



**Neighborhood Plan - Conduct and Consider
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-1
AGENDA DATE: Thu 01/29/2004
PAGE: 1 of 2**

SUBJECT: Conduct a public hearing and approve an ordinance to amend the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to establish the areas in which certain special uses are permitted.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Neighborhood Planning **DIRECTOR'S**
DEPARTMENT: and Zoning **AUTHORIZATION:** Alice Glasco

FOR MORE INFORMATION CONTACT: Lisa Kocich, 974-3509

PRIOR COUNCIL ACTION: December 13, 2001 - City Council adopted the Central East Austin Neighborhood Plan.

BOARD AND COMMISSION ACTION: December 9, 2003: The Planning Commission voted to recommend the sub-district amendment. Vote: 6-0, M.Casias abstained, L.Ortiz on leave.

BACKGROUND:

City Council adopted the Central East Austin Neighborhood Plan and rezonings on December 13, 2001. The boundaries of the Central East Austin Neighborhood Planning area are Martin Luther King Jr. Blvd. on the north, Chicon and Northwestern on the east, East 7th Street on the south, and IH-35 on the west. When the Central East Austin Neighborhood Plan was adopted, the Code only authorized establishing the special uses and lot reduction provision (infill options) for the entire planning area. The planning team recommended that the reduction of lot size, secondary apartment, and urban home options be applied area-wide, but requested the City to amend the Code to allow the infill options to be limited to only certain areas of the planning area (sub-districts). The neighborhood planning contact team/OCEAN (Organization of Central East Austin Neighborhoods) has submitted a neighborhood plan amendment that creates a sub-district to permitted second apartment and urban home infill special use options in a new sub-district located in the western half of the neighborhood plan area.

The Central East Austin Neighborhood Plan supports this request with the following excerpt from the plan:

Housing, page 11: Based on two neighborhood wide surveys and feedback throughout the planning process, the majority of stakeholders supported the Smart Growth Infill Special Uses allowing Secondary Apartments (garage apartments or granny flats), Small Lot Amnesty, and Urban Homes. However, residents and members of the Blackshear Neighborhood Association opposed allowing garage apartments in their neighborhood. The current Smart Growth Infill Ordinance gives neighborhoods the option of choosing the above residential Infill Special Uses as part of an adopted neighborhood plan but they must be allowed in the entire planning area. The NPT made a difficult decision to recommend the Secondary Apartment Special Use despite not



**Neighborhood Plan - Conduct and Consider
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-1
AGENDA DATE: Thu 01/29/2004
PAGE: 2 of 2**

having complete support. The NPT would like the City to consider revisiting the Smart Growth Infill Ordinance to allow for applying these uses to sub-areas within a neighborhood planning area.”

A neighborhood wide meeting was held November 4, 2003 to gain input from the neighborhood on the proposed amendment. The outcome of the meeting was support for this amendment to go forward.

Staff is recommending this plan amendment case.



**Neighborhood Plan - Conduct and Consider
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-1
AGENDA DATE: Thu 01/29/2004
PAGE: 2 of 2**

having complete support. The NPT would like the City to consider revisiting the Smart Growth Infill Ordinance to allow for applying these uses to sub-areas within a neighborhood planning area.”

A neighborhood wide meeting was held November 4, 2003 to gain input from the neighborhood on the proposed amendment. The outcome of the meeting was support for this amendment to go forward.

Staff is recommending this plan amendment case.

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Central East Austin

CASE#: NPA-03-0009.03

ADDRESS: Area within the boundaries of the Central East Austin Neighborhood Planning Area (Martin Luther King Jr. Blvd on the north, Chicon and Northwestern on the east, E. 7th Street on the south and IH-35 on the west).

APPLICANT: Organization of Central East Austin Neighborhoods (OCEAN), the neighborhood planning contact team

OWNER: N/A

TYPE OF AMENDMENT:

Change in Neighborhood Plan Text:

- (1) To create and define one sub-district within the boundaries of the Central East Austin Neighborhood Planning Area:

Sub-district 1: N- Martin Luther King Jr. Blvd, E- Chicon to Rosewood, E.11th Street to Comal, S- alley between E. 6th and E. 7th Street, W- IH-35.

- (2) To include a map in the Central East Austin Neighborhood Plan document illustrating the sub-district. (See Exhibit A)

- (3) Change plan text for Goal 2, Objective 2.2, Action Item 8 & 10 – Add the phrase “in sub-district 1”.

Zoning Change:

To create a sub-district to allow for the modification of where the Secondary Apartment and Urban Home Infill special use options are permitted within the boundaries of the Central East Austin NP.

Related Zoning Case #: C14-03-0175

Note: A plan amendment and an accompanying rezoning is required to accomplish the sub-district request as the end result will be changes to the plan text as well as changes to the zoning ordinance.

