SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2007-0263 – Hyde Park Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process

REQUEST:
C14-2007-0263 – Hyde Park Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Hyde Park Neighborhood Planning Area, bounded by 51st Street to the north, Red River to 45th Street to Duval Street to the east; 38th Street to the south and Guadalupe Street to 47th Street and along Waller Creek to the south (Waller Creek watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Hyde Park Neighborhood Planning Area from the overlay district. First Reading approved on March 6, 2008. Vote: 4-2 (Leffingwell, Cole–Nay; Kim–off the dais.) Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975.

DEPARTMENT COMMENTS:

The VMU Overlay District in the Hyde Park Neighborhood Planning Area includes 12 tracts on 11.24 acres. The Hyde Park Neighborhood Association is recommending excluding tracts 1-12 from the Overlay District.

Tract 100 was originally part of this request but was not notified and therefore removed from the request to allow for proper public notice. Tract 100 is being addressed by case C14-2007-0263.001.

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

DATE OF SECOND READING: March 6, 2008

CITY COUNCIL HEARING DATE: May 8, 2008

CITY COUNCIL ACTION:
March 6, 2008:
The first reading was approved for VMU Overlay on Tracts 1-12 and 100, making them eligible for the affordable housing density bonus, and authorizing 60% MFI rental units was approved on Council Member McCracken's motion, Mayor Wynn's second on a 4-2 vote.

Those voting aye were: Mayor Wynn, Mayor Pro Tem Dunkerley, and Council Members Martinez and McCracken. Those voting nay were: Council Members Cole and Leffingwell. Council Member Kim was off the dais.

ASSIGNED STAFF: Jorge E. Rousselin , e-mail: jorge.rousselin@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0263 – Hyde Park Neighborhood Planning area Vertical Mixed Use Building (V) Zoning Opt-In/Opt-Out Process

P.C. DATE: January 15, 2008

AREA: 12 tracts on 11.24 acres

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

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD), Jorge E. Rousselin

SUMMARY PLANNING COMMISSION RECOMMENDATION:

January 15, 2008:

APPROVED THE NEIGHBORHOOD RECOMMENDATION TO EXCLUDE TRACTS 1-12 FROM THE OVERLAY DISTRICT AND OPTING-IN TRACT 100; ON CONSENT [8-0].

NEIGHBORHOOD ORGANIZATIONS:

- Hancock Neighborhood Assn.
- Hyde Park Neighborhood Assn.
- North Austin Neighborhood Alliance
- Austin Neighborhoods Council
- Mueller Neighborhoods Coalition
- North Loop Neighborhood Planning Team
- North Loop Neighborhood Planning Liaison-COA
- Alliance to Save Hyde Park
- Northfield Neighborhood Assn.
- Ridgetop Neighborhood Association
- Austin Independent School District
- Central Austin Neighborhoods Planning Area Committee
- Home Builders Association of Greater Austin
- Taking Action Inc.
- Homeless Neighborhood Organization
- Mueller Neighborhood Association

AREA OF PROPOSED ZONING CHANGES:

The Hyde Park Neighborhood Planning Area is bounded by 51st Street to the north; Red River to 45th Street to Duval Street to the east; 38th Street to the south; and Guadalupe Street to 47th Street and along Waller Creek to the west.

WATERSHEDS:
Waller Creek and Boggy Creek – **Urban**

DESIRED DEVELOPMENT ZONE: Yes

SCHOOLS: Robbins High School and Ridgetop Elementary School

APPLICABLE CORE TRANSIT CORRIDORS:
Guadalupe Street and East 38th Street are designated as a Core Transit Corridors.

STAFF COMMENTS:
The VMU Overlay District in the Hyde Park Neighborhood Planning Area includes 12 tracts on 11.24 acres. The Hyde Park Neighborhood Association is recommending excluding tracts 1-12 from the Overlay District.

Tract 100 was originally part of this request but was not notified and therefore removed from the request to allow for proper public notice. Tract 100 is being addressed by case C14-2007-0263.001.

LIST OF ATTACHMENTS:

Attachment 1: Hyde Park Neighborhood Planning Area Report on VMU and (VMU) Opt-In / Opt-Out Application

Attachment 2: List of Hyde Park Neighborhood Planning Area VMU Application Properties by Tract #, TCAD Property ID and City of Austin Address for properties in the VMU Overlay District

Attachment 3: Hyde Park Neighborhood Association VMU Neighborhood Recommendations

Attachment 4: Hyde Park Neighborhood Planning Area VMU Overlay District Map and VMU Tract Map

Attachment 5: Zoning Map

Attachment 6: Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process

ISSUES: None at this time.

CITY COUNCIL DATE:	**ACTION:**
January 31, 2008	This item was postponed to February 28, 2008 on Council Member McCracken's motion, Council Member Leffingwell's second on a 7-0 vote.
February 28, 2008	This item was postponed to March 6, 2008 at the Council's request.
March 6, 2008	The first reading was approved for VMU Overlay on Tracts 1-12 and 100, making them eligible for the affordable housing density bonus, and authorizing 60% MFI rental units was approved on Council Member McCracken's motion, Mayor Wynn's second on a 4-2 vote. Those voting aye were: Mayor Wynn, Mayor Pro Tem Dunkerley, and Council Members Martinez and McCracken. Those voting nay were: Council Members Cole and Leffingwell. Council Member Kim was off the dais.
May 8, 2008	

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin **PHONE:** 974-2975
e-mail: jorge.rousselin@ci.austin.tx.us

LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the Land Development Code)

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

Transportation

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

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

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

Water and Wastewater

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

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district/use will be subject to compatibility development regulations.

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://coageoid01.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 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*: Hyde Park

*Note: A map of the Neighborhood Planning and VMU application areas can be found by clicking on this link: ftp://coageoid01.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 Karen McGraw

PHONE 459 2261

E-MAIL mcgrawka@earthlink.net

MAILING ADDRESS 4315 Avenue C 78751

SECONDARY CONTACT INFORMATION:

NAME Elaine Meenehan

PHONE 323.9772

E-MAIL elaine.meenehan@gmail.com

MAILING ADDRESS 4100 Duval St.
Austin 78751

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.

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

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

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

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE ____ of ____	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
3809 Guadalupe	✓				
3815 Guadalupe	✓				
3825 Guadalupe	✓				
511 W. 39th	✓				
3901 Guadalupe	✓				
4001 "	✓				
4005 "	✓				
4015 "	✓				
4021 "	✓				
4025 "	✓				
4031 "	✓				
4101-03 "	✓				
4111 "	✓				
4115 "	✓				

* 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.

May 30, 2007

Mayor Winn, Mayor Pro Tem Dunkerley and City Council Members McCracken, Leffingwell, Kim, Martinez and Cole,

We are responding to the request for VMU consideration in Hyde Park. We greatly appreciate the opportunity to participate in determining the application of this zoning. We have held meetings and arrived at a position that includes the entire area within the boundaries of the Hyde Park Neighborhood Association and Hyde Park Neighborhood Plan. The neighborhood plan zoning districts include the Hyde Park NCCD and the North Hyde Park NCCD. The completed application form is attached.

We fully support the goals of VMU and the inclusion of affordable housing in our neighborhood. In fact, according to City statistics, the Hyde Park neighborhood already has 75% rental units, many of them affordable due to their age and the modest size of apartment units. Hyde Park has recently established two Neighborhood Conservation Combining Districts, the Hyde Park NCCD, 2002, and the North Hyde Park NCCD, 2005, both of which include mixed use zoning rights in the Guadalupe corridor and on other commercial properties. For these and other reasons stated below, we respectfully request that at this time the City exclude all of the property with commercial zoning in Hyde Park from VMU. However, that does not mean that we are precluding the use of this tool in Hyde Park at a later time. Since neighbors and property owners have recently crafted good, compatible mixed-use zoning and have negotiated specific development rights on certain tracts, we do not believe that reconfiguring the zoning at this time is beneficial. In the future a property owner may want to discuss and modify those rights and it would be appropriate to consider a VMU plan amendment at that time in the context of an actual proposal. Sites where this may be acceptable are identified below.

In the Guadalupe Corridor between 38th and 45th Streets, in an effort to insure the continuance of commercial uses on Guadalupe and to encourage mixed use, neighbors crafted the Hyde Park NCCD to provide many of same standards offered in the Dimensional Standards for VMU:

1) Setbacks: No minimum front (maximum 10'), no minimum side, and 10' side street (VMU has 0' street side setback).

2) FAR: 2:1. Much of this district abuts single-family homes that trigger compatibility. Current height limitations for property between 40th and 45th Streets were established based upon the compatibility requirements and are set at 40' with a reduction to 30' in the rear. Under these height limitations it is virtually impossible to build out the 2:1 FAR in this district so FAR is essentially unlimited within the permitted development envelope.

3) Building Coverage: The entire Guadalupe district south of 45th Street is zoned CS-NCCD and has a 95% building coverage limit. Considering the 10' rear setback, a building could not cover more than 95% of the site.

4) Minimum Site Area: Given existing height limitations, the site area regulations for the CS district will not likely constrain maximizing housing development on second or third floors in the area north of 40th Street.

Additional zoning entitlements provided in 2002 NCCD:

A uniform and reduced rear setback was established due to the proximity to single family homes. In fact, the rear setback, generally required to be 13' in addition to the 12' alley, to meet the 25' compatibility setback, was set at a uniform 10' from the alley. Parking is permitted in this 10' setback area in recognition of the shortage of parking as well as other challenges in developing small sites. This setback is in effect from 38th to 45th Streets and was also noted as a trade-off for the 0' front setback.

Mixed use is permitted on all property in the Guadalupe corridor shown on the overlay map. The current NCCD zoning does not permit a residential use in the front 70% of a ground floor between 38th street and 45the Streets as well as at 4501 Guadalupe.

Excess parking is not permitted in the HP NCCD (south of 45th St,) for uses other than single family uses. For this reason it is not desirable to reduce required parking to 60% as it might be too severe a limitation. For a VMU development, the residential uses would require one parking space per bedroom for multi-family development with a by right reduction to 60% and a commercial requirement of 80% per the Urban Core Reduction. Since excess parking would be prohibited, any VMU parking reduction should be crafted for a specific project via a plan amendment.

Relaxation of FAR and Site Area Requirements may be desirable, except that parking is currently quite limited on Guadalupe and until a parking solution is found, extra dwelling units may not be desirable.

