C I T Y P L A N N I N G C O M M I S S I O N

February 26, 2008
City Hall – Council Chambers
301 W. 2nd Street
1st Floor
Annotations & Zoning Summaries

CALL TO ORDER – 6:00 P.M.
COMMENCED: 6:05 P.M. ***ADJOURNED: 8:55 P.M.***

_____Tracy Atkins	_____Paula Hui
_____Perla Cavazos	_____Saundra Kirk – Secretary
_____Mandy Dealey - Parliamentarian	_____Jay Reddy – Vice-Chair
_____Chris Ewen	_____Dave Sullivan - Chair

All Present

CONDUCT OF PUBLIC HEARINGS

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those FAVORING the request.
4. Applicant's presentation (5 minutes).
5. Up to three speakers favoring the request (3 minutes); additional speakers (1 minute).
6. Chair calls on those OPPOSING the request.
7. Primary presentation (5 minutes).
8. Up to three speakers opposing the request (3 minutes); additional speakers (1 minute).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION OR CITIZENS THAT ARE UNABLE TO SPEAK BUT WOULD LIKE TO MAKE THE COMMISSION AWARE OF THEIR POSITION ARE REQUESTED to REGISTER BY SIGNING A CARD AT THE ENTRANCE.

Any interested party aggrieved by a decision of the Planning Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Planning Commission.
The Commission may recommend additional future land use designations that have not been requested or future land use designations that are more or less intensive than the requested future land use. The

Commission may also recommend zoning that includes combining districts such as mixed use, conditional overlays, or other combining districts.

AGENDA POSTING & POSTPONEMENT POLICIES

AGENDA POSTING POLICY

Normally when placing an item on a future agenda, commissioners should inform the chair prior to a meeting and announce the item under Items from Commission at the end of the agenda.

If the topic is of a sensitive nature or may be considered outside the scope of the Commission's charge, then the chair may request that it be presented to the Executive Committee for consideration prior to being placed on the agenda.

- An item that arises during the conduct of a meeting may be announced during the pertinent discussion or at the end of the meeting.
- If no objection is raised to the posting of an item, a vote and a second on the posting will not be required.
- If a disagreement arises on the posting of an item, the Commission will act upon the posting by a motion and vote.

POSTPONEMENT POLICY

General Policy: Anyone may request a postponement of a public hearing by following the instructions provided below. Individual commissioners may request postponements to be voted on by the full Commission. Note that requests for postponements of Neighborhood Plans or the rezonings that stem from Neighborhood Plans are strongly discouraged, and will not be granted except in extraordinary circumstances. Examples may include a significant defect in the planning process (e.g. lack of notification) or the availability of relevant and significant information that was not available during the planning process (e.g. the development of the Airport Overlay Zone around Austin-Bergstrom International Airport).

To Request a Postponement:

1. **Write a letter to the case manager** (case manager's name is provided in the agenda item under "City Staff") that includes 1) the date/time the letter was delivered to city staff, 2) the reason for requesting postponement, 3) requested postponement date.
2. **Ensure that the case manager or the Planning Commission Coordinator receives your letter by the beginning of the Planning Commission meeting.** Do not send requests for postponement directly to the Planning Commission. Letters to the Planning Commission Coordinator may be mailed or faxed to the address/number given below, or hand delivered to 505 Barton Springs Road, 5th floor.
3. **Attend the Commission meeting in case the request for postponement is discussed.**

CORRESPONDENCE WITH THE PLANNING COMMISSION

E-mail: E-mail addresses for individual Commissioner's are available on the last page of this agenda.

Mail: Neighborhood Planning & Zoning Department
Attn: Planning Commission Coordinator
P.O. Box 1088, Austin TX, 78767

Fax: Fax: (512) 974-6054
Attn: Planning Commission Coordinator

Facilitator: Javier Delgado, 974-7648
City Attorney: Patricia Link, 974-2173

MORE INFORMATION

Planning Commission Web Page: www.cityofaustin.org/smartgrowth/pc.htm
COA Development Web: www.cityofaustin.org/development/
Land Development Code: www.cityofaustin.org/development/ldc1.htm
For further information, please contact Dora Anguiano, Neighborhood Planning & Zoning Department at 974-2104 or dora.anguiano@ci.austin.tx.us.

6:00 P.M.

PUBLIC HEARING

A. REGULAR AGENDA

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Planning Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

CITIZEN COMMUNICATION:

1. The first four (4) speakers signed up to speak will each be allowed a three-minute allotment to address their concerns regarding items *not* posted on the agenda.

NO SPEAKERS.

APPROVAL OF MINUTES

2. Approval of minutes from February 12, 2008.

APPROVED MINUTES FOR FEBRUARY 12, 2008; BY CONSENT. [J.REDDY, T.ATKINS 2ND] (7-0) P.CAVAZOS – NOT YET ARRIVED

CODE AMENDMENT

3. Code Amendement: **C20-2008-002 -**

Request: The proposed code amendment will allow subsurface structures to be excluded from land use impervious cover measurements that are located in the urban roadway boundary outside of the Barton Springs Zone. The ordinance limits the additional area of subsurface structures extending outside of the footprint of surface structures that may be excluded from the impervious cover measurements. The subsurface structure must have a minimum of two feet of soil cover, with an average of four feet of cover. Any discharge or impoundment of groundwater resulting from the structure must be managed so as to avoid significant adverse effects on public health and safety, the environment, and adjacent property.

