



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
June 25, 2013**

The Planning Commission convened in a regular meeting on June 25, 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**

**Alfonso Hernandez**

**James Nortey**

**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 June 11, 2013.

The motion to approve the minutes from June 11, 2013, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Jean Stevens and Stephen Oliver were absent.

## C. PUBLIC HEARINGS

### 1. Code C20-2013-013 - Special Exceptions Extension

#### Amendment:

Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department (John McDonald)  
Request: Amend Chapter 25 of the City Code to extend the time period for three years during which special exceptions may be sought and granted. In addition, the amendment would shorten the years of non-compliance established in 25-2-476(B)(3)(a)(ii) from 15 years to 10 years.

Staff Rec.: **Recommended**

Staff: John McDonald, 512-974-2728, [john.mcdonald@austintexas.gov](mailto:john.mcdonald@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to amend Chapter 25 of the LDC to extend the time period for 3-years during which exemptions may be sought and granted; and amend Section 25-2-476(B)(3)(a)(ii); motion made by Commissioner Danette Chimenti, Commissioner Alfonso Hernandez seconded the motion on a vote of 7-0; Commissioners Jean Stevens and Stephen Oliver were absent.

### 2. Capital Improvements Program Plan:

Request: Briefing on the Fiscal Year 2013-14 Capital Improvements Program (CIP) Plan

Staff Rec.: **Recommended**

Staff: Molly Scarbrough, Kimberly Springer, 512-974-7629, 512-974-2924,  
[molly.scarbrough@austintexas.gov](mailto:molly.scarbrough@austintexas.gov);  
[kimberly.springer@austintexas.gov](mailto:kimberly.springer@austintexas.gov);  
Capital Planning Office, Budget Office

Briefing given to the Planning Commission by Molly Scarbrough and Kimberly Springer.

**3. Capital Improvements Program Plan:**

Request: Discussion and possible action on the Fiscal Year 2013-14 Capital Improvements Program (CIP) Plan

Staff Rec.: **Recommended**

Staff: Molly Scarbrough, Kimberly Springer, 512-974-7629, 512-974-2924, [molly.scarbrough@austintexas.gov](mailto:molly.scarbrough@austintexas.gov); [kimberly.springer@austintexas.gov](mailto:kimberly.springer@austintexas.gov); Capital Planning Office, Budget Office

Public hearing closed.

The motion to approve staff's recommendation and forward to City Council, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioners Jean Stevens and Stephen Oliver were absent.

**4. Plan Amendment: NPA-2011-0002.01 - Jaylee Ltd.**

Location: 1601 & 1645 E. 6<sup>th</sup> Street, Lady Bird Lake Watershed, East Cesar Chavez NPA & Plaza Saltillo Station Area Plan

Owner/Applicant: Jaylee Ltd. (Jim Arnold)

Agent: Winstead PC (Amanda Swor)

Request: Specific Regulating District to Specific Regulating District

Staff Rec.: **Pending; Postponement request by Staff until July 23, 2013**

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 July 23, 2013 by the request of staff, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Jean Stevens and Stephen Oliver were absent.

**5. Rezoning: C14-2011-0091 - Jaylee Ltd.**

Location: 1601 & 1645 E. 6<sup>th</sup> Street, Lady Bird Lake Watershed, East Cesar Chavez NPA & Plaza Saltillo Station Area Plan

Owner/Applicant: Jaylee Ltd. (Jim Arnold)

Agent: Winstead PC (Amanda Swor)

Request: TOD-NP to TOD-NP-CURE

Staff Rec.: **Pending; Postponement request by Staff until July 23, 2013**

Staff: Heather Chaffin, 512-974-2i22, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Development Review Department

The motion to postpone to July 23, 2013 by the request of staff, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Jean Stevens and Stephen Oliver were absent.

- 6. 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 SF-5  
Staff Rec.: **Recommended with Conditions**  
Staff: Lee Heckman, 512-974-7605, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing closed.

1<sup>st</sup> motion FAILED: The motion to postpone to July 9, 2013 by the request of the South Lamar Neighborhood Association, was made by Commissioner Danette Chimenti, Commissioner Myron Smith seconded the motion; motion failed on a vote of 3-5.

