

## PUBLIC HEARING INFORMATION

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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51  
HPD

**Case Number: C14-2021-0033**  
**Contact: Mark Walters, 512-974-7695**  
**Public Hearing: October 21, 2021, City Council**

Anahra Beadles

Your Name (please print)

908 Catalpa

Your address(es) affected by this application (optional)

[Signature]

Signature

I am in favor  
 I object

10/5/21

Date

Daytime Telephone (Optional): \_\_\_\_\_

Comments: \_\_\_\_\_

City of Austin

OCT 13 2021

NHCD / AHFC

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

**Mark Walters**

P. O. Box 1088, Austin, TX 78767

Or email to:

**mark.walters@austintexas.gov**

## PETITION

Date: 10/14/2021

File Number: URP case and E 12th St NCCD case

C14-2021-0037

To: Austin City Council

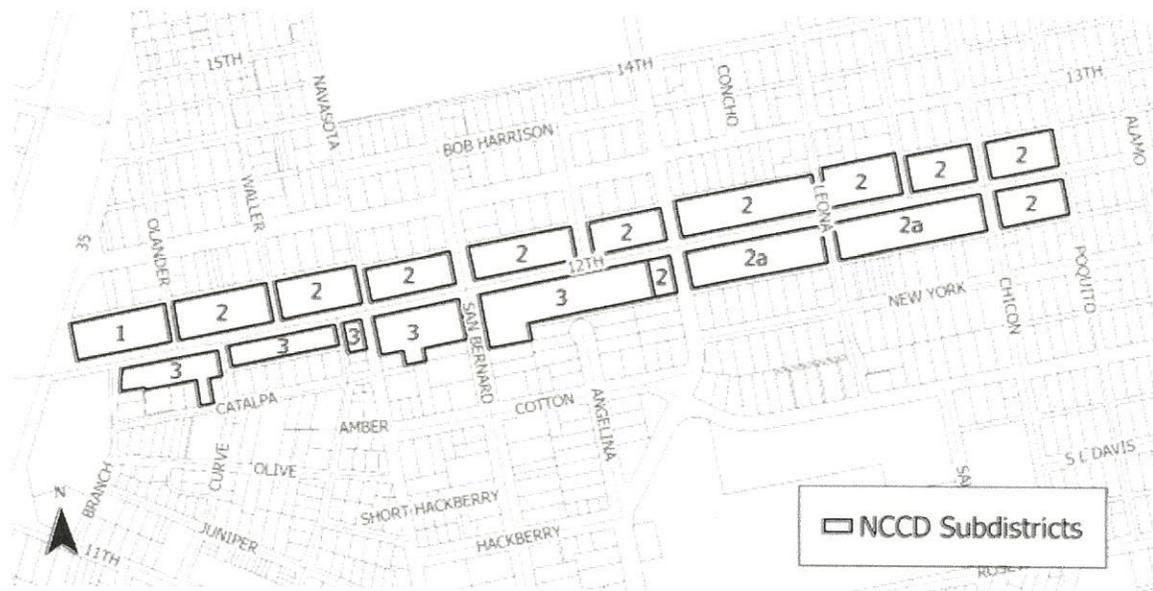
We, the undersigned owners of property affected by the requested or proposed zoning changes described in the above referenced files, protest against any change to zoning regulations, boundaries, or districts in the City's Urban Renewal Plan for the East 11th and 12th Streets Urban Renewal Area (URP) and/or the East 12th Street Neighborhood Conservation Combining District (NCCD) that applies to our respective properties and/or to any property located within 200 feet of our property that:

- 1) Increases maximum permitted heights by right, via a density bonus, or by any other program or means beyond the current height maximums set by the NCCD, as laid out on P3 of this petition, and the 20% waiver available under the current URP;
- 2) Loosens express prohibition of cocktail lounge and/or liquor sale uses, as these are currently prohibited by the base zoning and NCCD use regulations;
- 3) Loosens the current restrictions on any of the uses prohibited or otherwise limited by the NCCD, as provided on P4 of this petition;
- 4) Prohibits single-family use or in any way diminishes or restricts the rights of properties currently used for single-family, whatever the zoning classification, including as to the repair, expansion, reconstruction or ability to shift use back and forth between single-family and other uses permitted on the property;
- 5) Prohibits or in any way diminishes or restricts condominium residential or townhouse residential uses, including as to their location on the ground floor of or fronting East 12th Street, as these uses provide housing options and align with the vision for a mix of neighborhood-scaled housing, office and retail along this street; and/or
- 6) Increases maximum FAR by right, via a density bonus, or by any other program or means beyond that permitted by the underlying base zoning, as unlimited FARs are unnecessary to achieve full build-out at current maximum heights.

This petition is presented to invoke the protections in Section 25-2-284 of the City of Austin Land Development Code and Section 211.006 (d) of the Texas Local Government Code. I reserve my right to protest further changes as they are raised from the Austin City Council dais through third reading of any/all cases.



CURRENT EAST 12TH ST NCCD HEIGHT MAXIMUMS REFERRED TO IN NUMBER 1 ABOVE.



Subdistrict	Height (max.)
1	60 ft
2	50 ft
2a	35 ft
3	35 ft

CURRENT EAST 12TH STREET NCCD USE PROHIBITIONS AND LIMITATIONS  
REFERRED TO IN NUMBERS 2 AND 3 ABOVE.

**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:

- |  |  |
|--|--|
| 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  |

\* Cocktail Lounge is a conditional use 1808-1812 E 12<sup>th</sup> Street.

**C. Conditional Uses**

The following uses are conditional uses throughout the East 12th Street NCCD, and require a conditional use permit.

1. Telecommunication Tower, if located on the roof of an otherwise permitted structure. (Maximum height requirements still apply)
2. Drive-through services with the hours of operation between midnight and 6:00 AM, if used for an automated teller machine
3. Cocktail Lounge is a conditional use at 1808-1812 E. 12<sup>th</sup> Street.

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**D. Drive Through Uses**

Drive through uses are permitted as an accessory use to a permitted primary use with the following conditions

1. The primary use must provide service for pedestrians that does not require the pedestrian to stand or walk in the drive-through lane.
2. The maximum curb cut for a drive through accessory use must not exceed 30 feet.
3. Drive through uses are permitted to operate between the hours of 6:00 AM and 12:00 midnight.
4. A drive through automatic Teller Machine (ATM) operating between the hours of 12 midnight and 6.00 AM is a conditionally permitted use.
5. Drive through uses as an accessory use to a restaurant are prohibited.

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Case Number: C14-2021-0033  
Contact: Mark Walters, 512-974-7695  
Public Hearing: October 21, 2021, City Council

DAVID EDWIN RAMERT  
*Your Name (please print)*

1108 EAST 10TH STREET  
*Your address(es) affected by this application (optional)*

*David E. Ramert* 10.4.21  
*Signature* *Date*

Daytime Telephone (Optional):

Comments: No MORE DENSITY

City of Austin

OCT 08 2021

NHCD / AHFC

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City of Austin, Housing & Planning Department  
Mark Walters  
P. O. Box 1088, Austin, TX 78767  
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Contact: Mark Walters, 512-974-7695  
Public Hearing: October 21, 2021, City Council

DAVID EDWIN RAMERT  
*Your Name (please print)*

1110 EAST 10TH STREET  
*Your address(es) affected by this application (optional)*

David E. Ramert  
*Signature*

10.4.21  
*Date*

I am in favor  
 I object

Daytime Telephone (Optional):

Comments: We have already agreed to height and density.

