



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

AGENDA ITEM NO.: 46
AGENDA DATE: Thu 10/07/2004
PAGE: 1 of 1

SUBJECT: Conduct a public hearing and consider action on an appeal by Susana Almanza and Sylvia Herrera of the Planning Commission's decision to approve a conditional use permit for on-site parking for the Austin Community College Eastview Campus, located at 3401 Webberville Road.

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 Pantalion

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

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Approved by the Planning Commission.

PURCHASING: N/A

MBE / WBE: N/A

Austin Community College is requesting a conditional use permit to construct additional parking for the Eastview Campus at 3401 Webberville Road (Case No. SPC-04-0012D). Because the property is zoned P-Public, a conditional use permit is required for any development over one acre. The proposed development consists of the addition of 370 parking spaces in two phases. The project did not require any Commission-approved variances but did receive three administrative waivers:

- To allow pedestrian bridges to cross the Critical Water Quality Zone.
- To provide channel improvements rather than on-site detention.
- To allow a grass-lined channel with less than 2% slope.

The conditional use permit was recommended by staff and approved by the Planning Commission. The Planning Commission's approval is being appealed by Susana Almanza and Sylvia Herrera, Ph.D, of PODER. The stated reasons for the appeal are that: the property is in a critical environmental area and the case was not reviewed by the Environmental Board; a meeting was not held with the Govalle/Johnston Review Team prior to the public hearing; the project will not alleviate on-street parking; and the parking lot will encroach into a residential area.



City of Austin Watershed Protection and Development Review Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

SITE PLAN APPEAL

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Watershed Protection and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Planning Commission, or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. SPC-04-0012D

DATE APPEAL FILED 8/24/04

PROJECT NAME Austin Community College Eastview Campus Onsite Parking
 PROJECT ADDRESS 3401 Webberville Rd.

YOUR NAME Susana Almanza
 SIGNATURE Susana Almanza
 YOUR ADDRESS PO Box 6237

APPLICANT'S NAME ACC (Bronson Dorsey)
 CITY CONTACT Kathy Haught

Austin, TX 78762
 YOUR PHONE NO. (512) 472-9921 WORK
 () HOME

INTERESTED PARTY STATUS: Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☒ I communicated my interest by speaking at the Planning Commission public hearing on (date) 7/27/04
- ☐ I communicated my interest in writing to the Director or Planning Commission prior to the decision (attach copy of dated correspondence).

In addition to the above criteria, I qualify as an interested party by one of the following criteria: (Check one)

- ☐ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☒ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

DECISION TO BE APPEALED*: (Check one)

- ☐ Administrative Disapproval/Interpretation of a Site Plan
- ☐ Replacement site plan
- ☒ Planning Commission Approval/Disapproval of a Site Plan
- ☐ Waiver or Extension
- ☐ Planned Unit Development (PUD) Revision
- ☐ Other: _____

Date of Decision: _____
 Date of Decision: _____
 Date of Decision: 8/10/04
 Date of Decision: _____
 Date of Decision: _____

*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

STATEMENT: Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

See Attachment: Letter to Mayor Will Wynn

(Attach additional page if necessary.)

Applicable Code Section: _____



People Organized in Defense of Earth and her Resources

August 24, 2004

Mayor Will Wynn
City of Austin
P.O. Box 1088
Austin, TX 78767

RE: Case # SPC-04-0012D : Appeal on Approval of Conditional Use Permit


PODER is submitting an appeal for the Austin Community Eastview Campus On-site Parking located at 3401 Webberville Road based on the following reasons:

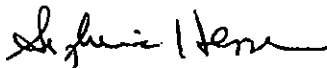
- 1) The property is an critical environmental area as part of the Oak Springs Marsh and this case was **not** reviewed by the Environmental Board. During the construction of the Health Science Building (directly across the street from the proposed parking lot) the Environmental Board recognized the importance of creating protection for this portion of the Oak Springs wetland.
- 2) A meeting with the Govalle/Johnston Review Team was **not** scheduled prior to the actual public hearing. It was only after the postponement of the case that there were efforts to meet and did not give adequate time for the review team to meet and discuss the case in a timely manner.
- 3) This development of this site plan has been underway over a year, during the same time that the Govalle/ Johnston Terrace Neighborhood Planning meetings were occurring. We had specifically requested that all proposed projects in the neighborhood be introduced and presented to neighborhood residents. We were never contacted by ACC nor its representatives regarding this site proposal as part of our neighborhood planning meetings.

Because of the projected number of students drawn to the new Health Science program, we do not feel that the proposed project will alleviate the on-street parking. The parking lot will also be an encroachment into a residential area.

If you have any questions, please feel free to call us at 472-9921

Sincerely,


Susana Almanza
Executive Director


Sylvia Herrera, Ph.D.
Health Coordinator

Xc: Planning Commission; Environmental Board; Kathy Haught, Case Manager; Melodie Foust, TPSD

P.O. Box 6237 Austin, Texas 78762-6237 Phone: (512) 472-9921 Email: poder_tx@sbcglobal.net

CASE SUMMARY FOR CITY COUNCIL OCTOBER 7, 2004

Austin Community College – East view Campus

On-site Parking Expansion

SPC-04-0012D

CASE CHRONOLOGY

- **Application Filed:** March 1, 2004
- **Planning Commission:** July 27, 2004 – Postponed
- **Planning Commission:** August 10, 2004 – Approved With Conditions
- **Appeal Filed:** August 24, 2004
- **Presentation to Environmental Board:** September 15, 2004
- **Set Public Hearing - City Council:** September 30, 2004
- **Conduct Public Hearing – City Council:** October 7, 2004

CASE INFORMATION

- **Location:** 3401 Webberville Rd. at Goalie Ave.
- **Size:** 10 acres
- **Type of Application:** Conditional Use Permit site plan
- **Proposed development:** Addition of 370 parking spaces in two phases, with possible third phase of 149 spaces. Also includes drainage channel improvements and two pedestrian bridges.
- **Zoning:** P-NP
- **Administrative Variances and Waivers:**
 - From City Code, Sec. 25-8-262, to allow pedestrian bridges to cross the Critical Water Quality Zone – Granted June 7, 2004.
 - From Drainage Criteria Manual, Sec. 1.2.2.C, to provide channel improvements rather than on-site detention – Granted.
 - From Drainage Criteria Manual, Sec. 6.4.1.C, to allow a grass-lined channel with less than 2% slope – Granted.
- **Commission-Approved Variances and Waivers:** None.
- **Commission Approval:**
 - Site plan approved by Zoning and Platting Commission August 10, 2004 with the following conditions:
 - (1) **Plans have been revised since original submittal and save an additional 19 trees which are shown as saved on the plans associated with this permit.**
 - (2) **Approximately 10,000 square feet of pervious pavers are to be used on the channel side of the parking area.**

- (3) Curb cuts have been incorporated to allow water to reach large tree wells.
- (4) A total of 18 parking spaces have been deleted since the original submittal and that new total is reflected on the plans associated with this permit.

