



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
MAY 28, 2013**

The Planning Commission convened in a regular meeting on May 28, 2013 @ 301 W. 2<sup>nd</sup> Street, Austin, Texas 78701

Chair Dave Anderson called the Board Meeting to order at 6:03 p.m.

**Board Members in Attendance:**

**Dave Anderson - Chair**

**Danette Chimenti – Vice-Chair**

**Richard Hatfield**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Myron Smith**

**Jean Stevens**

**Jeff Jack – Ex-Officio Member**

**Howard Lazarus – 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**

Stuart Hersh – Downtown Housing Affordability Recalibration

Kurt Cadena-Mitchell – Density and Affordability Housing

Jerry Rusthoven – Initiation of city rezoning case for Covered Bridge PUD

**B. APPROVAL OF MINUTES**

1. Approval of minutes from a Special Called Work Session/Retreat on April 27, 2013.

The motion to approve the minutes from April 27, 2013 Special Called Work Session, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner

Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

2. Approval of minutes from May 14, 2013.

The motion to approve the minutes from May 14, 2013, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

## **C. PUBLIC HEARINGS**

### **1. Briefing:**

Location:	City-wide
Owner/Applicant:	City of Austin
Agent:	Planning and Development Review Department
Request:	Briefing on downtown density bonus program codification and Central Urban Redevelopment (CURE) zoning amendments initiated per Council direction.
Staff:	Jim Robertson, 974-3564, <a href="mailto:jim.robertson@austintexas.gov">jim.robertson@austintexas.gov</a> Planning and Development Review Department

Jim Robertson gave briefing to the Planning Commission.

### **1A. Briefing:**

Location:	City-wide
Owner/Applicant:	City of Austin
Agent:	Planning and Development Review Department
Request:	Fiscal Year 2013-2014 Financial Forecast
Staff:	Greg Guernsey, 974-2387; <a href="mailto:greg.guernsey@austintexas.gov">greg.guernsey@austintexas.gov</a> Planning and Development Review Department

Greg Guernsey gave briefing to Planning Commission.

2. **Code Amendment: C20-2012-011 – UNO Affordability**  
Location: City-wide  
Owner/Applicant: City of Austin  
Agent: Neighborhood Housing and Community Development  
Request: Amend City Code Chapter 25 (University Neighborhood Overlay District Requirements), relating to affordable housing regulations in the University Neighborhood Overlay District.  
  
Staff Rec.: Recommended  
Staff: Javier Delgado, 974-3154, [Javier.delgado@austintexas.gov](mailto:Javier.delgado@austintexas.gov)  
Neighborhood Housing and Community Development

Public hearing closed.

The motion to amend City Code Chapter 25 (University Neighborhood Overlay District Requirements) was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

3. **Code Amendment: C20-2013-002 - Neighborhood Plan Amendment Procedures**  
Location: City-wide  
Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department (Stevie Greathouse)  
Request: Amend Chapter 25-1 of the City of Austin Land Development Code to change the requirements for neighborhood plan amendment procedures.  
  
Staff Rec.: **Recommended**  
Staff: Stevie Greathouse, 974-7226, [stevie.greathouse@austintexas.gov](mailto:stevie.greathouse@austintexas.gov)  
Planning and Development Review Department

The motion to postpone to June 11, 2013 by the request of staff, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

4. **Code Amendment:** **C20-2011-032 - Electronic Testing and Electronic Prototype Assembly in DMU and CBD**  
Location: City-wide  
Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department (Greg Dutton)  
Request: Amend Chapter 25-2-491 of the City Code relating to permitted, conditional, and prohibited uses in downtown mixed use (DMU) and central business district (CBD) designation, to make electronic prototype assembly and electronic testing permitted in the DMU and CBD base zoning districts.  
  
Staff Rec.: **Recommended**  
Staff: Greg Dutton, 974-3509, greg.dutton@austintexas.gov  
Planning and Development Review Department

The motion to postpone to June 11, 2013 by the request of staff was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Alfonso Hernandez was absent.

