



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
April 9, 2013**

The Planning Commission convened in a regular meeting on April 9, 2013 @ 301 W. 2<sup>nd</sup> Street, Austin, Texas 78701

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**

**Richard Hatfield**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Myron Smith**

**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: GENERAL**

No Speakers.

**B. APPROVAL OF MINUTES**

1. Approval of minutes from March 26, 2013.

The motion to approve the minutes from March 26, 2013 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 Jean Stevens was absent.

## C. PUBLIC HEARINGS

### 1. Code Amendment: C20-2011-027 - Subchapter E Changes

Owner/Applicant: City of Austin

Agent: Planning and Development Review Department (George Adams)

Request: Amend Chapter 25-2 of the City Code to make clarifications, revisions, updates and additions to Subchapter E.

Staff Rec.: **Recommended**

Staff: George Adams, 974-2146, [george.adams@austintexas.gov](mailto:george.adams@austintexas.gov);  
Planning and Development Review Department

Public Hearing was closed.

The motion to approve staff recommendation as presented with amendments, was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 8-0; Commissioner Jean Stevens was absent.

### AMENDMENTS:

- 1) For Neighborhood Design Standards Table D of Article 4 move "Prohibit trash pickup and commercial deliveries between 10pm and 7am" from the Menu of Options to the Required Elements.
- 2) For Article 4 - 4.3.4 B.3. Include the revised language from staff handed out at this Planning Commission meeting.
- 3) A courtesy notice should be sent to applicable neighborhood associations when zonings are changed to include the "V".
- 4) Make sure all affordability levels for VMU are correct (e.g. Zilker should be 60%MFI).
- 5) Include language proposed by Steven Zettner (see below) to require transit plazas where a property outside the CBD is adjacent to a Bus Rapid Transit (BRT) station and already requires public open space. This would be mandatory, not an optional public space feature.

Proposed language:

*"Article 2.7 Private Common Open Space and Pedestrian Amenities*

*2. Location Criteria*

*a. Site adjacent to a bus rapid transit station (MetroRapid)*

*Where the development is adjacent to an existing or planned bus rapid transit station (MetroRapid) and not CBD or DMU, at least half of any private common open space required on the site must be applied to a transit plaza.*

*The plaza should extend laterally from the station shelter to a minimum depth of 20 feet from the sidewalk clear zone. It may not be across a driveway from the shelter.*

*To the extent possible, pedestrian pathways should converge at the plaza, and retail entrances should buffer it.*

*Transit plaza space counts towards the 75% building facade requirement for Core Transit Corridors in 2.2.2.D.1.*

*The plaza can be aligned to a future shelter location with approval from the director."*

6) For the listing of Core Transit Corridors change 38th street to say "Thirty-Eighth St and continuing eastward to Guadalupe"

7) Do not exempt suburban roadways from building placement requirements.

**2. Code Amendment: C20-2011-023 - Bicycle Parking**

Owner/Applicant: City of Austin

Agent: Public Works Department (Annick Beaudet)

Request: Amend various sections of City Code Title 25 (Land Development) to clarify definitions and regulations related to bicycle and motor vehicle parking requirements, calculations and reductions; and establishing a bicycle parking fund.

Staff Rec.: **Recommended**

Staff: Annick Beaudet, 974-6505, [annick.beaudet@austintexas.gov](mailto:annick.beaudet@austintexas.gov);  
Public Works Department

Public Hearing was closed.

The motion to approve staff's recommendation to amend various sections of City Code Title 25 for Bicycle Parking, 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 Jean Stevens was absent.

**3. Plan Amendment: NPA-2012-0016.01.SH - thinkEAST Austin**

Location: 1141 Shady Lane and 5600 Jain Lane (aka 1150 Shady Lane), Boggy Creek Watershed, Govalle/Johnson Terrace NPA

Owner/Applicant: thinkEAST Austin, LP

Agent: Richard deVarga, Manager of thinkEAST Austin Management, L.L.C.

Request: Single Family and Mixed Use to Major Planned Developments land use

Staff Rec.: **Pending**

Staff: Maureen Meredith, 512-974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov);  
Planning and Development Review Department

The motion to postpone to May 14, 2013 by the request of 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 Jean Stevens was absent.

- 4. Rezoning: C814-2012-0128.SH - thinkEAST Austin**  
Location: 1141 Shady Lane and 5600 Jain Lane (aka 1150 Shady Lane), Boggy Creek Watershed, Govalle/Johnson Terrace NPA  
Owner/Applicant: thinkEAST Austin, LP  
Agent: Richard deVarga, Manager of thinkEAST Austin Management, L.L.C.  
Request: SF-3-NP; LO-MU-CO-NP to PUD-NP  
Staff Rec.: **Pending**  
Staff: Heather Chaffin, 512-974-2122, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov); Planning and Development Review Department

The motion to postpone to May 14, 2013 by the request of 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 Jean Stevens was absent.

- 5. Plan Amendment: NPA-2012-0023.01 - Promiseland**  
Location: 1504 East 51<sup>st</sup> Street, Tannehill Branch Watershed, University Hills/Windsor Park NPA  
Owner/Applicant: The World of Pentecost, Inc./HCM, LLC (Shules Hersh)  
Agent: Hughes Capital Management, Inc. (Trac Bledsoe)  
Request: Civic 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 postpone to May 14, 2013 by the request of the Planning Contact Team, 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 Jean Stevens was absent.

