

EDITS LEGEND:

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Grey Highlight – Chair Escobar Edits

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FINAL DRAFT FOR REVIEW ~~OCTOBER 21, 2019~~ JANUARY 29, 2020

URBAN RENEWAL PLAN

FOR THE

EAST 11TH AND 12TH STREETS URBAN RENEWAL AREA

Insert map of URP or of Dr. Urdy Plaza art wall or arch over E 11th Street.

(Originally adopted on December 17, 1999; amended on _____, 2020.)

Note: Some of the tables and figures from the original 1999 Urban Renewal Plan have been deleted or modified, as they were no longer accurate or relevant. The original plan is available at this website: <http://www.austintexas.gov/department/urban-renewal-plan>

Table of Contents

(to be finalized once review process is complete)

Background History

Accomplishments

1.0 Definitions

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1.0 Vision, Purpose, Authority and Scope

2.0 URP Illustrative Design Plan Site Development

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3.0 Applicability of NCCD Controls

4.0 Development Standards and Tear Sheets Land Use

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5.0 Relocation of Persons, Businesses (INCLUDING INDIVIDUALS AND FAMILIES, BUSINESS CONCERNS, AND OTHERS DISPLACED BY THE PROJECT)

6.0 Duration and Modification Procedures of URP and Redevelopment Project Controls

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Appendix

THE EAST 11 TH & 12TH STREETS URBAN RENEWAL PLAN (URP)

BACKGROUND HISTORY

This East 11th and 12th Streets Urban Renewal Plan ("URP" also referred to as the East 11th and 12th Streets Community Redevelopment Plan or "CRP"), is a comprehensive document defining the official public policy guidelines of the City of Austin (City) for driving public and private redevelopment actions of the East 11th and 12th Streets Urban Renewal Area in compliance with Texas Local Government Code, Chapter 374.

The URP's original conceptual approaches and strategies for the entire Central East Austin area were defined as part of the Central East Austin Master Plan ("Master Plan") prepared in January 1999, by representative members and organizations of the Central East Austin community with the professional and technical assistance of the Crane Urban Design Team and the Austin Revitalization Authority (ARA). Two critical Subareas of the Master Plan are the East 11th and 12th Street Corridors, which were identified to be the location of much of the new commercial/office redevelopment called for in the Master Plan. In November 1997, the City of Austin (City) declared this area to be slum and blighted and designated these corridors as appropriate for an urban renewal project.

Under Chapter 374, of the Texas Local Government Code, the Urban Renewal Agency (URA) and the City are granted a series of redevelopment roles and responsibilities regarding urban renewal areas including approval of projects for compliance with an urban renewal plan and the use of eminent domain powers. As originally adopted in 1999, the URP was intended to identify and implement mechanisms to eliminate the negative forces of urban blight, distress and impaired development within the area and to pursue a fresh, self-determined vision of Central East Austin as a self-sustaining, progressive community for the 21st century. The overall goals and action priorities of this URP reflected a broad consensus of residents, businesses, property owners, institutions, and community activists. This consensus was the result of substantial cumulative planning and revitalization efforts over a period of three years and has been reconsidered and reestablished through this updated URP.

This East 11th and 12th Streets Urban Renewal Plan (URP) defines specific redevelopment projects

and associated regulatory controls intended to assure quality, compatible, mixed-use development along these critical commercial arteries. The redevelopment process has been guided by the Urban Renewal Agency URA consistent with state law, the Master Plan, the URP, and a Development Agreement that was negotiated between the City, URA, and the Austin Revitalization Authority (ARA).

In , the City, the URA and the ARA The parties entered into an Acquisition, Development and Loan Agreement (commonly referred to as the “Tri-Party Agreement”) that identified the roles and responsibilities of the City, URA and the ARA as it related to the redevelopment activities of the URP area. This agreement expired in September 30, 2010. The City, in partnership with the URA, is now carrying out the redevelopment activities called for under the URP.

Since the adoption of the 1999 Plan, the following has been accomplished:

Historic Preservation

- Haehnal Building located at 1101 East 11th Street
- Arnold Bakery located at 1010 East 11th Street
- Chapman House located at 901 East 12th Street
- Connelly-Yerwood House, a.k.a., the Pink House located at 1115 East 12th Street
- Dedrick-Hamilton House located at 912 East 11th Street: This house along with the African American Cultural and Heritage Facility are the flagship buildings for the African American Cultural and Heritage District.
- Travis County Negro Agricultural Extension Office (a.k.a., Herman-Schieffer House and/or East Room) located at 1154 Lydia Street

Infrastructure Improvements – East 11th Street

- Upgraded the water and wastewater lines on East 11th and Juniper sstreets
- Converted utility and telecommunication lines from overhead to underground

Transportation and Streetscape Improvements – East 11th Street

- Completed streetscaping beautification project including widening of sidewalks, installing decorative light posts, the 11th Street Archway and the Dr. Charles Urdu Plaza that includes a clock tower and a tile mosaic art wall.
- Completed construction of a 10-space community parking facility at 1205 E 11th Street
- Completed construction of a 20-space community parking facility at 1400 E 12th Street

Residential Development – East 11th Street

- Juniper Townhomes – Located on the south side of the 1000 Block of East 11th Street, between Curve Street and Olive Street. This project consists of 16 units, two of which are owned by the Austin Housing Finance Corporation and will be sold to households at or below 80% of the median family income (MFI) for the Austin-Round Rock area.

Residential Development – East 12th Street

- 1001-1105 East 12th Street – Through a competitive process, the City of Austin sold the lots to the Butler Family Partnership, Ltd. Ten townhomes were constructed. One of the units was sold to a household at or below 80% MFI for the Austin-Round Rock area.
- 1190 -1198 Navasota Street – Through a competitive process, the City of Austin sold the lots to the Butler Family Partnership, Ltd. Five townhomes were constructed. One of the units was sold to a household at or below 80% MFI for the Austin-Round Rock area.

Commercial Development – East 11th Street

- Street–Jones and Snell Building Construction– 57,000 SF Office and Retail space (Block 17 on East 11th Street)
 - Total of 50.5 low/mod new jobs
- East Village Lofts – Vertical Mixed–Use Project (Block 19 of East 11th Street)
 - Project is a mix of 20 residential lofts and 11 retail and office units.

New Mixed-Use Development – East 12th Street

- 1120 East 12th Street – Through a competitive process, the Urban Renewal Agency sold the lots to the Butler Equity Holdings, Ltd. to develop a mixed-use development in July 2015.
 - March 16, 2017 the property was transferred from Butler Equity Holdings, LLC to MSASSI, LLC.
 - March 16, 2017, the property was transferred from MSASSI, LLC to Badger Boulevard, LP. (Entity is now known as The Gilfillan Group.)
 - ~~Currently, there are no plans for development at this site~~While there is no active development at this site, in public meetings the Gilfillan Group has represented to the URA that it is actively planning for the future development of this and other parcels it owns in and around the URP area.
- 1322-1336 East 12th Street – Through a competitive process, the Urban Renewal Agency sold the lots to the Butler Equity Holdings, Ltd. to develop a mixed-use development in July 2015. Ten percent of the residential units will be reserved for households at or below 80% of the median family income (MFI) for the Austin-Round Rock area.
 - The project is under construction with a project completion time of July 2019.

Façade Improvements

- East 11th Street
 - 1115 East 11th Street (Blue Dahlia restaurant)
- East 12th Street
 - 901 East 12th Street (SNAP Management Group, Inc.)
 - 1818 East 12th Street (Mission Possible)
 - 1914 East 12th Street (Ideal Barber Shop and Galloway Sandwich Shop)

Private Investment

- Several private developments on both East 11th and 12th Street have been completed, including a boutique hotel, restaurants, a grocery/café, bars and mixed-use developments

NOTE: It is important to acknowledge that the above accomplishments in the Urban Renewal Plan (URP) area, but also to note the URP has not yet fulfilled its potential as a mixed-use, urban community. Numerous vacant parcels and/or vacant buildings still exist in the URP area, and the East 11th and 12th Street corridors still remain underutilized and somewhat inconsistent with the community vision. In December 2018, and in support of the URP, the Austin City Council extended the Urban Renewal Plan's expiration date until 2024 with a five-year evaluation to determine the continued need for the Urban Renewal Plan and the Urban Renewal Agency.

1.0 Definitions

The following definitions are offered for clarification of the planning intent of subsections of the Urban Renewal Plan:

1. ~~"Building Code" means Chapter 25-12, Article 1, City Code.~~
2. ~~"City Code" means the Austin City Code.~~
3. ~~"Civic Uses" means buildings which are defined by the uses performed therein, which uses include, the following: government administration services and offices, fire stations, public utilities offices, day care centers, public and private schools, colleges, churches, other religious facilities and attendant structures.~~
- 4.1. ~~"Community/Local Services" means the use of a site for provision of neighborhood services that include business support services, offices, consumer convenience services, dry cleaning, pharmacy, food store, and other general services allowed in a "LR" Neighborhood Commercial District with the exception of the following non-permitted uses: medical offices exceeding 5,000 square feet, congregate living facilities, and off-site parking.~~
5. ~~"Community Parking" means any area within the designated URP. Provided by a public or private entity, which shall be designed for temporary accommodation of other vehicles of the motoring public in normal operating condition and situated so as to provide for use by the patrons of one of more retail, office and/or residential facility, or as remote parking. The project owner may have to execute a parking agreement at the time of project approval by the Urban Renewal Agency. means a community parking space provided by a public or private entity in excess of the normal requirement, which is made available to other business uses within the URP. (Amended 2008).~~
6. ~~"Downtown & Entertainment Oriented Retail" means the use of the site to provide retail goods and services typically associated with entertainment, dining and related activities, as referenced in the Central Business District (CBD) designation of the Land Development Code, excluding adult-oriented businesses, automotive rentals, automotive repair services, carriage stable, cocktail lounges, convenience storage, equipment repair services, funeral services, hotel-motel, liquor sales, medical offices exceeding 5,000 square feet, outdoor sports and recreation, personal services, service stations, pawn shops. (Amended 2005)certain, now~~

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~~non-complying land are operating, be "grandfathered" cease to operate~~

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7. ~~"FAR" means the floor-to-area ratio as defined in the Land Development Code.~~

8.2. ~~"Garden Apartment" means a dwelling unit in a building or cluster whose maximum net density does not exceed that provided for in the zoning ordinance under the Multi-Family Residences Low-Density District designation; a portion of the lot shall be open space, as defined in the Land Development Code, with the exception of natural foliage or accessory recreational facilities or walkways, which is accessible to all persons occupying a building on the lot and is not a part of the roof of any portion of any building.~~

9.3. ~~"Ground Floor Retail" means the use of a site as an establishment engaged in the retail sale of merchandise as allowable by the "LR" designation in the Land Development Code (with the exceptions to LR as stated elsewhere in this document), and that occupies the ground floor of the building in which it is situated, such that it can be seen and accessed by the public from the street.~~

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10.4. ~~"Home Office" means a house or other structure or a portion of any building or structure designed, arranged and used for living quarters for one or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels or other structures designed for hotel or boarding, wherein a home occupation is customarily carried out by an occupant of same dwelling unit as a secondary use as defined in the Land Development Code.~~

11. ~~"House-like Offices" means office and retail uses operating out of buildings that were originally built for residential use, but that have been converted for commercial use. Any exterior addition or alteration must be approved by the Urban Renewal Agency.~~

12.5. ~~"House-like Studios" (or Arts and Crafts Studio) means dwellings that includes use of the site for the production of art work by the resident artist and the incidental sale of the art produced, limited to the use of hand tools, domestic mechanical equipment not exceeding two horsepower, or a single kiln not exceeding eight kilowatts, provided that the use does not impact any other use of property with noise, odor, dust, vibration, or other nuisance. This classification includes, but is not limited to painter's studios, ceramics studios, and custom jewelry studios.~~

13. ~~"Land Development Code" means Title 25, City Code. Where the Urban Renewal Plan is silent, the development regulations of the Land Development Code shall control. Where there is conflict between the Urban Renewal Plan, the Urban Renewal Plan controls.~~

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14. ~~"Mixed-use Residential" means a combination of small-scale retail or office and residential uses as defined under "Mixed-use". Small-scale as used here in refers to FAR's of .30 or less.~~

~~“NCCD” – Neighborhood Conservation Combining District: A regulation established by a neighborhood conservation (NC) combining district modifies use and site development regulations of a base district located in the NC combining district in accordance with a neighborhood plan. When there is conflict between the Urban Renewal Plan (URP) and the applicable land use regulations, the URP controls.~~

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15. “Net” means the result of a mathematical calculation that subtracts total deductions from the gross amount of space to derive the net value of the remainder.

16. ~~“Office” means a building used for administrative services and offices as defined in the Land Development Code, as amended from time to time, but excluding Medical Offices exceeding 5,000 square feet.~~

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6. ~~“Plaza” 25-3-4 PLAZA means open space at the intersection of important streets, set aside for civic purposes and commercial activity, including parking, its landscape consisting of durable pavement and formal tree plantings. 13-1-1 A publicly accessible on-site plaza is defined as a privately owned space provided and maintained by the property owner for public use in exchange for additional floor area. (from the Density Bonus Ordinance) means a portion of a lot or parcel developed as open space, i.e., a space that is open and unobstructed from its lower level to the sky, with the exception of natural foliage or accessory recreational facilities or walkways, which is accessible to all persons occupying a building on the lot and is not a part of the roof of any portion of any building and which is improved to create a space open to the public.~~

17. ~~“Prohibited Uses” means on the East 12th Street corridor any adult-oriented businesses, automobile rentals, automobile repair services, bail bond services, campground, carriage stable, cocktail lounges save and except for the property located at 1805 – 1812 East 12th Street, commercial plasma center, convenience storage, drop-off/recycling collection facility, drive-thru restaurant facilities, equipment repair services, equipment sales, exterminating services, kennels, commercial laundry services, liquor sales, pawn shop services, outdoor entertainment, outdoor recreation, service stations save and except for the property located at 1425 East 12th Street, telecommunication tower on ground, vehicle storage and veterinary (livestock) services. (Amended 2008)~~

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18. ~~“Renovated Existing Lodge Building,” means the existing lodge building known as 1017 East 11th Street, renovated and/or its successor structure(s).~~

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19.7. ~~“Rental Flat” means a residential dwelling unit as defined in the Land Development Code, as amended from time to time.~~

20.8. ~~“Residential Scaled” means the size and architectural design of a new development is consistent with the scale and historic character of existing, adjacent or across the street,~~

~~residential buildings, in the immediate environs. Immediate environs refers to the nearest residential buildings located within four blocks east and west and the nearest residential buildings located within two blocks north or south within the Urban Renewal Area.~~

~~21. "Service Alley" means any public or private dedicated way intended for vehicular service to the rear or side of property served by a street. An alleyway provides access for delivery and service to retail businesses, offices and residential units. Properties on the north side of East 11th Street must shall have their primary access from back the north-south side streets or East 11th Street, unless special provisions made otherwise approved by the City of Austin, Public Works, for limited off hours, on-street deliveries, and no motor vehicular access is allowed from East 11th Street.~~

~~22.9. "Story" means a unit of measure as defined in the Building Code.~~

1.0 VISION, PURPOSES, AUTHORITY AND SCOPE

Vision

Create a vibrant, diverse, and sustainable revitalization of the East 11th and 12th Street corridors.

Purpose

Identify and facilitate the development of mix use projects for the 11th and 12th Street corridors that enhance where people work, live and play (entertainment) around neighborhood oriented and pedestrian friendly residential, retail, and office space.

~~This URP East 11th and 12th Streets Urban Renewal Plan ("URP" sometimes also referred to as the East 11th and 12th Streets Community Redevelopment Plan or "CRP"), is a comprehensive technical document defining the official public policy guidelines of the City of Austin (City) for the conduct of public and private redevelopment actions of the East 11th and 12th Streets Urban Renewal Area in compliance with Texas Local Government Code, Chapter 374. As such, this document also represents the official redevelopment policy guidelines of the Central East Austin community and provides for a continual mechanism for community-based participation in the ongoing implementation of all redevelopment actions along these commercial corridors.~~

~~As originally adopted in 1999, The the URP is was intended to identify and implement mechanisms to~~

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~~eliminate the negative forces of urban blight, distress and impaired development within the area and to pursue a fresh, self-determined vision of Central East Austin as a self-sustaining, progressive community for the 21st century. The overall goals and action priorities of this the original URP reflected a broad consensus of residents, businesses, property owners, institutions, and community activists. This consensus is was the result of substantial cumulative planning and revitalization efforts over a period of three years, and has been reconsidered and reestablished through this updated URP. The fundamental purpose of this plan is the URP was, and remains, to empower community-based groups and individuals to participate as strong and equal partners of the City and the URA in carrying out all of the action programs and public and private improvements which will result in the realization of Austin's long-term community vision.~~

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Authority

Under Texas Local Government Code, Chapter 374, Urban Renewal in Municipalities, upon the completion, adoption and recordation of the URP, the Urban Renewal Agency URA gains the authority to apply special urban renewal powers and tools to address existing "slum" and/or "blight" conditions which have been found to threaten the public safety, health, and welfare, and which act as impediments to sound private investment, stable property values, and viable conditions for rendering public services. This urban renewal authority URA and the public purposes it fulfills, extend well beyond the levels of public intervention that can occur through normal City development regulations, housing and community development assistance, or capital improvement programs. The following is a summary listing of typical local government tools and tactics that are widely employed in responsive, preservation-oriented redevelopment implementation strategies in many local jurisdictions throughout the United States:

a. Urban renewal plan/development controls: These may include: areas within the redevelopment area that are set up as zoning districts; reducing land uses that are incompatible with the accepted development standards; restriction of parking and access to properties; guidelines which restrict design within the development area; and project review and approval procedures.

a. Under Texas Local Government Code, Section 374.014(f), the adopted urban renewal plan controls the land use and building requirements applicable to properties within an urban renewal area. If the Urban Renewal Plan is silent to provisions found in other adopted codes, ordinances or regulations of the City of Austin, those development regulations shall control. Where there is conflict between the Urban Renewal Plan provisions found in other adopted codes, ordinances or regulations of the City of Austin, the Urban Renewal Plan shall control.

