



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
August 28, 2012**

The Planning Commission convened in a regular meeting on August 28, 2012 @ 301 W. 2nd Street in Austin, Texas.

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

Board Members in Attendance:

Dave Anderson - Chair

Danette Chimenti – Vice-Chair

Richard Hatfield

Alfonso Hernandez

James Nortey

Stephen Oliver

Brian Roark

Myron Smith

Jean Stevens

Jeff Jack – Ex-Officio member

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.

Gavino Fernandez – Conditional Use Permit for Delores Church.

B. APPROVAL OF MINUTES

1. Approval of minutes for July 24, 2012.

The motion to approve the minutes for July 24, 2012 was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

2. Approval of minutes for August 16, 2012 Special Called Meeting.

The motion to approve the minutes for August 16, 2012 Special Called Meeting, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

C. PUBLIC HEARING

- 1. Plan Amendment: NPA-2011-0025.02 - Landscape Resources**
Location: 7401 Old Bee Caves Rd., Williamson Creek Watershed-Barton Springs Zone, Oak Hill Combined (West Oak Hill) NPA
Owner/Applicant: WEAPSA, L.L.C.
Agent: Thrower Design (A. Ron Thrower)
Request: Mixed Residential to Mixed Use
Staff Rec.: **Not Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 11, 2012 by the request of staff, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 2. Plan Amendment: NPA-2012-0005.01 - La Estancia Del Rio**
Location: 1700 ½ Frontier Valley Drive, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Equity Secured Capital
Agent: MWM Design Group (Frank Del Castillo, Jr.)
Request: Commercial to Mixed Use
Staff Rec.: **Recommended**
Staff: Justin Golbabai, 974-6439, justin.golbabai@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 11, 2012 by the request of the neighborhood was approved by Commissioner Richard Hatfield's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 3. Rezoning: C14-2012-0067 - La Estancia Del Rio**
Location: 1700 ½ Frontier Valley Drive, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Equity Secured Capital
Agent: MWM Design Group (Frank Del Castillo, Jr.)
Request: CS-NP to CS-MU-NP
Staff Rec.: **Recommended for CS-MU-CO-NP**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov;
Planning and Development Review Department

The motion to postpone to September 11, 2012 by the request of the neighborhood was approved by Commissioner Richard Hatfield's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 4. Plan Amendment: NPA-2012-0005.02 - Mixed Use - State Inspections**
Location: 6606 Felix Avenue, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Carolina Mandujano
Agent: Carolina Mandujano
Request: Single Family to Neighborhood Mixed Use
Staff Rec.: **Not Recommended**
Staff: Justin Golbabai, 974-6439, justin.golbabai@austintexas.gov;
Planning and Development Review Department

The motion to approve staff's recommendation to deny the request for Neighborhood Mixed Use, was approved by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 5. Rezoning: C14-2012-0069 - Mixed Use - State Inspections**
Location: 6606 Felix Avenue, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Carolina Mandujano
Agent: Carolina Mandujano
Request: SF-3-NP to LR-MU-NP
Staff Rec.: **Not Recommended**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov;
Planning and Development Review Department

The motion to approve staff's recommendation to deny the request for Neighborhood Mixed Use, was approved by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 6. Plan Amendment: NPA-2012-0019.03 - 2814 San Pedro St.**
Location: 2814 San Pedro Street, Shoal Creek Watershed, Central Austin
Combined (West University) NPA
Owner/Applicant: Cater Joseph
Agent: Jim Bennett Consulting (Jim Bennett)
Request: Single Family to Multifamily
Staff Rec.: **Not recommended. Staff requests postponement to Sept. 25, 2012 hearing.**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov;
Planning & Development Review Department

The motion to postpone to September 25, 2012 by the request of the staff was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 7. Plan Amendment: NPA-2012-0018.05 - Burnet Pointe Residential**
Location: 1307 W. 49th Street, Shoal Creek Watershed, Brentwood/Highland
Combined NPA
Owner/Applicant: Michael R. & Patricia Johnson
Agent: Alice Glasco Consulting (Alice Glasco)
Request: Mixed Use/Office to Mixed Use
Staff Rec.: **Recommended. Applicant requests postponement to Sept. 25, 2012.**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov;
Planning and Development Review Department

The motion to postpone to September 25, 2012 by the request of the applicant was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 8. Plan Amendment: NPA-2012-0018.07 - Burnet Pointe Residential**
Location: 4804 Grover Avenue, Shoal Creek Watershed, Brentwood/Highland
Combined NPA
Owner/Applicant: 4804 Grover, Ltd.
Agent: Alice Glasco Consulting (Alice Glasco)
Request: Mixed Use/Office to Mixed Use
Staff Rec.: **Recommended. Applicant request postponement to Sept. 25, 2012.**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov;
Planning and Development Review Department

