

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0033 – East 11th Street Neighborhood Conservation Combining District (NCCD) Amendment (City Council-Initiated)

DISTRICT: 1

ZONING FROM: Current East 11th Street NCCD development standards and land uses

TO: Revised development regulations and land uses (no base zoning district changes)

ADDRESS: IH-35 Northbound frontage road between East 12th Street and the northern alley of East 7th Street; East 11th Street from IH-35 to Navasota Street; Juniper Street between Branch Street and Navasota Street; Rosewood Avenue between Navasota Street and the eastern property line of 1314 Rosewood Avenue; and a segment of San Bernard Street

SITE AREA: 28.15 acres

PROPERTY OWNER: NA

AGENT: City of Austin, Housing and Planning Department

CASE MANAGER: Mark Walters (512-974-7695, mark.walters@austintexas.gov)

STAFF RECOMMENDATION:

The staff recommendation is to support the recommendations made by the Urban Renewal Board. For an overview of the recommended changes and specific recommendations see Exhibit C: Proposed Changes to The East 11th Street Neighborhood Conservation Combining District (NCCD) beginning on page 7.

PLANNING COMMISSION ACTION / RECOMMENDATION:

June 22, 2021 - Motion by Chair Shaw, seconded by Commissioner Azhar to approve Staff recommendations for URP for East 11th and 12th Street Urban Renewal Area Modification # 12, C14-2021-0033 - East 11th Street NCCD Amendment and C14-2021-0037 - East 12th Street NCCD, as amended, was approved on a vote of 12-0. Commissioner Mushtaler off the dais.

Planning Commission amendments are included in this report alongside the URB and staff recommendations beginning on page 6.

CITY COUNCIL ACTION:

May 20, 2021 - This item was postponed to July 29, 2021 at the request of staff on Council Member Kelly's motion, Council Member Renteria's second on an 11-0 vote.

July 29, 2021 - Postponed to September 2, 2021 at request of staff.

September 2, 2021 – Postponed to October 14, 2021 at the request of staff on Council Member Pool's motion, Council Member Ellis' second on a 9-0 vote. Mayor Adler was off the dais. Council Member Alter was absent.

October 14, 2021 - Postponed to October 21, 2021 at the request of staff on Council Member Renteria's motion, Council Member Ellis' second on an 11-0 vote.

October 21, 2021 - Postponed to December 2, 2021 at the request of Mayor Pro Tem Harper-Madison on Council Member Kitchen's motion, Council Member Kelly's second on a 10-0 vote. Council Member Casar was off the dais.

December 2, 2021 - Postponed to April 21, 2022 on Mayor Pro Tem Harper-Madison's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

April 21, 2022 – Approved unanimously on first reading as amended with Council Member Pool off the dais.

ORDINANCE NUMBER:

NA

ISSUES:

Staff has an alternative recommendation to the Urban Renewal Board's regarding the creation of a new Subdistrict 4 and related subdistrict regulations.

Due to the pandemic, the public's participation in the development of these recommendations has been limited. Staff held a virtual public information meeting on April 20, 2021 to provide general information and to answer questions. 23 people attended. The questions and responses are attached in Exhibit D.

BASIS OF RECOMMENDATION:

- The proposed amendments to the NCCD support the goals of the *Urban Renewal Plan for the East 11th and 12th Street Urban Renewal Area*, "Champion sustainable revitalization reflecting diversity, achieving equity, and preserving East Austin's cultural history."
- The segment of East 11th Street between IH-35 and Navasota Street is designated as an *Imagine Austin* Activity Corridor.

"Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices."

The proposed changes to the NCCD will support East 11th Street's evolution into a more complete Activity Corridor.

- Allowing denser mixed use development along East 11th Street and denser residential development along Juniper Street supports the *Austin Strategic Housing Blueprint's* goal of locating 75% of all new housing within ½ mile of an Activity Corridor.

EXISTING ZONING AND LAND USES:

Varied

NEIGHBORHOOD PLANNING AREA: Central East Austin

TIA: Is not required

WATERSHED: Lady Bird Lake, Waller Creek –
UrbanCAPITOL VIEW CORRIDOR: YesSCENIC ROADWAY: NoSCHOOLS:

Kealing Middle School Blackshear Elementary School

COMMUNITY REGISTRY LIST:

ID	Organization
1092	Robertson Hill Neighborhood Association
1210	Plaza Saltillo TOD Staff Liaison
1528	Bike Austin
477	El Concilio Mexican-American Neighborhoods
1550	Homeless Neighborhood Association
1363	SELTexas
1228	Sierra Club, Austin Regional Group
1595	Neighbors United for Progress
511	Austin Neighborhoods Council
1530	Friends of Austin Neighborhoods
30	Guadalupe Neighborhood Development Corporation
966	Organization of Central East Austin Neighborhoods
742	Austin Independent School District
1616	Neighborhood Empowerment Foundation
1774	Austin Lost and Found Pets
1393	Waterloo Greenway
1007	Urban Renewal Board of the City of Austin
1444	East Austin Conservancy
1325	East End IBIZ District
925	Blackshear-Prospect Hill
1258	Del Valle Community Coalition
452	Guadalupe Association for an Improved Neighborhood
1424	Preservation Austin

CASE HISTORIES:

NUMBER	Action
Ordinance #910260-C	Established the East 11 th Street NCCD
Ordinance # 010607-23 (The Bennett Tract)	Amended the initial NCCD to allow dense residential development along the NB IH-35 Frontage Road.
Ordinance #20080508-084	Amended initial NCCD to allow dense development along NB IH-35 Frontage Road

Ordinance #20080508-085	Amended initial NCCD to allow dense development along NB IH-35 Frontage Road
Ordinance #20081211-080	This ordinance amended the initial NCCD by establishing the current Subdistrict 4

RELATED CASES:

The Central East Austin Neighborhood Plan rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on 12-13-01 (Ordinance #011213-41).

INDEX OF EXHIBITS AND ATTACHMENTS

Exhibit A: Aerial Map

Exhibit B: Zoning Map

Exhibit C: Proposed Changes to The East 11th Street Neighborhood Conservation Combining District (NCCD) – updated per first reading

Exhibit D: Staff Responses to Questions Compiled from Public Information Meeting, SpeakUp Austin! Page, and Emails

