

MINUTES
AUSTIN CITY PLANNING COMMISSION
TUESDAY, JUNE 13, 2017
5:30 P.M.
AUSTIN CITY COUNCIL CHAMBERS

MEMBERS PRESENT: Rick Bremner, Steve Kime, Jay Lutz, Troy Nelson, Michael Postma and Greg Siems

MEMBERS ABSENT: Megan Burroughs, Jim Mino and Aaron Stewart

OTHERS PRESENT: Holly Wallace, Craig Byram, Jon Erichson, Susan Strandberg and public

Commissioner Kime called the meeting to order at 5:30 p.m. Commissioner Lutz made a motion to approve the May 9, 2017 Planning Commission Meeting minutes with the amendment that Commissioner Siems was present, not absent. Commissioner Nelson seconded the motion. All were in favor and the motion was carried.

OPEN PUBLIC HEARING: To consider a variance for 2806 Oakland Avenue W from Austin City Zoning Code Section 11.01, Subd. 1, allowing only two accessory structures and a maximum coverage of 1,584 square feet, in an R-1 single family residential district. The petitioner is proposing to add two structures related to an interim use permit allowing horses on the property.

The petitioner has six parcels, four of which she proposes to treat as one for the purpose of providing housing and maintenance structures for the care of her horses. There is currently a home and detached structure. When the property was annexed in to the city it was zoned R-1, residential. Surrounding property includes residential, some agriculture, commercial and Interstate 90.

The petitioner proposes to add a 36' x 40' structure for shelter and a 60' x 80' structure for hay, equipment storage and exercise. The parcels are uniquely large on their own, each exceeding an acre, but very unusual combined as a 14.8 acre parcel or 644,688 sq. ft., which is approximately 108 times larger than the minimum residential lot of 6,000 sq. ft.

Square footage of existing accessory structures: 848 sq.ft.

Allowed: 1,587 sq. ft.

Proposed: 7,088 sq. ft.

Lot coverage of existing structures: (structures = 3420 sq. ft., parcel = 644,688 sq. ft.) = 0.005%

Allowed: 40%

Proposed: 0.01%

The number of accessory structures on this site exceeds the ordinance limit by two structures; however, the coverage is far less than the typical city lot due to the size of the parcel.

Ms. Wallace reviewed considerations for recommending approval of the requested variance:

1. Location of the structure

2. Permanence of the structure
3. Purpose of setbacks, coverage and accessory structure limits (health and safety, air and open space, protection of other structures).
4. If the variance requested meets the statutory requirements for granting a variance which are outlined in the Planning Commission meeting materials.

Ms. Wallace also reviewed the proposed aesthetics of one of the buildings, as well as the location of the structures.

Suggested Conditions of Approval were reviewed:

1. Prior to construction, a covenant and agreement joining the parcels identified above shall be executed and recorded. The Petitioner's attorney is drafting this agreement.
2. The style of structures added will conform to the neighborhood and be approved by the Planning Department.

Commissioner Bremner inquired what would happen should any of the parcel be sold in the future. Ms. Wallace stated, and Mr. Byram concurred, that the request would be reviewed by the Planning Commission because the condition would no longer satisfy the variance.

Letters were sent to surrounding homeowners, but no responses were received.

Commissioner Bremner moved that the Planning Commission recommend approval of the variance request for two accessory structures, subject to the conditions listed in the staff report. Commissioner Siems seconded the motion. Motion was carried.

OPEN PUBLIC HEARING: To consider a petition from Pro-Growth Bank, Austin HRA and Fox Pointe Townhomes LP for approval of a preliminary plat of their property in NW Austin, South of 24th Ave NW and West of 7th Street NW. Said action is pursuant to Austin City Code Section 13.10.

Austin Housing and Redevelopment Authority (HRA) acquired an option to purchase the site of the first Fox Pointe project, from Pro-Growth Bank, for the purpose of partnering with Three Rivers Community Action to address a need for housing in Austin. The project was awarded housing tax credits by Minnesota Housing Finance Agency for 2017.

Ultimately only the North portion of the parcel was purchased because the south portion needs extensive mitigation. HRA will retain the single family lots for future development and the Southerly portion, Lot 11, will be developed by Three Rivers Community Action, Inc. and owned and managed by Fox Pointe Townhomes, LLP. The partnership and efforts of Three Rivers, HRA, the City of Austin and tax credit partner make this housing project economically feasible.

The property is located south of Murphy Creek along 24th Avenue NW and West of 7th Street NW. The property will be developed and managed by the same entity, organized by Three Rivers Community Action.

Ms. Wallace reviewed the analysis and conditions of approval for plat only and the staff recommendations for the plat only:

1. Comprehensive Plan:

Future land use map: This area is designated as “Mixed High Density Residential Neighborhood” defined as “...a mix of multi-family housing at densities exceeding ten units per acre. Uses in this category include mixed building type...row houses...condominium or apartment buildings. Overall density exceeds 10 units/acres.”

