

## **Plaza Saltillo Station Area Plan – City Council April 10, 2008**

### **Items included in this packet:**

- I.** A summary sheet of the Plaza Saltillo Station Area Plan rezoning case and the corresponding neighborhood plan amendment cases;
- II.** A memo from Greg Guernsey, Director of the Neighborhood Planning and Zoning Department;
- III.** Supplemental items included in the Plaza Saltillo Draft Station Area Plan (not included in the hard copy of the draft plan you previously received);
- IV.** A record of the Planning Commission Action taken on March 25, 2008
- V.** Information submitted by property owners or neighborhood groups for Council consideration
- VI.** To view an electronic version of the Draft Plaza Saltillo Station Area Plan and all of the appendices go to:  
[http://www.ci.austin.tx.us/planning/tod/salttillo\\_sap\\_activities.htm](http://www.ci.austin.tx.us/planning/tod/salttillo_sap_activities.htm)

## **Plaza Saltillo Station Area Plan – City Council April 10, 2008**

### **I. Zoning and Neighborhood Plan Amendment Cases**

#### Zoning Case

C14-2008-0029

#### *Zoning Case Details*

The zoning case that has been filed is City initiated. It will enact the Plaza Saltillo Station Area Plan and change the base district zoning for all properties within the boundaries of the Station Area to TOD zoning. The Station Area Plan includes a Regulating Plan, which specifies the development and design standards applicable to all properties within the boundaries of the planning area.

#### Neighborhood Plan Amendments

- NPA-2008-0002.01 (East Cesar Chavez Neighborhood Plan)
- NPA-2008-0009.01 (Central East Austin Neighborhood Plan)
- NPA-2008-0010.01 (Holly Neighborhood Plan)

#### *Neighborhood Plan Amendment Details*

The plan amendment cases that have been filed are City initiated. They will amend neighborhood plans to do two things:

1. All properties within the Station Area Plan will have a future land use designation of Transit Oriented Development to clearly distinguish these properties on Future Land Use Maps (FLUMs). The Station Area Plans look at all of these properties in an integrated and holistic manner, so they should be designated on the FLUM as a unit even though there are multiple properties and property owners within the Station Area boundaries.
2. The main chapters of the Plaza Saltillo Station Area Plan will be included in each of the neighborhood plans being amended.



## MEMORANDUM

**TO:** Members of the City Council and the Planning Commission

**FROM:** Greg Guernsey, Director  
Neighborhood Planning and Zoning Department

**DATE:** March 4, 2008

**SUBJECT:** TOD Station Area Plan Overview and Update on Major Issues

The consultant leading the Station Area Planning (SAP) process, PB Placemaking, has prepared draft plans for the MLK and Plaza Saltillo Transit-Oriented Development (TOD) Districts and is in the process of completing the draft for the Lamar/Justin Lane TOD. The Plans for the MLK and Plaza Saltillo TODs will be presented to the Planning Commission on March 11, 2008 and the City Council on March 20, 2008; the Lamar/Justin Lane Station Area Plan is scheduled to be presented in early April. This memo is intended to provide you with some background on the project, update you on its status, and highlight and clarify some of the main elements and issues related to the Station Area Plans and process.

Upon adoption of the TOD Ordinance in May 2005, initial TOD Districts were identified and the Station Area Planning process was established. PB Placemaking was hired by the City to create Station Area Plans that reflect best practices for pedestrian and transit-oriented development, are financially feasible, and are responsive to community goals and market forces. In addition, affordable housing consultant Diana McIver and Associates was hired to prepare a housing affordability analysis and feasibility review that describes potential strategies for achieving the affordable housing goals in the TOD Ordinance.

PB Placemaking was also charged with engaging the community in a public involvement process to inform the SAPs. The goal of the SAP public involvement process was to create a level "playing field" for all the various public interests to come together collectively to learn about transit-oriented development and participate in shaping the plans for each TOD District. The planning process began in April 2007 with an educational session, followed by two charrette-style workshops in late April and June for each Station Area. A meeting to learn about the affordable housing element of the Plans was held in September and draft plan information was presented to the public for review and feedback in late November. Since that time, PB Placemaking has worked on editing the Plans based on public feedback and also input from the technical advisory group. In addition, the Regulating Plans have been fully developed and the affordable housing strategy refined.

All property owners and utility customers within the TOD Districts and 300 feet around them, all neighborhood associations, all Neighborhood Plan Contact Teams, and individuals who asked to be on the SAP interest list were specifically invited to the meetings. Press releases were also done for the education session and workshops with announcements on the City of Austin homepage.

In addition to the community-wide meetings, City staff attended several meetings of the Saltillo Redevelopment District Community Advisory Group and upon request attended:

- Meetings with property owners or agents of property owners,
- Meeting with affordable housing advocates,
- Two meetings of the East Cesar Chavez Neighborhood Planning Team,
- Two meetings of the Highland Neighborhood Association (NA),
- Two meetings of the Crestview NA,
- A meeting with Plaza Saltillo business owners
- A meeting with the Chestnut NA,
- A meeting with the MLK NA,
- A meeting with the Rosewood Neighborhood Planning Team,
- A meeting with the Upper Boggy Creek Neighborhood Planning Team, and
- A meeting with the Austin Heights NA.

The Draft SAPs embody TOD principles and best practices and were significantly shaped by public input. Public opinion was diverse; the vast majority of the properties within the TOD Districts have commercial mixed use zoning and are shown as mixed use on neighborhood plan future land use maps, with the majority of the properties outside the TOD Districts being single family residential. Thus, throughout the public involvement process, representation consisted primarily of non-residential property owners within the TODs and residents outside the TODs. The SAPs needed to balance out this public input in the context of the principles and best practices of transit-oriented development. The following information provides an overview of specific elements or issues of the SAPs:

#### *Neighborhood Plan Amendments*

According to the TOD Ordinance, a Station Area Plan must be included in an adopted Neighborhood Plan (NP) and an amendment to an adopted NP to include a SAP must be reviewed and approved in accordance with the NP amendment process established by the City Council. The Plan Amendment Ordinance requires that outreach be conducted to property owners within 300 feet of a subject tract and all overlapping neighborhood groups and contact teams. As described above, all of these individuals and groups were specifically invited to participate in all meetings throughout the SAP process and staff was available to attend specific meetings of neighborhood and business groups upon request. Legal notice of the SAPs and the plan amendments was sent to all of these individuals and groups as well. These amendments have been initiated by the City in order to fulfill the requirements of the TOD Ordinance. The outreach required in the Plan Amendment Ordinance was integrated into the overall SAP process through the various meetings.

#### *Building Height*

Prior to the SAP process, allowable building height in all of the TODs generally varied from 40 to 60 feet (allowing approximately three-to-five stories). Based on community input, building height in the TODs is not recommended to exceed 60 feet; in the higher activity areas of the TODs where allowable height is less than 60 feet, a height bonus is proposed in exchange for the provision of affordable housing (maximum building height would still be 60 feet). There was much concern from participating residents about excessive height; heights ranging from three-to-five stories were generally favored. The development community expressed that 60 feet in height was preferable, and that a higher height entitlement would require a more expensive construction type which is not currently supported in these areas.

### *Regulating Plan (TOD Zoning)*

According to the TOD Ordinance, once a SAP is adopted, the base district zoning for all properties in the TOD Districts will change to TOD. The standards for TOD Zoning are established in a document called the Regulating Plan. A key goal of the regulating plans was to create a more consistent and predictable regulatory strategy throughout the TODs that encourages development and redevelopment, promoting the higher activity levels desired around MetroRail stations.

