PLANNING COMMISSION SITE PLAN CONDITIONAL USE PERMIT REVIEW SHEET

CASE NUMBER:	SPC-2010-0061C PLANNING COMMISSION DATE: Jan. 25, 2011
ADDRESS:	202 South Lamar Blvd.
PROJECT NAME:	The New Theatre at Zach
WATERSHED:	Lady Bird Lake (Urban)
AREA:	27.21 Acres, w/ Appx. 103,024 sq. ft. Limits of Construction
EXISTING ZONING	P, Public, CS, Commercial Services and CS-1, Commercial Liquor Sales
PROPOSED USE:	Theatre
APPLICANT:	City of Austin, (Nick Naccarato) P.O. Box 1088 Austin, TX 78767 (512) 974-7115
DEVELOPER:	Zachary Scott Theatre Center (Susan Benz) 1510 Toomey Road Austin, TX, 78704
AGENT:	UTE Consultants Inc. (Joan Ternus P.E.) 7401 B Hwy 71, Suite 200 Austin, TX 78735
CASE MANAGER:	Nikki Hoelter 974-2863 <u>Nikki.hoelter@ci.austin.tx.us</u>

PROPOSED DEVELOPMENT:

The applicant is requesting approval of a Conditional Use Permit for the development of the existing Zachary Scott site to expand and construct a new 2 story, 29,869 square foot theatre, with a fly tower, plaza, rain garden, and sidewalk improvements. Because it is zoned "P"-Public, and the site improvements are greater than one acre in size, a Conditional Use Permit is required, to establish the site development regulations for the site, according to the Land Development Code Section 25-2-625. The site consists of three zoning districts, P, Public, CS, Commercial Services and CS-1, Commercial Liquor Sales, however the P zoning districts triggers a CUP, otherwise the project would not require Commission approval.



WAIVER REQUESTS:

- Entryways or architectural detailing is required to break the continuity of nontransparent base walls. (3) Except for transparent glass required by this subsection, natural building materials are required for an exterior surface visible from park land adjacent to Town Lake. [LDC Section 25-2-733(E)(2)(3)]
- 2. For a ground level wall that is visible from park land or a public right of way that adjoins parkland, at least 60 percent of the wall area that is between 2 and 10 feet above grade must be constructed of clear or lightly tinted glass. The glass must allow pedestrians a view of the interior of the building.[LDC Section 25-2-733(E)(1)]]

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit and both waivers. The site is currently developed and used for the Zach Scott theatre. The architect, owner (City of Austin) and Zach Scott representatives have worked diligently to propose a plan and structure to meet the intent of the Waterfront Overlay ordinance, while also trying to accommodate the functionality of a theatre. The site plan will comply with all requirements of the Land Development Code.

SITE AREA	1,185,267.6 Sq. Ft. 27.21 acres						
EXISTING ZONING	P, CS-1 and CS						
WATERSHED	Town Lake (Urban)						
WATERSHED	Comprehensive Watershed Ordinance (Urban)						
ORDINANCE							
TRAFFIC IMPACT	Not required						
ANALYSIS							
CAPITOL VIEW	None						
CORRIDOR							
PROPOSED ACCESS	Toomey Road, Rivers	Toomey Road, Riverside Dr. extension, Lamar Blvd.					
P, Public zoning district (26.35 acres)	Allowed/Required	Existing	Proposed				
-	Allowed/Required	Existing 22,852 sf	Proposed .05:1;	52,721 sf			
(26.35 acres)				52,721 sf 41,753 sf;			
(26.35 acres) FLOOR-AREA RATIO	n/a	22,852 sf	.05:1;				
(26.35 acres) FLOOR-AREA RATIO BUILDING COVERAGE	n/a n/a	22,852 sf 24,927 sf	.05:1; 3.64%	41,753 sf;			
(26.35 acres) FLOOR-AREA RATIO BUILDING COVERAGE IMPERVIOUS	n/a n/a n/a 333 spaces;	22,852 sf 24,927 sf	.05:1; 3.64%	41,753 sf;			
(26.35 acres) FLOOR-AREA RATIO BUILDING COVERAGE IMPERVIOUS COVERAGE	n/a n/a n/a	22,852 sf 24,927 sf 12.94%	.05:1; 3.64% 17.33%;	41,753 sf;			

PROJECT INFORMATION

** Entire site - PARD facility, theatre, and softball fields

CS-1 zoning district (.20 acres)	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	2:1	.95:1	0
BUILDING COVERAGE	95%	8862 sf	0
IMPERVIOUS	95%	8891 sf	0
COVERAGE			

CS zoning district (.66 acres)	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	2:1	.50:1	0
BUILDING COVERAGE	95%	12,200 sf	0
IMPERVIOUS COVERAGE	95%	27, 6 13 sf	27, 521 sf; 95%

WATERFRONT OVERLAY SUBDISTRICT: Butler Shores

Primary setback: 100 feet landward from the Town Lake shoreline **Secondary setback:** 100 feet from the primary setback line of Town Lake

PARK NAME: Town Lake - Butler Shores

NEIGHBORHOOD PLAN: South Lamar Combined Neighborhood Planning Area - Zilker

Waterfront Planning Advisory Board: November 8, 2010 - Recommended approval of the CUP and both waivers (5-0)

***See attachment for a list of all Boards and Commission dates and recommendations.

SUMMARY COMMENTS ON SITE PLAN:

The proposed theatre is located on a developed site, which currently has two Zach Scott theatre buildings, an art workshop building, Parks and Recreation office building and surface parking. Zach Scott entered into a 99 year lease agreement with the City of Austin to continue operating and to expand the theatre use. One lot which fronts on Toomey Road is owned by Zach Scott, and the remainder of the site is owned by the City of Austin. Additional improvements include sidewalks improvements along Riverside Drive built to Core Transit Corridor Standards as required by Subchapter E, Commercial Design Guidelines. The applicant will also provide a rain garden, which will provide water quality and landscaping, and a plaza for theatre patrons.

This parcel is totally within the Waterfront Overlay, Butler Shores Subdistrict. With the exception of the two waiver requests, this project is in compliance with heights, setbacks, impervious cover and use limitations of the Waterfront Overlay district.

The applicant is requesting approval from the Planning Commission of this conditional use permit plan, with the variances to the clear or tinted glass requirement as well as the utilitization of natural building material requirement for buildings visible to Town Lake. The design meets the intent of the requirement.

COMPATIBILITY

Compatibility standards are not triggered for this site. The site is surrounded by compatible uses and zoning districts.

	ZONING	LAND USES
Site	P, CS-1, CS	Theatre, art workshop, PARD office and surface parking
North	Р	Softball fields, hike and bike trail and Town Lake
South	CS-V	Restaurant, Mixed use commercial/condos
East	CS-V, CS, CS	Restaurant, Mixed use commercial/condos
West	Р	Softball fields, offices

EXISTING ZONING AND LAND USES

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
So. Lamar Blvd.	Varies	Approx. 90'	Major Arterial, 4 lane divided, Scenic Roadway and Core Transit Corridor
Toomey Rd. Riverside Dr. extension	Varies Varies	Approx. 30' Approx. 40'	Collector

NEIGHBORHOOD ORGANIZATION:

- 1075- League of Bicycling Voters
- 767- Downtown Austin Neighborhood Coalition
- 786- Homebuilders Assn. Of Greater Austin
- 623- City of Austin Downtown Commission
- 511- Austin Neighborhood Council
- 498- South Central Coalition
- 1037-Homeless Neighborhood Assn
- 1004-Save Town Lake Org.
- 1200- Super Duper Neighborhood Objectors and Appeals Organization
- 1228 Sierra Club
- 107 Zilker Neighborhood Association
- 498 South Central Coalition

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 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:

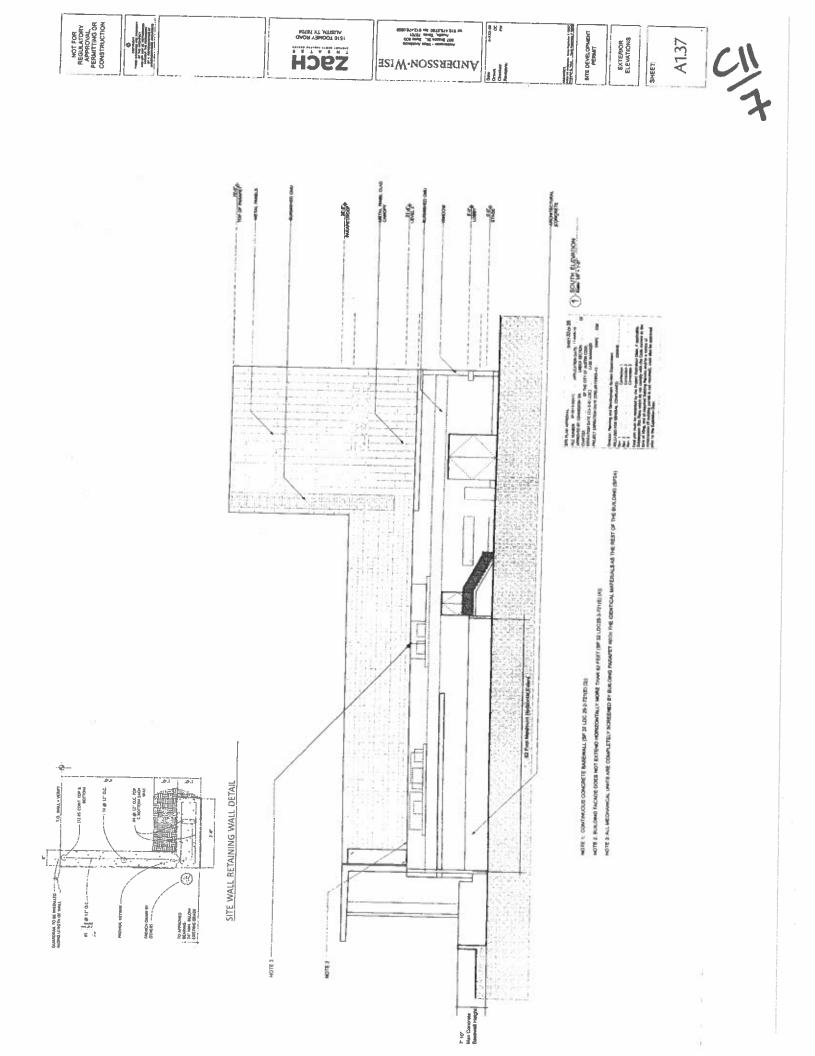
- 1. Comply with the requirements of this title; Staff response: This application complies with the requirements of this title.
- 2. Comply with the objectives and purposes of the zoning district; Staff response: This application complies with the objectives and purposes of the zoning district. All uses as shown are permitted uses, consistent with this 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: This application is compatible with the requirements of the zoning district. This site will comply with all compatibility standards.
- 4. Provide adequate and convenient off-street parking and loading facilities; Staff response: Adequate and convenient off-street parking is provided in compliance with LDC standards for this site.
- 5. Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects; Staff response: The proposed project does not contribute additionally to any of these adverse effects. This application has been reviewed for erosion and drainage controls, fire access, and meets or exceeds all code requirements.
- 6. For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed. Staff response: The proposed project is not in the East Austin Overlay. It is in the South Lamar Combined Neighborhood Planning Area, Zilker district, which is a plan in progress.

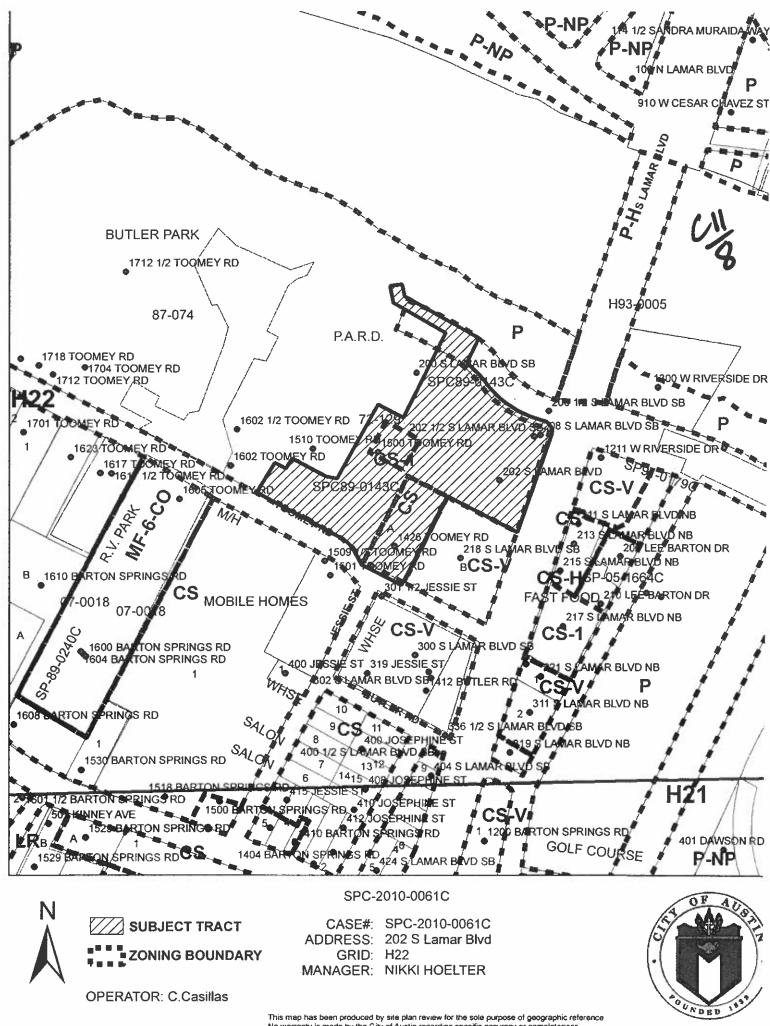
A Conditional Use Site Plan May Not:

- 1. More adversely affect an adjoining site than would a permitted use; Staff response: The site plan will conform with all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a regularly permitted use in a P zoning district. The addition of this theatre building with the rain garden and amenities enhances the public use of the site.
- 2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; Staff response: Development of this site will not adversely affect the safety or convenience of vehicular or pedestrian circulation.



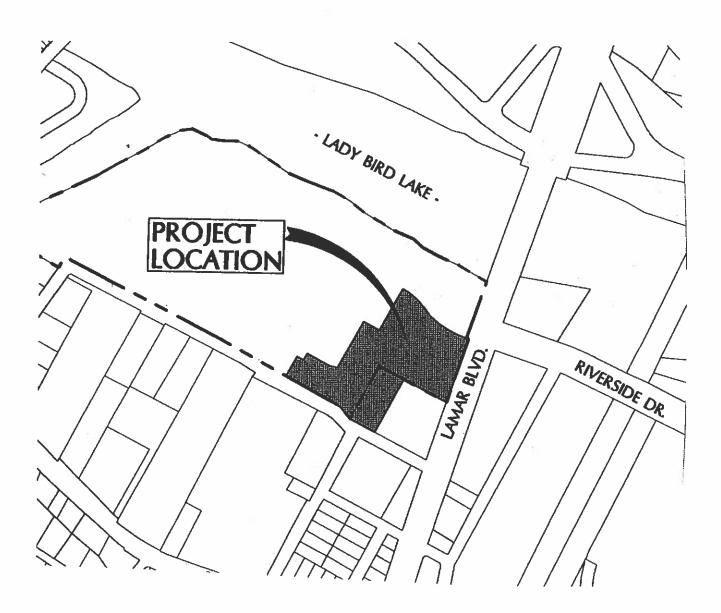
3. Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs; Staff response: The proposed project does not affect adjacent properties or traffic control through its location, lighting or type of signs. Lighting will be shielded and signs will comply with the sign ordinance.