Exhibit E: Additional Urban Renewal Board Recommendations

Exhibit F: Additional Public Comment - updated

Exhibit A: Aerial Map

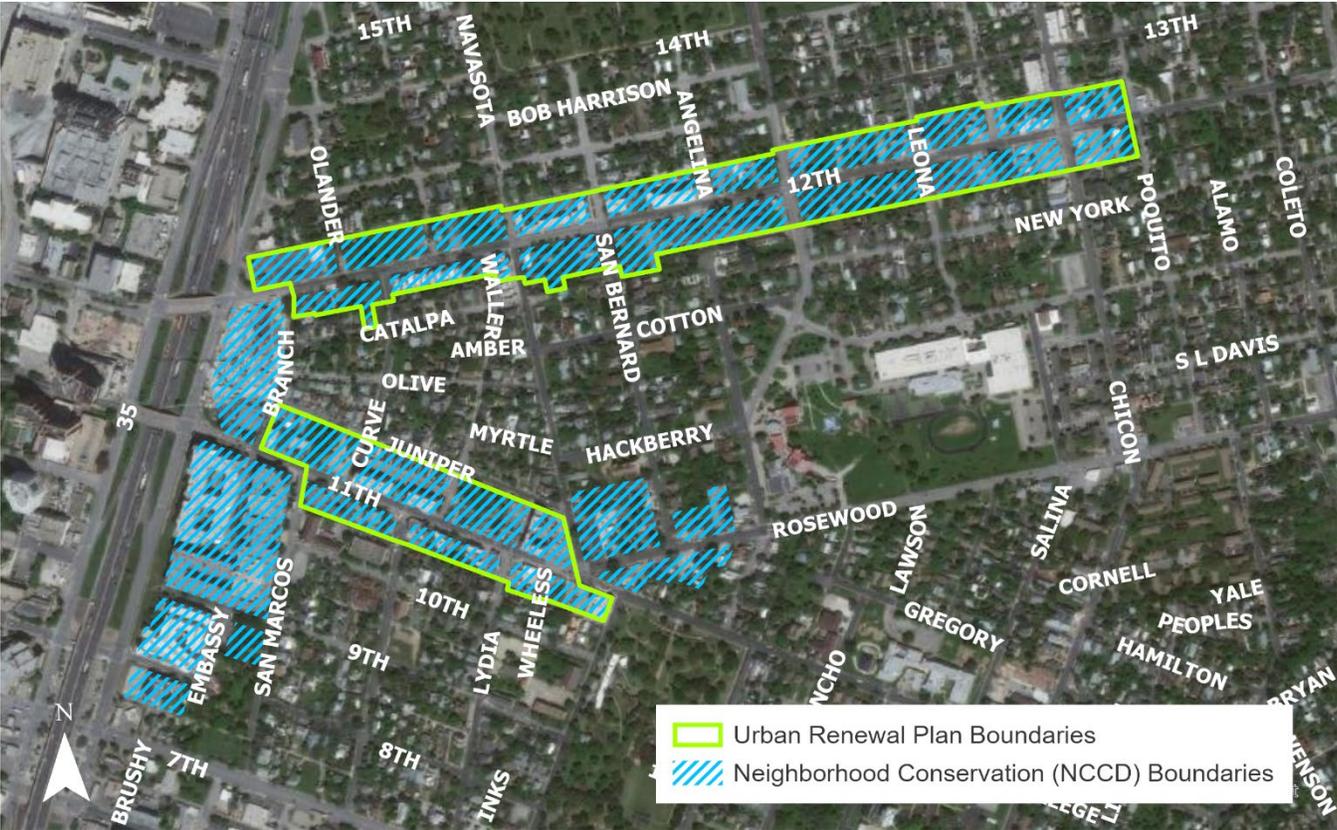


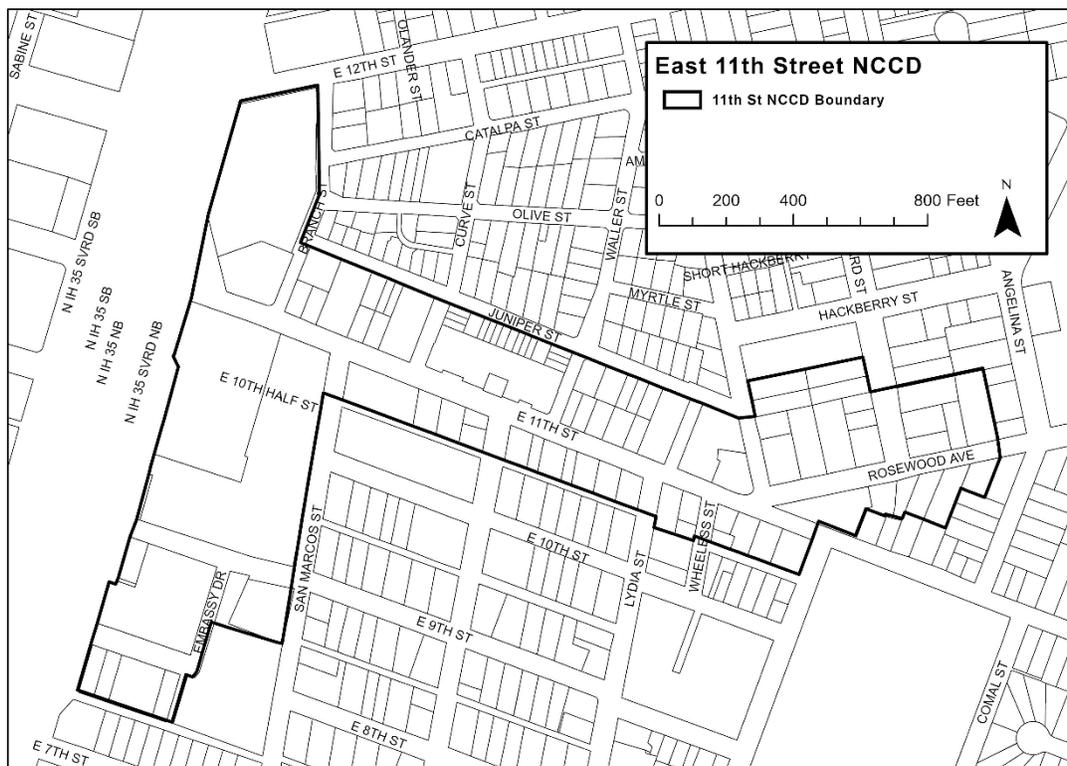
Exhibit B: Zoning Map



Exhibit C**PROPOSED CHANGES TO THE EAST 11TH STREET NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD)****BACKGROUND**

Beginning in late 2018 the Urban Renewal Board of the City of Austin (URB) began working on updating the *Urban Renewal Plan for the East 11th and 12th Street Urban Renewal Area (URP)* and associated East 11th Street Neighborhood Conservation Combining District (NCCD). The purpose of their efforts was to update and streamline the URP and NCCD and to bring the two into alignment. The City Council authorized amending the NCCD via a resolution.

The URP has been amended 11 times since its adoption in 1990. The NCCD was adopted in 1991. Although under Texas State law the provisions in an urban renewal plan supersede municipal land use regulations when there are conflicts, it has been the City's practice to align the regulations in URP and the NCCD. Since its adoption, the East 11th Street NCCD has been amended several times and is currently almost 200 pages long. The length and complexity of the current ordinance makes it difficult to administer and difficult for property owners to clearly understand the entitlements associated with their property. Additionally, not every URP amendment had a corresponding NCCD amendment.



The proposed amendments to the East 11th Street NCCD cover changing the ordinance's subdistrict boundaries, development standards (building height, impervious cover, parking, building setbacks, etc.), and land uses. There are no base zoning district changes being recommended as part of this process.

This document has been updated to reflect City Council's action on first reading. Proposed changes capture the Urban Renewal Board and Staff recommendations as amended by Council.

PROPOSED CHANGES TO SUBDISTRICTS

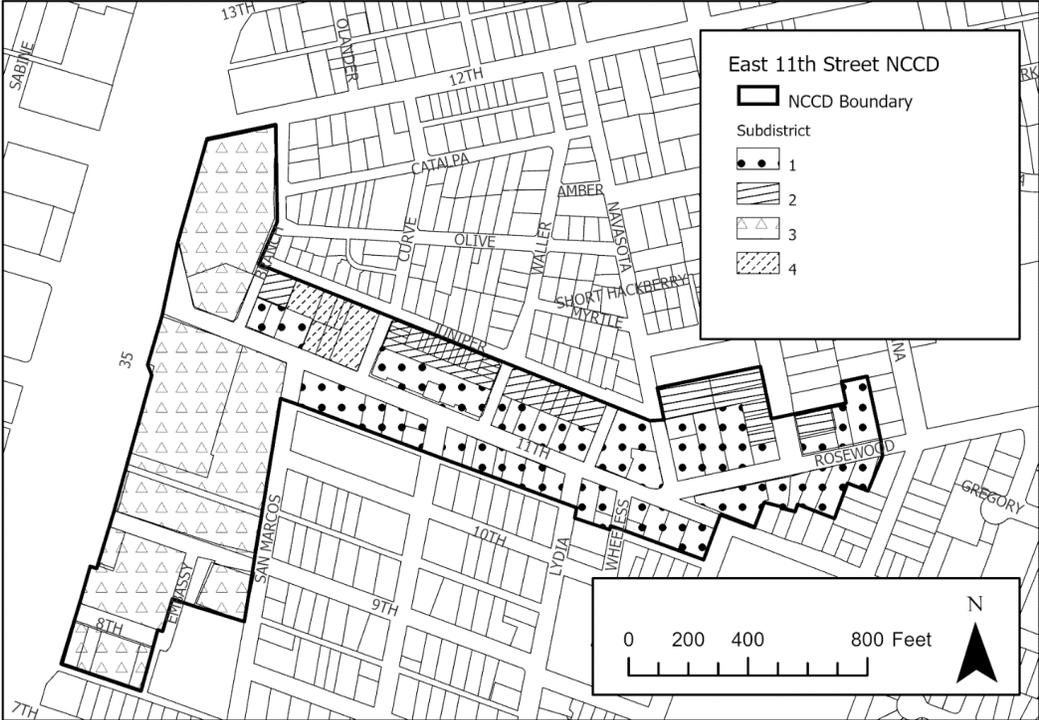
The subdistricts provide the organizational framework for the NCCD. Development standards and land uses are based on what subdistrict a site is located. The proposed amendments to the NCCD establishes three subdistricts:

- Subdistrict 1 is along East 11th Street and Rosewood Avenue
- Subdistrict 2 is along Juniper Street, Navasota Street and San Bernard Street
- Subdistrict 3 is along the Northbound Frontage Road of IH-35

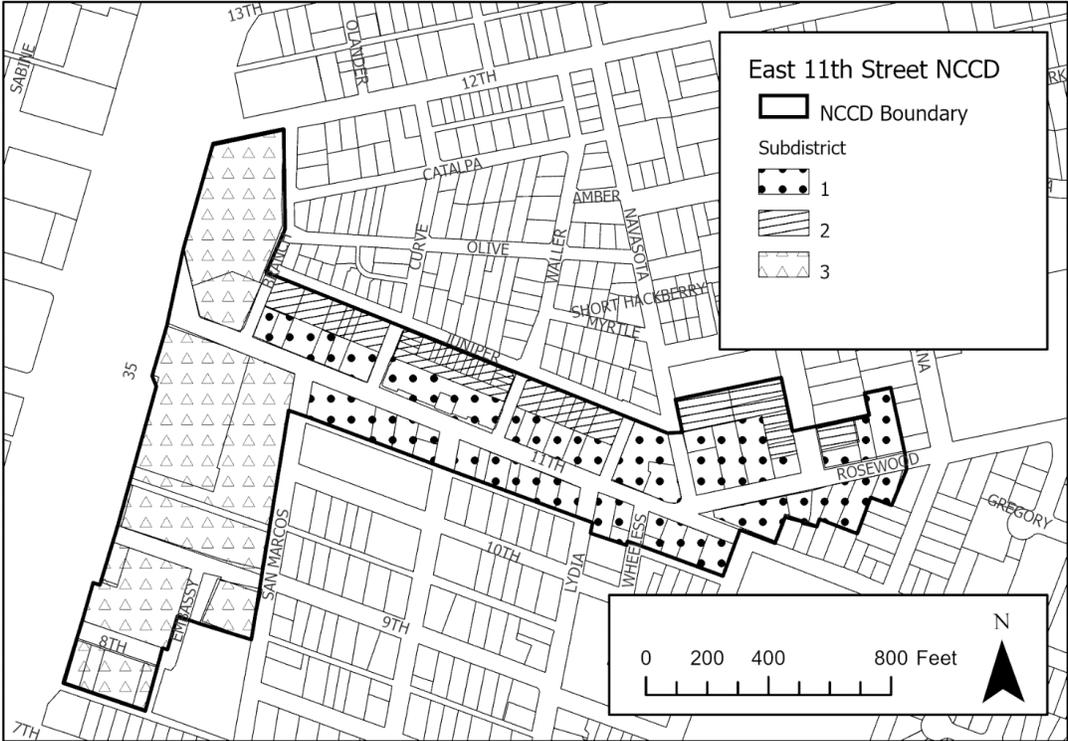
The existing Subdistrict 4 is converted into Subdistricts 1 and 2 to be consistent with adjacent properties. Although Subdistrict 3 and portions of Subdistricts 1 and 2 are included in the NCCD, they are not included in the URP area as depicted on the Aerial Map on page 4.

