

ORDINANCE NO. 20081120-104

AN ORDINANCE ADOPTING THE FIFTH PLAN MODIFICATION TO THE EAST 11TH AND 12TH STREETS URBAN RENEWAL PLAN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The council finds:

(A) The council adopted the East 11th and 12th Streets Urban Renewal Plan on January 14, 1999 by Ordinance No. 990114-G, the First Plan Modification on Austin 2, 2001 by Ordinance No. 010802-089, the Second Plan Modification on July 31, 2003 by Ordinance No. 030731-049, the Third Plan Modification on April 7, 2005 by Ordinance No. 20050407-060, and the Fourth Plan Modification on February 28, 2008 by Ordinance No. 20080228-113 (collectively referred to as the Plan);

(B) A fifth modification to the Plan is described in Exhibit A, attached to and made part of this ordinance (Fifth Plan Modification);

(C) In accordance with Section 374.014(b) of the Local Government Code:

(1) The Urban Renewal Agency of the City of Austin reviewed the proposed changes to the Plan and adopted written recommendations that relate to those proposed changes on July 21, 2008 and on August 18, 2008, which are included in Exhibit A;

(2) The Planning Commission reviewed the proposed changes to the Plan and adopted written recommendations that relate to the proposed changes on September 23, 2008 and on October 14, 2008, which are included in Exhibit A;

(D) On November 20, 2008, the council held a public hearing in accordance with Section 374.014(c) of the Local Government Code on the Fifth Plan Modification.

(E) After the hearing and in accordance with Section 374.014(d) of the Local Government Code, City Council found that:

(1) a feasible method exists for the relocation, in decent, safe, affordable, and sanitary accommodations, of families or individuals who will be displaced from the urban renewal area, without undue hardship to those persons;

(2) the Fifth Plan Modification conforms to the general plan for municipal development; and

(3) the Fifth Plan Modification offers the maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

PART 2. In accordance with Section 374.014(e) of the Local Government Code, the council adopts the Fifth Plan Modification to the Plan.

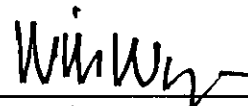
PART 3. The city clerk shall attach a copy of the Fifth Plan Modification to the minutes of the council meeting during which the Fifth Plan Modification is adopted and file a certified copy of the Fifth Plan Modification in the real property records of Travis County, Texas.

PART 4. This ordinance takes effect on December 1, 2008.

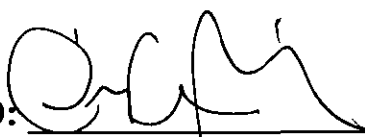
PASSED AND APPROVED

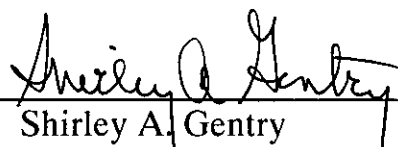
_____, November 20, 2008

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Will Wynn
Mayor

APPROVED: 
David Allan Smith
City Attorney

ATTEST: 
Shirley A. Gentry
City Clerk

Proposed Modifications to the East 11th and 12th Streets Urban Renewal Plan

Exhibit A

November 20, 2008

Project Number/Name	Existing Controls	Proposed Changes	Urban Renewal Agency Recommendation	Planning Commission Recommendation	Modification
900 Block of East 11th Street (a.k.a. Blk 16)					
11-1/11th St. Juniper Mixed-Use North side of 11th St. and south side of Juniper between Branch St and Curve St..	Reuse Objective: Provide New Mixed-Use Development (Residential and Non-Residential)	No Changes	Yes	Yes	No Changes
	Site area: 2.0 acres Permitted use: Mixed use/office/single family residential	Permitted use: Mixed use/office/single family residential and civic uses.	Permitted use: Mixed use/office/residential and civic uses.	Yes- URB Recommendation	Permitted use: Mixed use/office/residential and civic uses.
	Allowable height/permitted FAR: 60' max/1.0 total max FAR	Allowable height/permitted FAR: 60' max/1.6 total max FAR	Yes	Yes	Allowable height/permitted FAR: 60' max/1.6 total max FAR
	New commercial space: 25,000-35,000 sq ft maximum (Downtown & entertainment oriented retail)	New commercial space: Delete this project control.	Yes	Yes	New commercial space: This project control is deleted.
	Commercial space to be preserved: up to 2,000 square feet	Commercial space to be preserved: Delete this project control.	Yes	Yes	Commercial space to be preserved: This project control is deleted.
	New housing units: 15-25 rental flats	New housing units: Delete this project control.	Yes	Yes	New housing units: This project control is deleted.
	Existing housing to be preserved: 2 historic houses to be renovated One to remain on site, one to be relocated.	Existing housing to be preserved: Delete this project control.	No	No	Existing housing to be preserved: No change.

Proposed Modifications to the East 11th and 12th Streets Urban Renewal Plan

Exhibit A

November 20, 2008

Project Number/Name	Existing Controls	Proposed Changes	Urban Renewal Agency Recommendation	Planning Commission Recommendation	Modification
	Community parking spaces: 50-55 (limited on-street spaces available)	Community/Residential Parking Requirements: <u>Delete this project control.</u>	Yes	Yes	Community/Residential Parking Requirements: This project control deleted.
	Residential parking spaces: 25-30	Residential parking spaces: <u>Delete this project control.</u>	Yes	Yes	Residential parking spaces: This project control is deleted.
	Potential demolition: 3 houses, 2 duplexes up to 10,000 sq ft of commercial/office	Potential demolition: <u>Delete this project control.</u>	Yes	Yes	Potential demolition: This project control is deleted.
Section 1.0 Definitions	5. "Community Parking" - means any area within the designated URP. Provided by a public or private entity, which shall be designed for temporary accommodation of other vehicles of the motoring public in normal operating condition and situated so as to provide for use by the patrons of one of more retail, office and/or residential facility, or as a remote parking. The project owner may have to execute a parking agreement at the time of project approval by the Urban Renewal Agency.	Community Parking Space - A community parking space provided by a public or private entity in excess of the normal requirement, which is made available to other business uses within the URP as remote parking.	Yes	Yes	Community Parking Space - A community parking space provided by a public or private entity in excess of the normal requirement, which is made available to other business uses within the URP as remote parking.

