

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-18
AGENDA DATE: Thu 06/23/2005
PAGE: 1 of 1**

SUBJECT: C14-04-0196 - Hyde Park North NCCD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by 51st Street to the north, 45th Street to the south, Red River Street to the east and Guadalupe Street to the west (Waller Creek Watershed) from family residence (SF-3) district zoning, limited office (LO) district zoning, and general commercial services (CS) district zoning to single-family residence-standard lot-neighborhood conservation (SF-2-NCCD) combining district zoning, family residence-neighborhood conservation (SF-3-NCCD) combining district zoning, multi-family residence-medium density-neighborhood conservation (MF-3-NCCD) combining district zoning, and community commercial-neighborhood conservation (GR-NCCD) combining district zoning. A Conditional Overlay (CO) combining district or a Mixed Use (MU) combining district may also be added to these zoning base districts. Planning Commission Recommendation: Postponed to July 12, 2005. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0196

P.C. DATE: March 8, 2005
March 22, 2005
April 26, 2005
June 14, 2005

C.C. DATE: June 23, 2005

H.L.C. DATE: Feb. 28, 2005

ADDRESS: Bounded by 45th Street to the South, Guadalupe Street to the West, 51st Street to the north and Red River Street to the east (Hyde Park North).

AGENT: City of Austin-NPZD (Glenn Rhoades)

ZONING FROM: NP

TQ: NCCD

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the neighborhood conservation combining district (NCCD).

PLANNING COMMISSION RECOMMENDATION:

March 8, 2005 – Postponed at the request of staff until March 22, 2005 (Vote: 7-0).

March 22, 2005 – Postponed at the request of Commission until April 26, 2005, in order to bring this application before the Neighborhood Planning sub-committee. The Committee met on April 13, 2005. Please see attached minutes from the meeting. The Sub-Committee directed staff to send notification of a City sponsored meeting with all interested parties and to report back to the Sub-Committee on June 8, 2005. The City sponsored meeting was held on May 23, 2005. However, due to a lack of a quorum at the June 8th meeting a report was not given.

April 26, 2005 – Postponed to June 14, 2005 by the Commission (Vote: 8-0).

June 14, 2005 - Postponed at the request of staff to July 12, 2005 (Vote: 7-0).

ISSUES:

Staff requests a postponement until July 28, 2005. The case was postponed by Commission on June 14th at the request of staff. Notification issues must be addressed by staff before the case returns to Commission.

On January 31, 2001, the City Council approved a NCCD for the Hyde Park South neighborhood that is bounded by 45th Street to the North, Guadalupe Street to the West, Red River to the east and 38th Street to the South. This application proposes to complete the process of adding a NCCD to the Hyde Park area.

The City of Austin is initiating this NCCD on behalf of the Hyde Park Neighborhood Association (HPNA). The HPNA has done the work in bringing this application forward, including the proposed attached draft ordinance. The ordinance mirrors in language and form the NCCD that was approved for Hyde Park South. Staff has been reviewing the proposed ordinance and making comments along

the way. Staff recommends the proposal as a whole. There are only couple of minor issues that have been noted by staff. The first is the property at 4500 Duval Street, which has been functioning as an auto repair business for a number of years. When looking at the allowable use chart in the proposed NCCD ordinance, it does not make any reference to auto repair as being an allowed use. If auto repair were to be excluded, the business could still operate. However, it would be considered legal non-conforming and staff does not as a rule zone property into non-compliance. In addition, according to the Future Land Use Map (FLUM), the property is recommended for mixed use. Staff would recommend adding the mixed use (MU) overlay to the existing general commercial services (CS) district zoning base district.

The second issue is with tracts 2, 3 and 4 as listed on page two of the draft ordinance. On tracts 2, 3 and 4, it is proposed to down zone the properties from commercial zoning to multifamily. The neighborhoods reason for proposing this down zoning is because the properties are at this time are occupied with apartments. However, the FLUM recommends mixed uses for those properties. Staff recommends leaving the existing base districts and adding MU. Please see exhibit A showing the properties listed above.

The NCCD also proposes to down zone several properties from SF-3 to SF-2. Staff does not object to the proposed changes. As Council knows, the difference between SF-2 and SF-3 is that SF-3 would allow for a duplex on a lot that is 7,000 square feet or more. Because of the narrow horseshoe shaped access, denser development may not be desirable. In addition, HPNA has found that several of the properties are deed restricted from anything other than single-family use. Staff has been directed by Council to not rezone contrary to a deed restriction or a restrictive covenant.

The Planning Commission has directed the HPNA and the Smart Housing Department to come up with possible affordable housing options. Smart Housing and the neighborhood have had a constructive meeting and several ideas were discussed. However, a final proposal has not yet been formalized.

There are no properties within the NCCD that are proposed for Historic zoning. However, according to the Land Development Code section 25-2-374, if there is property that is designated Historic within the proposed boundaries of an NCCD it is required that the application be brought before the Historic Landmark Commission. There are four historic properties in the area described above and they are; The John Patterson House at 604 E. 47th Street, The Worley House at 802 E. 47th Street, The Pearce House at 809 W. 46th Street and Wells Larue House at 4524 Ave. F.

AREA STUDY: Hyde Park Neighborhood Plan

TIA: N/A

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

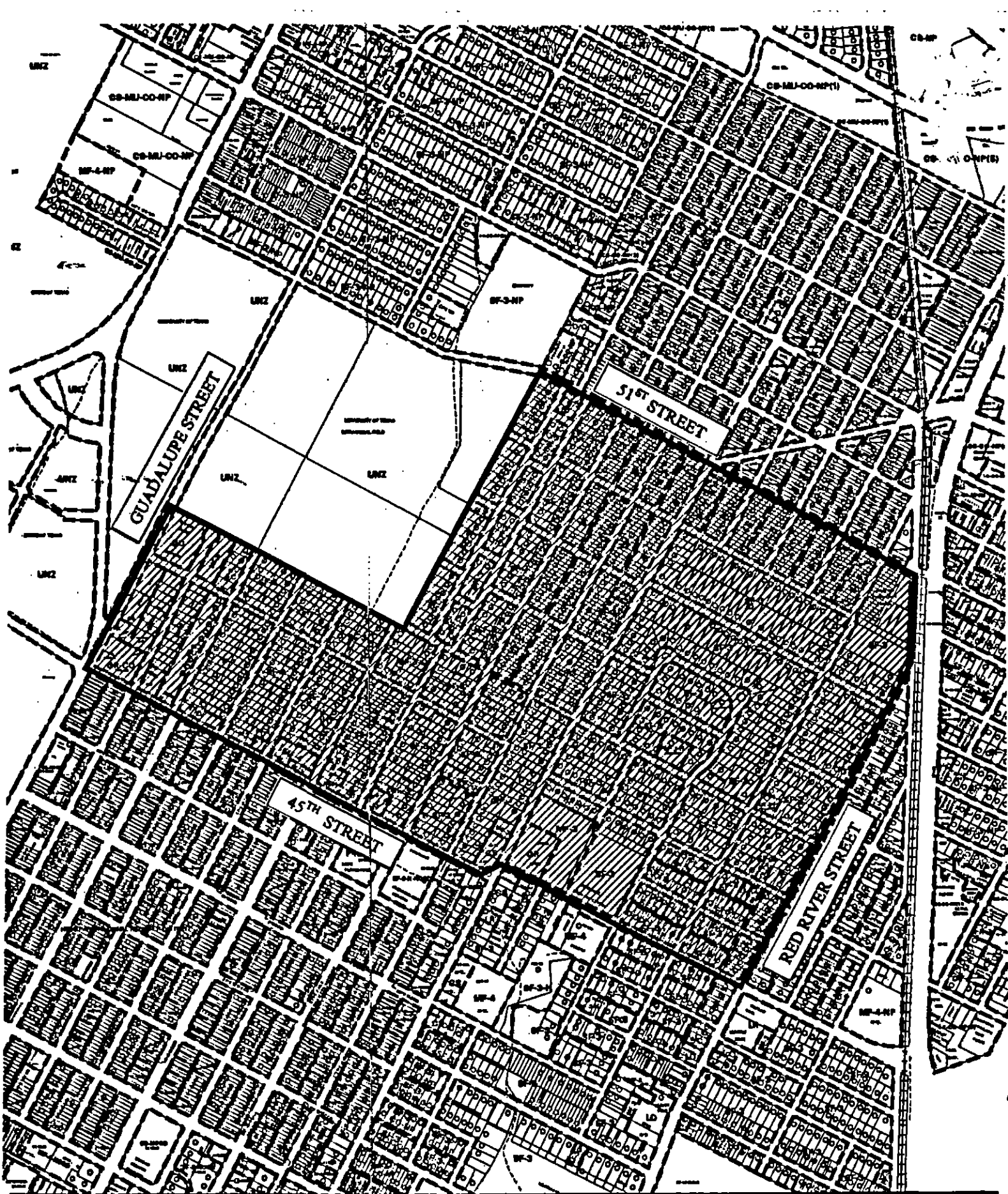
NEIGHBORHOOD ORGANIZATIONS:

Hyde Park Neighborhood Association

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	CAPITAL METRO ROUTE	BICYCLE PLAN ROUTE
Guadalupe St.	70'	60'	Collector	Yes	IF	#47
Red River St.	56'	30'	Collector	No	#15	#51
W. 45 th St.	64'	40'	Arterial	Yes	#5	#32
E. 51 st St.	50'	30'	Arterial	Yes	N/A	#30
Duval Rd.	60'	40'	Collector	Yes	#7	#49
Speedway	Varies	Varies	Collector	No	#5/IF	#47
W. 47 th St.	56'	26'	Collector	No	N/A	#57

