

**MINUTES**  
**AUSTIN CITY PLANNING COMMISSION**  
**TUESDAY, APRIL 12, 2005**  
**5:30 P.M.**  
**AUSTIN CITY COUNCIL CHAMBERS**

**MEMBERS PRESENT:** Rich Bergstrom, Suzanne McCarthy, Lynn Spainhower, Janet Anderson, Gordon Kuehne, Elizabeth Bankes and Glen Mair

**MEMBERS ABSENT:** Sue Grove

**OTHERS PRESENT:** Craig Hoium, Craig Byram, Council Member Dick Pacholl and media

The meeting was called to order by Commission member Brian D. Johnson at 5:32 P.M.

Commission Member Anderson made a motion to approve the March 15, 2005 minutes as written, seconded by Commission Member McCarthy. Motion passed unanimously.

**SIGN APPEAL:** To consider the appeal from Lynn Koch, Austin Mortgage Company, 111 North Main Street for the denial of the issuance of sign permit. This appeal involves the proposed placement of an illuminated wall sign on the north exterior wall of his business located at 500-504 12<sup>th</sup> Ave NW which is located in a "B-2" Community Business District. City Code Section 4.50, Schedule VI (b) requires this type of signage to be placed on an exterior wall that faces a public right-of-way.

Craig Hoium reviewed the appeal, stating that a similar request was approved by the Planning Commission and City Council for the Amoco Food Store immediately to the north of the petitioners property. Mr. Hoium reviewed the surrounding land-uses and pointed out that the property in which this sign would face is that of a commercial nature. He also explained that the intention of this ordinance is to restrict signage from being offensive to adjacent properties.

Commission Member Anderson made a motion to recommend approval of the sign appeal as it will not be a detraction for neighboring properties, seconded by Commission Member Mair. Motion passed unanimously.

**OTHER BUSINESS:** Commercial/Business Development Standards

Mr. Hoium explained that he would like to review our current business development standards and permitted land-uses listed in our business district zoning ordinances to see if there is a need for any revisions or updates to be considered for them. He has talked to neighboring communities and looked at their ordinances. Mr. Byram supplied you with a draft of an ordinance that would place a moratorium on retail developments exceeding 75,000 square feet. With this request if the Planning Commission would

like the staff to take this further, a recommendation should be made to the City Council to approve the 60 day moratorium on these larger developments.

Commission Member Anderson asked if this moratorium includes existing empty businesses.

Mr. Hoium said yes, it would include an existing vacant business or undeveloped land with a proposed structure exceeding 75,000 square feet in area.

Commission Member Johnson asked if the 60 days was a statutory period and if not does it give the staff enough time.

Mr. Byram said the statute allows up to a year with the ability to extend for additional time not to exceed eighteen months after that. We came up with the 60 day time period after consulting with Jon Erichson, Craig Hoium and other members of the staff. We want it to be clear for any incoming businesses that we are not trying to place road blocks for these types of developments, but to have standards in place for the best interest of the community.

Commission Member Johnson asked what the notice period for the City Council would be in considering this moratorium.

Mr. Hoium said the staff would put together a draft ordinance and review it at a council work session with the intention of bringing the ordinance to the May Planning Commission Meeting. That would allow the ordinance to go to the second City Council Meeting in May. If the City Council were to approve the ordinance at this time the ordinance is then published and becomes effective after ten days.

Commission Member McCarthy asked what happens now if a business over 75,000 square feet wants to develop.

Mr. Hoium said there is nothing specific relating to this size in place at this time.

Commission Member Anderson asked for an example of how big 75,000 square feet is.

Mr. Hoium said Kmart, Shopko and Target are approximately 90,000 square feet.

Commission Member Spainhower asked if the goal is to go from conditional use to conditional land-use.

Mr. Hoium said that currently our Business Zoning Districts standards are lax on today's type of larger developments. My recommendation is that after exceeding a certain square footage, that type of land-use becomes a conditional land-use in a business district. It would give the city more power to place conditions on these types of development.

Commission Member Bergstrom asked if there are any developments that will be handicapped by this moratorium in the next 60 days.

Mr. Hoium said not that he is aware of.

Commission Member McCarthy asked what retail means, does that include garages.

Mr. Hoium said garages would more likely be classified as a light industrial land-use. This is not geared towards industrial but more for retail uses in a business district.

Commission Member Spainhower asked if this draft is in anticipation of something coming to Austin.

Mr. Hoium said the sheet before you is an ordinance drafted by the City Attorneys office.

Commission Member Mair asked if you did do this, why do you have to?

Mr. Hoium said he thinks it is important to have this ordinance in effect during the upcoming construction season because of our limited construction period in this part of the country, it would not be a road block for developers.

Commission Member Mair made a motion to recommend adoption of this ordinance, seconded by Commission Member Spainhower. Motion passed unanimously.

Commission Member McCarthy had some zoning complaint questions referring to the melting of the snow that has revealed junk and garbage. Who do residents call with complaints?

Mr. Hoium said they should call the Planning and Zoning Department.

Commission Member McCarthy has had some complaints about the parking at the apartments in the 700 block of 8<sup>th</sup> Ave SE.

Mr. Hoium said that project was done twenty years ago and the parking should have been addressed at that time. A parking ordinance is at the City Attorneys office now to be drafted. Mr. Hoium requested that Mr. Byram research the legal options the city has relating to this project.

Commission Member McCarthy asked about Vel-Ved trucking, the trailer parked on the property and when hard-surfacing will be done.

Mr. Hoium said the Austin HRA entered into a developer's agreement with the owner, the building is scheduled for completion by the end of 2005 and the hard-surfacing is to be completed by the end of 2006. Their entire site is in an Industrial District.

City Council Member Dick Pacholl commented on the complaints he has received about the parking in the front lawn at the apartments on 8<sup>th</sup> Ave SE.

Mr. Hoium said the Burr Oak property is finished with phase I and asked if any of the Planning Commission would be interested in a tour.

Commission Member Johnson said yes.

Mr. Hoium said he will work on arranging it.

#### **ADJOURN:**

Commission Member Anderson made a motion to adjourn the Planning Commission Meeting, seconded by Commission Member Bergstrom. Motion passed unanimously, meeting adjourned at 6:00 P.M.