Subdistrict 3 was in the original 1991 NCCD, but has been amended three times to accommodate dense residential development along the NB Frontage Road of IH-35. The recommended amendments to the NCCD combines these amendments as well as standards from the original NCCD for an area not covered by these amendments into a single set of regulations for the subdistrict. The subdistrict's regulations remain mostly unchanged except for simplifying the height standards and elimination of the floor-to-area ratio (FAR) requirements.

Subdistrict Map A: Existing NCCD Subdistricts



Subdistrict Map B: Proposed NCCD Subdistricts

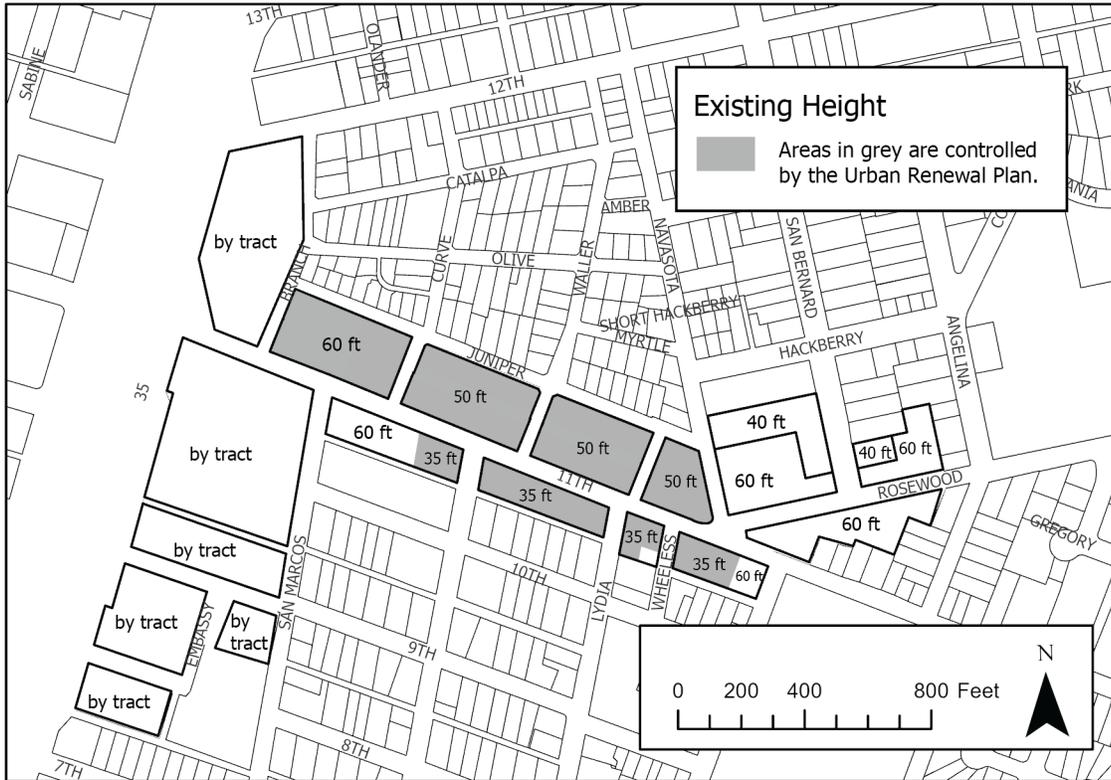


PROPOSED CHANGED TO DEVELOPMENT STANDARDS

Building Heights

Under current regulations, height maximums are found in both the URP and the NCCD and are conflicting for some properties. Below shows the effective height maximums because the URP supersedes the NCCDs.

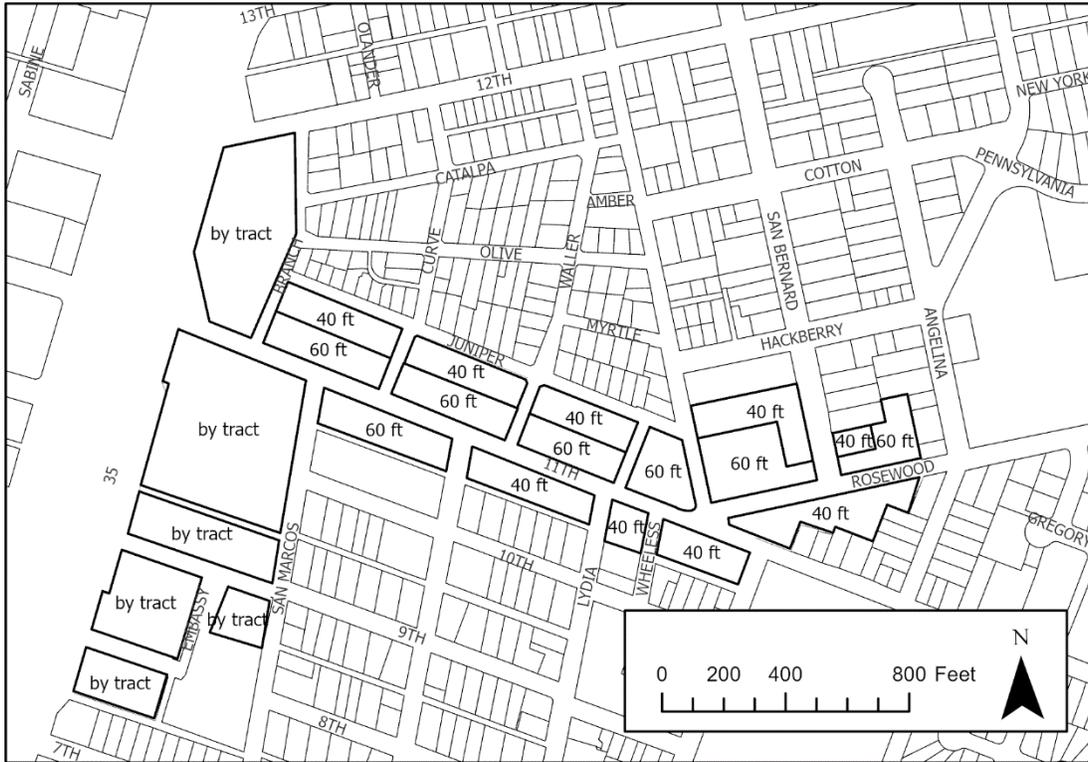
Building Height Map A: Existing Building Heights



Building Height Map B: Proposed Height Maximums

Proposed regulations integrate existing entitlements and consider existing context. Height maximums remain largely the same with a stepdown in height from East 11th St to Juniper St to create a transition from the commercial corridor to the residential area of the neighborhood.

Building Height Map B: Proposed Height



Compatibility

Currently, the NCCD waives citywide compatibility standards and applies specific standards. The proposed NCCD amendments would waive compatibility standards that affect height and setbacks for Subdistrict 1 and 2; however, general compatibility standards relating to noise, lighting, and placement of parking, trash, and mechanical equipment.

Impervious Cover

The current NCCD has different impervious cover limits for properties in Subdistrict 1 depending on if the development is new (95%) or existing (100%). The proposed standards are 100% impervious cover in Subdistrict 1 and no changed for Subdistricts 2 and 3.

Floor Area Ratio (FAR)

The current regulations vary greatly within the URP and the NCCD and are not always aligned. On some properties, the FAR depends on the size or use of the site. The proposed amendment removes FAR limits from all subdistricts allowing other site development standards to control the size of the building.