APPEAL ISSUES:

- First Concern of Appellant: "Case not submitted to Environmental Board."

City staff response: Case not required going before Environmental Board. One administrative environmental variance was granted to place two pre-fabricated pedestrian bridges across the Critical Water Quality Zone. Administrative variance granted on June 7, 2004

- Second Concern of Appellant: "Meeting with the Goalie/Johnston Review Team was not scheduled prior to the actual public hearing."

City staff response: Appellant was given notification of case being filed and of public hearing as required by City Code.

- Third Concern of Appellant: "Appellant was not contacted by ACC or ACC representatives regarding the site proposal."

City staff response: Appellant was given notification of case being filed and of public hearing as required by City Code.

Presentation to Environmental Board - September 15, 2004:

Patrick Murphy, City of Austin Chief Environmental Officer, stated information he received prior to the Environmental Board meeting was that PODER was concerned about wetland mitigation plan, administrative variances for development in the critical water quality zone (CWQZ), and drainage waivers.

Mr. Murphy was available to answer questions at the September 15, 2004 meeting and afterwards stated that it appeared that PODER actually had concerns that ACC did not talk with PODER during the actual planning process.

PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET

CASE NUMBER: SPC-04-0012D

COMMISSION DATE: July 27, 2004

ADDRESS OF APPLICATION: 3401 Webberville Rd.

AREA: 10 Acres

PROJECT NAME: Austin Community College Eastview Campus – On-Site Parking

APPLICANT: Austin Community College (Bronson Dorsey)

AGENT: Jose I. Guerra, Inc. (Matthew Murphy)

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for the construction of on-site parking, channel improvements, and two pedestrian bridges.

EXISTING ZONING: P-NP (Public – Neighborhood Plan)

NEIGHBORHOOD ORGANIZATIONS:

#162 -Glen Oaks, Rosewood Village, Neighborhood Organization
#477-El Concilio, Coalition of Mexican American Neighborhood Assn.
#511-Austin Neighborhoods Council
#681 - Govalle/Johnston Terrace Planning Team of Neigh. Orgs.
#972 - PODER – People Organized in Defense of Earth & Her Resources

C.I.P. STATUS: N/A

T.I.A.: N/A

WATERSHED: Boggy Creek (Urban)

APPLICABLE WATERSHED ORDINANCE: CWO (Current)

CAPITOL VIEW: N/A

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit. This site plan complies with all requirements of the Land Development Code.

COMMISSION ACTION:

July 27, 2004: Postponed until August 10, 2004

August 10, 2004: CUP Approved with Conditions (See attached permit for conditions.)

Minutes are attached.

August 24, 2004: Appeal of Planning Commission's Approval of CUP filed.
Minutes are attached.

DEPARTMENT COMMENTS:

Section 25-2-625(D)(2) of the Land Development Code requires that for a site of one acre or more in the P – Public zoning district, the site development regulations are established by the approval of a conditional use site plan.

CASE MANAGER: Kathy Haught **PHONE:** (512) 974-2724
E-MAIL: Kathy.haught@ci.austin.tx.us

PROJECT INFORMATION:

Building/ Structure Use: N/A – Project only consists of Parking/Channel Improvements for Community College.

Sq. Footage Proposed: N/A – No structures – parking lot only.

Height/ Stories Allowed in P district: established by approval of conditional use site plan
Height/ Stories Proposed: N/A – Parking Lot

Maximum F.A.R. Allowed in P district: established by approval of conditional use site plan
F.A.R. Proposed: N/A – Parking Lot

Allowed Impervious Cover: established by approval of conditional use site plan
Existing Impervious Cover: 25%
Proposed Impervious Cover: 56%

Proposed Access: Govalle Avenue and Webberville Rd.

Subdivision status: N/A – Legal Tract w/ Land Status Determination (Case # C8I-97-0127)

Sidewalks: Existing sidewalks along Govalle Avenue and Webberville Rd.

SUMMARY COMMENTS ON SITE PLAN:

Land Use: This site currently has a Community College. The proposed development is for a parking lot, channel improvements, and two pedestrian bridges for the Community College (College or University Facilities).

Environmental: This site is located in the Boggy Creek Watershed, which is classified as an Urban Watershed.

An administrative variance was granted June 7, 2004 to allow two pedestrian bridges to improve access to the east parking lots.

Transportation: The site will comply with all transportation requirements.

SURROUNDING CONDITIONS:

Zoning/ Land Use

North: P-NP (Vacant); GR-MU-CO-NP (Convenience Store); MF-3-NP (Vacant)
East: SF-3-NP (Single Family Residential, and Nursery)
South: Govalle Avenue, then P-NP (College) : SF-3-NP (Residential)
West: SF-3 – NP (Open Space and Public School); MF-4 (Public Housing)

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
Govalle Avenue	60'	40' pavement	Collector Street
Webberville Rd.	70'	44' pavement	Collector Street

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: *The Planning Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section. A conditional use site plan must:*

1. Comply with the requirements of this title:

Staff Response: This site plan complies with all applicable requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed use is a College or University Facility use and complies with the purposes of the P (Public) zoning district.

3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;

Staff Response: No new building construction is proposed.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: Proposed plan complies.

5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: Yes. Channel improvements will actually reduce the 100-year floodplain area on-site and for neighboring properties.

In addition, a conditional use site plan may not:

6. More adversely affect an adjoining site than would a permitted use;

Staff Response: The proposed parking for the College Facility is a permitted use in the P (Public) zoning district and will not more adversely affect an adjoining site than would other permitted uses. The proposed parking lot will provide needed space to allow students and faculty parking on-site in lieu of parking within the adjacent street right of way.