Commented [HS12]: URB attorney will need to review this proposed language.

b. **Public improvements and area redevelopment financing:** A varied range of tax-exempt public and private financing mechanisms can be devised to support infrastructure and public facility improvements, property acquisition, site preparation, and other temporary or

permanent redevelopment costs. Examples include Section 108 loan funds; G.O. Bonds; and tax-exempt revenue bonds.

- c. **Special private development incentives:** These may include financing, tax, and regulatory incentives linked with economic development, affordable housing, historic preservation and other public contributions keyed to revitalization of a blighted area. The Austin Central Urban Redevelopment Combining District (CURE) program was a zoning program that relaxes some of the normal zoning requirements and allows the waiver of some development fees. The Neighborhood Conservation Combining District (NCCD) is a zoning overlay that modifies zoning requirements in a specific area.
- d. **Property acquisition for public and private re-use sites:** This tool includes options for public acquisition for fair market value (FMV) by negotiated or eminent domain procedures. Special provisions can be designed to encourage private land assembly and/or development project participation by existing property owners and other community-based interests.
- e. **Property disposition and long-term covenants:** Orderly processes of project construction and long-term use agreements can be tailored to circumstances of any project where public development assistance is provided.

The URA desires to continue the consideration of the use of all of these tools, and others, in achieving the objectives of this URP.

Scope

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2.0 ~~THE URP ILLUSTRATIVE SITE DEVELOPMENT STANDARDS DESIGN PLAN~~

The formal boundaries of the East 11th and 12th Streets Urban Renewal Area (UR Area) are set forth in Exhibit A and the ordinance approving this URP. In general, the boundaries are:

The East 11th Street Corridor, including properties within one-half block of the north frontage of East 11th and south frontage of Juniper Street, from Branch Street on the west to Navasota Street on the east; and properties within one-half block of the south frontage of East 11th, from San Marcos Street on the west to Navasota Street on the east.

The East 12th Street Corridor, including properties within one-half block of the north frontage of East 12th Street between the IH-35 Northbound Frontage Road on the west to Poquito Street on the east; and properties within one-half block of the south frontage of East 12th Street between Branch Street on the west to Poquito Street on the east.

Figures 4-2 and 4-3 illustrate proposed overall development concepts for both the East 11th and 12th Street Corridors. Effort was made to group like uses into "nodes" of complimentary development

~~that could benefit from economies of scale and proximity, such as a series of complimentary restaurants.~~

~~The previous version of the URP envisioned East 11th Street has been was conceptualized as a place for higher-intensity, mixed-use development. In this way, where new development can could build on the historical strengths of the corridor for the creation of a dynamic entertainment/retail/housing area. The north side of East 11th Street, with its initial abundance of vacant land and land in public/quasi-public ownership, offered an opportunity for new development of entire blocks and the benefit of locating cooperative parking to the rear of new establishments to further enhance the pedestrian friendly nature of the East 11th Street area. This included potential hubs and mixed-use developments for restaurants, nightclubs, clothing stores, antique stores, bookstores, coffeehouses, live-work offices and studios, and other uses.~~

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~~The East 11th street corridor has been largely developed since the date of the previous version of the URP, but this URP continues to view this corridor as being appropriate for such developments.~~

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~~In particular, the blocks between Curve Street and Lydia Street, are were considered to be the logical location for an entertainment/retail node of restaurants, nightclubs, clothing stores, and antique stores that may could draw from a large consumer base as a primary entertainment destination. Complementing this node is a series of live-work offices and studios geared towards the entertainment/visual arts/performing arts communities. Potential new developments in this area, on the south side of 11th Street between Waller Street and Lydia Street, could include photography studios and recording studios.~~

~~On the westernmost portion of East 11th Street, physical topography and market demands are such that opportunities exist for development of mixed-use retail and housing on the north and south side of the street. New development could include bookstores, eateries, coffeehouses, and other like uses on the ground floor, with two stories of housing units above.~~

~~The other end of 11th Street, near Navasota Street, serves as an eastern gateway into the East 11th Street corridor. Already, a smaller scaled office and retail node has begun to develop in this area, with several opportunities for further office/retail development.~~

~~In contrast, East 12th Street has been conceived as was considered to be a more residentially-compatible opportunity for neighborhood-based retail, small-scale offices, and housing. Consistency with existing housing is was of primary importance, and desired uses and development included. All efforts should be made to rehabilitate owner-occupied housing, when it is the owner's wish and it is economically feasible. The design of the corridor includes efforts aimed at maintaining existing setbacks, street greenways, and architectural detail. Examples of potential development include doctors and lawyer's professional offices, a laundry, convenience stores, bed and breakfasts, duplexes, and townhomes. The expressed community desire includes included encouraging as much retail development as possible along East 12th Street. To address market questions pertaining to the magnitude of new retail that can be supported even within a revitalized study area most development areas along East 12th Street contain flexible controls to allow for commercial~~

development of a certain character as market forces allow. Specifically prohibited, however, are new liquor stores and automotive-related uses.

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The areas located in close proximity to Downtown, the State Capitol, and the University of Texas represent the greatest opportunities for office development. In addition, the Anderson CDC has acquired several properties on the south side of East 12th Street between Curve and Navasota and on the north side of 12th Street near Chicon for the construction of new townhomes. There are planned renovations to the existing Marshall Arms Apartments near the intersection of 12th and Chicon Street. Remaining project areas are directed towards small-scale retail establishments and/or duplexes and quadraplexes complementary to existing housing.

The East 12th corridor has seen some smaller developments since the date of the previous version of the URP, but remains largely undeveloped. While the desire for consistent and compatible uses remains very high, some revisions to URP development controls were needed to encourage development while respecting the community vision for the corridor.

Since the time of the previous version of the URP, the URP was modified to include a number of specific developmental controls and restrictions standards. These are incorporated below.

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A. (Added/Amended 2005) General Note Regarding Height, Parking, Compatibility and Impervious Cover Restrictions of the CRP and the creation of sub-district boundaries on East 12th Street (sub-district boundaries are described in Figure 4-3a as follows:

1. Height

- a. Sub-District 1: 60-foot heights (on the north side of East 12th Street from the Interstate 35 Frontage Road to the northwest corner of Olander Street - see Figure 4-3a.)
- b. Sub-District 2: 50-foot heights (on the north side of East 12th Street from the northeast corner of Olander to Poquito streets, the south side of East 12th Street, southeast and southwest corners of Comal, and the south side of East 12th Street, between Comal and Poquito streets - see Figure 4-3a.)
- c. (Added/Amended 2017) Subdistrict 2a: 35-foot heights (southside of East 12th Street between Comal Street to Chicon Street).
- d. Sub-District 3: 35-foot heights (south side of East 12th Street between Branch and Comal, except the southwest corner of Comal Street - see Figure 4-3a.)

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2. Parking

- a. Off-street parking requirements shall be based on the lesser of 80% of that required by the appropriate schedule of the Land Development Code (LDC) or as calculated by the existing, shared parking provisions of the current LDC.
- b. Create publicly funded community parking at the northeast and/or northwest corners of East 12th and Angelina streets, the southeast corners of East 11th and Wheelless streets, and a minimum of 40 spaces each on lots in the vicinity of East 12th and Navasota streets and East 12th and Chicon streets.
- c. Parking Garages for East 12th Street (Amended 2008)

- i. All property owners that front both East 12th Street and a side street must use the side street for the ingress/egress of the parking structure, unless determined by the City of Austin to be infeasible or undesirable.
- ii. For structures of two (2) stories but less than 30 feet in height, such structures must have complete shielding on the rear side of the structure and the adjacent rear-most fifty percent (50%) of the side walls adjoining such rear wall. Lights shall not be directed nor shall any light splash towards any rear adjacent properties. Overnight parking is limited to residents and their overnight guests.
- iii. For structures of two (2) stories but less than 30' in height, such structures must have 75% of ground floor front footage which fronts E. 12th Street must be pedestrian oriented use. There is a 15-foot minimum depth requirement for all pedestrian-oriented spaces. In the event that ingress/egress fronts such public streets, the amount of footage taken up by ingress/egress must be rotated around building so that 75% requirement is met.

Example is a 100' by 100' garage at corner of Waller and E. 12th Street. Developer proposes to have ingress/egress facing E. 12th Street, which has a 30' width. Developer shall have satisfied this requirement if Developer provides 75% of total front footage of a pedestrian oriented use, meaning an additional 5' of frontage on Waller. Structural pillars only are allowed to decrease the total requirement of 75'.

- iv. For structures 30' in height or greater, such structures must have complete shielding on the rear side of the structure and the adjacent rear-most fifty percent (50%) of the side walls adjoining such rear wall. Lights shall not be directed now nor shall any light splash towards any rear adjacent properties. Overnight parking is limited to residents and their overnight guests
- v. For structures 30' in height or greater, such structures must have 100% of ground floor front footage which fronts E. 12th Street must be a pedestrian-oriented use. There is a 15-foot depth requirement for all pedestrian oriented spaces. In the event that ingress/egress fronts such public street the amount of footage taken up by ingress/egress must be rotated around building so that the 100% requirement is met.

Example is a 100' by 100' garage at corner of Waller and E. 12th Street. Developer proposes to have ingress/egress facing E. 12th Street, which has a 30' width. Developer must provide the 30' pedestrian oriented use on either Waller, the west side facing toward I-35 or towards the alley, so that there is a total front footage of 100' of a pedestrian oriented use. Structural pillars only are allowed to decrease the total requirement of 100'.

3. Impervious Cover Regulations for East 12th Street

- a. 90% in Sub-Districts 1, 2, and (Added/Amended 2017) Subdistrict 2a (95%, in instances where community detention is not available, and developer provides on-site detention)
- b. 80% in Sub-District 3

4. Compatibility Regulations for East 12th Street

The current regulations in the LDC for compatibility are waived in lieu of the following:

- a. **Setbacks:** Sub-Districts 1, 2, and (Added/Amended 2017) Subdistrict 2a shall have a 10'-foot rear setback with all other setback provisions waived. Minimum setbacks for Sub-District 3 is 15 feet (front), 10 feet (street yard), five feet (interior side yard), and five feet (rear).
- b. **Lighting:** All exterior lighting must be hooded or shielded so that the light source is not directly visible across the source property line. At the property line, the lighting may not exceed 0.4-foot candles.
- c. **Building Façades:** May not extend horizontally in an unbroken line for more than 20 feet; must include windows, balconies, porches, stoops, or similar architectural features; must have awnings along at least 50 percent.
- d. **Landscaping:** Required, unless street yard is less than 1,000 square feet in area. Landscaped islands, peninsulas, or medians are not required for parking lots with less than 12 spaces.
- e. Drive-through restaurant facilities are prohibited.
- f. All other compatibility standards are waived except as specifically described in the CRP.
- g. **Fencing for East. 12th Street:** The current regulations in the LDC for fencing are waived on East 12th Street for all fences to be a maximum of eight feet for properties adjacent to the East 12th Street corridor.

B. Non-Standard Lots for East 12th Street: "Small lot amnesty", as defined by the LDC for the East 12th Street corridor is approved for both residentially- and commercially zoned property

INSERT REVISED 11TH STREET NCCD MAP

3.0 SUMMARY OF URP PROJECTS APPLICABILITY OF NCCD CONTROLS

The previous version of the URP contained a number of distinct project areas that contained a near lot-by-lot description of development controls, including depictions referred to as "tear sheets" that among other things narrowly described the potential uses of a particular project area or lot. It has been determined that this lot-level of developmental control was far too limiting and confusing, and did not encourage development of the URP area. In addition, at the time of the writing of this URP,

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overlapping developmental controls known as Neighborhood Combining Conservation Districts (NCCDs) are also being modified and updated in consultation with the URA and with local stakeholders. By streamlining the developmental controls under this URP to refer primarily to the NCCDs, the community vision and community input into development will be preserved, while greatly simplifying the process for interested parties to determine what uses and development are permissible throughout the URP area, and for any particular project area or lot.

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The Neighborhood Conservation Combining District (NCCD) modifies use and site development regulations of a base district located in the NCCD in accordance with a neighborhood plan.

The following figure (Figure X-X) depict each of the twenty-two (22) distinct project areas in the URP area, and contain references to the East 11th and East 12th NCCDs, which describe the primary development controls applicable to each of the project areas.

~~To further develop project controls and regulatory changes, the East 11th and 12th Streets UR Area is divided into (22) distinct project areas for description (Figure 4-4). Redevelopment Project Controls include a general description of each project area, its size, the type and quantity of new development, and necessary demolitions and relocations if applicable. UR Area program targets for each individual redevelopment project areas are profiled in Figures 4-5 through 4-26.~~

~~These redevelopment project controls are intended as the primary regulatory controls for the East 11th and 12th Streets UR Area and will guide all formal URP procedures for property acquisition, disposition, and development (Redevelopment Project Controls). The illustrative portion of the Design Site Plans ("tear sheets") included in Figs. 4-5 thru 4-26 are strictly conceptual, while the project controls must be followed unless waivers or amendments are granted.~~

~~The Redevelopment Project Controls annunciated for each project should provide substantial direction to prospective developers when conceiving projects for the East 11th and 12th Streets UR Area. The Project Controls are subject to changing market and financial feasibility.~~

Figures 4-1, 4-2 and 4-3 and Tables 4-1 and 4-2 will be deleted, as they are obsolete.

