an across the board 60% Affordability Level (Ambrose made the motion and Karen seconded it and motion passed).
- Opt out of the across the board 20% Additional Parking Reduction with parking for specific projects to be considered on a case by case basis as plans are submitted for approval and development. (Joyce made the motion and Chris seconded it and the motion passed).
- Opt in to across the board Dimensional Standards (Ambrose made the motion and Vicki seconded it and the motion passed).

The VMU application will be submitted by June 4th with the note that it may be amended within a 45 day window. Many thanks were extended to Tracy, Dianne and Ambrose for their coordination of all aspects related to VMU.

**Triangle Update**

Dianne reported that she attended the last meeting scheduled to discuss current development issues at the Triangle. The only topic discussed at this meeting was the different options for landscaping various areas within the development.

**June Newsletter**

Articles for the June RNA Newsletter should be turned in to Gina by Friday, June 22nd. Diana will help Karen in coordinating newsletter delivery.

**July 4th Parade and Carnival**  
**Plans for both are underway!**

#### **Committee Reports**

**Neighborhood Features Committee** -- Sam reported that the City of Austin Forestry Department will do a major tree planting project this fall in Ramsey Park. He is also pursuing more information about a parks grant that could be used to enhance the park. Thanks were extended to Sam for working with the City of Austin aquatic staff on the extended pool hours for Ramsey Pool.

#### **Other Business**

The RNA is seeking additional residents to contribute to the various committees. Vicki will send out a survey via the neighborhood mailing list and there will be a note about this in the next newsletter.

The search for a projection device for the neighborhood will branch out to seek neighborhood residents who can advise, and perhaps help secure, a device that has the features we need at an acceptable cost. Vicki will send this message out via the listserv. Richard and Kim will begin planning for Movies in the Park events as soon as they know we will have a device to use for this.

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#### **Committee Reports**

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**Neighborhood Planning & Zoning**

Oakmont Heights NA

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## VERTICAL MIXED USE (VMU) OPT-IN/OPT-OUT APPLICATION

The purpose of this application is to provide recommendations on the location and standards for Vertical Mixed Use within the below named area.

Detailed instructions for completing this application can be found by clicking on this link: [ftp://coageold01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu\\_instructions.pdf](ftp://coageold01.ci.austin.tx.us/GIS-Data/planning/CommercialDesign/vmu_instructions.pdf). Please read these instructions prior to completing this application. A "Submittal Checklist" is provided at the end of this document to help ensure that all application materials are included in the neighborhood submittal.

If you have questions or need additional information please contact the VMU Help Line at:

[vmu@ci.austin.tx.us](mailto:vmu@ci.austin.tx.us)

or (512) 974-2150

1. IDENTIFY YOUR NEIGHBORHOOD PLANNING OR APPLICATION AREA AND PROVIDE THE FOLLOWING INFORMATION:

A. NAME OF NEIGHBORHOOD PLANNING AREA OR VMU APPLICATION AREA\*:

Oakmont Heights neighborhood sub-area within Rosedale VMU area

\*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: <ftp://coageold01.ci.austin.tx.us/GIS-Data/planning/maps/CommercialDesign/VerticalMixedUseColorMap.pdf>. This map also shows properties within the VMU Overlay District and properties with the MU Combining District that are included in the opt-in/opt-out process.

B. NAME OF NEIGHBORHOOD PLANNING TEAM CHAIR OR NEIGHBORHOOD ASSOCIATION CHAIR AND SECONDARY CONTACT.

NEIGHBORHOOD PLANNING TEAM OR NEIGHBORHOOD ASSOCIATION CHAIR CONTACT INFORMATION:

NAME Arten Avakian, President, Oakmont Heights N.A.  
PHONE Business: (512) 239-4419 Home: (512) 452-6188  
E-MAIL avakian@aol.com

MAILING ADDRESS 1813 W 36th St.; Austin TX 78731-6132

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**SECONDARY CONTACT INFORMATION:**

NAME Tom Whatley, Secretary, Oakmont Heights N.A.

PHONE (512) 323-5051

E-MAIL tom.whatley@earthlink.net

MAILING ADDRESS 1916 W 40th St.; Austin TX 78731

**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/verticalmixeduse.htm](http://www.ci.austin.tx.us/planning/verticalmixeduse.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.

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## VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE 1 of 2	
	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)
3500 Jefferson	✓				
1702 W 35 <sup>th</sup>	✓				
X 1 (approx. 1704-1706 W 35 <sup>th</sup> )	✓				
1708 W 35 <sup>th</sup>	✓				
1712 W 35 <sup>th</sup>	✓				
X 2 (approx. 1714 W. 35 <sup>th</sup> )	✓				
1800 W 35 <sup>th</sup>	✓				
1802 W 35 <sup>th</sup>	✓				
1814 W 35 <sup>th</sup>	✓				
X 3 (approx. 1816 W 35 <sup>th</sup> St)	✓				
1818 W 35 <sup>th</sup>	✓				
1820 W 35 <sup>th</sup>	✓				
1822 W 35 <sup>th</sup>	✓				
continued on next page					

See attached  
copy of AX31See att.  
copy of AX31

\* 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.

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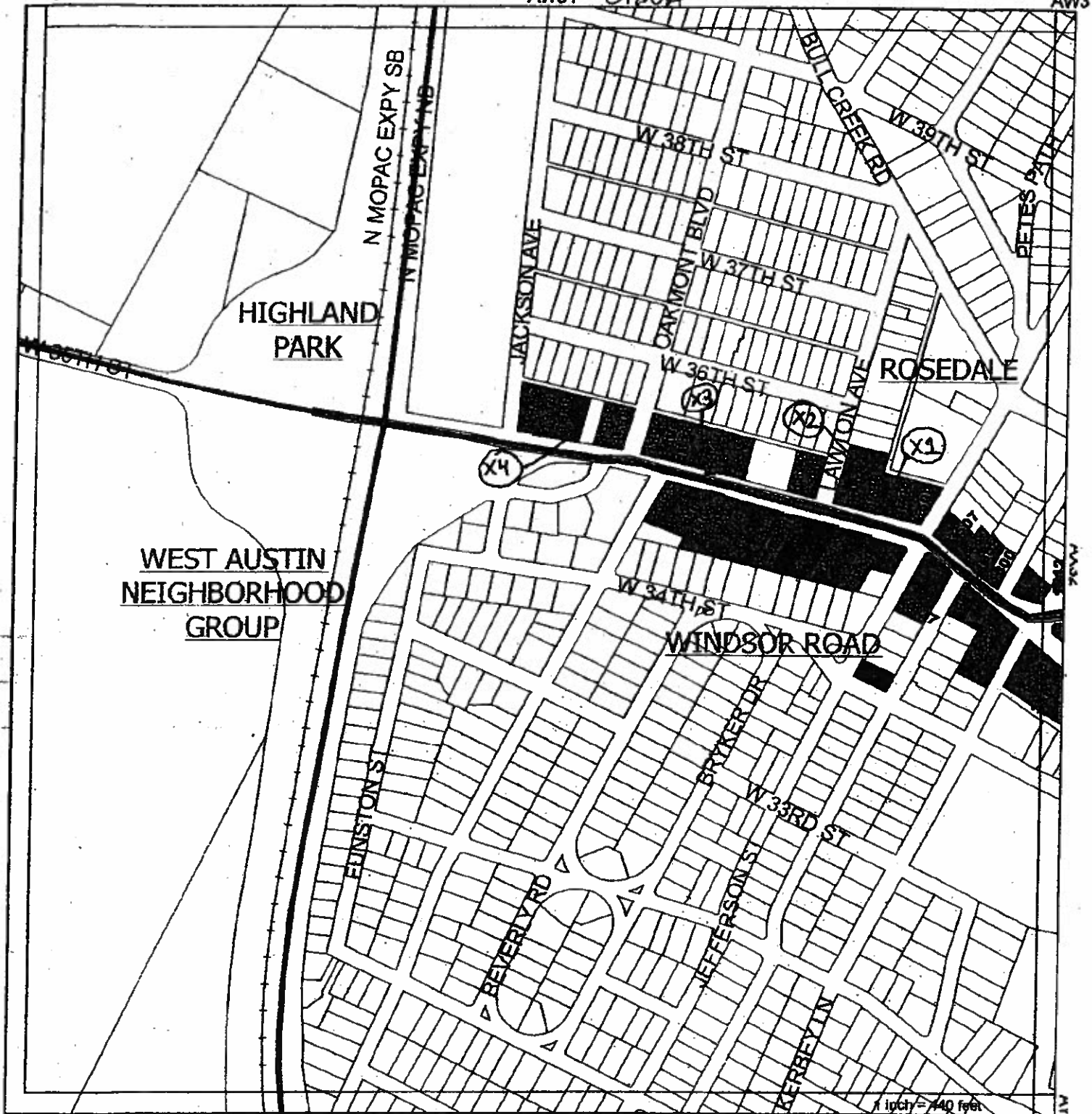
JUN 04 2007

Neighborhood Planning & Zoning

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE 2 of 2	
	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)
continued from previous page	✓				
3500 Oakmont Blvd	✓				
1902 W 35th	✓				
X4	✓				
1906 W 35th	✓				
1910 W 35th	✓				
1912 W 35th	✓				

\* 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.

