



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
May 8, 2012**

The Planning Commission convened in a regular meeting on May 8, 2012 @ 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

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.

No Speakers.

B. APPROVAL OF MINUTES

1. Approval of minutes for April 24, 2012.

The motion to approve the minutes for April 24, 2012 was approved on the consent agenda by Commissioner Dave Anderson's motion; Commissioner Saundra Kirk seconded the motion on a vote of 9-0.

C. PUBLIC HEARING

1. Briefing:

Request: Update on SOS Amendment for Barton Springs Pool By-Pass Improvements.
Staff: Johnnie Price, 974-3393, johnnie.price@austintexas.gov; Watershed Protection Department

Briefing given to Commission by Johnny Price; no action required.

2. Plan Amendment: **NPA-2012-0025.01 - Estates of Travis Country**

Location: 4806 1/2 Trail West Drive, Barton Creek-Barton Springs Zone Watershed, Oak Hill Combined Neighborhood Plan (East Oak Hill) NPA
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 22, 2012 by the request of the applicant, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

3. Rezoning: **C14-2012-0016 - Estates at Travis Country**

Location: 4806-1/2 Trail West Drive, Barton Creek-Barton Springs Zone Watershed, Oak Hill Combined Neighborhood Plan (East Oak Hill) NPA
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 22, 2012 by the request of the applicant, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

- 4. Restrictive Covenant Amendment:** **C14-04-0181.SH(RCA) - Shire's Court**
- Location: 1910-1/2 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: To amend the Restrictive Covenant and make Carlson Drive a private access roadway.
- Staff Rec.: **Postponement request by staff to May 22, 2012**
- Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov; Planning and Development Review Department

The motion to postpone to June 26, 2012 by the request of staff, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

- 5. 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 Neighborhood Plan 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 approve staff's recommendation for MI-PDA zoning, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

- 6. 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 Neighborhood Plan 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 approve staff's recommendation to amend Section 1 of the restrictive covenant, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

- 7. Rezoning:** **C14-2012-0028 - 3rd & Colorado**
- Location: 301, 311 Colorado & 114 W. 3rd Street, Town Lake Watershed, Downtown NPA
- Owner/Applicant: S/H Austin Partnership (John Beauchamp)
- Agent: Winstead PC (Michele Haussmann)
- Request: CBD-CURE-CO to CBD-CURE
- Staff Rec.: **Recommendation pending**
- Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for CBD-CURE-CO with added conditions of:

- Recommend a private restrictive covenant before 3rd reading;
- Require that it be a 3-Star Green Building;
- Applicant perform a TIA and carry out the requirements;

Motion made by Commissioner Richard Hatfield, Commissioner Dave Anderson seconded the motion on a vote of 9-0.

8. Restrictive Covenant Amendment: C14-2008-0159(RCA) - 3rd & Colorado

Location: 301, 311 Colorado & 114 W. 3rd Street, Town Lake Watershed, Downtown NPA

Owner/Applicant: S/H Austin Partnership (John Beauchamp)

Agent: Winstead PC (Michele Haussmann)

Request: To amend Section 1. of the restrictive covenant (recorded as Document No. 2009063957) to delete certain provisions.

Staff Rec.: **Recommendation pending**

Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation to amend Section 1 of the restrictive covenant with added conditions of:

- Recommend a private restrictive covenant before 3rd reading;
- Require that it be a 3-Star Green Building;
- Applicant perform a TIA and carry out the requirements;

Motion made by Commissioner Richard Hatfield, Commissioner Dave Anderson seconded the motion on a vote of 9-0.

