



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
February 11, 2014**

The Planning Commission convened in a regular meeting on February 11, 2014 @ 301 W. 2nd Street, Austin, Texas 78701

Chair Dave Anderson called the Board Meeting to order at 6:10 p.m.

Board Members in Attendance:

Dave Anderson – Chair

Danette Chimenti

Richard Hatfield

Alfonso Hernandez

James Nortey

Jeff Jack – Ex-Officio Member

Myron Smith

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

B. APPROVAL OF MINUTES

1. Approval of minutes from January 14, 2014.

The motion to approve the minutes from January 14, 2014 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioners Stephen Oliver, Brian Roark and Jean Stevens were absent, Commissioner Alfonso Hernandez was off the dais during the vote of the consent agenda.

2. Approval of minutes from January 28, 2014.

The motion to approve the minutes from January 28, 2014 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioners Stephen Oliver, Brian Roark and Jean Stevens were absent, Commissioner Alfonso Hernandez was off the dais during the vote of the consent agenda.

C. PUBLIC HEARINGS

1. **Site Plan - Variance Only:** **SP-2013-0133D - Boat Dock for 5 Humboldt Lane**
 - Location: 5 Humboldt Lane, Lake Austin Watershed
 - Owner/Applicant: Maureen Alexander
 - Agent: Braun & Gresham, Attorneys at Law (David Braun)
 - Request: To allow construction of a boat dock and the associated access trail within a Critical Environmental Feature buffer.
 - Staff Rec.: **Recommended with condition**
 - Staff: Michael Simmons-Smith, 512-974-1225, michael.simmons-smith@austintexas.gov; Planning and Development Review Department

The motion to postpone to February 25, 2014 by the request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioners Stephen Oliver, Brian Roark and Jean Stevens were absent, Commissioner Alfonso Hernandez was off the dais during the vote of the consent agenda.

2. Site Plan - Conditional Use Permit: SPC-2013-0405A - Weather Up

Location: 1808 East Cesar Chavez Street, Lady Bird Lake Watershed, East Cesar Chavez NPA
Owner/Applicant: C.O. Sam Turner, Atty.
Agent: Hajjar, Sutherland, Peters & Washmon, LLP (Kareem Hajjar)
Request: CUP for a late-hours permit and a variance to have parking within 200 feet of a single family residence.
Staff Rec.: **Recommended**
Staff: Brad Jackson, 512-974-3410, brad.jackson@austintexas.gov; Planning and Development Review Department

Public hearing closed.

Motion #1: Approve staff’s recommendation for a Conditional Use Permit and Variance, motion was made by Commissioner James Nortey, Commissioner Alfonso Hernandez seconded the motion on a vote of 3-3; Commissioners Richard Hatfield, Danette Chimenti and Myron Smith voted against the motion (nay), Commissioners Stephen Oliver, Brian Roark and Jean Stevens were absent. MOTION FAILED.

Motion #2: Approve staff’s recommendation with amendment on the hours of operation during weekends and holidays, motion made by Commissioner Richard Hatfield, No second to the motion. MOTION FAILED due to lack of 2nd.

Request made to forward case to City Council with No Recommendation from Planning Commission.

3. Restrictive Covenant Termination: C14-2012-0067(RCT) - La Estancia Del Rio

Location: 1700 1/2 Frontier Valley Drive, Carson Creek Watershed, Montopolis NPA
Owner/Applicant: Standard Pacific of Texas, Inc.
Agent: Big Red Dog Engineering (Kaitlin Redmon)
Request: Termination of a Public Restrictive Covenant
Staff Rec.: **To Grant the Termination**
Staff: Lee Heckman, 512-974-7604, lee.heckman@austintexas.gov; Planning and Development Review Department

The motion to postpone to February 25, 2014 by request of the Montopolis Neighborhood Planning Contact Team was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioners Stephen Oliver, Brian Roark and Jean Stevens were absent, Commissioner Alfonso Hernandez was off the dais during the vote of the consent agenda.

- 4. Rezoning: C14-2013-0107 - 600 Kemp Street**
Location: 600 Kemp Street, Country Club East Watershed, Montopolis NPA
Owner/Applicant: Kemp Street Properties, LLC
Agent: Thrower Design (Ron Thrower)
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommended with conditions**
Staff: Lee Heckman, 512-974-7604, lee.heckman@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

Motion #1: The motion to postpone to March 11, 2014 by request of the applicant was made by Commissioner James Nortey, Commissioner Richard Hatfield seconded the motion on a vote of 4-2; Commissioners Myron Smith and Danette Chimenti voted against the motion (nay); Commissioners Brian Roark, Jean Stevens and Stephen Oliver were absent. MOTION FAILED.

Motion #2: The motion to deny the request for SF-6-NP zoning was approved by Commissioner Danette Chimenti's motion, Commissioner Myron Smith seconded the motion on a vote of 5-0-1; Commissioner Richard Hatfield abstained, Commissioners Brian Roark, Stephen Oliver and Jean Stevens were absent.

