



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
August 27, 2013**

The Planning Commission convened in a regular meeting on August 27, 2013 @ 301 W. 2nd 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

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 August 13, 2013.

The motion to approve the minutes from August 13, 2013 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

C. PUBLIC HEARINGS

1. **Municipal Utility** **C12M-2013-0001 – Cascades MUD No. 1**

District:

Location: 11601 South IH 35, Onion Creek Watershed
Owner/Applicant: T. Marc Knutsen
Agent: Armbrust & Brown (Sue Brooks Littlefield)
Request: Consent to Create a Municipal Utility District (MUD)
Staff: Virginia Collier, 512-974-2022; virginia.collier@austintexas.gov;
 Planning and Development Review Department

The motion to postpone to September 10, 2013 by the request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

2. **Discussion and** **Holly Shores/Edward Rendon Sr. at Festival Beach Park Master** **Action:** **Plan**

Discussion and action on providing a recommendation to the City Council on the draft Holly Shores/Edward Rendon Sr. at Festival Beach Park Master Plan.
City Staff: Chris Yanez, 512-974-9455; chris.yanez@austintexas.gov;
 Parks and Recreation Department

Public hearing closed.

The motion to recommend the Draft Holly Shores/Edward Rendon Sr. at Festival Beach Park Master Plan and forward to City Council was made by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

3. Code C20-2013-017 – Watershed Protection Amendments

Amendment:

Owner/Applicant: City of Austin
Agent: Watershed Protection Department (Matt Hollon)
Request: Amend Chapters 25-7, 25-8, 30-4, and 30-5 relating to drainage and water quality; amend various sections of Titles 25 and 30 relating to environmental protection, and establish a water supply mitigation fund and riparian zone fund.

Staff Rec.: **Recommended**
Staff: Matt Hollon, 512-974-2212; matt.hollon@austintexas.gov;
Watershed Protection Department

Public hearing closed.

The motion to approved staff’s recommendation with the following conditions:

- That it include the recommendations made by the Environmental Board;
- That it include the special exemptions and limited adjustment items handed out on the dais, including amendments to 25-8-24, 25-1-251, 25-1-252, 30-5-23, 30-1-291, and 30-1-292;
- That it amend 25-8-261 and 30-5-261 to add a new subsection (E)(4) to read “the project includes either riparian restoration of an area within the critical water quality zone equal in size to the area of disturbance in accordance with the Environmental Criteria Manual, or payment into the Riparian Zone Mitigation Fund of a non-refundable amount established by ordinance”; and
- That City Council consider details of implementation of the Riparian Mitigation Fund.

The motion was made by Commissioner Dave Anderson, Commissioner James Nortey seconded the motion on a vote of 7-0; Commissioner Myron Smith was off the dais, Commissioner Danette Chimenti was absent.

4. Plan Amendment: NPA-2013-0025.02 – Lantana Tract 32

Location: 6401 Rialto Boulevard, Barton Springs Watershed-Barton Springs Zone, Oak Hill Combined (East Oak Hill) NPA

Owner/Applicant: Lantana Tract 32, LP
Agent: Smith Robertson Elliott Glen Klein & Douglas, LLP (David Hartman)
Request: Office to Multifamily land use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 512-974-2695;
maureen.meredith@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for multifamily land use was approved on the consent agenda by Commissioner Richard Hatfield motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 5. Rezoning: C14-2013-0044 – Lantana Tract 32**
 Location: 6401 Rialto Boulevard, Barton Creek Watershed-Barton Springs Zone, Oak Hill Combined (East Oak Hill) NPA
 Owner/Applicant: Lantana Tract 32, LP
 Agent: Smith Robertson Elliott Glen Klein & Douglas, LLP (David Hartman) David Hartman
 Request: GO-NP to MF-4-CO-NP
 Staff Rec.: **Recommended with conditions**
 Staff: Lee Heckman, 512-974-2695; lee.heckman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for MF-4-CO-NP district zoning was approved on the consent agenda by Commissioner Richard Hatfield’s motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 6. Restrictive Covenant Amendment: C14-85-288.8(RCA) Lantana Tract 32 Restrictive Covenant Amendment**
 Location: 6401 Rialto Boulevard, Barton Creek Watershed-Barton Springs Zone, Oak Hill Combined (East Oak Hill) NPA
 Owner/Applicant: Lantana Tract 32, LP
 Agent: Smith Robertson Elliott Glen Klein & Douglas, LLP (David Hartman)
 Request: Delete reference to net leasable square feet and add additional restrictions.
 Staff Rec.: **Recommended**
 Staff: Lee Heckman, 512-974-2695; lee.heckman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for a restrictive covenant amendment was approved on the consent agenda by Commissioner Richard Hatfield’s motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 7. Plan Amendment: NPA- 2011-0002.01 – Jaylee Ltd.**
Location: 1601 & 1645 E. 6th 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.: **Recommended**
Staff: Maureen Meredith, 512-974-2695;
Maureen.meredith@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for Specific Regulating District was approved on the consent agenda by Commissioner Richard Hatfield’s motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 8. Rezoning: C14-2011-0091 – Jaylee Ltd.**
Location: 1601 & 1645 E. 6th 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.: **Recommended**
Staff: Heather Chaffin, 512-974-2122; heather.chaffin@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for TOD-NP-CURE zoning was approved on the consent agenda by Commissioner Richard Hatfield’s motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

9. Urban Renewal Plan Amendment: Franklin BBQ Kitchen

Location: 901 Juniper Street, Waller Creek Watershed, Central East Austin Combined NPA

Owner/Applicant: Ben's Long Branch Bar-B-Q, Inc. (Perry Lorenz)

Agent: LS Johnston Architects (Linda Johnston)

Request: Modify permitted land use categories of the East 11th and 12th Streets Urban Renewal Plan (URP) for the property located at 901 Juniper Street. FROM: Mixed use/office/residential and civic land uses TO: Mixed use/office/commercial/residential and civic land uses.

