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#### MEMORANDUM

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TO: Mr. Stephen Oliver, Chair

Members of the Planning Commission

FROM: Wendy Rhoades, Principal Planner, Zoning Case Management

Planning and Zoning Department

DATE: October 6, 2016

RE: 1139-1/2 Poquito Street

\*

The item under discussion is a request to consider directing Staff to initiate a rezoning case from SF-3-NP to MF-4-NP for 1139-1/2 Poquito Street.

The zoning of this 7,762 square foot platted lot was changed with the Central East Austin Neighborhood Plan Rezonings approved on December 13, 2001 (C14-01-0148). The 2001 rezoning ordinance shows that the subject lot and six other lots on the east side of Poquito Street were rezoned from MF-4-NP to SF-3-NP.

However, based on City water service permits issued to J.E. Mosby in June 1950 and March 1951, there are four residential units on the property, two in the front and two in the rear, which is a multi-family residential use. City building permits issued in October 1992 also indicate a total of four units, two in the front and two in the rear. Thus, City staff acknowledges that four units have historically occupied the property since 1951, and the necessary building permits have been sought and obtained. Current TCAD records also indicate that the property contains 2 two-family dwellings for a total of four units. The property along with adjacent properties on Poquito Street had "B" Residence zoning (later converted to MF-4), since 1943.

The adopted Neighborhood Plan documents include a list of the Top Ten Neighborhood Planning Priorities, and element #3 states: "Pursue zoning rollbacks to single family for

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properties in the Blackshear/Prospect Hill area that are currently zoned multi-family, commercial, or industrial but used as single-family or are vacant lots to preserve existing housing and encourage infill." It is likely that this priority served as the basis for the change in zoning to the SF-3-NP district.

There are three other multi-family zoned properties with four units along the east side of Poquito Street, but the construction is four units within one building. All three properties are identified as Multi-Family on the September 18, 2001 Existing Land Use with Zoning Overlay map, retained MF-4 base district zoning and designated as Multifamily on the Future Land Use Map.

This particular property is different with two duplexes on the property, one close to Poquito and the other a little further back. It is possible that the Staff may have seen only the front duplex on the property when viewed from the right-of-way which resulted in the misidentification of this property as Single Family on the Existing Land Use map, rezoning to SF-3-NP, and designation as Single Family on the Future Land Use Map. The property owner was notified of the zoning change on his property, and it is unclear whether he participated in the neighborhood plan and zoning process.

On October 4, 2016, Staff met with representatives of OCEAN and the Blackshear/Prospect Hill to discuss the rezoning issue and corresponding Future Land Use Map issues.

## Attachments:

- Aerial view of 1139-1/2 Poquito Street
- 1950 building permits for two frame residences
- 1951 Water Service Permits for four units
- 1992 building permits for two duplexes
- 2016 TCAD Results for 1139-1/2 Poquito Street
- Neighborhood Plan cover sheet and Top Ten Neighborhood Planning Priorities
- September 2001 Existing Land Use with Zoning Overlay Map
- Adopted December 2001 Neighborhood Plan Rezoning Ordinance (portion of Tract 74) and pages from the Staff report



\$1950.0

43927 3-16-50

Owner

Chernosky #6

Frame restdence

E. Mosby

35

O

1139-1/2 B Poqui

\$1850.

Frame restdence.

Chernosky #6

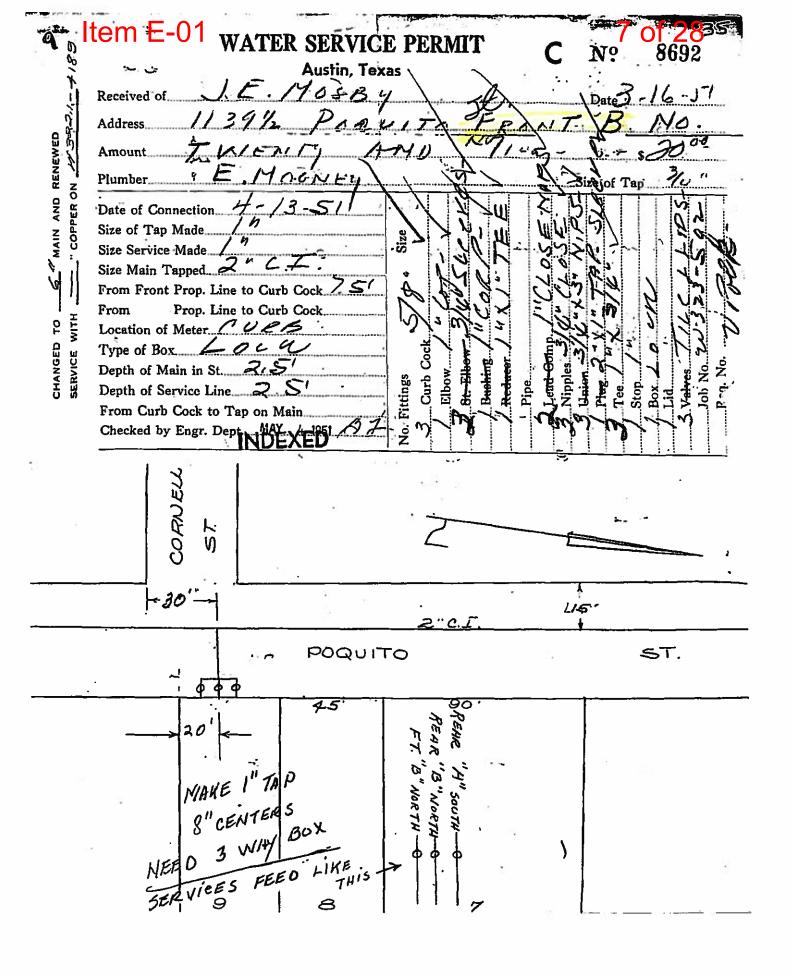
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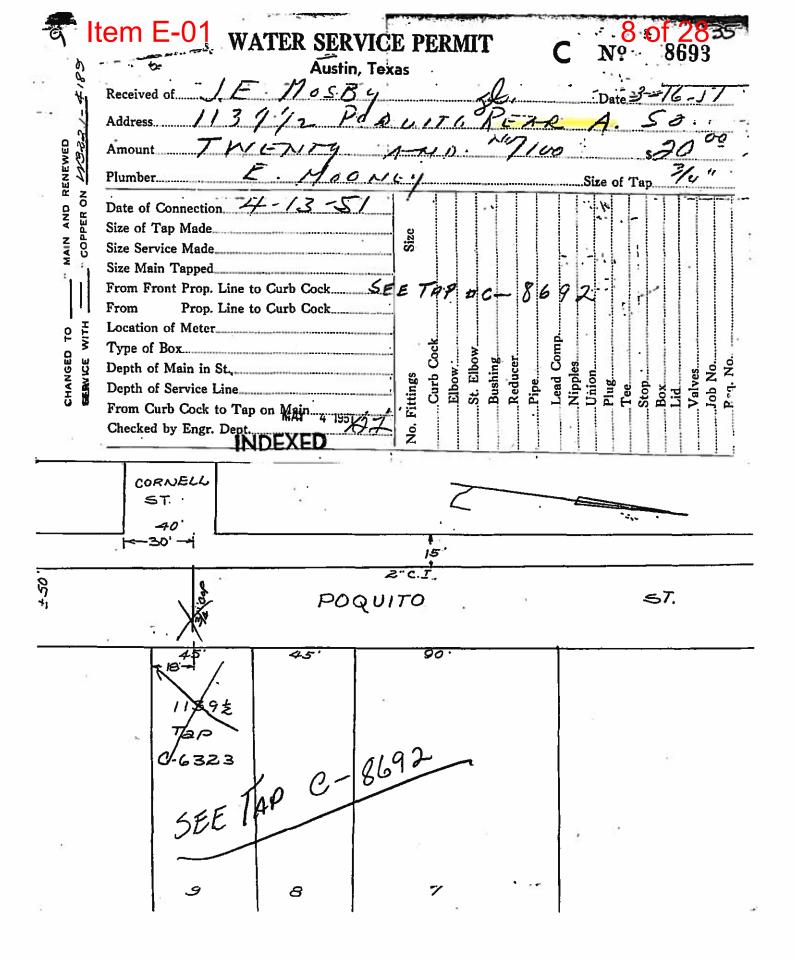
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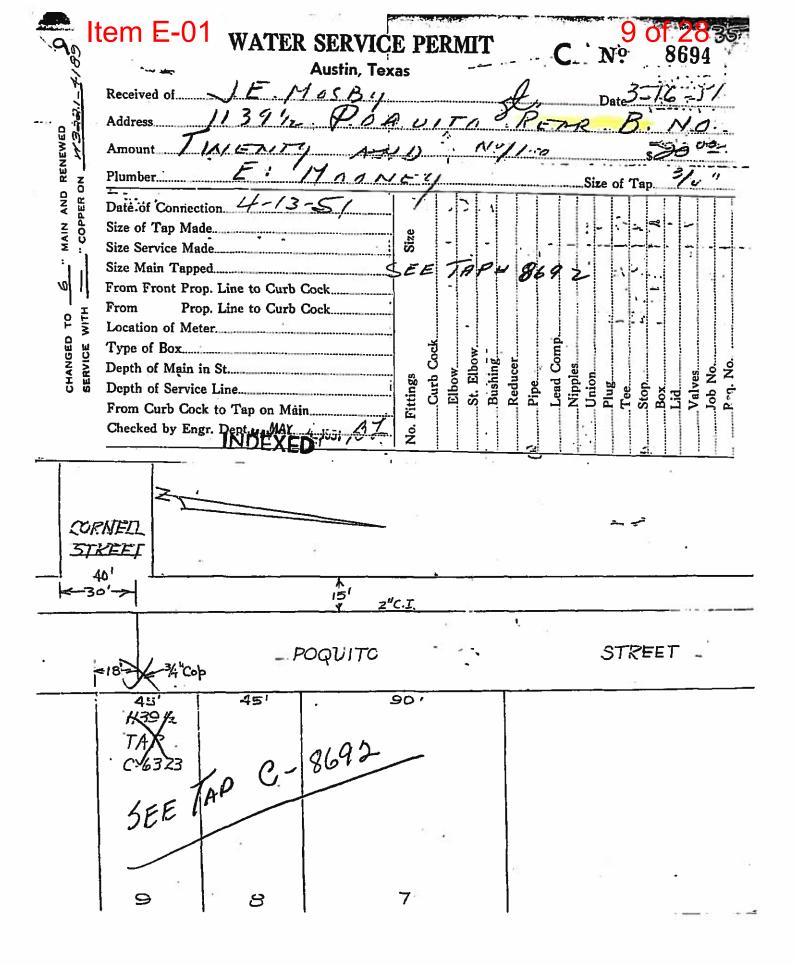
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## Rhoades, Wendy