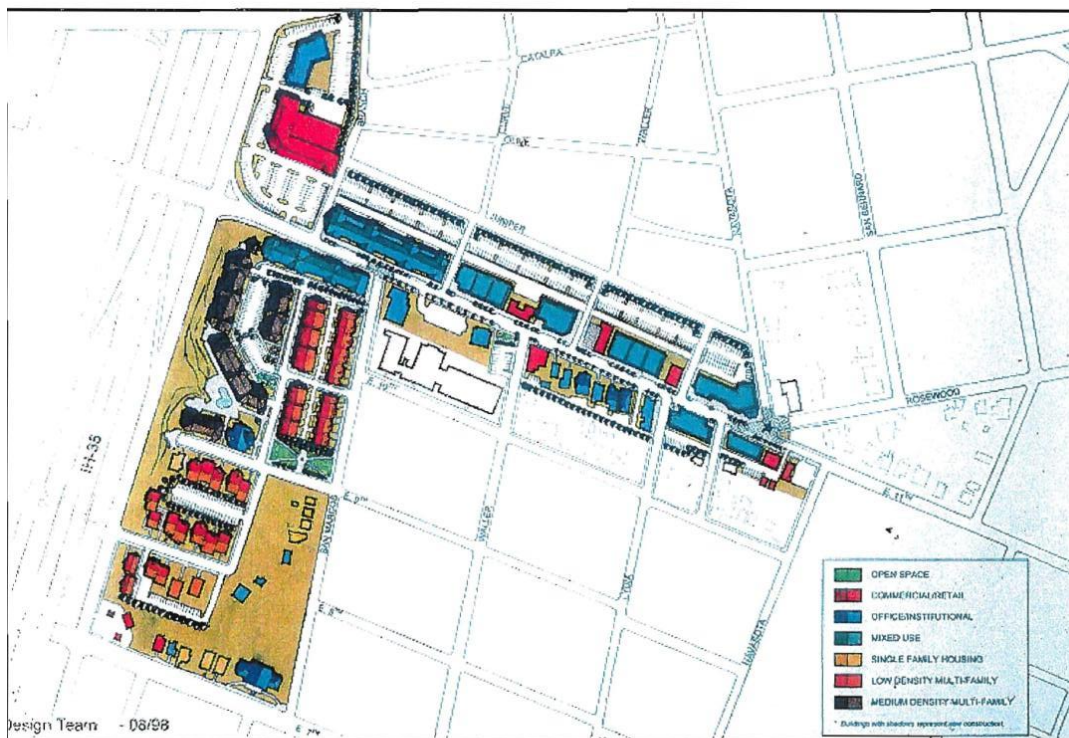


Figure 4-2: CRP Illustrative Design Plan - 11th Street

NEW VISIONS OF EAST AUSTIN: Master Plan and East 11th & 12th Streets CRP

Austin Revitalization Authority

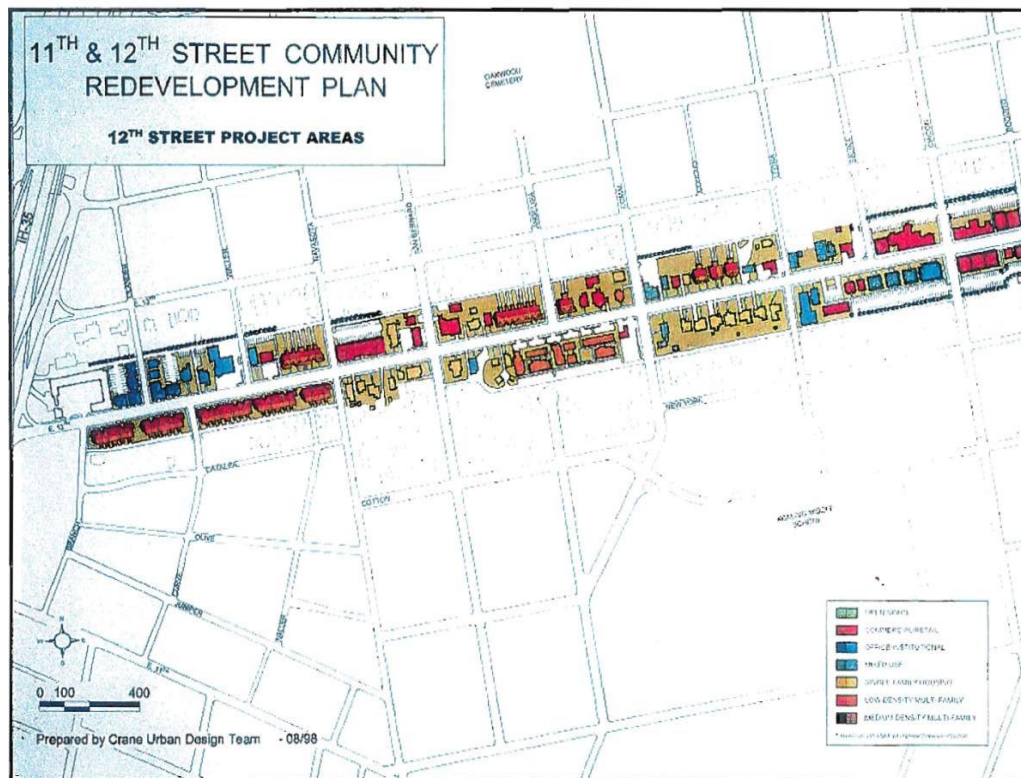


Figure 4-3: CRP Illustrative Design Plan - 12th Street

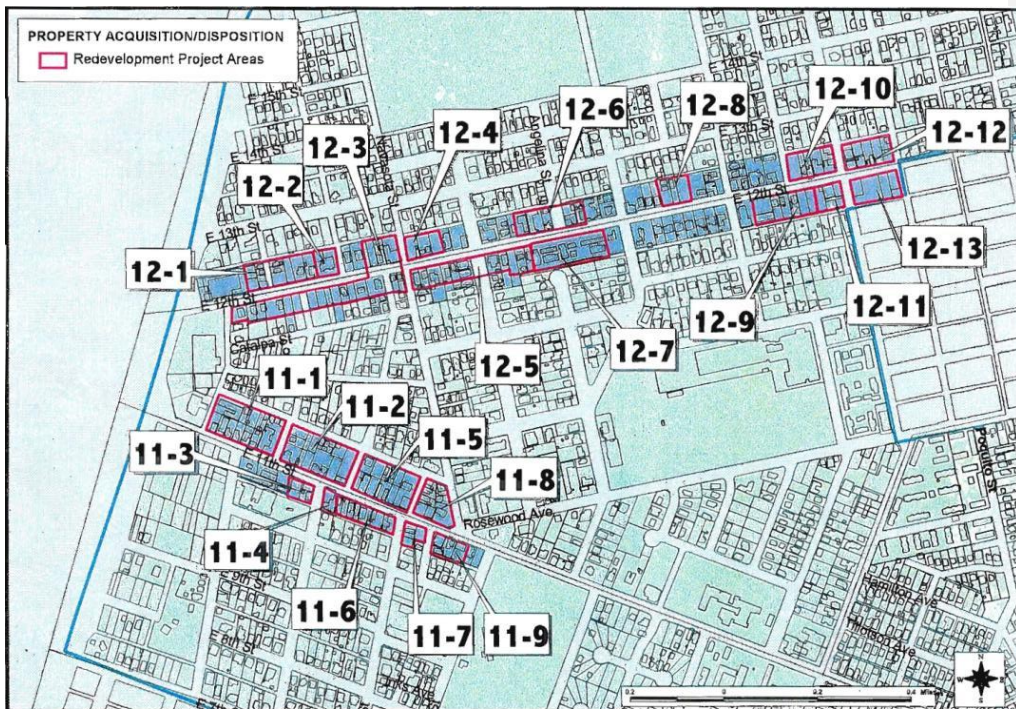


Figure 4-4: Project Area Locations

Central East Austin Master Plan/East 11th and 12th Streets Community Redevelopment Plan (CRP)

Austin Revitalization Authority

DELETE Entire Table. Table 4-1 Summary of Redevelopment Project Area Characteristics/Controls

11th and 12th Street Project Area Summaries	New Commercial/Office-Institutional Space	Renovated Commercial Space	Total New/Renovated Commercial Space	New Housing Units	Renovated Housing Units	New/Renovated Housing	New/Renovated Institutional Space	Parking Spaces	Single-Family Demolitions	Multi-Family Demolitions	Commercial/Office-Institutional Demolitions
11-1/Juniper Mixed-Use	30,000	0	30,000	20	0	20	0	85	4	2	7,100
11-2/Entertainment Retail	40,000	3,500	43,500	0	0	0	0	80	1	0	2,500
11-3/Lodge's Revitalization	0	3,000	3,000	0	0	0	0	16	1	0	0
11-4/Shorty's	0	4,000	4,000	0	0	0	0	6	0	0	0
11-5/Entertainment Retail	24,000	5,500	29,500	0	0	0	0	80	0	0	2,000
11-6/Live-Work Studios	8,000	5,300	13,300	5	3	8	0	12	2	0	0
11-7/Lydia & 11th St Mixed-Use	13,000	0	13,000	0	0	0	0	10	0	0	900
11-8/Navasota & 1st Mixed-Use	24,000	0	24,000	0	0	0	0	35	1	0	2,000
11-9/11th Street Retail	8,000	2,500	10,500	0	0	0	0	10	0	0	0
TOTAL	147,000	23,800	170,800	25	3	28	0	334	9	2	14,500
12-1/12th St Offices	10,000	5,000	15,000	0	4	4	0	55	1	16	0
12-2/12th St Office Incubator	0	9,000	9,000	0	0	0	0	20	0	0	0
12-3/SCIP II Townhouses-South	0	0	0	33	0	33	0	66	4	0	1,400
12-4/Navasota St. Retail	11,000	0	11,000	0	0	0	0	50	0	0	2,200
12-5/12th St Renovation	1,250	0	1,250	0	9	9	0	28	0	0	0
12-6/SCIP II Townhouses-North	0	0	0	9	0	9	0	18	0	0	0
12-7/12th St Garden Apts	0	0	0	0	35	35	0	44	0	0	0
12-8/12th St Duplexes	0	0	0	12	0	12	0	12	0	0	0
12-9/12th St Mixed-Use	7,500	5,000	12,500	0	0	0	0	65	1	0	0
12-10/Chicon St Retail	2,500	11,000	13,500	0	0	0	4,500	45	0	0	0
12-11/12th St Civic Node	0	0	0	0	0	0	0	24	0	0	0
12-12/Chicon St Retail Node	4,800	10,000	14,800	0	0	0	0	55	0	0	0
12-13/Chicon St Retail Node	9,700	1,000	10,700	0	0	0	0	45	1	0	1,500
TOTAL	46,750	41,000	87,750	54	48	102	4,500	527	7	16	5,100

SOURCE: Crane Urban Design Team, FCCD + R Survey

NOTES:

- 1) New construction / renovation numbers are average numbers, ranges by type are specified in the Project Controls illustrated in Figures 4-4 through 4-25. Parking and demolition numbers

- 2) Single-Family Demolitions do not include attrition associated with conversion to non-residential uses.

Table 4-2: CRP Program Targets

REDEVELOPMENT ACTIONS	CRP SUBAREAS		TOTAL	ESTIMATED COSTS	
	#7	#4		COST PER UNIT	TOTAL COST
	11th Street Corridor	12th Street Corridor			
FRONT-END REDEVELOPMENT	-				
RELOCATION	-	-	-	-	-
Residential Relocation Households	11	23	34	Varies	\$135,000
Non-Residential Relocation Square Feet	14,500	5,100	19,600	\$2	\$39,200
PROPERTY ACQUISITION	-	-	-	-	-
Property Acquisition	\$1,689,201	\$3,426,622	\$5,115,823	Varies	\$5,115,823
Public Disposition (Land Sales Revenue)	(\$1,370,187)	(\$2,272,270)	(\$3,642,457)	Varies	(\$3,642,457)
ADMINISTRATION	-	-	-	-	\$793,504
NET FRONT-END REDEVELOPMENT COSTS	-	-	-	-	\$2,441,070
RESIDENTIAL ACTIONS	-				
PRESERVATION (Units – No Action Required)	-	-	-	-	-
Single-Family Units:	2	15	17	\$0	\$0
Multi-Family Units:	0	0	0	-	-
REHABILITATION (Units)	-	-	-	-	-
Single-Family Units:	1	5	6	Varies	\$180,000
Multi-Family Units:	0	38	38	Varies	\$380,000
NEW HOUSING CONSTRUCTION	-	-	-	-	-
Single-Family Infill Homes	0	0	0	\$75,000	\$0
Single-Family Live/Work Mixed-Use	3	0	3	\$70,000	\$210,000
Single-Family Townhomes	0	42	42	\$65,000	\$2,730,000
Multi-Family Duplex Units	0	6	6	\$70,000	\$420,000
Multi-Family Rental Flats	20	0	20	\$45,000	\$900,000
DEMOLITION / ATTRITION (Units)	-	-	-	-	-
Single-Family Demolitions	9	7	16	\$4,500	\$72,000
Multi-Family Demolitions	2	16	18	\$3,500	\$63,000
Conversion to Non-Residential	0	4	4	\$0	\$0
HOUSING PROGRAM TOTALS: Total Inventory at Master Plan Build-Out	26	106	132	-	\$ 4,955,000
NON-RESIDENTIAL ACTIONS	-				

PRESERVATION (Square Feet—No Action Required)	-	-	-	-	-
Commercial	1,000	17,120	18,120	\$0-	\$0-
Office/Institutional	3,000	13,270	16,270	\$0-	\$0-
Mixed-Use Commercial	0	2,440	2,440	\$0-	\$0-
Industrial/Commercial	0	2,270	2,270	\$0-	\$0-
REHABILITATION (Square Feet)	-	-	-	-	-
Commercial Rehab	20,300	31,700	52,000	\$70-	\$3,640,000-
Office/Institutional Rehab	3,000	9,670	12,670	\$70-	\$886,900-
Mixed-Use Rehab	0	13,580	13,580	\$70-	\$950,600-
Industrial/Commercial	4,000	4,950	8,950	\$80-	\$716,000-
NEW CONSTRUCTION (Square Feet)					-
Low-Density Commercial	84,500	35,500	120,000	\$100-	\$12,000,000
Low-Density Office	54,500	10,000	64,500	\$100-	\$6,450,000
Live/Work Mixed-Use	4,000	0	4,000	\$100-	\$400,000
Institutional/Civic	0	4,500	4,500	\$100-	\$450,000
DEMOLITION (Square Feet)	-	-	-	-	-
Demolition Square Footage	14,500	5,100	19,600	\$2-	\$39,200
NON-RESIDENTIAL TOTALS: Total Inventory at Master Plan Build-Out	174,300	145,000	319,300	-	\$25,532,700
PUBLIC IMPROVEMENTS					-
Transportation Improvements	\$1,282,732	TBD	\$1,282,732	-	\$1,282,732-
Open Space/Commercial Facilities	\$0-	\$0-	\$0-	-	\$0-
Infrastructure Improvements	\$633,333-	\$633,333-	\$1,266,666-	-	\$1,266,666-
Public Enhancements	\$15,200-	\$848,000-	\$863,200-	-	\$863,200-
PUBLIC IMPROVEMENT TOTALS	\$1,931,265	\$1,481,333	\$3,412,598-	-	\$3,412,598-

Total CRP Development Costs:

\$36,341,268

SUMMARY OF ADDITIONS TO CURRENT BUILDING INVENTORY (Net at CRP Build-Out)	CRP SUBAREAS		TOTAL	ESTIMATED-AVERAGE-ABSORPTION-DEMAND (For Entire Master Plan Areas)
	#7	#4		
	11th Street Corridor	12th Street Corridor		
NET NEW SINGLE FAMILY UNITS	(4)	52	48	50—60 units/year
NET NEW MULTI FAMILY UNITS	17	41	58	75—85 units/year
NET NEW COMMERCIAL/RETAIL SQ. FEET	90,778	84,538	175,316	13,100 sq. ft./year
NET NEW OFFICE/INSTITUTIONAL SQ. FEET	60,500	37,440	97,940	11,300 sq. ft./year

SOURCE: FCCD + R. Survey Capital Market Research

NOTES

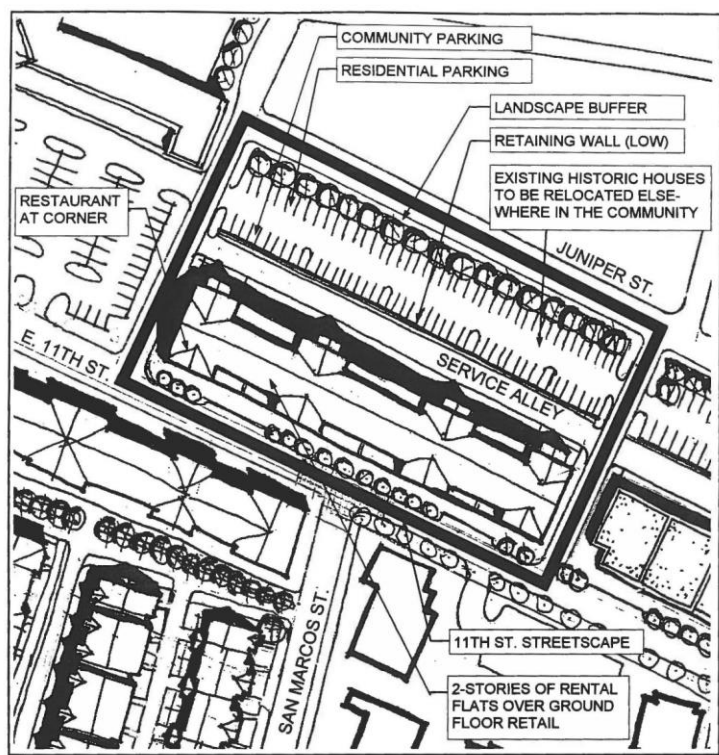
- 1) Targets have been programmed based upon each individual redevelopment project area. See Table 4.1 and Figures 4.4 thru 4.25.
- 2) See Table 4.4 for more details on estimated demolition and relocation.
- 3) See Table 4.2 for more details on public property acquisition assumptions.
- 4) Front-end redevelopment includes program administration estimated at 15% of front-end public expenses (not including disposition procedures).

- 5) See Table 2-1 for more details on public improvements.
- 6) "Additions" are defined as new construction plus rehabilitation of unoccupied structures minus demolition of occupied buildings.
- 7) Annual absorption estimates are as calculated by Capital Market Research (CMR).
- 8) Annual average absorption estimates are for the entire Master Plan Area and assume a 15-year horizon.

Figure 4-5: Juniper Mixed Use (~~Block 16X~~)

ALL TEAR SHEET ILLUSTRATIONS WILL BE DELETED

[Retain depictions of lots (with no detail/prescriptive descriptions of what must be on the lot), indicate which NCCD subdistrict is applicable. Can also re-list core developmental control information (matching what will be in the NCCD), with a note that if the NCCD changes it controls, and that if the NCCD goes away for some reason, the controls in the last NCCD will apply.]

