

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)	
1701 East MLK			X	
1703 East MLK			X	
1705 East MLK			X	

* 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

 X 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 X 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.

B. Please provide the results of the vote:

For 1 Against 3 (see July 10, 2007 minutes)

Neighborhood Planning and Zoning Department

OCEAN

AMENDED

- X 1. Completed VMU Opt-In Form, if applicable.
- X 2. Detailed description of the project and the location of the project, including a map of the project location or opted-out.
- X 3. Completed VMU Opt-In Form, if applicable.
- X 4. Completed VMU Opt-In Form, if applicable.
- X 5. Copy of the notice of the meeting at which the vote was taken.
- X 6. Copy of the meeting minutes at which vote was taken.

C. Number of people in attendance at the meeting: 21 (see July 10, 2007 minutes)

D. Please explain how notice of the meeting at which the vote was taken was provided:
The Agenda for the May meeting for voting on VMU was distributed to the OCEAN email list on April 30th & May 5th. The VMU ordinance was discussed during the Feb, March & April meetings. The OCEAN VMU decision was revised on July 10th, 2007.

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

see May 8, 2007 & July 10, 2007 minutes

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

Included

G. Please read and sign the following:

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

Neighborhood Plan Team By-Laws:

Neighborhood Association By-Laws: X

Other, as described in question A., above:

Richard W. Henderson
SIGNATURE OF CHAIR (OR DESIGNEE)

8/8/07
DATE

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



OCEAN STEERING COMMITTEE MEETING MINUTES

MEETING: Tuesday, May 8, 2007 6:00PM – 8:00PM

LOCATION: Carver Library / Room #1
1161 Angelina Street

PARTICIPANTS:

Rudy Williams	Nell Peterson	Tomas Pantin
Linda Johnston	Jill Ward	Jody Hatch
Mark Rogers	Darrell Meuth	Gina Fuentes
Bill Hardison	Judith Clarkson	Michael Casias
Raid Mohammad	Michael Guajardo	Ann Armstrong
Laura Caffery	Rob Seidenberg	Janice Friesen
Ann Magana	Luther C. Simond	Maria Ana Guerara
Brooks Calavan	Bobby Medders	D'Ann Johnson
Lucile Vaughn	Tom Hatch	Mary Helen Lopez
Linda Hutchins	Nathan Jones	Tonia Jones
Julia F. Mitchell	Jimmy Zapata	

Material distributed at meetings will be included in the minutes if a file of the material is provided.

THE FOLLOWING ITEMS WERE DISCUSSED AT THE TUESDAY, MAY 8, 2007 MEETING THE CARVER LIBRARY. THE FOLLOWING IS MY UNDERSTANDING OF ITEMS DISCUSSED:

1. General Business:

- A. March Meeting Minutes** / The April 10th Meeting Minutes were revised following their initial release. These minutes were reviewed and approved. Copies of the minutes to be approved were available at the meeting. The meeting minutes are sent by e-mail to the meeting minute list. New attendees who include their e-mail address on the sign in sheet will be sent the minutes. If you do not wish to receive the minutes contact billh@lsjohnston.com and your address will be removed. The minutes should be read by interested parties and are subject to revision until the time that they are approved at the following months meeting. Modifications agreed to at the time of approval will be incorporated into the posted minutes and become the approved meeting minutes.
- B. Neighborhood Improvement Funds** / During the March meeting OCEAN discussed using the Neighborhood Improvement Fund to plant Crepe Myrtles along the west side of Comal at the Oakwood Cemetery frontage. Laura Patlove, our City of Austin contact for the Improvement Funds, said she would look into the tree option on Comal. Laura wrote that Parks & Recreation Department proposes to plant 100 Crepe Myrtles along Comal at the cemetery at a cost of \$40 each for a total of \$4,000. This includes planting and staking the trees, watering them weekly for two years and monitoring them for three years. OCEAN voted unanimously to proceed with the tree planting on Comal. Following this decision there remains about \$6,000 in the fund. OCEAN voted to use the remaining money for additional trees to be planted in the ROW at locations within the neighborhood to be determined.
- C. OCEAN T-Shirts** / The T-Shirt project is moving forward slowly. Ann Armstrong, a driving force in the project, is completing work at UT and will refocus on the project in the near future.
- D. 1177 San Bernard / Olivet Church** / Michael Casias informed the committee that the City of Austin Historic Preservation Officer has determined the house at 1177 San Bernard will go before

the Landmark Commission for review before any consideration is made regarding demolishing or relocating the house.

- E. Saltillo Station TOD / The Saltillo Station Transit Oriented Development** roughly between 7th Street and 4th Street and Chicon and IH 35 is currently under study and the City of Austin and Capital Metro are seeking neighborhood input into the process. There have been and will be meetings than allow neighborhood input into the process. Those interested in this process and development should become involved and participate.