Development Standards for Subdistrict 1, 2, and 3

STANDARDS	SUBDISTRICT 1	SUBDISTRICT 2	SUBDISTRICT 3
MINIMUM LOT SIZE	None	None	None
MINIMUM LOT WIDTH	25'	25'	50'
MAXIMUM BUILDING HEIGHT	60' on the northside of E 11 th St and on the southside of E 11 th St between San Marcos St and Waller St 35' on the southside of E 11 th St between Waller St and Navasota St	40'	Tracts 1, 2: 150' Tract 3: 100' Tract 4: 200' Tract 5: 60' Tract 6: 50' Tract 7: 160' Tracts 8, 9, 11, 12: 40' Tract 10: 70'
FRONT YARD SETBACK (MINIMUM)	None	15'	None
STREET SIDE YARD SETBACK	None	10 feet	None
INTERIOR SIDE YARD SETBACK	None	5 feet	None
REAR YARD SETBACK	None	5 feet	None
MAXIMUM IMPERVIOUS COVER	100%	80%	Tracts 1, 2, 3, 4, 7, 12 (100%) Tracts 5, 6, 8, 9, 10, 11 (95%)
MAXIMUM BUILDING COVERAGE	95%	60%	Tracts 1, 2, 3, 4, 7, 12 (100%) Tracts 5, 6, 8, 9, 10, 11 (95%)
MAXIMUM FLOOR AREA RATIO (FAR)	None	None	None

PROPOSED CHANGES TO USE STANDARDS

The use standards for the East 11th Street NCCD are currently spread across five different ordinances, contain uses that are no longer in Austin’s Land Development Code (LDC), and have uses that were never part of the LDC (e.g., employee parking). The proposed standards refine the uses allowed in Subdistrict 1 and 2 to support the goals of the Urban Renewal Plan. The use standards for Subdistrict 3 are not changing.

To allow existing uses to continue without the limitations of non-conforming use standards, the proposed NCCD includes the creation of a new permitted use “conforming” that will be defined within the NCCD ordinance.

CONFORMING means a use that conformed to the regulations in effect at the time the use was established and existed on X (date ordinance adopted).

Permitted Use, Uses Permitted with Conditions, and Conditional Uses

The proposed changes to the NCCD create three types of allowable uses.

- *Permitted*—Allowed by-right
- *Permitted with Conditions*—Allowed without special permission, but special conditions must be met to have the use. The two most common special requirements are that a use be on the ground floor or that a use must be located on upper floors.
- *Conditional Use*—Allowed only if the Planning Commission approves the use request.

Subdistrict 1 Land Uses

The table below shows the proposed changes to the uses allowed in Subdistrict 1.

Table Key:

P = Permitted

PC = Permitted with Conditions

C = Conditional

— = Prohibited

Subdistrict 1			
Use	Existing Regulations*	Proposed Regulations	Conditions and Exceptions
Residential			
Condominium Residential	P	PC	Existing: no street level units Proposed: Not allowed on a ground floor of a building fronting East 11 th Street.
Group Residential	—	C	
Multifamily Residential	P	PC	Existing: 18 to 27 units per acre, no street level units Proposed: Not allowed on a ground floor of a building on East 11 th Street.
Retirement Housing (Small Site)	—	P	
Townhouse Residential	P	—	Existing: no street level units
Short-Term Rental	—	PC	Proposed: Type 2 Short-term rental is prohibited.
Civic			
College & University Facilities	C	C	Proposed: Not allowed on a ground floor of a building
Club or Lodge	P	—	
Community Recreation (Private)	C	C	
Community Recreation (Public)	C	C	
Communication Service Facilities	C	—	
Congregate Living	—	C	
Counseling Services	—	PC	Proposed: Not allowed on a ground floor of a building on E 11 th Street.
Cultural Services	P	P	
Day Care Services (Commercial)	C	P	
Day Care Services (General)	C	P	
Day Care Services (Limited)	C	P	
Family Home	—	P	
Group Home Class I (General)	—	P	

Group Home Class I (Limited)	—	P	
Group Home Class II	—	P	
Guidance Services	P	PC	Proposed: Not allowed on a ground floor of a building on East 11th Street.
Hospital Services (Limited)	P	—	
Local Utility Services	P	P	
Community Parking Facilities	P	Not the LCD	
Safety Services	P	C	
Private Primary Educational Services	C	C	
Private Secondary Educational Services	C	C	
Public Primary Educational Services	C	P	
Public Secondary Educational Services	C	P	
Religious Assembly	P	P	
Safety Services	P	C	
Telecommunication Tower	—	PC	Proposed: Prohibited unless located on a rooftop
Transportation Terminals	—	C	
Commercial			
Administrative and Business Offices	P	PC	Proposed: Not allowed on a ground floor of a building fronting E 11 th Street
Arts and Crafts Studio (Limited)	P	Not the LCD	
Arts and Crafts Studio (General)	P	Not the LCD	
Art Gallery	—	P	
Art Workshop	—	P	
Automotive Rental	C	—	
Automotive Sales	C	—	
Automotive Washing	C	—	
Building Maintenance Services	C	—	
Business or Trade School	C	C	
Business Support Services	P	P	
Cocktail Lounge	C	C	
Commercial Off-Street Parking	P	P	
Communications Services	P	P	
Consumer Convenience Services	P	P	
Consumer Repair Services	P	—	
Financial Services	P	P	Existing: no drive-thru
Food Sales	P	P	
General Retail Sales (Convenience)	P	P	
General Retail Sales (General)	P	P	
Hotel-Motel	—	PC	Proposed: Bedroom may not be located on a ground floor of a building fronting E 11 th Street

Indoor Sports and Recreation	P	P	
Indoor Entertainment	P	P	
Laundry Services	P	—	
Liquor Sales	P	C	Proposed: Limited to 3,000 square feet of gross floor area
Medical Offices	P	PC	Proposed: Not allowed on a ground floor of a building fronting E 11 th Street, not exceeding 5,000 sq./ft of gross floor space
Outdoor Sports and Recreation	P	—	
Personal Improvement Services	P	P	
Personal Services	P	P	
Pet Services	P	P	
Professional Offices	P	PC	Proposed: Allowed on E 11 th Street on the ground floor of a building with a historic landmark designation and on all other floors in buildings that do not have a historic landmark designation.
Research Services	P	—	
Restaurant (fast food)	P	Not in LDC	Existing: no drive-thru
Restaurant (limited)	PC	PC	Proposed: Drive-in services are prohibited as an accessory use.
Restaurant (general)	PC	PC	Proposed: Drive-in services are prohibited as an accessory use.
Service Station	P	—	
Special Use Historic	—	C	
Theater	—	P	

* Additional use restriction in the Urban Renewal Plan will affect some properties.

Subdistrict 2 Land Uses

The table below shows the proposed changes to the uses allowed in Subdistrict 1.

Table Key:

P = Permitted

PC = Permitted with Conditions

C = Conditional

— = Prohibited

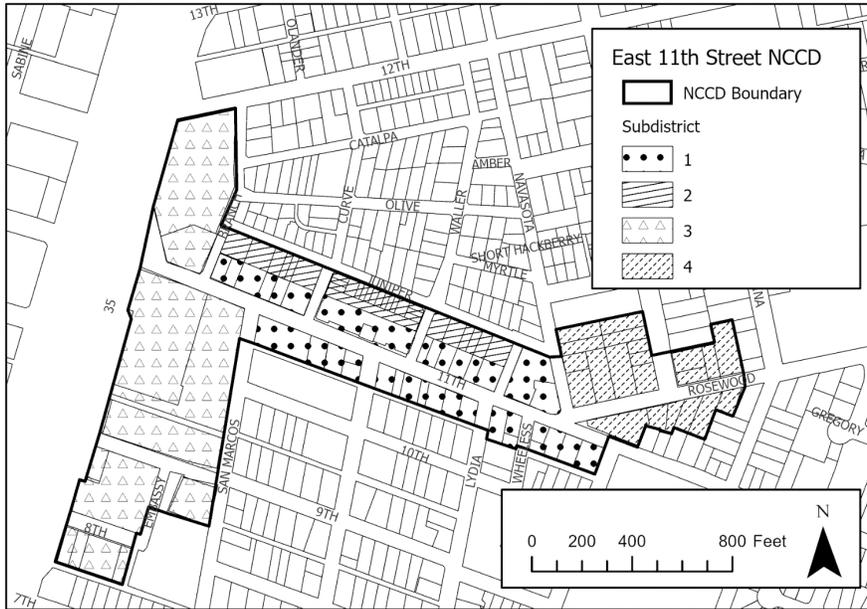
Subdistrict 2			
Use	Existing Regulations*	Proposed Regulations	Conditions and Exceptions
Residential			
Condominium Residential	P	PC	Proposed: Not allowed on a ground floor of a building fronting East 11th Street.
Duplex Residential	P	—	
Group Residential	—	P	
Multifamily Residential	P	P	Existing: 18 to 27 units per acre
Retirement Housing (Small Site)	—	P	
Townhouse Residential	P	PC	Proposed: Not allowed fronting East 11th St.
Two-Family Residential	P	—	
Single-Family Residential	P	—	
Short-Term Rental	—	PC	Proposed: Type 2 Short-term rental is prohibited
Civic			
College & University Facilities	C	C	Proposed: Not allowed on the ground floor of a building.
Club or Lodge	P	—	
Community Parking Facilities	P	Not in LDC	
Community Recreation (Private)	C	C	
Community Recreation (Public)	C	C	
Communication Service Facilities	C	—	
Congregate Living	—	C	
Counseling Services	—	PC	Proposed: Not allowed on a ground floor of a building on East 11th Street.
Cultural Services	P	P	
Day Care Services (Commercial)	P	—	
Day Care Services (General)	P	P	
Day Care Services (Limited)	P	P	
Family Home	P	P	
Group Home Class I (General)	—	P	
Group Home Class I (Limited)	—	P	
Group Home Class II	—	P	

Employee Parking	C	Not in LDC	
Hospital Services	C	—	
Guidance Services	P	PC	Proposed: Not allowed on a ground floor of a building on East 11th Street.
Local Utility Services	—	P	
Private Primary Educational Services	C	C	
Private Secondary Educational Services	C	C	
Public Primary Educational Services	C	P	
Public Secondary Educational Services	C	P	
Religious Assembly	P	P	
Safety Services	P	C	
Telecommunication Tower	—	PC	Proposed: Prohibited unless located on a rooftop
Commercial			
Administrative and Business Offices	P	PC	Proposed: Not allowed on a ground floor of a building fronting East 11th Street.
Arts and Crafts Studio (Limited)	P	Not the LCD	
Art Gallery	—	P	
Art Workshop	—	P	
Business Support Services	P	—	
Commercial Off-Street Parking	P	—	
Medical Offices	P	P	Proposed: not exceeding 5,000 sq./ft of gross floor space
Personal Improvement Services	P	—	
Personal Services	P	—	
Professional Office	P	—	
Special Use Historic	—	C	
Theater	—	P	

* Additional use restriction in the Urban Renewal Plan will affect some properties.