Housing goals and policies:

Goal – Provide a variety of market rate and affordable rental housing units to meet the community’s current and future needs.”

Policies –“...pursue/provide federal housing tax credits to expand affordable housing; ...HRA will consider and encourage development projects that meet the housing needs and demand of the community.”

Goal- “Ensure a variety of housing types and densities, styles and price ranges...”

Policies –“ work collaboratively with HRA to reduce blight and improve housing conditions; work collaboratively with industry and business to identify and provide safe, decent and affordable housing to meet the needs of their workforces.”

2. Rezone to “R-2” Multi-family Residential. Higher densities will occur in the townhome (South) portion of the platted subdivision.
3. The City of Austin and other permitting authorities will provide final approvals and review of site plans, including drainage, signage, landscaping, zoning, etc. This preliminary plat has been reviewed by city staff (engineering, stormwater; fire; building, planning and zoning) and Austin Utilities. No adverse comments have been received.
4. A development agreement shall accompany the final plat.
5. A private road will serve the townhome area and the property manager shall ensure parking is compliant with the fire code. The number of parking spaces provided meets city code requirements. Private roads are rarely allowed in the City, however this property (and drive) will be owned and managed by a single entity thereby eliminating the question of maintenance allocation between property owners. It is also unlikely that this section of drive will be extended to the West. Any additional connections to the area would be added to the South of the project, however there are no current plans to do so. An access to the North onto 24th Avenue is required to break up the length of the cul-de-sac and provide an alternate route. The road will be blocked from motor vehicle traffic unless the private drive is inaccessible.
6. Easements are indicated on the preliminary plat and portions of existing public right-of-way shall be petitioned to be vacated.
7. Adjacent uses are residential.

Staff Recommendation for Plat Only:

The preliminary plat is consistent with applicable provisions of Chapter 13, Subdivision Regulation, and could be compatible with the topography and adjacent property. Should the Planning Commission recommend approval of this preliminary plat staff recommends the following conditions:

1. The final plat shall be in substantial conformance with the preliminary plat.
2. A development agreement shall be completed detailing utilities and minimum standards required for the pending project.
3. The final plat shall be submitted and approved within six months of approval of the preliminary plat.
4. The platted property shall be rezoned from "R-1" Single Family to "R-2" Multi-Family along with the final plat approval.
5. Access/public utility easements and right-of-way vacation shall be substantially complete before approval of the final plat. If the ROW area adjacent to Murphy Creek is not acquired, Lots 1-10 shall be modified as allowed by ordinance.
6. A portion of the cul-de-sac shall be posted as "Fire Lane – No Parking" and fire hydrants located as required by the Fire Chief/Fire Department.
7. Stormwater detention/retention shall be provided per city requirements and shall be owned by the developer.
8. A landscape plan shall be submitted with the final plat improvement plans.
9. All applicable provisions of the Subdivision code and permitting agencies shall be met.

Jon Erichson, from HRA of Austin, and Susan Strandberg from Thee Rivers, a non-profit human services organization, provided historical information and comments and answered questions.

The Housing Study in 2013 indicated a need for more affordable housing in Austin. Some single-family homes will be constructed and Fox Pointe Townhomes will have 38 units consisting of two, three and four bedrooms. HRA will purchase the land, plat it and enter into a contract with Three Rivers to develop the project. Three Rivers will build it, manage it with an on-site manager and own it. The single family homes will be built by private developers yet to be determined.

Due to the Village Co-op on the west and the contaminated land on the south, the parcel is tight. Parking will be addressed by providing garage and driveway parking for residents, as well as some street parking. There will also be a few parking spots next to the Fox Pointe office. The units are designed to have adequate storage space so there will be room in the garages for parking. The City of Austin will vacate some Public Right of Ways to make room for the development.

The neighborhood will connect to a park for children and have a tot park on site. There will be access to public transportation. Currently, there will not be pedestrian access to the shopping areas south of the development. This could be addressed with the Village Co-op in the future.

Citizen Sid Brown from the Village Co-op addressed the Commission regarding the Co-op's concern that construction vehicles would access their private drive. Mr. Erichson stated they would post signs to deter vehicles from accidentally using the private drive.

Commissioner Postma moved that the Planning Commission recommend approval of the preliminary plat request for a 10-lot single family residential subdivision with an additional Townhome project on lot 11, commonly known as Fox Pointe Townhomes, subject to the conditions listed in the staff report. The motion was seconded by Commissioner Bremner. Motion was carried.

ADJOURN

Commissioner Nelson made a motion to adjourn the meeting and Commissioner Lutz seconded the motion. The motion passed and the meeting was adjourned at 6:30 pm.