



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
October 9, 2012**

The Planning Commission convened in a regular meeting on October 9, 2012 @ 301 W. 2<sup>nd</sup> 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**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Myron Smith**

**Jean Stevens**

**Jeff Jack – Ex-Officio**

**Howard Lazarus – Ex-Officio**

**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.

**B. APPROVAL OF MINUTES**

1. Approval of minutes for September 25, 2012.

The motion to approve the minutes from September 25, 2012, as amended by Commissioner Myron Smith, was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0-1; Commissioner Richard Hatfield abstained.

## C. PUBLIC HEARING

### 1. Briefing:

Request: Briefing on recommendations on improvements to the Land Development Code and Technical codes to address sound mitigation for construction of new residential dwelling units and other uses with overnight guests, such as hotels, in the Downtown Austin area. (The Building & Fire Code Board will make final recommendation to City Council).

Staff: Dan McNabb, 974-2752, dan.mcnabb@austintexas.gov  
Planning and Development Review Department

Briefing given by Leon Barba and Dan McNabb.

### 2. Briefing:

Request: Briefing on Waller Creek: A Completion

Presenter: A representative from the Waller Creek Conservancy

Briefing given by Waller Creek Conservancy Representative.

### 3. 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 Multifamily Residential, as amended

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 multi-family residential as amended, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 9-0.

- 4. 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 MF-3-NP, as amended  
Staff Rec.: **Recommended for MF-3-NP**  
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov  
Planning and Development Review Department

The motion to approve the following:

The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- 1) Vehicle trips per day shall be limited to less than 2,000.
- 2) Buildings adjacent to Frontier Valley shall be oriented towards Frontier Valley and buildings adjacent to a right-of-way reserve shall be oriented towards the reserve, as per LDC 25-2, Subchapter E, Section 2.2.3
- 3) Surface parking shall be interior to the site, as per as LDC 25-2, Subchapter E, Section 2.2.3
- 4) Sidewalks shall be provided along Frontier Valley Drive as per as LDC 25-2, Subchapter E, Section 2.2.3
- 5) Non-contiguous gating on the property.

Was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 9-0.

- 5. 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. On October 3, 2012, the application was withdrawn by the applicant because the revised zoning request does not require a change in the future land use map.**  
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov  
Planning and Development Review Department

This case was withdrawn by the applicant, no action was required.

- 6. Rezoning: C14-2012-0052 - Texas State Troopers Rezoning**  
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: 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 23, 2012 by the request of the staff, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 7. 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**  
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov  
Planning and 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 James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 8. 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.: **Recommendation of MF-5-CO-NP**  
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov  
Planning and 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 James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 9. Restrictive Covenant Amendment:** **C14-04-0181.SH(RCA) - Shire's Court**  
Location: 1910 ½ Wickshire Lane, Country Club East Watershed, East Riverside/Oltorf Combined (Parker Lane) NPA  
Owner/Applicant: Shire's Court G.P., Inc. (David Mahn) et. al.  
Agent: Myra Goepf  
Request: To amend the Restrictive Covenant and make Carlson Drive a private access roadway.  
Staff Rec.: **Not Recommended; Applicant requests a postponement to November 13, 2012**  
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov  
Planning and Development Review Department

The motion to postpone to November 13, 2012 by the request of the applicant, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 10. Rezoning:** **C14H-2012-0009 - S. Leroy and Josephine Brown House**  
Location: 2707 Hemphill Park, Waller Creek Watershed, North University NPA  
Owner/Applicant: Historic Landmark Commission, applicant; Purple Owl House Corporation, owner  
Agent: Kent Collins; John Philip Donisi  
Request: MF-5-NCCD-NP to MF-5-H-NCCD-NP  
Staff Rec.: **Recommended**  
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@austintexas.gov  
Planning and Development Review Department

The motion to deny staff's recommendation for MF-5-H-NCCD-NP district zoning, was approved by Commissioner Jean Steven's motion, Commissioner Brian Roark seconded the motion on a vote of 9-0.