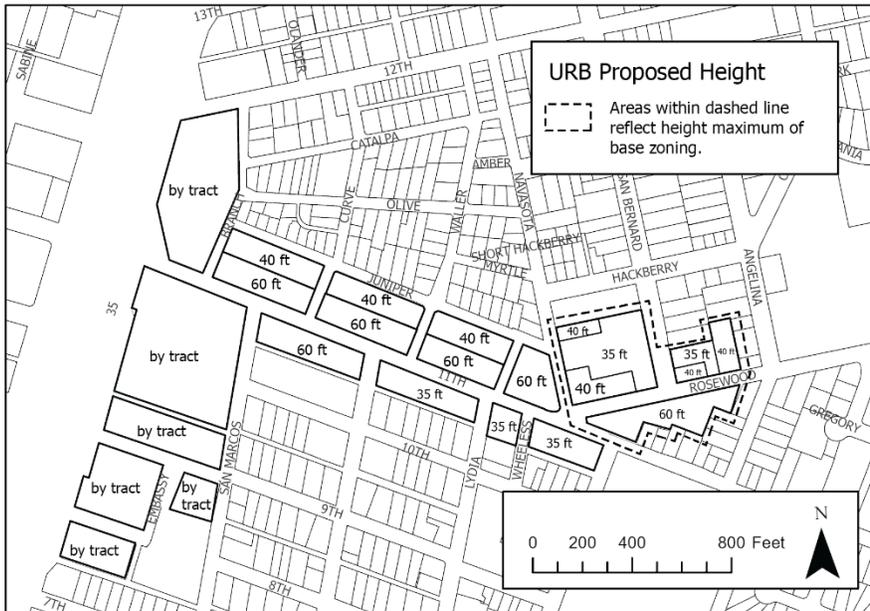
PLANNING COMMISSION (PC) RECOMMENDATION:

Subdistricts



The PC recommendation is based on the URB’s original recommendations. Property in the new subdistrict 4 would be subject to the development standards and land use regulations associated with their base zoning (SF-2, CS, LO, etc.).

Height



The PC recommendation on height only differs in the proposed subdistrict 4 which would reflect the base zoning standards for those properties.

FAR

Subdistrict 1 – 3:1

Subdistrict 2 – 2:1

Subdistrict 3 – 3.75:1

Subdistrict 4: match with current base zoning except where it creates a nonconforming structure.

Land Use

Hotel-Motel Use: PC recommended Hotel-Motel should be a conditional use in Subdistrict 1, except where it creates a nonconforming use.

Single Family Use: PC specified that existing single-family uses continue without limitations or becoming nonconforming.

Exhibit D**Staff Responses to Questions Complied from Public Information Meeting, SpeakUp Austin! Page, and Emails**

1. Were there any uses removed from the permitted list on E. 12th Street?

Yes, the current NCCD relies on the base zoning and prohibits additional uses. The proposed uses has a table of permitted uses.

2. On the ft chart: how many stories is 50 ft?

3 to 4 stories depending on floor to ceiling heights.

3. Why is Rosewood allowed to build to 60' when homes on 11th street adjoin to those lots?

Current entitlement allow 60' in height along Rosewood.

4. Residential lots on Angelia are also adjacent to the Rosewood lots allowing 60' Height WHY???

Adjacent to Angelina, the base zoning allows 40 ft of height.

5. For East 12th street, when the FAR restrictions are removed, will the FAR still be set by the base zoning?

No, the recommendation is that there will be no FAR limits for properties within the 12th St NCCD.

6. With the growth of Austin, these small-scale solutions seem completely out of date. Why are we not making changes for more density? Why aren't we building more housing near the core, and fulfilling "compact and connected" Imagine Austin goal?

Both segments of East 12th Street and East 11th Street covered by NCCDs are Imagine Austin Activity Corridors. The regulations being proposed are in alignment with that designation. The URP and NCCDs permit and encourage a variety of housing types through the use regulations including townhouse, condominium and multifamily. Development standards are designed to allow new development that is compatible to the context. East 11th Street is intended to be a more robust commercial area; whereas East 12th Street is intended to become a more modestly scaled mixed use district.

7. Doesn't base zoning govern use on both 11th and 12th now? i.e., a use must be allowed by base zoning and also by the URP/NCCD use charts? On both streets?

Currently the 12th Street NCCD relies on a property's base zoning for uses and the 11th Street has a list of permitted/conditional uses by subdistrict. Additionally the URP included use regulations.

The proposed NCCDs have a list of permitted, permitted with conditions and conditional uses and in some cases the use must also be allowed by the base zoning. The use table in the proposed URP mirror the regulations in the NCCD.

8. Driving on the side streets between East 11th and East 12th Street is a challenge due to parking on both sides of the street. Does the zoning address the possibility of changing some of the streets into one way streets?

This does not fall under zoning regulations.

9. Telephone poles blocking the entrance on 12th Street Properties for construction purposes they have to be lowered.

This does not fall under zoning regulations.

10. Does the zoning address Short Term Rental's on East 12th Street?

Short Term Rentals are not allowed within the East 12th St NCCD.

11. How could these changes be impacted by a future citywide LDC rewrite?

The land use regulations and development standards for the proposed Urban Renewal Plan (URP) amendments are contained in the East 11th Street and East 12th Street NCCDs. Under the recent code revision process, NCCDs were left unchanged. Additionally, because the URP supersedes the Land Development Code and NCCDs, those standards will remain in place until the plan is amended or expires.

12. What was the purpose behind the creation of subdistrict 4 within the 11th St NCCD? By reverting to the base zoning it seems that the section bordering Rosewood Ave is effectively being removed from the NCCD for all intents and purposes.

The NCCD refers to the properties within Subdistrict 4 to their base zoning standards. There are no additional regulations for subdistrict 4 within the proposed draft.

13. If we want East 12th to be walkable why aren't more uses being permitted so that people have a diversity of destinations close to where they live?

The uses on East 12th Street allow for a variety of shops, restaurants, and services. The use list was designed to create an active pedestrian-oriented street.

14. If there are carve outs to preserve existing businesses that are part of existing culture, should there not be carve outs for changes to zoning to help preserve historic structures to help preserve the character and history of the neighborhood?

There are properties in both NCCDs that have historic zoning which is the zoning tool to protect historic structures. There was community concern that allowing too many bars could adversely affect the area.

15. "In Subdistrict 1 and 2, height tailored to be compatible with adjacent properties outside the NCCD." Why not do this with subdistrict 4? 60' is significantly higher than the residential lots that border the adjacent properties on Angelina St.

The current proposal is that properties within subdistrict 4 are subject to their base zoning entitlements. Properties fronting Rosewood Avenue currently have a height maximum of 60 feet.

16. Does base zoning standards apply to the properties on Rosewood that allow the 60' height restriction?

Along the south side of Rosewood Avenue, base zoning allows 60' height. Height maximums are lower along the north side.

17. Can you share again please, in layman's terms, what the goal is of this meeting is and what is being proposed?

The public meeting on April 20th was held to give information and answer questions about the proposed changes. The proposed Urban Renewal Plan and NCCDs are being updated to modernize and align the regulations.

18. 12th and Chicon has maintained some long running and unique bars for the neighborhood. Any growth here has been severely restricted, is there a reason for that? (clarified: cocktail bars, or bars in general)

Limiting bars/cocktail lounges to existing locations was done to address community concerns that by not limiting them, there could be a surge of new bars locating to the area.

19. Were billboards considered in the land use standards?

Billboards are not considered as a part of rezoning. Regulations on billboards can be found in the sign chapter of the Land Development Code.

20. Is there any plan to bury the many unsightly power and telecommunications lines on E12th St?

Staff is not aware of any plans to bury utility lines.

21. Why are the heights not all the same? Why is height higher on North side?

In the East 12th Street NCCD the heights reflect current entitlements. In the East 11th Street NCCD, heights have been applied based on the allowable height on adjacent parcels.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2021-0033
 Contact: Mark Walters, 512-974-7695
 Public Hearing: April 27, 2021, Planning Commission

ANDREA BEADLES
 Your Name (please print)

908 CATALPA 78702
 Your address(es) affected by this application (OPTIONAL)

[Signature] 4/20/21
 Signature Date

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:
 City of Austin, Housing and Planning Department
 Mark Walters
 P. O. Box 1088, Austin, TX 78767
 Or email to:
 mark.walters@austintexas.gov

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Exhibit E:
Additional Urban Renewal Board Recommendations

URBAN RENEWAL BOARD RECOMMENDATION 20210816-2a

Date: August 16, 2021

Subject: Response to Planning Commission Action

Motioned By: Motwani

Seconded By: Tetey

Recommendation

Response to Planning Commission's recommendations on the proposed modifications to the East 11th and 12th Street Urban Renewal Plan and Neighborhood Conservation Combining Districts.

