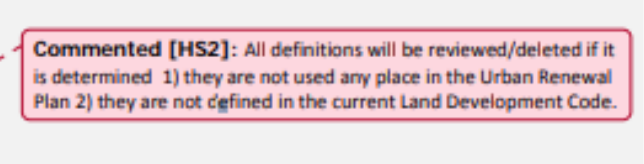


P	Definition text or margin note from the red-lined URP	Recommendation/Comment/Question
5		<p>It would be helpful for to identify all definitions proposed for removal several weeks before the URB takes action on any recommendation to remove or retain them.</p> <p>The Plan should retain all definitions that substantively address implementation of the vision for East 11th and 12th Streets.</p> <p>Please ensure that definitions not be written or removed to silence the Plan/ assert primacy of the land development code over the controls and vision for these streets.</p> <p>Please ensure that definitions support the flexibility or authority of the Urban Renewal Board to oversee the project area for compliance with the Plan.</p>
5	<p>3. "Civic Uses" means buildings which are defined by the uses performed therein, which uses include, the following: government administration services and offices, fire stations, public utilities offices, day care centers, public and private schools, colleges, churches, other religious facilities and attendant structures.</p>	<p>Alphabetize uses.</p> <p>The current land development code lists 28 other uses classified as Civic, which may or may not support the vision for East 11th and 12th Streets.</p>
6	<p>4. "Community/Local Services" means the use of a site for provision of neighborhood services that include business support services, offices, consumer convenience services, dry cleaning, pharmacy, food store, and other general services allowed in a "LR" Neighborhood Commercial District with the exception of the following non-permitted uses: medical offices exceeding 5,000 square feet, congregate living facilities, and off-site parking.</p>	<p>How will questions about this term be handled after adoption of the new code? Will Title 25 terminology ("LR") and its prescriptions be operative, or will the new code's terminology and prescriptions, either explicitly or via new overlays?</p>

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6	<p>5. "Community Parking" means any area within the designated URP. Provided by a public or private entity, which shall be designed for temporary accommodation of other vehicles of the motoring public in normal operating condition and situated so as to provide for use by the patrons of one of more retail, office and/ or residential facility, or as remote parking. The project owner may have to execute a parking agreement at the time of project approval by the Urban Renewal Agency. <u>means a community parking space provided by a public or private entity in excess of the normal requirement, which is made available to other business uses within the URP. (Amended 2008)</u></p>	<p>This change is not located in the 2008 amendment to the Urban Renewal Plan.</p> <p>http://www.austintexas.gov/sites/default/files/files/Housing/Commercial Revitalization/East 11 12 St URP Modification 4.PDF</p> <p>If this definition is an amendment not yet executed, is the language regarding execution of a parking agreement (which is struck), still necessary? I.e., should it remain?</p>
6	<p>"Downtown & Entertainment-Oriented Retail" means the use of the site to provide retail goods and services typically associated with entertainment, dining and related activities, as referenced in the Central Business District (CBD) designation of the Land Development Code, excluding adult-oriented businesses, automotive rentals, automotive repair services, carriage stable, cocktail lounges, convenience storage, equipment repair services, funeral services, hotel-motel, liquor sales, medical offices exceeding 5,000 square feet, outdoor sports and recreation, personal services, service stations, pawn shops. <u>(Amended 2005) Where certain now non-complying land uses are currently operating, they may be "grandfathered" until they cease to operate.</u></p>	<p>Before adding a provision about grandfathering, it would be helpful to create a map that documents where non-complying land uses currently operate, which uses they are, the dates that they began and under what operators as well as current operators.</p>
6	<p>8. "Garden Apartment" means a dwelling unit in a building or cluster whose maximum net density does not exceed that provided for in the zoning ordinance under the <u>Multi-Family Residences Low-Density District designation</u>; a portion of the lot shall be open space, as defined in the Land Development Code, with the exception of natural foliage or accessory recreational facilities or walkways, which is accessible to all persons occupying a building on the lot and is not a part of the roof of any portion of any building.</p>	<p>Will the URP continue to reference our current Title 25 land development code after a new code is adopted? If not, the underlined term, which references MF-2 zoning, will not be meaningful.</p> <p>MF-2 permits a maximum of 23 units per acre. It might be helpful to incorporate that information into the definition to clarify density limit.</p>

