

2-45

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED GENERALLY ALONG THE EAST SIDE OF EAST DESSAU ROAD NEAR THE INTERSECTIONS OF DESSAU ROAD AND APPLGATE DRIVE, DESSAU ROAD AND MEADOWMEAR DRIVE AND DESSAU ROAD AND CHILDRESS DRIVE AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO TRADITIONAL NEIGHBORHOOD (TND) DISTRICT ON APPROXIMATELY 278 ACRES OF LAND GENERALLY KNOWN AS THE PIONEER HILL TND PROJECT.

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

**PART 1.** The zoning map established by Section 25-2-10 of the City Code is amended to change the base district from interim rural residence (I-RR) district to traditional neighborhood (TND) district on the property described in Zoning Case No. C14T-03-0001, as approximately 277.393 acres of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, generally known as the Pioneer Hill TND, locally known as the property located east of East Dessau Road near the intersections of Dessau Road and Applegate Drive, Dessau Road and Meadowmead Drive, and Dessau Road and Childress Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The TND shall conform to the limitations and conditions set forth in this ordinance and in the Pioneer Hill traditional neighborhood district development plan (the "TND development plan") on record at the Neighborhood Planning and Zoning Department in File No. C14T-03-0001 and attached to this ordinance as Exhibit "C". If this ordinance and the attached exhibits conflict, the ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City apply to the Pioneer Hill TND.

**PART 3.** The attached exhibits or copies of originals on file with the City of Austin Neighborhood Planning and Zoning Department in File No. C14T-03-0001 are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The attached exhibits are as follows:

- 1  
2 c. Except as otherwise provided in subsection d, the maximum block width  
3 is 400 feet.  
4  
5 d. For a public primary educational facility, the maximum block width is  
6 900 feet.  
7  
8 C. Chapter 25-3 is modified to provide that the following site development  
9 regulations do not apply to open space lots, including squares, parks and greens:  
10 maximum front yard setback, maximum lot size, minimum lot size, minimum  
11 lot width, maximum site area, and maximum frontage buildout.  
12  
13 D. Chapter 25-3 is modified to provide that open space lots and strip landscape lots  
14 used for a pedestrian path, landscaping, signage, or similar use may not be less  
15 than 2000 square feet.  
16  
17 E. Sections 25-3-75 (B) (2) (a) and (B) (2) (d) (*Land Use Allocations*) are  
18 modified as follows:  
19  
20 1. Subsection (B) (2) (a) is modified to provide that a single family residential  
21 use for a Mixed Residential Area shall be allocated not less than 45 percent  
22 and not more than 50 percent of the land area.  
23  
24 2. Subsection (B) (2) (d) does not apply in Mixed Residential Area-1 or Mixed  
25 Residential Area-2. If commercial uses are developed in Mixed Residential  
26 Area-2, the uses may not be allocated more than ten percent of the land area.  
27  
28 F. Section 25-3-73 (A) (*Community Meeting Hall*) is modified to provide that  
29 commercial uses may be located on the same lot and site as a community  
30 meeting hall. A community meeting hall may have indoor or outdoor facilities.  
31  
32 G. Section 25-3-77 (2) is modified to provide that the requirements of the section  
33 be met at the time of final plat.  
34  
35 H. Sections 25-3-83 (A) (1) (2), (B) (2), and (C) (*Parking*) is modified as follows:  
36  
37 1. Subsection (A) (1) is modified to provide that except in a Workshop Area, a  
38 parking lot or garage may not be adjacent to a square or adjacent to or  
39 opposite a street intersection. A parking garage located in the Workshop  
40 Area must be located behind street frontage facades. Additional landscaping

- 1 b. The required parking for a use in a Mixed Residential Area-1 must be  
2 provided on-site.  
3  
4 c. The required parking for a use in a Mixed Residential Area-2 may be  
5 located anywhere in the area.  
6  
7 d. In Mixed Residential Area-2 adjacent on-street parking may be applied  
8 towards the required parking for a use.  
9  
10 e. In Section 4. d, adjacent on-street parking means parking located on the  
11 same side of the street as Mixed Residential Area-2.

