

PLANNING COMMISSION MINUTES

REGULAR MEETING February 14, 2012

The Planning Commission convened in a regular meeting on February 14, 2012 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:06 p.m.

Board Members in Attendance: Dave Sullivan – Chair Danette Chimenti Mandy Dealey Richard Hatfield

Jeff Jack - Ex-Officio member

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

B. APPROVAL OF MINUTES

1. Approval of minutes for January 24, 2012.

The motion to approve the minutes from January 24, 2012, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 5-0-1; Commissioner Saundra Kirk abstained, Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

C. PUBLIC HEARING

1. Code Amendment: C20-2011-036 – Land Use Determination

Location: Citywide Owner/Applicant: City of Austin

Agent: Planning and Development Review Department (Robert Heil)

Request: Conduct a public hearing and consider an ordinance amending City

Code Chapters 25-1 (General Requirements and Procedures) and 25-2 (Zoning) to: (A) establish appropriate requirements for the issuance, notification, and appeal of zoning use determinations; and (B) require that use determinations be made either concurrent with issuance of a development approval or as part of a pre-permitting review process that

provides for public notice.

Staff Rec.: Recommended

Staff: Robert Heil, 974-2330, Robert.Heil@AustinTexas.gov;

Planning and Development Review Department

The motion to forward back to the Codes & Ordinances Subcommittee and bring back to the full commission on February 28, 2012, was approved by Commissioner Danette Chimenti's motion, Commissioner Mandy Dealey seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

2. Code Amendment: C20-2011-037 – Alternative Financial Services

Location: Citywide Owner/Applicant: City of Austin

Agent: Planning and Development Review Department (Robert Heil)

Request: Conduct a public hearing and consider an ordinance amending the City

Land Development Code to regulate the location and use of buildings

and land for alternative financial services businesses.

Staff Rec.: Recommended

Staff: Robert Heil, 974-2330, Robert.Heil@AustinTexas.gov;

Planning and Development Review Department

The motion to forward to the Codes & Ordinances Subcommittee and bring back to the full commission on February 28, 2012, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Richard Hatfield seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

3. Briefing and C12M-2010-0003 Request for C12M-2010-0004 Recommendation C12M-2010-0005 on a Consent C12M-2010-0006

Agreement: C12M-2010-0007 – Pilot Knob MUDs 1-5

Location: 7508 FM 1625, Cottonmouth Creek, North Fork Dry Creek, South Fork

Dry Creek, and Marble Creek Watersheds

Owner/Applicant: Carma Easton, Inc. (Shaun Cranston)
Agent: Armbrust & Brown, PLLC (Sue Littlefield)

Request: Approval of a Consent Agreement to create a Municipal Utility District

(MUD) in the City's Extra-territorial Jurisdiction, to be known as Pilot

Knob Municipal Utility District 1-5

Staff Rec.: Recommended

Staff: Virginia Collier, 974-2022, virginia.collier@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation and forward to City Council with the inclusions that affordable housing be included and worked out before this goes to Council and include Park Board's recommendation; the motion was approved by Commissioner Danette Chimenti, Commissioner Saundra Kirk seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

4. Briefing and C12M-2011-0003 Request for C12M-2011-0004 Recommendation C12M-2011-0005

on a Consent C12M-2011-0006 – Southeast Travis County MUDs 1-4

Agreement:

Location: Pearce Lane, Dry Creek East Watershed

Owner/Applicant: Qualico CR, LP (Vera Massaro)

Agent: Armbrust & Brown, PLLC (Sue Littlefield)

Request: Approval of a Consent Agreement to create a Municipal Utility District

(MUD) in the City's Extra-territorial Jurisdiction, to be known as

Southeast Travis County Municipal Utility District 1-4

Staff Rec.: **Recommended**

Staff: Virginia Collier, 974-2022, virginia.collier@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation and forward to City Council with the inclusions that affordable housing be included and worked out before this goes to Council and include Park Board's recommendation; the motion was approved by Commissioner Danette Chimenti, Commissioner Saundra Kirk seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

5. Plan Amendment: NPA-2011-0009.02 – Chicon Corridor

Location: 1807 East 13th Street & 1212 Chicon Street, Boggy Creek Watershed,

Central East Austin NPA

Owner/Applicant: Calavan Family Partnership (Brooks Calavan)

Agent: Chestnut Neighborhood Revitalization Corp. (CNRC), (Sarah Andre &

Sean Garretson)

