

NEIGHBORHOOD PLAN AMENDMENT AND REZONING REVIEW SHEET

NEIGHORHOOD PLAN: Central East Austin Neighborhood Plan Amendment

CASE#: Neighborhood Plan Amendment, NPA-2007-0009.01; Rezoning, CI4-01-0148.005

PC DATE: December 11, 2007

CC DATE: January 17, 2008

ADDRESS/AREA: Central East Austin Neighborhood Planning Area. The boundaries for the planning area are Martin Luther King on the north, Interstate Highway Thirty-Five (I-35) on the west, the alley between East 6th and 7th Streets and East 7th Street on the south and Northwestern Avenue, Rosewood Avenue, and Chicon Street on the East.

APPLICANT and AGENT: City of Austin Neighborhood Planning and Zoning Department, on behalf of the Central East Austin Neighborhood Plan Contact Team

OWNER: Not applicable.

TYPE OF AMENDMENT:

The plan amendment request is to amend the neighborhood plan to modify the maximum square footage and maximum floor-to-area-ratio (FAR) permitted in this plan area to 0.4 floor-to-area ratio (FAR) for development subject to the City's Land Development Code, Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (the new "Residential Standards," also referred to as the "McMansion Ordinance"). Currently, maximum development for structures subject to Subchapter F is the greater of 0.4 to 1.0 floor-to-area ratio or 2,300 square feet of gross floor area. The plan amendment would reduce the allowable size of these structures compared to existing development standards.

PLAN ADOPTION DATE: 12/13/2001

NPCD ADOPTION DATE: 12/13/2001

STAFF RECOMMENDATION : Staff recommends an alternative recommendation of approval of the Central East Austin Neighborhood Plan Team's request with the exception that SMART Housing would remain subject to existing McMansion regulations. See attached Affordable Housing Impact Statement.

BASIS FOR RECOMMENDATION: Staff believes the proposal helps preserve the character of Central East Austin by ensuring that new structures and renovations are built at a scale which is compatible with many existing neighborhood homes. In addition, research indicates that these standards would not be likely to limit the development of affordable homes (i.e. units designated for households with income at or below 80% of Austin's Median Family Income) for families in Central East Austin. Non-profit affordable housing development corporations that have built housing in this area report that they have not previously built single-family homes in excess of 1,900 square feet.

Allowing SMART Housing to continue under the existing regulations will further ensure the amendment does not negatively affect affordability.

PLANNING COMMISSION RECOMMENDATION: Approve staff recommendation but remove the condition that SMART Housing be exempt from the requirements of the amendment.

BACKGROUND:

Summary of case

- The Central East Austin Neighborhood Plan Contact Team (the “Contact Team”) has filed a request to reduce the allowable size of structures built on lots less than 5,750 square feet within the boundaries of the CEA Neighborhood Planning area.
- The City of Austin’s Land Development Code (25-2-1406) allows for the modification of several requirements of Subchapter F (Residential Design and Compatibility Standards) through Neighborhood Plan combining district ordinances; one of those requirements is the maximum floor-to-area ratio and maximum square footage of gross floor area.
- All Neighborhood Plan Contact Teams are permitted by city ordinance to submit plan amendment applications to the Neighborhood Planning and Zoning Department (NPZD) at any time.

NPZD staff brought this plan amendment request to the Planning Commission’s Neighborhood Planning Subcommittee and later brought the request before the full Planning Commission. The Planning Commission moved to initiate the related zoning case required to implement the requested plan amendment.

The Organization of Central East Austin Neighborhoods (OCEAN) is the Central East Austin Neighborhood Plan Contact Team. NPZD staff attended several of OCEAN’s monthly meetings to answer questions and provide information as OCEAN members discussed the merits of this proposed plan amendment.

NPZD staff also noticed for and facilitated a public community meeting held August 14, 2007, to collect input from CEA stakeholders and allow for public discussion on the merits of the proposed plan amendment. A summary and sign-in sheet from that meeting are included as part of the back-up documents package associated with this plan amendment and related zoning case.

CITY COUNCIL DATE: January 17, 2008

ACTION: *Pending*

CASE MANAGER: Jerry Rusthoven **PHONE:** 974-3207

EMAIL: jerry.rusthoven@ci.austin.tx.us

COMPREHENSIVE PLANNING CONSIDERATIONS

RELEVANT NEIGHBORHOOD PLAN RECOMMENDATIONS

Excerpts 1 through 4 listed below demonstrate CEA Neighborhood Plan text **related to preserving historic housing stock and residential neighborhood character**. Three of nine Neighborhood Plan Goals for Central East Austin reference the importance of preserving the character and resources of Central East Austin through development respectful of existing housing stock.

EXERPT 1: page 6.

Neighborhood Plan Goal 1- Preserve, restore and recognize historic resources and other unique neighborhood features.

Objective 1.1: Maintain and preserve the integrity of current residential districts.

Action 1- *Preserve residential character as shown on the Future Land Use Map (Page 12), implement the land use plan.* (The plan then calls for several CEA neighborhoods to be considered as local historic districts.) (p. 6)

EXCERPT 2: page 4 and 9.

Statements in the “Top Ten Neighborhood Planning Priorities” include desire to “preserve existing housing”.

EXCERPT 3: page 10.

Objective 2.4: Preserve the existing housing stock.

EXCERPT 4: page 3 and 27.

Urban Design/Neighborhood Character & History:

Neighborhood Plan Goal 7- Respect the historic, ethnic and cultural character of the neighborhoods of Central East Austin.

Excerpts 5, 6, and 7 emphasize the importance of **preserving the character of existing homes and historic neighborhoods** in Central East Austin through ensuring that new development is built with compatible design, scale, and land use types.

EXCERPT 5: page 13 of the CEA Neighborhood Design Guidelines.

Residential Objective 1: Maintain the existing character of house styles within the neighborhood. Encourage new construction or alteration that is compatible with key architectural character elements of the neighborhood.

Guideline 1.2: New houses should be 1 to 2 stories high, with the first floor level at least 12-18 inches above the street, even if it is built on a slab. The height of the second story is usually equal to or less than the wall height of the first story.

Guideline 1.3: . . . The floor-to-floor height of the addition should be similar to the floor-to-floor height of the existing house.

EXCERPT 6: page 21 of the CEA Neighborhood Design Guidelines.

Residential objective 5 concerns multi-family housing but stresses that diverse housing types should be in keeping with the character of the neighborhood.

Guideline 5.2: The use of simple massing, scale and character elements typical of the neighborhood is encouraged.

EXCERPT 7: PAGE 3.

Neighborhood Plan Goal 9- Ensure compatibility and encourage a complimentary relationship between adjacent land uses. *Although this goal specifically mentions land uses, the intent to provide a streetscape composed of places and structures that compliment one another, and are compatible, is clear and relevant to this plan amendment.*

The original CEA Neighborhood Plan document notes that the **Secondary Apartment Special Use infill option was not desired by the Blackshear Neighborhood Association although infill development was encouraged by many stakeholders.** (Excerpts 7 and 8) Although Secondary Apartment, Urban Home, and Small Lot Amnesty were originally adopted with the CEA Plan ordinance in 2001, the plan was amended in 2004 to remove those infill options and reapply them only to Subdistrict 1 (No infill options apply to the Blackshear neighborhood.)

EXCERPT 7: page 4.

Statements in the "Top Ten Neighborhood Planning Priorities" include desire to "encourage infill development."

EXCERPT 8: page 9.

The CEA Neighborhood Plan was amended however on January 9, 2004, to remove infill options from certain areas of Central East Austin. "Subdistrict 1" retains Small lot Amnesty, Secondary Apartment, and Urban Home infill options.

Excerpts 9 and 10 establish the importance of providing a diversity of housing options and affordable housing. The plan also emphasizes the importance of finding ways to keep existing residents in the neighborhood- this may be interpreted as a need to preserve affordability or to allow for flexible renovations of existing structures to accommodate changing family structures and sizes.

EXCERPT 9: page 9.

The Housing section of the CEA NP includes Goal 2, "Create housing that is affordable, accessible, and attractive to a diverse range of people." It also includes Objective 2.2, "Increase the amount of housing units available."

EXCERPT 10: page 10.

Objective 2.5: Make it possible for existing residents (both homeowners and renters) to stay.

LAND USE AND ZONING IMPACTS

This proposed plan amendment is not expected to have significant land use implications for the CEA planning area.

HOUSING AFFORDABILITY IMPACTS

The Neighborhood Housing and Community Development Department (NHCD) has issued a Affordability Impact Statement (AIS). The AIS notes that the Austin Housing Finance Corporation and other non-profit housing development organizations frequently build new or replacement homes in Central East Austin, often on very small lots. NHCD concurs with the alternative staff recommendation described on page one of this document. NHCD has stated that the alternative

staff recommendation would not be likely to have a significant impact on affordable housing development.

ENVIRONMENTAL IMPACTS

No significant environmental impacts are anticipated as a result of this requested plan amendment.

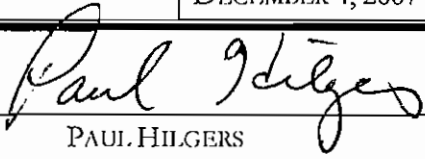
TRANSPORTATION IMPACTS

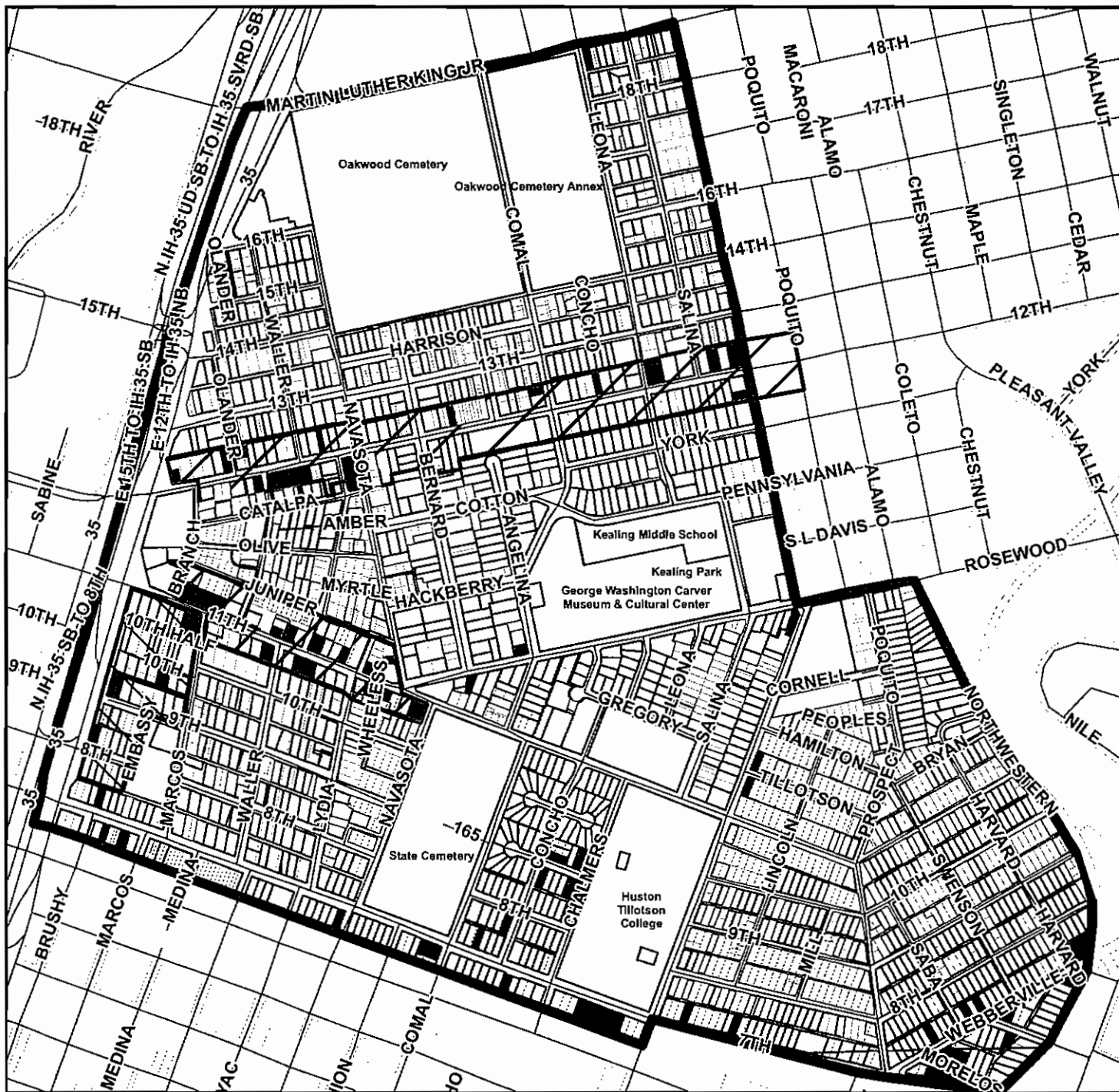
No significant transportation impacts are anticipated as a result of this requested plan amendment.