Additional ground floor uses are not necessary as the entire Guadalupe Corridor is zoned CS or GR and in office districts uses have been designated that work well on specific sites.

Specific areas:

3800-3900 Blocks of Guadalupe – VMU Future consideration

South of W. 40th Street height limitations increase to 50-60' as these tracts are not as close to single-family homes and compatibility does not reduce height limits significantly. In that area, the Guadalupe Corridor lies adjacent to Baker School and apartment and commercial uses. These tracts are our current priority for consideration of future VMU development. Our one stipulation is that we would expect this to be preceded by the return of Baker School, constructed in 1911 by Monroe Shipe for Hyde Park, to school use. It is currently used by AISD as on office building. We believe that affordable housing should be provided near our public schools and that good central city schools encourage families to locate in the central city. A VMU development on these blocks could result in a fully built out "box" or "building envelope" up to 60' tall given the exemption from FAR and Site Area Requirements. Neighbors prefer to negotiate such a development rather than agree to it outright at this time.

4000-4200 Blocks of Guadalupe – No VMU

The Hyde Park Neighborhood Association is currently undertaking the establishment of a Local Historic District. This effort is long overdue in preserving this unique part of Austin. These three blocks include structures that may be included in that district or may contribute to the National Register District although they are not currently designated. The building at 4113 is already listed in the Hyde Park Historic District (National Register) and thus exempt from VMU. Other buildings would be considered eligible in an updating of the district.

4300-4400 Blocks of Guadalupe – No VM

The Bluebonnet Courts at 4407 is listed in the Hyde Park Historic District (National Register) and thus exempt. A portion of the 4300 Block abuts single-family homes. This area is not a desirable place for VMU designation.

4500-4600 Blocks of Guadalupe - North Hyde Park NCCD - Some Potential VMU sites

The Guadalupe Corridor north of 45th Street was rezoned to mixed use in the North Hyde Park NCCD in 2005.This area includes sites that may be considered for VMU in the future since the Guadalupe Corridor abuts apartment buildings. Single-family homes are a full block to the east except for three homes on the east side of Avenue A. The height limit along Guadalupe is 50'. Other regulations include FAR of 1:1, Building coverage 60-75%, Impervious Coverage 80-90%, minimum front yard setback 0' (maximum 10'), minimum street side yard setback 10' (maximum 15'), minimum interior side yard setback is 0', minimum rear yard setback is 5'. There may be opportunity to relieve some regulations (BC, IC, Site Area and FAR, but not height) in this district for VMU on selected sites in the future via a new negotiation between neighbors and property owners and a Neighborhood Plan Amendment.

Specific sites north of 45th are as follows:

4501 Guadalupe is the site of a fairly new Walgreen's Store that will not likely be redeveloped anytime soon. However, a VMU development might be possible. This site goes through to Avenue A where residential frontage would be more desirable than the current parking lot. The height limit for Avenue A portion is 40'.

4525 Guadalupe has a site plan that creates condominiums over a retail space on the Guadalupe side and utilizes the old Ramsey Nursery garden area abutting Avenue A as green space that preserves trees from the Ramsey legacy. Although the Ramsey Nursery building has been demolished and the site is currently vacant, the neighborhood has invested much time and effort in working with the developer, has obtained a private deed restriction and wishes the green space to be preserved as agreed. This site should not be considered for VMU.

4535-4539 Guadalupe is occupied by the Aspen Wood Apartments, a large complex developed in the 1960's. It may be a candidate for redevelopment sooner than other properties on this corridor and a VMU plan amendment could be considered here.

4611 Guadalupe is occupied by the Horn Building which was constructed 25 years ago. It houses the University Federal Credit Union and was recently purchased by a group of doctors who expect to renovate and use the rest of the building for many years. The neighborhood worked with both owners in the last three months to obtain a minor zoning change that was recently approved by the City Council to accommodate this new use. This property is not expected to be redeveloped in the near future.

Other locations:

W. 38th st. is designated a Future Core Transit Corridor that ends at Speedway. There are several small lots scattered along this street on the city's VMU map. Some are shaded, some are not, some are zoned for office and some are zoned multi-family. These scattered small sites lie in the midst of a large area of multi-family developments that lie across from many homes in the North University Neighborhood that are zoned SF3-NCCD. There is currently no bus service on W.

38th. This area should not be designated as a VMU overlay at this time. It would make much more sense to revisit this entire area at a later date.

On W. 40th St. between Avenues A and B three properties are designated "MU" on the city map provided. Two of these properties have contributing structures in the National Register District exempting them from VMU. The one remaining property is a tiny lot of 3,105 square feet that has a two story mixed use building. Due to the size of the lot, redevelopment is very limited but the owners would like to have the right to use the VMU designation. We believe on this site in the Residential District, with it's 30' height limit and compatibility regulations to contend with, this might be a viable use and would therefore opt-in this one property at 4000 Avenue B.

Level of Affordability – 60% of MFI.

* * * *

All other commercial property in the Hyde Park NCCD and North Hyde Park NCCD is made up of small sites and lots in the interior of the neighborhood. The one large site at 4505 Duval was the subject of a complex negotiation to permit mixed use that is compatible with the surrounding area. This rezoning, adopted in 2005 should not be changed. All of these properties should be opted out of the VMU (if included) or not opted in if not included.

Additionally, there are three sites that are outside the HPNA boundary but just across the street from single family homes in Hyde Park that we ask not be opted in. These are currently residential uses and are located at 4627, 4701 and 4705 Red River.

Respectfully submitted:

Hyde Park Planning Team

Hyde Park Neighborhood Association

Karen McGraw AIA
Chairman, Hyde Park Planning Team
Chairman, Hyde Park Planning Committee, Hyde Park Neighborhood Association
(512) 917-1761

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE ___ of ___	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
4113 Guadalupe	✓				
4115 "	✓				
4117 "	✓				
4121 "	✓				
4125 "	✓				
505 W. 42nd	✓				
4201 Guadalupe	✓				
4203 "	✓				
4205 "	✓				
4209 "	✓				
4225 "	✓				
4227 "	✓				
4301 "	✓				
4303 "	✓				

* 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.

VERTICAL MIXED USE OVERLAY DISTRICT FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE ___ of ___	
	Amend the boundaries of the VMU Overlay District to exclude this property	This property is used exclusively for residential use and does not have the MU combining district. Please note whether the neighborhood recommends that this property opt-in to VMU.	Opt-Out of Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-Out of Parking Reductions (commercial uses only)	Opt-Out of Ground Floor Uses in office zoning districts (NO, LO, GO)
4331 Guadalupe	✓				
4401 "	✓				
4403 "	✓				
4405 "	✓				
4407 "	✓				
4409 "	✓				
4411 "	✓				
4413 "	✓				
4505 "	✓				
4525 "	✓				
504 W. 38th	✓				
500 W. 38th	✓				
3800 Speedway	✓				
108 W. 38th	✓				

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

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

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

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

VERTICAL MIXED USE OPT-IN FORM

ADDRESS OF PROPERTY*	APPLICATION AREA:			PAGE ____ of ____
	Opt-In for Dimensional Standards (These standards are a "package" and must be accepted or rejected as such)	Opt-In for Parking Reductions (commercial uses only)	Opt-In for Ground Floor Uses in office zoning districts (NO, LO, GO)	The neighborhood recommends opt-in for all VMU related standards.
4000 Avenue B	✓	✓		

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

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

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

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

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

_____ 80% of median family income

_____ 70% of median family income

✓ 60% of median family income

_____ Other level between 60-80% of median family income

6. PLEASE PROVIDE THE FOLLOWING INFORMATION:

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

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

Yes ✓ No_____

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

The following vote was taken at a General Meeting of the Hyde Park Neighborhood Association. The Planning Team & HPNA Planing Committee met twice previous to this and forwarded the recommendation to HPNA.

B. Please provide the results of the vote:

For 22 Against 0

C. Number of people in attendance at the meeting: 25 (3 ineligible to vote)

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

email to listserve - 500 members
" " planning team list - 92 members

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

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

G. Please read and sign the following:

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

Neighborhood Plan Team By-Laws: We have no Planning Team by-laws at this time.
Neighborhood Association By-Laws: yes
Other, as described in question A., above:

SIGNATURE OF CHAIR (OR DESIGNEE)

DATE May 30, 2007

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, 5th floor

Hyde Park

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.

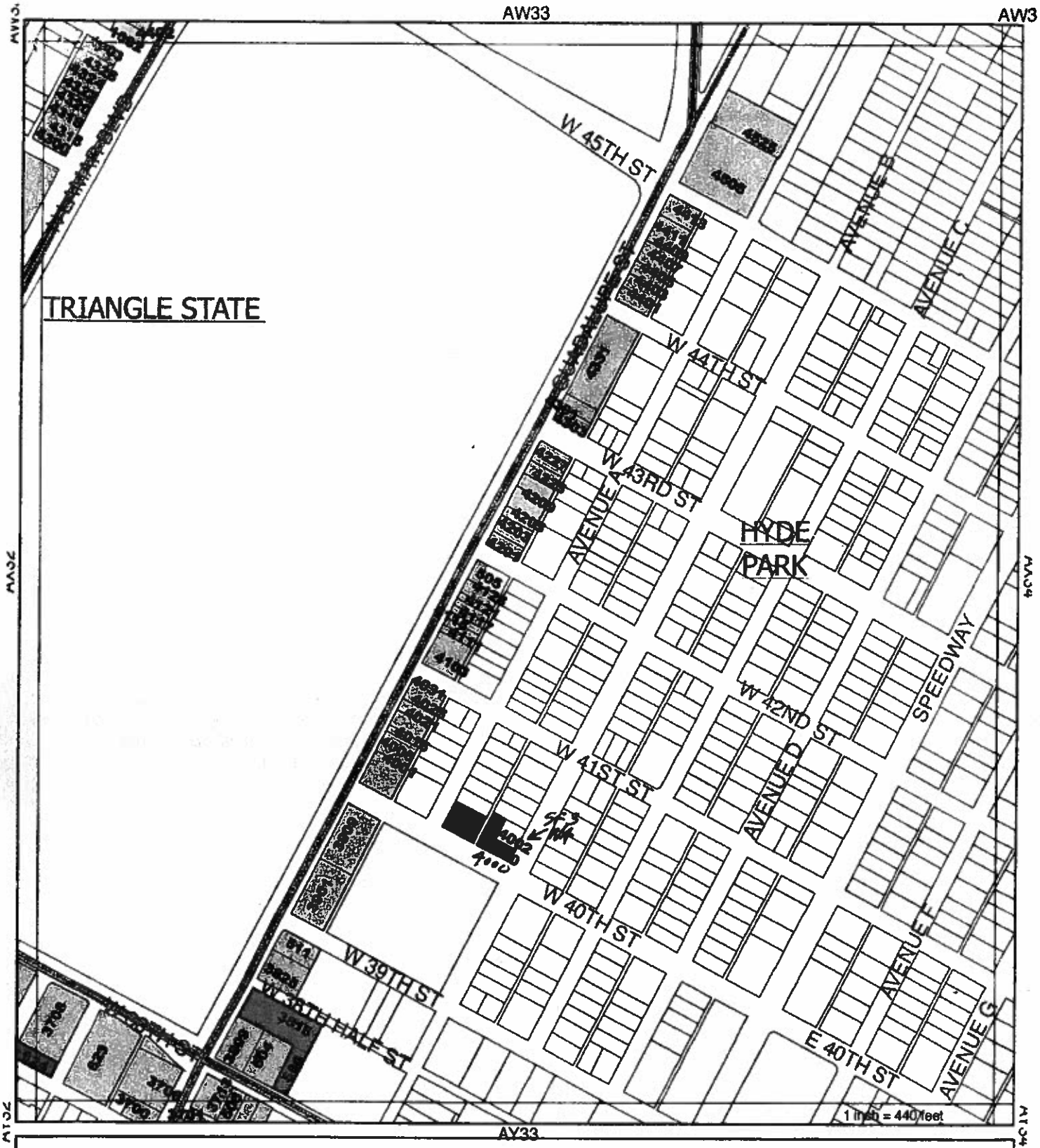
✓ 5. Copy of the notice of the meeting at which the vote was taken.