- 2. Vertical Mixed Use Ordinance:** Rudy and others in the meeting attended an Austin Neighborhood Council meeting that day. The ANC voted to petition the city to extend the VMU decision for another 3 to 6 months and wants a larger percentage of affordable housing in the mix and the affordability levels offered to lower levels of the Median Family Income. This position was supported by a majority of the committee. There was a discussion of the VMU Ordinance and its application and impact on the Central East Austin Neighborhood. Rudy Williams, D'Ann Johnson, Mark Rogers, Michael Casias, Judith Clarkson and others spoke to the issue. The neighborhood areas that automatically become VMU in June are both sides of 7th Street from IH 35 to Chicon, the north side of 7th Street from Chicon to Northwestern and the south side of MLK from Leona to Chicon. Most of the discussion revolved around what benefits and problems the VMU Ordinance brought to the neighborhood. When the City of Austin formulates the "Austin metropolitan" median family income and creates affordable housing costs around that number it provides little assistance to the majority of the residents of our neighborhood. In our and surrounding neighborhoods family incomes can reach 50% of that median level making the affordable housing offered by VMU as an incentive, beyond the reach of much of the neighborhood. Mark pointed out that a lot the multifamily housing for sale on the east side is already priced around that median family income level and the VMU would not so much increase affordable housing but instead create traffic and density problems. Another issue is that the area under consideration on the north side of 7th Street is separated from single family housing by only an alley. There was little support for considering other neighborhood streets of inclusion in the ordinance. Rob Seidenberg, Swede Hill Neighborhood president, said that the Swede Hill neighborhood was not want VMU zoning on 12th Street. The committee voted on the two major options in the ordinance.

1. To opt in or out

of VMU on the 7th Street and MLK corridors the committee voted:

20 to opt OUT and 2 to opt IN

2. To include any additional streets in the VMU ordinance the committee voted:

22 for no additional streets and 2 for additional VMU streets

Brooks Calavan requested that his properties, 1701-1705 East MLK Blvd, be specifically opted into the VMU ordinance. Brooks requested up zoning his three lots to GR-MU and was supported by OCEAN with height and conditional use restrictions. The city staff and Council only support LO zoning which Brooks represents as restricting some of his desired uses, uses which the committee has no objections. Brooks said that with VMU zoning on the site he could provide those uses and the neighborhood would get additional affordable housing. A motion was made and seconded to support VMU zoning for his lots with the affordability level of the housing at 60% of the median family income level.

Vote to include 1701 – 1705 East MLK Blvd in the VMU ordinance: 19 YES / no votes opposed

- 3. OCEAN Bylaws:** There was a review and discussion of OCEAN bylaws and their relation to OCEAN Committee meeting procedures. OCEAN has always held monthly general membership meetings with resident members eligible to vote on all issues brought to the committee for a vote. The bylaws describe a Board of Directors run organization with a Board of at least three but not more than eleven directors. The directors are Neighborhood Association Representatives and at large members. The bylaws call for an Annual Meeting of the general membership and a Regular Meeting of the Board of Directors following the annual meeting. Any additional Regular Meetings of the

Board of Directors are called by the Board through a resolution. The Board President or any three directors may also call a Special Meeting of the Board. From its conception OCEAN has always operated as a General Membership organization with regular monthly meetings and conducted its actions through a vote of the general membership. D'Ann Johnson is currently revising the bylaws and will provide an edited version that reflects actual meeting procedures at the June meeting for review and approval. Attached to the minutes e-mail are the current bylaws.

END OF MEETING
Bill Hardison



OCEAN STEERING COMMITTEE MEETING MINUTES

MEETING: Tuesday, July 10, 2007 6:00PM – 8:00PM

LOCATION: Carver Library / Room #1
1161 Angelina Street

PARTICIPANTS:

Rudy Williams	Cindy Widner	Gina Fuentes
Tomas Pantin	Ann Magana	Tonia Jones
Nathan Jones	Eric Jansson	Brooks Calavan
Darrell Meuth	Susan Collins	Judith Clarkson
Daniel Nelson	Michelle Hogan	Valerie Thatcher
Erika Zettl	Michael Casias	Eric Shropshire
Katie Halloran	Tina Bui	Scott Way

Material distributed at meetings will be included in the minutes if a file of the material is provided.
THE MINUTES ARE BY ERIKA ZETTL. THESE ITEMS WERE DISCUSSED AT THE TUESDAY, JULY 10, 2007 MEETING IN THE CARVER LIBRARY AND FOLLOWING IS MY UNDERSTANDING OF ITEMS DISCUSSED:

1. General Business:

A. Introductions / The participants stated their names and in which neighborhood they live or own property. There was some discussion about boundaries of Swede Hill and those who live on 13th Street east of Comal didn't know to which neighborhood they belonged. Rudy Williams concerned about accommodating all those including those that live outside of OCEAN area.