AFFORDABILITY IMPACT STATEMENT
 NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT
 CITY COUNCIL AGENDA: PENDING CASE NUMBER: NPA-2007-0009.01

PROPOSED CODE AMENDMENT:	AMEND THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN TO REDUCE MAXIMUM ALLOWABLE SIZE OF HOMES BUILT ON LOTS OF LESS THAN 5,750 SQUARE FEET.
IMPACT ON REGULATORY BARRIERS TO HOUSING DEVELOPMENT	<input checked="" type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE <input type="checkbox"/> NO IMPACT
LAND USE / ZONING OPPORTUNITIES FOR AFFORDABLE HOUSING DEVELOPMENT	<input type="checkbox"/> INCREASE <input checked="" type="checkbox"/> DECREASE <input type="checkbox"/> NO IMPACT
IMPACT ON COST OF DEVELOPMENT	<input type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE <input checked="" type="checkbox"/> NO IMPACT
IMPACT ON PRODUCTION OF AFFORDABLE HOUSING	<input type="checkbox"/> INCREASE <input type="checkbox"/> DECREASE <input checked="" type="checkbox"/> NO IMPACT
PROPOSED CHANGES IMPACTING HOUSING AFFORDABILITY:	<p>THE AHFC AND OTHER NON-PROFIT HOUSING DEVELOPMENT ORGANIZATIONS BUILD NEW OR REPLACEMENT HOMES IN CENTRAL EAST AUSTIN, OFTEN ON VERY SMALL LOTS. THE PROPOSED STANDARDS REPRESENT A POTENTIAL REGULATORY BARRIER TO THE DEVELOPMENT OF AFFORDABLE HOUSING.</p> <p>HOWEVER, DUE TO THE RELATIVELY LOW LEVELS OF RECENT PRODUCTION OF AFFORDABLE HOMES IN CENTRAL EAST AUSTIN BUILT BY AHFC OR NON-PROFIT CORPORATIONS, THIS AMENDMENT IS NOT ANTICIPATED TO HAVE A SIGNIFICANT IMPACT ON AFFORDABLE HOUSING PRODUCTION.</p>
ALTERNATIVE LANGUAGE TO MAXIMIZE AFFORDABLE HOUSING OPPORTUNITIES:	NHCD RECOMMENDS THAT THE PROPOSAL BE MODIFIED TO MAINTAIN CURRENT McMANSION STANDARDS FOR S.M.A.R.T. HOUSING-CERTIFIED UNITS THAT PROVIDE LONG-TERM AFFORDABILITY THROUGH RENTAL (MINIMUM 20-YEAR AFFORDABILITY PERIOD), OR HOMEOWNERSHIP UNITS THAT ARE PART OF A COMMUNITY LAND TRUST OR OTHER SHARED EQUITY MODEL (AFFORDABLE IN PERPETUITY).
OTHER HOUSING POLICY CONSIDERATIONS:	<ul style="list-style-type: none"> ◆ EXISTING McMANSION ORDINANCE PROVISIONS (SIDEWALL ARTICULATION AND TENT REQUIREMENTS) HAVE ALREADY PLACED LIMITATIONS ON THE ALLOWABLE SQUARE FOOTAGE OF HOMES BUILT ON SMALL LOTS. ◆ THIS AMENDMENT DECREASES THE LEVEL OF CERTAINTY AND CONSISTENCY FOR BUILDERS, AND IS A REGULATORY BARRIER TO HOUSING DEVELOPMENT. ◆ RESTRICTING HOME SIZES IS NOT LIKELY TO RESULT IN THE CONSTRUCTION OF MORE AFFORDABLE HOMES.
DATE PREPARED:	DECEMBER 4, 2007

DIRECTOR'S SIGNATURE: 
 PAUL HILGERS



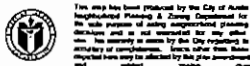
All potentially affected tracts are under 5,750 square feet

Residentially zoned tracts (655 total)

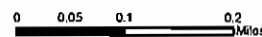
- Tracks allowing Bed and Breakfast uses* (194 total)
- Mixed Use tracts** (98 total)
- Bennett Tract & 11th Street NCCD
- Austin Revitalization Authority 11th & 12th Street Corridors
- CEA Planning Area Boundary

Please Note:

- * Only structures built for Bed and Breakfast residential uses would be affected by this plan amendment on commercially zoned tracts. Site development standards for all other commercial structures would not change.
- ** Only single family homes built on tracts with Mixed Use zoning would be affected by this plan amendment. Site development standards for Mixed Use buildings would not change.



**Central East Austin
Neighborhood Plan Amendment NPA-2007-0009.01
Tracts Affected by Proposed Plan Amendment**



Created July 2007
Aerial photography taken in 2003



Central East Austin Neighborhood Plan
"McMansion" Plan Amendment Community Meeting
Tuesday, August 14, 2007

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MEETING NOTES

Roughly thirty individuals attended this plan amendment meeting. City officials in attendance included representatives from the Residential Review Division and the Neighborhood Housing and Community Development Department (NHCD). NPZD staff gave a brief introduction including a description of the plan amendment process. The applicant for this plan amendment, OCEAN, the CEA Neighborhood Plan Contact Team, presented the proposed plan amendment. NHCD staff then presented their draft Affordability Impact Statement to the meeting participants. The meeting consisted mainly of a question and answer session with notes recorded by NPZD staff.

MEETING COMMENTS

These statements were recorded directly from meeting participant comments.

NHCD

- Request for data on how many homes the Austin Housing Finance Corporation (AHFC) has built on small lots.
- NHCD/AHFC does not support the plan amendment.
- Is there a way to give input to NHCD on their Affordability Impact Statement?
- No houses are affordable anymore in CEA; the reduction in home size proposed will not provide more affordable housing.

Data requests and Critical Comments

- Concern about no economic impact study done on the plan amendment proposal.
- Desire for economic impact statement and for OCEAN to communicate more with the neighborhood.
- Concern about OCEAN's decision-making process- support for a 1,600 square foot, 2 story structure size in CEA.
- Concern about little conversation with nearby property owners about plan amendment.
- How did OCEAN research this proposed plan amendment?
- Original McMansion ordinance is sufficient; 2,300 square feet is a fair structure size city-wide.
- Request for analysis of net financial effect the plan amendment would have on small lots.
- Small lot owners will lose money.
- Property owner feels .4 FAR to too restrictive and doesn't allow for needs to be met; concern about loss in property value.
- What is the net fiscal impact of the plan amendment on the city, county, and school district?

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- Austin Revitalization Authority (ARA) staff states that some ARA homes built in CEA would not be allowed under the proposed plan amendment standards. Stakeholder feels that the amendment is not needed throughout the CEA planning area and that it would be more appropriate if adopted by subdistrict.
- The plan amendment is too restrictive; a sliding scale would be better.
- There is no consensus amongst CEA neighborhood groups. The neighborhoods are not alike; there should be subdistricts.
- In principle, the amendment is a good idea but practically it should not be applied area-wide. It should be applied by subdistrict.
- The plan amendment will discourage development on small lots.

Supportive Comments

- OCEAN is representative of the neighborhood; it's okay if some property value is lost as a consequence of this plan amendment.
- A Blackshear homeowner supports the plan amendment and would like to see more participation from developers and the ARA at OCEAN meetings.
- Houses are getting too big in East Austin. Want to have place for grandchildren to live.
- The plan amendment preserves the neighborhood as it is.
- The plan amendment will increase affordability because houses will be smaller. Disagreement with NHCD's AIS.

Other Comments

- The CEA Planning area is too large and should be adjusted. There is too little communication occurring within the planning area.
- The Blackshear area should be subdistrict.
- NHCD's AIS should incorporate the fact that 1,400 square foot homes would not be impacted by this plan amendment.

**Central East Austin McMansion Plan Amendment Meeting
Tuesday, August 14, 2007**

First Name	Last Name	Mailing Address	City	State	Zip	Email	Phone
Steve	Barney	City of Austin					
Nina and Curtis	Batts	5206 King Charles Drive					928-1393
Minal	Bhakta	City of Austin					
Judith	Clarkson	2102 New York				judithclarkson@cs.com	495-9207
Art	Durst	1189 Angelina Street					472-2308
Steve	Friesen	1011 Olive Street				friesen@mail.utexas.edu	
John	Goldstone	1005 E. 15th				goldy1@flash.net	474-2468
Michael	Guajardo	1111 E. 8th Street				hector.guajardo@ci.ins.gov	464-3032
Bill	Hardison	1101 East 9th Street				billh@lsjohnston.com	478-4952
Allegra	Hobbs	1016 Juniper Street				hevallegra@hotmail.com	799-7706
D'Ann	Johnson	1604 E. 11th Street				djohnson@trla.org	
Tonia and Nathan	Jones	2201 E. 10th Street					461-0187
Charles	Lawson	P.O. Box 161163	Austi TX		78716	charles.v.lawson@mutual.com ???	
Willie	Lewis	5708 Springdale Rd.					927-2191
Scott	Lyles	1105 Navasota St.			78702	slyles@austinrev.org	479-1835
Roberta	Mackey	1707 New York	Austi TX				
Ann	Magaña	2105 E. 9th Street				rwilliams163@austin.rr.com	480-3190
Bobbie	Medders	1915 College					472-6685
Nell	Peterson	2001 Tillotson Avenue					423-4261, 472-4961
Eric	Shropshire	1202, 1204 Cotton				tehenderson@earthlink.net ; cz.shropshire@aatt.net	
Luther C.	Simond	2005 Hamilton Avenue					476-9831
Annette	Stephens	1704 E. 12th Street				amstephens6@yahoo.com	923-1167
David	Thomas	2004-B E. 9th Street	Austi TX			david@jksinc.com	703-898-2393
Freddie	Thomas	1165 Curve Street					965-9029
Margaret	Valenti	City of Austin					
Lucile	Vaughen	2206 E. 8th Street					472-8949
Jill	Ward	1400 E. 13th treet					326-1955
Cindy	Widner	1191 San Bernard	Austi Tx			claw@austinchronicle.com	587-6463
Nathan	Wilkes	2006 E. 9th Street	Austi TX			nwilkes2@gmail.com	799-0234
Rudy	Williams	2105 E. 9th Street				rwilliams163@austin.rr.com	480-3190
T.L.	Wyatt	1223 Rosewood			78702	vil3202@aol.com	476-0082
Giulio	Yaquinto	1313 1/2 Comal Street				gvaquinto@hotmail.com	214-797-5028