### *Affordable Housing*

Diana McIver and Associates have developed a layered approach to achieving the TOD affordable housing goals, recognizing that no single tool or strategy is adequate by itself. As a first step, they recommend density and height bonuses in certain parts of the TOD Districts as a way to achieve affordable housing without financial subsidies. The density bonus is based on the VMU model and the height bonus permits a modest increase in height from 35 or 40 feet to 60 feet in some portions of the TODs. These development bonuses only get us part of the way toward achieving the 25% affordability goal specified in the TOD Ordinance. In order for the development bonuses recommended in the SAPs to be approved, the TOD Ordinance will need to be amended since it stipulates that a Station Area Plan may not increase height unless the entire affordable housing goal is met. In addition, the TOD Ordinance states that in the Plaza Saltillo TOD, a SAP may not increase height in the TOD District except within the 11-acre site owned by Capital Metro.

To reach the full affordability goal specified in the TOD Ordinance, other strategies apart from development bonuses will be necessary. These strategies include the use of affordable housing bond funds, the use of federal tax housing credits, the development of City-owned land, the creation of a community land trust, and (Homestead Preservation District) Tax Increment Financing (TIF). Many of these will require City Council direction and action and will involve additional implementation actions. Use of these tools will likely need to be “tailored” to individual projects and, in most cases, will require more than one to reach the 25% affordable housing goal.

### *Compatibility Standards*

Height and setbacks restrictions under the Land Development Code’s Compatibility Standards typically extend out 540 feet from a property used or zoned as single family. Since much of the property outside of the TOD Districts is single family, this would have a considerable impact on properties within the TODs and inhibit the levels of density and activity envisioned around future rail stops. For example, if a property in a TOD District has a height entitlement of 60 feet, in order to achieve that height, the property would need to be a minimum of 300 feet away from the single family property that triggers Compatibility Standards. As a result, the SAPs recommend modifying Compatibility Standards for the TODs so that:

1. The extent of Compatibility Standards is 100 feet from a property outside the TODs that is used, or zoned, as single-family (or other uses that trigger compatibility), and
2. Any single family development within the TOD Districts does not trigger Compatibility Standards on other properties within the TOD Districts.

These recommendations are intended to provide a transition between single-family homes on the outside of the TODs and development within the TODs while also allowing for denser and potentially higher development (up to 60 feet total) in the interior of the TOD Districts. The University Neighborhood Overlay (UNO) and the E. 12<sup>th</sup> Street NCCD have also recognized the need to modify Compatibility Standards in areas where greater density is desired.

#### *ECC Plan Update Request*

The East Cesar Chavez (ECC) Neighborhood Planning Team (NPT) has requested that as part of the plan amendment to adopt the Plaza Saltillo SAP, the ECC NP be updated as well. It is expected that the Team will ask for a postponement of the SAP so that this can be done. Although the Neighborhood Planning and Zoning Department (NPZD) would like to grant this request, we do not have staff available to work on neighborhood plan updates at this time. While a plan amendment changes one specific part of a neighborhood plan, a plan update would look at the entire planning area, assessing changes that have occurred since plan adoption, taking a look at all the recommendations in the plan, and rewriting significant portions of the plan. A plan update process could be very similar to the planning process for the original plan. Until all Neighborhood Planning Areas in the Urban Core have had an opportunity to create their first neighborhood plan, NPZD planners are not able to undertake updates to adopted neighborhood plans. While neighborhood plans are eligible for an update five years after adoption, it does not mean the plan is guaranteed an update at that time. The NPZD realizes the ECC neighborhood was one of the very first neighborhoods in Austin to adopt their NP and that the contact team would like reassess the plan recommendations and the future land use map. However, as was mentioned in a meeting last December with the ECC NPT, the Neighborhood Planning Division will be glad to work with the group on one area wide plan amendment that in their assessment presents the most pressing need, but cannot commit to a full plan update at this time.

#### *Station Area Planning Summary*

The Station Area Plans strive to meet the goals of TOD and Austin's TOD priorities, which include increasing density around rail stations, providing affordable housing and open space, and creating mixed use, pedestrian-oriented environments, while also balancing the variety of interests that participated in the planning process, predominantly neighborhood residents around the TODs and property owners within the TODs. They are intended to initiate Austin's commitment towards accommodating some of our City's expected population growth within a transit-supportive context.

If you have questions or concerns please contact Sonya Lopez, 974-7694 or [sonya.lopez@ci.austin.tx.us](mailto:sonya.lopez@ci.austin.tx.us).



cc: Laura Huffman, Assistant City Manager  
Kristen Vasallo, Deputy Assistant to the City Manager  
Margaret Shaw, NHCD  
George Adams, NPZD

**III. Supplemental items included in the Draft Station Area Plan by staff and consultant team:**

1. For properties on the north side of East 7<sup>th</sup> Street within the Plaza Saltillo Station Area Plan:
  - a) Shall comply with the permitted, conditional, and prohibited uses for the TOD Mixed Use Subdistrict. In addition, cocktail lounge and liquor sales are prohibited uses.
  - b) The following residential uses are additional permitted uses:
    - single family, duplex, two-family, single-family attached, townhouse
  - c) Compatibility Standards, if triggered by a property outside of the TOD District, shall apply throughout the entire depth of the properties.
  - d) As part of current Draft Station Area Plan, all historically zoned properties will retain their historic zoning designation.
2. In the Corridor Mixed Use and TOD Mixed Use Subdistricts only, allow a drive-through facility subject to compliance with TOD Design Standards below (included based on discussion at the Planning Commission public hearing on 3-11-08);
3. Add additional TOD Design Standards for a drive-through facility, curb cuts, and building entrances for vehicles (see standards below).

**ADDITIONAL TOD DESIGN STANDARDS TO BE ADDED TO THE PLAZA SALTILLO REGULATING PLAN (REFER TO #2 AND #3 ABOVE)**

**Amendments to Subsection 2.3.7: Drive-Through Facilities**

- A. A drive-through facility is allowed only in the Corridor Mixed Use and TOD Mixed Use Subdistricts.
- B. A restaurant drive-through facility is prohibited throughout the TOD District.

**New Section 4.6: Drive-through Facility Standards**

Drive-through Facilities for any use shall be subject to the standards of this section. The standards shall apply to new development, the addition of a Drive-through Facility to an existing development, and the relocation of a Drive-through Facility. Drive-through Facilities provide services where the motorist generally waits in the car before and while the service is performed. A Drive-through Facility may not be permitted for a specific property if the standards in this section cannot be met given the site's size, dimensions, and/or location within the TOD District.

**4.6.1 Applicability**

A Drive-through Facility may be allowed as per Subsection 2.3.7 in conjunction with permitted or conditional uses as provided in Subsection 2.3.8 of this Document.

**4.6.2 Drive-Through Facility Components**

Drive-through facilities consist of the following two components:

- A. Service areas are the locations where the service is performed. They include drive-up windows, indoor service areas such as car washes, and outdoor service areas such as gasoline pumps.
- B. Queuing driveways are used by vehicles to reach service areas and wait for service.

## **Plaza Saltillo Station Area Plan – City Council April 10, 2008**

### **4.6.3 Driveway Entrances and Exits**

- A. Curb-cut entrances for queuing driveways and exit driveways shall be consolidated with any other driveway entrances or exits on the site.
- B. Queuing driveway entrances shall not be allowed along a street with an active edge designation. A driveway exit along an active edge may be permitted when no other feasible option exists as determined by the Director.
- C. Driveways shall:
  - 1. Comply with the driveway spacing standards in Section 5 of the Transportation Criteria Manual (TCM); and
  - 2. Not be subject to Section 3.5.4.A (see next page) of this Document if no other feasible access alternative exists.