B. Announcements:

The Neighborhood Kiosk located at the old Dandelion and the new Blue Dalphia Restaurant needs to be moved. Cindy Widner volunteered to take the kiosk.

Cindy Widner announced the city-wide kilowatt challenge. URL on handout

On-going Community Activity:

*East 4th Friday on 11th Street: there is some question about whether this was event is still happening once a month.

*Homestead Protection: OCEAN is still seeking input from people wanting to add or modify the resolution

*NCCD: There is concern among neighborhood residents regarding the lack of compatibility standards between the NCCD and the surrounding neighborhood.

C. March Meeting Minutes / The June 12th Meeting Minutes were reviewed and approved. The meeting minutes are sent by e-mail to the meeting minute list. New attendees who include their e-mail address on the sign in sheet will be sent the minutes. If you do not wish to receive the minutes contact billh@lsjohnston.com and your address will be removed. The minutes should be read by interested parties and are subject to revision until the time that they are approved at the following months meeting. Modifications agreed to at the time of approval will be incorporated into the posted minutes and become the approved meeting minutes.

2. McMansion Ordinance:

City of Austin Neighborhood planners Katie Halloran (974-3509, katie.halloran@ci.austin.tx.us) & Tina Bui (974-2755 her last day was the Friday after this meeting) made a presentation to the committee. The topic of the presentation was the McMansion Ordinance. The McMansion Ordinance allows a *.4 FAR (floor to area ratio) or 2300 sq. ft. whichever is larger to currently regulate the size of a house constructed in Austin. Houses submitted for a construction permit must be within these size limits and within the approved construction envelope in order to obtain the permit for construction. There was some discussion about how this applied to lots under 5,750 ft (standard lot size). If a house on a lot smaller than 5,750 sq. ft. fits within the construction envelope for that lot it may be as large as 2300 sq. ft. The City of Austin will send out a notice about a public meeting the 16th of August at the Conley-Guerrero Senior Activity Center to invite the public to the forum to discuss revisions to the McMansion ordinance requested by OCEAN that applies the .4 FAR to all legal lots regardless of size.

Michael Casias asked Katie Halloran if we could add additional requests to our request for McMansion ordinance revision. Katie replied that you have to re-notice and start the process over. Then he asked if we can withdraw the application with out being docked and Katie replied yes. Swede Hill, according to Brooks Calavan, wants to opt out of the revisions to the McMansion ordinance requested by OCEAN. Tina Bui explained that their legal team was looking into this; however she thinks it will be applied to the whole neighborhood or not applied at all. The voices of sub-neighborhoods will not be recognized.

The McMansion ordinance is the only topic on the agenda for the August 16th meeting which will be used for getting general feedback and also showing strong support for another meeting. Eric Shropshire asked about small lots and the application of the .4 rule. Rudy Williams requested to City/Neighborhood planners that all handouts and presented material be readable. There followed a discussion about process. Michael said 3 public meetings is a minimum standard and that the schedule needs to be given out now. Katie said they don't list all 3 public hearings. Tina said the first meeting is in the middle of August, Planning Commission is late August, and the City Council meeting will be in September. That was the end of the discussion with the City of Austin planners.

3. OCEAN Neighborhood Improvement Fund:

The city wants the neighborhood to spend the grant from the City of Austin that is the Neighborhood Improvement Fund. Part of the money is allocated for trees along Comal at the Oakwood Cemetery. The neighborhood has shown interest in spending more of the money on additional trees in the neighborhood. There is also interest in spending a part of the fund to establish a neighborhood letter or flier announcing activities of interest within the neighborhood.

4. 12th Street NCCD (Neighborhood Conservation Combining District) Zoning:

The 12th Street NCCD zoning affects properties on the north and south side of 12th Street from IH-35 to Poquito Street. The NCCD was discussed at a land use subcommittee meeting. There was a discussion of the proposed lack of compatibility standards in the NCCD zoning. There was a comparison of the 12th Street NCCD proposed compatibility standards and the current City of Austin commercial compatibility standards and what the differences between the two will look like. There was some confusion regarding the setbacks with the alley. The committee voted on three compatibility options between the NCCD and the surrounding neighborhood.

1st MOTION made and SECONDED: Support comprise motion proposed by the Land Use Subcommittee, as follows: Proposed compatibility standards in lieu of setback proposed in the 12th Street NCCD.