Description of Recommendation to Council

See attached

Vote

For: Escobar, Pierce, Motwani, Tetey, Watson, Bradford

Against: None

Abstain: None

Absent: Skidmore

Attest: Laura Keating

Laura Keating

To: City Council of Austin
From: Urban Renewal Board
Date: August 16, 2021
Subject: Response to Planning Commission's action on the Urban Renewal Plan and Neighborhood Conservation Combining Districts

The Urban Renewal Board (URB) engaged in a multiyear effort to update the Urban Renewal Plan (URP) and the East 11th and 12th Street Neighborhood Conservation Combining Districts (NCCDs). The goal of this effort was to update the zoning regulations to support the URP and to provide consistency and clarity regarding entitlements. The Board's recommendations were formed with the assistance of consultants, staff, and community input. The following response to the Planning Commission's (PC) amendments to the URP and NCCDs is to provide more background on the URB's recommendations.

- The URB does not support the amended vision statement proposed by PC.

The URB crafted and recommended the following vision statement for the URP:

Champion sustainable revitalization reflecting diversity, achieving equity, and preserving East Austin's cultural history.

While the URB agrees with PC that development should be community informed, compatible, and mixed use and previously considered the inclusion of this language in the vision statement, the URB does not believe this language should be in the vision statement. These elements either are currently addressed directly in the URP and NCCDs or will be included in the strategic plan to be developed by the URB that will drive its future efforts.

- The URB does not support FAR limits for Subdistrict 1, 2, and 3 in the East 11th Street NCCD.

On 11th Street, Council Resolution 20200423-039 directed modifications to the NCCD to both put in place the zoning to support the URP to maximize the value of the Urban Renewal Agency's properties while continuing to promote the vision set by the community and succinctly and clearly communicate property owners' entitlements. The URB considered and accepted the recommendation from staff and consultants that site development standards such as height, setbacks and impervious cover will effectively control the size of development and floor-to-area ratio (FAR) standards are not needed.

- The URB does not support FAR limits for all properties in the East 12th Street NCCD which would be a reduction in entitlements for many properties.
- The URB does not support the reduction of height entitlements for Subdistrict 2 in the East 12th Street NCCD.

On 12th Street, Council Resolution 20210127-054 directed modifications to the NCCD to both update the zoning regulations to ensure consistency with anticipated modifications to the URP and include any additional amendments necessary to succinctly and clearly communicate property owners' entitlements. The URB does not believe a reduction to currently existing height and FAR entitlements recommended by PC aligns with this direction.

- The URB does not support making hotel-motel use conditional in the East 11th and 12th Street NCCD.

The URB refined the list of allowed land uses in the URP and NCCDs to support an active street and uses that serve the community. With respect to hotel-motel uses on 11th Street, the URB accepted the recommendation from staff and consultants that the corridor has developed sufficiently to permit hotel-motel use generally, which will make it consistent with what currently is permitted on 12th Street. Hotel-motel use is currently permitted on 12th Street, and the URB believes that making this use conditional on both corridors does not align with the direction provided under the two Council Resolutions.

- The URB supports PC's recommendation to prohibit liquor sales use in the East 12th Street NCCD.

The original URB recommendation proposed that liquor sales, currently prohibited, be a conditional use on 12th Street. Because the use must also be allowed in the base zoning, only a few properties would be affected. The URB has reconsidered this change and supports liquor sales use remaining prohibited.

- The URB supports PC's intent that all existing single family uses will be able to rebuild with no restrictions.

The URB intended through the "save & except" provision to ensure that all existing single-family houses remain legal and are not subject to non-conforming regulations. The URB supports the PC action to ensure that if existing single-family homes are damaged or destroyed the property owner can rebuild as single-family and that homeowners have the right in perpetuity to use and improve their properties with no limits on value of improvement, repair, rebuild or sale as associated with a single-family use currently.

The URB would respectfully ask City Council to support the Urban Renewal Plan and Neighborhood Conservation Combining Districts as presented by the URB and as reflected above.



URBAN RENEWAL BOARD RECOMMENDATION 20211018-2c

Date: October 18, 2021

Subject: Update to 11th Street Neighborhood Conservation Combining District (NCCD) Recommendation

Motioned By: Escobar

Seconded By: Pierce

Recommendation

Revise the Board's recommendation to Planning Commission and Council that the Board no longer advocates for the creation of a Subdistrict 4 and instead those properties along and adjacent to Rosewood remain in Subdistrict 1 and Subdistrict 2 as proposed by staff's recommendation.

Description of Recommendation to Council

The URB was tasked with bringing the Urban Renewal Plan (URP) and the NCCDs into alignment. The URB originally proposed the creation of Subdistrict 4 along Rosewood Avenue because these properties fall outside the boundaries of the URP. After the URB's deliberation on the NCCD, staff's analysis revealed that if properties within the newly created Subdistrict 4 are subject to their base zoning district, entitlements will be reduced for some properties. This does not align with the URB's intention with its original recommendation, therefore the URB is supportive of staff's recommendation that these properties remain in Subdistrict 1 and 2 (see attached maps).

Vote

For: Escobar, Pierce, Motwani, Tetey, Skidmore, Bradford

Against: None

Abstain: None

Absent: Watson

Attest: Laura Keating

Laura Keating



Staff Recommendation (supported by the URB)





URBAN RENEWAL BOARD RECOMMENDATION 20211115-3a

Date: November 15, 2021

Subject: Land Use Regulations in the proposed Urban Renewal Plan and Neighborhood Conservation Combining Districts

Motioned By: Escobar

Seconded By: Watson

Recommendation

See attached letter.

Vote

For: Escobar, Pierce, Skidmore, Motwani, Watson

Against: None

Abstain: None

Absent: Tetey, Bradford

Attest: Laura Keating

Laura Keating

To: Mayor & City Council of Austin

From: Urban Renewal Board

Date: November 15, 2021

Subject: Land Use Regulations in the proposed Urban Renewal Plan and Neighborhood Conservation Combining Districts

The Urban Renewal Board (URB) engaged in a multiyear effort to update the Urban Renewal Plan (URP) and the East 11th and 12th Street Neighborhood Conservation Combining Districts (NCCDs). The Board's recommendations were formed with the assistance of consultants, city staff, and community input.

The URB refined the list of neighborhood-oriented and pedestrian-friendly land uses in the URP and NCCDs to support active streets that serve the community. In response to concerns from stakeholders about the reduction of uses allowed for some properties:

- The Board supports proposed regulations which continue to allow uses that are permitted or conditional under current regulations if they support the goals of the URP.

The URB intended outcome through the “save and except” provision in the proposed URP and NCCDs was for the uses listed by address, including existing single-family houses, to remain legal and not to be subject to non-conforming regulations. In response to legal concerns about this section, City legal is recommending the creation of a new permitted use, “conforming”, that will be defined as a use that conformed to the regulations in effect at the time the use was established and existed on the date of adoption of the proposed ordinance.

- The Board supports the most appropriate mechanism to reduce the impact of non-conforming regulations on existing legal uses outlined in the “save and except” provision. This may include but is not limited to, inclusion of the “conforming” land use or other adjustments to the land use charts.

The URB does not see significant value in its holding additional meetings to specifically discuss proposed land use regulations and will defer to Council to identify the best practice strategies regarding the aforementioned changes.

Further, the URB encourages Council to prioritize taking immediate action on changes recommended to the NCCD and URP documents. Additional delays will have a direct impact on the URB's ability to move forward with developing Blocks 16 and 18 and facilitating the spirit of parts of the resolution (no. 20210902-48) recently approved by Council related to the African American Cultural Arts District.

Exhibit F: Additional Public Comment

and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0033
Contact: Mark Walters, 512-974-7695
Public Hearing: September 2, 2021, City Council

Chris Curtis
Your Name (please print)

I am in favor
 I object

800 Embassy Dr. Unit 306
Your address(es) affected by this application (optional)

Chris Curtis 8-21-21
Signature *Date*

Daytime Telephone (Optional): 620-617-8437

Comments: I am in favor of increased density and housing and commercial space.

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

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

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.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0033
Contact: Mark Walters, 512-974-7695
Public Hearing: September 2, 2021, City Council

DERON MILLER

Your Name (please print)

I am in favor
 I object

860 EMBASSY DR. #605

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

[Signature]

Signature

8.22.2021

Date

Daytime Telephone (Optional): 904-612-1803

Comments: YOU SHOULD ALL BE ASHAMED FOR TRYING TO CHANGE THE RULES TO BEND FOR MONEY. THE EAST SIDE IS ALL ON TAPE A SELLING OUT. I WILL BE CONTACTING KXAN TO INVESTIGATE.