DEPARTMENT COMMENTS/BACKGROUND INFORMATION:

The Central East Austin Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on December 13, 2001. The boundaries of the planning area are: Martin Luther King Jr. Blvd. on the north, Chicon and Northwestern on the east, E. 7th Street on the south and IH-35 on the west. When the Central East Austin neighborhood was going through the neighborhood planning process, creating sub-districts for the special use infill options was not allowed. One result of the Central East Austin neighborhood planning process was the request to the City to amend the Special Use Infill Option ordinance to allow for the creation of sub-districts so only certain areas could be chosen to apply the infill option to instead of being required to apply them area wide. Specifically for the Central East Austin Neighborhood Planning area, the Blackshear Prospect Hill Neighborhood was not in support of the Secondary Apartment and Urban Home option for their neighborhood. The planning team made a difficult decision to recommend the two options area wide but requested the City to revise the Infill Option ordinance to allow for the creation of sub-districts. The City has since amended the

ordinance to allow for sub-districts for certain infill special use options. This amendment request to the Central East Austin Neighborhood Plan and zoning is to take advantage of that option and request the creation of one (1) sub-district.

After an application was submitted by the Organization of Central East Austin Neighborhoods (OCEAN)/neighborhood planning contact team, a neighborhood area wide meeting was held on November 4, 2003 to discuss the amendment to the Central East Austin Neighborhood Plan. The outcome of the meeting was general support for the amendment to create sub-districts.

WATERSHED: Town Lake

STAFF RECOMMENDATION:

Staff recommends the creation of new sub-districts within the boundaries of the Central East Austin Neighborhood Plan.

BASIS FOR RECOMMENDATION

1. There has been a change in conditions. Sub-districts are now an option for the special use infill options where as the creation of sub-districts was not allowed when this neighborhood was undergoing the neighborhood planning process.
2. Rezoning and plan amendments should be consistent with an adopted neighborhood plan. The neighborhood is in support of the rezoning and plan amendment as they are consistent with text of the plan that states "However, residents and members of the Blackshear Neighborhood Association opposed allowing garage apartments in their neighborhood." And "The Neighborhood Planning Team would like the City to consider revisiting the Smart Growth Infill Ordinance to allow for applying these uses to sub-areas within a neighborhood planning area." See Exhibit B.

PLANNING COMMISSION RECOMMENDATION:

December 9, 2003 – The Planning Commission voted 6-0 to recommend the creation of sub-districts.

NEIGHBORHOOD ORGANIZATIONS:

Blackshear Residents NA
Blackshear – Prospect Hill NA
Robertson Hill Neighborhood Organization
Swede Hill NA
Guadalupe Association for an Improved Neighborhood
12th Street Business/Property Owners Association
Davis – Thompson American Millennium NA
Organization of Central East Austin Neighborhoods (OCEAN)

CASE HISTORIES (Zoning and/or Neighborhood Plan Amendments):

NUMBER	REQUEST	CITY COUNCIL
NP-01-0009	Central East Austin Neighborhood Plan	Approved 12-13-01
C14-01-0148	Central East Austin Neighborhood Plan Combining District Rezoning	Approved 12-13-01