A. Minimum Front Yard Setback Required / The front yard setback for buildings and parking regulated by the Commercial Design Standards

- B. Side Yard Setback and Compatibility / For side yards adjacent to properties outside the 12th Street NCCD structures must be at least 5 feet from the residential property line. Building height is governed by an inwardly sloping 45-degree angle compatibility setback plane beginning at a horizontal line 15 feet above the side property line. Starting location for height measurement is in accordance with the Residential Design and Compatibility Standards. Only sites with SF-4 or more restrictive zoning will trigger the side compatibility setback plane.
- C. Rear Setback and Height Compatibility / Structures on sites without an alley must be at least 10 feet from the shared property line. Structures on sites with an intervening alley must be at least 5 feet from the site property line. Height is governed by an inwardly sloping 45-degree angle compatibility setback plane beginning at a horizontal line 15 feet directly above the shared SF property line. Starting location for height measurement is in accordance with Residential Design and Compatibility Standards. Only sites with SF-4 or more restrictive zoning will trigger the rear compatibility setback plane.
- D. All compatibility requirements of properties within the 12th Street NCCD are waived.

3 FOR MOTION / 13 OPPOSED MOTION

2nd MOTION made and SECONDED: Compatibility between the NCCD and the neighborhood complies with the McMansion compatibility standards between residences:

4 FOR MOTION / 12 OPPOSED MOTION

3rd MOTION made and SECONDED: Compatibility between the NCCD and the neighborhood complies with the standard commercial compatibility between commercial and SF-3 zoning

9 FOR MOTION / 7 OPPOSED MOTION

5. Vertical Mixed Use / VMU:

Tomas Pantin spoke to the committee about vertical mixed use. At the last meeting OCEAN voted to not have VMU on the north side of 7th Street and not have VMU along the south side of MLK Street. The Land Use Subcommittee meeting held since the June OCEAN meeting thought the VMU issue should be revisited looking specifically at 7th Street. The VMU options recommended that trigger affordable housing are relaxed dimensional standards and additional uses. Reduced parking requirements were not recommended. The deadline for submitting the neighborhood VMU decisions is August 9.

MOTION made and SECONDED: Suspend normal procedures and vote on VMU at this meeting.

VOTE: 11 FAVORED MOTION / 4 OPPOSED MOTION

MOTION made and SECONDED: Opt in to VMU the south side of 7th Street with relaxed dimensional standards and additional uses the only options triggering affordable housing in a project.

VOTE: 7 FAVORED MOTION / 3 OPPOSED MOTION

6. Weed and Seed:

There was an explanation of what the program is and does. Weed and Seed is a program that connects federal prosecutors, the police, and the neighborhoods. There was a suggestion to write a letter requesting the review of Weed and Seed procedures and results as it exists. The Weed and Seed program receives a federally funded grant of \$175,000 a year. Very specific areas of the city are targeted for the Weed and Seed program. Sergeant William Beck spoke to the committee about the program. Weed and Seed is run by APD, city agencies, and volunteers in the neighborhoods. One half of the money is used to employ 2 officers to the 12th Street / Chicon Street area. The other half of the money goes toward youth and family programs, summer youth employment, life changers, safe haven funds, neighborhood clean-up, and drug prevention, intervention, and treatment. Oct. 7th is when the Weed and Seed program will receive the funds for next year (2008). Rudy Williams expressed his displeasure about this program complaining that the Weed and Seed Steering Committee

is not really interested in what the general public has to say at meetings. Mary Ellen Lopez said she felt that the program is working. Nell Peterson expressed her disappointment at the lack of follow-through in the Weed and Seed Program. A question was posed about alternative sentencing for youth instead of incarceration. Beginning July 22nd the APD neighborhood liaison will be Chris Davis.

END OF MEETING

Erika Zettl

1401
1403
1405
1407

1301
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1307
1309
1311

1201
1203
1205
1211

East 7th St

1109
1121

1001
1003
1007
1021

901
903
905
907
909
911

619
813

VMU LEAVE-IN

OCEAN
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East 7th St

1401
1403
1405
1407
1409
1411

1501
1505
1507-2
1509-2
1511-2

1601

1605
1607

161
1613
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162
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1703
1701

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1807

1823

VMU LEAVE-IN

OCEAN

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701
814
816
900
902
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922

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1004
1006
1008
1010
1022

East 7th St

701	1202
	1204
	1208
	1214
	1216

1300
1304
1306
1308

VMU OPT-OUT

OCEAN

Page 1 of 3

1900
1908
1910
1912

1600	1614	
1602	1616	1620
1604		
1606		
1610		
1612		

East 7th St

VMU OPT-OUT

OCEAN

Page 2 of 3

2316
 2314
 2314
 2214-2
 2200-2
 2200-2
 2200-2

1908
1910
1912
1918
1920
1922
2000-2
2002
2004
2006
2008
2010
2012
2020
2120
2126
2136
2142
2150