2<sup>nd</sup> motion PASSED: The motion to approve SF-5 for Tract 1 and SF-6 for Tract 2 with an amendment made by Commissioner Roark to limit both tracts to 16 units; was approved by Commissioner James Nortey's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-2; Commissioners Myron Smith and Danette Chimenti voted against the motion (nay); Commissioners Jean Stevens and Stephen Oliver were absent.

(An amend made by Commissioner Smith to limit both tracts to 14 units failed)

- 7. 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 MF-1  
Staff Rec.: **Recommended with Conditions**  
Staff: Lee Heckman, 512-974-7606, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing closed.

1<sup>st</sup> motion FAILED: The motion to postpone to July 9, 2013 by the request of the South Lamar Neighborhood Association was made by Commissioner Danette Chimenti, Commissioner Myron Smith seconded the motion; motion failed on a vote of 3-5.

2<sup>nd</sup> motion PASSED: The motion to approve SF-5 for Tract 1 and SF-6 for Tract 2 with an amendment made by Commissioner Roark to limit both tracts to 16 units; was approved by Commissioner James Nortey's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-2; Commissioners Myron Smith and Danette Chimenti voted against the motion (nay); Commissioners Jean Stevens and Stephen Oliver were absent. [An amend made by Commissioner Smith to limit both tracts to 14 units failed]

- 8. 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.: **CS-CO-NP with conditions**  
Staff: Lee Heckman, 512-974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

The motion to postpone to July 9, 2013 by the request of the SRCC was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Jean Stevens and Stephen Oliver were 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 Dept.  
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**  
Staff: Heather Chaffin, 974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Development Review Department

The motion to postpone to August 13, 2013 by the request of the Planning Commission was approved by Commissioner James Nortey's motion, Commissioner Myron Smith seconded the motion. Commissioner Richard Hatfield made a friendly amendment requesting a status update to Commission on July 23, 2013. The motion with amendment was approved on a vote of 6-0-1; Chair Dave Anderson recused himself from this item, Commissioners Stephen Oliver and Jean Stevens were absent.

- 10. Rezoning: C14H-2013-0003 - Seaholm Power Plant**  
Location: 800 W. Cesar Chavez Street, Lady Bird Lake Watershed, Downtown NPA  
Owner/Applicant: Southwest Strategies Group, Inc. (John Rosato)  
Agent: None  
Request: DMU-CURE-CO to DMU-CURE-CO-H  
Staff Rec.: **Recommended**  
Staff: Steve Sadowsky, 512-974-6454, [steve.sadowsky@austintexas.gov](mailto:steve.sadowsky@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for DMU-CURE-CO-H zoning was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Stephen Oliver and Jean Stevens were absent.

- 11. Conditional Use Permit (CUP): SP-2013-0001A - Two Steps Ahead Day Care**  
Location: 3028 Rogge Lane, Fort Branch Creek Watershed, Pecan Springs NPA  
Owner/Applicant: Weiss Architecture (Richard Weiss)  
Request: Approval of a Conditional Use Permit to allow for more children at an existing daycare and approval to encroach into a compatibility set back.  
Staff Rec.: **Recommended**  
Staff: Amanda Couch, 512-974-2881, [amanda.couch@austintexas.gov](mailto:amanda.couch@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a Conditional Use Permit, was approved by Commissioner Alfonso Hernandez's motion, Commissioner Brian Roark seconded the motion on a vote of 6-1; Commissioner James Nortey voted against the motion (nay), Commissioner Stephen Oliver and Jean Stevens were absent.

- 12. Conditional Use Permit (CUP):** **SPC-2013-0085A - W.O.B.**  
Location: 3103 South Lamar Boulevard, Bouldin Creek Watershed, South Lamar Combined NPA  
Owner/Applicant: Bury & Partners, Inc. (Melissa Neslund)  
Request: Approval of a Conditional Use Permit to allow for a cocktail lounge.  
Staff Rec.: **Recommended**  
Staff: Amanda Couch, 512-974-2881, [amanda.couch@austintexas.gov](mailto:amanda.couch@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of a conditional use permit, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Stephen Oliver and Jean Stevens were absent.

