

ZONING CHANGE REVIEW SHEET

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

THE REQUEST is to amend the NCCD to establish a maximum amount of development permitted on property for a variety of residential and some civic land uses.

SUMMARY STAFF RECOMMENDATION:

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

Add Part 7. General Provisions:

The maximum amount of development permitted on a property subject to the City of Austin Land Development Code, Subchapter F, Article 2, Section 2.1 and this NCCD is limited to 0.4 to 1.0 floor-to-area ratio.

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for an NCCD amendment was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Denette Chimenti seconded the motion on a vote of 6-0.

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.

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 subject to the City of Austin Land Development Code, Subchapter F, Article 2, Section 2.1 and this NCCD is limited to 0.4 to 1.0 floor-to-area ratio.

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

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.

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

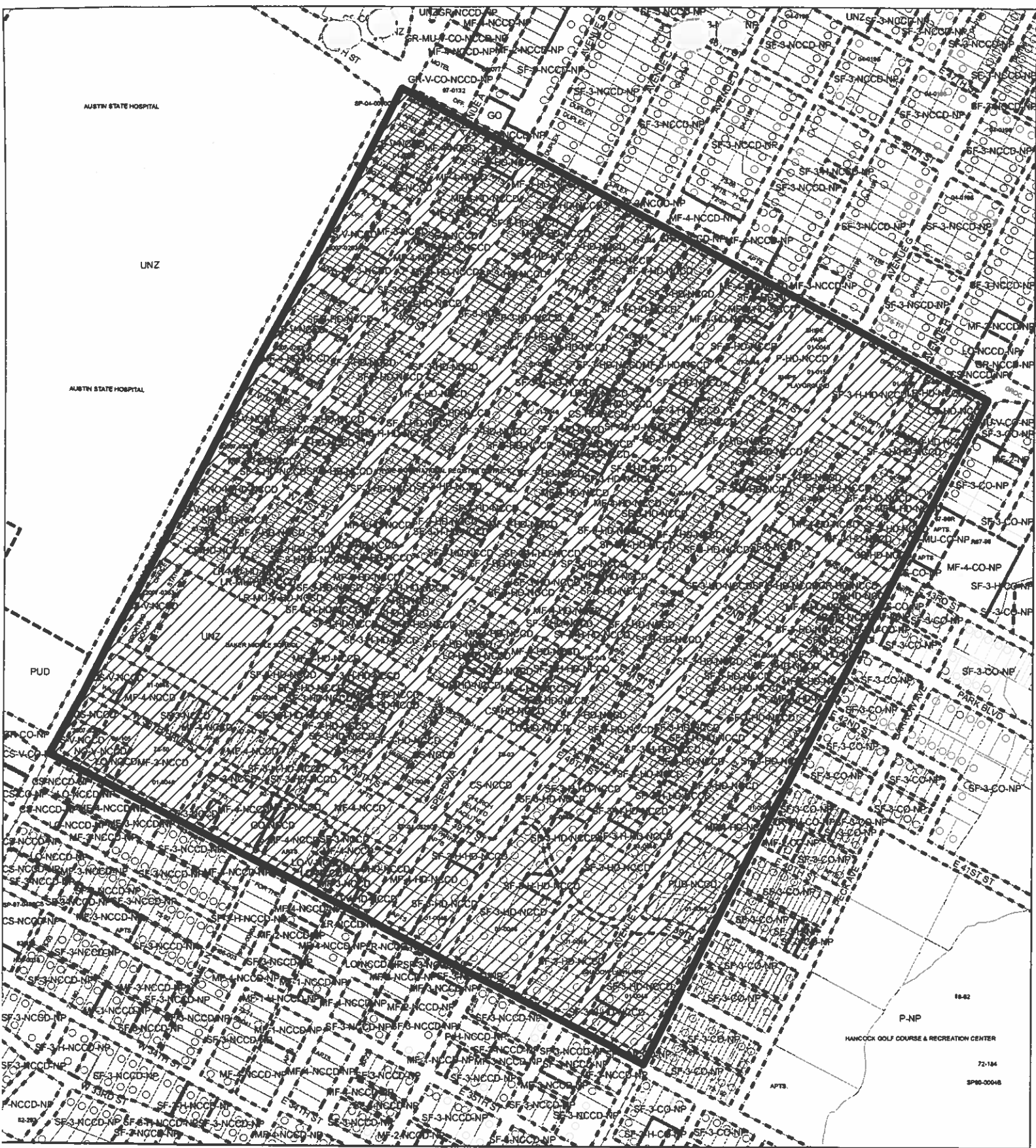
CITY COUNCIL DATE: January 12th, 2012

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD **ORDINANCE NUMBER:**

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

PHONE: 974-7691





1" = 500'



SUBJECT TRACT



PENDING CASE



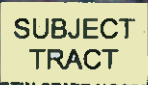
ZONING BOUNDARY

ZONING
ZONING CASE#: C14-01-0046.01



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.



