

Final Version
Passed as amended by unanimous consent

AR 3 In Opposition of the Proposed Zoning Ordinance Change Concerning MF-4 (Group Residential) Zoning

Authors: Andrew Grant Houston, Perry Pickei, Ryan Nill, Daniel Grube

Sponsors: Nadia A Al-Aubaidy, Andrew Grant Houston, Perry Pickei, Garrett Riou, Horacio Villarreal, Stephen M. Vincent, Crystal S. Zhao, Cody Aarons, Cory Miller, Ben Beverly

WHEREAS, Private dormitories, cooperative housing, and Greek housing are zoned as MF-4 housing per the Austin city zoning code, and

WHEREAS, The Central Austin Neighborhood Planning Advisory Committee (CANPAC) has proposed a zoning ordinance amendment to the Central Austin Combined Neighborhood Plan, adopted in 2004¹, that would create a "Central Austin University Area" District Overlay that would require a conditional use permit (CUP) for all new MF-4 (group residential) development,² and

WHEREAS, The special condition use permit process grants discretion to the local zoning authority to ensure that an acceptable land use does not disrupt the zoning scheme because of its particular location, though the area is already zoned specifically for group residential, and

WHEREAS, A conditional use permit requires submission of a site plan whether construction is planned or not, and

WHEREAS, Seeking a conditional use permit is a separate process from the site plan approval that typically takes at least 4-6 months to be approved by the development review department, and

WHEREAS, the conditional use plan (CUP) requires a majority vote of the Planning Commission to pass, discouraging buyers seeking group residential use due to the time and cost associated with this process, and

WHEREAS, If a majority of neighbors within 500 feet sign a petition against a zoning change (including a CUP) a super majority of the city council (or planning commission for a CUP) is required to approve the change, and

WHEREAS, The Central Austin Combined Neighborhood Plan that was created in 2004 included stakeholders from both single family and student housing and allowed for group residential while preserving the character of the single-family housing in the affected neighborhoods, and

WHEREAS, That same plan created the University Neighborhood Overlay (UNO) district, which has increased property values, but also eliminated several affordable housing options for students,³ and

WHEREAS, The neighborhoods comprising the Central Austin Neighborhood Planning Advisory Committee - West University, North University, and Hancock - are areas where students traditionally have settled in due to their proximity to the University, and

¹ See Central Austin Combined Neighborhood Plan, <ftp://ftp.ci.austin.tx.us/npzd/Austingo/ca-combined-np.pdf>

² <http://www.austintexas.gov/edims/document.cfm?id=174577>, accessed September 6th, 2012.

³ <http://www.dailytexanonline.com/city/2012/09/14/tale-two-neighborhoods>, accessed September 15th, 2012

WHEREAS, specific tracts of land within the North University and Hancock neighborhoods are already protected by other ordinances and conservation districts,⁴ and

WHEREAS, City Planning and Development Review staff identified that because of these ordinances and conservation districts, no tracts of land in the North University and two tracts of land in the Hancock Neighborhood Planning Area would be affected by the proposed overlay district, as opposed to 34 tracts of land in the West University Neighborhood Planning Area,⁵ and

WHEREAS, Since 2004, no student opinion was consulted or garnered to create the special conditional use permit in the proposed zoning ordinance amendment, and

WHEREAS, When students gained representation, they have repeatedly opposed and tried to stop any proposed changes on all levels of the city process, and

WHEREAS, Cooperative housing costs about 6,500 dollars per year with food as compared to 9,400 for a West Campus apartment without food or utility costs and over 12,000 per year for on campus housing with food, providing an affordable option for students who wish to live near campus,⁶ and

WHEREAS, A grassroots coalition has been started by students called Save The Co-Ops in opposition of the proposed zoning ordinance change⁷ that has nearly 1,200 signatures to date,⁸ and

WHEREAS, The action to have city council vote on the proposed ordinance change was delayed in order to garner student opinion⁹, then

BE IT RESOLVED, That Student Government opposes the proposed zoning ordinance amendment and asks the City Council to not create this new overlay district, and

BE IT FURTHER RESOLVED, That Student Government supports the Save The Co-Ops initiative, and

BE IT FURTHER RESOLVED, That Student Government supports the Interfraternity Council initiative, and

BE IT FURTHER RESOLVED, That Student Government will play an active role in advocating against proposed changes to the current zoning.

BE IT FURTHER RESOLVED, That this resolution be sent to Office of the Mayor, the Office of the City Manager, the six members of City Council, The Office of the President, the Dean of Students Office, and the Governmental Relations Office.

⁴http://www.austintexas.gov/sites/default/files/files/Planning/nccd_ordinance_chart.pdf, accessed September 6th, 2012.

⁵<http://www.austintexas.gov/edims/document.cfm?id=174575>, accessed September 6th, 2012.

⁶Data taken from the Inter-Cooperative Council Website, <http://www.iccaustin.coop/>

⁷<http://www.savethecoops.org/>, accessed September 1st, 2012.

⁸<https://www.change.org/petitions/save-the-co-ops> accessed September 13th, 2012.

⁹ See "City Council delays vote on group housing ordinance," as published in the Daily Texan on August 16th, 2012.