5. **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 Feed & Pets, Inc.  
Agent: Thrower Design (Ron Thrower)  
Request: Single Family to Mixed Use land use  
Staff Rec.: **Recommendation of Mixed/Use Office land use**  
Staff: Maureen Meredith, 974-2695, maureen.meredith@austintexas.gov  
Planning and Development Review Department

The motion to Indefinitely postpone 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 8-0; Commissioner Alfonso Hernandez was absent.

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

The motion to Indefinitely postpone 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 8-0; Commissioner Alfonso Hernandez was absent.

- 7. Plan Amendment: NPA-2012-0016.01.SH - thinkEAST Austin**  
Location: 1141 Shady Lane and 5300 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.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation for Major Planned Development land uses, was approved by Commissioner Danette Chimenti's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 8. Rezoning: C814-2012-0128.SH - thinkEAST Austin**  
Location: 1141 Shady Lane and 5300 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.: **Recommendation of PUD-NP, with Conditions**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation for PUD-NP district zoning with conditions, was approved by Commissioner Danette Chimenti's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

**9. Rezoning: C14-2012-0140 - Street and Bridge Operations Central District Office**

Location: 3511 Manor Road, Tannehill Branch Watershed, East MLK  
Combined NPA  
Owner/Applicant: City of Austin, Public Works Department  
Agent: City of Austin, Public Works Department (Peter Davis)  
Request: LO-V-NP; GR-NP; GR-V-NP to CS-MU-CO-NP, as amended  
Staff Rec.: **Recommendation of CS-MU-CO-NP, with Conditions;  
Postponement request by Neighborhood Association**  
Staff: Heather Chaffin, 974-2122, heather.chaffin@austintexas.gov  
Planning and Development Review Department

The motion to postpone to June 25, 2013 by the request of the Neighborhood Association, was approved by Commissioner Stephen Oliver's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-1; Commissioner Dave Anderson voted against the motion (nay), Commissioner Alfonso Hernandez was absent.

**10. 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  
Planning and Development Review Department

The motion to postpone to June 11, 2013 by the request of the neighborhood, was approved by Commissioner Richard Hatfield's motion, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

**11. 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.: **MF-6-CO-NP**  
Staff: Lee Heckman, 974-7604, lee.heckman@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation for MF-6-CO-NP with strong suggestion that agreements with Austin Interfaith and Bouldin Creek Neighborhood Association occur before 3<sup>rd</sup> Reading at City Council; motion approved by Commissioner Danette Chimenti, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

\*\* Project update requested within next couple of years.

**12. Rezoning: C14-2013-0031 - Clawson Patio Homes**  
Location: 3907 Clawson Road, West Bouldin Creek Watershed, South Lamar Combined NPA  
Owner/Applicant: Dean Chen  
Agent: Bleyl Interests, Inc. (Vincent G. Huebinger)  
Request: SF-3 to MF-1  
Staff Rec.: **Recommended with Conditions**  
Staff: Lee Heckman, 974-7605, lee.heckman@austintexas.gov  
Planning and Development Review Department

The motion to postpone to June 25, 2013 by the request of the neighborhood, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 13. Rezoning: C14-2013-0032 - Clawson Patio Homes II**  
Location: 3903 Clawson Road, West Bouldin Creek Watershed, South Lamar Combined NPA  
Owner/Applicant: Roy G. Crouse  
Agent: Bleyl Interests, Inc. (Vincent G. Huebinger)  
Request: SF-3 to SF-5  
Staff Rec.: **Recommended with Conditions**  
Staff: Lee Heckman, 974-7606, lee.heckman@austintexas.gov  
Planning and Development Review Department

The motion to postpone to June 25, 2013 by the request of the neighborhood, was approved on the consent agenda by Commissioner James Northey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 14. Site Plan - SPC-2012-0303C - New Central Library**  
**Conditional Use Permit:**  
Location: 704 West Cesar Chavez Street, Lady Bird Lake Watershed, Downtown NPA  
Owner/Applicant: City of Austin, Public Works Department (Cynthia Jordan)  
Agent: Urban Design Group (J. Segura P.E.)  
Request: Approval of a conditional use site plan because the site is zoned P, Public and over 1 acre in size [LDC Section 25-2-625].  
Staff Rec.: **Recommended**  
Staff: Nikki Hoelter, 974-2863, nikki.hoelter@austintexas.gov  
Planning and Development Review Department

This item was pulled; no action was required; will re-notice for June 11, 2013 with waivers.