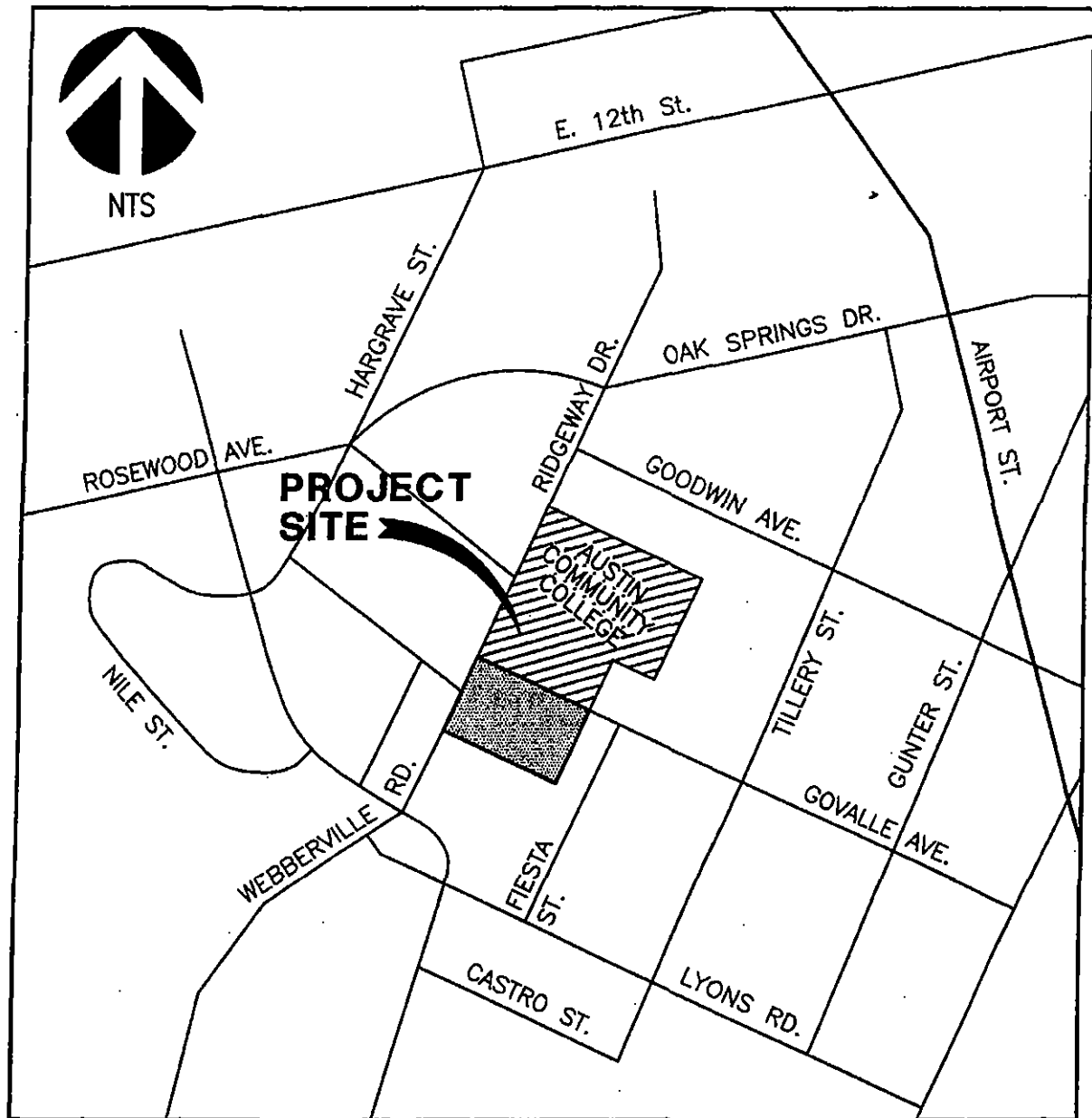
7. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

Staff Response: The proposed development will not adversely affect the safety or convenience of vehicular or pedestrian circulation, but will improve.

8. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.

Staff Response: Any proposed signage will be required to comply with the Land Development Code.

ACC EASTVIEW CAMPUS



3401 WEBBERVILLE ROAD
AUSTIN, TEXAS 78702

PROJECT DATA

PROJECT NAME: **AUSTIN COMMUNITY COLLEGE**

PROJECT NO.: **SPC-04-0012D**

DATE: **9/27/04**

DESIGNED BY: **STANLEY, GREEN & CHASE, INC.**

CHECKED BY: **STANLEY, GREEN & CHASE, INC.**

APPROVED BY: **STANLEY, GREEN & CHASE, INC.**

SCALE: **AS SHOWN**

OVERALL SITE PLAN

PROJECT NO.: **SPC-04-0012D**

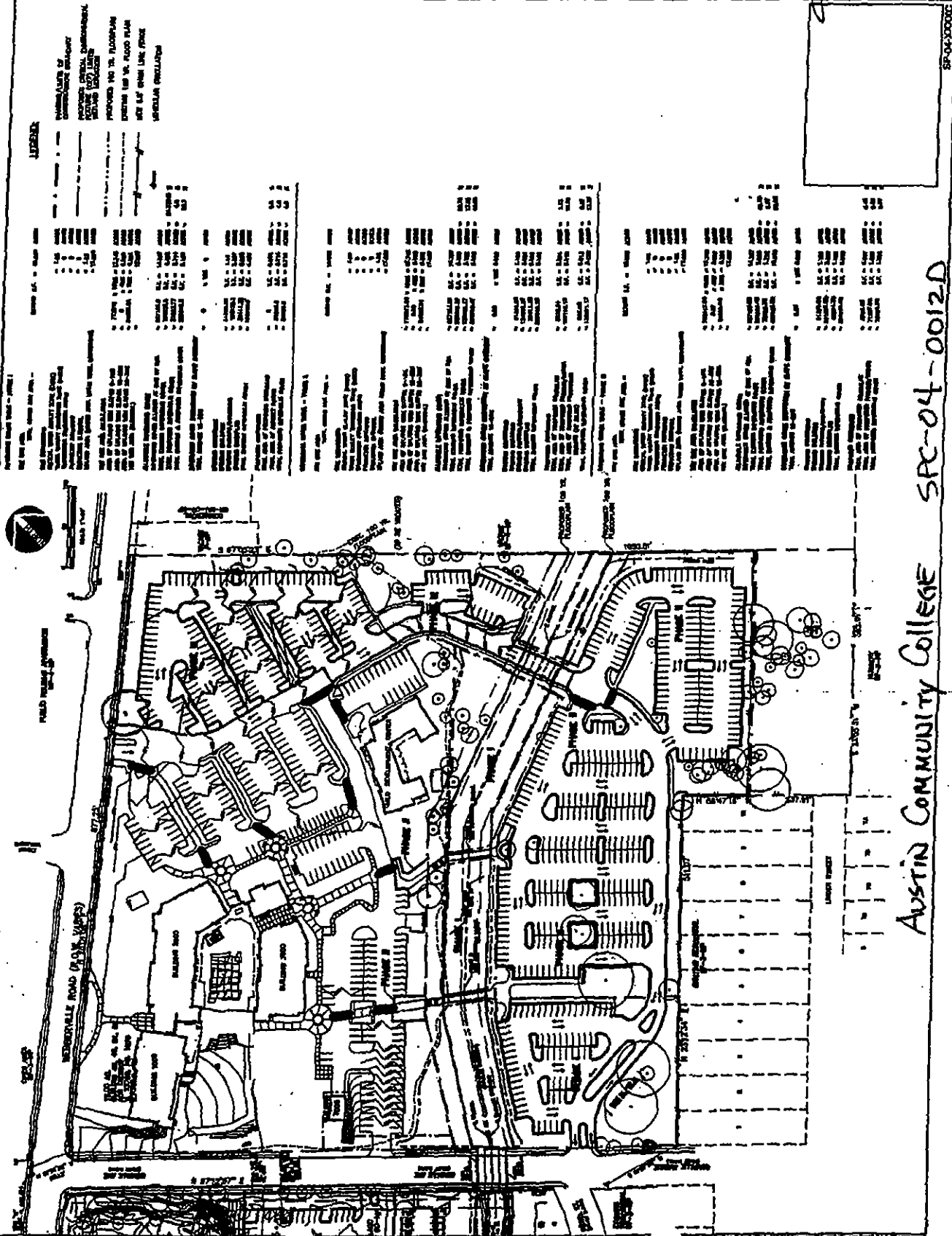
DATE: **9/27/04**

DESIGNED BY: **STANLEY, GREEN & CHASE, INC.**

CHECKED BY: **STANLEY, GREEN & CHASE, INC.**

APPROVED BY: **STANLEY, GREEN & CHASE, INC.**

SCALE: **AS SHOWN**



Austin Community College SPC-04-0012D

→10. Site Plan Conditional Use Permit:	SPC-04-0012D - Austin Community College Eastview Campus - Onsite Parking
Location:	3401 Webberville Rd., Boggy Creek Watershed, Govalle NPA
Owner/Applicant:	Austin Community College (Bronson Dorsey)
Agent:	Jose Guerra, Inc. (Matthew Murphy)
Request:	Conditional Use Permit
Staff Rec.:	RECOMMENDED
Staff:	Kathy Haught, 974-2724, kathy.haught@ci.austin.tx.us Watershed Protection & Development Review

FOR POSTPONEMENT

Daniel Llanas requested a postponement. ACC was part of the neighborhood planning process early on. He would like a chance to discuss ACC plans. He is surprised that staff recommended it, because there are concerns about trees and wetlands in the area where this is proposed. They would like a one month postponement.

AGAINST

Bronson Dorsey, vice president of facilities for Austin Community College, said they understand the concern about notification. Since the site plan was filed on March 10, notice has been sent out. He believes there has been adequate time for the neighborhood to work with them. The parking lot is in conformance with the 1997 plan when the Eastview campus was designed. They are asking to build the parking lot as the second phase of building the Health Services Center. The parking lot has to be built to receive the Certificate of Occupancy by November, for the building to be ready for classes starting in January. It will take about 3 months to construct the parking lot. Any delay will result in missing the opportunity to open the building.

Commissioner Moore asked if detention and water quality will be provided on site. Matt Murphy, with Jose Guerra Engineers, agent for ACC, sought a waiver from on-site detention and the City approved it. They are doing a two-year detention as part of the channel on the property.

PUBLIC HEARING

Kathy Haught presented the case and staff recommendation. The site plan is before the Commission because the site is larger than one acre in the P, Public, zoning district. Currently, overflow parking is on the street. This site plan would provide a parking lot, channel improvements and pedestrian bridge over the channel improvement to the parking lot from the school.

Commissioner Riley explained his concern about the proposed parking lot adjacent to the creek and the neighborhood plan's stated concerns about preserving the natural environment and wetlands.

Ms. Haught explained that the channel improvements are to create wetlands. A community garden and hike and bike trail are proposed for the ACC site.

Commissioner Riley explained that this case is different from previous case. Commissioner Sullivan added that the decision of the Planning Commission is appealable to Council.

APPLICANT

Bronson Dorsey said that this is the second phase of a two-stage project. This is not a creek, but is a ditch built by the City of Austin. Before the development, the ditch held water and was a breeding ground for mosquitoes. What is proposed is an extensive change to the ditch. It will be re-vegetated to create a wetland. There are crime issues with people hiding on the property and mugging students that park on the street.

Commissioner Reddy asked if the concrete islands will have trees planted in them. Mr. Dorsey said that there are large existing trees on the larger end islands.

Commissioner Riley asked for the character of the existing vegetation- is it undisturbed mature forest? Mr. Murphy explained that the two tracts were cleared in the 1960s and 1970s, most of the trees out there are cottonwood and pecan, but within the area of the campus the trees are mostly smaller or fast growing trees. Some of the trees were damaged by a storm. This site is no different. Cottonwood, once they get older, start cracking and breaking, and so planting a stronger tree is better. Most of the site is considered street yard, so there is high density landscaping. To save the trees, they are building it up to send flow to the ditch, and are creating tree wells for the existing trees.

Commissioner Hollon expressed his disappointment with the design of the parking lot.

Matt Murphy said that it is a tributary to Boggy Creek, and conveys water from Oak Springs Detention.

AGAINST

Susan Almanza said this is part of the Govalle Johnston Neighborhood Plan and said that when the parking lot was designed for ACC, the area had been dry and the City inspector missed the wetlands because of the dry season. She said that instead of promoting alternative transportation, ACC is building another parking lot. There will be more space for parking than for actual class space. ACC should lead the way and encourage students to take the bus. There is a large field behind ACC, so they see ACC continuously spreading out needing more and more parking spaces.

Daniel Llanes, with the Neighborhood Planning Team, said he takes issues with the things that have been said. It is not adequate to send a notice without explanation. He did not hear anything about ACC's parking lot through their network. He is concerned that ACC thinks they do not need to be a part of the process. During the process, for the last three years, they have been educating the staff on what is on the ground. Staff works with outdated information. It is important for everybody proposing development that they go through the neighborhood planning team. He is opposed to the site plan.

REBUTTAL

Bronson Dorsey would have loved to build a parking garage but there was not enough money in the bond election to build the parking garage. They are working closely with Capital Metro and are in the process of building two shelters on either end of the campus on Webberville Road. They have been looking at alternatives to moving the parked cars off the street. ACC does not own property upstream.

Commissioner Sullivan asked what percentage of students bicycle or use alternative transportation to the site. Mr. Dorsey said he did not know. The nature of the students attending ACC is that public transportation does not meet their needs. The students take courses in the evening after work. Commissioner Sullivan asked if a parking permit is required and Mr. Dorsey said yes, but they do not charge enough (about \$10 a space).

Commissioner Reddy asked how frequent the bus service is down Webberville. Mr. Dorsey did not know.

Commissioner Riley asked about the parking table. Matt Murphy said they are required to provide 214 spaces on the original 19 acre tract, and 220 are provided. For the 10 acre tract used for off-site parking must have 42 spaces for the building being constructed. Commissioner Riley confirmed that only 42 spaces are required per Code. Mr. Murphy explained 343 parking spaces are for the anticipated extra need for parking.

Commissioner Hollon asked if it is not possible to phase in the parking so as to build it as the need arises, instead of at once. Mr. Dorsey said a parking study done by Carl Walker Associates said that there is a deficit of parking.

Commissioner Moore said that UT is highly under-parked, but students use alternatives or just park on the street.

Mr. Dorsey said that he has to face the angry students and parents that are asking why parking is not provided.

MOTION: CLOSE PUBLIC HEARING

VOTE: 8-0 (DS-1st, MH-2nd; JN-ABSENT)

MOTION: NOT APPROVE THE CONDITIONAL USE PERMIT

VOTE: NO VOTE (JR-1st, MM-2nd)

MOTION NOT VOTED ON- SUBSTITUTE MOTION OFFERED LATER

Commissioner Reddy said that this is not a parking lot required by Code. As long as ACC continues to build parking lots, students will not consider alternatives. He said he would approve a parking lot to meet Code, but not this one.