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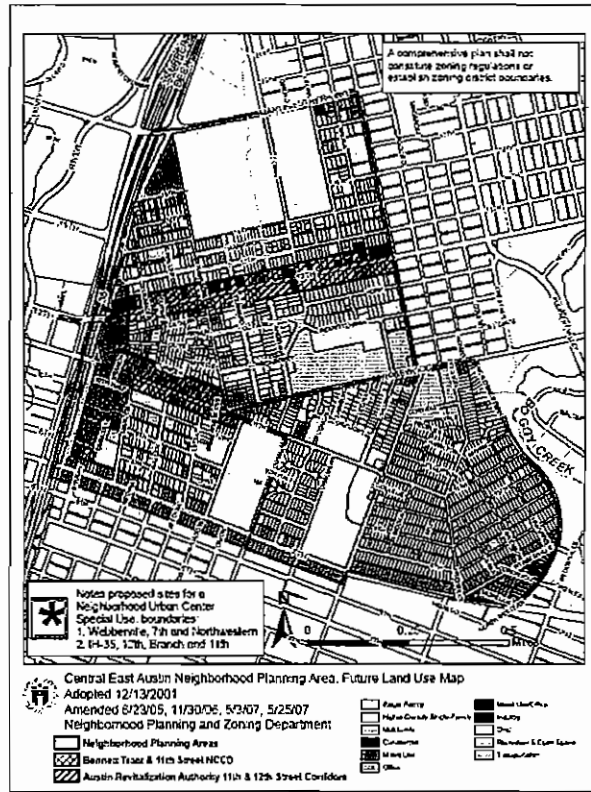
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Welcome

Central East Austin Neighborhood Plan Amendment Meeting

Tuesday, August 14th, 2007
NPA-2007-0009.01 and C14-01-0148.004

City of Austin
Neighborhood Planning and Zoning
Department



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i. Purpose of Meeting/ Overview of Plan Amendment Process

- Collect community input on the proposed plan amendment (and related rezoning case)

Plan Amendment Processes

1. The City of Austin received an application to amend the Central East Austin (CEA) Neighborhood Plan.
2. The applicant is the CEA Neighborhood Plan Contact Team- OCEAN.
3. The City mails unofficial notice to the community.
4. Hold a meeting to collect community input on the proposed plan amendment.
5. City staff make a recommendation on the plan amendment.
5. The City mails legal notice to property owners.
6. The Planning Commission makes a recommendation on the plan amendment during a public hearing.
7. The City Council takes a vote to determine whether the plan is amended.

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Plan Amendment Requested

The Central East Austin Neighborhood Plan Contact Team has filed a request to reduce the allowable size of single family structures built on lots less than 5,750 square feet within the boundaries of the CEA Neighborhood Plan area.

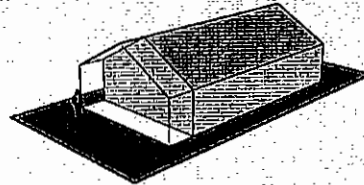
Example 1. One story single family home on 5,000 square foot lot.

Under current code: Maximum allowable size of house is the greater of 2,300 square feet or 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)



**Maximum size of house:
2,300 square feet**

If this plan amendment/rezoning were adopted: Maximum allowable size of house is 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)



**Maximum size of house:
2,000 square feet**

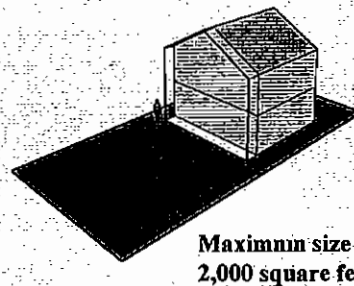
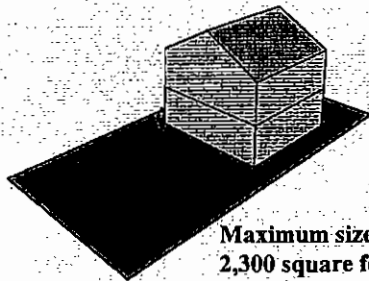
The plan amendment request is to amend the neighborhood plan to modify the maximum square footage and maximum floor-to-area-ratio (FAR) permitted in this plan area to 0.4 floor-to-area ratio (FAR) for development subject to the City's Land Development Code, Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (the new "Residential Standards," also referred to as the "McMansion Ordinance").

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Example 2. Two story single family home on 5,000 square foot lot.

Under current code: Maximum allowable size of house is the greater of 2,300 square feet or 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)

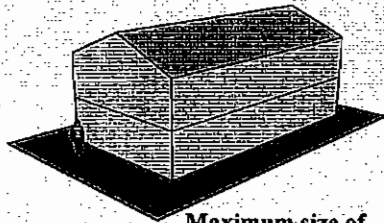
If this plan amendment/rezoning were adopted: Maximum allowable size of house is 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)



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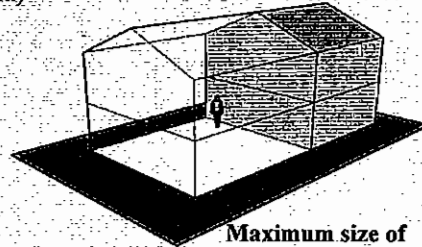
Example 3. Two story single family home on a 2,500 square foot lot.

Under current code: Maximum allowable size of house is the greater of 2,300 square feet or 0.4 FAR (2,500 sq. ft. x 0.4 = 1,000 sq. ft.)



**Maximum size of house:
2,300 square feet**

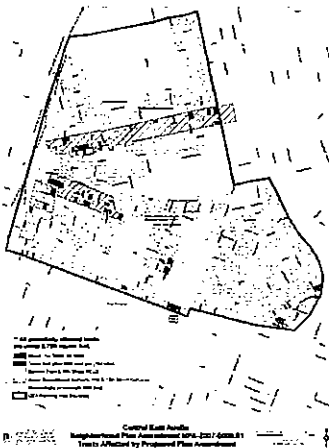
If this plan amendment/rezoning were adopted: Maximum allowable size of house is 0.4 FAR (2,500 sq. ft. x 0.4 = 1,000 sq. ft.)



**Maximum size of house:
1,000 square feet**

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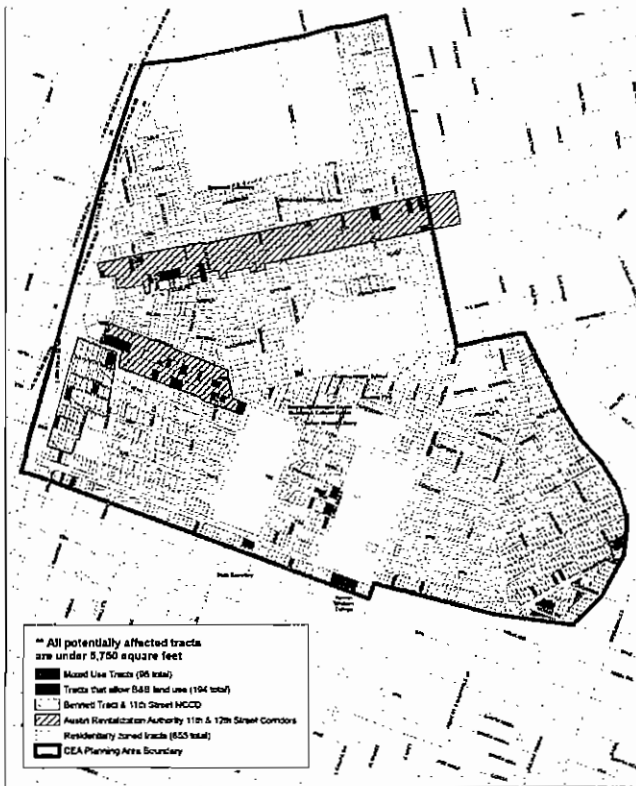
	All tracts in planning area- 4,387	All tracts with affected zoning- 2,471	Affected tracts- 947
Commercial Mixed Use tracts- 98	2.23%	3.97%	10.35%
B&B use allowed tracts- 194	4.42%	7.85%	20.49%
Single Family tracts- 655	14.93%	2.63%	66.17%
Total affected tracts- 947	21.59%	38.32%	100%



**** All potentially affected tracts are under 5,750 square feet**

- Mixed Use Tracts (98 total)
- Tracts that allow B&B land use (194 total)
- Bennett Tract & 11th Street NCCD
- Austin Revitalization Authority 11th & 12th Street Corridors
- Residentially zoned tracts (655 total)
- CEA Planning Area Boundary

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Technical Details

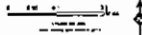
- This plan amendment would affect properties within the 11th and 12th Street Neighborhood Conservation Combining districts, and the Bennett Tracts.

For residential structures within an NCCD

- If a site development standard is addressed in the NCCD, the NCCD standards would apply.
- If a site development standard is not addressed in an NCCD, and is addressed by the McMansion ordinance, then McMansion standards would apply.



Central East Austin
Neighborhood Plan Amendment NPA-2007-0009.01
Tracts Affected by Proposed Plan Amendment



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Technical Details

When did the McMansion ordinance
(Subchapter F: Residential Design and
Compatibility Standards) go into effect?

October 1, 2006.

Where can I learn more about the
McMansion ordinance?

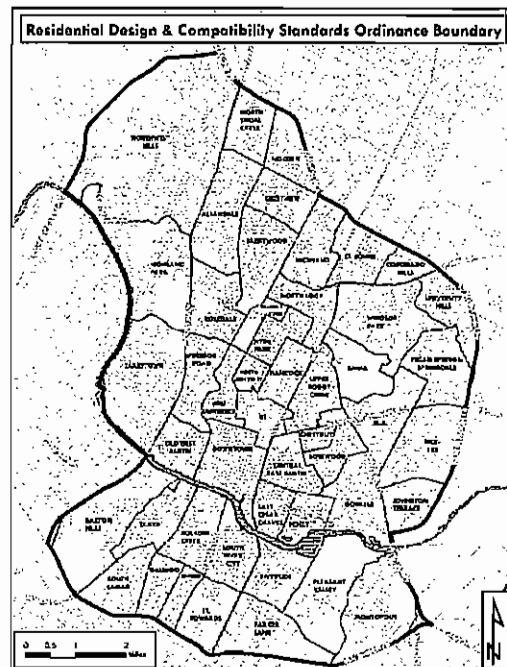
[http://www.ci.austin.tx.us/zoning/sf_regs.h
tm](http://www.ci.austin.tx.us/zoning/sf_regs.htm)

How do I make comments on
McMansion?

Send the McMansion Task Force
comments through Joi Harden via the
following methods

- Email: joi.harden@ci.austin.tx.us
- Fax: (512) 974-6536 (please clearly note
that the fax is for Joi Harden)
- Mail: WPDR, PO Box 1088; Austin, TX
78767
- In person: 2nd floor of 505 Barton
Springs Road

Where does the McMansion ordinance apply?



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Technical Details

City of Austin Land Development Code language enabling neighborhood plan amendments to modify the "McMansion" ordinance:

25-2-1406 ORDINANCE REQUIREMENTS

An ordinance zoning or rezoning property as a NP combining district:

(1)

(2) . . .

(9) may modify the following requirements of Subchapter E (*Residential Design and Compatibility Standards*):

(a) the maximum floor-to-area ratio and maximum square footage of gross floor area prescribed by Subchapter F (*Residential Design and Compatibility Standards*);

(b) the maximum linear feet of gables or dormers protruding from the setback plane;

(c) the height of the side and rear setback planes; and

(d) the minimum front yard setback requirement.

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Technical Details

For this neighborhood plan amendment request to be approved, a rezoning of the plan area is necessary to amend conditions of the Neighborhood Plan (NP) combining district. The proposed rezoning would apply a 0.4 FAR to all development subject to the new Residential Standards through the NP combining district.

Under the new Residential Standards, development of the following residential uses is limited to the greater of 2,300 square feet or 0.4 floor-to-area-ratio (FAR):

- Single-Family
- Small-Lot Single-Family
- Single-Family Attached
- Duplex
- Two-Family (a principal dwelling unit and a secondary dwelling unit)
- Urban Home special use (neighborhood planning tool)
- Cottage special use (neighborhood planning tool)
- Secondary Apartment special use (neighborhood planning tool)
- Bed and Breakfast (Group 1)
- Bed and Breakfast (Group 2).

