



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
November 9, 2010**

The Planning Commission convened in a regular meeting on November 9, 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 October 26, 2010.

The motion to approve the minutes for October 26, 2010, were approved on the consent agenda by Commissioner Saundra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 8-0-1; Commissioner Dave Anderson abstained from approving the minutes.

C. PUBLIC HEARINGS

1. Code Amendment: C20-2010-019 - NCCD variance and decision appeal

Owner/Applicant: City of Austin

Agent: City of Austin (PDR)

Request: Amend the City of Austin Land Development Code, to designate the Board of Adjustment as the body to (1) hear and decide a request for a variance from a requirement of the NCCD and (2) consider an appeal of a decision of the building official regarding a site development regulation prescribed by the NCCD.

Staff Rec.: **Recommended**

Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
Planning and Development Review Department

The motion to send this code amendment back to the Codes & Ordinances subcommittee and return to the full commission on December 14, 2010, by the request of Planning Commission; was approved by Commissioner Richard Hatfield's motion, Commissioner Jay Reddy second the motion on a vote of 9-0.

2. Neighborhood Plan: NP-2010-0028 - Heritage Hills/Windsor Hill Combined Neighborhood Plan

Location: Bounded by East Braker Lane to the north, U.S. Highway 183 to the south, Cameron Road/Dessau Road to the east, and IH 35 to the west, Little Walnut Creek; Buttermilk Branch; Walnut Creek Watersheds

Owner/Applicant: City of Austin

Agent: Planning and Development Review Department

Request: To approve the Heritage Hills/Windsor Hills Combined Neighborhood Plan and the Heritage Hills/Windsor Future Land Use Map.

Staff Rec.: **Recommended; Postponement request by the Staff to December 14, 2010**

