

ZONING CHANGE REVIEW SHEET

C14
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CASE: C14-01-0046.01
Hyde Park NCCD Amendment #1

P. C. DATE: 12/13/11

ADDRESS: East 45th Street to the north;
38th Street to the south; Guadalupe Street
to the west; and Duval Street to the east.

AREA: 231.77 acres

APPLICANT: City of Austin, as initiated by the Planning Commission.

AGENT: Planning and Development Review Department (Clark Patterson)

NEIGHBORHOOD PLAN AREA: Hyde Park

CAPITOL VIEW: No

T.I.A.: No

HILL COUNTRY ROADWAY: No

DESIRED DEVELOPMENT ZONE: Yes

WATERSHED: Waller Creek

SUMMARY STAFF RECOMMENDATION:

Staff recommends amending the Hyde Park Neighborhood Conservation Combining District (Ordinance No. 020131-20) as follows:

Add Part 7. General Provisions:

18. The maximum amount of development permitted on a property for the following uses that are subject to this NCCD is limited to 0.4 to 1.0 floor-to-area ratio:

Bed and breakfast (group 1) residential use; Bed and breakfast (group 2) residential use; Cottage special use; Duplex residential use; Secondary apartment special use; Single-family attached residential use; Single-family residential use; Small lot single-family residential use; Two-family residential use; Urban home special use; Club or lodge; Day care services (general and limited); Family homes; Group homes (general and limited); Condo residential; Retirement housing (small and large site); Townhouse residential.

PLANNING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The Hyde Park Neighborhood Association has indicated that they would like to change the maximum development Floor-to-Area-Ratio (FAR) for a variety of residential and some civic land uses in order to encourage density and infill in the neighborhood that is in scale with the lot that is being developed.

CM
1/2

PROPOSED NCCD AMENDMENT:

The purpose of the NCCD amendment is to establish a maximum amount of development permitted on a variety of properties. The proposed new text that would establish a maximum amount of development on a variety of properties in the Hyde Park Neighborhood Conservation Combining District (NCCD) (Ordinance No. 020131-20) is as follows:

Part 7. General Provisions

18. The maximum amount of development permitted on a property for the following uses that are subject to this NCCD is limited to 0.4 to 1.0 floor-to-area ratio:

Bed and breakfast (group 1) residential use; Bed and breakfast (group 2) residential use; Cottage special use; Duplex residential use; Secondary apartment special use; Single-family attached residential use; Single-family residential use; Small lot single-family residential use; Two-family residential use; Urban home special use; Club or lodge; Day care services (general and limited); Family homes; Group homes (general and limited); Condo residential; Retirement housing (small and large site); Townhouse residential.

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 limit the floor-to-area-ratio will ensure residential development that is in scale and mass with the existing residential dwelling units in the neighborhood.

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.

SCHOOLS:

Mathews Elementary School, O. Henry Middle School, Austin High School

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SITE PLAN:

No comments.

TRANSPORTATION:

TR1: Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic	Bus Service
Guadalupe Street	80'	Varies	Arterial	Not Available	<u>1L - North Lamar/South Congress via Lamar</u> <u>1M - North Lamar/South Congress via Metric</u> <u>101 - North Lamar/South Congress Limited</u> <u>481 - Night Owl North</u> <u>990 - Manor/Elgin Express</u>
Speedway	90'	58'	Collector	Not Available	<u>5 - Woodrow</u> <u>656 - IF Intramural Fields</u> <u>681 - IF/FW Intramural Fields/Far West</u>
Duval Street	60'	Varies	Collector	Not Available	<u>7 - Duval/Dove Springs</u>
W. 38 th Street	Varies	Varies	Arterial	Not Available	None
W. 40 th Street	80'	Varies	Collector	Not Available	None
W. 43 rd Street	60'	38'	Collector	Not Available	None
E. 45 st Street	64'	40'	Arterial	Not Available	<u>5 - Woodrow</u> <u>338 - Lamar/45th</u> <u>656 - IF Intramural Fields</u> <u>681 - IF/FW Intramural Fields/Far West</u>

TR2: Additional right-of-way (ROW) for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

TR3: Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract by tract basis for any proposed land uses as would typically be provided.

