



**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 35
AGENDA DATE: Thu 04/22/2004
PAGE: 1 of 1

SUBJECT: Set a public hearing on an appeal by Mike McHone of the Planning Commission's decision to deny a conditional use permit for transitional housing at 5117 North Lamar (Suggested date and time: May 6, 2004, at 6:00 p.m., Lower Colorado River Authority, Hancock Building).

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Watershed Protection and **DIRECTOR'S**
DEPARTMENT: Development Review **AUTHORIZATION:** Joe Pantalione

FOR MORE INFORMATION CONTACT: Kathy Haight, 974-2724; Martha Vincent, 974-3371

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Denied by the Planning Commission.

The applicant is requesting a conditional use permit to develop a transitional housing facility in an existing building in the CS-CO-NP zoning district. Transitional housing is the use of a site for the supervision of detention of more than 15 residents who are making the transition from institutional to community living. This use includes pre-parole detention facilities and halfway houses for juvenile delinquents and adult offenders, and overnight shelters for the homeless. The applicant proposes "use as a Texas Department of Criminal Justice approved and funded facility to assist released female convicts in their re-entry into society." The proposed facility will provide 52 beds.

Staff recommended the conditional use permit as complying with City regulations but expressed concerns about whether the facility could comply with State regulations. The Planning Commission heard the case on March 23, 2004, and denied the conditional use permit 7-0. Mike McHone is appealing the Commission's denial on the basis that staff did not provide the Commission all the pertinent information on the case and should not have expressed concerns that the facility would not meet the requirements of the Texas Department of Criminal Justice.