### **4.6.4 Queuing Driveway Configuration and Design**

- A. A queuing driveway serving a drive-up window shall meet the following standards to provide appropriate vehicle queuing:
  - 1. A minimum length of 100 feet leading to the drive-up window for one lane and 60 feet per lane when more than one lane is provided;
  - 2. The calculation for driveway length required for queuing under Subsection A.1 above shall not include any pedestrian crosswalks or sidewalks.
- B. A queuing driveway serving any type of service area shall meet the following standards:
  - 1. Driveway lanes shall be designed so that queuing vehicles do not interfere with other vehicle and pedestrian circulation on the site;
  - 2. Driveways shall not be located between a building and the principal street, or if a corner site, all adjacent roadway types; and
  - 3. All queuing lanes shall be clearly identified using striping, landscaping, and/or signs.

### **4.6.5 Drive-through Service Area Location**

Drive-through service areas shall be located as follows:

- A. Drive-up windows, indoor service areas, and outdoor service areas shall be located to the rear or side of a building.
- B. Indoor and outdoor service areas shall have a minimum setback of 30 feet from all roadway types.
- C. Where multiple street frontages are present, vehicle entrances and exits for indoor service areas shall not face the principal street.

## **New Subsection 5.2.3: Building Entrances and Exit Standards for Vehicles**

### **5.2.2 Building Entrance Standards for Pedestrians**

(Keep Subsections A through C in current Draft)

### **5.2.3 Building Entrance and Exit Standards for Vehicles**

- A. Building entrances and exits for vehicles shall be located to the rear or side of a building, except as provided in C below.
- B. Where multiple street frontages are present, building entrances and exits for vehicles shall not face the principal street, except as provided in C below.
- C. Vehicle entrances and exits for structured parking may face a principal street only when no other feasible access is available on another street frontage or alley, as determined by the Director.

## **Amendments to Subsection 3.5.4: Curb-Cut Spacing Standards**

### **A. TOD Core Transit Corridors**

Same as stated in printed Draft.



## Plaza Saltillo Station Area Plan – City Council April 10, 2008

### B. All Roadway Types

In addition to the standards under A above, curb-cuts on TOD Core Transit Corridors, TOD Pedestrian Priority Streets, and TOD Local Streets shall be located in accordance with the driveway spacing standards in Section 5 of the Transportation Criteria Manual (TCM).

### **New Subsection 3.5.5 Curb-Cut Dimensional Standards**

#### A. Applicability

Development along TOD Core Transit Corridors, TOD Pedestrian Priority Streets, and TOD local Streets.

#### B. Curb-Cut Width Standards

Section 5 of the Transportation Criteria Manual (TCM) specifies driveway standards in 5.3.2 of the TCM. These standards shall continue to apply to residential (Type I) and commercial (Type II) driveways, except as provided in this subsection.

1. The maximum Type I driveway width for single family, duplex, and townhome residences shall be 18 feet.
2. Driveways along street frontages with an active edge designation are discouraged. When they are deemed necessary by the Director, the maximum Type II driveway width for multi-family residential and commercial uses shall be 25 feet along an active edge.
3. Other Type II driveways within the TOD District shall be no more that 25 feet wide, and they may be expanded to a maximum width of 35 feet when deemed necessary for proper traffic circulation and access by the Director.
4. The maximum curb return radius for all Type II driveways shall be 15 feet.

## Plaza Saltillo Station Area Plan – City Council April 10, 2008

### IV. PLANNING COMMISSION ACTION (MARCH 25, 2008)

**Motion #1: The Planning Commission voted unanimously to approve the Draft Plaza Saltillo Station Area Plan as presented by Staff\* and associated amendments to neighborhood plans with the following amendments:**

1. Development bonuses including a reduction in compatibility standards as proposed in the Draft Plan should not be permitted for the list of properties submitted by the East Cesar Chavez Neighborhood Planning Team (see list below\*\*);
2. The City of Austin property at 2001 E. 5<sup>th</sup> Street is recommended to go into a Community Land Trust so that it provides affordable housing meeting or exceeding the CP&R goal specified in the TOD Ordinance (25% affordability at 60% M.F.I. for home ownership/at and below 50% M.F.I. for rental); and
3. Recommend that Staff look at the element of the University Neighborhood Overlay that speaks to de-coupling rent from the leasing of a parking space for possible inclusion in the TOD Districts.

\*Included in the Draft Plaza Saltillo Station Area Plan were the following elements:

- e) Tailored use and compatibility standards for properties on the north side of E. 7<sup>th</sup> Street; and
- f) The addition of a drive-through facility as a permitted use in specific mixed use subdistricts along with associated design standards.

**Motion #2: The Planning Commission voted unanimously to approve the following language for all TOD Districts:**

Strongly recommend that the City Council:

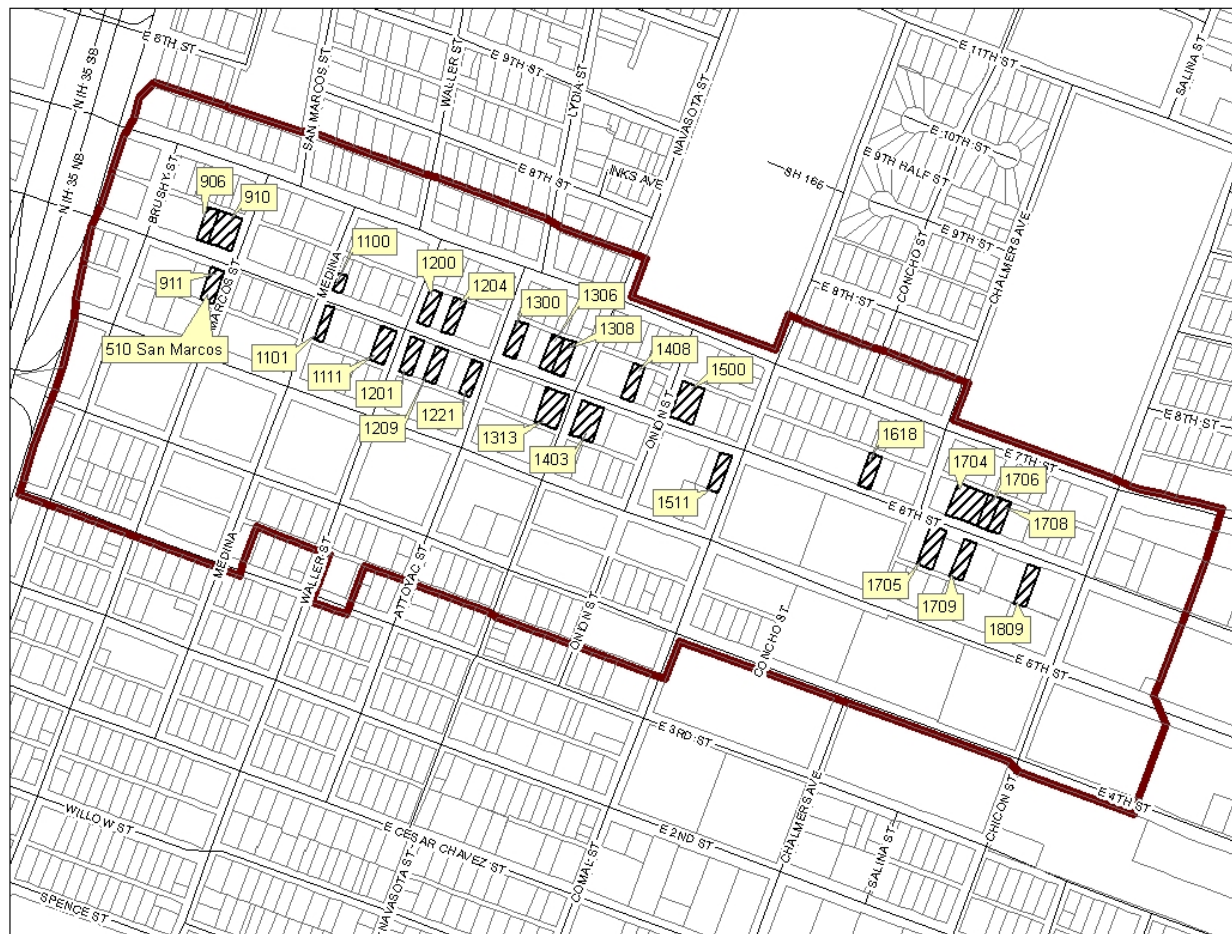
1. Establish a clear and firm plan to help developers achieve the 25% affordability goal in the TOD Ordinance using the tools presented by the affordable housing consultant, Diana McIver and Associates;
2. Consider amending the scoring process for the allocation of affordable housing bond funds so that projects in TOD Districts are prioritized; and
3. Designate CIP funds to infrastructure improvement projects within and connecting to the TOD Districts.

