



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
May 27, 2014**

The Planning Commission convened in a regular meeting on May 27, 2014 @ 301 W. 2<sup>nd</sup> Street, Austin, Texas 78701

Chair Dave Anderson called the Board Meeting to order at 6:05 p.m.

**Board Members in Attendance:**

**Dave Anderson – Chair**

**Danette Chimenti**

**Richard Hatfield**

**Alfonso Hernandez**

**Stephen Oliver**

**Brian Roark**

**Jean Stevens**

**Nuria Zaragoza**

**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**

No speakers.

**B. APPROVAL OF MINUTES**

1. Approval of minutes from May 13, 2014.

The motion to approve the minutes from May 13, 2014 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

## C. PUBLIC HEARINGS

### 1. **Plan Amendment:** NPA-2014-0011.01 - MDC Programs Annex

Location: 1001 East 50th Street & 4915 Harmon Ave., Waller Creek Watershed, North Loop Neighborhood Planning Area NPA  
Owner/Applicant: Dick Rathgeber  
Agent: Dick Rathgeber  
Request: Single Family to Office land use  
Staff Rec.: **Recommended**  
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 June 10, 2014 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

### 2. **Code** C20-2013-034 - Mobile Retail

#### **Amendment:**

Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department  
Request: Consider an amendment to City Code Title 25 to allow mobile retail sales.  
Staff Rec.: **Recommended**  
Staff: Greg Dutton, 512-974-3509, [greg.dutton@austintexas.gov](mailto:greg.dutton@austintexas.gov);  
Planning and Development Review Department

The motion to postpone to June 24, 2014 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

### 3. **Rezoning:** C14-2014-0023 - 1826 Oak Hill Med, LLC

Location: 8515 FM 1826 Road, Williamson Creek-Barton Springs Zone Watershed, Oak Hill Combined (West Oak Hill) NPA  
Owner/Applicant: Oak Hill Med, LLC. (John Giries)  
Agent: Consort, Inc. (Ben Turner)  
Request: SF-2-CO-NP; LO-CO-NP to LO-CO-NP  
Staff Rec.: **Recommended**  
Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation of LO-CO-NP district zoning with conditions, was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 4. Rezoning: C814-97-0001.11 - Leander Rehabilitation PUD Amendment #12**  
 Location: North F.M. 620 Road, Lake Creek Watershed  
 Owner/Applicant: Austin 129, LLC  
 Agent: Metcalfe Wolff Stuart & Williams (Michele R. Lynch)  
 Request: PUD to PUD; to change the conditions of zoning.  
 Staff Rec.: **Recommended**  
 Staff: Sherri Sirwaitis, 512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov);  
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for PUD to change a condition of zoning was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 5. Rezoning: C14-2014-0062 - The Kenzie**  
 Location: 3201 Esperanza Crossing, Walnut Creek Watershed, North Burnet/Gateway NPA  
 Owner/Applicant: Austin Domain Residential (Thomas Bakewell)  
 Agent: Land Solutions, LLC (Michele Haussmann)  
 Request: MI-PDA to MI-PDA; to change a condition of zoning  
 Staff Rec.: **Recommended**  
 Staff: Sherri Sirwaitis, 512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov);  
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for MI-PDA to change a condition of zoning was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 6. Rezoning: C14-2014-0064 - Commodore Perry Estate**  
 Location: 710 East 41st Street, Waller Creek Watershed, Hancock NPA  
 Owner/Applicant: Perry Estate, LLC (Clark Lyda)  
 Agent: Metcalfe Wolff Stuart & Williams (Michele R. Lynch)  
 Request: GR-MU-CO-NP (Tracts 1 and 2) and GR-MU-CO-H-NP (Tract 1A) to GR-MU-CO-NP (Tracts 1 and 2) and GR-MU-CO-H-NP (Tract 1A), to change conditions of zoning  
 Staff Rec.: **Recommended**  
 Staff: Lee Heckman, 512-974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov);  
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for GR-MU-CO-NP for Tracts #1 and #2 and GR-MU-H-NP for Tract 1A, to change a condition of zoning was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 7. Resubdivision: C8-2013-0233.0A - Parking 290 Subdivision, A Resubdivision of Lot 6, of the Resubdivision of Lot 1, La Costa Subdivision Phase Three A-3**
- Location: 6324 East U.S. 290 Highway Westbound, Fort Branch Watershed, St. John's NPA
- Owner/Applicant: Parking 290 LP (Rick Dupont)
- Agent: Urban Design Group (Laura Toups)
- Request: Approve the resubdivision on one lot into 2 lots on 1.99 acres.
- Staff Rec.: **Request postponement to June 10, 2014**
- Staff: Sylvia Limon, 512-974-2767, [sylvia.limon@austintexas.gov](mailto:sylvia.limon@austintexas.gov); Planning and Development Review Department

The motion to postpone to June 10, 2014 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 8. Preliminary Plan: C8-2014-0077 - 1008 Meriden Lane**
- Location: 1008 Meriden Lane, Johnson Creek Watershed
- Owner/Applicant: Cleo B Lambert Living Trust (Frank Turner)
- Agent: Gray Engineering (Dave Peek)
- Request: Approval of 1008 Meriden Lane composed of 5 lots on 0.9955 acres
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

- 9. Final Plat; Amended Plat: C8-2014-0080.0A - Chestnut Station West**
- Location: 1801-1/2 Alexander Avenue, Boggy Creek Watershed
- Owner/Applicant: Freehaven Development, Inc (Thomas Patton)
- Agent: Big Red Dog Engineering and Consulting (Aaron Bourgeois)
- Request: Approval of the Chestnut Station West composed of 2 lots on 9.04 acres
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

Items #8-9;  
Public hearing closed.