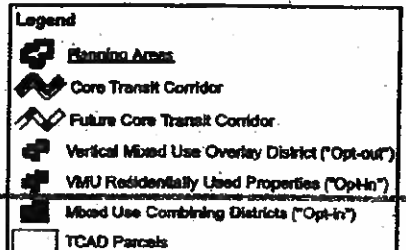


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Neighborhood Planning &amp; Zoning

Detailed Maps for Vertical Mixed Use  
Opt-in/Opt Out Process  
Grid Page: AX31



Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2000. 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.  
Vertical Mixed Use Map Grids Black and White.mxd

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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.

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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.*

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

B. Please provide the results of the vote:

For 4 Against 0  
Neighborhood Planning and Zoning Department 6

February 20, 2007

OMNA

- Four of seven neighborhood association Executive Committee members were present for the vote. A fifth committee member was present but needed to leave before the VNU discussion. Four neighborhood association members were also present and in agreement with the Executive Committee.
- 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: \_\_\_\_\_

Notice was sent by e-mail to the neighborhood e-mail group (copy attached), and by Newsletter delivered to every residence in the neighborhood.

- E. Please attach a copy of the notice of the meeting at which the vote was taken.  
(attached)

- F. Please provide a copy of the meeting minutes at which the vote was taken.  
(attached)

- G. Please read and sign the following:

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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: \_\_\_\_\_

Bob Ol  
SIGNATURE OF CHAIR (OR DESIGNEE)

6/1/07  
DATE

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



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**OAKMONT HEIGHTS NEIGHBORHOOD ASSOCIATION  
EXECUTIVE COMMITTEE MEETING MINUTES – May 30, 2006  
Westminster Manor, Game Room**

Present: Arten Avakian (President), Glenn Meter (Vice President), Tom Whatley (Secretary/Treasurer), Carl Helmsuth (At-large), Laura Lund (At-large)

Absent: Samuel Galifaro (At-large), Teresa Canfield Johnson (At-large)

Association President Arten Avakian called the meeting to order at 7:05 p.m.

Tom Whatley, seconded by Carl Helmsuth, moved to dispense with reading and to approve the minutes of the June 14, 2006, Executive Committee meeting. The motion was adopted without objection.

The President recognized Brett Denton of Ardent Residential to make a presentation on the preliminary design plans for the Bull Creek Apartments project.

Joe Snyder, executive director of Westminster Manor, discussed the Manor's long-term expansion plans.

The President reviewed the MoPac Blvd. expansion project, and the committee discussed the exclusion of the Oakmont Heights area east of MoPac from coverage by sound walls in the Texas Department of Transportation's preliminary plans. Brett Denton and Joe Snyder both expressed support for including the Oakmont Heights area in coverage of the sound walls. Tom Whatley, seconded by Glenn Meter, moved that the Oakmont Heights Neighborhood Association endorse inclusion of the entire east side of MoPac from W. 35<sup>th</sup> St. to W. 45<sup>th</sup> St. within the planned sound walls. The motion was adopted without objection. Laura Lund agreed to lead neighborhood efforts to include the Oakmont Heights area within the sound walls.

The Executive Committee and neighborhood residents discussed the proposed Vertical Mixed Use (VMU) overlay for the W. 35<sup>th</sup> St. corridor. President Arten Avakian and Vice President Glenn Meter reviewed the VMU ordinance and the outreach efforts made by the neighborhood association to the property owners on W. 35<sup>th</sup> St. within the Oakmont Heights Neighborhood Association boundaries. None responded to requests for their opinions about whether their properties should or should not be covered by the VMU overlay. The President and Vice President also reviewed the decisions of the nearby Bryker Woods, Ridgelea, and Rosedale neighborhoods concerning VMU on W. 35<sup>th</sup> St.

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Page Two  
Oakmont Heights Neighborhood Assn. Executive Committee minutes  
May 30, 2007

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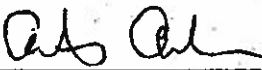
Neighborhood Planning & Zoning

Arten Avakian, seconded by Tom Whatley, moved that the Oakmont Heights Neighborhood Association recommend to the city that the properties on the north side of W. 35<sup>th</sup> St. from Jackson Ave. to Jefferson Blvd. be opted out of the VMU overlay, for the reasons that (1) the rear of the W. 35<sup>th</sup> St. properties share an alley with the residences on W. 36<sup>th</sup> St. and VMU would result in increased traffic and parking; (2) no property owner on W. 35<sup>th</sup> St. within our neighborhood boundaries expressed any interest in being included in the VMU overlay; (3) the area of W. 35<sup>th</sup> St. within our neighborhood boundaries is subject to heavy traffic and is not pedestrian-friendly, making it less appropriate for VMU; and (4) the need for consistency with other nearby neighborhoods that have decided to opt-out the properties in their portions of W. 35<sup>th</sup> St. The motion was adopted by four ayes, 0 nays (Laura Lund now absent), with all neighborhood residents in attendance who were not Executive Committee members in agreement. The Executive Committee agreed that individual properties seeking in the future to opt-in to the VMU overlay would be reviewed on a case-by-case basis.

The President updated the Executive Committee on other neighborhood developments, including the installation of new above-ground gas meters and recent property appraisals.

The President announced that Vice President Glenn Meter would be vacating his position due to moving from the neighborhood and that the Executive Committee would be seeking volunteers to fill the vacancy.

There being no further business, on a motion by the President the meeting adjourned at 9:10 p.m.

 5/31/07  
Arten Avakian, President

 5/31/07  
Tom Whatley, Secretary

**Arten Avakian - [oakmont] Neighborhood Assoc. Executive Committee Meeting Wed, May 30, 7 pm, Westminster**

**From:** ajavakian@aol.com  
**To:** <oakmont@yahoo.com>  
**Date:** 5/29/07 10:01 PM  
**Subject:** [oakmont] Neighborhood Assoc. Executive Committee Meeting Wed, May 30, 7 pm, Westminster

**RECEIVED**

JUN 04 2007

Hi Neighbors,

The Executive Committee of the Oakmont Heights Neighborhood Association (OHNA) will meet at 7 p.m. on Wednesday, May 30, in the Game Room at Westminster

Manor, to decide on recommendations regarding the application of vertical mixed use (VMU) zoning overlays for commercial properties on 35th Street, along the south edge of the neighborhood.

At the meeting we will also have an opportunity to see preliminary drawings for redevelopment of the Bull Creek and Kingswood apartments, as well as discuss the status of MoPac expansion plans and the omission of noise walls along the Oakmont stretch. The Game Room is on the main floor of Westminster, to the right of the main entrance on the circle drive; if driving, park in the lots at Jackson and Bull Creek Road.

The meeting is open to all. Residents along the south side of 36th Street, which shares an alley with potential VMU properties along 35th Street, residents along the western edge most affected by MoPac noise, and residents along 44th Street (technically not in the Oakmont neighborhood, but directly across from the Bull Creek apartments and with many of the same interests as Oakmont) are especially encouraged to attend.

