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ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0149.SH **P.C. DATE:** February 14, 2012,
Chicon Corridor March 13, 2012

ADDRESS: 1807 E. 13th Street & 1212 Chicon Street **AREA:** 0.3553 acres

OWNER: Calavan Family Partnership, Ltd. (Brooks Calavan)

AGENT: Chestnut Neighborhood Revitalization Corporation (CNRC) (Sarah Andre)

FROM: General Commercial Services (CS)

TO: General Commercial Services-Mixed Use (CS-MU)

AREA STUDY: N/A **TIA:** Is not required

WATERSHED: Boggy Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** No

NEIGHBORHOOD PLAN AREA: Central East Austin / Davis-Thompson

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to grant rezoning from General Commercial Services (CS) to General Commercial Services-Mixed Use-Conditional Overlay (CS-MU-CO) combining district. Staff recommends a conditional overlay for the subject property that limits vehicular trip generation to less than 2,000 vehicle trips per day, and prohibits the following uses: Adult-Oriented Businesses, Automotive Rental, Automotive Repair, Automotive Sales, Automotive Washing, Bail Bond Services, Campground, Carriage Stable, Cocktail Lounge, Laundry Service, Commercial Plasma Center, Convenience Storage, Drop-off recycling Collection Facility, Drive-through Services as an accessory use to a restaurant, Equipment Repair Services, Equipment Sales, Exterminating Services, Kennels, Liquor Sales, Pawn Shop Services, Outdoor Entertainment, Outdoor Recreation, Service Stations, Telecommunication Tower (if sited on ground), Vehicle Storage, and Veterinary Services. This list of prohibited uses was generated based on review and recommendation of City staff, neighborhood planning contact teams, neighborhood associations, and the applicant. The list also matches the list of prohibited uses associated with the East 12th Street Neighborhood Conservation Combining District (NCCD), ORD. 20080228-087.

PLANNING COMMISSION RECOMMENDATION:

February 14, 2012: *POSTPONEMENT TO MARCH 13, 2012, REQUESTED BY STAFF. APPROVED ON CONSENT [DEALY; CHIMENTI-2ND] (5-0) ANDERSON, HATFIELD, STEVENS, TIEMANN ABSENT.*

March 13, 2012:

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2**DEPARTMENT COMMENTS:**

The subject property is comprised of two lots located at the southwest corner of the intersection of E. 13th Street and Chicon Street. Both lots are zoned general commercial services-neighborhood plan (CS). The westernmost lot is 1807 E. 13th, a vacant lot that previously occupied by a single family structure. A demolition permit was issued for the structure in April, 2009. The easternmost lot is 1212 Chicon, which is partially occupied by a vacant commercial building—the remainder is also a vacant lot. To the north and west of the subject property are single family properties zoned family residence-neighborhood plan (SF-3-NP). To the south are properties zoned commercial-liquor sales-mixed use-neighborhood conservation combining district-neighborhood plan (CS-1-MU-NCCD-NP). Land uses are a mix of vacant commercial space, retail, and cocktail lounge. To the east of the subject property are lots zoned general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan. (CS-MU-V-CO-NP). The lots are used for automotive repair, retail, and liquor sales. Please refer to Exhibit A (Zoning Map).

This rezoning application is part of a phased CNRC project that is cumulatively known as the Chicon Corridor Mixed Use Project. The project includes the subject property on the west side of Chicon Street and two additional properties located on the east side of Chicon Street. These additional properties are located in the Chestnut Neighborhood Plan area, and CNRC has received letters of support from the Chestnut and Rosewood neighborhood planning contact teams for the overall project, as well. Please refer to Exhibits B (Aerial View) and C (Chestnut & Rosewood Letters). Only one of these additional properties will require a zoning and land use change but applicant is waiting for land acquisition to be final before proceeding with this zoning change. The cumulative project proposes mixed use buildings with ground level commercial (office/retail) and residential development.