✓ 6. Copy of the meeting minutes at which vote was taken.

✓ 7. Notice, Sign-in sheet & minutes of April 16 meeting.

✓ 8. Notice, Sign-in sheet & minutes of April 30 meeting.

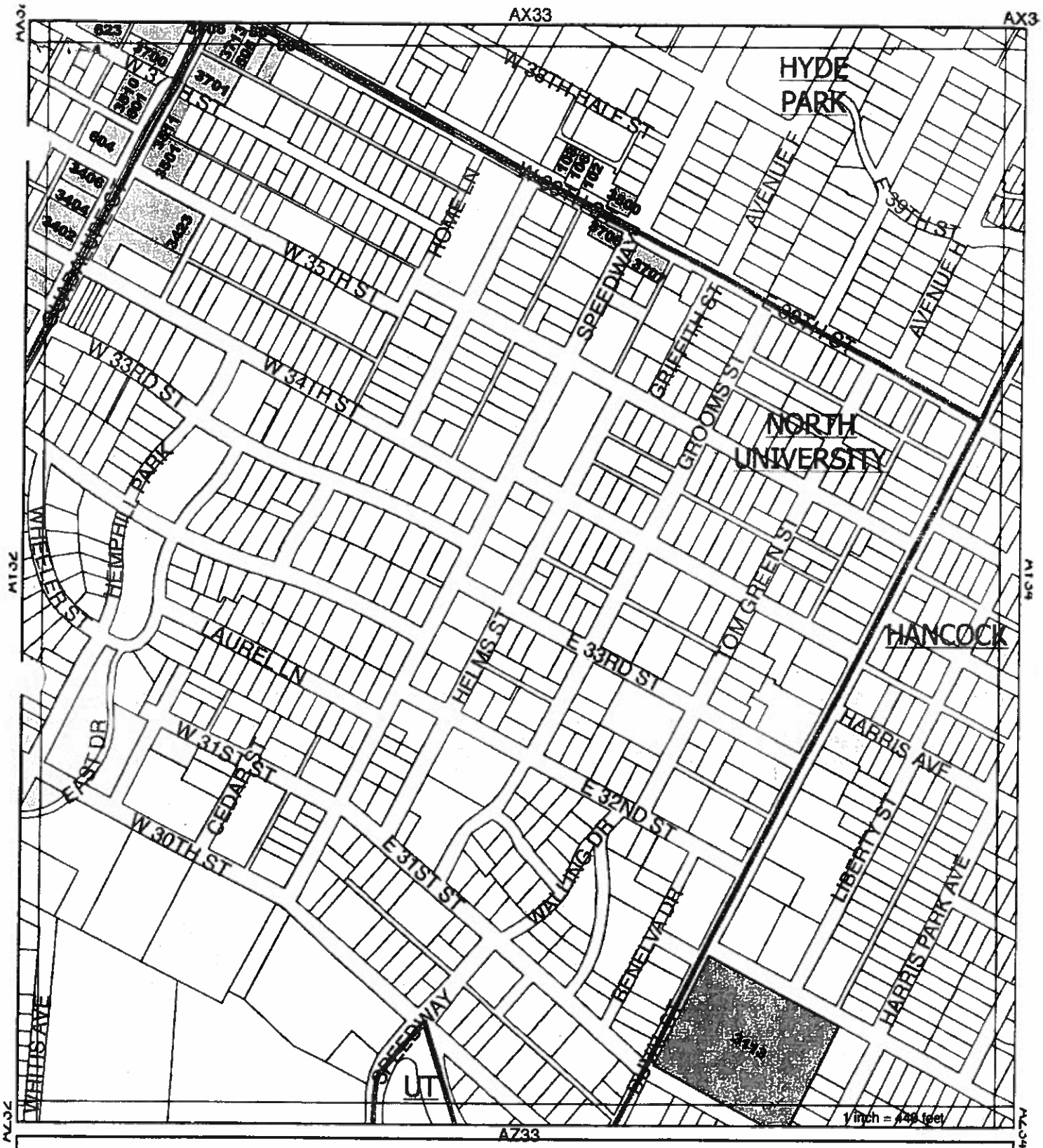
✓ 9. Letter to City Council.



Detailed Maps for Vertical Mixed Use Opt-In/Opt Out Process
Grid Page: AX33

Legend
- Planning 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

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 warranted for any other use. No warranty is made regarding its accuracy or completeness.
Vertical Mixed Use Map Grids Black and White.mxd



Detailed Maps for Vertical Mixed Use Opt-In/Opt Out Process
Grid Page: AY33

Legend

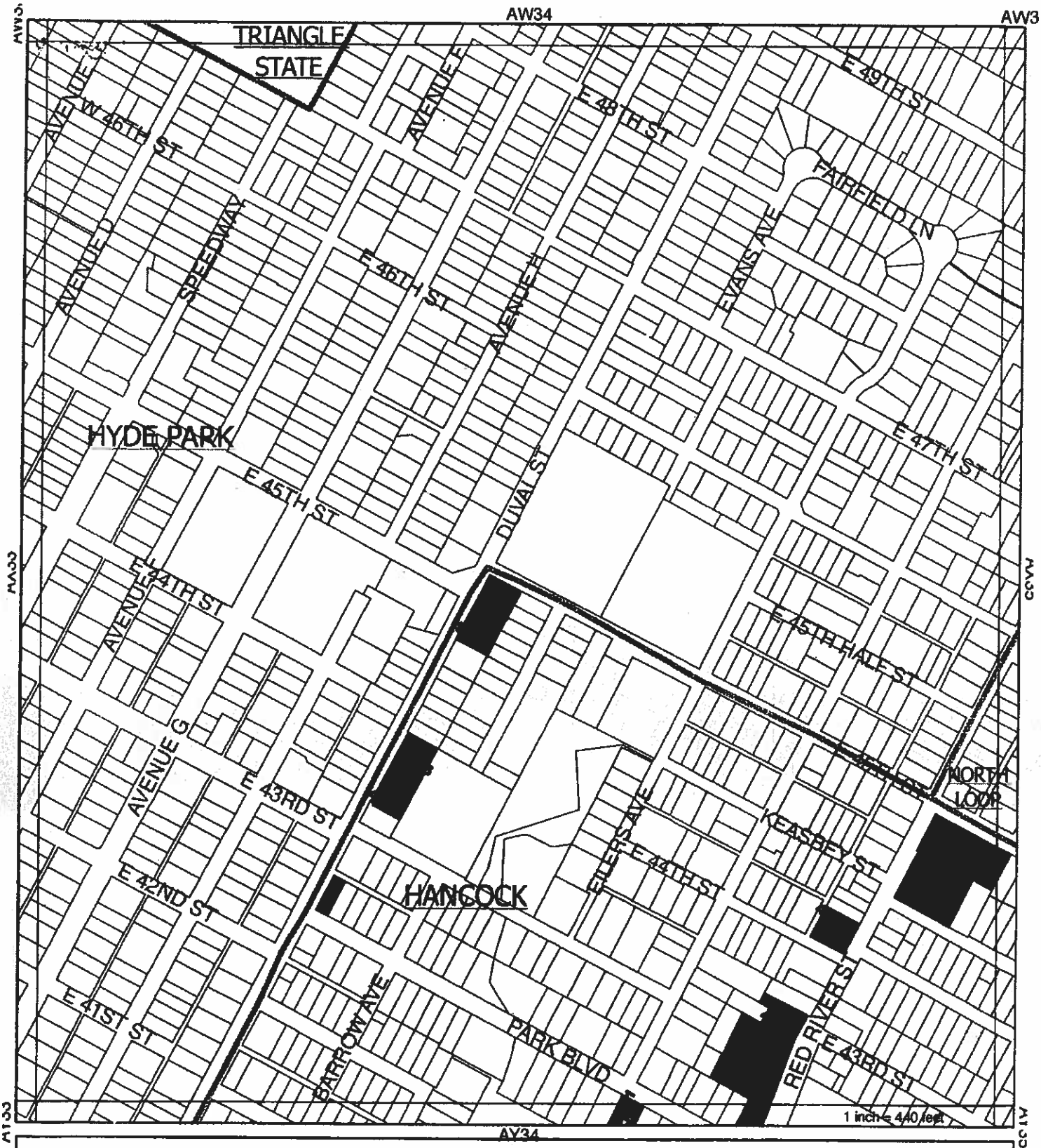
- Planning Areas
- Core Transit Corridor
- Future Core Transit Corridor
- Vertical Mixed Use Overlay District ("Opt-out")
- Mixed Use Combining Districts ("Opt-in")
- TCAD Parcels