Staff: Pat Murphy, 974-3443, pat.murphy@ci.austin.tx.us
Watershed Protection and Development Review

MOTION MADE TO APPROVE CODE AMENDMENT.
[J.REDDY, T.ATKINS 2ND] (7-0) P.CAVAZOS – NOT YET ARRIVED

DISCUSSION AND ACTION ON A ZONING CASES

4. Rezoning: **C14-2007-0255 - Holly's Retirement**

Location: 10614 Macmora Road, Little Walnut Creek Watershed, Not Required NPA
Owner/Applicant: Holly L. Armstrong
Request: SF-1-NP to SF-6-NP
Staff Rec.: **Recommendation of SF-6-CO-NP; PUBLIC HEARING CLOSED.**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us
Neighborhood Planning & Zoning Department

5. Rezoning: **C814-97-0001.05 - Leander Rehabilitation PUD Amendment #6**

Location: North F.M. 620 Road, Lake Creek Watershed, N/A NPA
Owner/Applicant: Pacific Summit Partners
Agent: Armbrust & Brown, L.L.P. (David Armbrust)
Request: PUD to PUD
Staff Rec.: **Recommendation Pending**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us
Neighborhood Planning & Zoning

Facilitator: Javier Delgado, 974-7648
City Attorney: Patricia Link, 974-2173

6. Rezoning: C14-2007-0207 - The Village Mixed Use Development

Location:	2700 West Anderson Lane, Shoal Creek Watershed, North Shoal Creek NPA
Owner/Applicant:	Lamy-Anderson Lane, Ltd. (Joe Lamy)
Agent:	Drenner & Golden Stuart Wolff, LLP (Michele Rogerson)
Request:	GR to GR-V;The nature of this request is to consider implementation of VMU on the site and to allow implementation of VMU options
Staff Rec.:	**Recommendation of GR-V, with conditions; to apply vertical mixed use (VMU)**
Staff:	Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us Neighborhood Planning & Zoning Department

7. Rezoning: C14-2007-0247 - Monarch Rezoning

Location:	801 West 5th Street, Shoal Creek Watershed, Downtown NPA
Owner/Applicant:	Zom Austin, I Lp (John Faulk)
Agent:	Longaro & Clarke, LP (Longaro Joseph)
Request:	CBD-CO to CBD; Applicant has withdrawn rezoning application. **No action is necessary.**
Staff Rec.:	**Recommendation of CBD-CO**
Staff:	Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us Neighborhood Planning & Zoning Department

8. Rezoning: C14-2007-0264 - TPWD 6.6

Location:	100 East 50th Street, Waller Creek Watershed
Owner/Applicant:	Texas Park and Wildlife Department (Scott Boruff)
Agent:	Jim Bennett Consulting (Jim Bennett)
Request:	Unzoned land to MF-2-NCCD and MF-4-NCCD; Staff requests a postponement to March 25, 2008.
Staff Rec.:	**Recommendation pending**
Staff:	Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us Neighborhood Planning & Zoning Department

Facilitator: Javier Delgado, 974-7648
City Attorney: Patricia Link, 974-2173

9. Rezoning: **C14-2008-0014 - Speedway**

Location:	3101 Speedway, Waller Creek Watershed, NUNA NCCD NPA
Owner/Applicant:	F. Bozorgmehr
Agent:	Jay Vickers
Request:	CS-NCCD-NP to CS-1-NCCD-NP; Applicant requests a postponement to March 25, 2008.
Staff Rec.:	**NOT RECOMMENDED**
Staff:	Jorge E. Rousselin, 974-2975, jorge.rousselin@ci.austin.tx.us Neighborhood Planning & Zoning Department

10. Rezoning: **C14-2008-0033 - Northwest Hills Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-In/Opt-Out Process**

Location:	Selected tracts within the area bounded by Spicewood Springs Road to the north; North MoPac Expressway Southbound to the east; Northland Drive/FM 2222 Road to the south and Mesa Drive to the west, Shoal Creek; Dry Creek North; Bull Creek Watershed, Northwest Hills NPA NPA
Owner/Applicant:	City of Austin - Neighborhood Planning and Zoning Department
Agent:	City of Austin - Neighborhood Planning and Zoning Department (Andrew Holubeck)
Request:	To implement Vertical Mixed Use Building (V) zoning regulations on selected tracts within the Northwest Hills Neighborhood Planning Area. These include Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments. The Planning Commission may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Northwest Hills Neighborhood Planning Area from the overlay district.
Staff:	Andrew Holubeck, 974-2054, andrew.holubeck@ci.austin.tx.us Neighborhood Planning & Zoning Department

Facilitator: Javier Delgado, 974-7648
City Attorney: Patricia Link, 974-2173

11. Rezoning: **C14-2008-0034 - University Hills Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-In/Opt-Out Process**

Location: Selected tracts within the area bounded by U.S. Highways 290 and 183 to the north; U.S. Highway 183 to the east; Manor Road to the south and Northeast Drive to the west, Little Walnut Creek Watershed, University Hills NPA NPA

Owner/Applicant: City of Austin - Neighborhood Planning and Zoning Department

Agent: City of Austin - Neighborhood Planning and Zoning Department (Minal Bhakta)

Request: To implement Vertical Mixed Use Building (V) zoning regulations on selected tracts within the University Hills Neighborhood Planning Area. These include Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments. The Planning Commission may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the University Hills Neighborhood Planning Area from the overlay district.

