



**Planning Commission**  
**April 12, 2011 @ 6:00 P.M.**  
**City Hall – Council Chambers**  
**301 W. 2<sup>nd</sup> Street**  
**Austin, TX. 78701**

Dave Anderson

Tina Bui

Danette Chimenti - Parliamentarian

Mandy Dealey – Vice-Chair

Richard Hatfield

Alfonso Hernandez

Saundra Kirk - Secretary

Jay Reddy

Dave Sullivan - Chair

**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**

The first four (4) speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

**B. APPROVAL OF MINUTES**

1. Approval of minutes for March 22, 2011.

## C. PUBLIC HEARING

### 1. Code Amendment: **C20-2011-008 - Special Exemptions and Fee Waivers for Certain Code Violations**

Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department  
Request: This amendment would recognize that conditions non-compliant with building permit and land use codes may exist on certain residential properties within the City of Austin and that many long-term property owners may not be aware of these conditions. As a means to address compliance and life safety issues and equitability, the proposed ordinance would allow an expansion of the City's amnesty program by authorizing the Board of Adjustment to grant a special exception in limited circumstances, as authorized by State law.

Staff Rec.: **Recommended**  
Staff: Robert Heil, 974-2330, [robert.heil@ci.austin.tx.us](mailto:robert.heil@ci.austin.tx.us)  
Greg Guernsey, 974-2387, [Greg.Guernsey@ci.austin.tx.us](mailto:Greg.Guernsey@ci.austin.tx.us)  
Planning and Development Review Department

### 2. Plan Amendment: **NPA-2010-0005.03 - McElhenney Tract**

Location: 530 & 626 Bastrop Highway, Carson Creek Watershed, Montopolis NPA  
Owner/Applicant: Jennifer McElhenney-Bertino; Amy Barbee (nee McElhenney); Thomas McElhenney, Jr.; John McElhenney; Ada McElhenney  
Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele Haussmann)  
Request: Single Family to Commercial

Staff Rec.: **Pending**  
Staff: Maureen Meredith, 974-2695, [maureen.meredith@ci.austin.tx.us](mailto:maureen.meredith@ci.austin.tx.us)  
Planning & Development Review Department

### 3. Rezoning: **C14-2010-0138 - McElhenney Tract**

Location: 530 & 626 Bastrop Highway, Carson Creek Watershed, Montopolis NPA  
Owner/Applicant: Jennifer McElhenney-Bertino; Amy Barbee (nee McElhenney); Thomas McElhenney, Jr.; John McElhenney; Ada McElhenney  
Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele Haussmann)  
Request: CS-NP, GR-CO-NP and SF-2-NP to CS-NP

Staff Rec.: **Pending**  
Staff: Stephen Rye, 974-7604, [stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)  
Planning and Development Review Department

- 4. Plan Amendment: NPA-2010-0018.03 - EP Austin Neighborhood Plan Amendment**  
 Location: 5011 Burnet Road (0.559 acres), Shoal Creek Watershed, Brentwood/Highland Combined NPA  
 Owner/Applicant: EP Austin Properties, L.P. (George C. Thorne & Robert L. Rock)  
 Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.)  
 Request: Single Family to Mixed Use  
 Staff Rec.: **Recommended**  
 Staff: Maureen Meredith, 974-2695, [maureen.meredith@ci.austin.tx.us](mailto:maureen.meredith@ci.austin.tx.us)  
 Planning and Development Review Department
- 5. Rezoning: C14-2010-0025 - EP Austin**  
 Location: 5011 Burnet Road, Shoal Creek Watershed, Brentwood/Highland Combined NPA  
 Owner/Applicant: EP Austin Properties, L.P. (George C. Thorne & Robert L. Rock)  
 Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.)  
 Request: SF-3-NP to GO-CO-MU-NP  
 Staff Rec.: **Recommendation of GO-MU-CO-NP**  
 Staff: Clark Patterson, 974-9761, [clark.patterson@ci.austin.tx.us](mailto:clark.patterson@ci.austin.tx.us)  
 Planning and Development Review Department
- 6. Plan Amendment: NPA-2011-0005.01 - Riverside Gardens**  
 Location: 6716 East Riverside Drive, Carson Creek Watershed, Montopolis NPA  
 Owner/Applicant: Equity Secured Capital, L.P.  
 Agent: Carlson, Brigance & Doering, Inc. (Charles R. Brigance, Jr., P.E.)  
 Request: Commerical to Multifamily (on Tract 2)  
 Staff Rec.: **Staff recommends Higher Density Single Family on Tracts 1 & 2 and Mixed Use on Tract 3**  
 Staff: Maureen Meredith, 974-2695, [maureen.meredith@ci.austin.tx.us](mailto:maureen.meredith@ci.austin.tx.us)  
 Planning and Development Review Department
- 7. Rezoning: C14-2010-0204 - Riverside Gardens**  
 Location: 6716 East Riverside Drive, Carson Creek Watershed, Montopolis NPA  
 Owner/Applicant: Equity Secured Capital, L.P.  
 Agent: Carlson, Brigance & Doering, Inc. (Charles R. Brigance, Jr., P.E.)  
 Request: MF-3-NP and CS-NP to SF-4A-NP  
 Staff Rec.: **Recommended**  
 Staff: Stephen Rye, 974-7604, [stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)  
 Planning and Development Review Department