Commissioner Moore said that there is a chance to do something exceptional. The most important fact is that there is neighborhood opposition against the parking lot. The fact that they would rather have on-street parking than have a new parking lot off-street makes him question the need for the lot.

Mr. Dorsey said that if they are not allowed to construct the minimum required amount of parking, they cannot open the building. He asked that if they cannot support the entire plan, that they at least get approval for the minimum required.

Commissioner Sullivan asked if the parking for Phase I of 42 spaces would be more than one acre. Ms. Haught said yes because of the channel improvements.

Mr. Dorsey said that they would increase their costs to phase out the parking.

Commissioner Riley asked if the site plan was approved tonight, what could be worked out with the neighborhood to address their concerns.

Commissioner Hollon said he is torn on the issue. He does not like the plan. He does not want to slow down the schedule, either, or make them pay double. There could be things like porous pavement, pervious pavers, and other things that could be done.

Mr. Dorsey said that they would support a two-week postponement to work with staff and the neighborhood to address their concerns. Perhaps that would give the Commissioners a chance to review the site.

SUBSTITUTE MOTION: POSTPONE TO AUGUST 10, 2004

VOTE: 8-0 (DS-1st, MH-2nd; JN- ABSENT)

Commissioner Sullivan said that if there are neighborhood residents in support of the plan, they need to come out and speak.

Commissioner Riley said that a dialogue between ACC and neighborhood should occur in the next two weeks.

11. Site Plan SPC-04-0014A - Buses San Luis, Inc.

Conditional Use

Permit:

Location: 5012 E. 7th St., Boggy Creek and Colorado River Watershed, Govalle
NPA

Owner/Applicant: Joe Daywood

Agent: Veronica Cureaga

Request: Conditional Use Permit

Staff Rec.: **RECOMMENDED**

Staff: Kathy Haught, 974-2724, kathy.haught@ci.austin.tx.us
Watershed Protection & Development Review

Kathy Haught read into the record the conditions agreed upon between the Govalle/Johnston Terrace Neighborhood Plan Team and the applicant.

PUBLIC HEARING

FOR

MEETING SUMMARY

- 8. Zoning:** **C14-04-0030 - Time Insurance, Inc.**
Location: 1405 & 1415 Riverside Drive, Town lake Watershed, East Oltorf/Riverside NPA
Owner/Applicant: John Schuler
Agent: Thrower Design (Ron Thrower)
Request: SF-3, LO to GR-MU
Staff Rec.: **Alternate Recommendation GR-MU-CO**
Staff: Annick Beaudet, 974-2975, annick.beaudet@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

MOTION: POSTPONE TO AUGUST 24, 2004 BY CONSENT. NEIGHBORHOOD'S FIRST REQUEST. VOTE: 8-0 (DS-1st, JMC-2nd)

- 9. Preliminary:** **C8-04-0070.SH - EDWARD JOSEPH SUBDIVISION (S.M.A.R.T. HOUSING)**
Location: Bolm Road at Perry Road, Boggy Creek Watershed, Johnston - Terrace NPA NPA
Owner/Applicant: Evan Williams
Agent: D. Scott Jones / Lockwood Engineers, Inc.
Request: Reconsider approval of the subdivision and postpone to a time certain.
Staff Rec.: **RECOMMENDED**
Staff: Javier V. Delgado, 974-7648, javier.delgado@ci.austin.tx.us
 Bill Andrews, 974-7649, bill.andrews@ci.austin.tx.us
 Watershed Protection & Development Review

MOTION: RESCIND THE PLANNING COMMISSION'S PREVIOUS APPROVAL AND POSTPONE TO AUGUST 24, 2004. VOTE: 8-0 (DS-1st, JMC-2nd)

- **10. Site Plan Conditional Use Permit:** **SPC-04-0012D - Austin Community College Eastview Campus - Onsite Parking**
Location: 3401 Webberville Rd., Boggy Creek Watershed, Govalle NPA
Owner/Applicant: Austin Community College (Bronson Dorsey)
Agent: Jose Guerra, Inc. (Matthew Murphy)
Request: Conditional Use Permit
Staff Rec.: **RECOMMENDED**
Staff: Kathy Haught, 974-2724, kathy.haught@ci.austin.tx.us
 Watershed Protection & Development Review

Bronson Dorsey, Associate Vice President for Facilities at Austin Community College, described the changes to the site plan to address neighborhood concerns:

- preserving more trees
- substitute pervious pavers for concrete
- provide curb breaks to permit infiltration of runoff

MEETING SUMMARY

Daniel Llanes, Coordinator of the Review Committee for the Johnston Terrace-Govalle Neighborhood Planning Team, stated that although some of the details of the specific site were addressed there are broader questions such as notification that need additional review. He suggested other members of the community would like additional time to review the proposal.

Commissioner Sullivan pointed out that if the Planning Commission approves the CUP it can be appealed to the City Council.

Commissioner Riley asked whether Mr. Llanes was satisfied with the changes made to the site plan.

Mr. Llanes stated that ACC met some of the specific concerns but in the broader aspect it is difficult to say that the community supports the plan. Some members of the community would like to look at alternative sites or other improvements such as a parking garage. He also cited the notification concerns and the need for more time to review proposals.

MOTION: CLOSE PUBLIC HEARING

VOTE: 8-0 (JMC-1st, CG-2nd)

Commissioner Hollon thanked all parties involved – ACC, PODER, neighbors- for working to address issues related to the specific project. The revised design saved 19 additional trees and treated much more water by directing it to landscaped areas permitting it to infiltrate. He encouraged ACC and the neighborhood to continue to work together on larger issues.

Commissioner Sullivan stated that a future rapid transit line will pass close by and that he would prefer additional parking be constructed in phases to allow for the potential reduction in parking requirements due to use of transit. Because of that he stated that he would be voting no on this item.

Commissioner Moore agreed with this and stated that he would also vote no.

MOTION: APPROVE THE SITE PLAN WITH THE IMPROVEMENTS OF 19 ADDITIONAL SAVED TREES, 18 PARKING SPACES ELIMINATED, PERVIOUS PAVEMENT AND CURB CUTS TO PERMIT WATER INFILTRATION.