CITY COUNCIL DATE:**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Glenn Rhoades**PHONE:** 974-2775







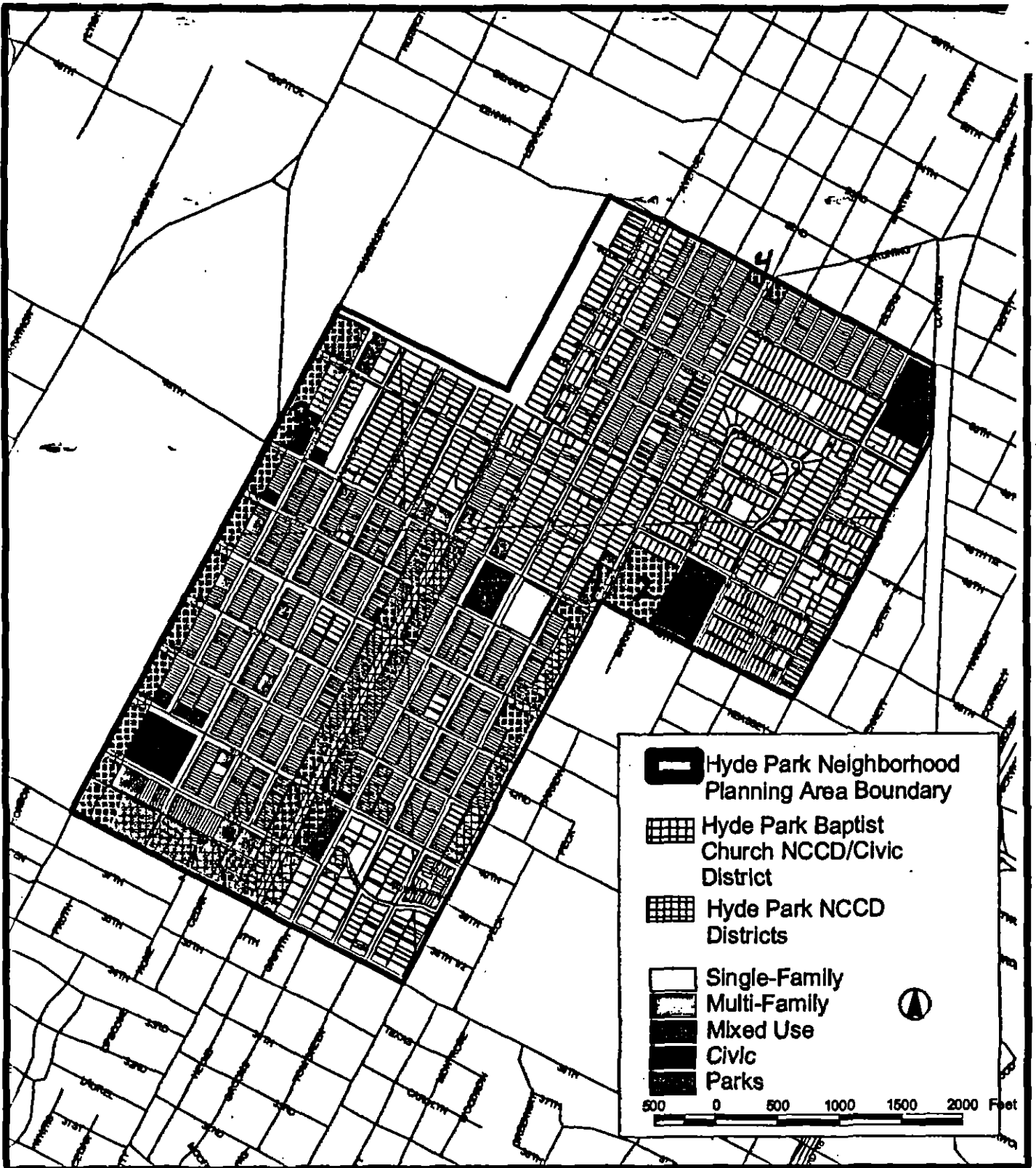
 1" = 800'	SUBJECT TRACT 	ZONING CASE #: C14-04-0196 ADDRESS: HYDE PARK NCCD SUBJECT AREA (acres): N/A		CITY GRID REFERENCE NUMBER K26
	PENDING CASE 			
	ZONING BOUNDARY 	DATE: 05-02 INTLS: SM		
	CASE MGR: G. RHOADES			

Exhibit A



**Hyde Park Neighborhood
Planning Area: Future
Land Use Map**

- 1) 4510 Duval
- 2) 4505 Duval
- 3) 4539 - 4553 Guadalupe
- 4) 5012 - Duval

City Planning Commission
Neighborhood Planning Committee
Wednesday, April 13, 2005
505 Barton Springs Road
One Texas Center, Conference Room 500
Austin, Texas

ANNOTATED AGENDA

Call to Order – 4:30pm

Neighborhood Planning Committee Members:

(note: a quorum of the Planning Commission may be present at this meeting.)

Cynthia Medlin
Cid Galindo
Jay Reddy

A. Meeting Called to Order

Introduce members of the Committee and Staff
Inform audience of procedure

B. Regular Agenda

Discussion and Action

1. Discuss proposed North Hyde Park Neighborhood Conservation Combining District

**STAFF DIRECTED TO FACILITATE MEETING WITH NEIGHBORHOOD TEAM
AND PROPERTY OWNERS AND TO REPORT BACK TO THE COMMITTEE IN
60 DAYS (6/8/05) (SEE ATTACHED MINUTES) (VOTE: 3-0)**

2. Discuss how down zonings affect the financial standings of a structure

POSTPONED TO 3/11/05 COMMITTEE MEETING (VOTE: 3-0)

C. Other Business

Directives to Staff

For information about neighborhood planning, go to
<http://www.ci.austin.tx.us/neighborhood/npzd.htm>

For information, contact Adam Smith, Neighborhood Planning and Zoning Department, 974-7685.

<p>The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call Ron Menard, Watershed Protection and Development Services Department, 974-2384 for information.</p>

MINUTES FROM THE 4/13/05 NEIGHBORHOOD PLANNING COMMITTEE MEETING

1. Discuss proposed North Hyde Park Neighborhood Conservation Combining District.

At the March 22, 2005, the Planning Commission directed the North Hyde Park NCCD to the Neighborhood Planning Committee to discuss four issues: 1) affordable housing; 2) Ridgeway annexation; 3) the four properties requesting mixed-use zoning; and, 4) the zoning of 4500 Duval Street.

Karen McGraw, Hyde Park resident, provided the Committee members a handout that included affordable housing-related recommendations from Stuart Hersh (Neighborhood Housing and Community Development) and neighborhood response. [Staff did not receive a copy of the handout, but will obtain one from Ms. McGraw]

Jerry McCuiston, property owner, argued that property values have already exceeded the ability to develop for-sale affordable housing.

Commissioner Galindo questioned whether there is any point in discussing affordable housing if in fact land values are too high. Staff will ask Stuart Hersh to comment.

Karen McGraw stated that it is very difficult to incorporate affordable housing in a built-out neighborhood, particularly when the neighbors can't control land values and taxes.

Glenn Rhoades, case manager of the North Hyde Park NCCD, reiterated Ms. McGraw's assessment that the Ridgeway area is largely built-out with little to no raw land available to construct affordable housing.

Commissioner Medlin asked whether the other issues had been resolved aside from affordable housing.

Karen McGraw responded that items #2 and #3 from her handout had been resolved.

Lynn Saarinen, non-resident property owner, brought up the issue of notification. She argued that property owners may not have received notification and therefore, not aware that the NCCD was being developed. Also, she contended that consensus may have been reached among the neighborhood team, but that there is not consensus among the property owners.

Glenn Rhoades explained that legal notification for filing of application, Planning Commission, and City Council was sent to property owners. However, the City did not send notification for the neighborhood meetings at which the NCCD was developed. He was informed by Karen McGraw that the Pecan Press (neighborhood newsletter), the

Hyde Park website, listserv, and neighborhood association meetings were used to notify people of those meetings.

Herb Jahnke, property owner, claimed that the property owners haven't had enough time to review and comment on the NCCD, that notification was inadequate, and asked whether a historical survey was conducted per the Land Development Code.

Karen McGraw responded by saying a survey was conducted to look at development patterns rather than historic homes.

A Hyde Park resident who worked in the development of the NCCD commented that there are currently four historic landmark properties in the North Hyde Park area and that the area between Duval/Red River/45th St/51st St. may qualify for a National Historic District.

Karen McGraw described the process thus far which involved conducting a survey, developing a draft NCCD, working with the Law Department for months on crafting the NCCD, modifying the NCCD based on new information, and now, relying on the City notification to hear back from property owners about any further modifications that need to be done.

Herb Jahnke stated he would need 120 days to finalize a survey, mail the survey, gather the results, and consult Greg Guernsey and other professional planners to discuss possible modifications to the NCCD.

Karen McGraw contended that Mr. Jahnke, Mr. McCuiston, and Ms. Saarinen's complaints related to procedural issues and not substantive ones. She asked why the neighborhood team and these property owners couldn't simply meet to resolve their issues, modify the NCCD as needed for their properties, and proceed with the approval process.

Nikelle Meade, agent for a property owner, stated that the procedural issue is the substantive issue. She explained the notification is vague and does not describe the specifics of what is being proposed. Also, she stated that property owners should have been notified during the development of the NCCD and asked why this didn't go through the neighborhood planning process.

