

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2007-0259 –Govalle/Johnston Terrace  
Vertical Mixed Use Building (V) Rezonings

**P.C. DATE:** May 27, 2008

**AREA:** 17 tracts on 36.645 acres

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

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD),  
Melissa Laursen

### **NEIGHBORHOOD ORGANIZATIONS:**

Barrio Unidos  
East Town Lake Citizens Neighborhood Organizations  
Glen Oaks, Rosewood Village, Neighborhood Organization  
Johnston Terrace Neighborhood Association  
Terrell Lane Interceptor Association  
Central East Austin Business Owners Association  
The Garden's Neighborhood Association  
M.E.T.S.A. Neighborhood Association  
Austin Neighborhoods Council  
East MLK Neighborhood Plan Contact Team  
El Concilio, Coalition of Mexican American Neighborhood Association  
Holly Street Association  
Brooke Neighborhood Association  
Saucedo Street Neighborhood Association  
River Bluff Neighborhood Association  
Tillery Square Neighborhood Association  
Govalle/Johnston Terrace Planning Team of Neighborhood Organizations  
Eastville - Central  
East Riverside/Oltorf & Montopolis Neighborhood Planning Team-COA Staff Liaison  
Organization of Central East Austin Neighborhoods (OCEAN)  
PODER - People Organized in Defense of Earth & Her Resources  
Austin Independent School District  
Southeast Austin Trails & Greenbelt Alliance  
Sentral Plus East Austin Koalition (SPEAK)  
Del Valle Neighborhood Association  
Pandora-Oakgrove  
Rosewood Neighborhood Planning Team  
East Riverside/Oltorf Neighborhood Planning Team  
Lower Boggy Creek Neighborhood Association  
Homewood Heights Neighborhood Association  
Home Builders Association of Greater Austin  
Blackshear Prospects Hills

**METSA-NIC**

Brooke Elementary Neighborhood

Save Town Lake Organization

East River City Citizens

Buena Vista Neighborhood Association

Homeless Neighborhood Organization

Govalle Park Neighborhood Association

**AREA OF PROPOSED ZONING CHANGES:** The Govalle/Johnston Terrace Combined Neighborhood Planning Area is bounded by Pleasant Valley and Webberville Roads to the west; Oak Springs, Airport Boulevard, and the Austin Northwestern Railroad to the north; US 183 to the east; and the Colorado River to the south. Please refer to Attachments.

**WATERSHEDS:** Boggy Creek- Urban; Colorado River- Urban; Fort Branch- Urban; Tannehill Branch- Urban; Town Lake- Urban

**DESIRED DEVELOPMENT ZONE:** Yes

**SCHOOLS:** Oak Springs-Rice Elementary School; Govalle Elementary School; Brooke Elementary School; Allan Elementary School; Johnston High School

**APPLICABLE CORE TRANSIT CORRIDORS:** East 7<sup>th</sup> Street (Core Transit Corridor from Northwestern Avenue to Pleasant Valley Road; Future Core Transit Corridor from Pleasant Valley Road to Airport Boulevard)

**STAFF COMMENTS:**

The VMU Overlay District includes approximately 36.645 acres. The Govalle/Johnston Terrace Neighborhood Planning Team recommended amending the boundaries of the VMU Overlay district to exclude all 36.645 acres from the district. The recommendation is consistent with the Future Land Use Map adopted in March 2003 which designates these areas as commercial and office. If the Planning Commission recommends applying the vertical mixed use building (V) zoning to any of these properties, a plan amendment would be required.

**LIST OF ATTACHMENTS:**

**Attachment 1:** Vertical Mixed Use (VMU) Opt-In / Opt-Out Application

**Attachment 2:** List of Govalle/Johnston Terrace VMU Overlay Properties by Tract #, TCAD Property ID and City of Austin Address

**Attachment 3:** Govalle/Johnston Terrace VMU Neighborhood Recommendations

**Attachment 4:** Govalle/Johnston Terrace VMU Tract Map

**Attachment 5:** Zoning Map

**Attachment 6:** Planning Commission Recommendation Tract Map

**Attachment 7:** Public Comments

**PLANNING COMMISSION RECOMMENDATION:**

January 15, 2008: Postponed to February 12, 2008

February 12, 2008: Postponed to April 22, 2008

April 22, 2008: Public Hearing closed, postponed action to May 27, 2008 to bring back with Neighborhood Plan Amendment