The proposed plan amendment would affect properties that are:

Less than 5,750 square feet in size and
Located in the following Residential zoning districts, which permit the development of all or some of the uses listed to the left:
LA, RR, SF-1, SF-2, SF-3, SF-4A, SF-4B, SF-5, SF-6, MF-1, MF-2, MF-3, MF-4, MF-5, and MF-6; or
Commercial/Mixed-Use zoning districts, which permit the development of all or some of the uses listed left:
NO-MU, LO-MU, GO-MU, LR-MU, GR-MU, CS-MU, CS-1-MU, CBD, DMU, R&D, DR, AG, PUD, and P; or

For Bed and Breakfast residential uses, any zoning district that permits them. (Bed and Breakfast uses are permitted in numerous commercial zoning districts even without the Mixed Use combining district designation.)

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v. Next meeting dates and legal notification

September 11, 2007 This application is scheduled to be heard by the Planning Commission in the City Hall Council Chambers, 301 West 2nd Street beginning at 6:00 p.m.

September 27, 2007 This application is scheduled to be heard by the City Council in the City Hall Council Chambers, 301 West 2nd Street, Austin, TX 78701 beginning at 4:00 p.m.

Please note: Commission and Council hearing agendas often change. Please call or email on the day of the hearing to confirm agendas.

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Contact Information

City of Austin

For plan amendment questions: Katie P. Halloran, katie.halloran@ci.austin.tx.us, 974-3509

For site development standard questions: Joi Harden, joi.harden@ci.austin.tx.us, 974-3345

Applicant (Central East Austin Neighborhood Plan Contact Team-OCEAN)

Rudy Williams, rwilliams163@austin.rr.com, 480-3190

Thanks for coming and giving your input, it's important to us.



City of Austin Neighborhood Planning and Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

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A NEIGHBORHOOD MEETING AND PUBLIC HEARINGS HAVE BEEN SCHEDULED FOR CENTRAL EAST AUSTIN

Si prefiere leer esta carta en español, favor de revisar la traducción en la página siguiente. Gracias.

Mailing Date of this Notice: July 23, 2007

Case Numbers: Neighborhood Plan
Amendment, NPA-2007-0009.01;
Rezoning, C14-01-0148.004

Dear Central East Austin Stakeholder,

The Neighborhood Planning & Zoning Department will facilitate a neighborhood meeting to discuss a proposed amendment to the Central East Austin Neighborhood Plan. This proposed amendment and related rezoning was submitted to the City of Austin by the Organization of Central East Austin Neighborhoods (OCEAN). OCEAN is proposing a reduction in the allowable size of certain residential structures for your neighborhood. **This plan amendment and rezoning will reduce the maximum allowable size of most new and remodeled homes built on lots less than 5,750 square feet in your neighborhood if it is approved by the City Council.**

Please attend the following neighborhood meeting to discuss this proposed plan amendment:

NEIGHBORHOOD MEETING DATE: Tuesday, August 14th **TIME:** 6:00 P.M.
LOCATION: Conley-Guerrero Senior Activity Center, 808 Nile Street, Austin TX 78702

After this neighborhood meeting, this requested plan amendment will be reviewed and acted on at two public hearings: First, before the Planning Commission and then before the City Council. You may also attend these public hearings and sign up to speak about this proposed plan amendment or submit written comments.

PLANNING COMMISSION PUBLIC HEARING DATE: September 11, 2007 **TIME:** 6:00 P.M.
LOCATION: City Hall Council Chambers, 301 West 2nd Street, Austin, TX 78701

CITY COUNCIL PUBLIC HEARING DATE: September 27, 2007 **TIME:** 4:00 P.M.
LOCATION: City Hall Council Chambers, 301 West 2nd Street, Austin, TX 78701

PLEASE NOTE: Sometimes public hearing agenda items are postponed at the last minute. Please call or email Katie Halloran (974-3509 or katie.halloran@ci.austin.tx.us) to verify these items for the hearing dates listed above.

For more information:

Contact information for the City of Austin, Neighborhood Planning and Zoning Department:

- Katie Halloran, (512) 974-3509

Contact information for OCEAN (the Central East Austin Neighborhood Plan Contact Team):

- Rudy Williams, (512) 480-3190

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The examples below demonstrate that the overall effect of this proposed plan amendment/rezoning would be to reduce the total allowable square footage of residential structures built on lots less than 5,750 square feet within the boundaries of the Central East Austin Neighborhood Planning area.

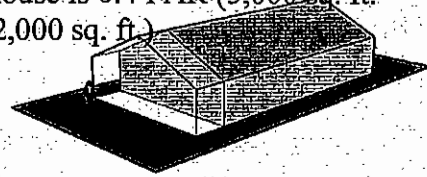
Example 1. One story single family home on 5,000 square foot lot.

Under current code: Maximum allowable size of house is the greater of 2,300 square feet or 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)



Maximum size of house:
2,300 square feet

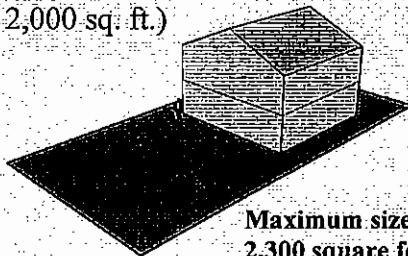
If this plan amendment/rezoning were adopted: Maximum allowable size of house is 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)



Maximum size of house:
2,000 square feet

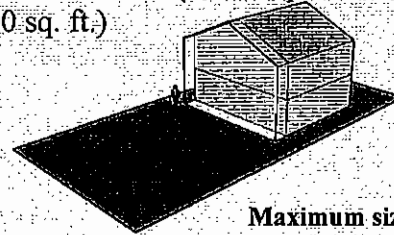
Example 2. Two story single family home on 5,000 square foot lot.

Under current code: Maximum allowable size of house is the greater of 2,300 square feet or 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)



Maximum size of house:
2,300 square feet

If this plan amendment/rezoning were adopted: Maximum allowable size of house is 0.4 FAR (5,000 sq. ft. x 0.4 = 2,000 sq. ft.)



Maximum size of house:
2,000 square feet

Note: Floor to Area Ratio (FAR) can be thought of as a percentage or a proportion of the total lot size compared to the total floor area of the home, whether it be a one story or two story home.



Departamento de Urbanismo, Municipio de Austin
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

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VAN HABER TRES JUNTAS PUBLICAS PARA LOS VECINOS DE CENTRAL EAST AUSTIN

Fecha de mandar este anuncio: 23 de julio, 2007 **Numeros de caso:** NPA-2007-0009.01;
C14-01-0148.004

Estimado Vecino,

El Departamento de Urbanismo del Municipio de Austin va a tener una junta pública para discutir una propuesta para cambiar su plan de vecindario: "Central East Austin". La organización de vecindarios "OCEAN" entregó esta propuesta al Departamento de Urbanismo. OCEAN propone una reducción en el tamaño máximo de casas particulares dentro de su vecindario. **Si el Concilio aprueba este cambio, el tamaño máximo de la mayoría de las casas nuevas y remodeladas en lotes menos de 5,750 pies cuadradas dentro de su vecindario sería reducido.**

Por favor asista a la junta pública mencionado abajo si este cambio le interesa. La junta sería bilingüe.

FECHA PARA LA JUNTA PÚBLICA PARA LOS VECINOS: Martes, 14 de agosto
HORA: 6:00 de la tarde LUGAR: Conley-Guerrero Senior Activity Center, 808 Nile Street, Austin TX 78702

Después de esta junta, la propuesta sería revisada por la Comisión de Urbanismo y después por el Concilio del Municipio de Austin durante otras reuniones públicas. Usted también puede asistir a estos dos reuniones públicas y puede hablar acerca de sus comentarios.

FECHA PARA EL REUNION DE LA COMISION DE URBANISMO: 11 de septiembre, 2007
HORA: 6:00 de la tarde. LUGAR: City Hall Council Chambers, 301 West 2nd Street, Austin, TX 78701

FECHA PARA EL REUNION DEL CONCILIO DEL MUNICIPIO DE AUSTIN: 27 de septiembre, 2007
HORA: 4:00 de la tarde LUGAR: City Hall Council Chambers, 301 West 2nd Street, Austin, TX 78701

OJO: Las fechas de los reuniones públicas a veces cambian en el último momento. Favor de llamar a Katie Halloran (974-3509 o katie.halloran@ci.austin.tx.us) para asegurarse de las fechas.

Para más información:

Oficial bilingüe con el Municipio de Austin:

- El Departamento de Urbanismo, Katie Halloran, (512) 974-3509

Presidente del grupo de vecindarios de Central East Austin (no habla español):

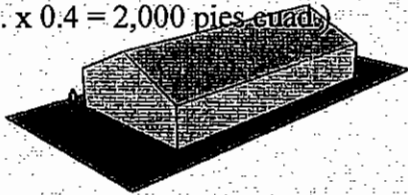
- Rudy Williams, (512) 480-3190

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Los ejemplos abajo demuestran que el efecto general de esta propuesta de modificar el plan de vecindario sería reducir el tamaño máximo permitido para estructuras residenciales construidas dentro de los bordes del plan de vecindario de Central East Austin.

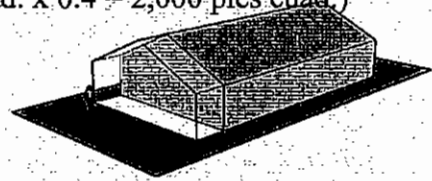
Ejemplo 1. Casa de un piso en un lote de 5,000 pies cuadradas.

Bajo la ley de hoy: El tamaño máximo de casas sería lo mas grande de 2,300 pies cuadradas o 0.4 FAR (5,000 pies cuad. x 0.4 = 2,000 pies cuad.)



**Tamaño máximo de la casa:
2,300 pies cuadradas**

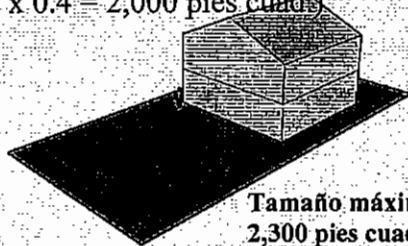
Si aprueban este cambio: El tamaño máximo de casas sería 0.4 FAR (5,000 pies cuad. x 0.4 = 2,000 pies cuad.)



**Tamaño máximo de la casa:
2,000 pies cuadradas**

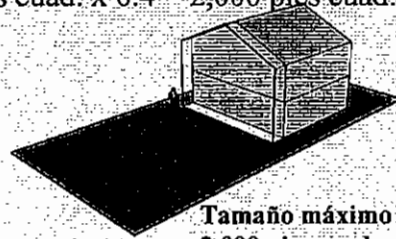
Ejemplo 2. Casa de dos pisos en un lote de 5,000 pies cuadradas.

Bajo la ley de hoy: El tamaño máximo de casas sería lo mas grande de 2,300 pies cuadradas o 0.4 FAR (5,000 pies cuad. x 0.4 = 2,000 pies cuad.)



**Tamaño máximo de la casa:
2,300 pies cuadradas**

Si aprueban este cambio: El tamaño máximo de casas sería 0.4 FAR (5,000 pies cuad. x 0.4 = 2,000 pies cuad.)



**Tamaño máximo de la casa:
2,000 pies cuadradas**

Nota: "FAR" significa la proporción del área del piso de la casa al área total del lote.

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CEA McMansion Amendment Statistics: Structure Sizes and Floor to Area Ratios

	SF and duplex structures throughout CEA	SF structures on lots under 5,750 sq. ft.	SF structures on lots 5,750 and 2,500 sq. ft.
Average structure size	307.72 sq. ft.	1,076.9 sq. ft.	1,103.43 sq. ft.
Median structure size	1,168.5 sq. ft.	991.5 sq. ft.	1,020 sq. ft.
Average FAR	0.217	0.258	0.249
Median FAR	0.194	0.228	0.22

Note: Travis Central Appraisal District property codes used to determine structure types.

