



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

**AGENDA ITEM NO.: 44  
AGENDA DATE: Thu 03/23/2006  
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**SUBJECT:** Set a public hearing to consider an ordinance amending Section 25-2-332 of the City Code relating to conditional overlays and mixed use combining districts. (Suggested date and time: April 20, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.)

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** N/A

**REQUESTING** Neighborhood Planning **DIRECTOR'S**  
**DEPARTMENT:** and Zoning **AUTHORIZATION:** Greg Guernsey

**FOR MORE INFORMATION CONTACT:** Greg Guernsey, 974-2387; Sylvia Arzola, 974-6448

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** Recommended by Planning Commission (Vote: 8-0).

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The amendment would allow a conditional overlay (CO) combining district to modify a mixed use (MU) combining district. The conditional overlay could prohibit or make conditional the list of uses permitted in an MU district which include, but are not limited to, the following: (1) townhouse residential; (2) multi-family residential; (3) single-family residential; (4) single-family attached residential; (5) small lot single-family residential; (6) two-family residential; (7) duplex residential; and (8) group residential. This amendment would apply City wide, but would not apply to a particular property unless a zoning application is filed on the property.

The amendment was requested by neighborhood representatives participating in the East Riverside/Oltorf Combined Neighborhood Planning area. The neighbors expressed a willingness to consider mixed use zoning, if there was a way to prohibit additional multifamily (apartments) in their neighborhood.

On September 20, 2005, staff presented the amendment to the Planning Commission's Standing Committee on Codes and Ordinances for their consideration as a Commission initiated amendment.

On Tuesday, February 14, 2006 the Planning Commission's Standing Committee on Codes and Ordinances voted 3-0 to recommend approval of the amendment.

The Planning Commission recommended the amendment on March 14, 2006.