From:

Word, Daniel

Sent:

Thursday, August 11, 2016 9:37 AM

To:

Rhoades, Wendy

Subject:

RE: Building permit help - 1139 1/2 Poquito St

For a permit that age, I don't know how meaningful the C-1000 designation is- it could be intentional, it could be a migration issue. It does seem like from the history you show that there are two duplexes on the site for a total of 4 units.

From: Rhoades, Wendy

Sent: Tuesday, August 09, 2016 3:48 PM

To: Word, Daniel

Subject: Building permit help - 1139 1/2 Poquito St

## Daniel,

I'm doing some zoning-related research on 1139 Poquito Street (Lot 9) and am interested to find out if the "Conditions" section below specifically A&A-1 and 2 Gas indicates if this is a duplex with 2 gas meters. Likewise for the second BP also on Lot 9, which shows B&B-1 2 Gas. Also, do you know if the subtype C-1000 Commercial Remodel indicates there are more than 2 units on the overall site? Thank you, Wendy

	Sequence Sec. Rev.		Status
Number 19 92	004886 00 00	BP Building Permit	Final
Address 1139  Address AUSTIN  Location Chernosk 62 Div B 9	Prefix Stre POQUITO City Postal C 78702 ys #6 Part Outlot 62 Div E	STREET	Unit Type Unit  Property Row ID  606,044  Itlot Folder Unit  Unit  Indicators  Violations  Properties  Parent  Child  Due
In Date	Oct 9, 1992	Issue/Approval Oct 9, 1992	Expires Aug 2, 1993
Reference File #	9212298	By PIER_ADP	Final Date Aug 2, 1993
Sub	C-1000 Commercial Rer	model Work	Remodel
Name	1139 Poquito Street	A?A00000	Priority
Description	Repair Porches & Steps	s And Stoops To Duplex	
Conditions	Code La.J.Gallagher Ve	erify C.O.Since 1976 Darmnt Per C	Meuth 11/28/94 Snl On A&A1 2 Gas
	Permits	Parent ID	Row ID 6

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	Sequence Sec. Rev.	Туре	Status
Number 19 92	004887   00   00	BP Building Permit	Final
Property House Address 1139 AUSTIN	Prefix Stre POQUITO City Postal C	STREET	Unit Type Unit  Property Row ID  606,044    Indicators   Violations   Properties   Parent
Location Chernosky	ys #6 Outlot 62 Div B Blo	ck: Lot: 9 Chernoskys #6 Outlot 6	2 Div B Folder Unit   Child   Child   Due   \$.0
In Date	Oct 9, 1992	Issue/Approval Oct 9, 1992	Expires Aug 2, 1993
Reference File #	9212299	By PIER_ADP	Final Date Aug 2, 1993
Sub	C-1000 Commercial Ren	nodel Wo	rk Remodel
Name	1139 Poquito Street	A?B00000	Priority
Description	Repair Porches & Steps	& Stoops To Duplex	
Conditions	Code La.J.Gallagher Ve	rify C.O.Since 1976 Snl Oh B&	31 2 Gas
Group	Permits	Perent ID	Row ID 6094



## **Travis CAD**

## Property Search Results > 195011 BOWERS REX & PAUL BARNES for Year 2016

#### **Property**

Account

Property ID:

195011

Legal Description: LOT 9 OLT 62 DIV B CHERNOSKY NO 6

0206100241 Geographic ID:

Type:

Real

Property Use Code: Property Use Description:

Location

Address:

1139 1/2 POQUITO ST TX 78702

Mapsco:

Agent Code:

585V

Neighborhood:

E0035

Map ID:

020211

Neighborhood CD E0035

Owner

Name: Mailing Address: BOWERS REX & PAUL BARNES Owner ID:

1680197

8401 B RESEARCH BLVD AUSTIN, TX 78758

% Ownership:

100.00000000000%

Exemptions:

#### **Values**

(+) Improvement Homesite Value:	+	\$0
(+) Improvement Non-Homesite Value	+	\$120,320
(+) Land Homesite Value:	+	\$0

\$180,000 Ag / Timber Use Value (+) Land Non-Homesite Value 50 \$0 (+) Agricultural Market Valuation: \$0 **S**0 (+) Timber Market Valuation:

\$300,320 (=) Market Value: (-) Ag or Timber Use Value Reduction -\$0 (=) Appraised Value: \$300,320 \$0 (-) HS Cap: (=) Assessed Value: \$300,320

#### **Taxing Jurisdiction**

Owner

**BOWERS REX & PAUL BARNES** 

% Ownership: 100.0000000000%

Total Value: \$300,320

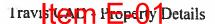
Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	1.202000	\$300,320	\$300,320	\$3,609.84
02	CITY OF AUSTIN	0.458900	\$300,320	\$300,320	\$1,378.17
03	TRAVIS COUNTY	0.416900	\$300,320	\$300,320	\$1,252.04
0A	TRAVIS CENTRAL APP DIST	0.000000	\$300,320	\$300,320	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.117781	\$300,320	\$300,320	\$353,72
68	AUSTIN COMM COLL DIST	0.100500	\$300,320	\$300,320	\$301.82
HPR1	HOMESTEAD PRESERVATION REINVESTMENT ZONE 1	0.000000	\$300,320	\$300,320	\$0.00
	Total Tax Rate	2.296081			

Taxes w/Current Exemptions \$6,895.59 Taxes w/o Exemptions: \$6,895.59

#### Improvement / Building

806.0 sqft Value: \$60,160 improvement #1: 2 FAM DWELLING State Code: **B2** Living Area:

> SQFT Year Built Description Class CD Exterior Wall Type 806.0 1st Floor WW - 3-1950 1ST



	011	PORCH OPEN 1ST F	* - 3-			1950	15.0
	011	PORCH OPEN 1ST F	* - 3			1950	15 0
	251	BATHROOM	10.1			1950	20
Improve	ment #2; 2 FAM	OWELLING State Co	ode: 82	Living Are	a: 806.0 s	qft Value:	\$60,160
	Туре	Description	Class	CD Exte	rior Wall	Year Bu	ilt SQFT
	1ST	1st Floor	wv -	3-		1950	806.0
	011	PORCH OPEN 1ST F	*-3-			1950	15 0
	011	PORCH OPEN 1ST F	*-3			1950	15 0
	251	BATHROOM	*.*			1950	2.0
Land	12						
# Туре	Description	Acres Sqft	Eff Front	Eff Depth	Market \	/alue P	rod. Value
1 LAND	) Land	0.1782 7762.95	45.00	172.51		\$180,000	\$0
Roll Value	History						
Year	Improvements	Land Market	Ag Valuation	Apı	oraised	HS Cap	Assessed
2016	\$120,3	20 \$180,000		0	300,320	\$0	\$300,320
2015	\$105,4	45 \$150,000		0	255,445	\$0	\$255,445
2014	\$36,2	02 \$150,000		0	186,202	\$0	\$186,202
2013	\$41,6	90 \$106,250		0	147.940	\$0	\$147.940

\$85,000

\$85,000

## **Deed History - (Last 3 Deed Transactions)**

\$46,073

\$54,450

#	Deed Date	Туре	Description	Grantor	Grantee	Volume	Page	Deed Number
1	6/6/2016	WD	WARRANTY DEED	BOWERS REX & PAUL BARNES	POQUITO REX LLC			2016089266
2	3/30/2016	sw	SPECIAL WARRANTY DEED	BTW EASTSIDE PROPERTIES LLC	BOWERS REX & PAUL BARNES			2016047285
3	3/30/2016	SW	SPECIAL WARRANTY DEED	MOSBY JAMES E JR & EVA MARIE	BTW EASTSIDE PROPERTIES LLC			2016047284

## Questions Please Call (512) 834-9317

0

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131,073

139,450

\$0

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## **Central East**

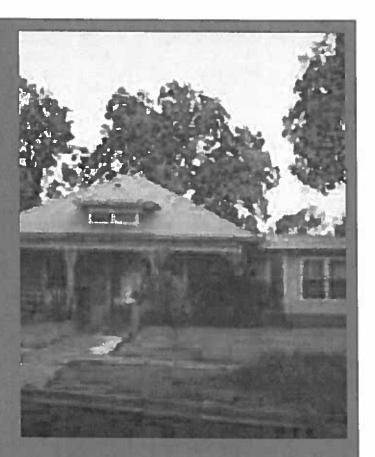
# **Neighborhood Plan**

## PLAN ADOPTED: December 13, 2001

This Neighborhood Plan has been amended by City Council. These amendments may include text changes or Future Land Use Map (FLUM) changes. Please refer to the Ordinance Chart on the planning area webpage for more information on amendments. Planning and Development Review staff updates the Ordinance Chart on a regular basis; however, newly adopted amendments may not be reflected on the chart.

# STATION AREA PLAN OR MASTER PLAN

This Neighborhood Plan has been modified with the adoption of the Plaza Saltillo TOD Station Area Plan. This plan should be referenced for properties that are designated as a *Specific Regulating District* on the Future Land Use Map. For zoning, site development and design regulations, refer to the Regulating Plan. These plans can be found at: http://austintexas.gov/page/austins-tod-process.



