



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
April 24, 2012**

The Planning Commission convened in a regular meeting on April 24, 2012 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Sullivan called the Board Meeting to order at 6:05 p.m.

Board Members in Attendance:

Dave Sullivan – Chair

Dave Anderson

Danette Chimenti

Mandy Dealey

Richard Hatfield

Alfonso Hernandez

Jeff Jack – Ex-Officio member

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

The first four (4) speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

Stuart Hersh – Posting of UNO Ordinance on next Planning Commission agenda.

B. APPROVAL OF MINUTES

1. Approval of minutes for April 10, 2012.

The motion to approve the minutes for April 10, 2012 was approved on the consent agenda by Commissioner Dave Anderson's motion; Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

C. PUBLIC HEARING

1. **Code Amendment: C20-2011-0011 - Flag Lot Code Amendments**

Location: Citywide
Owner/Applicant: City of Austin, Planning and Development Review Department
Agent: Planning and Development Review Department (Don Perryman)
Request: Discussion and possible action on code amendments pertaining to the use of flag lots.
Staff Rec.: **Alternative Recommendation**
Staff: Don Perryman, 974-2786, don.perryman@austintexas.gov
Planning and Development Review Department

The motion to approve the Code & Ordinance's Committee recommendation with the amendment that driveway addresses be on the actual driveway, not on flag poles; motion was made by Commissioner Mandy Dealey, Commissioner Danette Chimenti seconded the motion on a vote of 7-2; Commissioners Dave Anderson and Dave Sullivan voted against the motion (nay).

2. **Code C20-2010-017 - Short Term Rentals**

Amendment:

Location: Citywide
Owner/Applicant: City of Austin, Planning and Development Review Department
Agent: Planning and Development Review Department (Robert Heil)
Request: Conduct a public hearing and consider an ordinance amending the City Land Development Code addressing the short term rental of residential units.
Staff Rec.: **Postponement request to May 22, 2012**
Staff: Robert Heil, 974-2330, Robert.Heil@AustinTexas.gov
Planning and Development Review Department

The motion to postpone to May 22, 2012 by the request of the Planning Commission and staff, was approved by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

* Planning Commission created a Short Term Rental Working Group; working group will return with a recommendation to the full commission on May 22, 2012.

- 3. Plan Amendment: NPA-2012-0025.01 - Estates of Travis Country**
Location: 4806 ½ Trail West Drive, Barton Creek Watershed-Barton Springs Zone, Oak Hill Combined NPA (East Oak Hill)
Owner/Applicant: Austin Independent School District (Paul Turner)
Agent: Independent Realty, L.L.C. (Nicholas Dean)
Request: Civic to Single Family
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@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 Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

- 4. Rezoning: C14-2012-0016 - Estates at Travis Country**
Location: 4806 ½ Trail West Drive, Barton Creek Watershed-Barton Springs Zone, Oak Hill Combined NPA (East Oak Hill)
Owner/Applicant: Austin Independent School District (Paul Turner)
Agent: Independent Realty, L.L.C. (Nicholas Dean)
Request: P-NP to SF-2-NP
Staff Rec.: **Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@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 Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

- 5. Rezoning: C14-2012-0037 – E. MLK Mixed Use**
Location: 2911 and 2915 E. Martin Luther King Jr. Blvd., Boggy Creek Watershed, MLK TOD
Applicant/Agent: City of Austin, Planning and Development Review Department (Jerry Rusthoven)
Request: TOD-NP to TOD-NP, to change a condition of zoning
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov
Planning and Development Review Department

The motion to approve staff's recommendation for TOD-NP zoning, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

- 6. Rezoning: C14-2011-0065 - The Austin Hotel**
Location: 800 and 804 Congress Avenue, Town Lake Watershed, Downtown NPA
Owner/Applicant: Gone to Texas Capital One, L.P. (David Kahn); The Karotkin Family Real Estate Trust (Doris Karotkin, Trustee)
Agent: Winstead, P.C. (Michele Haussmann)
Request: CBD & CBD-H to CBD-CURE & CBD-H-CURE
Staff Rec.: **Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov
Planning and Development Review Department

The motion to Indefinitely postpone by the request of the applicant was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

- 7. Rezoning: C14-2012-0002 - The Domain**
Location: 10728-11306 and 11500-11900 Burnet Road; 3300 West Braker Lane; 11105 and 11401-11925 Domain Drive, and 2900-3210 Esperanza Crossing, Walnut Creek Watershed, North Burnet/Gateway NPA
Owner/Applicant: RREEF Domain, LP (Chad Marsh); Domain Retail I, LP (Chad Marsh), Domain Parkside I, LP (Robert Shaw)
Agent: Winstead PC (Michele Haussmann)
Request: MI-PDA to MI-PDA
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov
Planning and Development Review Department

The motion to postpone to May 8, 2012 by the request of the applicant, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