*[M.Dealey, P.Hui 2<sup>ND</sup>] (8-0) P.Cavazos – Absent*

May 27, 2008:

- Amend the vertical mixed use overlay district to exclude tracts 1, 2A, 2B, 6A, 6B, 7, 8 and 12
- Apply vertical mixed use building (V) zoning with Parking Reduction and Additional Uses in Office Districts to tracts 3, 4, 5, 9, 10, 11, 13, 14A, 14B and 15.
- Apply an affordability level of 60% of the median family income to 10% of the rental units within a VMU building

*[C. Ewen, P. Hui 2<sup>nd</sup>] (7-1, M. Dealey nay) S. Kirk - Absent*

**ISSUES:** None

**CITY COUNCIL DATE:****ACTION:**

January 31, 2008

Postponed to February 28, 2008

February 28, 2008

Postponed to May 15, 2008

May 15, 2008

Postponed to June 19, 2008

June 18, 2008

**ORDINANCE READINGS:** 1<sup>st</sup>**2<sup>nd</sup>****3<sup>rd</sup>****ORDINANCE NUMBER:**

**CASE MANAGER:** Melissa Laursen  
E-mail: melissa.laursen@ci.austin.tx.us

**PHONE:** 974-7226

## **NEIGHBORHOOD RECOMMENDATION**

The Govalle/Johnston Terrace Neighborhood Planning Team Review Committee met on two occasions, May 7, 2007 and May 29, 2007 to make recommendations on the vertical mixed use opt-in/opt-out process. On both occasions, a consensus was reached to amend the boundaries of the VMU Overlay district to exclude all properties from the district. The Review Committee will request that property owners meet an affordability level of 60% of the median family income and/or lower at the time of an individual rezoning request.

## **BACKGROUND**

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

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

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2007-0259 is the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the Govalle/Johnston Terrace application area. A more detailed overview of Vertical Mixed Use and the Opt-In/Opt-Out process is provided in Attachment 6.

## **Impervious Cover**

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

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %
LO, Limited Office	70 %
MH, Mobile Home	N / A

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

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

### **Transportation**

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

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

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

### **Water and Wastewater**

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

### **Compatibility Standards**

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

## **Govalle/Johnston Terrace Neighborhood Planning Team**

January 31, 2008

Mr. Robert Heil  
Neighborhood Planning and Zoning Department  
P O Box 1088  
Austin, TX 78767

RE: Verticle Mixed Use Opt-in/Opt-Out Process

Dear Mr. Heil:

The Govalle/Johnston Terrace Neighborhood Planning Team met on January 30<sup>th</sup>, 2008 at the Oak Springs Library to review our neighborhoods decision on the Verticle Mixed Use Opt-in/Opt-Out Process. The Govalle/Johnston Terrace Neighborhood Planning Team reaffirmed its decision to Opt-out of VMU process and to take each case on a case-by-case basis.

The Govalle/Johnston Team request that the overlay boundaries be amended to exclude the VMU properties located in the Govalle/Johnston Planning Team area.

When the Planning Team begins to work with property owners within the VMU area, we will be requesting the properties meet a 60% and/or lower MFI affordability.

Sincerely,

*Daniel Llanes*  
Daniel Llanes,  
Coordinator  
4907 Red Bluff  
Austin, TX 78702  
512/389-1512

Xc: Govalle/Johnston Terrace Neighborhood  
Planning Team

**Govalle/Johnston Terrace Neighborhood Planning Team**

January 10, 2008

Ms. Melissa Laursen  
Neighborhood Planning and Zoning Department  
P O Box 1088  
Austin, TX 78767

RE: Postponement for cases: C14-2007-0259 (37.39)

Dear Ms. Laursen:

The Govalle/Johnston Terrace Neighborhood Planning Team is requesting a three week postponement for the above stated case. The above VMU case has not been reviewed by the Govalle/Johnston Terrace Neighborhood Planning Review Team. It was our understanding that when the Govalle/Johnston Terrace Planning Team opted out of VMU that we would get the opportunity to review each properties owner desire, when they chose to use VMU, to present before the Neighborhood Planning Team. It was our desire to review the properties by individual cases, when the owner, if they wished to use the VMU zoning. We were not aware that the VMU zoning would now be looked at as a total block of properties within the VMU corridor. The Neighborhood Planning Review Team, request a three week postponement so that we can meet with Team members and Neighborhood Planning staff.

