



March 16 Urban Renewal Plan Draft

Comments

June 3, 2020

Dear Chair, Vice Chair and Commissioners,

Thank you for the opportunity to provide comments on the latest proposed draft of the Urban Renewal Plan. We respectfully request that you please consider making the following changes to the document before you take action to finalize the draft for submission to the Planning Commission and Council. We believe these changes will ensure the key elements of the Plan are retained and provide a more complete record of recent Board and Council action regarding the Plan and its implementation.

Your careful, thoughtful work and dedication are much appreciated. Please let us know if we can provide additional information or clarification regarding our suggestions.

Sincerely,

Nate Jones

President, Organization of Central East Austin Neighborhoods

Page & Section	Current Language	Suggested Amendment
P4 Section 2.1 Accomplish-ments	Historic Preservation ■ Haehnal Building located at 1101 East 11th Street ■ Arnold Bakery located at 1010 East 11th Street ■ Chapman House located at 901 East 12th Street ■ Connelly-Yerwood House, a.k.a. the Pink House located at 1115 East 12th Street ■ Dedrick-Hamilton House located at 912 East 11th Street: This house along with the African American Cultural and Heritage Facility are the flagship buildings for the African American Cultural and Heritage District. ■ Travis County Negro Agricultural Extension Office (a.k.a., Herman-Schleffer House and/or East Room) located at 1154 Lydia Street ■ In 2016, the City of Austin through Hardy-Heck-Moore, Inc., completed the East Austin Historic Resources Survey with an objective to locate, identify and photograph potentially eligible structures and potential historic districts within the survey area of with included the East 11th and 12th Streets Urban Renewal Plan area. The complete historic resources survey may be found at this link: http://www.austintexas.gov/page/east-austin-historic-survey.	Add bullet point to capture the URB's priority for preservation in place of historic structures within the URP Area, citing language adopted on April 15, 2019. "On April 15, 2019, the Urban Renewal Board voted to express its strong preference that current, potential or recommended historic landmarks within the boundaries of the East 11th and 12th Street Urban Renewal Plan to be renovated in their current location and not be moved. Preserving historic buildings is crucial to retaining what is left of the East 11th and 12th Street's history and protects the area's cultural heritage. Renovation and rehabilitation of existing structures, especially in the case of properties identified as historic landmarks or contributing to historical character, as opposed to demolition or relocation is consistent with the community's vision in the Urban Renewal Plan for East 12th Street. This also supports the mission of Six Square in preserving and celebrating the rich cultural legacy of Austin's African American community in Austin's African American Cultural Heritage District." http://www.austintexas.gov/edims/document.cfm?id=317758 http://www.austintexas.gov/edims/document.cfm?id=322259

Page & Section	Current	Suggested Amendment
P6 Section 2.1 Accomplish-ments	NOTE: It is important to acknowledge that the above accomplishments in the URP area, but also to note the URP area has not yet fulfilled its potential as a mixed-use, urban community. East 11th Street has experienced improvements whereas, East 12th Street still has numerous vacant parcels and/or vacant buildings, and the East 11th and 12th Street corridors remain underutilized and somewhat inconsistent with the community vision. In December 2018, and in support of the URP, the Austin City Council extended the Urban Renewal Plan's expiration date until 2024 with a five-year evaluation to determine the continued need for the Urban Renewal Plan and the Urban Renewal Agency.	Add language to quote/reflect the entirety of Council's direction in its ordinance, dated December 13, 2018: ten-year extension of the Plan; collaboration with specific City departments; five-year check-in; and City Manager evaluation and URB recommendations at that time regarding whether the URP should remain effective. https://www.austintexas.gov/edims/document.cfm?id=312811 PART 4. During this ten year extension, the City Council directs the City Manager to work with the Urban Renewal Agency and other key community partners to carry out the strategies described in the Economic Opportunity and Affordability section of the City's strategic plan. The City Council encourages the City Manager to include the Office of Performance Management, Neighborhood Housing and Community Development Department, Planning and Zoning Department, Economic Development Department, and the Office of Real Estate Services in carrying out these strategies. PART 5. In five years, in 2024, the City Manager is directed to evaluate whether there is a continued need for the Plan and the Urban Renewal Agency. The City Manager is directed to provide the evaluation and any recommendations to the Urban Renewal Agency and to Council. The Urban Renewal Board is directed to provide Council with a recommendation. The status of the work described in Part 4 of this ordinance will be used to assist the City Council with evaluating whether the Plan and the Urban Renewal Agency should remain effective.