No warranty is made by the City of Austin regarding specific accuracy or completeness.

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MEMORANDUM

TO:	Design Commission
FROM:	Nick Naccarato
1	Redevelopment Project Manager
P	Economic Growth & Redevelopment Services Office
a. Per	A Susan Benz
Barr	Benz Resource Group
DATE:	May 25, 2010

SUBJECT: ZACH New Theatre

The ZACH Theatre project team respectfully submits the following responses to the May 7, 2010 Design Commission recommendation letter.

The ZACH team believes this civic building on parkland embodies the Shared Values for Urban Areas and the Vision for Urban Places goals stated in the Urban Design Guidelines for Austin. The design team strived for a building orientation and site design that creates a comfortable urban environment by providing shelter from the harsh Texas sun and a reorientation away from fast moving Lamar vehicular traffic to slower pedestrian-oriented spaces.

• "The Commission recommends that the project build to the property line along Lamar if it can accommodate the double row of trees shown in the plan."

Response:

The project design team is proposing a double row of Monterrey Oaks along the Lamar Boulevard sidewalk on the east edge of the property to enhance the pedestrian experience. See Exhibits A, B and H. The second row of trees is entirely within the property line. The theatre is positioned as closely as possible against the second row of trees. Moving the theatre closer to the property line would require the removal of the second row of trees.

• "The Commission recommends that the orientation of the building along Lamar be aligned with the angle of the street."

Response:

If the theatre were rotated to align the east façade parallel with Lamar Boulevard, more of the southern "service drive" side of the building would be exposed to the view of motorists and pedestrian traffic on Lamar Boulevard.



The alignment allows for space along the south side of the building for additional landscaping of the staff and actor pedestrian paths and loading area. See Exhibits A and H.

The alignment of the theatre has received support from the City of Austin Office of the Arborist, Parks and Recreation Department and an independent arborist for an acceptable distance from a 21" Live Oak (Tree #576) on the south side of the theatre that is to remain. The alignment also allows for a 9" Big Tooth Maple (Tree #568) at the southwest corner of the theatre and an 8" Spanish Oak (Tree #898) at the northwest corner of the theatre to remain and eases the impact on a 14" Spanish Oak (Tree #900) and a 19" Live Oak (Tree #787), both on the north side of the theatre near the new parking lot.

Additional rotation of the theatre would require the removal of two of the existing trees above and unacceptable encroachment into the critical root zone of the 21" Live Oak.

• "The Commission recommends that the internal orientation of the theater building address Lamar, or address both Lamar and the internal campus together rather than the campus alone."

Response:

The design team believes that the theatre design addresses Lamar Boulevard to the east, Lady Bird Lake and its Hike and Bike Trail to the north and the existing ZACH Theatre campus to the west. We recognize that the specific use of the building, particularly sound and light isolation requirements essential to a theatre stage and auditorium, limit opportunities for public entryways and vision glazing; however, we have endeavored to create unique pedestrian experiences along three of the public facades.

The main entrance of the theatre is oriented west towards a new public plaza that is central to the ZACH campus. See exhibits A and C.

The north facade of the theatre faces Lady Bird Lake, downtown and a large landscaped rain garden that acts as a front yard to the theatre. A two story transparent lobby space faces onto the rain garden. The north facade creates the most prominent view of the theatre as one approaches from the Pfluger Pedestrian Bridge or the Lamar Boulevard vehicular bridge. See Exhibit D.

The 70' fly tower, located directly above the stage for scenery to "fly" up into, is the tallest part of the theatre and faces Lamar Boulevard. The fly tower is intentionally oriented such that the thinner dimension of the tower faces Lady Bird Lake, creating an elegant proportion as one approaches the theatre from either the north or south. See Exhibit D.

The mass of the tower on the south, east and north sides is broken up by changes in material and facade recesses. See Exhibits D, F and G.

At street level along Lamar Boulevard, a pleasant pedestrian experience through an allée of trees has been purposefully created. Seating areas between the sidewalk and the theatre are landscaped with low evergreens and plants that provide seasonal color, creating refuge from the vehicular traffic of Lamar Boulevard while maintaining the rhythm of the streetscape. See Exhibit E.

The pedestrian experience is further activated by a linear marquee that will have changing dispays promoting ZACH's performance season. See Exhibit B.

Consideration has been given to the paths that visitors to the theatre and plaza will take, whether approaching by foot, bicycle, public transportation or private vehicle. Visitors approaching from the Pfluger Pedestrian Bridge and the Lady Bird Lake Hike and Bike Trail will travel a path through the rain garden from the northeast corner of the site to the plaza. Visitors approaching from the bus stop at Toomey Road and Lamar Boulevard to the south will travel a path on the north side of the theatre that is accentuated by a wide connection to the Lamar Boulevard sidewalk, flowering trees and path lighting. Visitors arriving by private vehicle will park either in the new expanded parking lot at the northwest corner of the site or in the existing parking lot to the west of the Whisenhunt Theatre and approach along an existing covered walkway. See Exhibit H.

 "The Commission recommends that the multi-use of the plaza be explored. Connections between the plaza and public areas outside the ZACH complex should be strengthened and made explicit to allow public use of the open spaces."

Response:

Both the plaza and the new expanded parking lot will be open to the public when a special event at ZACH is not taking place. It is expected that the plaza will be activated by visitors to the Hike and Bike Trail who can park in the parking lot and exercise or stretch on the plaza. Nearby bicycle racks provide parking for cyclists who want to use the plaza. See Exhibit A.

The plaza will be accessed from the Hike and Bike Trail and Lamar Boulevard by means of lit paths through the rain garden in the northeast quadrant of the site. See Exhibit H.

The plaza has been sized to accommodate the capacity of the theatre (418 patrons) at a seated dinner under a tent. The plaza, as well as the theatre, will be available to rent by the public for special events.

The plaza will accommodate various activities, including:

- Providing a space for children's education programs at ZACH with safe access to the new theatre from existing and future ZACH buildings.
- Connecting the ZACH buildings into a working campus
- Providing performance and event space sheltered from the Lamar Boulevard traffic
- · Providing an exercise and stretching space for Lady Bird Lake Hike and Bike Trail users.
- Providing a gathering space for the South Lamar Boulevard pedestrian district.
- "The Commission recommends that ZACH explore establishing a maintenance agreement with Parks and Recreation for the maintenance of its landscaped areas that does not place an added burden on PARD in perpetuity."

Response:

The 2004 Lease Between The City of Austin And ZACH Scott Theatre Center requires ZACH to maintain, at its own expense, all facilities and improvements within the lease premises. In February, the project team began the process for a License Agreement with the City of Austin to maintain the right of way landscaping along Lamar Boulevard to ensure consistency in the level of maintenance.



• "The Commission requested a presentation of the project well before the Alternative Equivalent Compliance request yet the project was not presented to the Commission until a few weeks after Alternative Equivalent Compliance was approved."

Response:

The ZACH project team received a request for a presentation from the Design Commission on December 14, 2009, the day of the rescheduled December Design Commission meeting. The ZACH team immediately began preparing for a January 25, 2010 presentation.

The Alternative Equivalent Compliance approval letter was dated and received by the ZACH team on January 19, 2010. The letter was submitted to the Design Commission as additional supporting documentation prior to the January presentation.