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 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

Detailed Maps for Vertical Mixed Use Opt-In/Opt Out Process
Grid Page: AY34

Legend
- Planning 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

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 warranted for any other use. No warranty is made regarding its accuracy or completeness.
Vertical Mixed Use Map Grids Black and White.mxd



Detailed Maps for Vertical Mixed Use Opt-In/Opt Out Process
Grid Page: AX34

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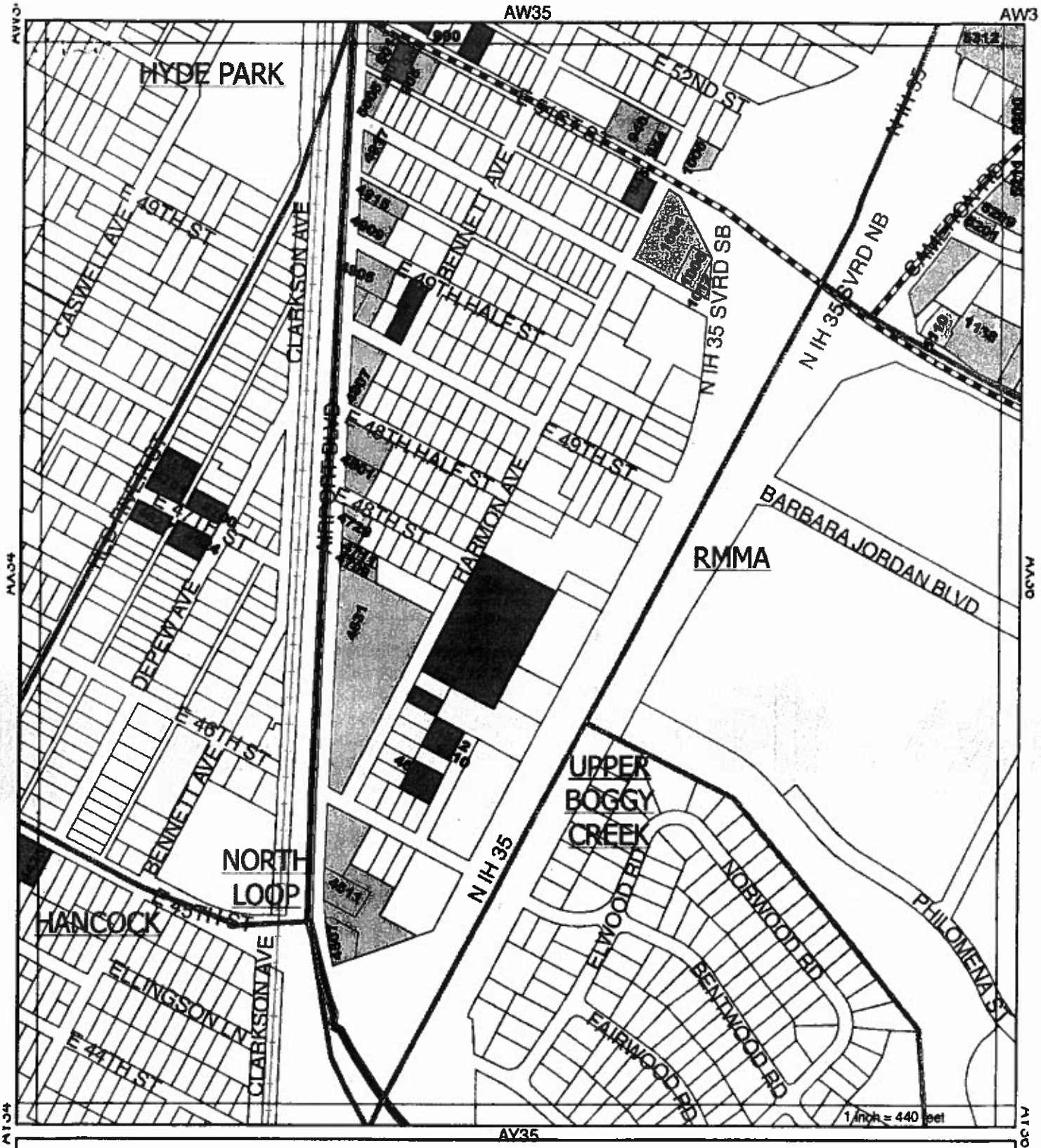

Detailed Maps for Vertical Mixed Use Opt-In/Opt Out Process
Grid Page: AX35

Legend

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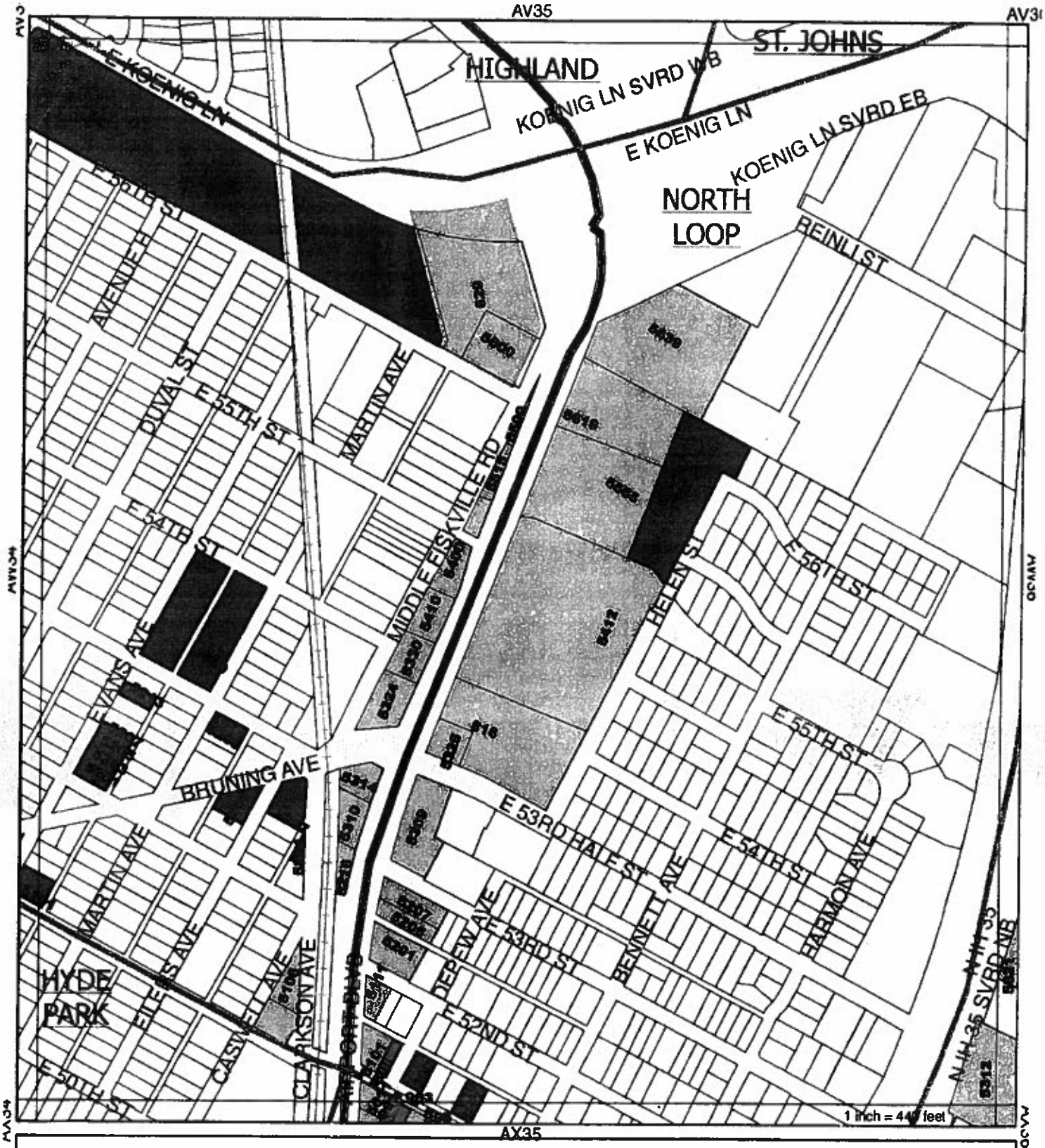

Detailed Maps for Vertical Mixed Use Opt-in/Opt Out Process
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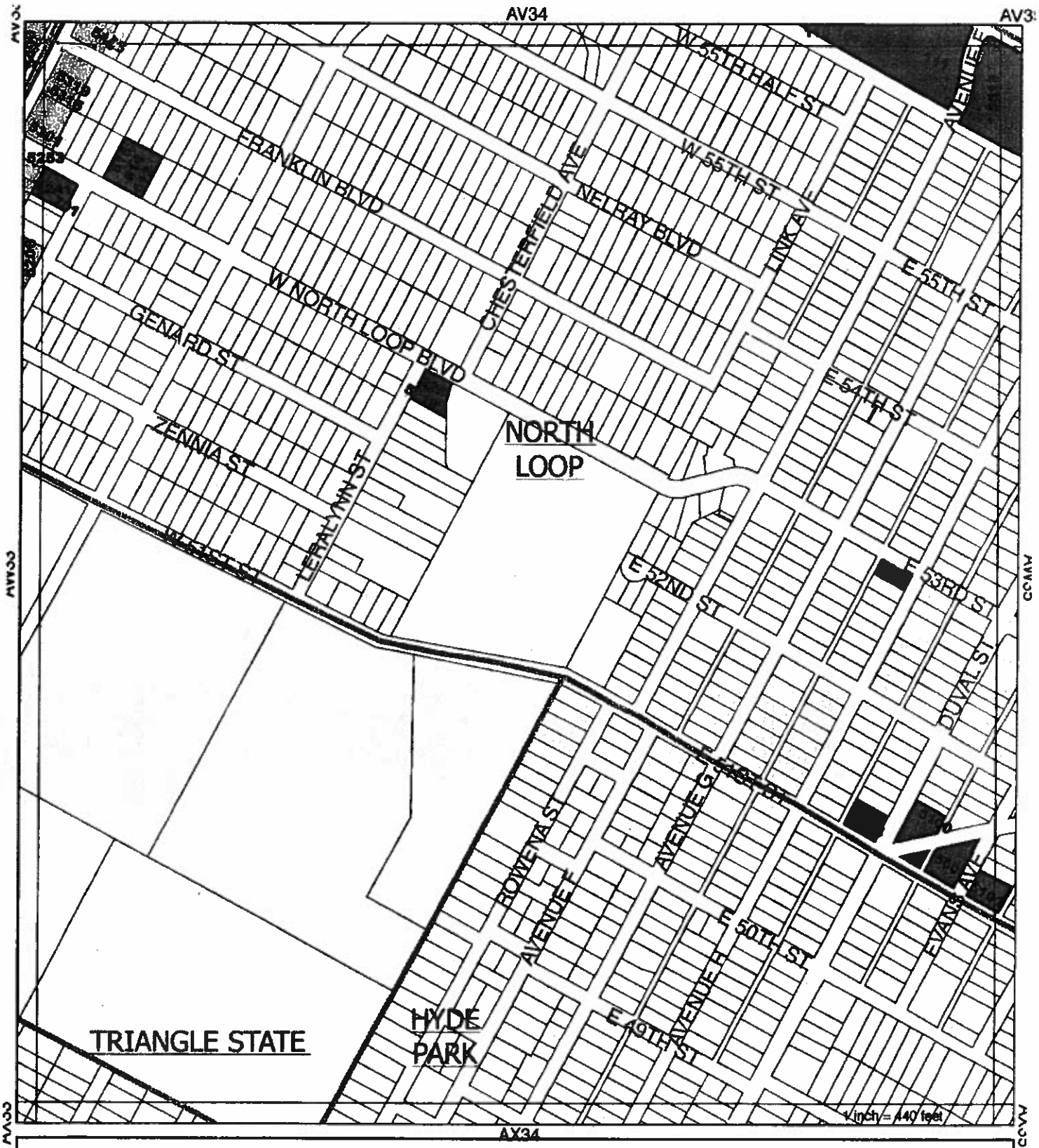

