

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



**AGENDA ITEM NO.: Z-15
AGENDA DATE: Thu 12/15/2005
PAGE: 1 of 1**

SUBJECT: C14-00-2062(RCA)(3) - AMJRH Zoning - Conduct a public hearing and approve a restrictive covenant amendment for the property located at 811 East 9th Street and 808-818 East 8th Street (Waller Creek Watershed). Planning Commission Recommendation: To be considered on December 13, 2005. Applicant: AMJRH Investments Ltd. Agent: David Armbrust. City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

RESTRICTIVE COVENANT AMENDMENT REVIEW SHEET

CASE: C14-00-2062 (RCA)

P.C. DATE: December 13, 2005

ADDRESS: 807 East 11th Street.

OWNER/APPLICANT: AMJRH Investments, Ltd.

AGENT: David Armbrust

EXISTING ZONING: CS-MU-NCCD-NP

AREA: 1.620

SUMMARY STAFF RECOMMENDATION:

Staff recommends the amendment of the Restrictive Covenant to modify paragraph five to clarify the obligations of the owner of the property with respect to affordable housing.

PLANNING COMMISSION RECOMMENDATION:

December 13, 2005 – Postponement until January 10, 2006 has been requested.

DEPARTMENT COMMENTS:

The site is currently undeveloped. The existing restrictive covenant was signed in June 2001. Since that time, a site plan has been approved and building permit issued for a multi-family project. The existing restrictive covenant addressed, among other aspects the provisions of affordable housing, as part of this project, both on and off-site. The amendment seeks to clarify the requirements of the owner regarding affordable housing. (See attached).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-NCCD-NP	Undeveloped
<i>North</i>	CS & CS-1(NCCD-NP)	State offices, restaurant, salon
<i>South</i>	CS -MU-NCCD-NP, GR-MU-CO-NCCD-NP, SF-3-H-NP	French Legation, Undeveloped,
<i>East</i>	SF-3-NP, MF-3-CO-NP	Church, Single Family Homes
<i>West</i>	CS	Downtown offices and hotel

NEIGHBORHOOD PLANNING AREA: Central East Austin Neighborhood Plan Area

TIA: Is not required

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- Guadalupe Neighborhood Development Corp.
- Guadalupe Assn. for an Improved Neighborhood
- El Concilio, Coalition of Mexican American Neigh. Assn.
- Austin Neighborhoods Council
- Austin Independent School District
- Sentral Plus East Austin Koalition (SPEAK)
- Organization of Central East Austin Neighborhoods (OCEAN)
- PODER People Organized in Defense of Earth & Her R SCHOOLS:

SCHOOLS (AISD)

Mathews Elementary School

O. Henry Middle School

Austin High School

CITY COUNCIL DATE:

October 20, 2005

ACTION:

ORDINANCE NUMBER:

CASE MANAGER:

Robert Heil

PHONE: 974-2330

E-mail: robert.heil@ci.austin.tx.us

ARMBRUST & BROWN, L.L.P.

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
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512-435-2300

FACSIMILE 512-435-2360

December 2, 2005

Mr. Robert Heil
Case Manager
Neighborhood Planning & Zoning Dept.
505 Barton Springs Road
Austin, Texas 78701

Re: C14-00-2062(RCA)2; Martens Zoning


Dear Mr. Heil :

This firm represents and I am writing to you on behalf of Steven R. Martens, Trustee, the Applicant in the above-referenced zoning case. The Applicant hereby requests a postponement from City Council until January 26th, 2006. This request is being made by the Applicant to allow additional time to work with Staff to expand the affordable housing component of the restrictive covenant.

Your attention to this matter is greatly appreciated and if you have any questions or comments, please do not hesitate to contact me.

Sincerely,

ARMBRUST & BROWN, L.L.P.



Kristofer Kasper