East 7th St

VMU OPT-OUT

OCEAN
 Page 3 of 3

OCEAN OPT-IN

E. MARTIN LUTHER KING BLVD.

1701
1703
1705

OCEAN OPT-OUT

E. MARTIN LUTHER KING BLVD.

1709
1812

1809
1810

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*: CENTRAL EAST AUSTIN

ORGANIZATION OF CENTRAL EAST AUSTIN NEIGHBORHOODS
(OCEAN)

*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 _____

PHONE _____

E-MAIL _____

MAILING ADDRESS _____

AUSTIN, TX 78702

SECONDARY CONTACT INFORMATION:

NAME _____

PHONE _____

E-MAIL _____

MAILING ADDRESS _____

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)
ORGANIZATION OF CENTRAL EAST AUSTIN NEIGHBORHOODS					
VOTED TO OPT OUT OF VMU FOR ALL PROPERTIES					
ALONG THE 7TH STREET CORRIDOR & THE					
EAST MLK CORRIDOR WITHIN THE NEIGHBORHOOD					
BOULEVARD					

* 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 OUTSIDE 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

[illegible]

* 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

X _____ 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 X 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.

B. Please provide the results of the vote:

OPT IN For 2 **OPT OUT** Against 20
Neighborhood Planning and Zoning Department

C. Number of people in attendance at the meeting: 32

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

THE AGENDA FOR THE MAY MEETING FOR VOTING ON VMU
WAS DISTRIBUTED TO THE OCEAN E-MAIL LIST ON APRIL 30
AND MAY 5TH. THE V.M.U. ORDINANCE WAS DISCUSSED
DURING THE FEB, MARCH & APRIL MEETINGS

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:

Neighborhood Association By-Laws: X

Other, as described in question #4 above: _____

Rudolph C. Williams
SIGNATURE OF CHAIR (OR DESIGNEE)

DATE

6/1/07

Organization of Central East Austin Neighborhoods
President: Rudy Williams

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

**VERTICAL MIXED USE APPLICATION
SUBMITTAL CHECKLIST**

- X 1. Completed application with signature of chairperson.
- 2. Detailed maps showing locations of properties opted-in or opted-out.
- X 3. Completed VMU Opt-Out Form, if applicable.
- X 4. Completed VMU Opt-In Form, if applicable.
- X 5. Copy of the notice of the meeting at which the vote was taken.
- X 6. Copy of the meeting minutes at which vote was taken.



OCEAN STEERING COMMITTEE MEETING MINUTES

MEETING: Tuesday, May 8, 2007 6:00PM – 8:00PM

LOCATION: Carver Library / Room #1
1161 Angelina Street

PARTICIPANTS:

Rudy Williams	Nell Peterson	Tomas Pantin
Linda Johnston	Jill Ward	Jody Hatch
Mark Rogers	Darrell Meuth	Gina Fuentes
Bill Hardison	Judith Clarkson	Michael Casias
Raid Mohammad	Michael Guajardo	Ann Armstrong
Laura Caffery	Rob Seidenberg	Janice Friesen
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Brooks Calavan	Bobby Medders	D'Ann Johnson
Lucile Vaughen	Tom Hatch	Mary Helen Lopez
Linda Hutchins	Nathan Jones	Tonia Jones
Julia F. Mitchell	Jimmy Zapata	

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THE FOLLOWING ITEMS WERE DISCUSSED AT THE TUESDAY, MAY 8, 2007 MEETING THE CARVER LIBRARY. THE FOLLOWING IS MY UNDERSTANDING OF ITEMS DISCUSSED:

1. General Business:

- A. March Meeting Minutes** / The April 10th Meeting Minutes were revised following their initial release. These minutes were reviewed and approved. Copies of the minutes to be approved were available at the meeting. The meeting minutes are sent by e-mail to the meeting minute list. New attendees who include their e-mail address on the sign in sheet will be sent the minutes. If you do not wish to receive the minutes contact billh@lsjohnston.com and your address will be removed. The minutes should be read by interested parties and are subject to revision until the time that they are approved at the following months meeting. Modifications agreed to at the time of approval will be incorporated into the posted minutes and become the approved meeting minutes.
- B. Neighborhood Improvement Funds** / During the March meeting OCEAN discussed using the Neighborhood Improvement Fund to plant Crepe Myrtles along the west side of Comal at the Oakwood Cemetery frontage. Laura Patlove, our City of Austin contact for the Improvement Funds, said she would look into the tree option on Comal. Laura wrote that Parks & Recreation Department proposes to plant 100 Crepe Myrtles along Comal at the cemetery at a cost of \$40 each for a total of \$4,000. This includes planting and staking the trees, watering them weekly for two years and monitoring them for three years. OCEAN voted unanimously to proceed with the tree planting on Comal. Following this decision there remains about \$6,000 in the fund. OCEAN voted to use the remaining money for additional trees to be planted in the ROW at locations within the neighborhood to be determined.
- C. OCEAN T-Shirts** / The T-Shirt project is moving forward slowly. Ann Armstrong, a driving force in the project, is completing work at UT and will refocus on the project in the near future.