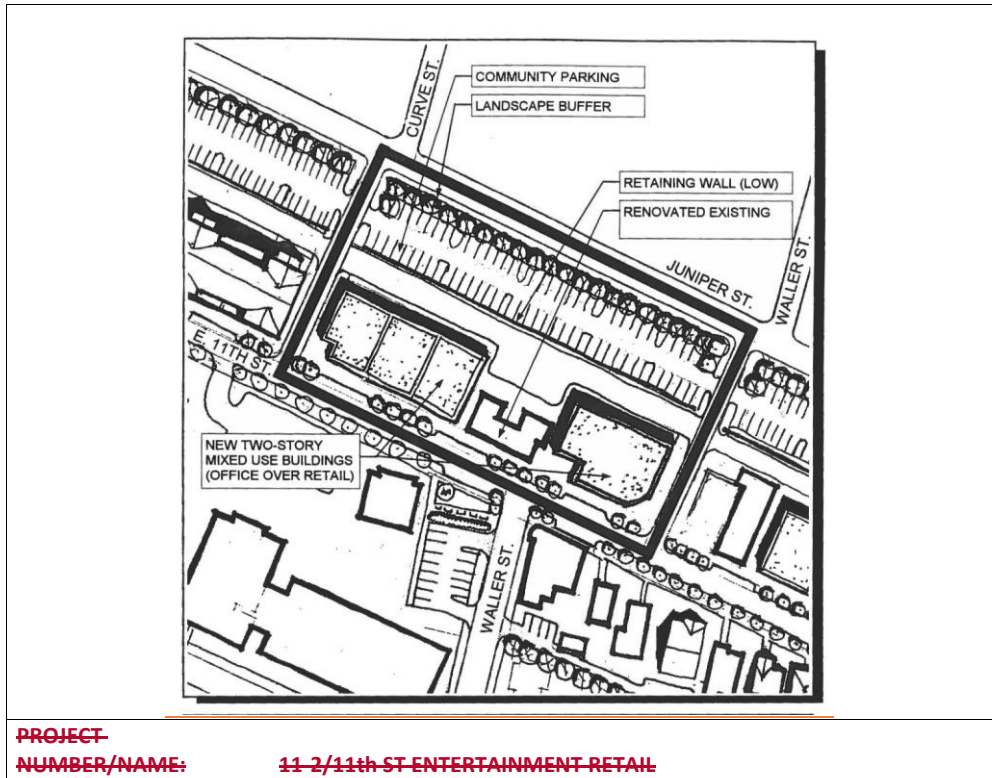


PROJECT NUMBER/NAME: 11-1/JUNIPER MIXED-USE

Project Location: North Side of 11th St and South side of Juniper Between Branch & Curve (~~Amended 2003~~)

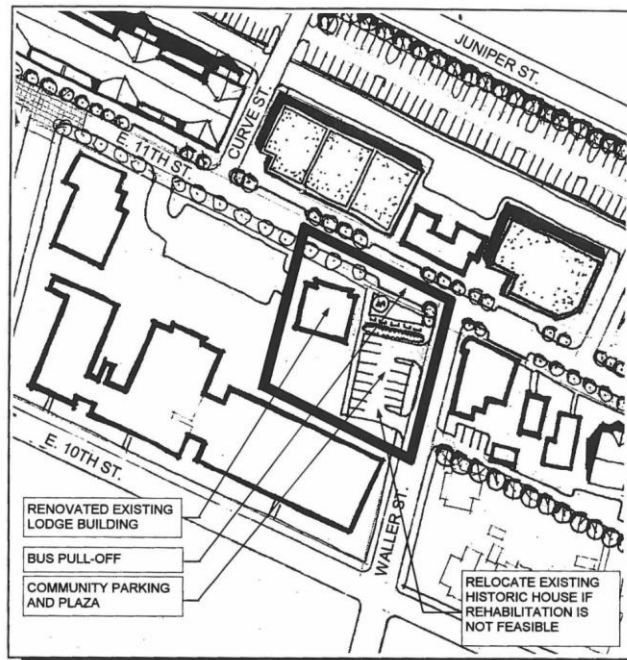
Reuse Objective:	Provide New Mixed Use Development (Residential and Non-Residential)
Project Controls:	
Site Area:	2.0 acres
Permitted Use:	Mixed Use; office/ residential, civic uses and commercial- (Amended 2001, 2008, 2013)
Allowable Height/Permitted FAR:	60 foot maximum fronting E 11th Street; 40 foot maximum fronting Juniper Street; 1.6 (Amended 2008) The FAR in the Land Development Code or LDC shall be waived. There is no FAR.
Compatibility	Compatibility is waived
Impervious Cover	TBD
Existing Housing to be Preserved	2 historic houses to be renovated. One to remain on site and one to Were moved and renovated. (Amended 2003)

Figure 4-6: 11th Street Entertainment Retail (Block X17)



Project Location:	North Side of 11th St and the South side of Juniper Street Between Curve St. & Waller St.
Reuse Objective:	Create Entertainment Oriented Retail & Office Opportunities on 11th St.
Project Controls:	-
Site Area:	1.9 acres
Permitted Use:	Mixed Use: Downtown & Entertainment Oriented Retail/Office (Amended 2001)
Allowable Height/Permitted FAR:	60 foot maximum fronting E 11th Street; 40 foot maximum fronting Juniper Street 50 foot maximum/0.1-15 Total Maximum FAR. The FAR in the Land Development Code or LDC shall be waived. There is no FAR (Amended 2001, 2003)
<u>Compatibility</u>	<u>Compatibility is waived</u>
<u>Impervious Cover</u>	<u>IBD</u>
New Commercial Space:	50-60,000 square feet maximum except for live/work lofts, and shall not be oriented toward Juniper Street) (Amended 2001, 2003)
Commercial Space to be Preserved:	up to 1,700 square feet rehabilitated
New Housing Units:	up to 18 townhouses or live/work lofts (Amended 2001, 2003)
Existing Housing to be Preserved:	<u>1 historic house to be moved and renovated (Amended 2001)</u>
Community Parking Spaces:	<u>up to 195 (limited on street spaces) (Amended 2001, 2003)</u>
Residential Parking Spaces:	<u>up to 18 (Amended 2001, 2003)</u>
Potential Demolition:	1 house and up to 2,500 square feet of commercial/retail

Figure 4-7: Lodge Revitalization (Block X8)

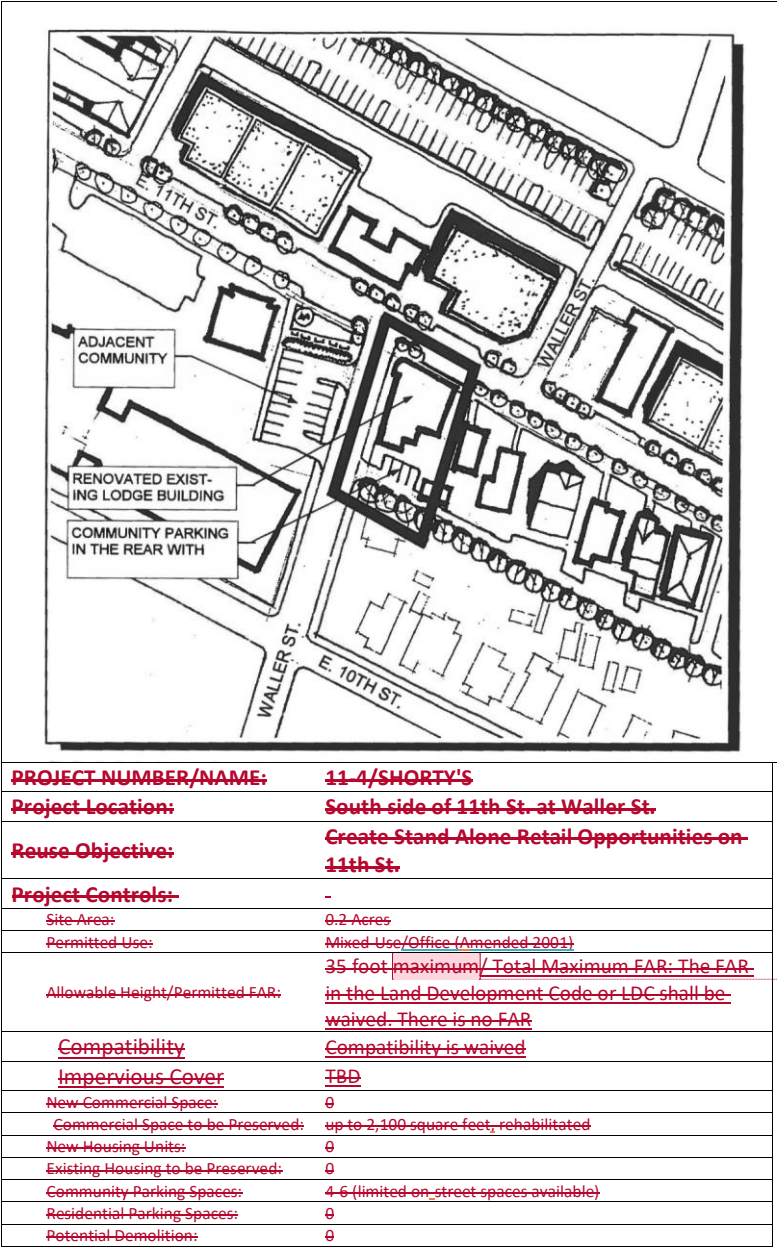


PROJECT NUMBER/NAME:	11-3/LODGE REVITALIZATION
Project Location:	South side of 11th St. at between San Marcos and Waller St.
Reuse Objective:	Provide Civic & Community Uses on 11th St.
Project Controls:-	-
Site Area:	0.4 Acres
Permitted Use:	Mixed Use
Allowable Height/Permitted FAR:	35-foot maximum/ Total Maximum FAR: <u>The FAR in the Land Development Code or LDC shall be waived. There is no FAR</u>
<u>Compatibility</u>	<u>Compatibility is waived</u>
<u>Impervious Cover</u>	<u>TBD</u>
New Commercial Space:	0
Commercial Space to be Preserved:	up to 10,000 square feet rehabilitated (lodge & civic uses with adjacent plaza)
New Housing Units:	0
Existing Housing to be Preserved:	Historic Ballelli House may be relocated off site if rehabilitation is unfeasible
Community Parking Spaces:	14-16 (6-8 spaces, if historic Ballelli House is rehabilitated rather than relocated off site)
Residential Parking Spaces:	0
Potential Demolition:	0 <u>Historic Ballelli House to be relocated off site if rehabilitation is unfeasible</u>

Commented [HS14]: NCCD allows for a maximum height of 60 feet

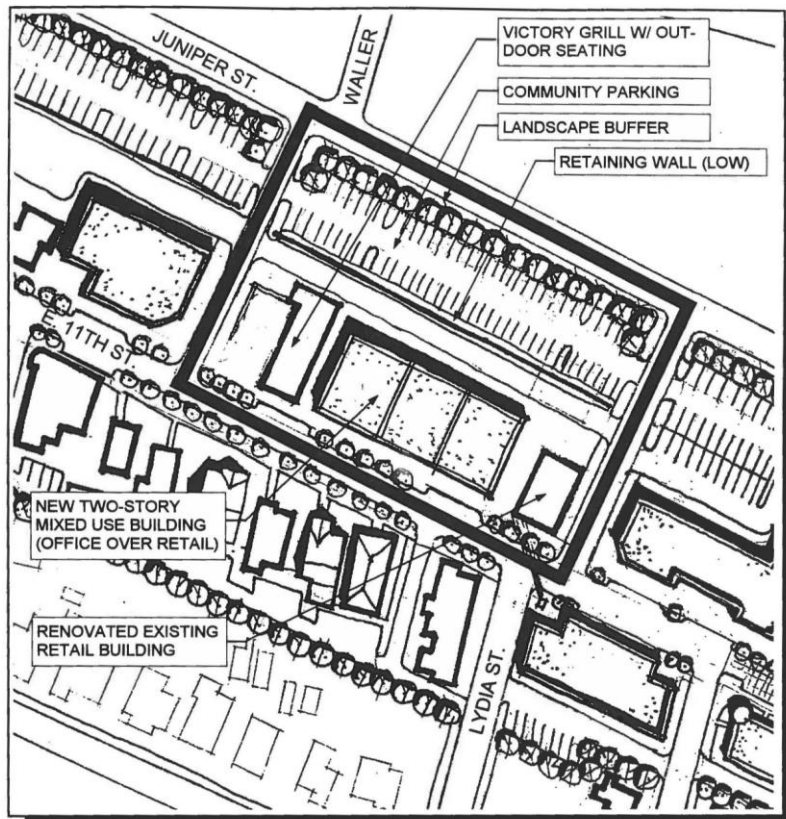
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Figure 4-8: Shorty's (Block 7X)



Commented [HS15]: NCCD allows for a maximum height of 60 feet

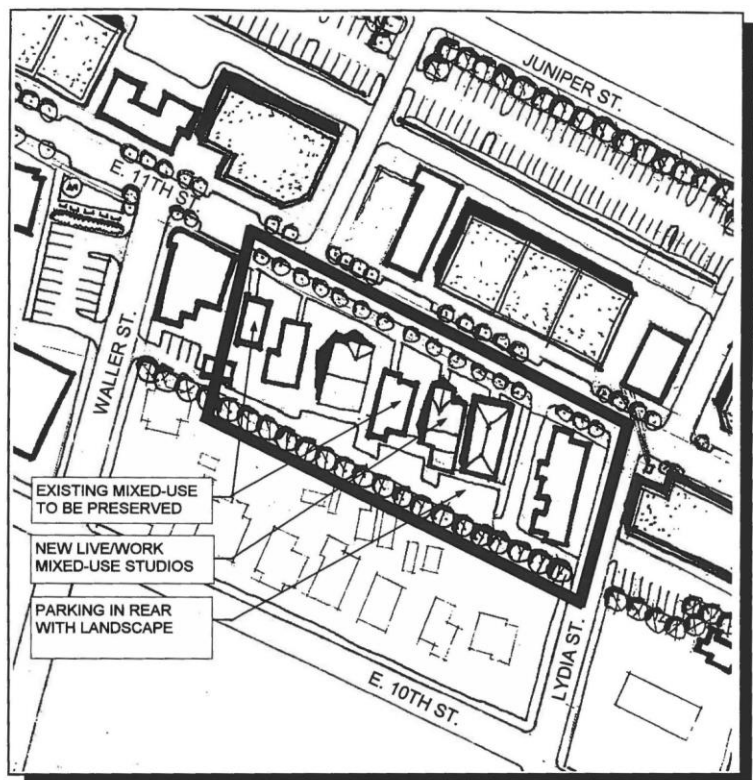
Figure 4-9: 11th Street Entertainment Retail (Block 18X)



PROJECT NUMBER/NAME:	11-5/11th ST. ENTERTAINMENT RETAIL
Project Location:	North side of 11th St. between Lydia St. & Waller St.
Reuse Objective:	Create Entertainment Oriented Retail & Office Opportunities on 11th St
Project Controls:-	-
Site Area:	1.6 Acres
Permitted Use:	Mixed Use: Downtown & entertainment oriented retail/Office Townhouses (Amended 2001)
Allowable Height (Existing)/Permitted — FAR:	60 foot maximum fronting E 11 th Street; 40 foot maximum fronting Juniper Street 50 foot maximum // Total Maximum FAR: The FAR in the Land Development Code or LDC shall be waived. There is no FAR0.96 Total Maximum FAR (Amended 2001)
Compatibility	Compatibility is waived
Impervious Cover	TBD

New Commercial Space:	40,000-48,000 square feet maximum (Amended 2001)
Commercial Space to be Preserved:	up to 5,000 square feet rehabilitated
Potential New Housing Units:	10-15 Townhouses, oriented toward Juniper St. (Amended 2001)
Existing Housing to be Preserved:	0
Community Parking Spaces:	135-150 (limited on-street spaces available)
Residential Parking Spaces:	10-15
Potential Demolition:	up to 2,000 square feet of commercial/retail

Figure 4-10: 11th Street ~~Live-Work Studios~~Mixed-Use/Hotel (Block X7)

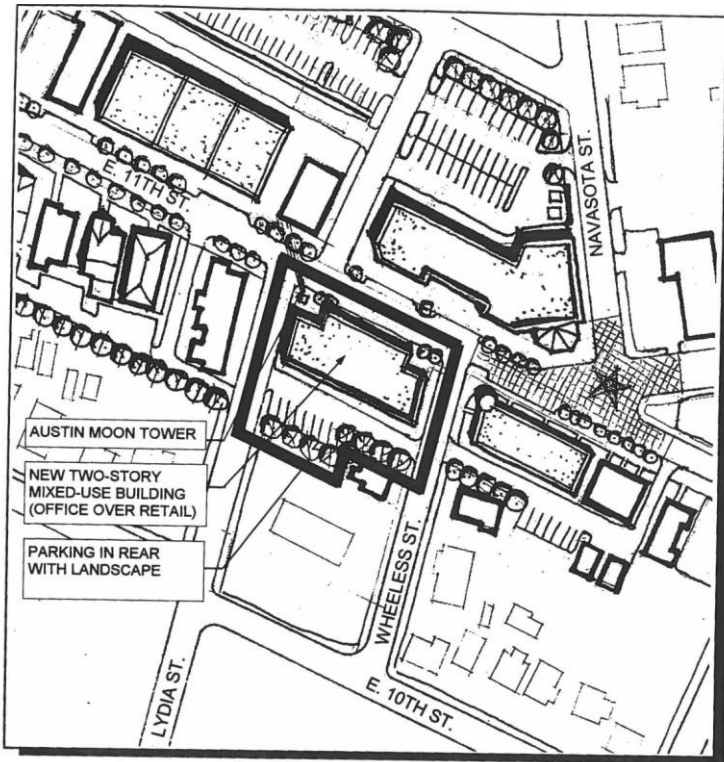


PROJECT	
NUMBER/NAME:	11-6/11th ST. LIVE-WORK STUDIOS Mixed-Use/Commercial; Hotel
Project Location:	South Side of 11th St. Between Waller St. & Lydia St.
Reuse Objective:	Provide Opportunities for Artists' Studios and Residences New Mixed-Use Development/Hotel uses
Project Controls:	
Site Area:	0.8 acres
Permitted Use:	Live-Work Studios Mixed-Use/Commercial; Hotel
Allowable Height/Permitted FAR:	35 foot maximum; 0.70 Total Maximum FAR / Total Maximum FAR: The FAR in the Land Development Code or LDC shall be waived. There is no FAR-0.44 FAR-Commercial, 11.25 Units/Acre Residential, excluding 1123 E. 11th Street, which will have 1.0 FAR-0.44 FAR-Commercial, 11.25 Units/Acre Residential (amended 2012))
<u>Compatibility</u>	<u>Compatibility is waived</u>