More information about VMU is available in the neighborhood newsletter delivered this weekend. You can view a copy of the newsletter on the Oakmont web site at <http://www.main.org/oakmont/newsletter.html> (<http://www.main.org/oakmont/newsletter.html>).

See you there!

-Arten Avakian  
 President, OHNA

\*\*\*\*\* See what's free at <http://www.aol.com>.

[Non-text portions of this message have been removed]

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Messages

[Oakmont web site: http://www.main.org/oakmont](http://www.main.org/oakmont)

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**Neighborhood Planning & Zoning**

# OAKMONT HEIGHTS NEIGHBORHOOD NEWS

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JUN 04 2007

Neighborhood Planning & Zoning

Number 07-01

May 25, 2007

## Executive Committee Meeting Wednesday May 30, 2007

The Executive Committee of the Oakmont Heights Neighborhood Association (OHNA) will meet at 7 p.m. on Wednesday, May 30, in the Game Room at Westminster Manor, to decide on recommendations regarding the application of vertical mixed use (VMU) zoning overlays for commercial properties on 35<sup>th</sup> Street, along the south edge of the neighborhood. At the meeting we will also have an opportunity to see preliminary drawings for redevelopment of the Bull Creek and Kingswood apartments, as well as discuss the status of MoPac expansion plans and the omission of noise walls along the Oakmont stretch. The Game Room is on the main floor of Westminster, to the right of the main entrance on the circle drive; if driving, park in the lots at Jackson and Bull Creek Road.

The meeting is open to all. Residents along the south side of 36<sup>th</sup> Street, which shares an alley with potential VMU properties along 35<sup>th</sup> Street, residents along the western edge most affected by MoPac noise, and residents along 44<sup>th</sup> Street (technically not in the Oakmont neighborhood, but directly across from the Bull Creek apartments and with many of the same interests as Oakmont) are especially encouraged to attend.

## More About VMU

Last year, the City of Austin passed an ordinance creating vertical mixed-use overlays that apply to commercially zoned properties along certain high-traffic corridors, including West 35<sup>th</sup> Street. Vertical mixed use (or VMU for short) allows residential uses of upper floors overlying commercial space on the ground floor. VMU is

intended to promote higher density within the city, and are meant to be pedestrian friendly. By placing VMU along transportation corridors, the city hopes to reduce pressure for denser development within the middle of neighborhoods as well as increasing the use of and demand for public transportation.

Neighborhoods must make recommendations to the City by June 4, regarding properties in their areas. The recommendations include whether properties should be included in the VMU Overlay District (VMU zoning would be overlain on top of the current commercial zoning), and if added to the Overlay District which development bonuses could be given for VMU development. Any building not added to the Overlay District could later be rezoned for VMU development through the existing zoning process.

OHNA Vice President Glenn Meter has been serving as the lead for the neighborhood in this effort. The OHNA recommendations will be combined with those of the Ridgelea and Rosedale neighborhood associations, which are together in one planning area.

The Allandale Neighborhood Association has compiled information on VMU and made it available at <http://allandale.typepad.com/vmu/>. Glenn and OHNA President Arten Avakian have been attending meetings to learn about the VMU process and how it may affect the neighborhood.

The commercial businesses in the 1800 and 1900 blocks of W 35th St. have been queried about their interest in being included in the VMU Overlay District. To date, no business owners have responded to our query.

At the May 30 meeting, Glenn and Arten will make recommendations to the full Executive Committee on the VMU properties that border our neighborhood along 35<sup>th</sup> Street

### **MoPac and Noise Walls**

At recent open houses, TXDOT presented the preferred plan for adding capacity to MoPac, consisting of adding one managed lane in each direction, with no increase of right-of-way. As part of the capacity increase, noise impact has been analyzed, and neighborhoods along certain stretches of MoPac are expected to have an opportunity to vote yes or no on walls along their stretch. Because the neighborhood is separated from MoPac by the TXDOT property and Westminster Manor, noise walls were not included for Oakmont in the preliminary plan. Several residents have expressed concern about this omission, and TXDOT has indicated that they may be able to revisit the issue. The Executive Committee is seeking a potentially affected neighbor close to MoPac to pursue this with TXDOT.

### **Redevelopment of Bull Creek and Kingswood Apartments**

Brett Denton of Ardent Residential, the developer of the Bull Creek and Kingswood apartments, will present sketches at the May 30 OHNA meeting illustrating how the redeveloped property may look.

### **About the Executive Committee**

The Executive Committee is the association's governing board. At the May 30 meeting, the Executive Committee will also seek nominations to fill the position of Vice President of the association, which will become vacant this summer. If you have the time and interest to serve, please come to the meeting and or contact association president Arten Avakian at 452-6188 or at [Ajavakian@aol.com](mailto:Ajavakian@aol.com).

### **Join the Oakmont E-Mail List**

If you have not done so already, join the OHNA e-mail list, a relatively low-traffic forum for neighborhood news, events, and other information. To join, simply send a message [oakmont-subscribe@yahoogroups.com](mailto:oakmont-subscribe@yahoogroups.com).

### **Oakmont Web Site**

Remember to visit the Oakmont Heights web site, at <http://www.main.org/Oakmont>, prepared and maintained by our neighbor Carl Hehmsoth. Please e-mail any comments and suggestions for content and links to Carl using the contact link on the site.

**RECEIVED**

JUN 04 2001

**Neighborhood Planning & Zoning**

AV32

AV33

AW31

AW33

AX31

AX32

AX33

**Detailed Maps for Vertical Mixed Use  
Opt-In/Opt Out Process  
Grid Page: AW32**



Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map was 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.  
Vertical Mixed Use Map Grids Black and White.mxd

RECEIVED

JUN 04 2007

Neighborhood Planning &amp; Zoning

**Legend**

- Banning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- VMU Residentially Used Properties ("Opt-in")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels

1 inch = 440 feet

BRENTWOOD

1148

ROSEDALE

GREAT OAKS PKWY

PEMBROOK TRI

SHOAL CREEK BLVD

W 45TH ST

W 43RD ST

W 42ND ST

ROSEDALE AVE

MEDICAL PKWY

MAYBELLE AVE

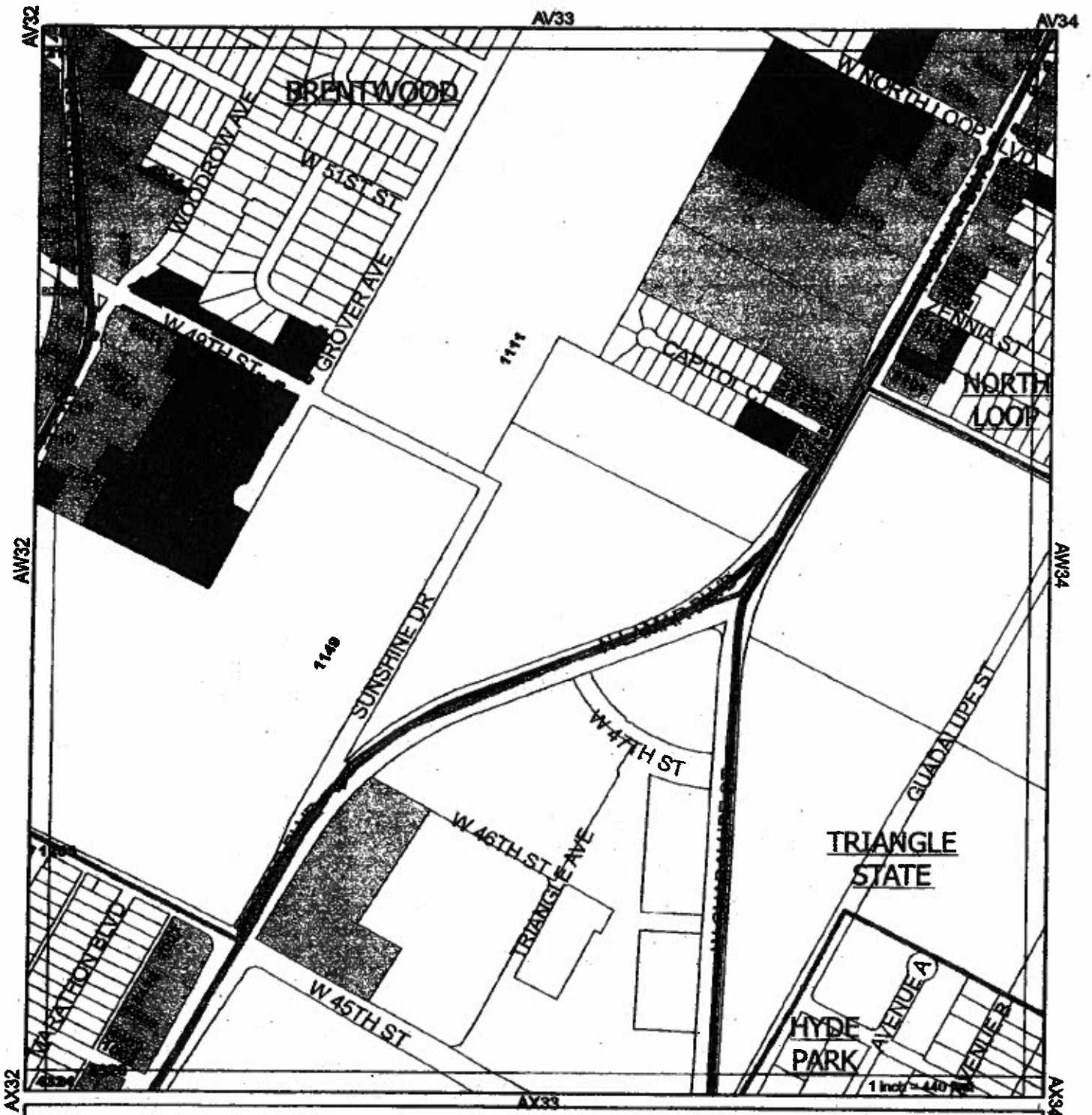
W 49TH ST

W SIMCLIFF AVE

4TH ST

RAMSEY AVE

LYNNWOOD ST



**Detailed Maps for Vertical Mixed Use  
Opt-In/Opt Out Process  
Grid Page: AW33**

**RECEIVED**  
**JUN 04 2007**

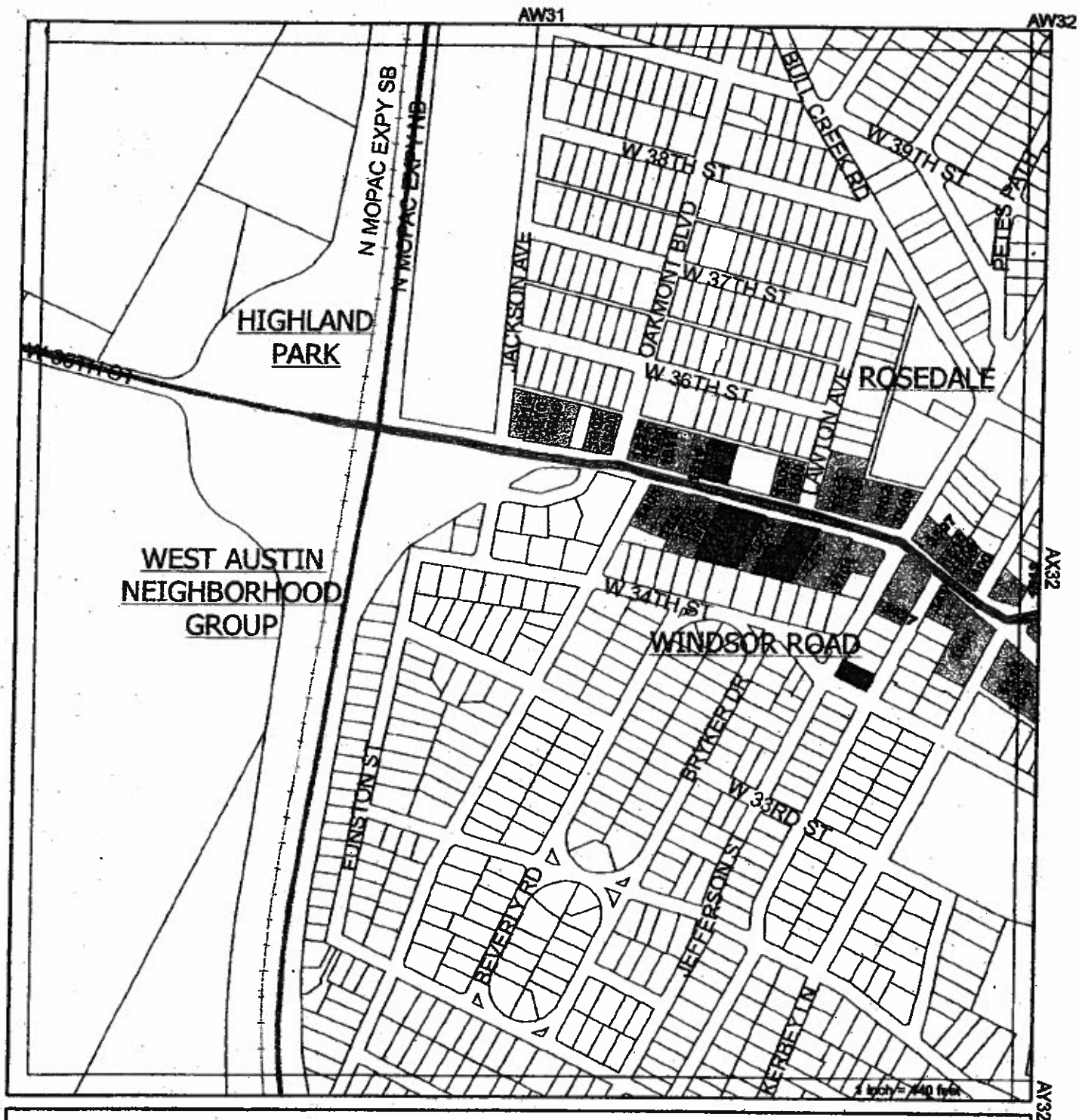


Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and zoning. No warranty is made regarding its accuracy or completeness. Vertical Mixed Use Map Grids Black and White.rnd

**Legend**

- Shading Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- VNU Residentially Used Properties ("Opt-In")
- Mixed Use Combining Districts ("Opt-In")
- TCAD Paralels





