



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
July 26, 2011**

The Planning Commission convened in a regular meeting on July 26, 2011 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:08 p.m.

Board Members in Attendance:

**Dave Sullivan – Chair
Dave Anderson
Tina Bui
Danette Chimenti
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

Stuart Hersh

B. APPROVAL OF MINUTES

1. Approval of minutes for July 12, 2011.

The motion to approve the minutes for July 12, 2011, were approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-0-2; Commissioners Richard Hatfield and Danette Chimenti abstained, Commissioner Mandy Dealey was absent; 1 vacancy on the commission.

C. PUBLIC HEARING

- 1. 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 approve staff's recommendation for CS-MU-CO district zoning, with added recommendation that the applicant execute a restrictive covenant to agree to DMU rezoning after their planned uses are added to DMU in the Land Development Code; was approved by Commissioner Tina Bui's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-1-1; Commissioner Danette Chimenti voted against the motion, Commissioner Richard Hatfield abstained; Commissioner Mandy Dealey was absent; 1 vacancy on the commission.

- 2. Rezoning:** **C14-95-0129.01 - Expo Center Section II**
Location: 5805 Burleson Road, Williamson Creek Watershed, Southeast Combined (McKinney) NPA
Owner/Applicant: Carlson, Brigance and Doering, Inc. (Charles R. Brigance, Jr.)
Agent: Expo Partners III, Ltd. c/o Trammel Crow Company (James H. Matoushek)
Request: To amend the PDA by removing Basic Industry from the list of prohibited uses, as it applies to this property.
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 to amend the PDA, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

**3. Site Plan - SPC-2011-0034AT - The Dram Shop
Conditional Use**

Permit:

Location: 907 East 6th St., Waller Creek Watershed, Plaza Saltillo TOD NPA
Owner/Applicant: Brandon Testa
Agent: Brandon Testa
Request: To approve a Conditional Use Permit for a Cocktail Lounge in Corridor Mixed Use zoning within the Plaza Saltillo TOD
Staff Rec.: **Recommended**
Staff: Donna Galati, 974-2733, donna.galati@ci.austin.tx.us
Planning and Development Review Department

1st Motion – The motion to deny staff’s recommendation to approve a conditional use permit; was made by Commissioner Danette Chimenti, Commissioner Sandra Kirk seconded the motion on a vote of 3-4; Commissioners Alfonso Hernandez, Richard Hatfield, Tina Bui, Dave Sullivan voted against the motion (nay); Commission Mandy Dealey was absent, 1 vacancy on the commission.

2nd Motion – The motion to postpone to August 9, 2011 by the request of the commission, was made by Commissioner Alfonso Hernandez, Commissioner Richard Hatfield seconded the motion on a vote of 4-3; Commissioners Dave Anderson, Sandra Kirk, Danette Chimenti voted against the motion (nay); Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

Both motion failed; NO ACTION was taken by the commission on this item.

**4. Site Plan - SP-2010-0284DT - Mt. Zion Baptist Church Parking Lot Expansion
Compatibility**

Waiver Only:

Location: 2935 East 13th St., Boggy Creek Watershed, Rosewood NPA
Owner/Applicant: Mount Zion Baptist Church (Luke Mercer)
Agent: Chan & Partners (David Urban)
Request: To approve a compatibility waiver for driveway and parking setbacks.
Staff Rec.: **Recommended**
Staff: Donna Galati, 974-2733, donna.galati@ci.austin.tx.us
Planning and Development Review Department

The motion to approve staff’s recommendation to approve a compatibility waiver, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

5. Site Plan - Conditional Use Permit: SPC-2011-0100A - Crossroads Bar Lounge

Location: 1901 South Lamar Boulevard, West Bouldin Creek Watershed, Zilker NPA
Owner/Applicant: Columbine Properties, Inc (William Tamminga)
Agent: Hajjar Sutherland Peters & Washmon (Kareem Hajjar)
Request: To approve a Conditional Use Permit for a Cocktail Lounge in CS-1 zoning.
Staff Rec.: **Recommended**
Staff: Donna Galati, 974-2733, donna.galati@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to August 9, 2011 by the request of the neighborhood, was approved by Commissioner Danette Chimenti's motion, Commissioner Sandra Kirk seconded the motion on a vote of 6-1; Commissioner Dave Anderson voted against the motion (nay), Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

6. Site Plan - Variance Only: SP-2011-0032C.SH - Block at 26th

Location: 800 West 26th Street, Shoal Creek Watershed, West Univeristy Neighborhood NPA
Owner/Applicant: West Campus 26th (Mary Ellen Barlow)
Agent: Urban Design Group (June Routh)
Request: To remove a heritage tree with a stem greater than 30 inches as allowed under LDC 25-8-643.
Staff Rec.: **Recommended**
Staff: Keith Mars, 974-2755, Keith.Mars@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to August 23, 2011 by the request of the applicant, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

- 7. Final without Preliminary: C8-2010-0137.0A - Whole Foods Subdivision**
 Location: 11910 Domain Drive, Walnut Creek Watershed, North Burnet Gateway Plan NPA
 Owner/Applicant: Rreef Domain LP (Chad Marsh)
 Agent: Bury & Partners, Inc. (Dwayne Shoppa)
 Request: Approval of the Whole Foods Subdivision, a resubdivision of 1 lot into 3 lots on 137.71 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 Whole Foods Subdivision, was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

- 8. Resubdivision: C8-2011-0086.0A - Banister Heights, Resub**
 Location: 1400 Morgan Lane, West Bouldin Creek Watershed, South Lamar NPA
 Owner/Applicant: Banister Morgan LLC (Simon Studd)
 Agent: Banister Morgan LLC (Simon Studd)
 Request: Approval of the Banister Heights, Resub composed of 3 lots on 0.499 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 9. Final without Preliminary: C8-2011-0083.0A - Herrera Addition**
 Location: 308 Kemp Street, Country Club East Watershed, Montopolis NPA
 Owner/Applicant: Jesus Herrera
 Agent: Cormier Architecture (James Cormier)
 Request: Approval of the Herrera Addition composed of 6 lots on 0.723 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 10. Final without Preliminary: C8-2011-0087.0A - Sponberg Subdivision, Final Plat**
 Location: Freidrich Lane, Williamson Creek Watershed, Franklin Park NPA
 Owner/Applicant: 4800 Freidrich Lane, LLC (Christopher S. Slover)
 Agent: Lockwood Engineering, Inc. (Fred C. Lockwood)
 Request: Approval of the Sponberg Subdivision, Final Plat composed of 1 lot 5.65 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

11. Final with preliminary: C8-04-0043.05.1A.SH - Mueller-Section V1 Final Plat

Location: 3600 Manor Road, Boggy/Tannehill Branch Creeks Watershed, RMMA NPA
Owner/Applicant: COA-Redevelopment Services Office (Pam Hefner)
Agent: Bury & Partners, Inc. (David Miller)
Request: Approval of the Mueller-Section VI Final Plat composed of 202 lots on 24.684 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #8-11;

The motion to disapprove Items #8-11; was approved on the consent agenda by Commissioner Dave Anderson’s motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

D. NEW BUSINESS

1. New Business:

Request: Discussion and act on the recommendations for affordable housing in the University Neighborhood Overlay.

The motion to forward to the Codes & Ordinances Committee and bring back to the full commission on August 23, 2011; was approved by Commissioner Richard Hatfield’s motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioner Mandy Dealey was absent, 1 vacancy on the commission.

E. SUBCOMMITTEE REPORTS

F. ADJOURNMENT

Chair Dave Sullivan adjourned the meeting without objection at 9:05 p.m.