



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
September 28, 2010**

The Planning Commission convened in a regular meeting on September 28, 2010 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:05 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

No Speaker

B. APPROVAL OF MINUTES

1. Approval of minutes for September 14, 2010.

The motion to approve the minutes for September 14, 2010, were approved with an amendment on Item #2, that should read “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 approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

C. PUBLIC HEARINGS

1. Briefing and Possible Action:

Request: Briefing and possible action on the Green Roof Advisory Group (GRAG) Final Report to Council regarding incentives and credits for Green Roofs in Austin.

Staff: Eleanor McKinney, GRAG Chair and Matt Hollon, 974-2212, matt.hollon@ci.austin.tx.us
Watershed Protection Department

The motion to approve and support the Green Roof Advisory Group (GRAG) Final Report to City Council; was approved with the following amendments:

That the Planning Commission supports:

1. 1-year extension;
2. 5-year plan
3. Green Roofs be a stand alone density bonus; and
4. New Central Library should have a Green Roof

The motion was approved by Commissioner Jay Reddy's motion, Commissioner Richard Hatfield second the motion on a vote of 9-0.

2. Code C20-2009-020 - Shoreline Protections

Ammendment:

Location: Lake Austin Watershed

Owner/Applicant: City of Austin

Agent: Andrew Clamann

Request: Amendments to city code related to shoreline protection, trams and bulkheads on Lake Austin.

Staff Rec.: **Recommended**

Staff: Andrew Clamman, 974-2694, andrew.clamman@ci.austin.tx.us
Watershed Protection Department

The motion to approve staff's recommendation with a message to Council to strongly encourage staff to take necessary steps to regulate the watercrafts that create damaging wakes because structural protections alone are insufficient to safeguard the shoreline health, to include in the ECM some definition about the reclamation regarding historical boundaries. The motion was approved by Commissioner Jay Reddy's motion, Commissioner Kathryn Tovo second the motion on a vote of 8-1; Commissioner Alfonso Hernandez voted against the motion (nay).

- 3. Rezoning: C14-2010-0024 - Mitchell Hyde Park Rezone**
Location: 209 E. 38th Street, Waller Creek Watershed, Central Austin Combined Neighborhood Plan
Owner/Applicant: Gil Liebrecht & Jason Mitchell
Agent: Vincent Gerard & Associates (Vincent G. Huebinger)
Request: SF-3-NCCD-NP to MF-1-CO-NCCD-NP
Staff Rec.: **Not Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation to deny the request for MF-1-CO-NCCD-NP district zoning; was approved by Commissioner Danette Chimenti's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0-1; Commissioner Dave Anderson abstained.

- 4. Plan Amendment: NPA-2010-0019.02 - Mitchell Hyde Park Rezone/NPA**
Location: 209 E. 38th Street, Waller Creek Watershed, Central Austin Combined Neighborhood Plan
Owner/Applicant: Gil Liebrecht & Jason Mitchell
Agent: Vincent Gerard & Associates (Vincent G. Huebinger)
Request: Single-Family to Multifamily land use
Staff Rec.: **Not Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation to deny the request for multifamily use; was approved by Commissioner Danette Chimenti's motion, Commissioner Sandra Kirk second the motion on a vote of 8-0-1; Commissioner Dave Anderson abstained.

- 5. Rezoning: C14H-1999-0018 - Brown-Dumas Blacksmith Shop**
Location: 104 W. 2nd Street, Lady Bird Lake Watershed, Downtown NPA
Owner/Applicant: David Mahn, agent and Emily Little, architect
Request: CBD-CURE to CBD-H-CURE
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Planning and Development Review Department

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

- 6. Rezoning: C14H-2010-0008 - Driskill Hotel Tower**
Location: 117 E. 7th Street, Lady Bird Lake Watershed, Downtown NPA
Owner/Applicant: John Spomer
Request: CBD to CBD-H
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Planning and Development Review Department

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

- 7. Rezoning: C14H-2010-0021 - Olson-Foster House**
Location: 3808 Avenue H, Waller Creek Watershed, Hyde Park NPA
Owner/Applicant: Francis Wilde
Request: SF-3-NCCD to SF-3-H-NCCD
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Planning and Development Review Department

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

- 8. Rezoning: C14H-2010-0022 - Bones-Stokes House**
Location: 1107 W. 9th Street, Shoal Creek Watershed, Old West Austin NPA
Owner/Applicant: Albert Percival and Chuck Hughes
Request: SF-3-NP to SF-3-H-NP
Staff Rec.: **Not Recommended**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Planning and Development Review Department