- 8. Plan Amendment: NPA-2010-0021.02 - Parker Lane**  
 Location: 1406 - 1506 Parker Lane, Town Lake Watershed, East Riverside/Oltorf Combined NPA  
 Owner/Applicant: J. Ryan Diepenbrock  
 Agent: J. Ryan Diepenbrock  
 Request: Single Family to Higher-Density Single Family  
 Staff Rec.: **Withdrawn by applicant.**  
 Staff: Maureen Meredith, 974-2695, [maureen.meredith@ci.austin.tx.us](mailto:maureen.meredith@ci.austin.tx.us)  
 Planning & Development Review Department
- 9. Rezoning: C14-2010-0140 - Parker Lane**  
 Location: 1406 - 1506 Parker Lane, Town Lake Watershed, East Riverside/Oltorf Combined NPA  
 Owner/Applicant: J. Ryan Diepenbrock  
 Agent: J. Ryan Diepenbrock  
 Request: SF-3-NP to SF-6-CO-NP  
 Staff Rec.: **Withdrawn by applicant.**  
 Staff: Stephen Rye, 974-7604, [stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)  
 Planning and Development Review Department
- 10. 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, Oak Hill Combined (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**  
 Staff: Wendy Rhoades, 974-7719, [wendy.rhoades@ci.austin.tx.us](mailto:wendy.rhoades@ci.austin.tx.us)  
 Planning and Development Review Department
- 11. Rezoning: C14-2011-0011 - North Austin Recreation Center**  
 Location: 1000 West Rundberg Lane, Little Walnut Creek Watershed, North Austin Civic Association NPA  
 Owner/Applicant: City of Austin (Mark Schruben)  
 Agent: Urban Design Group (Laura Touns)  
 Request: MF-2-NP to P-NP  
 Staff Rec.: **Recommended**  
 Staff: Sherri Sirwaitis, 974-3057, [sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)  
 Planning and Development Review Department

- 12. Rezoning:** **C14-2011-0010 - 821 W. 11th.**  
 Location: 821 W. 11th Street, Shoal Creek Watershed, Downtown NPA  
 Owner/Applicant: Dwight Monteith  
 Agent: Kari Blachley  
 Request: MF-3 to DMU  
 Staff Rec.: **Recommendation of DMU-CO**  
 Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us  
 Planning and Development Review Department
- 13. Plat Vacation:** **C8-07-0006.0A(VAC) - A Resubdivision of the East One-Half of Lot 13 Banister Heights**  
 Location: 1405 Morgan Lane, West Bouldin Creek Watershed, South Lamar NPA  
 Owner/Applicant: Friday and Buchanan, LLC (Robb Buchanan)  
 Agent: Austin Civil Engineering (Brent Hammond)  
 Request: Approval of a total vacation of A Resubdivision of the East One-Half of Lot 13 Banister Heights.  
 Staff Rec.: **Recommended**  
 Staff: David Wahlgren, 974-6455, David.Wahlgren@ci.austin.tx.us  
 Planning and Development Review Department
- 14. Preliminary Plan:** **C8-2011-0001.SH - Mueller Section V, Block 59A, Resubdivision Preliminary Plan**  
 Location: 3600 Manor Road, Tannehill Branch Watershed, RMMA  
 Owner/Applicant: COA Redevelopment Services Office (Pam Hefner)  
 Agent: Bury & Partners, Inc. (David Miller)  
 Request: Approval of the Mueller Section V, Block 59A, Resubdivision Preliminary Plan composed of 8 lots on 3.342 acres.  
 Staff Rec.: **Recommended.**  
 Staff: Don Perryman, 974-2786, don.perryman@ci.austin.tx.us  
 Planning and Development Review Department