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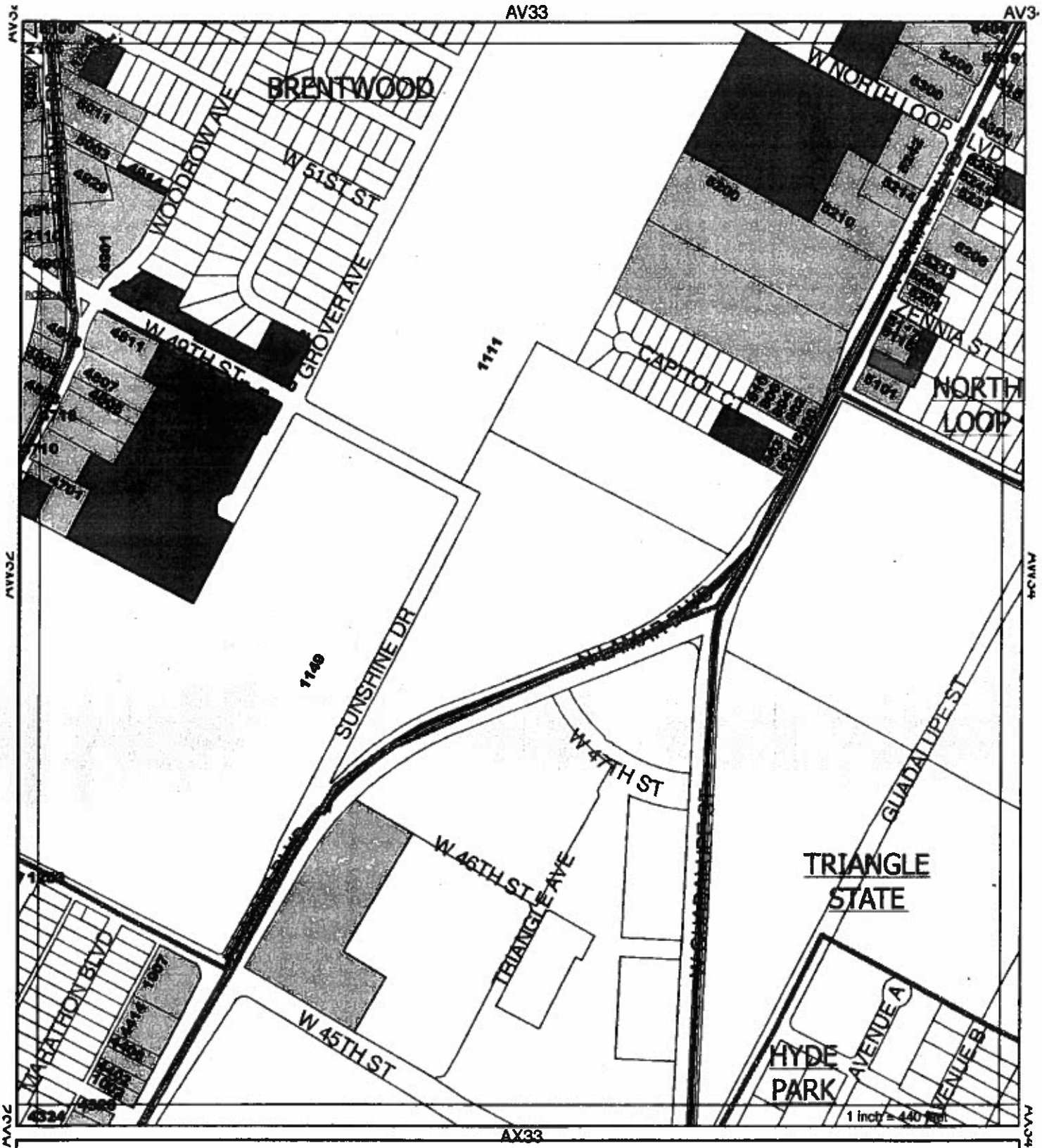

Detailed Maps for Vertical Mixed Use Opt-In/Opt Out Process
Grid Page: AW33

Legend

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Vertical Mixed Use Map Grids Black and White.mxd

From: Jennifer Berbas <jennifer_berbas@yahoo.com>
Subject: [HydePark] Notice- May Hyde Park Neighborhood Association Meeting
Date: April 30, 2007 8:47:42 AM CDT
To: hyde park <HydeParkAustin@yahoogroups.com>
Reply-To: HydeParkAustin@yahoogroups.com

May Hyde Park Neighborhood Association meeting

Monday May 7th

7:00 pm at

Hyde Park Methodist Church

Agenda items are:

Vote on HPNA response to the city of Austin Vertical Mixed use Program (presentation from Planning Committee and Planning Team with their recommendations.)

Mary Collins Blackmon discusses the Elisabet Ney Update on Landscape Restoration

Ann Graham - Floodlines presentation.

Adopt Shipe Park- Possible vote

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From: Karen McGraw <mcgrawka@earthlink.net>
Subject: **[HydePark] VMU draft letter for HPNA Meeting Monday May 7**
Date: May 7, 2007 1:12:36 AM CDT
To: HydeParkAustin@yahoogroups.com
Reply-To: HydeParkAustin@yahoogroups.com

Here is the draft letter we will consider on Monday night with changes discussed on April 30.

Neighbors,

In a nutshell, the objectives of the Vertical Mixed Use (VMU) ordinance are intended to encourage the provision of affordable housing along Core Transit Corridors (Guadalupe Street) in exchange for a relaxation of certain code requirements that will allow greater development and more dwelling units. The June 4 deadline is the last opportunity to request that the city Opt-out properties along Guadalupe in the Core Transit Corridor and along W. 38th in a Future Core Transit Corridor. We can always opt-in properties to this program in the future. The position agreed to at the two Planning Team/Planning Committee meetings is to request that all properties in Hyde Park be opted-out at this time (with one exception). The following is a draft letter to the City of Austin Neighborhood Planning and Zoning Department including revisions made at the last meeting. (Scroll down to see links to city information.)

* * * * * * * * * * * * * *

We are responding to the request for VMU consideration in Hyde Park. We greatly appreciate the opportunity to participate in determining the application of this zoning. We have held meetings and arrived at a position that includes both the Hyde Park and the North Hyde Park areas. The completed application form is attached.

We fully support the goals of VMU and the inclusion of affordable housing in our neighborhood. In fact, according to City statistics, the Hyde Park neighborhood already has 75% rental units, many of them affordable due to their age and the modest size of apartment units. Hyde Park has recently established two Neighborhood Conservation Combining Districts, the Hyde Park NCCD, 2002, and the North Hyde Park NCCD, 2005, both of which include mixed use zoning rights in the Guadalupe corridor and on other commercial properties. For these and other reasons stated below, we respectfully request that at this time the City exclude all of the property with commercial zoning in Hyde Park from VMU. However, that does not mean that we are precluding the use of this tool in Hyde Park at a later time. Since neighbors and property owners have recently crafted good, compatible mixed-use zoning and have negotiated specific development rights on certain tracts, we do not believe that reconfiguring the zoning at this time is beneficial. In the future a property owner may want to discuss and modify those rights and it would be appropriate to consider a VMU plan amendment at that time in the context of an actual proposal. Sites where this may be acceptable are identified below.

In the Guadalupe Corridor between 38th and 45th Streets, in an effort to insure the continuance of commercial uses on Guadalupe and to encourage mixed use, neighbors crafted the Hyde Park NCCD to provide many of same standards offered in the Dimensional Standards for VMU:

1) Setbacks: No minimum front (maximum 10'), no minimum side, and 10' side street (VMU has 0' street side setback).

2) FAR: 2:1. Much of this district abuts single-family homes that trigger compatibility. Current height limitations for property between 40th and 45th Streets were established based upon the compatibility requirements and are set at 40' with a reduction to 30' in the rear. Under these height limitations it is virtually

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impossible to build out the 2:1 FAR in this district so FAR is essentially unlimited within the permitted development envelope.

3) Building Coverage: The entire Guadalupe district south of 45th Street is zoned CS-NCCD and has a 95% building coverage limit. Considering the 10' rear setback, a building could not cover more than 95% of the site.

4) Minimum Site Area: Given existing height limitations, the site area regulations for the CS district will not likely constrain maximizing housing development on second or third floors in the area north of 40th Street.

Additional zoning entitlements provided in 2002 NCCD:

A uniform and reduced rear setback was established due to the proximity to single family homes. In fact, the rear setback, generally required to be 13' in addition to the 12' alley, to meet the 25' compatibility setback, was set at a uniform 10' from the alley. Parking is permitted in this 10' setback area in recognition of the shortage of parking as well as other challenges in developing small sites. This setback is in effect from 38th to 45th Streets and was also noted as a trade-off for the 0' front setback.