CEA McMansion Amendment Statistics: Structures built between Jan. 2006 and June 2007**

Total residential structures permitted 1/06-6/07	43
Average structure size	2,393 sq. ft.
Median structure size	2,171 sq. ft.

**Note: City of Austin Building Permit data used to report structure sizes.

Lot Counts by Revised Size Category

Single Family and Duplex Lots Only

TCAD Data, as of October 2006

Original NPA name	TOTAL	Number < 2,500		Number 2,500 TO 3,999		Number 4,000 TO 5,749		Number 5,750 TO 6,999		Number 7,000 TO 9,999		Number 10,000 Plus	
		SQ FT	Percent	SQ FT	Percent	SQ FT	Percent	SQ FT	Percent	SQ FT	Percent	SQ FT	Percent
Allendale	2,238	3	0.1%	1	0.0%	0	0.0%	28	1.3%	869	38.8%	1,337	59.7%
Barton Hills	1,397	9	0.6%	0	0.0%	0	0.0%	11	0.8%	430	30.8%	947	67.8%
Bouldin	1,336	28	2.1%	48	3.6%	191	14.3%	513	38.4%	384	28.7%	172	12.9%
Brentwood	2,141	5	0.2%	0	0.0%	32	1.5%	300	14.0%	1,349	63.0%	455	21.3%
Central East Austin	1,206	37	3.1%	100	8.3%	319	26.5%	368	30.5%	296	24.5%	86	7.1%
Chestnut	520	7	1.3%	58	11.2%	90	17.3%	238	45.8%	95	18.3%	32	6.2%
Coronada Hills	211	0	0.0%	0	0.0%	0	0.0%	4	1.9%	114	54.0%	93	44.1%
Crestview	1,563	0	0.0%	0	0.0%	15	1.0%	269	17.2%	1,001	64.0%	278	17.8%
Dawson	608	11	1.8%	0	0.0%	24	3.9%	196	32.2%	276	45.4%	101	16.6%
Downtown	168	2	1.2%	9	5.4%	23	13.7%	26	15.5%	50	29.8%	58	34.5%
East Cesar Chavez	773	19	2.5%	51	6.6%	99	12.8%	332	42.9%	220	28.5%	52	6.7%
East Congress	659	17	2.6%	0	0.0%	0	0.0%	78	11.8%	454	68.9%	110	16.7%
East Oak Hill	2,921	39	1.3%	19	0.7%	26	0.9%	64	2.2%	1,696	58.1%	1,077	36.9%
Franklin Park	3,403	0	0.0%	0	0.0%	75	2.2%	909	26.7%	1,812	53.2%	607	17.8%
Galindo	656	10	1.5%	12	1.8%	29	4.4%	111	16.9%	391	59.6%	103	15.7%
Garrison Park	2,871	11	0.4%	2	0.1%	27	0.9%	944	32.9%	1,358	47.3%	529	18.4%
Georgian Acres	705	1	0.1%	0	0.0%	0	0.0%	25	3.5%	378	53.6%	301	42.7%
Govalle	1,130	3	0.3%	6	0.5%	106	9.4%	429	38.0%	346	30.6%	240	21.2%
Hancock	898	3	0.3%	17	1.9%	85	9.5%	279	31.1%	315	35.1%	199	22.2%
Heritage Hills	415	0	0.0%	0	0.0%	0	0.0%	2	0.5%	262	63.1%	151	36.4%
Highland	1,332	0	0.0%	0	0.0%	6	0.5%	178	13.4%	906	68.0%	242	18.2%
Highland Park	1,730	0	0.0%	44	2.5%	63	3.6%	39	2.3%	215	12.4%	1,369	79.1%
Holly	1,009	20	2.0%	191	18.9%	186	18.4%	455	45.1%	133	13.2%	24	2.4%
Hyde Park	1,368	1	0.1%	50	3.7%	105	7.7%	568	41.5%	502	36.7%	142	10.4%
Johnston Terrace	341	0	0.0%	0	0.0%	12	3.5%	53	15.5%	163	47.8%	113	33.1%
MLK	1,097	0	0.0%	3	0.3%	51	4.6%	185	16.9%	466	42.5%	392	35.7%
MLK-183	2,035	0	0.0%	8	0.4%	86	4.2%	682	33.5%	910	44.7%	349	17.1%
McKinney	815	0	0.0%	2	0.2%	74	9.1%	383	47.0%	275	33.7%	81	9.9%
Montopolis	1,298	13	1.0%	17	1.3%	181	13.9%	503	38.8%	408	31.4%	176	13.6%
Mueller	1	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%
NACA	3,271	2	0.1%	0	0.0%	3	0.1%	204	6.2%	2,228	68.1%	834	25.5%
North Burnet	1	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%
North Lamar	705	4	0.6%	0	0.0%	1	0.1%	150	21.3%	388	55.0%	162	23.0%
North Loop	1,308	2	0.2%	7	0.5%	172	13.1%	657	50.2%	360	27.5%	110	8.4%
North Shoal Creek	835	0	0.0%	0	0.0%	0	0.0%	92	11.0%	640	76.6%	103	12.3%
North University	383	2	0.5%	13	3.4%	39	10.2%	126	32.9%	150	39.2%	53	13.8%
Northwest Hills	5,409	1	0.0%	22	0.4%	233	4.3%	120	2.2%	716	13.2%	4,317	79.8%
Old West Austin	781	9	1.2%	49	6.3%	135	17.3%	216	27.7%	251	32.1%	121	15.5%
Pecan Springs--Springdale	1,189	0	0.0%	0	0.0%	1	0.1%	21	1.8%	833	70.1%	334	28.1%
Pleasant Valley	129	1	0.8%	0	0.0%	68	52.7%	17	13.2%	28	21.7%	15	11.6%
Riverside	396	0	0.0%	0	0.0%	1	0.3%	13	3.3%	198	50.0%	184	46.5%
Rosedale	2,017	3	0.1%	9	0.4%	30	1.5%	624	30.9%	950	47.1%	401	19.9%
Rosewood	992	6	0.6%	35	3.5%	288	29.0%	274	27.6%	257	25.9%	132	13.3%
South Lamar	862	27	3.1%	57	6.6%	28	3.2%	87	10.1%	403	46.8%	260	30.2%
South Manchaca	2,173	55	2.5%	0	0.0%	1	0.0%	143	6.6%	1,324	60.9%	650	29.9%
South River City	1,330	19	1.4%	28	2.1%	113	8.5%	359	27.0%	467	35.1%	344	25.9%
Southeast	83	1	1.2%	0	0.0%	0	0.0%	0	0.0%	5	6.0%	77	92.8%
St. Edwards	295	0	0.0%	0	0.0%	1	0.3%	30	10.2%	222	75.3%	42	14.2%
St. Johns	634	0	0.0%	0	0.0%	2	0.3%	4	0.6%	578	91.2%	50	7.9%
Sweetbriar	839	0	0.0%	0	0.0%	1	0.1%	356	42.4%	400	47.7%	82	9.8%
Tarrytown	2,822	5	0.2%	10	0.4%	72	2.6%	361	12.8%	879	31.1%	1,495	53.0%
UT	3	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	100.0%	0	0.0%
Not in an original NPA	116,485	1,285	1.1%	650	0.6%	7,985	6.9%	16,947	14.5%	35,803	30.7%	53,815	46.2%
University Hills	1,318	0	0.0%	0	0.0%	1	0.1%	54	4.1%	629	47.7%	634	48.1%
Upper Boggy Creek	1,863	2	0.1%	19	1.0%	217	11.6%	270	14.5%	939	50.4%	416	22.3%
West Congress	522	3	0.6%	0	0.0%	6	1.1%	98	18.8%	273	52.3%	142	27.2%
West Oak Hill	3,664	76	2.1%	1	0.0%	74	2.0%	454	12.4%	995	27.2%	2,064	56.3%
West University	439	4	0.9%	16	3.6%	67	15.3%	166	37.8%	127	28.9%	59	13.4%
Westgate	833	0	0.0%	0	0.0%	0	0.0%	5	0.6%	317	38.1%	511	61.3%
Windsor Hills	1,509	1	0.1%	19	1.3%	29	1.9%	145	9.6%	876	58.1%	439	29.1%
Windsor Park	3,050	8	0.3%	4	0.1%	4	0.1%	140	4.6%	2,110	69.2%	784	25.7%
Windsor Road	1,514	11	0.7%	4	0.3%	50	3.3%	250	16.5%	614	40.6%	585	38.6%
Wooten	1,106	0	0.0%	0	0.0%	1	0.1%	105	9.5%	832	75.2%	168	15.2%
Zilker	1,455	14	1.0%	3	0.2%	69	4.7%	467	32.1%	593	40.8%	309	21.2%

Thomas Hollywood Henderson
PO Box 1415
Austin, Texas 78767
(512) 476-0056

Dear Neighbor,

I have an urgent and alarming message about your current property rights. They are about to be taken. The City of Austin and a neighborhood group called OCEAN is planning to take away property rights that will forever affect your property values and your ability to add square footage to your existing home or your vacant lot.

We need more density as private property owners not less. This has never been done anywhere in Austin. We are a community of small lots and modest homes. This is our character.

Join me and speak up now or the city will take away your current property rights, devalue your property and limit the additional space you can add to your home. The city wants to reduce your development rights to a .4 floor area ratio. This type of restriction is usually used in historical districts not neighborhoods. If passed this will affect nearly 1500 homes and property owners in central East Austin. If your zip code is 78702 this impacts your property rights. This is a serious issue people. The current laws and ordinances on the books are fine just the way they are. We are not a historical district. If passed this ordinance will devalue your property if you live on or own a small lot in 78702. Even if you have a large lot this impacts you too. It limits your square footage to .4 APR. Today you have maximum rights. If this passes you will have minimum rights.

Example:

Under current law, if your lot is 3500 square feet you can build up to 2300 square feet. If this passes you can only build a 1400 square foot home. That's a 900 square foot take away. We want families in our community. What is happening is gentrification. An invasion. We must at all cost protect our current property rights. What if your family grows or a child moves home and you need to add on to your home? Less density hurts us all in the long run. This proposal stops you from maximizing your adding space to your home. Under current laws and the McMausion Ordinance you can build up to 2300 square feet on a 3500 square foot lot.

We want to keep this current law in place. Please don't sit around and give it away. Let's say your current home is 1000 square feet and your lot size is 2500 square feet, under this current proposal you couldn't add on to your homes. EVER!!! You are stuck at 1000 square feet of living space forever. Let's say your home is 1200 square feet and

your lot is 3000 square feet, under this current proposal you can't add on to your home. EVER!!! Are you following me here?

If passed this will forever damage our community, our property values and our property rights in central East Austin.

In 1971 we sat by and let L.C. Anderson high school be closed down. That killed our community, property values and economic development opportunities for many years. I'm sure you remember this. Remember, you can't unring a bell. We are still recovering from that. Don't let them ring this bell. Now, we have mostly newcomers trying to take away our long held property rights with the help of city staff.

My family has been in East Austin since the 1870's. My mom is an Overton. There are two things that you don't mess with me about. My children and my property. I feel like they are messing with both. If you sit at home and let this pass you will forever regret it. Your heirs will regret it. If this .4 FAR was a good thing I'd be for it. It's just wrong for all of us and our property rights. To put it bluntly, OECAN and the city staff are literally trying to take away your current property development rights.

I can't think of anything worse. Are you willing to give up your current property rights for less property rights? I think not. The McMansion ordinance protects all of us from huge homes being built next door to us. That's already law. This is not about that. If you care about your current property rights and ever hope to expand your homes square footage someday, you need to protest this and show up for the City Council vote. This is serious, people.

They are asking us to accept less density on our properties. Are they nuts? Who in their right mind would do that? Big government trying to control our Historically Black Community.

If we are not careful they are going to run us all off. They are trying to rob us from the rights we own right now. I own several homes in our community and all of them will be impacted. I don't know about you, but I'm fighting for my property rights. I hope you understand what is at stake here. If you don't fight to protect your current property rights, you will lose your rights forever.