Glenn Rhoades explained that the plan was adopted in 2000 and the neighborhood-wide rezoning in 2002. At the time the zoning was approved in 2002, NPZD did not have the resources or staff to develop a NCCD for North Hyde Park, but the neighbors could proceed in developing one and come to staff to process the NCCD once it was completed.

Residents asked what the survey was going to ask. After several minutes of discussion, Mr. Jahnke said that he would work with the neighborhood in developing the survey and request that property owners return survey results to the City staff so that could tabulate the findings.

Commissioner Medlin clarified that amendments to the neighborhood plan are not being discussed. Discussions need to be focused on the details of the NCCD. Anything that requires a plan amendment will be handled through the plan amendment process and should be handled separately from discussions on the NCCD.

Commissioner Medlin asked for a motion.

Commissioner Galindo stated that some deference should be given to property owners who were not notified of the NCCD development meetings.

Adam Smith (NPZD) stated NPZD would mail a meeting notice and summary of the NCCD to every property owner in the Ridgetop area in lieu of conducting a survey. NPZD would facilitate one, possibly two meetings, with the neighborhood team and property owners to discuss the details of the NCCD and resolve any outstanding issues.

A motion was made to approve staff's recommendation and to update the committee in 60 days (6/11/05).

The motion was approved 3-0.

March 22, 2005

Dear Austin Planning Commission,

At its last general meeting on March 7, the Hyde Park Neighborhood Association voted overwhelmingly to support the draft NCCD proposal now before you. There were no nays, one abstention, and the rest ayes.

During the past three decades the residents of Hyde Park have invested heavily of their own funds and labor to turn what had been a declining inner city neighborhood into an Austin showplace. The NCCD is one of the strongest tools we have to protect ourselves from incessant pressure for over-development that could easily spoil the residential, old-fashioned quality of the neighborhood.

We ask your help in that effort.

Thank you.

A handwritten signature in black ink, appearing to read "John Kerr", with a stylized flourish extending to the right.

John Kerr, President
Hyde Park Neighborhood Association

NORTH HYDE PARK NCCD**Neighborhood Conservation Combining District**

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE TO ESTABLISH THE NORTH HYDE PARK NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD) FOR THE PROPERTY WHOSE BOUNDARIES ARE 45TH STREET TO THE SOUTH, 51ST STREET TO THE NORTH, GUADALUPE STREET TO THE WEST AND RED RIVER STREET TO THE EAST, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND TO MODIFY CERTAIN BASE DISTRICTS IN THE NCCD; AND DECLARING AN EMERGENCY.

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

PURPOSE: The purpose of a neighborhood conservation (NC) combining district is to preserve neighborhoods with distinctive architectural styles that were substantially built out at least 30 years before the date an application for an NC combining district classification is filed. (25-2-173)

The 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. (25-2-371)

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to establish the North Hyde Park neighborhood conservation combining district (NCCD) and to add a NCCD to each base zoning district within the property bounded by 45th Street to the south, 51st Street to the north, Guadalupe Street to the west, and Red River Street to the east, identified in the map attached as Exhibit "A" and to change the base zoning districts on 8 tracts of land within the NCCD.

PART 2. The base zoning of the 98 tracts shown in the chart below are changed from family residence (SF-3) ~~family residence~~ district, family residence historic (SF-3-H) district, (SF-5) urban family residence district, (LO) limited office, Community Commercial (GR) district, Community Commercial Conditional Overlay (GR-CO) district and (CS) general commercial services district, to (SF-2-NCCD) single family residence district neighborhood conservation combining district, (SF-2-H-NCCD) single family residence district historic neighborhood conservation combining district, (SF-3-

NCCD) family residence district neighborhood conservation combining district, (SF-3-H-NCCD) family residence district historic neighborhood conservation combining district, (NO-NCCD) neighborhood office - neighborhood conservation combining district, (LO-NCCD) Limited Office District - neighborhood conservation combining district, (GR-NCCD) Community Commercial - neighborhood conservation combining district and (MF-3-NCCD) multifamily residence medium density - neighborhood conservation combining district, (MF-4-NCCD) multi-family residence moderate high density neighborhood conservation combining district.

MAP

TRACT #	PROPERTY ADDRESS	FROM	TO
1	4812 Rowena	SF-5	SF-3-NCCD
2	5012 Duval	CS	MF-3-NCCD
3	4510 Duval	CS	MF-3 <u>LO</u> -NCCD
4	4505 Duval <u>(part)</u>	GR	MF-3-NCCD
5	4500 Avenue B	LO	NO-NCCD
6	4502 Avenue A	GR-CO	MF4-NCCD
7	4539-4553 Guadalupe	CS	GR-NCCD
8	600-620 Fairfield Lane; 4700-4705, 4707, 4709, 4800-4811 Eilers Avenue; 4700-4714 and 4800-4806 Evans Avenue; 601-615 E. 48 th St.; 4701, 4703, 4705, 4707, 4709, 4711, 4713, 4715, and <u>4801, 4803, 4805, 4807,</u> 4809 Duval St.; 600-602 E. 47 th St.	SF-3	SF-2-NCCD
9	604 E. 47 th St.	SF-3-H	SF-2-H-NCCD

PART 3. DEFINITIONS. In this ordinance:

ACCESSORY BUILDING means a building in which an accessory use is located that is detached from and located on the same site as a building in which a principal use is located.

AVENUE means a street running in a north-south direction and designated as an avenue.

CIRCULAR DRIVEWAYS means a cul-de-sac type driveway with one access point or a half-circular driveway with two access points.

COMMERCIAL DISTRICT means the districts within the hierarchy of zoning districts from neighborhood office (NO) district through commercial-liquor sales (CS-1) district.

DISTRICT means the Residential District, Avenue A District, Guadalupe District, or Duval District.

DRIVEWAY RUNNERS means a pair of pavement strips acting as a driveway.

FULL BATHROOM means a bathroom with a toilet, sink, and a bathtub or shower or shower/bathtub combination.

HALF-STORY means livable space that is contained between the eave and ridge of a dwelling.

REDEVELOPMENT means development in which the value of the improvements is 50 percent of the value of all existing improvements on the site or development that requires a site plan.

PORCH means _____

TANDEM PARKING means one car behind another so that one car must be moved before the other can be accessed.

PART 4. The North Hyde Park NCCD is divided into the following districts, which are more particularly identified on the map attached as Exhibit "B".

1. The Residential District – includes all property not included in another district.
2. The Avenue A District – generally located one-half block on each side of Avenue A.
3. The Duval Commercial District –located at 4500, 4505, 4510, Duval Street and 5011 and 5012 Duval Street.
4. The Guadalupe District – generally located from Guadalupe Street to one-half block east of Guadalupe Street from 45th Street to Intramural Field.

PART 5. Permitted and Conditional Uses.

1. Residential Uses:

Group Residential Use is not permitted in this NCCD.

2. The following table establishes the permitted and conditional uses for property in commercial zoning districts in the North Hyde Park NCCD. Use regulations in this section may be modified in Section 2 of this part.

Column A applies to property with commercial zoning in the Residential District.

Column B applies to property that has commercial zoning in the Duval District.

Columns C & D apply to property located that has commercial zoning in the Avenue A District.

COLUMN	A	B	C	D
—base district designation	per NCCD	per NCCD	per NCCD	per code
USES:	NO	CS	GR	GO
	4500-B	Duval	4500-A/UCU	4501-A/UCU
Administrative and business offices	P	P	P	P
Art and craft studio (limited)	-	P	P	P
Art and craft studio (general)	-	P	P	-
Commercial off-street parking	-	C	C	-
Condominium Residential	-	-	-	-
Congregate living	C	-	C	C
Consumer convenience services	-	P	P	-
Consumer repair services	-	P	P	-
Cultural services	-	P	P	P
Custom manufacturing	-	C	-	-
Club or lodge	-	-	-	-
Day care services (limited)	P	P	P	P
Day care services (general)	P	P	P	P
Day care services (commercial)	-	C	P	C
Duplex residential	P	P	P	P
Family home	P	P	P	P
Financial services	-	-	P	P
Food sales	-	P	P	-
General retail sales (convenience)	-	P	-	-
General retail sales (general)	-	P	P	-
Group home class I (limited)	P	P	P	P
Group home class I (general)	P	P	P	P
Group home class II	C	C	P	P
Guidance services	-	P	P	P
Hospital (limited) not to exceed 2500 s.f.	-	P	P	-
Indoor entertainment	-	C	-	-
Laundry services	-	C	-	-

Local-utility services	-	P	P	P
Medical offices (not over 2500 s.f.)	-	P	P	P
Medical offices (over 5000 s.f.)	-	-	P	P
Multifamily residential	-	-	P	-
Off-site accessory parking	-	C	C	-
Personal improvement services	-	P	P	-
Private primary educational facilities	P	P	P	P
Private secondary educational facilities	P	P	P	P
Public primary educational facilities	P	P	P	-
Public secondary educational facilities	P	P	P	-
Professional office	P	P	P	P
Religious assembly	P	P	P	P
Restaurant (drive-in, fast food)	-	-	-	-
Restaurant (limited)	-	P	P	-
Restaurant (general)	-	P	P	-
Service Station	-	C	-	-
Single-family residential	P	P	P	-
Software development	C	P	P	P
Theater	-	P	C	-
Two-family residential	P	P	P	-
Veterinary services (not to exceed 2500 s.f.)	-	P	P	-