The subject property is located in two neighborhood associations, and in one City neighborhood planning area. The site is located in the Davis-Thompson Neighborhood Association, which is also located within the boundaries of the Organization of Central East Austin Neighborhoods (OCEAN). The OCEAN neighborhood plan covers this area, and a modification to the OCEAN future land use map (FLUM) is being processed concurrently with this rezoning application (NPA-2011-0009.02). The property is also adjacent to the East 12th Street NCCD, which was used as a basis for the list of prohibited uses recommended by City staff, neighborhood contacts, and the applicant. OCEAN and Davis-Thompson representatives have met with the applicant several times to discuss the rezoning and CNRC plans for the property, and have provided a letter of support that reflects those discussions. Please refer to Exhibit D (Davis-Thompson & OCEAN Letters). The Kealing Neighborhood Planning Contact Team has also provided a letter of support. Please refer to Exhibit E (Kealing Letter). Staff has also received written support from individual property owners (Exhibit F- Neighbor Comments).

The subject tract development is planned to provide mixed use commercial/retail and mixed-income residential, and the residential units on the subject property are planned for sale, not rental. For the overall project, CNRC has obtained SMART Housing Certification for a proposed development of 33 residential units with 100% of the units serving households at or

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below 60% median family income. Please refer to Exhibit G (SMART Housing Certification). One of the conditions of support raised by OCEAN and Davis-Thompson neighborhood groups was that CNRC obtain funding approval from Austin Housing Finance Corporation prior to any rezoning.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-NP	Vacant commercial, undeveloped
<i>North</i>	SF-3-NP	Residential
<i>South</i>	CS-1-MU-NCCD-NP	Vacant commercial, retail, cocktail lounge
<i>East</i>	CS-MU-V-CO-NP	Automotive repair, liquor sales, retail
<i>West</i>	SF-3-NP	Residential

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0106	CS-MU-NCCD-NP to CS-MU-V-NCCD-NP	VMU Opt In/Out Process, Rosewood Neighborhood. 3/9/2010: (7-0)	3/25/2010: Ord. 20100325-062
C14-2009-0054	CS-MU-CO-NP to CS-MU-V-CO-NP	VMU Opt In/Out Process, Chestnut Neighborhood. 6/9/2009: (5-0)	7/23/2009: Ord. 20090723-124
C14-2007-0136	LR-NP to GR-MU-CO-NP	1/15/2008: Recommended (7-0)	1/31/2008: 1 st reading, (7-0); 2/14/2008: Ord. 20080214-083
C14-06-0209	GR-NP, CS-NP, CS-1-NP to CS-MU-NCCD-CO-NP, CS-1-MU-NCCD-CO-NP	Zoning by COA for properties missed by orig. NCCD case. 6/24/2007: (8-0)	1/17/2008: 1 st reading, (7-0); 2/28/2008: Ord. 20080228-087
C14-06-0163	SF-3-NP to LO-MU-CO-NP	10/24/2006: (8-0)	11/30/2006: 1 st reading, (7-0); 12/7/2007: Ord. 20061207-032
C14-01-0148	CS to CS-NP	10/4/2001: (6-0)	12/6/2001: 1 st reading, (7-0); 12/13/2001: Ord. 011213-42

RELATED CASES: A modification to the OCEAN neighborhood plan / future land use map (FLUM) is being processed concurrently with this rezoning application (NPA-2011-0009.02). C14-01-0148, listed above, was the zoning case that added the -NP designation to the subject property when the OCEAN neighborhood plan was created.

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4**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
E. 13 th Street	50'-80'	27'-30'	Collector	Yes	#6, #320	No
Chicon Street	50'	27'	Minor Arterial	Yes	#6, #320	Wide Curb Lane

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
 PODER
 Chestnut Addition Neighborhood Association
 Davis-Thompson
 Chestnut Neighborhood Revitalization Corporation
 Austin Heritage Tree Foundation
 Chestnut Neighborhood Planning Team
 United East Austin Coalition
 African American Cultural Heritage District
 Foster Neighborhood Association
 Oakwood Neighborhood Association
 OCEAN
 Rosewood Neighborhood Contact Team
 Friends of Chestnut Neighborhood Planning Contact Team
 Kealing Neighborhood Association
 Austin Independent School District

SCHOOLS:

Campbell Elementary School Kealing Middle School McCallum High School

CITY COUNCIL DATE: March 8, 2012

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
 e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

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SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to grant rezoning from General Commercial Services (CS) to General Commercial Services-Mixed Use-Conditional Overlay (CS-MU-CO) combining district. Staff recommends a conditional overlay for the subject property that limits vehicular trip generation to less than 2,000 vehicle trips per day, and prohibits the following uses: Adult-Oriented Businesses, Automotive Rental, Automotive Repair, Automotive Sales, Automotive Washing, Bail Bond Services, Campground, Carriage Stable, Cocktail Lounge, Laundry Service, Commercial Plasma Center, Convenience Storage, Drop-off recycling Collection Facility, Drive-through Services as an accessory use to a restaurant, Equipment Repair Services, Equipment Sales, Exterminating Services, Kennels, Liquor Sales, Pawn Shop Services, Outdoor Entertainment, Outdoor Recreation, Service Stations, Telecommunication Tower (if sited on ground), Vehicle Storage, and Veterinary Services. This list of prohibited uses was generated based on review and recommendation of City staff, neighborhood planning teams, neighborhood associations, and the applicant. The list also matches the list of prohibited uses associated with the East 12th Street Neighborhood Conservation Combining District (NCCD), ORD. 20080228-087.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The Mixed Use (MU) zoning designation has been requested by the applicant so they can provide mixed use commercial/retail and mixed-income residential, on the subject property. This restrictions outlined in the Conditional Overlay (CO) will make the property more suitable for mixed use, by eliminating the most intense uses allowed in CS zoning. Currently, those uses are permitted on the subject property.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

Adding the MU-CO designations to the CS-NP zoning will make the subject property more compatible with the adjacent residential areas. This will be accomplished by allowing residential (MU) and prohibiting the most intense uses allowed in CS zoning (CO).

Transportation:

1. No additional right-of-way is needed at this time.
2. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

3. 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
East 13 th Street	None	Bike Lane
Chicon Street	Wide Curb Lane	Bike Lane

4. Capital Metro bus service routes are available along East 13th Street and Chicon Street with the #6 East 12th Street local service, #320 St. Johns cross-town service. Also, the Metro Rail (MLK Jr.) Station is located within ¼ mile, east of Pleasant Valley Rd. at 1719 Alexander Blvd., which is dedicated to rail connectors or buses.

6. Street Inventory:

Name	ROW	Pavement	Classification	Daily Traffic
East 13 th Street	50'-80'	27'-30'	Collector	N/A
Chicon Street	50'	27'	Minor Arterial	4,897**

**1700 Block, N. of East 12th Street on 06/23/2003

Site Plan:

1. Site plans will be required for any new development other than single-family or duplex residential.
2. Any new development is subject to Subchapter E. Design Standards and Mixed Use.
3. The site is subject to compatibility standards.
 - Depending on the size of a particular site, there are required setbacks from adjacent single-family use property lines. This includes built structures as well as parking and driveways.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - A landscape area will be required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
 - Additional design regulations will be enforced at the time a site plan is submitted.

