



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
MAY 14, 2013**

The Planning Commission convened in a regular meeting on May 14, 2013 @ 301 W. 2nd Street, Austin, Texas 78701

Chair Dave Anderson called the Board Meeting to order at 6:06 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 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 April 9, 2013.

The motion to approve the minutes from April 9, 2013 was approved on the consent agenda by Commissioner Stevens's motion, Commissioner Chimenti seconded the motion on a vote of 9-0.

2. Approval of minutes from April 23, 2013.

The motion to approve the minutes from April 23, 2013 was approved on the consent agenda by Commissioner Stevens's motion, Commissioner Chimenti seconded the motion on a vote of 9-0.

C. PUBLIC HEARINGS

1. Presentation:

Location: Presentation

Request: Marya Criegler, Chief Appraiser, Travis County Appraisal District, will give a presentation on how churches are assessed property taxes if they have a commercial venture operating on their property.

Staff: Maureen Meredith, 512-974-2695,
maureen.meredith@austintexas.gov
Planning and Development Review Department

Presentation given by Marya Criegler.

2. Code C20-2013-009 - PARD Parking

Amendment:

Location: City-wide

Owner/Applicant: City of Austin

Agent: Planning and Development Review Department (George Adams)

Request: Amend Chapter 8 and 25 of the City Code to authorize parking utilization agreements on under-used City parking lots.

Staff Rec.: **Recommended**

Staff: Ricardo Soliz, 974-9452, ricardo.soliz@austintexas.gov
Parks and Recreation Department

Public Hearing Closed.

The motion to deny staff recommendation to amend Chapters 8 and 25 of the City Code to authorize parking utilization agreements on under-used City parking lots, was approved by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 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/Johnston 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
Planning and Development Review Department

The motion to postpone to May 28, 2013 by the request of staff and the applicant, was approved by Commissioner Richard Hatfield's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 4. Rezoning: C814-2012-0128.SH - thinkEAST Austin**
Location: 1141 Shady Lane and 5600 Jain Lane (aka 1150 Shady Lane); Boggy Creek Watershed; Govalle/Johnston 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, heather.chaffin@austintexas.gov
Planning and Development Review Department

The motion to postpone to May 28, 2013 by the request of staff and the applicant, was approved by Commissioner Richard Hatfield's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

5. **Plan Amendment:** **NPA-2012-0023.01 - Promiseland**
Location: 1504 East 51st 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
Planning and Development Review Department

Public Hearing Closed.

The motion to grant mixed use land use as staff recommended with a friendly amendment by Commissioner Danette Chimenti to designate the creek area shown on page 17 of the staff report as open space land use, was approved by Commissioner Nortey's motion, Commissioner Brian Roark seconded the motion on a vote of 9-0.

6. **Plan Amendment:** **NPA-2013-0011.01 - 4805 Harmon Avenue**
Location: 4805 Harmon Avenue; Boggy Creek Watershed; North Loop NPA
Owner/Applicant: Mackey-Adams Properties, Inc.
Agent: Karen Radtke
Request: Commercial to Single Family
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve staff's recommendation of single family land use was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

7. **Rezoning:** **C14-2013-0013 - 4805 Harmon Avenue**
Location: 4805 Harmon Avenue; Boggy Creek Watershed; North Loop NPA
Owner/Applicant: Mackey-Adams Properties, Inc. (Harry Mackey)
Agent: Karen Radtke Interior Design (Karen Radtke)
Request: LO-CO-NP to SF-4A-NP
Staff Rec.: **Recommended**
Staff: Clark Patterson, 974-7691, clark.patterson@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve staff's recommendation of SF-4A-NP district zoning was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 8. Plan Amendment: NPA-2013-0011.02 - Tomlinson's Feed & Pets, Inc.**
Location: 4914 Bennett Avenue; Boggy Creek Watershed; North Loop NPA
Owner/Applicant: Tomlinson's Feeds & Pets, Inc.
Agent: A. Ron Thrower
Request: Single Family to Mixed Use
Staff Rec.: **Recommendation of MixedUse/Office land use**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
Planning and Development Review Department

The motion to postpone to May 28, 2013 by the request of the neighborhood, was approved by Commissioner James Nortey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