Staff: Kathleen Fox; Greg Dutton, 974-7877; 974-3509,
kathleen.fox@ci.austin.tx.us; greg.dutton@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of staff, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 3. Rezoning: C14-2010-0160 - Heritage Hills Neighborhood Plan Area Rezoning**
 Location: Bounded by East Rundberg Lane to the north, Cameron Road to the east, U.S. Highway 183 / East Anderson Lane to the south and IH 35 to the west, Little Walnut Creek; Buttermilk Branch Watersheds
 Owner/Applicant: City of Austin
 Agent: Planning and Development Review Department
 Request: To approve rezonings that implement the land use recommendations of the Heritage Hills Neighborhood Plan on 7 tracts of land (98.8 acres out of 875 acres)
 Staff Rec.: **Recommended; Postponement request by the Staff to December 14, 2010**
 Staff: Kathleen Fox; Greg Dutton; Joi Harden, 974-7877; 974-3509; 974-2122, Kathleen.fox@ci.austin.tx.us; greg.dutton@ci.austin.tx.us; joi.harden@ci.austin.tx.us
 Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of staff, was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 4. Zoning and Rezoning: C14-2010-0161 - Windsor Hills Neighborhood Plan Area Rezoning**
 Location: Bounded by East Braker Lane to the north, Dessau Road to the east, East Rundberg Lane to the south, and IH 35 to the west, Little Walnut Creek; Walnut Creek Watersheds
 Owner/Applicant: City of Austin
 Agent: Planning and Development Review Department
 Request: To approve zonings and rezonings that implement the land use recommendations of the Windsor Hills Neighborhood Plan on 26 tracts of land (118.6 acres out of 787 acres)
 Staff Rec.: **Recommended; Postponement request by the Staff to December 14, 2010**
 Staff: Kathleen Fox; Greg Dutton; Joi Harden, 974-7877; 974-3509; 974-2122, Kathleen.fox@ci.austin.tx.us; greg.dutton@ci.austin.tx.us; joi.harden@ci.austin.tx.us
 Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of staff, was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 5. Plan Amendment: NPA-2010-0012.01 - 2001 & 2005 Chicon Street**
Location: 2001 & 2005 Chicon Street, Boggy Creek Watershed, Upper Boggy Creek
Owner/Applicant: Youth and Family Alliance dba LifeWorks
Agent: Mitch Weynand
Request: Single Family to Neighborhood Commercial
Staff Rec.: **Recommendation Pending**
Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of staff, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 6. Rezoning: C14-2010-0127 - LifeWorks East Central**
Location: 2001 & 2005 Chicon Street, Boggy Creek Watershed, Upper Boggy Creek Neighborhood Plan NPA
Owner/Applicant: Youth and Family Alliance, dba LifeWorks (Susan McDowell)
Agent: Youth and Family Alliance, dba LifeWorks (Mitch Weynand)
Request: SF-3-NP to LO-MU-NP
Staff Rec.: **Recommendation Pending**
Staff: Joi Harden, 974-2122, joi.harden@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of staff, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 7. Rezoning: C14-2010-0136 - LifeWorks East Central**
Location: 2007 Chicon Street, Boggy Creek Watershed, Upper Boggy Creek NPA
Owner/Applicant: Youth and Family Alliance, dba LifeWorks (Susan McDowell)
Agent: Youth and Family Alliance, dba LifeWorks (Mitch Weynand)
Request: SF-3-NP to LO-MU-NP
Staff Rec.: **Recommendation Pending**
Staff: Joi Harden, 974-2122, joi.harden@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of staff, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 8. Plan Amendment: NPA-2010-0012.02 - 2007 Chicon Street**
Location: 2007 Chicon Street, Boggy Creek Watershed, Upper Boggy Creek NPA
Owner/Applicant: Youth and Family Alliance dba LifeWorks
Agent: Mitch Weynand
Request: Single Family to Neighborhood Commercial
Staff Rec.: **Recommendation Pending**
Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of staff, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 9. Plan Amendment: NPA-2010-0010.01 - Cristo Rey Catholic Church Lot 6 Rezoning**
Location: 2110 E. 2nd Street, Town Lake Watershed, Holly NPA
Owner/Applicant: Cristo Rey Catholic Church (Rev. Jayme Mathias)
Agent: DAVCAR Engineering (Thomas Duvall)
Request: Single Family to Office
Staff Rec.: **Not Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of the neighborhood, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 10. Rezoning: C14-2010-0135 - Cristo Rey Catholic Church Lot 6 Rezoning**
Location: 2110 East 2nd Street, Town Lake Watershed, Holly NPA
Owner/Applicant: Cristo Rey Catholic Church (Rev. Jayme Mathias)
Agent: DAVCAR Engineering (Thomas Duvall)
Request: SF-3-NP to GO-CO-NP
Staff Rec.: **Not Recommended**
Staff: Joi Harden, 974-2122, joi.harden@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to December 14, 2010 by the request of the neighborhood, was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 11. Plan Amendment: NPA-2010-0014.01 - Burleson 1.91**
 Location: 5810 Burleson Road, Carson Creek Watershed, Southeast Combined (McKinney) NPA
 Owner/Applicant: 5810 Burleson Partners, L.P. (Kris Hawkins)
 Agent: Jim Bennett Consulting (Jim Bennett)
 Request: Commercial to Industry
 Staff Rec.: **Recommended**
 Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff’s recommendation for Industrial; was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 12. Rezoning: C14-2010-0116 - Burleson 1.91**
 Location: 5810 Burleson Road, Carson Creek Watershed, Southeast Combined (McKinney) NPA
 Owner/Applicant: 5810 Burleson Partners, L.P. (Kris Hawkins)
 Agent: Jim Bennett Consulting (Jim Bennett)
 Request: CS-CO-NP to LI-CO-NP
 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 LI-CO-NP district zoning; was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 13. Plan Amendment: NPA-2010-0014.02 - 4800 Freidrich Lane**
 Location: 4720 Freidrich Lane, Williamson Creek Watershed, Southeast Combined (Franklin Park) NPA
 Owner/Applicant: 4800 Freidrich Lane, L.L.C. (Christopher Slover)
 Agent: Lockwood Engineers, Inc. (Fred C. Lockwood)
 Request: Office to Industry
 Staff Rec.: **Recommended**
 Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff’s recommendation for Industrial; was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 14. Rezoning: C14-2010-0123 - 4800 Freidrich Lane**
 Location: 4800 Freidrich Lane, Williamson Creek Watershed, Southeast Combined (Franklin Park) NPA
 Owner/Applicant: 4800 Freidrich Lane, L.L.C. (Christopher Slover)
 Agent: Lockwood Engineers, Inc. (Fred C. Lockwood)
 Request: SF-3-NP to LI-NP
 Staff Rec.: **Recommendation of LI-CO-NP with conditions**
 Staff: Wendy Rhoades, 974-7719, wendy.rhoades@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff’s recommendation for LI-CO-NP with conditions; was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

- 15. Plan Amendment: NPA-2010-0005.01 - Montopolis Neighborhood Plan Amendment**
 Location: The Montopolis Neighborhood Planning Area is located in the southeast part of Austin's Urban Core. The boundaries for the planning area are Grove Boulevard on the north and west, Bastrop Highway on the east, and Ben White on the south., Carson, East Country Club, Colorado River Watersheds, Montopolis NPA
 Owner/Applicant: Montopolis Planning Contact Team
 Agent: Maggie Malangalila
 Request: To amend the plan document to add a map “Montopolis Tributary Trail Network”, to amend text in the plan document to add a goal with objectives and action items intended to expand the opportunities for the public enjoyment of parks, trails, and open space, and to renumber the plan goals, objectives, and actions items as necessary.
 Staff Rec.: **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 amend the plan document; was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

