ORDINANCE AMENDMENT REVIEW SHEET

CASE NUMBER: C20-07-006

PROPOSED AMENDMENT: Amend Title 25 of the City of Austin's Land Development Code relating to the University Neighborhood Overlay (UNO) district.

PC PUBLIC HEARING DATE: April 8, 2008

CODES AND ORDIANCNES COMMITTEE MEETING DATE: March 18, 2008

CODES AND ORDIANCNES COMMITTEE ACTION: Recommended the proposed amendments be forwarded to the full Planning Commission.

FIRST CITY COUNCIL PUBLIC HEARING DATE: May 22, 2008.

CITY COUNCIL ACTION: Council voted to keep the public hearing until the June 18, 2008 meeting. The item was postponed at the June 18 meeting until the August 7, 2008 City Council meeting.

SPONSORING DEPARTMENT: Neighborhood Planning and Zoning Department

BACKGROUND:
The University Neighborhood Overlay (UNO) district was adopted by the Austin City Council in September of 2004 and was developed as part of the Central Austin Combined Neighborhood Plan planning process. The remarkable building boom in West Campus following the passage of the UNO pointed to some unforeseen and unintended issues arising from the ordinance as well as identifying issues regarding the lack of mechanisms to more strongly enforce of the UNO Design Guidelines. Beginning in the summer of 2006, a working group of community stakeholders and City of Austin staff began an examination of the UNO ordinance to address these issues. Through 2006 and 2007 this group reviewed the UNO ordinance and the UNO Design Guidelines. The result of this process is code amendment case C20-07-006.

The results of this working group being brought forward with Code Amendment Case #C20-07-007 relate to a significant update to the UNO ordinance. The proposed ordiance revisions address a number of different elements of the UNO. The proposed changes include:

- Internal organization of the ordinance
- Regulations relating to small sites
- Parking for exisitng sites that pre-date the UNO
- Building design along the ground floor

- Off-site construction staging
- Building height
- Building design for sites adjacent to landmarked strucutures
- Design guidelines
- Building design between the ground and the first required building step-back
- Setbacks between the building and the street
- Screening between existing sites and new construction
- Streetscape improvements
- Location of trash receptacle
- Site access.

Beginning on page four of this report are a number of tables that provide the changes to the ordinance and the reasons why thery are being proposed.

At their April 8, 2008 meeting, the Plannig Commission unanimously recommneded the proposed code amendments to the City Council with additional provisions relating to a hotel/motel use within the boundaries of the UNO. The local neighborhood group, the University Area Partners, and City of Austin staff also supported these additional provisions.

4-18-08 Planning Commission Hotel/Motel Use Amendments to the UNO

1. A hotel/motel use is a permitted local use within the UNO on properties that:
   A. Have frontage on MLK Jr. Boulevard and are located between Pearl Street and Guadalupe Street

   B. Have frontage on Guadalupe Street and are located between W. 22nd Street and MLK Jr. Boulevard.

2. A hotel/motel use MUST adhere to the following:
   A. The maximum height shall be no greater than
      1) 85 feet,
      2) Or, the applicable height as allowed under the UNO by the height district map if the map height is greater than 85'

   B. If a newly developed or remodeled hotel/motel use includes, shares, or incorporates adjacent existing property(s) with the new hotel/motel use, then:
      1) All adjacent applicable properties must be included in the site plan for the new hotel/motel use
      2) The UNO streetscape requirements will be applicable for all of the street frontages contained on the site plan

   C. Any part of the site plan used as a hotel/motel use must comply with 25-2-756 AFFORDABLE HOUSING, and contribute to the University

Housing Trust Fund at a rate of $0.50 per square foot of site area used as a hotel/motel use.

Following discussions with the Judge's Hill neighborhood and representatives from the University Area partners following the first City Council hearing on May 22, 2008, an agreement was reached relating to language for hotel/motel uses along segmetns of MLK Jr. Boulevard and Guadelupe Street. The draft ordiance available for second and third readings reflects the this agreement.

