



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
February 12, 2013**

The Planning Commission convened in a regular meeting on February 12, 2013 @ 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

Brian Roark

Stephen Oliver

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 January 22, 2013.

The motion to approve the minutes for January 22, 2013, 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 Alfonso Hernandez was absent.

C. PUBLIC HEARING

1. Code C20-2012-013 – Downtown Parking Requirements

Amendment:

Owner/Applicant: City of Austin
Agent: Planning and Development Review Department (George Zapalac)
Request: Amend Chapter 25 of the City Code pertaining to downtown parking and loading requirements.
Staff Rec.: **RECOMMENDED**
Staff: George Zapalac, 974-2725, george.zapalac@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation with the proviso that Planning Commission look at this code amendment again in 2-years to see if it's working; motion made by Commissioner Stephen Oliver, Commissioner Danette Chimenti seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

2. Code Amendment: C20-2012-023 – Water and Wastewater Reimbursement and Cost

Owner/Applicant: City of Austin
Agent: Austin Water Utility (Bart Jennings)
Request: Amend Chapter 25-9 of the City Code with regard to the City's cost reimbursement and cost participation of certain water and wastewater infrastructure that is oversized at the request of the City.
Staff Rec.: **RECOMMENDED**
Staff: Bart Jennings, 972-0118, bart.jennings@austintexas.gov; Austin Water Utility

The motion to approve staff's recommendation to amend Chapter 25-9 of the City Code was approved on the consent agenda by Commissioner Danette Chimenti, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

3. Plan Amendment: NPA-2012-0015.01 – Street and Bridge Operations Central District Office

Location: 3511 Manor Road, Tannehill Branch Watershed, East MLK Jr. Combined NPA
Owner/Applicant: City of Austin
Agent: Public Works Department (Peter Davis)
Request: Mixed Use to Civic
Staff Rec.: **RECOMMENDED**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov; Planning and Development Review Department

The motion to postpone to April 23, 2013 by the request of the applicant, was approved on the consent agenda by Commissioner Danette Chimenti, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

** Ex-Officio member Howard Lazarus recused himself from this item**

- 4. Rezoning:** **C14-2012-0140 – Street and Bridge District Office**
Location: 3511 Manor Road, Tannehill Branch Watershed, East MLK Combined NPA
Owner/Applicant: City of Austin
Agent: Public Works Department (Peter Davis)
Request: LO-V-NP; GR-NP, GR-V-NP to CS-MU-CO-NP
Staff Rec.: **RECOMMENDED**
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov; Planning and Development Review Department

The motion to postpone to April 23, 2013 by the request of the applicant, was approved on the consent agenda by Commissioner Danette Chimenti, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

** Ex-Officio member Howard Lazarus recused himself from this item**

- 5. Rezoning:** **C14-2012-0146.SH – 1044 Norwood Park Blvd.**
Location: 1044 Norwood Park Boulevard, Little Walnut Creek Watershed, Heritage Hills/Windsor Hills Combined NPA
Owner/Applicant: DBSI Village at Norwood, LLC (Conrad Myers)
Agent: Conley Engineering (Carl Conley)
Request: GR-CO-NP to CH-NP
Staff Rec.: **Recommendation of CH-CO-NP**
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for CH-CO-NP zoning was approved by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 6. Rezoning:** **C14-2012-0147 – 2025 E. 7th Street**
Location: 2025 East 7th Street, Lady Bird Lake Watershed, Holly NPA
Owner/Applicant: American Bank of Texas (Art Carpenter)
Agent: Gibson Lamar Partners, LP (Art Carpenter)
Request: CS-MU-CO-NP to CS-MU-CO-V-NP
Staff Rec.: **RECOMMENDED**
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for CS-MU-CO-V-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 Alfonso Hernandez was absent.

- 7. Restrictive Covenant Termination:** **C14-75-085(RCT) – Wells Fargo – Enfield #1**
Location: 605 West 15th Street, Shoal Creek Watershed, Downtown NPA
Owner/Applicant: Wells Fargo Bank, N. A. (Joe Zafareo)
Agent: Brown McCarrol, L.L.P. (Jerry Harris)
Request: To terminate the restrictive covenant that only allows a drive-in bank on the property.
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 a restrictive covenant termination, 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 Alfonso Hernandez was absent.