COLUMN	A	B	C	C
-	per			
base district designation	NCCD	per NCCD	per NCCD	per code
USES:	NO	CS/GR	GR	GO
	4500 B	Duval	4500 A/UCU	4501 A/UCU
Administrative and business offices	P	P	P	P
Art Gallery	-	P	P	P
Art Workshop	-	P	P	-
Automotive Rentals	-	C	-	-
Automotive Repair Services	-	P	-	-
Automotive Sales	-	C	-	-
Automotive Washing	-	C	-	-
Commercial off-street parking	-	C	C	-
Condominium Residential	-	P	-	-
Congregate living	C	-	C	C

Consumer convenience services	=	P	P	:
Consumer repair services	=	P	P	:
Cultural services	=	P	P	P
Custom manufacturing	=	C	=	=
Club or lodge	=	=	=	=
Day care services (limited)	P	P	P	P
Day care services (general)	P	P	P	P
Day care services (commercial)	=	C	P	C
Duplex residential	P	P	P	P
Family home	P	P	P	P
Financial services	=	-P	P	P
Food Preparation	=	P	=	=
Food sales	=	P	P	:
General retail sales (convenience)	=	P	=	=
General retail sales (general)	=	P	P	:
Group home class I (limited)	P	P	P	P
Group home class I (general)	P	P	P	P
Group home class II	C	C	P	P
Guidance services	=	P	P	P
Hospital (limited) not to exceed 2500 s.f.	=	P	P	:
Indoor entertainment	=	C	=	=
Laundry services	=	C	=	=
Local utility services	=	P	P	P
Medical offices (not over 2500 s.f.)	=	P	P	P
Medical offices (over 5000 s.f.)	=	=	P	P
Multifamily residential	=	P	P	:
Off-site accessory parking	=	C	C	=
Personal improvement services	=	P	P	:
Personal Services	=	P	P	P
Private primary educational facilities	P	P	P	P
Private secondary educational facilities	P	P	P	P
Professional office	P	P	P	P
Public primary educational facilities	P	P	P	:
Public secondary educational facilities	P	P	P	:
Religious assembly	P	P	P	P
Restaurant (limited)	=	P	P	:
Restaurant (general)	=	P	P	:
Service Station	=	C	=	=
Single-family residential	P	P	P	:

Software development	C	P	P	P
Theater	-	P	C	-
Two-family residential	P	P	P	-
Veterinary services (not to exceed 2500 s.f.)	-	P	P	-

3. The section applies to the uses established in Section 2 of this part.

- a. The maximum size of a day care services (commercial) use permitted under Column A is 2500 square feet, under Column B is 5000 square feet, and under Column C and Column D is 5000 square feet.
- b. A financial service use or food sales use permitted under Column B or D may not include a drive-in service.
- c. The maximum size of a private primary educational facilities use permitted under Column A is 2500 square feet, under Column B is 5000 square feet, and under Column C is 5000 square feet.
- d. The maximum size of a private secondary educational facilities use permitted under Column A is 2500 square feet, under Column B is 5000 square feet, and under Column C is 5000 square feet.
- e. The maximum size of a restaurant (limited) and restaurant (general) use permitted under Column B or C is 2500 square feet.
- f. The maximum size of a theater use established under Column B or Column C is 5000 square feet.
- g. The maximum size of a cultural services use in Column D is limited to 5,000 SF.
- h. h. — Residential uses are permitted only above the first floor and commercial uses are required on the first floor in Column B for 4500 and 5011 Duval.
- i. Commercial uses are permitted only on the ground floor at 5012 Duval.
- j.i. 4510 Duval is restricted to LO and MF3 uses. Up to 2,500 square feet of office LO uses are permitted on the ground floor of a residential use at 4510 Duval. No commercial use is permitted above the ground floor.
- jk. Food Preparation use where permitted requires that a food sales or restaurant use is also located on the site. Food Preparation is permitted up to 5,000 square feet but may not exceed the square footage of the food sales and/or restaurant uses on the same site.

kl. Automotive uses and parking uses in column B are not permitted only at 4500at 5011 Duval and are limited to the lot size existing on April 1, 2005. These uses are not permitted at other sites in the Duval District.

l. Column B applies to 5012 Duval Street except that no automotive or parking lot uses are permitted and no commercial uses are permitted above the ground floor.

m. Parking for commercial uses at 4505 Duval may be located anywhere on the site, as the site exists on April 1, 2005, including on the portion zoned MF-3.

4. The following uses are permitted on property located in the Guadalupe District.

a. Permitted uses.

Administrative and business offices

Art and craft studio (general)

Business or trade school

Communication service facilities

Community recreation (private)

Consumer convenience services

Cultural services

Day care services (general)

Duplex residential

Financial services

General retail sales (convenience)

Group home class I (general)

Group home class II

Hospital services (limited)

Indoor entertainment

Indoor sports and recreation

Local utility services

Medical offices

Multifamily residential

Personal improvement services

Personal services

Printing and Publishing

Art and craft studio (limited)

Business support services

Community recreation (public)

Congregate living

Consumer repair services

Day care services (commercial)

Day care services (limited)

Family home

Food sales

General retail sales (general)

Group home class I (limited)

Plant nursery

Private primary educational facilities

Private secondary educational facilities

Professional office

Public primary educational facilities Public secondary educational facilities

Religious assembly

Research services

Residential treatment

Restaurant (limited)

Restaurant (general)

Safety services
Single-family residential _____
Software development
Theater (not to exceed 5000 s.f.) Two-family residential

- b. A telecommunications tower use is a permitted or conditional use as determined by Section 25-2-839 of the City Code.
- c. A residential use may not be located in the front 70 percent of the ground floor of a building located on the Western half of the Walgreen's Tract – 4501 Guadalupe.
- d. A drive-in restaurant service is prohibited

PART 6. GENERAL PROVISIONS - The following provisions apply to all property within the NCCD.

- 1. **PEDESTRIAN-ORIENTED USES** – If a parking facility is located on the ground floor of a building, pedestrian-oriented uses or habitable space must be located at the front of the building on the ground floor.
- 2. **FRONT OF BUILDING AND LOT**
 - a. Except as otherwise provided, a building shall front on a north-south street.
 - b. A building located on a lot that only has frontage on a numbered street or east-west street may front on the numbered street or east-west street.
 - c. A building shall front on the short side of the lot or
 - d. Where lots have been combined, on the side where the original short ends of the lots fronted.
 - e. The street on which a building fronts under this section is the front of the property on which the building is located for purposes of this ordinance.
 - f. The area east of Duval Street is exempt from this regulation.
- 3. **STREET YARD SETBACKS**
 - a. **AVERAGED FRONT SETBACK** The front setback shall not be more than 5' different from the average of the front yard setbacks of the principal single family

buildings on the same side of the street on a block. If more than one principal building is located on a property, then the setback of the building closest to the prevailing setback line is used in the calculation. A building setback more than 35' is not considered in averaging. The area east of Duval Street is exempt from this regulation.

- b. **AVERAGED SIDE STREET YARD SETBACK** - On a block face that does not include the fronts of lots, the street yard setback of the subject property may equal the average of the street yard setbacks of the buildings on adjoining lots. In this section, a building across an alley is a building on an adjoining lot. The street yard setback may be established by a principal building or an accessory building that contains a living unit on the ground floor that fronts on the street.
 - c. **STANDARD STREET YARD SETBACKS** - If there are no primary buildings on the same side of the block to establish an average setback, then street yard setbacks are per the attached map current City of Austin code.
 - d. Notwithstanding any other provision in this section, a street yard setback may not be less than five feet.
 - e. For the purposes of these regulations, 45 ½ Street between Avenue G and Avenue H is considered to be an alley.
 - f. For the purposes of these regulations, the 4500 blocks of Avenue G and Avenue H are each considered to be one block in length for setback averaging purposes.
 - g. In the area between Rowena and Avenue F, a building may be replaced at the same front setback line as a primary structure that existed April 1, 2005.
4. ~~Accessory buildings may not cover more than 10 percent of the site area.~~
54. A fence located in a front yard may not exceed a height of four feet and shall have a ratio of open space to solid material of not less than 1 to 1.5. A solid natural stone wall not over 36" tall at any point is also permitted.
65. This section applies to a fence located in a street side yard that abuts the front of another property ~~faces an avenue and~~ is greater than four feet in height. The portion of a fence that is greater than four feet shall have a ratio of open space to solid material of not less than 1 to 1.5.
76. A fence located along an alley shall have an inset or shall be set back to accommodate trash receptacles. The area provided shall be a minimum 18 square feet.
87. A driveway that provides access to four or fewer required parking spaces may be designed with gravel surfacing or using driveway runners. Design and construction must be approved by the Director of the Watershed Protection and Development

Review Department. A driveway apron shall comply with City of Austin specifications.

810.—Except as otherwise provided in this section, the entrance of a building in which a principal use is located shall be located on the front of a building.

- a. For multi-family use this applies to the portion of the building abutting the street.
- b. For a duplex use this applies to one dwelling unit.
- c. If a lot only has frontage on an alley the entrance of a building may face the alley.

1419. Except for a single-family, duplex, or two-family residential use, excess parking is prohibited.

1410. This section applies to a multifamily use.

- a. A maximum of one sign is permitted on a building.
- b. The size of a sign may not exceed one foot in height and eight feet in length.
- c. Internal lighting of a sign is prohibited except for the internal lighting of individual letters.
- d. Free-standing signs are prohibited.

1411. Alley auto access to a lot is permitted if the access complies with applicable City regulations for maneuverability. At least 25' maneuverability space perpendicular to a parking area is required and may include the alley width.