It is required that all properties that are requesting some type of zoning change or variance must be reviewed by the Review Committee of the Govalle/Johnston Terrace Neighborhood Planning Team. The above properties stated in the above case have not been reviewed by our community representatives on the Review Committee. Therefore, we request a postponement until we have the opportunity to meet.

Sincerely,

Daniel Llanes,  
Coordinator, Review Committee  
Govalle/Johnston Terrace Neighborhood Planning Team

Xc: Govalle/Johnston Terrace Neighborhood  
Planning Team

**Govalle/Johnston Terrace  
VMU Tract Table  
C14-2007-0259**

Tract #	TCAD Property ID	COA Address	ZONING
1	192107	N 113FT OF LOT 2 BLK 9 OLT 23&231/2 DIV A LINCOLN PLACE	CS-CO-NP
	192109	2410 E 7th ST	CS-CO-NP
	192106	N 91.89 FT AV OF LOT 4 BLK 9 OLT 23&231/2 DIV A LINCOLN PLACE	CS-CO-NP
	192105	N 81.03FT OF LOT 5 BLK 9 OLT 23&231/2 DIV A LINCOLN PLACE	CS-CO-NP
	192104	2428 E 7th ST	CS-CO-NP
2A	191201	705 PERDERNALES ST 2500 E 7th ST	CS-CO-NP
	191200	2506 E 7th ST	CS-CO-NP
2B	191198	2514 E 7th ST	CS-CO-NP
	191197	N 89.42FT OF LOT 20 OLT 22 DIV A SIMMS PAUL O	CS-CO-NP
	191196	2522 E 7th ST	CS-CO-NP
	191195	2600 E 7th ST	CS-CO-NP
	191202	2604 E 7th ST	CS-CO-NP
	191193	2614 E 7th ST	CS-CO-NP
	191203	2618 E 7th ST	CS-CO-NP
	191194	2620 E 7th ST	CS-CO-NP
3	191213	2700 E 7th ST 2707 1/2 GONZALES ST	CS-CO-NP
	191214	.05 AC OLT 21 DIVISION A	CS-CO-NP
4	359119	2706 GONZALES ST 2730 E 7th ST	CS-NP
5	189903	W 100FT OF N 69.31 FT BLK 1 OLT 18 DIV A EDEN ACRES	GO-NP
	189904	3213 GONZALES ST	GO-NP
	189905	N 100.39FT OF LOT 7,8 BLK 1 OLT 18 DIV A EDEN ACRES	GO-NP
6A	189949	N 155.5FT OF LOT 1 BLK 3 OLT 18 DIV A EDEN ACRES	GO-NP
	189950	N 177.70FT OF LOT 2 BLK 3 OLT 18 DIV A EDEN ACRES	GO-NP
6B	189955	LOT 5 *LESS SW TRI OLT 17 DIV A EDEN ACRES NO 2	CS-CO-NP
	189956	3400 1/2 E 7th ST 3414 E 7th ST	CS-CO-NP
7	189989	3502 E 7th ST	CS-CO-NP
	190002	3508 E 7th ST	CS-CO-NP
	190003	3518 E 7th ST	CS-CO-NP
	190001	3526 E 7th ST 3528 E 7th ST	CS-CO-NP



