



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
July 27, 2010**

The Planning Commission convened in a regular meeting on July 27, 2010 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:11 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

Stuart Hersh – Affordable Housing

B. APPROVAL OF MINUTES

1. Approval of minutes for July 13, 2010.

The motion to approve the minutes for July 13, 2010; was approved on the Consent Agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0 with 1 vacancy on the commission.

C. PUBLIC HEARINGS

- 1. Briefing and Possible Action:** **Imagine Austin Comprehensive Plan Vision Statement and Additional Plan Elements**
Request: Planning Commission Recommend Endorsement of the Imagine Austin Comprehensive Plan Vision Statement and the inclusion of additional plan elements to the City Council.
Staff Rec.: **Recommend endorsement of the vision statement and inclusion of additional elements**
Staff: Garner Stoll, 974-2397, garner.stoll@ci.austin.tx.us
Greg Claxton, 974-7630, gregory.claxton@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to August 10, 2010 by the request of the Planning Commission; was approved by Commissioner Dave Anderson's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 2. Code Amendment:** **C20-2010-010 - Historic Preservation Code Amendments**
Request: Limit the number of owner-initiated and Historic Landmark Commission-initiated cases to 3 per month.
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Planning and Development Review Department

The motion to approve the attached motion sheet, (See attached motion sheet); was approved by a vote of 8-0 for each motion; with 1 vacancy on the commission.

- 3. Code Amendment:** **C20-2010-011 - Dwelling Unit Occupancy Limits**
Request: Amend 25-2-11 concerning occupancy limits for duplex, two-family, and secondary apartment residential uses.
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 to amend Section 25-2-11; was approved on the consent agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 4. Rezoning: C814-2009-0099 - West Park PUD**
Location: 7914 - 8023 West U.S. Highway 290 (except 7912 West U.S. Highway 290), Williamson Creek - Barton Springs Zone Watershed, West Oak Hill NPA
Owner/Applicant: Buffalo Equities, Ltd. (Rudy Belton)
Agent: Coats Rose (Kelly Wright)
Request: GR-CO-NP; PUD-NP to PUD-NP
Staff Rec.: **Recommendation Pending; Indefinite Postponement request by the Applicant**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone indefinitely by the request of the applicant; was approved by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 5. Rezoning: C14-2010-0078 - 601 W. 17th Street Rezoning**
Location: 601 W. 17th Street, Shoal Creek Watershed, Downtown NPA
Owner/Applicant: Dunham Law Firm, P.C. (Paul Dunham)
Agent: Lenworth Consulting (Nash Gonzales)
Request: GO to DMU
Staff Rec.: **DMU-CO**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for DMU-CO zoning with removing cocktail lounge as a prohibited use, add liquor sales as a conditional use, any portion of a building above 40 feet in height that faces a public street or alley should be stepped back from the building face by 5 feet, the minimum front yard setback is 15 feet, the minimum street side yard setback is 15 feet. The motion was made by Commissioner Jay Reddy, Commissioner Clint Small second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 6. Rezoning: C14-2010-0090 - 909 Congress**
Location: 907, 909, 911 Congress Avenue, Town Lake Watershed, Downtown NPA
Owner/Applicant: Dalton Wallace
Agent: Munsch Hardt Kopf & Harr, P.C. (Robert Kleeman)
Request: CBD-H to CBD-H-CURE
Staff Rec.: **CBD-H-CURE with the condition that the Congress Avenue setback be reduced from 60' to 40' and the height be limited to 90'.**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to August 24, 2010 by the request of staff; was approved on the consent agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 7. Rezoning: C14H-2010-0016 - Callan-Boswell House**
Location: 408 E. 33rd Street, Waller Creek Watershed, North University NPA
Owner/Applicant: Historic Landmark Commission - applicant; Charles and Christine Boes, owners
Request: SF-3-NCCD-NP to SF-3-H-NCCD-NP
Staff Rec.: **Not recommended**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation to deny SF-3-H-NCCD-NP zoning; was approved by Commissioner Jay Reddy's motion, Commissioner Clint Small second the motion on a vote of 5-3; Commissioners Mandy Dealey, Danette Chimenti and Kathryn Tovo voted against the motion (nay) with 1 vacancy on the Commission.

** Commissioners requests that if new evidence comes forward, that City Council can send the case back to Planning Commission for reconsideration.