Environmental:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban

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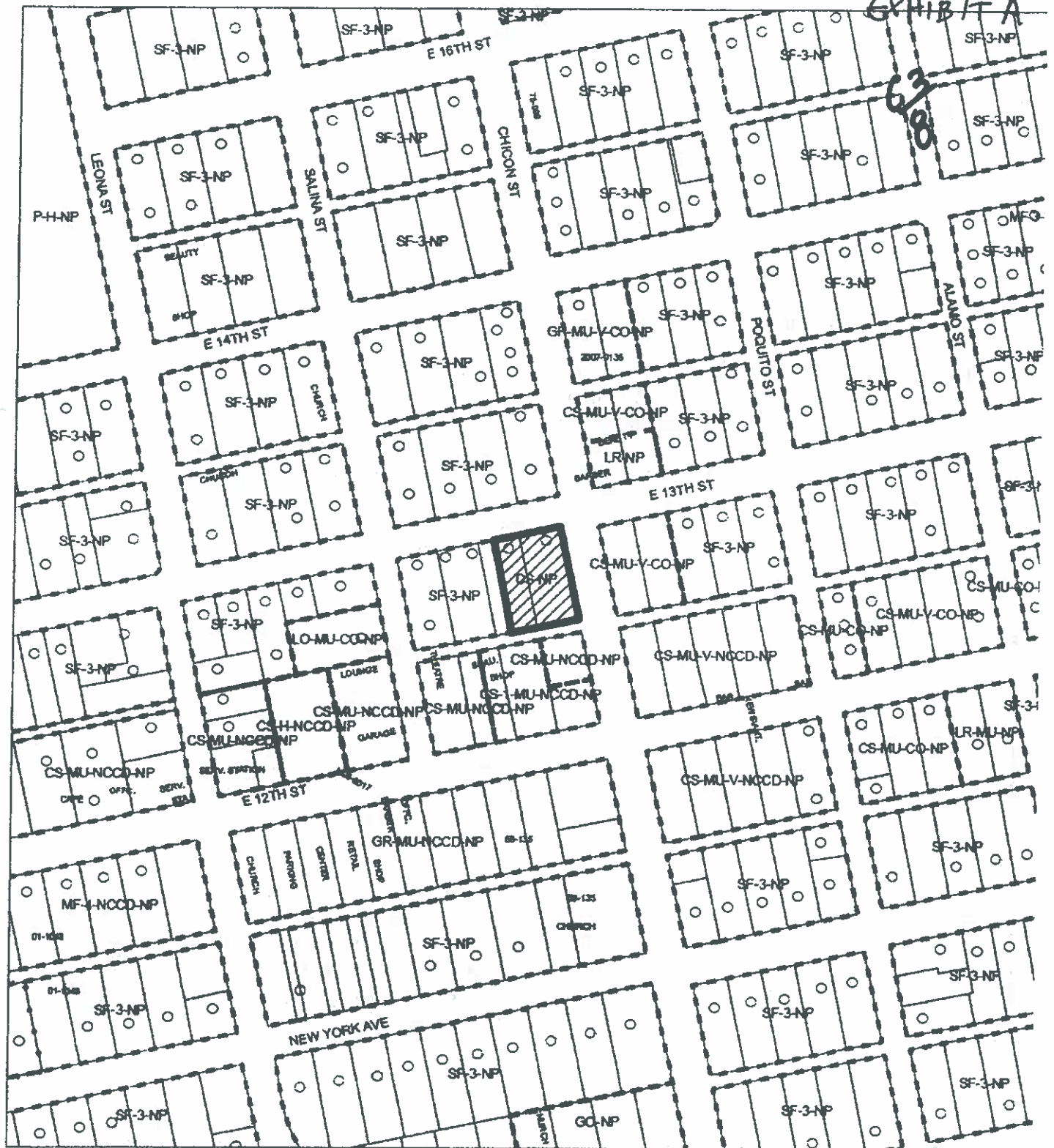
Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.




Water/Wastewater:

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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1" = 200'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2011-0149.SH

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.