- D. **1177 San Bernard / Olivet Church** / Michael Casias informed the committee that the City of Austin Historic Preservation Officer has determined the house at 1177 San Bernard will go before the Landmark Commission for review before any consideration is made regarding demolishing or relocating the house.
 - E. **Saltillo Station TOD** / The Saltillo Station Transit Oriented Development roughly between 7th Street and 4th Street and Chicon and IH 35 is currently under study and the City of Austin and Capital Metro are seeking neighborhood input into the process. There have been and will be meetings than allow neighborhood input into the process. Those interested in this process and development should become involved and participate.
2. **Vertical Mixed Use Ordinance:** Rudy and others in the meeting attended an Austin Neighborhood Council meeting that day. The ANC voted to petition the city to extend the VMU decision for another 3 to 6 months and wants a larger percentage of affordable housing in the mix and the affordability levels offered to lower levels of the Median Family Income. This position was supported by a majority of the committee. There was a discussion of the VMU Ordinance and its application and impact on the Central East Austin Neighborhood. Rudy Williams, D'Ann Johnson, Mark Rogers, Michael Casias, Judith Clarkson and others spoke to the issue. The neighborhood areas that automatically become VMU in June are both sides of 7th Street from IH 35 to Chicon, the north side of 7th Street from Chicon to Northwestern and the south side of MLK from Leona to Chicon. Most of the discussion revolved around what benefits and problems the VMU Ordinance brought to the neighborhood. When the City of Austin formulates the "Austin metropolitan" median family income and creates affordable housing costs around that number it provides little assistance to the majority of the residents of our neighborhood. In our and surrounding neighborhoods family incomes can reach 50% of that median level making the affordable housing offered by VMU as an incentive, beyond the reach of much of the neighborhood. Mark pointed out that a lot of the multifamily housing for sale on the east side is already priced around that median family income level and the VMU would not so much increase affordable housing but instead create traffic and density problems. Another issue is that the area under consideration on the north side of 7th Street is separated from single family housing by only an alley. There was little support for considering other neighborhood streets of inclusion in the ordinance. Rob Seidenberg, Swede Hill Neighborhood president, said that the Swede Hill neighborhood was not want VMU zoning on 12th Street. The committee voted on the two major options in the ordinance.
 1. **To opt in or out of VMU on the 7th Street and MLK corridors the committee voted:**
20 to opt OUT and 2 to opt IN
 2. **To include any additional streets in the VMU ordinance the committee voted:**
22 for no additional streets and 2 for additional VMU streets

Brooks Calavan requested that his properties, 1701-1705 East MLK Blvd, be specifically opted into the VMU ordinance. Brooks requested up zoning his three lots to GR-MU and was supported by OCEAN with height and conditional use restrictions. The city staff and Council only support LO zoning which Brooks represents as restricting some of his desired uses, uses which the committee has no objections. Brooks said that with VMU zoning on the site he could provide those uses and the neighborhood would get additional affordable housing. A motion was made and seconded to support VMU zoning for his lots with the affordability level of the housing at 60% of the median family income level.

Vote to include 1701 – 1705 East MLK Blvd in the VMU ordinance: 19 YES / no votes opposed
 3. **OCEAN Bylaws:** There was a review and discussion of OCEAN bylaws and their relation to OCEAN Committee meeting procedures. OCEAN has always held monthly general membership meetings with resident members eligible to vote on all issues brought to the committee for a vote. The bylaws describe a Board of Directors run organization with a Board of at least three but not more than

eleven directors. The directors are Neighborhood Association Representatives and at large members. The bylaws call for an Annual Meeting of the general membership and a Regular Meeting of the Board of Directors following the annual meeting. Any additional Regular Meetings of the Board of Directors are called by the Board through a resolution. The Board President or any three directors may also call a Special Meeting of the Board. From its conception OCEAN has always operated as a General Membership organization with regular monthly meetings and conducted its actions through a vote of the general membership. D'Ann Johnson is currently revising the bylaws and will provide an edited version that reflects actual meeting procedures at the June meeting for review and approval. Attached to the minutes e-mail are the current bylaws.