Mixed use is permitted on all property in the Guadalupe corridor shown on the overlay map. The current NCCD zoning does not permit a residential use in the front 70% of a ground floor between 38th street and 45the Streets as well as at 4501 Guadalupe.

Excess parking is not permitted in the HP NCCD (south of 45th St,) for uses other than single family uses. For this reason it is not desirable to reduce required parking to 60% as it might be too severe a limitation. For a VMU development, the residential uses would require one parking space per bedroom for multi-family development with a by right reduction to 60% and a commercial requirement of 80% per the Urban Core Reduction. Since excess parking would be prohibited, any VMU parking reduction should be crafted for a specific project via a plan amendment.

Relaxation of FAR and Site Area Requirements may be desirable, except that parking is currently quite limited on Guadalupe and until a parking solution is found, extra dwelling units may not be desirable.

Additional ground floor uses are not necessary as the entire Guadalupe Corridor is zoned CS or GR and in office districts uses have been designated that work well on specific sites.

Specific areas:

3800-3900 Blocks of Guadalupe – VMU Future consideration

South of W. 40th Street height limitations increase to 50-60' as these tracts are not as close to single-family homes and compatibility does not reduce height limits significantly. In that area, the Guadalupe Corridor lies adjacent to Baker School and apartment and commercial uses. These tracts are our current priority for consideration of future VMU development. Our one stipulation is that we would expect this to be preceded by the return of Baker School, constructed in 1911 by Monroe Shipe for Hyde Park, to school use. It is currently used by AISD as on office building. We believe that affordable housing should be provided near our public schools and that good central city schools encourage families to locate in the central city. A VMU development on these blocks could result in a fully built out "box" or "building envelope" up to 60' tall given the exemption from FAR and Site Area Requirements. Neighbors prefer to negotiate such a development rather than agree to it outright at this time.

4000-4200 Blocks of Guadalupe – No VMU

The Hyde Park Neighborhood Association is currently undertaking the establishment of a Local Historic District. This effort is long overdue in preserving this unique part of Austin. These three blocks include structures that may be included in that district or may contribute to the National Register District although they are not currently designated. The building at 4113 is already listed in the Hyde Park Historic District (National Register) and thus exempt from VMU. Other buildings would be considered eligible in an updating of the district.
4300-4400 Blocks of Guadalupe – No VM

The Bluebonnet Courts at 4407 is listed in the Hyde Park Historic District (National Register) and thus exempt. A portion of the 4300 Block abuts single-family homes. This area is not a desirable place for VMU designation.

4500-4600 Blocks of Guadalupe - North Hyde Park NCCD - Some Potential VMU sites

The Guadalupe Corridor north of 45th Street was rezoned to mixed use in the North Hyde Park NCCD in 2005. This area includes sites that may be considered for VMU in the future since the Guadalupe Corridor abuts apartment buildings. Single-family homes are a full block to the east except for three homes on the east side of Avenue A. The height limit along Guadalupe is 50'. Other regulations include FAR of 1:1, Building coverage 60-75%, Impervious Coverage 80-90%, minimum front yard setback 0' (maximum 10'), minimum street side yard setback 10' (maximum 15'), minimum interior side yard setback is 0', minimum rear yard setback is 5'. There may be opportunity to relieve some regulations (BC, IC, Site Area and FAR, but not height) in this district for VMU on selected sites in the future via a new negotiation between neighbors and property owners and a Neighborhood Plan Amendment.

Specific sites north of 45th are as follows:
4501 Guadalupe is the site of a fairly new Walgreen's Store that will not likely be redeveloped anytime soon. However, a VMU development might be possible. This site goes through to Avenue A where residential frontage would be more desirable than the current parking lot. The height limit for Avenue A portion is 40'.

4525 Guadalupe has a site plan that creates condominiums over a retail space on the Guadalupe side and utilizes the old Ramsey Nursery garden area abutting Avenue A as green space that preserves trees from the Ramsey legacy. Although the Ramsey Nursery building has been demolished and the site is currently vacant, the neighborhood has invested much time and effort in working with the developer, has obtained a private deed restriction and wishes the green space to be preserved as agreed. This site should not be considered for VMU.

4535-4539 Guadalupe is occupied by the Aspen Wood Apartments, a large complex developed in the 1960's. It may be a candidate for redevelopment sooner than other properties on this corridor and a VMU plan amendment could be considered here.

4611 Guadalupe is occupied by the Horn Building which was constructed 25 years ago. It houses the University Federal Credit Union and was recently purchased by a group of doctors who expect to renovate and use the rest of the building for many years. The neighborhood worked with both owners in the last three months to obtain a minor zoning change that was recently approved by the City Council to accommodate this new use. This property is not expected to be redeveloped in the near future.

Other locations:

W. 38th st. is designated a Future Core Transit Corridor that ends at Speedway. There are several small lots scattered along this street on the city's VMU map. Some are shaded, some are not, some are zoned for office and some are zoned multi-

family. These scattered small sites lie in the midst of a large area of multi-family developments that lie across from many homes in the North University Neighborhood that are zoned SF3-NCCD. There is currently no bus service on W. 38th. This area should not be designated as a VMU overlay at this time. It would make much more sense to revisit this entire area at a later date.

On W. 40th St. between Avenues A and B three properties are designated "MU" on the city map provided. Two of these properties have contributing structures in the National Register District exempting them from VMU. The one remaining property is a tiny lot of 3105 square feet that has a two story mixed use building. Due to the size of the lot, redevelopment is very limited but the owners would like to have the right to use the VMU designation. We believe on this site in the Residential District, with it's 30' height limit and compatibility regulations to contend with, this might be a viable use and would therefore opt-in this one property at 4000 Avenue B.

* * * * *

All other commercial property in the Hyde Park NCCD and North Hyde Park NCCD is made up of small sites and lots in the interior of the neighborhood. The one large site at 4505 Duval was the subject of a complex negotiation to permit mixed use that is compatible with the surrounding area. This rezoning, adopted in 2005 should not be changed. All of these properties should be opted out of the VMU (if included) or not opted in if not included.

Respectfully submitted:

Hyde Park Planning Team

Hyde Park Neighborhood Association

* * * * * * * *

VMU -Vertical Mixed Use background

The 90 day Opt-in /Opt-out Process began Monday, March 5. All applications for VMU Opt-In/Opt-Out must be postmarked by June 4, 2007. The documents online are at http://www.ci.austin.tx.us/planning/verticalmixeduse.htm.

On the main page, there's also a grid map to help identify current commercial parcels along Core Transit Corridors (prospective VMU properties). I encourage everyone to surf the site : VMU Answer Line at (512) 974-2150 or e-mail: http://www.ci.austin.tx.us/connect/email_vmu.htm

Karen McGraw AIA
Chairman, Hyde Park Planning Team
(512) 459-2261

Hyde Park Neighborhood Association General Meeting May 7, 2007

Neighbors arrived at the Hyde Park Neighbor Association General Meeting held on Monday, May 7, to find a lengthy agenda of interesting business. President Elaine Meenehan presided.

Lorre Weidlich, Chair of the Homes Tour, gave an update about the 32nd Annual Hyde Park Homes Tour to be held June 16 & 17. The theme is Hyde Park – A Shady Sanctuary. Lorre needs tour guide volunteers. She also noted that for the first time, you can purchase tickets online at the tour website: www.hydeparkhomestour.org.

John Paul Moore, Chair of Tree Preservation, and the U.T. graduate students who did the tree study for the neighborhood presented their report, *A Participatory Approach to Urban Forest Management: A Case Study of Hyde Park, Austin.* The purpose of the project was to develop a model for management of trees in an urban area. They conducted surveys of neighbors and prepared digital maps of some of the important trees in the neighborhood. Neighbors responding to the survey noted that our trees are important due to the age and large size of trees. Members thanked the students for developing the model that we can use in the future.

Jason Meeker, representing Responsible Growth for Northcross, gave an update on their issues with the planned Wal-Mart development at Northcross Mall. The website is www.RG4N.org. He noted that they are not against Wal-Mart. Rather, they want a good development at the location. He asked that HPNA vote to take a stand to boycott Wal-Mart and to send a letter of support for them to the City Council. No HPNA member made such a motion.

Next, Ann Graham and Jaclyn Pryor reported on the success of the *floodlines* theater project held on April 22. They presented slides of the event, and encouraged all of us to watch for the project next year.

Mary Collins Blackmon, curator of the Elisabet Ney Museum, informed us about the planned restoration of the museum and grounds. Tere O'Connell, AIA, with Volz & Associates, Inc. told us about the work needed on the historic museum. Heritage Landscapes will recapture the landscape back to the natural and native state favored by Ms. Ney. They are working on a Comprehensive Master Plan and should have it available in about six months. Mary thanked HPNA for its past and continuing support of the museum.

Elaine thanked everyone who helped clean up Shipe Park. Ann Graham moved that HPNA formally adopt Shipe Park, and John Paul Moore seconded the motion. The motion passed unanimously. Elaine explained that by adopting the park and committing to cleaning it, the City of Austin may be more willing to provide extras.

Sharon Majors provided an update on the Local Historic District project south of 45th Street. She thanked Catherine Moore and Celeste Cromack for developing the

educational brochure. For additional information about the project, please refer to past newsletters.

Stan Kozinsky noted that the Texas Parks and Wildlife offices on 51st Street will be moving. As chair of the Development Review Committee, he plans to start a dialog with appropriate officials regarding the fate of these four acres of land.

Larry Freilich, Chair of the Beautification Commission, reported that a portion of the Austin Energy Mitigation Funds will be used for planting trees and shrubs along Guadalupe. He also encouraged all neighbors to call 311 to report graffiti.

Karen McGraw, Chair of the Planning Team, presented their recommendation regarding the Vertical Mixed Use (VMU) planned by the City of Austin. She noted that our NCCDs had accomplished many of the same goals. In keeping with the Planning Team's recommendation, Doris Coward moved that HPNA not opt into the VMU and recommended that the properties just east of 47th and Red River not opt into the VMU. Debbie Volker seconded the motion, which passed unanimously. All present thanked Karen and the Planning Team for their hard work.

Elaine then adjourned the meeting.