 "The Commission also encourages that the building be moved northward to the building set back line to allow for more landscape buffering between the existing parking lot to the south and the proposed loading drive."

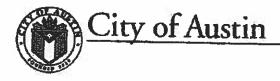
Response:

The location of the proposed service drive is not dependent on building location, but rather the decision by the project team to protect the 21° Live Oak tree (Tree #576). The minimum 12' wide drive must pass to the south of the tree. To move the drive toward the tree to allow for more landscape buffering would have a greater impact the critical root zone and overhead limbs and could require removal of the 21° Oak Tree. See Exhibit A.

The ZACH team is available to answer questions you might have regarding our responses.

Exhibits Attached:

- A ZACH Site Plan
- **B** Lamar Pedestrian View
- C West Facade Rendering with Patron Drop-Off Area
- D View of Site from Intersection of Lamar Boulevard and Riverside Drive
- E Lamar Boulevard Seating Areas
- F View of Site From Lamar Boulevard Traveling North
- G East Building Elevation
- H Pedestrian Paths
- I Alternative Equivalent Compliance Approval Letter



May 27, 2010

City of Austin Mayor and City Council P.O. Box 1088 Austin, Texas 78704

The Parks and Recreation Board had the opportunity to hear the presentation on the proposed new ZACH Theatre at the September 2009 and March 2010 board meetings. The new theatre will create a diverse waterfront experience and improve pedestrian activity within the four (4) acre Zachary Scott Theatre Center campus it presently occupies. The project is being constructed under a public/private development agreement between the City of Austin and ZACH Scott Theatre Center, utilizing 1985 and 2006 bond election funds in addition to funds from ZACH's Capital Campaign.

The proposed development will transform the current one (1) acre of open parkland within the lease line into an active urban space that includes a public plaza open to the public. ZACH will make the plaza available to the public for public or private events that will accommodate 418 seated guests.

Construction is scheduled to start in the Fall of 2010 with completion scheduled for early 2012. The first performance is set for late Summer or Fall of 2012.

The Parks and Recreation Board is supportive of the use of parkland to expand the ZACH Scott Theatre campus as presented and its continued contribution to the arts in Austin.

Respectfully,

Linda HGuerrero

Linda H. Guerrero, Chair Parks and Recreation Board

CC: Marc A. Ott, Manager Bert Lumbreras, Assistant City Manager Sara Hensley, Director, Austin Parks and Recreation Department

> The City of Austin is committed to compliance with the Americants with Districtives Act Reasonable modifications and equal access to communications will be provided upon request



City of Austin

Founded by Congress, Republic of Texas, 1839 Planning and Development Review Department One Texas Center, 505 Barton Springs Road P.O. Box 1088, Austin, Texas 78767-8835

January 19, 2010

Catherine Craig Andersson Wise Architects 807 Brazos Street, Suite 800 Austin, TX 78701

Re: ZACH Scott Theater – Alternative Equivalent Compliance

Dear Ms. Craig,

The Planning and Development Review Department has reviewed your informal request for Alternative Equivalent Compliance pursuant to Sec. 1.5.3.A of Subchapter E: Design Standards and Mixed Use dated January 15, 2009, for the subject property. Your request for an alternative to the following subsection in Subchapter E is recommended subject to the following conditions:

- Sec. 2.2.6 to allow the building to have its entrance oriented towards the plaza, as opposed to S. Lamar Blvd.
- Sec. 3.2.2 to allow the building to not meet the required glazing requirements on all building facades.

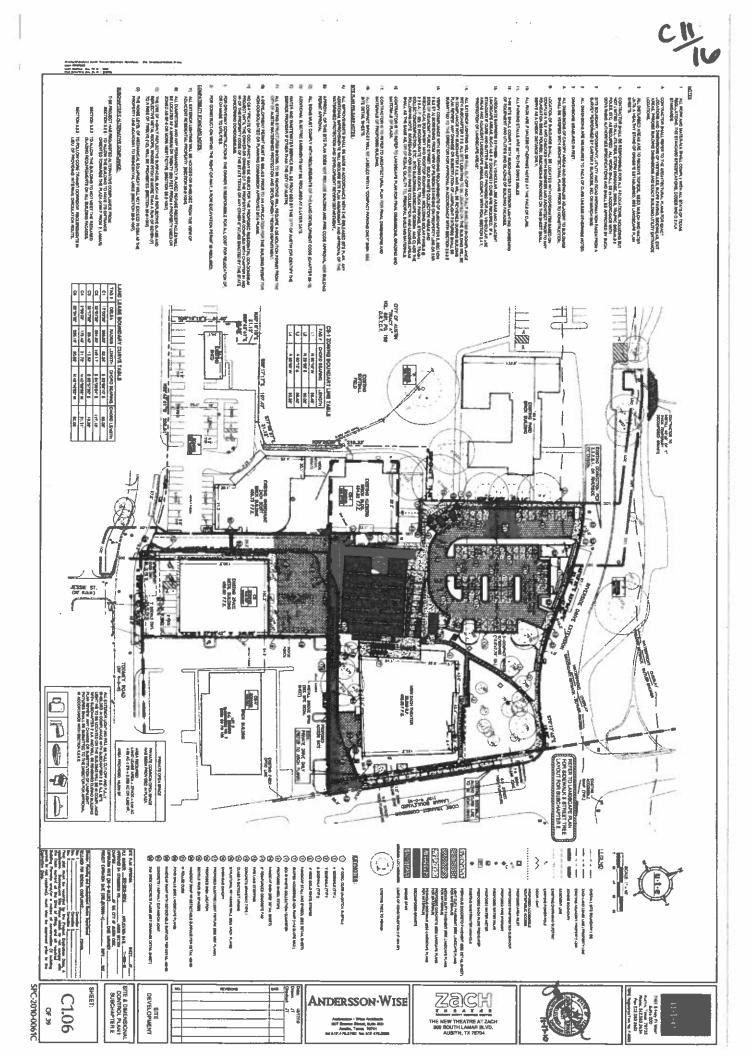
This alternative is recommended pursuant to Sec. 1.5.4 of Subchapter E: because the physical design characteristics unique to the proposed use make strict compliance with the subject standard impracticable. The Design Standards give an exception for Civic Buildings for Sec. 2.2.2(D) – Building Placement in order for community spaces to have creative and usable layout options, and the building's orientation along S. Lamar provides an active Supplemental Zone with shaded seating. The applicant proposes to improve the greenspace located at the corner of Riverside and S. Lamar into a rain garden, as well as a double row of trees along the Core Transit Corridor sidewalk along S. Lamar. The fly tower associated with a theater will serve as a landmark for the building along S. Lamar, and the entryway facing the plaza will encourage a campus feel between the adjacent ZACH Scott buildings. Glazing will be less than Subchapter E requires due to the hardship of a theater building's prevention of lighting to penetrate the light-controlled stage area,

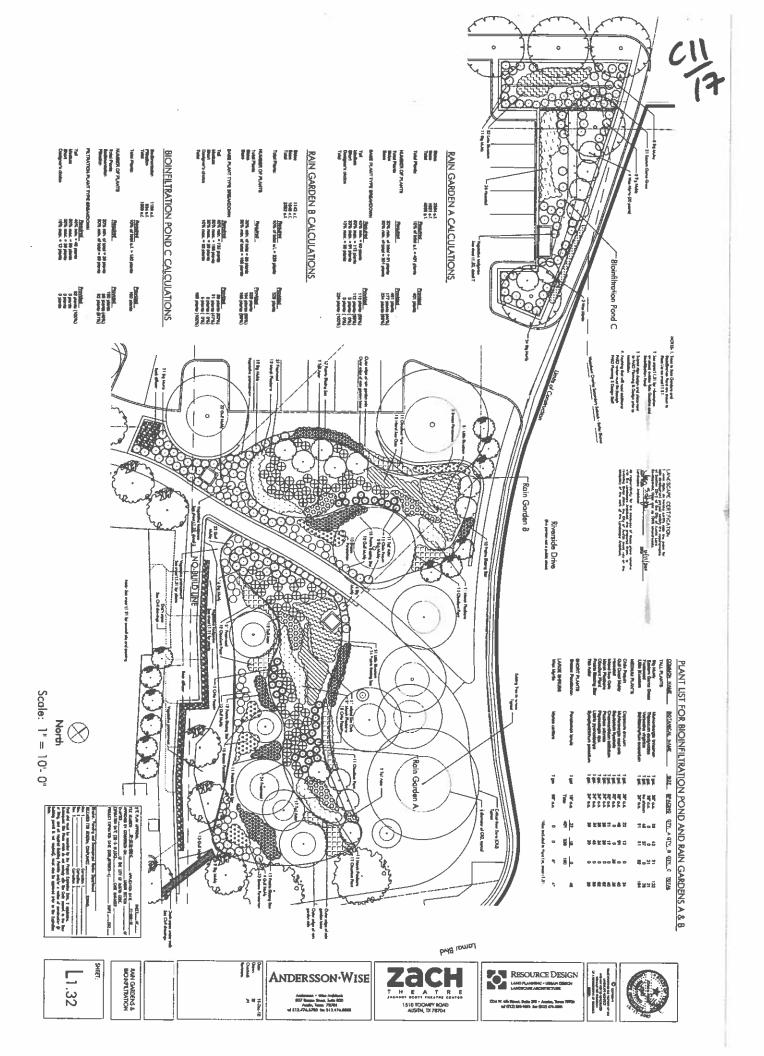
Should you have any questions, please contact me at 974-2826.

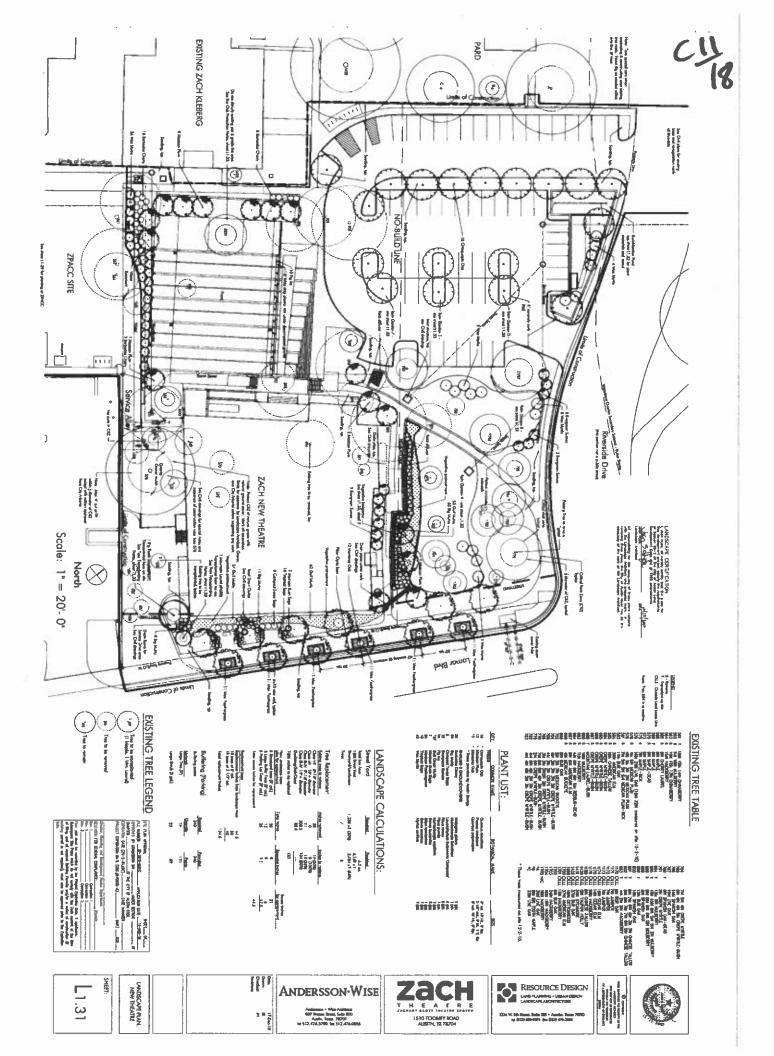
Sincerely,

Sarah Graham Senior Planner

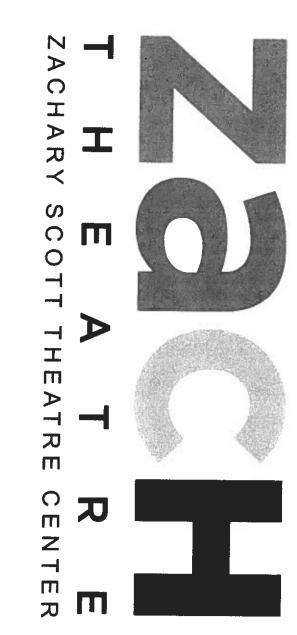
Exhibit I



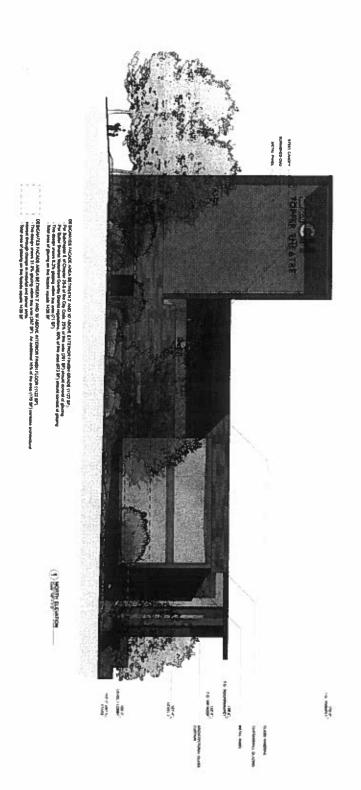




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ANDERSSON · WISE ARCHITECTS Theatre Consultants Collaborative, LLC



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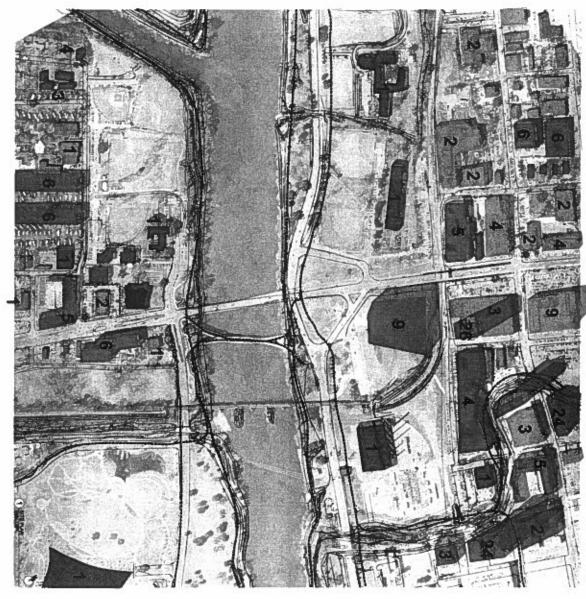


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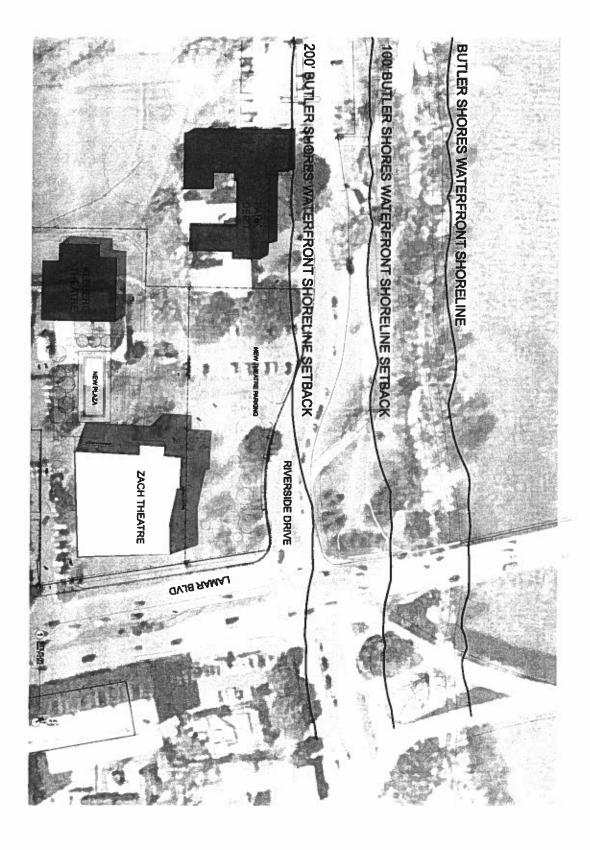
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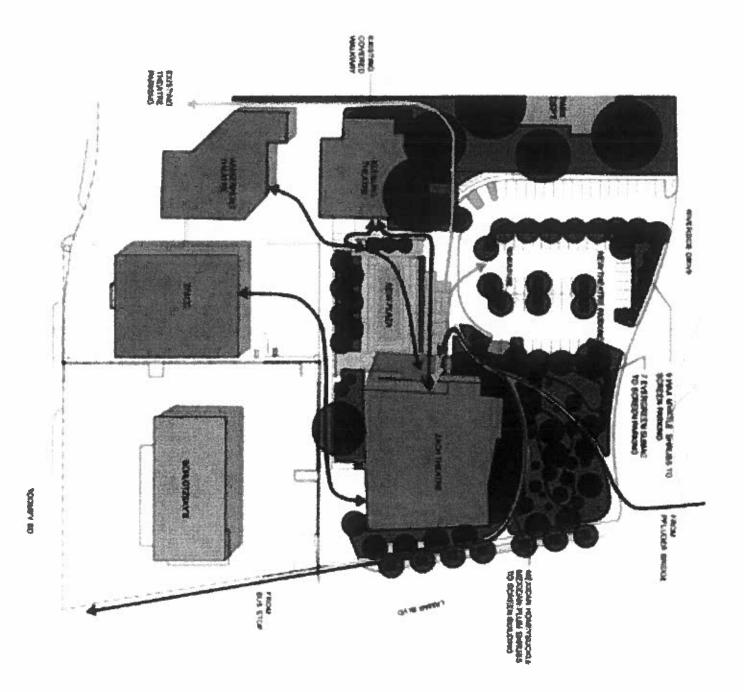
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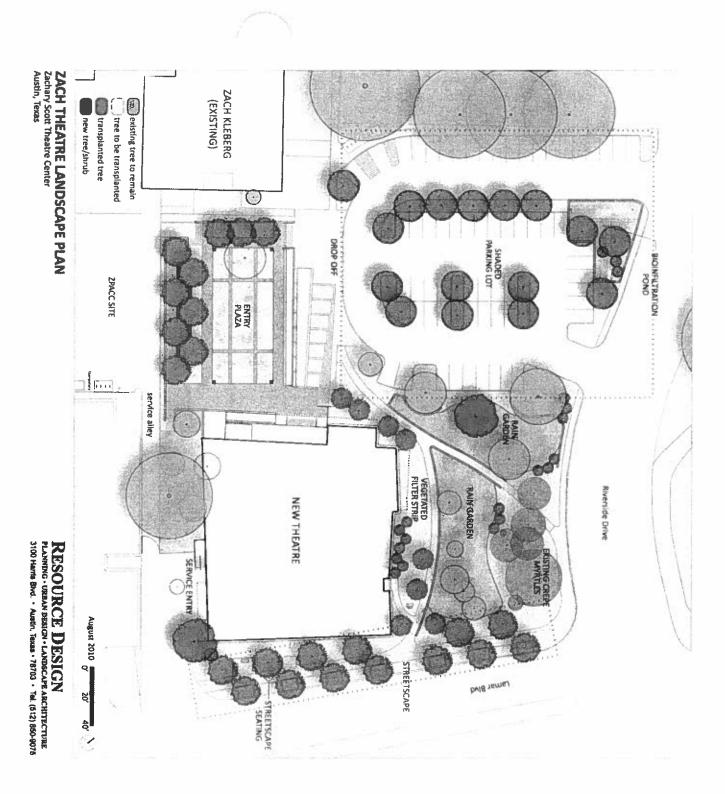


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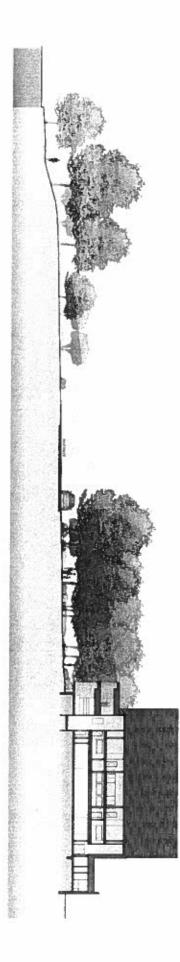


