



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
September 11, 2012**

The Planning Commission convened in a regular meeting on September 11, 2012 @ 301 W. 2nd Street in Austin, Texas.

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

Board Members in Attendance:

Dave Anderson - Chair

Danette Chimenti – Vice-Chair

Richard Hatfield

James Nortey

Stephen Oliver

Brian Roark

Myron Smith

Jean Stevens

Howard Lazarus – Ex-Officio member

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.

No Speakers.

B. APPROVAL OF MINUTES

1. Approval of minutes for August 28, 2012.

The motion to approve the minutes for August 28, 2012 was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

C. PUBLIC HEARING

1. Briefing:

Request: Staff briefing on the Land Development Revision process.
Staff: Garner Stoll, 974-2397, garner.stoll@austintexas.gov;
George Adams, 974-2146, george.adams@austintexas.gov;
Planning and Development Review Department

Briefing given by Assistant Directors Garner Stoll and George Adams.

2. Plan Amendment: **NPA-2011-0025.02 - Landscape Resources**

Location: 7401 Old Bee Caves Road, 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 Neighborhood Mixed Use, as amended
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 Neighborhood Mixed Use was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

3. Plan Amendment: **NPA-2012-0018.01 - Texas State Troopers Zoning**

Location: 826 Houston St. and 5536-5540 N. Lamar Blvd., Waller Creek Watershed, Brentwood NPA
Owner/Applicant: Texas State Troopers Association (Claude Hart)
Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph)
Request: Mixed Use to Multifamily
Staff Rec.: **Recommended. Postponement request by Brentwood Planning Contact Team to September 25, 2012. Supported by applicant.**
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 neighborhood, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 4. Rezoning: C14-2012-0053 - Texas State Troopers Rezoning**
Location: 826 Houston Street and 5536-5540 N. Lamar Blvd., Waller Creek Watershed, Brentwood NPA
Owner/Applicant: Texas State Troopers (Claude Hart)
Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph)
Request: CS-1-MU-V-CO-NP, CS-MU-V-CO-NP & CS-MU-CO-NP to MF-6-NP
Staff Rec.: **Pending. Postponement request by the Brentwood Planning Contact Team to September 25, 2012. Supported by Applicant.**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 25, 2012 by the request of the neighborhood, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 5. Plan Amendment: NPA-2012-0018.02 - George Shia**
Location: 828, 836, 900 & 902 Houston Street & 5527 Sunshine Drive, Waller Creek Watershed, Brentwood NPA
Owner/Applicant: George Shia
Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph)
Request: Higher Density Single Family and Mixed Use/Office to Multifamily
Staff Rec.: **Recommended. Postponement request by Brentwood Planning Contact Team to September 25, 2012. Supported by applicant.**
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 neighborhood, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 6. Rezoning: C14-2012-0052 - George Shia Zoning #1**
Location: 828, 836, 900 & 902 Houston Street, Waller Creek Watershed, Brentwood NPA
Owner/Applicant: George Shia
Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph)
Request: SF-6-NP to MF-6-NP
Staff Rec.: **Pending. Postponement request by the Brentwood Planning Contact Team to September 25, 2012. Supported by Applicant.**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 25, 2012 by the request of the neighborhood, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 7. Rezoning: C14-2012-0054 - George Shia Zoning #2**
Location: 5527 Sunshine Drive, Waller Creek Watershed, Brentwood NPA
Owner/Applicant: George Shia
Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph)
Request: LO-MU-NP to MF-6-NP
Staff Rec.: **Pending. Postponement request by the Brentwood Planning Contact Team to September 25, 2012. Supported by Applicant.**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 25, 2012 by the request of the neighborhood, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 8. Plan Amendment: NPA-2012-0013.02 - 900 S. 1st Street**
Location: 900, 904 & 908 S. 2nd Street, 1000 & 1002 S. 2nd Street, 705 Christopher Street and Christopher Street (Lots 4-7, Blk. 2, Oak Cliff Addn. 0.553 acres), East Bouldin Creek Watershed, Bouldin Creek NPA
Owner/Applicant: Margaret Quadlander/J. Ryan Diepenbrock
Agent: J. Ryan Diepenbrock
Request: Mixed Use and Single Family to Higher Density Single Family
Staff Rec.: **Not Recommended; Applicant has requested an Indefinite Postponement**
Staff: Maureen Meredith, 974-2695, maureen.meredith@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 Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 9. Rezoning: C14-2012-0031 - 900 S. 1st Street (Part 1)**
Location: 900-908 S. 2nd Street & Unaddressed Christopher Street, East Bouldin Creek Watershed, Bouldin Creek NPA
Owner/Applicant: Margaret Quadlander
Agent: PSW Homes, LLC (J. Ryan Diepenbrock)
Request: GR-MU-CO-NP; SF-3-NP to SF-6-CO-NP
Staff Rec.: **Not Recommended; Applicant has requested an Indefinite Postponement**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@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 Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 10. Rezoning: C14-2012-0033 - 900 S. 1st Street (Part 2)**
Location: 1000-1002 S. 2nd Street & 705 Christopher Street, East Bouldin Creek Watershed, Bouldin Creek NPA
Owner/Applicant: Margaret Quadlander
Agent: PSW Homes, LLC (J. Ryan Diepenbrock)
Request: SF-3-NP to SF-6-CO-NP
Staff Rec.: **Not Recommended; Applicant has requested an Indefinite Postponement**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@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 Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 11. 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 approve staff's recommendation for Mixed Use, was approved by Commissioner Richard Hatfield's motion, Commissioner Myron Smith seconded the motion on a vote of 6-1-1; Commissioners Brian Roark voted against the motion (nay), Commissioner James Nortey abstained.