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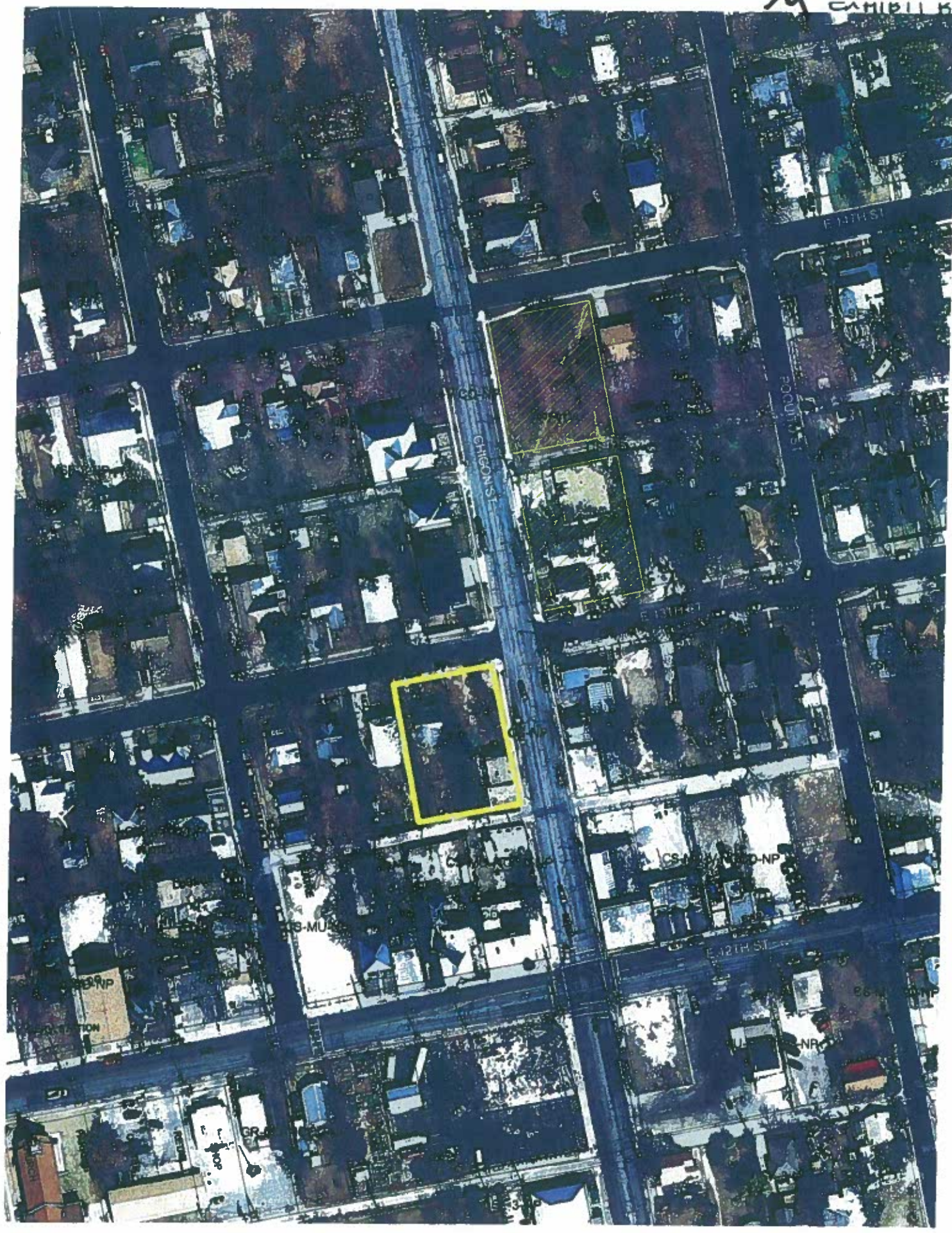


EXHIBIT C

Chestnut Neighborhood Plan Contact Team • 2601 E 17th St • Austin, Texas 78702

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City of Austin Housing and Finance Corporation

February 4, 2011

Re: Support for Chestnut Neighborhood Revitalization Corporation's development along Chicon St.

Board of Directors,

On behalf of the Chestnut Neighborhood Plan Contact Team, I am writing to register our support for the Chestnut Neighborhood Revitalization Corporation's development at 1212, 1301, 1301 ½, 1305, and 1309 Chicon St. and 1807 East 13th St.

Our neighborhood plan calls for development at the intersection of 12th and Chicon. This project will go a long way towards providing solutions to many of the issues that currently face this historically underserved intersection.

I urge you to approve the loan to the Chestnut Neighborhood Revitalization Corporation, so that they may move forward with the purchase of the properties.