This is not just about me. This is about all of us and our current property rights. The rights of our estates in the future as well. I've done my best over the years to help in our community. You know of some of the things I've done. I restored the stadium and track at old L.C. Anderson High School because I care about this community and our kids. I now care about our property rights.

I hope my record in our community gives me the credibility to come to you with this issue. I pray for your support. This is about our properties now and what our kids might want to do in the future. They thought they could slip this past us. I'm wide awake. I hope this wakes you up. We have accepted the McMansion Ordinance. This new .4 FAR

proposal goes too far and is not necessary. The City wants to control our community and our land rights. Let's put a stop to this.

You must know I love this community. This is home and will always be home. I can live anywhere in the world but my homestead is in Central East Austin.

Let's tell the City Council, City Staff and OCEAN that the .4 FAR goes too far and we want current rules left alone. Tell them to try this in Clarksville, Tarrytown, and West Lake. Leave us alone.

On December 11th the Planning Commission voted 7-0 to take our private property land rights away. I hope none of them intend to run for City Council. I ask that all of you, who oppose this insult on our property rights, please join me in this fight to protect our homes and current property rights. Please sign the enclosed petition so I can present it to the City Council on January 17th,

I don't know where you will be on January 17th at 6:00 PM when this vote is to take place. But I can assure you that I will be at City Council Chambers that night fighting for our current property rights. I am going to fight for yours too. I want to be able to ask you to stand up and be counted. Please give me your phone number on the petition so I can call you if there are any changes with the City Council meeting.

Let's show this City that a few can't speak for us all. Please join me to fight for our current property rights.

Thursday, January 17th
6:00 PM
City Hall Council Chambers
301 West 2nd Street
Austin, Texas 78701
(Downtown)

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Hollywood Henderson', with a long horizontal flourish extending to the right.

Thomas Hollywood Henderson,
You're Neighbor

PETITION

THIS PETITIONS PURPOSE IS TO PROTECT OUR HOMES, LOTS, HOMESTEAD, AND ESTATES. WE WANT TO KEEP OUR CURRENT PROPERTY AND DEVELOPMENT RIGHTS.

CHECK

_____ I Support my current property rights with no changes to current laws or Ordinances. I am against the .4 FAR Proposal for Central East Austin homes and lots in the 78702 zip code.

Signature

Print

Street Address

City, State, Zip Code

E-Mail Address

CHECK

_____ I will attend Council vote

_____ I will not attend council vote

PLEASE MAIL IMMEDIATELY!!! I NEED YOUR SIGNED PETITION BY JANUARY 7th. PLEASE MAIL BY JANUARY 3rd. MAIL TO THOMAS HENDERSON, PO BOX 1415, AUSTIN, TEXAS 78767.

IF YOU CAN BE THERE, COME. JANUARY 17th AT 6:00 PM AT CITY HALL COUNCIL CHAMBERS, 301 WEST 2nd STREET, AUSTIN, TEXAS 78701

Central East Austin NPA McMansion Ordinance Amendment

10/5/2007 5:49:00 PM

Dear Honorable Mayor and Council Members,

I agree with the intended goal of the ordinance to preserve affordable housing in the Central East Austin neighborhoods.

However, the way the Organization of Central East Austin Neighborhoods (OCEAN) went about developing the proposed rezoning amendment was careless and irresponsible. OCEAN failed to communicate with a significant number of effected stakeholders and did not conduct an economic impact study before drafting the proposed amendment (more than half the lots in the Central East Austin neighborhood plan are 5750 sq. ft. or smaller and thereby effected by the proposed re-zoning).

[Note: Austin's Mc Mansion ordinance was patterned after Atlanta's plan. However for small lots, Atlanta allows .75 FAR.]

Let's address affordability. According to the Bureau of Economic Analysis (2005) the per Capita Income for the Central East Austin neighborhood is \$32,494. Therefore, the housing affordability is (3 times per capita income) \$97,482.

According to the Real Estate Information Services (2006) REIS

The Medium Household Income in 78702 zip code is				
<u>1 Mile radius</u>	<u>3 Mile radius</u>	<u>5 Mile radius</u>	<u>Austin/RR</u>	<u>USA</u>
\$41,642	\$35,473	\$40,369	\$61,952	\$51,546
Medium Home Values				
\$172,821	\$137,291	\$131,712	\$163,495	\$181,127

Instead of this proposed amendment the City should look to other tools to encourage development to increase the supply of affordable housing through Housing Tax Credit programs. For example, Rental Housing Development Assistance (RHDA) or OCEAN can create a CHDO (Community Housing Development Organization). There are also programs that provide developers a 95% tax credit on hard costs for affordable housing.

According to a September 26, 2007 article in the Boston Globe by Erica Noonan, the average size single-family house in the US is 2500 square feet. The Austin Housing Finance Corporation and other non-profit housing development organizations frequently build new or replacement homes in Central East Austin, often on small lots. The proposed amendment could restrict low-income homeowners to living in homes smaller than necessary for families.

In closing, this proposed re-zoning ordinance is discriminating to small lot property owners, in particular long-time African American residents who have waited patiently to optimize on the economic potential by placing another layer of bureaucratic non-sense on developing their land. I repeat, the average single-family size house in America is 2500 square ft. So why do residents in the Central East Austin Neighborhood plan have to live in homes below US standards? I recommend that the current ordinance language remain.

Sincerely,
Eric Shropshire
e.shropshire@att.net

Examples of two newly developed houses in the Central East Austin neighborhood that could not be built under the proposed plan are 1168 Waller and 1197 San Bernard. Please check them out and give me your thoughts.

Allegra L. Hobbs
1016 Juniper Street
Austin, Texas 78702
512 779-7706
heyallegra@hotmail.com

A8-9
60

Re: OCEAN's proposed rezoning of Central East Austin Neighborhood

To Whom It May Concern:

As a resident of Central East Austin, I am directly affected by OCEAN's proposed rezoning. Below you will find the specifics concerning my lot and home square footage.

Under current code:

2300 sq ft = maximum allowable size of house

1188 sq ft = current size of house

2300 sq ft - 1188 sq ft = 1112 sq ft could be added

If plan amended/rezoning were adopted:

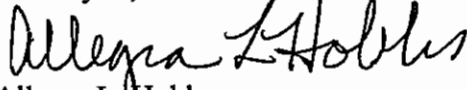
.4 x 4744 = 1897.6 sq ft = maximum allowable size of house

1188 sq ft = current size of house

1897.6 sq ft - 1188 sq ft = 709.6 sq ft could be added

If the plan were to be amended and rezoning was adopted, I would lose 402.4 sq ft of build-able square footage. Although I do not currently plan to add on to my home, I would like to be able to in the future. I STRONGLY oppose the rezoning OCEAN is recommending.

Thank you,


Allegra L. Hobbs

For your info:

I very strongly agree with the City's plan to limit small lot development. I will be out of town on Jan 17th.

Thomas Hollywood Henderson
PO Box 1415
Austin, Texas 78767
(512) 476-0056

Please consider this in the place of my speaking at the hearing.

Dear Neighbor,

Dagmar Grieder
DAGMAR GRIEDER
502 W. LIVE OAK, AUSTIN, TX 78704

I have an urgent and alarming message about your current property rights. They are about to be taken. The City of Austin and a neighborhood group called OCEAN is planning to take away property rights that will forever affect your property values and your ability to add square footage to your existing home or your vacant lot.

We need more density as private property owners not less. This has never been done anywhere in Austin. We are a community of small lots and modest homes. This is our character.

Join me and speak up now or the city will take away your current property rights, devalue your property and limit the additional space you can add to your home. The city wants to reduce your development rights to a .4 floor area ratio. This type of restriction is usually used in historical districts not neighborhoods. If passed this will affect nearly 1500 homes and property owners in central East Austin. If your zip code is 78702 this impacts your property rights. This is a serious issue people. The current laws and ordinances on the books are fine just the way they are. We are not a historical district. If passed this ordinance will devalue your property if you live on or own a small lot in 78702. Even if you have a large lot this impacts you too. It limits your square footage to .4 APR. Today you have maximum rights. If this passes you will have minimum rights.

Example:

Under current law, if your lot is 3500 square feet you can build up to 2300 square feet. If this passes you can only build a 1400 square foot home. That's a 900 square foot take away. We want families in our community. What is happening is gentrification. An invasion. We must at all cost protect our current property rights. What if your family grows or a child moves home and you need to add on to your home? Less density hurts us all in the long run. This proposal stops you from maximizing your adding space to your home. Under current laws and the McMausion Ordinance you can build up to 2300 square feet on a 3500 square foot lot.

We want to keep this current law in place. Please don't sit around and give it away. Let's say your current home is 1000 square feet and your lot size is 2500 square feet, under this current proposal you couldn't add on to your homes. EVER!!! You are stuck at 1000 square feet of living space forever. Let's say your home is 1200 square feet and

your lot is 3000 square feet, under this current proposal you can't add on to your home. EVER!!! Are you following me here?

If passed this will forever damage our community, our property values and our property rights in central East Austin.

In 1971 we sat by and let L.C. Anderson high school be closed down. That killed our community, property values and economic development opportunities for many years. I'm sure you remember this. Remember, you can't unring a bell. We are still recovering from that. Don't let them ring this bell. Now, we have mostly newcomers trying to take away our long held property rights with the help of city staff.

My family has been in East Austin since the 1870's. My mom is an Overton. There are two things that you don't mess with me about. My children and my property. I feel like they are messing with both. If you sit at home and let this pass you will forever regret it. Your heirs will regret it. If this .4 FAR was a good thing I'd be for it. It's just wrong for all of us and our property rights. To put it bluntly, OECAN and the city staff are literally trying to take away your current property development rights.

I can't think of anything worse. Are you willing to give up your current property rights for less property rights? I think not. The McMansion ordinance protects all of us from huge homes being built next door to us. That's already law. This is not about that. If you care about your current property rights and ever hope to expand your homes square footage someday, you need to protest this and show up for the City Council vote. This is serious, people.

They are asking us to accept less density on our properties. Are they nuts? Who in their right mind would do that? Big government trying to control our Historically Black Community.

If we are not careful they are going to run us all off. They are trying to rob us from the rights we own right now. I own several homes in our community and all of them will be impacted. I don't know about you, but I'm fighting for my property rights. I hope you understand what is at stake here. If you don't fight to protect your current property rights, you will lose your rights forever.

This is not just about me. This is about all of us and our current property rights. The rights of our estates in the future as well. I've done my best over the years to help in our community. You know of some of the things I've done. I restored the stadium and track at old L.C. Anderson High School because I care about this community and our kids. I now care about our property rights.

I hope my record in our community gives me the credibility to come to you with this issue. I pray for your support. This is about our properties now and what our kids might want to do in the future. They thought they could slip this past us. I'm wide awake. I hope this wakes you up. We have accepted the McMansion Ordinance. This new .4 FAR

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You must know I love this community. This is home and will always be home. I can live anywhere in the world but my homestead is in Central East Austin.

Let's tell the City Council, City Staff and OCEAN that the .4 FAR goes too far and we want current rules left alone. Tell them to try this in Clarksville, Tarrytown, and West Lake. Leave us alone.

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Thursday, January 17th
6:00 PM
City Hall Council Chambers
301 West 2nd Street
Austin, Texas 78701
(Downtown)

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas Hollywood Henderson', with a long horizontal flourish extending to the right.

Thomas Hollywood Henderson,
You're Neighbor

PETITION

THIS PETITIONS PURPOSE IS TO PROTECT OUR HOMES, LOTS, HOMESTEAD, AND ESTATES. WE WANT TO KEEP OUR CURRENT PROPERTY AND DEVELOPMENT RIGHTS.

CHECK

_____ I Support my current property rights with no changes to current laws or Ordinances. I am against the .4 FAR Proposal for Central East Austin homes and lots in the 78702 zip code.