Commented [HS16]: NCCD allows for a maximum height of 60 feet

<u>Impervious Cover</u>	<u>TBD</u>
New Commercial Space:	6,000 to 10,000 square feet maximum
Commercial Space to be Preserved:	0
Potential New Housing Units:	4-6
Existing Housing to be Preserved:	3
Community Parking Spaces:	0 (parking accommodated in community lots elsewhere on E 11th St)
Residential Parking Spaces:	8-12
Potential Demolition:	2 houses

Figure 4-11: Lydia & 11th Street Mixed-Use (Block 4X)

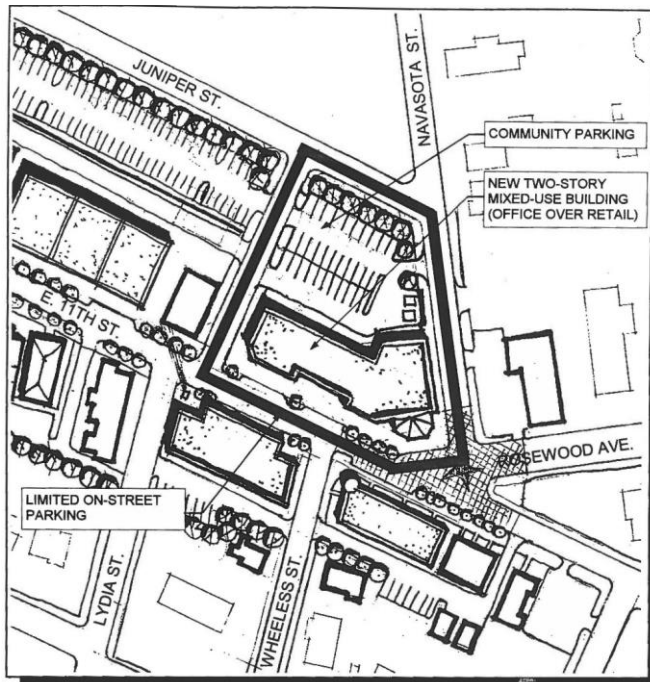


PROJECT-	
NUMBER/NAME:	11-7/LYDIA & 11TH ST. MIXED-USE
Project Location:	South Side of 11th St. Between Lydia St. & Wheelless St.
Reuse Objective:	Create Retail & Office Opportunities and / or Off Street Parking (Amended 2003) on 11th St.
Project Controls:-	-
Site Area:	0.3 acres
Permitted Use:	Mixed Use Office or Residential; Community/Local Services
Allowable Height/Permitted FAR:	35 foot maximum. Total Maximum FAR: The FAR in the Land Development Code or LDC shall be waived. There is no FAR0.99 Maximum FAR
Compatibility	Compatibility is waived
Impervious Cover	TBD
New Commercial Space:	10,000 to 13,000 square feet maximum
Commercial Space to be Preserved:	0
Potential New Housing Units:	0

Commented [HS17]: NCCD allows for a maximum height of 60 feet

Existing Housing to be Preserved:	0
Community Parking Spaces:	<u>up to 30 (no on street parking) (Amended 2002)</u>
Residential Parking Spaces:	0
Potential Demolition:	up to 900 square feet of commercial/retail

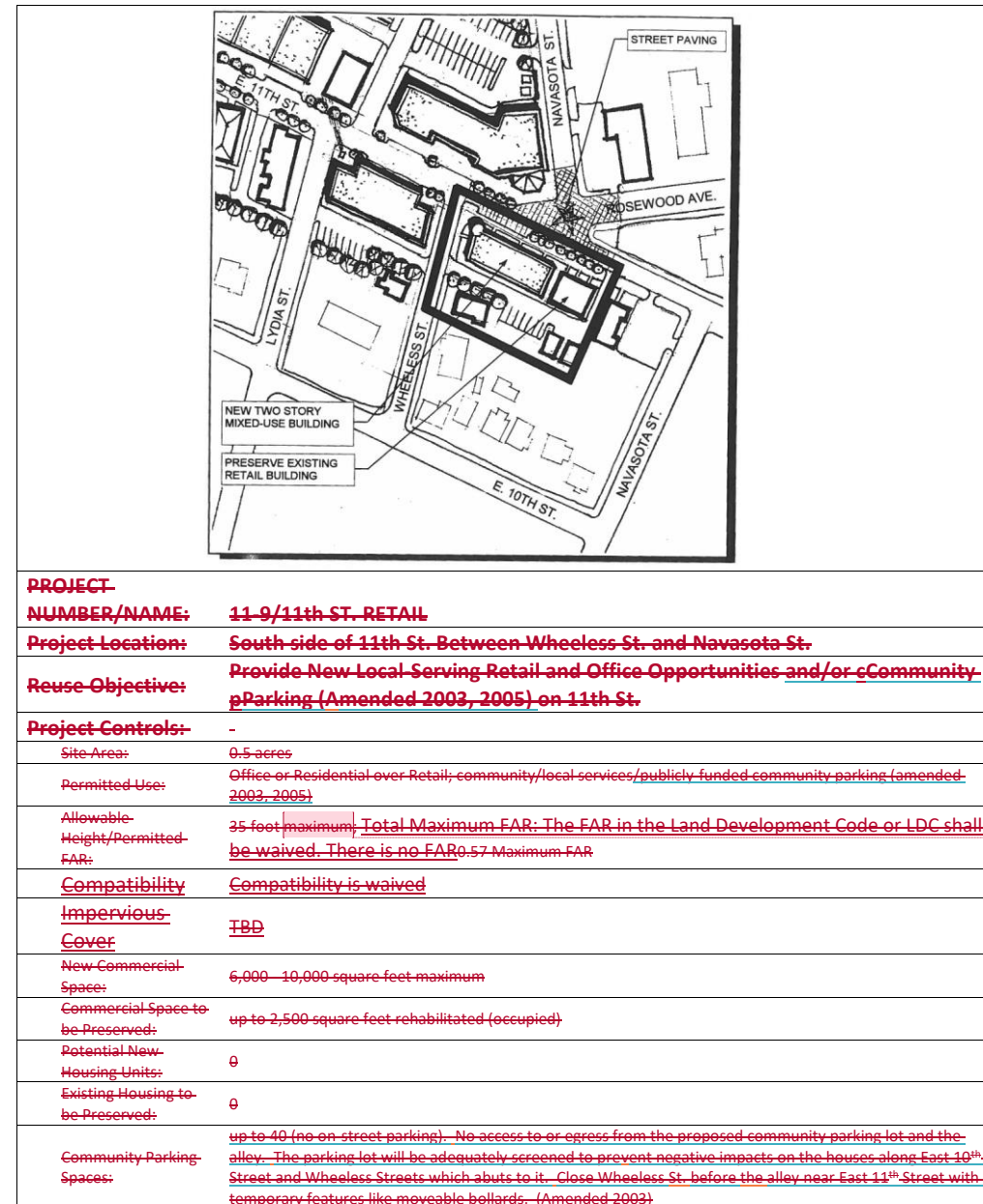
Figure 4-12: Navasota Street & 11th Street Mixed Use (Block 19X)



PROJECT NUMBER/NAME:	11-8/NAVASOTA ST & 11th ST MIXED USE
Project Location:	North side of 11th St. and South side of Juniper St. between Lydia St. & Navasota St. (Amended 2003)
Reuse Objective:	Provide New Mixed-Use Development on 11th St.
Project Controls:-	-
Site Area:	0.9 acres
Permitted Use:	Community/local services; Mixed Use
Allowable Height/Permitted FAR:	50-60 foot maximum Total Maximum FAR: The FAR in the Land Development Code or LDC shall be waived. There is no FAR; 0-71 Maximum FAR
Compatibility	Compatibility is waived
Impervious Cover	TBD
New Commercial Space:	9,000 to 20,000 square feet maximum (Amended 2003)
Commercial Space to be Preserved:	up to 2,000 square feet
Potential New Housing Units:	up to 15
Existing Housing to be Preserved:	0
Community Parking Spaces:	up to 55 (Amended 2003)

Residential Parking Spaces:	up to 15 (Amended 2003)
Potential Demolition:	1 house and up to 2,000 square feet of commercial/retail

Figure 4-13: 11th Street Retail (Block 4X)

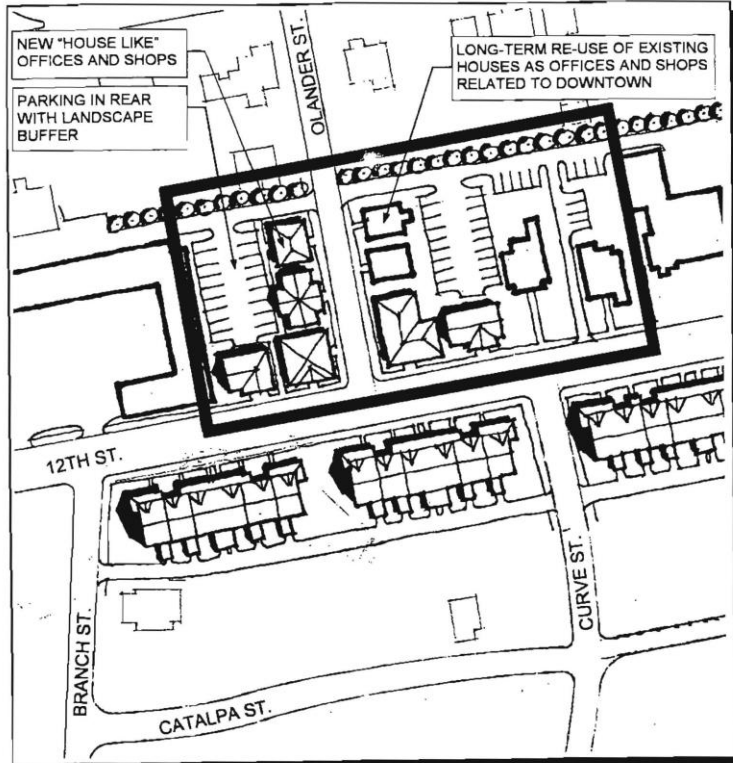


Commented [HS18]: E 11th St NCCD allows for maximum height of 60 feet

Residential Parking Spaces:	0
Potential Demolition:	1 house and up to 2,000 square feet of commercial/retail

~~Note: Tearsheets 12-1 to 12-13 are subject to Section 3.0 A.4 of the URP, which divides the East 12th Street Corridor into 3-4 Sub Districts and 18 Tracts and describes Compatibility regulations that apply for Parking, Lighting, Building Facades, and Landscaping. Drive-through facilities are prohibited. All project controls related to New Commercial Space, Commercial Space to be Preserved, New Housing Units, Existing Housing to be Preserved, Community Parking Spaces, Residential Parking Spaces, and Potential Demolition were deleted. (Amended 2005)~~

Figure 4-14: 12th Street Offices



PROJECT-	
NUMBER/NAME:	12-1/12th ST. MIXED-USE (amended 2005)
Project Location:	North side of 12th St. at Olander St.
NCCD-Combining District:	Portion of Sub-District 1 and 2; portion of Tracts 1 and 2
Reuse Objective:	Provide Mixed-Use Opportunities on 12th St. (amended 2005)
Project Controls:-	-
Site Area:	1.3 acres
Permitted Use:	Mixed Use (amended 2005)
Allowable Height/Permitted FAR:	West of Olander 60-foot maximum height; East of Olander 50' maximum height. The current building FAR in the LDC shall be waived in lieu of the following: No maximum FAR (amended 2005)
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95% (amended 2005)
Setbacks:	10-foot rear; all other setbacks waived (amended 2005)

Figure 4-15: 12th Street Office Incubator

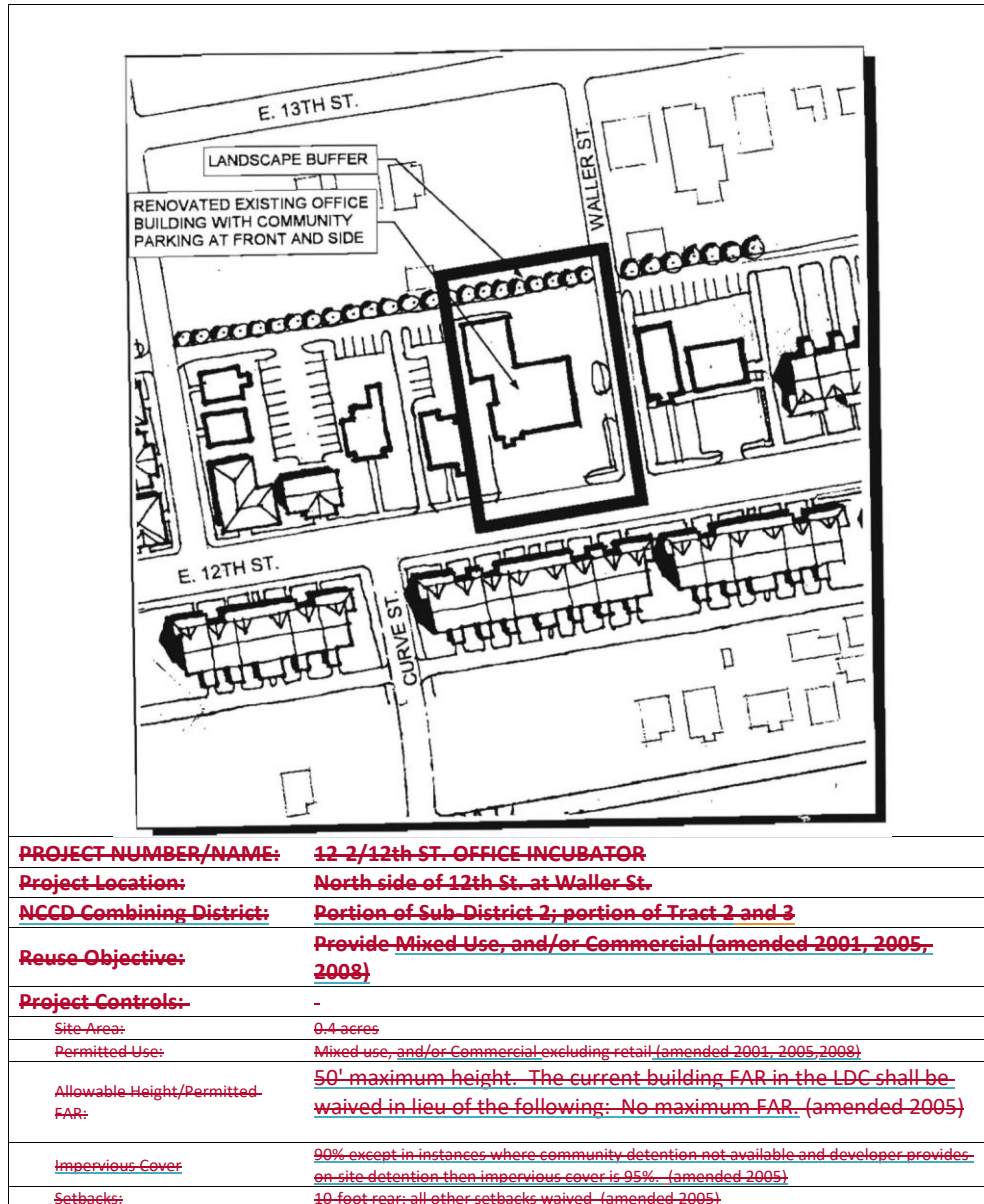
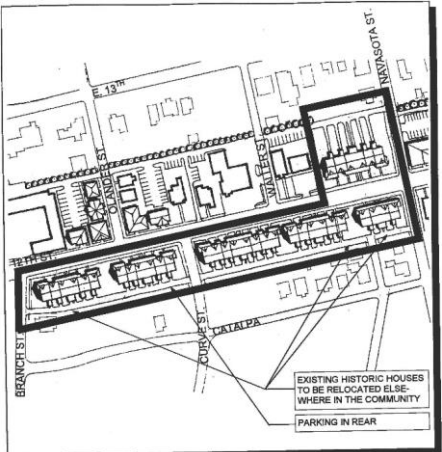