\*\*List of addresses submitted by the East Cesar Chavez Neighborhood Planning Team (see map on next page)

910 E 6th St	(El Milagro Tortilla Factory)
911 A & B E 6th St	(Johnnies Antiques and home behind it)
906 E 6th	
1101 E 6th St	(Capital Paint - Atlas Cleaners)
1100 E 6th St	(Bike Shop - Julia's)
1111 E 6th St	(Iron Gate)
1201 and 1209 E 6th St	(Tony's and Clayworks)
1200 E 6th St	(Uptown Sports Club)
1204 E 6th St	
1221 E 6th St	

## Plaza Saltillo Station Area Plan – City Council April 10, 2008

1300 E 6th St (Club Oriente—apartments above)  
 1408 E 6th St  
 1500 E 6th St (Texas Bar Hotel Vegas)  
 1511 E 6th St (Cisco's Restaurant)  
 1809 E 6th St  
 1704 E 6th St  
 1313 E 6th St  
 1308 E 6th St (Rio Rita)  
 1618 E 6th St (Sapo Verde and apartments above)  
 1705 E 6th St  
 1709 E 6th St  
 1706-1708 E 6th St  
 510 San Marcos St  
 1221 E. 6th St. Units A & B  
 1403 E 6th St  
 1306 E 6th St



## Plaza Saltillo Station Area Plan – City Council April 10, 2008

### V. Information Submitted by Property Owners or Neighborhood Groups for Council Consideration

- a. The owners of the following properties responded to the legal notice against the Plaza Saltillo Station Area Plan TOD Rezoning
  - i. 900-1000 blocks of E. 4<sup>th</sup> Street (currently a scrap and salvage business – see map below)
    - Plan has this property as Corridor Mixed Use and Live/Work Flex along E. 4<sup>th</sup> Street and Low Density Residential along E. 3<sup>rd</sup> Street.
    - Owner objects to rezoning because of property value concerns.
  - ii. 1100 E. 3<sup>rd</sup> and 1101 E. 4<sup>th</sup> (properties are used for outdoor storage – see map below)
    - Proposal in Draft Plan is for Live/Work Flex on E. 4<sup>th</sup> and Low Density Residential on E. 3<sup>rd</sup> Street.
    - Owner objects to rezoning because of property value concerns.
  - iii. 305 Brushy Street and 900 E. 3<sup>rd</sup> Street (currently developed with single family structures – see map below)
    - Proposal in Draft Plan is for Low Density Residential.
    - Owner objects to rezoning because he feels rezoning should not occur on a comprehensive basis and is in favor of case specific rezonings; he also has concerns about the value of his properties.
  - iv. 1505, 1507, and 1509 E. 7<sup>th</sup> Streets and 608, 610, and 612 Comal Street (Currently undeveloped; First National Bank has plans for a one-story drive thru banking facility – see map below)
    - Proposal in Draft Plan is for TOD Mixed Use and Corridor Mixed Use
    - Owner objects to elements of rezoning that does not allow for drive thru services and requires a minimum of two stories in building height
    - Update: Based on discussion at the Planning Commission hearing on March 11, 2008, a Drive-through Facility is proposed in the Draft Plan to be permitted in the TOD Mixed Use and Corridor Mixed Use Subdistrict provided that specific design standards are followed.
  - v. 1300 and 1302 E. 4<sup>th</sup> Street (two warehouse structures with office and commercial uses – see map below)
    - Proposal in Draft Plan is for TOD Mixed Use
    - Owner owns the warehouse structures on land owned by Capital Metro. She objects to the Station Area Plan because there is no historical recognition made of the two warehouse buildings on these properties.
    - Update: Steve Sadowsky, Historic Preservation Officer, has communicated with the owner and is awaiting information from her so that he can make an assessment of the structures.
- b. GAIN and GNDC Resolutions (see resolutions at end of packet)  
The Guadalupe Association for an Improved Neighborhood (GAIN) and the Guadalupe Neighborhood Development Corporation (GNDC) submitted

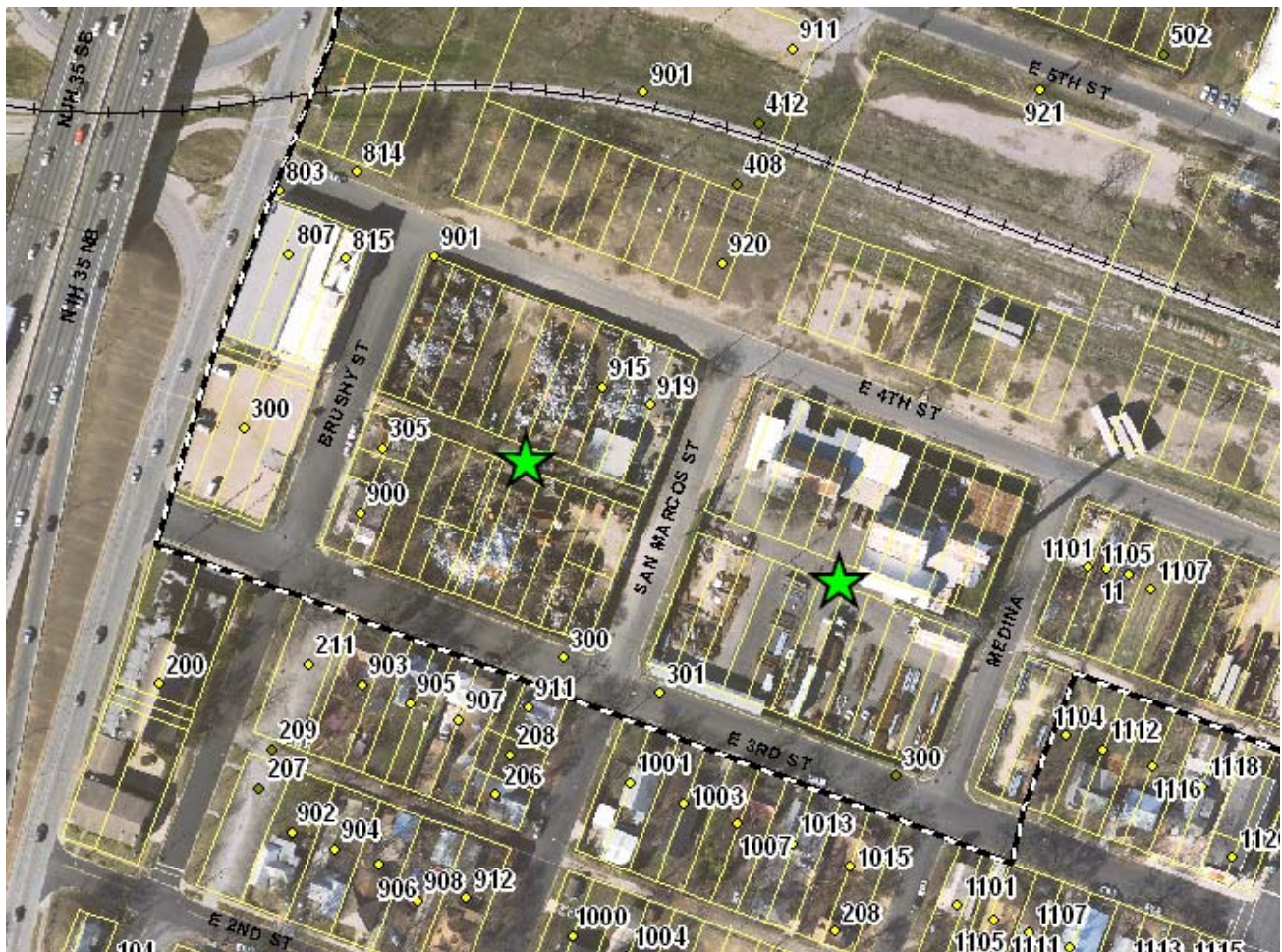
## Plaza Saltillo Station Area Plan – City Council April 10, 2008