The motion to postpone to September 25, 2012 by the request of the applicant was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 9. Plan Amendment: NPA-2012-0018.09 - Burnet Pointe Residential**
Location: 4802 Grover Avenue, Shoal Creek Watershed, Brentwood/Highland Combined NPA
Owner/Applicant: Jimmy Nassour/Ronner Meyer
Agent: Alice Glasco Consulting (Alice Glasco)
Request: Mixed Use/Office to Mixed Use
Staff Rec.: **Recommended. Applicant request postponement to Sept. 25, 2012.**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 25, 2012 by the request of the applicant was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 10. Rezoning: C14-2012-0070 - Drink. Well. Rezone**
Location: 207 E. 53rd Street, Waller Creek Watershed, North Loop NPA
Owner/Applicant: M & J Properties, LLC (Michael Sanders)
Agent: Vasquez Ventures, LLC (Rick Vasquez)
Request: LR-CO-NP to GR-NP
Staff Rec.: **Recommendation of GR-CO-NP**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for GR-CO-NP district zoning with the added condition of no outdoor amplified music, was approved by Commissioner James Nortey's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 9-0.

- 11. Rezoning: C14-2012-0087 - Waterloo Park Tower**
Location: 1209 Red River Street, Town Lake Watershed, Downtown NPA
Owner/Applicant: Allen W. Nalle
Agent: Land Answers, Inc. (Jim Wittliff)
Request: CS-1 to CBD
Staff Rec.: **Recommendation of CBD-CO**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for CBD-CO district zoning, was approved by Commissioner James Nortey's motion, Commissioner Stephen Oliver seconded the motion on a vote of 6-3; Commissioners Myron Smith, Danette Chimenti and Jean Stevens voted against the motion (nay).

12. Site Plan - Conditional Use **SPC-2012-0099CS - South Mopac & Slaughter 20' Tower Extension**

Permit:

Location: 4410 ½ West William Cannon Drive, Williamson Creek Watershed-
Barton Springs Zone, Oak Hill Combined NPA

Owner/Applicant: Vincent Gerard & Associates

Agent: Vince Huebinger

Request: Approval of a conditional use permit for a 20-foot extension to an
existing cell tower in LR-NP zoning

Staff Rec.: **Recommended**

Staff: Christine Barton-Holmes, 974-2788, christine.barton-holmes@austintexas.gov;
Planning and Development Review Department

The motion to approve staff's recommendation for approval of a conditional use permit, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

13. Site Plan - Conditional Use **SPC-2012-0014A - Motel**

Permit:

Location: 1902 E. Martin Luther King Jr. Blvd., Boggy Creek Watershed, Upper
Boggy Creek Combined NPA

Owner/Applicant: Hotel Motel LLC (Adam Bryan)

Agent: Hajjar Sutherland Peters & Washmon LLC (Kareem Hajjar)

Request: Approval of a conditional use permit for a cocktail lounge in CS-1-MU-
V-CO-NP zoning and approval of a compatibility waiver for parking
within 200 feet of SF-3 zoning.

Staff Rec.: **Recommended**

Staff: Donna Galati, 974-2733, donna.galati@austintexas.gov;
Planning and Development Review Department

The motion to approve staff's recommendation for approval of a conditional use permit and compatibility waiver with the conditions that there is no live music and other outdoor sounds limited to 75 decibels, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

**14. Site Plan -
Conditional Use
Permit:**

SPC-2012-0045AT - Bout Time II

Location: 6607 North IH-35 Service Road Northbound, Tannehill Branch Watershed, St. John NPA

Owner/Applicant: Caye South Management Group, Inc.

Agent: Jim Bennett Consulting (Rodney Bennett)

Request: Approval of a conditional use permit for late hours for a cocktail lounge in CS-1-CO-NP zoning, and off-site parking approval.

Staff Rec.: **Recommended**

Staff: Michael Simmons-Smith, 974-1225, michael.simmons-smith@austintexas.gov;
Planning and Development Review Department

The motion to approve staff's recommendation for approval of a conditional use permit, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

**15. Final out of
Preliminary:**

C8-2009-0063.3A.SH - Colorado Crossing III, Section 8

Location: Breckenridge Drive (formerly Autumn Bay Drive) at Burleson Road, Onion Creek Watershed, Southast Combined NPA

Owner/Applicant: Lennar Buffington Colorado Crossing, L.P. (Ryan Mattox)

Agent: Lakeside Engineering (Chris Ruiz)

Request: Approve the final plat out of approved preliminary plan for 47 lots on 7.196 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 for approval of the final plat, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- Request made to post a briefing item on the Codes & Ordinances Committee regarding SMART Housing (regarding Transportation) on a future committee agenda.
- Request made for a copy of the Bergstrom Overlay Zone at that meeting.