- 15. Site Plan - Conditional Use Permit:** **SPC-2013-0028A - North Loop Pub**
- Location: 100 West North Loop Boulevard, Waller Creek Watershed, North Loop NPA
- Owner/Applicant: Terrell Timmermann
- Agent: Bleyl Interests, Inc. (Vincent G. Huebinger)
- Request: Approval of a conditional use permit to expand an existing cocktail lounge.
- Staff Rec.: **Recommended**
- Staff: Donna Galati, 512-974-2733, donna.galati@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation for 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 8-0; Commissioner Alfonso Hernandez was absent.

- 16. Resubdivision:** **C8-2012-0146.0A - Resubdivision of Lot 4, Block D, Met Center II Section 3**
- Location: 7101 Metropolis Drive, Onion Creek Watershed, Southeast NPA
- Owner/Applicant: Met Center II Nytex Phase II, Ltd. (Howard Yancy)
- Agent: Thrower Design (Ron Thrower)
- Request: Approve the resubdivision of one lot into 5 lots on 50.212 acres.
- Staff Rec.: **Recommended**
- Staff: Sylvia Limon, 512-974-2767, sylvia.limon@austintexas.gov  
Planning and Development Review Department

The motion to approve staff's recommendation to approve a re-subdivision for Met Center II Section 3, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

- 17. Final Plat; Previously Unplatted:** **C8-2013-0086.0A - Ulit Church Subdivision (Resubmittal of C8-2012-0156.0A)**
- Location: East Martin Luther King Jr. Boulevard; Fort Branch/Boggy Creek Watersheds, MLK 183 NPA
- Owner/Applicant: Ulit Avenue Missionary Baptist Church (Benjamin Wright)
- Agent: Rivera Engineering (Michael A. Rivera)
- Request: Approval of the Ulit Church Subdivision composed of 1 lot on 2 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

- 18. Preliminary Plan: C8-2013-0081 - Colorado Crossing IV**  
Location: Autumn Bay Drive, Onion Creek Watershed, Southeast NPA  
Owner/Applicant: Lennar Buffington Colo Crossing (Ryan Mattox)  
Agent: Lakeside Engineers (Christopher M. Ruiz)  
Request: Approval of the Colorado Crossing IV preliminary plan composed of 466 lots on 106.01 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 19. Final Plat: C8-2013-0083.0A - RREEF Domain Block Z Subdivision**  
Location: Domain Drive, Walnut Creek Watershed, North Burnet NPA  
Owner/Applicant: RREEF Domain LP (Ben Bufkin)  
Agent: Burty & Partners, Inc. (Lauren Beavers)  
Request: Approval of the RREEF Domain Block Z Subdivision composed of 2 lots on 118.666 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 20. Final Plat: C8-2013-0088.0A - 1418 Frontier Valley Drive RV Park**  
Location: 1418 Frontier Valley Drive, Carson Creek Watershed, Montopolis NPA  
Owner/Applicant: FVMHP, LP (Randy G Allen)  
Agent: Austin Civil Engineering (Keith Parkan)  
Request: Approval of the 1418 Frontier Valley Drive RV Park final plat composed of 1 lot on 1.68 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

Items #17-20;

The motion to disapprove Items #17-20, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

### **C. NEW BUSINESS**

1. Discussion and possible initiation of a code amendment to Chapter 25 of the City Code to extend the time period during which special exceptions may be sought and granted.

Staff contact: Greg Dutton, 512-974-3509; [Greg.dutton@austintexas.gov](mailto:Greg.dutton@austintexas.gov), Planning and Development Review Department.

The motion to initiate a code amendment to Chapter 25 of the City Code, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Alfonso Hernandez was absent.

### **E. SUBCOMMITTEE REPORTS**

### **F. ADJOURN**

**Chair Dave Anderson adjourned the meeting without objection at 10:15 p.m.**