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 postpone to March 13, 2012 by the request of staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

6. Rezoning: C14-2011-0149.SH – **Chicon Corridor**

Location: 1807 East 13th Street & 1212 Chicon Street, Boggy Creek Watershed,

Central East Austin / Davis-Thompson NPA

Owner/Applicant: Calavan Family Partnership (Brooks Calavan)

Agent: Chestnut Neighborhood Revitalization Corp. (CNRC), (Sarah Andre)

Request: CS-NP to CS-MU-NP

Staff Rec.: Recommendation of CS-MU-CO-NP; Staff Requesting

Postponement to March 13, 2012

Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov;

Planning and Development Review Department

The motion to postpone to March 13, 2012 by the request of staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

7. Plan Amendment NPA-2011-0010.01 – Holly Plan Amendment – Canterbury Street

– City-Initiated:

Location: 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, and 2617 Canterbury

Street, Town Lake Watershed, Holly NPA

Owners: Bayer, Alissa & Shon (2601 Canterbury St)

Pardo, Debbie Ann (2603 Canterbury St) Melvin, Elizabeth (2605 Canterbury St)

Victor-McCawley, Chris and Alice (2607 Canterbury St)

Addington, Paul (2609 Canterbury St) Juarez, Ofelia (2611 Canterbury St) Bumper One LLC (2613 Canterbury St)

Andrew Robeson Tidrick (2615 and 2617 Canterbury St)

Agent: Planning and Development Review Department (Wendy Rhoades)

Request: Recreation/Open Space to Single Family

Staff Rec.: Recommended

Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation to single family was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0, Commissioners Jean Stevens, Dave Anderson and Donna Tiemann were absent.

8. Rezoning – C14-2011-0166 – 2601-2701 Canterbury Street

City-Initiated:

Location: 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615 & 2617 Canterbury

Street, Town Lake Watershed, Holly NPA

Owners: Bayer, Alissa & Shon (2601 Canterbury St)

Pardo, Debbie Ann (2603 Canterbury St) Melvin, Elizabeth (2605 Canterbury St)

Victor-McCawley, Chris and Alice (2607 Canterbury St)

Addington, Paul (2609 Canterbury St) Juarez, Ofelia (2611 Canterbury St) Bumper One LLC (2613 Canterbury St)

Andrew Robeson Tidrick (2615 and 2617 Canterbury St)

Agent: Planning and Development Review Department (Wendy Rhoades)

Request: P-NP to SF-3-NP Staff Rec.: **Recommended**

Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov;

Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation for SF-3-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 6-0, Commissioners Jean Stevens, Dave Anderson and Donna Tiemann were absent.

9. **Rezoning:** C14-2011-0103 – **IBC** Mueller View

Location: 1206, 1208, 1210, 1212, 1216 & 1218 East 51st Street, Tannehill Branch

Watershed, Windsor Park NPA

Owner/Applicant: Tommie Nell Bernal, Gary & Doyal Valdez, Larry Bartling, Mueller

View, L.P., Austin Gay & Lesbian International Film Festival &

Thomas McDonald

Agent: Graves, Dougherty, Hearon & Moody (Peter Cesaro)

Request: GR-MU-V-CO-NP to GR-MU-V-CO-NP, to change a condition of

zoning

Staff Rec.: **Recommended**

Staff: Clark Patterson, 974-7691, <u>clark.patterson@austintexas.gov</u>;

Planning and Development Review Department

The motion to approve staff's recommendation for GR-MU-V-CO-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 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

10. Rezoning: C14-2011-0131 – West 34th St. Redevelopment, Tract "A"

Location: 800 & 808 West 34th Street, Shoal/Waller Creek Watersheds, Central

Austin Combined NPA

Owner/Applicant: REIT Management & Research, L.L.C. (Richard Stilovich)

Agent: McCann Adams Studios (Jana McCann)

Request: LO-NP to GO-NP

Staff Rec.: Recommendation of GO-CO-NP

Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov;

Planning and Development Review Department

The motion to postpone to April 10, 2012 by the request of the Planning Commission, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-0-1; Commissioner Richard Hatfield abstained, Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

11. Rezoning: C14-2011-0132 – West 34th St. Redevelopment, Tract "B"

Location: 3316 Grandview Street, Shoal/Waller Creek Watersheds, Central Austin

Combined NPA

Owner/Applicant: REIT Management & Research, L.L.C. (Richard Stilovich)

Agent: McCann Adams Studios (Jana McCann)

