



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
March 9, 2010**

The Planning Commission convened in a regular meeting on March 9, 2010 @ 301 W. 2<sup>nd</sup> Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:08 p.m.

**Board Members in Attendance:**

**Dave Sullivan – Chair  
Dave Anderson  
Danette Chimenti  
Mandy Dealey  
Benjamin DeLeon  
Saundra Kirk  
Jay Reddy**

**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**

No Speakers.

**B. APPROVAL OF MINUTES**

- 1. Approval of minutes for February 23, 2010.

This item was pulled with no action required by the Commission.

- 2. Approval of minutes for February 9, 2010.

The motion to approve the minutes from February 9, 2010; were approved on the Consent Agenda by Commissioner Mandy Dealey’s motion, Commissioner Dave Anderson second the motion on a vote of 6-0-1; Commissioner Jay Reddy abstained; Commissioners Clint Small and Kathyne Tovo were absent.

**C. PUBLIC HEARINGS**

- 1. **Code Amendment:** **C20-2009-021 - Phase I Amendments to Chapter 25-2, Subchapter E of the City Code**  
 Owner/Applicant: City of Austin - Planning and Development Review Department  
 Request: Approve Phase I amendments to Chapter 25-2, Subchapter E of the City Code.  
 Staff Rec.: **Recommended**  
 Staff: George Adams, 972-2146, george.adams@ci.austin.tx.us  
 Planning and Development Review

The motion to approve staff’s recommendation to approve Phase I amendments to Chapter 25-2, Subchapter E of the City Code, with the amendment of adding the provisions that Mr. Stuart Hersh outlined: If multi-family, a Conditional Use Permit will require notice to the neighbors for all public hearings, if it is not a mixed use building and is not on a Core Transit Corridor. The motion was made by Commissioner Jay Reddy; Commissioner Mandy Dealey second the motion on a vote of 7-0; Commissioners Clint Small and Kathyne Tovo were absent.

- 2. **Code Amendment:** **C20-2010-001 - Height Exceptions for Solar Panels**  
 Owner/Applicant: City of Austin - Planning and Development Review Dept.  
 Request: Amend 25-2-531 providing exceptions to zoning height district regulations to include solar panels and related equipment.  
 Staff Rec.: **Recommended**  
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us  
 Planning and Development Review Department

The motion to approve staff’s recommendation for amendment to 25-2-531; was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathyne Tovo and Clint Small were absent.

- 3. MUD Out-of-District Service: C12M-10-0001 - RiverPlace MUD (Dunlap Tract)**  
 Location: 4914 City Park Road, West Bull Watershed  
 Owner/Applicant: David Dunlap  
 Request: City consent allowing River Place MUD to provide out-of-district water service to the Dunlap Tract.  
 Staff Rec.: **Recommended**  
 Staff: Virginia Collier, 974-2022, virginia.collier@ci.austin.tx.us  
 Planning and Development Review

The motion to approve staff’s recommendation to allow River Place MUD to provide out-of-district water service to the Dunlap Tract; was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathryn Tovo and Clint Small were absent.

- 4. 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 postpone to March 23, 2010 by the request of the Planning Commission; was approved by Commissioner Jay Reddy’s motion, Commissioner Danette Chimenti second the motion on a vote of 7-0; Commissioners Kathryn Tovo and Clint Small were absent.

- 5. Rezoning: C14-2009-0106.001 - Rosewood Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-In/Opt-Out Process, Tract 114**  
 Location: 2518, 2522, 2526, 2600 and 2606 Rosewood Avenue, Boggy Creek Watershed, Rosewood NPA  
 Owner/Applicant: City of Austin - Planning and Development Review Department  
 Request: To implement Vertical Mixed Use Building (V) zoning regulations to Tract 114 within the Upper Boggy Creek Neighborhood Planning Area. These include Vertical Mixed Use Building dimensional standards; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments. The Planning Commission may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude Tract 114 from the overlay district.  
 Staff: Melissa Laursen, 974-7226, melissa.laursen@ci.austin.tx.us  
 Planning and Development Review

The motion to approve Vertical Mixed Use Building (V) with no relaxed standards or bonuses; was approved by Commissioner Mandy Dealey’s motion, Commissioner Sandra Kirk second the motion on a vote of 7-0; Commissioners Kathryn Tovo and Clint Small were absent.

- 6. Rezoning: C14-2010-0001 - General Store**  
 Location: 6706 Moore's Crossing Boulevard, Onion Creek; Dry Creek East Watershed, Moore's Crossing Municipal Utility District NPA  
 Owner/Applicant: MC Joint Venture (William Gurasich)  
 Request: IP to GR-CO  
 Staff Rec.: **Recommended**  
 Staff: Wendy Rhoades, 974-7719, wendy.rhoades@ci.austin.tx.us  
 Planning and Development Review Department

The motion to approve staff's recommendation for GR-CO zoning; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathyne Tovo and Clint Small were absent.

- 7. Site Plan - Conditional Use Permit: SPC-2009-0283C - New Precinct One Office Building**  
 Location: 4717 Heflin Lane, Fort Branch Watershed, East MLK Combined NPA  
 Owner/Applicant: Travis County Facilities Management Department (Roger Khoury)  
 Agent: Travis County Facilities Management Department (Roger Khoury)  
 Request: Approve a Conditional Use Permit for the construction of a Travis County office building in P (Public) zoning on 4.326 acres.  
 Staff Rec.: **Recommended**  
 Staff: Donna Galati, 974-2733, donna.galati@ci.austin.tx.us  
 Planning and Development Review

The motion to approve staff's recommendation for approval of a conditional use permit; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathyne Tovo and Clint Small were absent.