From: Karen McGraw <mcgrawka@earthlink.net>
Subject: **[HydePark] Followup Planning Meeting Monday April 30**
Date: April 26, 2007 1:04:00 PM CDT
To: HydeParkAustin@yahoogroups.com
Reply-To: HydeParkAustin@yahoogroups.com

Hyde Park Planning Team Meeting
HPNA Planning Committee Meeting
(posted to Planning Team and HPNA listserve - all are invited)

******

At the April 16 meeting those present generally agreed how to respond on the VMU Opt-in/Opt-out issue. We will meet again on Monday, April 30, to review a proposed letter to the City. I will post a draft of that letter in the next day or two. I am keeping the second agenda item on the agenda since we only spent a few minutes on that at the April 16 meeting. KM

Date: Monday, April 30

Time: 7-8:30 PM

Location: Hyde Park United Methodist Church, 4001 Speedway
****Chapel entrance on 40th Street*****

AGENDA

1) Review draft response to the City regarding the (Vertical Mixed Use) VMU Op-In/Opt-out program. We will be considering only property that currently has commercial zoning.

2) Discuss options for customizing the McMansion ordinance for Hyde Park. The items that may be customized are described in 25-2-1406 (8) (a) of the Land Development Code (see ordinance below). These are maximum FAR, maximum gross floor area, linear feet of gables and dormers, height of side and rear setback planes, and minimum front yard setback. This item has no time deadline. Here is a link to the ordinance and McMansion code.

http://www.ci.austin.tx.us/zoning/downloads/C20-06-011_approved_ord.pdf

3) Set next meeting and agenda.

4) Adjourn

* * * * * * * *

VMU -Vertical Mixed Use background

The 90 day Opt-in /Opt-out Process began Monday, March 5. All applications for VMU Opt-In/Opt-Out must be postmarked by June 4, 2007. The documents online are at http://www.ci.austin.tx.us/planning/verticalmixeduse.htm.

> On the main page, there's also a grid map to help identify current
> commercial parcels along Core Transit Corridors (prospective VMU
> properties). I encourage everyone to surf the site : VMU Answer
> Line at (512) 974-2150 or e-mail:http://www.ci.austin.tx.us/connect/
> email_vmu.htm

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Karen McGraw AIA
Chairman, Hyde Park Planning Team
(512) 459-2261
>
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From: Karen McGraw <mcgrawka@earthlink.net>
Subject: **[HydePark] VMU draft letter for Planning Meeting Monday April 30**
Date: April 29, 2007 12:41:40 AM CDT
To: HydeParkAustin@yahoogroups.com
Reply-To: HydeParkAustin@yahoogroups.com

Here is the draft letter we will consider on Monday night.

(Draft letter to City of Austin Neighborhood Planning and Zoning Department)

We are responding to the request for VMU consideration in Hyde Park. We greatly appreciate the opportunity to participate in determining the application of this zoning. We have held meetings and arrived at a position that includes both the Hyde Park and the North Hyde Park areas. The completed application form is attached.

In Hyde Park we have recently established two Neighborhood Conservation Combining Districts, the Hyde Park NCCD, 2002, and the North Hyde Park NCCD, 2005, both of which include mixed use zoning rights in the Guadalupe corridor and on other commercial properties. For these and other reasons stated below, we respectfully request that at this time the City exclude all of the property with commercial zoning in Hyde Park from VMU. However, that does not mean that we are precluding the use of this tool in Hyde Park at a later time. Since neighbors and property owners have recently crafted good, compatible mixed-use zoning and have negotiated specific development rights on certain tracts, we do not believe that reconfiguring the zoning at this time is beneficial. In the future a developer may want to discuss and modify those rights and it would be appropriate to consider a VMU plan amendment at that time in the context of an actual proposal. Sites where this may be acceptable are identified below.

The Hyde Park NCCD established in 2002 modified the zoning regulations for the Guadalupe corridor between 38th and 45th Streets and provided many of the Dimensional Standards associated with VMU in an effort to insure that there will continue to be commercial uses on Guadalupe and that mixed use is also permitted. Among the zoning changes adopted in 2002 were the following items that almost mimic the Dimensional Standards for VMU:

1) Setbacks: No minimum front (maximum 10'), no minimum side, and 10' side street (VMU has 0' street side setback).

2) FAR: 2:1. Much of this district abuts single-family homes that trigger compatibility. Current height limitations were established based upon the compatibility requirements and are set at 40' with 30' in the rear between 40th and 45th Streets. Under these height limitations it is virtually impossible to build out the 2:1 FAR in this district so FAR is essentially unlimited within the permitted development envelope.

3) Building Coverage: The entire district is zoned CS-NCCD and has a 95% building coverage limit. Considering the 10' rear setback, a building could not cover more than 95% of the site.

4) Minimum Site Area: Given existing height limitations, the site area regulations for the CS district will not likely

constrain maximizing housing development on second or third floors in the area north of 40th Street.

Additional zoning entitlements provided in 2002 NCCD:

A uniform rear setback was established due to the proximity to single family homes. In fact, the compatibility setback that would normally dictate a 13' setback from the 12' alley, was set at a uniform 10'. Parking is permitted in this setback area in recognition of the shortage of parking as well as other challenges in developing small sites. This setback is in effect from 38th to 45th Streets and was also noted as a trade-off for the 0' front setback.

Regarding land use, the current NCCD zoning does not permit a residential use in the front 70% of a ground floor between 38th street and 45the Streets as well as at 4501 Guadalupe.

Specific areas:

3800-3900 Blocks of Guadalupe – VMU Future consideration

These zoning regulations are in effect in the area south of W. 40th Street except for height limitations. In that area, the Guadalupe Corridor lies adjacent to Baker School and apartment and commercial uses and height limits may reach 50' to 60' as these tracts are not as close to single-family homes. These tracts are our current priority for consideration of future VMU development. Our one stipulation is that we would expect this to be preceded by the return of Baker School, constructed in 1911 by Monroe Shipe for Hyde Park, to school use. It is currently used by AISD as on office building. We believe that affordable housing should be provided near our public schools and that good central city schools encourage families to locate in the central city.

4000-4200 Blocks of Guadalupe – No VMU

The Hyde Park Neighborhood Association is currently undertaking the establishment of a Local Historic District. This effort is long overdue in preserving this unique part of Austin. These three blocks include structures that may be included in that district. The building at 4113 is already listed in the Hyde Park Historic District (National Register) and thus exempt from VMU. In addition, many of these lots are less than 65' wide, also exempting them from VMU consideration.
4300-4400 Blocks of Guadalupe – No VM

This area contains several types of buildings. The Bluebonnet Courts at 4407 is listed in the Hyde Park Historic District (National Register) and thus exempt. A portion of the 4300 Block abuts single-family homes. This area is not a desirable candidate for VMU designation.

4500-4600 Blocks of Guadalupe – Some Potential VMU sites

The part of the Guadalupe Corridor north of 45th Street was rezoned in the North Hyde Park NCCD in 2005.This area includes sites that may be considered for VMU in the future since it abuts apartment buildings. Single-family homes are a full block to the east except for three homes on the east side of Avenue A. The height limit is

50'. Other regulations include FAR of 1:1, Building coverage 60-75%, Impervious Coverage 80-90%, minimum front yard setback 0' (maximum 10'), minimum street side yard setback 10' (maximum 15'), minimum interior side yard setback is 0', minimum rear yard setback is 5'. There may be opportunity to relieve some regulations (BC, IC, Site Area and FAR, but not height) in this district for VMU on selected sites in the future via a new negotiation between neighbors and property owners and a plan amendment.

Specific sites are as follows:

4501 Guadalupe is the site of a fairly new Walgreen's Store that will not likely be redeveloped anytime soon. However, a VMU development might be possible. This site goes through to Avenue A where residential frontage would be more desirable than the current parking lot. The height limit for Avenue A portion is 40'.

4525 Guadalupe has a development plan that creates condominiums over a retail space on the Guadalupe side and utilizes the old Ramsey Nursery garden area abutting Avenue A as green space that preserves trees from the Ramsey legacy. Although the Ramsey Nursery building has been demolished and the site is currently vacant, the neighborhood has invested much time and effort in working with the developer, has obtained a private deed restriction and wishes the green space to be preserved as agreed. This site should not be considered for VMU. Other sites are as follows:

4535-4539 Guadalupe is occupied by the Aspen Wood Apartments, a large complex developed in the 1960's. It may be a candidate for redevelopment sooner than other properties on this corridor and a VMU plan amendment could be considered here.

4611 Guadalupe is occupied by the Horn Building which was constructed 25 years ago. It houses the University Federal Credit Union and was recently purchased by a group of doctors who expect to renovate and use the rest of the building for many years. The neighborhood worked with both owners in the last three months to obtain a minor zoning change that was recently approved by the City Council to accommodate this new use. This property is not expected to be redeveloped in the near future.

* * * * *

All other commercial property in the Hyde Park NCCD and North Hyde Park NCCD is made up of small sites and lots in the interior of the neighborhood. The one large site at 4505 Duval was the subject of a complex negotiation to permit mixed use that is compatible with the surrounding area. This rezoning, adopted in 2005 should not be changed. All of these properties should be opted out of the VMU (if included) or not opted in if not included.

Respectfully submitted:

Hyde Park Planning Team

Hyde Park Neighborhood Association

* * * * * * * * * * * * *

Hyde Park Planning Team Meeting
HPNA Planning Committee Meeting
(posted to Planning Team and HPNA listserve - all are invited)

Date: Monday, April 30

Time: 7-8:30 PM

Location: Hyde Park United Methodist Church, 4001 Speedway
****Chapel entrance on 40th Street*****

AGENDA

1) Review draft response to the City regarding the (Vertical Mixed Use) VMU Op-In/Opt-out program. We will be considering only property that currently has commercial zoning.

2) Discuss options for customizing the McMansion ordinance for Hyde Park. The items that may be customized are described in 25-2-1406 (8) (a) of the Land Development Code (see ordinance below). These are maximum FAR, maximum gross floor area, linear feet of gables and dormers, height of side and rear setback planes, and minimum front yard setback. This item has no time deadline. Here is a link to the ordinance and McMansion code.

http://www.ci.austin.tx.us/zoning/downloads/C20-06-011_approved_ord.pdf

3) Set next meeting and agenda.