- 8. Restrictive Covenant Amendment:** **C14-2010-0087 (RCA) - The Domain Restrictive Covenant Amendment**
- Location: 10728-11306 and 11500-11900 Burnet Road; 3300 West Braker Lane; 11105 and 11401-11925 Domain Drive, and 2900-3210 Esperanza Crossing, Walnut Creek Watershed, North Burnet/Gateway NPA
- Owner/Applicant: RREEF Domain, LP (Chad Marsh); Domain Retail I, LP (Chad Marsh), Domain Parkside I, LP (Robert Shaw)
- Agent: Winstead PC (Michele Haussmann)
- Request: To amend Section 1. of the restrictive covenant (recorded as Document No. 2010156428) to relocate the 1-acre of zero impervious cover within the nine acre park area.
- Staff Rec.: **Recommended**
- Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov
Planning and Development Review Department

The motion to postpone to May 8, 2012 by the request of the applicant, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

- 9. Rezoning:** **C14-2011-0165 - Randerson Creekside Rezoning**
- Location: 3108 E. 51st Street, Fort Branch Watershed, Pecan Springs-Springdale /E. 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**
- Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov
Planning and Development Review Department

The motion to approve MF-2-NP-CO district zoning with conditional overlay that a restrictive covenant (private) be ready before 3rd reading at City Council; motion made by Commissioner Danette Chimenti, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

**10. Subdivision
Construction
Plans -
Environmental
Variances Only:**

C8-2010-0056.0B - Regents West

Location: 3230 Travis Country Circle, Barton Creek-Barton Springs Zone Watershed, Oak Hill Combined NPA

Owner/Applicant: Regents School of Austin

Agent: Hanrahan Pritchard Engineering (Ron Pritchard, P.E.)

Request: Approve the following variances in construction plans: (1) allow berm to be constructed as part of the floodplain modifications on the east campus in the CWQZ (Recharge) LDC 25-8-482; (2) allow same berm to be constructed in the WQTZ (Recharge) LDC 25-8-483(A); (3) allow same berm to be constructed on the east campus and three jetties on the west campus in the WQTZ (Contributing) LDC 25-8-483(B); (4) allow up to 14.5-ft cut for backwater pond on the west campus in the uplands and transition areas (Contributing) LDC 25-8-341; and (5) allow up to 7.2-ft fill to keep water from overtopping road on the west campus in the uplands area (Contributing) LDC 25-8-342.

Staff Rec.: **Recommended with conditions**

Staff: Ron Czajkowski, 974-6307, ron.czajkowski@austintexas.gov
Jeb Brown, 974-2709, jeb.brown@austintexas.gov
Planning and Development Review Department

The motion to approve staff's recommendation with Environmental Board's recommendation included, was made by Commissioner Dave Anderson, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

11. Resubdivision: C8-2011-0166.0A - Lot 35A and 36A, Block 4, Broadacres Subdivision-DWDC

Location: 5504 Jeff Davis Avenue, Shoal Creek Watershed, Brentwood NPA

Owner/Applicant: David Whitworth Development Company

Agent: David Whitworth

Request: Approve the resubdivision of a portion of 2 lots into 2 lots on 0.333 acres.

Staff Rec.: **Recommended**

Staff: Sylvia Limon, 974-2767, sylvia.limon@austintexas.gov
Planning and Development Review Department

The motion to approve staff's recommendation to approve the Broadacres Subdivision-DWDC, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

- 12. Resubdivision:** **C8-2012-0047.0A - Enfield "D" Resubdivision, Lots 38A & 39A of the Resubdivision of Lots 37, 38, 39 & a Part of Lot 40**
Location: 1501 Rainbow Bend, Shoal Creek Watershed
Owner/Applicant: BPR Partners Limited (Hector Avila) & Rainbow Bend Properties LOC (Hector Avila)
Agent: Hector Avila
Request: Approval of the Enfield "D" Resubdivision, Lots 38A & 39A of the Resubdivision of Lots 37, 38, 39 & a Part of Lot 40, composed of 3 lots on 1.301 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 13. Resubdivision:** **C8-2012-0046.0A – Mrs. Omer A. Copeland Subdivision, Resubdivision of Lots 1& 2**
Location: 2010 Goodrich Avenue, West Bouldin Creek Watershed
Owner/Applicant: Timothy E. and Tina K. Weitz & Eric G. and Janna B. Bear
Agent: Hector Avila
Request: Approval of the Mrs. Omer A. Copeland Subdivision, Resubdivision of Lots 1& 2, composed of 4 lots on 1.00 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #12-13;

The motion to disapprove Items #12-13, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 9-0.

D. NEW BUSINESS

E. SUBCOMMITTEE REPORTS

F. ADJOURNMENT

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or

alternative formats, please give notice at least 4 days before the meeting date. Please call Dora Anguiano at Planning & Development Review Department, at 974-2104, for additional information; TTY users route through Relay Texas at 711.