



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
October 23, 2012**

The Planning Commission convened in a regular meeting on October 23, 2012 @ 301 W. 2nd Street in Austin, Texas.

Chair Dave Anderson called the Board Meeting to order at 6:02 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

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.

No Speakers.

B. APPROVAL OF MINUTES

1. Approval of minutes for October 9, 2012.

The motion to approve the minutes from October 9, 2012 as amended by Commissioner Jean Stevens (That under Item D1 it was to read Chair Dave Anderson, not Dave Sullivan and for Item #4 was to read non- contiguous gating on apartments) Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

C. PUBLIC HEARING

1. Code C20-2012-010 - Amphitheater Code Amendment

Amendment:

Owner/Applicant: City of Austin
Agent: Planning and Development Review Department (Greg Dutton)
Request: Consider an amendment to Chapter 25-2 of the City Code to make outdoor amphitheaters a conditional use in all zoning districts.
Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov;
Planning and Development Review Department

The motion to indefinite postpone by the request of staff, was approved on the consent agenda by Commissioner Jean Stevens, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

2. Code Amendment: C20-2011-018 - Pedicab Land Use Code Amendment

Location: City-wide
Owner/Applicant: City of Austin
Agent: Planning and Development Review Department (Greg Dutton)
Request: Consider an amendment to Chapter 25-2 of the City Code to define a new land use “Pedicab Storage and Dispatch” to allow for the staging, storage and dispatch of non-motorized vehicles also including incidental parking and servicing of these vehicles.
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 consider an amendment to Chapter 25-2 of the City Code, was approved on the consent agenda by Commissioner Jean Stevens, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

3. Code Amendment: C20-2011-003 - East Riverside Corridor Regulating Plan

Location: Generally bounded by Lady Bird Lake on the north, State Highway 71 on the east and south, and IH-35 on the west; East Riverside/Oltorf and Montopolis NPAs
Owner/Applicant: Various
Agent: Planning and Development Review Department (Erica Leak)
Request: Consider an ordinance amending Chapter 25 of the city code to implement the East Riverside Corridor Regulating Plan
Staff Rec.: **Recommended**
Staff: Erica Leak, 974-2856, erica.leak@austintexas.gov;
Planning & Development Review Department

See attached motion sheet for the motion.

- 4. Plan Amendment: NPA-2012-0021.02 - East Riverside Corridor Regulating Plan**
Location: Along or in proximity to East Riverside Drive, between IH-35 on the west and Grove Boulevard on the east; Harper's Branch, Town Lake, Country Club Creek West, Country Club Creek East, Carson Creek Watersheds; East Riverside/Oltorf NPA
Owner/Applicant: Various
Agent: Planning and Development Review Department (Erica Leak)
Request: Various to Specific Regulating District
Staff Rec.: **Recommended**
Staff: Erica Leak, 974-2856, erica.leak@austintexas.gov; Planning & Development Review Department

See attached motion sheet.

- 5. Plan Amendment: NPA-2012-0005.04 - East Riverside Corridor Regulating Plan**
Location: Along or in proximity to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east; Country Club Creek, Carson Creek, Colorado River Watersheds; Montopolis NPA
Owner/Applicant: Various
Agent: Planning and Development Review Department (Erica Leak)
Request: Various to Specific Regulating District
Staff Rec.: **Recommended**
Staff: Erica Leak, 974-2856, erica.leak@austintexas.gov; Planning & Development Review Department

See attached motion sheet.

- 6. Rezoning: C14-2012-0111 - East Riverside Corridor Regulating Plan**
Location: Along or in proximity to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east; Country Club Creek, Carson Creek, Colorado River Watersheds; Montopolis NPA
Owner/Applicant: Various
Agent: Planning and Development Review Department (Erica Leak)
Request: Various to East Riverside Corridor Regulating District
Staff Rec.: **Recommended**
Staff: Erica Leak, 974-2856, erica.leak@austintexas.gov; Planning & Development Review Department

See attached motion sheet.