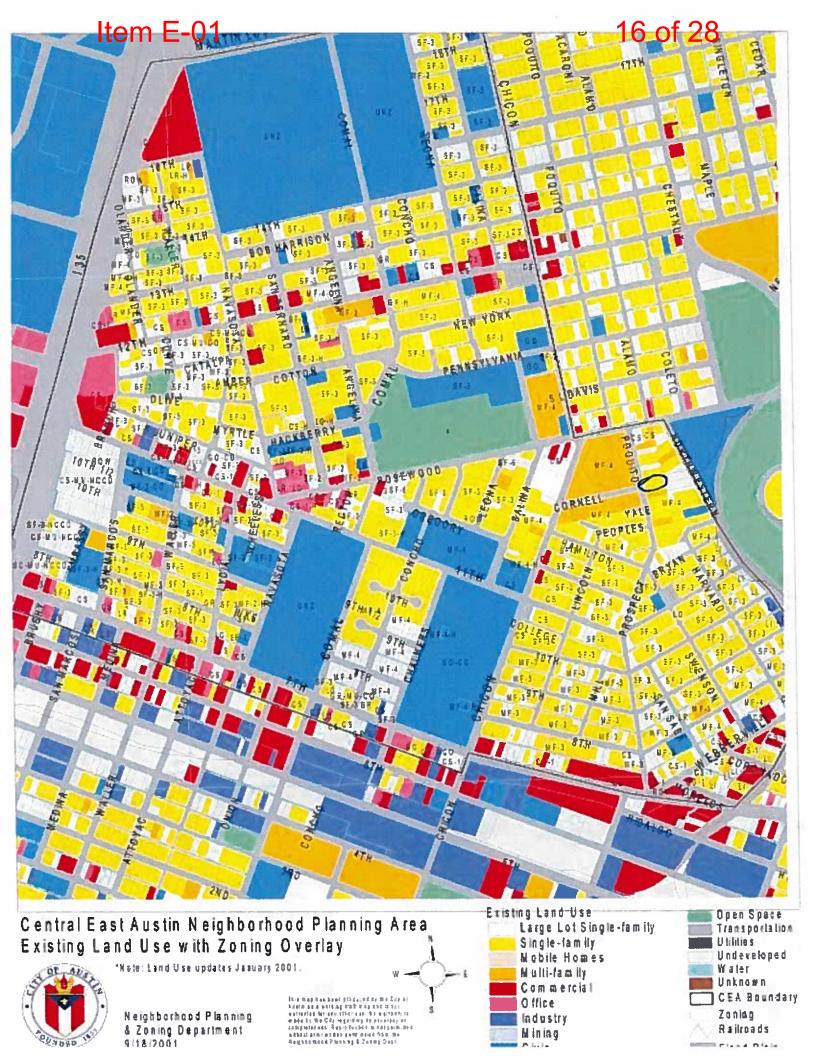


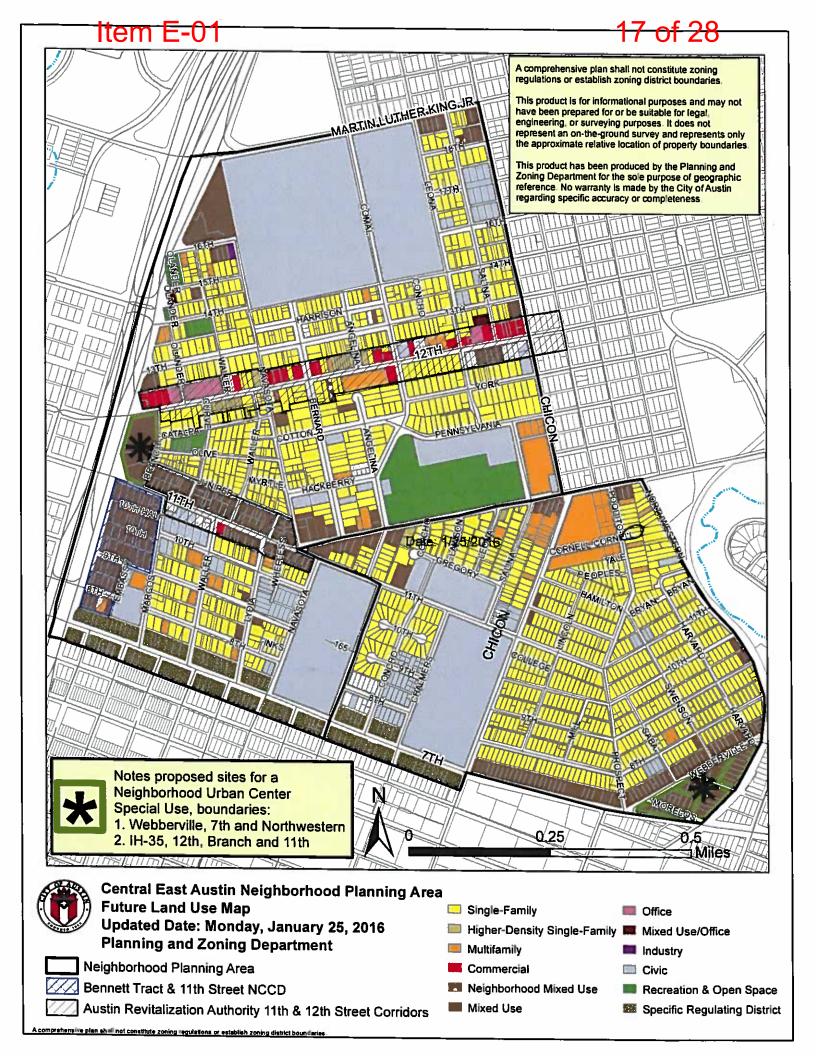
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## **Top Ten Neighborhood Planning Priorities**

Although the neighborhood would like to see all parts of the plan implemented, certain issues are considered to be of critical and immediate importance. The Central East Austin Neighborhood Planning Team (NPT), assisted by community input from surveys and meetings, identified the issues of highest priority to the neighborhood. The following elements of the plan are Top Ten Neighborhood Priorities:

- 1. Add a conditional overlay (CO) to the specific commercial areas identified that would make conditional or prohibit certain uses that are less neighborhood friendly and contrary to creating pedestrian friendly corridors.
- 2. Facilitate better pedestrian connections across IH-35 in the interim while long-range IH-35 expansion plans are being developed.
- 73. Pursue zoning rollbacks to single-family for properties in the Blackshear/Prospect Hill area that are currently zoned multi-family, commercial, or industrial but used as single-family or are vacant lots to preserve existing housing and encourage infill.
  - 4. Work with Huston-Tillotson to explore options for beautifying the retaining wall along 7<sup>th</sup> Street by planting ivy or a draping plant or having a community mural project.
  - 5. Request that a historic survey be completed for identified areas.
  - 6. Recommend that eligible historic districts identified in the "Historic Resources Survey of East Austin" report be established as local historic districts per the City's proposed local districts ordinance.
  - 7. Implement zoning changes to portions of 7<sup>th</sup> Street and Webberville Road to address the over supply of intensive CS-1 and LI zoning.
  - 8. Plant more trees in Lott and Kealing Parks.
  - 9. Provide additional street and alley lighting in the Blackshear/Prospect Hill area for identified locations.
  - 10. Consider a tree-planting program as part of making 7<sup>th</sup> Street a more pleasant gateway.





## **ORDINANCE NO. 011213-42**

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 618.9 ACRES OF LAND GENERALLY KNOWN AS THE CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN AREA ("CEA") AND TO CHANGE THE BASE ZONING DISTRICTS ON 134 TRACTS OF LAND IN THE CEA.

## BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 134 tracts of land within the property described in Files C14-01-0148, as follows:

Approximately 618.9 acres of land in the City of Austin, more particularly described and identified in the attached Exhibit "A", (the "Property"), save and except the properties known as 2314 East 7<sup>th</sup> Street and 811 East 13<sup>th</sup> Street,

generally known as the Central East Austin Neighborhood Plan (NP) combining district, locally known as the property bounded by Martin Luther King Boulevard on the north, Chicon Street and Northwestern Street on the East, IH-35 on the west and 7<sup>th</sup> Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibits "B-1 and B-2".

PART 2. The base zoning districts for the 134 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, multifamily residence medium density (MF-3) district, multifamily residence moderate-high density (MF-4) district, neighborhood commercial (LR) district, neighborhood commercial-historic (LR-H) combining district, community commercial (GR) district, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district, limited office (LO) district, limited office-historic (LO-H) combining district, general office (GO) district, general office-historic-conditional overlay (GO-H-CO) combining district, general commercial services (CS) district, commercial-liquor sales (CS-1) district, commercial-liquor sales-conditional overlay (CS-1-CO) combining district, limited industrial services (LI) district, and public (P) district to family residence neighborhood plan (SF-3-H-NP) combining district, multifamily residence low density neighborhood plan (MF-2-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP)