1412. This section applies to construction of a single family, duplex or two-family residential use on property that is located in a townhouse and condominium residence (SF-6) district or less restrictive zoning district. Except as otherwise provided in this section, construction must comply with the regulations for the family residence (SF-3) district. Construction may comply with the regulations of the district in which the use is located if construction complies with the compatibility standards of the City Code.

1413. Except as otherwise provided in this section, the following provisions apply in all Districts except the Guadalupe District.

- a. A one-lane circular driveway is permitted on lots over 100' wide.
- b. Except as otherwise provided in the section, access to a site is limited to one curb cut. Except in the Residential District, a site that has 100 feet of frontage or more

may have two curb cuts. In the Residential District, a site may have two curb cuts if the site has 100 feet of frontage or more and has two dwelling units or is a through lot. For a duplex use or single-family attached use, a lot that is at least 50' wide may have two one-lane driveways that are a maximum of 10' wide if they are separated by the house.

c. The width of a driveway:

- 1) located in a front yard for a residential use, may not exceed 12 feet from the driveway apron to the building setback line and 24 feet from the building setback line to a parking area;
- 2) May not exceed 18' on a side street.
- 3) Is not limited on an alley.
- 4) For a residence that had a double driveway and/or garage on the front of the building that existed prior to February 1, 2005, the double driveway and garage may be continued to serve the existing residence even if additional square footage is added to the residence.
- 5) for a commercial, civic, multifamily residential, or condominium residential use, may not exceed 25 feet.

d. For an existing single-family, duplex, or two-family residential use:

- 1) compliance with current City parking regulations is required if:
 - a) 300 square feet or more are added to the conditioned gross building floor area; this includes the conversion of accessory space to habitable space.
 - b) the principal use changes; or
 - c) a full bathroom is added to a dwelling unit that has three or more bathrooms; and
- 2) —a person may not reduce the parking spaces to a number less than the number of spaces prescribed in the City Code for a present use or may they reallocate those parking spaces to a new use unless the old use is terminated or reduced in size.
- 3) A required or excess parking space may not be located in a street yard except that 25% of the width of a front yard, up to a maximum of 20', may be used for a maximum of 2 required parking spaces.

e. The following provision applies to parking required under Subsection d.

1) Tandem parking:

- a) for a single-family, two-family or duplex residential use, is permitted; and
- b) for a multi-family use, is permitted if both spaces are assigned to the same unit.

2) Two parking spaces per dwelling unit are required for all single-family uses in the Residential District.

f. For a Multi-family use, at least one parking space is required for each bedroom.

PART 7. RESIDENTIAL DISTRICT. The following site development regulations apply in the Residential District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the Residential District.

RESIDENTIAL DISTRICT				
	Site Development Standards			
	SF-2	SF-3	MF-3	MF-4
Minimum lot size (see a.)	5750	5750	8000	8000
Minimum lot width	50	50	50	50
Maximum FAR			0.5 to 1	0.5 to 1
Maximum building coverage	40%	40%	50%	50%
Maximum impervious cover	45%	45%	60%	60%
Maximum height (see b.)	30'and/2.5 stories	30'and/2.5 stories	30'and/ 2.5 stories	30'and/2.5 stories
Minimum interior side yard setback	5	5	5	5

Minimum rear setback	10	10	10	10
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- a. The minimum lot size for a Single-family Attached use is 11,500 square feet with a minimum of 5,750 square feet for each dwelling unit.
 - b. The maximum height for an accessory structure or secondary dwelling unit is 25'.
 - c. The maximum height for 4505 Duval (MF3 area) is 40' except that within 100' of single family use or zoning the maximum height limit is 30' and 2.5 stories.
2. Except as otherwise provided in Part 6, on an Avenue, Duval Street, Fairfield and east-west streets east of Duval Street. ,
 - a. the minimum street yard setback is 25 feet; and
 - b. the maximum street yard setback is 30 feet.
3. This section applies to a street other than a street identified in Section 2 of this part. Except as otherwise provided in this part, the minimum street yard setback is 15 feet.
4. A two-family residential or duplex use is permitted in the Residential District on a lot that is 7000 square feet or larger.
5. A porch may extend:
 - a. where a setback is at least 25', a maximum of eight feet in front of the street yard setback; and
 - b. where the setback is at least 15', a maximum of five feet in front of a street yard setback.
6. A porch must be at least five feet from a property line that faces a street.
7. Except as otherwise provided in Sections 11 and 12 in this part, for an accessory building the minimum setback from:
 - a. a front property line is 60 feet;
 - b. a property-side street line that is not the front of the lot is 15 feet; and
 - c. an interior side property line is five feet.

8. Except as otherwise provided in this part, the minimum setback from an alley for an accessory building or a rear unit of a two-family use that is not more than 20 feet in height, is five feet.
9. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior and street side property lines.
10. West of Duval Street an attached garage shall be a minimum of 60 feet from a front property line.
11. On any lot that is less than 90' deep

a.-an accessory building or garage front setback line must be at least 15' behind the front building setback line.

b. —A new primary structure may be constructed on the non-complying front setback line of a building that has been removed not more than one year prior to the new construction.

12. East of Duval Street an attached or detached -garage and/or carport with vehicle entrances that face a front yard must be located flush with or behind the front façade of the house. The width of this parking structure may not exceed 1/350% of the width of the front façade of the structurehouse.

12. East of Duval Street a garage or carport may not extend in front of the front façade.

1314. This section applies to a duplex or two-family residential use if there are at least five bathrooms in all buildings in which the use is located. An additional parking space is required for each new full bathroom constructed on the property.

1415. Driveway runners or gravel driveways are permitted to provide access to up to 4 parking spaces. The design and construction must be approved by the Director of the Watershed Protection and Development Review Department.

1516. Except as otherwise provided in this section, the maximum gross floor area of the rear dwelling unit of a two-family residential use is 850 square feet. On a corner lot that is at least 8,000 square feet, the rear dwelling unit may exceed 850 square feet if the following conditions and other applicable site development regulations are satisfied:

- a. the ground floor of the rear unit is enclosed;
- b. one unit has frontage on a north-south street; and

c. one unit has frontage on a numbered street.

PART 8. AVENUE A DISTRICT. The following provisions apply in the Avenue A District.

1. **Site Development Standards Table.** Except as otherwise modified in this part, the following site development regulations apply in the Avenue A District.

Avenue A DISTRICT						
	Site Developme nt Standards					
	SF-3	MF-2	MF-3	MF-4	GR	GO
Minimum lot size	5750	8000	8000	8000	5750	5750
Minimum lot width	50	50	50	50	50	50
Maximum FAR	-	0.5	0.75	0.75	1	1
Maximum building coverage	40%	50%	55%	60%	60%	60%
Maximum impervious cover	45%	60%	65%	70%	80%	80%
Maximum height*	30	35'	35'	40'	40'	35"/40'
Min. interior side yard setback	5	5	5	5	5	5
Minimum rear setback	10	10	10	10	10	10
*Property on the east side of Avenue A - height limit 30' and 2.5 stories in rear 50' - otherwise 35'.						
*Property on the west side of Avenue A - height limit 40'.						

2. Except as otherwise provided in this part, on Avenue A:
 - a. the minimum street yard setback is 15 feet; and
 - b. the maximum street yard setback is 20 feet.
3. This section applies to W. 45th St. and W. 46th St.. Except as otherwise provided in this part, the minimum street yard setback is 15 feet.

4. A duplex or two-family residential use is permitted on a lot that is 6000 square feet or larger.
5. Except as provided in Section 10 of this part, a porch may extend:
 - a. on Avenue A, a maximum of five feet in front of the street [front] yard setback; and
 - b. on a street other than Avenue A, a maximum of five feet in front of the street yard setback.
6. A porch must be at least five feet from a property line that faces a street.
7. For an accessory building, the minimum setback from:
 - a. a property line facing Avenue A is 60 feet;
 - b. a property line facing a street other than Avenue A is 15 feet; and
 - c. an interior side property line is five feet
8. On the East side of Avenue A, the minimum setback from a rear property line for an accessory building for a single family development that is not more than 20 feet in height is five feet.
9. A non-complying accessory building may be reconstructed at its existing location for a single-family development, but may not be less than three feet from the rear and interior and street side property lines.
10. An attached garage shall be a minimum of 60 feet from a property line facing Ave. A.
11. This section applies to a duplex or two-family residential use if there are at least five bathrooms in all buildings in which the use is located. An additional parking space is required for each new full bathroom constructed on the property.
- ~~12.~~ Driveway runners and gravel surfacing driveways are permitted to access up to 4 parking spaces. Design and construction must be approved by the Director of the Watershed Protection and Development Review Department.
- ~~13.~~ For a throughlot with frontage on both Guadalupe Street and Avenue A, both frontages shall be treated as front streets.
14. Parking garage openings may not be visible on the Avenue A side of a building.

PART 9. DUVAL DISTRICT. The following provisions apply in the Duval District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the Duval District.

DUVAL DISTRICT	
	SITE DEVELOPMENT STANDARDS CS/GR Zoning Districts
Minimum lot size	8000
Minimum lot width	50
Maximum FAR	<u>1.5:1</u> 0.5 to 1 (<u>1:1 for 4500 Duval</u>) <u>1:1</u>
Maximum building coverage	50% <u>95%</u> / <u>75%</u>
Maximum impervious cover	80% <u>95%</u> / <u>90%</u>
Maximum height	30' <u>and</u> <u>2.5 stories</u> / <u>40'</u>
Minimum interior side yard Setback	<u>50'</u>
Minimum rear setback	10

Site Development Standards for 4510 Duval that is zoned LO are per the LDC except for the height limit which is 30' and 2.5 stories.