**Govalle/Johnston Terrace  
VMU Tract Table  
C14-2007-0259**

Tract #	TCAD Property ID	COA Address	ZONING
8	190079	4600 E 7th ST	CS-CO-NP
	190084	4618 E 7th ST	CS-CO-NP
	190085	4708 E 7th St	CS-CO-NP
	190055	4800 E 7th St 4812 E 7th St	CS-CO-NP
	190054	ABS 22 SUR 29 TANNEHILL J C ACR .465	CS-CO-NP
	190083	4820 E 7th ST 4813 GONZALES ST	CS-CO-NP
	190082	5012 E 7th ST	CS-CO-NP
	190053	5020 E 7th ST 5022 E 7th ST	CS-CO-NP
9	187743	5100 E 7th ST	CS-CO-NP
	187744	5206 E 7th ST	CS-CO-NP
	187742	LOT A AIRPORT ONE	CS-CO-NP
10	187748	5117 E 7th ST 5119 E 7th ST 5121 E 7th ST 5123 E 7th ST 5201 E 7th ST	CS-CO-NP
11	188546	611 SPRINGDALE RD 617 1/2 SPRINGDALE RD	CS-CO-NP
	188545	4711 E 7th ST	CS-CO-NP
	188547	4811 E 7th ST	CS-CO-NP
	188549	ABS 22 SUR 29 TANNEHILL J C ACR .31	CS-CO-NP
	188539	4821 E 7th ST ABS 22 SUR 29 TANNEHILL J C ACR 1.2750	CS-CO-NP
12	189984	3535 E 7th ST	CS-CO-NP
	189988	3525 E 7th ST	CS-CO-NP
13	189986	631 GUNTER ST	CS-CO-NP
	189987	.16AC OF OLT 17 DIV A PIPKIN ESTATES	CS-CO-NP
14A	189944	CEN 20.53FT OF LOT 3 BLK 3 OLT 18 DIV A EDEN ACRES	CS-CO-NP
14B	189946	3407 E 7th ST 3415 E 7th ST	CS-CO-NP
15	189901	3223 E 7th ST	CS-CO-NP

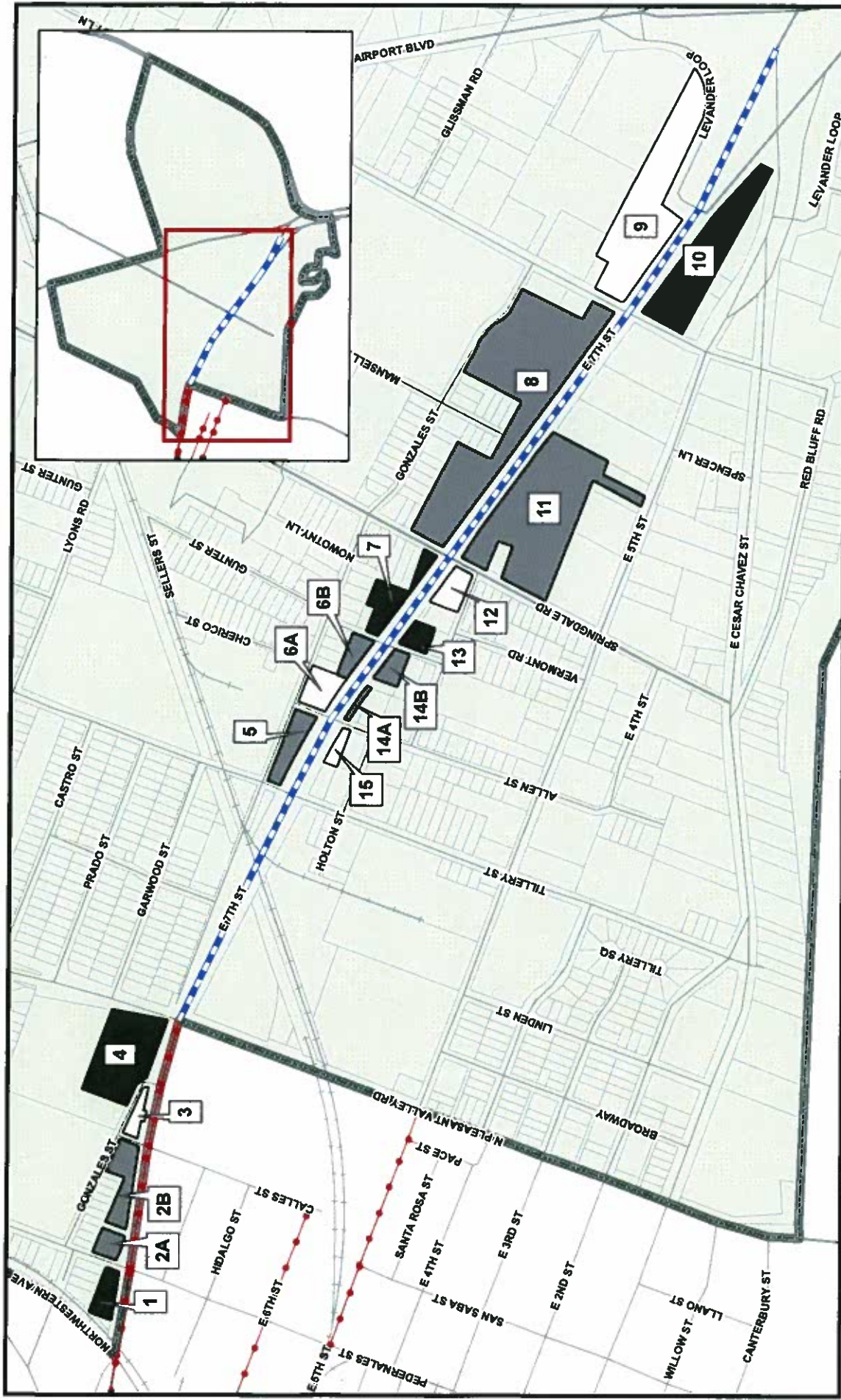
**Govalle/Johnston Terrace Neighborhood Recommendations  
C14-2007-0259**

