

ZONING CHANGE REVIEW SHEET

CQ
ZONING

CASE: C14-04-0022.01

North University NCCD Amendment

P. C. DATE: 07-12-11

ADDRESS: 38th Street to the north, San Jacinto Blvd. & 27th Street to the South, Guadalupe Street to the West and Duval Street to the East

AREA: 234 acres

APPLICANT: City of Austin, Planning Commission initiated AGENT: Clark Patterson

NEIGHBORHOOD PLAN AREA: Central Austin Combined, North University

CAPITOL VIEW: No

T.I.A.: No

HILL COUNTRY ROADWAY: No

DESIRED DEVELOPMENT ZONE: Yes

WATERSHED: Waller, Boggy & Shoal Creeks

SUMMARY STAFF RECOMMENDATION:

Staff recommends amending the North University Neighborhood Conservation Combing District (Ord. #040826-58) in order to: 1) allow a two-family residential use in any district on a lot that is 7,000 square feet or larger and has a front lot width of at least 48 feet; and 2) to reduce the minimum lot size requirement of 7,000 square feet for a two-family residential use to 5,750 square feet. This would allow for a two-family residential use on a lot that has at least 5,750 square feet as long as all other NCCD/Code requirements are met and if the floor-to-area ratio as defined by Subchapter F does not exceed 0.4 to 1.

PLANNING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The North University Neighborhood Association (NUNA) has indicated that they would like to change the minimum lot size for a two family use in order to encourage density and infill in the neighborhood. In particular NUNA has requested to amend their Neighborhood Conservation Combining District (Ord. #040826-58), "Part 6 (5) Two family residential use". The request is to amend the North University Neighborhood Conservation Combing District (NCCD) in order to: 1) allow a two-family residential use (garage apartment) in any district (not just in the Residential District) on a lot that is 7,000 square feet or larger and has a front lot width of at least 48 feet (instead of 50 feet); and 2) to reduce the minimum lot size requirement of 7,000 square feet for a two-family residential use to 5,750 square feet. This would allow for a two-family residential use on a lot with 5,750 square feet as long as all other NCCD/Code requirements are met and if the floor-to-area ratio as defined by Subchapter F does not exceed 0.4 to 1. The request to limit the minimum lot size to 5,750 square feet would be in keeping with what is made available through the Special Use Infill Options and Design Tools available through the Neighborhood Plan Combining District.

The proposed revision for Two-family uses in the North University Neighborhood Conservation-Neighborhood Plan (NCCD-NP) Combining District (Ordinance No. 040826-58) is as follows:

Part 6 (5) Two-family residential use.

a. ~~In the Residential District~~, a two family residential use is permitted on a lot that is 7,000 square feet or larger and has a front lot width of at least ~~50~~ 48 feet.

b. ~~In District 1A, a two family use is permitted on a lot that is at least 7,000 square feet or larger and has a front lot width of at least 48 feet.~~

Two-family use is permitted on a lot that has a minimum of 5,750 square feet if all other LDC and NCCD requirements are met AND if the FAR as defined by Subchapter F does not exceed .4/1.0.

c. Except as otherwise provided in this section, the maximum gross floor area of the rear dwelling unit of a two-family residential use is 850 square feet.

On a corner lot, the rear dwelling unit may exceed 850 square feet if:

- 1) living space is provided on the ground floor.
- 2) one unit has frontage on an north-south street; and
- 3) one unit has frontage on an east-west street.

BASIS FOR RECOMMENDATION:

1. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

This request to modify the NCCD to reduce the minimum lot size for a two family use in order to encourage density and infill in the neighborhood will offer an affordable option in the area.

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-01-0046	Hyde Park NCCD	Approved NCCD [Vote: 8-0]	Approved NCCD [Vote: 5-2]
C14-04-0022	North University Neighborhood NCCD	Approved NCCD [Vote: 8-0]	Approved NCCD [Vote: 7-0]

NEIGHBORHOOD ORGANIZATION:

Eastwoods Association
 Hancock Neighborhood Assn.
 Heritage Neighborhood Assn.
 Hyde Park Neighborhood Assn.
 North University Neighborhood Assn.
 University Area Partners
 North Austin Neighborhood Alliance
 Austin Neighborhoods Council

Mueller Neighborhoods Coalition
 Alliance to Save Hyde Park
 West Campus Neighborhood Association
 Austin Independent School District
 Central Austin Neighborhoods Planning Area Committee
 North University Planning Team
 Taking Action Inc.