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TR4: A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

TR5: According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Guadalupe Street	Shared Lane	Bike Lane
Speedway	Bike Lane	Bike Boulevard (Super Route)
Duval Street	Bike Lane	Bike Lane (Super Route)
W. 38 th Street	Wide Curb	Bike Lane
W. 40 th Street	Wide Curb/Shared Lane	Wide Curb/Shared Lane
W. 43 rd Street	Wide Curb	Wide Curb
E. 45 st Street	Shared Lane	Bike Lane

CITY COUNCIL DATE: January 12th, 2012

ACTION:

ORDINANCE READINGS:

1ST

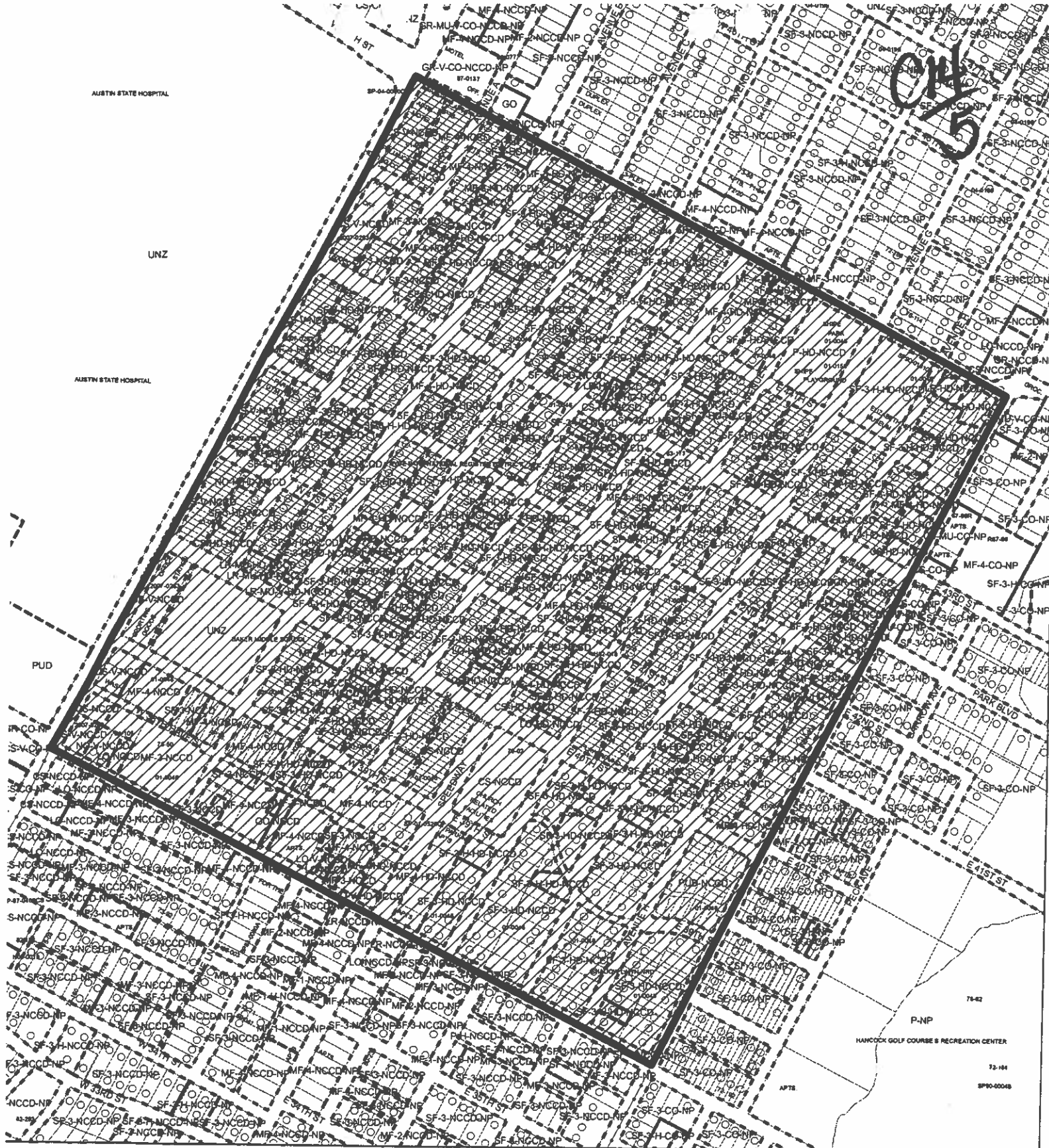
2ND

3RD




ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



045

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

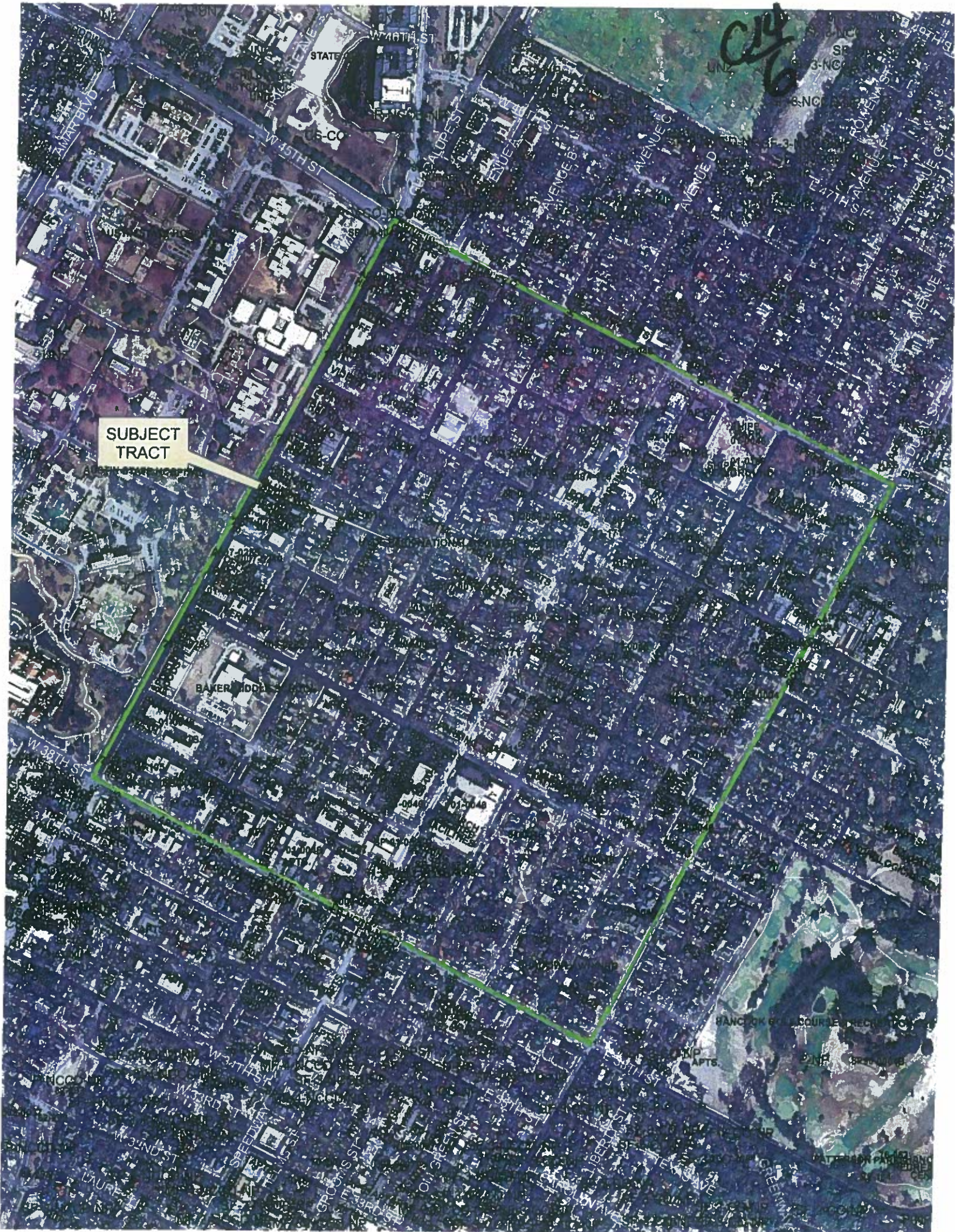
ZONING CASE#: C14-01-0046.01

1" = 500'



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SUBJECT TRACT

CR 6

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1/7

April 26, 2011

To City of Austin Planning Commission

The Hyde Park Contact Team wishes to enact revisions to the Hyde Park and North Hyde Park Neighborhood Conservation Combining Districts (NCCD). We are asking your assistance in initiating these revisions.

At its November 15, 2010 meeting, the Contact Team voted to remove the following sentence from the North Hyde Park NCCD, Part 6 (11)(b) page 13:

"For a duplex use or single-family attached use, a lot that is at least 50 feet wide may have two one-lane driveways that are a maximum of 10' wide if they are separated by the house."

Hyde Park neighbors have appealed a permit twice, having support at City Council, having staff then permit a revised plan, and again appealing and losing at the Board of Adjustment. Those neighbors are now watching a duplex get built with a front yard of driveways and parking due to unfortunate staff interpretations that are contrary to the purposes of the Hyde Park Neighborhood Plan. Another permit using this clause will be requested soon on another lot.