**Detailed Maps for Vertical Mixed Use  
Opt-In/Opt Out Process  
Grid Page: AX31**

**RECEIVED**  
**JUN 04 2007**

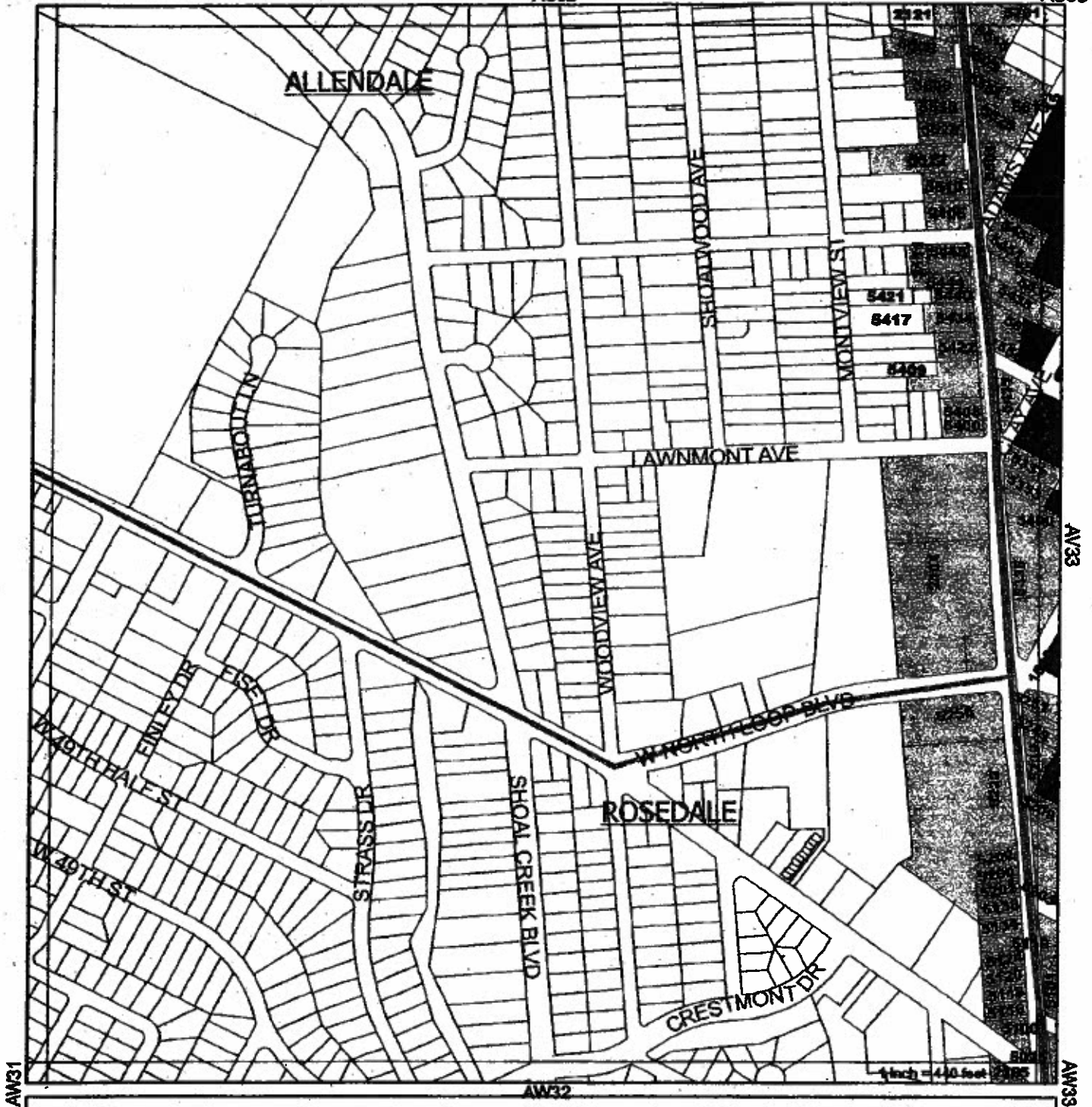
- Legend**
- Planning Area
  - Core Transit Corridor
  - Future Core Transit Corridor
  - Vertical Mixed Use Overlay District ("Opt-Out")
  - VMU Residentially Used Properties ("Opt-In")
  - Mixed Use Combining Districts ("Opt-In")
  - TCAD Parcels



Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding in the planning and zoning process. No warranty is made regarding its accuracy or completeness. For more information, visit [www.austintexas.gov/neighborhoodplanningandzoning](http://www.austintexas.gov/neighborhoodplanningandzoning).

AU32

AU33



**Detailed Maps for Vertical Mixed Use  
Opt-In/Opt Out Process  
Grid Page: AV32**

**RECEIVED**

**JUN 04 2007**

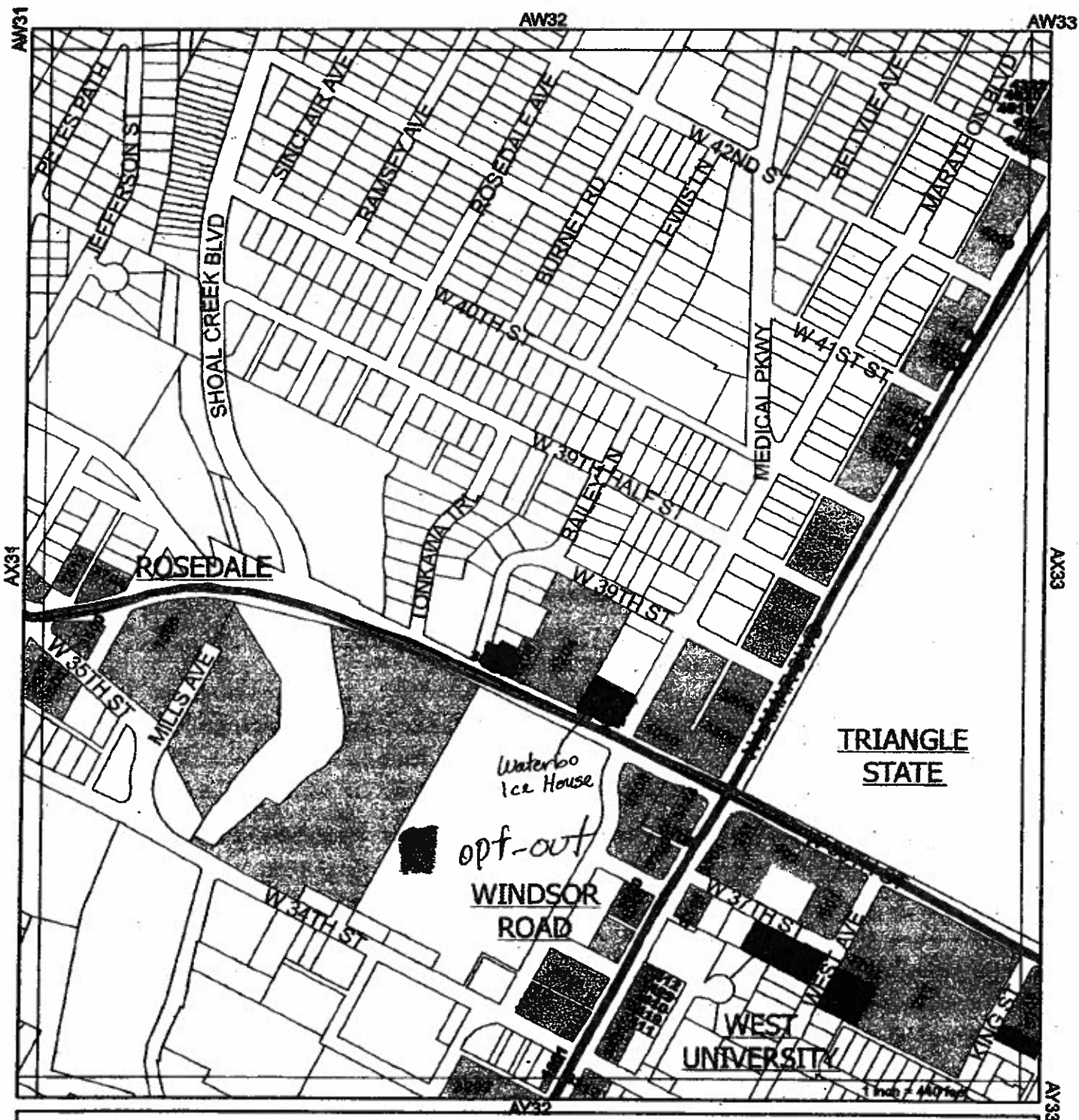


Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not intended for any other use. No warranty is made regarding its accuracy or completeness.  
Vertical Mixed Use Map Guide Black and White.mxd

**Neighborhood Planning & Zoning**

Legend	
	Planning Area
	Core Transit Corridor
	Future Core Transit Corridor
	Vertical Mixed Use Overlay District ("Opt-out")
	VMU Residentially Used Properties ("Opt-in")
	Mixed Use Combining Districts ("Opt-in")
	TCAD Parcels

M A P



**Detailed Maps for Vertical Mixed Use  
Opt-In/Opt Out Process  
Grid Page: AX32**

**RECEIVED**  
JUN 04 2007



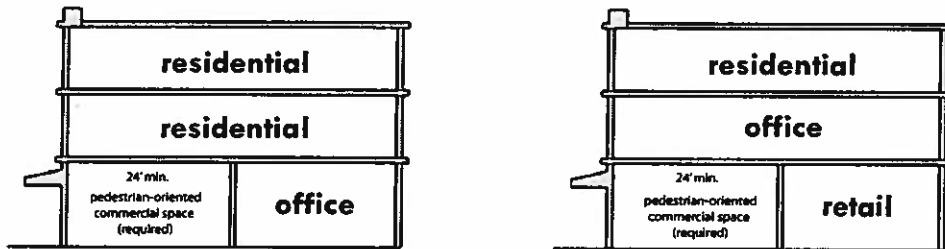
Produced by City of Austin Neighborhood Planning and Zoning Dept., October 21, 2006. This map is for informational purposes only. No warranty is made regarding its accuracy or completeness. Vertical Mixed Use Map Grids Black and White.mxd