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SCHOOLS:

Mathews Elementary School
O. Henry Middle School
AustinMcCallum High School

SITE PLAN:

The proposed “two-family” dwelling is assumed to be similar to a duplex. Any new development with more than 2 units will require a site plan to make any modifications to the site.

TRANSPORTATION:

- TR1: Since the rezoning of this area is being initiated by the City of Austin and does not reflect a specific development proposal, no trip generation calculations are provided.
- TR2: This NCCD amendment was initiated to allow garage apartments on lots less than 7,000 square feet and lot width at least 48 feet. A traffic impact analysis is not required for residential building permits or for projects that do not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	CAPITAL METRO ROUTE	BICYCLE PLAN ROUTE
Guadalupe	90'	Varies	Arterial	Varies	N/A	N/A
Duval	70'	44'	Collector	Varies	#7, #60	#49
27th Street	60'	30'	Collector	No	#55	N/A
29th Street	60'	Varies	Collector	No	N/A	#40
38th Street	60'	Varies	Arterial	Varies	N/A	#36

CITY COUNCIL DATE: August 4th, 2011

ACTION:

ORDINANCE READINGS:

1ST

2ND

3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson

Clark.patterson@ci.austin.tx.us

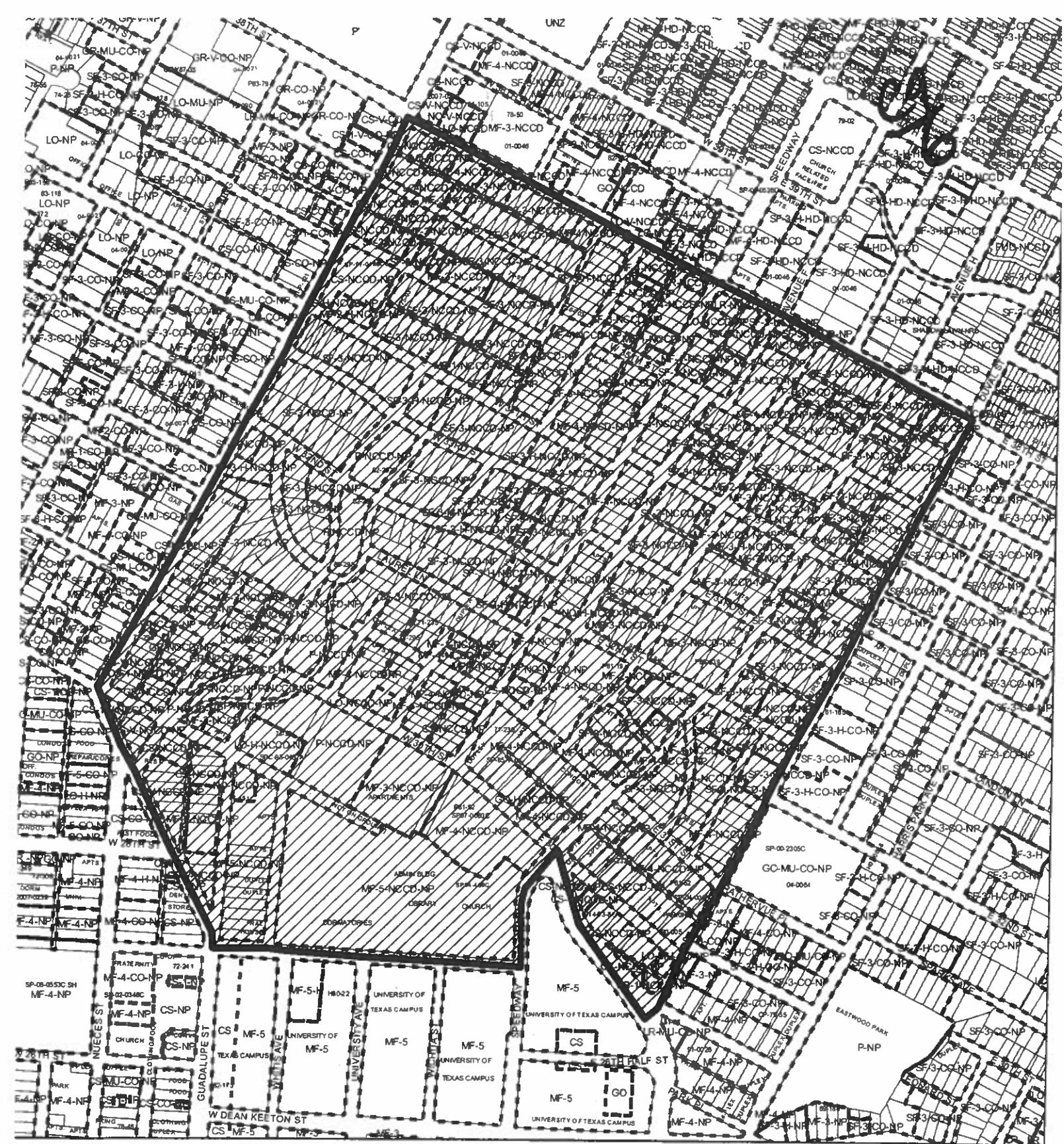
PHONE: 974-7691

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PART 6. General Provisions. Except as otherwise provided in this ordinance, the following provisions apply to all property within the NCCD-NP. This section does not apply to Waller Creek/Seminary District 7 or District 7A.

1. Pedestrian-oriented uses. A pedestrian-oriented use, a civic use, or habitable space shall be located at the front of a building on the ground floor.
2. Front of building and lot.
 - a. Except as provided in Subsection b, a building shall front on the short side of the lot or where lots have been combined, on the side where the original short ends of the lots fronted.
 - b. A building on a through lot located west of Speedway between West 33rd Street and West 34th Street shall front on West 33rd Street.
3. Street yard setbacks.
 - a. Front yard setback.. The minimum front yard setback equals the average of the front yard setbacks of the principal single family buildings on the same side of the street of a block. The maximum setback may not exceed the average setback by more than five feet.
 - b. Street side yard setbacks. Except as otherwise provided in this section, minimum street side yard setbacks are established by Exhibit "E".