- 7. Rezoning: C14-2012-0112 - East Riverside Corridor Regulating Plan**
Location: Generally along or in proximity to East Riverside Drive, between IH-35 on the west and Grove Boulevard on the east; Harper's Branch, Town Lake, Country Club Creek West, Country Club Creek East, Carson Creek Watersheds; East Riverside/Oltorf NPA
Owner/Applicant: Various
Agent: Planning and Development Review Department (Erica Leak)
Request: Various to East Riverside Corridor Regulating District
Staff Rec.: **Recommended**
Staff: Erica Leak, 974-2856, erica.leak@austintexas.gov; Planning & Development Review Department

See attached motion sheet.

- 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 deny staff's recommendation for multifamily land use, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 9. Rezoning: C14-2012-0052 - 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-NP to MF-5-NP
Staff Rec.: **Recommendation of MF-5-CO-NP, with conditions**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to deny staff's recommendation for MF-5-CO-NP district zoning, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 10. Rezoning:** **C14-2009-0055.01 - Texas State Troopers Rezoning**
Location: 826 Houston Street & 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, with conditions**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to deny staff's recommendation CS-1-MU-V-NP & CS-MU-V-CO-NP, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 11. Plan Amendment:** **NPA-2012-0026.02 - Georgian Retail**
Location: 9310 Georgian Drive, Little Walnut Creek Watershed, North Lamar Combined NPA
Owner/Applicant: Amir Hossein Batoeinng
Agent: Amir Hossein Batoeinng
Request: Single Family land use to Neighborhood Mixed Use land use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov; Planning & Development Review Department

The motion to approve staff's recommendation for Neighborhood Mixed Use Land Use, was approved by Commissioner Jean Steven's motion, Commissioner Danette Chimenti seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 12. Rezoning:** **C14-2012-0101 - 9310 Georgian Drive**
Location: 9310 Georgian Drive, Little Walnut Creek Watershed, North Lamar Combined NPA
Owner/Applicant: Amir Hossein Batoeinng
Request: SF-3-NP to LR-MU-NP
Staff Rec.: **Recommendation of LO-MU-CO-NP**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov; Planning and Development Review Department

The motion to approve LR-MU-NP district zoning, was approved by Commissioner Jean Steven's motion, Commissioner Danette Chimenti seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 13. 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;
Planning & Development Review Department

The motion to postpone to November 27, 2012 by the request of staff, was approved on the consent agenda by Commissioner Jean Stevens motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 14. 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 27, 2012 by the request of staff, was approved on the consent agenda by Commissioner Jean Stevens motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 15. 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 27, 2012 by the request of staff, was approved on the consent agenda by Commissioner Jean Stevens motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

16. 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 27, 2012 by the request of staff, was approved on the consent agenda by Commissioner Jean Stevens motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

17. 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 27, 2012 by the request of staff, was approved on the consent agenda by Commissioner Jean Stevens motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

18. Rezoning: **C14-2012-0113 - 7003 E Riverside**
Location: 7003 E. Riverside Drive, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Bradsher Family Trust
Agent: Thrower Design (Ron Thrower)
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommendation of SF-6-CO-NP with conditions**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov;
Planning and Development Review Department

The motion to postpone to November 13, 2012 by the request of the neighborhood, was approved by Commissioner Stephen Oliver's motion, Commissioner James Nortey seconded the motion on a vote of 7-1; Commissioner Alfonso Hernandez voted against the motion (nay), Commissioner Richard Hatfield was absent.