12  
13 I. Section 25-3-87 (F) (*Additional Regulations For All Development*) is modified  
14 to provide that:

- 15  
16 1. Except as provided in Subsection 2, a townhouse must have a private rear  
17 yard not less than two hundred square feet in size.  
18  
19 2. A townhouse that faces a park, square, plaza or green is not required to have  
20 a private rear yard. A park, square, plaza or green must have open space  
21 equal to or greater than the area obtained by multiplying the number of  
22 townhouses by 200 square feet.  
23  
24 3. The open space referred to in Subsection J.2 shall be available for use by  
25 residents of the townhouse.

26  
27 J. Section 25-3-103 (*Location of Neighborhood Center Area*) is modified to  
28 provide that at least 80 percent of the units in the Mixed Residential Area must  
29 be within 2,000 square feet of a Neighborhood Center Area boundary.

30  
31 K. Section 25-3-104 (*Site Regulations For Neighborhood Center Area*) is modified

32  
33  
34 1. increase the lot size and the site area for commercial/multifamily  
35 condominium to a maximum of 4 acres.

36  
37 2. provide that a building in a Neighborhood Center Area must front along the  
38 internal streets of the TND and not front Dessau Road.  
39

1 N. Section 25-3-124 (A) (C) (E) (*Additional Regulations For Mixed Residential*  
2 *Area*) is modified as follows:

- 3
- 4 1. Subsection (A) is modified to provide that compatible land uses should face  
5 across streets.
- 6
- 7 2. Subsection (C) is modified to provide that at a three-way intersection, a  
8 commercial use is permitted at a corner location and opposite a corner  
9 location that is designated on the TND development plan.
- 10
- 11 3. Subsection (E) is modified to provide that in the Mixed Residential Area-2,  
12 there may not be more than 24 dwelling units in a single structure.
- 13

14 O. Section 25-3-173 (*Site Development Regulations For Workshop Area and*  
15 *Employment Center Area*) is modified as follows:

16

17 1. Subsection (2)

18

19 Maximum lot size 7 acres  
20 Average lot size 5 acres

21

22 2. Subsection (3)

23

24 Maximum site area 28 acres

25

26 3. Subsection (5)

27

28 Minimum frontage buildout 60 percent

29

30 4. Subsection (8)

31

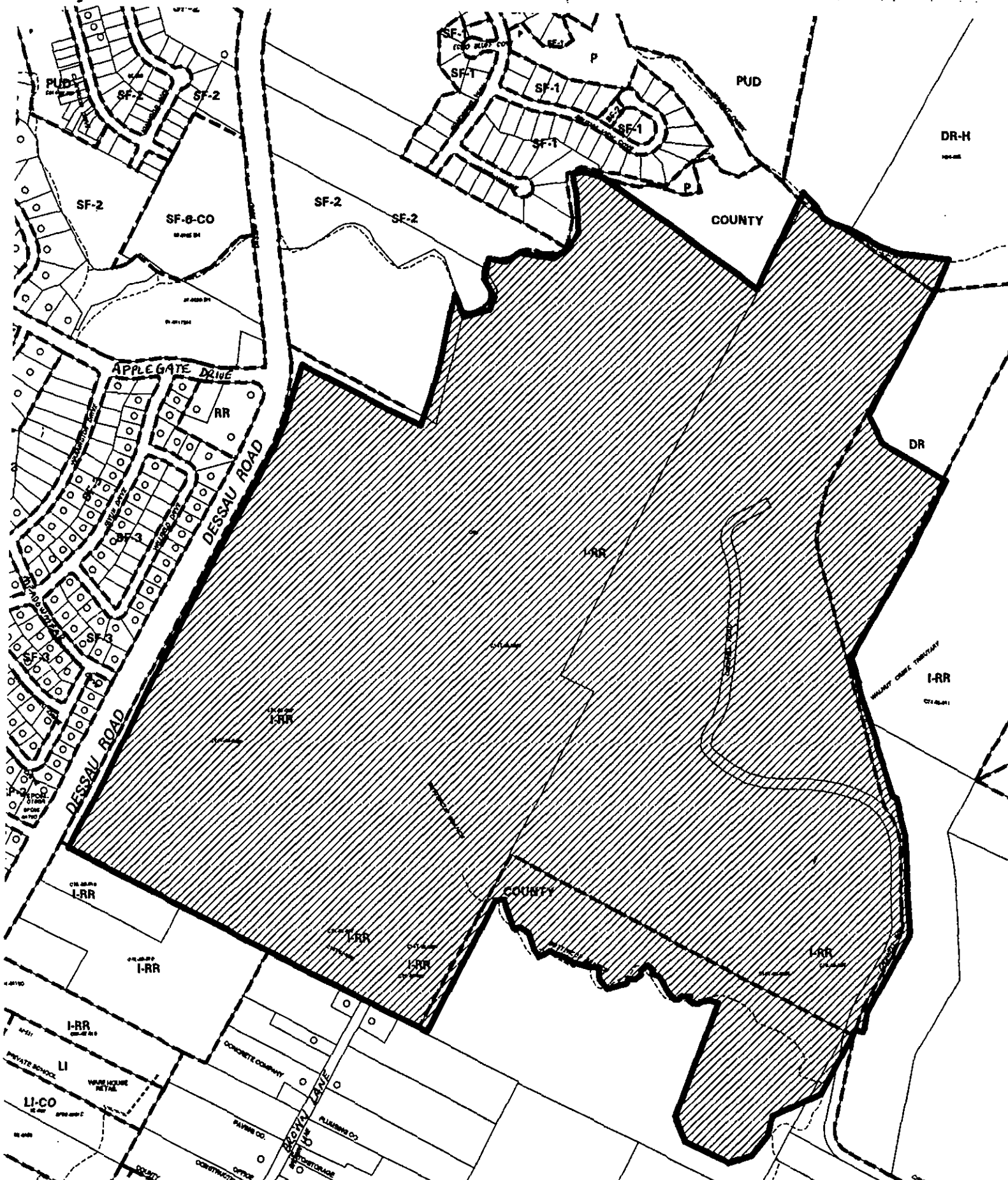
32 Maximum front yard setback 100 feet  
33 along Dessau Road




