



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
September 13, 2011**

The Planning Commission convened in a regular meeting on September 13, 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
Danette Chimenti
Mandy Dealey
Richard Hatfield
Saundra Kirk
Jean Stevens
Donna Tiemann**

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 speakers.

B. APPROVAL OF MINUTES

1. Approval of minutes for August 23, 2011.

The motion to approve the minutes for August 23, 2011, were approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 5-0-2; Commissioner Danette Chimenti and Jean Stevens abstained from the minutes, Commissioner Dave Anderson and Alfonso Hernandez were absent.

C. PUBLIC HEARING

- 1. Master Plan: MP-2011-0003 - Downtown Austin Plan**
Location: Area bounded by Martin Luther King Jr. Blvd. to the North; Lady Bird Lake to the South; IH-35 to the East; and the West side of Lamar Blvd. ROW to the West, Town Lake Watershed, Downtown NPA
Owner/Applicant: City of Austin - Planning and Development Review Department
Agent: Jim Robertson
Request: Briefing, discussion, and possible action on the recommendation of the Downtown Austin Plan (DAP) to retain, but amend, the CURE combining district as it applies Downtown as a means of obtaining increased height and/or FAR in the context of the DAP's proposed Downtown Density Bonus Program.
Staff Rec.: **Recommended**
Staff: Jim Robertson, (512) 974-3564, James.Robertson@austintexas.gov
Michael Knox, (512) 974-6415, michael.knox@austintexas.gov
Planning and Development Review Department

Motion made to support the recommendation made in the November 2010 draft of the Downtown Austin Plan, which was to eliminate CURE as a means of obtaining additional height and/or density Downtown. Further, to support the range of options for community benefits contained in the proposed Density Bonus Program. The motion was made by Commissioner Danette Chimenti, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioners Dave Anderson and Alfonso Hernandez were absent.

- 2. Heritage Tree TP 10617196 - 311, 313, 315 Bowie Street**
Variance:
Location: 311, 313, 315 Bowie Street, Shoal Creek Watershed, Downtown NPA
Owner/Applicant: Cerco Development, Inc.
Agent: Will Marsh
Request: The applicant is requesting to remove a heritage tree with a stem greater than 30" in diameter.
Staff Rec.: **No Recommendation**
Staff: Keith Mars, 974-2755, keith.mars@ci.austin.tx.us
Planning and Development Review Department

The motion to postpone to September 27, 2011 by the request of the applicant, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Dave Anderson and Alfonso Hernandez were absent.

- 3. Code Amendment: C20-2011-014 - Tours, garage sales and home occupations**
 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@austintexas.gov
 Planning and Development Review Department

The motion to approve staff’s recommendation including the recommendations of the Arts Commission and staff; specifically:

- The discussion of garage sales be included in a separate section of the code to avoid confusion;
- The number of permitted days per year that an artist may sell their art as part of a tour should be 12;
- Up to 6 guests artist, be permitted to sell their art from the same property, along with the primary artists;
- That advertising of an art tour not be considered a violation of the prohibition on advertising of a home occupation as per 25-2-900(J), and
- To qualify as a tour for the purposes of this ordinance, the tour organizer is required to notify the City of Austin Cultural Arts Division, with the dates and the addresses of participation properties.

The motion was approved by Commissioner Mandy Dealey’s motion, Commissioner Sandra Kirk seconded the motion on a vote of 7-0, Commissioner Alfonso Hernandez and Dave Anderson were absent.

- 4. Code Amendment: C20-2001-001 - Restaurant (General) use in LR zoning districts**
 Location: City-wide
 Owner/Applicant: City of Austin
 Agent: Planning and Development Review Department (Robert Heil)
 Request: Amend Chapter 25-2 to restrict the size of allowed Restaurant (General) use in the LR, Neighborhood Commercial zoning district to 4,000 sq/ft.
 Staff Rec.: **Recommended**
 Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov
 Robert Heil, 974-2330, robert.heil@austintexas.gov
 Planning and Development Review Department

The motion to approve staff’s recommendation to amend Chapter 25-2, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Dave Anderson and Alfonso Hernandez were absent.

5. **Rezoning:** **C14-2011-0094 - 1414 West Oltorf St.**
 Location: 1414 West Oltorf Street, West Bouldin Creek Watershed
 Owner/Applicant: LOC Consultants, LLP (Sergio Lozano Sanchez)
 Agent: JSTRAIN, LLC (Scott Trainer)
 Request: SF-3 to CS
 Staff Rec.: **Recommended**
 Staff: Stephen Rye, 974-7604, stephen.rye@austintexas.gov
 Planning and Development Review Department

The motion to approve CS-CO district zoning with the added condition of 90% impervious cover limit, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Dave Anderson and Alfonso Hernandez were absent.

6. **Site Plan** **SPC-2010-0326D - Tarrytown Boat Club**
Conditional
UsePermit:
 Location: 2608 Scenic Drive, Lake Austin Watershed, Central Austin Combined
 NPA
 Owner/Applicant: Tarrytown Boat Club
 Agent: Aupperle Co. (Bruce Aupperle)
 Request: Approve a CUP for Community Recreation Use in SF-3 zoning
 Staff Rec.: **Recommended**
 Staff: Lynda Courtney, 974-2810, lynda.courtney@austintexas.gov
 Planning and Development Review Department

The motion to approve staff’s recommendation to approve a Conditional Use Permit was approved by Commissioner Mandy Dealey’s motion, Commissioner Sandra Kirk seconded the motion on a vote of 6-0-1; Commissioner Donna Tiemann abstained, Commissioners Alfonso Hernandez and Dave Anderson were absent.