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7	<p>11. "House-like Offices" means office and retail uses operating out of buildings that were originally built for residential use, but that have been converted for commercial use. Any exterior addition or alteration must be approved by the Urban Renewal Agency.</p>	<p>What is Staff rationale for deleting this term and the review provision reserved for the Urban Renewal Agency?</p> <p>What was the original rationale for including this review provision?</p>
7	<p>12-11. "House-like Studios" (or Arts and Crafts Studio) means dwellings that includes use of the site for the production of art work by the resident artist and the incidental sale of the art produced, limited to the use of hand tools, domestic mechanical equipment not exceeding two horsepower, or a single kiln not exceeding eight kilowatts, provided that the use does not impact any other use of property with noise, odor, dust, vibration, or other nuisance. This classification includes, but is not limited to painter's studios, ceramics studios, and custom jewelry studios.</p> <p>6-13. "Live-Work Mixed-Use Studio" means a building that provides for one or a combination of uses, including residential, retail and studio, as defined by the Land Development Code, as amended from time to time, with retail and/or studio on the ground floor. Studio, as used here in refers to the working and display space for an artist or artisan.</p>	<p>Language regarding limits to studio equipment (horsepower and kilowatts) and its impact on neighboring property (noise, odor, dust, vibration, or other nuisance) could be carried forward in the definition of "Live-Work Mixed-Use Studio."</p> <p>Commented [HS3]: Neither of these are mentioned anywhere else in the Plan.</p> <p>Commented [HS5]: Is this defined in LDC?</p>
7	<p>13-12. "Land Development Code" means Title 25, City Code. Where the Urban Renewal Plan is silent, the development regulations of the Land Development Code shall control. In all other instances, by law, the Urban Renewal Plan is the controlling document.</p>	<p>Does this definition ensure that Title 25, and not the new code, will apply?</p> <p>Please ensure that any amendments or guidance you approve for Staff to amend this document do not inadvertently silence the URP's controls or vision for East 11th and 12th Streets, or reduce the URB's flexibility for oversight of implementation of and compliance with the Plan.</p>
7	<p>17. "MOA" means that certain Memorandum of Agreement entered into on April 18, 1997, by and between the Texas State Historical Preservation Officer, the Advisory Council on Historic Preservation, and the City of Austin, as amended from time to time.</p>	<p>Please provide a copy of the MOA for the public. Is it still in effect? If so, please keep this definition.</p> <p>Commented [HS6]: Checking with City of Austin's Historic Preservation Office to see if this MOU is still in effect.</p>

P	Definition text or margin note from the red-lined URP	Recommendation/Comment/Question
7-8	<p>19-15. "Mixed Use" means a building that provides for a combination of uses, requiring retail or office uses; on the ground floor (except for the exclusion of pawn shops; automobile sales, rentals and repairs; gas stations and adult-oriented businesses), and some combination office/retail and/or office and residential uses on the other floors. Retail, office and residential uses referred to herein are as defined in the Land Development Code, as amended from time to time. Single-story buildings and buildings less than 2,000 square feet on East 12th Street and single-story buildings on East 11th Street shall not be required to provide a combination of uses, provided the use is retail, office or residential (except for the exclusion of pawn shops; automobile sales, rentals and repairs; gas stations and adult-oriented businesses). Retail, office and residential uses referred to herein are as defined in the Land Development Code, as amended from time to time. (Amended 2005)</p>	<p>"Mixed Use" is probably not meant to be struck in Line 1.</p> <p>Please retain the language that REQUIRES a combination of uses with retail or office on the ground floor for buildings over 2000 sf on East 12th Street and over a single-story on East 11th Street. As proposed, the definition speaks only to where a combination of uses is not required—that is not sufficient to preserve the intent that East 12th Street lots deliver on the vision for a street that provides daily services for existing and new residents, some of whom will be living in new residential on East 12th Street.</p> <p>During the 2005 amendment, it was expressly discussed that absent the requirement for a combination of uses, the street could be redeveloped as single-use office buildings that would be at odds with the vision for the street.</p>
8	<p>20-16. "Mixed-use Residential" means a combination of small-scale retail or office and residential uses as defined under "Mixed-use". Small-scale as used here in refers to FAR's of 30 or less.</p>	<p>What was the original rationale for this FAR inclusion and what is the rationale now for deleting it?</p>