Signature

Print

Street Address

City, State, Zip Code

E-Mail Address

CHECK

_____ I will attend Council vote

_____ I will not attend council vote

PLEASE MAIL IMMEDIATELY!!! I NEED YOUR SIGNED PETITION BY JANUARY 7th. PLEASE MAIL BY JANUARY 3rd. MAIL TO THOMAS HENDERSON, PO BOX 1415, AUSTIN, TEXAS 78767.

IF YOU CAN BE THERE, COME. JANUARY 17th AT 6:00 PM AT CITY HALL COUNCIL CHAMBERS, 301 WEST 2nd STREET, AUSTIN, TEXAS 78701

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

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 office, retail, commercial, and residential uses within a single development.

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

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: C14-06-0209

Contact: Jerry Rusthoven, (512) 974-3207 or Jerry.Rusthoven@ci.austin.tx.us

Public Hearing:

January 17, 2008 City Council

Betty Stanton McMurray
Your Name (please print)

1198 San Bernard St, 78702
Your address(es) affected by this application

Betty Stanton McMurray
Signature

Date

Comments: *We need more density on private property owners NOT less!*

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
Jerry Rusthoven
P. O. Box 1088

Austin, TX 78767-8810

10/11/04
A8-9
35

To: Neighborhood Planning and Zoning Department
From: Rudolph C. Williams O.C.E.A.N. President
Re: Small Lot Plan Amendment

The notice for the O.C.E.A.N. proposed small lot plan amendment details an amendment that does not reflect the O.C.E.A.N. proposal.

The O.C.E.A.N proposal as we submitted it would subject Single Family homes on substandard lots to comply with a .4FAR. No more no less. The most recent neighborhood planning notice goes far beyond that.

O.C.E.A.N. has worked diligently and honestly with Neighborhood Planning and Zoning. Katie Halloran has done an excellent job. This Neighborhood Planning and Zoning redraft of our proposed plan is a step in the wrong direction that we request is immediately corrected. To avoid the prospect of O.C.E.A.N. opposing a plan amendment we initially proposed and creating an unnecessarily adversarial relationship where none existed before we respectfully ask that the plan amendment clearly indicate that this amendment would affect only single family residences on substandard lots.

Please understand the position of not just this neighborhood but quite a few others. We want to insure that our neighborhoods are protected from some of the negative effects of gentrification and rapid development. Neighborhoods must take the initiative because no one else will. Our neighborhood plan is sadly, our only tool to help us accomplish this goal. Neighborhood Planning and Zoning, the Planning Commission, and the City can be partners (instead of hurdles) in helping us initiate innovative solutions to pressing community issues.



Rudolph C. Williams
President O.C.E.A.N.

P.S. enclosed are two news article one from AAS the other, USA Today. They indicate the positives and negatives of Cites and Community goals. The problem of small lot regulation is being discussed across the nation The Atlanta Infill Development Panel developed planning recommendation that I think should be seriously studied and some of its recommendations adopted. O.C.E.A.N. does not agree with its .75 FAR on small lots

AB-9
43

Application for a Neighborhood Plan Amendment

O.C.E.A.N Proposed Ordinance: The maximum amount of developmet permitted is the GREATER of a floor area ratio (FAR) of .4 (floor area 40% of lot size) or 1200 sq ft gross floor area. Examples:

5000sq.ft. Lot/.4 (FAR) = 2000sq.ft. House
4500sq.ft. Lot/.4 (FAR) = 1800sq.ft. House
4000sq.ft. Lot/.4 (FAR) = 1600sq.ft. House
3500sq.ft. Lot/.4 (FAR) = 1400sq.ft. House
3000sq.ft. Lot/.4 (FAR) = 1200sq.ft. House
2500sq.ft. Lot/1200sq.ft.house = .48 (FAR)

OCEAN is proposing this amendment for the following reasons:

1. To keep smaller lots in our neighborhood affordable and prevent the destruction of existing affordable housing stock.
2. To limit higher density development to the corridors and perimeter of the residential core.
3. To build houses proportional to the lot size and respectful of neighborhood character.

NEIGHBORHOOD	2500-4000 sq ft lots	4000-5750 sq ft. lots	Total Small Lots
Robertson Hill	18	16	34 (6%)
Guadalupe	22	12	34 (6%)
Kealing	25	32	57 (9%)
Swede Hill	21	35	56 (9%)
Anderson Hill	38	45	83 (14%)
Blackshear/Prospect	72	278	350 (57%)
Total	196	418	614

AB9
64

To whom it may concern:

We own a lot in the Swede Hill Neighborhood (1400 E 13th) that is 4,485 square feet in size. We will be directly and adversely affected if the City Council passes the amendment to limit the maximum allowable size of a new home to 40% of the lot size for lots under 5,750 square feet. Passing this amendment would only allow for a home of 1,794 square feet on our lot.

We plan to apply for building permits to construct a home that is 2,200 square feet before the City Council votes on this issue. If, however, we are unable to build in the near future, we are faced with two alternatives we feel to be damaging:

- 1 - Having our lot devalued because of the amendment concerning maximum allowable size of a new home - or -
- 2 - Finding ourselves prevented, by the amendment, from building the modest home we have designed to accommodate this very lot.

We ask that the City not take this action to further limit the size of a home on lots smaller than 5,750 square feet. We feel that such an amendment would cause us harm.

Randall & Jill Ward
458-1210
randall@grandecom.net

A8-9
65

To: Greg Guernsey
From: Thomas Henderson
Re: OCEAN proposed plan amendment (modification of McMansion ordinance for small lots and NCCD
Date: July 12, 2007
Cc: Mayor and City Council Members; Katie.Halloran@ci.austin.tx.us, Robert.Heil@ci.austin.tx.us, Tina.Bui@ci.austin.tx.us, e.shropshire@att.net

Dear Mr. Guernsey,

I am writing you regarding my “**strong opposition**” to OCEAN (Organization of Central East Austin Neighborhoods) proposed plan amendment to modify the McMansion ordinance for small lots (less than or equal to 5750 square feet) to .4 Floor Area Ratio (FAR) for the Central East Austin Neighborhood Plan, As you know, the current ordinance allows for building structures up to 2300 sq.ft or .4 FAR whichever is greater. This seems quite reasonable due to the fact that the City was able to construct several affordable houses on 2500 sq. ft. lots along Juniper and Navasota Street, which is well within the Central East Austin Neighborhood Plan and fits the neighborhood nicely. OCEAN made this proposal without seeking the majority input of neighborhoods. My properties that would be effected include 1200, 1202 and 1204 Cotton Street.

In closing, with respect to the proposed NCCD for E. 12th Street, I am in total support of moving the plan forward, as is, for Council’s approval. This process has been a decade old matter and to continue to re-visit the issue after a consensus was reached through public hearings in 2006 is unfair and dishonest. Please have your staff review the transcripts of the public hearings and advise the Council Members of its results. Should you have any questions, please feel free to contact me at 512-656-5611 or Eric Shropshire at 512-577-2369 as well as by respective emails.

Yours truly,

Thomas E. Henderson

PUBLIC HEARING COMMENT FORM
Formulario de observaciones para la Comisión de Urbanismo

AB9
66

You may send your written comments to the Neighborhood Planning and Zoning Department, Attn. Katie Halloran, P. O. Box 1088, Austin, TX 78767-8835. *Puede mandar sus observaciones al Departamento de Urbanismo: NPZD, Attn: Katie Halloran, P.O. Box 1088, Austin, TX 78767-8835.*

Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007
City Council Hearing Date: October 11, 2007

Name (please print) ERIC FERRITE I am in favor _____
Nombre y apellido *Estoy de acuerdo*

Address 2507 E. 9th St. I object
Dirección de casa/apartamento *No estoy de acuerdo*
Austin, TX 78702

Additional comments:
Otros comentarios

E.MICHAEL SHROPSHIRE

AB-9
67

August 13, 2007

To the Austin Revitalization Authority Board Members,

I am contacting you on behalf of Thomas Henderson and as a resident of the Robertson Hill neighborhood regarding the Organization of Central East Austin Neighborhoods (OCEAN) proposed amendment and rezoning to the Central East Austin Neighborhood Plan (Neighborhood Plan) that will reduce the maximum allowable size of most new and remodeled homes built on lots less than 5,750 square feet. OCEAN did not conduct any economic impact studies nor engage a sufficient number of affected stakeholders before making the proposed amendment. More than 51 percent of the lots in the Central East neighborhoods are 5,750 square feet or less (see attachment).

I feel the proposed amendment, from OCEAN, to reduce the maximum allowable size on homes built on lots less than 5,750 sq. ft. is inconsiderate and insensitive to the majority property owners in the Central East Austin Neighborhood plan. This arbitrary action by a neighborhood association is careless and irresponsible. I have heard from a number of property owners who requested me to draft this statement outlining our position. To that end, we respectfully ask that the ARA Board vote to provide a position statement rejecting OCEAN proposed amendment and rezoning changes to the Central East Austin Neighborhood plan. Should you have any questions or comments regarding this matter, please feel free to contact me by email at e.shropshire@att.net or 512-577-2369.

Sincerely,
Eric Shropshire

Halloran, Katie

AB-9
68

From: e.shropshire@att.net
Sent: Wednesday, July 11, 2007 1:08 PM
To: Guernsey, Greg
Cc: Halloran, Katie; Heil, Robert; Bui, Tina; Harden, Joi
Subject: OCEAN proposed amendment plan and NCCD

Attachments: COA_NCCD.doc; COA_NCCD.doc



COA_NCCD.doc (28 KB)
COA_NCCD.doc (28 KB)

Greg and Katie,

Please consider this email and attached letter as formal comments to the proposed amendment and E. 12th NCCD. Once these items have been discussed by the Planning Commission, please forward copies to the Mayor and Council Members.

Cheers,
Eric

----- Forwarded Message: -----

From: Thomas HENDERSON <tehenderson@earthlink.net>
To: Will.Wynn@ci.austin.tx.us, Betty.Dunkerley@ci.austin.tx.us,
katieholloran@ci.austin.tx.us, robertheil@ci.austin.tx.us, tinabui@ci.austin.tx.us,
"e.shropshire@att.net" <e.shropshire@att.net>
Subject: Fw: letter revision
Date: Wed, 11 Jul 2007 17:36:11 +0000

>
> MAYOR,COUNCIL AND STAFF, I LIVE ON COTTON STREET IN EAST AUSTIN. IVE
> ALSO INVESTED IN EAST AUSTIN. I OWN BOTH RESIDENTIAL AND COMMERCIAL
> PROPERTIES. NO ONE HAS EVER CONTACTED OR CONSULTED ME ABOUT ANY OF THESE MATTERS BEFORE
YOU.
> THOSE OF US WHO LIVE AND INVEST IN THIS COMMUNITY SHOULD BE CONSULTED
> AS WE ARE THE REAL STAKE HOLDERS. MY LETTER EXPLAINS MY POSITION. IF
> NEED BE I WILL ATTEND THE COUNCIL MEETING TO EXPRESS WHAT WE IN THE
> COMMUNITY WANT INSTEAD OF THESE GROUPS WHO DONT OWN NOR HAVE THEY
> INVESTED IN THE AREA. I SELDOM ASK FOR SUPPORT BUT I AM NOW. DONT
> RESTRICT AND HURT US IN EAST AUSTIN. WE KNOW WHAT WE WANT AND WE WILL
> FIGHT TO GET IT. ITS SIMPLE...YOU CAN'T BUILD A MCMANSION WITH A 2300
> SQ FT STRUCTURE. MY LOTS NEXT TO MY HOMESTEAD ARE 3500 SQ FT. IF I
> CHOOSE TO BUILD ON THESE I WANT THE RIGHT TO CONSTRUCT A SINGLE FAMILY
> HOME THAT A FAMILY OF FOUR CAN LIVE IN. UNDER THE CURRENT PROPOSAL WE
> COULD ONLY BUILD A HOME WITH 1,000 SQ FT. CAN A FAMILY OF FOUR BE
> COMFORTABLE IN 1000 SQ FT ???? PLEASE SUPPORT US WHO LIVE AND INVEST
> IN OUR COMMUNITY. I LOVE MY COMMUNITY,I PROTECT IT AND WOULD'NT EVER DO ANYTHING TO
COMPROMISE IT. I COULD LIVE ANYWHERE BUT I LIVE IN HISTORIC EAST AUSTIN.