- 7. Site Plan Conditional Use Permit:** **SPC-2011-0147D - 1700 E. 2nd Street New Parking for Existing Buildings**
- Location: 1700 East 2nd Street, Town Lake Watershed, East Cesar Chavez NPA
 Owner/Applicant: 2nd Street L.L.C., (Lyon Gegenheimer)
 Agent: Thompson Land Engineering, LLC, (Robert C. Thompson)
 Request: Approve a land use change in a portion of an existing building from Administrative and Business Office to Restaurant (general), which is a conditional use for the site according to the East Cesar Chavez Neighborhood Plan, whereas the site plan includes the construction of a parking lot and detention pond with associated improvements.
- Staff Rec.: **Recommended**
 Staff: Sarah Graham, 974-2826, sarah.graham@austintexas.gov
 Planning and Development Review Department

The motion to approve a Site Plan Conditional Use Permit, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Dave Anderson and Alfonso Hernandez were absent.

- 8. Site Plan Compatibility Waiver Only:** **SP-2011-0175C - 720 34th @ West**
- Location: 720 West 34th Street, Shoal Creek & Waller Creek Watersheds, Central Austin Combined NPA
 Owner/Applicant: Rob Golding
 Agent: Bury & Partners, Inc. (Steven Bertke)
 Request: Approve a compatibility variance for parking, drives, and building within 25 feet of compatibility setback.
- Staff Rec.: **Recommended**
 Staff: Donna Galati, 974-2733, donna.galati@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 11, 2011 by the request of the applicant, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Alfonso Hernandez and Dave Anderson were absent.

9. Final Plat: C8-2011-0062.0A - IBM East Subdivision, Resubdivision of Block "A" Lots 1A & 2A; Amended Plat of Lots 1 & 2 Block "A"

Location: 11205-11501 Burnet Road, Walnut Creek Watershed, North Burnet/Gateway NPA

Owner/Applicant: IBM (Jack Zahriser)

Agent: Bury & Partners, Inc. (Jonathan Neslund)

Request: The approval of the IBM East Subdivision, Resubdivision of Block "A" Lot 1A & 2A and Amended Plat of Lots 1 & 2 Block "A", composed of 9 lots on 105.42 acres.

Staff Rec.: **Recommended**

Staff: David Wahlgren, 974-6455, David.wahlgren@austintexas.gov
Planning and Development Review Department

The motion to postpone to September 27, 2011 by the request of staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Alfonso Hernandez and Dave Anderson were absent.

10. Resubdivision: C8-2010-0105.0A - Resubdivision of Lot 1, Block C, Neans Place Section 1

Location: 1111 Neans Drive, Little Walnut Creek Watershed, North Austin Civic Association NPA

Owner/Applicant: Francisco Guerrero

Agent: Francisco Guerrero

Request: Approval of the Resubdivision of Lot 1, Block C, Neans Place Section 1 composed of 3 lots on 0.430 acres.

Staff Rec.: **Staff requests a postponement to 09-27-2011.**

Staff: Don Perryman, 974-2786, don.perryman@austintexas.gov
Planning and Development Review Department

The motion to postpone to September 27, 2011 by the request of staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Alfonso Hernandez and Dave Anderson were absent.

- 11. Resubdivision: C8-2011-0029.0A - Resubdivision of Lot 16, Block D, Ford Place Number One**
- Location: 4414 Russell Drive, Williamson Creek Watershed, South Manchaca NPA
- Owner/Applicant: Richard Wagner
- Agent: Michael McHone
- Request: Approval of the Resubdivision of Lot 16, Block D, Ford Place Number One composed of 1 lot on 0.315 acres.
- Staff Rec.: **Recommended**
- Staff: Don Perryman, 974-2786, don.perryman@austintexas.gov
Planning and Development Review Department

The motion to approve staff’s recommendation for approval of the Ford Place Number One, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Dave Anderson and Alfonso Hernandez were absent.

- 12. Final with Preliminary: C8-04-0043.05.2A.SH - Mueller Section 7B Final**
- Location: 3600 Manor Road, Tannehill Branch Watershed, RMMA
- Owner/Applicant: City of Austin (Pam Hefner)
- Agent: Bury & Partners, Inc. (David Miller)
- Request: Approval of Mueller Section 7B Final Plat comprised of 4 lots into 3 lots on 24.701 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

The motion to disapprove item #12; was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Dave Anderson and Alfonso Hernandez were absent.

D. NEW BUSINESS

- 1. New Business:**
- Request: Discussion and action on a nomination to the Airport Boulevard Advisory Group.

Dave Sullivan was nominated to the Airport Boulevard Advisory Group.

E. SUBCOMMITTEE REPORTS

F. ADJOURNMENT

Chair Dave Sullivan adjourned the meeting without objection at 8:40 p.m.