- 12. 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 approve staff's recommendation for CS-MU-CO-NP district zoning, was approved by Commissioner Richard Hatfield's motion, Commissioner Myron Smith seconded the motion on a vote of 6-1-1; Commissioners Brian Roark voted against the motion (nay), Commissioner James Nortey abstained.

- 13. Restrictive Covenant Amendment:** **C14-04-0181.SH(RCA) - Shire's Court**
Location: 1910 ½ Wickshire Lane, Country Club East Watershed, East Riverside/Oltorf Combined NPA
Owner/Applicant: Shire's Court G.P., Inc. (David Mahn) et. al.
Agent: Myra Goepp
Request: To amend the Restrictive Covenant and make Carlson Drive a private access roadway.
Staff Rec.: **Recommendation Pending; Postponement request by the Staff to October 9, 2012**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov; Planning and Development Review Department

The motion to postpone to October 9, 2012 by the request of the staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 14. Rezoning:** **C14-2012-0018 - Ben White Commercial**
Location: 4108 IH-35 South, Williamson Creek Watershed, South Congress Combined (East Congress) NPA
Owner/Applicant: 4108 IH35, LLC (Lampros Moumouris)
Agent: Brown McCarroll, L.L.P. (Nikelle S. Meade)
Request: LI-PDA-NP to CS-MU-NP
Staff Rec.: **Recommendation Pending**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov; Planning and Development Review Department

This case was withdrawn by the applicant; no action taken.

- 15. Rezoning:** **C814-2012-0071 - Broadstone at the Lake**
Location: 201 S. 1st Street & 422 W. Riverside Drive, Lady Bird Lake Watershed, Bouldin Creek NPA
Owner/Applicant: David J. Dunlap
Agent: Bury & Partners, Inc. (Melissa Neslund)
Request: LI-NP to PUD-NP
Staff Rec.: **Recommendation of PUD-NP with conditions**
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for PUD-NP with conditions, was approved by Commissioner James Nortey's motion, Commissioner Brian Roark seconded the motion on a vote of 5-3; Commissioners Danette Chimenti, Jean Stevens and Myron Smith voted against the motion (nay).