- 9. Rezoning: C14-2013-0021 - Tomlinson's Feed & Pets Rezoning**
Location: 4914 Bennett Avenue; Boggy Creek Watershed; North Loop NPA
Owner/Applicant: Tomlinson's Feeds & Pets, Inc. (Scott Click)
Agent: Thrower Design (Ron Thrower)
Request: SF-3-NP to GR-NP
Staff Rec.: **Recommendation of GO-CO-NP**
Staff: Clark Patterson, 974-7691, maureen.meredith@austintexas.gov
Planning and Development Review Department

The motion to postpone to May 28, 2013 by the request of the neighborhood, was approved by Commissioner James Nortey's motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

10. Plan Amendment: NPA-2013-0025.04 - Beiter-2

Location: 6110 Hill Forest Drive; Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined NPA (East Oak Hill)
Owner/Applicant: Michael & Paulette Beiter
Agent: Jim Bennett Consulting (Jim Bennett)
Request: Single Family to Higher Density Single Family
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve staff's recommendation of higher density single family land use was approved by Commissioner Myron Smith's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

11. Rezoning: C14-2013-0018 - Beiter-2

Location: 6110 Hill Forest Drive Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined NPA (East Oak Hill)
Owner/Applicant: Michael & Paulette Beiter
Agent: Jim Bennett Consulting (Jim Bennett)
Request: SF-3-NP to SF-5-CO-NP
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve staff's recommendation of SF-5-CO-NP district zoning with additional conditional overlays limiting development on the property to two stories and 32 feet in height, residential uses permitted in an SF-5 district, requiring a 25-foot wide vegetative buffer along the south and west property lines, limiting impervious cover to 15 percent and requiring SOS Ordinance water quality standards was approved by Commissioner Myron Smith's motion, Commissioner Jean Stevens seconded the motion on a vote of 9-0.

- 12. 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; Postponement Request to June 11, 2013.
Staff Rec.: **Recommend Postponement Request**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov
Planning and Development Review Department

The motion to postpone to June 11, 2013 by the request of the applicant (with neighborhood in agreement), was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 13. 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.: **Recommend PUD**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov
Planning and Development Review Department

The motion to postpone to May 28, 2013 by the request of the applicant, was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 14. Rezoning: C14-2013-0020 - Oak Creek Village**
Location: 2324 Wilson Street; East Bouldin Creek Watershed; Bouldin Creek NPA
Owner/Applicant: 2007 Travis Heights, LP
Agent: Winstead PC (John Donisi)
Request: MF-3-NP to MF-6-NP
Staff Rec.: **To grant a Postponement Request**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov
Planning and Development Review Department

The motion to postpone to May 28, 2013 by the request of the neighborhood, was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 15. Rezoning:** **C14-2013-0046.SH - Skyway Studios**
Location: 2805 and 2807 Skyway Circle, and 2800 South Lamar Boulevard;
Barton Creek Watershed-Barton Springs Zone; South Lamar
Combined NPA
Owner/Applicant: Goodwill Industries of Central Texas
Agent: Foundation Communities (Walter Moreau)
Request: MF-3, GR-V, and CS-V to GR-V
Staff Rec.: **Recommended with Conditions**
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve staff's recommendation of GR-V-CO district zoning for Tract 1 and GR-MU-CO district zoning for Tract 2 as identified in the staff report, was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 16. Site Plan-
Compatibility
Waiver:** **SP-2012-0440C - Austin Chinese Church, New Sanctuary Building**
Location: 11118 Dessau Road; Walnut Creek Watershed; Windsor Hills NPA
Owner/Applicant: KA Leung Lee (Austin Chinese Church)
Agent: Thuan Nguyen (Chan & Partners Engineering, LLC)
Request: Request for a variance to encroach into a 25' compatibility setback.
Staff Rec.: **Recommended**
Staff: Amanda Couch, 974-2881, amanda.couch@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve the staff's recommendation for a variance to encroach into a 25' compatibility setback was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

SP-2007-0377C(XT2) - Palm Square Shopping Center

8900 FM 969; Walnut Creek Watershed; East MLK Combined NPA
(MLK/183)

Moncada Consulting (Phil Moncada)

Approval of a second extension to an approved site plan

Recommended

Lynda Courtney, 974-2810, lynda.courtney@austintexas.gov
Planning and Development Review Department