19. Rezoning: C14-2012-0115 - Landscape Resources
Location: 7404 Old Bee Caves Road, Williamson Creek Watershed-Barton Springs Zone, Oak Hill NPA
Owner/Applicant: WEAPSA LLC
Agent: Thrower Design (Ron Thrower)
Request: RR-NP to LR-NP
Staff Rec.: **Recommendation of GO-MU-NP**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for GO-MU-NP district zoning, was approved on the consent agenda by Commissioner Jean Steven's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

20. Rezoning: C14-2012-0114 - Monaco II
Location: 2440 Wickersham Lane, Country Club Creek East Watershed, East Riverside/Oltorf Combined NPA
Owner/Applicant: PDQ Austin Overlook, Inc. (T. Mark Knutson)
Agent: Vaughn & Associates (Rick Vaughn)
Request: MF-2 to GR-MU
Staff Rec.: **Recommendation of LR-MU-CO**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov; Planning and Development Review Department

The motion to approve GR-MU-CO with the included prohibited uses, was approved by Commissioner James Nortey's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

21. Rezoning: C14-2011-0065 - The Austin Hotel
Location: 800 & 804 Congress Avenue, Town Lake Watershed, Downtown NPA
Owner/Applicant: Gone to Texas Capital One, L.P. (David Kahn); The Karotkin Family Real Estate Trust (Doris Karotkin, Trustee)
Request: CBD & CBD-H to CBD-CURE & CBD-H-CURE
Staff Rec.: **Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to deny staff's recommendation for CBD-CURE & CBD-H-CURE was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 5-3; Commissioners Alfonso Hernandez, James Nortey and Stephen Oliver voted against the motion (nay), Commissioner Richard Hatfield was absent.

- 22. Site Plan - Conditional Use Permit:** **SPC-2011-0280C - Del Curto Park**
- Location: 3000 Del Curto Rd., West Bouldin Creek Watershed, South Lamar Combined NPA
- Owner/Applicant: City of Austin, Parks and Recreation Dept. (Ricardo Soliz)
- Agent: City of Austin, Parks and Recreation Dept. (D'Anne Williams)
- Request: Approval of a Conditional Use Permit in order to construct park improvements in P (Public) zoning over 1 acre.
- 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, was approved on the consent agenda by Commissioner Jean Steven's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 23. Resubdivision:** **C8-2012-0052.0A - Resubdivision of Lot 3, Block 2, Loveless Addition**
- Location: 616 Terrell Hill Dr., East Bouldin Creek Watershed, Galindo NPA
- Owner/Applicant: Glenn H. Glover
- Agent: Stansberry Engineering (Blyane Stansberry)
- Request: Approve the resubdivision of one lot into 4 lots on 0.92 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 a re-subdivision of Lot 3, Block 2, Loveless Addition, was approved on the consent agenda by Commissioner Jean Steven's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 24. Preliminary Plan:** **C8-2012-0148 - 1st Street Highlands**
- Location: 900 South 2nd Street, West Bouldin Creek Watershed, Bouldin Creek NPA
- Owner/Applicant: PSW Real Estate (Ryan Diepenbrock)
- Agent: Perales Engineering, LLC (Jerry Perales)
- Request: Approval of 1st Street Highlands composed of 14 lots on 3.64 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

- 25. Final Plat/ Amended Plat: C8-2012-0147.0A.SH - Mueller Section VII-B; Amended Plat**
- Location: 3600 Manor Road, Tannehill Branch, Boggy Creek Watersheds, RMMA
Owner/Applicant: City of Austin (Pam Hefner)
Agent: Bury & Partners, Inc. (David Miller)
Request: Approval of Mueller Section VII-B; Amended Plat composed of 2 lots on 4.451 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #24-25;

The motion to disapprove items #24 and #25, was approved on the consent agenda by Commissioner Jean Steven's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

D. NEW BUSINESS

- 1. Code Amendment: Waterfront Overlay District Boundary**
- Request: Discussion and possible action to direct staff to initiate a code amendment amending Chapter 25 of the City Code to modify the boundary of the Waterfront Overlay District between the Auditorium Shores and Butler Shores Subdistricts.
Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov; Planning and Development Review Department

The motion to direct staff to initiate this code amendment, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

E. SUBCOMMITTEE REPORTS

F. ADJOURNMENT

Chair Dave Anderson adjourned the meeting without objection at 11:30 p.m.