



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
March 23, 2010**

The Planning Commission convened in a regular meeting on March 23, 2010 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:09 p.m.

Board Members in Attendance:

**Dave Sullivan – Chair
Dave Anderson
Danette Chimenti
Mandy Dealey
Saundra Kirk
Jay Reddy
Clint Small
Kathryne Tovo**

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The commission may not conduct a closed meeting without the approval of the city attorney.

Private Consultation with Attorney – Section 551.071

A. CITIZEN COMMUNICATION: GENERAL

Alan Roddy – Mini Schlitterbahn
Jeff Jack – Cell phone tower ordinance
Amy Babrich – Sidewalks in Austin

B. APPROVAL OF MINUTES

1. Approval of minutes for March 9, 2010.

The motion to approve the minutes for March 9, 2010; were approved by Commissioner Mandy Dealey's motion, Commissioner Sandra Kirk second the motion on a vote of 6-0-2; Commissioners Clint Small and Kathyne Tovo abstained, Commissioner Ben DeLeon was absent.

C. PUBLIC HEARINGS

- 1. Plan Amendment: NPA-2009-0016.01 - Leija Villa**
Location: 3306 E. 5th Street, Boggy Creek Watershed, Govalle/Johnston Terrace
Combined Neighborhood Plan NPA
Owner/Applicant: The Lunaire Group, LP (Dr. Graciela Leija)
Agent: Hugo Elizondo, Jr. P.E. (4 Cuatro Consultants, Ltd.)
Request: Commercial and Single Family to Mixed Use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
Planning and Development Review

The motion to approve staff's recommendation to Mixed Use; was approved on the Consent Agenda by Commissioner Mandy Dealey's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0; Commissioner Ben DeLeon was absent.

- 2. Rezoning: C14-2010-0014 - Leija Villa**
Location: 3306 E. 5th Street, Boggy Creek Watershed, Govalle/Johnston Terrace
Combined Neighborhood Plan NPA
Owner/Applicant: The Lunaire Group, LP (Dr. Graciela Leija)
Agent: Hugo Elizondo, Jr. P.E. (4 Cuatro Consultants, Ltd.)
Request: GR-NP & SF-3-NP to GR-MU-NP for Tract 1 and SF-3-NP for Tract 2
Staff Rec.: **Recommended with conditions**
Staff: Joi Harden, 974-2122, joi.harden@ci.austin.tx.us
Planning and Development Review

The motion to approve staff's recommendation to GR-MU-NP for Tract 1 and SF-3-NP for Tract 2; was approved on the Consent Agenda by Commissioner Mandy Dealey's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0; Commissioner Ben DeLeon was absent.

- 3. Rezoning: C14-2009-0151 - East Block**
Location: 835 West 6th, Shoal Creek Watershed, Downtown NPA
Owner/Applicant: Schlosser Development Corp. (David Vitanza)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: DMU to DMU-CURE
Staff Rec.: **Recommended**
Staff: Stephen Rye, 974-7604, stephen.rye@ci.austin.tx.us
Planning and Development Review

The motion to approve staff's recommendation for DMU-CURE with Community Benefits and adding affordable housing; was approved by Commissioner Danette Chimenti's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0; Commissioner Ben DeLeon was absent.

- 4. Resubdivision: C8-2009-0063.1A.SH - Colorado Crossing III, Section 5 (Being a Resubdivision of Lot 5A, Resubdivision Of Lot 1, Lockheed Addition)**
Location: Autumn Bay Drive (Breckenridge, future) and Burleson Road, Onion Creek Watershed, SE Combined NPA
Owner/Applicant: Lennar Buffington Colorado Crossing LP (Ryan Mattox)
Agent: Lakeside Engineers (Chris Ruiz)
Request: Approve the resubdivision of a portion one lot into 53 lots on 9.356 acres.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us
Planning and Development Review

The motion to approve staff's recommendation to approve Colorado Crossing III, Section 5; was approved on the Consent Agenda by Commissioner Mandy Dealey's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0; Commissioner Ben DeLeon was absent.

