

City Council Questions and Answers

**City Council Questions and Answers for
Thursday, April 25, 2013**

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, April 25, 2013 at Austin City Hall
301 W. Second Street, Austin, TX



**Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Council Member Chris Riley, Place 1
Council Member Mike Martinez, Place 2
Council Member Kathie Tovo, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5**

The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until the final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

1. Agenda Item # 27
 - a. QUESTION: Can staff tell us how many of the properties that were granted historic status are getting a tax exemption and how many are not? And can we have this information broken down by residential and commercial?
COUNCIL MEMBER SPELMAN
 - b. ANSWER: A total of 448 landmarks are being recommended for tax exemption this year. Of that total, approximately 102 are income-producing properties. Included are those properties that are not homesteads. There may be other residential properties that are not homesteads and would therefore qualify as income-producing. Denial of the tax exemption will be recommended for 10 properties – five are commercial, five are residential.
2. Agenda Item # 103
 - a. QUESTION: What is the result of changing the setback as shown in the map? Is the area shown as being in the Auditorium Shores subdistrict, but not in either the primary or secondary setback not subject to a setback? COUNCIL MEMBER SPELMAN
 - b. ANSWER: Changing the setback as shown in the map will allow additional permitted uses and additional impervious cover. Specifically, the subject tract would no longer be limited to the uses per the secondary setback regulations of the Auditorium Shores Subdistrict (cultural services, day care services, park and recreation services, food sales and restaurant without drive-throughs). It would be allowed uses per its current zoning, which is CS-V and CS-1. With regard to impervious cover, the subject tract would no longer be limited to the impervious cover restriction of the Auditorium Shores Subdistrict (30% maximum). It would be allowed impervious cover per its current zoning (95% maximum). Existing impervious cover on the site is approximately 85%. The area within the Auditorium Shores subdistrict, and not within the primary or secondary setbacks, is not subject to the 35-foot primary setback along the north and south right-of-way lines of Barton Springs Road. The 35-foot setback is a requirement of the Butler Shores subdistrict, and the Jack & Adam's site is remaining in the Auditorium Shores subdistrict. Only the secondary setback of the Auditorium Shores subdistrict is being adjusted, to coincide with the boundaries of the Jack & Adam's site.
3. Agenda Item # 104

- a. QUESTION: Please explain/give additional detail relating to the two story building minimum? COUNCIL MEMBER SPELMAN
- b. ANSWER: As with all of our Transit-Oriented Developments, the North Burnet/Gateway Regulating Plan has a two-story minimum requirement for the TOD Mixed Use Subdistrict. This Subdistrict roughly covers those parcels within 300 to 500 feet of the Capital Metro MetroRail Kramer Station. Two-story minimum is considered a best practice for Transit-Oriented Development properties closest to a transit station because two-story buildings provide a mix of uses at higher densities to better encourage and support multi-modal travel. Additionally, two-story buildings help the TOD meet its goal of sustainable energy use by providing more real estate for employment, residences, and services in close proximity to transit. This in turn helps to reduce traffic congestion by making transit a more viable mobility option. In this way, a two-story minimum building requirement, helps link together land use, building form, density, and transportation to meet the Imagine Austin goal of Sustainability while growing as a “Compact and Connected Community.” The North Burnet/Gateway Regulating Plan does not thoroughly define what a two-story minimum requirement entails, however. For instance, questions regarding whether or not an atrium or mezzanine is allowed have arose. Looking towards Form-Based Codes as a model, this amendment would clarify where and to what extent a proposed building would need to provide a complete minimum two building stories. Additionally, staff has listed the two-story minimum under the “General Site Development Standards” section of the code to make the requirement easier find. Please see attached back-up for definition and accompanying diagram.

END OF REPORT - ATTACHMENTS TO FOLLOW

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-2210 OR 974-2445 TDD.*



Council Question and Answer

Related To	Agenda Item #104	Meeting Date	April 25, 2013
-------------------	------------------	---------------------	----------------

Additional Answer Information

EXHIBIT B

4.2 GENERAL DEVELOPMENT STANDARDS

~~[For the purpose of applying the standards in this Subsection, a story is defined in Article 7 Definitions.]~~

4.2.1 Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.2 General Development Standards	●	●	●	●	●	●	●	●	●	●	All development.

4.2.2 General Development Standards Summary Table

The General Development Standards Summary Pages in Figure 4-1 establish site development standards for each NBG subdistrict and any additional regulations that apply in a specific subdistrict.

4.2.3 Other Site Development Standards

For all development in the NBG Zoning District:

A. Maximum Units Per Acre

There are no maximum units per acre requirements.

B. Minimum Site Area Requirements

There are no minimum site area requirements.

C. Maximum Building Coverage

Maximum building coverage shall be equal to the maximum impervious cover permitted.

D. Minimum number of Building stories

1. The minimum number of stories for a building located within the Transit Oriented Development (TOD) subdistrict is two stories. For properties located in all other subdistricts there is no minimum number of building stories.
2. A minimum of 50% of the entire building footprint must be a full two stories.

3. For purposes of this document, two story minimum is defined in Article 7: Definitions.

EXHIBIT C

ARTICLE 7: DEFINITIONS

[Story

That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above the floor of such story. For the purposes of this Document, a story is a minimum of 8 feet in height.]

Two Story Minimum

Defined in Figure 7-2.

	Definition	Height without Active Edge	Height with Active Edge
A	Ground Floor: Measured from the bottom of structure.	9' Minimum	12' Minimum
B	Upper Floors: Measured from the finished floor to the bottom of	8' Minimum	8' Minimum
C	Double Height Space, if provided: Measured from the finished floor to the bottom of floor or roof structure above. The maximum depth of a double height space along a Principal Street is 24'.	18' Minimum Height	22' Minimum Height
Active Edge Designations are illustrated on Figure 1-2: North Burnet/Gateway (NBG) Zoning District Subdistrict Map.			

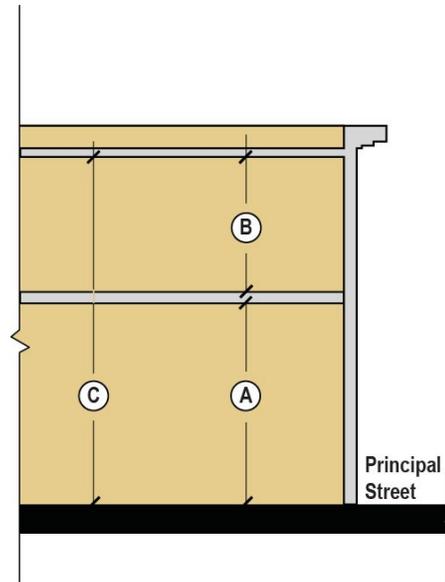


Figure 7-2: Definition of Two-Story Minimum