



City of Austin Neighborhood Planning and Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

NOTICE OF FILING OF APPLICATION, AND OF PLANNING COMMISSION AND CITY COUNCIL PUBLIC HEARINGS TO ADOPT VERTICAL MIXED USE BUILDING (V) ZONING AND/OR AMEND THE VERTICAL MIXED USE (VMU) OVERLAY FOR PROPERTIES WITHIN THE ALLANDALE NEIGHBORHOOD PLANNING AREA

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2054.

Mailing Date of this Notice: May 2, 2008 File Number: C14-2008-0088 (121.58 Acres)

This request to adopt Vertical Mixed Use Building (V) zoning and/or amend the Vertical Mixed Use (VMU) overlay will be reviewed and acted upon at two public hearings—first, before the Planning Commission and then before the City Council.

The Planning Commission will conduct a public hearing and consider City staff recommendation(s) and public input and send its recommendation on the proposed Vertical Mixed Use Building (V) zoning and/or amendment to the Vertical Mixed Use (VMU) overlay to the City Council. The City Council will conduct a public hearing and consider the Planning Commission recommendation(s), staff recommendation(s), and public input before making a decision.

The third page of this notice contains the dates and locations of these hearings. For additional information on Vertical Mixed Use see attached materials or for more detail, visit our website:

<http://www.ci.austin.tx.us/planning/designstandards.htm>

Vertical Mixed Use Opt-in/Opt-Out Process

On August 31, 2006, the Austin City Council approved a major amendment to the City of Austin's Land Development Code referred to as the Design Standards and Mixed Use Subchapter, also known as the "Commercial Design Standards" which went into effect on January 13th 2007. An element of these standards is the Vertical Mixed Use section and includes the VMU Opt-In/Opt-Out process. This was a one-time procedure whereby individual neighborhoods considered certain development characteristics of VMU buildings within their boundaries and communicated their preferences to the Austin City Council. During the late spring and summer of this year, neighborhoods were provided the opportunity to submit and later refine their applications. See the attached "Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process" for more information.

As a result of the VMU Opt-In/Opt-Out process a number of zoning cases will be initiated throughout the City of Austin to allow the Planning Commission to consider and the City Council to approve the VMU standards that will be applied to VMU-eligible properties.

ADDRESS OF PROPOSED ZONING CHANGE: The Allandale Neighborhood Planning area is bounded by Burnet Rd. to the east, Hancock Dr. to the south, Burnet Rd. to the west, and W Anderson Ln. on the north. Vertical Mixed Use Building (V) zoning and/or an amendment to the VMU overlay district is

being proposed for properties within the Allandale Neighborhood Planning Area. See the attached "Allandale Neighborhood Planning Area (VMU) Tract Map" for specific locations.

VERTICAL MIXED USE LAND USE BUILDING REGULATIONS

The Planning Commission may recommend and the City Council may approve any of the following regulations for a Vertical-Mixed Use building on a VMU-eligible property within the Allandale Neighborhood Planning Area. See the attached "Overview of Vertical Mixed Use (VMU) and the VMU Opt-In/Opt-Out Process" for more information.

1) Relaxed Dimensional Standards:

- No minimum front, street side or interior side yard setbacks; however, if the right-of way is less than 60' in width, the minimum front yard setback for buildings three or more stories in height is 30' from the centerline of the street.
- No floor to area ratio (FAR) limit.
- No building coverage limit.
- No minimum site area requirement. This development standard limits the number of dwelling units on a site based on the type of unit (efficiency, one-bedroom, two-bedroom, etc.) and the size of a lot.

2) In the Neighborhood Office (NO), Limited Office (LO) and General Office (GO) zoning districts the following commercial uses would be allowed on the ground floor when included as part of a Vertical Mixed Use building:

- Consumer convenience services
- Food sales
- General retail sales (convenience or general)
- Restaurant (limited or general) without drive-in service.

3) Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirement. Residential uses within a VMU building receive the parking reduction by right.

4) A VMU project may be built that does not employ any of the above mentioned development standards; however, all projects that take advantage of the relaxed dimensional standards and/or parking reduction must meet certain affordable housing requirements. There are different affordability requirements for ownership and rental units.

Affordability Requirements for For-Sale Residential Units

- Five percent of the residential units shall be reserved as affordable, for not less than 99 years for households earning no more than 80 percent of the current Median Family Income (MFI).
- In addition, five percent of the residential units shall be reserved as affordable, for not less than 99 years for households earning no more than 100 percent of the current MFI.

Affordability Requirements for For-Rent Residential Units

- Ten percent of the residential units shall be reserved as affordable, for a minimum of 40 years for households earning no more than 80 percent of the current MFI. The City Council may set the affordability requirement between 80 percent Median Family Income (MFI) and 60 percent MFI for rental units.

PLANNING COMMISSION HEARING

DATE: May 13, 2008 **TIME: 6:00 P.M.**
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

CITY COUNCIL HEARING

DATE: June 5, 2008 **TIME: 4:00 P.M.**
LOCATION: City Hall, Rm. 1002, Council Chambers
301 W. 2nd Street, Austin

For questions regarding the vertical mixed use application for the Allandale Neighborhood Planning Area, please call Andrew Holubeck at (512) 974-2054 or email at: andrew.holubeck@ci.austin.tx.us. **Si Ud Necesita información en Español, favor de llamar a Andrew Holubeck al (512) 974-2054.** Office hours are 8:00 AM to 5:00 PM Monday through Friday. Please be sure to refer to the File Number on the first page when you call. See attached sheets for more information.

.....
PLANNING COMMISSION COMMENT FORM

You may send your written comments to the Neighborhood Planning and Zoning Department, P. O. Box 1088, C/O Andrew Holubeck, Austin, TX 78767-8835.

File # C14-2008-0088

Planning Commission Hearing Date: May 13, 2008

Name (please print) _____

I am in favor
(Estoy de acuerdo)

Address _____

I object
(No estoy de acuerdo)

Comments _____

.....
INFORMATION ON PUBLIC HEARINGS

THE NEIGHBORHOOD PLANNING AND ZONING DEPARTMENT HAS FILED AN APPLICATION TO IMPLEMENT THE VERTICAL MIXED-USE (VMU) LAND USE REGULATIONS. THIS NOTICE HAS BEEN MAILED TO YOU BECAUSE YOU OWN PROPERTY WITHIN 300 FEET OF A VMU ELIGIBLE PROPERTY OR YOU ARE A CONTACT PERSON FOR A NEIGHBORHOOD ORGANIZATION WHOSE BOUNDARIES INCLUDE A VMU ELIGIBLE PROPERTY.

This request for zoning/rezoning will be reviewed and acted upon at two public hearings: First, before the Planning Commission and then before the City Council. After a public hearing, the Planning Commission reviews and evaluates City staff recommendation and public input and then sends its own recommendation on the proposed VMU land use regulations to the City Council. Meeting dates and locations are shown on this notice.

During its public hearing, the board or commission may postpone or continue an applicant's hearing to a later date. 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.

If you have any questions concerning this notice, please contact the City of Austin Neighborhood Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- By attending the Planning Commission hearing and conveying your concerns at that meeting
- By writing to the Planning Commission, using the form provided on the previous page
- By writing to the city contact, listed on the previous page

AS A PROPERTY OWNER WITHIN 300 FEET, YOU ARE NOT REQUIRED TO ATTEND THESE HEARINGS, BUT IF YOU DO ATTEND, YOU WILL BE GIVEN AN OPPORTUNITY TO SPEAK FOR OR AGAINST THE PROPOSED LAND USE REGULATIONS.

You may also wish to contact any neighborhood or environmental organizations that have expressed an interest in cases affecting your neighborhood.

INFORMACION TOCANTE LAS AUDIENCIAS PUBLICAS

EL DEPARTAMENTO DE PLANIFICACIÓN HA REGISTRADO UNA SOLICITUD PARA IMPLEMENTAR NUEVAS OPCIONES EN LAS REGULACIONES QUE GOBERNAN EL DESARROLLO DE ALGUNAS PROPIEDADES COMERCIALES. SEGÚN LOS REGLAMENTOS DE LA CIUDAD, TODOS LOS DUEÑOS DE PROPIEDADES UBICADOS DENTRO DE 300 PIES DE ESTAS PROPIEDADES COMERCIALES DEBERAN SER NOTIFICADOS.

ESTA SOLICITUD SE VA A PRESENTAR EN DOS AUDIENCIAS PÚBLICAS: PRIMERO ANTE LA COMISIÓN DE PLANIFICACIÓN, Y LUEGO ANTE EL CONSEJO DE LA CIUDAD, EN LAS FECHAS Y HORAS INDICADAS. EN LA PRIMERA AUDIENCIA PÚBLICA CON LA COMISIÓN DE PLANIFICACIÓN, LA COMISIÓN EVALUA LA SOLICITUD Y HACE UNA RECOMENDACION SOBRE LA SOLICITUD AL CONCILIO DE LA CIUDAD. DESPUÉS, EN LA SEGUNDA AUDIENCIA PÚBLICA, EL CONCILIO HACE LA DECISION FINAL DE ACEPTAR O NO ACEPTAR ESTA SOLICITUD.

SI USTED TIENE ALGUNA PREGUNTA SOBRE ESTA SOLICITUD, POR FAVOR COMUNIQUESE CON LA PERSONA INDICADA ABAJO. SI USTED DESEA EXPRESAR SU APOYO U OPOSICION A ESTA SOLICITUD, PUEDE HACERLO DE VARIAS MANERAS:

1. ASISTIENDO A LA AUDIENCIA DE LA COMISIÓN DE PLANIFICACIÓN, Y EXPRESANDO SU OPINION EN LA AUDIENCIA
2. POR ESCRITO, USANDO LA FORMA EN LA PAGINA ANTERIOR
3. POR CARTA (MANDARLA A LA PERSONA ABAJO)

NO SE REQUIERE QUE USTED ASISTA A ESTAS AUDIENCIAS, PERO SI ESTA PRESENTE, USTED TIENE LA OPORTUNIDAD DE COMENTAR A **FAVOR** O EN **CONTRA** DE LA SOLICITUD.

PARA MÁS INFORMACIÓN, CONTACTE A:

ANDREW HOLUBECK

(512) 974-2054

NEIGHBORHOOD PLANNING & ZONING DEPARTMENT (EL DEPARTAMENTO DE PLANIFICACION)

505 BARTON SPRINGS RD

Austin, TX 78704

**Allandale Neighborhood Planning Area VMU Application Properties
C14-2008-0088**

Vertical Mixed Use (VMU) Overlay District Properties		
Tract # (1)	TCAD Property ID (2)	COA Address (3)
1	227617	2101 1/2 LAWNMONT AVE
		2119 1/2 LAWNMONT AVE
		5350 BURNET RD
	227618	2150 1/2 W NORTH LOOP BLVD
		5304 BURNET RD
		5306 BURNET RD
		5310 BURNET RD
	227619	5300 BURNET RD
		5302 BURNET RD
2	229653	5448 BURNET RD
	229654	5440 BURNET RD
	Portion of 229655	5434 BURNET RD
		5436 BURNET RD
	701967	5442 BURNET RD
5444 BURNET RD		
3	229514	5536 BURNET RD
	229515	5522 1/2 BURNET RD
		5528 BURNET RD
		5530 BURNET RD
	Portion of 229516	5520 BURNET RD
		5522 BURNET RD
	229517	5508 BURNET RD
		5510 BURNET RD
	229518	2106 SHOALMONT DR
		2108 SHOALMONT DR
		5502 BURNET RD
		5504 BURNET RD
	Portion of 229527	5506 BURNET RD
		5600 BURNET RD
Portion of 229530	5606 BURNET RD	
	5608 BURNET RD	
359212	5620 BURNET RD	
	5624 1/2 BURNET RD	

**Allandale Neighborhood Planning Area VMU Application Properties
C14-2008-0088**

Vertical Mixed Use (VMU) Overlay District Properties		
Tract # (1)	TCAD Property ID (2)	COA Address (3)
4	231144	2100 NORTHLAND DR
		2202 1/2 NORTHLAND DR
		5700 BURNET RD
		5714 BURNET RD
		5716 BURNET RD
		5718 BURNET RD
		5720 BURNET RD
		5726 BURNET RD
		5728 BURNET RD
		5730 BURNET RD
		5732 BURNET RD
		5740 BURNET RD
		5742 BURNET RD
		5800 BURNET RD
	5802 BURNET RD	
	231153	5806 BURNET RD
5808 BURNET RD		
		5810 1/2 BURNET RD
5	233425	6400 BURNET
	233426	6412 1/2 BURNET RD
		6412 BURNET RD
	233427	6326 BURNET RD
	233428	6506 BURNET RD
	233429	6500 BURNET RD
	233430	6444 BURNET RD
	233431	6318 BURNET RD
		6320 BURNET RD
	235934	6546 1/2 BURNET RD
6546 BURNET RD		
235935	6534 BURNET RD	
6	235895	6722 BURNET RD
	235896	6720 BURNET RD
	235897	6700 BURNET RD
		6710 BURNET RD
	500713	6610 BURNET RD
		6614 BURNET RD
500714	LOT 2 WUKASCH PROPERTIES SUBD	
7	235834	6840 BURNET RD
	235835	6836 BURNET RD
	235846	6800 BURNET RD
	235847	6824 BURNET RD

**Allandale Neighborhood Planning Area VMU Application Properties
C14-2008-0088**

Vertical Mixed Use (VMU) Overlay District Properties		
Tract # (1)	TCAD Property ID (2)	COA Address (3)
8	237415	7112 BURNET RD
	237416	7106 BURNET RD
	237417	7100 BURNET RD
	237418	7010 BURNET RD
		7012 BURNET RD
	237419	7000 BURNET RD
	237437	6916 BURNET RD
	237438	6900 BURNET RD
	237440	7120 BURNET RD
	237441	7006 BURNET RD
	237442	6912 BURNET RD
6918 BURNET RD		
9	239027	2410 GREENLAWN PKWY
	239032	7430 BURNET RD
	239033	7212 BURNET RD
	239034	7414 BURNET RD
	239035	7310 BURNET RD
		7320 BURNET RD
239036	7304 BURNET RD	
10	239125	7524 BURNET RD
	239126	7514 BURNET RD
	239127	7500 1/2 BURNET RD
		7500 BURNET RD
	239129	7530 BURNET RD
		7532 BURNET RD
239130	7528 BURNET RD	
11	241258	7600 1/2 BURNET RD
		7600 BURNET RD
		7610 BURNET RD
12	241257	7844 BURNET RD
	241260	7820 BURNET RD
	241261	7708 BURNET RD
	241264	7816 BURNET RD
	241265	7718 BURNET RD
	242313	7835 NORTHCROSS DR
	584553	2545 W ANDERSON LN
	584554	LOT 3 BLK A NORTHCROSS SEC 2 REPLAT OF LOT 3-F 3RD RESUB OF LOT 3
	584555	2525 1/2 W ANDERSON LN
		2525 W ANDERSON LN
		2531 W ANDERSON LN
		2535 W ANDERSON LN
		7739 1/2 NORTHCROSS DR
		7800 BURNET RD

**Allandale Neighborhood Planning Area VMU Application Properties
C14-2008-0088**

Vertical Mixed Use (VMU) Overlay District Properties		
Tract # (1)	TCAD Property ID (2)	COA Address (3)
13	242308	2711 W ANDERSON LN
	242310	2909 W ANDERSON LN
		2921 W ANDERSON LN
		7825 1/2 ROCKWOOD LN
	242311	2801 W ANDERSON LN
	362176	2901 W ANDERSON LN
362177	2817 W ANDERSON LN	
14	244086	2941 W ANDERSON LN
		2943 W ANDERSON LN
		2945 W ANDERSON LN
		2947 W ANDERSON LN
		2949 W ANDERSON LN
		2951 W ANDERSON LN
		3001 W ANDERSON LN
		3025 W ANDERSON LN
		7847 SHOAL CREEK BLVD
		7849 SHOAL CREEK BLVD
	244088	2917 W ANDERSON LN
		2923 W ANDERSON LN
		2927 W ANDERSON LN
		2929 W ANDERSON LN
		2931 W ANDERSON LN
		2933 W ANDERSON LN
		2935 W ANDERSON LN
		2937 W ANDERSON LN
		2939 W ANDERSON LN
		2953 W ANDERSON LN
15	244003	7800 SHOAL CREEK BLVD
	244004	7858 SHOAL CREEK BLVD

(1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.

(2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

(3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.

**Allandale VMU Neighborhood Recommendations
C14-2008-0088**

VMU Overlay District (Opt-Out)

Tract # (1)	All VMU-Related Standards Apply	OPT OUT (2)			Exclude from VMU Overlay District
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts	
2-11, 13-15					X
1*, 12*		X	X	X	

RECOMMENDED AN AFFORDABILITY LEVEL OF 80% FOR 10% OF THE RESIDENTIAL UNITS FOR RENTAL WITHIN A VERTICAL MIXED USE BUILDING

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.
- (2) Please refer to attached information for explanations of Opt-Out options.

***ADDITIONAL RECOMMENDATIONS - Apply to VMU projects on these properties, if these conditions cannot be met, then the Allandale Neighborhood Association recommends these properties be removed from the overlay district:**

Tract 1

-12.5 units per acre density cap

Tract 12

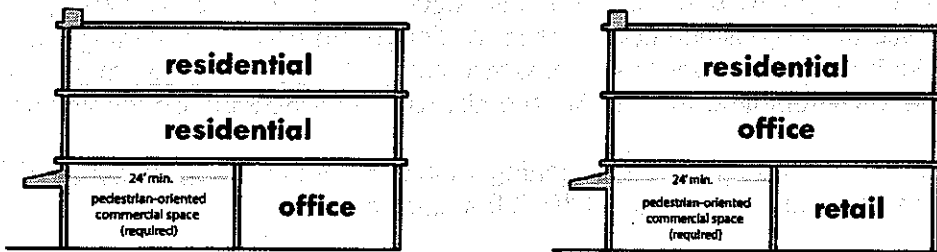
-12.5 units per acre density cap

-10% net site area dedicated to public common green space,

OVERVIEW OF VERTICAL MIXED USE (VMU) AND THE VMU OPT-IN/OPT-OUT PROCESS

WHAT IS A VERTICAL MIXED USE BUILDING?

A vertical mixed use building contains a mix of residential and commercial uses. Typically, commercial uses (i.e. retail shops, restaurants, offices) are located on the ground floor, while residential units (condominiums or apartments) are located on upper levels. Below, are some examples of a vertical mixed use building:



WHAT IS THE VERTICAL MIXED USE (VMU) OVERLAY DISTRICT?

In an effort to encourage vertical mixed use buildings, the City Council established a vertical mixed use (VMU) overlay district. The district includes most commercially zoned and used properties along Core Transit Corridors and Future Core Transit Corridors as defined in the Commercial Design Standards. Core Transit Corridors include roadways that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. Examples include sections of South Congress Avenue, Riverside Drive, North and South Lamar Boulevard, and Guadalupe Street. Properties within this district have the additional option to develop a vertical mixed use building subject to specific design standards.

WHY VERTICAL MIXED USE BUILDINGS?

- Encourages density on commercial corridors with higher levels of transit service
- Focused on the creation of a high quality pedestrian and transit-supportive environment
- Consistent with Envision Central Texas (ECT) Preferred Scenario
- Provides a more sustainable development pattern

WHAT ARE THE STANDARDS FOR A BUILDING?

- Must have a mix of uses
- Must have pedestrian-oriented spaces on the ground floor
- Must contain residential dwelling units
- Possibility for relaxed site development standards—some of which require a residential affordability component

WHAT ARE THE RELAXED SITE DEVELOPMENT STANDARDS?

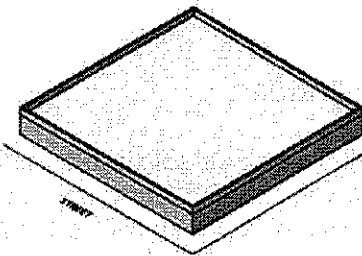
Dimensional Standards

These dimensional standards listed below are a "package" and must be accepted or rejected as such in the opt-in/opt-out process.

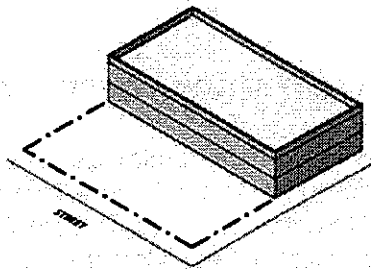
- **Setbacks**—no minimum front, street side or interior side yard setbacks. A setback refers to how far a building must be placed from a particular property line.
- **Floor to Area Ratio**—no floor to area ratio (FAR) limit.

The floor area ratio (FAR) is the principal bulk regulation controlling the size of buildings. FAR is the ratio of total building floor area in relation to the area of its zoning lot. Each zoning district has an FAR control which, when multiplied by the lot area of the zoning lot, produces the maximum amount of floor area allowable in a building on the zoning lot.

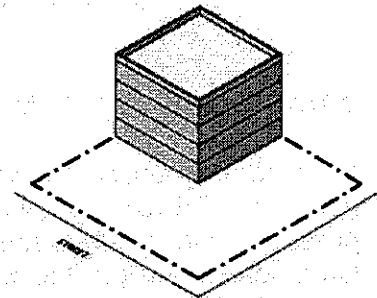
For example, on a 10,000 square-foot zoning lot in a district with a maximum FAR of 1.0, the floor area of a building cannot exceed 10,000 square feet.



FAR=1.0
10,000 sq. ft. building
covering 100% of lot



FAR=1.0
10,000 sq. ft. building
covering 50% of lot



FAR=1.0
10,000 sq. ft. building
covering 25% of lot

- **Building Coverage**—no building coverage limit. Most zoning districts place a percentage limit on the amount of a lot that may be covered by a building. This provision would not change the amount of impervious cover allowed on site. Impervious cover is anything that stops water from being absorbed into the ground and includes such things as buildings, driveways, and sidewalks.
- **Minimum Site Area**—no "minimum site area" requirements. Site area requirements limit the number of dwelling units on a site by requiring a certain amount of square footage at a site for a specific type of multi-family unit (efficiency, one-bedroom, two-bedroom, etc.). For example, if a zoning district for a 10,000 square foot lot requires 2,500 square feet for each two-bedroom unit, then four two-bedroom units can be built on that lot.

Off-Street Parking Reduction

Minimum off-street parking for the commercial uses within a VMU building can be reduced to 60% of the normal Land Development Code requirements. Residential uses within a VMU building receive this parking reduction by right and cannot be changed through this process. The parking reduction cannot be used in addition to any other parking reduction allowances

such as the one for properties within the Urban Core. Below are some typical uses and the amount of parking required.

- A small restaurant or bar, billiard parlor—one space per 100 sq/ft of floor space
- Convenience Store, bank, bowling alley, liquor store, barber shop, yoga studio, pet shop—one space per 275 sq/ft of floor space
- Furniture or carpet store—one space per 500 sq/ft of floor space

Additional Ground Floor Commercial Uses in Office Districts

If approved through the opt-in/opt-out process, the following commercial uses will be allowed in a VMU building in an office zoning district (**NO, LO, GO**):

- Consumer convenience services (allows private postal boxes, safety deposit boxes, and ATMs)
- Food Sales (allows grocery stores, delicatessens, meat markets, retail bakeries, and candy shops),
- General Retail Sales Convenience and General (allows a full range of retail establishments)
- Restaurants Limited and General (without drive-thrus).

Zoning use information can be found starting on page 45 of the following document:

http://www.ci.austin.tx.us/zoning/downloads/np_guide.pdf.

WHAT IS THE OPT-IN/OPT-OUT PROCESS?

The City Council established a one-time process whereby neighborhoods provided recommendations on the location and the development characteristics of Vertical Mixed Use (VMU) buildings. Application materials were sent to each registered neighborhood planning team, or neighborhood association if there was not an established planning team.

The Neighborhood Planning & Zoning Department is currently in the process of reviewing the application submittals and forwarding the neighborhood recommendations to Planning Commission and City Council. The Planning Commission reviews the neighborhood requests and forwards a recommendation to City Council. After considering the Neighborhood's and Planning Commission's recommendations, the City Council makes a decision on the vertical mixed use application.

WHAT TYPES OF RECOMMENDATIONS CAN BE MADE BY THE NEIGHBORHOOD?

- 1) Amend the boundaries of the vertical mixed use overlay district to remove a property from the overlay district. If a property is removed from the overlay district, a vertical mixed use building is not permitted on the property.
- 2) Allow for the vertical mixed use building option on properties outside of the VMU Overlay. A neighborhood can recommend to opt-in a commercially zoned property with any of the relaxed dimensional standards.
- 3) VMU Overlay District Opt-Out—the neighborhood can recommend to remove some or all of the relaxed site development standards to the VMU eligible properties within the overlay district.

- 4) **Affordability Level**—If VMU Buildings are approved through the opt-in/opt-out process and take advantage of the dimensional and/or parking exemptions they are subject to certain affordability requirements.

Owner-Occupied Units—Five percent of residential units shall be affordable for households earning no more than 80 percent of the current Median Family Income (MFI). Five percent of the residential units shall be affordable for households earning no more than 100 percent of the MFI. The affordability period is 99 years.

Rental Units—Ten percent of the residential units shall be affordable for households earning no more than 80 percent of the current MFI. As part of the opt-in/opt-out process, a neighborhood association or neighborhood planning team may request that the affordable rental units be available for renters earning a lower percentage of the median family income. This percentage can range from 80% to as low as 60 percent of the median family income. The affordability period is 40 years.

OTHER FREQUENTLY ASKED QUESTIONS:

DO I HAVE TO BUILD A VERTICAL MIXED USE BUILDING IF I GET REZONED THROUGH THE OPT-IN/OPT-OUT PROCESS?

The vertical mixed use combining district adds an additional development *option* to a property. Any property owner that gets their property rezoned through the opt-in/opt-out process to add the vertical mixed use building “V” combining district will still have the right to (re)develop under their existing base zoning district.

HOW HIGH CAN A VERTICAL MIXED USE BUILDING BE BUILT?

A vertical mixed use building cannot be built any higher than the base zoning district. For example, if your zoning is GR-V (community commercial-vertical mixed use building-combining district), the height limit would be 60 feet which is permitted under GR zoning.

IF THERE IS NO MINIMUM FRONT, STREET SIDE OR INTERIOR SIDE YARD SETBACKS CAN A VMU BUILDING BE BUILT RIGHT ON MY PROPERTY LINE?

The City of Austin requires compatibility standards to help minimize negative impacts between low-intensity and high-intensity uses. Any lot zoned for condominium, multifamily, office, commercial, or industrial uses must comply with compatibility standards if it is adjacent to, across the street from, or within 540 feet of a single-family zoning district or use.

HOW WILL I KNOW IF/WHEN A VERTICAL MIXED USE BUILDING IS BEING CONSTRUCTED?

Any property owner/developer who chooses to construct a vertical mixed use building must submit a site plan to the City. Filing of a site plan requires a notice of application be sent to all property owners and registered neighborhood organizations within 300 feet of the site via US Mail.

WHAT CAN I DO IF I DO NOT AGREE WITH THE NEIGHBORHOOD RECOMMENDATION?

The Opt-In/Opt-Out process includes two public hearings, first at Planning Commission and then at City Council. If you do not agree with the neighborhood recommendations you can submit a public comment form or email the zoning case manager with your comments. All comments will be forwarded to both Planning Commission and City Council. There is also an opportunity to attend the public hearings and state your comments directly to the Commissioners and City Council members.

HOW CAN I GET A VMU BUILDING ON MY PROPERTY IF I AM NOT IN THE OVERLAY DISTRICT?

Any property owner can apply for a rezoning of their property to add the vertical mixed use building "V" combining district. The Planning Commission reviews the applicant's request and forwards a recommendation to City Council.

IF THERE IS NOT A MINIMUM BUILDING COVERAGE REQUIREMENT, ARE THERE ANY OTHER LIMITATIONS ON BUILDING COVERAGE ON A LOT?

The City's impervious cover limits and compatibility standards will still apply.

WHERE CAN I FIND MORE INFORMATION ABOUT THE COMMERCIAL DESIGN STANDARDS AND VMU?

http://www.ci.austin.tx.us/planning/downloads/Subchapter_E_Design_Standards.pdf

<http://www.ci.austin.tx.us/planning/verticalmixeduse.htm>