VOTE: 6-2 (MH-1st, JR-2nd, DS, MM – AGAINST)

ACC Development Summary (SPC-04-0012D) for Environmental Board

Site Plan Status

- ❑ Conditional Use Site Plan approved by the Planning Commission on August 10, 2004.
- ❑ Conditional Use Permit was appealed on August 24, 2004 to the City Council.
- ❑ Item is scheduled for the October 7, 2004 City Council meeting.
- ❑ Councilmember Alvarez requested Environmental Board recommendation

Development Summary

- ❑ Proposed development includes:
 - Additional on-site parking spaces
 - Channel improvements to fully contain the 100-year storm
 - Pedestrian bridges across the channel to access parking
- ❑ Environmental approvals include:
 - Administrative Variance granted on June 7, 2004 to place pre-fabricated pedestrian bridges across the Critical Water Quality Zone
 - A mitigation plan was approved as an alternative to providing a setback from isolated wetland areas, including:
 - A continuous 50' average wetland setback along the drainage channel
 - An earthen channel instead of proposed concrete
 - Wetland plantings and enhancements
 - 609-S native revegetation of channel sideslopes

Planning Commission Action

- ❑ The Planning Commission approved additional conditions that include:
 - 18 parking spaces deleted to preserve 19 additional trees
 - 10,000 sq. ft. of pervious paving added along the channel side of the parking area
 - Curb cuts and tree wells added to provide natural infiltration and irrigation of existing trees

MEETING SUMMARY

CITY PLANNING COMMISSION

August 10, 2004

One Texas Center

505 Barton Springs Road

Conference Room 325

CALL TO ORDER – COMMENCE 6:07 PM, ADJOURN 10:33 PM

____ John-Michael Cortez

____ Cid Galindo

____ Matt Hollon, Asst. Secretary

____ Cynthia Medlin, Vice-Chair

____ Matthew Moore, Secretary

____ Jay Reddy

____ Chris Riley, Chair

____ Dave Sullivan, Parliamentarian

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. Others favoring the request (3 minutes).
6. Chair calls on those OPPOSING the request.
7. Primary presentation (5 minutes).
8. Others opposing the request (3 minutes).
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 Transportation, Planning and Sustainability 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

Facilitator: George Adams 974-2146

george.adams@ci.austin.tx.us

Summary prepared by George Adams, TPSD

MEETING SUMMARY

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 1011 San Jacinto, 3rd 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: Transportation, Planning & Sustainability Department
Attn: Planning Commission Coordinator
P.O. Box 1088, Austin TX, 78767

Fax: Fax: (512) 974-6525
Attn: Planning Commission Coordinator

MORE INFORMATION

Planning Commission Web Page: www.cityofaustin.org/smartgrowth/pc.htm
COA Development Web: www.cityofaustin.org/development/

Facilitator: George Adams 974-2146
george.adams@ci.austin.tx.us

Summary prepared by George Adams, TPSD

MEETING SUMMARY

Land Development Code: www.cityofaustin.org/development/ldcl.htm

For further information, please contact Melodye Foust, Transportation, Planning, & Sustainability Department at 974-3496 or melodye.foust@ci.austin.tx.us.

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.

APPROVAL OF MINUTES

2. Approval of minutes from July 27, 2004.

MOTION: APPROVE BY CONSENT.

VOTE: 8-0 (DS-1st, JMC-2nd)

DISCUSSION AND ACTION

3. **Discussion and Action on a Request by the Ethics Review Commission regarding recommended changes to Chapter 2-7 of the City Code.**

Item to be discussed at the August 31, 2004 Joint Planning Commission-Zoning and Platting Commission meeting.

4. **Discussion and Action on a Letter of Support for the Second Street District Project for the Texas State Chapter of the American Planning Association**

Staff: Pollyanne Melton, 974-6459, pollyanne.melton@ci.austin.tx.us

Pollyanne Melton Transportation, Planning and Sustainability Department, presented an overview of the Second Street Project.

MOTION: APPROVAL OF THE SUBSTANCE OF THE LETTER OF SUPPORT.

VOTE: 8-0 (DS-1st, CG-2nd)

Facilitator: George Adams 974-2146

george.adams@ci.austin.tx.us

Summary prepared by George Adams, TPSD

MEETING SUMMARY

5. **Code Amendment:** **C20-04-006 - Approve amending Sections 25-7-92 and 25-7-152 of the City Code and adding a new section 25-7-96 to the City Code relating to the construction of an unoccupied building structure or parking area on recreational lands in the 25-year floodplain and to the dedication of easements and rights of way.**
- Staff:** George Oswald, 974-3369, george.oswald@ci.austin.tx.us
Watershed Protection & Development Review

George Oswald, Watershed Protection and Development Review Department, described the proposed amendment. It allows administrative approval of variances for construction in the 25-year floodplain for unoccupied buildings on recreational lands.

The variance only applies to certain types of buildings such as restrooms, bathhouses, pumphouses and concession stands. These administrative processes are already in place for the 100-year floodplain and this amendment would extend this ability to the 25-year floodplain. The placement of other buildings could not worsen flooding downstream and would have to be constructed of materials that are not subject to damage if flooded such as concrete or steel construction.

Commissioner Riley inquired whether this was reviewed by the Environmental Board and the Parks Board.

Mr. Oswald replied that the Environmental Board recommended against the amendment and the Parks Board recommended in favor of the amendment.

Commissioner Riley asked Stuart Strong, Parks Department, to present his department's perspective on the amendment.

Mr. Strong stated that this came about as a result of an offer by the Town Lake Trail Foundation to construct restrooms along the Town Lake Trail. He stated that in this particular instance the impact on the floodplain is negligible. He stated that engineering studies are still required to establish the impact of the placement of the building in the 25-year floodplain but the amendment would permit administrative approval when impacts are negligible and that the Parks Department strongly supports the amendment.

MOTION: CLOSE PUBLIC HEARING***VOTE: 8-0 (JR-1st, MM-2nd)******MOTION: APPROVE THE PROPOSED AMENDMENT******VOTE: 8-0 (MH-1st, DS-2nd)***

6. **Amended Plat:** **C8-04-0105.0A - Austin Heights Lots 15 & 16, Block 2; Amended Plat**
- Location:** 2807 E. 22nd St., Boggy Creek Watershed, Rosewood NPA
- Owner/Applicant:** Albert M. Martinez
- Agent:** Albert M. Martinez

Facilitator: George Adams 974-2146

george.adams@ci.austin.tx.us

Summary prepared by George Adams, TPSD

MEETING SUMMARY

Request: Approval of the Austin Heights Lot 15 & 16, Block 2; Amended Plat
 Staff Rec.: **DISAPPROVAL**
 Staff: Don Perryman, 974-2786, don.perryman@ci.austin.tx.us
 Watershed Protection and Development Review

MOTION: APPROVE BY CONSENT.

VOTE: 8-0 (DS-1st, JMC-2nd)

7. Zoning: C14-04-0012.003 - Brentwood/Highland Neighborhood Plan (PART)
 Location: 6208 Burns Street, Waller Creek Watershed, Brentwood/Highland NPA
 Owner/Applicant: Applicant: City of Austin Owner: Ken McWilliams
 Agent: City of Austin Neighborhood Planning & Zoning Department
 Request: MF-3-NP to GR-MU-CO-NP
 Staff Rec.: **RECOMMENDED**
 Staff: Annick Beaudet, 974-2975, annick.beaudet@ci.austin.tx.us
 Neighborhood Planning and Zoning

Annick Beaudet, Neighborhood Planning and Zoning Department, presented the zoning case. The zoning request is from MF-3-NP to GR-MU-CO-NP. The Conditional Overlay includes the following prohibited uses – auto repair, auto rental, sales and washing, commercial off-street parking, drop-off recycling, exterminating services, off-site accessory parking, outdoor entertainment, outdoor sports and recreation, pawn shop services, plant nursery, service station and drive-in services as an accessory use.