Page & Section	Current Language	Suggested Amendment
P6 Section 3.0 Vision, Purpose, Authority and Scope	3.0 VISION, PURPOSE, AUTHORITY AND SCOPE <u>VISION</u> <u>Adopt, diverse, and sustainable revitalization of the East 11th and 12th Street corridors. Promote a historically respectful, diverse, and sustainable revitalization of the East 11th and 12th Street corridors.</u>	Amend Plan 'Vision' statement to retain a fundamental principle of the original Plan. "Promote a historically respectful, diverse and sustainable revitalization of the East 11th and 12th Street corridors that is compatible in scale and intensity of use with its surrounding context."
PP9-10 Section 5.0 Applicability of NCCD Controls	5 APPLICABILITY OF NCCD CONTROLS The previous version of the URP contained several distinct project areas that contained a near lot-by-lot description of development controls, including depictions referred to as "tear sheets" that among other things narrowly described the potential uses of a particular project area or lot. It has been determined that this lot-level of developmental control was far too limiting and confusing and did not encourage development of the URP area. In addition, at the time of the writing of this URP, overlapping developmental controls known as Neighborhood Combining Conservation Districts (NCCDs) are also being modified and updated in consultation with the URA and with local stakeholders. By streamlining the developmental controls under this URP to refer primarily to the NCCDs, the community vision and community input into development will be preserved, while greatly simplifying the process for interested parties to determine what uses and development are permissible throughout the URP area, and for any particular project area or lot. NCCD's are zoning overlays that modify uses and site development regulations of a base district located in the NCCD in accordance with a neighborhood plan. In addition, the East 11th and 12th Streets NCCD's are zoning tools to implement the East 11th and 12th Street Urban Renewal Plan. There are currently two NCCD's that contain site development controls that pertain to the URP area- East 11th Street and East 12th Street NCCD's. <u>This URP adopts, as its site development controls, the site development controls in those NCCD's as they exist on the date of the adoption of the URP. Pursuant to Texas Local Government Code Section 374.014(f), after a city approves an urban renewal plan, the provisions of the plan that relate to the future use of the affected property and the building requirements applicable to the property control with respect to that property, as such, future modifications to the NCCD's shall not affect this URP unless such modifications are separately adopted as an amendment to the URP.</u> <u>This URP adopts as its site development controls the site development controls in those NCCD's as they exist on the date of the adoption of the URP. Future modifications to the NCCD's shall not affect this URP unless such modifications are separately adopted as an amendment to the URP.</u> Information regarding the NCCD's are in Appendix B, attached hereto.	Include a map reflecting maximum permitted height chart by each NCCD Subdistrict within the Plan. Change the last line of the text to "Additional information..." 

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P10 Section 6.0 Land Use	6. LAND USE Permitted, Conditional and Prohibited Uses A. In this section, unless provided for elsewhere uses in this table not listed as Permitted (P), Permitted with Conditions (PC), Conditional (C) or Prohibited () are prohibited. with Cave and except use prohibited B. Existing uses which are prohibited at the time of the adoption of this UAP shall be considered existing non-conforming uses and shall be subject to the City's regulations regarding non-conforming uses. Those uses which are designated as a "save and except" in this section shall be considered existing legal conforming uses. The following are the "save and except" to the Permitted, Conditional, and Prohibited Uses described in the table in this section: 1. A Cocktail Lounge is a permitted use limited to the ground floor of a building located at 1133 E 11th Street, 1104 East 11th Street and 1808-1812 East 12th Street. 2. A Funeral Service is an allowed use at 1300 E 12th Street and 1410 E 12th Street. 3. A Condominium Residential and/or Townhome is an allowed use at 1021, 1003, 1007, 1009, 1011, 1013, 1015, 1101, 1103 and 1105 East 12th Street. 4. Single-Family Attached Residential, Single-Family Residential, Small Lot Single-Family Residential and Two Family Residential is an allowed use at 1119 E 11th Street and 903, 905, 1201, 1205, 1209, 1215, 1301, 1309, 1315, 1319, 1511, 1517, 1521, 1601, 1603, 1611, 1615, 1713, 1803 (A&B) East 12th Street. 5. A Club or Lodge Use is an allowed use at 1017 East 11th Street and 1704 East 12th Street. Page 10 of 18	Include an appendix or back-up document that provides complete and specific information about how this language impacts ability to modify/rebuild and resume use after vacancy. Notify all property owners within the Plan Area to consult this section to verify whether or not the proposed changes to permitted use will impact their property, and point them to the appendix or back-up document that provides clarification.
2013-071250 PR	***SMART HOUSING*** New construction of 3-story single-family residence with attached garage having 3 bedrooms and 2.5 bathrooms. Garage access from the rear public alley. Note Applicant/Builder I ... R- 101 Single Family Houses / New 1001 E 12TH ST ***SMART HOUSING*** Approved	Add at least the following addresses to 6.0 B. 4: 904, 1203, 1205, 1219 1310, 1416, 1501, 1514, 1518 East 12th Street 1203, 1205 Olander Street 1196, 1198 San Bernard St 1194, 1196 and 1198 Navasota St All addresses in 6.0 B3, as they were built as Single Family.
		6. Hotel/Motel w/ground floor bedroom fronting E12th is an allowed use at 810, 900 E 12th Street

