



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
September 25, 2012**

The Planning Commission convened in a regular meeting on September 25, 2012 @ 301 W. 2<sup>nd</sup> 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**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Myron Smith**

**Jean Stevens**

**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.

Rich Buock – Neighborhood Plan postponement policy.

**B. APPROVAL OF MINUTES**

1. Approval of minutes for September 11, 2012.

The motion to approve the minutes for September 11, 2012 was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 7-0-1; Commissioner Alfonso Hernandez abstained, Commissioner Richard Hatfield was absent.

## C. PUBLIC HEARING

### 1. Code Amendment: C20-2012-014 - Old Enfield

Location: Old Enfield Neighborhood Planning Area, generally bounded by Windsor Road to the north, Lamar Boulevard to the east, Enfield Road to the south and MoPac Expressway to the west

Owner/Applicant: City of Austin

Agent: Planning and Development Review Department (Greg Dutton)

Request: Conduct a public hearing and consider an ordinance amending the City Land Development Code addressing Planning Commission as the reviewing entity for the Old Enfield neighborhood planning area.

Staff Rec.: **Recommended**

Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation to amend an ordinance in the City Land Development Code, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

### 2. Code Amendment: C20-2012-015 - Special Exceptions

Location: Citywide

Owner/Applicant: City of Austin

Agent: Planning and Development Review Department (Greg Dutton)

Request: Conduct a public hearing and consider an ordinance amending the City Land Development Code addressing special exceptions as granted by the Board of Adjustment

Staff Rec.: **Recommended**

Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation to amend an ordinance in the City Land Development Code, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 3. Plan Amendment: NPA-2012-0028.01 - Villeda Family**  
Location: 10625 Dessau Road, Walnut Creek Watershed, Windsor Hills NPA  
Owner/Applicant: Roberto Villeda  
Agent: Alai Villeda  
Request: Single Family land use to Multifamily land use  
Staff Rec.: **High Density Single Family land use**  
Staff: Kathleen Fox, 974-7877, kathleen.fox@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation for high density single family use, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 4. Rezoning: C14-2012-0064 - Villeda Family**  
Location: 10625 Dessau Road, Walnut Creek Watershed, Windsor Hills NPA  
Owner/Applicant: Roberto Villeda  
Agent: Alai Villeda  
Request: SF-2-NP to MF-2-NP  
Staff Rec.: **Recommendation of SF-6-NP**  
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation for SF-6-NP district zoning , was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 5. 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 approve staff's recommendation with an amendment of 34 units, was approved by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 6-2; Commissioner James Nortey and Alfonso Hernandez voted against the motion (nay), Commissioner Richard Hatfield was absent.

- 6. Plan Amendment: NPA-2012-0018.01 - Texas State Troopers Zoning**  
Location: 826 Houston Street 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 land use to Multifamily land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 974-2695, maureen.meredith@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 Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 7. 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 Association (Claude Hart)  
Agent: Coats, Rose, Yale, Ryman, & Lee (John Joseph)  
Request: CS-1-MU-V-CO-NP & CS-MU-V-CO-NP to CS-1-MU-V-CO-NP & CS-MU-V-CO-NP, to change a condition of zoning.  
Staff Rec.: **Recommended**  
Staff: Clark Patterson, 974-7691, clark.patterson@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 Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 8. 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 land use to Multifamily land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 974-2695, maureen.meredith@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 Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 9. Rezoning: C14-2012-0054 - George Shia Zoning**  
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: SF-6-NP & LO-MU to MF-5-NP  
Staff Rec.: **Pending**  
Staff: Clark Patterson, 974-7691, [clark.patterson@austintexas.gov](mailto:clark.patterson@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 Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 10. Plan Amendment: NPA-2012-0011.01 - Programs Annex**  
Location: 4915 Harmon Avenue, Waller Creek Watershed, North Loop NPA  
Owner/Applicant: Manos de Cristos, Inc.  
Agent: Milton Hime  
Request: Single Family land use to Civic land use  
Staff Rec.: **Pending. Staff recommends an indefinite postponement.**  
Staff: Maureen Meredith, 974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov)  
Planning & Development Review Department

The motion for an indefinite postponement was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 11. Rezoning: C14-2012-0022 - Programs Annex**  
Location: 4915 Harmon Avenue, Waller Creek Watershed, North Loop NPA  
Owner/Applicant: Manos de Christo, Inc. (Julie Ballesteros)  
Agent: Studio 8 Architects (Milton Hime)  
Request: SF-3-NP to LO-CO-NP  
Staff Rec.: **Pending; Staff recommends an indefinite postponement.**  
Staff: Clark Patterson, 974-7691, [clark.patterson@austintexas.gov](mailto:clark.patterson@austintexas.gov)  
Planning & Development Review Department

The motion for an indefinite postponement was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 12. 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 land use to Multifamily land use  
Staff Rec.: **Not recommended**  
Staff: Maureen Meredith, 974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov)  
Planning & Development Review Department

The motion to postpone to October 23, 2012 by the request of the staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 13. Plan Amendment: NPA-2012-0018.05 - Burnet Pointe Residential**  
Location: 1307 West 49<sup>th</sup> Street, Shoal Creek Watershed, Brentwood/Highland  
Combined NPA  
Owner/Applicant: Michael R. & Patricia Johnson  
Agent: Alice Glasco Consulting (Alice Glasco)  
Request: Mixed Use/Office land use to Mixed Use land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov)  
Planning and Development Review Department

The motion to deny staff's recommendation for mixed use, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 7-1; Commissioner James Nortey voted against the motion (nay), Commissioner Richard Hatfield was absent.

