

**AGENDA**



**Recommendation for Council Action**

Austin City Council	<b>Item ID</b>	25039	<b>Agenda Number</b>	88.
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<b>Meeting Date:</b>	6/6/2013	<b>Department:</b>	Planning and Development Review
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**Subject**

Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter E, relating to design standards and mixed use for development projects.

**Amount and Source of Funding**

**Fiscal Note**

**Purchasing Language:**

**Prior Council Action:**

August 31, 2006 - Council approved Ordinance No. 20060831-68 adopting Subchapter E.  
 April 8, 2010 - Council approved Ordinance No. 20100408-049 adopting Phase I amendments to Subchapter E.  
 April 25, 2013 - Council postponed item to May 9, 2013 at Staff's request.  
 May 9, 2013 - Council postponed item to May 23, 2013 at Staff's request.  
 May 23, 2013 - Council postponed item to June 6, 2013 at Staff's request.

**For More Information:**

George Adams, 974-2146.

**Boards and Commission Action:**

April 9, 2013 – Approved by the Planning Commission on an 8-0 vote with Commissioner Stevens absent. See below for a detailed description of these changes and recommendations.

**MBE / WBE:**

**Related Items:**

**Additional Backup Information**

Subchapter E was adopted by City Council in August 2006 and went into effect in January 2007. Subchapter E included a recommendation to review the ordinance after one year. During the first year in effect City staff identified problem areas within the code and a one year review began in March 2008. Staff worked with stakeholders to address many of the issues identified and a first phase of amendments was approved by City Council in April 2010.

Over the past approximately two years an interdepartmental team of city staff developed draft code amendments to Subchapter E for the remaining items. These amendments are based on staff's experience with the regulations and feedback from a range of stakeholders. The proposed amendments have been reviewed with a variety of stakeholder groups and presented at three public meetings over the last six months.

The amendments are designed to improve the clarity and functionality of Subchapter E. Some of the major proposed changes include: reorganizing and clarifying sections of the code to make the document easier to understand and use, providing additional flexibility in meeting certain building design standards, and the addition of Neighborhood-Side Design Standards for Vertical Mixed Use buildings.

Three public presentations on the proposed Phase II amendments were conducted from August to November 2012. The Design Commission was briefed on the amendments in October 2012. The Planning Commission Codes and Ordinances Committee forwarded the amendments to the full Planning Commission in February 2013.

Planning Commission recommended approval of the amendments with changes and recommendations (See below for a detailed description of these changes and recommendations).

### **Planning Commission Action**

On April 9, 2013 the Planning Commission recommended approval of the amendments with the following changes and recommendations:

1. Revise Section 2.2.5. *Internal Circulation Routes: Sidewalk and Building Placement Requirements for Large Sites* to delete subsection I. Subsection I would exempt an exclusively multi-family use on a site larger than 5 acres on a Suburban Roadway from certain requirements of Section 2.2.5;
2. Revise Section 2.7.C.1 *Private Common Open Space and Pedestrian Amenities* to include a requirement that for new development adjacent to an existing or planned Capital Metro bus rapid transit station (MetroRapid) and not zoned CBD or DMU, at least half of any private common open space required on the site must be applied to a transit plaza;
3. Revise Section 4.3.3.D.2, *Compatibility and Neighborhood Design Standards*, Table D to make the prohibition of trash pickup between 10:00 pm and 7:00 am a requirement of this section rather than an optional element;
4. Provide a courtesy notice to all Neighborhood Associations or Neighborhood Plan Contact Teams affected by the amendment to Section 4.3.3.5.5.a *Individual Neighborhood Consideration of V MU Requirements ("Opt-in/ Opt-out Process")*;
5. Concur with the staff recommendation to maintain Section 4.3.4.B.3 *Expedited Review for Residential Permit Parking Districts* as follows:  
  
"Following the collection of the required signatures and delivery of all necessary RPP request documentation to City staff, staff shall review and act on the application within two weeks. Notice shall be sent to affected residents and the applicable neighborhood association, and signs shall be installed, within six weeks of approval.
6. Revise the boundaries of the 38<sup>th</sup> Street Core Transit Corridor found in Article 5: Definitions to end at Guadalupe rather than Speedway.

Staff recommends approval of the amendments and supports Planning Commission items 3-6 above. Staff does not support items 1 and 2 above. See attached draft ordinance and Exhibit A.