Staff: Minal Bhakta, 974-6453, minal.bhakta@ci.austin.tx.us
Neighborhood Planning & Zoning Department

DISCUSSION AND ACTION ON SUBDIVISION CASES

12. Preliminary Plan: **C8-07-0043 - Northwood at Lakeline**

Location: N. Lakeline Blvd. at Lyndhurst St., South Brushy Creek Watershed, N/A NPA

Owner/Applicant: Pacific Summit Partners (Todd Janssen)

Agent: Bury & Partners, Inc. (Steve Shanks)

Request: Approval of the Northwood at Lakeline preliminary composed of 1113 lots on 177.63 acres.

Staff Rec.: **Pending**

Staff: David Wahlgren, 974-6455, david.wahlgren@ci.austin.tx.us
Watershed Protection and Development Review

Facilitator: Javier Delgado, 974-7648
City Attorney: Patricia Link, 974-2173

13. Resubdivision: **C8-2007-0095.0A - Ted's Trees, Resubdivision of Lots 7-A & 7-B, Resubdivision of Lot 7, Block 1, Cherico Subdivision No. 2**

Location:	1117 Tillery Street, Boggy Creek Watershed, Govalle NPA
Owner/Applicant:	Theodore & Mary E. Lopez
Agent:	The Moore Group (Edward C. Moore)
Request:	Approval of a Variance from 25-6-351 (LDC) which requires that sidewalks be installed. And Approval of the resubdivision of 2 lots with some previously unplatted land into 2 lots consisting of 7.308 acres.
Staff Rec.:	**Recommended**
Staff:	Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us Amber Mitchell, 974-3428, amber.michell@ci.austin.tx.us Watershed Protection and Development Review Department

DISCUSSION AND ACTION ON STATUTORY DISAPPROVALS

14. Final Plat: **C8-2008-0017.0A - Fair Grounds Addition, Amended Plat**

Location:	E 3rd St, Town Lake Watershed
Owner/Applicant:	2017 E 3rd St, LLC (Jackie Strong)
Agent:	2017 E 3rd St, LLC (Jackie Strong)
Request:	Approval of Fair Grounds Addition, Amended Plat composed of 2 lots on .446 acres.
Staff Rec.:	**Disapproval**
Staff:	Watershed Protection and Development Review

15. Final Plat: **C8-2008-0018.0A - J-Square Subd (Resub Lt 3, S 6ft Lt 2, & N Pt Lt 4, Blk 34, Pemberton Hghts, Sec 10)**

Location:	2510 Hartford Rd, Johnson Creek Watershed
Owner/Applicant:	Kevin J Jorgensen
Agent:	ATS Engineers (Andrew Evans)
Request:	Approval of J-Square Subd (Resub Lt 3, S 6ft Lt 2, & N Pt Lt 4, Blk 34, Pemberton Hghts, Sec 10) composed of 2 lots on .42 acres
Staff Rec.:	**Disapproval**
Staff:	Watershed Protection and Development Review

B. OTHER BUSINESS

ITEMS FROM THE COMMISSION

1. Report from the Committee Chairs

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call Dora Anguiano, Neighborhood Planning & Zoning Department, at 974-2104, for information, text phone users route through Relay Texas at (800) 735-2989.

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Mr. Chris Ewen
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Contact Phone: (512)853-9471
E-mail Address: chris@brandocular.com

STANDING COMMITTEES

Committee	**CIP Meets Quarterly @ 6:00 P.M.**	**Codes & Ordinances Meets 3rd Tuesday at 6:00pm**	**Comprehensive Plan Meets 1st Tuesday at 6:00pm**	**Neighborhood Planning Meets 3rd Wednesday at 6:00 pm; Rm. 2016 City Hall**	**Executive Meets 1st Wednesday at 8:00 a.m.**	**Liaison**
Committee Members	Sullivan-Chair Cavazos Reddy Atkins Hui	Reddy-Chair Sullivan Dealey Kirk Atkins	Dealey Sullivan Cavazos Atkins	Kirk-Chair Reddy Sullivan	Sullivan Reddy Dealey Kirk	Dealey Sullivan
Staff		Robert Heil 974-2330	Paul Frank 974-2378	Mark Walters 974-7695		

Facilitator: Javier Delgado, 974-7648
City Attorney: Patricia Link, 974-2173