 - 1) On a block face that includes an alley approach, the street yard setback of the subject property may equal the average of the street yard setbacks of the buildings on adjoining lots that front the same street. In this section, a building across an alley is a building on an adjoining lot. The street side yard setback may be established by a building that contains a living unit on the ground floor that fronts on the same street.
 - 2) If there are no adjoining buildings that contain a living unit on the ground floor that fronts on the same street to establish an average setback, then the street yard setbacks are according to the Setback Map attached as Exhibit "E".
 - c. Notwithstanding any other provision in this section, a street side yard setback may not be less than five feet.

4. Site development standards for certain two-family residential uses. Except in the Guadalupe District, this section applies to construction of a two-family residential use on property that is located in a townhouse and condominium residence (SF-6) district or less restrictive zoning district. Except as otherwise provided in this section, construction must comply with the regulations for the family residence (SF-3) district. Construction may comply with the regulations of the district in which the use is located if construction complies with the compatibility standard of the Code.
5. Two-family residential use.
 - a. In the Residential District, a two family residential use is permitted on a lot that is 7,000 square feet or larger and has a front lot width of at least 50 feet.
 - b. In District IA, a two family use is permitted on a lot that is at least 7,000 square feet or larger and has a front lot width of at least 48 feet.
 - c. Except as otherwise provided in this section, the maximum gross floor area of the rear dwelling unit of a two-family residential use is 850 square feet. On a corner lot, the rear dwelling unit may exceed 850 square feet if:
 - 1) living space is provided on the ground floor.
 - 2) one unit has frontage on a north-south street; and
 - 3) one unit has frontage on an east-west street.
6. Duplex residential use. In the Residential District, a duplex residential use is permitted on a lot that is 7,000 square feet or larger and has a front lot width of at least 50 feet.
7. Parking.
 - a. Except as otherwise provided in this section, a parking space for a residential use may not be located in a street side yard.
 - b. The maximum number of parking spaces in all street yards on a site is two.
 - c. Pavement for a parking space in a front yard may not be located in front of a principal structure.