resolutions regarding their position on the Plaza Saltillo Station Area Plan. Both of the resolutions are attached and:

- i. Support the Draft Plan only with the proposed changes to the north side of E. 7<sup>th</sup> Street included, and
  - ii. Specify additional items regarding affordable housing and compatibility that should be included in the Station Area Plan
- c. ECC Neighborhood Planning Team Resolution (see resolution at end of packet)

### 900-1000 blocks of E. 4<sup>th</sup> Street

(Austin Iron Pipe and Supply, scrap and salvage business)

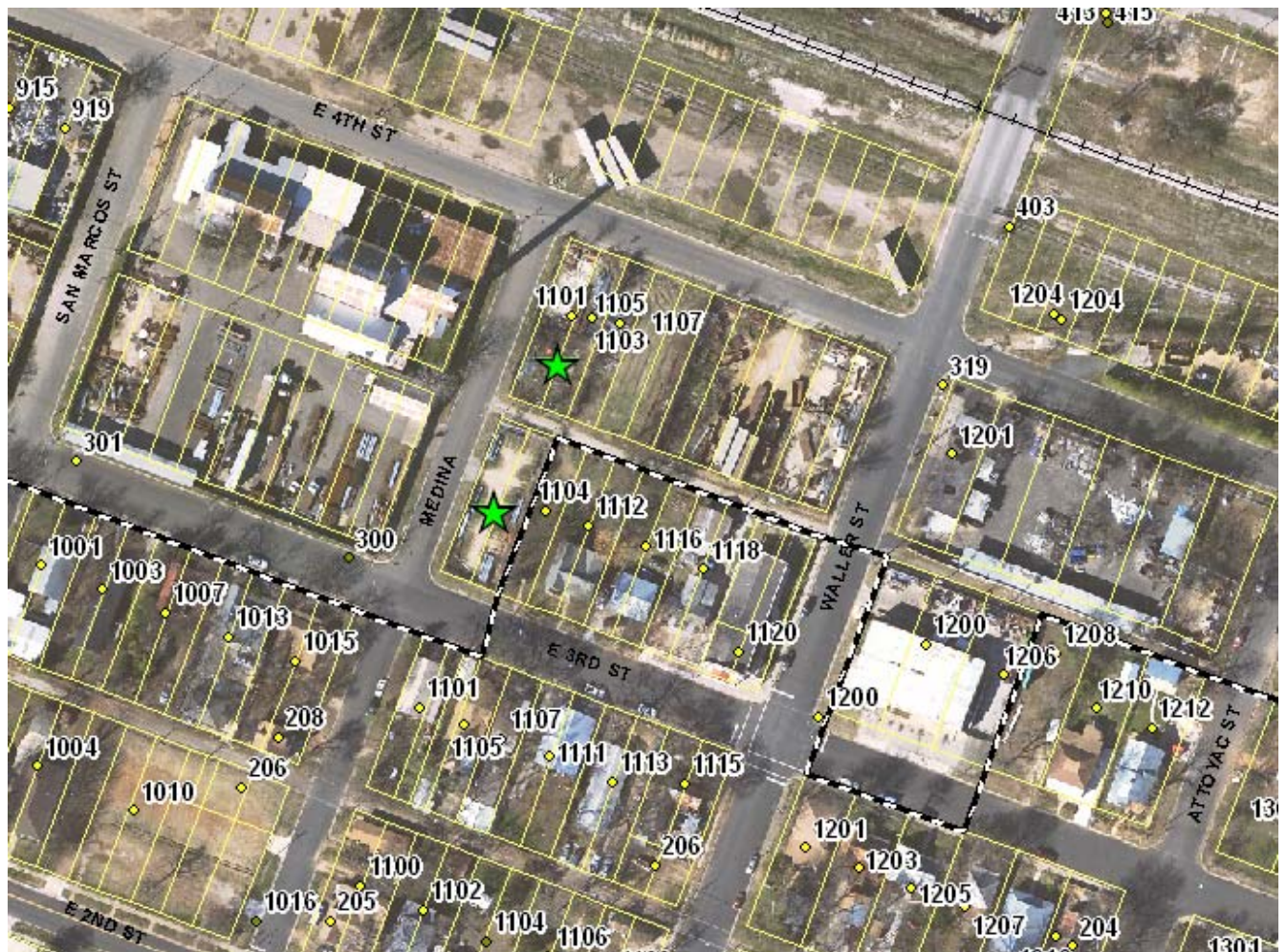




## Plaza Saltillo Station Area Plan – City Council April 10, 2008

### 1100 E. 3<sup>rd</sup> and 1101 E. 4<sup>th</sup>

(properties are used for outdoor storage)