- 5. Resubdivision: C8-2009-0091.0A - Resubdivision of 0.447 acres of Lot 2 and 4, Block 14, Westfield A**
Location: 2107 Woodmont Ave., Johnson Creek Watershed, Old West Austin NPA
Owner/Applicant: Kathryn S. Mozer
Agent: Jim Bennett Consulting (Jim Bennett)
Request: Approve the resubdivision of a portion 2 lots into 2 lots on 0.447 acres.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us
Planning and Development Review

The motion to approve staff's recommendation to approve the resubdivision of 0.447 acres of Lot 2 & 4, Block 14, Westfield A; was approved by Commissioner Clint Small's motion, Commissioner Dave Anderson second the motion on a vote of 8-0; Commissioner Ben DeLeon was absent.

6. **Street Vacation:** **C10v-2010-01 - F#8755-0910**
Location: 1800 Newton Street
Request: Vacation of 308 square foot portion of right-of-way at the corner lot of Newton Street and West Annie Street
Staff Rec.: **Recommended**
Staff: Chris Muraida, 974-7191, landmanagement@ci.austin.tx.us
Contract and Land Management Department

The motion to approve staff's recommendation for a vacation of 308 square foot portion of right-of-way at the corner lot of Newton Street and West Annie Street; was approved on the Consent Agenda by Commissioner Mandy Dealey's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0; Commissioner Ben DeLeon was absent.

7. **Resubdivision:** **C8-2010-0028.0A - PSW Villa Court Subdivision, Resubdivision of 1.4355 Acres of Lot 2, Block 5, "Freewater Subdivision"**
Location: 3505 Villa Court, W. Bouldin Creek Watershed, Galindo NPA
Owner/Applicant: 11 NCREO LLC (Jadon Newman)
Agent: PSW Real Estate (Will Winkler)
Request: Approval of the PSW Villa Court Subdivision, Resubdivision of 1.4355 Acres of Lot 2, Block 5, "Freewater Subdivision" composed of 1 lot on 1.436 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review
8. **Resubdivision:** **C8-2010-0029.0A - Resubdivision of Lot 1, Block 5, Green Valley No. 1**
Location: 1126 Lott Avenue, Fort Branch Watershed, MLK-183 NPA
Owner/Applicant: Leticia Smith
Agent: A.J. Ghaddar, P.E. & Associates (A.J. Ghaddar)
Request: Approval of the Resubdivision of Lot 1, Block 5, Green Valley No. 1 composed of 1 lot on .913 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review
9. **Final Plat:** **C8-2010-0031.0A - Fairview Park, Amended Plat of Lot A, Resub of Block 41-C & 41-D, Woodlawn**
Location: 1301 Newning Avenue, Blunn Creek Watershed, South Congress Combined NPA
Owner/Applicant: Oaks of Travis Height Condo Project, LP (Steve Maida)
Agent: Thompson Land Engineering (Robert Thompson)
Request: Approval of the Fairview Park, Amended Plat of Lot A, Resubdivision of Block 41-C & 41-D, Woodlawn composed of 3 lots on 1.185 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review

Items #7-9;

The motion to disapprove items #7-9; was approved on the Consent Agenda by Commissioner Mandy Dealey's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0; Commissioner Ben DeLeon was absent.

D. NEW BUSINESS

- 1. New Business: Initiate a Code Amendment - Definition of Rehab Hospital**
Request: Discussion and possible action on initiating a Code Amendment to create a new civic use in Section 25-2-6 for rehabilitation hospitals and other related uses.
Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
Jerry Rusthoven, 974-2307, jerry.rusthoven@ci.austin.tx.us
Planning and Development Review

The motion to direct staff to initiate an amendment to Section 25-2-6, was made by Commissioner Sandra Kirk, Commissioner Jay Reddy second the motion. Motion failed on a vote of (4-3-1); Commissioners Danette Chimenti, Mandy Dealey and Dave Anderson voted against the motion; Commissioner Kathryne Tovo abstained, Commissioner Ben DeLeon was absent. Motion Failed due to lack of votes.

- 2. New Business: Initiate a Code Amendment: Group Residential in MF-4**
Request: Discussion and possible action on initiating a Code Amendment to create a new overlay district in which group residential would be prohibited in MF-4 base district zoning.
Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
Planning and Development Review

This item was pulled; no action was required by the commission.

E. SUBCOMMITTEE REPORTS

F. ADJOURNMENT

Commissioner Dave Sullivan adjourned the meeting without objection at 9:40 p.m.