- 13. HCRO Site Plan:** **SPC-2013-0122D - St. Andrew's School – Miller Driveway**  
Location: 6009 Southwest Parkway, Barton Creek Watershed-Barton Springs Zone Oak Hill Combined NPA  
Owner/Applicant: St. Andrew's School  
Agent: Bury & Partners (Kristi English)  
Request: To approve a Hill Country Roadway site plan for the extension of a driveway  
Staff Rec.: **Recommended**  
Staff: Lynda Courtney, 512-974-2810, [lynda.courtney@austintexas.gov](mailto:lynda.courtney@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to approve a Hill Country Roadway site plan, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Stephen Oliver and Jean Stevens were absent.

**14. Final Plat** **C8-2013-0002.0A - Bockhorn Lot 1; Resubdivision**

**Resubdivision:**

Location: 703 E. 49<sup>th</sup> Street, Boggy Creek Watershed, Hyde Park NPA  
 Owner/Applicant: JNJ Holdings, LP (Ty Ashford)  
 Agent: Perales Engineering, LLC (Jerry Perales, P.E.)  
 Request: Approval of the Bockhorn Lot 1; Resubdivision composed of 2 lots on 0.43 acres.  
 Staff Rec.: **Recommended**  
 Staff: David Wahlgren, 512-974-6455, [david.wahlgren@austintexas.gov](mailto:david.wahlgren@austintexas.gov); Planning and Development Review Department

The motion to postpone to July 9, 2013 by the request of the applicant, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Stephen Oliver and Jean Stevens were absent.

**15. Final Plat** **C8-07-0043.02.2A - Avery Station, Section 1A Phase 2**

**w/Preliminary:**

Location: Staked Plains Drive, South Brushy Creek Watershed, Lakeline TOD  
 Owner/Applicant: Northwoods Avery Ranch LLC (Gary L. Newman)  
 Agent: Bury + Partners (David Miller)  
 Request: Approval of Avery Station, Section 1A Phase 2 composed of 61 lots on 21.208 acres  
 Staff Rec.: **Recommended**  
 Staff: David Wahlgren, 512-974-6455, [david.wahlgren@austintexas.gov](mailto:david.wahlgren@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of Avery Station, Section 1A Phase 2, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Stephen Oliver and Jean Stevens were absent.

**16. Street Vacation: F#9141-1211**

Request: Vacation of a portion of an alley between Rainey Street and East Avenue and Driskill Street and Red River Street.

Staff Rec.: **Recommended**

Staff: Jennifer Grant, 512-974-7991, [jennifer.grant@austintexas.gov](mailto:jennifer.grant@austintexas.gov);  
Office of Real Estate Services

This item was pulled from the agenda by request of the applicant; no action was taken by the Commission.



**17. Final Plat; Previously Unplatted:** **C8-2013-0104.0A - Amor Dental Care Subdivision**  
 Location: 320 East Rundberg Lane, Little Walnut Creek Watershed, North Lamar NPA  
 Owner/Applicant: Junaid Khan  
 Agent: Capitol Drafting & Design (Albert Alaniz)  
 Request: Approval of the Amor Dental Care Subdivision composed of 1 lot on 1.399 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department

**18. Final Plat Resubdivision:** **C8-2013-0107.0A - Goodland Subdivision**  
 Location: 1412 Harvey Street, Boggy Creek Watershed, Rosewood NPA  
 Owner/Applicant: Robert McKee  
 Agent: Aupperle Company (Bruce Aupperle)  
 Request: Approval of the Goodland Subdivision composed of 2 lots on 0.5 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department

Items #17 & 18;

The motion to disapprove Items #17 & 18, was approved on the consent agenda by Commissioner James Nortey's motion, Commissioner Danette Chimenti seconded the motion on a vote of 7-0; Commissioners Stephen Oliver and Jean Stevens were absent.

#### **D. NEW BUSINESS**

#### **E. SUBCOMMITTEE REPORTS**

Downtown Commission – Met June 19, 2013  
 Comp. Plan Committee – July 8, 2013  
 CIP Committee – Met June 17, 2013  
 Neighborhood Plan Committee - ?  
 Codes & Ordinances Committee - ?

#### **F. ADJOURN**

**Vice-Chair Danette Chimenti adjourned the meeting without objection at 10:15 p.m.**