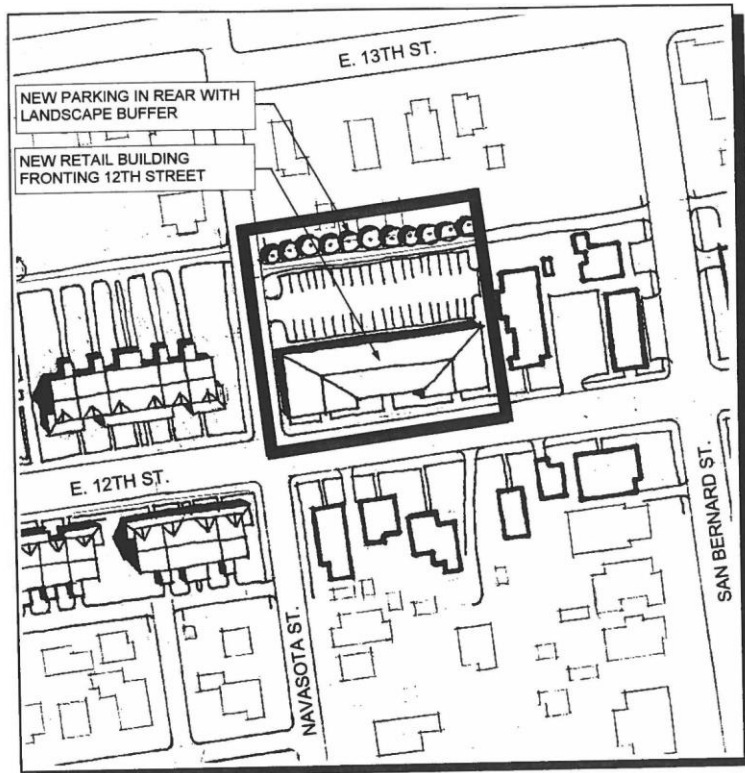
Figure 4-16: SCIP II Townhouses — South

	
PROJECT NUMBER/NAME:	12-3/SCIP II TOWNHOUSES SOUTH
Project Location:	<u>South side of 12th St. Between Branch St. and Navasota St. and the Northwest corner of 12th Street at Navasota (amended 2003)</u>
Reuse Objective:	<u>Residential & Mixed Use and/or Commercial Development and publicly funded community parking on 12th St. (amended 2005)</u>
NCCD Combining District:	<u>Portion of Sub-Districts 2 and 3; portion of Tract 3 and all of Tract 11, 12 and 13</u>
Project Controls:	-
Site Area:	3.2 Acres
Permitted Use:	<u>Mixed Use between Branch & Curve; Townhouses, between Curve & Waller excluding 1115 E. 12th St. which will be Commercial; Single Family residential between Waller and Navasota; on the south side of 12th St.; Mixed use or publicly funded parking between Waller and Navasota on the north side of E. 12th St. (amended 2001, 2003, 2005)</u>
Allowable Height/Permitted FAR:	<u>35' maximum on the south side of 12th St; 50' maximum on the north side of 12th St; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR. (amended 2005)</u>
Impervious Cover	<u>80% on the south side of E. 12th St. between Branch St. and Navasota St.; 90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95% on the north side of E. 12th St at the north west corner of Navasota. (amended 2005)</u>

Setbacks:

~~10 foot rear; all other setbacks waived on the north side of E. 12th at the northwest corner of Navasota; 15' (front), 10' (street yard), 5' (interior side yard), and 5' (rear) on the south side of 12th Street (amended 2005)~~

Figure 4-17: Navasota Street Retail



PROJECT-	
NUMBER/NAME:	12-4/NAVASOTA ST. RETAIL
Project Location:	North side of 12th St. at Navasota St.
Reuse Objective:	Provide Mixed Use Opportunities on E. 12th St (amended 2008)
NCCD Combining District:	Portion of Sub-District 2; Tract 4
Project Controls:	-
Site Area:	0.6 acres
Permitted Use:	Mixed Use (amended 2008)
Allowable Height/Permitted FAR:	50' maximum; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR.
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005)
Setbacks:	10-foot rear; all other setbacks waived (amended 2005)

Figure 4-18: 12th Street Renovation

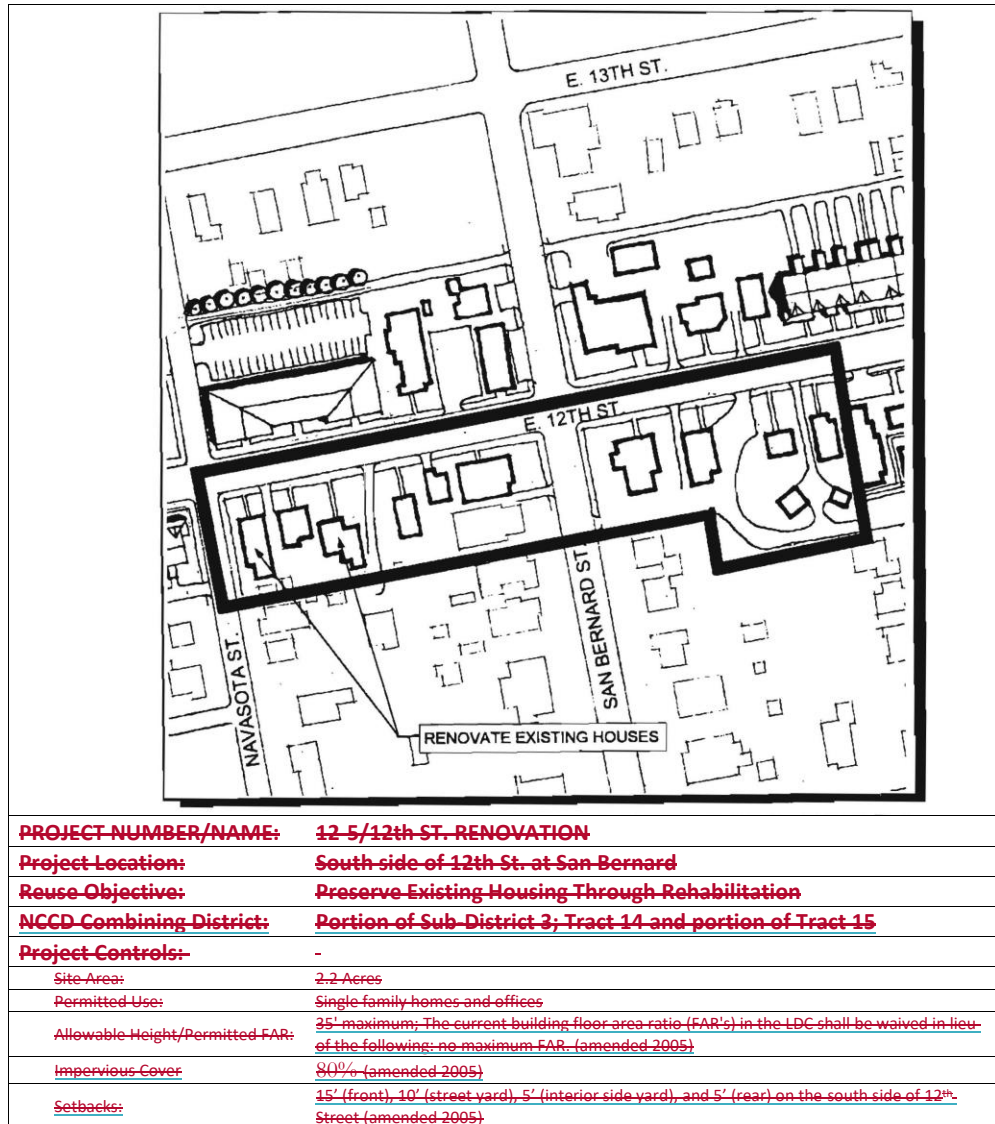
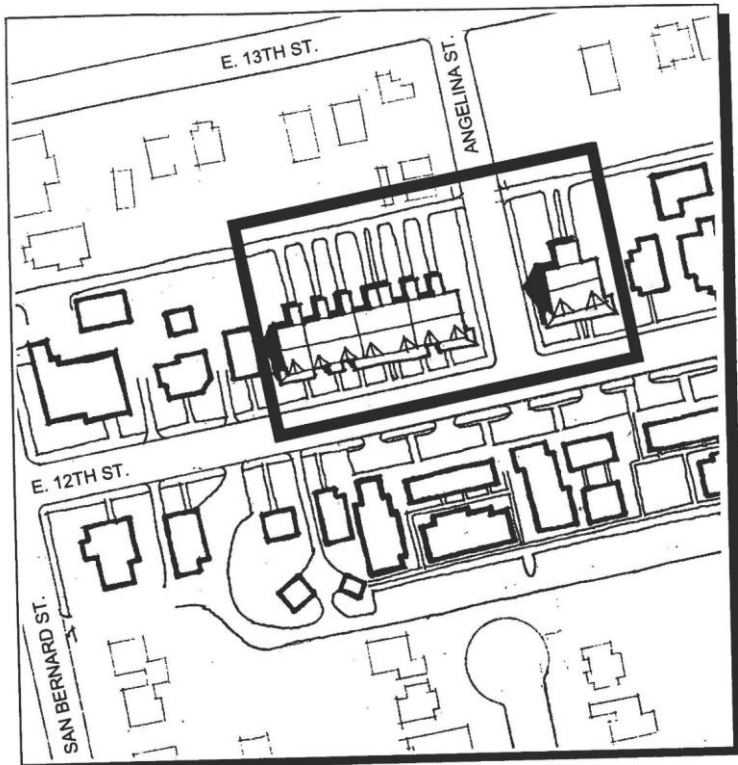
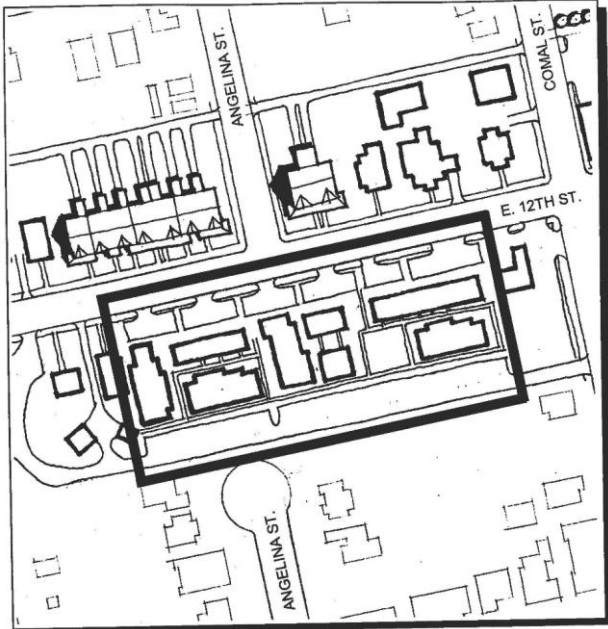


Figure 4-19: SCIP II Townhouses - North



PROJECT-	
NUMBER/NAME:	12-6/SCIP II TOWNHOUSES NORTH
Project Location:	North side of 12th St. at Angelina St.
Reuse Objective:	Provide New Mixed Use Opportunities on E. 12th St. (amended 2001, 2005, 2008)
NCCD Combining District:	Portion of Sub-District 2; Tracts 5 and 6
Project Controls:	-
Site Area:	1.0 acres
Permitted Use:	Mixed Use (amended 2001, 2005 and 2008)
Allowable Height/Permitted FAR:	50' maximum; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR (amended 2001, 2005)
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005)
Setbacks:	10-foot rear; all other setbacks waived (amended 2005)

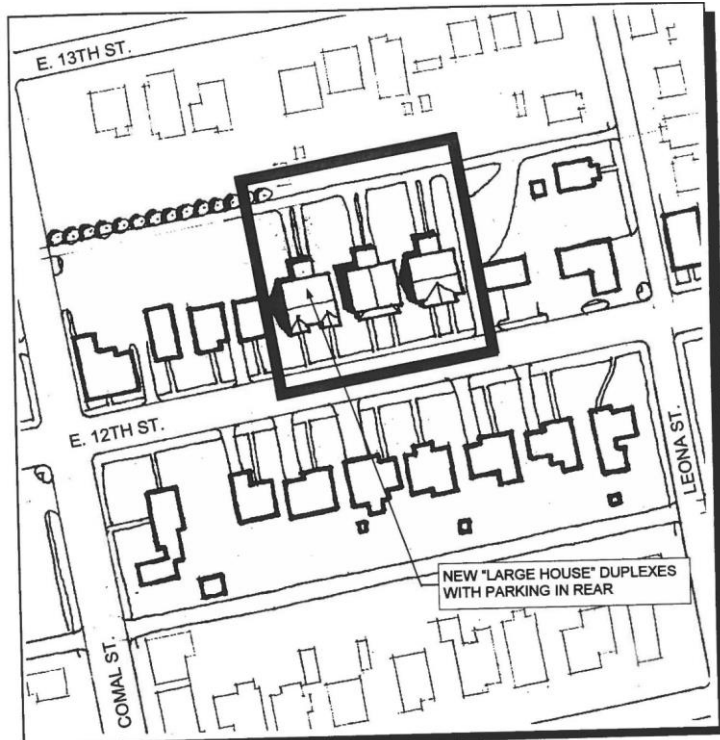
Figure 4-20: 12th Street ~~Garden~~ Apartments



PROJECT-	
NUMBER/NAME:	12-7/12th STREET GARDEN APARTMENTS
Project Location:	South Side of 12th St. Between Comal St. & Angelina St.
Reuse Objective:	<u>Provide New Housing Opportunities on 12th St., excluding 1425 E. 12th St. which will be commercial (amended 2008)</u>
NCCD-Combining District:	<u>Portion of Sub-District 3; portion of Tract 15</u>
Project Controls:	-
Site Area:	1.4 acres
Permitted Use:	<u>Garden Apartments, condominiums, townhouses, excluding 1425 E. 12th St (SW corner of Comal and 12th Street) which will be commercial (amended 2001, 2008)</u>
Allowable Height/Permitted FAR:	<u>35' maximum from Angelina to Comal except the southwest corner of Comal is 50' maximum. The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR. (amended 2005)</u>
Impervious Cover	<u>80% on the south side of E. 12th St. between Angelina St. to Comal, except the southwest corner of Comal has 90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005)</u>
Setbacks:	<u>15' (front), 10' (street yard), 5' (interior side yard), and 5' (rear) on the south side of 12th Street, except the southwest corner of Comal has 10 foot rear; with all other setbacks waived (amended 2005).</u>

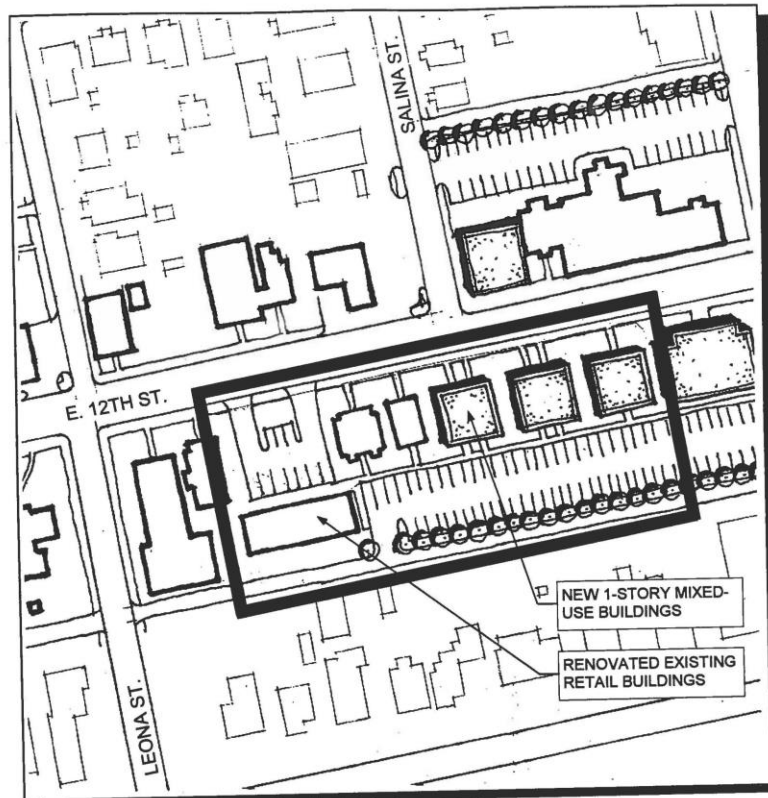
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Figure 4-21: 12th Street Duplexes



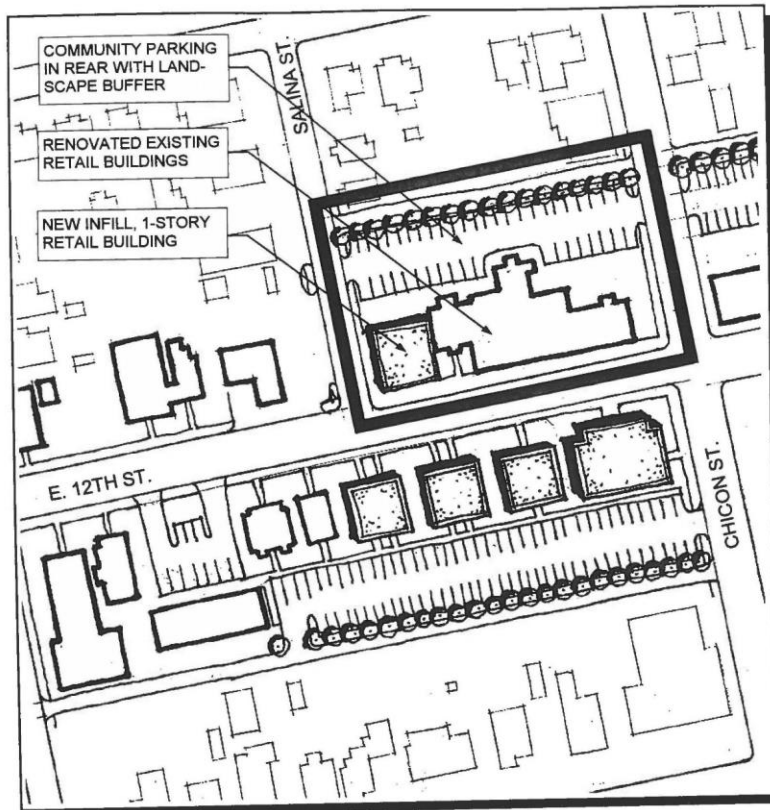
PROJECT NUMBER/NAME:	12-8/12th STREET DUPLEXES
Project Location:	North Side of 12th St. Between Comal St. & Leona St.
NCCD Combining District:	Portion of Sub-District 2; portion of Tract 7
Reuse Objective:	Provide mixed use opportunities on E. 12th St. (amended 2001, 2008)
Project Controls:-	-
Site Area:	0.7 Acres
Permitted Use:	Mixed Use (amended 2001, 2005, 2008)
Allowable Height/Permitted FAR:	50' maximum; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR (amended 2001, 2005)
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005)
Setbacks:	10 foot rear; all other setbacks waived (amended 2005)