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

The motion to approve staff’s recommendation for GO-CO district zoning; was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

17. Rezoning: C14-2010-0047 - Tract II Industrial
 Location: 7008 Moore's Crossing Boulevard, Dry Creek East Watershed, Moore's Crossing Municipal Utility District
 Owner/Applicant: MC Joint Venture (William Gurasich)
 Request: SF-2 to IP
 Staff Rec.: **Recommendation of IP-CO with conditions**
 Staff: Wendy Rhoades, 974-7719, wendy.rhoades@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff's recommendation for IP-CO with conditions; was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

18. Site Plan - Waiver Request Only: SP-2010-0198C - Town Lake YMCA
 Location: 1100 W. Cesar Chavez, Lady Bird Lake Watershed, Old West Austin NPA
 Owner/Applicant: YMCA (James Finck)
 Agent: Griffin Engineering Group (Greg Griffin)
 Request: Approval of a waiver from LDC 25-2-736(E) - Waterfront Overlay Combining District - surface parking is prohibited, except for a parking area for buses, van pooling, the handicapped, or public access to park land.
 Staff Rec.: **Recommended with Conditions**
 Staff: Sarah Graham, 974-2826, sarah.graham@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff's recommendation for approval of a waiver to LDC 25-2-736(E) with amendments of:

- Not to exceed 60% impervious cover limit;
- All run-off from the parking lot must be treated either by vegetative filter strip or bio soil;
- Applicant shall work with PARD to provide an ADA route to the hike/bike trail, if technically feasible;
- Applicant shall explore agreements with other adjacent land owners for shared parking, in addition to the City.

The motion was made by Commissioner Dave Anderson, Commissioner Danette Chimenti second the motion on a vote of 7-2; Commissioners Jay Reddy and Mandy Dealey voted against the motion (nay).

19. Site Plan - Conditional Use Permit: **SPC-2010-0137C - Holly Street Power Plan Decommissioning Project Temp. Off-Site Improvements**
 Location: 2319 1/2 Canterbury Street, Lady Bird Lake Watershed, Holly NPA
 Owner/Applicant: Austin Energy (Rose San Miguel)
 Agent: Axiom Engineers Inc. (Nicole F. Findeisen)
 Request: Approval of LDC 25-2-625(D)(2) – Conditional Use Permit related to P - Public zoning.
 Staff Rec.: **Recommended**
 Staff: Sarah Graham, 974-2826, sarah.graham@ci.austin.us
 Planning and Development Review Department

The motion to approve staff’s recommendation for approval of LDC 25-2-625(D)(2); was approved on the consent agenda by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

20. Site Plan - Conditional Use Permit and Variance: **SPC-2010-0054AT - 8565 US 183-Conditional Use Permit**
 Location: 8565 Research Blvd. Northbound, Little Walnut Creek Watershed, North Austin Civic Association NPA
 Owner/Applicant: O'Brien Cedrone Inc.
 Agent: Conley Engineering (Carl Conley P.E.)
 Request: Request for approval of a conditional use permit for a cocktail lounge with off-site parking. Variance: Request approval of a variance to allow parking for a cocktail lounge within 200 feet of a property used or zoned SF-6 or more restrictive. [LDC Section 25-5-146(B)]
 Staff Rec.: **Recommended**
 Staff: Nikki Hoelter, 974-2863, nikki.hoelter@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff’s recommendation for approval of a conditional use permit for a cocktail lounge with off-site parking; was approved by Commissioner Jay Reddy’s motion, Commissioner Richard Hatfield second the motion on a vote of 9-0.

21. Resubdivision: **C8-2010-0116.0A - Resubdivision of Lot 1, Block B, Oltorf Village Section Two**
 Location: 1400 St. Edwards Dr/, Country Club West Watershed, Greater South River City Combined NPA
 Owner/Applicant: Ray McMackin
 Agent: Frie Planning & Development Concepts, LLC (Ross Frie)
 Request: Approval of the Resubdivision of Lot 1, Block B, Oltorf Village Section Two composed of 1 lot on 0.2170 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

The motion to disapprove item #21; was approved on the consent agenda by Commissioner Sandra Kirk's motion, Commissioner Mandy Dealey second the motion on a vote of 9-0.

D. NEW BUSINESS

- 1. New Business**
Request: Discussion and action on approving the 2011 Planning Commission Schedule.

The motion was made by Commissioner Mandy Dealey to approve the 2011 Planning Commission Schedule with the canceling of November 22nd and December 27, 2011 dates.

E. SUBCOMMITTEE REPORTS

Codes & Ordinances Subcommittee – November 16, 2011

F. ADJOURNMENT

Commissioner Dave Sullivan adjourned the meeting without objection at 8:49 p.m.