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## MEMORANDUM

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TO: Mr. Dave Anderson, Chair  
Planning Commission Members

FROM: Heather Chaffin  
Planning and Development Review Department

DATE: March 12, 2013

RE: 1311 E 12th Street  
Proposed City-initiated rezoning request

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The proposed rezoning is a City-initiated corrective rezoning of a single lot located at the address above. The property is currently zoned SF-3-NCCD-NP, which appears to have been assigned in error during the development of the East 12<sup>th</sup> Street Neighborhood Conservation Combining District (NCCD) in 2008.

1311 East 12<sup>th</sup> Street is used as a parking lot for the adjacent property to the west, 1309 East 12<sup>th</sup> (a beauty & barber shop). 1309 E. 12<sup>th</sup> Street does not have any other parking, and is zoned LR-NCCD-NP. These two lots are effectively considered a single site development. The property to the east, 1315 East 12<sup>th</sup> Street is zoned SF-3-NCCD-NP, and is used as a residence.

When the NCCD ordinance was created in 2008, 1311 East 12<sup>th</sup> Street was not listed as a distinct lot or tract, although the tracts on either side of it—1309 and 1315—were specifically identified and assigned their updated zoning classifications. City staff has confirmed that policy dictates that not every possible street address is always listed in a zoning ordinance, especially if two lots share a common mailing address or site development – for example, a business and its associated parking lot. It appears the lot was missed in error, and assumed to be a portion of 1309 East 12<sup>th</sup> Street when the NCCD was created.

For this reason, a City initiated rezoning is proposed that would update the zoning on 1311 East 12<sup>th</sup> Street since it has functioned as part of a cohesive commercial development since prior to development of the NCCD. If recommended by Planning Commission, Staff will generate a City initiated rezoning application to request LR-MU-NCCD-NP zoning for the property at 1311 East 12<sup>th</sup> Street. This zoning classification would allow residential or commercial land uses on the property.

The subject property is also located within the boundaries of the East 11<sup>th</sup> and 12<sup>th</sup> Street Urban Renewal Area. Neighborhood Housing and Community Development (NHCD) has also reviewed the proposed correction, and supports the rezoning. At this time it is does not appear that an Urban Renewal Plan modification would be triggered by a rezoning on the property.

D1/2

**PROJECT DATA**

TOTAL REZONING AREA: 0.2703 acres

AFFECTED ADDRESSES: 1311 East 12<sup>th</sup> Street

ZONING FROM: SF-3-NCCD-NP TO: LR-MU-NCCD-NP

NEIGHBORHOOD PLAN AREA: Central East Austin

WATERSHED: Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

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