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

- 9. Rezoning: C14H-2010-0023 - Knippa-Huffman House**
Location: 2414 Harris Boulevard, Shoal Creek Watershed, Windsor Road NPA
Owner/Applicant: Clay and Mollie Duckworth
Request: SF-3 to SF-3-H
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Planning and Development Review Department

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

- 10. Rezoning: C14-2010-0101 - Shoal Creek Blvd.**
Location: 1808 Vance Street, Shoal Creek Watershed, Downtown NPA
Owner/Applicant: Reynaldo Ortiz
Agent: J Valera Engineering (Juan Valera)
Request: SF-3 to GO
Staff Rec.: **Not Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to October 26, 2010 by the request of the applicant; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

**11. Site Plan -
Variance Request
Only:**

SP-2010-0131C - Jae Park Project

Location: 4507 E. Martin Luther King, Jr. Blvd., Tannehill and Fort Branch Watershed, East MLK Combined NPA

Owner/Applicant: Jae Park

Request: Approve variances from Section 25-2-1067(H) - All parking areas and driveways shall maintain a setback of 25 feet from property lines adjacent to an SF-5 or more restrictive use or district [whereas the applicant is currently proposing a 5 foot setback line for an associated drive-through lane]; and Section 25-2-1063(B)(2) - A person may not construct a structure 25 feet or less from property on which a use permitted in an SF-5 or more restrictive zoning district is located [whereas the applicant is currently proposing a setback no less than 23 feet for a one-story building and a setback of 5 feet for the associated detention pond].

Staff Rec.: **Recommended**

Staff: Sarah Graham, 974-2826, sarah.graham@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation for variances to Section 25-2-1067(H) and Section 25-2-1063(B)(2); was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

12. Resubdivision: C8-2009-0112.1A.SH - Guadalupe-Saldana Net Zero Subdivision

Location: 1126 Tillery Street, Boggy Creek Watershed, Govalle NPA

Owner/Applicant: Guadalupe-Saldana Affordable Homes, LP (Rose Marie S. Rocha)

Agent: Jones & Carter, Inc. (Jim Schissler)

Request: Approve the resubdivision of part of a platted lot with unplatted land into 31 lots on 11.765 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 the re-subdivision of part of a platted lot with an un-platted lot; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

- 13. Resubdivision: C8-2010-0069.0A - Resubdivision of Lot 1B, Block B, Mueller Section 1, Phase A**
Location: Barbara Jordan Blvd., Boggy Creek Watershed, RMMA NPA
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, a resubdivision of 1 lot into 2 lots on 3.322 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 re-subdivision of Lot 1B, Block B, Mueller Section 1, Phase A; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

- 14. Plat Vacation: C8-05-0138.1A(VAC) - San Pedro Section 1, Total Plat Vacation**
Location: 2117 Maxwell Lane, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Marbella Development
Agent: Blayne Stansberry
Request: Approval of the Total Vacation of the San Pedro Section 1 Subdivision.
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 total vacation of the San Pedro Section 1 Subdivision; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

- 15. Plat Vacation: C8-2007-0063.0A(VAC) - San Pedro Section 1, Amended Total Plat Vacation**
Location: 2117 Maxwell Lane, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Marbella Development
Agent: Blayne Stansberry
Request: Approval of the Total Vacation of the San Pedro Section 1 Amended Plat.
Staff Rec.: **Recommended.**
Staff: Don Perryman, 974-2786, don.perryman@ci.austin.tx.us
Planning and Development Review Department

This item was pulled, no action was required.

- 16. Amended Plat:** **C8-2010-0094.0A - Bolm Road Acres Subdivision; Amended Plat of Lots 11 and 12**
- Location: 5833 Bolm Road, Boggy Creek Watershed, Johnson Terrace NPA
- Owner/Applicant: Philip & Joann Stovall
- Agent: Estovel Inc. (Philip Stovall)
- Request: Approval of the Bolm Road Acres Subdivision; Amended Plat of Lots 11 and 12 composed of 2 lots on .142 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

The motion to disapprove Item 16; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

D. NEW BUSINESS

1. New Business:

- Request: Direct Staff to initiate a change in a condition of zoning for property located at 1701, 1703, 1705 and 1707 East Martin Luther King, Jr. Boulevard. The specific change would modify the vertical mixed use building (V) combining district.

The motion to direct staff to initiate a change in a condition of zoning; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti second the motion on a vote of 8-0; Commissioner Dave Anderson was off the dais.

E. SUBCOMMITTEE REPORTS

F. ADJOURNMENT

Commissioner Dave Sullivan adjourned the meeting without objection at 9:50 p.m.