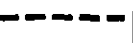
34

35 Maximum front yard setback 85 feet  
36 along internal streets

37

38



 1" = 600'	SUBJECT TRACT		<b>ZONING</b>  <b>CASE #: C14T-03-0001</b> <b>ADDRESS: PIONEER HILL</b> <b>SUBJECT AREA (acres): N/A</b>	<b>DATE: 03-12</b>  <b>INTLS: SM</b>	<b>CITY GRID</b> <b>REFERENCE</b> <b>NUMBER</b> <b>M&amp;N 29-30</b>
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S. GAGER				

**Agenda Questions/Responses**  
**August 05, 2004**

**2. Please provide current Articles 1 through 16 of Chapter 15-9. (Council Member Daryl Slusher)**

The current articles were provided previously (May 12, 2004) to Council Offices via e-mail attachment and are in the current back-up for the Item.

**5a. Did the office of the Federal Security Director send an official letter or analysis of the proposal? (Council Member Raul Alvarez)**

Please see Item #4 which was attached to the memo from Mr. Smith dated August 4, 2004 and distributed to Council Offices as late back-up. It is an email from Mike Scott, the TSA Director.

**5b. Does the airport own any other tracts of land that are suitable for this use but which are not in such close proximity to the terminal? (Council Member Raul Alvarez)**

ABIA does not have another tract of land that has existing pavement that is readily available with an empty building adjacent to it that can be used for the storage of the karts, pro shop, office space and parts and service center.

Also, Mike Scott, Federal Security Director, has stated that after reviewing the plans and designs for the track, he is of the opinion that this proposal will actually enhance the current security posture along the airport perimeter.

**5c. Please provide accident rates on other such facilities.**

**Have there been injuries?**

**How severe and how frequent?**

**Please provide the best information available. (Council Member Daryl Slusher)**

Michiana Raceway Park (MRP Inc.) a racekarting school in Buchanan, Michigan, has recorded two serious injuries since it opened in 1987. Both were broken collarbones. According to owner Garry Lobaugh, the most common injuries are minor burns associated with careless customers touching hot kart pipes.

According to the National Karting Association (NKA), out of more than 300,000 participants on average over the last five years, there have been 125 claims per year from all forms of kart racing. This equates to roughly one claim per 2400-3000 participants. A claim can be anything from a scratch on an arm, to something more severe.