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

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

Anahra Beadles
Your Name (please print)

I am in favor
 object

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

[Signature] 10/5/21
Signature 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

Date: 10/14/2021File Number: URP case and E 12th St NCCD caseC14-2021-0037

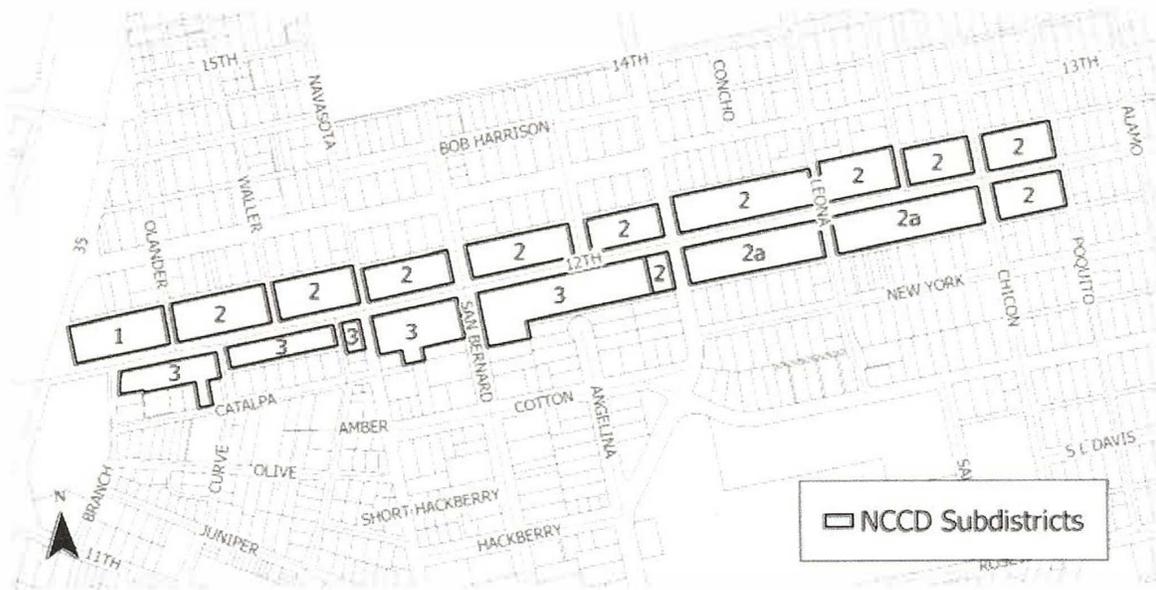
To: Austin City Council

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 12th 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. 12th Street.

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.

PUBLIC HEARING INFORMATION

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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

Signature

10.4.21

Date

I am in favor
 I object

Daytime Telephone (Optional):

Comments: NO MORE DENSITY!

City of Austin

OCT 08 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

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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)

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

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

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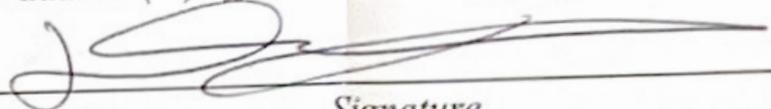
Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

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

David Scheinfeid
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: _____

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



Re: Urban Renewal Plan and NCCDs

November 8, 2021

Dear Mayor, Mayor Pro Tem and Council,

The Organization of Central East Austin Neighborhoods respectfully requests that you support an alignment package for the Urban Renewal Plan and East 11th and East 12th Street NCCDs **with the effect of preserving current development entitlements.**

These regulatory documents represent thousands of hours of community negotiation and compromise to provide additional height and/or relaxed setbacks that enable corridor properties to more easily deliver a mix of retail, housing and commercial services in a manner that complements the existing context of homes, businesses, and civic institutions. Residents along and nearby each street gave up standard compatibility protections in exchange for a more tailored set of permitted uses that promote the shared vision for a pedestrian-oriented place to live and access one's daily needs.

For more than two years, and as tasked, the Urban Renewal Board has worked diligently to streamline these documents for ease of use and to align them to eliminate contradictions. Their drafts are clear, much more concise, and largely reflect the board's stated intent to carry forward existing development standards.

However, they do propose a few substantive changes, and we anticipate that others may come from the dais. **We ask you to ensure the following are not part of the documents you ultimately adopt, as they undo the fundamental agreements around which this community coalesced.**

- Prohibition of single-family use and restriction of condominium residential and townhouse residential uses within the East 12th Street NCCD and along the side streets of the East 11th Street NCCD;
- Increase of maximum heights via a density bonus program or any other means;
- Expansion of alcohol-related use permissions where currently they are prohibited;
- Expansion of use permissions for any other uses currently prohibited or limited by the NCCDs; and
- Unlimited FAR on lots where currently FAR is otherwise set by base zoning or NCCD provision.

Thank you and your staff for your time and thoughtful consideration of our requests. They come from a place of respect for all the stakeholders before us and among us who made significant concessions to balance interests and promote a shared vision for revitalization.

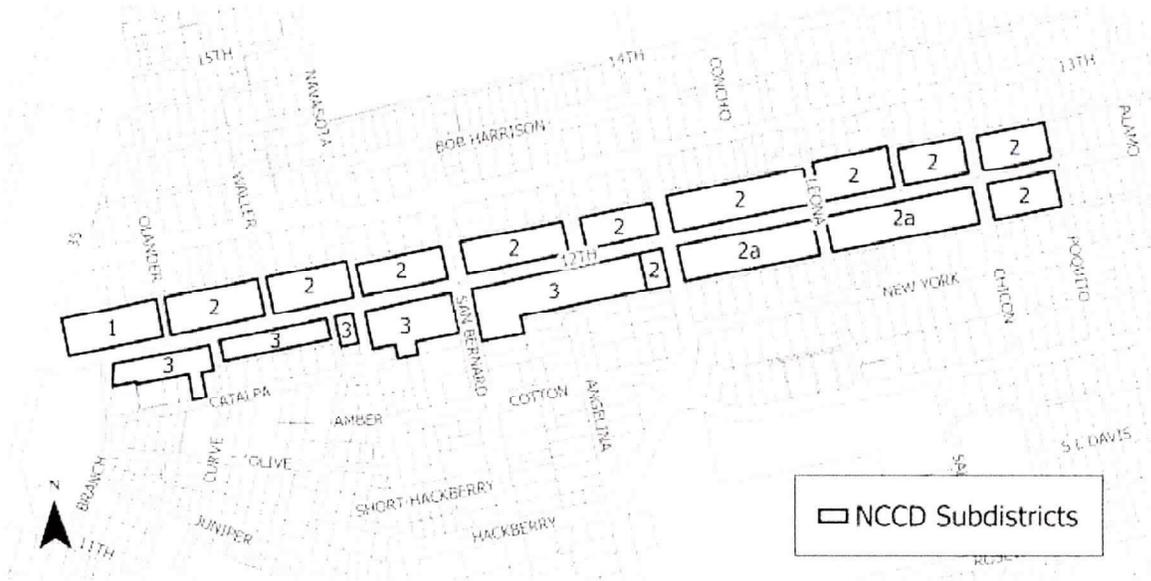
Sincerely,

A handwritten signature in blue ink, appearing to be 'Nathan Jones', with a long horizontal line extending to the right.

Nathan Jones

President, Organization of Central East Austin Neighborhoods

CURRENT EAST 12TH ST NCCD HEIGHT MAXIMUMS REFERRED TO 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 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. 12th 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. 12th Street.

D. Drive Through Uses

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

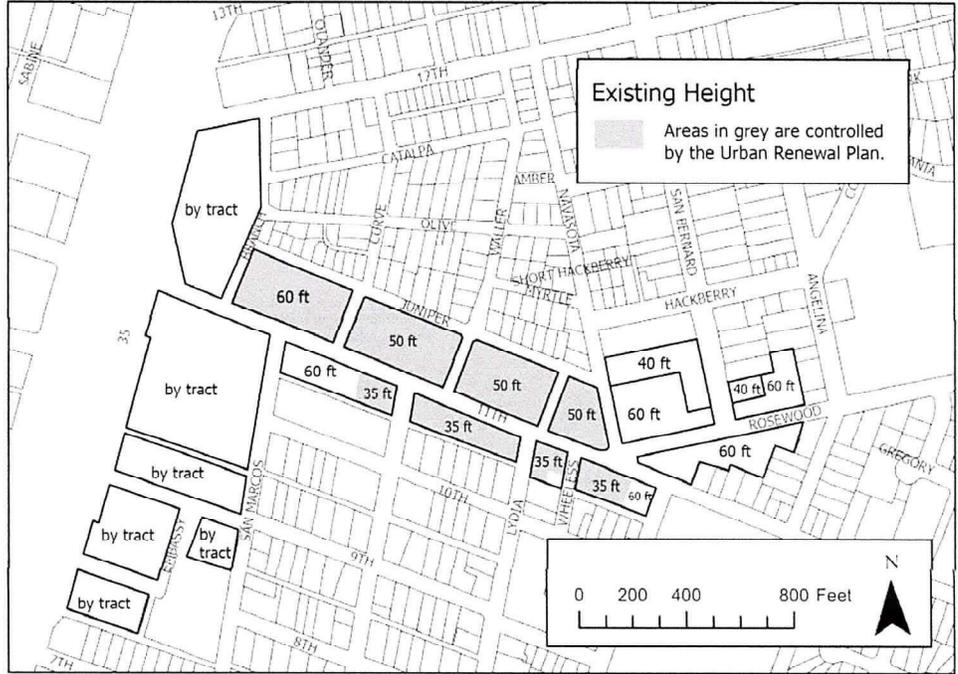
1. The primary use must provide service for pedestrians that does not require the pedestrian to stand or walk in the drive-through lane.
2. The maximum curb cut for a drive through accessory use must not exceed 30 feet.
3. Drive through uses are permitted to operate between the hours of 6:00 AM and 12:00 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.