At its January 24, 2011 meeting the Contact Team voted to modify the McMansion standards in the entire Hyde Park Neighborhood Plan area by deleting the following language in Article 2, 2.1 Maximum Development Permitted:

"or 2,300 square feet of gross floor area as defined in Section 3.3"

We appreciate your help.

Karen McGraw AIA
Chairman, Hyde Park contact Team
917-1761 mcgrawka@earthlink.net

**Proposed Revision for the Hyde Park Neighborhood Conservation (NCCD)
Combining District (Ordinance No. 020131-20)**

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Modify the LDC Subchapter F as follows:

Delete in Article 2.1 Maximum Development Permitted, the phrase:

“or 2,300 square feet of gross floor area, as defined in Section 3.3.

PUBLIC HEARING INFORMATION

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of 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: C14-04-0196.03

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

MONIQUE LEE
Your Name (please print)

5110 AVENUE G

Your address(es) affected by this application

Monique Lee

Signature

12-7-11
Date

Daytime Telephone: 512 478 9595

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

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PUBLIC HEARING INFORMATION

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Case Number: C14-04-0196.03

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

ROXANA LEE
Your Name (please print)

5110 AVENUE G

Your address(es) affected by this application

Roxana Lee

Signature

Dec. 7 2011

Date

Daytime Telephone: 512 482 0061

Comments:

There ~~is~~ is not enough room for 2
drive ways on such lots.

City Staff That Approved this must not live in
The Area -

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: C14-04-0196.03

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

Mitylene Myhr
Your Name (please print)

I am in favor
 I object

4528 Avenue B
Your address(es) affected by this application

Mitylene Myhr
Signature

12/7/2011
Date

Daytime Telephone: *512-467-7604*

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

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Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

Joe Zakes
Your Name (please print)

4525 Aved

Your address(es) affected by this application

Joe Zakes

Signature

12-2-11

Date

Daytime Telephone: 445-7110

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

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Case Number: C14-04-0196.03

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

DORIS COWARD
Your Name (please print)

I am in favor
 I object

4808 RED RIVER, 4810 RED RIVER
Your address(es) affected by this application

Doris Coward
Signature

12/3/11
Date

Daytime Telephone: 453-2476

Comments: This amendment will better clarify the meaning of Part 6 General Provisions 11 & 12, which could be misinterpreted by both potential developers and city staff.

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

C14/13

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Case Number: C14-04-0196.03

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission

Jan 12, 2012, City Council

GAIL MINAUGH

Your Name (please print)

4518 AVE C AUSTIN 78751

Your address(es) affected by this application

Gail Minaugh

Signature

12/4/11

Date

Daytime Telephone: 512-459-7834

Comments: THIS SEEMS TO BE A SENSIBLE REVISION THAT WILL PREVENT OVER-DEVELOPMENT IN NORTH HYDE PARK.

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

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: C14-04-0196.03

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

Larry Clay
Your Name (please print)

4528 Avenue B

Your address(es) affected by this application

Larry Clay

Signature

12/5/2011
Date

Daytime Telephone: 512-~~974~~ 284-4941

Comments: Very Supportive

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

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Planning & Development Review Department

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Austin, TX 78767-8810

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Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

Your Name (please print) Donna Gwen Lewis

4700 Avenue H

Your address(es) affected by this application

Donna Gwen Lewis Signature 12/5/11 Date

Daytime Telephone:

I am in favor
 I object

Comments:

A (we) thought the whole purpose of NCCD was to protect us in North Hyde Park from mega mansions. How can they going to park? You can't pad traffic in both directions now down most of the Avenue! Parking is horrible now!

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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Public Hearing: Dec 13, 2011, Planning Commission

Jan 12, 2012, City Council

Deborah Volker
Your Name (please print)

4810 Red River St. 78751
Your address(es) affected by this application

Deborah Volker
Signature

12/3/11
Date

Daytime Telephone:

Comments:

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

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Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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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: C14-04-0196.03

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

Rick Albers

Your Name (please print)

4506 Ave. F

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: *473-4106*

Date

12/5/2011

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

Comments: *I object to the new floor-to-area ratio requirements. I do not have a problem with the new driveway requirements*

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

C14/18

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Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

OSA Properties LLC
Kevin E. Hunter

Your Name (please print)

4611 Guadalupe

Your address(es) affected by this application

76 the agent

Signature

Daytime Telephone: 327.6586

Date

12/5/11

I am in favor
 I object

Comments:

I object on behalf of the owners to the proposed amendment to

Part 6. General Provisions. The

Current Allowed Floor to Area ratio is

1:1.

The proposed amendment greatly reduces the ability to redevelop the property in the future.

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

C14
19/14