Sincerely,

Gregory Goeken
Chair, Chestnut Neighborhood Plan Contact Team

The Rosewood Neighborhood Contact Team
1000 Glen Oaks Court, Austin, TX 78702
(512) 477-2352

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January 15, 2012

To Whom It May Concern:

The Rosewood Neighborhood Contact Team supports funding of the Chestnut Neighborhood Revitalization Corporation's ("CNRC") application for funding of a project to be located along Chicon Street between E. 12th Street and E. 14th Street (called the "Chicon Corridor Project"). We believe this project is a positive and direct response to a continuing need to clean up unwanted and illegal activities carried out in the immediate area, i.e. the corner of E. 12th and Chicon. CNRC believes, and has evidence from other communities around the country, that building homes populated by owners who want to see a safe, attractive, and thriving community is the only really effective way to change the character of an area. RNCT has worked for years in other, ongoing efforts to turn this area around, so we strongly support and wholeheartedly recommend funding this project.

RNCT also expresses our support of CNRC's applications for a zoning change and neighborhood plan amendment for 1807 E. 13th Street and 1212 Chicon Street conditioned as follows:

- The City provides the funding for CNRC to purchase these properties, and
- That the uses for the properties be restricted to the attached list of uses.

We look forward to seeing this exciting new project coming to fruition.

Sincerely,

Jane Rivera, CTM

Jane Rivera, Chair

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CS-MU General Commercial Services-Mixed Use General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

- Bed and Breakfast Residential (Group 1)
- Bed and Breakfast Residential (Group 2)
- Club or Lodge (c)
- College and University Facilities
- Communication Service Facilities
- Community Events
- Community Recreation—Private
- Community Recreation—Public
- Congregate Living
- Counseling Services
- Cultural Services
- Day Care Services—Commercial Day Care Services—General
- Day Care Services—Limited Family Home
- Group Home Class I—General
- Group Home Class I—Limited
- Group Home Class II
- Guidance Services
- Hospital Service—Limited
- Hospital Services—General (c)
- Local Utility Services
- Maintenance and Service Facilities
- Private Primary Educational Services
- Private Secondary Educational Services
- Public Primary Educational Services
- Public Secondary Educational Services
- Religious Assembly
- Residential Treatment Safety Services
- Transitional Housing
- Transportation Terminal
- Administrative and Business Offices
- Adult-Oriented Business
- Agricultural Sales and Services
- Art Gallery
- Art Workshop Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing—of any type
- Bail Bond Services
- Building Maintenance Services
- Business or Trade School
- Business Support Services
- Campground
- Commercial Blood Plasma Center
- Commercial Off-Street Parking
- Communications Services
- Construction Sales and Services
- Consumer Convenience Services
- Consumer Repair Services
- Convenience Storage
- Drop-Off Recycling Collection Facilities
- Electronic Prototype Assembly Electronic Testing
- Employee Recreation
- Equipment Repair Services
- Equipment Sales
- Exterminating Services
- Food Preparation
- Food Sales
- Funeral Services
- Financial Services
- General Retail Sales—Convenience
- General Retail Sales—General
- Hotel/Motel
- Indoor Entertainment
- Indoor Sports and Recreation
- Kennels
- Laundry Services
- Medical Offices—not exceeding 5,000 sq/ft of gross floor space
- Medical Offices—exceeding 5,000 sq/ft of gross floor space
- Monument Retail Sales
- Off-Site Accessory Parking
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Personal Improvement Services
- Personal Services
- Pet Services
- Plant Nursery
- Printing and Publishing Services Professional Office
- Research Services Restaurant—Limited
- Restaurant—General
- Service Station
- Software Development
- Theater
- Vehicle Storage
- Veterinary Services
- Custom Manufacturing
- Limited Warehousing and Distr

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February 7, 2012

Ms. Heather Chaffin, AICP
Senior Planner-- Zoning Review Division
Planning and Development Review Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704

RE: Chicon Corridor ADP Funding Application
NPA-2011-0009.02 (plan amendment)
Re: C14-2011-0149.SH (zoning change)

Dear Ms. Chaffin:

This letter is to inform you and other appropriate City of Austin Departments and staff that on Wednesday, January 25th, 2012, the directors and members of the Organization of Central East Austin Neighborhoods (OCEAN) met. As part of our agenda, we discussed and voted unanimously to affirm the conditional supporting position of the Davis-Thompson Neighborhood Association (DTNA) regarding the above-referenced land use matter known also as the Chicon Corridor development proposal.