CURRENT EAST 11TH ST NCCD HEIGHT MAXIMUMS REFERRED TO ABOVE.



Existing Height Maximums

E. 11th St



PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

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.

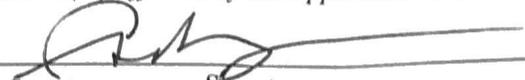
For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0033
Contact: Mark Walters, 512-974-7695
Public Hearing: September 2, 2021, City Council

Cristina De La Fuente
Your Name (please print) I am in favor Object

1208 E. 10th St Austin TX 78702
Your address(es) affected by this application (optional)


Signature 8/31/21
Date

Daytime Telephone (Optional): _____

Comments: I object to any changes to the E. 11th St NCCD and Urban Renewal Plan that increases allowable heights, increases allowable Floor to Area ratio, and makes hotel use a permitted use along the 1000-1200 blocks of E. 11th St and Rosewood Avenue. As a resident of E. 10th St (one block east of the state cemetery), I strongly support development and revitalization that supports and does not threaten to obliterate the established neighborhood residential, civic, and religious uses.

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: August 26, 2021

File Number: C14-2021-0033

Address of Rezoning Request:

1308 Rosewood, 1310 Rosewood, 1153 San Bernard (Properties within East 11th Street NCCD)

To: The Austin City Council

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.

STATE THE REASONS FOR YOUR PROTEST

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.

Signature



Printed Name

Austin Pfister

Address

1300 W Lynn St # 103
Austin TX 78703

Austin Pfister, Manager of the Manager
1300 Rosewood, LLC

STATE OF TEXAS

COUNTY OF TRAVIS

AFFIDAVIT

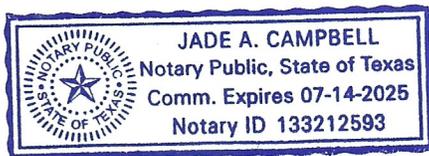
Before me, the undersigned notary, on this day personally appeared Austin Pfiester, the affiant, a person whose identity is known to me. After I administered an oath to affiant, the affiant testified:

1. My name is Austin Pfiester and I am over eighteen years of age. I am competent to testify to the matters stated herein;
2. I am a Manager in 1300 Rosewood, LLC a limited liability company located in Austin, Texas.;
3. 1300 Rosewood, LLC has filed a petition with the City of Austin to protest the rezoning of property that it owns located at 1308, 1310 Rosewood and 1153 San Bernard in Austin Texas;
4. I have read and am familiar with the petition and I have personal knowledge of the facts stated in the petition; I certify that the statements contained in the petition are true and correct based upon my personal knowledge or information obtained from other persons; and
5. I verify that I am the authorized representative to execute and sign the petition on behalf of 1300 Rosewood, LLC.



Austin Pfiester, Manager of the Manager

SUBSCRIBED AND SWORN TO ME, a Notary Public, on this 30 day of August, 2021.


Notary Public in and for the State of Texas

PETITION

Date: August 24, 2021

Case Number: C14-2021-0033

To: Austin City Council

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.

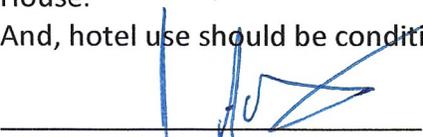
This protest is specific to the following tracts of land:

TCAD PID 194824 GID 0206051206. 1017 East 11th Street. Known locally as the St. Joseph Grand Lodge.

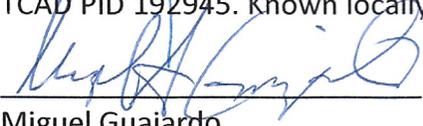
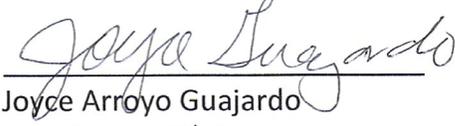
TCAD PID 194825 GID 0206051207. Known locally as 1021 East 11th Street, "Dr. Charles E. Urdy Plaza".

TCAD PID 194826 GID 0206051208 Known locally as 1006 Waller Street, Salvatore Bailetti House.

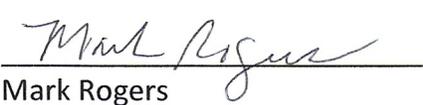
And, hotel use should be conditional or prohibited throughout Subdistricts 1 and 2.


On behalf of the Guadalupe Neighborhood Development Corporation.

TCAD PID 192945. Known locally as 1100 East 10th Street and 1007 Waller

 & 
Miguel Guajardo Joyce Arroyo Guajardo

TCAD PID 192944. Known locally as 1102 East 10th Street

 & 
Mark Rogers Tristana M. Rogers

TCAD PID 192943. Known locally as 1104 East 10th Street

Date: August 24, 2021

Contact Name: Mark C. Rogers

Phone Number: 512-940-9228

September 2, 2021

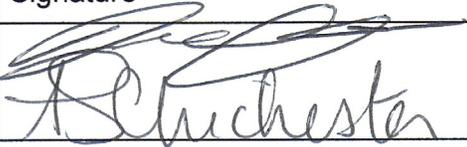
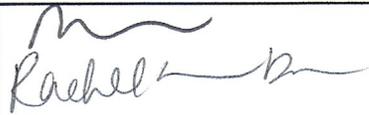
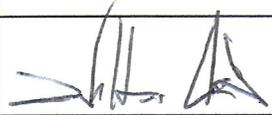
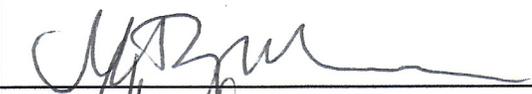
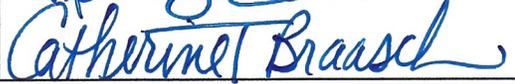
Re: Case Number: C14-2021-0033

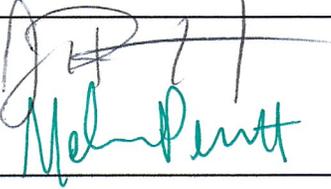
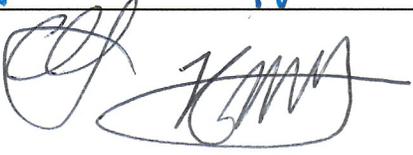
To City Council and others may this concern:

We the undersigned, owners of real property in District 1, object to the proposed building heights of 60 feet 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.

Commentary: Though there are protections (like parking requirements, compatibility, height restrictions, etc) built into the zoning ordinances to protect our neighborhood, each of us is a homeowner in the neighborhood who would not like to see a developer with deep pockets buy up multiple commercially zoned properties and build a structure that is excessively high and one whose 2nd, 3rd, or 4th level floors may look into our backyards or simply disrupt the fabric of the neighborhood and community.

Note for those signing: Signatures need to be by the exact Property Owner acc to TCAD.

TCAD Property Owner Name	Address	Signature
Chichester Jeremy A & Amy S	1108 Angelina St. Austin, TX 78702	
DAVIS PATRICK HOGAN & RACHEL KRUGER DAVIS	1104 Angelina St. Austin, TX 78702	
Coots Walter M	1100 Angelina St. Austin, TX 78702	
Bustamante Monika V	1500 E. 11th St. Austin, TX 78702	
Coots Walter	1502 E. 11th St. Austin, TX 78702	
Braasch Thomas J and Catherine T	1410 E. 11th St. Austin, TX 78702	 

BEASLEY MELISSA ANNE & JAMES LEE PERRETT JR	1113 Angelina St. Austin, TX 78702	
SCHEFFLER SUSAN	1506 E 11th St. Austin, TX 78702	
HAGEN CONOR & KILLIAN	1109 Angelina St. Austin, TX 78702	

P E T I T I O N

Date: September 1, 2021

File Number: C14-2021-0033

Applicant: City of Austin

To: Austin City Council

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.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Joseph A. Martinez, President	1100 East 10th St. ⁷¹⁰ 192945
	Miguel or Joyce Guajardo	1102 East 10th St. 192944
	Mark or Tristana Rogers	1104 East 10th St. 192943
	Patrina Carslile	1106 East 10th St. 192942
	David Ramert	1108 East 10th St. 192941
	David Ramert	1110 East 10th St. 192940
	Joseph A. Martinez, President	1112 East 10th St. 192939
	Joseph A. Martinez, President	1005 Lydia Street. 192997
	Francois or Julie Wade Levy	1001 Lydia Street. 192996
	Kenneth Wilson	1204 East 10th St. 193010
	Cristina Estrada De La Fuente	1208 East 10th St. 193009
	Christopher La Chapelle-L or Natalie Alsup	1210 East 10th St. Unit 1 945883
	Kendall Reinhardt or Aaron Lusk	1210 East 10th St. Unit 2
	William Stone	1212 East 10th St.
	Joseph A. Martinez, President	1214 East 10th St. 193006
	Joseph A. Martinez, President	1002 Navasota St. 193005
	Marciana Hernandez	1009 Wheelless St.

Date: September 1, 2021

Contact Name: Mark Rogers

Phone Number: 512-479-6275 ext. 6