

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C2O-2012-012 University Neighborhood Overlay – Land Uses

Description:

Amend certain provisions the City Code relating to provisions of the University Neighborhood Overlay (UNO) concerning, permitted uses, development standards and requirements for compliance.

Proposed Language is attached.

Staff Recommendation:

Staff recommends approval of this amendment. The ordinance is a consensus between staff and stake holders.

Board and Commission Actions

Planning Commission Committee on Codes and Ordinances – April 17, 2012,
Approved on a motion by Commissioner Chimenti, second by Commissioner Stevens and a vote of 5-0.

Planning Commission: Planning Commission is scheduled for public hearing and action on June 26, 2012

City Council Action

Ordinance Number:

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EXECUTIVE SUMMARY OF CORRECTIONS TO 25-2-754 (D) LDC

In 2004 after years of discussions and meetings, the University Neighborhood Overlay District was created as a part of the Combined Central Austin Neighborhood Plan.

- 1) The 2004 ordinance creating the University Neighborhood Overlay District was/is a voluntary opt into district. Redevelopment can be done under the existing "base district" zoning (MF, GO, CS as examples,) or if one chooses to "opt into" the UNO District, requirements are modified for increased public benefits which the development provides.
- 2) This 2004 ordinance was to create a high density urban mixed use, pedestrian oriented, primarily student housing area adjacent to UT. It was recognized that the basic pedestrian retail and commercial services would need to be enhanced. A list of 26 or so non-residential "local uses" was set out as desirable. Additionally, a commercial corridor which allowed for 100% local uses was established in what was known as the inverted "F" (Guadalupe Street from MLK to 29th, 24th Street from Guadalupe to Rio Grande, and MLK from Guadalupe to Rio Grande.) Properties in this area could develop 100% local uses up to 60 feet.
- 3) Also, in the balance of the UNO District local uses could be 20% of any project even if the base zoning was residential.
- 4) Finally, historic properties and properties under 10,000 square feet could be used for local uses.

In 2005 some "tweaking" was done to the original ordinance. Local uses were slightly modified and the language for 25-2-754 was changed.

- 1) The local uses were defined and regulated as applied to any base district. In the original ordinance, reference was made only to local uses in a residential base district. This change was designed to clear up any confusion, as the original language had been interpreted to exclude property in existing commercial base districts from opting into the UNO.
- 2) Local uses in residentially zoned property in the outer west campus subdistrict were restricted to height districts of 75 feet or greater, or if the property was historic, 60 feet or greater.
- 3) 100% local uses were still permitted in historic buildings, (subject to the above restriction in the outer west campus.) 100% local uses in properties under 10,000 square feet were clarified as permitted only in structures constructed prior to adoption of the ordinance on September 13, 2004, and under 60 feet in height, as long as they were located in the inner west campus or Guadalupe subdistricts. (Also specifically mentioned were Rio Grande St. between 23rd and 24th streets and 23rd street between Guadalupe and Rio Grande, but this area is already located entirely within those subdistricts, and the language is redundant.) The goal was to encourage the reuse of older existing housing stock which was not a redevelopment site and not historic as local uses, especially along the 23rd St. corridor.

- 4) These more restrictive requirements on size limitations and on date of construction were inadvertently also applied to the original "commercial F."

Our 2011/2012 proposed "correction" would restore the original "F." Along this commercial "F", the existing properties, (mostly churches and retail) are zoned CS but do not meet the set back requirements, parking requirements, and many other requirements that CS zoning has. This correction allows for orderly redevelopment and additions to existing properties along the commercial "F," and is in keeping with the original objectives and goals of the Combined Central Austin Neighborhood Plan.

The height limit for property developed for 100% local uses has been changed from 60 ft to 65 feet, as have references to 60 ft height districts. This is to conform with 2008 amendments to the UNO ordinance that changed all 60 ft height districts to 65 ft.

February 15, 2012

To: The City Planning Commission

From: The Plan Team for the Central Austin Combined Neighborhoods Plan (CANPAC)

The CANPAC Plan Team has worked over the years to iron out rough spots in the plan adopted in 2004. Because of its complexity, the plan had several mistakes in the version that was finally adopted, and in one instance the subsequent steps taken to correct the initial mistake made additional errors. The item before you is our attempt to correct the changes that were made inadvertently in Section 25-2-754(D) of the City Code in 2005. The CANPAC Plan team acted to endorse the changes so that Section 25-2-754(D) of the City Code is amended to read:

(D) Local uses are permitted in any base district, subject to the limitations of this subsection.

(1) In the outer west campus subdistrict, local uses are not permitted in a residential base district unless the property:

- (a) has a permitted building height of 75 feet or greater; or*
- (b) is zoned historic and has a permitted building height of 65 feet or greater.*

(2) Except as provided in Paragraph (3) up to 20 percent of the gross floor area of a site may be used for local uses. At least one-half of the gross floor area of the local uses must be located at street level and accessible from a pedestrian path. In determining these percentages, a nonresidential use that is accessory to the principal residential use or located in a historic landmark is excluded from the gross floor area of the local uses.

(3) Up to 100 percent of the gross floor area of a structure may be used for local uses if the structure:

(a) is zoned historic and is located entirely in a subdistrict having a permitted building height of 65 feet or greater, or

(b) was constructed before September 13, 2004, contains less than 10,000 square feet of gross floor area, and is less than 65 feet in height, and is located in the inner west campus or Guadalupe subdistricts; or ()*

(c) is less than 65 feet in height and located on:

- i. Guadalupe Street between Martin Luther King Jr. Blvd and 29th Street,*
- ii. Martin Luther King, Jr. Blvd between Guadalupe Street and Rio Grande St; or*
- iii. 24th Street between Guadalupe Street and Rio Grande Street.*

(*) CANPAC does not support expanding this provision outside of Inner West Campus and Guadalupe subdistricts.

Thank you for your consideration of this recommendation.

C5/5

Nuria Zaragoza
Co-Chair CANPAC

Adam Stephens
Co-Chair CANPAC