- 8. Restrictive Covenant Termination:** **C14-84-056(RCT) – Wells Fargo – Enfield #2**
Location: 605 West 15th Street, Shoal Creek Watershed, Downtown NPA
Owner/Applicant: Wells Fargo Bank, N. A. (Joe Zafareo)
Agent: Brown McCarrol, L.L.P. (Jerry Harris)
Request: To terminate the restrictive covenant that only allows a drive-in bank on the property.
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 a restrictive covenant termination, 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 Alfonso Hernandez was absent.

- 9. Rezoning:** **C14-2012-0083 – Cirrus Rezoning**
Location: 800 West 6th Street, 602-702 West Avenue, Shoal Creek Watershed, Downtown NPA
Owner/Applicant: Cirrus Logic, Inc. (Thurman Case)
Agent: Armbrust & Brown, PLLC (Amanda Morrow)
Request: DMU-CO-CURE to DMU-CURE for Tract 1 and LO & GO to DMU for Tract 2
Staff Rec.: **RECOMMENDED**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov; Planning and Development Review Department

The motion to postpone to February 26, 2013 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 Alfonso Hernandez was absent.

- 10. Rezoning: C14-2012-0145 – 2111 Fort View**
Location: 2111 Fort View Road, Blunn Creek Watershed, South Lamar Combined NPA
Owner/Applicant: One Properties
Agent: Howard Kells
Request: SF-3 to LO
Staff Rec.: **NO, with conditions**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for NO zoning, was approved by Commissioner Danette Chimenti's motion, Commissioner James Nortey seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 11. Rezoning: C14-2012-0165 – W.O.B**
Location: 3109 South Lamar Boulevard, West Bouldin Creek Watershed, South Lamar Combined NPA
Owner/Applicant: Residences at the Spoke, LLC by Transwestern
Agent: Bury + Partners (Melissa Neslund)
Request: CS-V to CS-1-V
Staff Rec.: **RECOMMENDED**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for CS-1-V zoning, was approved by Commissioner Brian Roark's motion, Commissioner Stephen Oliver seconded the motion on a vote of 5-3; Commissioners Myron Smith, Danette Chimenti and Jean Stevens voted against the motion (nay), Commissioner Alfonso Hernandez was absent.

- 12. Rezoning: C14H-2013-0001 – Old David Chapel / St. Paul Primitive Baptist Church**
Location: 2209 E. 14th Street, Boggy Creek Watershed, Chestnut NPA
Owner/Applicant: St. Paul Primitive Baptist Church / City of Austin
Request: P-NP to P-H-NP
Staff Rec.: **RECOMMENDED**
Staff: Steve Sadowsky, 974-6454, steve.sadowsky@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for P-H-NP 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 Alfonso Hernandez was absent.

- 13. Resubdivision: C8-2012-0093.0A – Resubdivision of Lots 4 & 5, Zilker Hills**
Location: 2010 Rabb Glen Street, West Bouldin Creek Watershed, South Lamar Combined (Zilker) NPA
Owner/Applicant: 2101 Rabb Glen, LLC (Scott Turner)
Agent: Axiom Engineers, Inc. (Alan Rhames)
Request: Approval of the Resubdivision of Lots 4 & 5, Zilker Hills, a resubdivision of 2 lots into 4 lots on 0.796 acres. VARIANCE: A variance to Section 25-4-175 is being requested to allow the use of a flag lot in an existing residential subdivision.
Staff Rec.: **RECOMMENDED**
Staff: Sylvia Limon, 974-2767, sylvia.limon@austintexas.gov; Planning and Development Review Department

The motion to postpone to February 26, 2013 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 7-0-1; Chair Dave Anderson recused himself from this item, Commissioner Alfonso Hernandez was absent.