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)**

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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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: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission

Jan 12, 2012, City Council

Michael R. McHone

Your Name (please print)

4400 Ave C #302 W. 44th

Your address(es) affected by this application

Michael R. McHone

Signature

12/12/2011

Date

Daytime Telephone: 512-481-9111

Comments: THE CURRENT SUBCHAPTER E

REGULATIONS COMBINED WITH THE UCCD

MAKE IT VERY DIFFICULT TO BUILD OR

MAKE ADDITIONS IN THE NECD -

TO MAKE REBUILDING OR SMALL LOTS

BEING LESS LIKELY TO BE BUILT NOT

BE IN THE BEST LONG TERM INTEREST OF

THE CITY OF AUSTIN OR THE NEIGHBORHOODS

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

☐ I am in favor
☒ I object

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

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

Sanel Anderson
Your Name (please print)

4312 Ave F 78751

Your address(es) affected by this application

Sanel Anderson
Signature

12-6-12
Date

Daytime Telephone: _____

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

☒ I am in favor
☐ I object

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

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

Jane L. Anderson
Your Name (please print)

4312 Ave F 78751

Your address(es) affected by this application

Jane L. Anderson
Signature

12-6-11
Date

Daytime Telephone: 459-9572

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

☒ I am in favor
☐ I object

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

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

Carol Mozzygemba

Your Name (please print)

600 Texas Ave. Austin 78705

Your address(es) affected by this application

Carol Mozzygemba

Signature

Date

Daytime Telephone: *512 - 486-6243*

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

☒ I am in favor
☐ I object

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission

Jan 12, 2012, City Council

MICHAEL MITCHELL

Your Name (please print)

4303 Ave G

Your address(es) affected by this application

Michael Mitchell

Signature

Date

Daytime Telephone: 206-0754

4 DEC 11

☐ I am in favor
☒ I object

Comments:

Once you create a historical district, it is hypocritical and to limit the amount of development to less than it was during the historic period intended to evoke. Thus, if this is more restrictive, which I assume it is, I think it is counter-productive to keeping Hyde Park as it "was" in days the district is trying to preserve.

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

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

MARY E BOULDIN

Your Name (please print)

4110 AVENUE D

Your address(es) affected by this application

Mary E Bouldin

Signature

Date

Daytime Telephone: 4595003

☐ I am in favor
☒ I object

Comments:

There was no specific address in this area. Could not find the pending case in all this squatter's domain.

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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

OSA Properties LLC
Kevin E. Hunter

Your Name (please print)

4611 Guadalupe

Your address(es) affected by this application

7611 agent

Signature

Date

Daytime Telephone: 327.6586

☐ 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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Contact: Clark Patterson, (512) 974-7691

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

HELEN T. RUSSELL

Your Name (please print)

4103 AVE D, AUSTIN TX

Your address(es) affected by this application

Helen T. Russell

Signature

Daytime Telephone: 512-302-4851

Date

12/3/2011

☒ I am in favor
☐ I object

Comments:

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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

SHA STEADMAN

Your Name (please print)

407 E 45th ST, 78751

Your address(es) affected by this application

Sha Steadman

Signature

12/28/11

Date

Daytime Telephone:

Comments: *I like my neighborhood as is.*

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www.ci.austin.tx.us/development

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission

Jan 12, 2012, City Council

Richard Walley

Your Name (please print)

3908 Ave C Austin TX 78751

Your address(es) affected by this application

RC Walley

Signature

Daytime Telephone: 408 858 1790

Date

12/6/11

Comments:

I don't want to hold down property values.

☐ I am in favor
☒ 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: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

Public Hearing: Dec 13, 2011, Planning Commission

Jan 12, 2012, City Council

MICHAEL TYE

Your Name (please print)

3901 AVENUE C

Your address(es) affected by this application

Michael Tye

Signature

Daytime Telephone: 512-438-9607

Date

Dec 8, 2011

Comments:

The floor to area ratio is too restrictive. The key issue is how tasteful the enlarged structure is. A larger, well thought out structure will look better than a smaller one surrounded by a garden that is overgrown and shabby.

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☐ I am in favor
☒ I object

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

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

Jason Odom

Your Name (please print)

0030 Norwood Rock Blvd 78753 or

Your address(es) affected by this application

2306 Broadway 78705

Signature

Daytime Telephone: (202) 317-656

Date

12/8/11

☒ I am in favor
☐ I object

Comments: Residents increase business revenue,
in turn, increases taxes paid to city

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

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

CLARK B Kersey JR

Your Name (please print)

4314 ARE C

Your address(es) affected by this application

[Signature]

Signature

12/13/11

Date

Daytime Telephone: *374-0500*

Comments:

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Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-01-046.01

Contact: Clark Patterson, (512) 974-7691

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

DAVID ORA

Your Name (please print)

4509 AVE F

Your address(es) affected by this application

12/14/11

Date

Signature

Daytime Telephone: 512-579-9345

Comments: I OPPOSE THIS PROVISION BECAUSE IT WOULD
LIMIT THE DENSITY OF HOUSING IN HYDE PARK, AND
ENCOURAGING DENSE HOUSING IS VITAL TO URBAN
NEIGHBORHOODS, ESPECIALLY HYDE PARK WHERE
OVER-REGULATION IS CAUSING A DETRIMENTAL
EFFECT ON THE PROSPERITY OF THE NEIGHBORHOOD.
AURENDY.

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