### ZONING CHANGE REVIEW SHEET

<u>CASE</u>: **C14-2024-0059** – 1809 W. 35<sup>th</sup> Street <u>DISTRICT</u>: 10

ADDRESS: 1809 West 35th Street

ZONING FROM: LO-MU-CO-NP TO: LO-MU-CO-DB90-NP

SITE AREA: 0.27 acres

PROPERTY OWNER: MEA Real Estate Ventures, LLC (Mehrdad Ebrahimi)

AGENT: Thrower Design LLC (Ron Thrower and Victoria Haase)

CASE MANAGER: Marcelle Boudreaux (512-974-8094,

marcelle.boudreaux@austintexas.gov)

# STAFF RECOMMENDATION:

The Staff recommendation is to grant limited office district - mixed use - conditional overlay - density bonus 90 - neighborhood plan (LO-MU-CO-DB90-NP) combining district zoning.

The Conditional Overlay require compliance with the following regulations:

- 1) For any commercial permitted uses on the Properly that include an outdoor seating area elevated above one story or 15 feet as measured from ground level, the elevated seating area is limited to 2,500 square feet. This condition shall not apply to residential uses.
- 2) A 5-foot wide vegetative buffer shall be provided and maintained along the south property lines. Any trees planted in the vegetative buffer shall be compatible with utilities and have a spacing of 20 feet. Improvements permitted within the vegetative buffer area are limited to drainage, underground utility improvements, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

# PLANNING COMMISSION ACTION / RECOMMENDATION:

May 28, 2024: TO GRANT LO-MU-CO-DB90-NP COMBINING DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT.

[F. MAXWELL; A. WOODS –  $2^{ND}$ ] (10-0) G. COX, P. HOWARD, A. PHILLIPS – ABSENT

May 14, 2024: APPROVED STAFF POSTPONEMENT TO MAY 28, 2024, BY CONSENT.

[A. AZHAR; A. HAYNES -2<sup>nd</sup>] (9-0) P. HOWARD, J. MUSHTALER, R. JOHNSON, A. WOODS – ABSENT

# CITY COUNCIL ACTION:

July 18, 2024:

# **ORDINANCE NUMBER:**

# **ISSUES**:

In December 2023, Ordinance No. 20220609-080, Ordinance No. 20221201-056 and Ordinance No. 20221201-055 were invalidated. On March 11, 2024, Ordinance No. 20240229-073, was enacted to create the "DB90" combining district, which amended City Code Title 25 (Land Development) to create a new zoning district for a density bonus program that grants 30 feet in height above the base zoning district, to a maximum of 90 feet, and modifies site development regulations including compatibility standards. Subsequently, the applicant submitted a rezoning application to request the -DB90 combining district, in order for the City to continue review of site plan.

# CASE MANAGER COMMENTS:

The subject property is located on the south side of West 35th Street between Oakmont Boulevard and Jefferson Street, which is a Core Transit Corridor. The property is currently developed with a retail store and one residential unit. Properties to the west are developed with personal services and retail (LR-NP). East of the property are a mix of personal repair services, medical offices, multifamily and financial services (LR-NP; LO-NP; CS-NP). South of the rezoning tract is a residential neighborhood zoned SF-3-NP. Across West 35th Street to the north are properties developed with personal services, retail, medical office, multifamily and retail land use (LO; LR; and MF-3).

Please refer to Exhibits A (Zoning Map), A-1 (Aerial View).

The applicant is requesting limited office – mixed use – conditional overlay - density bonus 90 - NP (LO-MU-CO-DB90-NP) combining district for a proposed development that would include multi-family units requiring an affordable component. A building constructed under density bonus 90 (–DB90) standards allows for a mix of residential uses and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on upper levels. The overall project would consist of 10 residential units.

The conditions establishing development regulations in the Conditional Overlay for case number C14-2022-0021, which rezoned the site from LR-NP to LO-MU-CO-NP per Ordinance No. 20200901-114, are recommended to be maintained in this new rezoning.