Request: LO-NP to GO-NP

Staff Rec.: Recommendation of GO-CO-NP

Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov;

Planning and Development Review Department

The motion to postpone to April 10, 2012 by the request of the Planning Commission, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-0-1; Commissioner Richard Hatfield abstained, Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

12. Rezoning: C14-2011-0133 – West 34th St., Redevelopment, Tract "C"

Location: 801 West 34th Street, Shoal/Waller Creek Watersheds, Central Austin

Combined NPA

Owner/Applicant: REIT Management & Research, L.L.C. (Richard Stilovich)

Agent: McCann Adams Studios (Jana McCann)

Request: LO-NP to GO-NP

Staff Rec.: Recommendation of GO-CO-NP

Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov;

Planning and Development Review Department

The motion to postpone to April 10, 2012 by the request of the Planning Commission, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-0-1; Commissioner Richard Hatfield abstained, Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

13. Rezoning: C14-2011-0134 – West 34th St., Redevelopment, Tract "D"

Location: 715 West 34th Street, Shoal/Waller Creek Watersheds, Central Austin

Combined NPA

Owner/Applicant: REIT Management & Research, L.L.C. (Richard Stilovich)

Agent: McCann Adams Studios (Jana McCann)

Request: LO-NP to GO-NP

Staff Rec.: Recommendation of GO-CO-NP

Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov;

Planning and Development Review Department

The motion to postpone to April 10, 2012 by the request of the Planning Commission, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-0-1; Commissioner Richard Hatfield abstained, Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

14. Rezoning: C14H-2011-0002 – Routon-Alvarez-Lopez House

Location: 809 E. 9th Street, Waller Creek Watershed, Central East Austin NPA Owner/Applicant: Historic Landmark Commission - applicant; Mary Helen Lopez, owner

Agent: Steve Sadowsky, Historic Preservation Office

Request: SF-3-NCCD-NP to SF-3-H-NCCD-NP

Staff Rec.: **Recommended**

Staff: Steve Sadowsky, 974-6454, steve.sadowsky@austintexas.gov;

Planning and Development Review Department

The motion to postpone to May 8, 2012 by the request of staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

15. Rezoning: C14-2011-0165 – Randerson Creekside Rezoning

Location: 3108 East 51st Street, Fort Branch Watershed, Pecan Springs-Springdale

/ East MLK Combined NPA

Owner/Applicant: CNB Austin (Mark Kalish)

Agent: Central Tx Development Assessments, Inc. (Mike Wilson)

Request: SF-3-NP to MF-2-NP

Staff Rec.: Recommendation of SF-6-CO-NP; Applicant Requesting

Postponement to February 28, 2012

Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov;

Planning and Development Review Department

The motion to postpone to February 28, 2012 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 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

16. Restrictive C14-04-0181.SH(RCA) – Shire's Court

Covenant Amendment:

Location: 1910 ½ Wickshire Lane, Country Club East Watershed, East Riverside/

Oltorf Combined NPA

Owner/Applicant: Shire's Court G.P., Inc. (David Mahn)

Agent: Myra Goepp

Request: Restrictive Covenant Amendment to make Carlson Drive a private

access roadway.

Staff Rec.: **Recommended**

Staff: Stephen Rye, 974-7604, stephen.rye@austintexas.gov;

Planning and Development Review Department

The motion to postpone to February 28, 2012 by the request of staff, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

17. Site Plan SPC-2010-0367C – Southern Walnut Creek Hike and Bike Trail

Conditional Use Permit with Variances:

Location: 5200 ½ Bolm Road, Walnut, Boggy, Fort Branch, Tannehill, Decker

Creek

Watersheds, Johnston Terrace/Govalle/MLK-183 NPA

Owner/Applicant: City of Austin - Public Works and Parks and Recreation Departments

(Richard Duane)

Agent: MWM Design (Frank Del Castillo)

Request: Approval of a Conditional Use Permit with variances requested as

follows: 1. To allow cut up to a maximum of 8 feet for bridge and box-culvert construction (LDC Section 25-8-341); 2. To allow fill up to a maximum of 16 feet for bridge and box-culvert construction (LDC Section 25-8-342); and 3. To allow construction in a Critical Water

Quality Zone (CWQZ) (LDC Section 25-8-392).