THOMAS HENDERSON

>
>

A8-9
6/9

PUBLIC HEARING COMMENT FORM
Formulario de observaciones para la Comisión de Urbanismo

You may send your written comments to the Neighborhood Planning and Zoning Department, Attn. Katie Halloran, P. O. Box 1088, Austin, TX 78767-8835. *Puede mandar sus observaciones al Departamento de Urbanismo: NPZD, Attn: Katie Halloran, P.O. Box 1088, Austin, TX 78767-8835.*

Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007
City Council Hearing Date: October 11, 2007

Name (please print) Charles Mansfield I am in favor _____
Nombre y apellido *Estoy de acuerdo*

Address 2502 Homedale 78704 I object
Dirección de casa/apartamento *No estoy de acuerdo*

Additional comments:
Otros comentarios

Katie, thank you for talking with me last Tuesday, regarding the proposal to further restrict the size of homes on small lots in 78702.

My wife and I own a small vacant lot at 2012 Hamilton Ave, which would be negatively impacted by the amendment. Our 23 year-old son works downtown and is currently renting in 78702. If his job remains secure, he wants to buy the lot from us and build a small two-bedroom house, about 1200 square feet in size. The lot is only 2230 square feet, so the amendment would limit the house to about 890 square feet, which would be too small to have two bedrooms (it would have to be two-story, so the stairs use up a lot of space). With his modest income (barely above 80% of the median), this is his only hope for home ownership close to work.

Under the current McMansion Ordinance, the setback planes limits the size of very small lots to well under 2300 square feet. So, the building envelope is an extra safeguard in limiting the size of houses on small lots.

This is a legal lot, has never been subdivided, and remains as originally platted. We purchased the lot expecting that we could build a small but reasonably-sized house on it. The McMansion Ordinance provides fair and reasonable restrictions, and additional restrictions are excessive and unfair, in our opinions.

Thank you

Charley Mansfield

PUBLIC HEARING COMMENT FORM
Formulario de observaciones para la Comisión de Urbanismo

AB-9/10

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print) Diane Mansfield
Nombre y apellido

I am in favor _____
Estoy de acuerdo

Address 2502 Homedale 78704
Dirección de casa/apartamento

I object
No estoy de acuerdo

Additional comments:
Otros comentarios

PUBLIC HEARING COMMENT FORM
Formulario de observaciones para la Comisión de Urbanismo

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print) David Chang I am in favor X
Nombre y apellido *Estoy de acuerdo*

Address 1122 Leona I object _____
Dirección de casa/apartamento *No estoy de acuerdo*

Additional comments:

Otros comentarios

McMansions would really clash with the style
of residents of our neighborhood. I agree with
densification but not homogenization.

DC

371-0610

October 8, 2007

PUBLIC HEARING COMMENT
City Council Hearing Date: October 11, 2007

Case # NPA-2007-0009.01
Rezoning, C14-01-0148.004

I, Alicia Nance Taliaferro as executive of my mother's estate, and homestead at 1202 Bob Harrison, Austin, Texas 78702 wish to express our family's opposition to McMansion's being built in the neighborhood.

We support the position of the Central East Austin Neighborhood Plan Contract Team, to reduce the size of homes\developments constructed in the area to less than 2,300 square feet on lots less than 5,700 square feet. Further, to modify and reduce the maximum square footage and floor-to-area ratio (FAR) for development subject to the City's Land Development Code, Chapter 25-2, Subchapter F.

My family has lived in and owned property at this address since the late 1940's, and idea of single or multiple family houses being erected on top of each other is unsettling. At present we are experiencing two and three two-story houses being built on what was originally meant for a single house. This movement seems to be fueled primarily by greed on the part of developers trying to "milk" our neighborhood for all the money they can garner by leasing or selling these unsightly and huge structures.

There is no symmetry in the design of these homes any many appear to be thrown up a short time to be sold at exorbitant prices, and inflating taxes for original home owners.

This entire movement to displace original owners with large eyesore mansions smacks of genocide, and serves to displace the elderly and poor.

Respectfully,



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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print)
Nombre y apellido

Tatiana Gabrielson, Ph.D.

I am in favor _____
Estoy de acuerdo

Address
Dirección de casa/apartamento

2503 Bryan St., 78702

I object
No estoy de acuerdo

Additional comments:

Otros comentarios

No need to change the zoning of the established households such as ours. This would only enrich the contractors and builders but won't significantly improve the living conditions in the neighborhood. Instead, the City could focus on other improvements such as the drainage systems, which we do not have, yet have been monthly paying for.

There are plenty of vacant lots here to be amended & rezoned. Please leave our family homes in peace. Thank you.

Anton & T. Gabrielson.

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print)

Nombre y apellido

Paul C. Fafard

I am in favor _____

Estoy de acuerdo

Address

Dirección de casa/apartamento

2712 E. 9th Street, Austin TX

I object _____

No estoy de acuerdo

Additional comments:

Otros comentarios

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print) Mehrahouse Phase 2 Ltd. I am in favor _____
Nombre y apellido *Estoy de acuerdo*

Address 4526 Burnet Road I object
Dirección de casa/apartamento *No estoy de acuerdo*

Additional comments:

Otros comentarios

stop infridging on our private
property rights !!

From: Schnier, Will R. [mailto:Will.Schnier@c-b.com]
Sent: Monday, June 11, 2007 1:32 PM
To: Bui, Tina
Cc: Schnier, Will R.; swede_hill@excite.com
Subject: FW: Small Lot Amendment

Tina –

Hope all is well with you these days.

On a non-work related note, I'm writing about the proposed OCEAN-sponsored amendment mentioned below – I am strongly against an amendment that would restrict the home size allowed on small lots any more than the current regulations allow. As both a resident and an investor in Central East Austin, this would severely limit the tide of new construction and rapid price appreciation that the area is currently experiencing. I certainly don't speak for the entire neighborhood, but our specific association (Swede Hill) is very much against this amendment and we would appreciate it if the city staff does not recommend or recommends against the proposed plan amendment.

Regards,

Will

Will Schnier
Project Manager
Carter::Burgess
2705 Bee Caves Road, Suite 300
Austin, Texas 78746
(phone: 512.314.3100
7 fax: 512.314.3135
* email: will.schnier@c-b.com

From: Swede Hill Neighborhood Association [mailto:swede_hill@excite.com]
Sent: Thursday, June 07, 2007 1:19 PM
To: swede_hill@excite.com
Subject: Small Lot Amendment

Regarding the amendment that was recently passed and sent to the City by OCEAN, restricting the size of development on "small lots," it appears that more than 50% of the lots in the Central East Austin area would be affected by this amendment (see attached).

At Tuesday's SHNA meeting, a vote was taken, and the group unanimously voted to NOT be in

support of the proposed OCEAN amendment. We are still awaiting word on when the Planning Commission will hear the case and will keep you posted, for those who are interested in speaking at that meeting either in support of or against the amendment.

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Halloran, Katie

From: Thomas HENDERSON [tehenderson@earthlink.net]
Sent: Sunday, November 18, 2007 7:34 PM
To: rwilliams163@austin.rr.com; Dunkerley, Betty; e.shropshire@att.net;
kimforaustin@gmail.com; Wynn, Will
Subject: east austin lots

Mr. Williams, my name is Thomas Henderson and I live on cotton street. I own three lot that are 3500 sq.ft each right next to my home. I hoped to build three single family homes on those lots in the future..Your proposal to lessen density is anti-family. How can a family of 4,5or6 people live in 1200 to 1400 sq.ft.? If your proposal were to pass that would be the effect. Ive lived in my homestead on cotton street for 12 years now. I have never met you or been contacted by Ocean about this proposal. As a stake holder in this community who wants to build single family homes on my property in the future, I feel insulted by this proposal and I resent your lobbying others to restrict my rights as a property owner. Your proposal impacts me three times.The current 2300 sq.ft ordinance for my properties is proper and should remain...I have done much in this community as well as invest in it. I think there are many areas your organization can help central east austin...this is not one of them. ARA,SweetHill,Guadalupe and others have built on their lots for the past 10 years under the current ordinance. If it was good enough for them it is good enough for me...Neighborhood housing got to build all the homes they wanted under the existing ordinance.Im a community activist and welcome protections for the neighborhood I live in. If this was a good idea I would support it. Im asking the planning commission ,the mayor and all council members to reject this proposal. Again,this proposal is anti-family. Only single non-blacks would benifit from less density on the lots in central east austin...I wont let that happen...Thomas"hollywood Henderson

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print) RICHARD W. HARDISON
Nombre y apellido

I am in favor
Estoy de acuerdo

Address 1101 EAST 9TH STREET
Dirección de casa/apartamento

I object _____
No estoy de acuerdo

Additional comments:

Otros comentarios

Katie,

I support this NPA extending the .4FAR to all our legal lots for the following reasons:

- 1) City wide density for development of standard and larger lots is a .4 FAR
- 2) A Floor Area Ratio of .4 responds closely to the existing relationship of housing stock to their lot size in our neighborhood.
- 3) Allowing greater development density, entitlements, on small lots increases the real estate speculation in our neighborhood.
- 4) Allowing greater development density than the existing neighborhood density increases pressure to demolish existing housing and replacement with substantially larger structures.
- 5) Development restrictions, impervious cover / building envelope, in the current ordinance do not effectively limit the scale of development on small lots.
- 6) The neighborhood has always provided diversity in housing and income levels that the current ordinance would erode encouraging only larger housing.
- 7) Ordinance allows for a 25% increase in density through a non-hardship variance, increasing the .4 FAR to a .5 FAR.
- 8) Provides methodology for addressing housing size on lots less than 2500 sq.ft.

The density of the OCEAN Neighborhood is basically the same, .4 FAR, as the rest of Austin and that density is spread across many lots smaller than the standard lot size. The current ordinance creates a density on these smaller lots that exceeds the density for a standard City of Austin lot. Our neighborhood adopted the development provision allowing lots to be subdivided down to 3500 sq. ft. At this time a 7000 sq.ft. lot, which accommodates a 2800 sq.ft. house, can be subdivided into two 3500 sq.ft. lots with a 2300 sq. ft. house on each lot. Since these densities are far greater than the existing housing stock there is be strong pressure to subdivide, infill and replace existing housing with new housing approaching the allowable size limitations. This is happening to one of Austin's oldest, poorest and most vulnerable neighborhoods.

The .4 FAR for all our legal lots will:

Establish zoning density comparable to the standard city density.

Establish zoning density compatible to the existing neighborhood housing scale.

Establish zoning density that encourages the maintenance and rehabilitation of the existing neighborhood housing stock.

Establish zoning density that does not reward demolition of existing housing stock

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print) LINDA JOHNSON
Nombre y apellido

I am in favor
Estoy de acuerdo

Address 1101 E. 9th St.
Dirección de casa/apartamento

I object _____
No estoy de acuerdo

Additional comments:
Otros comentarios

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print) JAMES MANESS III
Nombre y apellido

I am in favor
Estoy de acuerdo

Address _____
Dirección de casa/apartamento

I object _____
No estoy de acuerdo

Additional comments:

Otros comentarios

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Case # NPA-2007-0009.01

Planning Commission Hearing Date: September 11, 2007

City Council Hearing Date: October 11, 2007

Name (please print) Valerie Thatcher
Nombre y apellido

I am in favor
Estoy de acuerdo

Address 1193 Curve St 78702
Dirección de casa/apartamento

I object _____
No estoy de acuerdo

Additional comments:

Otros comentarios

I heartily endorse the small lot amendment to the Central East Austin Neighborhood Plan.

Meeting
Nov. 27
Support limitations
to small lots