2. Except as otherwise provided in this part, on Duval Street:
 - a. the minimum street yard setback is 5 feet; and
 - b. the maximum street yard setback is 10 feet.
3. This section applies to a street other than a Street identified in Section 2 of this part. Except as otherwise provided in this part, the minimum street yard setback is 10 feet.
4. The minimum setback from a rear property line for an accessory building that is not more than 20 feet in height is five feet.
5. An attached or detached garage that opens on an alley or street must be set back at least 20 feet from the alley or street.

6. —A non-complying accessory building may be reconstructed at its existing location but may not be less than three feet from the rear and interior and street side property lines.
7. The maximum height for 4505 Duval (GR area) is 40' except that within 100' of single family use or zoning the maximum height limit is 30' and 2.5 stories.

PART 10. GUADALUPE DISTRICT. The following provisions apply in the Guadalupe District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the Guadalupe District.

GUADALUPE DISTRICT	
	SITE DEVELOPMENT STANDARDS GO / GR
Minimum lot size	5750
Minimum lot width	50
Maximum FAR	1 to 1
Maximum building coverage	60% / 75%
Maximum impervious cover	80% / 90%
Minimum interior side yard setback	0
Minimum rear setback	5'

2. On Guadalupe Street:
- the minimum street yard setback is 0 feet; and
 - the maximum street yard setback is 10 feet.
3. On a street other than Guadalupe Street, the minimum street yard setback is ten feet. The maximum street yard setback is 15'.
4. The maximum height:
- On property north of 45th Street is 45 feet; except

b.—A building height of 50' is allowed for a flat-roofed building with a maximum of an additional 10% of the building height allowed for parapets, elevator shafts and other unoccupied spaces provided the following:

- 1) No living space is permitted above the 50' height.
- 2) The building is limited to 4 stories.
- 3) No roof-top use is permitted except for equipment that is screened.
- 4) A parapet wall may exceed the height established in this part by 10 percent.

65. For a Commercial Use: A sidewalk sign is permitted. Section 25-10-153 (*Sidewalk Sign in Downtown Sign District*) applies to a sidewalk sign. A projecting sign is permitted. Section 25-10-129 (*Downtown Sign District Regulations*) applies to a projecting sign. Other freestanding signs are not permitted.

67.— This section applies to a restaurant use that provides outdoor seating.

a. The outdoor seating area is not used to determine the parking requirement if:

1. the outdoor seating does not exceed 40 percent of the total seating; and
2. not more than 10 tables are located outside.

b. The outdoor seating area that exceeds 40 percent of the total seating area shall be used to determine the parking requirement.

PART 11. AFFORDABLE HOUSING

1. Rental – Redevelopment of existing multi-family developments applies to the following - 4505 Duval, 4510 Duval, 4520 Duval and 5012 Duval.

Allow existing multi-family development not located in the 100 year flood plain to be rebuilt at the same height in stories, number of units, and building footprint provided that they meet S.M.A.R.T. Housing™ technical standards for accessibility, Green Building, and Transit-oriented design and meet the sprinkler requirements of the 2003 International Building Code if at least 10% of the units are “reasonably-priced” (rent to households at or below 80% Median Family Income who spend no more than 30% of their gross income on rent and utilities. Applicants who meet these conditions would not be required to meet compatibility standards or increase parking or site detention.

All NCCD provisions will apply in addition to the following:

- *Height may be the greater of existing height or height permitted in the NCCD.
- *Balconies, entrances, patios, open walkways and open stairways are not permitted within 20' of any single-family use.
- *All trash receptacles must have a permanent location in the rear of the property or if no alley is available they must be on the property in an enclosure.
- *Fencing is required between any parking facility and any single family residence.

2.Home Ownership – Allow Single Family-Attached use for affordable housing option.

Allow existing duplexes not located on lots in the 100 year flood plain or on lots that are less than 7,000 square feet in area and do not have plat or deed restriction limiting density to one residential unit per lot to be redeveloped as single-family attached. At least one of the units must be sold to an owner who meets the "reasonably-priced" test described above; must have existed as a duplex on January 1, 1987; and the proposed development complies with all other applicable code requirements (all plumbing and wiring for each unit must be relocated on each respective lot; one-hour fire resistant construction at the lot line with no door or window openings within 3 feet of the lot line; no Housing Code violations; and all other zoning and subdivision code requirements).

- *The size of each respective unit may be increased by no more than 20%.over the size of the units that existed on April 1, 2005.
- *No single unit may exceed 1200 square feet.
- *These development regulations would apply in perpetuity while the affordable housing program will apply for 15 years.

PUBLIC HEARING INFORMATION

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning. However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of offices, retail, commercial, and residential uses within a single development.

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www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

Your Name (please print)

Andy Jones

Your address(es) affected by this application

4900 Ravenna

Signature

Andy Jones

Date

2-24-05

Comments:

THIS IS A GREAT WAY TO PRESERVE OUR NEIGHBORHOOD AS A REAL NEIGHBORHOOD.

NO MU SHOULD BE

ALLOWED BY THE

CITY COUNCIL

Andy

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

GREG CLARK

Your Name (please print)

607 E. 50th Street

Your address(es) affected by this application

Greg Clark

Signature

Date

Comments:

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

Don CAMPBELL

Your Name (please print)

4902 AVENUE H

Your address(es) affected by this application

Don Campbell

Signature

Date

Comments:

<input checked="" type="checkbox"/> In favor
<input type="checkbox"/> Object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

Your Name (please print)

Tracey Cabral + Mark Mills

Your address(es) affected by this application

1001 E. 47th Street Austin 78751

Tracey Cabral Mark Mills
Signature Date 2/24/05

Comments:

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

PEDRA M. HILTON

Your Name (please print)

4805 STANLEY AVE, AUSTIN TX

Your address(es) affected by this application

PAUL OHLSON

Signature

2/28/05

Date

Comments:

this would be of benefit
to the values & benefits
to our great Austin
Area.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

PUBLIC HEARING INFORMATION

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For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

DORIS CAUARD

Your Name (please print)

4808 RED RIVER ST

Your address(es) affected by this application

Doris Cauard

Signature

Date

3/2/05

Comments:

The proposed UCCD will help the present character of my neighborhood



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Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

Doris Coward

Your Name (please print)

4810 REP RUDE ST.

Your address(es) affected by this application

Doris Coward

Signature

Date

3/1/05

Comments:

*This proposal NEED
for North Hyde Park will
help protect the present
character of my neighborhood.*

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

Your Name (please print)

Deborah Volker

281 am in favor
01 object

4810 Red Rives St. Austin

Your address(es) affected by this application

Deborah Volker

Signature

Date

Comments:

3/2/05

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

~~February 28, 2005 Historic Landmark Commission~~
March 8, 2005 Planning Commission

Your Name (please print)

Deborah Volker
4808 Red River St. Austin

Your address(es) affected by this application

Deborah Volker

Signature

Date

3/2/05

Comments:



If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

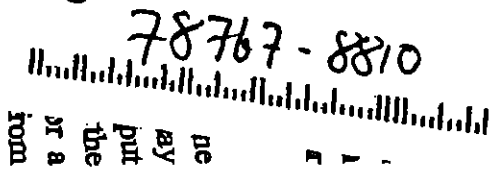
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City of Austin
Neighborhood Planning & Zoning Dept.
Glenn Rhoades
PO Box 1088
Austin Texas

78767-8810



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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

Monique Lee
Your Name (please print)

☒ I am in favor
☐ I object

Your address(es) affected by this application

510 Ave G 3-2-05
Signature Date

Comments:

NO more huge houses on South
city left!

If you use this form to comment, it may be returned to:

City of Austin
Neighborhood Planning and Zoning Department
Glenn Rhoades
P.O. Box 1088
Austin, TX 78767-8810

ING INFORMATION

will be reviewed and acted upon at the Land Use Commission and the applicants and/or their agent(s) are attending, you are not required to attend. You have the opportunity to speak on proposed development or change. You may join a good or environmental organization or be listed in an application affecting your

board or commission may postpone a public hearing to a later date, or may recommend a commendation and public input to the City Council. If the City Council sets a specific date and time for a public hearing that is not later than 60 days from the date of notice is required.

City Council may grant or deny a rezoning and to a less intensive zoning than the existing zoning or grant a more intensive zoning.

for mixed use development, the City of Austin has created the MU (MU) COMBINING DISTRICTS. The MU Combining Districts allow special uses in addition to those uses allowed in commercial zoning districts. As a MU Combining District allows the combination of residential and commercial uses within a single

on the City of Austin's land use website: www.austintx.us/development

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Case Number: C14-04-0196
Contact: Glenn Rhoades, (512) 974-2775
Public Hearing:
March 8, 2005 Planning Commission

ROGER FRAHM
Your Name (please print)

☒ I am in favor
☐ I object

4526 AVENUE F
Your address(es) affected by this application

Ry V Z 3/1/05
Signature Date

Comments: This proposal moves us in the right direction. Preserving the neighborhood's character while allowing for urban infill.