A development utilizing the "density bonus 90" incentives is permitted with a base LO district, and must include an affordability component for residential use in order to obtain incentives, including height maximum of 70 feet in the LO district (40 feet base plus 30 feet incentive) and relaxation of development and compatibility standards, such as FAR, setbacks and building coverage. There are several methods of satisfying DB90 development affordability requirements. There are two options for projects including rental units:

- 1) a minimum of 12% of the rental units in a building are affordable for a 40-year period for households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) a minimum of 10% of the rental units are affordable for a 40-year period as described above for households earning 50% or less MFI.

There are two options of satisfying DB90 development affordability requirements which include ownership units:

- 1) a minimum of 12% of the rental units in a building are affordable for a 40-year period for households earning 80% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) an in-lieu-fee payment to the Housing Trust Fund, equivalent to the required percentage of the total residential units, including the mix of bedrooms required, at the rate set in the fee schedule at the time of final site plan submission.

The site plan for this property is currently under review pursuant to an Ordinance which was subsequently invalidated by Court ruling. This current request for the -DB90 combining district continues to align with City objectives to increase density and affordability in exchange for relaxed development standards.

# BASIS OF RECOMMENDATION:

1. The rezoning should be consistent with the policies and principles adopted by the City Council.

City Council has provided policy and direction for having more residential density and increased affordability, as well as incentivizing vertical mixed use buildings throughout the City. City Council previously approved the Residential in Commercial program, permitting residential uses within commercial districts. This request is consistent with the density bonus option in that program and Ordinance No. 20240229-073 (new DB90), which replaced the invalidated density bonus option.

2. The proposed zoning should be consistent with the purpose statement of the district sought.

Limited Office (LO) district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

Mixed Use combining district (MU) is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

The proposed density bonus 90 (DB90) combining district, in exchange for providing affordable housing units and in combination with commercial base zoning districts, allows a mixture of office, retail, commercial, and residential uses with modifications of compatibility standards and site development regulations including increased building height.

The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

3. Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.

This rezoning authorizes a property to participate in a voluntary density bonus or incentive program that provides modifications to development regulations or other regulatory-related benefits in exchange for community benefits. In exchange for increased development potential, the development is required to comply with affordable housing requirements.

# EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LO-MU-CO-NP	Retail- limited, Single family residential
North	LO, LR, MF-3	Personal services, Retail- limited, Medical
		office, Multifamily residential
South	SF-3-NP	Single family residential
East	LR-NP, LO-NP, CS-NP	Personal repair services, Medical office,
		Multifamily residential, Financial services
West	LR-NP	Personal services, Retail-limited

NEIGHBORHOOD PLANNING AREA: Central West Austin Combined (Windsor)

WATERSHED: Shoal Creek - Urban

<u>CAPITOL VIEW CORRIDOR:</u> No <u>SCENIC ROADWAY:</u> No

SCHOOLS: Austin Independent School District

Bryker Woods Elementary School O Henry Middle School Austin High School

COMMUNITY REGISTRY LIST:

West Austin Neighborhood Group Homeless Neighborhood Association

Oakmont Heights Neighborhood Association

Austin Independent School District

Friends of Austin Neighborhoods

Bryker Woods Neighborhood Association

Austin Neighborhoods Council Preservation Austin

Shoal Creek Conservancy
Bull Creek Road Coalition

Neighborhood Empowerment Foundation

Central West Austin Combined Neighborhood Plan Contact Team

# AREA CASE HISTORIES:

Number	Request	Commission	City Council		
C14-2022- 0021 - 1809 W 35 <sup>th</sup> St	LR-NP to LO- MU-NP	To Grant LO-MU- NP	Apvd LO-MU-CO-NP, with conditions regulating development (9/1/2022)		
C14-2021-0137 – 3427 Jefferson Street	LR-NP to CS-NP	To Grant CS-CO-NP w/CO for list of prohibited uses	Apvd CS-CO-NP as Commission recommended, with enhanced streetscape standards (3-24- 2022).		
C14-96-0069 Kerbey Lane Village 1507-1513 W 35 <sup>th</sup> St	From SF-3 to GR	To Grant GR-MU-CO: no vehicle access to Kerby Lane; max 2,000 vpd; Site Development Stds per "LR" district; Cond. & Prohibited uses	Apvd. 08/15/1996 Ord.# 960815-B		
C14-2019-0163 3405 Glenview Ave	Rezone 0.1791 ac from NO-NP to LO-NP	To Grant	Apvd. 03/12/2020 Ord.# 20200312-058		

