

November 13, 2018 Planning Commission Agenda

Questions and Answers Report

C. PUBLIC HEARINGS

1. **Plan Amendment:** [**NPA-2018-0016.01 - Sekrit Theater; District 3**](#)
Location: 1145/1147 Perry Road, Boggy Creek Watershed; Govalle/Johnston Terrace Combined NP Area
Owner/Applicant: Beau Reichert
Agent: Matt Lewis
Request: Single Family to Higher Density Single Family land use
Staff Rec.: **Recommended**
Staff: [Mark Walters](#), 512-974-7695
Planning and Zoning Department

2. **Rezoning:** [**C14-2018-0074 - Sekrit Theater; District 3**](#)
Location: 1145/1147 Perry Road, Boggy Creek Watershed; Govalle/Johnston Terrace Combined NP Area
Owner/Applicant: Beau Reichert
Agent: Matt Lewis
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Question:

- 1) The Staff report states that the applicant is proposing to construct approximately 20 detached cottage/urban homes organized around a central green space. Is the applicant amenable to a conditional overlay that limits use to 20 units of detached single-family housing and prohibits short-term rental use?
- 2) Is there a conceptual plan available?
- 3) Has the NPCT submitted any communication regarding the cases since the postponement on October 9? (Commissioner Witte)

Answer:

- 1) At the request of the Neighborhood Contact Team, Applicant has agreed to 22 units. Applicant is open to discussion regarding prohibition of short-term rentals.

- 2) Included in the Applicant's presentation is a Concept Sketch (see attachment Item Concept Sketch). Applicant's presentation posted on PC web page (Part 1, pages 4-5 of 21):

http://www.austintexas.gov/cityclerk/boards_commissions/meetings/40_1.htm

- 3) The last correspondence received by staff was dated October 3. The email stated that the Contact Team and the applicant were in discussions, but no agreement had yet been reached. G/JT NPCT was scheduled to meet again with Applicant at the NPCT meeting on Nov. 10th., outcome unknown.

**9. Restrictive
Covenant
Amendment:**

[C14-85-288.43\(RCA\) - 6901 Old Bee Caves Road, District 8](#)

Location: 6901 Old Bee Caves Road, Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined NP Area
Owner/Applicant: SRE/MRE Oak Hill LTD (J. Mark Stevenson)
Agent: Drenner Group PC (Amanda Swor)
Request: To modify conditions of a restrictive covenant.
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Question:

- 1) Since this is intended for multi-family use, why is it not being rezoned to MF? Why keep the CS?
- 2) Please post the FLUM. (Commissioner McGraw)

Answer:

- 1) The Applicant is requesting CS-MU because the property is shown as Mixed Use on the FLUM.
- 2) FLUM has been posted on the PC web page:

http://www.austintexas.gov/cityclerk/boards_commissions/meetings/40_1.htm

10. Rezoning:

C14-2018-0090 - Denizen Two; District 9

Location: 1001 Cumberland Road, West Bouldin Creek Watershed; Galindo / South Lamar Combined NP Area (Suspended)

Owner/Applicant: Salvation Army (Andrew Kelly)

Agent: Alice Glasco Consulting (Alice Glasco)

Request: SF-6-CO to SF-6-CO, to change a condition of zoning

Staff Rec.: **Recommended**

Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Question:

1. Does Staff recommendation regarding amendment of the CO apply to both tracts or only to the tract still to be developed--the one where 17 units are proposed?

STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning from SF-6-CO to SF-6-CO. The conditions include:

- 1. No single building within the Property shall have a footprint or foundation/slab area which exceeds 10,000 square feet.**
 - 2. The maximum height of a building or structure is 2 stories and 35 feet.**
2. Is the applicant open to adding a limit of 17 units on this tract and 119 units on the tract that has already been developed? (Commissioner Witte)

Answer:

- 1) The proposed changes only apply to the 2.03 acre tract, not the remaining 8 acres to the south. If the applicant wanted to remove any conditions from the 8 acre tract, it would need to be part of the application & notification.
- 2) Pending Applicant's response.

**14. Site Plan -
Conditional Use
Permit:**

SPC-2018-0234A - Anthem Restaurant; District 9

Location: 91 Rainey Street, Lady Bird Lake Watershed; Downtown Master Plan (Rainey Street District)
Owner/Applicant: Nicholas Hogan
Agent: Lenworth Consulting LLC (Nash Gonzales)
Request: Request approval of a conditional use permit to allow a cocktail lounge use in the Rainey Street district.
Staff Rec.: **Recommended**
Staff: [Nikki Hoelter](#), 512-974-2863
Development Services Department

Question:

Would a CUP automatically permit late hours?
(Commissioner Seeger)

Answer:

When a cocktail lounge is approved, the late hours is automatically approved. The only time a late hours conditional use permit is needed is with a restaurant requesting late hours.