TRACT	ADDRESS	FROM	ТО
34	1308 7 ST E	CS	CS-CO-MU-NP
5	705 LYDIA ST	LO	SF-3-NP
6	1602 7 ST E	LO	LO-MU-NP
7	1610 & 1604 7 ST E; 1606 7 ST E 1/2	GR-CO-MU	GR-CO-MU-NP
8	1616 7 ST E; 1615 8 ST E	GR	GR-CO-MU-NP
9	1620 7 ST E	CS	CS-CO-MU-NP
0	813 7 ST E	CS	CS-CO-MU-NP
1	901, 903, 905, 911, 913, 917 & 915 7 ST E	CS	CS-CO-MU-NP
2	1007, 1003 & 1021 7 ST E	CS	CS-CO-MU-NP
3	1121 7 ST E	CS	CS-CO-MU-NP
4	1201, 1203, 1205 & 1209 7 ST E	CS	CS-CO-MU-NP
5	1301, 1303, 1305, 1307, 1309 & 1311 7 ST E; 610 NAVASOTA ST	CS	CS-CO-MU-NP
6	1401 & 1403 7 ST E	CS	CS-CO-MU-NP
7	1405 7 ST E	CS-1	CS-1-CO-MU-N
8	1407 & 1409 7 ST E	CS	CS-CO-MU-NP
9	1411 7 ST E	CS-1	CS-1-CO-MU-N
0	1503 7 ST E	CS	CS-CO-MU-NP
1	1505 7 ST E	CS-1	CS-1-CO-MU-N
2	1507 & 1509 7 ST E; 612, 610 & 608 COMAL ST	CS	CS-CO-MU-NP
3	1601 7 ST E	CS	CS-CO-MU-NP
4	1605 7 ST E	LO	t
5	1607 7 ST E	CS	LO-MU-NP
6	1611 7 ST E	CS	CS-CO-MU-NP
7a	1613 7 ST E	CS	CS-CO-MU-NP
7b	1615 & 1617 7 ST E	GR	CS-CO-MU-NP
8	1619 & 1623 7 ST E	IGO	CS-CO-MU-NP
9	1707, 1709, 1711, 1713, 1715 & 1701 7 ST E		GO-MU-NP
0	1805 & 1807 7 ST E	GO CS-1-CO	GO-MU-NP
0	0 7 ST E, Lot 31-32, & E 43ft of Lot 30, Olt 6, Div A, Morse & Smith	CS-1	CS-1-CO-MU-N
51	1605, 1607 & 1609 8 ST E; 710 CONCHO ST; 1601 & 1603 8 ST E	NAD 4	22.22.11
2	1615, 1617, 1623, 1625, 1619, 1621 8 ST E		GO-CO-NP
3	1610, 1608, 1606, 1604 & 1602 8 ST E; 803 COMAL ST	MF-4	GO-CO-NP
4	804 CHALMERS AV; 1624, 1622, 1620, 1618, 1616 & 1614 8 ST E	MF-4	GO-CO-NP
5	1615, 1617, 1619, 1621 & 9 ST E; 810, 808 & 806 CHALMERS AV	MF-4	GO-CO-NP
6	904 & 902 CHALMERS AV; 1628, 1626, 1624, 1622, 1616 9 ST E;	MF-4	GO-CO-NP
57	903 & 905 CONCHO ST		GO-CO-NP
	1800 11 ST E	CS, MF-4	CS-CO-MU-NP, MF-4-NP
8	1100 CHICON ST	CS	CS-CO-MU-NP
9	0 CHICON ST, 130X90ft & 75X25ft & 36X22ft, Olt 61, Div B	CS	MF-4-NP
9	1145 SALINA ST	CS, MF-4	MF-4-NP
0	1801, 1805, 1809, 1813 & 1819 ROSEWOOD AV; 1148 CHICON ST	CS	CS-CO-MU-NP
0	0 CHICON, 23X38ft, Olt 61, Div B	CS	CS-CO-MU-NP
1	2101 ROSEWOOD AV	CS	CS-CO-MU-NP
2	2103 ROSEWOOD AV	CS	CS-CO-MU-NP
73	1148, 1146 & 1146 ½, 1144 & 1142 NORTHWESTERN AV	MF-4	SF-3-NP
4	1139 & 1139 1/2, 1141 & 1141 1/2, 1143, 1145 & 1145 1/2 POQUITO ST	MF-4	SF-3-NP
75	1138, 1134, 1136, 1132, 1130, 1128 & 1128 1/2, 1120, 1118 & 1116 NORTHWESTERN AV	MF-4	SF-3-NP

21. The following uses are conditional uses on Tract 96:

Communication service facilities

Kennels

Building maintenance services Construction sales and services

Limited warehousing and distribution

PART 10. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 11. The use and site development regulations applicable to the East 11th Street neighborhood conservation (NCCD) combining district supercede this ordinance to the extent of conflict.

PART 12. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

ATTEST:

PART 13. This ordinance takes effect on December 24, 2001.

PASSED AND APPROVED

December 13 . 2001

Butavo L. Farcia Gustavo L. Garcia

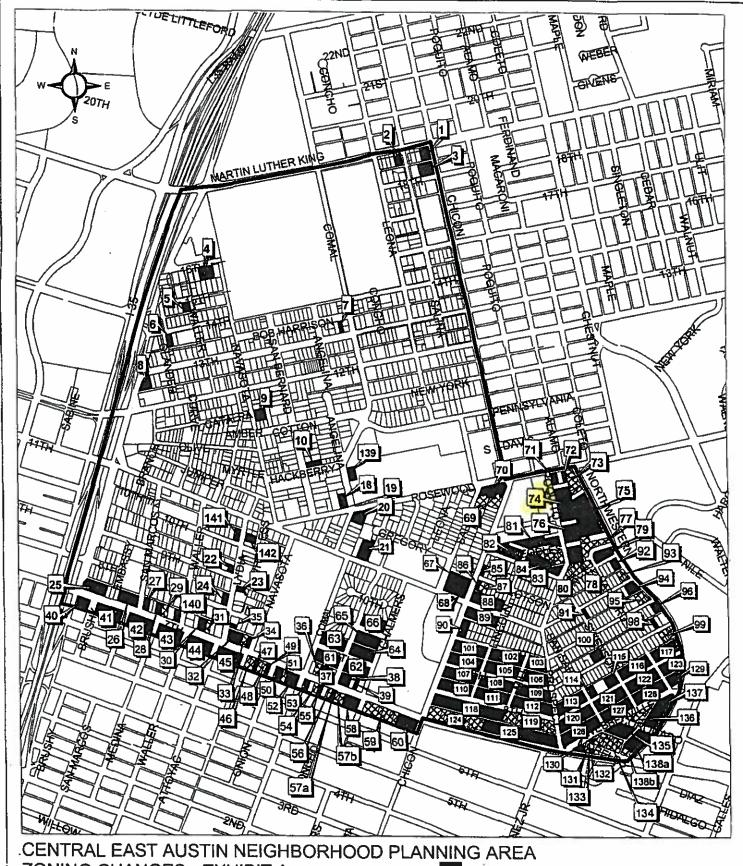
Mayor

APPROVED:

City Attorn

Shirley A. Bro

City Clerk



**ZONING CHANGES - EXHIBIT A** 

Parcels with Recommended Zoning Changes

CEA Boundary

City of Austin
Neighborhood Planning &

Zoning Department
December 18, 2001

Case # C14-01-0148

Other parcels - on some residential lots Smart
Growth Infill Special Uses for secondary apartments, urban home, and small lot amnesty would be allowed; and the Neighborhood Mixed Use Building and Urban Center Special Uses on some commercial lots.

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## ZONING CHANGE REVIEW SHEET

CASE: C14-01-0148 (Central East Austin Neighborhood Plan)
P.C.

P.C. DATE: November 14, 2001

AREA: Approximately 618.9 acres

<u>ADDRESS OF PROPOSED ZONING CHANGE</u>: The boundaries of Central East Austin Neighborhood Plan area are (see attached list for individual tract information):

North - Martin Luther King (MLK) Boulevard

East - Chicon and Northwestern

South ~ 7th Street

West - Interstate Highway 35

**APPLICANT**: City of Austin

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)

(Sue K. Hounsel and Sherri Gager)

PROPERTY OWNERS: See Attached List (Attachment A)

**ZONING:** See Attached Chart (Attachment A)

## SUMMARY STAFF RECOMMENDATION:

Staff recommends that a Neighborhood Plan Combining District (NP) be created covering the entire plan area to allow the following SMART Growth Infill Special Uses: Secondary Apartment, Urban Home, and Small Lot Amnesty (Attachment C & D). In addition, staff proposes the Neighborhood Mixed Use Building Special Use for Tracts 1-5, 7-11, 12a-e, 13-16, 17a-c, 18-34, 36-56, 57a-b, 58-60, 67, 68, 70-72, 85, 86, 96, 97, and 124-138. Staff also recommends the Neighborhood Urban Center Special Use for Tracts 11 and 130-138 (Attachment C & D).