# **RELATED CASES:**

Site Plan - SP-2023-0469C – submitted November 17, 2023, and on hold/under review

# ADDITIONAL STAFF COMMENTS:

# Comprehensive Planning

1809 W 35TH STREET. C14-2024-0059. Project: 1809 W 35th Street Rezoning. Central West Austin Combined Neighborhood Plan. FLUM: Neighborhood Mixed Use. 0.27 acres from LO-MU-CO-NP to LO-MU-DB90-CO-NP. Existing: 1 residential unit and 2,403 sf of retail. Proposed: 12 multifamily residential units. Proposal seeks Density Bonus 90 Combining District (Ordinance No. 20240229-073), which sets affordability minimums on ownership and rental units, and further allows for an increase of up to 30 ft in height above the base zone allowance, with a maximum limit of 90 feet in total height. DB90 additionally

releases the site from some base zoning district development standards, including maximum floor area ratio.

Yes	Imagine Austin Decision Guidelines						
	Complete Community Measures *						
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *:  • Adjacent to 35th/38th Activity Corridor						
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station.						
	• 0.01 miles to bus stop along W 35 <sup>th</sup> St						
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane.						
	Sidewalk present along W 35 <sup>th</sup> St						
Y	<b>Connectivity, Good and Services, Employment</b> *: Provides or is located within 0.50 miles to goods and services, and/or employment center.						
	<b>Connectivity and Food Access *</b> : Provides or is located within 0.50 miles of a grocery store/farmers market.						
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university.						
	0.3 miles to Bryker Woods Elementary School						
Y	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park						
	or walking trail.						
	0.4 miles to Seider Springs Greenbelt						
Y	Connectivity and Health *: Provides or is located within 0.50 miles of health facility (ex: hospital,						
	urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)						
	<ul> <li>Health options provided in near proximity along N Mopac Expy, W35th and along Jefferson St</li> </ul>						
Y	<b>Housing Choice</b> *: Expands the number of units and housing choice that suits a variety of household						
	sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work						
	units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.						
Y	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less)						
	and/or fee in lieu for affordable housing.  Mixed use *: Provides a mix of residential and non-industrial uses.						
	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex:						
	library, theater, museum, cultural center).						
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant						
	site.						
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital,						
	theater.)						
	Workforce Development, the Economy and Education: Expands the economic base by creating						
	permanent jobs, especially in industries that are currently not represented in a particular area or that						
	promotes a new technology, and/or promotes educational opportunities and workforce development training.						
	Industrial Land: Preserves or enhances industrial land.						
	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone						
9	Number of "Yes's"						
9	Number of Tes S						

# <u>Drainage</u>

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

# Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

# PARD – Planning & Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, LO-MU-DB90-NP, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609, as amended.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

### Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

This tract is already developed, and the proposed zoning change is a footprint within the existing development

This site is in the Windsor Road Neighborhood Plan

# Austin Fire Department

No comments.

# Austin Transportation Department – Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for W 35th St. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated with the first subdivision or site plan application. [LDC 25-6-51] and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
W. 35 <sup>th</sup> St	Level 3	80'	65.6'	44'	Yes	No	Yes

# Austin Water Utility

No comments on zoning change.

The landowner intends to serve the site with existing City of Austin water utilities.

