



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
October 11, 2011**

The Planning Commission convened in a regular meeting on October 11, 2011 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:04 p.m.

Board Members in Attendance:

Dave Sullivan – Chair

Danette Chimenti

Mandy Dealey

Richard Hatfield

Jeff Jack – Ex Officio Member (Not voting)

Alfonso Hernandez

Sandra 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 September 27, 2011.

The motion to approve the minutes for September 27, 2011, were approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

C. PUBLIC HEARING

- 1. 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: George Gonzalez
Request: Approval of the Resubdivision of Lot 1, Block C, Neans Place Section 1, composed of 3 lots on 0.430 acres. **REQUEST MADE BY COMMISSION TO PLACE 1ST ON THE AGENDA.**
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 Resubdivision of Lot 1, Block C, Neans Place Section 1; was approved by Commissioner Sandra Kirk’s motion, Commissioner Mandy Dealey seconded the motion on a vote of 8-1; Commissioner Jean Stevens voted against the motion (nay).

- 2. Briefing:**
Request: Briefing on the Colorado River Corridor Study; a joint planning effort with Travis County, City of Austin and LCRA.
Staff: Jean Drew, 974-2272, jean.drew@austintexas.gov
Watershed Protection Department

Briefing made to the Planning Commission.
Motion made by Commissioner Danette Chimenti to forward to the Zoning & Platting Commission, Water Front Overlay Board and Parks Board. Request was also made to receive hard copies of the Study. Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 3. Heritage Tree Variance: TP 10617196 - 311, 313, 315 Bowie Street**
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@austintexas.gov
Planning and Development Review Department

The motion to DENY the variance request to remove a heritage tree was approved by Commissioner Mandy Dealey’s motion, Commissioner Danette Chimenti seconded the motion on a vote of 5-4; Commissioners Richard Hatfield, Alfonso Hernandez, Dave Anderson and Sandra Kirk voted against the motion (nay).

- 4. Code Amendment: C20-2010-015 - Group Residential in MF-4 Zoning**
 Location: Hancock, West University NPA
 Owner/Applicant: City of Austin
 Request: Amend Chapter 25-2 by creating the Central Austin - University Area Zoning Overlay District (CAUA) in which the group residential land use would become a conditional instead of permitted use in the multi-family residence moderate-high density (MF-4) base zoning district.
 Staff Rec.: **Not recommended**
 Staff: Robert Heil, 974-2330, robert.heil@austintexas.gov
 Planning and Development Review Department

The motion to deny staff's recommendation; and approve the request for an amendment to Chapter 25-2; was approved by Commissioner Sandra Kirk's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0-1; Commissioner Alfonso Hernandez was off the dais, Commissioner Dave Anderson abstained.

- 5. Plan Amendment: NPA-2011-0015.01 - Walnut Creek Greenbelt**
 Location: 6406 Garden View Lane, Walnut Creek Watershed, East Martin Luther King, Jr. Combined NPA
 Owner/Applicant: City of Austin, Parks and Recreation Department
 Agent: Greg Montes, Parks & Recreation Department
 Request: Mixed Residential and Mixed Use to Recreation/Open Space
 Staff Rec.: **Recommended**
 Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 6. Plan Amendment: NPA-2011-0019.01 - Helms Condominiums**
 Location: 201 East 34th Street, Waller Creek Watershed, Central Austin Combined Neighborhood Plan NPA
 Owner/Applicant: Zod Bozorgmehr, Valerie Bauhofer and John White
 Agent: Douglas Gibbins
 Request: Single Family to Higher-Density Single Family
 Staff Rec.: **Pending**
 Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 7. Rezoning: C14-2011-0016 - Helms Condominiums**
Location: 201 East 34th Street, Waller Creek Watershed, Central Austin Combined NPA
Owner/Applicant: Zod Bozorgmehr, Valerie Bauhofer and John White
Agent: Douglas Gibbins
Request: SF-3-NCCD-NP to SF-4A-NCCD-NP
Staff Rec.: **Pending**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov
Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 8. Plan Amendment: NPA-2011-0008.01 - 2935 MLK**
Location: 2935 East Martin Luther King, Jr. Boulevard, Boggy Creek Watershed, Rosewood NPA
Owner/Applicant: Noble Capital, LLC
Agent: Minka Anderson or Grady E. Collins (Noble Capital, LLC, New Castle Realty Advisory)
Request: Single Family to Mixed Use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
Planning and Development Review Department

The motion to approve staff's recommendation for Mixed Use; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 9. Plan Amendment: NPA-2011-0016.02 - East Boggy Creek Greenbelt**
Location: 5509 - 5609 Stuart Circle, Boggy Creek Watershed, Govalle/Johnston Terrace Combined NPA
Owner/Applicant: City of Austin, Parks and Recreation Department
Agent: Greg Montes, Parks & Recreation Department
Request: Single Family & Water to Recreation/Open Space
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the neighborhood, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

10. Plan Amendment: NPA-2011-0016.01 - East Boggy Creek Greenbelt
Location: 5702 1/2 Jain Lane, Boggy Creek Watershed, Govalle/Johnston Terrace
Combined NPA
Owner/Applicant: City of Austin, Parks and Recreation Department
Agent: Greg Montes, Parks & Recreation Department
Request: Civic and Single Family to Recreation/OpenSpace
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

11. Rezoning: C14-2011-0112 - 6607 - CS-1
Location: 6607 North IH 35 Service Road Northbound, Tannehill Branch;
Buttermilk Creek Watershed, St. John NPA
Owner/Applicant: WC 6607 North IH 35, LP (Nate Paul)
Agent: Jim Bennett Consulting (Jim Bennett)
Request: CS to CS-1
Staff Rec.: **Recommendation of CS-1-CO**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov
Planning and Development Review Department

The motion to approve staff's recommendation for CS-1-CO district zoning; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

12. Rezoning: C14-2011-0050 - Burnet/Kramer Rezoning
Location: 11301 Burnet Road, Walnut Creek Watershed, North Burnet/Gateway
Combined NPA
Owner/Applicant: IBM Corporation
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: NBG-TOD to NBG-CMU
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov
Planning and Development Review Department

The motion to approve staff's recommendation for NBG-CMU district zoning; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 13. Rezoning: C14-2011-0113 - Block 11 - Convention Center Hotel**
 Location: 608 East Cesar Chavez Street, Waller Creek Watershed, Downtown NPA
 Owner/Applicant: Waller Creek Eleven, G. P., Inc. (Perry Lorenz)
 Agent: Manchester Texas Financial Group, L.L.C. (Doug Manchester)
 Request: CBD to CBD-CURE
 Staff Rec.: **Recommended**
 Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the applicant, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 14. Restrictive Covenant Termination: C14-97-0102(RCT) - Dreyfus Antiques Brocante**
 Location: 1901 North Lamar Boulevard, Shoal Creek Watershed, Central Austin Combined Neighborhood Plan NPA
 Owner/Applicant: Dreyfus Antiques Brocante (George Dreyfus)
 Agent: Armbrust & Brown, PLLC (Lynn Ann Carley)
 Request: The applicant is requesting a Restrictive Covenant Termination that will remove land use restrictions and a zoning rollback provision in a 1997 Restrictive Covenant.
 Staff Rec.: **Recommended**
 Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 15. Rezoning: C14-2011-0100 - Dreyfus Antiques Brocante**
 Location: 1901 North Lamar Boulevard, Shoal Creek Watershed, Central Austin Combined NPA
 Owner/Applicant: Dreyfus Antiques Brocante (George Dreyfus)
 Agent: Armbrust & Brown, PLLC (Lynn Ann Carley)
 Request: LR-CO-NP to LR-CO-NP, to change a condition of zoning
 Staff Rec.: **Recommended**
 Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey’s motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

16. Rezoning: C14-2011-0093 - The Grove
Location: 3707 Manchaca Road, West Bouldin Creek Watershed, South Lamar NPA
Owner/Applicant: FHB Forest Apartments, LP
Agent: WGA Austin (Scott Wuest)
Request: LO and MF-2 to MF-3
Staff Rec.: **Recommended**
Staff: Stephen Rye, 974-7604, stephen.rye@austintexas.gov
Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

