

PLANNING COMMISSION

MINUTES

OCTOBER 22, 2013

October 22, 2013

Heather Chaffin, AICP
Senior Planner-- Zoning Review Division
Planning and Development Review Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704
via email: heather.chaffin@austintexas.gov

Maureen Meredith
Maureen.Meredith@austintexas.gov

Re: 4505 N. IH-35, NPA 2013-0012.01 and C14-2013-0094

Dear Commissioners, Staff,

The Upper Boggy Creek Neighborhood Contact Team ("UBCNCT") met last night following due notice and with a quorum to take up the above referenced case. The Delwood II Neighborhood Association, one of the neighborhoods within the Upper Boggy Creek Plan Area, had previously met and asked the City to limit the uses on the property through a conditional overlay or otherwise. UBCNCT voted unanimously to approve the Delwood II recommendations on the subject property. The purpose of the restrictions is to make future development compatible with the residential neighborhood adjacent to the property.

We restate the proposed restrictions on the property below:

UBCNCT supports:

Residential Uses

Bed and Breakfast-Groups I and II.

Commercial Uses

Administrative and Business Offices

Art Gallery

Art Workshop

Communication Services

Medical Offices not exceeding 5000 s.q. ft.

Professional Offices

Software Development

Special Historic Use

Civic Uses

Convalescent Services

Counseling Services

Cultural Services

Day Care Services (Limited)

Family Home

CH+5

Group Home, Class 1 (Limited)
Hospital Services (Limited)

UBCNCT asks that the City prohibit the following uses through a conditional overlay or otherwise:

Off-Site Parking

Commercial Uses

Medical Offices exceeding 5000 s.q. ft.

Personal Services

Agricultural Uses

Community Garden

Urban Farm

Civic Uses

Club or Lodge

College and University Facilities

Communication Service Facilities

Community Recreation (Private)

Community Recreation (Public)

Congregate Living

Day Care Services (Commercial)

Day Care Services (General)

Group Home, Class 1 (General)

Group Home, Class 2

Local Utility Services

Private Primary Educational Facilities

Private Secondary Educational Facilities

Public Primary Educational Facilities

Public Secondary Educational Facilities

Religious Assembly

Residential Treatment

Safety Services

Telecommunication Tower

Delwood II Neighborhood Association raised these proposed restrictions with the applicant at the Public Meeting and there was no objection.

Thank you for your consideration of this matter.

Sincerely,



Christopher M. Swanson
Chair UBCNCT

RIVERSIDE RESOURCES

INVESTMENT | DEVELOPMENT | MANAGEMENT



October 21, 2013

Via E-mail: president@srccatx.org

Marc Davis, President
South River City Citizens Neighborhood Association
P.O. Box 40632
Austin, Texas 78704

Re: Joe's Crab Shack Redevelopment into a 2-story office

Dear Marc:

This letter will constitute Riverside Resources agreement with the South River City Citizens Neighborhood Association ("SRCC") to develop the Joe's Crab Shack site with a specific height limitation as set forth in the conditional use permit, and to also impose additional conditions on the redevelopment of the property into a 2-story building. We expect that this letter will be included with the materials for the conditional use permit. I appreciate the collaborative approach that we are taking to the redevelopment of the property, so that we can join your neighborhood.

In connection with our discussions, the following represents our agreement for the redevelopment of Joe's Crab Shack at 600 E. Riverside:


1. The height (as measured from the City's record existing average grade) will be limited to 33.5 feet to the top of the buildings framing (which is the top of the finished roof deck), up to 34.5 feet to the top of the parapet/roof, and 38.5 to the top of any mechanical equipment on the roof which shall include screening of the equipment up to such height (all of these are maximum height limitations and Riverside Resources will work to limit the height regardless of these maximum amounts). These measurements are predicated on the need to a) raise the finished floor out of the inundation and/or flood plain area and if this is not done, then the maximum heights set forth in this paragraph will be reduced by 2 feet, and b) to reduce the number of vertical support columns and replace with taller horizontal support structure and if this is not done, then the maximum heights set forth in this paragraph will be reduced by 1 foot;
2. There will be no roof-top decks at 600 E. Riverside and no balconies facing the property towards the East or Riverside, which is towards the South. To the extent possible, mechanical equipment is to be located on the southern end of the roof with screening immediately adjacent thereto;

3. Riverside Resources will remove the current pole sign that has a "Joe's Crab Shack" logo on it, subject to SRCC supporting and the City approving a replacement of the pole sign with an appropriate, elevated monument sign; and
4. Riverside Resources will submit a site plan with landscaping on the eastern side of the building and along Riverside (such landscaping plan will be shared with, and discussed with, SRCC). The landscaping plan will pay particular attention to ways to minimize visibility into the neighborhood windows South and East of the building; and
5. Nothing in this agreement is intended to supersede any limitations imposed by applicable codes, ordinances or other governmental regulations.

Riverside Resources will be sure to keep you abreast as we proceed with the redevelopment (including an advance review and discussion of any requisite site plan and building permit submittals) so that the dialogue we began during the conditional use permit process will continue.

Thank you for your time and support of our efforts to bring our local business to your neighborhood.

Sincerely,



John L. Needham

AGREED:

Marc Davis, President
South River City Citizens Neighborhood Association

2000212.1 10/21/2013

Barton-Holmes, Christine

From: Marc Davis <president@srccatx.org>
Sent: Tuesday, October 22, 2013 4:36 PM
To: Barton-Holmes, Christine
Cc: Gerald McMillan; Pam Kostas; Carol Martin
Subject: Re: Joe's Crab Shack SPC-2013-0218A - SRCC approves the change of use with conditions
Attachments: Height Agreement Letter - FINAL 10-22-2013.doc

Christine,

Please see the attached letter of agreement between Riverside Resources (the applicant) and SRCC regarding the conditions to be placed on the property in exchange for our support of their requested change of use.

As I stated previously, SRCC's Executive Committee voted last night to approve the change of use request given the conditions listed in this letter. We are requesting that this be placed on the consent agenda for this evening's Planning Commission meeting.

Thank you,
SRCC President

On Oct 22, 2013, at 2:59 PM, Marc Davis <president@srccatx.org> wrote:

> Thank you, Christine!

>

> On Oct 22, 2013, at 2:55 PM, "Barton-Holmes, Christine" <Christine.Barton-Holmes@austintexas.gov> wrote:

>

>> Marc,

>>

>> That is great news, we're glad everything has been worked out, and we're more than happy to go for the consent agenda. I'll look forward to seeing the letter, and we'll make sure the Commission members get a copy.

>>

>> Thanks,

>>

>> Christine

>>

>>

>> Christine Barton-Holmes, LEED AP

>> Senior Planner, Land Use Review

>> City of Austin- Planning & Development Review Dept.

>> One Texas Center

>> 505 Barton Springs Rd., 4th Flr.; Austin, TX 78704

>> Direct 512-974-2788

>> Email: christine.barton-holmes@austintexas.gov

>> Supervisor: Lynda Courtney, 974-2810

>> Lynda.Courtney@austintexas.gov

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>> Π Go Green! Please consider the environment before printing this email.

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>> -----Original Message-----

>> From: Marc Davis [<mailto:president@srccatx.org>]

>> Sent: Tuesday, October 22, 2013 2:50 PM

>> To: Barton-Holmes, Christine

>> Cc: Gerald McMillan; Pam Kostas

>> Subject: Joe's Crab Shack SPC-2013-0218A - SRCC approves the change of use with conditions

>>

>> Christine,

>>

>> SRCC's executive committee voted last night to approve the applicants request for change of use to "Professional Office" with a set of conditions that we have worked out with them. There is a final letter that outlines the conditions being prepared by the applicant and we should receive it soon. Gerald McMillan (one of the committee members that reviewed the case) will send that to you once we have received it and reviewed it to make sure it is consistent with what the exec committee approved.

>>

>> If possible, it is our desire that this go on the consent agenda for this evening's Planning Commission meeting.

>>

>> Thank you for your help!

>>

>> Marc Davis

>> SRCC President

>

Planning Commission Hearing 10/22/13
Items # 4 & 5 NPA-2013-0012.01 &
C14-2013-0094
4505 N. IH 35

October 22, 2013

Heather Chaffin, AICP
Senior Planner-- Zoning Review Division
Planning and Development Review Department
City of Austin
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via email: heather.chaffin@austintexas.gov

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Private Secondary Educational Facilities

Public Primary Educational Facilities

Public Secondary Educational Facilities

Religious Assembly

Residential Treatment

Safety Services

Telecommunication Tower

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Thank you for your consideration of this matter.

Sincerely,



Christopher M. Swanson
Chair UBCNCT

C14

Limon, Sylvia

From: Teri Yates [REDACTED]
Sent: Tuesday, October 22, 2013 1:51 PM
To: Limon, Sylvia
Cc: muskinco@att.net
Subject: Case: C8-2013-0075.0A

Board: Planning Commission
Date: 10/22/2013
Case: C8-2013-0075.0A
Contact: Sylvia Limon

I am writing in support of the subdivision of Lot 10, Block F, Violet Crown Heights, Section 1.

I live in and own the property directly across the street. I am in strong favor of the developers plan to build 2 single family homes, consistent with the aesthetic of the neighborhood.

All of the direct neighbors I have spoken to are very excited about the project and we view it as an improvement to our street and neighborhood.

Teri Yates
1306 Brentwood
512-294-5269