- 8. Rezoning: C14H-2010-0006 - Castle Hill Local Historic District**
Location: Along Blanco Street and Baylor Street and between 6th Street and 12th Street.
Owner/Applicant: Castle Hill Historic District Nomination Team
Agent: Preservation Central (Terri Myers)
Request: SF-3-NP, SF-3-H-NP, SF-4A-NP, SF-5-NP, P-H-NP, MF-3-NP, MF-4-NP, MF-4-H-NP, GO-NP, LO-NP, LO-MU-H-CO-NP, MF-5-CO-NP, CS-MU-CO-NP, CS-1-MU-CO-NP and CS-MU-V-CO-NP; to SF-3-HD-NP, SF-3-H-HD-NP, SF-4A-HD-NP, SF-5-HD-NP, P-H-HD-NP, MF-3-HD-NP, MF-4-HD-NP, MF-4-H-HD-NP, GO-HD-NP, LO-HD-NP, LO-MU-H—HD-CO-NP, MF-5-CO-HD-NP, CS-MU-CO-HD-NP, CS-1-MU-CO-HD-NP, and CS-MU-V-CO-HD-NP.
Staff Rec.: **Recommended with boundary change**
Staff: Susan Kirby, 974-3524, susan.kirby@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation to grant the Castle Hill Historic District zoning changes from SF-3-HD-NP, SF-3-H-HD-NP, SF-4A-HD-NP, SF-5-HD-NP, P-H-HD-NP, MF-3-HD-NP, MF-4-HD-NP, MF-4-H-HD-NP, GO-HD-NP, LO-HD-NP, LO-MU-H—HD-CO-NP, MF-5-CO-HD-NP, CS-MU-CO-HD-NP, CS-1-MU-CO-HD-NP, and CS-MU-V-CO-HD-NP, with a boundary change; was approved by Commissioner Sandra Kirk's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 9. Final with Preliminary:** **C8-04-0043.04.1A.SH - Mueller Section 2 Revision 3**
Location: 3600 Manor Road, Boggy/Tannehill Branch Watersheds
Owner/Applicant: City of Austin (Pam Hefner)
Agent: Bury & Partners (David Miller)
Request: The approval of Mueller Section 7-A composed of 1 lot and associated right-of-way on 4.032 acres.
Staff Rec.: **Recommended**
Staff: Don Perryman, 974-2786, don.perryman@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for approval of the Mueller Section 7-A; was approved on the consent agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 10. Plat Vacation:** **C8S-72-130(VAC) - Resubdivision of Lot 3-B of the Resubdivision of Lot 3, Block 14, Westfield A**
Location: 1606-1610 Sharon Lane, Johnson Creek Watershed, Central West Austin Combined NPA
Owner/Applicant: William McMillin & Mary E. Furse
Agent: William McMillin
Request: Approve the total vacation of Resubdivision of Lot 3-B of the Resubdivision of Lot 3, Block 14, Westfield A
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 the total vacation of Resubdivision of Lot 3-B of the Resubdivision of Lot 3, Block 14, Westfield A; was approved on the consent agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0 with 1 vacancy on the commission.

- 11. Resubdivision:** **C8-2010-0069.0A - Resubdivision of Lot 1B, Block B, Mueller Section 1, Phase A**
Location: Barbara Jordan Blvd., Boggy Creek Watershed, RMMA
Owner/Applicant: Catellus Austin, LLC (Leo Lopez)
Agent: Bury & Partners (Darren Huckert)
Request: Approval of the Resubdivision of Lot 1B, Block B, Mueller Section 1, Phase A composed of 1 lot on 3.322 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

The motion to disapprove item #11; was approved on the consent agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0 with 1 vacancy on the commission.

D. NEW BUSINESS

1. New Business: Initiate a Code Amendment

Request: Discussion and action on directing staff to initiate an amendment to the Land Development Code regarding the Community Events Use.

The motion to direct staff to initiate an amendment; was approved on the consent agenda by Commissioner Jay Reddy's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0 with 1 vacancy on the commission.

2. New Business: Initiate a Code Amendment

Request: Discussion and action on directing staff to initiate an amendment to the Land Development Code regarding the requirements for short-term rental of residential units.

The motion to direct staff to initiate an amendment; was approved by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson second the motion on a vote of 8-0 with 1 vacancy on the commission.

E. SUBCOMMITTEE REPORTS

* Post Planning Commission Bylaws on the next agenda.

F. ADJOURNMENT

Commissioner Dave Sullivan adjourned the meeting without objection at 10:43 p.m.