17. Rezoning: C14-2011-0083 - Southern Walnut Creek Hike & Bike Trail
Location: 5200 Bolm Road; 5509-5609 Stuart Circle, Boggy Creek Watershed, Govalle/Johnston Terrace Combined NPA
Owner/Applicant: City of Austin Parks and Recreation Department (Gregory Montes)
Agent: City of Austin Parks and Recreation Department (Gregory Montes)
Request: SF-3-NP to P-NP
Staff Rec.: **Recommended**
Staff: Stephen Rye, 974-7604, stephen.rye@austintexas.gov
Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the neighborhood, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

18. Rezoning: C14-2011-0082 - Southern Walnut Creek Hike & Bike Trail
Location: 5702-1/2 Jain Lane, Boggy Creek Watershed, Govalle/Johnston Terrace Combined NPA
Owner/Applicant: City of Austin Parks and Recreation Department (Gregory Montes)
Agent: City of Austin Parks and Recreation Department (Gregory Montes)
Request: SF-3-NP to P-NP
Staff Rec.: **Recommended**
Staff: Stephen Rye, 974-7604, stephen.rye@austintexas.gov
Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

19. Rezoning: **C14-2011-0086 - Southern Walnut Creek Hike & Bike Trail**
 Location: 6406 Garden View Drive, Walnut Creek Watershed, East Martin Luther King, Jr. Combined NPA
 Owner/Applicant: City of Austin Parks and Recreation Department (Gregory Montes)
 Agent: City of Austin Parks and Recreation Department (Gregory Montes)
 Request: SF-3-NP to P-NP
 Staff Rec.: **Recommended**
 Staff: Stephen Rye, 974-7604, stephen.rye@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

20. Rezoning: **C14-2011-0084 - Noble Capital LLC**
 Location: 2937 East Martin Luther King, Jr. Boulevard, Boggy Creek Watershed, Rosewood NPA
 Owner/Applicant: Noble Capital Servicing, LLC (Jordan Newman)
 Agent: Noble Capital (Minka Anderson)
 Request: SF-3-NP to LR-MU-NP
 Staff Rec.: **Recommended**
 Staff: Stephen Rye, 974-7604, stephen.rye@austintexas.gov
 Planning and Development Review Department

The motion to approve staff's recommendation for LR-MU-NP district zoning, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

21. Final Plat: **C8-2011-0062.0A - IBM East Sub, Resub of Blk "A" Lots 1A & 2A; Amended Plat of Lots 1 & 2 Blk "A"**
 Location: 11205-11501 Burnet Road, Walnut Creek Watershed, North Burnet/Gateway Combined 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.: **Pending**
 Staff: David Wahlgren, 974-6455, David.wahlgren@austintexas.gov
 Planning and Development Review Department

The motion to postpone to October 25, 2011 by the request of the staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 22. Final w/out Preliminary: C8-2011-0131.0A - 3508 E. 7th Addition**
 Location: 3508 East 7th Street, Boggy Creek Watershed, Govalle/Johnston Terrace Combined NPA
 Owner/Applicant: 38-1/2 St. LC (Guy Oliver; Jason Oliver)
 Agent: Texas Design Interests LLC (Kolbe Scott)
 Request: Approval of 3508 E. 7th Addition composed of 1 lot on 0.238 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 23. Resubdivision: C8-2011-0129.0A - Wynn-Lewis Subdivision; Resubdivision of Lot 1 Aerie**
 Location: 3604 Windsor Road, Taylor Slough South/Town Lake/Lake Austin Watershed
 Owner/Applicant: Anne Elizabeth Wynn & Co-Trustees of Ralph A Lewis Jr. Trust (Mary E. & Suzanne G. Lewis)
 Agent: Civilitude, LLC (Fayez Kazi)
 Request: Approval of the Wynn-Lewis Subdivision; Resubdivision of Lot 1 Aerie, composed of 2 lots on 1.503 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Items #22-23;

The motion to disapprove Items #22-23; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

D. NEW BUSINESS

1. New Business:

Request: Discussion and action on electing Planning Commission Officers.

The current Officers were re-elected to another term.

Chair - Dave Sullivan
 Vice-Chair - Mandy Dealey
 Parliamentarian - Danette Chimenti
 Secretary - Sandra Kirk

E. SUBCOMMITTEE REPORTS

Codes & Ordinances – October 18, 2011 @ 6 p.m
 Neighborhood Planning – October 19, 2011 @ 6 p.m

F. ADJOURNMENT

Chair Dave Sullivan adjourned the meeting without objection at 11:00 p.m.