

THIRD READING SUMMARY SHEET

NEIGHBORHOOD PLAN AMENDMENT CASE NUMBER: NPA-2008-0016.01;
Govalle/Johnston Terrace Vertical Mixed Use—Opt-In/Opt/Out Application

REQUEST:

Conduct a public hearing and approve second/third readings of an ordinance amending Ordinance No. 030327-12, Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan. The amendment will change land use designations for certain properties on the Future Land Use Map from Commercial and Office to Mixed Use and Mixed Use/Office.

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. (Boggy Creek; Colorado River; Fort Branch; Tannehill Branch; Town Lake watersheds)

DEPARTMENT COMMENTS:

The VMU Overlay District includes approximately 36.645 acres (including tract 9B—which is a separate case). The Planning Commission and City Council recommended applying the vertical mixed use building (V) designation to certain tracts with the associated zoning case C14-2007-0259; therefore a plan amendment is required.

The Govalle/Johnston Terrace Neighborhood Planning Team did not recommend applying the vertical mixed use building (V) designation; the recommendation is consistent with the Future Land Use Map adopted in March 2003 which designates these areas as commercial and office.

Note: Refer to “Issues” for updated recommendation

ISSUES:

On first reading of the ordinance, City Council members approved a vertical mixed use building (V) designation on tract 6B. This tract is currently designated as Commercial on the Future Land Use Map; therefore, a concurrent plan amendment is required. This tract was inadvertently left out of the motion to change the future land use designation to Mixed Use and should be included in the motion for 2nd and 3rd Readings of the ordinance.

On October 8, 2008, the Neighborhood Planning Contact Team submitted a letter stating they support the property owners request for the vertical mixed use building (V) designation on the properties listed below; therefore, a change to the future land use map from commercial to mixed use is supported.

- Portion of Tract 3 (TCAD #191213)
- Portion of Tract 6B (TCAD #189955)
- Tract 15 (TCAD #189901)

APPLICANT: City of Austin, Neighborhood Planning & Zoning Department

AGENT: City of Austin, Neighborhood Planning & Zoning Department (Melissa Laursen)

DATE OF FIRST READING: August 21, 2008

DATE OF 2nd READING: November 6, 2008

DATE OF 3rd READING: November 20, 2008

CITY COUNCIL ACTION:

August 21, 2008 (1st Reading): The public hearing was closed and the first reading of the ordinance to change the land use designation to mixed use and mixed use/office was approved on Council Member Martinez' motion, Mayor Pro Tem McCracken's second on a 6-1 vote. Council Member Morrison voted nay.

- Approve mixed use on tracts 3, 4, 9A, 10, 11, 13, 14A, 14B, and 15
- Approve mixed use/office on tract 5

October 2, 2008: This item was postponed to November 6, 2008 at the staff's request (consent). 5-0. Mayor Pro Tem McCracken and Council Member Shade absent.

November 6, 2008 (2nd Reading): Second reading of the ordinance to change the land use designation to mixed use and mixed use/office was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

- Approve mixed use on tracts 3, 4, 6B, 9A, 10, 11, 13, 14A, 14B, and 15
- Approve mixed use/office on tract 5

ASSIGNED STAFF: Melissa Laursen, e-mail: melissa.laursen@ci.austin.tx.us

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Govalle/Johnston Terrace Combined Neighborhood Plan

CASE#: NPA-2008-0016.01

PC DATE: May 27, 2008

ADDRESS/ES: Selected tracts along E 7th Street within the VMU Overlay District (see attached table for specific addresses)

SITE AREA: 18 tracts on 36.645 acres

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

AGENT: City of Austin, Neighborhood Planning & Zoning Department (NPZD),
Melissa Laursen, Senior Planner

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Commercial and Office **To:** Mixed Use and Mixed Use/Office

Base District Zoning Change

Related Zoning Case: C14-2007-0259

From: GO-NP, CS-NP, and CS-CO-NP

To: GO-V-NP, CS-V-NP, and CS-V-CO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: March 27, 2003

STAFF RECOMMENDATION : N/A

BASIS FOR RECOMMENDATION: N/A

PLANNING COMMISSION RECOMMENDATION:

May 27, 2008:

- Change land use designation on tracts 3, 4, 9, 10, 11, 13, 14A, 14B, and 15 from Commercial to Mixed Use
- Change land use designation on tract 5 from Office to Mixed Use/Office

[C. Ewen, P. Hui 2nd] (7-1, C. Small nay) S. Kirk – Absent

Note: Subsequent to the May 27th Planning Commission Hearing, tract 9 was split into 9A and 9B. Tract 9B will be re-noticed and sent back to Planning Commission for a recommendation.