**VMU Overlay District**

Tract # (1)	All VMU-Related Standards Apply	OPT OUT (2)			Exclude from VMU Overlay District
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
1, 2A, 2B, 3-13, 14A, 14B, 15					X

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

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



# Govalle/Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use (VMU) Tract Map Case # C14-2007-0259

0 500 1,000 2,000 Feet

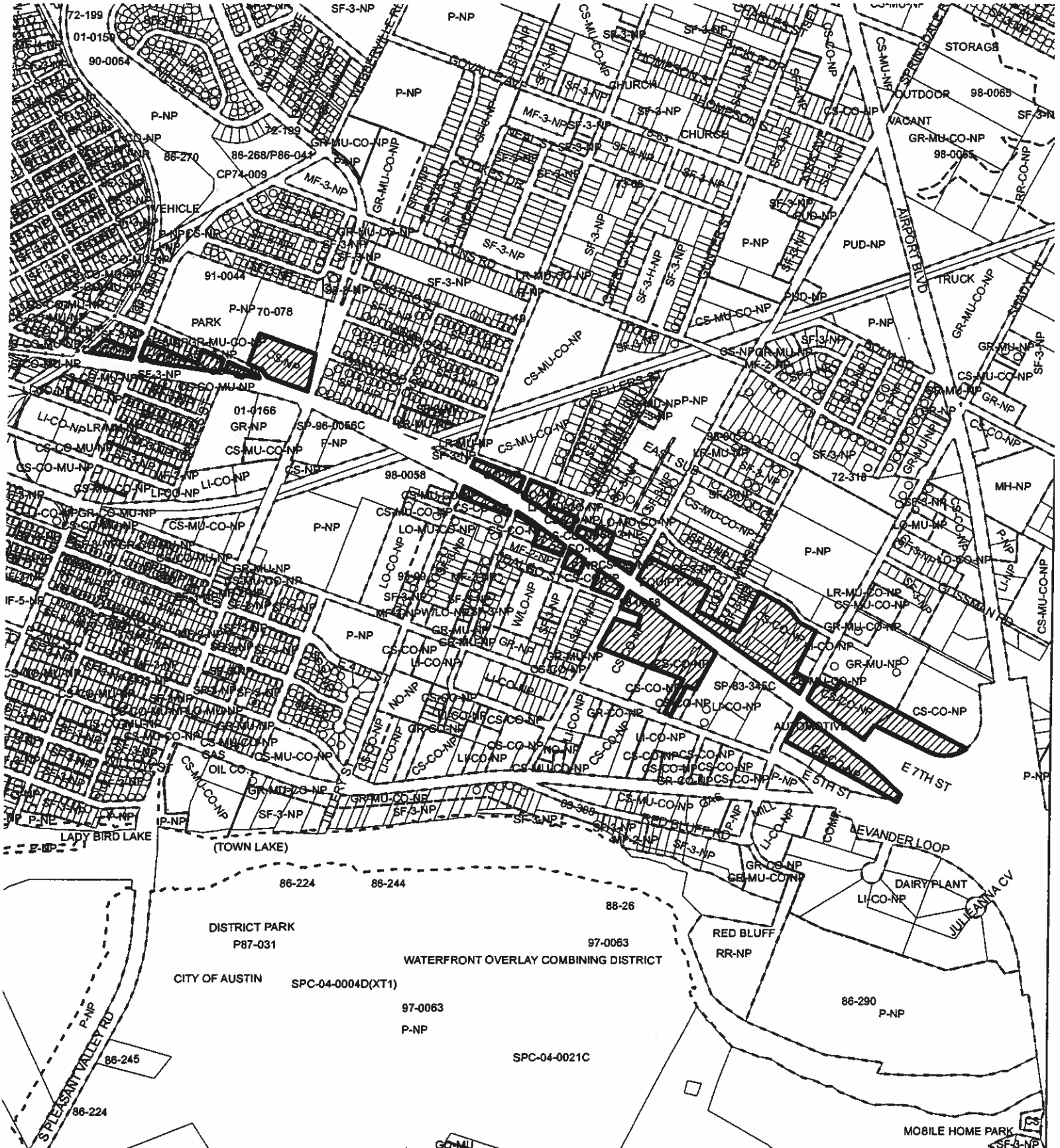


This map has been produced by the City of Austin for the sole purpose of aiding in the planning and zoning process. It is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

- Core Transit Corridor
- Future Core Transit Corridor
- Boundary
- Parcels

Produced by City of Austin  
Neighborhood Planning and Zoning Dept.  
May 28, 2008