Figure 4-22: 12th Street Mixed Use



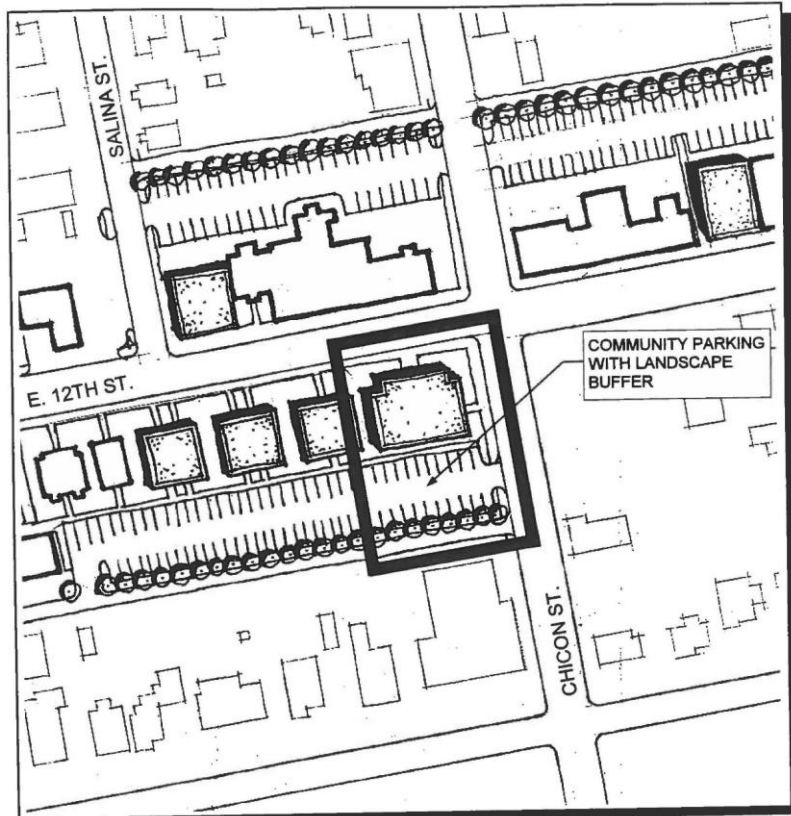
PROJECT NUMBER/NAME:	12-9/12th ST. MIXED-USE
Project Location:	South side of 12th St. between Leona St. & Chicon St.
NCCD Combining District:	Portion of Sub-District 2; portion of Tract 17
Reuse Objective:	Provide Mixed-Use Opportunities on 12th Street (amended 2005)
Project Controls:-	-
Site Area:	1.2 Acres
Permitted Use:	Mixed-use
Allowable Height/Permitted FAR:	50' maximum; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR (amended 2005)
Impervious Cover:	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005)
Setbacks:	10-foot rear; all other setbacks waived (amended 2005)

Figure 4-23: Chicon Street Retail Node



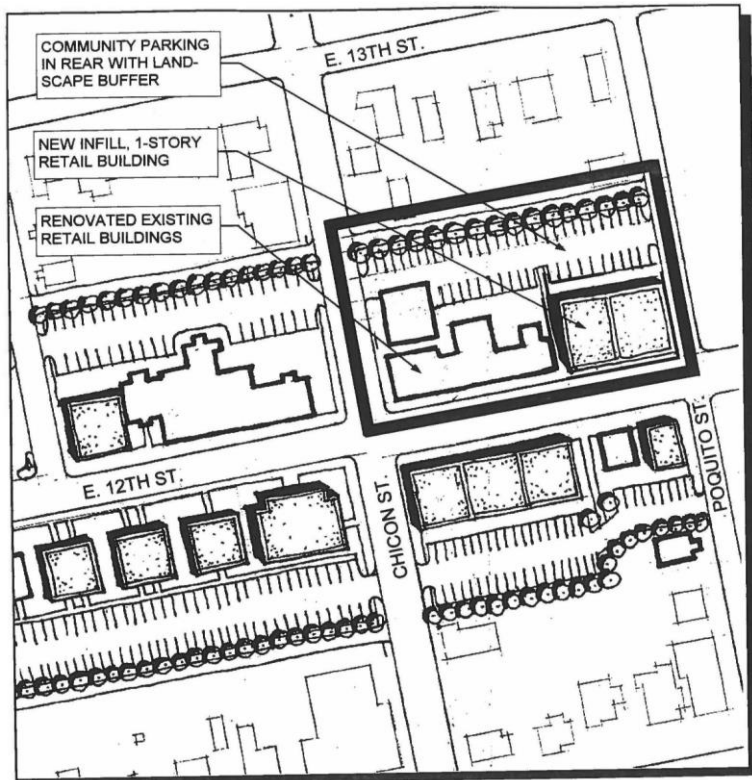
PROJECT NUMBER/NAME:	12-10/CHICON ST. RETAIL NODE
Project Location:	North side of 12th St. at Chicon St.
NCCD-Combining District:	Portion of Sub-District 2; Tract 9
Reuse Objective:	Stabilize Existing Retail Node
Project Controls:-	-
Site Area:	0.9 Acres
Permitted Use:	Mixed use
Allowable Height/Permitted FAR:	50' maximum; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR (amended 2001, 2005)
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005)
Setbacks:	10-foot rear; all other setbacks waived (amended 2005)

Figure 4-24: 12th Street Civic Node



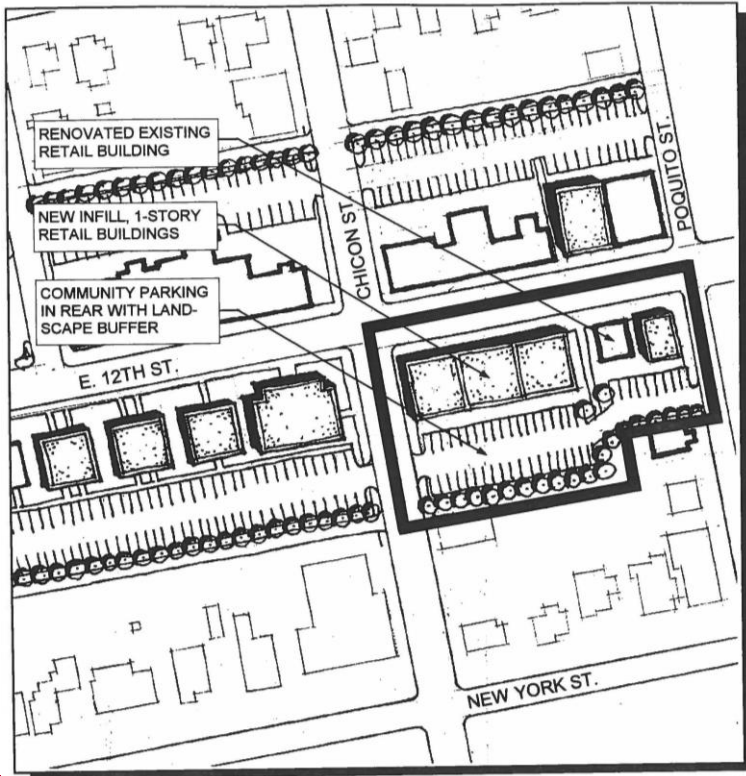
PROJECT NUMBER/NAME:	12-11/12th CIVIC NODE
Project Location:	South Side of 12th St. at Chicon St.
NCCD Combining District:	Portion of Sub-District 2; portion of Tract 17
Reuse Objective:	Provide New Civic and/or Religious Opportunities
Project Controls:-	-
Site Area:	0.5 Acres
Permitted Use:	Civic Uses
Allowable Height/Permitted FAR:	50' maximum; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR (amended 2005)
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005)
Setbacks:	10-foot rear; all other setbacks waived (amended 2005).

Figure 4-25: Chicon Street Retail Node



PROJECT NUMBER/NAME:	12-12/CHICON STREET RETAIL NODE
Project Location:	North side of 12th St. at Poquito St.
NCCD-Combining District:	Portion of Sub-District 2; Tract 10
Reuse Objective:	Stabilize Existing Retail Node
Project Controls:	-
Site Area:	0.9 Acres
Permitted Use:	Retail except mixed-use residential allowed
Allowable Height/Permitted FAR:	50' maximum; The current building floor-area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR (amended 2005)
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95% (amended 2005)
Setbacks:	10 foot rear; all other setbacks waived (amended 2005)

Figure 4-26: Chicon Street Retail Node



PROJECT NUMBER/NAME:	12-13/CHICON STREET RETAIL NODE
Project Location:	South side of 12th St. at Poquito St.
NCCD Combining District:	Portion of Sub-District 2; Tract 18
Reuse Objective:	Stabilize Existing Retail Node
Project Controls:-	-
Site Area:	0.9 Acres
Permitted Use:	Retail except mixed-use residential allowed
Allowable Height/Permitted FAR:	50' maximum; The current building floor area ratio (FAR's) in the LDC shall be waived in lieu of the following: no maximum FAR (amended 2005).
Impervious Cover	90% except in instances where community detention not available and developer provides on-site detention then impervious cover is 95%. (amended 2005).
Setbacks:	10-foot rear; all other setbacks waived (amended 2005).

~~4.0 UR AREA PUBLIC IMPROVEMENTS PLAN~~

~~The redevelopment projects, identified for the East 11th and 12th Streets UR Area, seek to re-establish a neighborhood-oriented, pedestrian-friendly location for convenience shopping, retail opportunities, office development, and entertainment. Part and parcel of such traditional notions of mixed-use, sustainable development is the importance it places on the public environment, particularly the pedestrian and transit environment.~~

~~Currently local bus service is provided to the UR Area by Capitol Metro and two possible future light rail transit lines are being researched in the study area proximity. Within the redevelopment areas along East 11th & 12th Streets, there are several necessary public improvements. To help accommodate potential future transit enhancements and create an attractive pedestrian environment, attention should be paid to improving the public infrastructure, particularly sidewalks, street lights, and landscaping along East 11th and 12th Streets as well as likely routes from the UR Area to potential light rail stations. In the Fall of 1998, Capitol Metro began design work on streetscape improvements for East 11th Street under the Livable Communities initiative. This work is planned to include new sidewalks, streetlights, landscaping, bus stops, and gateways for this critical corridor. Similar work in upgrading sidewalks, landscaping, and lighting is also needed on East 12th Street.~~

~~To enhance the pedestrian environment and to provide public open space within what is hoped to be a very active entertainment/retail area, a small new open space is proposed to be developed. This open space, to be developed directly west of Shorty's Bar, could be developed in conjunction with re-use of the historic Bailetti House (see Figures 4-7 and 4-8).~~

~~In addition, the planned development along East 11th Street seeks to draw consumers from the greater Austin area, particularly the office/residential communities located in and around Downtown. Therefore, establishment of a rubber-based downtown shuttle could prove critical in linking the East 11th/12th Streets UR Area with potential commercial consumers.~~

[FOR DISCUSSION: Why not list that there remains a desire to improve infrastructure in the corridors, particularly on East 12th Street? And that we intend to encourage that development in the corridors (or require, to the extent that we can) that infrastructure be upgraded?]

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~~5.0 URP RELOCATION ASSISTANCE PLAN~~

4.0 LAND USE-

Permitted, Conditional and Prohibited Uses

The attached Exhibit's XXXX, will be the Permitted, Conditional and Prohibited Uses within the UR area, as amended.

A. Save and Except – is

- a. For all properties within the UR area that are not listed as a “save and except” will be considered nonconforming uses or noncomplying structures and shall be subject to Article 7, Nonconforming Uses and Article 8, Noncomplying Structures in the City of Austin’s Land Development Code Sections 25-2-941 through 25-2-964, as amended.

Commented [HS19]: ZAP Staff, URB Attorney to provide language

5.0 RELOCATION OF PERSONS, BUSINESSES (INCLUDING INDIVIDUALS AND FAMILIES), BUSINESS CONCERNS, AND OTHERS DISPLACED BY THE PROJECT

If the URA receives Federal funds for real estate acquisition and relocation, the URA shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation and Assistance and Real Property Acquisition Policies Act of 1970, as amended. The URA may also undertake relocation activities for those not entitled to benefit under federal law, as the URA may deem appropriate for which funds are available. Persons leasing property held for redevelopment (i.e., those tenants who commence tenancy after acquisition by the URA) shall not be eligible for relocation benefits. In the event the URA activities directly result in the displacement of families within the Area, the URA shall relocate such displaced families into decent, safe, and sanitary dwelling accommodations without undue hardship to such families as required by law. For any other activity, the URA will comply with the provisions of the Law regarding relocation. The URA reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as provided under the Act or the Law. All relocation activities of the URA will be conducted by the City of Austin.

~~This Relocation Assistance Plan addresses important requirements governing urban redevelopment, City policies for minimizing permanent displacement of neighborhood residents, and standards for the use of federal funds for redevelopment activities. This section defines policies and standards of relocation assistance benefits for displaced residents and businesses and outlines procedures for delivering equitable relocation services. This discussion also offers a preliminary forecast of relocation workloads and costs and provides guidelines for determining actual needs and preferences of displaced parties. Relocation estimates are directly related to the proposed disposition re-uses as defined in the URP Renewal Project Areas (Figures 4-5 through 4-26).~~

~~All relocation benefit standards and procedures for determination of relocation needs and eligibility will comply with federal administrative guidelines for implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The most current administrative guidelines applicable to federally assisted programs are identified in 49 CFR Part 24, issued by the U.S. Department of Transportation, March 2, 1989, and adopted by the U.S. Department of Housing and Urban Development (HUD) for all HUD-assisted community development and housing activities.~~

~~Although standards of relocation benefits prescribed in these guidelines are higher than most state and local government relocation policies, adoption of these standards will protect access to federal funding for URP implementation. To promote private reinvestment, the costs of providing relocation benefits and services will usually be supported with public funds to the extent of availability. However, the responsibilities for providing~~

timely, consistent and equitable treatment to impacted households or businesses will be shared by any private property owners, redevelopers, and/or community-based developers that participate in redevelopment projects assisted by public actions.

A. Business Relocation Needs

A preliminary estimate of the numbers and sizes of existing businesses which may eventually be displaced by proposed redevelopment actions, are shown in Table 4-3. This includes 15,700 square feet of commercial space. Demolition estimates are based on surveys of external building conditions and occupancy levels and balanced against future development possibilities. More detailed interior code inspections of structures and surveys of business tenants, prior to implementation of physical improvement programs, will be required to refine this information as well as the estimated costs. Business relocation benefits and moving cost estimates are based on an assumed average of \$7.50 per square foot of space; the eligible costs will be refined on the basis of further surveys.

This Relocation Assistance Plan is based on the practical recognition that replacement facility and moving expense benefits allowed under federal guidelines are insufficient to compensate marginal small businesses for the hardships of relocation. Administration of business relocation benefits and services must be closely coordinated with other publicly assisted economic development and small business financing assistance, i.e., to provide feasible conditions for retention and improvement of existing businesses. The following types of relocation and improvement options may be offered to displaced business enterprises:

- Owners of obsolescent or inappropriately located businesses may phase out existing activities and/or sites and initiate new enterprises which are consistent with current market needs of the neighborhood. This option will require access to decent/affordable alternative space within the target area, access to venture capital beyond the dollar amounts of the relocation benefit, and business management and technical assistance.
- Owners of more viable enterprises may relocate in the target area as prime tenants or as principals in publicly assisted private redevelopment projects. This option will require adequate lead time for replacement facilities preparation as well as for the varied forms of economic development assistance.
- Business owners may choose to move out of East Austin if more suitable market, sites, and facility conditions for the particular enterprise can be identified.
- Total estimated business demolition costs are \$39,200, with an associated relocation assistance impact totaling \$117,750. It is assumed that the cost of demolition will be borne privately through the cost of new development on the site, while relocation assistance costs will be supported completely by the public sector. These amounts of public and private expenditures are quite reasonable in terms of the projected net growth of new development.