Staff Rec.: **Recommended**

Staff: Sandra Harkins, 512-974-3128; sandra.harkins@austintexas.gov; Neighborhood Housing and Community Development Department
Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Urban Renewal Plan Amendment was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

10. Rezoning: C14-2013-0084 – Franklin BBQ Kitchen

Location: 901 Juniper Street, Waller Creek Watershed, Central East Austin Combined NPA

Owner/Applicant: Ben's Long Branch Bar-B-Q, Inc. (Perry Lorenz)

Agent: LS Johnston Architects (Linda Johnston)

Request: MF-3-NCCD-NP to GR-CO-NCCD-NP

Staff Rec.: **Recommended**

Staff: Heather Chaffin, 512-974-2122; heather.chaffin@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for GR-CO-NCCD-NP district zoning was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

11. Neighborhood Conservation Combining District Amendment: C14-2013-0085 – Franklin BBQ Kitchen (NCCD Amendment)

Location: 901 Juniper Street, Waller Creek Watershed, Central East Austin Combined NPA
Owner/Applicant: Ben's Long Branch Bar-B-Q, Inc. (Perry Lorenz)
Agent: LS Johnston Architects (Linda Johnston)
Request: Add Food Preparation as a conditional land use to the East 11th Street Neighborhood Conservation Combining District (NCCD) for the property located at 901 Juniper Street.
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122; heather.chaffin@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a Neighborhood Conservation Combining District Amendment was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

12. Rezoning: C814-06-0106.01 – Hyatt PUD Amendment

Location: 208 Barton Springs Road, Lady Bird Lake Watershed, Bouldin Creek NPA
Owner/Applicant: Tantallon Austin Hotel, LLC (Terry M. Shaikh)
Agent: Graves, Dougherty, Hearon & Moody, P.C. (Michael J. Whellan)
Request: PUD-NP to PUD –NP, to change a condition of zoning
Staff Rec.: **Recommended**
Staff: Lee Heckman, 512-974-7604; lee.heckman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for PUD-NP to change a condition of zoning, was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 13. Conditional Use Permit:** **SPC-2013-0181A – Taco Cabana**
 Location: 5242 N. Lamar Blvd., Waller Creek Watershed, Brentwood/Highland Combined NPA
 Owner/Applicant: Equity Trust Company (Jeffrey S. Brown)
 Agent: Bury & Partners, Inc. (Joe Farias)
 Request: Conditional Use Permit for a late hours permit.
 Staff Rec.: **Recommended**
 Staff: Amanda Couch, 512-974-2881; 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 on the consent agenda by Commissioner Richard Hatfield’s motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 14. Resubdivision:** **C8-2012-0117.0A – Garadi Subdivision, A Resubdivision of a portion of Lot 14 of Evergreen Heights**
 Location: 1803 & 1807 S. Lamar Blvd., West Bouldin Creek Watershed, South Lamar NPA
 Owner/Applicant: Garadi Corporation (Viswas S. Garadi)
 Agent: Genesis 1 Engineering Co (George Gonzalez)
 Request: Approve the resubdivision of part of a lot into one lot on 0.33 acres.
 Staff Rec.: **Recommended**
 Staff: Sylvia Limon, 512-974-2767; sylvia.limon@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 10, 2013 by the request of the neighborhood was approved on the consent agenda by Commissioner Richard Hatfield’s motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 15. Final Plat:** **C8-2013-0141.0A – The Velasquez Subdivision**
 Location: 2109 Thrasher Lane, Carson Creek Watershed, Montopolis NPA
 Owner/Applicant: Gilbert & Doris R. Velasquez
 Agent: Candy Moreno
 Request: Approval of The Velasquez Subdivision composed of 3 lots on 0.99 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 16. Final Plat: C8-2013-0139.0A – Crestview Station**
 Location: 1001 Banyon Street, Waller Creek Watershed, Crestview NPA
 Owner/Applicant: Crestview Station (James Matoushek); Gray Engineering, Inc. (Brian Williams)
 Request: Approval of the Crestview Station LLR Land composed of 75 lots on 4.58 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 17. Final Plat- Amended Plat: C8-2013-0135.0A – Crestview Addition, Section 8 Lots 34 & 36; Block T Amended Plat**
 Location: 7600 Woodrow Avenue, Shoal Creek Watershed, Crestview NPA
 Owner/Applicant: Todd Watkin, Kelly Lao & Mark Hagen
 Agent: Lenworth Consulting (Nash Gonzalez)
 Request: Approval of Crestview Addition, Section 8, Lots 34 & 36, Block T; Amended Plat composed of 2 lots on 0.36 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Items #15-17;

The motion to disapprove Items #15-17 was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

C. NEW BUSINESS

1. New Business:

Request: Discussion and action on referring downtown cases being considered before the Planning Commission to the Downtown Commission.

The motion to refer downtown cases to the Downtown Commission was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

E. SUBCOMMITTEE REPORTS

Comprehensive Plan Committee – Met 8/26/2103
 Neighborhood Plan Committee – September 18, 2013
 Codes & Ordinances Committee – No meeting
 CIP Committee – No meeting

F. ADJOURN

Chair Dave Anderson adjourned the meeting without objection at 9:00 p.m.