- 14. Resubdivision: C8-2012-0138.0A.SH – Resubdivision of Lots 1, 2, 4 & 5, Block A, Juniper at Olive Subdivision and The North ½ of Lot 2, Outlot 55, Division B**
Location: 900 & 902 Juniper Street; 903, 905 & 907 Olive Street, Waller Creek Watershed, Central East Austin NPA
Owner/Applicant: Marcellus Sapenter/A.H.F.C. (Javier Delgado)
Agent: J33S Consulting Engineering, LLC (Juanita Benitez)
Request: Approve the resubdivision of 3 lots and part of another lot into 4 lots on 0.288 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 the re-subdivision of Lots 1, 2, 4 & 5, Block A, Juniper at Olive Subdivision and The North ½ of Lot 2, Outlot 55, Division B, 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 Alfonso Hernandez was absent.

- 15. Final** **C8-2012-0136.0A – Crest Haven Addition Lot 23; Resubdivision**
Plat/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, a resubdivision of 2 lots into 4 lots on 1.0 acre. VARIANCE: A variance to Section 25-4-175 is being requested to allow the use of a flag lot in an existing residential subdivision.
Staff Rec.: **RECOMMENDED**
Staff: David Wahlgren, 974-6455, david.wahlgren@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for approval of the Crest Haven Addition Lot 23, 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 Alfonso Hernandez was absent.

- 16. Resubdivision:** **C8-2012-0145.0A – Castle East Subdivision**
Location: 1101 Westh 11th Street, Shoal Creek Watershed, Old West Austin NPA
Owner/Applicant: Rooknoll, LLC (Dick Clark)
Agent: Big Red Dog (Ricky DeCamps)
Request: Approve the resubdivision of four existing lots and vacated right-of-way into a two lot subdivision on 1.194 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 to approve the re-subdivision of Castle East Subdivision, 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 Alfonso Hernandez was absent.

- 17. Final** **C8-2013-0005.0A – Walnut Acres**
Plat/Resubdivision:
Location: 6121 FM 969 Rd., Walnut Creek Watershed, East MLK NPA
Owner/Applicant: Arami Masoud/Majid Kamalipour (Arami Mohammad)
Agent: Jacobs Engineering (Brandy Waters)
Request: Approval of Walnut Acres composed of one lot on 6.1 acres
Staff Rec.: **DISAPPROVAL**
Staff: Planning and Development Review Department

- 18. Final Plat w/ Preliminary:** **C8-04-0043.06.4A.SH – Mueller Section IIC-2 Final Plat**
Location: 3600 Manor Road, Boggy Creek Watershed, RMMA
Owner/Applicant: COA-Redevelopment Services Office (Pam Hefner)
Agent: Bury + Partners (Brandon D. Mettler, P.E.)
Request: Approval of the Mueller Section IIC-2 Final Plat composed of 1 lot on 1.125 acres.
Staff Rec.: **DISAPPROVAL**
Staff: Planning and Development Review Department
- 19. Final Plat Resubdivision:** **C8-2013-0006.0A – Lot 7, Lakeshore Phase 1; Resubdivision**
Location: Waterloo City Lane, Town Lake Watershed, East Riverside NPA
Owner/Applicant: CRV Shoreline TRS, Inc. (Tim Clark)
Agent: Jones & Carter, Inc. (Darren Webber)
Request: Approval of Lot 7, Lakeshore Phase 1; Resubdivision composed of 53 lots on 2.377 acres
Staff Rec.: **DISAPPROVAL**
Staff: Planning and Development Review Department

Items #17-19;

The motion to disapprove Items #17-19, 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 Alfonso Hernandez was absent.

D. NEW BUSINESS

1. New Business:

Request: Discussion and possible action to allow Jason Booth to move forward with a zoning change application for property at 4405 Merle Drive located within South Austin Combined Neighborhood Planning Area.

The motion to allow Jason Booth to move forward with a zoning change application, 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 Alfonso Hernandez was absent.

E. SUBCOMMITTEE REPORTS

Downtown Commission – February 20, 2013
Codes & Ordinances – February 19, 2013

F. ADJOURNMENT

Chair Dave Anderson adjourned the meeting without objection at 8:15 p.m.