During the Neighborhood Planning process the neighborhood and staff recommended multi-family zoning for the entirety of the street from Denson to Lamar Place. The property owner did not participate in the neighborhood planning process and at first reading at Council the property owner requested that the subject tract and property to the north be rezoned GR-MU to allow an existing business to expand. At final reading the Council changed the FLUM for both the adjacent property and the subject property to show commercial use and changed zoning on the adjacent lot to the north to GR-MU. Zoning on the subject tract was not changed because it was not notified and the MF-3 zoning remained. The basis for the staff recommendation is the revised FLUM approved by the Council.

Commissioner Sullivan asked if the property to the north was zoned GR-MU-CO prior to the neighborhood plan.

Ms. Beaudet replied that the property to the north was zoned SF-3 and the recommendation of the NP was to rezone to MF-3 but Council approved GR-MU-CO-NP.

Speaking in Favor

Jim Bennett, on behalf of the owner Ken McWilliams, stated that the owner requested rezoning for a design center at Council during the NP process, Council recommended GR-MU for the

Facilitator: George Adams 974-2146

george.adams@ci.austin.tx.us

Summary prepared by George Adams, TPSD

MEETING SUMMARY

northern property and directed staff to initiate zoning for the subject tract. He requested that the Commission recommend the GR zoning consistent with the Council adopted FLUM.

Commissioner Sullivan asked whether the owner has to have access to Burns Street.

Mr. Bennett replied that due to the configuration of the lot (54'x 425') and the compatibility standards access is needed to permit flexibility in designing the proposed improvements. He stated that they are willing to try to consolidate the current two driveways into one and close access when the business is not open.

Speaking Against

Jeffrey Hitt recapped the zoning history for the site. The site and property to the north was originally zoned SF-3, staff recommended MF-3 and through a lot of discussion the neighborhood eventually agreed with MF-3. During the NP process there was no discussion of commercial zoning for the properties and the GR zoning was applied to 6210 Burns at the City Council. The neighborhood was not aware of the rezoning because it was notified as 6225 N. Lamar Blvd and the neighborhood did not oppose the zoning because they accepted commercial zoning on N. Lamar. The neighborhood could accept the zoning if access to Burns is prohibited and additional uses are prohibited:

- General Restaurant
- Limited Restaurant
- Indoor sports and recreation
- Indoor entertainment
- Research Services

He also asked the Commission to direct staff to initiate a zoning change to apply the same conditions to 6210 Burns/6225 N. Lamar.

Commissioner Reddy asked whether the neighborhood had discussed the access issue with the applicant.

Mr. Hitt replied they had and could not come to agreement.

Other Speakers Against

Dan Hemingson
Tex Mitchell

Rebuttal

Jim Bennett stated that it use of the property for cut through traffic is unlikely unless you live in the neighborhood and truck traffic to the site will be minimal. The owner is willing to work to minimize impacts and they are willing to try to reduce two access points on Burns to one if

Facilitator: George Adams 974-2146
george.adams@ci.austin.tx.us
Summary prepared by George Adams, TPSD

MEETING SUMMARY

possible.

MOTION: CLOSE PUBLIC HEARING***VOTE: 8-0 (MH-1st, JMC-2nd)***

Commissioner Moore made a motion to approve staff recommendation and Commissioner Reddy seconded the motion.

Commissioner Moore stated that the opposition is almost solely based on perceived traffic impacts and that he does not believe these are significant.

Commissioner Reddy stated that limiting access to the site will not effectively address traffic issues in the area.

Commissioner Medlin stated she would not support the motion and believes that the Council should hear the new evidence in this case.

Commissioners Cortez and Hollon both indicated they would not support the motion.

Commissioner Sullivan stated that the original recommendation was MF-3 but given the Council decision and the potential to improve the site he could support the motion.

Commissioner Riley stated that he would respect the Council's decision and support the motion.

MOTION: APPROVE THE STAFF RECOMMENDATION***VOTE: 5-3 (MM-1st, JR-2nd, AGAINST-CM, JMC, MH)***

Commissioner Cortez requested staff to place an item on the next Commission agenda to consider initiating zoning for the property to the north of the subject tract.

After extended discussion Commissioner Hollon respectfully objected to this request and the request did not move forward.

- 8. Zoning:** **C14-04-0030 - Time Insurance, Inc.**
Location: 1405 & 1415 Riverside Drive, Town lake Watershed, East Oltorf/Riverside NPA
Owner/Applicant: John Schuler
Agent: Thrower Design (Ron Thrower)
Request: SF-3, LO to GR-MU
Staff Rec.: **Alternate Recommendation GR-MU-CO**
Staff: Annick Beaudet, 974-2975, annick.beaudet@ci.austin.tx.us
Neighborhood Planning and Zoning Department

MOTION: POSTPONE TO AUGUST 24, 2004 BY CONSENT. NEIGHBORHOOD'S FIRST REQUEST. VOTE: 8-0 (DS-1st, JMC-2nd)

Facilitator: George Adams 974-2146

george.adams@ci.austin.tx.us

Summary prepared by George Adams, TPSD

MEETING SUMMARY

- 9. Preliminary: C8-04-0070.SH - EDWARD JOSEPH SUBDIVISION (S.M.A.R.T. HOUSING)**
- Location: Bolm Road at Perry Road, Boggy Creek Watershed, Johnston - Terrace NPA NPA
- Owner/Applicant: Evan Williams
- Agent: D. Scott Jones / Lockwood Engineers, Inc.
- Request: Reconsider approval of the subdivision and postpone to a time certain.
- Staff Rec.: **RECOMMENDED**
- Staff: Javier V. Delgado, 974-7648, javier.delgado@ci.austin.tx.us
 Bill Andrews, 974-7649, bill.andrews@ci.austin.tx.us
 Watershed Protection & Development Review

MOTION: RESCIND THE PLANNING COMMISSION'S PREVIOUS APPROVAL AND POSTPONE TO AUGUST 24, 2004. VOTE: 8-0 (DS-1st, JMC-2nd)

- 10. Site Plan Conditional Use Permit: SPC-04-0012D - Austin Community College Eastview Campus - Onsite Parking**
- Location: 3401 Webberville Rd., Boggy Creek Watershed, Govalle NPA
- Owner/Applicant: Austin Community College (Bronson Dorsey)
- Agent: Jose Guerra, Inc. (Matthew Murphy)
- Request: Conditional Use Permit
- Staff Rec.: **RECOMMENDED**
- Staff: Kathy Haught, 974-2724, kathy.haught@ci.austin.tx.us
 Watershed Protection & Development Review

Bronson Dorsey, Associate Vice President for Facilities at Austin Community College, described the changes to the site plan to address neighborhood concerns:

- preserving more trees
- substitute pervious pavers for concrete
- provide curb breaks to permit infiltration of runoff

Daniel Llanes, Coordinator of the Review Committee for the Johnston Terrace-Govalle Neighborhood Planning Team, stated that although some of the details of the specific site were addressed there are broader questions such as notification that need additional review. He suggested other members of the community would like additional time to review the proposal.