ISSUES:

On first reading of the ordinance, City Council members approved a vertical mixed use building (V) designation on tract 6B. This tract is currently designated as Commercial on the Future Land Use Map; therefore, a concurrent plan amendment is required. This tract was inadvertently left out of the motion to change the future land use designation to Mixed Use and should be included in the motion for 2nd and 3rd Readings of the ordinance.

BACKGROUND:

The proposed plan amendment was initiated by the City of Austin, Neighborhood Planning & Zoning Department in conjunction with the Vertical Mixed Use (VMU) Opt-In/Opt-Out application process. The Govalle/Johnston Terrace Future Land Use Map designates the properties within the VMU Overlay District as Commercial and Office. A change in the future land use designation to Mixed Use and Mixed Use/Office is required to allow for the application of Vertical Mixed Uses Building (V) zoning.

The Govalle/Johnston Terrace Neighborhood Planning Team did not recommend applying the vertical mixed use building (V) designation; the recommendation is consistent with the Future Land Use Map adopted in March 2003 which designates these areas as commercial and office.

On October 8, 2008, the Neighborhood Planning Contact Team submitted a letter stating they support the property owners request for the vertical mixed use building (V) designation on the properties listed below; therefore, a change to the future land use map from commercial to mixed use is supported.

- Portion of Tract 3 (TCAD #191213)
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- Tract 15 (TCAD #189901)

The Govalle/Johnston Terrace Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on March 27, 2003. The boundaries of the planning area are: 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.

CITY COUNCIL DATE & ACTION:

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approved on Council Member Martinez' motion, Mayor Pro Tem McCracken's second on a 6-1 vote. Council Member Morrison voted nay.

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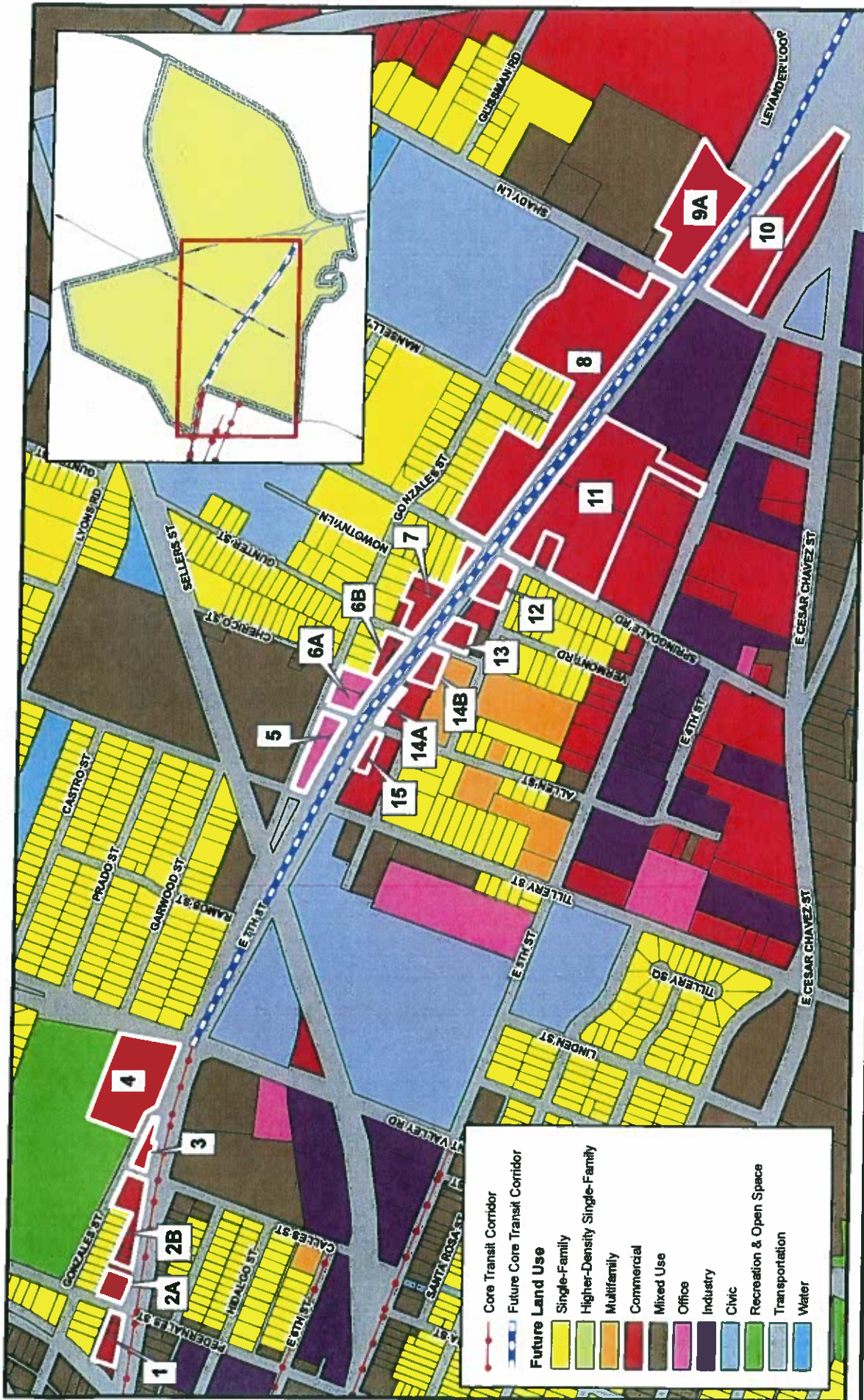
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November 20, 2008:

CASE MANAGER: Melissa Laursen, NPZD

PHONE: (512) 974-7226

EMAIL: melissa.laursen@ci.austin.tx.us



**Govalle/Johnston Terrace
Combined Neighborhood Planning Area
Plan Amendment Map
Case # NPA-2008-0016.01**

Produced by City of Austin
Neighborhood Planning and Zoning Dept.
July 16, 2008



This map has been produced by the City of Austin for the sole purpose of adding regional planning data and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

From: daniel llanes !
Sent: Thursday, October 09, 2008 8:19 AM
To: Laursen, Melissa
Cc: Doug Hodge; Susana Almanza; Johnny Limon; Marie Rocha; Morrison, Laura; randy.shade@ci.austin.tx.us; Saundra Kirk; jay_reddy@dell.com
Subject: Fwd: Midtown RV Park

Attachments: Danile LLanes.pdf; ATT1322276.txt; ATT1322277.txt
Hi Melissa,

FYI, as you can see, Mr. Hodge has requested that his property be included (remain) as an "opt in" to the staff recommendation for VMU. He is one of only two property owners in Govalle/Johnston Terrace who to date who has requested to "opt in". The other is Saldana Homes (Marie Rocha-Saldana). I spoke with her and she said she has already made the request to you in another letter.

The Review Committee for the Govalle/Johnston Terrace Neighborhood Plan maintains our position to "opt out" of the plan, with the exception of these two requests. There have been no other requests by any other property owners for VMU.

Therefore we request that staff make **only these two properties** part of your VMU recommendation for our planning area.

thanks,

Daniel Llanes
Coordinator, Review Committee
Govalle/Johnston Terrace Neighborhood Planning Team
431-9665

Begin forwarded message:

From: Doug Hodge
Date: Wed Oct 8, 2008 10:43:29 AM US/Central
To: daniel llanes >, Melissa Laursen
<Melissa.Laursen@ci.austin.tx.us>
Subject: Midtown RV Park

Dear Daniel:

Here is a correction to the zoning as supplied by Miss Laursen. I have also corrected the letter accordingly. Sorry for the mistake. I appreciate your help and cooperation on this matter.

*Douglas Hodge, CCIM
Republic Commercial Properties
1300 West Lynn Street Suite 100*

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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

During its public hearing, the City Council may grant or deny a plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning & 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:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website: www.ci.austlin.tx.us/zoning/

If you use this form to comment, it may be submitted to:

Neighborhood Planning and Zoning Department
Melissa Laursen
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Contact: Melissa Lauren, NPZD

Planning Commission 5/27/2008

City Council 6/19/2008

☒ I am in favor
☐ I object

Your Name (please print)

Your address(es) affected by this application

Signature

Comments:

Date _____

PUBLIC HEARING INFORMATION

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PUBLIC HEARING COMMENT FORM

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Melissa Laursen
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Austin, TX 78767-8810

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Case Number: NPA-2008-0016.01

Contact: Melissa Laursen, NPZD

Public Hearings:

City Council 8/21/2008

<input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object
--

Mike Schulte

Your Name (please print)

3500 East 5th St

Your address(es) affected by this application

Mike Schulte

Signature

08/05/08

Date

Comments:
