

**ZONING & PLATTING
COMMISSION**

HANDOUTS

AUGUST 4, 2015

Item # G-1

Sirwaitis, Sherri

From: [REDACTED]
Sent: Monday, August 03, 2015 4:23 PM
To: Sirwaitis, Sherri; Couch, Amanda; Hopkins, Steve
Cc: John Swanson; Bart Hopper; Arlene Moody; Derial Lutz; Frances & Jim Petter; Robert Boehm
Subject: Zoning Case # C14-2014-0186 -- Case # C8-2014-0238 Ballantyne Subdivision

Additional comments regarding connectivity of streets between Springhill Subdivision, Pflugerville, TX and Ballantyne Subdivision, Austin, TX

We, the residents of Springhill Village are very opposed to the connectivity of the following streets in our subdivision:

HEBBE LANE
DELAHUNTY LANE
HORBORNE LANE
SPRINGHILL LANE

In addition to all our other concerns that we have presented, here are a few more reasons to leave our streets closed to thru traffic.

1. The City of Austin does not provide any utilities to our subdivision except water.
2. TXU or other providers provide our electricity.
3. No City Sewer or Garbage pickup. We are on Septic and have independent garbage disposal service.
4. The City of Pflugerville Police force works with the Sheriffs Department to provide police and security protection.
5. Schools are Pflugerville Schools (PISD), not Austin (AISD).
6. The streets are not maintained by the City of Austin. The County maintains the streets.
7. So, what will the City of Austin do for Springhill Subdivision to improve our services?

If the City of Austin is still adamant about connecting the streets, there definitely should be more thought to "Break-Away Gates".

Why should we be subjected to a major housing/apartment project traffic impact and including safety issues that come with this???

Just does not justify common sense.

On behalf of all Springhill Subdivision Residents ---
Janie & Louis Zbranek
15100 Delahunty Lane
Pflugerville, TX 78660

Sirwaitis, Sherri

From: [REDACTED]
Sent: Sunday, August 02, 2015 7:57 PM
To: Sirwaitis, Sherri; Couch, Amanda; Hopkins, Steve
Cc: Arlene Moody; Derial Lutz; Frances & Jim Petter; robert boehm
Subject: Fw: Case Number C8-2014-0238 Ballantyne Subdivision
Attachments: Zoning Case Report for C14-2014-0186.pdf

Additional comments and concerns for meeting on August 4, 2015 at 6:00 p.m.

The residents of Springhill Village in Pflugerville live on a ONE ACRE OR 1/2 ACRE SINGLE STORY HOUSES.

Proposed Ballantyne Subdivision will have approximately 4-1/2 TWO-STORY houses along boundary line of 200 Feet of neighboring Springhill residents.

This type of housing is not in character for Springhill Village subdivision and residents that have lived here for over 40 years.

My question to all of you is this: "How would you like to live in peace for so many years and all of a sudden your life is disrupted with two story houses 40 feet apart overlooking your property line?"
(Note: The Preliminary plans were 50 feet. Last plans we saw were 40 feet.)

This is not considerate at all for the residents. We know the land is to be developed and built on --- but if at least the developer would have the courtesy of building single story houses and not so crammed together on the boundary line would be a considerate and good neighbor thing to build.

We are asking for the Planning and Zoning and Traffic & Transportation (TIA) to please take all of concerns into careful consideration.

It will impact all of the residents of Springhill Village in a major way and we sincerely appreciate all your help in this development process.

Janie & Louis Zbranek
15100 Delahunty Ln
Pflugerville, TX 78660
on behalf of all residents of Springhill Village

-----Original Message-----

From: Sirwaitis, Sherri
Sent: Monday, July 27, 2015 2:33 PM
To: janiezbranek@sbcglobal.net
Subject: RE: Case Number C8-2014-0238 Ballantyne Subdivision

Hi Ms. Zbranek,

Here is the zoning case report for C14-2014-0186 (Hopper-Finley Tract) for your review. Please let me know if you have any questions.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. 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.

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

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 board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0077

Contact: Tori Haase, 512-974-7691

Public Hearing: Aug 4, 2015, Zoning and Platting Commission

Sep 10, 2015, City Council

Your Name (please print)

☒ I am in favor
☐ I object

David M. Patten
4408 Lena Champ St - Austin, TX 78746
Your address(es) affected by this application

Signature

Daytime Telephone:

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Tori Haase

P. O. Box 1088

Austin, TX 78767-8810

C5/9

10/10/10

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Case Number: C14-2015-0077

Contact: Tori Haase, 512-974-7691

Public Hearing: Aug 4, 2015, Zoning and Platting Commission
Sep 10, 2015, City Council

Gayle & Alan Morris
Your Name (please print)

4200 Churchill Downs Dr
Your address(es) affected by this application

Alan E Morris
Signature

7/23/15
Date

Daytime Telephone: 512-329-5737

Comments: GREAT idea, These people only have improved there house, and are probably will Add value to our property

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

5/10

01/20

COATS | ROSE

A Professional Corporation

PAMELA MADERE

pmadcre@coatsrose.com
Direct Dial
512 541.3594

July 31, 2015

C/10

VIA EMAIL

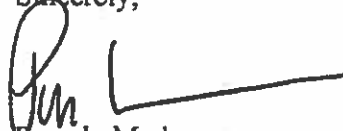
Greg Guernsey, Director
Planning & Development Review Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: Lots 87A and 87B St. Tropez PUD Resubdivision – C8J-2015-0077.0A
Zoning and Platting Commission (ZAP) Meeting Postponement Request

Dear Mr. Guernsey:

On behalf of our client, Robert Turner, a neighboring property owner of the above-referenced matter, we formally request to postpone Case Number C8J-2015-0077.0A, Lots 87A and 87B St. Tropez PUD Resubdivision, from the August 4, 2015, ZAP hearing to the September 1, 2015, ZAP hearing. Our client requests this postponement to allow for additional time to review the proposed project and existing entitlements. This is our first postponement request.

Sincerely,


Pamela Madere

cc: ZAP Commissioners
Don Perryman, Case Manager
Jerry Rusthoven, Manager

Barton Oaks Plaza, 901 South MoPac Expressway, Building 1 Suite 500, Austin, Texas 78746

Phone: 512-469-7987 Fax: 512-469-9408

Web: www.coatsrose.com

HOUSTON | AUSTIN | DALLAS | SAN ANTONIO | NEW ORLEANS

4825-2932-8678.v1

PUBLIC HEARING INFORMATION

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- appearing and speaking for the record at the public hearing;

- and:
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Case Number: C81-2015-0077.0A

Contact: Don Perryman, 512-974-2786 or Cindy Castlas, 512-974-3437
Public Hearing: August 4, 2015, Zoning and Planning Commission

Robert and Jill Turner

Your Name (please print)

☐ I am in favor
☒ I object

1801 Westlake Pass, Austin, TX 78746

Your address(es) affected by this application

Signature

Date

Daytime Telephone: 512-657-2332

Comments:

See attached

If you use this form to comment, it may be returned to:

City of Austin - Planning & Development Review Department / 4th Fl
Don Perryman
P.O. Box 1088
Austin, TX 78767-8810

Robert & Jill Turner Objection
Case No. C8J-2015-0077.0A

Comments: I own property adjacent to the proposed project. I object to this requested subdivision because it is not appropriate for the surrounding area and will have an impact on drainage into and around Lake Austin. The area between and around Westlake Pass and Westlake Drive is environmentally sensitive and the subdivision proposed by the Applicant threatens the water quality of the Lake Austin Watershed. The portion of Westlake Drive that runs along Lake Austin is not in a condition that will support this Development. The street is crowded and deteriorated in certain areas. This project will create access, traffic and safety issues in an area where adults and children routinely walk, run, ride their bikes and play.

I also object to this property because the Applicant plans to cut down a Heritage Tree cluster which has 4 trunks and a combined circumference of 173 inches. The Austin City Arborist has confirmed both the size and location of the cluster.

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Case Number: C8J-2015-0077.0A
Contact: Don Perryman, 512-974-2786 or Cindy Casillas, 512-974-3437
Public Hearing: August 4, 2015, Zoning and Platting Commission

VICTOR CLARENE GALTIS

Your Name (please print)

☐ I am in favor
☒ I object

Your address(es) affected by this application

2214 WESTLAKE DR AUSTIN TX 78746
Victor Clarence Galtis 7.23.15

Signature

Date

Daytime Telephone:

512-517-4457

Comments:

THE PROS WERE APPROVED FOR
SINGLE FAMILY BUILDINGS AND
SHOULD BE KEPT IN THAT
DESIGNATION.

If you use this form to comment, it may be returned to:

City of Austin - Planning & Development Review Department / 4th Fl
Don Perryman
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C8J-2015-0077.0A

Contact: Don Perryman, 512-974-2786 or Cindy Casillas, 512-974-3437
Public Hearing: August 4, 2015, Zoning and Platting Commission

JORDY JONES

Your Name (please print)

2309 B WESTLAKE DR

☐ I am in favor
☒ I object

Your address(es) affected by this application

David Jones for JORDY JONES 7/27/15

Signature

Date

Daytime Telephone: 210-240-4499

Comments: Plans have not been disclosed -

PUD is too large for acreage

If you use this form to comment, it may be returned to:

City of Austin - Planning & Development Review Department / 4th Fl
Don Perryman
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C8J-2015-0077.0A

Contact: Don Perryman, 512-974-2786 or Cindy Casillas, 512-974-3437

Public Hearing: August 4, 2015, Zoning and Platting Commission

DR. & MRS Robt O. Williams III

Your Name (please print)

2305 A Westlake Dr, Austin, TX 78746

Your address (as affected by this application)

2321 #13 Westlake Dr

Joe L. Williams

Signature

☐ I am in favor
☒ I object

8/1/15
Date

Daytime Telephone: (512) 657-7814

Comments:

~~Beet~~ The structure to be built on this acre, should be tasteful & in size perspective to complement the surrounding neighborhood structures and desirable to complement the value of adjacent structures.

If you use this form to comment, it may be returned to:

City of Austin - Planning & Development Review Department / 4th Fl

Don Perryman

P. O. Box 1088

Austin, TX 78767-8810

Peninsula on Lake Austin HOA Board member

PUBLIC HEARING INFORMATION

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Case Number: C8J-2015-0077.0A

Contact: Don Perryman, 512-974-2786 or Cindy Castillas, 512-974-3437

Public Hearing: August 4, 2015, Zoning and Platting Commission

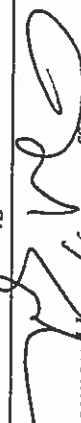
JOHN LOCK

Your Name (please print)

☐ I am in favor
☒ I object

8821 RUE DES RADYAC, 78746

Your address(es) affected by this application

Signature  Date 7/29/15

Daytime Telephone: _____

Comments: SEE ATTACHED LETTER

If you use this form to comment, it may be returned to:

City of Austin - Planning & Development Review Department / 4th Fl
Don Perryman
P. O. Box 1088
Austin, TX 78767-8810

July 29, 2015

Don Perryman

City of Austin, Planning & Development Review Dept/4th Floor

PO Box 1088

Austin, TX 78767-8810

Dear Mr Perryman,

Attached is my OBJECTIONS to Case Number C8J-2015-0077.0A for the Resubdivision of Lots 87A and 87B St. Tropez PUD.

On the attached map you provided, the shaded area to resubdivide does not include the portion of Rue De St Raphael private road that abuts lots 11 and 12. I own lot 12, 3821 Rue De St Raphael. My property has a right of way easement using this portion of the "private road". This resubdivision does not address, as far as I can discern, the small portion of the private road that is used to access my driveway/property. So, the question becomes, if you resubdivide as per the map that does not include this portion of the private road, what happens to the status/ownership of the private road abutting lots 11 and 12? I believe this should specifically be addressed in any resubdivision since right of way access easements exist.

Additionally, your paperwork shows the owner as Graham Mortgage. My understanding is that Graham Mortgage no longer owns this property so I question the accuracy of this notice.

For these reasons, I object to the resubdivision based on the information you have provided. I have called and left a voicemail with your office to clarify the issues outlined above. However, since I have not heard back, I must submit this objection to the proposed resubdivision.

Respectfully,

A handwritten signature in black ink, appearing to read 'John Zook', with a stylized flourish at the end.

John Zook

Owner, 3821 Rue De St Raphael

Cell: 281 687 4563

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Contact: Don Perryman, 512-974-2786 or Cindy Casillas, 512-974-3437
Public Hearing: August 4, 2015, Zoning and Platting Commission

DAVID JONES
Your Name (please print)

2304 B WESTLAKE DR

Your address(es) affected by this application

Don Perryman

Signature

7/27/15

Date

Daytime Telephone: 202-229-3202

Comments: *Complete plans have not been disclosed.*

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to:

City of Austin – Planning & Development Review Department / 4th Fl

Don Perryman

P. O. Box 1088

Austin, TX 78767-8810

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.

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.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance 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.

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 (it may be delivered to the contact person listed on a notice); or
- 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 proposed development; or
- 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:

<http://www.austintexas.gov/development>.

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: C8-2014-0250.0A

Contact: Don Perryman, 512-974-2786

Public Hearing: Zoning and Platting Commission, August 4, 2015

Your Name (please print)

Kathleen Fox

☒ I am in favor
☐ I object

Your address(es) affected by this application

2109 Chanhote Estates Dr
Austin, TX 78741

Signature

Date

Daytime Telephone:

(512) 974-7877

Comments:

I support the two variance request re: Southlake Crossing MF project. I am especially supportive of not requiring the applicant to connect to Melissa Oaks, as this cut through will bring traffic from IH-35 frontage road directly into an subdivision + is unnecessary as fully open street. I do support five pet Accessible Lock Gate on Melissa Oaks

If you use this form to comment, it may be returned to:

City of Austin - Development Services Department, 4th Floor

Don Perryman

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C8-2014-0250.0A

Contact: Don Perryman, 512-974-2786

Public Hearing: Zoning and Platting Commission, August 4, 2015

Your Name (please print)

Don Perryman
1405 N. 1st St. Apt 15

☒ I am in favor
☐ I object

Your address(es) affected by this application

Don Perryman

Signature

Date

Daytime Telephone:

512-868-5150

Comments:

If you use this form to comment, it may be returned to:

City of Austin – Development Services Department, 4th Floor

Don Perryman

P. O. Box 1088

Austin, TX 78767-8810

BYLAWS OF THE ZONING AND PLATTING COMMISSION

ARTICLE 1. NAME.

The name of the board is the Zoning and Platting Commission.

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the Zoning and Platting Commission is to perform duties relating to land use and development prescribed by Title 25 of the City Code, and other duties as may be assigned by the City Council. The duties of the Zoning and Platting Commission shall be those prescribed by State statute, City Charter, and City ordinance. The Zoning and Platting Commission shall: Pursuant to ordinances adopted by the Council, exercise control over platting and subdividing land within the corporate limits of the City and extraterritorial jurisdiction of the City to ensure the consistency of and such plats or subdivision with the adopted comprehensive plan or element or portion thereof; recommend to the Council approval or disapproval of proposed zoning changes; recommend to the Council approval or disapproval of proposed zoning changes; and require information from the City Manager and City Legal in relation to its work.

ARTICLE 3. MEMBERSHIP.

- (A) The board is composed of ~~eleven~~ ~~seven~~ members appointed by the City Council.
- (B) A member serves at the pleasure of the City Council.
- (C) Board members serve for a term of ~~four~~ ~~three~~ years beginning ~~August 1st on the year of appointment~~ March 1st and running concurrently with the Council Member who appointed them.
- (D) An individual board member may not act in an official capacity except through the action of the board, except when required to do so by law in connection with the approval, endorsement, or attestation of plats.
- (E) A board member who is absent for three consecutive regular meetings or one-third of all regular meetings in a "rolling" twelve month time frame automatically vacates the member's position subject to the holdover provisions in Section 2-1-27 of the City Code. This does not apply to an absence due to illness or injury of the board member, an illness or injury of a board member's immediate family member, or the birth or adoption of the board member's child for 90 days after the event. The board member must notify the staff liaison of the reason for the absence not later than the date of the next regular meeting of the board. Failure to notify the liaison before the next regular meeting of the board will result in an unexcused absence.

- 50
- (F) At each meeting, each board member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest. Failure to sign the sheet results in the member being counted as absent and his/her votes are not counted.
 - (G) A member who seeks to resign from the board shall submit a written resignation to the Chair of the board, the staff liaison, or the City Clerk's office. If possible, the resignation should allow for a thirty day notice so the City Council can appoint a replacement.

ARTICLE 4. OFFICERS.

- (A) The officers of the board shall consist of a Chair, Vice-Chair, Secretary, Assistant Secretary, and Parliamentarian.
- (B) Officers shall be elected annually by a majority vote of the board at the first regular meeting after March 1st. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.
- (C) The term of office shall be one year, beginning March 1st upon election of commission officer ~~November 1st~~ and ending February 28th ~~October 31st~~. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than three consecutive one-year terms. A person who has served as an officer in a designated position of a board for three consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office. The board may override the term limit provision for an officer by an affirmative vote of two-thirds of the authorized board members.
- (D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

- (A) The Chair shall preside at board meetings, appoint all committees [wording change here?] each year following the election of officers, and represent the board at ceremonial functions, [insert comma here] and approve each final meeting agenda. The Chair shall appoint the Chair and members of committees. [Delete previous sentence, depending on decision to have the whole commission appoint committees, and the committees appoint their own Chair.] As provided by statute, the Chair shall sign any certificate endorsing a subdivision plat.
- (B) In the absence of the Chair, the Vice-Chair shall perform all duties of the Chair.

- (C) In the absence of both the Chair and the Vice-Chair, the member serving as presiding officer shall sign any certificate endorsing a subdivision plat. In the absence of the Chair, Vice-Chair, and Secretary, the Assistant Secretary shall sign any certificate endorsing a subdivision plat. ~~any member may be deemed the presiding officer by a quorum of the board present at the meeting, with such designation recorded in the minutes.~~
- (D) The Secretary shall monitor the timely completion of minutes of the board's meetings. As provided by statute, the Secretary shall sign all subdivision plats. In the absence of the Chair and Vice-Chair, the Secretary shall perform duties of the Chair.
- (E) The Parliamentarian shall advise on all matters of procedure and shall assure that business conducted before the board conforms to these Rules and Regulations and Roberts Rules of Order Newly Revised.

ARTICLE 6. AGENDAS.

- (A) Two or more board members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting. After first consulting with and receiving input from the staff liaison, the Chair shall approve each final meeting agenda.
- (B) The board liaison shall submit the meeting agenda through the online agenda posting system for each meeting, not less than 72 hours before the meeting.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

- (A) The board meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (B) Board meetings shall be governed by Robert's Rules of Order.
- (C) The board may not conduct a closed meeting without the approval of the City Attorney.
- (D) The board shall meet twice a month. In November of each year, the board shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings.
- (E) The Chair may call a special meeting, and the Chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. A board may not call a meeting in addition to its regular scheduled meetings as identified in its adopted meeting schedule,

more often than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline established by Council.

- (F) **Seven** ~~Four~~ members constitute a quorum.
- (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.
- (H) To be effective, a board action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.
- (I) The **C**hair has the same voting privilege as any other member.
- (J) The board shall allow citizens to address the board on agenda items and during a period of time set aside for citizen communications. The **C**hair may limit a speaker to three minutes.
- (K) The staff liaison shall prepare the board minutes. The minutes of each board meeting must include the vote of each member on each item before the board and indicate whether a member is absent or failed to vote on an item.
- (L) The **C**ity **C**lerk shall retain agendas, approved minutes, internal review reports and bylaws. The Planning and **Zoning Development Review** Department shall retain all other board documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
- (M) The **C**hair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.
- (N) Each person and board member attending a board meeting should observe decorum pursuant to Section 2-1-48 of the City Code.

ARTICLE 8. COMMITTEES/WORKING GROUPS.

COMMITTEES

- (A) The Zoning and Platting Commission shall have the following committees:
 - (1) Executive Committee – This Committee shall be composed of the officers of the Commission. The staff liaison shall be an ex-officio member without privilege of vote. The Executive Committee shall be responsible for coordination of the board's activities and may make recommendations to the board on the annual budget as it relates to the board's work

program. The Committee shall annually recommend goals to the board and shall recommend a work plan to accomplish those goals. **The Committee shall, from time to time, liaison with the Planning Commission regarding Zoning and Platting Commission goals and any other issues.**

- (2) Codes and Ordinances Committee – This Committee shall review and make recommendations to the Commission regarding amendment or adoption of policies, rules, and ordinances related to land use and land development. **[This committee description is copied from the Planning Commission Bylaws.]**
 - (3) Small Area Planning Joint Committee – This Joint Committee of the Planning Commission and Zoning and Platting Commission shall advise the Council on issues surrounding planning and zoning in areas such as downtown, corridors, and centers, neighborhoods, the waterfront, planned unit developments, and transit-oriented developments. This Committee will have seven (7) members, with four (4) members appointed from the Planning Commission and three (3) members appointed from the Zoning and Platting Commission.
 - (4) Economic and Capital Budget Joint Committee – This Committee shall advise the Council on the implementation of projects approved by the voters in bond elections; and shall monitor the City Manager's plans relating to the issuance of bonds and the implementation of projects approved by the voters, including the annual appropriation of bond funds and changes in the amount of bonds issued or cash commitments made. This Committee will have eleven (11) members, with four (4) members appointed from Planning Commission, three (3) members appointed from the Zoning and Platting Commission, and four (4) members appointed by CAF; at least one (1) member must be a professional engineer. The Committee shall meet at least once every six (6) months.
 - (5) Comprehensive Plan Committee – This Committee shall address Policy Directives and Initiatives of the Planning Commission, **the Zoning and Platting Commission** and Council, affordable housing issues, and new planning initiatives. **[Copied from the Planning Commission Bylaws with ZAP to the list. This is a vague and grammatically awkward description of this Committee's directive, however, and can be improved.]**
- (B) Each committee must be established by an affirmative vote of the board. A committee cannot meet until its creation is approved by the Council Audit and Finance Committee. Each committee shall consist of at least three board members appointed by the **Chair**. **[Please review the previous sentence if the committees are to be appointed by the Commission rather than the Chair.]** A staff member shall be assigned to each committee by the director of the **Planning and Zoning Planning and Development Review** Department.
- (C) The board **Chair** shall appoint a board member as the committee **Chair**, with the member's consent. **[Remove this requirement, and replace with a notation that each Committee shall vote on and approve its own Chair?]**
- (D) A majority of the total number of appointed committee members constitutes a quorum.
- (E) Each committee shall meet on a regularly scheduled basis at least quarterly, **except where noted**.
- (F) Each committee shall make an annual report to the board at the **February January** board meeting.

- (G) Committee meetings **must** be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (H) At each committee meeting, a committee member shall sign in on a sheet provided and shall indicate that the member has no conflict of interest with any item on the committee meeting agenda, or identify each agenda item on which the member has a conflict of interest.

WORKING GROUPS

- (A) The board can determine the size of a working group but the number of board members serving on the working group must be less than a quorum of the board.
- (B) A working group may designate a **C**hair, with the member's consent, but is not required to do so.
- (C) Quorum requirements do not apply to working groups.
- (D) Staff support will not be provided for working groups.
- (E) Working groups are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the board in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of order which the board or **C**ity **C**ouncil may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.

The bylaws were approved by the Zoning and Platting Commission at their meeting held on _____.

Executive or Staff Liaison

Title (Executive or Staff Liaison)

THE CITY ZONING AND PLATTING

CITY OF AUSTIN, TEXAS

RULES AND REGULATIONS

September 18, 2001 [Date change upon adoption]

1.000 DUTIES AND RESPONSIBILITIES

1.100 The duties of the Zoning and Platting Commission shall be those prescribed by State statute, City Charter, and City ordinance. The Zoning and Platting Commission shall:

1.110 Pursuant to ordinances adopted by the Council, exercise control over platting and subdividing land within the corporate limits of the City and extraterritorial jurisdiction of the City to insure the consistency of and such plats or subdivision with the adopted comprehensive plan or element or portion thereof;

1.120 Recommend to the Council approval of disapproval of proposed zoning changes;

1.130 Require information from the City Manager and City Legal in relation to its work;

2.000 MEMBERSHIP

2.100 The Commission, as approved by charter, shall be composed of ~~eleven~~ (11) ~~nine~~ members, appointed by the City Council for their ability, unselfish interest, and availability for the work. The Commission members shall serve the City as a whole, shall represent no special group, or interest, and shall publicly state when they are interested in a matter before the Commission, and, therefore, disqualify themselves. When a Commission member must disqualify himself, he shall indicate his interest prior to the hearing, and shall not participate in the discussion, or vote on such issues.

2.200 On their appointment to the Commission, new members shall be briefed by the Director of the ~~Neighborhood~~ Planning and Zoning Department on the general scope of City planning and duties of the Commission.

3.000 OFFICERS

- 3.100 The officers of the Commission shall consist of a Chair, Vice-Chair, Secretary, Assistant Secretary and Parliamentarian.
- 3.200 Officers shall be elected annually at the first meeting in ~~July~~ **March**, or not later than August 1, [Do we want change/keep this August date?] by a majority of the Commission.
- 3.300 The term of office shall be one (1) year, **beginning in March and ending February 28.** ~~extending from June 1 to May 31.~~
- 3.400 Vacancies shall be filled by a majority vote of the Commission at any regular or special meeting called for that purpose.
- 3.500 The Director, or designee of the ~~Neighborhood~~ Planning and Zoning Department shall serve the Commission as Executive Secretary.

4.000 DUTIES OF OFFICERS

- 4.100 The Chair shall preside at all meetings and shall appoint all standing committees each year following the election of officers. The Chair shall appoint the Chair and members of such special committees as from time to time may be authorized by the Commission. [Remove this language regarding appointment of committees and their Chairs?] As provided by statute, the Chair shall sign all subdivision plats.
- 4.200 In the absence of the Chair, the Vice-Chair shall perform all duties of the Chair.
- 4.300 The Secretary shall monitor the timely completion of minutes of the Commission's meetings. As provided by statute, the Secretary shall sign all subdivision plats. In the absence of the Chair and Vice-Chair, the Secretary shall perform duties of the Chair.
- 4.400 In the absence of the Secretary, the Assistant Secretary shall perform all duties of the Secretary.
- 4.500 The Parliamentarian shall advise on all matters of procedures and shall assure that business conducted before the Commission

conforms to these Rules and Regulations and Roberts Rules of Order, Newly Revised.

- 4.600 The Executive Secretary shall keep the official records of the meeting of the Commission, cause to be made such notices as are required in the manner prescribed by statute, ordinance or these Rules, maintain records of attendance, and attend to all official correspondence of the Commission. The Executive Secretary shall provide reports on any matters vital to the efficient and expeditious operation of the **Zoning and Platting Planning** Commission.

5.000 MEETING

- 5.100 Regular meetings of the Commission shall be held on the first and third Tuesday of each month at 6:00 p.m. unless otherwise decided by the Commission.
- 5.200 If it should become necessary because of workload that any regular meeting be continued to the following day, such a meeting will reconvene on the day following and this second meeting shall be considered as part of the same session.
- 5.300 Special meetings may be called by the Chair and shall be called if requested by three or more members.
- 5.400 Notices of meetings shall be in writing and shall be sent to all members at least two days in advance of the meetings.
- 5.500 The Commission shall consider matters before it at its regular meetings and shall hear matters in the order of business may be modified at any meeting by unanimous consent of members present.

6.000 VOTING AND QUORUM

- 6.100 A quorum of the Commission shall consist of **seven (7)** ~~five (5)~~ members. If there are two or more vacancies, a quorum shall consist of **four (4) members** [Is this still applicable?].
- 6.200 No Actions of the Commission shall be of any force or fact unless it is adopted by affirmative vote of its members equal to at least the numbers of members necessary to provide a quorum of its membership.

6.300 The Chair shall have the same voting privilege as any other member.

7.000 COMMITTEES

7.100 STANDING COMMITTEES

7.110 The Chair shall appoint [This previous phrase may change according to the decision of the Chair and Commission on committee appointments] a minimum of three (3) Commissioners to each Standing Committee not later than thirty (30) days after appointment, to serve a term to continue through June 1 [Does this date still stand for committees?] or until their successors are appointed. Such appointments shall be made with due consideration of if interest and a fair distribution of the work to be performed.

7.120 Each Standing Committee shall elect its own Chair from among its members. [Here is the language we are looking for to insert into the Bylaws, Article 8.B.]

7.130 The Chair of the Commission shall appoint a replacement for any member of a Committee who has missed more than three (3) consecutive meetings of the committee for which adequate notice have been given. [Review this language should the entire Commission be allowed to appoint the members of committees and their replacements.]

7.140 A Standing Committee shall meet at the call of its Chair, but not less than once in each quarter of the calendar year, unless otherwise noted in Section 7.

7.150 Any Standing Committee may hold public hearings in the manner prescribed by applicable ordinances and statutes.

7.160 The standing Committees of the Planning Commission shall be:

7.161 EXECUTIVE COMMITTEE – This Committee shall be composed of the officers of the Commission. The Executive Secretary shall be an ex-officio member without privilege of vote. A quorum shall be three (3)

Commissioners. The Executive Committee shall be responsible for coordination of the Commission's activities and may make recommendations to the Commissions on the annual budget as it relates to the Commission's work program. The Committee shall annually recommend goals to the Commission and shall recommend a work plan to accomplish those goals. The Committee shall, from time to time, liaison with the Planning Commission regarding Zoning and Platting Commission goals and any other issues.

7.162 Codes and Ordinances Committee – This Committee shall review and make recommendations to the Commission regarding amendment or adoption of policies, rules, and ordinances related to land use and land development. [This committee description is copied from the Planning Commission Bylaws.]

7.163 Small Area Planning Joint Committee – This Joint Committee of the Planning Commission and Zoning and Platting Commission shall advise the Council on issues surrounding planning and zoning in areas such as downtown, corridors, and centers, neighborhoods, the waterfront, planned unit developments, and transit-oriented developments. This Committee will have seven (7) members, with four (4) members appointed from the Planning Commission and three (3) members appointed from the Zoning and Platting Commission.

7.164 Economic and Capital Budget Joint Committee – This Committee shall advise the Council on the implementation of projects approved by the voters in bond elections; and shall monitor the City Manager's plans relating to the issuance of bonds and the implementation of projects approved by the voters, including the annual appropriation of bond funds and changes in the amount of bonds issued or cash commitments made. This Committee will have eleven (11) members, with four (4) members appointed from Planning Commission, three (3) members appointed from the Zoning and Platting Commission, and four (4) members appointed by CAF; at least one (1) member must be a professional engineer. The Committee shall meet at least once every six (6) months.

7.165 Comprehensive Plan Committee – This Committee shall address Policy Directives and Initiatives of the Planning Commission, the Zoning and Platting Commission and Council, affordable housing issues, and new planning initiatives. [Copied from the

Planning Commission Bylaws with ZAP added to the list. This is a vague and grammatically awkward description of this Committee's directive, however, and can be improved.]

~~7.166 LIAISON COMMITTEE~~ This Committee shall be composed of the two commission members appointed by the Chair. The purpose of the committee is to exchange information relating to the Planning Commission, and the Zoning and Platting Commission, and make recommendations to the commissions on common policies, objectives, issues and activities.

7.200 AD HOC COMMITTEES – The Chair of the Commission may appoint Ad Hoc Committees to assist the Commission on matters not otherwise assigned by these Rules to a Standing Committee. Any Ad Hoc Committee may hold public hearings in the manner prescribed by applicable ordinances and statutes.

8.000 ANNOUNCEMENT OF OFFICIAL ACTS

8.100 The Executive Secretary shall prepare for the Commission all letters of transmittal to the City Council and shall sign those relative to zoning plan changes, special permits, and subdivision plans. Other letters to the Council shall be signed by the Chair of the Commission.

8.200 Copies of the Commission minutes and of all recommendations required shall be sent directly to the City Manager and the City Clerk by the Executive Secretary.

9.000 OFFICIAL RECORDS

9.100 The official records of the Commission shall be its adopted minutes and electronic recordings of its meetings.

9.200 The official records of the Commission shall be deposited in the Planning Department of the City of Austin and shall constitute a public record open to public inspection.

9.300 A copy of these Rules and Regulations, and all amendments thereto, shall be placed on permanent file in the office of the City Clerk within seven (7) days of adoption.

10.000 POLICIES AND SUPPLEMENTAL PROCEDURES

10.100 Matters of policy affecting the Commission shall be decided at regular meetings or at special meets called for that purpose. Supplemental policies, rules and regulations may be adopted by a majority vote of the Commission.

10.200 Conduct of Public Hearings

10.210 The Commission shall use the following order of procedure for public hearings:

10.211 Chair announces requests;

10.212 Staff presents a summary of the case;

10.213 Chair calls on those favoring the request;

10.213a Applicant's presentation (five [5] minutes each);

10.213b Others favoring the request (three [3] minutes each);

10.214 Chair calls on those opposing the request;

10.214a Primary presentation (five [5] minutes);

10.214b Others opposing the request (three [3] minutes each);

10.215 Applicant is given an opportunity to answer objections stated (three [3] minutes each);

10.216 Staff summation and questions from the Commission;

10.217 Public hearing is closed and no further testimony is taken from the public

10.220 Speaking times in any of the above instances may be extended by the Chair with the unanimous consent of the Commission.

10.230 Items on the agenda may be acted upon by one motion, provided however that the Commission may 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 Chair may announce the item and, if there is no opposition from the Commission or the public, the item may be taken "by consent" for approval without discussion.

10.300 Postponement of Public Hearings

10.310 Anyone may request a postponement of a public hearing in writing to the Executive secretary by 10:00 a.m. the Monday before the Zoning and Platting Commission meeting. Any such request may be granted.

10.400 Revision or amendment of previous action by the Commission –

The Commission may rescind or amend a previous action at the request of two or more Commissioners. Such a request must be based on new evidence judged to be material to a correct decision of the Commission and must be made within fourteen (14) days at the date of the session in which the action to be rescinded or amended was taken. The decision to rescind or amend may be effected by an affirmative vote of a two-thirds majority of the Commission. [We discussed the potential need to call a special meeting to meet this deadline considering the calendar dates of our meetings. Do we need to add language to that effect, or can we simply rely on the authority to call special meetings in Section 5.300?]

11.000 PARLIAMENTARY AUTHORITY

Robert's Rules of Order, latest revision, shall be the Commission's final authority on all questions of parliamentary law not covered by these Rules and Regulations.

12.000 AMENDMENTS

Amendments to these Rules and Regulations may be made by the Commission at any regular or special meeting called for that purpose upon the affirmative vote of a two-thirds majority of the total number of members currently appointed. Any such amendment must have been proposed at a preceding meeting and all members formally notified thereof.