



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
September 14, 2010**

The Planning Commission convened in a regular meeting on September 14, 2010 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:10 p.m.

Board Members in Attendance:

Dave Sullivan – Chair
Dave Anderson
Danette Chimenti
Mandy Dealey
Richard Hatfield
Alfonso Hernandez
Saundra Kirk
Jay Reddy
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

Brooks Calavan - Initiate rezoning at 1701, 1703, 1705 and 1707 East Martin Luther King Jr. Blvd.

B. APPROVAL OF MINUTES

1. Approval of minutes for August 24, 2010.

The motion to approve the minutes, with amendments for August 24, 2010; was approved on the Consent Agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

C. PUBLIC HEARINGS

1. **Appeal:** **Appeal of the Urban Forestry Board Decision**
Location: 1702 Taylor Gaines, Town Lake Watershed, Riverside (Partially approved) NPA
Owner/Applicant: Doug Garwood
Request: Appeal of the Urban Forestry Board's decision to uphold mitigation (\$4400) for illegal public tree removal.
Staff Rec.: **Not Recommended**
Staff: Walter Passmore, 974-2767, walter.passmore@ci.austin.tx.us
Parks and Recreation Department

The motion to approve staff's recommendation to deny the appeal; was approved by Commissioner Dave Anderson's motion, Commissioner Danette Chimenti second the motion on a vote of 9-0.

2. **Rezoning:** **C14-2010-0118 - 1901 S. Lamar Rezoning**
Location: 1901 South Lamar Boulevard, West Bouldin Creek Watershed
Owner/Applicant: Columbine Properties, Inc. (William Tamminga)
Agent: A.J. Ghaddar, P.E. & Associates (A.J. Ghaddar)
Request: CS to CS-1
Staff Rec.: **Recommended**
Staff: Stephen Rye, 974-7604, stephen.rye@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for CS-1 zoning with a note stating the expectation of the commission that the applicant will enter into a restrictive covenant with the neighborhood to prohibit outdoor music or will include the restriction in the CUP application to prohibit outdoor music. The motion was made by Commissioner Jay Reddy, Commissioner Sandra Kirk second the motion on a vote of 9-0.

3. **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 Boes, owner
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 Alfonso Hernandez second the motion on a vote of 5-4; Commissioners Danette Chimenti, Mandy Dealey, Kathryne Tovo and Sandra Kirk voted against the motion (nay).

- 4. Rezoning: C14-2010-0141 - 7919 Thomas Springs Road**
Location: 7919 Thomas Springs Road, Williamson Creek Watershed-Barton Springs Zone, West Oak Hill NPA
Owner/Applicant: Monreal Corporation (Steve Monreal)
Agent: Lenworth Consulting (Nash Gonzales)
Request: RR-NP to SF-3-NP and LO-NP
Staff Rec.: **Recommended**
Staff: Stephen Rye, 974-7604, stephen.rye@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for SF-3-NP and LO-NP district zoning; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

- 5. 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 & CBD-H to CBD-CURE & CBD-H-CURE
Staff Rec.: **CBD - CURE & CBD - H- CURE with conditions**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to approve an indefinite postponement; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

- 6. Rezoning: C14-2010-0112 - Gagaland**
Location: 1503 Enfield Road, Town Lake Watershed, Old West Austin NPA
Owner/Applicant: Gagaland, LLC. (Laura Gottesman)
Agent: Tina Contros
Request: NO-CO-NP to MF-3-NP
Staff Rec.: **Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for MF-3-NP district zoning; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

7. **Rezoning:** **C14-2010-0113 - Gagaland 2**
Location: 1501 Enfield Road, Town Lake Watershed, Old West Austin NPA
Owner/Applicant: Gagaland, LLC. (Laura Gottesman)
Agent: Tina Contros
Request: MF-3 to NO-CO-NP
Staff Rec.: **Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for NO-CO-NP district zoning; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

8. **Rezoning:** **C14-2010-0142 - Newning Avenue Townhomes**
Location: 1307 Newning Avenue, Blunn Creek Watershed, Greater South River City Combined NPA (Fairview Park NCCD)
Owner/Applicant: Shamrock Builders (Brenda Reese)
Agent: Brenda Reese
Request: SF-3-NP to SF-3-CO-NCCD-NP
Staff Rec.: **Recommended**
Staff: Stephen Rye, 974-7604, stephen.rye@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for SF-3-CO-NCCD-NP district zoning; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

9. **Site Plan - Conditional Use Permit:** **SPC-2010-0054AT - 8565 US HWY 183**
Location: 8565 Research Blvd. NB, Little Walnut Creek Watershed, North Austin Civic Association NPA
Owner/Applicant: O'Brien Cedrone Inc.
Agent: Conley Engineering (Carl Conley)
Request: Request approval of a conditional use permit for a cocktail lounge.
Staff Rec.: **PULLED, notification error**
Staff: Nikki Hoelter, 974-2863, nikki.hoelter@ci.austin.tx.us
Planning and Development Review Department

This item was pulled from the agenda, no action was required.

10. Partial Plat Vacation: **C8-84-054.1(VAC) - Rosewood Village Section 7, Resubdivision of Block B, Partial Plat Vacation Lots 1 and 7**
 Location: 1000 Glen Oaks Court, Boggy Creek Watershed, Rosewood NPA
 Owner/Applicant: Teddy Tabor, Jane Rivera
 Agent: Hector Avila
 Request: Approval of a partial vacation of Rosewood Village Section 7, Resubdivision of Block B, for Lots 1 and 7 only.
 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 a partial vacation of Rosewood Village Section 7, Re-subdivision of Block B; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

11. Resubdivision: **C8-2010-0011.0A – Anderson's Resubdivision**
 Location: 2609 South 4th Street, Bouldin Watershed, Galindo NPA
 Owner/Applicant: Wally & Ella Anderson
 Agent: Harris-Grant Surveying, Inc. (Thos Watts)
 Request: To resubdivide a portion of a lot and a second lot into two legal lots
 Staff Rec.: **Recommended**
 Staff: David Wahlgren, 974-6455, david.wahlgren@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff's recommendation to re-subdivide a portion of a lot and a second lot into two legal lots; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

12. Resubdivision: **C8-2010-0084.0A - Resubdivision of Lots 17, 28 & 29, Enfield "B" Subdivision**
 Location: 1702 Windsor Road, Johnson Creek Watershed, Old Enfield NPA
 Owner/Applicant: Mack William; Sally Larso Brown
 Agent: Conley Engineering (Carl Conley)
 Request: Approval of the Resubdivision of Lots 17, 28 & 29, Enfield "B" Subdivision
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

13. Resubdivision: **C8-2010-0082.0A - Lot 5, Block 9, Outlot 34, Division B;
Resubdivision of**
Location: 1908 E. 14th Street, Boggy Creek Watershed, Chestnut NPA
Owner/Applicant: Austin Newcastle Homes, LP (Judith Zwarun)
Agent: Eclipse Environmental & Engineering, Inc., (Brad O'Donnell)
Request: Approval of the Lot 5, Block 9, Outlot 34, Division B; Resubdivision
 composed of 2 lots on 0.184 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #12-13

The motion to disapprove items #12-13; was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Dave Anderson second the motion on a vote of 9-0.

D. NEW BUSINESS

E. SUBCOMMITTEE REPORTS

Richard Hatfield – Comprehensive Plan and CIP committees
Alfonso Hernandez – CIP committee
Kathryne Tovo – Codes & Ordinances committee

F. ADJOURNMENT

Commissioner Dave Sullivan adjourned the meeting without objection at 8:30 p.m.