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P11 Section 6.0 Land Use	<table><thead><tr><th>Uses</th><th>Permitted Conditions and Exceptions</th></tr></thead><tbody><tr><td colspan="2">COMMERCIAL USES</td></tr><tr><td>Administrative and Business Offices</td><td>PC Not allowed on the ground floor of a building fronting E 11th and 12th Street</td></tr><tr><td>Art Gallery</td><td>P</td></tr><tr><td>Art Workshop</td><td>P</td></tr><tr><td>Cocktail Lounge</td><td>C Save and Except 1123 E 11th Street, 1104 E 11th Street, and 1808-1812 East 11th Street</td></tr><tr><td>Food Sales</td><td>PC Only allowed on the ground floor of a building fronting E 11th Street or E 12th Street</td></tr><tr><td>Funeral Services</td><td>- Save and Except 1100 E 11th Street and 1410 E 11th Street</td></tr><tr><td>General Retail Sales (Convenience)</td><td>PC Only allowed on the ground floor of a building fronting E 11th Street or E 12th Street</td></tr></tbody></table>	Uses	Permitted Conditions and Exceptions	COMMERCIAL USES		Administrative and Business Offices	PC Not allowed on the ground floor of a building fronting E 11th and 12th Street	Art Gallery	P	Art Workshop	P	Cocktail Lounge	C Save and Except 1123 E 11th Street, 1104 E 11th Street, and 1808-1812 East 11th Street	Food Sales	PC Only allowed on the ground floor of a building fronting E 11th Street or E 12th Street	Funeral Services	- Save and Except 1100 E 11th Street and 1410 E 11th Street	General Retail Sales (Convenience)	PC Only allowed on the ground floor of a building fronting E 11th Street or E 12th Street	Our notes indicate that the Board voted to <u>prohibit Cocktail Lounge</u> on E 12th Street, except for two addresses. Amend the permitted use chart to be consistent with Board action that Cocktail Lounge is not a permitted use on East 12th Street, except at two addresses, by adding "Only allowed as in 6.0B1" to the column labeled 'Permitted Conditions and Exceptions.' Absent that clarification, the Plan permits Cocktail Lounge everywhere within the Plan Area because it supersedes the East 12th Street NCCD controls. That is inconsistent with Board intent to be consistent with NCCD controls for that use. Did the Board support the use on E 11th as conditional? Or only at a few addresses? Amend the Appendix to include all of the language of the East 12th Street NCCD and its 2017 amendment. The link provided leads to a site that does not include the 2017 Kealing amendment. An Urban Renewal Plan should spell out its controls within its text rather than rely upon links to outside sources that are not regularly updated and maintained, and may or may not be available, should the City amend the land development code to eliminate NCCDs.						
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P18 Appendix B	East 12th Street NCCD Original NCCD Adoption: Ordinance Number, 20080228-087, February 28, 2008 Amendment No. 1: Ordinance Number, 20171109-094, November 9, 2017 Neighborhood Conservation Combining Districts-Selected Cased and Ordinance Information can be found at this link: http://www.austintexas.gov/sites/default/files/files/Planning/ncccd_ordinance_chart.pdf <table><caption>Neighborhood Conservation Combining Districts - Selected Case and Ordinance Information</caption><thead><tr><th>NCCD</th><th>NCCD Map</th><th>Case Number</th><th>Case Description</th><th>Case Date</th><th>Case Status</th></tr></thead><tbody><tr><td>East 11th Street</td><td>Map</td><td>11-08-020</td><td>Amendments to East 11th Street Neighborhood Conservation Combining Districts for the property located generally along East 11th St. from H-35 and Bunzick St. to Poplar St. (Revised and Amended in the past)</td><td>11/17/2017</td><td>Completed</td></tr><tr><td>East 12th Street</td><td>Map</td><td>12-08-020</td><td>Amendments to East 12th Street Neighborhood Conservation Combining Districts for the property located generally along East 12th St. from H-35 and Bunzick St. to Poplar St.</td><td>11/17/2017</td><td>Completed</td></tr><tr><td>Hyde Park</td><td>Map</td><td>14-01-004 14-05-005</td><td>Amendments to Hyde Park NCCD, with boundaries that are C-11 St. to the north, 30th St. to the south, Dumbargo St. to the east, and Dumbargo St. to the west, except for 110 West 42nd St. and 1300 Avenue B Suite 5 through 15 of Block 12 of the Hyde Park Addition No. 11</td><td>11/17/2017</td><td>Completed</td></tr></tbody></table>	NCCD	NCCD Map	Case Number	Case Description	Case Date	Case Status	East 11th Street	Map	11-08-020	Amendments to East 11th Street Neighborhood Conservation Combining Districts for the property located generally along East 11th St. from H-35 and Bunzick St. to Poplar St. (Revised and Amended in the past)	11/17/2017	Completed	East 12th Street	Map	12-08-020	Amendments to East 12th Street Neighborhood Conservation Combining Districts for the property located generally along East 12th St. from H-35 and Bunzick St. to Poplar St.	11/17/2017	Completed	Hyde Park	Map	14-01-004 14-05-005	Amendments to Hyde Park NCCD, with boundaries that are C-11 St. to the north, 30th St. to the south, Dumbargo St. to the east, and Dumbargo St. to the west, except for 110 West 42nd St. and 1300 Avenue B Suite 5 through 15 of Block 12 of the Hyde Park Addition No. 11	11/17/2017	Completed	
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