No New Changes!  
City of Austin

OCT 08 2021

NHCD / AHFC

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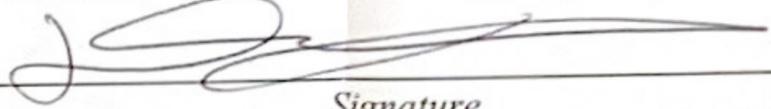
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Contact: Mark Walters, 512-974-7695  
Public Hearing: October 21, 2021, City Council

David Scheinfeld  
Your Name (please print)

I am in favor  
 I object

1009 E. 9th St Austin, TX 78702  
Your address(es) affected by this application (optional)

  
Signature

10/19/21  
Date

Daytime Telephone (Optional): \_\_\_\_\_

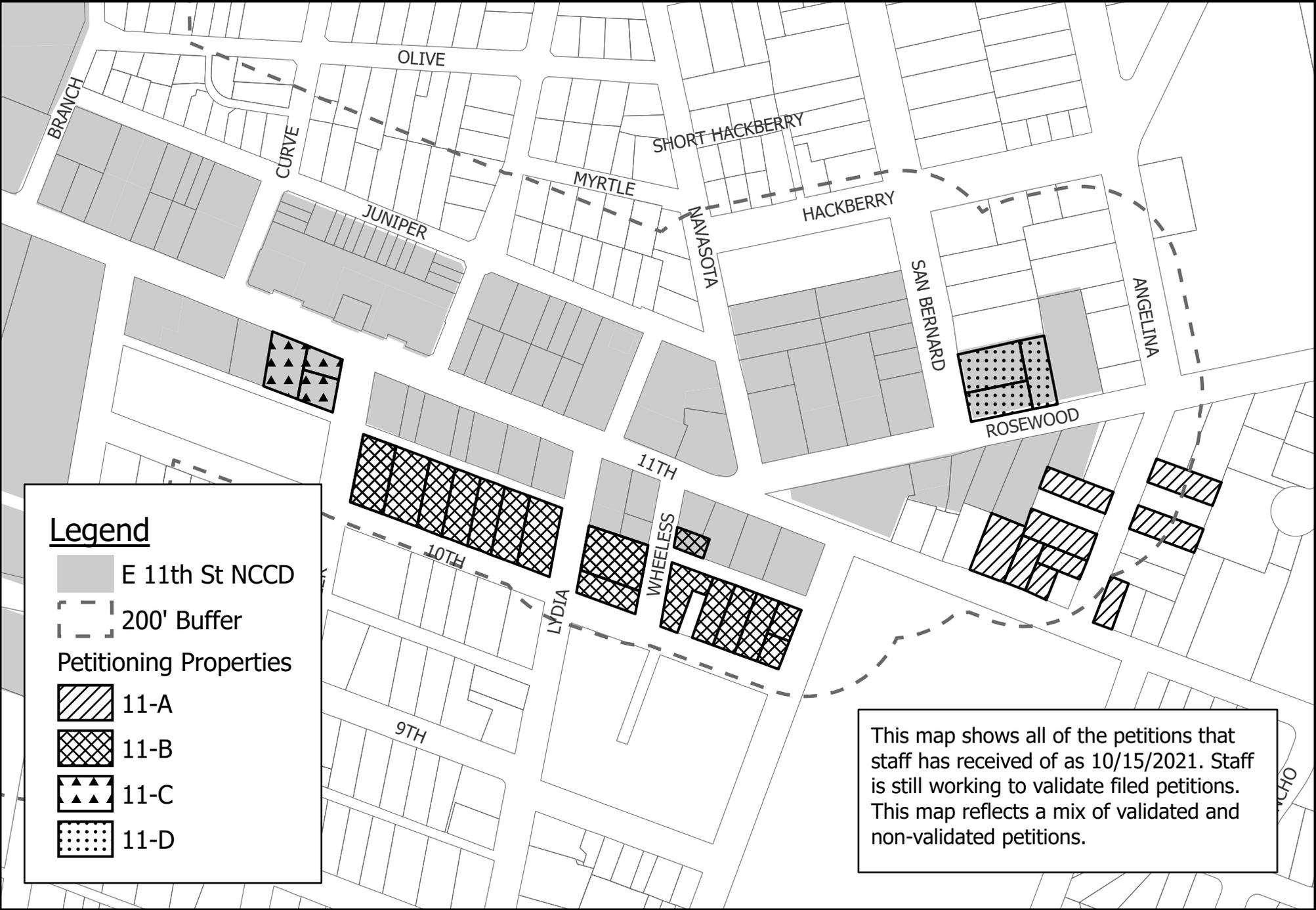
Comments: \_\_\_\_\_

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# E. 11th St. NCCD Petition Summary

10/15/2021



## E. 11<sup>th</sup> St. Petition Summary

**11-A Petition Language:** We the undersigned, owners of real property in District 1, object to the proposed building heights along Rosewood Avenue between Navasota and Angelina St to include 1223 Rosewood Ave, 1305 Rosewood Ave, 1309 Rosewood Ave, 1317 Rosewood Ave, 1319 Rosewood Ave. We object to any allowed building height greater than 35 feet.

**11-B Petition Language:** We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any changes to the East 11th St. NCCD and Urban Renewal Plan that increase allowable heights, increase allowable Floor to Area Ratio and makes hotel use a permitted use along the 1000 through 1200 blocks of East 11th St. and Rosewood Ave. The East 11th Street NCCD already grants waivers to compatibility. The E. 11th Street area has been redeveloping in ways that are creating a vibrant, diverse neighborhood. The recommendations of the Planning Commission recognize this fact and offer ways to improve the NCCD and URP better than the staff and Urban Renewal Board recommendations because they take a more holistic view. East 11th Street and East 12th Street do not exist in isolation, but rather are woven into the broader fabric of established neighborhood residential, civic and religious uses. The Planning Commission recommendations acknowledge this more thoroughly than either the staff or URB recommendations.

