



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
July 12, 2011**

The Planning Commission convened in a regular meeting on July 12, 2011 @ 301 W. 2nd Street in Austin, Texas.

Vice-Chair Mandy Dealey called the Board Meeting to order at 6:05 p.m.

Board Members in Attendance:

**Dave Sullivan – Chair
Dave Anderson
Tina Bui
Mandy Dealey
Richard Hatfield
Alfonso Hernandez
Saundra Kirk**

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

There were no speakers present.

B. APPROVAL OF MINUTES

1. Approval of minutes for June 14, 2011.

The motion to approve the minutes for June 14, 2011, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 6-0-1; Commissioner Saundra Kirk abstained, Commissioner Danette Chimenti absent, 1 vacancy on the commission.

2. Approval of minutes for June 29, 2011, Special Called meeting.

The motion to approve the minutes for June 29, 2011 Special Called meeting, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 5-0-2; Commissioner Tina Bui and Dave Anderson abstained, Commissioner Danette Chimenti absent, 1 vacancy on the commission.

C. PUBLIC HEARING

1. Briefing

Briefing on the FY 2012 Capital Improvements Program Plan.
City Staff: Kimberly Springer, 974-2924; Capital Planning Office;
Kimberly.Springer@ci.austin.tx.us;

Briefing given to the commission by Kimberly Springer and Mike Trumble.

2. Discussion and Possible Action

Discussion and possible action on the FY 2012 Capital Improvements Program Plan.
City Staff: Kimberly Springer, 974-2924; Capital Planning Office;
Kimberly.Springer@ci.austin.tx.us;

The motion to approve the CIP Plan and forward to City Council, was approved by Commissioner Richard Hatfield's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

3. Tree Permit:

TP 10597946 - Robertson Hill Multifamily
Location: 813 East 11th Street, Waller Creek Watershed, Central East Austin NPA
Owner/Applicant: Bury & Partners (Jonathan Neslund)
Agent: Bury & Partners (Jonathan Neslund)
Request: The applicant is appealing the denial of an administrative variance request to remove a 26-inch diameter heritage tree, as allowed under Land Development Code Section 25-8-644.
Staff Rec.: **Recommended approval of the variance**
Staff: Keith Mars, 974-2755, keith.mars@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff's recommendation with Environmental Board's conditions included, was approved by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 4. Code Amendment: C20-2010-009 - Tours, garage sales and home occupation**
 Location: City-wide
 Owner/Applicant: City of Austin
 Agent: Planning and Development Review Department (Robert Heil)
 Request: Discussion and possible action on an amendment to Chapter to Title 25 relating to requirements for tours, garage sales, home occupations, and art production and sales.
 Staff Rec.: **Recommended**
 Staff: Robert Heil, 974-2330, robert.heil@ci.austin.tx.us
 Planning and Development Review Department

The motion to forward this item to the Arts Commission and bring back to Planning Commission as soon as possible, was approved by Commissioner Mandy Dealey's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Danette Chimenti was absent, 1 vacancy on the commission.

- 5. Plan Amendment: NPA-2011-0001.01 - Studio 141**
 Location: 141 West Oltorf Street, East Bouldin Creek Watershed, Dawson NPA
 Owner/Applicant: Kathleen A. Pixley
 Agent: Kathleen A. Pixley
 Request: Single Family to Mixed Use or Mixed Use/Office
 Staff Rec.: **Not recommended**
(Applicant has requested a postponement to the August 9, 2011 PC hearing date)
 Staff: Maureen Meredith, 974-2695, maureen.meredith@ci.austin.tx.us
 Planning and Development Review Department

The motion to postpone to August 9, 2011 by the request of the applicant, was approved on the consent agenda by Commissioner Dave Anderson, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 6. Rezoning: C14-2011-0015 - Studio 141**
 Location: 141 West Oltorf Street, East Bouldin Creek Watershed, Dawson NPA
 Owner/Applicant: Kathleen A. Pixley
 Agent: Kathleen A. Pixley
 Request: SF-3-NP to GO-CO-MU-NP
 Staff Rec.: **Not recommended**
(Applicant has requested a postponement to the August 9, 2011 PC hearing date)
 Staff: Stephen Rye, 974-7604, stephen.rye@ci.austin.tx.us
 Planning and Development Review Department

The motion to postpone to August 9, 2011 by the request of the applicant, was approved on the consent agenda by Commissioner Dave Anderson, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 7. Rezoning: C14-2011-0031 - Pour House Pub**
 Location: 6701 Burnet Road, Shoal Creek Watershed, Brentwood NPA
 Owner/Applicant: Spiritual Urban Warrior, L.L.C. (Andrew Creixell)
 Agent: McLean & Howard, L.L.P. (Jeff Howard)
 Request: CS-MU-V-CO-NP to CS-1-NP
 Staff Rec.: **Recommendation of CS-1-CO-NP**
 Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve CS-1-MU-V-NP district zoning, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 8. Rezoning: C14-2011-0058 - 707 West Ave. Rezoning**
 Location: 705, 707, 709, 711 West Avenue & 711 West 7th Street., Shoal Creek Watershed, Downtown NPA
 Owner/Applicant: Cirrus Logic, Inc. (Thurman Case)
 Agent: Armbrust & Brown, P.L.L.C. (Richard Suttle)
 Request: GO to CS
 Staff Rec.: **Recommendation of CS-CO**
 Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
 Planning and Development Review Department

The motion to postpone to July 26, 2011 by the request of staff; was approved on the consent agenda by Commissioner Dave Anderson, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

9. NCCD C14-04-0022.01 - North University NCCD Amendment

Amendment:

Location: East 38th Street to the North; San Jacinto Boulevard/27th Street to the South; Guadalupe Street to the West; and Duval Street to the East, Waller, Shoal & Boggy Creek Watersheds, Central Austin Combined - North University NPA

Owner/Applicant: City of Austin

Agent: Planning and Development Review Department (Clark Patterson)

Request: The proposed amendment would 1) allow a two-family residential use (garage apartment) in any district (not just in the Residential District) on a lot that is 7,000 square feet or larger and has a front lot width of at least 48 feet (instead of 50 feet); and 2) to reduce the minimum lot size requirement of 7,000 square feet for a two-family residential use to 5,750 square feet. This would allow for a two-family residential use on a lot that is a minimum of 5,750 square feet as long as all other NCCD/Code requirements are met and if the floor-to-area ratio as defined by Subchapter F does not exceed 0.4 to 1.

Staff Rec.: **Recommended**

Staff: Clark Patterson, 974-7691, clark.patterson@ci.austin.tx.us
Planning and Development Review Department

The motion to approve the North University NCCD amendment, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

10. Rezoning: C14-2011-0043 - 753 Montopolis

Location: 753 Montopolis Drive, Country Club East Watershed, Montopolis NPA

Owner/Applicant: Babubhai Mohammad

Agent: Rafiq B. Mohammad

Request: CS-NP and CS-1-NP to CS-1-NP and CS-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 CS-1-NP and CS-NP district zoning; was approved by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

11. Rezoning: C14-2011-0038 - Mountain Shadows
Location: 8800 Sky Mountain Drive, Williamson Creek Watershed – Barton Springs Zone, Oak Hill Combined NPA
Owner/Applicant: Judith Elaine Leggett
Agent: Thrower Design (Ron Thrower)
Request: RR-NP to MF-1-NP
Staff Rec.: **Recommendation of MF-1-CO-NP**
Staff: Stephen Rye, 974-7604, stephen.rye@ci.austin.tx.us
Planning and Development Review Department

The motion to approve MF-1-CO-NP district zoning with a 578 trip limit per day; was approved by Commissioner Alfonso Hernandez’s motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

12. Rezoning: C14-2011-0060 - West Gibson Commercial
Location: 108 West Gibson Street, West Bouldin Creek Watershed, Bouldin Creek NPA
Owner/Applicant: SC Investors, LLC., (Peter Barlin)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: CS-MU-V-CO-NP to CS-MU-V-CO-NP; to amend certain provisions of the existing conditional overlay.
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-MU-V-CO-NP district zoning, was approved by Commissioner Mandy Dealey’s motion, Commissioner Sandra Kirk seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

13. Rezoning: C14-2011-0047 - 801 South Lamar
Location: 801 South Lamar Boulevard, West Bouldin Creek Watershed, Zilker NPA
Owner/Applicant: 801 Ltd., (Daryl Kunik)
Agent: Thrower Design (Ron Thrower)
Request: SF-3 to CS-V
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-V zoning, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 14. Rezoning: C14-2011-0040 - St. Stephen's Baptist Church**
 Location: 3103-3107 East 51st Street, Fort Branch Watershed, East MLK
 Combined NPA
 Owner/Applicant: St. Stephen's Baptist Chrch (Herbert Johnson)
 Agent: PAX Engineering, LLC (David Smith)
 Request: SF-3-NP to MF-2-NP
 Staff Rec.: **Recommended**
 Staff: Joi Harden, 974-2122, joi.harden@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff's recommendation for MF-2-NP district zoning, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 15. Site Plan - SPC-2011-0076C - Acton Business School**
Conditional Use
Permit:
 Location: 1404 East Riverside Drive, Lady Bird Lake Watershed, East Riverside
 NPA
 Owner/Applicant: Acton School of Business (Jeff Sandefer)
 Request: To approve a Conditional Use Permit for a Private Primary Educational
 Facility in MF-4, MF-6, LO zoning.
 Staff Rec.: **Recommended**
 Staff: Sue Welch, 974-3294, sue.welch@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff's recommendation to approve a conditional use permit, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 16. Site Plan - SPC-2010-0340A - Gypsy Lounge**
Conditional Use
Permit:
 Location: 1504 East 6th Street, Lady Bird Lake Watershed, Plaza Saltillo TOD
 Owner/Applicant: Enedina Costilla
 Agent: AEC, Inc. (Phil Moncada)
 Request: To approve a Conditional Use Permit for the expansion of an existing
 Cocktail Lounge in Plaza Saltillo-TOD.
 Staff Rec.: **Recommended**
 Staff: Lynda Courtney, 974-2810, lynda.courtney@ci.austin.tx.us
 Planning and Development Review Department