- 5. Resubdivision: C8-2011-0101.1A - Resubdivision of Lot 7, Phase 3 Crestview Station**
Location: Morrow Street and Easy Wind Drive, Waller Creek Watershed, Crestview TOD
Owner/Applicant: Crestview Station LLR Land, L.P.
Agent: Grey Engineering (Brian Williams)
Request: To resubdivide one 6.14 acre lot into 75 lots per the approved preliminary plan.
Staff Rec.: **Recommended**
Staff: David Wahlgren, 512-974-6455, david.wahlgren@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to re-subdivide Crestview Station was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioner Alfonso Hernandez was off the dais during the consent vote, Commissioners Brian Roark, Stephen Oliver and Jean Stevens were absent.

- 6. Resubdivision: C8-2013-0018.0A - Resubdivision of Lot 5, Block 3, Marlo Heights Section 2**
 Location: 4624 Marlo Drive, Tannehill Branch Watershed, MLK NPA
 Owner/Applicant: Judith Gordon Frost
 Agent: Tre & Associates, Inc. (Marc Dickey)
 Request: Approval of the resubdivision of one lot into 2 lots on 0.405 acres.
 Staff Rec.: **Recommended**
 Staff: Sylvia Limon, 512-974-2767, sylvia.limon@austintexas.gov;
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of Marlo Heights Section 2 was approved on the consent agenda by Commissioner Richard Hatfield’s motion, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioner Alfonso Hernandez was off the dais during the consent vote, Commissioners Brian Roark, Stephen Oliver and Jean Stevens were absent.

- 7. Resubdivision: C8-2014-0022.0A - Lot B Williams S Cooper Addition; Resubdivision**
 Location: 1005 Stobaugh Street, Waller Creek Watershed, Crestview NPA
 Owner/Applicant: Grayland LLC (Lisa Gray)
 Agent: Prossner and Associates (Kurt M. Prossner)
 Request: Approval of the Lot B Williams S Cooper Addition; Resubdivision composed of 2 lots on 0.579 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 8. Final Plat without a preliminary: C8-2014-0021.0A - Wheless Lane Subdivision**
 Location: 2512 Wheless Lane, Little Walnut Creek Watershed, Windsor Park NPA
 Owner/Applicant: BDB Ventures, LLC (Dale Thornton)
 Agent: Nathan D. Smith (Danny Smith)
 Request: Approval of the Wheless Lane Subdivision composed of 4 lots on 0.749 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 9. Final Plat without a preliminary: C8-2014-0027.0A - Southpark**
 Location: 4410 ½ Todd Lane, Williamson Creek Watershed, McKinney NPA
 Owner/Applicant: Southpark Austin PT Associates, LLC (Pamela C. Beam)
 Agent: Big Red Dog (Russell Kotara)
 Request: Approval of Southpark composed of 1 lot on 4.202 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 10. Resubdivision: C8-2014-0025.0A - Banister Acres, Lot 14, Block 5; Resubdivision**
 Location: 4408 Banister Lane, Williamson Creek Watershed, South Manchaca NPA
 Owner/Applicant: LPM Investments LLC (Aaron Levy)
 Agent: Hector Avila
 Request: Approval of the Banister Acres, Lot 14, Block 5; Resubdivision composed of 2 lots on 0.49 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 11. Final Plat without a preliminary: C8-2014-0024.0A - Eastside Village**
 Location: 1601 East 6th Street, Lady Bird Lake Watershed, East Cesar Chavez NPA
 Owner/Applicant: Jaylee Ltd. (Jim Arnold)
 Agent: KBGE (Gabe Bruehl)
 Request: Approval of Eastside Village composed of 4 lots on 3.484 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 12. Resubdivision: C8-2014-0026.0A - Lot 3 Block 5, Banister Acres; Resubdivision**
 Location: 4411 Gillis Street, Williamson Creek Watershed, South Manchaca NPA
 Owner/Applicant: LPM Investments LLC (Aaron Levy)
 Agent: Hector Avila
 Request: Approval of Lot 3 Block 5, Banister Acres; Resubdivision composed of 2 lots on 0.49 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 13. Final Plat Resubdivision:** **C8-2014-0018.0A - Georgian Acres Portion of Lot 4 Block B; Resubdivision**
 Location: 9000 Georgian Drive, Little Walnut Creek Watershed, Georgian Acres NPA
 Owner/Applicant: Verlie S. & Susan E. Ponder
 Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero)
 Request: Approval of Georgian Acres Portion of Lot 4 Block B; Resubdivision composed of 4 lots on 0.80 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Items # 7-13;

Public hearing closed.

The motion to disapprove Items #7-13 was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioner Alfonso Hernandez was off the dais during the consent vote, Commissioners Brian Roark, Stephen Oliver and Jean Stevens were absent.

D. NEW BUSINESS

1. New Business:

Request: Discussion and Action on amending the Planning Commission's Rules and Procedures.

The motion to post this item on the Retreat agenda was made on the consent agenda by Commissioner Richard Hatfield, Commissioner Danette Chimenti seconded the motion on a vote of 5-0; Commissioner Alfonso Hernandez was off the dais during the consent vote, Commissioners Brian Roark, Stephen Oliver and Jean Stevens were absent.

E. SUBCOMMITTEE REPORTS

F. ADJOURN

Chair Dave Anderson adjourned the meeting without objection at 8:45 p.m.