As you know, OCEAN is the official City planning contact team for Central East Austin. Our organizational bylaws, in part, require that in a situation, such as this, where a land use issue generates a request for a variance or neighborhood plan amendment, and the subject property is situated solely within the boundaries of an OCEAN neighborhood member, the OCEAN membership must vote to affirm the position of that neighborhood member regarding the land use issue.

I have attached the DTNA letter issuing its conditional support for the Chicon Corridor development proposal. It is my understanding that representatives of the developer, Chestnut Neighborhood Revitalization Corporation, discussed the terms and conditions of the letter with DTNA representatives and agreed to them. Although not required or solicited, I have also attached a letter of conditional support that a nearby OCEAN member neighborhood, Kealing Neighborhood Association, issued expressing affirmation of DTNA's position.

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As both letters state, and throughout the numerous and extensive community discussions regarding the matter, it was made abundantly clear that the impacted community supports the overall proposal on the conditions that: 1) residential properties be owner-occupied; 2) land uses and prohibited uses be consistent with those provided in the NCCD applicable to E. 12th Street Corridor; and 3) no variance be granted until after full funding is secured for the Chicon Corridor proposal.

I thank you for your work on this matter. Please contact me should you have any questions or need further information from me or OCEAN.

Sincerely,
Stan

Stanton Strickland
President, Organization of Central East Austin Neighborhoods
originalstanton@yahoo.com

cc: Maureen Meredith, Planning and Development Review Department - via email
Betsy Spenser – via email
Austin Housing Financing Corporation
City of Austin Neighborhood Housing and Community Development Department
Sean Garretson / Sarah Andre, Chestnut Neighborhood Revitalization Corporation - via email
Tobias Ford / Eric Jansson, Davis-Thompson neighborhood Association – via email

EXHIBIT D

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Davis-Thompson Neighborhood Association

January 08, 2012

Chicon Corridor ADP Funding Application
NPA-2011-0009.02 (plan amendment)
Re: C14-2011-0149.SH (zoning change)

Dear Planning Commissioners, Mayor, Mayor Pro-Tem, Councilmembers, and NHCD Staff:

We are writing to express our support for the funding of the Chestnut Neighborhood Revitalization Corporation's ("CNRC") application for funding of a homeownership and mixed use project to be located along Chicon Street in between E. 12th Street and E. 14th Street (the "Chicon Corridor Project").

We are also writing to express our conditioned support of CNRC's applications for a zoning change to CS-MU-NP and neighborhood plan amendment for 1807 E. 13th Street and 1212 Chicon Street, which are part of the Chicon Corridor Project (see above referenced case numbers). We are conditioning our support on two things: (i) that the City provides the funding for CNRC to purchase these properties and (ii) that the following are prohibited uses for this property (see attached list).

Thank you for your service to the City of Austin, and we look forward to this project becoming a reality and helping us improve our neighborhood while creating an opportunity for affordable home ownership within close proximity to Downtown.

Sincerely yours,

Davis-Thompson Neighborhood Association

cc. Stanton Strickland, President, OCEAN

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Prohibited uses (consistent with East 12th Street NCCD / ORDINANCE NO. 20080228-087)

- 1. Adult-Oriented Businesses**
- 2. Automotive Rental**
- 3. Automotive Repair**
- 4. Automotive Sales**
- 5. Automotive Washing**
- 6. Bail Bond Services**
- 7. Campground**
- 8. Carriage Stable**
- 9. Cocktail Lounge**
- 10. Laundry Service**
- 11. Commercial Plasma Center**
- 12. Convenience Storage**
- 13. Drop-off recycling Collection Facility**
- 14. Drive Through Services as an accessory use to a restaurant**
- 15. Equipment Repair Services**
- 16. Equipment Sales**
- 17. Exterminating Services**
- 18. Kennels**
- 19. Liquor Sales**
- 20. Pawn Shop Services**
- 21. Outdoor Entertainment**
- 22. Outdoor Recreation**
- 23. Service Stations**
- 24. Telecommunication Tower (if sited on ground)**
- 25. Vehicle Storage**
- 26. Veterinary Services**