Staff recommends base district zoning changes for the 142 tracts as described on the attached zoning map (Attachment B).

## Specific base district recommendations include:

Zoning From:	То:
CS	CS-CO-MU-NP
CS	MF-4-NP
CS, MF-4	CS-CO-MU-NP, MF-4-NP
CS, MF-4	MF-4-NP
CS-1	CS-1-CO-MU-NP
CS-1	CS-CO-MU-NP
CS-1, LI	CS-CO-MU-NP
CS-1-CO	CS-1-CO-MU-NP
GO	GO-MU-NP
GO-CO-H	GO-CO-MU-H-NP
GR	LO-MU-NP
LI	CS-CO-MU-NP
LI	LI-CO-NP

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LO	LO-MU-NP
LO	SF-3-NP
LO-H	LO-MU-H-NP
LR	LR-MU-NP
GR	GO-CO-MU-NP
GR-CO-MU	GR-CO-MU-NP
SF-3, CS	SF-3-NP, CS-CO-MU-NP
CS	SF-3-NP
MF-3	SF-3-NP
LI	SF-3-NP
LR	SF-3-NP
LR-H	LR-H-MU-NP
MF-4	SF-3-NP
SF-3-NCCD, LO-NCCD	SF-3-NCCD-NP, LO-NCCD-NP
SF-3, SF-3-H	GR-CO-MU-NP, GR-CO-MU-H-NP
SF-3	MF-2-NP
SF-3	SF-3-H-NP
MF-4	GO-CO-NP
P	P-H-NP
LO-NCCD	LO-NCCD-NP
LR-NCCD	LR-NCCD-NP
GR-NCCD	GR-NCCD-NP
GR-CO-MU-NCCD	GR-CO-MU-NCCD-NP
CS-NCCD	CS-NCCD-NP
CS-CO-NCCD	CS-CO-NCCD-NP
CS-MU-NCCD	CS-MU-NCCD-NP
CS-1-NCCD	CS-1-NCCD-NP
CS-1-H-NCCD	CS-1-H-NCCD-NP

Conditional overlay is proposed for Tracts 1, 3, 7, 8, 11, 18-21, 24-27, 29-34, 37-53, 55,56, 57a, 57b, 60-68, 70-72, 85, 86, 96, 97, and 124-138 that would prohibit or make conditional certain uses (Attachment E). Some properties have existing conditional overlays that are recommended to remain and are reflected in Attachment E. In general the Central East Austin Neighborhood Plan proposes making conditional or prohibiting certain uses that are less neighborhood friendly and contrary to creating pedestrian friendly corridors. Some of these uses are restricted in the current East Austin Overlay (EAO). Once neighborhood plans are adopted and specific land use/zoning recommendations are implemented, for the planning areas covered by the current East Austin Overlay those areas will be removed from that overlay. The conditional overlays proposed in the plan would affect GR or more intensively zoned properties in the following areas:

For Seventh Street (north and south) between IH-35 and Prospect; and Webberville "triangle" (south side of Webbervile) at 7<sup>th</sup> and Northwestern. And other IH-35 frontage properties outside of the Bennett Tract and ARA Corridors:

Cond	<u>litional</u>
Auto	Sales

Auto Rental

Commercial Off-street Parking Communication Service Facilities Building Maintenance Services

. Convenience Storage

Kennels

Construction Sales

Limited Warehousing and Distribution

## **Prohibited**

Drop-off recycling
Scrap & Salvage
Equipment sales
Equipment repair
Campground
Vehicle storage
Laundry services (other

than personal services)

## STAFF RECOMMENDATION

See Zoning Review Sheet

## BACKGROUND

The Central East Austin Neighborhood Planning Area is bordered by Interstate-35 to the west, Martin Luther King Boulevard (MLK) to the north, Chicon Street and Northwestern Avenue to the east, and East 7<sup>th</sup> Street to the south. In February 2000, City staff held a "kick-off" meeting to introduce the neighborhood planning process to residents, business owners, and property owners. Beginning in March 2000, a Neighborhood Planning Team (NPT) composed of these stakeholders began meeting with City staff to develop the Central East Austin Neighborhood Plan. Since then the NPT has held regular meetings twice a month that were open to the entire neighborhood.

Other community outreach efforts included two neighborhood surveys, one at the beginning and one at the end of the planning process. Additional targeted mailings were sent to neighborhood associations, churches, businesses, and property owners to encourage participation and to seek input. A Community Workshop or "Open House" was held on March 17, 2001 to present a draft plan to the community at large. To date, at least 140 individuals have participated in this process by either attending a planning team meeting or the workshop. A list of Neighborhood Planning Team meetings is included as Attachment I.

Members of the NPT have also met with representatives of the Austin Revitalization Authority (ARA) and presented to the full ARA Board to encourage coordination between the neighborhood plan efforts and the ARA Master Plan and the East 11th and 12th Streets Urban Renewal Plan (URP). The Central East Austin Neighborhood Plan is considered an extension but not a replacement for the ARA Master Plan or the URP. The CEA Neighborhood Plan incorporates by reference the current and previous planning efforts of the ARA, the City and other institutions including:

- The ARA Central East Austin Master Plan and East 11<sup>th</sup> and 12<sup>th</sup> Streets Urban Renewal Plan (URP). Implementation of the URP is underway and this plan will not impact the ARA scope of work.
- The 11th Street Neighborhood Conservation Combining District (NCCD).
- Anderson Hill Redevelopment (former SCIP II Project).
- Carver Library and Museum Expansion Project.
- The Huston-Tillotson College Master Plan.

The CEA Neighborhood Plan was passed on first reading by the City Council on October 4, 2001. The goal of the Neighborhood Plan is to guide future development, preserve historic resources, protect existing residential areas, and provide opportunities to improve the quality of life for everyone in the neighborhood. Primary goals related to land use include historic preservation, housing, and encouraging commercial and mixed-use development on major corridors. The proposed zoning changes are consistent with these goals.

The City's Smart Growth Initiative includes an option for neighborhoods to add a Neighborhood Plan Combining District (NP) to the entire planning area. Generally, the purpose of the NP is to allow infill and mixed-use development by implementing a neighborhood plan that has been adopted by Council as an amendment to the City's Comprehensive Plan. Within the NP combining district are special uses that can be applied to a specific property or to the entire plan area. These options were adopted in April 2000 by City Council. The following are Special Uses allowed under a NP that can be applied to an entire planning area: Cottage Lot, Urban Home, Secondary Apartment, Small Lot Amnesty, and Corner Store. The following are special uses allowed only on specific sites: Neighborhood Urban Center, Neighborhood Mixed Use Building, and Residential Infill.

The Central East Austin NPT is interested in applying five of the Smart Growth Special Uses to the Central East Austin Neighborhood, consistent with the plan. The proposed zoning change creates a NP covering the entire area. Three of the options would apply neighborhood wide: Secondary Apartment, Urban Home, and Small Lot Amnesty. The fourth option, Neighborhood Mixed Use Building Special Use would apply to Tracts 1-5, 7-11, 12a-e, 13-16, 17a-c, 18-34, 36-56, 57a-b, 58-60, 67, 68, 70-72, 85, 86, 96, 97, and 124-138. Staff also recommends the Neighborhood Urban Center Special Use for Tracts 11 and 130-138.

## **BASIS FOR RECOMMENDATION**

The staff's basis for recommendation is derived from the goals and objectives for land use as described in the Central East Austin Neighborhood Plan:

- Preserve, restore, and recognize historic resources and other unique neighborhood features.
   Objective: Maintain and preserve the integrity of current residential districts.
   Objective: Identify and explore the creation of local, state, or federal historic districts or landmarks.
- 2. Create housing that is affordable, accessible, and attractive to a diverse range of people.