END OF MEETING

Bill Hardison



OCEAN COMMUNITY MEETING

May 8, 2007 / Carver Library / 1161 Angelina Street

AGENDA

- 6:00 pm Introductions / Announcements / General Business**
Review & approve Minutes of April 10, 2006 OCEAN Meeting
Update on Neighborhood Improvement Fund projects
Update on OCEAN T-Shirt Project
- 6:20 pm VMU Zoning**
Discussion of the VMU Ordinance and its application and impact on the Central East Austin Neighborhood
Voting on the various alternatives in the ordinance
Presentations by individual property owners of lots requesting inclusion in the VMU ordinance
- 7:00 pm Saltillo Station TOD**
Brief update on the new planning study for the Transit Oriented District between 7th and 4th Street and Saltillo Plaza and IH-35
- 7:10 pm OCEAN Bylaws**
Review and discussion of the OCEAN Bylaws and modifications aligning the bylaws to OCEAN operating procedures
- 7:40 pm Neighborhood Plan Amendments**
Discussion of the Neighborhood Plan Amendment Process and the McMansion Ordinance
- 8:00 pm Adjourn**



HUSTON-TILLOTSON UNIVERSITY

OFFICE OF THE PRESIDENT

August 25, 2009

Ms. Minal Bhakta
Neighborhood Planner
City of Austin
Planning & Development Review Department
Austin, Texas

Dear Ms. Bhakta:

This letter is written to reconfirm that on advice from trusted counsel, Huston-Tillotson University will opt in to the Vertical Mixed Use overlay for 7th Street development planning. Additionally, we want to receive all three bonus incentives. We understand that the decision will facilitate processes as we move forward to develop the HT campus primarily for the construction of a Community Health and Wellness Center, married student housing condominiums with mixed retail space on the lobby level, and appropriate parking to support both residential and retail constituents.

The University's future plans also include converting the lot at the corner of 7th and Chalmers the main entry to campus with an arch over Chalmers Street and a building on the corner that would serve as office space for admission and financial aid.

The Huston-Tillotson University master plan will be implemented in phases. Approval of the VMU zoning with all three incentives will assist the University as we implement the HT Master Plan. Should you have additional questions, please contact us.

Sincerely,


Larry L. Earvin, Ph.D.
President and CEO

Cc: Councilmember Sheryl Cole
Mr. David A. Talbot
Mr. Leonard Smith
Ms. Nanneska Hazel



August 10, 2009

Re: OCEAN explanation of action regarding VMU Overlay

Dear Honorable Mayor, City Council Members and Planning Commissioners:

The Board of Directors of the Organization of Central East Austin Neighborhoods (OCEAN) would like to assist you as you deliberate over Vertical Mixed-Use (VMU) overlay cases in the Central East Austin Neighborhood Plan area. It, therefore, offers the following explanation for past and current positions regarding the opt-in and opt-out options for the VMU overlay.

During the original opt-in, opt-out process for VMU, OCEAN opted-in those properties where commercial mixed-use existed uniformly along the block face and where there was favorable consensus among property owners, business owners and residents. Subsequently, the City of Austin replaced the VMU overlay in some of areas, such as along the south side of East 7th Street, with TOD zoning.

In areas where commercial mixed-use zoning was sporadic, usually interspersed with single-family use and zoning, and where there was not clear consensus to opt-in VMU, OCEAN membership thought it was best to allow property owners to apply for VMU on a case by case basis. This would give adjacent owners, residents and OCEAN membership an opportunity to review the particular circumstances, the benefits and detriments, of supporting or opposing the request.

OCEAN applied its recently revised bylaws for the cases before you currently so that it affirmed the decisions of the registered neighborhood associations wherein the properties are located.

Sincerely,

David R. Thomas, President

Bhakta, Minal

From: Nathan Wilkes [mailto:nwilkes@ci.austin.tx.us]
Sent: Thursday, August 13, 2009 8:21 AM
To: Bhakta, Minal
Subject: Re: Central East Austin VMU case
Follow Up Flag: Follow up
Flag Status: Red

A suggestion for VMU on Houston Tillitson would be to allow VMU on the 7th street frontage and to recreate the southern facing sloped lawn as a level field integrated into living roofs on the VMU. Currently the retaining wall and sidewalk bordering Houston Tillitson make a poor environment for pedestrians. That tract will be one of the big barriers to creating the VMU atmosphere on 7th. This option could also provide income to Houston Tillitson to further their education goals and keep compatibility with the neighborhood.