Question:

I thought parking was not required in the CBD. Is this simply an older site plan that was submitted before the elimination of parking? Or is it because it is a conditional use?
(Commissioner Thompson)

Answer:

Pending

**17. Site Plan -
Conditional Use
Permit:**

[SPC-2017-0322C - Waterloo Neighborhood Park; District 1](#)

Location: 500 E 12th St., Waller Creek Watershed; Downtown Master Plan
Owner/Applicant: City of Austin Parks and Recreation (Terry Jungman, Jr.)
Agent: Big Red Dog Engineering (Thomas Lombardi, Jr., P.E.)
Request: Approval of a Conditional Use Site Plan for Waterloo Neighborhood Park in (P) Public zoning, on 10.58 acres.
Staff Rec.: **Recommended**
Staff: [Donna Galati](#), 512-974-2733
Development Services Department

Question:

25-5-145 requires that a conditional use site plan reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

The stage at the western end of the site faces east towards Waller Creek, and programming includes the potential for frequent occurrence of concerts with amplified sound. How does the site plan protect patients and staff at Dell Seton Medical Center at the University of Texas from the adverse effects of amplified sound? How does the site plan protect residents of East Austin neighborhoods and neighborhoods north along the creek from the adverse effects of amplified sound?

How does Agent of Change apply to this park and the hospital and neighborhoods nearby? (Commissioner Witte)

Answer:

Based on the park's history and community feedback, the Parks and Recreation Department (PARD) is continuing Waterloo Park's function as both a park and a special events site with musical programming. With this use in mind, PARD has made investments in permanent infrastructure and site design to improve function and minimize impact on the surrounding community.

All park programs will comply with sound and event ordinances, and have begun coordinating with the Austin Center for Events. PARD will also produce a Sound Impact Plan as required by the City's Music Office. Additionally, several design features have been incorporated to mitigate sound impacts, including:

- Burying the stage into the hillside near Trinity Street to limit sound transmission to nearby areas
- Sloping the lawn with a planted berm at the back of the audience, to help redirect sound spillover; and,

- The use of permanent infrastructure wherever possible, including restrooms, amphitheater stage, and concessions, to reduce the impacts of load-in and load-out sounds.

Waller Creek Conservancy and PARD considers the relationship with neighboring residents, businesses and stakeholders vital to the future of this community gathering space. It's because of this, that PARD has continued meeting with stakeholders regularly since the project began.

Since Council's approval of the Waller Creek Design Plan, the City and Waller Creek Conservancy have collaborated to host a series of 15 public meetings, with over 50 speaking engagements each year; and dozens of briefings at neighborhood associations, organizations, businesses, and educational institutions. Engagement opportunities in 2018 have reached 4000 community members to date. As the project continues, we welcome continuing these conversations and invite any opportunities to provide project updates.

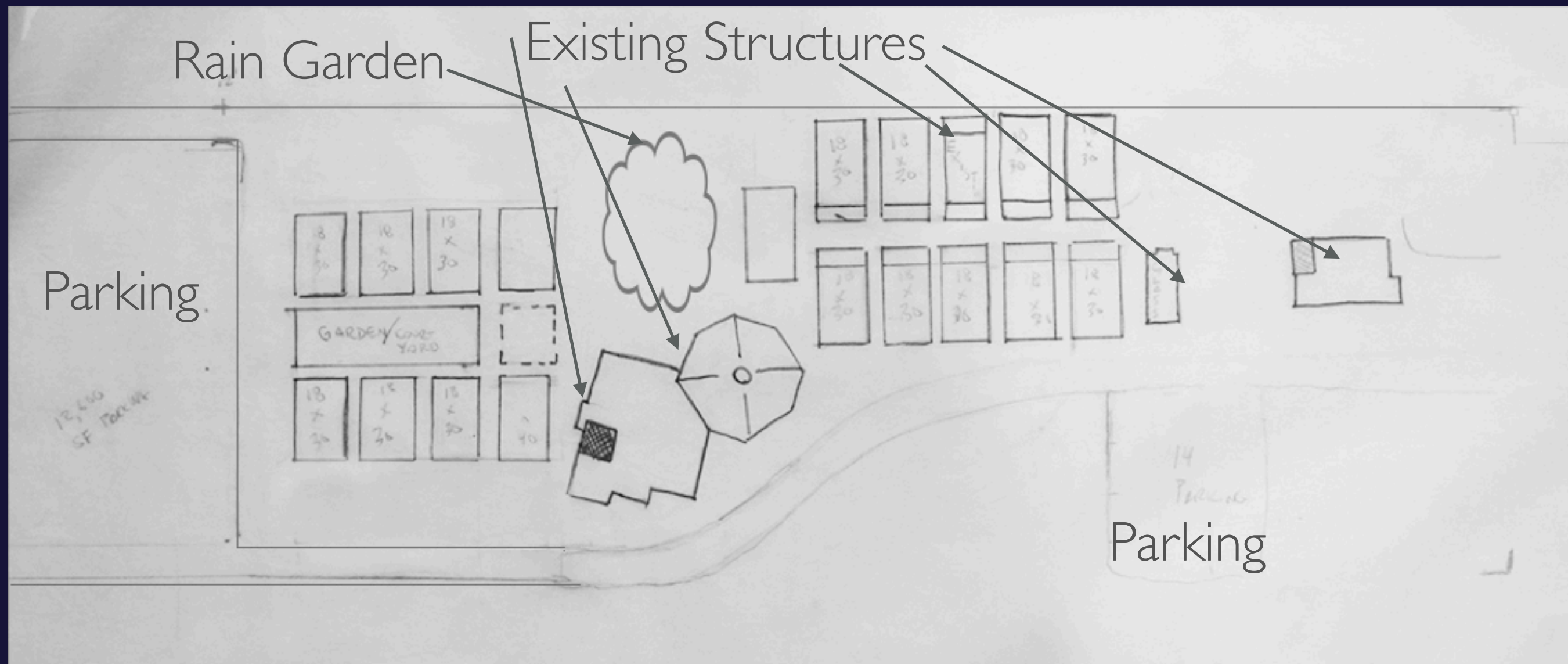
PARD will also continue this community dialogue about sound and special events once the park is open.