Modifications to the East 11th and 12th Streets Urban Renewal Plan

Exhibit A

Project Number/Name	Existing Controls	Proposed Changes	Urban Renewal Agency Recommendation	Planning Commission Recommendation	Modification
1425 East 12th Street					
12-7/12th St. Garden Apartments, South side of 12th Street Between Comal St. & Angelina St., Subdistrict 3		12-7/12th St. Garden Apartments, South side of 12th Street between Comal St and Angelina St. excluding 1425 E. 12th Street which will be commercial. Subdistrict 3	None	12-7/12th St. Garden Apartments, South side of 12th Street between Comal St and Angelina St. excluding 1425 E. 12th Street which will be commercial. Subdistrict 3	12-7/12th St. Garden Apartments, South side of 12th Street between Comal St and Angelina St. excluding 1425 E. 12th Street which will be commercial. Subdistrict 3
	Reuse Objective: Provide New Housing Opportunities on E. 12th St.	Reuse Objective: Provide New Housing Opportunities on E. 12th St. excluding 1425 E. 12th Street which will be commercial	None	Reuse Objective: Provide New Housing Opportunities on E. 12th St. excluding 1425 E. 12th Street which will be commercial	Reuse Objective: Provide New Housing Opportunities on E. 12th St. excluding 1425 E. 12th Street which will be commercial
	Permitted Use: Garden Apartments, condominiums, townhomes	Permitted Use: Garden Apartments, condominiums, townhomes, excluding 1425 E. 12th Street which will be commercial	None	Permitted Use: Garden Apartments, condominiums, townhomes, excluding 1425 E. 12th Street which will be commercial	Permitted Use: Garden Apartments, condominiums, townhomes, excluding 1425 E. 12th Street which will be commercial

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Section 1.0 Definitions	"Prohibited Uses" means on the E. 12th Street corridor adult-oriented businesses, automobile rentals, automotive repair services, bail bond services, campground, carriage stable, cocktail lounges save and accept for the property located at 1808 - 1812 East 12th Street, commercial plasma center, convenience storage, drop-off/recycling collection facility, drive-thru restaurant facilities, equipment sales, exterminating services, kennels, commercial laundry services, liquor sales, outdoor paw shop services, outdoor entertainment, outdoor recreation, service stations, telecommunication tower on ground, vehicle storage and veterinary (livestock) services	"Prohibited Uses" means on the E. 12th Street corridor adult-oriented businesses, automobile rentals, automotive repair services, bail bond services, campground, carriage stable, cocktail lounges save and except for the property located at 1425 East 12th Street, bail bond services, campground, carriage stable, cocktail lounges save and except for the property located at 1808 - 1812 East 12th Street, commercial plasma center, convenience storage, drop-off/recycling collection facility, drive-thru restaurant facilities, equipment repair services, exterminating services, kennels, commercial laundry services, liquor sales, outdoor entertainment, outdoor recreation, service stations save and except for the property located at 1425 East 12th Street, telecommunication tower on ground, vehicle storage and veterinary (livestock) services	"Prohibited Uses" means on the E. 12th Street corridor adult-oriented businesses, automobile rentals, automotive repair services, bail bond services, campground, carriage stable, cocktail lounges save and except for the property located at 1808 - 1812 East 12th Street, commercial plasma center, convenience storage, drop-off/recycling collection facility, drive-thru restaurant facilities, equipment repair services, equipment sales, exterminating services, kennels, commercial laundry services, liquor sales, pawn shop services, outdoor entertainment, outdoor recreation, service stations save and except for the property located at 1425 East 12th Street, telecommunication tower on ground, vehicle storage and veterinary (livestock) services	"Prohibited Uses" means on the E. 12th Street corridor adult-oriented businesses, automobile rentals, automotive repair services, bail bond services, campground, carriage stable, cocktail lounges save and except for the property located at 1808 - 1812 East 12th Street, commercial plasma center, convenience storage, drop-off/recycling collection facility, drive-thru restaurant facilities, equipment sales, exterminating services, kennels, commercial laundry services, liquor sales, pawn shop services, outdoor entertainment, outdoor recreation, service stations save and except for the property located at 1425 East 12th Street, telecommunication tower on ground, vehicle storage and veterinary (livestock) services	"Prohibited Uses" means on the E. 12th Street corridor adult-oriented businesses, automobile rentals, automotive repair services, bail bond services, campground, carriage stable, cocktail lounges save and except for the property located at 1808 - 1812 East 12th Street, commercial plasma center, convenience storage, drop-off/recycling collection facility, drive-thru restaurant facilities, equipment sales, exterminating services, kennels, commercial laundry services, liquor sales, pawn shop services, outdoor entertainment, outdoor recreation, service stations save and except for the property located at 1425 East 12th Street, telecommunication tower on ground, vehicle storage and veterinary (livestock) services