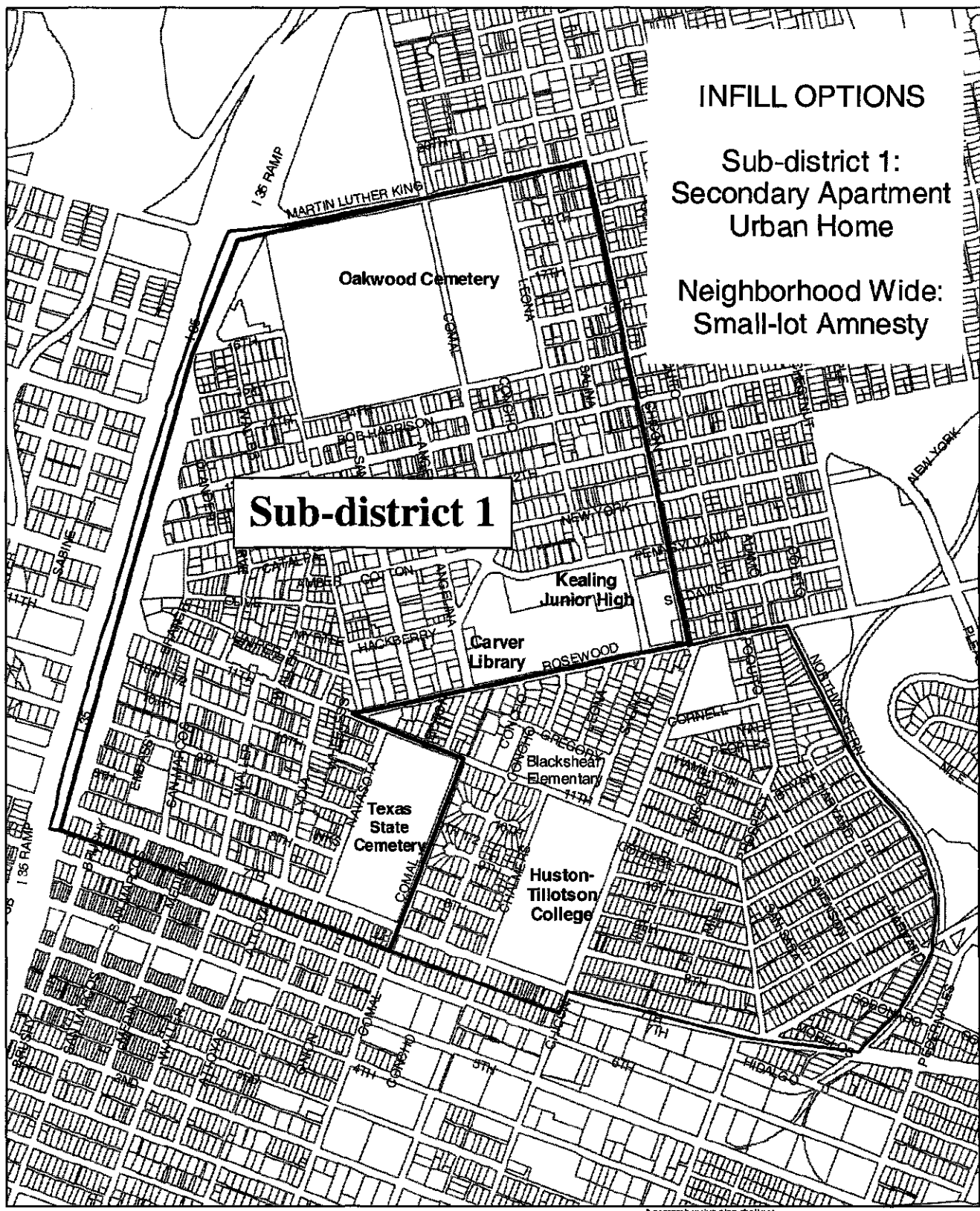
CITY COUNCIL DATE: January 8, 2004

ACTION:

CASE MANAGER: Lisa Kocich (plan amendment)
Annick Beaudet (zoning case)

PHONE: 974-3509
974-2975

EMAIL: lisa.kocich@ci.austin.tx.us
annick.beaudet@ci.austin.tx.us



INFILL OPTIONS

**Sub-district 1:
Secondary Apartment
Urban Home**

**Neighborhood Wide:
Small-lot Amnesty**

Sub-district 1

**Central East Austin Neighborhood Plan
Sub-districts for Infill Special Use Options**

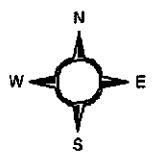


City of Austin
NPZD
1/29/2004

Case: NPA-03-0009.03,
accompanying zoning case C14-03-0175

A comprehensive plan shall not constitute zoning regulations or establish zoning districts.

This map has been produced by the City of Austin as a working staff map and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness. Reproduction is not permitted without prior written permission from the Neighborhood Planning & Zoning Dept., City of Austin.



ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 011213-41, WHICH ADOPTED THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AS AN ELEMENT OF THE AUSTIN TOMORROW COMPREHENSIVE PLAN, TO IDENTIFY THE AREA WITHIN THE PLANNING AREA IN WHICH CERTAIN SPECIAL USES ARE PERMITTED.

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

PART 1. Ordinance No. 011213-41 adopted the Central East Austin Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan.

PART 2. The following amendments apply to Exhibit A (Central East Austin Neighborhood Plan) attached to Ordinance No. 011213-41.

A. Action Item 8 of Objective 2.2 of Goal 2 is amended to read as follows:

Allow the construction of "Secondary Apartments" (garage apartments) on single family lots that meet Smart Growth Infill criteria for minimum lot sizes and site development standards in Subdistrict 1. Implementer – Neighborhood Planning and Zoning Department.

B. Action Item 10 of Objective 2.2 of Goal 2 is amended to read as follows:

Allow small lot "Urban Home" single family development for new or existing lots (3,500 square feet or greater) in Subdistrict 1. Implementer – Neighborhood Planning and Zoning Department.

C. A new Infill Options Map is added to identify Subdistrict 1, the area in which secondary apartment and urban home special uses are permitted. The boundaries of Subdistrict 1 are generally, IH-35 on the west; Martin Luther King, Jr. Boulevard on the north; Chicon, Rosewood, East 11th and Comal streets on the east; and the alley between East 6th and East 7th Streets on the South.

PART 3. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004

§
§
§

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Brown
City Clerk