- 15. Resubdivision: C8-2010-0133.0A - Lot 1, Block 43A, 401 Colorado Subdivision (A Replat of the South 23-Ft. of Lot 10, Lot 11 & 12, Block 43, Original City of Austin Subdivision)**
- Location: 401 Colorado Street, Lady Bird Lake (formerly Town Lake) Watershed, Downtown NPA
- Owner/Applicant: Austin Trust Company, Ann Chiles Graham, Susan Chiles Harris, John C Horton, III & Wilmot R. Horton
- Agent: Bury & Partners, Inc. (Alastair Jenkins)
- Request: Approve the resubdivision of part of one lot and 2 other lots into one lot on 0.421 acres.
- Staff Rec.: **Recommended**
- Staff: Sylvia Limon, 974-2767, sylvia.limon@ci.austin.tx.us  
Planning and Development Review Department
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- 16. Resubdivision: C8-2010-0136.0A - Resubdivision of the East One-Half of Lot 13 Banister Heights**
- Location: 1405 Morgan Lane, West Bouldin Creek Watershed, South Lamar NPA
- Owner/Applicant: Friday and Buchanan, LLC (Robb Buchanan)
- Agent: Austin Civil Engineering (Brent Hammond)
- Request: Approval of the Resubdivision composed of 2 lots on 0.499 acres.
- Staff Rec.: **Recommended**
- Staff: David Wahlgren, 974-6455, David.Wahlgren@ci.austin.tx.us  
Planning and Development Review Department
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- 17. Final Plat: C8-2011-0045.0A - Herndon Subdivision**
- Location: 2903 Tarry Trail, Taylor Slough South Watershed, West Austin Neighborhood Group NPA
- Owner/Applicant: David & Dealey Herndon
- Agent: Bury & Partners, Inc. (Jonathan Neslund)
- Request: Approval of the Herndon Subdivision composed of 1 lot on 0.77 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department
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- 18. Final Plat: C8-2011-0044.0A - Austin (Turner) DTP III, LLC Addition**
- Location: 4607 Turner Lane, Little Walnut Creek Watershed, University Hills/Windsor Park NPA
- Owner/Applicant: Steve Caskey
- Agent: Longaro & Clarke Consulting Engineers (Alex G. Clarke)
- Request: Approval of the Austin (Turner) DTP III, LLC Addition composed of 2 lots on 4.802 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

**19. Final without Preliminary:** **C8-2011-0041.0A - Lakeshore Phase 1**  
Location: 2201 S. Lakeshore Blvd., Town Lake Watershed, East Riverside/Oltorf Combined NPA  
Owner/Applicant: CRV Shoreline TRS Inc. (David Cox)  
Agent: Jones & Carter, Inc. (James Schissler)  
Request: Approval of the Lakeshore Phase 1 composed of 11 lots on 26.947 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

**20. Amended Plat:** **C8-2011-0046.0A - IBM East Subdivision, Block "A", Lots 1 & 2; Amended Plat**  
Location: 11501 Burnet Road, Walnut Creek Watershed, North-Burnet Gateway NPA  
Owner/Applicant: IBM (Jack Zahriser)  
Agent: Bury & Partners, Inc. (Jonathan Neslund)  
Request: Approval of the IBM East Subdivision, Block "A", Lots 1 & 2; Amended Plat composed of 2 lots on 105.42 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

## **D. NEW BUSINESS**

**1. New Business:** **Food Preparation Use**  
Location: Citywide  
Request: To consider and take possible action on initiating an ordinance amending the 5,000 square foot limitation associated with the food preparation use.  
Staff Rec.: **Recommend to Initiate**  
Staff: Wendy Rhoades, 974-7719, Wendy.Rhoades@ci.austin.tx.us  
Robert Heil, 974-2330, robert.heil@ci.austin.tx.us  
Planning and Development Review Department

**2. New Business:** **Square Footage Limits in LR Zoning**  
Location: Citywide  
Request: To consider and take possible action on initiating an ordinance to clarify the square footage limitations on some land uses permitted within the district.  
Staff Rec.: **Recommend to Initiate**  
Staff: Greg Dutton, 974-3509, Greg.Dutton@ci.austin.tx.us  
Robert Heil, 974-2330, robert.heil@ci.austin.tx.us  
Planning and Development Review Department

- 3. New Business:           Pedi-Cab Land Use Definition**  
Location:           Citywide  
Request:           To consider and take possible action on initiating an ordinance regarding the land use classification of the pedi-cabs and in which base zoning districts that use is permitted.  
  
Staff Rec.:       **Recommend to Initiate**  
Staff:           Robert Heil, 974-2330, robert.heil@ci.austin.tx.us  
                  Planning and Development Review Department
- 4. New Business:**  
Request:           Discussion of the Special Called meeting agenda.

## **E. SUBCOMMITTEE REPORTS**

## **F. ADJOURNMENT**

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Dora Anguiano at Planning & Development Review Department, at 974-2104, for additional information; TTY users route through Relay Texas at 711.