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Kealing Neighborhood Association

February 4, 2012
Chicon Corridor ADP Funding Application
NPA-2011-0009.02 (plan amendment)
Re: C14-2011-0149.SH (zoning change)

Dear Planning Commissioners, Mayor, Mayor Pro-Tem, Councilmembers, and NHCD Staff:

The Kealing Neighborhood Association (KNA) has voted to affirm the position of Davis-Thompson Neighborhood Association in support for the funding of the Chestnut Neighborhood Revitalization Corporation's ("CNRC") application for funding of a homeownership and mixed use project to be located along Chicon Street in between E. 12th Street and E. 14th Street (the "Chicon Corridor Project").

KNA is also writing to express our conditioned support of CNRC's applications for a zoning change to CS-MU-NP and neighborhood plan amendment for 1807 E. 13th Street and 1212 Chicon Street, which are part of the Chicon Corridor Project (see above referenced case numbers). We are conditioning our support on two things: (i) that the City provides the funding for CNRC to purchase these properties and (ii) that the following are prohibited uses for this property (see attached list).

Thank you for your service to the City of Austin, and we look forward to this project becoming a reality and helping us improve our neighborhood while creating an opportunity for affordable home ownership within the urban core.

Sincerely yours,



Lee Sherman
President
Kealing Neighborhood Association

cc. Stanton Strickland, President, OCEAN

PUBLIC HEARING INFORMATION

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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: C14-2011-0149.SH

Contact: Heather Chaffin, (512) 974-2122

Public Hearing: Feb 14, 2012, Planning Commission

March 8, 2012, City Council

Tom Harvey
Your Name (please print)

☒ I am in favor
☐ I object

1209-1207 Salina 1801 E 13th
Your address(es) affected by this application

Tom Harvey
Signature

2-5-12
Date

Daytime Telephone: 512 389-4453

Comments:

My wife and I own three
small rent houses around the
corner from this project, which we
support in hope that it will
improve security, beauty and
property values.

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

City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

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City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

Gina Copic, S.M.A.R.T. Housing Program Manager
 (512) 974-3180, Fax: (512) 974-3112, regina.copic@ci.austin.tx.us

September 26, 2011

S.M.A.R.T. Housing Certification
CNRC- Chicon Corridor (id# _____)

TO WHOM IT MAY CONCERN:

The Chestnut Neighborhood Revitalization Corporation (CNRC) (development contact Sarah Andre, 698-3369 (o); 233-2269 (fax); sarah@s2adelvelopment.com) is planning to develop a 33 unit multi-family development at the intersection of Chicon Street and E. 11th Street.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 100% of the residential units will serve households at or below 60% Median Family Income (MFI), the development will be eligible for 100% waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Concrete Permit	Mechanical Permit
Building Permit	Electrical Permit	Plumbing Permit
Site Plan Review	Subdivision Plan Review	Zoning Verification
Construction Inspection	Parkland Dedication Fee	Land Status Determination
Demolition Permit Fee	(by separate ordinance)	Building Plan Review
	Regular Zoning Fee	

Prior to issuance of building permits and starting construction, the developer must:

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Katherine Murray, 482-5351 for multi-family; Bryan Bomer, 482-5449 for single-family).
- ♦ Submit plans demonstrating compliance with accessibility and transit-oriented standards.

Before a Certificate of Occupancy will be granted, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ♦ Pass a final inspection to certify accessibility and transit-oriented standards were met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 974-3154 if you need additional information.

Javier V. Delgado
 Neighborhood Housing and Community Development

Cc:	Laurie Shaw, Cap Metro	Maureen Meredith, PIDRI	Kath. Murray, Austin Energy
	Chris Yanez, PIDRI	Danuty McNabir, PIDRI	Michael Simmons-Smith, PIDRI
	George Zapalac, PIDRI	J.B. Meier, PIDRI	Hillary Hokey, PIDRI
	Robby McArthur, WWF Taps	Bryan Bomer, Austin Energy	Deborah Fonseca, PIDRI
	Stephen Castleberry, PIDRI	John McDonald, PIDRI	Yolanda Parada, PIDRI