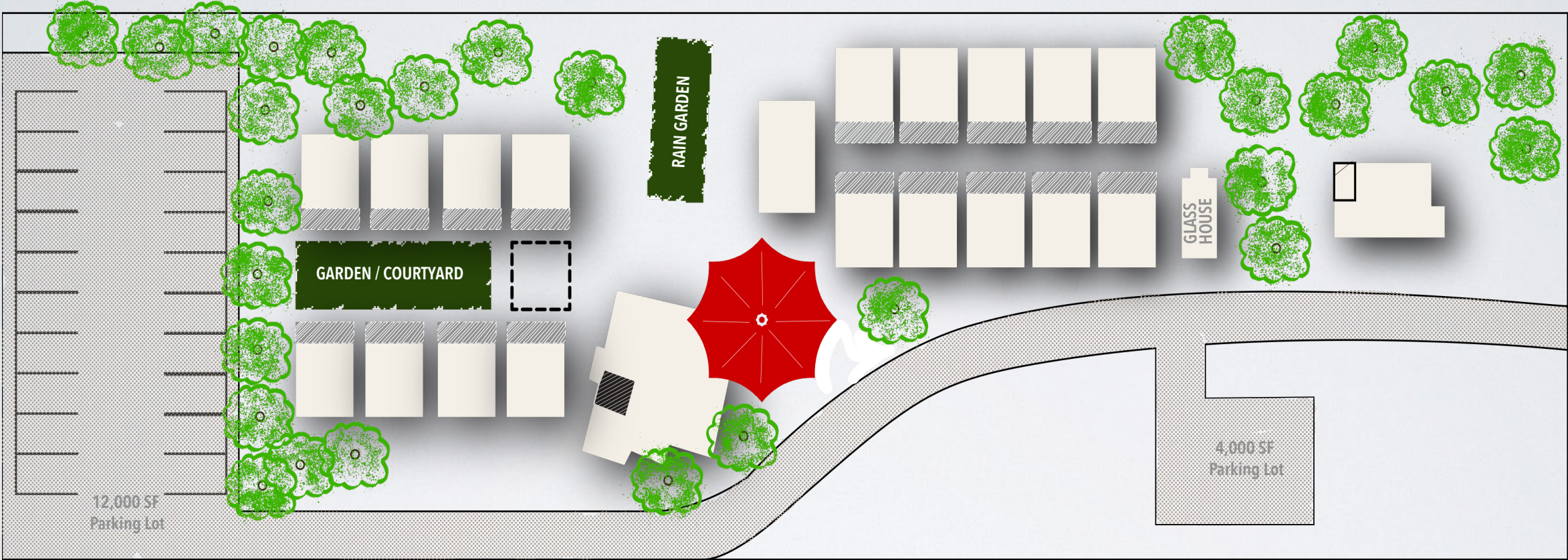
Concept Sketch

Courtyard Neighborhood
Single Family Detached Homes
Retaining Existing Buildings
On Site Parking

Features

Unique Housing Option
Green Infrastructure
Community Garden/Green
Private Drive





Perry Rd