STAFF RECCOMENDATION: Recommended

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University Neighborhood Overlay (UNO) Amendments

CHANGES	COMMENTS
25-2-753 DEFINITIONS; LOCAL USES DESCRIBED (1) OCCUPANT SPACE means space in a building used for a use other than a parking facility or a mechanical facility. (2) STREET WALL AREA means the portion of an exterior wall of a building adjacent to a public street other than an alley and accessible from a pedestrian path that extends from the base of street level: (a) to a maximum height of 65 feet; or (b) for an accessory parking structure, to a maximum height of two stories.	These definitions were moved from another section of the ordinance and consolidated under the section 25-2-753 (1)(2).
25-2-754 USE REGULATIONS (C)(5) (b) for a site with fewer than 20 dwelling units, at least five percent of the site's dwelling units are located on the ground floor.	This section was added to promote development of small lots and smaller projects.
25-2-754 USE REGULATIONS (G) On-site surface parking is prohibited, unless the director determines that: (1) the only building on the site has 6,000 or fewer square feet of gross floor area, and the building was constructed before September 13, 2004; and (2) the parking area is screened from the street by an eight foot tall solid wall.	This section was changed to allow for the smaller existing sites to redevelop under the UNO guidelines without the need to build a parking garage.

CHANGES	COMMENTS
25-2-754 USE REGULATIONS (H) This subsection prescribes requirements for the ground floor of a building, including a parking garage. (1) The ground floor must include occupant space along not less than 75 percent of the net length of street frontage. Net length of street frontage is calculated by determining the cumulative length of the building at ground level adjacent to each street other than an alley, and then deducting the cumulative length of driveways, exit stairs, elevators, and utility equipment space. (2) For a site with frontage on more than one street, driveways, exit stairs and elevators must be located on a street that runs north and south, unless the director of the Neighborhood Planning and Zoning Department determines that those features cannot reasonably be located along that street because of topographical conditions. (3) The ground floor of a building may not be more than five feet higher or lower than an adjacent public street sidewalk. This does not apply to the ground floor adjacent to an alley. (4) The minimum distance between the finished ground floor of the building and the structural portion of the ceiling is 10 feet. (5) The minimum depth of occupant space is 18 feet, measured from the outside face of the front exterior wall to the outside face of the rear interior wall.	This section was added to clarify the requirements for ground-floor/street-level design of buildings.
25-2-754 USE REGULATIONS (I) Off-site temporary construction staging is allowed within 500 feet of the construction site. The director may allow a staging area to be located more than 500 feet from the construction site if the director determines that a closer staging area is not reasonably available and that the location does not adversely affect public health or safety.	This was added to allow for off-site, temporary construction staging. The sites in West Campus are often so small that this activity can not be accomplished on site.

CHANGES	COMMENTS
25-2-756 HEIGHT (B) This subsection applies in [~~In~~] the outer west campus subdistrict.[~~,~~] (1) In this subsection, HISTORIC PROPERTY means property zoned historic or listed in the City's historic building survey on (effective date of ordinance). *and* 3) This paragraph applies to a building on a lot that has a common side lot line with a historic property. The building may not exceed by more than 20 feet the maximum building height prescribed for the base district in which the historic property is located.	These changes were made to address development adjacent to historic land marked sites.
25-2-757 SETBACKS; COMPATIBILITY. ~~(A) (2) the minimum front yard setback is two feet along Graham Place, West 24-1/2 Street, San Pedro Street, West 21st Street, and Hume Place.]~~	This item was struck because the sidewalk width requirements will establish uniform setbacks throughout the UNO.
25-2-757 SETBACKS; COMPATIBILITY. (B)(E) A building must be at least 12 feet from the front face of the curb of the adjacent street and at least 30 feet from the centerline of the adjacent street.	This text was added to address AFD concerns of operating a ladder truck in a confined ROW.

CHANGES	COMMENTS
25-2-757 SETBACKS; COMPATIBILITY. (F) This subsection applies to the portion of a site that is subject to compatibility standards, as described in Section 25-2-763(A)(1) *(Certain Regulations Inapplicable Or Superseded)* and Article 10 *(Compatibility Standards)*. A building or a solid masonry wall that is at least six feet high is required between a public or common open space and the property that triggers the compatibility standards.	This item was added to address screening for existing structures as a way to buffer them from adjacent sites.
25-2-758 BUILDING WALL HEIGHT, STEPBACKS, AND [~~BUILDING~~] ENVELOPE [~~RESTRICTION~~]. (A) An exterior building wall that faces a street must be at least 24 feet high. (B) [~~(A)~~] Except as provided in Subsection (C) [~~(B)~~]: (1) if an exterior wall of a building is adjacent to a street other than an alley, at a height of 65 [~~60~~] feet, the upper portion of the wall must be set back from the property line [~~lower portion of the wall~~] by a distance of at least 12 feet; and (2) if the north side of a building is adjacent to a street other than an alley and is greater than 65 [~~60~~] feet in height, the upper portion of the north side of the building must be set back within a building envelope that is formed by a plane that extends from the top of the lower portion of the north side exterior wall toward the building at an angle of 62 degrees above horizontal. ((C) [~~(B) If a building facade abuts street frontage for a distance of at least 280 feet,~~] Subsection (B) [~~(A)~~] does not apply to[~~:~~ ~~(1)~~] up to 15 percent of the length of a building frontage, if that portion of the building frontage is used for an elevator or stairway. [~~facade that faces east, south, or west; or~~ ~~(2) 20 percent of the length of a building facade that faces north.~~] (D) A parapet may not extend more than five feet above the 65 foot stepback height described in Subsection (B) or more than five feet above the total building height.	The changes (A) and (B) in this section were made to address concerns from the development community that the height of 60' posed problems on sites with moderate slope. The added height adds flexibility on the design of buildings without added additional floors to a project. The changes in (C) add more flexibility in the design of building. (D) will add flexibility in the design of buildings without adding additional floors.