- 16. Resubdivision: C8-2011-0125.0A - Resubdivision of South 164.05 feet of Lot 20, Banister Heights**
Location: 1400 Morgan Lane, West Bouldin Creek Watershed, South Lamar NPA
Owner/Applicant: Banister Morgan LLC
Agent: Simon Studd
Request: Approve the resubdivision of part of one lot into 3 lots on 0.499 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 re-subdivision of South 164.05 feet of Lot 20, Banister Heights, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 17. Resubdivision: C8-2012-0034.0A - Resubdivision of Lot 2, Block 2, Henry Ulit's Subdivision of Outlots 29 & 30, Division B**
Location: 2704 East 12th Street, Boggy Creek Watershed, Chestnut NPA
Owner/Applicant: Smith Capital Group LLC (Kevin Smith)
Agent: Hector Avila
Request: Approve the resubdivision of one lot into 4 lots on 0.298 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 for re-subdivision of one lot into 4 lots on 0.298 acres, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 18. Resubdivision: C8-2012-0080.0A - Resubdivision of Lot 2 and a portion of Lot 1, Monte Vista No. 2**
Location: 2501 McCullough Street, Taylor Slough South Watershed, Central West Austin NPA
Owner/Applicant: John and Annie McKinnerney
Agent: Hector Avila
Request: Approval of the Resubdivision of Lot 2 and a portion of Lot 1, Monte Vista No. 2 composed of 1 lot on 0.69 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 re-subdivision of Lot 2 and a portion of Lot 1, Monte Vista No. 2, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 19. Final Plat:** **C8-2012-0123.0A - 2421 South 5th Street Subdivision**
Location: 2421 South 5th Street, West Bouldin Creek Watershed, Galindo NPA
Owner/Applicant: Patrick Y. Young
Agent: Big Red Dog Engineering (Ricardo De Camps)
Request: Approval of the 2421 South 5th Street Resubdivision composed of 2 lots on 0.4649 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 20. Final Plat:** **C8-2012-0122.0A - Paggi House Subdivision**
Location: 221 South Lamar Boulevard, Town Lake Watershed, Zilker NPA
Owner/Applicant: Post Paggi LLC (Jason Post)
Agent: Bury & Partners, Inc. (Chris Randazzo)
Request: Approval of the Paggi House Subdivision composed of 1 lot on 1.155 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 21. Final Plat:** **C8-2012-0121.0A - Lot 1 & Lot 3 of the Resubdivision of Lot 1A, The Domain Shopping Center Section 1**
Location: 3310 West Braker Lane, Walnut Creek/Shoal Creek Watersheds, North Burnet/Gateway Combined NPA
Owner/Applicant: LPF Villages Domain, LLC (c/o Lasalle Investment Mangement)
Agent: Bury + Partners, Inc. (Kristi English)
Request: Approval of Lot 1 & Lot 3 of the Resubdivision of Lot 1A, The Domain Shopping Center Section 1 composed of 2 lots on 31.53 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 22. Final Plat-Resubdivision:** **C8-2012-0124.0A - Sellstrom-Spear Addition, Lot A; Resubdivision**
Location: 2617 Pecos Street, Taylor Slough South Watershed
Owner/Applicant: Kit Carson, Ltd (Ashley Amini)
Agent: Big Red Dog Engineering & Consulting (Will Schnier)
Request: Approval of the Sellstrom-Spear Addition, Lot A; Resubdivision composed of 2 lots on 1.06 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

- 23. Final Plat/ Resubdivision: C8-2012-0126.0A - Hoffman Resubdivision**
- Location: 1210 East 7th Street, Waller Creek Watershed, Central East Austin NPA
- Owner/Applicant: Peter Hoffman
- Agent: Big Red Dog Inc. (Robert Brown)
- Request: Approval of the Hoffman Resubdivision composed of 2 lots on 0.1520 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

Items #19-23;

The motion to disapprove Items 19-23, was approved on the consent agenda by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

D. NEW BUSINESS

1. New Business:

- Request: Discussion and Action on appointing a Planning Commission member to the Downtown Commission.

Commissioner Myron Smith was appointed to the Downtown Commission.

E. SUBCOMMITTEE REPORTS

Neighborhood Planning Committee:
 Danette Chimenti
 Jean Stevens
 James Nortey
 Jeff Jack – Ex-Officio Member

Comp Plan Committee:
 Stephen Oliver
 Richard Hatfield
 Alfonso Hernandez
 Jeff Jack – Ex-Officio Member

CIP Committee:
 Alfonso Hernandez
 Richard Hatfield
 Brian Roark

Codes & Ordinances Committee:
 Jean Stevens
 Dave Anderson
 Stephen Oliver
 Danette Chimenti
 Myron Smith

F. ADJOURNMENT

Chair Dave Anderson adjourned the meeting without objection at 8:20 p.m.