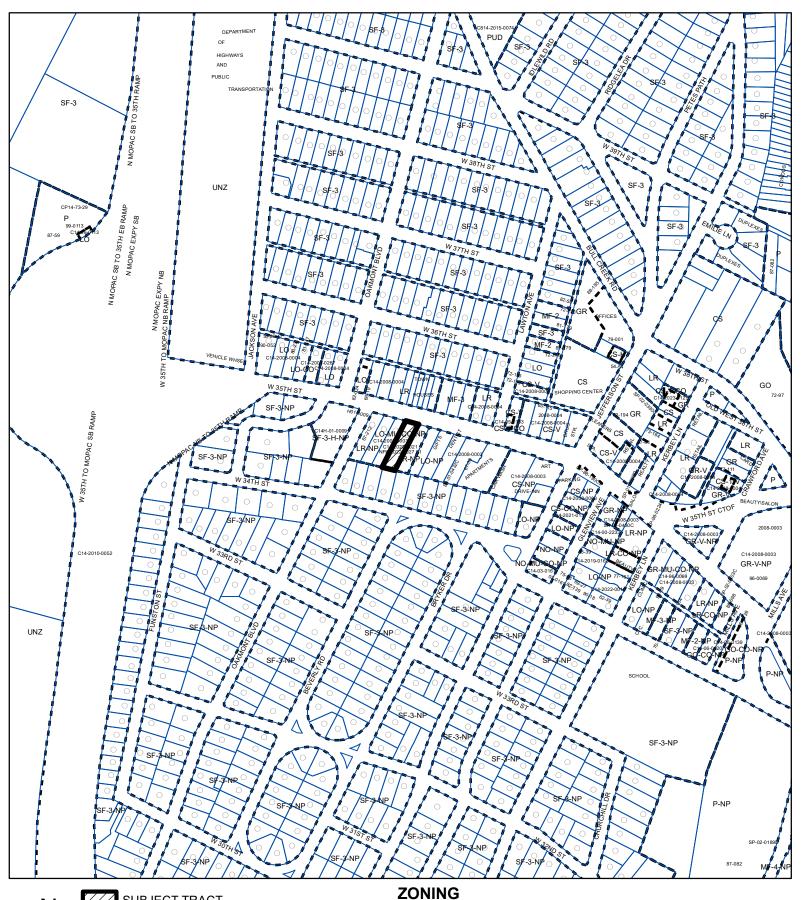
Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

# INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map Exhibit A-1: Aerial Map

Exhibit B: Applicant's Summary Letter, including amendments

Public Input

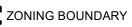


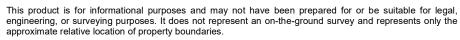


SUBJECT TRACT

PENDING CASE

ZONING CASE#: C14-2024-0059







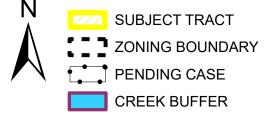
This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 4/12/2024



# 1809 W 35th Street Rezoning



CASE#: C14-2024-0059 LOCATION: 1809 W 35th St SUBJECT AREA: 0.27 Acres GRID: H25

MANAGER: Marcelle Boudreaux



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May 21, 2024

Ms. Lauren Middleton-Pratt, Director Planning Department City of Austin 1000 E. 11<sup>th</sup> Street Austin, Texas 78702

RE: DB90 Overlay and 1809 W. 35th Street

Dear Ms. Middleton-Pratt,

On behalf of our client, MEA Real Estate Ventures, LLC, we submit an amendment to the rezoning application C14-2024-0059, in which we are no longer requesting a waiver to Section 25-2-652(F)(3)(b) that requires pedestrian oriented uses because it is our understanding that this site does not qualify for the waiver based on this portion of W. 25<sup>th</sup> Street being a Core Transit Corridor. The matter remains extremely problematic due to the insufficient amount of street frontage for this site to accommodate driveway access, etc. Therefore, we will look to remedy the matter in other ways.