Objective: Increase opportunities for home ownership.

Objective: Increase the amount of housing units available.

Objective: Maintain and create affordable, safe, well-managed rental housing.

Objective: Preserve the existing housing stock.

Objective: Make it possible for existing residents (both homeowners and renters) to stay.

3. Promote new development for a mix of uses that respects and enhances the residential neighborhoods of Central East Austin.

Objective: Recognize that this is an urban area and identify areas for increased residential density.

Objective: Provide incentives for creating and maintaining neighborhood serving businesses.

Objective: Increase mixed-use opportunities where appropriate on commercial corridors.

Objective: Where appropriate, address mis-matches between desired land use and zoning.

## **EXISTING CONDITIONS**

## Zoning and Land Use

## Existing Land Use:

Single-Family	30%
Multifamily	2%
Office	1%
Commercial	3%
Mixed Use	0%
Industrial	1%
Civic/Open Space	24%
Transportation/ROW	29%
Vacant	10%

# Item E-01



## CENTRAL EAST AUSTIN NEIGHBORHOOD PLAN PROPOSED BASE DISTRICT ZONING CHANGES

Neighborhood Plan Combining District (NP)
Conditional Overlay (CO)
\*Neighborhood Mixed Use Bldg. Special Use
+Neighborhood Urban Center Special Use

The following table lists the properties with proposed base district zoning changes [for example: LI (Limited Industrial) to CS (Commercial Services)]. Tract numbers refer to the enclosed map.

TRACT		OWNER	TAX ID	FROM	TO: staff recom,
	1809 M L KING JR BV E	TARBOX VENTURES INC	10209090205	cs	CS-CQ-MU-NP*
	1810 CHICON ST	TARBOX VENTURES INC	0209090208		CS-CO-MU-NP*
	1709 M L KING JR BV E	TAYLOR BOBBY RAY	0209090104		LO-MU-NP*
	1804 CHICON ST	TARBOX VENTURES INC	0209090207		CS-CO-MU-NP*
	1806 18 ST E	TARBOX VENTURES INC	0209090210		SF-3, CS-CO-MU-NP
		TOLLESON R MICHAEL	0209061003		LR-H-MU-NP*
	1007 16 ST E 1/2	TOLLESON R MICHAEL	0209061004		LR-MU-NP*
	1009 16 ST E	STERZING PHIL TRUSTEE	0209061005		LR-MU-NP*
	1406 WALLER ST	KUMAR-SALDANA SAVITRI	0209060505		LO-MU-NP*
		TEXAS OPTOMETRIC	0209060401		SF-3-NP
	1408 13 ST E	OWENS MURRAY M	0209070608		CS-CO-MU-NP*
	1809 13 ST E	DRYDEN'S H DR	0208060119		CS-CO-MU-NP*
	1191 NAVASOTA ST	PEASE ELLA	0207080301		LO-MU-NP*
0	1171 SAN BERNARD ST	ZETA PHI BETA SORORITY	0207080601		LO-H-MU-NP*
1	1190 BRANCH ST	TEXAS GENERAL	0208060404		
<u> </u>	0 INTERSTATE HY 35 N, 84% Int		10206000404	CO-NCCD	CS-NCCD-NP*+
1	in .448 acr, Olt 55, Div B	WARD LIQUOR STORE	0000050400	CO NOOD	las vass vas
<u> </u>		WARD CIUDOR STURE	0208060406	CS-NCCD	CS-NCCD-NP*+
1	0 INTERSTATE HY 35 N, 84% Int	WARD LIQUOR STORE		00 1100-	
<del>'</del> -	in .448 acr, Oit 55, Div B	WARD LIQUOR STORE	0208060406	US-NCCD	CS-NCCD-NP*+
	O BRANCH ST, .252 Acr of Oit	T	1.3		
1	55, Div 8	TALASEK R D	0208060407	CS-CO-NCCD	CS-CO-NCCD-NP*+
	O BRANCH ST049 Acr of OII		}	1	]
1	55, Dlv 8	WARD LIQUOR STORE	0208060408	CS-1-NCCD	CS-1-NCCD-NP"+
	0 & 1101 INTERSTATE HY 35 N,				
1	.669 Acr of Olt 55, Div B	TRAVIS COUNTY EMPLOYEES	0208060409	CS-NCCD	CS-NCCD-NP*+
2a	809 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	813 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	817 10 ST E	ROCCA GREGORY J&		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	901 10 ST E	ROCCA GREGORY J&		CS-MU-NCCD	CS-MU-NCCD-NP°
2a	905 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	907 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	
2a	909 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	915 10 ST E	ROCCA GREGORY J &			CS-MU-NCCD-NP*
2a	912 9 ST E			CS-MU-NCCD	CS-MU-NCCD-NP*
2a	910 9 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
		ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
12a	816 9 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
12a	812 9 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
12a	810 9 ST E	ROCCA GREGORY J &	0206050421	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	808 9 ST E	ROCCA GREGORY J &	0206050422	CS-MU-NCCD	CS-MU-NCCD-NP*
	0 9 ST E, W 12ft of Lot 7, Oit 1.				
12a	Div B, Burchard	STATE OF TEXAS	0206050423	CS-MU-NCCD	CS-MU-NCCD-NP*
i2a	809 10 1/2 ST E	ROCCA GREGORY J &	0206050506	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	818 10 ST E	ROCCA GREGORY J &	0206050509	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	900 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
128	909 10 ST E A	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
12a	906 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	908 10 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	1004 SAN MARCOS ST	ROCCA GREGORY J&		CS-MU-NCCD	CS-MU-NCCD-NP*
12a	814 10 1/2 ST E	ROCCA GREGORY J &	44444	CS-MU-NCCD	CS-MU-NCCD-NP*
12a	807 11 ST E	WOOTEN ANNE GREENWOOD		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	809 11 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
12a	811 11 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
12a	813 11 ST E	ROCCA GREGORY J &		CS-MU-NCCD	
12a	815 11 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
22	817 11 ST E	ROCCA GREGORY J &			CS-MU-NCCD-NP*
2a	907 11 ST E			CS-MU-NCCD	CS-MU-NCCD-NP*
128		ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
2a	911 11 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
	1016 SAN MARCOS ST	ROCCA GREGORY J &		2 CS-MU-NCCD	CS-MU-NCCD-NP*
12a	1014 SAN MARCOS ST	ROCCA GREGORY J &		GS-MU-NCCD	CS-MU-NCCD-NP*
12a	1012 SAN MARCOS ST	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
128	908 10 1/2 ST E	ROCCA GREGORY J &	020605061	5 CS-MU-NCCD	CS-MU-NCCD-NP*
12b	811 9 ST E	ROCCA GREGORY J &	0206050309	CS-MU-NCCD	CS-MU-NCCD-NP*
12b	817 9 ST E	ROCCA GREGORY J &		CS-MU-NCCD	CS-MU-NCCD-NP*
12b	818 8 ST E	ROCCA GREGORY J &		I CS-MU-NCCD	CS-MU-NCCD-NP*
12b	816 8 ST E	ROCCA GREGORY J &		2 CS-MU-NCCD	CS-MU-NCCD-NP*