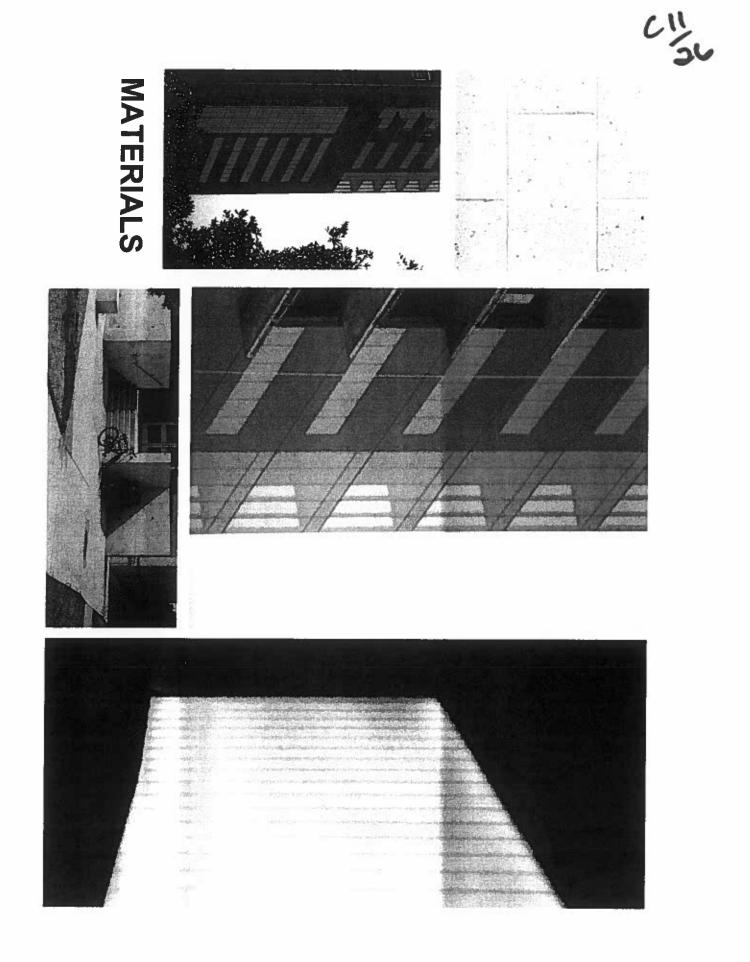




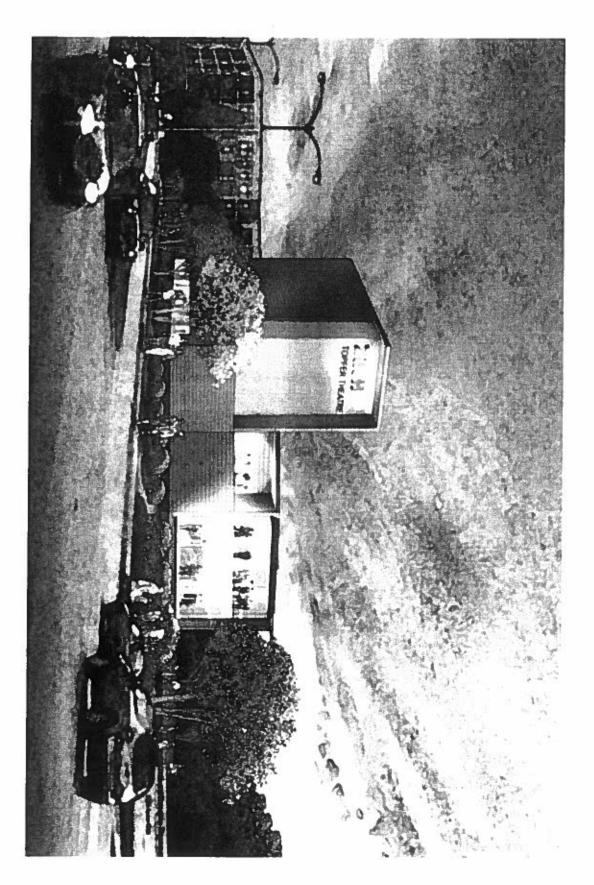
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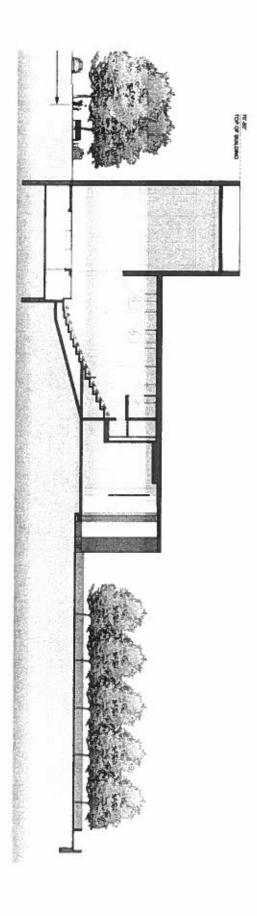


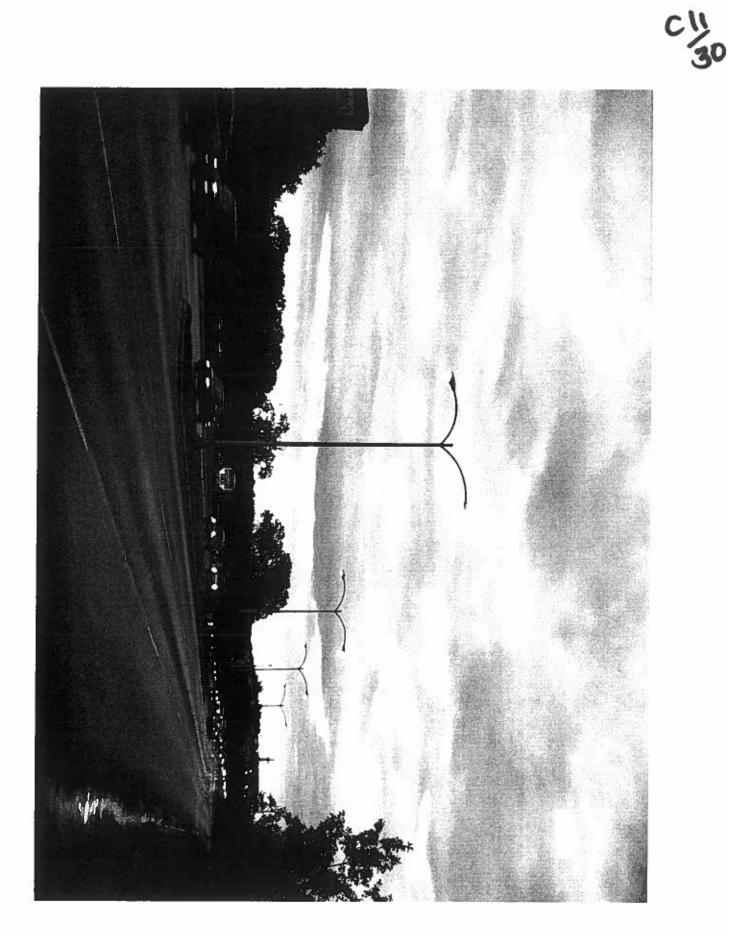
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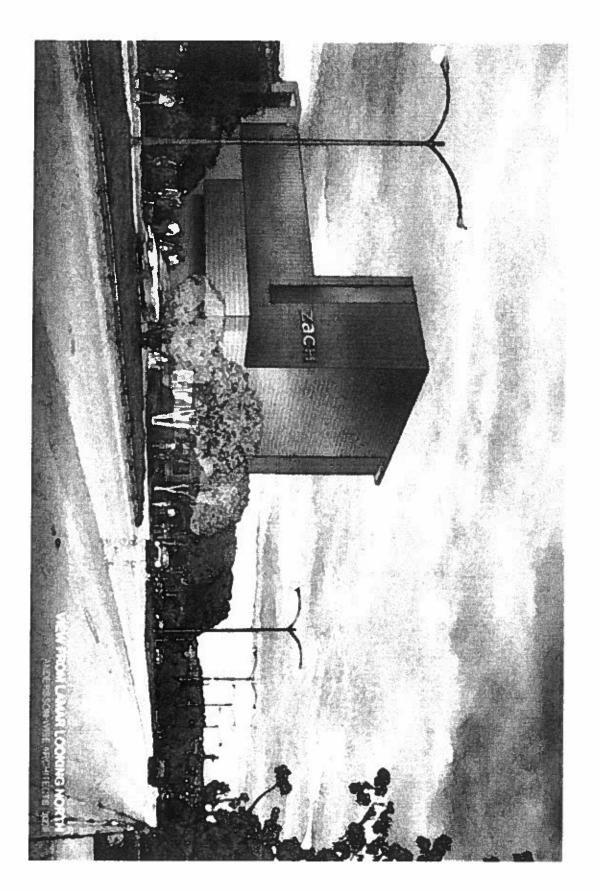


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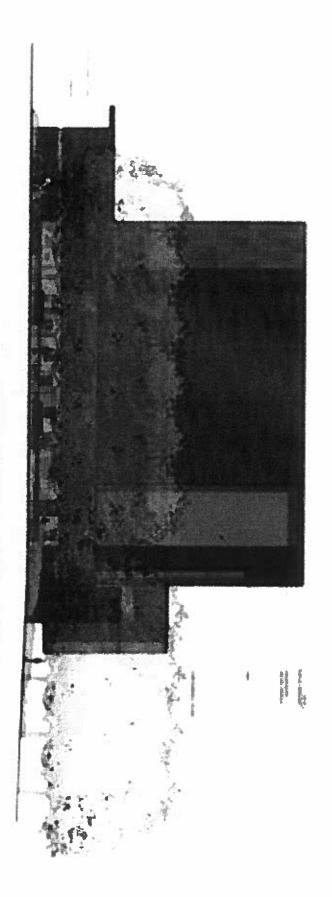