Sincerely,

A. Ron Thrower

a. Ron Thrower



April 26, 2024

Ms. Lauren Middleton-Pratt, Director Planning Department City of Austin 1000 E. 11<sup>th</sup> Street Austin, Texas 78702

RE: DB90 Overlay and 1809 W. 35<sup>th</sup> Street

Dear Ms. Middleton-Pratt,

On behalf of our client, MEA Real Estate Ventures, LLC, we submit an amendment to the rezoning application C14-2024-0059. After receiving clarification from City Staff regarding the application of the DB90 Overlay with regards to the requested CO the proposes to limit height of structures on the property to no greater than 39.95 feet, we are no longer seeking this Conditional Overlay.

The CO adopted per Ord. 20220901-114 remains in-tact.

Please let us know if you have any questions.

Sincerely,

A. Ron Thrower

a. Ron Thrower



March 28, 2024

Ms. Lauren Middleton-Pratt, Director Planning Department City of Austin 1000 E. 11<sup>th</sup> Street Austin, Texas 78702

RE: DB90 Overlay and 1809 W. 35<sup>th</sup> Street

Dear Ms. Middleton-Pratt,

On behalf of our client, MEA Real Estate Ventures, LLC, we respectfully request a city-initiated rezoning of the Property to add the DB90 overlay to the existing base zoning district. Pursuant to Ordinance 20240229-073, adopted by the Austin City Council on February 29, 2024, with an effective date of March 11, 2024, the City of Austin is directing additional housing development in areas of Austin where appropriate through the DB90 Overlay. Our position is that this project meets the requirements to receive the DB90 Overlay and to initiate this rezoning endeavor at no cost to the landowner, per conversations with Ms. Joi Harden. Attached you will find an application for the rezoning, along with a tax certificate and other requisite materials to initiate this rezoning request.

The existing zoning of the property, according to the Property Profile viewer, is LO-MU-NP. However, Ordinance 20220901-114 (attached) includes two Conditional Overlays and therefore the zoning should be labeled as LO-MU-CO-NP. The request herein is to pursue a rezoning on the property to LO-MU-CO-DB90-NP.

A Site Plan was submitted with a Withdraw and Resubmit request under Case SP-2023-0469C on November 17, 2023. This Site Plan is specific to have taken use of the Density Bonus provisions of Ordinance 20221201-055, commonly known as Residential in Commercial, and, Ordinance 20221201-056, commonly known as Corridor Overlay, to allow for unlimited units with

the waiving of site area density limitations as well as some slight relaxations of the Compatibility Standards. As you are aware, Ordinance 20221201-055 and ordinance 20221201-056 were two of three Density Bonus Programs overturned by a Judge based on a lawsuit that was filed by a group of Austin residents. Ordinance 20240229-073 (the DB90 Ordinance) specifically allows for projects that had started under one of those three Density Bonus Programs that were subsequently overturned to qualify as a rezoning request with fee waivers to the landowner upon filing of a rezoning request to include DB90. Obviously, this project was impacted by the overturning of the Residential in Commercial Ordinance. This is specifically reflected in the DB90 Ordinance under Part 5 Rezonings Initiated.

The filed Site Plan is a residential only development with 10 units that could not be achieved without a Density Bonus program being available. The intent of the site plan will not change with the granting of a rezoning to allow for DB90 as an Overlay to the base zoning district.

To be clear, there were a lot of negotiations with the neighborhood with the rezoning request in 2022 that resulted in a Private Restrictive Covenant that will remain intact. While the City of Austin will not enforce those regulations, we are acknowledging to the public that there is not any pursuit to modify or terminate the provisions of that private RC. Separately, we are requesting to add a Conditional Overlay limiting height to 39.95 feet.

Further, under Section 25-2-652(F)(3) within the DB90 Ordinance, there is a Mix of Uses requirement related to DB90 projects. While a mix of uses certainly makes for an active street, not all properties can have a mix of uses for varying reasons. Pursuant to Section 25-2-652(F)(3)(e), the rezoning to add DB90 can modify Section 25-2-652(F)(3)(b) that requires the Pedestrian Oriented uses along certain Principal Streets. In this case, the project is located on an Urban Roadway which is a qualifying Principal Roadway to waive the requirement. Justification to waive the requirement is that the property is very narrow and with the placement of a driveway into the property, there is very little opportunity to add ground-level Pedestrian Oriented uses without a significant impact on the density of the residential units. Other larger area properties are better suited with greater frontages on the roadway to provide for the mix of uses envisioned with the DB90 intent.