## Plaza Saltillo Station Area Plan – City Council April 10, 2008

**305 Brushy Street and 900 E. 3<sup>rd</sup> Street**  
(currently developed with single family structures)

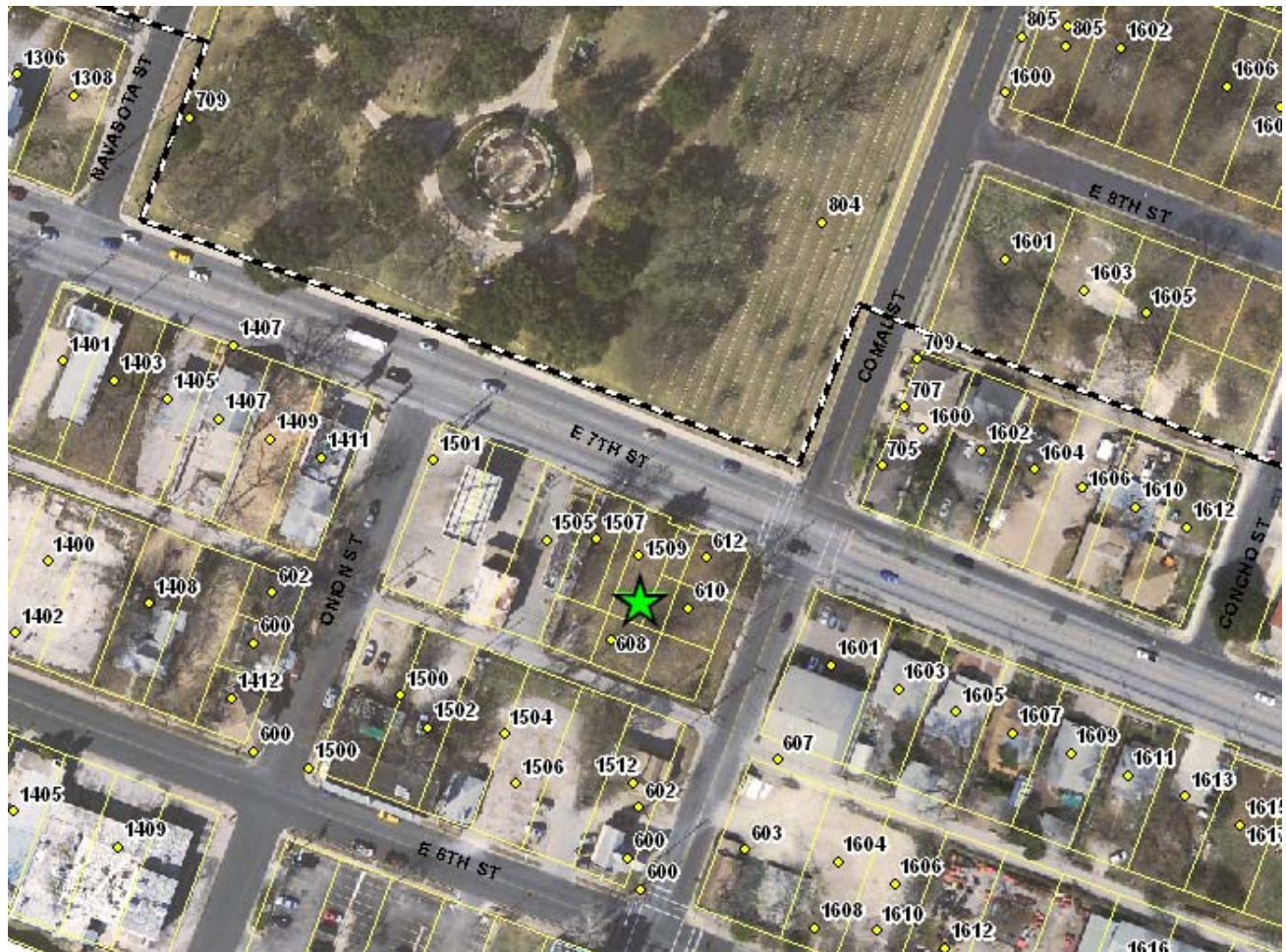




## Plaza Saltillo Station Area Plan – City Council April 10, 2008

### 1505, 1507, and 1509 E. 7<sup>th</sup> Streets and 608, 610, and 612 Comal Street

(currently undeveloped; First National Bank has plans for a one-story drive thru banking facility)





## Plaza Saltillo Station Area Plan – City Council April 10, 2008

**1300 and 1302 E. 4<sup>th</sup> Street**  
(Old Texaco Depot buildings)





**Guadalupe Neighborhood Development Corporation**

**1000 Lydia Street**

**Austin, Texas 78702**

**(512) 479-6275 (512) 478-9949 fax**

**[gndc@sbcglobal.net](mailto:gndc@sbcglobal.net)**

March 25, 2008

Planning Commission  
City of Austin

Dear Planning Commissioners:

Attached is a resolution by the Guadalupe Neighborhood Development Corporation (GNDC) related to the draft Plaza Saltillo Station Area Plan. As presented in the notices received in the mail, the plan strips GNDC of many of the property rights now enjoyed for the properties owned within the proposed district and also rights held by those owned adjacent to the proposed district. As such, the Board of Directors of GNDC voted unanimously to request that the north side of East 7<sup>th</sup> Street be removed from the Plaza Saltillo TOD district.

During the past quarter of a century, seven new structures have been built on the north side of East 7<sup>th</sup> Street between I-35 and the State Cemetery. Five of those seven structures are single-family homes; three of which are affordable housing owned by GNDC. The construction of two market-rate units was completed less than six months ago. At least three additional single-family homes are being planned for the north side of East 7<sup>th</sup> Street at this time. GNDC is planning two of those units as affordable housing. How is that the draft Plaza Saltillo SAP could be so out of touch with conditions and developments on the north side of East 7<sup>th</sup> Street that it would propose eliminating single-family uses from the corridor? Do we really want to see lots sit vacant and underdeveloped for years, or else, see the demolition of quality, historically valuable single-family housing as investors assemble land for totally commercial or mixed-use projects that may have less residential density than single-family can provide?

The north side of East 7<sup>th</sup> Street is adjacent to a predominantly historic single-family neighborhood. Despite it being a core transit corridor, this is no place for offsite parking lots, kennels, construction services and, even conditionally, liquor sales and pawnshops. Why, after the Central East Austin Neighborhood Plan had carefully and thoughtfully defined allowed, prohibited and conditional uses along this corridor, does the Saltillo SAP ignore what the community had prescribed and City Council had adopted?

City staff and the project consultants have proposed an amendment to the Saltillo SAP that addresses most of the problems noted above. We urge you to support that amendment. Otherwise, please recommend removing the north side of East 7<sup>th</sup> Street from the district.

Finally, GNDC has worked for over 25 years to create affordable housing opportunities in the neighborhoods surrounding the proposed Plaza Saltillo TOD district. The greatest opportunity to meet the rapidly increasing demand for more affordable units lies within the proposed TOD district. In light of all the tools now at our disposal, especially in the Homestead Preservation District where even inclusionary zoning is permitted, to require that 25% of the housing units developed within the TOD be affordable to households with income at and below 60% of Austin's median. Please include this in your recommendation to City Council.

Sincerely,

Mark C. Rogers, Ph.D.  
Executive Director

**A RESOLUTION OF THE**  
**GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION**  
**REGARDING THE SALTILLO TRANSIT ORIENTED DEVELOPMENT DISTRICT**  
**STATION AREA PLAN & REGULATING PLAN**

**WHEREAS**, the Guadalupe Neighborhood Development Corporation (hereafter GNDC) works for the creation and preservation of affordable housing in target neighborhoods of East Austin; and

**WHEREAS**, GNDC owns numerous properties within and adjacent to the proposed TOD District; and

**WHEREAS**, the Board of Directors of GNDC met on February 25, 2008, and determined that the proposed Saltillo SAP and Regulating Plan would be detrimental rather than beneficial to the purpose of GNDC; and

**WHEREAS**, the draft Saltillo TOD SAP offers no clear means to preserve or create housing that is affordable; and

**WHEREAS**, it proposes to eliminate and reduce compatibility standards that currently serve to protect the quality of life in housing owned by GNDC; and

**WHEREAS**, the draft TOD Regulating Plan would prohibit new single-family development in the East 7<sup>th</sup> Street corridor which would prevent GNDC from adding residential units to its property within the TOD boundaries; and

**WHEREAS**, the proposed TOD Regulating Plan proposes commercial uses that are not compatible with single-family homes owned by GNDC in and near the TOD district; and

**WHEREAS**, the TOD Ordinance provides that the boundaries of the TOD shall be determined at the time the Station Area Plan is adopted,