CHANGES	COMMENTS
25-2-759 STREET WALL AREA [~~AREAS ADJACENT TO~~] OCCUPANT SPACE. [~~(A) In this section:~~ ~~(1) OCCUPANT SPACE means space in a building used for a use other than a parking facility or a mechanical facility.~~ ~~(2) STREET WALL AREA means the portion of an exterior wall of a building adjacent to a public street other than an alley and accessible from a pedestrian path that extends from the base of street level:~~ ~~(a) to a maximum height of 60 feet; or~~ ~~(b) for an accessory parking structure, to a maximum height of two stories.~~] (A) [~~(B)~~] At least 42 percent of the street wall area of a building must contain [~~be adjacent to~~] occupant space. (B) [~~(C)~~] If a building has street wall areas on more than one street, at least 70 [~~29~~] percent of the [~~total street wall area must be adjacent to~~] required occupant space must be on a street that runs east and west. (C) [~~(D)~~] This section does not apply to a commercial off-street parking structure.	The definitions with strike-throughs were moved to another part of the ordinance. The section clarifies design requirements for the street wall section of a building.
25-2-760 STREETSCAPE IMPROVEMENTS. (A) A [~~Except as provided in Subsection (B), a~~] site owner shall install a sidewalk not less than 12 feet wide along each street frontage adjacent to the site. [~~(B) A site owner shall install a sidewalk not less than five feet wide along West 24-1/2 Street, San Pedro Street, West 21st Street, Hume Place, or Salado Street.~~] (C) [~~(D)~~] A site owner shall install and maintain pedestrian-scale lighting and street furnishings along an adjacent street right-of-way. (D) [~~(E)~~] The director of the Neighborhood Planning and Zoning [~~Watershed Protection and Development Review~~] Department shall adopt rules prescribing the requirements for tree planting and maintenance and the installation and maintenance of pedestrian-scale lighting and street furnishings.	This section was modified to clarify the streetscape requirements.

CHANGES	COMMENTS
25-2-761 PLACEMENT OF EQUIPMENT AND TRASH RECEPTACLES. (B) This subsection applies to a site with frontage on an alley 20 feet or more wide. (1) A transformer room or utility vault must be adjacent to and accessible from the alley. (2) A pump room, sprinkler room, or other utility or mechanical room must be adjacent to and accessible from the alley unless the Fire Chief determines that placing the room in another location is required because of a fire safety issue.	This section was added to address issues concerning the location of these facilities.
25-2-762 SITE ACCESS. (A) Vehicular access to [~~from~~] a site from [~~to~~] a public street that runs east and west is limited to one [~~two~~] curb cut for each 140 feet of street frontage [~~cuts~~]. (B) Vehicular access to a site from a public street that runs north and south is limited to two curb cuts [~~20th Street, 21st Street, 22nd Street, 23rd Street, 25th Street, 26th Street, 27th Street, or 28th Street between Guadalupe Street and Pearl Street is prohibited if the site has frontage on another street or alley~~]. (C) Vehicular access to a corner lot must be from a public street or alley that runs north and south. *and* (F) A driveway turn radius may not exceed 15 feet unless the Fire Chief determines that a larger radius is required because of a fire safety issue.	This section was added to clarify site access and egress requirements for motor vehicles.
25-2-764 DESIGN GUIDELINES. (A) (A) A site plan must [~~substantially~~] comply with the design guidelines prescribed by administrative rule. An applicant shall file with the site plan drawings of all building elevations and streetscapes [~~a building elevation drawing~~] that demonstrates substantial compliance with the design guidelines. (B)(C)(D) *The changes remove the director of Watershed Protection and Development Review as the director for the review and appeal of issues relating to design guidelines in the UNO and replaces it with the director of the Neighborhood Planning and Zoning Department.*	(A) expands the requirements due at the submittal of a site plan.