Thanks,
Ry V Z

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Glenn Rhoades
P. O. Box 1088
Austin, TX 78767-8810



Glen Rhoades

Box 1088

Austin Tx 78767-8810

78767+1088



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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

Glenn Rhoades
Your Name (please print)

2000 Oakwood St (4500 Bennett)
Your address(es) affected by this application

Glenn Rhoades
Signature

2/28/05
Date

Comments:

*Glenn Rhoades' plan is to
include all properties up
to the railroad track area - that
area east of Red River 8000
to complete the bridge.*

Glenn Rhoades

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810



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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission
March 8, 2005 Planning Commission

JEFFREY J. KOSTREWSKY

Your Name (please print)

DIANE RHODES

4915 AVENUE G

Your address(es) affected by this application

Jeffrey J. Kostrewsky

Signature

Date

Comments:

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Glenn Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

David Hoffmann
Your Name (please print)



5102 Avenue G

Your address(es) affected by this application

David Hoffmann

Signature

March 12, 2005
Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

Beverly + Donald L. Tompkins

Your Name (please print)

4603 Eilers Ave., Austin, TX 78751

Your address(es) affected by this application

Beverly Tompkins

3-3-05

A. B. Tompkins

Signature

Date

Comments: We strongly support SF2 NCCD.



If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P.O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission
March 8, 2005 Planning Commission

David R. CAMPBELL

Your Name (please print)

604 E. 48th St.

Your address(es) affected by this application

David R. Campbell 2/23/05

Signature

Date

<input checked="" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

Comments: I have followed the efforts of the Hyde Park Neighborhood Association for several years now, and entirely support this plan and the goals behind it. As a long-time owner and resident (16 years), I believe zoning restrictions that preserve the original character of the neighborhood are in my interest and those of people who will live here after me.

Assuming we get the NCCD, I hope the City of Austin will actively enforce its provisions.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Dear Hyde Park Property Owner,

THIS IS AN IMPORTANT NOTICE ABOUT CHANGES TO THE CITY OF AUSTIN LAND DEVELOPMENT CODE THAT WILL AFFECT YOUR ABILITY TO EXPAND, REMODEL, AND/OR REBUILD THE STRUCTURE YOU OWN IN THE NORTH HYDE PARK AREA OF AUSTIN, TEXAS.

You may or may not be aware that the City of Austin is proposing a Neighborhood Conservation Combining District (NCCD) for our neighborhood. While the details are much too complex to go into detail in this letter, I think it is fair to say that the NCCD as proposed will make it much more complicated and time-consuming to remodel or rebuild any existing structures on your property and to construct new structures on your property.

The City of Austin claims that it notified property owners who will be affected by this NCCD by placing letters on their doorsteps, but we are finding that very few property owners have received those notices (in fact, we are not sure any have received them) and that the notices don't explain and most property owners have not been given enough information to truly understand the full extent of this proposal with respect to property development and redevelopment and the negative impact it may have on property. We are sending this notice to you to determine:

- a) whether you have heard of this plan; and
- b) whether you agree with it.

There will be a City of Austin Planning Commission meeting about this issue on Wednesday, April 13th, at noon. It is imperative that we receive your written response ASAP, as our failure to generate any interest in this matter will likely be deemed as agreement with it by those who want to put this ordinance in place.

Sincerely,

Dan Day
Email address: danday@swbell.net
Phone Number: 476-3344

I own the property at 4623 Red River, and

- ☒ Do not agree with the plan
☐ Have not heard of the plan, or any of the proposed changes in the NCCD
☐ Have heard of the plan and agree with the changes.

You can fax your responses back to Dan Day 476-1514, or email them to danday@swbell.net. You are also free to contact city staffer Glenn Rhoades at 974-2775, and/or attend the April 13th meeting at xxxxx at xxxx o'clock.

David Pruitt
4623 Red River

Dear Hyde Park Property Owner,

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Sincerely,

Leslie Gage

Dan Day

Email address: danday@swbell.net

Phone Number: 476-3344

I own the property at 808C East 46 and

- ☒ Do not agree with the plan
- ☐ Have not heard of the plan, or any of the proposed changes in the NCCD
- ☐ Have heard of the plan and agree with the changes.

You can fax your responses back to Dan Day 476-1514 or email them to danday@swbell.net. You are also free to contact city staffer Glenn Rhoades at 974-2775, and/or attend the April 13th meeting at xxxxx at xxxx o'clock.

Leslie Gage
808 East 46th ST

Date: March 22, 2005

To: Mr. Chris Riley, Chairman, Planning Commission, City of Austin

To: All Members of the Planning Commission, City of Austin

To: Glenn Rhoades, Planning Department, City Of Austin, individually and as representative of the Planning Commission

From: A Neighborhood Committee of Ridgetop Annex Property Owners

Re: Case Number C14-04-0196

***Objection/Opposition To The North Hyde Park Annex NCCD
Proposed Ordinance Concerning The Rezoning And Changing Of
The Zoning Map (hereinafter referred to as the "Proposed
Rezoning Ordinance") Of Chapter 25-2 Of The City Code As It
Pertains To Ridgetop Annex Area (hereinafter referred to as
"Ridgetop")***

***(Ridgetop is that area situated between Duval St. on the West and
Red River on the East.)***

Executive Summary

We support the City Council's goal of "achieving appropriate, compatible development with in the area." as defined in (part 1 (G)) of the ordinance that enacted April 13 Hyde Park Neighborhood plan . We also support the Hyde Park Neighborhood Plan Goal to preserve and enhance the unique historic and residential character of the planning areas particularly the unique residential character of Ridgetop Annex.

However, the undersigned property owners oppose the immediate

adoption of the Proposed Rezoning Ordinance as it applies to Ridgetop Annex and respectfully asks that you postpone consideration of it until the numerous citizens' concerns and questions have been answered. (*These questions are listed below*).

The citizens believe that the Proposed Rezoning Ordinance raises certain procedural, planning and legal questions and may not be consistent with the goals of Hyde Park Neighborhood Plan.

The concerned citizens would respectfully ask the Planning Commission to obtain answers from the Planning Department and the City Legal Department to the questions which are posed herein by the concerned citizens - prior to approval or adoption of the Proposed Rezoning Ordinance.

The concerned citizens are not sure whether the Proposed Rezoning Ordinance has received a complete review by Planning Department and by the City Legal Department nor whether the final draft was actually written by the Planning Department or by other citizens. The undersigned seek a better understanding as to what planning principles were used to develop this NCCD and specifically how they apply to Ridgetop Annex. It is believed that the actual final draft of the Proposed Rezoning Ordinance only appeared a few weeks ago on the City of Austin website.

It is believed that Ridgetop property owners may have had less than

30 business days to review the more complicated and important final draft of the Proposed Rezoning Ordinance.

The concerned Ridgetop Annex citizens are hereby respectfully and formally request:

- a. written opinions/answers from the Planning and Zoning Department and from the Legal Department to the questions listed below,
- b. Postponement of the approval and/or adoption of the Proposed Rezoning Ordinance until the questions can be answered and then reasonably reviewed by Ridgetop property owners,
- c. Postponement of the approval and/or adoption of the Proposed Rezoning Ordinance until the undersigned Ridgetop Neighborhood Committee completes a formal written survey of Ridgetop property owners with respect to the final draft of the Proposed Rezoning Ordinance.

Factual Background

1. **The Proposed Ordinance Appears To Significantly Diminish The Rights Of Ridgetop Property Owners**, to wit: reducing permitted driveway size from present, reducing permissible building height to 30 feet, restricting "on-property" parking, changing certain setbacks and controlling

the design of the front of buildings, among other things.

2. Ridgetop Annex Has A Unique Historic And Residential Character.

Hyde Park area and Ridgetop Annex do not share the same history or historic building patterns. Hyde Park was developed in 1891, 1892 and 1882 by Monroe Shipley. He designed the 206 acre development in a grid with 400 feet long blocks with alleys. The standard lot was 25 foot wide and 120 to 130 feet deep. Almost all lots faced the Avenues.

W. T. Caswell, starting in 1910, developed Ridgetop Annex. This is the W. T. Caswell that lived in the Caswell House at 15th and West and donated the land for the Caswell Tennis Courts. The Ridgetop Annex blocks are large and almost square blocks at 430 by 360 feet often without many alleys. In Ridgetop Annex the lots are mostly very large with irregular spacing often without clear patterns, spacing or orientation. Many structures are oriented toward the numbered streets. The NCCD rules may be logical for the historic Hyde Park Area but do not appear to preserve or enhance the unique historic and residential character of the Ridgetop Annex area as outlined in the goals for Hyde Park Neighborhood Plan.

3. Revitalization and Development.

The Ridgetop Annex and Hyde Park annex areas (north of 45th) were for 40 years in the flight path of an international airport. The areas became run down and blighted. Once the

airport moved the area began to be revitalized. Property owners began investing in the renovation and replacement of buildings in the area. This revitalization process is not complete. There are still many substandard and unsightly buildings in the area that need to be addressed. The proposed Zoning Ordinance appears to create significant barriers to the redevelopment and reinvigoration of the area. The Proposed Rezoning Ordinance does not appear to promote the City Council goal of achieving appropriate, compatible development with in the (Ridgetop Annex) area.

4. Existing Conditions Ignored. Based on surveys it is estimated that approximately 50% of the properties in the Ridgetop Annex would not comply with the proposed NCCD rules. The proposed NCCD rules do reflect existing conditions in Ridgetop Annex.

5. Hardship For Existing Property Owners. It appears that the adoption of Proposed Rezoning Ordinance may make it difficult, if not impossible, for approximately 50% of the properties in the Ridgetop Annex to build an addition on to their properties. These rules will create economic hardship for property owners and hinder the reinvigoration of the area.

6. The Proposal As Counter Productive. It appears that Proposed Zoning Ordinance and the NCCD rules may not in fact preserve and enhance the Ridgetop Annex area. Proposed Zoning Ordinance may in fact prevent

property owners from replicating existing and historic buildings in the area.