The motion to disapprove Items #8 and #9 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

**10. Site Plan - Compatibility**                      **SP-2013-0455C - 900 S 1st Street Condominiums**

**Variance only:**

Location: 900 South 1st Street, East Bouldin Creek Watershed, Bouldin Creek NPA  
Owner/Applicant: PSW Real Estate (Ryan Diepenbrock)  
Agent: PSW HOMES LLC, (Jarred Corbell)  
Request: To approve a compatibility setback waiver in order to construct condominiums with associated improvements.  
Staff Rec.: **Recommended**  
Staff: Donna Galati, 512-974-2733, [donna.galati@austintexas.gov](mailto:donna.galati@austintexas.gov)  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for a Site Plan Compatibility Variance was approved by Commissioner Jean Stevens, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

**11. Site Plan - Hill Country**                      **SPC-2013-0495C - Austin Aquatics and Sports Academy**

**Roadway:**

Location: 5513 Southwest Parkway, Barton Creek-Barton Springs Zone Watershed, Oak Hill Combined NPA  
Owner/Applicant: KBT Family Partnership (Bobby G. Thompson)  
Agent: Bury (Scott Hansen)  
Request: Approval of a Hill Country Roadway site plan in order to construct an Outdoor Sports and Recreation use (swimming center).  
Staff Rec.: **Recommended with Conditions**  
Staff: Donna Galati, 512-974-2733, [donna.galati@austintexas.gov](mailto:donna.galati@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for a Site Plan for Austin Aquatics and Sports Academy was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 12. Site Plan - Variance: SP-2014-0002DS - 3700 Rivercrest Drive (Boat Dock)**  
 Location: 3700 Rivercrest Drive, Lake Austin Watershed  
 Owner/Applicant: Pam's Lake Austin Venture, LLC  
 Agent: Aupperle Company (Bruce Aupperle)  
 Request: To approve a variance from LDC Section 25-2-1176(B)(2) to allow a boat dock to extend more than 30 feet from the shoreline.  
 Staff Rec.: **Recommended**  
 Staff: Michael Simmons-Smith, 512-974-1225, [michael.simmons-smith@austintexas.gov](mailto:michael.simmons-smith@austintexas.gov);  
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a site plan variance for 3700 Rivercrest Drive was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 13. Site Plan - Conditional Use Permit: SPC-2014-0060A - 94 Rainey Street**  
 Location: 94 Rainey Street, Waller Creek & Lady Bird Lake Watershed, Downtown NPA  
 Owner/Applicant: Figueroa Enterprises, Inc.  
 Agent: Bowman Consulting (Jim Herbert)  
 Request: To approve a cocktail lounge as a conditional use within the Rainey Street subdistrict of the Waterfront Overlay (Section 25-2-692(K)).  
 Staff Rec.: **Recommended**  
 Staff: Michael Simmons-Smith, 512-974-1225, [michael.simmons-smith@austintexas.gov](mailto:michael.simmons-smith@austintexas.gov);  
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a Site Plan Conditional Use Permit for 94 Rainey Street was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 14. Site Plan-Variance: SP-2013-0453D - 3337 Westlake Drive**  
 Location: 3337 Westlake Drive, Lake Austin Watershed  
 Owner/Applicant: Joel and Stacy Hock  
 Agent: Aupperle Company (Bruce Aupperle)  
 Request: To approve a variance from LDC section 25-8-652C regarding shoreline modification to remove fill along Lake Austin.  
 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 for a Site Plan Variance for 3337 Westlake Drive was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 15. Site Plan Varinace: SP-2013-0465DS - Sanfratello Boat Dock**  
 Location: 14608 Flat Top Ranch, Lake Austin Watershed  
 Owner/Applicant: James and Jane Sanfratello  
 Agent: Advanced Consulting Engineers  
 Request: To approve a varinace from LDC 25-8-652 C to allow dredging in Lake Austin  
 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 for a Site Plan for Austin Aquatics and Sports Academy was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 16. Briefing: Land Development Code Diagnosis report**  
 Owner/Applicant: City of Austin  
 Agent: George Zapalac  
 Request: Briefing on Land Development Code Diagnosis report  
 Staff: George Zapalac 512-974-2725, [george.zapalac@austintexas.gov](mailto:george.zapalac@austintexas.gov); Planning and Development Review Department

Briefing given to Commissioners by George Zapalac.

## C. NEW BUSINESS

- 1. Code Amendment:** **New Business - Initiate a Code Amendment - Parkland Dedication**  
Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department  
Request: Initiate an amendment to Title 25 of the City Code related to parkland dedication in residential subdivision and permitting.  
Staff: Greg Dutton 512-974-3509, [greg.dutton@austintexas.gov](mailto:greg.dutton@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to initiate an amendment to Title 25 of the City Code related to Parkland Dedication was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Nortey was absent.

- 2. New Business:**  
Request: Discussion and action on appointing a Planning Commissioner to the Downtown Commission.

Commissioner Brian Roark was appointed to the Downtown Commission by Chair Dave Anderson.

## E. SUBCOMMITTEE REPORTS

Codes & Ordinances Committee – May 20, 2014  
Neighborhood Planning Committee – June 12, 2014  
Code Next – June 2, 2014  
Comprehensive Plan Committee – June 9, 2014  
CIP Committee – No date scheduled at this time

## F. ADJOURN

**Chair Dave Anderson adjourned the meeting without objection at 8:10 p.m.**