ZONING

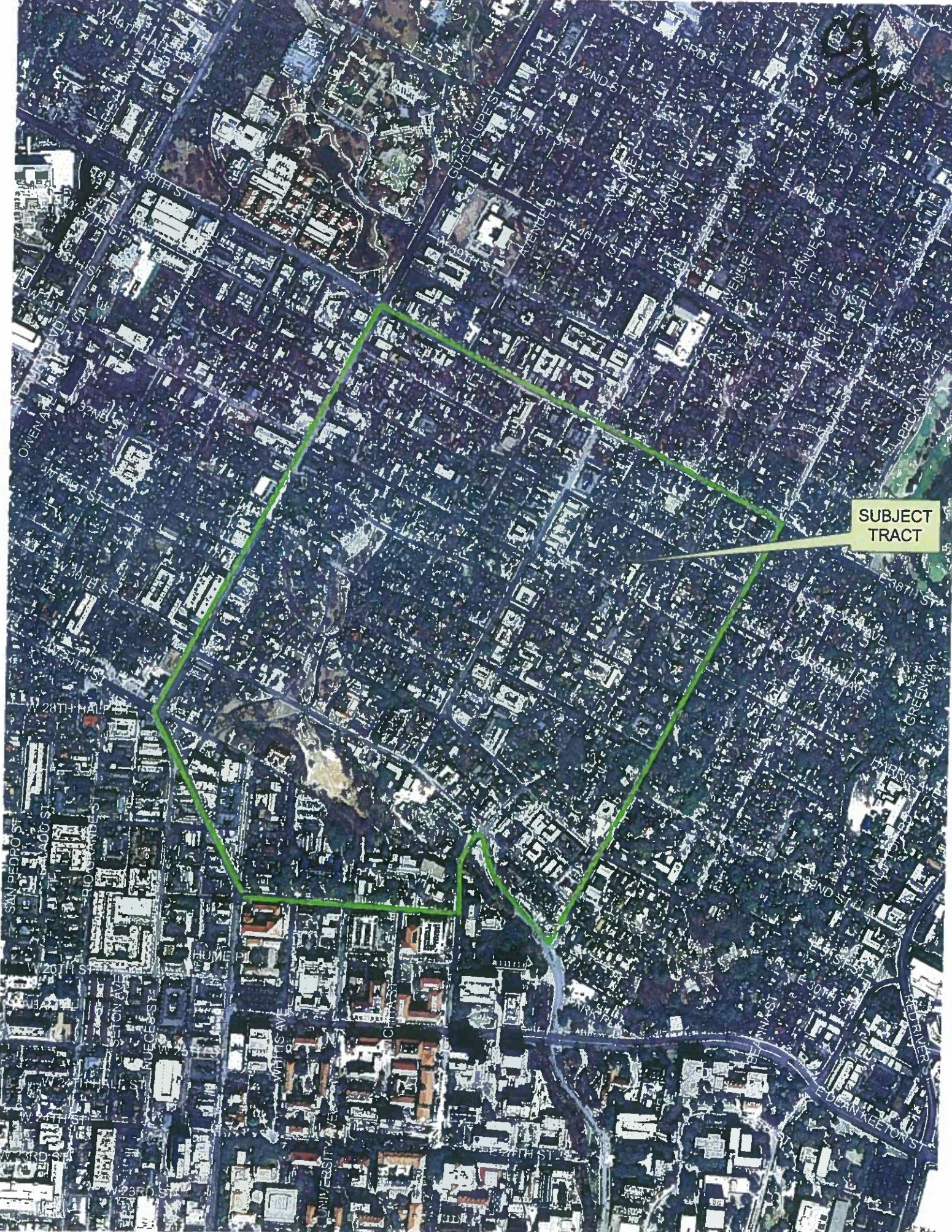
ZONING CASE#: C14-04-0022.01
LOCATION: W 38TH ST
SUBJECT AREA: 234.87 ACRES
GRID: J24/J25
MANAGER: C.PATTERSON