7. Affordable Housing For Teachers And Fireman. Further, it appears that there are 30 plus duplexes in the area (or about 15% of the structures East of Duval) and it appears that the Proposed Zoning Ordinance may effectively prevent the construction of new duplexes and may effectively prevent the subdivision and redevelopment of existing duplexes into affordable housing for teachers, firemen, and others.

8. Study of Actual Effect. It should be studied to determine whether there may be a diminution or taking of more than 25% of the future value of a citizen's private property. When viewed in the aggregate, the net effect of the proposed regulations may be unduly restrictive and may not be consistent with the goals of Hyde Park Neighborhood Plan.

Questions Concerning The Proposed Rezoning Ordinance - Procedural, Planning, and Legal Questions

1. Adequate Notice. Was the notice regarding this Proposed Rezoning Ordinance sufficient and adequate, in duration and substance, to give proper notice to citizens that the proposal is a restrictive downzoning which materially affects their property rights?

2. Adequate Neighborhood Consensus. Has a survey ever been commissioned of Ridgetop property owners?

3. Different Historical Background. Does the Ridgetop Annex have the same history as the historic Hyde Park area? Does Ridgetop Annex have the same block, lot or building orientation patterns as historic Hyde Park.

Should the NCCD rules that work for historic Hyde Park apply to Ridgetop Annex area?

4. Ridgetop Neighborhood Association. Should the Ridgetop owners should be allowed time now to create their own Neighborhood Association, separate from Hyde Park?

5. The Ridgetop Annex Area Has A Unique History And Architectural Character. It is not the same history or character as the historic Hyde Park area. The proposed NCCD rules may preserve and enhance the historic Hyde Park area but imposing of a variation of these rules on the Ridgetop annex may not enhance or preserve its unique history or residential character. Is imposing these rules on Ridgetop Annex area in this manner consistent with the City Council goals and the Neighborhood Plan for this area?

6. Texas Open Meetings Act. Is Proposed Rezoning Ordinance and the procedure used for its creation in compliance with the requirements of the Texas Open Meetings Act (see, *Texas Open Meetings Act, Section 551.001 et. seq., Texas Government Code*) and other City of Austin policies? Do the processes used in creating the Proposed Rezoning Ordinance comply with

substantive and procedural due process? It is representative of Ridgetop property owners and the Ridgetop community?

7. State and Federal Constitutional Issues. Has an analysis been made as to whether there may be “taking, destroying, or damaging” of a person’s property without adequate compensation under Article One, Section Seventeen of the Texas Constitution or Fifth and Fourteenth Amendments of the United States Constitution? Does the magnitude of the downzoning in the aggregate diminish and damage the value of Ridgetop citizens’ property?

8. Arbitrary Nature in Light of Differences in Historical Background. Has there been a study made to determine if the Proposed Rezoning Ordinance satisfy the “arbitrary, capricious and discriminatory” and “equal protection” tests inasmuch as Ridgetop property owners are downzoned and rights diminished but other Austin citizens outside of the NCCD are not made subject to the same ordinance?

9. Vested Rights Issue. Has a review been made as to whether the Proposed Rezoning Ordinance interferes with the vested rights of Ridgetop owners who purchased their property with the reasonable expectation that it could be used for reasonable development under prevailing ordinances?

10. Texas Private Real Property Rights Preservation Act. Has it been determined whether *Section 2007.001 ET seq of the Texas Government*

Code as amended, the Texas Private Real Property Rights Preservation Act
has application?

Conclusion

We support the Hyde Park Neighborhood Plan Goal to Preserve and enhance the unique historic and residential character of the planning areas particularly the unique residential character of Ridgetop Annex. We support the City Council's goal of "achieving appropriate, compatible development within the area." as defined in (part 1 (G)) of the ordinance that enacted April 13 Hyde Park Neighborhood plan. We agree that we need to address the issues of negative development in the area.

The answer does not appear to one which imposes rules on Ridgetop Annex that do not preserve or enhance the neighborhood without the real consensus of Ridgetop property owners.

At this time the undersigned property owners have no choice other than to object to and oppose the immediate adoption of the Proposed Rezoning Ordinance as it applies to Ridgetop Annex.

The undersigned respectfully ask that you postpone consideration of it until the outlined concerns and questions have been answered.

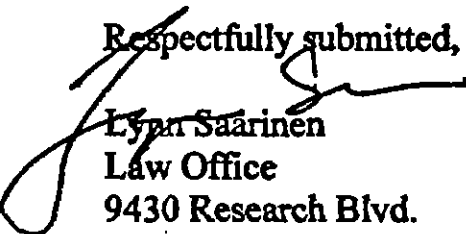
It is believed that Ridgetop property owners may have had less than 30

business days to review the more complicated and important final draft of the Proposed Rezoning Ordinance.

The concerned Ridgetop Annex citizens hereby respectfully and formally request:

- a. written opinions/answers from the Planning and Zoning Department and from the Legal Department to the questions listed,
- b. Postponement of the approval and/or adoption of the Proposed Rezoning Ordinance until the questions can be answered and then reasonably reviewed by Ridgetop property owners,
- c. Postponement of the approval and/or adoption of the Proposed Rezoning Ordinance until the undersigned Ridgetop Neighborhood Committee completes a formal written survey of Ridgetop property owners with respect to the final draft of the Proposed Rezoning Ordinance.

Respectfully submitted,


Lynn Saarinen
Law Office
9430 Research Blvd.
Echelon IV, Suite 400
Austin, Texas 78759
Tel: 866 655 6360

Respectfully submitted,

 by permission
Jerry McCuiston
Tel: 512 329 5639

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

RAYMOND RHOADES

Your Name (please print)

604 East 49th

Your address(es) affected by this application

Raymond Rhoades

Signature

2-28-05

Date

Comments:

There is no need to change the zoning - most all houses on 49th street are rent houses - very few have owners living in the houses. I don't want to sell my house without as many additions as I can get. I will be using myself to any zoning changes.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

(OVER)

PUBLIC HEARING INFORMATION

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For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

Michael S. Powers

Your Name (please print)

☐ I am in favor
☒ I object

301 E. 46th St. Lot 1 Bldg 2 DIT II, DVC

Your address(es) affected by this application

Ridgeway Annex

Mike Powers

Signature

Date

3-7-05

Comments: I am opposed to any rezoning of my property, and to any zoning changes in the North Hyde Park NCD Plan. I believe the proposed Plan will not be advantageous to the area as a whole but will only help a select few. I also am in favor of postponing the Planning Commission meeting on March 8, 2005, until this plan can be studied further, and all of the affected property owners can be better informed as to its effect on their properties.

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City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

Your Name (please print)

James Frederick Korte

☐ I am in favor
☒ I am against

Your address(es) affected by this application

5012 Ave H

Signature

Date

06/04/05

Comments:

If you use this form to comment, it may be returned to:

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Neighborhood Planning and Zoning Department

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Austin, TX 78767-8810

ING INFORMATION

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on the City of Austin's land website:
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Case Number: C14-04-0196
Contact: Glenn Rhoades, (512) 974-2775
Public Hearing:
February 28, 2005 Historic Landmark Commission
March 8, 2005 Planning Commission

☐ I am in favor
☒ I object

James Frederick Keith
Your Name (please print)

5012 Ave H
Your address(es) affected by this application

[Signature] 6 MAR 05
Signature Date

Comments:
Please note my new school address
temp:
459 E. Olmos Dr.
San Antonio, TX
78212

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Glenn Rhoades
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

Ronald & Jean Williams

Your Name (please print)

4501 Ave B + 4503 Ave B

Your address(es) affected by this application

Ronald Williams

Signature

3/7/05

Date

☒ I am in favor
☐ I am opposed

Comments:

*4502 Ave A Change from GR to MF-4?
Too many people living in this area
already. Need more stores.
It is parking lot right now for Walgreens.*

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City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhodes, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your Name (please print) Sean Nelson Note

Your address(es) affected by this application 4613 - Duval St. Austin TX 78751

Sean Note Signature 2/23/05 Date

Comments: _____

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Glenn Rhodes
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission



RAYMOND ROSCHKE
Your Name (please print)

604 East 49th

Your address(es) affected by this application

Raymond Rhoades

Signature

2-28-05
Date

Comments:

There is no need to change the
zoning - most all houses on 49th
street are not houses - very few
have owners living in the houses.
Just as I want to sell my
house I without as restrictive regulations
as to how it may be used.
I object to any zoning changes.

If you use this form to comment, it may be returned to:

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Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

(OVER)

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

Your Name (please print)

Beverly W. Spicer
4705 Eilers Ave



Your address(es) affected by this application

Signature

[Handwritten Signature]

Date

3.8.05

Comments:

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Neighborhood Planning and Zoning Department

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Austin, TX 78767-8810

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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

February 28, 2005 Historic Landmark Commission

March 8, 2005 Planning Commission

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

Your Name (please print)

Daniel A. Day

808 810 812 East 46th St.

Your address(es) affected by this application

Signature

Date

Comments:

I am opposed to any type of zoning that will restrict my ability to design and build or remodel my property in a manner or style of my choice (current development restrictions are satisfactory). I want my property excluded from the NCCD zoning overlay.

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City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810

ING INFORMATION

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on the City of Austin's land use website:
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Case Number: C14-04-0196

Contact: Glenn Rhoades, (512) 974-2775

Public Hearing:

March 8, 2005 Planning Commission

Your Name (please print)

RANDY FERN

☐ I am in favor
☒ I object

Your address(es) affected by this application

4503 Speedway

Signature

Date

Comments:

I believe this to

be a "taking"

of development

rights.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Glenn Rhoades

P. O. Box 1088

Austin, TX 78767-8810