***BE IT RESOLVED UNANIMOUSLY BY THE GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION:***

**THAT**, the Saltillo TOD boundaries exclude the north side of East 7<sup>th</sup> Street; and

**THAT**, the City Council adopt the Saltillo TOD only after it has established a clear plan to achieve the goal that 25% of the housing units in the Saltillo TOD be affordable; and,

**THAT**, compatibility standards stay intact to protect existing single-family uses within and adjacent to the District; and

**THAT**, enhanced development entitlements, such as increased density and height through modification or elimination of requirements for FAR, minimum site area, setbacks, impervious cover, compatibility standards, and parking have clear public benefits, as with Vertical Mixed Use zoning, related to the provision of affordable housing, and

**THAT, uses allowed, prohibited and made conditional in the Sattilo TOD Plan conform to those adopted by the affected neighborhood plans.**

**ADOPTED: February 25, 2008**

**BY: The Guadalupe Neighborhood Development Corporation**

**ATTESTATION:**

  
\_\_\_\_\_  
**Joseph Martinez, President**

**GAIN- Guadalupe Association for an Improved Neighborhood**

**1111 East 8th Street - Austin, Texas 78702**

**512-479-6275**

March 25, 2008

Planning Commission  
City of Austin

In Re: Proposed Saltillo TOD Plan

Dear Planning Commissioners:

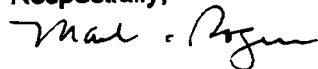
You will find a resolution regarding the proposed Saltillo TOD Plan passed by the Guadalupe Association for an Improved Neighborhood with this letter. The resolution provides the reasons the residents of the neighborhood are requesting that the north side of East 7<sup>th</sup> Street be removed from the TOD boundaries.

After the time that GAIN membership made this decision, City staff met with me to discuss the concerns. They subsequently proposed amending the draft Saltillo TOD Plan in ways that alleviate the many concerns expressed by the Guadalupe Neighborhood residents and property owners. The amendment includes maintaining compatibility standards for properties outside the TOD boundaries, eliminating or making conditional certain uses in a way that makes the TOD Plan more closely conform to the adopted the Central East Austin Neighborhood Plan, and to allow single-family development on the north side of East 7<sup>th</sup> Street.

We appreciate the consideration and work of staff, Sonya Lopez and George Adams, for responding so quickly and thoughtfully to our concerns. We urge you to endorse the proposed Saltillo TOD Plan only with the recommended amendment regarding the north side of East 7<sup>th</sup> Street.

Finally, the draft Saltillo TOD Plan fails to adequately address the need to create a meaningful percentage of affordable housing within the district. The Saltillo TOD will be a failure if it does not, at very least, meet the goals established in the ordinance for 25% of the units to serve households below 60% of the median family income level. Throughout the country, in places like Oakland, San Francisco, Portland and Denver, TODs are not simply mixed-use, dense, pedestrian-friendly, transit districts, they are mixed-income districts with 20% to 30% of the housing units affordable to families from below 30% and up to 80% of the median for those areas. Austin deserves TODs that assure diversity and demonstrate sensitivity to the communities where they exist. Please recommend using development entitlements such as waived or relaxed FAR, SAR, compatibility, and parking only in exchange for the provision of affordable housing.

Respectfully,



Mark Rogers, GAIN Secretary

## **GUADALUPE ASSOCIATION FOR AN IMPROVED NEIGHBORHOOD- GAIN**

### **RESOLUTION REGARDING THE SALTILLO TRANSIT ORIENTED DEVELOPMENT DISTRICT STATION AREA PLAN**

**WHEREAS**, the Guadalupe Association for an Improved Neighborhood (hereafter GAIN) has worked for the enhancement and preservation of the historic character of the Guadalupe Neighborhood, and has supported the creation and preservation of affordable housing that is compatible in style and scale with the existing neighborhood; and

**WHEREAS**, the Central East Austin Neighborhood Plan, which includes the Guadalupe Neighborhood, also identifies among its Neighborhood Plan Goals:

- *Preserve, restore and recognize historic resources and other unique neighborhood features*
- *Create housing that is affordable, accessible and attractive to a diverse range of people*
- *Respect the historic, ethnic and cultural character of the neighborhoods of Central East Austin*
- *Ensure compatibility and encourage a complimentary relationship between adjacent land uses; and*

**WHEREAS**, the membership of GAIN met on February 23, 2008, discussed the proposed Saltillo TOD Station Area Plan (SAP) and the related proposed TOD Regulating Plan; and

**WHEREAS**, there was unanimous consensus that the proposed Saltillo SAP would be likely to harm and degrade rather than "preserve and restore" our neighborhood; and that it offered no clear means to preserve or "create housing that is affordable"; and it proposes to eliminate and reduce compatibility and to discourage a "complimentary relationship between adjacent land uses"; and

**WHEREAS**, the proposed Saltillo TOD SAP would eliminate compatibility standards within the district, particularly along the north side of East 7<sup>th</sup> Street, and reduce compatibility protections for adjacent single-family properties, especially those along East 8<sup>th</sup> Street, the single-family quality of our neighborhood would be degraded by the Saltillo TOD zoning regulations and the existing single-family residences will be less desirable places to live due to increased height, loss of setbacks, and contrary commercial uses in close proximity; and

**WHEREAS**, the draft TOD Plan encourages the assembly of land which would by its nature increase land speculation and induce demolition of existing single-family housing, further driving up taxes, increasing gentrification and degrading the historic character of the neighborhood; and

**WHEREAS**, the East 7<sup>th</sup> Street Corridor Plan, designates the section of East 7<sup>th</sup> Street within the proposed TOD boundaries as the "Residential/Historic" district, yet the proposed TOD SAP and TOD zoning would degrade the residential and historic character of the corridor; and

**WHEREAS**, the draft TOD Regulating Plan would prohibit new single-family development in the East 7<sup>th</sup> Street corridor even though single-family redevelopment has recently added residential density along the north side of East 7<sup>th</sup> Street and future single-family redevelopment is planned that will add residential density; and

**WHEREAS**, the proposed TOD Regulating Plan proposes commercial uses that are contrary to those uses that are allowed, prohibited and made conditional in the Central East Austin Neighborhood Plan, based on thoughtful input by stakeholders in the planning area and adopted by City Council in 2001; and

**WHEREAS**, the TOD Ordinance provides that the boundaries of the TOD shall be determined at the time the Station Area Plan is adopted,

**BE IT RESOLVED BY THE GUADALUPE ASSOCIATION FOR AN IMPROVED NEIGHBORHOOD:**

**THAT**, the Saltillo TOD boundaries exclude the north side of East 7<sup>th</sup> Street; and

**THAT**, the City Council adopt the Saltillo TOD only after it has established a clear plan of action to achieve the goal that 25% of the housing units in the Saltillo TOD be affordable; and,

**THAT**, compatibility standards stay intact to protect existing single-family uses within and adjacent to the District; and

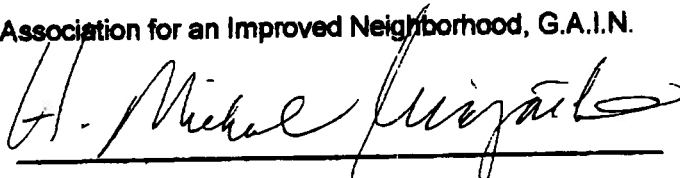
**THAT**, enhanced development entitlements, such as increased density and height through modification or elimination of requirements for FAR, minimum site area, setbacks, impervious cover, compatibility standards, and parking have clear public benefits, as with Vertical Mixed Use zoning, related to the provision of affordable housing, and

**THAT**, uses allowed, prohibited and made conditional in the Saltillo TOD Plan conform to those adopted by the affected neighborhood plans.