\*\* Request made by Commissioner Chimenti for staff to determine how taxes are calculated for churches or religious assemblies.

- 6. Plan Amendment: NPA-2013-0025.03 - B.C. Child Development Center - Toddler House**  
Location: 5801 Travis Cook Road, Williamson Creek-Barton Springs Zone Watershed, Oak Hill Combined (West Oak Hill) NPA  
Owner/Applicant: Michael P. Muller  
Agent: Peter Hollister  
Request: Single Family to Neighborhood 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

Public hearing was closed.

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 Jean Stevens was absent.

7. **Rezoning:** **C14-2013-0010 - B.C. Child Development Center - Toddler House**  
Location: 5801 Travis Cook Road, Williamson Creek-Barton Springs Zone Watershed, Oak Hill Combined (West Oak Hill) NPA  
Owner/Applicant: Michael P. Muller  
Agent: Peter Hollister  
Request: RR-NP to LO-MU-CO-NP  
Staff Rec.: **Recommended**  
Staff: Lee Heckman, 974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing was closed.

The motion to approve staff's recommendation for LO-MU-CO-NP district 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 Jean Stevens was absent.

8. **Rezoning:** **C14-2012-0083 - Cirrus Rezoning**  
Location: 800 West 6<sup>th</sup> 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.: **Recommendation of DMU-CURE for Tract 1 & DMU-CO for Tract 2**  
Staff: Clark Patterson, 974-7691, [clark.patterson@austintexas.gov](mailto:clark.patterson@austintexas.gov); Planning and Development Review Department

Public hearing was closed.

The motion to approve staff's recommendation of DMU-CURE zoning up to 90' for Tract 1 and DMU-CO for Tract 2, was approved by Commissioner James Nortey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 5-2-1; Commissioner Myron Smith and Danette Chimenti voted against the motion (nay), Commissioner Jean Stevens was absent and Commissioner Brian Roark abstained.

\*\*\*With a strong recommendation of valet service offered to the public

9. **Rezoning:** **C814-2012-0160 - 211 S Lamar**  
Location: 211 South Lamar Boulevard, Lady Bird Lake Watershed, South Lamar Combined NPA  
Owner/Applicant: Post Paggi, LLC  
Agent: Winstead PC (Amanda Swor)  
Request: CS & CS-V to PUD  
Staff Rec.: **Recommended**  
Staff: Lee Heckman, 974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

The motion to postpone to April 23, 2013 by the request of 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 Jean Stevens was absent.

**10. Rezoning: C14-2012-0100 - Woodland Commercial Park**  
Location: 1640 South IH-35 Service Road, Harper's Branch Watershed, South River City Combined NPA  
Owner/Applicant: Woodland I-35 LP  
Agent: Brown McCarroll LLP (Nikelle Meade)  
Request: GR-CO-NP to CS-CO-NP  
Staff Rec.: **Recommended with Conditions; Applicant Requests Postponement Until May 14, 2013**  
Staff: Lee Heckman, 974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

The motion to postpone to May 14, 2013 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 Jean Stevens was absent.

**11. Conditional Use Permit: SP-2012-0320DT - 2306 Webberville Road Parking Lot**  
Location: 2306 Webberville Road, Lady Bird Lake Watershed, Central East Austin NPA  
Owner/Applicant: Ben Siewert  
Agent: BCMT Enterprises, LLC  
Request: Compatibility Setback Variance  
Staff Rec.: **Recommended**  
Staff: Amanda Couch, 974-2881, [amanda.couch@austintexas.gov](mailto:amanda.couch@austintexas.gov); Planning and Development Review Department

Public hearing was closed.

The motion to approve staff's recommendation for 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 Jean Stevens was absent.

**12. 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.: **Recommended.**  
Staff: Don Perryman, 974-2786, [don.perryman@austintexas.gov](mailto:don.perryman@austintexas.gov); Planning and Development Department

Public hearing was closed.

The motion to approve staff's recommendation for approval of the Mueller Section I-C Phase 1 Final Plat, 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 Jean Stevens was absent.

## **D. NEW BUSINESS**

### **1. New Business:**

Request: Discussion and action on rescinding and reconsidering motion taken on March 26, 2013 on item: Tree Permit ROW ID: 10884861 - 507 W. 23rd Street, and reposting for action on the April 23, 2013 Planning Commission agenda.

The motion to direct staff to post this item on the next agenda, April 23, 2013, failed on a vote of 4-4; Commissioners James Nortey, Dave Anderson, Myron Smith and Danette Chimenti opposed the request to rescind and reconsider the motion taken on March 25, 2013; Commissioner Jean Stevens was absent.

## **E. SUBCOMMITTEE REPORTS**

Neighborhood Plan Committee – Will meet April 17, 2013  
Downtown Committee – Gave update from March 22<sup>nd</sup> meeting  
Comp Plan Committee – Gave update from April 8<sup>th</sup> meeting  
Codes & Ordinances Committee – Will meet April 16, 2013  
CIP Committee – Gave update from April 1<sup>st</sup> meeting  
Retreat Meeting – April 27, 2013

## **E. ADJOURN**

**Chair Dave Anderson adjourned the meeting without objection at 9:30 p.m.**