Commissioner Sullivan pointed out that if the Planning Commission approves the CUP it can be appealed to the City Council.

Commissioner Riley asked whether Mr. Llanes was satisfied with the changes made to the site plan.

Mr. Llanes stated that ACC met some of the specific concerns but in the broader aspect it is

Facilitator: George Adams 974-2146

george.adams@ci.austin.tx.us

Summary prepared by George Adams, TPSD

MEETING SUMMARY

difficult to say that the community supports the plan. Some members of the community would like to look at alternative sites or other improvements such as a parking garage. He also cited the notification concerns and the need for more time to review proposals.

MOTION: CLOSE PUBLIC HEARING

VOTE: 8-0 (JMC-1st, CG-2nd)

Commissioner Hollon thanked all parties involved – ACC, PODER, neighbors- for working to address issues related to the specific project. The revised design saved 19 additional trees and treated much more water by directing it to landscaped areas permitting it to infiltrate. He encouraged ACC and the neighborhood to continue to work together on larger issues.

Commissioner Sullivan stated that a future rapid transit line will pass close by and that he would prefer additional parking be constructed in phases to allow for the potential reduction in parking requirements due to use of transit. Because of that he stated that he would be voting no on this item.

Commissioner Moore agreed with this and stated that he would also vote no.

MOTION: APPROVE THE SITE PLAN WITH THE IMPROVEMENTS OF 19 ADDITIONAL SAVED TREES, 18 PARKING SPACES ELIMINATED, Pervious PAVEMENT AND CURB CUTS TO PERMIT WATER INFILTRATION.

VOTE: 6-2 (MH-1st, JR-2nd, DS, MM – AGAINST)

- | | |
|----------------------|---|
| 11. Vacation: | C8S-87-098(VAC) - Travis Bank Park Section 2 |
| Location: | 805 W. 37th Street, Shoal Creek Watershed, Shoal Creek - Central Austin Combine NPA |
| Owner/Applicant: | Camco Land Ltd. (Kevin Hunter) |
| Agent: | Consort, Inc. (Steve King) |
| Request: | Approval of Total Vacation |
| Staff Rec.: | RECOMMENDED |
| Staff: | David Wahlgren, 974-6455, david.wahlgren@ci.austin.tx.us
Watershed Protection and Development Review |

MOTION: APPROVE BY CONSENT.

VOTE: 8-0 (DS-1st, JMC-2nd)

- | | |
|--------------------------|--|
| 12. MUD Proposal: | C12M-04-0003 - Proposed Greenshores MUD |
| Location: | Pearce Lane, Lake Austin Watershed |
| Owner/Applicant: | PK-RE, L.P. |
| Agent: | Ed Moore |
| Request: | Recommendation to Council regarding petition for creation of Greenshores MUD |
| Staff Rec.: | NOT RECOMMENDED |

MEETING SUMMARY

Staff: Ben Luckens, 974-2695, ben.luckens@ci.austin.tx.us
Transportation, Planning & Sustainability Department

Ben Luckens, Transportation, Planning and Sustainability Department presented the staff recommendation to deny creation of the Municipal Utility District.

Commissioner Galindo asked what other alternatives the Developer has to provide utilities.

Mr. Luckens replied that the Developer could request service from the City of Austin and incorporate the cost of internal utilities into the development.

Commissioner Sullivan asked whether the Water and Wastewater Commission heard this item.

Mr. Luckens stated the Water and Wastewater Commission recommended against creation of the MUD.

MOTION: CLOSE PUBLIC HEARING

VOTE: 8-0 (DS-1st, JMC-2nd)

MOTION: APPROVE THE STAFF RECOMMENDATION TO DENY THE CREATION OF THE MUD

VOTE: 8-0 (DS-1st, CM-2nd)

B. OTHER BUSINESS

ITEMS FROM THE COMMISSION

Report from the Committee Chairs

Periodic Reports from Zoning and Platting Commission

Commissioner Galindo requested a briefing on affordable housing and it was agreed that this would be scheduled on the Comprehensive Plan Committee agenda.

Commissioner Medlin requested that the Committee assignments be updated on the agenda.

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 Sylvia Arzola, Transportation, Planning & Sustainability Department, at 974-6448, for information, text phone users route through Relay Texas at (800) 735-2989.

MEETING SUMMARY

Mr. John-Michael Cortez
 9009 Great Hills Trail #2513
 Austin 78759
 Contact Phone: (512)791-9632
 E-mail Address: jmvcortez@hotmail.com

Mr. Jay Reddy
 5507 Avenue G
 Austin 78751
 Contact Phone: (512)452-4455
 E-mail Address: jay_reddy@dell.com

Mr. Matt Hollon
 919 E. 53rd Street
 Austin 78751
 Contact Phone: (512)323-9258
 E-mail Address: matt@glenrosc.com

Mr. Chris Riley
 1310 San Antonio
 Austin 78701
 Contact Phone: (512)476-7600
 E-mail Address: chrisriley@rusklaw.com

Ms. Cynthia Medlin
 2501 Wilson St.
 Austin 78704
 E-mail Address: Cynthia.Medlin@sbcglobal.net

Cid Galindo
 411 Brazos Street, Suite 99
 Austin 78701
 E-mail Address : cidg@galindogroup.com

Mr. Matthew Moore
 702 Spofford Street
 Austin 78704
 Contact Phone: (512)448-1400
 E-mail Address: MattPC@Newurban.com

Dr. David Sullivan
 1710 Waterston Ave.
 Austin, 78703
 Contact Phone: (512)239-1624
 E-mail Address: sully@jump.net

Mr. Jerome Newton
 2002 Singing Brook
 Austin 78723
 Contact Phone: (512)929-8752
 E-mail Address: Jbnewton0813@yahoo.com

STANDING COMMITTEES

<i>Committee</i>						
<i>Committee Members</i>	Cortez Newton Riley Sullivan	Medlin Moore Sullivan	Cortez Galindo Moore Riley Sullivan	Galindo Medlin Newton	Medlin Riley Sullivan	Riley
<i>Staff</i>	George Adams 974- 2146	Katie Larsen 974-6413	George Adams 974-2146	George Adams 974-2146	Melodye Foust 974-3496	

MEETING DATES

The Planning Commission's schedule is available at
www.cityofaustin.org/smartgrowth/pcschedule.htm. Committee meetings are announced and
 Facilitator: George Adams 974-2146
george.adams@ci.austin.tx.us
 Summary prepared by George Adams, TPSD

MEETING SUMMARY

posted on the City's "Connection Calendar," available at www.cityofaustin.org.