4) Adjourn

* * * * * * * *

VMU -Vertical Mixed Use background

The 90 day Opt-in /Opt-out Process began Monday, March 5. All applications for VMU Opt-in/Opt-Out must be postmarked by June 4, 2007. The documents online are at http://www.ci.austin.tx.us/planning/verticalmixeduse.htm.

> On the main page, there's also a grid map to help identify current commercial parcels along Core Transit Corridors (prospective VMU properties). I encourage everyone to surf the site : VMU Answer Line at (512) 974-2150 or e-mail:http://www.ci.austin.tx.us/connect/email_vmu.htm

Karen McGraw AIA
Chairman, Hyde Park Planning Team
(512) 459-2261

Hyde Park Planning Team
Hyde Park Planning Committee

4/30/07

1. SUSAN MOFFAT
2. Jenny Lee
3. HONGTAO Lee
4. Jerry Sachs
5. Shelley Robinson
6. Doris Coward
7. Denise Grinard
8. Mary Ingle
9. John Paul Moore
10.

Hyde Park Planning Team / Hyde Park Planning Committee Meeting
April 30, 2007, 7:00 PM, Hyde Park United Methodist Church,
4001 Speedway

Minutes

Those attending had reviewed the draft. Susan Moffat's comments were accepted. It was noted that Hyde Park is 75% rental at this time. Also many of the rental units are older apartments with fairly low rent. Also, the upa (units per acre) in the older developments is generally very high, between 35 and 70 units per acre.

Susan Moffat moved to support the draft. It was seconded by Jerry Sachs and received unanimous support. There was additional discussion about the properties at 4000 Ave B, and three properties to the west that are listed as MU. The three buildings to the west are all contributing properties in the Hyde Park National Register District. The building at 4000 Ave B is an older mixed-use building and it's owners, Jenny and Hong Tau Lee were present. The building has had changes through the years and is considered not contributing in the NRD as well as in the current LHD survey. The owners wanted to know if VMU would help them to redevelop their site in the future. It was uncertain whether there would be a benefit since the building has minimal setbacks, covers much of the lot and all of the parking is currently in the street. There was the issue of the lot size and a question about whether the size (roughly 3500 square feet) would permit VMU. A question was posed as to whether there would be objection to opting this in to VMU if it was permitted. There was unanimous support for this.

It was noted at this meeting that parking is limited to required parking in the NCCD for all uses except single family. This brought into question the issue of reducing parking to 60%, as this would limit someone to that amount of parking. It was agreed to present the draft with noted changes to the HPNA general membership for a vote on May 7 after the revised draft was again posted to the list serve.

Karen McGraw

From: Karen McGraw <mcgrawka@earthlink.net>
Subject: [HydePark] Planning Meeting to review VMU Opt-In / Opt-Out 90-Day review
Date: April 2, 2007 2:05:27 AM CDT
To: HydeParkAustin@yahoogroups.com
Reply-To: HydeParkAustin@yahoogroups.com

Hyde Park Planning Team Meeting (posted to Planning Team and HPNA listserve - all are invited)

****** We are meeting to consider two very different items. Both are very important new efforts - one the Vertical Mixed Use program to focus mixed use and encourage affordable housing along transit corridors (Guadalupe is one of these) and second the McMansion ordinance (went into effect 10/01/06) to protect the character of single family neighborhoods. These are complementary efforts to provide for density while protecting single family areas AND both carry the added benefit that we can customize some of the features for our area. If you have time to study some of the information below great but all you need is an interest to attend the meeting. KM

Date: Monday, April 16

Time: 7-8:30 PM

Location: Hyde Park United Methodist Church, 4001 Speedway
****Chapel entrance on 40th Street*****

AGENDA

1) Consider making recommendations regarding City of Austin VMU Op-In/ Opt-out program - While our NCCDs supersede these regulations - this program provides some development incentives for mixed use if a portion of the development has affordable housing. Some of these development incentives have already been adopted in our NCCDs but there might be sites where we want to opt-in this program. We may want to opt-out in some areas also. The deadline to send a report is June 4. See info below for city sponsored meetings and links to info on the web. We will be considering only property that currently has commercial zoning.

2) Discuss options for customizing the McMansion ordinance for Hyde Park. The items that may be customized are described in 25-2-1406 (8) (a) of the Land Development Code (see ordinance below). These are maximum FAR, maximum gross floor area, linear feet of gables and dormers, height of side and rear setback planes, and minimum front yard setback. This item has no time deadline. Here is a link to the ordinance and McMansion code.

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****

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VMU -Vertical Mixed Use background

The 90 day Opt-in /Opt-out Process began Monday, March 5. All applications for VMU Opt-In/Opt-Out must be postmarked by June 4, 2007. The documents online are at http://www.ci.austin.tx.us/planning/verticalmixeduse.htm.

> On the main page, there's also a grid map to help identify current
> commercial parcels along Core Transit Corridors (prospective VMU
> properties). I encourage everyone to surf the site : VMU Answer
> Line at (512) 974-2150 or e-mail:http://www.ci.austin.tx.us/connect/
> email_vmu.htm

Council Member McCracken is hosting a series of meetings on this effort. Future meetings scheduled (all begin at 6:30) as follows:

April 2
Gateway Baptist Church
7601 Guadalupe Street

April 3
Austin Energy Town Lake Center
Room 130
811 Barton Springs Road

April 9
Austin Recreation Center
1301 Shoal Creek

April 16
University Hills Library
4721 Loyola

Rachel Proctor May
Policy Director
Office of Council Member Brewster McCracken
(512) 974-9010

* * * * * * * * * * *

There is also one more meeting hosted by City staff on April 4
6:30 - 8:30 P.M.
One Texas Center
505 Barton Springs Road
Room 325

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YAHOO! GROUPS
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From: Karen McGraw <mcgrawka@earthlink.net>
Subject: **[HydePark] REMINDER - Planning Meeting to review VMU Opt-In / Opt-Out 90-Day review**
Date: April 14, 2007 12:40:03 PM CDT
To: HydeParkAustin@yahoogroups.com
Reply-To: HydeParkAustin@yahoogroups.com

Hyde Park Planning Team Meeting (posted to Planning Team and HPNA listserve - all are invited)

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3) Set next meeting and agenda.

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* * * * * * * *

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VMU -Vertical Mixed Use background

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> properties). I encourage everyone to surf the site : VMU Answer
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Karen McGraw AIA
Chairman, Hyde Park Planning Team
(512) 459-2261

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Hyde Park Planning Team

HPNA Planning Committee

April 16, 2007
HPUMC 4001 Speedway

Name	Address	Email
1. Cleo McCraw		
2. Mike McHone		
3. Mary Ingle		
4. STAN KOZINSKY		
5. Denise Griard		
6. Jan Paul Moore		
7. Catherine Mora		
8. Gail Reese		
9.		
10.		

Hyde Park Planning Team / Hyde Park Planning Committee Meeting
April 16, 2007, 7:00 PM, Hyde Park United Methodist Church,
4001 Speedway

Minutes

Those present studied the city VMU maps. There was a question about why a few properties along W. 38th were included as an overlay district. Mary Ingle from NUNA was present and stated they don't understand this either. There are currently no buses on this street so it does not seem a likely area for a dead end CTC. The south side has many SF3 sites and the remainder is primarily multi-family.

Individual properties on Guadalupe were discussed. Some sites were identified as possible sites for VMU but it was agreed that before granting an exemption from FAR and Site Area requirements there should be some discussion between a developer and neighbors. Most of the dimensional standards in VMU are already in effect in the Guadalupe corridor as part of the NCCD. Commercial uses are required on the ground floor.

It was agreed that a letter should be written basically asking to opt out but identifying potential sites for future consideration. Another meeting was set for April 30 and the draft letter is to be sent out ahead of that meeting.

Karen McGraw

Hyde Park Neighborhood Recommendations
C14-2007-0263

VMU Overlay District					
		OPT OUT (2)			
Tract # (1)	All VMU-Related Standards Apply	Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	Exclude from VMU Overlay District
1-12					X

VMU Opt-In Properties				
		OPT IN (2)		
Tract # (1)	All VMU Related Standards Apply	Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts
100		X	X	

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

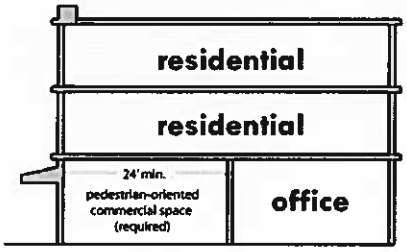
(1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.

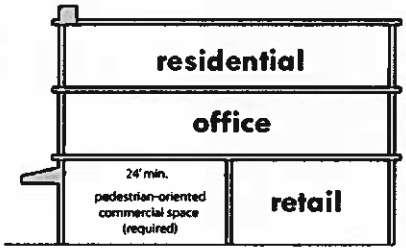
(2) Please refer to attached information for explanations of Opt-In and Opt-Out options.

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

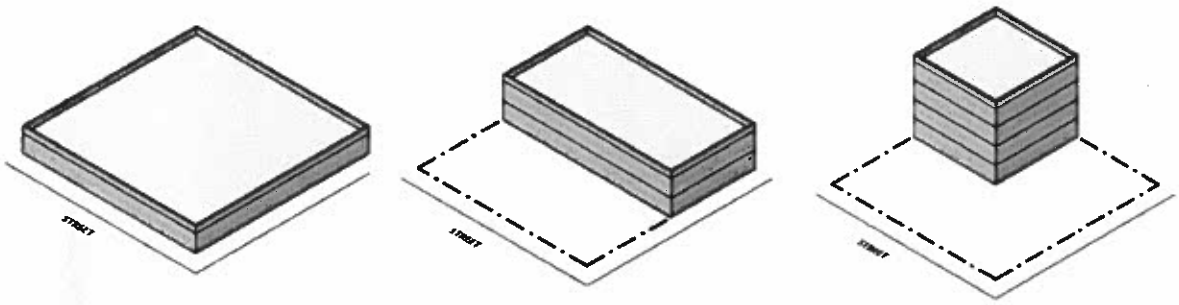
These dimensional standards listed below are a "package" and must be accepted or rejected as such in the opt-in/opt-out process.

- 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.

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

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

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

WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?

1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.

2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.

3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

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

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

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

OTHER FREQUENTLY ASKED QUESTIONS:

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

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

HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?

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

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

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

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

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

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

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

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

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

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

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

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

http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf

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