For all the reasons here, we submit the rezoning request to add the DB90 Overlay, respectfully request fee waivers for the rezoning of the property to add the DB90 Overlay, remove an existing Condition of zoning, and waive the requirement for the mix of uses.

Please let us know if you have any questions.

Sincerely,

A. Ron Thrower

a. Ron Thrower

### PUBLIC BEARING INFORMATION

This noningivarously support will be reviewed and actf upon at two public hearings before the Land Unit Commission and the City Country. Addressly applicates and/or their species or capital to participate in a public hearing, you as not an appared to participate. This meeting will be conducted both online and in-option at which you will have the opportunity to apost IOR or AGAINST the proposed development or obseque. Created the case message for faulther adjustation on how to perfocusion to the or the public hearings. You may also canted a brightenhood of environmental organization that has expossed an intent in an application affecting your neighborhood.

Staff is conducting a pilot program to receive conrelated communits online which can be accessed through this fink or QR code https://bit.ls.ATXZoningCommunity



During its public hearing, the board or commission may pulspose or continue an application's hearing to a hier clair or may evaluate the City staff's enconnectation and public input forwarding its own recommendation to the City Council. If the board or commission association is appeared to the board or commission association is appeared to the city of the board or commission that is not later than 80 days from the atmostscription, for further matter is required.

During its public hearing, the City Council may great or duty a rooting sequent or receive the land to a less assessive avening than nequented but in no case will it great a more inhusting against.

However, in order to allow for mixed use development, the Council may sold the MONIOD LEG (ME). (OMBENDAD DISTRICT to certain may sold the MONIOD LEG (ME). (OMBENDAD DISTRICT to certain communical districts. The MOI Combining District imply allows conducted uses in addition to three uses situately allowed in the arvent communical assumptions of the Arvent, the MOI Combining District allows the combination of office, retail, communical, and residential may willn'd, a fairly development.

For additional information on the City of Austra's land development process, that our website wave neglecture got places.

Writes comments must be explained to the based or commission (or the contact primes insted on the notion) to stage the public bearing. Their comments should include the board or comments about the notion of the public bearing, and the Chee Number and the same, from refered date of the public bearing, and the Chee Number and the same person listed on the notion. Correspondence and information automised to the Chee of America are analysis to the Toxas Public Information. Act (Chapter Str.) and well by the Montal are analysis to the Toxas Public Information. Act (Chapter Str.) and well by publicated assists.

Case Number: C14-3674-0688 Contact: Marcelle Sendrages, \$12,474,8054 Public Hearings: May 14, 3624, Planning Commission July 18, 5654, City Council It am is favor Decime Telephone (Optional) - NO NO

If you see the form to comment, it may be settened to: City of Assists, Planning Department

Marrielle Bonderson

P. O. Box 1988, Audio, TX 76767

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# 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 participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive caserelated comments online which can be accessed f
through this link or QR code: https://bit.ly/ATXZoningComment.



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: <a href="https://www.austintexas.gov/planning">www.austintexas.gov/planning</a>.

marcelle.boudreaux@austintexas.gov

P. O. Box 1088, Austin, TX 78767

Or email to:

Marcelle Boudreaux

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 Written comments must be submitted to the board or commission (or the contact and information submitted to the City of Austin are subject to the Texas Public person listed on the notice) before the public hearing. Your comments should ☐ I am in favor I object Public Hearings: May 14, 2024, Planning Commission Information Act (Chapter 552) and will be published online. Your address(es) affected by this application (optional) If you use this form to comment, it may be returned to: Concern July 18, 2024, City Council Contact: Marcelle Boudreaux, 512-974-8094 s almode vely concested Day s to ba Man n accomoded to City of Austin, Planning Department Case Number: C14-2024-0059 Signature s la cot Daytime Telephone (Optional): MSA Your Name (please print) Comments: