

CENTRAL WEST AUSTIN NEIGHBORHOOD PLAN CONTACT TEAM

February 10, 2016

Organized 2010

"To facilitate the implementation of the Central West Austin Combined Neighborhood Plan."

Honorable Mayor Adler and City Council Members
Austin City Council
301 West 2nd Street
Austin, Texas 78701

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Re: Uniform Supermajority Approval Requirements for Planned Unit Development (PUD) Zoning Cases (February 11, 2016 City Council Meeting, Agenda Item 8)

Honorable Mayor Adler, Mayor Pro Tem Tovo, and Council Members:

The Central West Austin Neighborhood Plan Contact Team voted to support the originally proposed code amendment to allow for the equal treatment of zoned and unzoned land being considered for PUD zoning by requiring an affirmative vote of three-fourths of the members of City Council to approve any proposed PUD district zoning. The originally proposed code amendment was supported by the Planning Commission and Staff to uniformly extend current code protections for zoned property (requiring a super majority council vote to approve a PUD application which is denied by a board or commission) to also apply to unzoned land (which under current code requires only a simple council majority of votes for approval).

To the extent that the proposed amendment was amended on Council's first reading so that a three-fourth denial at Land Use Commission is needed to trigger a three-fourth approval at Council, we believe that this is movement in the wrong direction because it lowers standards for approval of previously zoned PUDs and changes the focus of the City Staff's original recommendation that would make the approval process for un-zoned PUDs equal to that currently required for zoned land.

Given that the intent of PUD developments is to create a development project that would be superior to a project created by traditional zoning, all PUDs (zoned and un-zoned) should be held to the higher supermajority requirement for City Council approval. If a project truly meets the criteria for superiority, the developers shouldn't be concerned about achieving a super majority.

As one of Austin's most established and stable neighborhood planning areas, the Central West Austin Neighborhood Plan Contact Team is especially supportive of providing uniform supermajority requirements for proposed PUD projects because there are large tracts of unzoned land in our planning area. For example, the State Supported Living Center includes 95 acres, most of which is unzoned. In addition, City Ordinance No. 891102-I provides that there are 141 acres of land in the Brackenridge Tract that could also be "unzoned" if the property is not used by the City of Austin under the City's Lease.

For the foregoing reasons, the Central West Austin Neighborhood Plan Contact Team supports staff recommendation to require an affirmative vote of three-fourths of the members of City Council to approve any proposed PUD district zoning for unzoned or interim zoned property when the Land Use Commission recommends denial of an application to zone a property to a Planned Unit Development.

Thank you for your consideration.

Michael Rocco Cannatti

Central West Austin Neighborhood Plan Contact Team, Chair