The motion to approve staff's recommendation to approve a conditional use permit; was approved by Commissioner Tina Bui's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 6-0-1; Commissioner Dave Anderson recused himself from this item, Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 17. Site Plan - Extension: SP-06-0519C(XT2) - Spring Condominiums**
- Location: 300 Bowie Street, Shoal Creek/Town Lake Watersheds, Downtown NPA
- Owner/Applicant: Third Street Offices Ltd. (Diana Zuniga) & Fifth/Lamar Retail I Ltd. (David Vitanza)
- Agent: Axiom Engineers Inc. (Alan Rhames P.E.)
- Request: Request approval of a 2 month extension to a previously approved site plan permit.
- 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 2 month extension, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 18. Final without Preliminary: C8-2011-0041.0A - Lakeshore Phase 1 Replat**
- Location: 2201-2205 South Lakeshore Boulevard, 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 replat of Lakeshore Phase 1 composed of 11 lots on 26.947 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 replat of Lakeshore Phase 1, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 19. Plat Vacation: C8-2007-0158.1A(VAC) - Lakeshore Subdivision Phase 1**
 Location: 2201-2205 Lakeshore Boulevard, 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 total vacation of Lakeshore Subdivision Phase 1.
 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 Lakeshore Subdivision Phase 1, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 20. Resubdivision: C8-2009-0063.2A.SH - Colorado Crossing III, Section 7**
 Location: Breckenridge Drive (formerly Autumn Bay) at Burluson Road, Onion Creek Watershed, Southeast Combined NPA
 Owner/Applicant: Lennar Buffington Colorado Crossing LP (Ryan Mattox)
 Agent: Lakeside Engineering (Chris Ruiz)
 Request: Approve the resubdivision of portion of one lot into 35 lots on 8.519 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 resubdivision of Colorado Crossing III, Section 7; was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

- 21. Final without Preliminary: C8-2011-0077.0A - Paggi House Subdivision**
 Location: 221 South Lamar Boulevard, Town Lake Watershed, Zilker NPA
 Owner/Applicant: Post Paggi LLC (Jason Post)
 Agent: Bury + Partners, Inc. (Daren Huckert)
 Request: Approval of the Paggi House Subdivision composed of 2 lots on 1.155 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 22. Amended Plat: C8-2011-0079.0A - Thomas Place, Lots 25, 26, 27, 28 and 29; Amended Plat**
 Location: Greenlee Drive, Taylor Slough North Watershed, West Austin Neighborhood Group NPA
 Owner/Applicant: Craig Malloy
 Agent: Austin Civil Engineering (Brent Hammond)
 Request: Approval of the Thomas Place, Lots 25, 26, 27, 28 and 29; Amended Plat composed of 2 lots on 1.01 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 23. Final without Preliminary: C8-2011-0080.0A - 720 34th @ West Subdivision**
 Location: 720 West 34th Street, Shoal Creek Watershed, West University NPA
 Owner/Applicant: Rob Golding
 Agent: Steven J. Bertke
 Request: Approval of the 720 34th @ West Subdivision composed of 1 lot on 1.584 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 24. Amended Plat: C8-2011-0078.0A - Ben White & Montopolis Resub, Lots 1, 2, & 4, Amended Plat**
 Location: Montopolis Drive, Carson Creek Watershed
 Owner/Applicant: NEC Ben White/Montopolis, LTD (Jeff Nebrat)
 Agent: Garrett-Ihnan Civil Engineers (Jason Rodgers, PE)
 Request: Approval of the Ben White & Montopolis Resub, Lots 1, 2,& 4, Amended Plat composed of 3 lots on 4.293 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Items #21-24;

The motion to disapprove items #21-24, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

D. NEW BUSINESS

- 1. New Business: Case Initiation for Hyde Park NCCD amendment**
Request: Discuss and consider directing staff to begin amendments to the Hyde Park NCCD. The amendments would address the construction of dual driveways for duplex or single-family attached uses, and modify the maximum size of development permitted on a property.

The motion to direct staff to begin amendments to the Hyde Park NCCD, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

E. SUBCOMMITTEE REPORTS

F. ADJOURNMENT

Chair Dave Sullivan adjourned the meeting without objection at 9:15 p.m.