Planning and Development Review Department

The motion to approve the staff's recommendation for a second extension to an approved site plan was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 18. Resubdivision: C8-2012-0176.0A - Resubdivision of Lot 3, Block 1, Resubdivision of Block No. 1 of H. Ulit's Subdivision**
Location: 2912 12th Street; Boggy Creek Watershed; Rosewood NPA
Owner/Applicant: Verde Builders Group (Daniel Reeves)
Agent: Genesis 1 Engineering Co. (George Gonzalez)
Request: Approve the resubdivision of one lot into 2 lots on 0.298 acres.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 974-2767, sylvia.limon@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve the staff's recommendation for a resubdivision was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 19. Resubdivision: C8-2012-0182.0A - Resubdivision of a Portion of Lot 4, Graham's Subdivision**
Location: 2814 San Pedro Street; Shoal Creek Watershed; Govalle/Johnston Terrace NPA
Owner/Applicant: DC & CJ Holdings, LP (Cater Joseph)
Agent: Jim Bennett Consulting (Hector Avila)
Request: Approve a variance to 25-4-175 (LDC) to allow a flag lot in a subdivision. Approve the resubdivision of part of one lot into 3 lots on 0.525 acres.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 974-2767, sylvia.limon@austintexas.gov
Planning and Development Review Department

Public Hearing Closed.

The motion to approve the staff's recommendation for a resubdivision was approved on the consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

- 20. Final Plat; Amended Plat:** **C8-2013-0073.0A - Lot 3 & Lot 5 Block A; Amended Plat of Research Interchange II**
Location: 9402 United Drive; Walnut Creek Watershed; North Burnet NPA
Owner/Applicant: Research Interchange One LP & Bill Gaston
Agent: Hector Avila
Request: Approval of the Lot 3 & Lot 5 Block A; Amended Plat of Research Interchange II composed of 2 lots on 6.004 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 21. Preliminary Plan:** **C8-2013-0074 - Enclave at Covered Bridge**
Location: West SH 71; Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined (West Oak Hill)
Owner/Applicant: Evelyn & Marvin Bassford
Agent: Carlson, Brigrance & Doering, Inc. (Geoff Guerrero)
Request: Approval of the Enclave at Covered Bridge composed of 92 lots on 50.918 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 22. Final Plat; Resubdivision:** **C8-2013-0077.0A - Crestview Addition Section One, Block 12, Lot 1; Resubdivision**
Location: 1500 Justin Lane; Shoal Creek Watershed; Crestview NPA
Owner/Applicant: Grayland LLC (Lisa Gray)
Agent: Grayland LLC (Lisa Gray)
Request: Approval of the Crestview Addition Section One, Block 12, Lot 1; Resubdivision composed of 2 lots on 0.333 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 23. Final Plat; Resubdivision:** **C8-2013-0075.0A - Lot 10 Block F Violet Crown Heights; Resubdivision**
Location: 1307 Brentwood Street; Shoal Creek Watershed; Brentwood NPA
Owner/Applicant: The Muskin Company (Alan Muskin)
Agent: Hector Avila
Request: Approval of the Lot 10 Block F Violet Crown Heights; Resubdivision composed of 2 lots on 0.321 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #C-20 through #C-23:
Public Hearing Closed.

The motion to disapprove Items #C-20 to C-23, was approved on consent agenda by Commissioner Jean Stevens's motion, Commissioner Danette Chimenti seconded the motion on a vote of 9-0.

D. NEW BUSINESS

No new business.

E. SUBCOMMITTEE REPORTS

Codes & Ordinances Subcommittee – Will meet on May 15, 2013.

Neighborhood Planning Subcommittee – Will meet as regularly scheduled in June.

Imagine Austin Comprehensive Plan Subcommittee – Gave update from May 13, 2013 meeting. Will meet again on June 10, 2013.

Downtown Commission Working Group – Will meet on May 15, 2013.

Code Revision Task Force – Will meet on May 20, 2013.

Capital Planning & CIP Subcommittee – Gave update from May 14, 2013 meeting. Will meet again on May 20, 2013.

Commissioner James Nortey and Commissioner Stephen Oliver requested that an Imagine Austin analysis be included in all zoning case reports.

Commissioner James Nortey also requested that minutes include all motions and votes taken, as well as a short one sentence summary of rationale for the recommendation made.

Commissioner Jeff Jack requested legal advice on implications on project duration.

F. ADJOURN

Chair Dave Anderson adjourned the meeting without objection at 8:52 p.m.