- 11. Rezoning:** **C14-2012-0097 - Little Woodrow's Bar & Restaurant**  
Location: 5425 Burnet Road, Waller Creek Watershed, Brentwood NPA  
Owner/Applicant: Rick Engel  
Agent: Alice Glasco Consulting, Inc. (Alice Glasco)  
Request: CS-MU-V-CO-NP to CS-1-MU-V-CO-NP  
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 CS-1-MU-V-CO-NP district zoning, was approved by Commissioner James Nortey's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 9-0.

**12. Rezoning:** **C14-2012-0105 - 702 San Antonio Street**  
Location: 702 San Antonio Street, Shoal Creek Watershed, Downtown NPA  
Owner/Applicant: HUO Architects (Thomas Hatch)  
Request: DMU-H-CO to DMU-H-CO  
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 DMU-H-CO district zoning, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

**13. Rezoning:** **C14-2012-0106 - 5th & San Jacinto Rezoning**  
Location: 300 E. 5<sup>th</sup> St., Town Lake Watershed, Downtown NPA  
Owner/Applicant: Harry Whittington, Mercedes Whittington, Sally May, Mercedes Greg, Margaret Puckett Trust, Sara May Trust, Caroline Puckett Trust, Michael May Trust, Camille May Trust, William Puckett Trust, Claire Whittington Trust  
Agent: Armbrust & Brown, PLLC (Richard Suttle)  
Request: CBD to CBD-CURE  
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 CBD-CURE zoning, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

**14. Rezoning:** **C14-2012-0102 - Texas PTA Rezoning #1**  
Location: 408 W. 11<sup>th</sup> St., Shoal Creek Watershed, Downtown NPA  
Owner/Applicant: Texas Congress of Parents & Teachers (Kyle Ward)  
Agent: Garrett-Ihnen Civil Engineers, Inc. (Mike Wilson)  
Request: DMU to CBD  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation of DMU-CO district zoning, with the inclusion of the conditions listed in the neighborhood's letter, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Steven Oliver seconded the motion on a vote of 9-0.

- 15. Rezoning:** **C14-2012-0103 - Texas PTA Rezoning #2**  
Location: 416 W. 11<sup>th</sup> St., Shoal Creek Watershed, Downtown NPA  
Owner/Applicant: Texas Congress of Parents & Teachers (Kyle Ward)  
Agent: Garrett-Ihnen Civil Engineers, Inc. (Mike Wilson)  
Request: CS to CBD  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation of DMU-CO district zoning, with the inclusion of the conditions listed in the neighborhood's letter, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Steven Oliver seconded the motion on a vote of 9-0.

- 16. Site Plan - Compatibility Waiver only:** **SP-2012-0122C - IBC Bank Mueller View**  
Location: 1218 East 51<sup>st</sup> Street, Tannehill Branch Watershed, Windsor Park NPA  
Owner/Applicant: International Bank of Commerce (Robert B. Barnes)  
Agent: Bury & Partners (Jonathan Fleming)  
Request: The applicant is requesting a compatibility setback variance for a driveway in order to construct a bank with associated improvements.  
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 a site plan compatibility waiver, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 17. Site Plan - Conditional Use Permit:** **SPC-2011-0351C - Facilities Improvements West Enfield Neighborhood Pool**  
Location: 2008 Enfield Road, Johnson Creek Watershed, Central West Austin Combined NPA  
Owner/Applicant: City of Austin - PARD (Reynaldo Hernandez)  
Agent: Chan Partners (Tom Curran P.E.)  
Request: Request approval of a conditional use permit because the site is zoned P, Public and over 1 acre in size [LDC Section 25-2-625(D)(2)]  
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 conditional use permit, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

**18. Site Plan- Waivers    SP-2012-0102C - Sun Moon and Stars Addition**

**Only:**

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 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 approve staff's recommendation for a site plan waiver to Section 25-2-1063(B)(1) and 25-2-1067(F)(1), was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

**19. Resubdivision:        C8-2012-0053.0A - Resubdivision of Lot 17, Block 4, Broadacres Subdivision**

Location: 5503 Clay Avenue, Shoal Creek Watershed, Brentwood NPA  
Owner/Applicant: Pride of Austin Homes, LLC (Yusuf Johnson)  
Agent: Land Answers, Inc. (Jim Wittliff)  
Request: Approve the resubdivision of one lot into 2 lots on 0.330 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 a resubdivision of Lot 17, Block 4, Broadacres Subdivision, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