- 8. Preliminary Plan: C8-2009-0112.SH - Guadalupe-Saldana Net Zero Subdivision**  
 Location: 1126 Tillary Street, Boggy Creek Watershed, Govalle NPA NPA  
 Owner/Applicant: Guadalupe Neighborhood Development Corp. (Mark Rogers)  
 Agent: Jones & Carter, Inc. (Fayez Kazi)  
 Request: Approve a Smart Housing Preliminary plan for 31 lots on 11.763 acres.  
 Staff Rec.: **Recommended**  
 Staff: Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us  
 Planning and Development Review Department

The motion to approve staff's recommendation to approve a smart housing preliminary plan; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathyne Tovo and Clint Small were absent.

- 9. Preliminary Plan: C8-2009-0063.SH - Colorado Crossing III (Smart Housing)**  
 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 subdivision preliminary plan for 135 lots on 25.072 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 for approval of a subdivision preliminary plan; was approved by Commissioner Danette Chimenti’s motion, Commissioner Mandy Dealey second the motion on a vote of 7-0; Commissioners Clint Small and Kathyne Tovo were absent.

- 10. Final Plat: C8-2009-0093.0A - John T. Patterson, Resubdivision of Lot 2**  
 Location: 1300 Old 19<sup>th</sup> Street, Shoal Creek Watershed, West University NPA  
 Owner/Applicant: Tim & Karrie League  
 Agent: Hector Avila  
 Request: Approval of John T. Patterson, Resubdivision of Lot 2 which is requesting to resubdivide 1 lot into 3 lots on .52 acres.  
 Staff Rec.: **Approval**  
 Staff: David Wahlgren, 974-6455, david.wahlgren@ci.austin.tx.us  
 Planning and Development Review Department

The motion to approve staff’s recommendation for approval of John T. Patterson, Re-subdivision of Lot 2; was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathyne Tovo and Clint Small were absent.

- 11. Final without Preliminary: C8-2010-0019.0A - Rogers Estate Subdivision**  
 Location: 1007 Tillery, Boggy Creek Watershed, Govalle NPA NPA  
 Owner/Applicant: Paul and William Rogers and The Kirby Rogers Estate (Ruth Romagura)  
 Agent: Harris-Grant Surveying (Thomas Watts)  
 Request: Approval of the Rogers Estate Subdivision composed of 1 lot into 3 lots on 2.05 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department

- 12. Final without Preliminary:** **C8-2010-0020.0A - Annex to Riverview Addition; Amended Plat of Lots 3 & 4, Block 8**  
 Location: 2605 & 2607 Canterbury Street, Town Lake Watershed, Holly NPA NPA  
 Owner/Applicant: Womack, Melish & Wall (Dan Foster)  
 Agent: Thrower Design (Ron Thrower)  
 Request: Approval of the Annex to Riverview Addition; Amended Plat of Lots 3 & 4, Block 8 composed of 2 lots on 0.632 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 13. Resubdivision:** **C8-04-0043.04.1A - Resubdivision of Block 59, Mueller Section V Subdivision**  
 Location: 3600 Manor Road, Tannehill Branch Watershed  
 Owner/Applicant: City of Austin - Pam Hefner  
 Agent: Bury & Parners (David Miller)  
 Request: Approval of the Resubdivision of Block 59, Mueller Section V Subdivision composed of 1 lot on 6.73 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 14. Final without Preliminary:** **C8-2010-0026.0A - Gullett Gardens No. 2, Lot 12, Fischer Garden's portions of Lots 11 & 12**  
 Location: 4807 Lyons Road, Boggy Creek Watershed, Govalle/Johnston Terrace Combined NPA  
 Owner/Applicant: Philippe Klinefelter & Sunyong Chung  
 Agent: Austin Civil Engineering  
 Request: Approval of the Gullett Gardens No. 2, Lot 12, Fischer Garden's portions of Lots 11 & 12 composed of 4 lots on 2.331 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department

Items #11-14;

The motion to disapprove Items 11-14; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathyne Tovo and Clint Small were absent.

**D. NEW BUSINESS**

**1. New Business:**

Request: Discussion and action on directing staff to initiate a site specific amendment to the SOS ordinance.

The Commission directed staff to draft language for a site specific amendment to the SOS ordinance and to bring the draft language to the 3-26 meeting for consideration of initiation by the Commission.

**2. New Business:**

Request: Discussion and action on a resolution or letter to City Council addressing code enforcement, noise complaints and other issues.

The motion to approve a resolution or letter to City Council addressing code enforcement, noise complaints and other issues; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson second the motion on a vote of 7-0; Commissioners Kathryn Tovo and Clint Small were absent.

**3. New Business:**

Request: Discussion and possible action on a request from Planning and Development Review Department staff to initiate a Code Amendment to create a new civic use in Section 25-2-6 for rehabilitation hospitals and other related uses.

This item was forwarded to the Codes & Ordinances Subcommittee; to be placed on their March 16, 2010 agenda.

**E. SUBCOMMITTEE REPORTS**

Codes & Ordinances Subcommittee – March 16, 2010 @ 6:00 p.m.  
Neighborhood Plan Subcommittee – Next week – Update on St. Elmo NP.

**F. ADJOURNMENT**

**Commissioner Dave Sullivan adjourned the meeting without objection at 9:00 p.m.**