N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

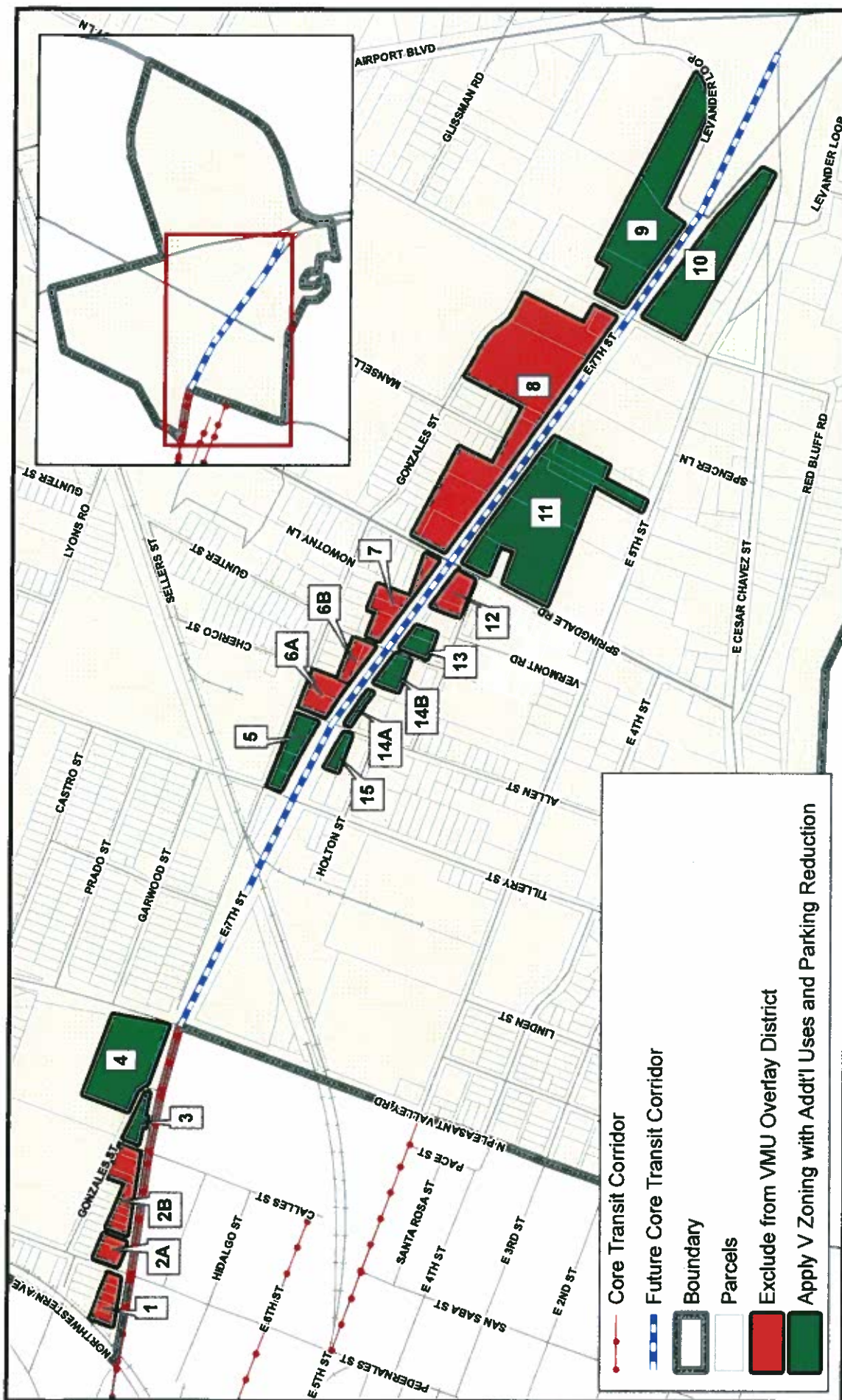
**ZONING**

ZONING CASE#: **C14-2007-0259**  
ADDRESS: **WEBBERVILLE RD**  
SUBJECT AREA: **38.84 ACRES**  
GRID: **K21 L21**  
MANAGER: **M. LAURSEN**

**OPERATOR: S. MEEKS**

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





**PLANNING COMMISSION RECOMMENDATION**  
**Govalle/Johnston Terrace**  
**Combined Neighborhood Planning Area**  
**Vertical Mixed Use (VMU) Tract Map**  
**Case # C14-2007-0259**



## PLANNING COMMISSION HEARING

DATE: January 15, 2008 TIME: 6:00 P.M.

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

## CITY COUNCIL HEARING

DATE: January 31, 2008 TIME: 4:00 P.M.

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

For questions regarding the vertical mixed use application for the Govalle/Johnston Terrace Combined Neighborhood Planning Area, please call Melissa Laursen at (512) 974-7226 or email at: [melissa.laursen@ci.austin.tx.us](mailto:melissa.laursen@ci.austin.tx.us). Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054. Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

## PLANNING COMMISSION COMMENT FORM

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

File # C14-2007-0259

Planning Commission Hearing Date: January 15, 2008

Name (please print)

JERRY

PULLEY

Address

757

Shady Ln.

78702



I am in favor

(Estoy de acuerdo)



I object

(No estoy de acuerdo)

## INFORMATION ON PUBLIC HEARINGS

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

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

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

RECEIVED

FEB 12 2008

Neighborhood Planning &amp; Zoning

2/12/2008

George Adams

COASTIN

NEIGHBORHOOD PLANNING &amp; ZONING

I am requesting a 2 month postponement due to issues of notification between neighborhood association and land owners in the area which were not notified by the neighborhood association.

We need to create time to discuss Vertical Mixed Use on tracts that were left out of the Opt-in, Opt-out process. More land owners are wanting to be Opted-In in this original process.

I own the property at 3300 GONZALES St and represent several other property in and near this area.

DALE GUTHRIE

512-627-3474

dalaguthrie2005

@yghwo.com

Thank You

Bob Guthrie

RECEIVED

FEB 12 2008

Neighborhood Planning & Zoning

George AAMMS

Co Austin

Neighborhood Planning & Zoning

I am requesting a 2 month postponement due to issues of notification between neighborhood association and land owners. We need to create time to discuss vertical mixed use on tracts that were left out of the opt-in, Opt-out process. More land owners are writing to be opted in this original process. I own the property at 701 Tillery.

Thank you

Sincerely

PEA Bar (PETER BARLIN)

413 5096

PE BARLIN @ earthlink.net

C14-2007-0259