Nathan

On Wed, Aug 12, 2009 at 2:04 PM, Bhakta, Minal <Minal.Bhakta@ci.austin.tx.us> wrote:

Hello all,

The Central East Austin VMU case was postponed last night to August 25th. One of the Commissioners had concerns about Huston-Tillotson property receiving VMU zoning with all 3 incentives. They have requested a letter from Huston-Tillotson Board or President explaining their desire to remain in the VMU overlay district. The Council hearing date will be postponed to September 24th because of the PC postponement. If anything changes, I will be sure to let you know. Your comments from yesterday will be included as part of the staff back-up materials for August 25th PC hearing.

Let me know if you have any questions for me. Thanks.

Minal Bhakta - *Neighborhood Planner*

City of Austin

Planning & Development Review Dept.

Tel: 512 - 974 - 6453

Fax: 512 - 974 - 6054

Email: Minal.Bhakta@ci.austin.tx.us

Agenda Item #

Bhakta, Minal

From: Nathan Wilkes
Sent: Tuesday, August 11, 2009 8:15 AM
To: Bhakta, Minal
Cc:
Subject: Re: Fw: RE: Planning Hearing Tuesday

Minal,

I whole heartedly support VMU on East 7th street. The presence of people on the street will help positively transform what is currently a barrier to everything but the automobile into a liveable space. I recommend that strong affordability targets be set with the zoning change so there is compatability with the longstanding residences and communities in place there. Many times VMU projects bring in alien populations to an area and transform it in ways that benefit only those with high incomes. The idea behind VMU is great and that there is potential for it to serve people in existing communities. I would like to see the ideas of livability and luxury seperated.

Thanks,
 Nathan Wilkes
 2006 East 9th Street

On Mon, Aug 10, 2009 at 1:39 PM, < > wrote:

Nathan-

Not sure how you feel about VMU, but i think people living on 7th will change the stretch for the better. I at least think it should remain an option for those willing property owners, at least not completely ruled out. If you have an opinion one way or the other, an email to Minal before tomorrow will be seen and useful.

JT

 JT Stewart
 Planning/Ecology/GIS Analysis
 URS Corporation

-----Forwarded by JT Stewart/Austin/URSCorp on 08/10/2009 01:17PM -----

To: < >
 From: "Bhakta, Minal" <Minal.Bhakta@ci.austin.tx.us>
 Date: 08/10/2009 12:37PM
 Subject: RE: Planning Hearing Tuesday

Hello JT,

I forgot to mention over the phone that any letters of support or opposition that we receive regarding a particular case is considered public information. These letters are usually included in the staff back-up materials which are

8/11/2009

Bhakta, Minal

From: Hampton, Alan [,
Sent: Tuesday, August 11, 2009 1:11 PM
To: Bhakta, Minal
Cc: BlacklandNA@gmail.com; Michael Garrison
Subject: Central East Austin VMU Overlay File Number: C14-2009-0041

Dear Planning Commission members and City Council members,

I am writing to you in my official capacity as the President of Blackland Neighborhood Association, immediately to the north of several of the affected tracts. Our association has in the past carefully considered the appropriate land uses for Martin Luther King Jr Blvd, and has decided that Vertical Mixed Use on MLK is both appropriate and desirable.

We have qualified our support of VMU zoning on MLK Blvd with an affirmation of the rights and interests of individual property owners.

Therefore, we support the specific, written request of the owners of record of the tracts in question when choosing to opt-in or opt-out of VMU. In the absense of a written request by the owner of record of each tract, we oppose attempts to opt-out of VMU and request that both the Planning Commission and the City Council instead apply Vertical Mixed Use Building (V) zoning to all of the tracts in question.

Thank you,
Alan Hampton
President
Blackland Neighborhood Association

CC: Blackland Neighborhood Association
Michael Garrison, Chair BNA Land Use Committee
City of Austin Councilmembers (via the City of Austin website)

PLANNING COMMISSION COMMENT FORM

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

File # C14-2009-0041

Planning Commission Hearing Date: August 11, 2009

Name (please print) Sarah Leiseca

Address 2302 E. 8th St

Comments 7th street area should not be exempted.

- ☐ I am in favor
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)

PLANNING COMMISSION COMMENT FORM

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

File # C14-2009-0041

Planning Commission Hearing Date: August 11, 2009

Name (please print) Elizabeth Washington

Address 5512 Overbrook Dr Austin Tx 78703

Comments 2205 E. 9th St. Austin Tx 78702

- ☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

PLANNING COMMISSION COMMENT FORM

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

File # C14-2009-0041

Planning Commission Hearing Date: August 11, 2009

Name (please print) Eugene C STARK JR

Address 5512 Overbrook Dr Austin Tx 78723

Comments C14-2009-0041

- ☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)