**11-C Petition Language:** We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change to the East 11th Street NCCD and Urban Renewal Plan other than the recommendations of the Planning Commission for the for the specific parcels identified below. Except that the undersigned property owners are also opposed to any increase in height above the current limit of 35 feet at the southwest corner of East 11th Street and Waller Street. The proposed height of 60 feet is inappropriate for these properties because the Salvatore Bailetti House, a designated City of Austin Historic Landmark, the St. Joseph Grand Lodge, a structure of historical value, and The Dr. Charles E. Urdy Plaza exist there and should remain. Increased entitlements are not needed and would only serve to encourage the eventual destruction and loss of structures and spaces vital to the history and culture of Austin. Hotel use should also remain conditional or be prohibited on all parcels within the NCCD Subdistricts 1 and 2. And, hotel use should be conditional or prohibited throughout Subdistrict 1 and 2.

**11-D Petition Language** We the undersigned property owner affected by the zoning change to the East 11th Street NCCD as described in the referenced file as the recommendation from the City of Austin Planning Commission, do hereby protest against any change to the East 11th Street NCCD that would realign the properties listed above by taking the properties out of their current NCCD subdistricts and placing those properties into a newly created subdistrict 4. The recommendation to create a new subdistrict 4 within the East 11th Street NCCD for these properties will result in a downzoning of these properties. The proposed change was first mentioned at the end of the three-year process to revise the East 11th & 12th Urban Renewal Plan (UP). These properties are outside the boundaries of Urban Renewal Plan and therefore any recommendation to change these properties in that process was

outside the jurisdiction of that plan. The Planning Commission took up this issue when proposed changes to the NCCD and Urban Renewal Plan were submitted for its review in June. The Commission's normal procedure for outreach and input from the property owners directly affected by this proposed change was not followed. A sub-group of the Planning Commission met with "stakeholders" but not property owners whose property will be downzoned. If such a significant change is necessary, the same type of process and input that was provided for the revision of the UP should be provided to the property owners in the NCCD whose property is not within the UP.