# VERTICAL MIXED USE OPT-IN FORM

<table>
<thead>
<tr>
<th>ADDRESS OF PROPERTY*</th>
<th>APPLICATION AREA:</th>
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<tbody>
<tr>
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<td>Opt-In for Dimensional Standards (These standards are a &quot;package&quot; and must be accepted or rejected as such)</td>
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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
- [X] 70% of median family income
- [ ] 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:

1. Completed DMU Opt-In Form, if applicable.

2. Detailed DMU Opt-In Form, if applicable.

3. Completed VMU Opt-In Form, if applicable.

4. Copy of the notice of the meeting at which the vote was taken.

5. Copy of the meeting minutes at which the vote was taken.
C. Number of people in attendance at the meeting: 2 (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:
Other, as described in question A., above:

[Signature]
SIGNATURE OF CHAIR (OR DESIGNEE) 8/8/07

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@jsjohnston.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 it 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 Delphina 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.

2. 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 FAVERED 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 FAVERED 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
VMU LEAVE-IN

OCEAN

Page 1 of 2
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 __________

Neighborhood Planning and Zoning Department
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

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<td>Amend the boundaries of the VMU Overlay District to exclude this property</td>
<td>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.</td>
<td>Opt-Out of Dimensional Standards (These standards are a &quot;package&quot; and must be accepted or rejected as such)</td>
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**ORGANIZATION OF CENTRAL EAST AUSTIN NEIGHBORHOODS VOTED TO OPT OUT OF VMUA FOR ALL PROPERTIES ALONG THE 7TH STREET CORRIDOR & THE EAST MLK COLONIAL WITHIN THE NEIGHBORHOOD BOUNDARIES**

* 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

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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
- 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  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  2  Opt OUT  20

Neighborhood Planning and Zoning Department  6  February 20, 2007
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 VIMU 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:
Other, as described in question 2, above: 8

[Signature]

SIGNATURE OF CHAIR (OR DESIGNEE) 6/11/07  

DATE

[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

Neighborhood Planning and Zoning Department
February 20, 2007
VERTICAL MIXED USE APPLICATION
SUBMITTAL CHECKLIST

☑ 1. Completed application with signature of chairperson.

☐ 2. Detailed maps showing locations of properties opted-in or opted-out.

☑ 3. Completed VMU Opt-Out Form, if applicable

☑ 4. Completed VMU Opt-In Form, if applicable.

☑ 5. Copy of the notice of the meeting at which the vote was taken.

☑ 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
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   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 it 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 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

centraleast aust in.org
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,

[Signature]
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,

[Signature]

David R. Thomas, President
A suggestion for VMU on Houston tillotson 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 Tillotson 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 Tillotson to further their educations 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
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 compatibility 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 separated.

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

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

To: "Bhakta, Minal" <Minal.Bhakta@austin.tx.us>
From: "Bhakta, Minal" <Minal.Bhakta@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
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 absence 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
(Stmtoy 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 78703
Comments 2205 E 9th St Austin 78702

☐ I am in favor
(Stmtoy 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 Sr
Address 5512 Overbrook Dr Austin 78723
Comments C14-2009-0041

☐ I am in favor
(Stmtoy de acuerdo)
☐ I object
(No estoy de acuerdo)