TRACT	ADDRESS	OWNER	TAX ID	FROM	TO: staff recom.
66	904 CHALMERS AV	HUSTON-TILLOTSON COLLEGE	0205080235		GO-CO-NP
66	902 CHALMERS AV	HUSTON-TILLOTSON COLLEGE	0205080236	MF-4	GO-CO-NP
66	1528 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080237	MF-4	GO-CO-NP
66		HUSTON-TILLOTSON COLLEGE	0205080238	MF-4	GO-CO-NP
66	1624 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080239		GO-CO-NP
66	1622 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080240	MF-4	GO-CO-NP
66	1616 9 ST E	HUSTON-TILLOTSON COLLEGE	0205080241	MF-4	GO-CO-NP
66 66	903 CONCHO ST	HUSTON-TILLOTSON COLLEGE	0205080242		GO-CO-NP
66	905 CONCHO ST	HUSTON-TILLOTSON COLLEGE	0205080243	MF-4	GO-CO-NP
67		MT OLIVE BAPTIST CHURCH	0206090830	CS, MF-4	CS-CO-MU-NP", MF-4
68		MOUNT OLIVE BAPTIST	0206090852	CS	CS-CO-MU-NP*
	0 CHICON ST, 130X90ft &				
69	75X25ft & 36X22ft, Olt 61, Div B	HOUSING AUTHROITY OF	0206090808		MF-4-NP
69	1145 SALINA ST	HOUSING AUTHORITY OF	0206090851		MF-4-NP
70	1801 ROSEWOOD AV	ROSEWOOOD MISSIONARY	0206090801		CS-CO-MU-NP*
70	1805 ROSEWOOD AV	ROSEWOOOD MISSIONARY	0206090802		CS-CO-MU-NP*
70	1809 ROSEWOOD AV	ROSEWOOOD MISSIONARY	0206090803		CS-CO-MU-NP*
70	1813 ROSEWOOD AV	POTTS DORIS ATTAL ET AL	0206090804	CS	CS-CO-MU-NP*
70 70	1819 ROSEWOOD AV	AINSWORTH FORREST	0206090805	CS	CS-CO-MU-NP*
70	1148 CHICON ST	ROSEWOOD MISSIONARY	0206090806	CS	CS-CO-MU-NP*
70	A CUICON 22Y222 OUG TO	COTTO DODIO ANTO CONTRACTOR			
70 71	O CHICON, 23X38ft, Olt 61, Div B		0206090807	cs	CS-CO-MU-NP*
72	2101 ROSEWOOD AV	SHACKLES C J	0206100249		CS-CO-MU-NP*
73	2103 ROSEWOOD AV	MAYS GENE A	0206100251		CS-CO-MU-NP*
73 73	1148 NORTHWESTERN AV 1148 NORTHWESTERN AV 1/2	SNEED OLA LEE MRS	0206100201	MF-4	SF-3-NP
73 73	1146 NORTHWESTERN AV 1/2	DAVIDSON JOHN EDDIE & ORTENCI	0206100202	[MF-4	SF-3-NP
73	1144 NORTHWESTERN AV	MARTINEZ GILBERT M	0206100203	IMF-4	SF-3-NP
73	1142 NORTHWESTERN AV	GARCIA FELIPE & MARIA	0206100204		SF-3-NP
74	1139 POQUITO ST	WALKER GLADYS	0206100205		SF-3-NP
74	1139 POQUITO ST 1/2	NORRIS EDGAR W	0206100240	MF-4	SF-3-NP
74	1141 POQUITO ST	MOSBY JAMES E JR &	0206100241	MF-4	SF-3-NP
74	1141 POQUITO ST 1/2	JONES ESTER	0206100242		SF-3-NP
74	1143 POQUITO ST	ALEJO SANTOS	0206100243	MF-4	SF-3-NP
74	1143 POQUITO ST	CITY OF AUSTIN	0206100244	MF-4	SF-3-NP
74	1145 POQUITO ST	MCCULLOUGH OTIS	0206100245	MF-4	SF-3-NP
74	1145 POQUITO ST 1/2	HART BERNICE	0206100245		SF-3-NP
75	1138 NORTHWESTERN AV	MCMILLAN BILLY R &	0206100247	MF-4	SF-3-NP
75	1134 NORTHWESTERN AV	FIGUEROA JULIAN	0206100207	MF-4	SF-3-NP
75	1136 NORTHWESTERN AV	ESPINOSA REYNALDA	0206100208		SF-3-NP
75	1132 NORTHWESTERN AV	CITY OF AUSTIN	0206100209		SF-3-NP
75	1130 NORTHWESTERN AV	HARRELL ALLEN L	0206100210		SF-3-NP
<del>75</del>		MEDINA REYES	0206100211		SF-3-NP
75	1120 NORTHWESTERN AV	RICHARDSON JAMES M LOPEZ EVA	0206100212		SF-3-NP
75 75	1120 NORTHWESTERN AV	SIMENTAL MADALENO	0206100213		SF-3-NP
75	1128 NORTHWESTERN AV	AZAR SAM	0206100214	MF-4	SF-3-NP
75	1118 NORTHWESTERN AV	WILEY THOMAS E JR	0206100215	MF-4	SF-3-NP
75	1116 NORTHWESTERN AV	WILEY THOMAS E JR	0206100216	MF-4	ISF-3-NP
76	1133 POQUITO ST 1/2	HOLMES ETHEL NELL	0206100217	Mr-4	SF-3-NP
76	1135 POQUITO ST	THOMAS MARY ANN & LEON	0206100235 0206100236	NAE A	SF-3-NP
76	1135 POQUITO ST 1/2	ANDERSON MIKE	0206100236	ME-4	SF-3-NP
76	1137 POQUITO ST	JONES RUTHIE MAE &	0206100237	MEA	SF-3-NP
77	1114 NORTHWESTERN AV	DEAN EMMA J &	0206100238	ME-A	SF-3-NP
77	2508 WALTER ST	BRAY REGINALD S	0206100219		SF-3-NP
77	2504 WALTER ST	ELLISON SHAWN C	0206100252	ME-4	ISF-3-NP
77	2502 WALTER ST	LARA GUSTAVO & ROSANA	0206100254		SF-3-NP
77	2500 WALTER ST	TELLO JUANITA ALVAREZ	0206100255		SF-3-NP
78	1127 POQUITO ST	PUENTE ARMANDO & MARGARITA	0206100230		SF-3-NP
78	1129 POQUITO ST	SEPEDA GLORIA	0206100231		SF-3-NP
78	1131 POQUITO ST	BILLINGSLEY JOHNSON	0206100232		SF-3-NP
78	1131 POQUITO ST 1/2	ALEXANDER MILTON	0206100233		SF-3-NP
79	2507 WALTER ST	SCOTT GWENDOLYN	0206101201		SF-3-NP
79	1108 NORTHWESTERN AV	SANTANA PERDO L &	0206101202		SF-3-NP
79	2504 BRYAN ST	GARCIA VICTORINA	0206101203		SF-3-NP
79	2503 WALTER ST	MIRELES BARBARA PEREZ	0206101204	MF-4	SF-3-NP
80	2412 BRYAN ST	CITY OF AUSTIN	0206100223	MF-4	SF-3-NP
80	2410 BRYAN ST	MCHALE KEVIN	0206100224	MF-4	SF-3-NP
80	2408 BRYAN ST	MCHALE KEVIN	0206100225	MF-4	SF-3-NP
80	2406 BRYAN ST	AVALOS NORMA	0208100228		ISF-3-NP
80	2404 BRYAN ST	VILLARREAL ELIAS & MARIA M	0206100227		ISF-3-NP
		**** ** *** ** *** ** + 140,31 ALD 121			1010-14L
80 80	2402 BRYAN ST	IPROUTT ELIJAH	0206100228	IMF-4	ISF-3-NP