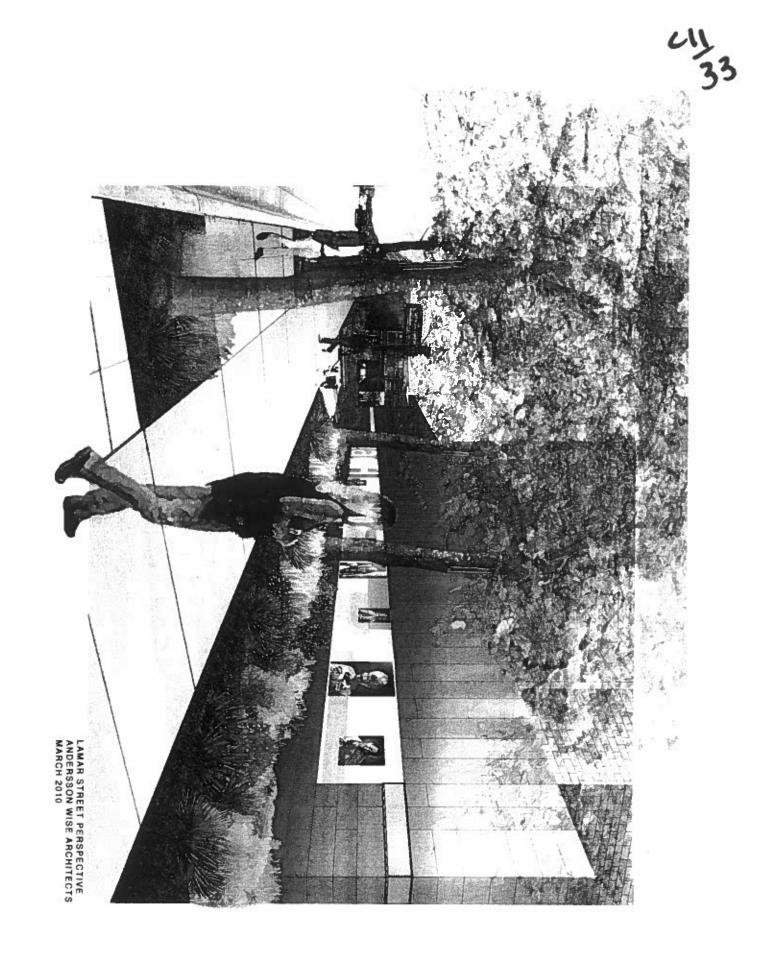




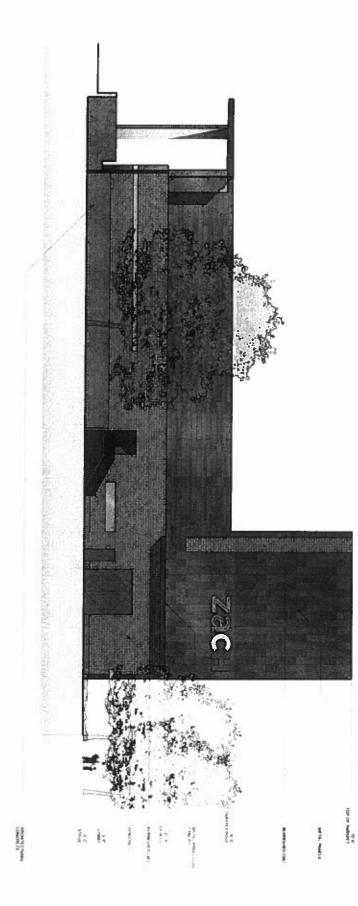


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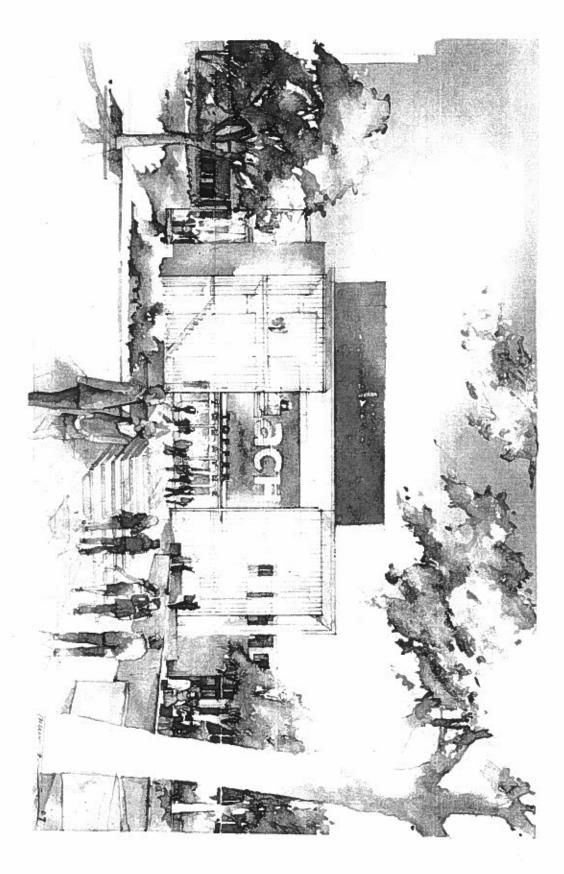




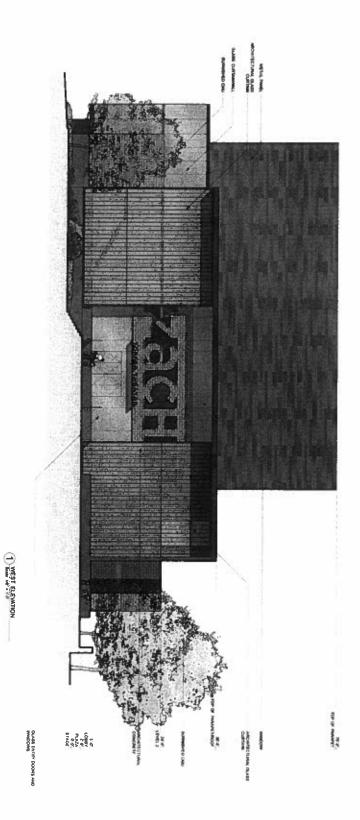




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C11 36



P. O. Box 1088 Austin, TX 78767-8810	repartment no later than 14 days after the decision. An appeal form may be available from the responsible department. For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.
If you use this form to comment, it may be returned to: City of Austin Planning and Development Review Nikki Hoelter	 is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be
	 occupies a primary residence that is within 500 feet of the subject property or proposed development; is the record owner of property within 500 feet of the subject property or proposed development; or
	 of the subject property, or who communicates an interest to a board or commission by: delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (<i>it may be delivered to the contact listed on a notice</i>); or appearing and speaking for the record at the public hearing; and:
Comments:	A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.
Your address(es) affected by this application	A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.
Public Hearing: Planning Commission, Dec 14, 2010 Public Hearing: Planning Commission, Dec 14, 2010 <td< td=""><td>During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.</td></td<>	During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.
	PUBLIC HEARING INFORMATION Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

 is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department. For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development. 	 appearing and speaking for the record at the public hearing; and: occupies a primary residence that is within 500 feet of the subject property or proposed development; is the record owner of property within 500 feet of the subject property or 	 An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by: delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (<i>it may be</i>) 	A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.	A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.	During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.	PUBLIC HEARING INFORMATION Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.
If you use this form to comment, it may be returned to: City of Austin Planning and Development Review Nikki Hoelter P. O. Box 1088 Austin, TX 78767-8810	Les propos the Dely sites	considering those in	Comments: Our Condomnum la conte Mayonal	Your address(es) affected with application Your address(es) affected with application	Contact: Nikki Hoelter, 512-974-2863 Public Hearing: Planning Commission, Jan. 25, 2011 FRNEST Auge Ris Ach Your Name (please print) Your Name (please print)	Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. Case Number: SPC-2010-0061C