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY



SUBJECT
TRACT

PUBLIC HEARING INFORMATION

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www.ci.austin.tx.us/development

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

Case Number: C14-04-0022.01

Contact: Clark Patterson, 312-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

ROBERT KALER

Your Name (please print)

207 E 34TH ST

Your address(es) affected by this application

RK

Signature

7.1.11

Date

Daytime Telephone: 512.311.2041

Comments: THIS AMENDMENT IS IMPERSONAL BECAUSE THE GARAGE APARTMENT IS THE BEST WAY TO INCREASE DENSITY IN THESE OWNER OCCUPIED HOUSES.
WE DO NOT DESTROY THE HISTORIC SCALE. TO THAT END I WOULD RECOMMEND THAT MAXIMUM FLLOOR AREA BE LIMITED TO 800 ft² THAT ALLOWS A 3 car GARAGE + STORAGE + STAIRS.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Clark Patterson
P.O. Box 1088
Austin, TX 78767-8810

22' X 36'
19

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Case Number: C14-04-0022.01

Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

Shannah West

Your Name (please print)

104 1/2 38 1/2 St. # 209

Your address(es) affected by this application

Mowbray

Signature

Date

Daytime Telephone: 512 - 560 - 3368

Comments: I feel the occupant of a residence should be the one to decide if a space is adequate for their living quarter needs. It also feel like more 2 occupancy housing in this area would be nice.

I found the in closed map very hard to understand/hard to read & Zoned area.

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

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Case Number: C14-04-0022.01

Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

Carol Journey
Your Name (please print)

207 E 34th St

Your address(es) affected by this application


Signature

Date
7/1/11

Daytime Telephone: 512 478 8614

Comments: I would prefer that the size of the garage apartment be limited to 800 sq ft. This would allow a 3 car garage and would be more in scale with the neighborhood.

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

City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-04-0022.01

Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

Christopher Bauserman
Your Name (please print)

300 W 35th St
Your address(es) affected by this application

J. J. Bevins
Signature

7/4/11
Date

Daytime Telephone: 512-286-5275

Comments: Concern sense appeal
to get more value from land
changes w/o changing single
"House" feel of neighborhood.

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

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Case Number: C14-04-0022.01

Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

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

Your Name (please print)

Sheri Roeth for Ali M. Al Kasim
Your address(es) affected by this application

Signature

Sheri Roeth

Date 7-14-11
Daytime Telephone: 512-282-1400

Comments: Owner lives next door
I was Agent for Yes Vote.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-04-0022.01

Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

Philip Uri Treisman

Your Name (please print)

I am in favor

I object

805 E 35th St Austin 78725

Your address(es) affected by this application



Signature

Date

Daytime Telephone: 512 471-1148

Comments: The neighbor board is the crowded with the little parking. Making it more densely populated will reduce quality of life.

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

City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

70/9

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Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

Ronald Yam

Your Name (please print)

602 HARRIS AVE, AUSTIN, TX 78705

Your address(es) affected by this application

[Signature]

7/2/11

Date

Daytime Telephone: *512.468.1278*

Comments:

Comments

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

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Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

Hawkey Corcoran

Your Name (please print)

3901 Son Jac. no 4107

Your address(es) affected by this application

Hawkey Corcoran

Date

7-5-11

Daytime Telephone:

512-567-6022

Comments:

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

City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

*C9
TGK*

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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: C14-04-0022.01

Contact: Clark Patterson, 512-974-7691

Public Hearing: July 12, 2011, Planning Commission

August 4, 2011, City Council

J. Browning

Your Name (please print)

3562 Tom Green St., 78765

Your address(es) affected by this application



Signature

07/05/11

Date

Daytime Telephone:

Comments: The proposed revisions seem too
Site-Specific to support a neighborhood-wide
change to an NC&D ordinance.

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

City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

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