**ADOPTED:** February 23, 2008

**BY:** The Guadalupe Association for an Improved Neighborhood, G.A.I.N.

**ATTESTATION:**

  
H. Michael Guajardo, President



# **East Cesar Chavez Neighborhood Planning Team**

c/o 1511 Haskell Street

Austin, Texas 78702

512-478-6770

Joseph A. Martinez, chair

josephmartinez@yahoo.com

512-474-8148

## **RESOLUTION REQUESTING CHANGES TO THE PROPOSED SALTILLO STATION AREA PLAN PRIOR TO AMENDING THE EAST CESAR CHAVEZ NEIGHBORHOOD LAND USE PLAN & ADOPTING TOD-SAP REGULATING PLANS**

**WHEREAS**, the East Cesar Chavez Neighborhood Plan was adopted on May 13, 1999 and the 3<sup>rd</sup> most important of the Top Ten Planning Issues was the "... impacts of light rail on the neighborhood," and there are 9 Action Steps calling for plans to mitigate the impacts of physical displacement of homes and businesses, street closings, noise, safety and environmental hazards and these concerns have not been alleviated to the satisfaction of the East Cesar Chavez Neighborhood Planning Team (ECC Team), especially regarding displacement policies; and

**WHEREAS**, our Neighborhood Plan also identifies the preservation and rehabilitation of affordable housing for residents as the second most important Top Ten Planning Priorities and gentrification has caused a 400% tax increase with no affordable replacement housing being built; and

**WHEREAS**, our Planning Team has actively supported legislation, bonds and ordinances to preserve and increase affordable housing opportunities in our area including the creation of a Community Preservation & Reinvestment Zone (CP&R), a Community Land Trust, and the Homestead Preservation Act and not a single unit of affordable housing has been built using these tools in our area, nor are there any firm commitments by the City to do so in the near future; and

**WHEREAS**, the ECC Team has participated in every community meeting and public hearings held about the proposed Saltillo Redevelopment District, the TOD Ordinance, and the Saltillo Station Area Plan workshops and these meetings were poorly attended by residents and small business operators within the Saltillo TOD; and

**WHEREAS**, the adoption processes of the TOD Ordinance, the TOD Interim Rules, and Station Area Plan have not used the normal Plan Amendment Process empowering the ECC Team to play a major role in partnership with city staff to gather meaningful community input and try to reach consensus on the SAP Plan Amendment as proposed by city staff; and

**WHEREAS**, the ECC Team took action on 2-15-06 to support a Community Land Trust designation on all or a portion of the Saltillo tract owned by Capital Metro, and on 9-19-07 to support changes to the TOD Ordinance and Interim Rules to require at least 25% of all new housing units in the larger Saltillo TOD District be affordable to people earning below 60% MFI and neither of these actions have been proposed the Saltillo SAP; and

**WHEREAS**, the Saltillo SAP waives compatibility standards so that single family uses next to commercial uses will have little protection from increased speculation, taxes, and gentrification and there is not a program in place or proposed in the SAP to assist displaced low-income residents and small business operators within the Saltillo TOD; **NOW THEREFORE,**

### **BE IT RESOLVED BY THE EAST CESAR CHAVEZ NEIGHBORHOOD PLANNING TEAM:**

1. That the Austin Planning Commission and City Council NOT adopt the Saltillo Station Area Plan unless the following changes in the Saltillo SAP are included in the ECC Plan Amendment:
2. That the proposed density and height bonuses, waiver of compatibility standards, or increased FAR for new buildings shall require a community benefit whereby 25% of all inhabitable space in all buildings (commercial and residential or mixed-use) be deemed affordable according to the CP & R Ordinance and ECC Endorsement Policy which is 60% MFI for ownership and 50% MFI for rental units and that the 25% set-aside be extended to new residential and commercial spaces in new projects regardless of whether the building includes a housing component or is granted height or density bonuses; and



3. That the city-owned property at 2001 E. 5<sup>th</sup> Street be placed in the Community Land Trust and be re-developed to include affordable housing units because the site is currently used as a service center for mail distribution, storage and warehouse functions and is not an appropriate TOD land use; and
4. That there is a required "Historic Preservation Review" for any demolition permits on properties identified by the ECC Team in our Vertical Mixed-Use Application (list of addresses attached) that currently provide affordable housing to very low-income residents or may be contributing structures as we pursue a Local Historic District in the ECC Planning Area, and
5. That Neighborhood Housing and Community Development staff be directed to quickly develop a program to retain and assist existing residents and businesses so that they can maintain their presence in the Saltillo TOD. In the case of physical displacement, the program should also give existing residents and businesses a priority in occupying any new affordable housing or affordable commercial units in the new project that displaced them; and
6. That the Planning Commission recommend and City Council directs staff to dedicate the following funding sources to implement these displacement programs which include but are not limited to residuals from the City's Housing Trust Fund, the City's Community Land Trust, Affordable Housing Bonds, Water & Wastewater Bonds, Parkland Acquisition Bonds, CDBG funds, and the new Fee-in-Lieu fund in the Downtown Austin Affordable Housing Plan

**ADOPTED:** March 20, 2008

**BY:** The East Cesar Chavez Neighborhood Planning Team

**ATTEST:** \_\_\_\_\_  
Joseph A. Martinez, Chairperson

**Addresses for consideration to preserve as existing affordable housing or contributing structures for our Local Historic District as identified in the ECC Team VMU application**

El Milagro Tortilla Factory 910 E 6th St	Logic = Historic-looking
Johnnies Antiques—Home 911 A & B E 6th St	Logic = Historic-looking& Multi-family
House at 906 E 6th	Logic = Single-family home
Capital Paint - Atlas Cleaners 1101 E 6th St	Logic = Historic-looking
Bike Shop - Julia's 1100 E 6th St	Logic = Historic-looking
Iron Gate 1111 E 6th St	Logic = Historic-looking
Tony's and Clayworks 1201 and 1209 E 6th St	Logic = Historic-looking
Uptown Sports Club 1200 E 6th St	Logic = Historic-looking
House at 1204E. 6 <sup>th</sup> Street	Logic = Single-family home
House at 1221	Logic = Single-family home
Club Oriente—apartments above 1300 E 6th St	Logic = Historic-looking& Multi-family
House on 1408 E 6th St	Logic = - Multi-family
Texas Bar Hotel Vegas 1500 E 6th St	Logic = -Historic-looking& Multi-family
Cisco's Restaurant 1511 E 6th St	Logic = Historic-looking

take out 1010  
E. 6<sup>th</sup>.

Storefront at 1809 E 6th St	Logic = Historic-looking
Home at 1704 E 6th St	Logic = - Single-family home
<del>1010 E 6th St ?</del>	
Office 1313 E 6th St	Logic = Historic-looking
Rio Rita 1308 E 6th St	Logic = Historic-looking
Sapo Verde and apartments above 1618 E 6th St	Logic = Historic-looking & Multi-family
1705 E 6th St	Logic = Historic-looking & Single-family
1709 E 6th St	Logic = Single-family home
Homes at 1706-1708 E 6th St	Logic = Single-family homes
510 San Marcos St	Logic = Single-family home
1221 E. 6th St. Units A & B	Logic = Multi-family home
House at 1403 E 6th St	Logic = Historic-looking & Single-family
Home at 1306 E 6th St	Logic = Single-family home