Table 4-4 Estimated Demolition and Relocation Assistance

DEMOLITION & RELOCATION ACTIONS	CRP CORRIDORS			COSTS		
	11th STREET	12th STREET	TOTAL	COST PER UNIT	RELOCATION BENEFITS	TOTAL COST
DEMOLITION COMPONENTS	Demolition Cost					
RESIDENTIAL	Units or square feet			-	-	-
SINGLE FAMILY HOUSING	9	7	16	\$4,500	NA	\$72,000
MULTI FAMILY HOUSING	2	16	18	\$3,500	NA	\$63,000
SUBTOTAL	11	23	34	-	-	-
NON-RESIDENTIAL	14,500	5,100	19,600	\$2	NA	\$39,200
TOTAL DEMOLITION	-	-	-	-	-	\$174,200
RELOCATION- IMPACTS	Relocation Cost/Benefit					

RESIDENTIAL	Units or square feet			-	-	-
OCCUPIED SINGLE FAMILY	8	6	14	-	\$30,000.00	\$420,000.00
OCCUPIED MULTI-FAMILY	2	16	18	-	\$15,000.00	\$270,000.00
SUBTOTAL	10	22	32	-	-	-
NON-RESIDENTIAL	14,500	1,200	15,700	-	\$7.50	\$117,750.00
TOTAL RELOCATION	-	-	-	-	-	\$807,750.00

SOURCE: FCCD+R Survey Crane Urban Design Team

NOTES

Occupancy is based upon the FCCD+R Survey. All tenure and occupancy conditions will be verified prior to conducting any demolition.

Demolition is based upon the project designs and controls as spelled out in figures 4-4 through 4-25.

Relocation benefits will be based upon the Uniform Relocation Assistance Act. Benefit estimates are based on comparable experiences in other cities.

Residential Relocation Needs

A preliminary estimate of the number and housing tenure characteristics of households that may be displaced by proposed redevelopment initiatives is also shown in Table 4-3. These potentially impacted households currently occupy either structurally hazardous housing units, which cannot be repaired on an economical basis, or structures that may eventually be cleared for new infill housing or economic development. Of the 32 households likely to be displaced in the UR Area, 10 are identified as single-family owners and 22 are multifamily renters.

~~According to the federal guidelines, displaced households are entitled to affordable replacement housing of standard condition in preferred locations, including available units outside the current living area if preferred. Providing decent and affordable replacement housing choices within East Austin will be a priority of the relocation program. Choices could include vacant private units in sound condition, as well as planned replacement units to be provided through rehabilitation and new construction in advance of relocation action. As mentioned earlier, the City/ARA may establish replacement housing set-aside targets as a condition of publicly assisted residential rehabilitation and new construction programs. In partnership with community-based organizations, the City/ARA will work to create a limited inventory of temporary housing to meet the needs of displaced households waiting to occupy rehabilitated and new units designated for permanent replacement housing.~~

~~The process of delivering residential relocation benefits and services will be carefully coordinated with other social and economic improvement objectives for current residents. Family counseling services may be made available, providing special attention to the needs of children and the elderly. Such counseling could result in access to education and skills training, job opportunities, health care, and substance abuse treatment programs.~~

~~Total residential demolition costs are estimated at \$135,000 with an assumed relocation assistance impact totaling \$690,000. These amounts of public and private expenditures are quite reasonable in terms of the projected net growth of new development.~~

B. Delivery of Relocation Assistance

~~City staff and consultants will be principally responsible for the planning and delivery of relocation benefits and services within the framework of uniform standards for public and private redevelopment projects. The active participation of the East Austin community, relevant social service agencies, economic development assistance organizations, real estate service firms, and community-based organizations will be sought for various tasks and areas of expertise needed in the survey and planning phase, and in the actual delivery of benefits and services.~~

~~Detailed residential and business relocation surveys, followed by appropriate relocation assistance plans, budgets and schedules, will be carried out for specific phases and project areas prior to the expenditure of public funds for relocation expenses. These surveys will be coordinated with housing and building code inspections, rehabilitation work orders, and/or demolition permit applications. Specific characteristics of impacted households and businesses, and determinations of their replacement facility needs and preferences, will be defined in each sub-phase/project area relocation assistance survey and plan. Implementation of relocation will follow only after the appropriate reviews of completed plans.~~

6.0 DURATION AND MODIFICATION PROCEDURES OF URP AND REDEVELOPMENT- PROJECT CONTROLS

A. Termination of URP and Redevelopment Project Controls. The URP and the Redevelopment

Project Controls for the UR Area shall expire, and no longer be in force or effect, after ~~December 31, 2018~~ September 30, 2028. In five years, in 2024, the URP will be evaluated to determine if there is a continued need for the URP and the Urban Renewal Agency.

B. Amendments to the URP. ~~ARA. Anyone may recommend from time to time amendments. The URP may be modified at any time to time to the URP in the following manner:~~

1. The amendment proposal shall be submitted to the designated City staff of the Planning Commission and the Urban Renewal Agency (URA).
2. The URA shall submit a written recommendation to the City Council.
3. Planning Commission shall submit a written recommendation to the City Council.
4. Notice of Public Hearing at Planning Commission on the proposed URP amendment will be mailed to all property owners, renters and registered community organizations within 500 feet of the proposed amendment site.
5. Upon receipt of a recommendation from the URA and the Planning Commission, the City Council shall hold a public hearing related to the proposed amendment.
6. Notice of Public Hearing at Council on the proposed URP amendment shall be published in a newspaper of general circulation three times in advance of the public hearing, in accordance with Chapter 374, Local Government Code.
7. After the public hearing, the City Council will consider the proposed amendment.
- ~~1.7. Any recommendations by the ARA shall be submitted to the City Council in accordance with Chapter 374, Local Government Code. The URA may make recommendations to the City Council concerning the requested amendments to the URP.~~

[FOR DISCUSSION: Why would we give up the right to waive compliance with portions of the URP?]

~~B.C. Waiver from Redevelopment Project Controls. Until the Redevelopment Project Controls expire, and provided the procedures set forth in paragraph 4.7.0 are complied with, waivers with respect to the following Redevelopment Project Controls may be granted by a majority vote of the total number of Board of Commissioners of the URA (Board of Commissioners):~~

- ~~a. changes in the building height range, provided the waiver does not change the URP height by 20%; or~~
- ~~b. changes in the new commercial space range, provided the waiver does not change the URP commercial space square footage by 20%; or~~
- ~~c. changes in the number of new housing units, provided the waiver does not decrease the URP minimum number of housing units by 20% or increase the~~

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Commented [HS20]: "If a proposed modification affects the street layout, land use, public utilities, zoning, if any, open space, or density of the area, the modification may not be made until it is submitted to the planning commission and a report is made to the governing body as provided by Subsection (b)." URB attorney provided this language.

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~~URP maximum number of housing units by 20% (rounded to the nearest whole number); or~~

~~d. changes in the number of community parking spaces, provided the waiver does not decrease the URP minimum number of community parking spaces by 20% or increase the URP maximum number of community parking spaces by 20% (rounded to the nearest whole number); or~~

~~e. changes in the number of residential parking spaces provided the waiver does not decrease the URP minimum number of residential parking spaces by 20% or increase the URP maximum number of residential parking spaces by 20% (rounded to the nearest whole number).~~

~~f. Procedure to Receive a Waiver from Certain Redevelopment Project Controls: To request a waiver from a Redevelopment Project Control the following procedures must be complied with:-~~

~~g. Application for a Waiver.-~~

~~h. Application for a waiver which may be granted only by the Board of Commissioners shall be filed with the City's Community Development Officer of the Neighborhood Housing and Community Development Office, with a copy delivered to the ARA or its successor non-profit corporation.-~~

~~i. The City's Community Development Officer of the Neighborhood Housing and Community Development Office may request additional information necessary to undertake a complete analysis and evaluation of the waiver request, and determine whether the circumstances prescribed for the granting of a waiver exist.-~~

~~j. A single application may include requests for waivers from more than one Redevelopment Project Control applicable to the same site, or for similar waivers on two or more adjacent parcels with similar characteristics.-~~

~~k. Report of the City's Community Development Officer: The City's Community Development Officer of the Neighborhood Housing and Community Development Office shall review and prepare a report on each application for a waiver to be heard by the Board of Commissioners. The City's Community Development Officer of the Neighborhood Housing and Community Development Office's report shall be filed with the Board of Commissioners and be available to the applicant and the public no later than ten days before the public hearing described in paragraph 7.D.4 below.-~~

~~l. Report of the ARA's Board of Directors: The AM's Board of Directors may~~

review and prepare a report on each application for a waiver to be heard by the Board of Commissioners. The AM's report shall be filed with the Board of Commissioners and be available to the applicant and the public no later than ten days before the public hearing described in paragraph 7.D.4 below.

m. ~~Public hearing and notice.~~ The Board of Commissions shall hold a public hearing no later than 60 days after the date the application is filed on each application for a waiver. Notice of a public hearing on a waiver shall be given in accordance with the City Code § 13-1-200(a) ~~25-1-132~~ and by posting a sign(s).

n. ~~Action by the Board of Commissions of the URA.~~ Unless otherwise stated in this paragraph 7, the Board of Commissioners shall act upon an application for a waiver no later than the next scheduled URA meeting after the public hearing is closed. Based on the applicable criteria for granting a waiver established by this URP and the evidence in the record, the Board Commissioners may grant a waiver as requested by the applicant or in a modified form, or the application may be denied. A waiver may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Board of Commissioners may prescribe.

o. ~~Effective Date of Waiver.~~ A decision on a waiver is effective as determined by the Board of Commissioners, provided the effective date following the date of the Board of Commissioners' action described in paragraph 7.D.5. above, is no earlier than the date next following the later of the end of the time period during which an appeal may be filed, if no appeal is filed, or upon a final decision on the appeal, if an appeal is filed.

p. ~~Lapse of Waiver.~~

q. ~~If a waiver is granted in association with a permit or plan, the waiver expires and becomes void when the permit or approved plan expires.~~

r. ~~Unless a different time period is specifically established as a condition of approval, in all other cases, a waiver shall lapse and become void one year following the date on which the waiver became effective. If a plan or permit is submitted prior to the lapse of the waiver, the waiver shall have the same life as the plan or permit.~~

s. ~~New Application.~~ Following the denial or revocation of a waiver, no application for the same or substantially the same waiver on the same or substantially the same site shall be filed within one year of the date of denial or revocation.

- ~~t. Certificate of Termination. In the event the URA determines that all saleable and buildable properties in the UR Area have been acquired and disposed of, the URA may file a certificate to that effect (Certificate of Termination) in the Real Property Records of Travis County, Texas. Upon filing the Certificate of Termination no further waiver from the Redevelopment Project Controls may be granted by the Board of Commissioners.~~
- ~~u. City Council Appeal. If a waiver application to the Board of Commissioners is approved in a modified form or is denied, the applicant may appeal the action to the City Council in the manner described in paragraph 7.G. below.~~
- ~~v. Procedure and Standing to Appeal a Waiver from a Redevelopment Project Control. An interested party has standing to appeal a waiver decision by the Board of Commissioners to the City Council. The City Council shall decide any disputes related to a person's standing to bring an appeal under this section.~~
- ~~w. Initiating an Appeal. An appeal is initiated by filing a completed notice of appeal with the City's Community Development Officer of the Neighborhood Housing and Community Development Office on a form provided by the City's Community Development Officer of the Neighborhood Housing and Community Development Office no later than 14 calendar days after the date of the decision of the Board of Commissioners. The notice of appeal form shall require the following information:~~
- ~~x. The name, address, and telephone number of the interested party filing the appeal;~~
- ~~y. The name of the applicant, if the appeal is brought by an interested party other than an applicant;~~
- ~~z. The decision which is appealed;~~
- ~~aa. The date the decision to be appealed was made;~~
- ~~bb. An indication of the appellant's status as an interested party; and~~
- ~~cc. A statement giving as specifically as possible the reasons the party appealing believes the decision being appealed does not comply with applicable requirements of the URP~~
- ~~dd. No Construction During Appeal. An approved plan or permit shall be suspended upon notice of the timely filing of an appeal of the waiver to the plan or permit. No development authorized by a site plan shall occur during the time period during which an appeal may be initiated. No construction~~

which is affected by the appeal of a plan or permit shall occur pending the final disposition of the appeal.

~~ee. Public Hearing and Notice Required.~~

~~ff. Upon the receipt of a completed notice of appeal, or an amendment or supplement thereto, the City's Community Development Officer of the Neighborhood Housing and Community Development Office shall promptly notify the applicant, if the appeal is brought by an interested party other than the applicant, the City's Community Development Officer and the ARA.~~

~~gg. A public hearing on the appeal shall be scheduled for the first available meeting for which notice of the hearing can be timely provided. Notice of a public hearing on an appeal to the Board of Commissioners shall be given in accordance with the requirements of the City Code § 13-1-200(b). [25-1-132](#).~~

~~hh. Burden of Presenting Evidence; Burden of Persuasion. The burden of establishing that the decision appealed was wrong is on the party bringing the appeal.~~

~~ii. Conduct of Public Hearing on an Appeal. Before opening the hearing, preliminary issues raised by the parties, including without limitation a request for a postponement or continuance or arguments that the appellant has no standing to bring the appeal shall be decided. The public hearing on an appeal shall proceed as follows:-~~

~~jj. A report from the City's Community Development Officer of the Neighborhood Housing and Community Development Office, or other appropriate city staff;~~

~~kk. A report from the ARA's executive officer, or other appropriate ARA staff;~~

~~ll. Presentation by the party bringing the appeal;~~

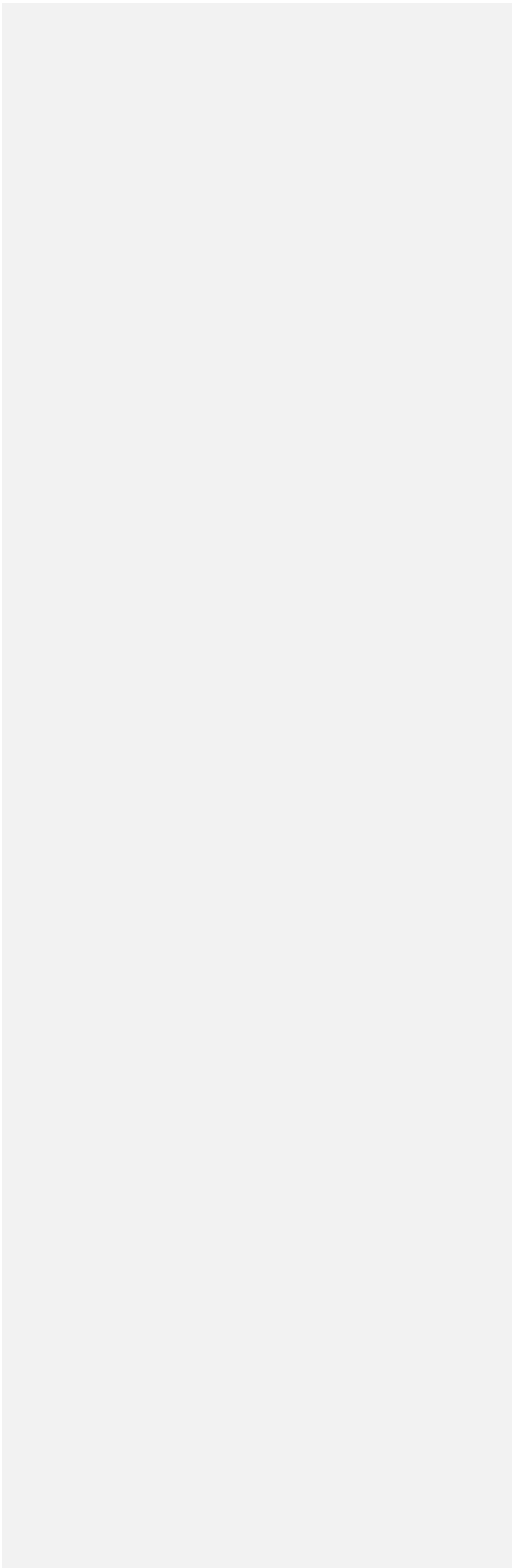
~~mm. Comment by parties supporting the appeal;~~

~~nn. Comment by parties opposing the appeal;~~

~~oo. Rebuttal by the party bringing the appeal.~~

~~Power to act on Appeal. The City Council shall have and may exercise all the powers of the appealed decision of the Board of Commissioners. To that end, on appeal the permit, approval, or decision may be approved or denied, in whole or in part, or may be modified, in accordance with appropriate findings applying the criteria and standards imposed by the URP for review of the permit, approval, or decision.~~

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Appendix

AMENDMENTS TO THE URP SINCE ADOPTION

Original Plan Adoption: Ordinance Number: 990114-G, Dec. 17, 1999,
Prepared on behalf of the Austin Revitalization Authority by Crane Urban
Design Group

Plan Modification #1: Ordinance Number: 010802-089, Aug. 3, 2001

Plan Modification #2: Ordinance Number, 030731-049, July, 31, 2003

Plan Modification #3: Ordinance Number, 20050407-060, April 7, 2005

Plan Modification #4: Ordinance Number, 20080228-113, Feb. 28, 2008

Plan Modification #5: Ordinance Number, 20081120-104, Dec. 1, 2008

Plan Modification #6: Ordinance Number, 20120426-125, April 26, 201

Plan Modification #7: Ordinance Number.

Plan Modification #8: Ordinance Number.

Plan Modification #9: Ordinance Number.

Plan Modification #10: Ordinance Number.

Plan Modification #11: Ordinance Number.

[COPIES OF EACH ORDINANCE WILL FOLLOW.]