Staff Rec.: Recommended with conditions

Staff: Sue Welch, 974-3294, sue.welch@austintexas.gov;

Brad Jackson, 974-3410, brad.jackson@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation for approval of a conditional use permit with variances, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

18. Site Plan - SP-2007-0241C(XT2) – Crestview Station

Extension:

Location: 950 Banyon Street, Waller Creek Watershed, Lamar/Justin TOD NPA Owner/Applicant: High Street Crestview Station LLC; Crestview Station Phase I LLC

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

Request: Request approval of a second extension to an approved site plan permit,

which would extend the permit to April 17, 2012.

Staff Rec.: **Recommended**

Staff: Nikki Hoelter, 974-2863, nikki.hoelter@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation for approval of a second extension to an approved site plan permit, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

19. Preliminary Plan: C8-2011-0101 – Preliminary Plan, Resubdivision of Lot 7, Crestview

Station

Location: 950 Banyon Street, Waller Creek Watershed, Crestview/Wooten

Combined NPA

Owner/Applicant: Trammell Crow

Agent: Gray Jansing Inc. (James Brewer)

Request: The approval of the Preliminary Plan Resubdivision of Lot 7, Crestview

Station, composed of 304 lots on 32.62 acres with a variance as follows: To Section 25-4-171(a) Access to Lots - In that a large number of lots in this subdivision do not abut a dedicated public street, but rather take

access though private streets and alleys (RECOMMENDED).

Staff Rec.: **Recommended**

Staff: David Wahlgren, 974-6455, David.wahlgren@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation for approval of a preliminary plan, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

20. Resubdivision: C8-2011-0129.0A – Wynn-Lewis Subdivision, Resubdivision of Lot

1, Aerie Subdivision

Location: 3604 Windsor Road, Taylor Slough South Watershed, Lady Bird Lake

& Lake Austin Watersheds, Old West Austin NPA

Owner/Applicant: Anne E. Wynn; Mary E. Lewis & G. Suzanne Lewis

Agent: Civilitude Engineer & Planners (Fayez Kazi)

Request: Approve the resubdivision of one lot and a portion of unplatted land into

2 lots on 1.503 acres.

Staff Rec.: **Recommended**

Staff: Sylvia Limon, 9742767, sylvia.limon@austintexas.org;

Planning and Development Review Department

The motion to approve staff's recommendation for approval of Wynn-Lewis Subdivision, Resubdivision of Lot 1 Aerie Subdivision, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

21. Resubdivision: 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 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.: **RECOMMENDED**

Staff: David Wahlgren, 974-6455, David.wahlgren@austintexas.gov;

Planning and Development Review Department

The motion to approve staff's recommendation for approval of the IBM East Subdivision, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

22. Final Plat: C8-2012-0003.0A – Springdale at 51st Street

Location: 4500 E. 51st Street, Fort Branch Watershed, Pecan Springs-Sprindale

NPA

Owner/Applicant: (Benjamin Rosas)

Agent: Genesis 1 Engineering Co. (George Gonzalez)

Request: The approval of the Springdale at 51st Street composed of 1 lot on 1.491

acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

23. Final Plat: C8-2012-0004.0A – E.D. Bohls Subdivision No. 2; Replat

Location: 2900 Manor Road, Boggy Creek Watershed, Upper Boggy Creek NPA

Owner/Applicant: Toro Canyon Parnters, LP (Jeff Musgrove)

Agent: Big Red Dog Engineering & Consulting (Ricky DeCamps)

Request: The approval of E.D. Bohls Subdivision No. 2; Replat composed of 1 lot

on 5.596 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

24. Final Plat: C8-2012-0007.0A – Lots 1-3 Block 5 Bouldin DW

Location: 700 W. Annie Street, East Bouldin Creek Watershed, Bouldin Creek

NPA

Owner/Applicant: David Weekly Homes (Chad Durham)

Agent: ATS Engineers (Marc Dickey)

Request: The approval of the Lots 1-3 Block 5 Bouldin DW composed of 3 lots

on .5108 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

Items #22-24:

The motion to disapprove Items #22-24, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

D. NEW BUSINESS

1. New Business:

Request: Consider directing Staff to initiate a rezoning case for property located at

2717 South Lamar Boulevard.

The motion to direct staff to initiate a rezoning case for property located at 2717 South Lamar Boulevard, was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Jean Stevens and Donna Tiemann were absent.

E. SUBCOMMITTEE REPORTS

Joint meeting – February 23, 2012 Codes & Ordinances – February 21, 2012 Neighborhood Planning – February 15, 2012

F. ADJOURNMENT

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