Legend	
	Shading Area
	Core Transit Corridor
	Future Core Transit Corridor
	Vertical Mixed Use Overlay District ("Opt-out")
	VNU Residentially Used Properties ("Opt-in")
	Mixed Use Containing Districts ("Opt-in")
	TCAD Parcels

# **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?

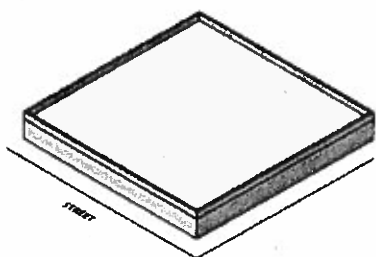
### Dimensional Standards

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

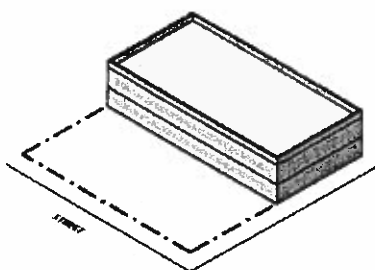
- Setbacks—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- Floor to Area Ratio—no floor to area ratio (FAR) limit.

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.

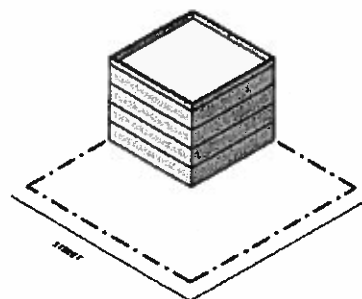
For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



**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. Filing of a site plan requires a notice of application be sent to all property owners and registered neighborhood organizations within 300 feet of the site 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>

## PLANNING COMMISSION HEARING

DATE: January 29, 2008 TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: February 14, 2008 TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Rosedale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

4 PAGES ATTACHED

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print) LEWIS TROIANO, MANAGER FOUR ACORNS LLC

☐ I am in favor

(Estoy de acuerdo)

☒ I object SEE NOTES  
(No estoy de acuerdo)

Address 5118 BURNET ROAD AUSTIN, TX 78758

(512) 751-9809

My ONLY OBJECTION IS TO MY PROPERTY AS NOTED HERE

I wish my property TCAD ID # 227650 AND 227649 TO BE ALLOWED ALL VMU  
STANDARDS TO APPLY - DO NOT WANT OPT OUT OF PARKING

### INFORMATION ON PUBLIC HEARINGS

Reduction as recommended by Rosedale C142008-004  
C142007-0034

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

Rosedale Association DID NOT ATTEMPT ANY COMMUNICATION  
This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates neighborhood recommendations and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice. WHAT-SO-EVER WITH ME TO ASK MY OPINION

During its public hearing, the board or commission may postpone or continue an applicant's hearing to a later date. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

ave any questions concerning this notice, please contact the City of Austin Neighborhood Planning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- By attending the Planning Commission hearing and conveying your concerns at that meeting
- By writing to the Planning Commission, using the form provided on the previous page
- By writing to the city contact, listed on the previous page

AS A PROPERTY OWNER WITHIN 300 FEET, YOU ARE NOT REQUIRED TO ATTEND THESE HEARINGS, BUT IF YOU DO ATTEND, YOU WILL BE GIVEN AN OPPORTUNITY TO SPEAK FOR OR AGAINST THE PROPOSED LAND USE REGULATIONS.

You may also wish to contact any neighborhood or environmental organizations that have expressed an interest in cases affecting your neighborhood.

### INFORMACION TOCANTE LAS AUDIENCIAS PUBLICAS

EL DEPARTAMENTO DE PLANIFICACIÓN HA REGISTRADO UNA SOLICITUD PARA IMPLEMENTAR NUEVAS OPCIONES EN LAS REGULACIONES QUE GOBIERNAN EL DESARROLLO DE ALGUNAS PROPIEDADES COMERCIALES. SEGÚN LOS REGLAMENTOS DE LA CIUDAD, TODOS LOS DUEÑOS DE PROPIEDADES UBICADOS DENTRO DE 300 PIES DE ESTAS PROPIEDADES COMERCIALES DEBERÁN SER NOTIFICADOS.

ESTA SOLICITUD SE VA A PRESENTAR EN DOS AUDIENCIAS PÚBLICAS: PRIMERO ANTE LA COMISIÓN DE PLANIFICACIÓN, Y LUEGO ANTE EL CONSEJO DE LA CIUDAD, EN LAS FECHAS Y HORAS INDICADAS. EN LA PRIMERA AUDIENCIA PÚBLICA CON LA COMISIÓN DE PLANIFICACIÓN, LA COMISIÓN EVALUA LA SOLICITUD Y HACE UNA RECOMENDACIÓN SOBRE LA SOLICITUD AL CONCILIO DE LA CIUDAD. DESPUÉS, EN LA SEGUNDA AUDIENCIA PÚBLICA, EL CONCILIO HACE LA DECISIÓN FINAL DE ACEPTAR O NO ACEPTAR ESTA SOLICITUD.

SI USTED TIENE ALGUNA PREGUNTA SOBRE ESTA SOLICITUD, POR FAVOR COMUNIQUESE CON LA PERSONA INDICADA ABAJO. SI USTED DESEA EXPRESAR SU APOYO U OPOSICIÓN A ESTA SOLICITUD, PUEDE HACERLO DE VARIAS MANERAS:

1. ASISTIENDO A LA AUDIENCIA DE LA COMISIÓN DE PLANIFICACIÓN, Y EXPRESANDO SU OPINIÓN EN LA AUDIENCIA.
2. POR ESCRITO, USANDO LA FORMA EN LA PÁGINA ANTERIOR
3. POR CARTA (MANDARLA A LA PERSONA ABAJO)

NO SE REQUIERE QUE USTED ASISTA A ESTAS AUDIENCIAS, PERO SI ESTA PRESENTE, USTED TIENE LA OPORTUNIDAD DE COMENTAR A FAVOR O EN CONTRA DE LA SOLICITUD.

PARA MÁS INFORMACIÓN, CONTACTE A:

ANDREW HOLUBECK  
 (512) 974-2054  
 NEIGHBORHOOD PLANNING & ZONING DEPARTMENT  
 (EL DEPARTAMENTO DE PLANIFICACIÓN)  
 505 BARTON SPRINGS RD  
 Austin, TX 78704

Rosedale Neighborhood Planning Area  
VMU Overlay District Parcels  
C14-2008-0004

TRACT # (1)	TCAD PROPERTY ID (2)	COA ADDRESS (3)
28	227642	5200 BURNET RD
		5202 1/2 BURNET RD
		5222 1/2 BURNET RD
		5222 BURNET RD
		5242 1/2 BURNET RD
		5244 BURNET RD
		5250 BURNET RD
	227643	5202 BURNET RD
	227644	5138 BURNET RD
	227645	5134 BURNET RD
	227646	5128 BURNET RD
	227647	5124 BURNET RD
		5126 BURNET RD
	227648	5120 BURNET RD
	227649	5118 BURNET RD
	227650	0 BURNET RD
		LOT 8 BLK 10 ROSEDOWN
	227651	5100 BURNET RD
	476862	5256 1/2 BURNET RD
		5256 BURNET RD

I WANT FULL/ALL  
VMU STANDARDS TO  
APPLY TO  
my Property

(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 legal description was used.

1/25/2008

I WANT ALL VMU STANDARDS TO  
APPLY TO my Two LOTS noted  
ABOVE - DO NOT WANT my <sup>VMU</sup> PARKING  
LIMITED AS ROSEDALE ASSOC PROPOSED.