**20. Vacation:              C8S-77-109(VAC) - Resubdivision of Lots B & C, Riverside Divide Section 3**

Location: 1620 E. Riverside, Lady Bird Lake Watershed, Riverside NPA  
Owner/Applicant: 1620 East Riverside Drive, LLC (Marcy Phillips)  
Agent: Adam Koransky  
Request: Approval of the total vacation of the Resubdivision of Lots B & C, Riverside Divide Section 3 composed of 1.54 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 approval of a total vacation of the re-subdivision of Lots B & C, Riverside divide Section 3, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.



- 21. Vacation:** **C8S-76-172(VAC) - Riverside Divide Section 3**  
Location: 1620 E. Riverside, Lady Bird Lake Watershed, Riverside NPA  
Owner/Applicant: 1620 East Riverside Drive, LLC (Marcy Phillips)  
Agent: Adam Koransky  
Request: Approval of the total vacation of the Riverside Divide Section 3 composed of 2.39 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 approval of a total vacation of the Riverside Divide Section 3, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 22. Final Plat w/Preliminary:** **C8-04-0043.06.1A.SH - Mueller Section II-C Phase 1 Final Plat**  
Location: 3600 Manor Road, Tannehill Branch/Boggy Creek Watershed, RMMA NPA  
Owner/Applicant: COA-Redevelopment Services Office (Pam Hefner)  
Agent: Bury & Parnters (Jonathan Fleming)  
Request: Approval of the Mueller Section II-C Phase 1 Final Plat composed of 5 lots on 5.513 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Department

- 23. Final Plat w/Preliminary:** **C8-04-0043.06.2A.SH - Mueller Section I-C Phase 1 Final Plat**  
Location: 3600 Manor Road, Tannehill Branch/Boggy Creek Watershed, RMMA NPA  
Owner/Applicant: COA-Redevelopment Services Office (Pam Hefner)  
Agent: Bury & Partners (Jonathan Fleming)  
Request: Approval of the Mueller Section I-C Phase 1 Final Plat composed of 64 lots on 5.228 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Department

- 24. Final Plat/Resubdivision:** **C8-2012-0145.0A - Castle East Subdivision**  
Location: 1101 West 11<sup>th</sup> Street, Shoal Creek Watershed, Old West Austin NPA  
Owner/Applicant: Rooknoll, LLC (Dick Clark)  
Agent: Big Red Dog Engineering (Ricardo De Camps)  
Request: Approval of the Castle East Subdivision composed of 2 lots on 1.194 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Department

**25. Preliminary Plan:** **C8-04-0043.06.SH - Mueller Section 2 Preliminary Plan Revision 6**  
Location: 3600 Manor Road, Tannehill Branch/Boggy Creek Watershed, RMMA  
NPA  
Owner/Applicant: COA-Redevelopment Services Office (Pam Hefner)  
Agent: Bury & Partners (David Miller)  
Request: Approval of the Mueller Section 2 Preliminary Plan Revision 6  
composed of 1096 lots on 314.97 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Department

**26. Resubdivision:** **C8-2012-0146.0A - Met Center II Section 3, Lot 4, Blk D; Resub**  
Location: 7101 Metropolis Dr., Onion Creek Watershed  
Owner/Applicant: Met Center II Nyctex Phase II, Ltd (Howard Yancy)  
Agent: Ron Thrower  
Request: Approval of the Met Center II Section 3, Lot 4, Blk D; Resub composed  
of 1 lot on 50.212 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

Items #22-26;

The motion to disapprove Items #22-26, was approved on the consent agenda by Commissioner James Nortey'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 electing Planning Commission Officers.

Chair - Dave Anderson  
Vice-Chair - Danette Chimenti  
Secretary - Jean Stevens  
Parliamentarian - Alfonso Hernandez

## **E. SUBCOMMITTEE REPORTS**

No 5<sup>th</sup> Tuesday meeting on October 30<sup>th</sup>.

## **F. ADJOURNMENT**

Chair Dave Anderson adjourned the meeting without objection at 11:32 p.m.