8	<p>§ 25-2-173 - NEIGHBORHOOD CONSERVATION (NC) COMBINING DISTRICT PURPOSE.</p> <p><u>17. "NCCD" – Neighborhood Conservation Combining District: The purpose of a Neighborhood Conservation Combining District (NCCD) is to establish development regulations to protect unique neighborhoods in order to preserve their character while allowing for controlled growth to occur. A NCCD clearly defines boundaries separating residential uses from commercial uses, and sets standards for redevelopment that are compatible with the unique character of the neighborhood. The NCCDs for East 11th and 12th Streets put in place the zoning to implement the development controls of Urban Renewal Plan.</u></p> <p>§ 25-2-173 - NEIGHBORHOOD CONSERVATION (NC) COMBINING DISTRICT PURPOSE.</p> <p>The purpose of a <i>neighborhood conservation</i> (NC) combining district is to pre-serve <i>neighborhoods</i> with distinctive architectural styles that were substantially built out at least 30 years before the date an application for an NC <i>combining district</i> classification is filed.</p>	<p>This is a new definition proposed for inclusion.</p> <p>It does not match Title 25 LDC definition pasted below it for your reference. Is it a definition anticipated for the new code?</p> <p>What is the rationale for this language?</p> <p>"Preserving character" is not equivalent to preserving district architectural styles.</p> <p>How might overlays included in the new code—such as density bonuses—function in relation to the notion that URP development controls supersede all others and the NCCDs are in place to implement those controls?</p>

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8	<p>22-19. "Office" means a building used for administrative services and offices as defined in the Land Development Code, as amended from time to time, but excluding Medical Offices exceeding 5,000 square feet.</p> <p>ADMINISTRATIVE AND BUSINESS OFFICES use is the use of a site for the provision of executive, management, or administrative services. This use includes:</p> <ul style="list-style-type: none"> a. administrative offices and services, including real estate, insurance, property management, investment, personnel, travel, secretarial, telephone answering, and photocopy and reproduction; and b. business offices for public utilities, organizations, associations, and other use classifications if the service rendered is customarily associated with administrative office services. <p>MEDICAL OFFICES use is the use of a site for the consultation, diagnosis, therapeutic, preventative, or corrective personal treatment by doctors, dentists, medical or dental laboratories, or similar practitioners of medical and healing arts for humans, licensed for practice by the state. The use includes a compounding pharmacy that does not exceed 3,000 square feet of gross floor area. A compounding pharmacy may prepare and sell prescription drugs and also sell non-prescription drugs, medical supplies, and other health products. The sale of other merchandise is permitted only as an accessory use.</p> <p>PROFESSIONAL OFFICE use is the use of a site for the provision of professional or consulting services in the fields of law, architecture, design, engineering, accounting, or similar professions.</p>	<div data-bbox="1297 240 1793 272" style="border: 1px solid red; padding: 2px; margin-bottom: 10px;"> Commented [HS7]: Is "office" defined in the LDC? </div> <p>"Office" does not appear to be defined in the LDC. However, the City of Austin zoning guide defines several types of office use.</p> <p>Suggested definition:</p> <p>"Office" means a room or set of rooms within a building used for the provision of administrative, business, medical and professional services as defined in the LDC, but excluding Medical Offices exceeding 5,000 square feet. "Office" also means an entire building used for such services on East 12th Street where the building does not exceed 2000 square feet or does not exceed one story on East 11th Street.</p> <p>The second line of above comports with the intention that Mixed Use be mandatory except for such structures as described. See "Mixed Use" on previous page.</p>