- 16. Rezoning: C14-2012-0032 - Del Curto Homes**
Location: 1814 Lightsey Road & 2905 Del Curto Road, West Bouldin Watershed, South Lamar NPA
Owner/Applicant: PSW Lightsey, LP (Ryan Diepenbrock)
Agent: PSW Homes, LLC (J. Ryan Diepenbrock)
Request: SF-3 to SF-6-CO
Staff Rec.: **Recommendation of SF-6-CO with conditions**
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 25, 2012 by the request of the neighborhood, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 17. Rezoning: C14-2012-0098 - Crestview Station Residential**
Location: 950 Banyon Street, Waller Creek Watershed, Crestview NPA
Owner/Applicant: Continental Homes of Texas, L.P. (Richard Maier)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: TOD-NP to TOD-NP to change a site development regulation.
Staff Rec.: **Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@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 Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 18. Site Plan - SPC-2012-0190A - The Marchesa Hall & Theatre**
Conditional Use Permit:
Location: 6406 North IH-35 Service Road Southbound, Tannehill Branch Watershed, St. John/Coronado Hills Combined NPA
Owner/Applicant: Joseph Akers/Lincoln Village
Agent: Jackson Walker LLP (Katherine Loayza)
Request: Approval of a conditional use permit for a cocktail lounge in CS-1-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 Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 19. Site Plan - Hill Country Roadway:** **SPC-2012-0008C - Encino Trace**
- Location: 5707 Southwest Parkway, Barton Creek Watershed-Barton Springs Zone, East Oak Hill NPA
- Owner/Applicant: Koontz McCombs
- Agent: Bury & Partners, Inc. (Dwayne Shoppa)
- Request: Request approval of a Hill Country Roadway site plan to construct two office buildings, a parking garage, and other associated improvements.
- 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 Hill Country Roadway site plan, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 20. Site Plan-Waivers Only:** **SP-2012-0102C - Sun Moon and Stars Addition**
- Location: 3810 S. 1st Street, West Bouldin Creek Watershed, Galindo NPA
- Owner/Applicant: Rahul Singh
- Agent: Advanced Consulting Engineers (Ash Tariq)
- Request: Waiver Requests: 1) Request a waiver to permit a building to encroach into the 25 foot compatibility setback {LDC Section 25-2-1063(B)(1)}; 2. Request a waiver to allow an intensive recreational use (playground) within 50 feet of a property in an SF-5 or more restrictive zoning district {LDC Section 25-2-1067(F)(1)}
- Staff Rec.: **Recommended**
- Staff: Nikki Hoelter, 974-2863, Nikki.Hoelter@austintexas.gov; Planning and 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 Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 21. Resubdivision: C8-2012-0026.0A - Redeemer Presbyterian Subdivision**
Location: 2111 Alexander Avenue, Boggy Creek Watershed, Rosewood NPA
Owner/Applicant: Redeemer Presbyterian Church (Barry McBee)
Agent: MWM Design Group (Frank Del Castillo, Jr.)
Request: Approve the resubdivision of 9 lots, an alley and a portion of an outlot into 3 lots on 11.055 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 the Redeemer Presbyterian Subdivision, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 22. Resubdivision: C8-2012-0046.0A - Resubdivision of Lots 1 & 2, Mrs. Omer A. Copeland Subdivision**
Location: 2010 Goodrich Avenue, West Bouldin Watershed, Zilker NPA
Owner/Applicant: Timothy & Tina Weitz; and Eric & Janna Bear (Jeff Bridgewater)
Agent: Hector Avila
Request: Approve the resubdivision of 2 lots into 4 lots on 1.00 acre.
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 the resubdivision of 2 lots into 4 lots, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 23. Resubdivision: C8-2012-0081.0A - Resubdivision of Lot 6 and a Portion of Lot 7, Block 1, Crow's Subdivision of a Portion of Outlot 35, Division B**
Location: 1910 E. 18th Street, Boggy Creek Watershed, Chestnut NPA
Owner/Applicant: Armer & Smith Capital Group LLC (Kevin Smith)
Agent: Hector Avila
Request: Approval of the Resubdivision of Lot 6 and a Portion of Lot 7, Block 1, Crow's Subdivision of a Portion of Outlot 35, Division B composed of four lots on 0.307 acres.
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 the approval of the Resubdivision of Lots 6 and a portion of Lot 7, Block 1, Crow's Subdivision, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 24. Final Plat/Amended Plat: C8-2012-0127.0A - Green Valley No. 1**
 Location: 1110 & 1106 Lott Avenue, Fort Branch Watershed, MLK-183 NPA
 Owner/Applicant: Lawrence Weinman & Rose Schneier (Sergey Karasel)
 Agent: Shaw Consultants (Shaw Hamilton)
 Request: Approval of Green Valley No. 1 composed of 2 lots on 1.71 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 25. Final Plat/Amended Plat: C8-2012-0132.0A - 11100 Alterra Parkway**
 Location: 11100 Alterra Parkway, Walnut Creek Watershed, Noth Burnet/Gateway NPA
 Owner/Applicant: RREEF Domain LP (Chad Marsh)
 Agent: Bury & Partners, Inc. (Donald Cecil)
 Request: Approval of 11100 Alterra Parkway composed of 6 lots on 149.599 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 26. Final Plat/Resubdivision: C8-2012-0136.0A - Crest Haven Addition Lot 23; Resubdivision**
 Location: 1912 E M Franklin Avenue, Tannehill Branch Watershed, East MLK NPA
 Owner/Applicant: Urban Ventures (Ross Cole)
 Agent: Hector Avila
 Request: Approval of the Crest Haven Addition Lot 23; Resubdivision composed of 4 lots on 1.0 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Items #24-26;

The motion to disapprove Items#24-26, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commisisoner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

D. NEW BUSINESS

E. SUBCOMMITTEE REPORTS

Codes & Ordinances Committee – September 18, 2012 @ 6 p.m
 Neighborhood Planning Committee – September 19, 2012 @ 6 p.m.

F. ADJOURNMENT

Chair Dave Anderson adjourned the meeting without objection at 10:11p.m.