- 14. 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 land use to Mixed Use land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov)  
Planning and Development Review Department

The motion to deny staff's recommendation for mixed use, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 7-1; Commissioner James Nortey voted against the motion (nay), Commissioner Richard Hatfield was absent.

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

The motion to deny staff's recommendation for mixed use, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 7-1; Commissioner James Nortey voted against the motion (nay), Commissioner Richard Hatfield was absent.

- 16. Rezoning: C14-2012-0079 - ACC Rio Grande Campus #1**  
Location: 1218 West Avenue, Shoal Creek Watershed, Downtown NPA  
Owner/Applicant: Austin Community College (William Mullane)  
Agent: MWM DesignGroup, Inc. (Frank Del Castillo, Jr.)  
Request: SF-3; P to DMU  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov  
Planning and Development Review Department

The motion to postpone to November 13, 2012 by the request of staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 17. Rezoning: C14-2012-0080 - ACC Rio Grande Campus #2**  
Location: 1204 West Avenue, Shoal Creek Watershed, Downtown NPA  
Owner/Applicant: Austin Community College (William Mullane)  
Agent: MWM DesignGroup, Inc. (Frank Del Castillo, Jr.)  
Request: LO; MF-4; CS to DMU  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov  
Planning and Development Review Department

The motion to postpone to November 13, 2012 by the request of staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 18. Rezoning: C14-2012-0081 - ACC Rio Grande Campus #3**  
Location: 1212 Rio Grande Street, Shoal Creek Watershed, Downtown NPA  
Owner/Applicant: Austin Community College (William Mullane)  
Agent: MWM DesignGroup, Inc. (Frank Del Castillo, Jr.)  
Request: UNZ; UNZ-H to DMU & DMU-H  
Staff Rec.: **Recommendation of DMU-CO & DMU-H-CO**  
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov  
Planning and Development Review Department

The motion to postpone to November 13, 2012 by the request of staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 19. Rezoning: C14-2012-0082 - ACC Rio Grande Campus #4**  
Location: 1209 Rio Grande Street, Shoal Creek Watershed, Downtown NPA  
Owner/Applicant: Austin Community College (William Mullane)  
Agent: MWM DesignGroup, Inc. (Frank Del Castillo, Jr.)  
Request: GO; LR-CO to DMU  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov  
Planning and Development Review Department

The motion to postpone to November 13, 2012 by the request of staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 20. Site Plan- Waivers Only: SP-2012-0102C - Sun Moon and Stars Addition**  
Location: 3810 South 1<sup>st</sup> 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 district  
Staff Rec.: **Recommended**  
Staff: Nikki Hoelter, 974-2863, Nikki.Hoelter@austintexas.gov  
Planning and Development Review Department

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



- The motion to disapprove Item #21, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

The motion to direct staff to initiate an ordinance related to Rainey Street Sub district Density and Height Regulations, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- The motion to direct staff to initiate an ordinance related to Public Assembly Temporary Use, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 3. New Business: Initiate a Code Amendment - Unfinished Space Exemption**  
Request: Discussion and possible action to initiate an ordinance related to how unfinished space is calculated and exempted from gross floor area calculations.  
Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov  
Planning and Development Review Department

The motion to direct staff to initiate an ordinance related to Unfinished Space Exemption, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 4. New Business: Initiate a Code Amendment - Definition of Bedroom**  
Request: Discussion and possible action to initiate an ordinance clarifying the definition of a bedroom in City Code.  
Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov  
Planning and Development Review Department

The motion to direct staff to initiate an ordinance clarifying the definition of bedroom, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 5. New Business: Initiate a Code Amendment - McMansion**  
Request: Discussion and possible action to initiate an ordinance related to Subchapter F: Residential Design and Compatibility Standards (McMansion) and regulations within the City's zoning jurisdiction.  
Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov  
Planning and Development Review Department

The motion for indefinite postponement by the request of staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 6. New Business:**  
Request: Discussion and action on directing city staff to initiate a change to the Hyde Park NCCD and North Hyde Park NCCD, relating to short-term rentals.

The motion to deny the request to initiate a change to the Hyde Park NCCD and North Hyde Park NCCD, was approved by Commissioner James Nortey's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-3; Commissioner Danette Chimenti, Myron Smith and Jean Stevens voted against the motion (nay); Commissioner Richard Hatfield was absent.

## **E. SUBCOMMITTEE REPORTS**

Place an item on the next Neighborhood Planning Committee agenda regarding postponement policy for neighborhood plan cases.

## **F. ADJOURNMENT**

**Chair Dave Anderson adjourned the meeting without objection at 9:13 p.m.**