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8-9	<p>23-21. "Prohibited Uses" means on the East 12th Street corridor any adult-oriented businesses, automobile rentals, automobile repair services, bail bond services, campground, carriage stable, cocktail lounges save and except for the property located at 1805 - 1812 East 12th Street, commercial plasma center, convenience storage, drop-off/recycling collection facility, drive-thru restaurant facilities, equipment repair services, equipment sales, exterminating services, kennels, commercial laundry services, liquor sales, pawn shop services, outdoor entertainment, outdoor recreation, service stations save and except for the property located at 1425 East 12th Street, telecommunication tower on ground, vehicle storage and veterinary (livestock) services. (Amended 2008)</p> <p>B. Prohibited Uses The following uses are prohibited in the East 12th Street NCCD. Those uses currently existing are allowed to continue as a legal non-conforming use as per the Land Development Code, section 25-2-941:</p> <table><tr><td>1. Adult-Oriented Businesses</td><td>14. Drive Through Services as an accessory use to a restaurant</td></tr><tr><td>2. Automotive Rental</td><td>15. Equipment Repair Services</td></tr><tr><td>3. Automotive Repair</td><td>16. Equipment Sales</td></tr><tr><td>4. Automotive Sales</td><td>17. Exterminating Services</td></tr><tr><td>5. Automotive Washing</td><td>18. Kennels</td></tr><tr><td>6. Bail Bond Services</td><td>19. Liquor Sales</td></tr><tr><td>7. Campground</td><td>20. Pawn Shop Services</td></tr><tr><td>8. Carriage Stable</td><td>21. Outdoor Entertainment</td></tr><tr><td>9. Cocktail Lounge*</td><td>22. Outdoor Recreation</td></tr><tr><td>10. Laundry Service</td><td>23. Service Stations</td></tr><tr><td>11. Commercial Plasma Center</td><td>24. Telecommunication Tower (if sited on ground)</td></tr><tr><td>12. Convenience Storage</td><td>25. Vehicle Storage</td></tr><tr><td>13. Drop-off recycling Collection Facility</td><td>26. Veterinary Services</td></tr></table> <p>* Cocktail Lounge is a conditional use 1808-1812 E 12th Street.</p> <p>P12 of the East 12th Street NCCD</p> <p>NCCD prohibited uses missing from #21 of red-lined version: _____</p> <p>NCCD prohibited uses that are not exact matches in #21 of the red-lined version: ●</p>	1. Adult-Oriented Businesses	14. Drive Through Services as an accessory use to a restaurant	2. Automotive Rental	15. Equipment Repair Services	3. Automotive Repair	16. Equipment Sales	4. Automotive Sales	17. Exterminating Services	5. Automotive Washing	18. Kennels	6. Bail Bond Services	19. Liquor Sales	7. Campground	20. Pawn Shop Services	8. Carriage Stable	21. Outdoor Entertainment	9. Cocktail Lounge*	22. Outdoor Recreation	10. Laundry Service	23. Service Stations	11. Commercial Plasma Center	24. Telecommunication Tower (if sited on ground)	12. Convenience Storage	25. Vehicle Storage	13. Drop-off recycling Collection Facility	26. Veterinary Services	<div>Commented [HS8]: Amend this in next draft.</div> <p>Why are “outdoor entertainment” and “outdoor recreation” highlighted in #21 of the redlined draft?</p> <p>Some uses prohibited by the East 12th Street NCCD are missing from the URP definition above, and some uses listed in the definition do not precisely match the wording in the East 12th Street NCCD.</p>
1. Adult-Oriented Businesses	14. Drive Through Services as an accessory use to a restaurant																											
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9	<p>25-23. "Rental Flat' means a residential dwelling unit as defined in the Land Development Code, as amended from time to time.</p>	<div data-bbox="1314 237 1864 341"> <p>Commented [HS9]: Is this defined in the LDC?</p> </div> <p>Suggested edit: Replace "Flat" with "Unit."</p>
9	<p>26-24. "Residential-Scaled" means the size and architectural design of a new development is consistent with the scale and historic character of existing, adjacent or across-the-street residential buildings in the immediate environs. Immediate environs refers to the nearest residential buildings located within four blocks east and west and the nearest residential buildings located within two blocks north or south within the Urban Renewal Area.</p>	<p>Suggested edit:</p> <p>"...of existing residential buildings that area adjacent to or across the street or alley from the new development."</p> <p>This includes consideration of the homes that back up to East 12th Street, which may be closer to a new development than homes across the street.</p>
9	<p>27-25. "Service Alley" means any public or private dedicated way intended for vehicular service to the rear or side of property served by a street. An alleyway provides access for delivery and service to retail businesses, offices and residential units. Properties on the north side of East 11th Street must shall have their primary access from back the north-south side streets or East 11th Street, unless special provisions made otherwise approved by the City of Austin. Public Works, for limited off-hours, on-street deliveries, and no motor vehicular access is allowed from East 11th Street.</p>	<p>Where is this term utilized in the plan?</p> <p>Perhaps there should be some consideration of how alleys are used along East 12th Street.</p>
	<p>PROPOSED ADDITION OF TERM</p> <p>"Compatibility" means the suite of protections afforded by Title 25 of the LDC, except where height , setbacks and provisions governing exterior lighting, parking garages and fencing are addressed (as of 2018) in URP project controls and the NCCDs. This includes: x, y, z,...</p>	<p>This clarifies that certain compatibility provisions within the LDC do apply.</p>