9. Site Plan - Variances Only: SP-2011-0216C - Top Golf

Location: 11301 Burnet Road, Walnut Creek Watershed, North Burnet/Gateway TOD NPA

Owner/Applicant: Endeavor (Jason Thumlert)

Agent: Bury & Partners Inc. (Jonathan Neslund)

Request: Variance Requests: To allow fill greater than 4 feet, not to exceed 18 feet [LDC 25-8-342]; 2. To allow cut greater than 4 feet, not to exceed 8 feet [LDC 25-8-341] (Administrative Variance)

Staff Rec.: **Recommendation Pending**

Staff: Jim Dymkowski, 974-2707, james.dymkowski@austintexas.gov; Nikki Hoelter, 974-2863, nikki.hoelter@austintexas.gov; Planning and Development Review Department

The motion to postpone to May 22, 2012 by the request of the staff, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

10. Partial Vacation: C8-95-0214.2A(VAC) - Lot 1, Block B, Commerce Center South Section Two
Location: 3400 Comsouth, Carson Creek Watershed, Southeast NPA
Owner/Applicant: MC-PAC Austin Industrial LP
Agent: Land Strategies, Inc. (Paul W. Linehan)
Request: Approval of a partial vacation to the Commerce Center South Section Two subdivision to vacate Lot 1 from the existing subdivision.
Staff Rec.: **Recommended**
Staff: Cesar Zavala, 974-3404, cesar.zavala@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for approval of a partial vacation to the Commerce Center South Section Two Subdivision, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

11. Resubdivision: C8-2011-0047.0A - Powell-Houston Subdivision; Resubdivision of Lot 2
Location: 2111 Kramer Lane, Little Walnut Creek Watershed, North Burnet-Gateway NPA
Owner/Applicant: Powell Austin Properties (Bill Yahn)
Agent: Land Answers (Jim Wittliff)
Request: The request is to resubdivide 1 lot into 3 lots
Staff Rec.: **Recommended**
Staff: David Wahlgren, 974-6455, David.wahlgren@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation to re-subdivide 1 lot into 3 lots, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

12. Resubdivision: C8-2011-0090.0A - Resubdivision of Lots 1 and 2, Cowan Addition
Location: 707 Kinney Avenue, West Bouldin Creek Watershed, South Lamar Combined (Underway) NPA
Owner/Applicant: David & Laura Hausman
Agent: Malone/Wheeler, Inc. (Pete Malone)
Request: Approve the resubdivision of 2 lots into 3 lots on 0.893 acres.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 974-2767, Sylvia.limon@austintexas.gov; Planning and Development Review Department

The motion to postpone to May 22, 2012 by the request of the Planning Commission, was approved by Commissioner Dave Anderson's motion, Commissioner Danette Chimenti seconded the motion on a vote of 8-0-1; Commissioner Richard Hatfield voted against the motion (nay).

*Request made to post early on the May 22nd agenda.

- 13. Final with Preliminary:** **C8-2009-0063.3A.SH - Colorado Crossing III Section 8**
Location: Autumn Bay Dr., Onion Creek Watershed, Southeast NPA
Owner/Applicant: Lennar Buffington Colorado Crossing LP (Ryan Mattox)
Agent: Lakeside Engineers (Chris Ruiz)
Request: Approval of the Colorado Crossing III Section 8 composed of 4 lots into 47 lots on 7.196 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 14. Resubdivision:** **C8-2012-0052.0A - Loveless Addition; Resub of Lot 3, Blk 2**
Location: 616 Terrell Hill Dr, E Bouldin Creek Watershed
Owner/Applicant: Glenn Glover
Agent: Stansberry Engineering Co (Blayne Stansberry)
Request: Approval of the Loveless Addition; Resub of Lot 3, Blk 2 composed of 4 lots on 0.92 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #13-14;

The motion to disapprove Items #13-14, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Sandra Kirk seconded the motion on a vote of 9-0.

D. NEW BUSINESS

E. SUBCOMMITTEE REPORTS

Neighborhood Plan Committee – May 16, 2012 @ 6 pm
Joint Meeting (Design Commission & PC) – May 16, 2012 @ 6 pm
Open House - May 19, 2012 @ 5:30 pm
Codes & Ordinance Committee – May 15, 2012 @ 6:00 pm
Comprehensive Plan Committee – May 14, 2012 @ 6:00 pm
CIP Committee – May 29, 2012 @ 6 pm
Airport Advisory Work session – met May 10, 2012

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.