Lewis Tolana, manager  
FOUR ACRES LLC (512) 751-9809

Rosedale VMU Neighborhood Recommendations  
C14-2007-0004

C14-2008-0004

VMU Overlay District (Opt-Out)					
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	
1-6; 8-10; 14					
7; 11-12	X				X
13, 15-28			X		

RECOMMENDED AN AFFORDABILITY LEVEL OF 60% FOR 10% OF THE RESIDENTIAL UNITS FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING

- (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.

1/25/2008

I WANT MY PROPERTY ALLOWED ALL VMU RELATED STANDARDS AND DO NOT WANT TO OPT OUT 2 PARKING REDUCTION AS RECOMMENDED ABOVE. I WANT ALL VMU STANDARDS TO APPLY.

My Property is TCAD - 227649 AND 227650

Lewis  
LEWIS TRIANO, MANAGER  
FOUR ALONS LLC

(512) 751-9809

P/S:

\* ROSEDALE NEIGHBORHOOD ASSOC SHOULD HAVE CONTACTED ME AS OWNER OF THE TWO LOTS 227649 AND 227650 TO ASK MY OPINION ON WHAT WAS TO BE RECOMMENDED FOR MY PROPERTY.

## PLANNING COMMISSION HEARING

DATE: January 29, 2008 TIME: 6:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: February 14, 2008 TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Rosedale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

### PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print)

Rosa E. Castillo

Address

2122 Hancock Dr. # 111

☐ I am in favor  
(Estoy de acuerdo)

☒ I object  
(No estoy de acuerdo)

### INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

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File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print) Tom & Phyllis Teykl

☐ I am in favor

(Estoy de acuerdo)

Address 4607 Rosedale Ave., Austin  
78756

☒ I object

(No estoy de acuerdo)

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**LOCATION:** City Hall, Rm. 1002, Council Chambers  
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File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print) \_\_\_\_\_

Kevin McCordle

Address \_\_\_\_\_

2300 Hancock Dr. #109

File #

C14-2008-0004

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

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## CITY COUNCIL HEARING

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File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print) Bettie J. Girling

Address 2501 El Greco Cove 78703

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

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301 W. 2nd Street, Austin

## CITY COUNCIL HEARING

DATE: February 14, 2008 TIME: 4:00 P.M.

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File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print) Connie Hsu

Address 4419 Marathon Blvd, Austin, TX 78756

- ☐ I am in favor  
(Estoy de acuerdo)  
☒ I object  
(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

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**Jay Kaplan**

**From:** Jay Kaplan [jaykaplan@att.net]  
**Sent:** Monday, January 28, 2008 4:30 PM  
**To:** 'andrew.holubeck@ci.austin.tx.us'  
**Subject:** File C-14-2008-0004 Rosedale Neighborhood VMU recommendation

I am against the proposal for the following reasons:

1. The VMU parking reduction opt out has been placed on my shopping center located at the intersection of Burnet Road and North Loop (parcel 28). My property backs up to commercial uses and a VMU development's parking would not impact single family residential areas.
2. The commercial property owners covered by the Rosedale Neighborhood recommendations were never contacted in order to participate in neighborhood meetings on the subject. The Rosedale Neighborhood has been meeting for the better part of 2007 to formulate their recommendations and, during that time, made no effort to contact the commercial property owners for their input.
3. Of all the properties suggested by the Neighborhood for the parking opt out, mine at 5.5 acres is the most suited for VMU. The parking opt out would negate the economic viability of a VMU project.
4. The Neighborhood through its opt out recommendations for parking or total opt out override the desire of the City of Austin to facilitate mixed use developments in the Rosedale Neighborhood. This is an area of town which would be most viable for such a project and the effect of the Neighborhood's recommendation is to eliminate the possibility of VMU's in their area.
5. The notice was postmarked from the City of Austin on Friday, January 18, 2008. Receipt was Tuesday, January 23<sup>rd</sup>. It is unfair that so little notice is given to the commercial property owners to appear before the Planning Commission to make comment.

1/28/2008

THE SETON FUND  
OF THE DAUGHTERS OF CHARITY OF ST. VINCENT DE PAUL

January 29, 2008

Chris Allen, Zoning Chair  
Rosedale Neighborhood Association  
1406 West 391/2 Street  
Austin, Texas 78756

RE: Vertical Mixed Use (VMU) Overlay Request for 3801 Bailey and 1106 W. 38<sup>th</sup> Streets

Dear Chris,

The purpose of this letter is to request that the properties located at 3801 Bailey and 1106 W. 38<sup>th</sup> Streets be included in the VMU opt-in process that is being considered for the Rosedale Neighborhood. We believe that the VMU overlay is appropriate for these properties given their location. Both properties are located on high density, transit corridors, which are, from a planning standpoint, appropriate for vertical mixed use.

We all understand that the VMU overlay is optional, and that if one were to use it, then there are some incentives that benefit the neighborhood. If the sites are redeveloped using the VMU option, we would like the opportunity to contribute positively to the neighborhood as intended by the VMU ordinance.

Please let me know if you have any questions or need additional information. We look forward to a positive recommendation.

Sincerely,



Gene Attal

Cc: Planning Commission Members  
Andrew Holubeck, Senior Planner

1201 WEST 38TH STREET  
AUSTIN, TEXAS 78705-1056  
512 324-1990  
FAX 512 324-1989  
[www.setonfund.org](http://www.setonfund.org)

## PLANNING COMMISSION HEARING

DATE: January 29, 2008 TIME: 6:00 P.M. 6:30

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

SUS BARTON SPAIN'S RM325

## CITY COUNCIL HEARING

DATE: February 14, 2008 TIME: 4:00 P.M.

LOCATION: City Hall, Rm. 1002, Council Chambers  
301 W. 2nd Street, Austin

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## PLANNING COMMISSION COMMENT FORM

1/29/2008  
FAXED TO: ANDREW HOLUBECK  
Fax 974-6054

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print) PATRICIA TROIANO, member of FOUR ACRES LLC

Address 5118 BURNET ROAD, AUSTIN, TX 78756  
(512) 751-9808

☐ I am in favor  
(Estoy de acuerdo)

☒ I object  
(No estoy de acuerdo)

I OBJECT ONLY BECAUSE I WANT ALL VMU RELATED STANDARDS TO  
APPLY TO MY PROPERTY DESCRIBED AS

TCAD ID: 227649 AND 227650

## INFORMATION ON PUBLIC HEARINGS

→ I DO NOT WANT TO OPT OUT OF PARKING REDUCTION ←  
THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

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File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print) KATHY BORTH AND RICK BORTH - CO-MANAGERS

☐ I am in favor  
(Estoy de acuerdo)

Address 5118 Burnet Road, Austin Texas 78756

☒ I object  
(No estoy de acuerdo)

TO MY PROPERTY @ 5118 Burnet Rd. TCAO 227650 AND 227649 -

TO BE ALLOWED ALL MY STANDARDS TO APPLY - DO NOT WANT TO OPT OUT OF PARKING

## INFORMATION ON PUBLIC HEARINGS

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Subj: Re: C14-2008-0004 - - - TCAD-227649 and 227650  
Date: 1/29/2008 4:33:45 P.M. Central Standard Time  
From: LewisTroiano  
To: Andrew.Holubeck@ci.austin.tx.us  
CC: Ktbdesigns, Overseasspeedo, PLTroiano, LewisTroiano

TO: Andrew Holubeck

TO: Andrew Holubeck, City of Austin:

I appreciated your telephone call just a moment ago.

I accept your recommendation of Postponement on Tract #28 which includes our tcad property numbers 227650 and 227649 as owned by Four Acorns LLC.

You said that a Mr. Jay Kaplan (MWM FUND III LTD) tcad 227642 owns property located in same tract 28 has requested postponement for the entire tract 28.

The postponement is so You can arrange a meeting between the Rosedale Neighborhood association and the two concerned property owners.

Meeting would be so the parties can discuss each others concerns about the parking opt out recommendation of Rosedale Neighborhood Association and the two property owners who do not wish to opt out on parking.

Lewis Troiano  
(512) 751-9809

\*\*\*\*\*

In a message dated 1/29/2008 3:56:57 P.M. Central Standard Time, Ltcaptain writes:

Just had a call from Holubeck confirming receipt of fax and mail i sent. Stressed how important attendance would be. He wanted to pass on a phone number for the owner of the property down the street where Savers is who will not be able to make the meeting but has the same issues with the changes.