A track in the NKA system usually averages 120 participants, with a season averaging 15 events. This equates to an average of 1800 participants per track per year. One of these tracks might realize a claim, on average, once every two to three years.

**5d. What are the ages of these racers? (Council Member Daryl Slusher)**

*It's proposed as a family entertainment business and the ages will range from 6 - 60.*

**9a. Will the patrons of Victory Grill be able to access this parking lot at will? (Council Member Danny Thomas)**

Patrons of Victory Grill will be able to utilize the 2nd floor of the newly constructed parking structure in the 1000 block of East 11th Street (Street-Jones Building) after hours. If parking is needed during normal business hours (8am - 5pm), then yes, the patrons will be able to access the community parking lot at 1205 E. 11th Street. Victory Grill will work with the ARA for use of this parking lot for their patrons.

**9b. 1. Who will utilize this parking lot?  
2. How far is this parking lot from the Victory Grill?  
(Council Member Danny Thomas)**

The community parking lot will be utilized by existing and new businesses, on East 11th and 12th Streets within 1000 feet, to meet their parking requirements.

Victory Grill is approximately 1 1/2 city blocks from the proposed community parking lot.

**9c. Does "community parking lot" mean free to anyone? (Council Member Daryl Slusher)**

Yes, the community parking will be free to anyone.

**10. For what purpose will the \$75,000 be used? (Council Member Raul Alvarez)**

The \$75,000 forgivable loan (based on performance, e.g., constructing the parking lot) is to assist the ARA with the design and construction of the community parking lot on this parcel. ARA will fund the remainder of the costs for the parking lot.

**17. For how long will AWU need the temporary easements? (Council Member Daryl Slusher)**

These temporary easements will be needed for 3 years

**19. At what rate will the house be leased back to the ACDC? Why was there a need for a settlement agreement? (Council Member Raul Alvarez)**

A settlement agreement was needed (May 2000) due to the fact that Anderson Community Development Corporation (ACDC) had triggered an event of default under its contract with the City to develop affordable housing. In lieu of foreclosure, the City entered into a settlement agreement with ACDC, which resulted in the transfer of all ACDC's assets to the City, which were acquired under its contract with the City. One of the requirements under the settlement

agreement was for the City to renovate the Connelly-Yerwood house and lease it back to ACDC for \$1 per year with the option to take ownership at a later date. ACDC will utilize the building for their office as well as a Community Center.

**46. What improvements result in the \$14 million fiscal note? (Council Member Raul Alvarez)**

The Tracking Chart included with the back-up for this item (also emailed to Council Offices), lists a number of items that carry a capital cost. One recommendation is to extend the Great Streets program to Guadalupe St. (estimated at \$9.3 million) The plan also recommends starting the Guadalupe St. renovation project as soon as possible. That project is estimated at \$4.7 million. It is already partially funded. The other recommendations for which we have cost estimates are the new sidewalk construction recommendations and a few small parks improvement items.

**47a. If the parking requirement is reduced from 100% to 60%, how many space are likely to be produced per dwelling unit? (Council Member Raul Alvarez)**

At 60% of the required parking efficiency apartments, one-bedroom apartments, and two-bedroom apartments would require 1 parking space each.

**47b. How much is a person at 100% MFI able to pay to purchase a home? How much is a person at 80% MFI able to pay to purchase a home? How much is a person at 50% MFI able to pay to purchase a home? (Council Member Raul Alvarez)**

Under S.M.A.R.T. Housing™, they can not pay more than 30% of their gross income on housing, including utilities. Based on family size, here are the maximum monthly mortgage and utility payments based on family size:

1 person @ 50% MFI = \$622  
1 person @ 80% MFI = \$995  
2 persons @ 50% MFI = \$663  
2 persons @ 80% MFI = \$1137  
3 persons @ 50% MFI = \$800  
3 persons @ 80% MFI = \$1280  
4 persons @ 50% MFI = \$889  
4 persons @ 80% MFI = \$1422  
5 persons @ 50% MFI = \$960  
5 persons @ 80% MFI = \$1536

Since housing for a family at 100% MFI is not considered "reasonably-priced", the only breakout we have is for a family of four earning \$66,900 (100% of median for the Austin area in 2004 as determined by HUD). For this household, the maximum would be \$1,672.50 a month.