Do you want to call him and find out his thoughts. Jay Kaplan 713-621-3079.

KTB

\*\*\*\*\*

In a message dated 1/28/2008 11:38:04 A.M. Central Standard Time, Andrew.Holubeck@ci.austin.tx.us writes:

Tuesday, January 29, 2008 America Online: LewisTroiano

Mr. Troiano,

I did receive your comment form and will pass it along to the Planning Commission at tomorrow's hearing. However, I also highly recommend that you attend the hearing if at all possible and make your position known to the Commission. This will ensure that your concerns adequately explained to the Commission. **Also, the time and location of the Planning Commission hearing has been changed – the hearing will take place at the One Texas Center at 505 Barton Springs Rd in Room 325 at 6:30.** Let me know if you have additional questions or concerns. Thanks!

**Andrew Holubeck**

*Senior Planner*

Neighborhood Planning & Zoning Department

City of Austin

505 Barton Springs Rd.

Austin, TX 78704

Phone 512-974-2054

Fax 512-974-6054

[andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us)

**From:** LewisTroiano@aol.com [mailto:LewisTroiano@aol.com]

**Sent:** Friday, January 25, 2008 6:11 PM

**To:** Holubeck, Andrew

**Cc:** LewisTroiano@aol.com

**Subject:** C14-2008-0004 - - - TCAD-227649 and 227650

\*\*\*\*\*please reply by return email that you have received by email and the attached pdf\*\*\*\*\*

Andrew Holubeck:

attached as a pdf is my comment form for C14-2008-0004.

I am attempting comment that I am opposed to One specific recommendation of the Rosedale Neighborhood association - that which pertains to My property. I want full VMU standards to apply to my property as noted in attached pdf.

I want my property noted as TCAD-227649 and 227650 to be allowed the Full VMU Standards to apply.

Four page PDF is attached.

Tuesday, January 29, 2008 America Online: LewisTroiano



## PLANNING COMMISSION HEARING

DATE: January 29, 2008 TIME: 6:00 P.M.

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## CITY COUNCIL HEARING

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File # C14-2008-0004

Planning Commission Hearing Date: January 29, 2008

Name (please print)

Bettie Gurling

Address

2501 El Greco Cove 78703

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

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**Holubeck, Andrew**

**From:** LewisTroiano@aol.com  
**Sent:** Monday, February 18, 2008 3:25 PM  
**To:** sully.jumpnet@sbcglobal.net; AMDealey@aol.com; saundra\_kirk@sbcglobal.net; tracy.atkins@gmail.com; pcavazos\_planning@yahoo.com; chris@brandocular.com; paulahui16@yahoo.com; jay\_reddy@dell.com  
**Cc:** Holubeck, Andrew; Laursen, Melissa; Fox, Kathleen; greg.claxton@ci.austin.tx.us; Walters, Mark; Bhakta, Minal; DiGiuseppe, Paul; Meredith, Maureen  
**Subject:** C14-2008-0004 - Tract #28 -- lots TCAD-227649 and 227650

Honorable Planning Commission Members:

Dave Sullivan chairperson,  
Mandy Dealey parliamentarian,  
Sandra Kirk secretary,  
Tracy Atkins, Perla Cavazos, Chris Ewen, Paula Hui, Jay Reddy

**Reference:**

C14-2008-0004 - - Tract #28 and specifically my two lots owned by Four Acorns LLC identified as TCAD-227649 and 227650

Please assist me in my request for Full VMU rights Including parking to apply specifically to my property but hopefully also to the entire tract #28. I request you make my request known to the entire Planning Commission as well as the entire City Council.

As a native Austinite and resident of the Allandale neighborhood for 55 years I see the VMU initiative as a positive step by allowing my neighborhood convenient and walking access to the additional services offered through full VMU zoning. Additional diversification as encouraged by successful implementation of VMU along Burnet Road would be a welcome sigh of relief from the sprawl of used furniture and junk shops. The neighborhood wants and deserves additional and convenient choices within easy walking distance to our homes.

At a minimum I specifically request Full VMU Rights including parking (No opt-out on parking) for my two lots within Tract #28 and identified as 5118 Burnet & "0" Burnet Or TCAD numbers 227650 and 227649.

Hopefully the Planning Commission and City Council will additionally recognize Tract #28 as a Unique Location in that this entire inner city core block as bounded by Hancock/Burnet/North Loop contains No single family residential and is entirely zoned as commercial/office/service/apartment. A Unique Situation offering a model location for the VMU initiative. It's generally understood that the parking reduction is a key incentive and that without it a VMU project might not be financially viable.

The entire Tract #28 along Burnet should be considered for Full VMU Rights including parking rights (No opt-out on parking).

Allowing Full VMU rights including parking Now for the entire Tract #28 will remove future uncertainty for development of VMU and promote the City Councils VMU Initiative for this inner city core area. Again, It's generally understood that the parking reduction is a key VMU incentive and that without it a VMU project might not be financially viable.

2/20/2008

I did attempt to resolve the parking issue by speaking directly with the Rosedale Association representative Chris Allen (512)467-7742. He relayed to me that I have No say in my property VMU zoning recommendation and the neighborhood has made its recommendation of VMU with opt-out on parking. Chris Allen says the city will follow the recommendation and it does not matter that I was never consulted or allowed any input into the associations recommendation on my property.

Chris Allen says I can later apply to the Planning Commission for a zoning change as my only means of changing the recommendation of VMU with opt-out on parking to full VMU including parking reduction.

To me the attitude of the Rosedale Association displays a ludicrous lack of efficiency which places a needless financial burden on me as property owner and is an Obvious attempt of the Rosedale Association to stop the VMU initiative along Burnet Road.. VMU is not viable without the parking reduction allowance.

**Hopefully the Planning Commission and City Council will have the foresight to correct this misdeed and allow Full VMU rights including parking for My Two Lots Specifically and Alternatively and Most Appropriately the Entire Tract #28.**

I am an individual owning the above mentioned property along with my sister Kathy Borth under the entity named Four Acorns LLC. My being unaccustomed to the political and zoning processes, I am most probably not stating my case quite properly but hopefully coherently enough as this is my first attempt to make my wishes known to the City Council and Planning Commission.

Your considerations are sincerely appreciated.

Lewis Troiano, manager  
Four Acorns LLC  
5118 Burnet Road  
Austin, Texas 78756  
tele 751-9809  
fax 459-2224  
email:  
LewisTroiano@aol.com

**Copy to:**

Andrew Holubeck, Melissa Laursen, Kathleen Fox, Greg Claxton, Mark Walters, Minal Bhakta, Paul Digiuseppe, Maureen Meredith,  
Senior Planners, Neighborhood Planning & Zoning Department, City of Austin

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Delicious ideas to please the pickiest eaters. [Watch the video on AOL Living.](#)

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**PLANNING COMMISSION COMMENT FORM**  
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You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

**File # C14-2008-0004**

**Planning Commission Hearing Date: January 29, 2008**

Name (please print) Stephen D. Wilson

☐ I am in favor

(Estoy de acuerdo)

Address 4611 Rosedale Ave, Austin, Tx. 78756

☒ I object

(No estoy de acuerdo)

Phone - (512) 451-9478

~~(Signature)~~

Stephen Wilson  
451-9478

1/28/68



AT&T

~~Robert L. Brown~~  
~~Manager~~

Mr. Holubek,

I am against re-zoning  
to VMU due to following factors

- ① increased parking problems.
- ② increased traffic in neighbor-  
hood which already is a problem.
- ③ the area between 45th & Burnet  
and 49th Burnet proposed for VMU  
is comprised of short lots not  
conductive to high rise expansion.  
areas further north on Burnet  
are more conductive to this type of  
expansion.
- ④ I have lived at 4611 Rosedale  
for 30 years and would like the  
area be reserved for small businesses  
(I work at Omeltry on 49th & Burnet)

Major Customer Support  
Room 5047  
Bedminster, NJ 07921  
Phone (201) 234-3230

Thank You,  
Stephen D. Wilson  
s.d.w.