



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
July 8, 2014**

**The Planning Commission convened in a regular meeting on July 8, 2014 @ 505 Barton Springs Road, Austin, Texas 78704**

**Chair Danette Chimenti called the Board Meeting to order at 6:07 p.m.**

**Board Members in Attendance:**

**Danette Chimenti – Chair**

**Richard Hatfield**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Lesley Varghese**

**Nuria Zaragoza**

**Howard Lazarus – Ex-Officio**

**Jeff Jack – Ex-Officio**

**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 24, 2014.

The motion to approve the minutes from June 24, 2014 was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 7-0-1; Commissioner Lesley Varghese abstained, Commissioner Jean Stevens was absent.

## C. PUBLIC HEARINGS

### 1. Restrictive Covenant Termination: C14-93-0134(RCT) - Forest Park Apartments

Location: 1088 Park Plaza, Little Walnut Creek Watershed, Heritage Hills NPA  
Owner/Applicant: Strategic Housing Finance Corporation of Travis County (Craig Alter)  
Agent: Strategic Housing Finance Corporation of Travis County (Craig Alter)  
Request: To terminate a restrictive covenant.  
Staff Rec.: **Recommended**  
Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to terminate a restrictive covenant was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 8-0; Commissioner Jean Stevens was absent.

2. Rezoning: C14-2014-0060 - Hernandez .26  
Location: 2206 E. 7th Street and 2210 Webberville Road, Lady Bird Lake Watershed, Central East Austin NPA  
Owner/Applicant: Rosalina Hernandez Jaimes  
Agent: Jim Bennett Consulting (Jim Bennett)  
Request: From CS-MU-CO-NP to CS-1-MU-CO-NP  
Staff Rec.: **Pending - Staff requests postponement to October 14, 2014**  
Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov);  
Planning and Development Review Department

The motion to postpone to October 14, 2014 by request of staff was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on vote of 8-0; Commissioner Jean Stevens was absent.

3. Rezoning: C14-2014-0070 - Brown-Valdez  
Location: 2309 Montopolis Drive, Carson Creek & Country Club East Watershed, Montopolis NPA  
Owner/Applicant: Simon and Ron Brown-Valdez  
Agent: Simon and Ron Brown-Valdez  
Request: SF-3-NP to SF-5-NP  
Staff Rec.: **Recommended**  
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 22, 2014 by request of the neighborhood was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on vote of 8-0; Commissioner Jean Stevens was absent.

- 4. Rezoning: C14-2013-0158 - Conventus Corporation and Finley Company**  
Location: 619 Congress Avenue, Lady Bird Lake Watershed, Downtown NPA  
Owner/Applicant: Conventus Corporation  
Agent: Armbrust & Brown, PLLC (Lynn Ann Carley)  
Request: CBD to CURE with Two Land Development Code Modifications  
Staff Rec.: **Partially Recommended**  
Staff: Lee Heckman, 512-974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov);  
Planning and Development Review Department

1<sup>st</sup> Motion: Motion made to Postpone until Staff has Reviewed Information Relating to the Code Modification Request of 25-6-592(F) for Loading Facilities (Motion: J. Nortey; Second: None).  
MOTION FAILED.

2<sup>nd</sup> Motion: Motion made to Grant CBD-CURE combining district zoning and to grant a Land Development Code modification to 25-2-643(A)(3), to allow for a modified setback of 40 feet, above 30 feet in building height. No recommendation was made on the request to modify section 25-25-6-592(F) of the Land Development Code; motion made by Commissioner Brian Roark, Commissioner Nuria Zaragoza seconded the motion on a vote of 7-1; Commissioner James Nortey voted against the motion (nay), Commissioner Jean Stevens was absent.

- 5. Rezoning: C14-2014-0084 - Old Bee Caves Office Building**  
Location: 6804 Old Bee Caves Road, Williamson Creek Watershed-Barton Springs Zone, West Oak Hill NPA  
Owner/Applicant: WNAO Holdings, Ltd. (Amir Kalantari)  
Agent: AJ Ghaddar, P.E. & Associates (Marco Castenada)  
Request: CS-NP and LR-CO-NP to GO-CO-NP  
Staff Rec.: **Recommended**  
Staff: Lee Heckman, 512-974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov);  
Planning and Development Review Department

1<sup>st</sup> Motion: Approve staff's recommendation of GO-CO-NP zoning with added condition for F.A.R of .15 for Tract 2, motion made by Commissioner Nuria Zaragoza, no second to the motion. MOTION FAILED.

2<sup>nd</sup> Motion: Motion made to approve staff's recommendation for GO-CO-NP zoning was made by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 7-1; Commissioner Nuria Zaragoza voted against the motion (nay), Commissioner Jean Stevens was absent.

6. **Final Plat - 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.: **Pulled - No action required.**
- Staff: Sylvia Limon, 512-974-2767, [sylvia.limon@austintexas.gov](mailto:sylvia.limon@austintexas.gov); Planning and Development Review Department

This item was pulled from the agenda, no action was required.

7. **Final Plat - Resubdivision:** **C8-2013-0191.0A - Resubdivision of Lots 1 & 2, Block A of the Terrace Section 5 and Lot 1, Block B of the Terrace Section 7**
- Location: 2900, 2901 and 3000 Via Fortuna at Tuscan Terrace, Barton Creek Watershed-Barton Springs Zone, Barton Hills NPA
- Owner/Applicant: Desta Three Partnership (Rodger Arend)
- Agent: Malone/Wheeler, Inc. (Pete Malone)
- Request: Approval of a resubdivision of 3 into 4 lots on 33.135 acres.
- Staff Rec.: **Recommended**
- 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 August 12, 2014 by request of the applicant was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 8-0; Commissioner Jean Stevens was absent.

8. **Final Plat - Amended Plat:** **C8-2014-0105.0A - Gullet Gardens 2, Lots 10 & 11; Amended Plat**
- Location: 1005 Mansell Avenue, Boggy Creek Watershed, Govalle NPA
- Owner/Applicant: Bruce Beaty
- Agent: Perales Engineering, L.L.C. (Jerry Perales)
- Request: Approval of Gullet Gardens 2, Lots 10 & 11; Amended Plat is composed of 2 lots on 0.3 acres.
- Staff Rec.: **Disapproval**
- Staff: Planning and Development Review Department

- 9. Final Plat - Resubdivision: C8-2014-0109.0A - Duval Park**  
 Location: 3814 Duval Street, Boggy Creek Watershed, Hyde Park NPA  
 Owner/Applicant: BDB Ventures, LLC (Dale Thornton)  
 Agent: Richard H. Crank, ASLA (Richard Crank)  
 Request: Approval of Duval Park composed of 2 lots on 0.34 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 10. Final Plat - Resubdivision: C8-2014-0104.0A - Hargrave Place**  
 Location: Hargrave Street, Boggy Creek Watershed, Rosewood NPA  
 Owner/Applicant: 12th & Hargrave Interests, LLC.  
 Agent: Texas Engineering Solution (James Hagen)  
 Request: Approval of Hargrave Place, composed of 1 lot on 5.66 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 11. Final Plat - Amended Plat: C8-2014-0112.0A - Amended Plat of Lots 1 and 4 of the Amended Plat of Lots 1, 2, and 4 of a Resubdivision**  
 Location: 3001 Montopolis Drive, Carson Creek Watershed, Montopolis NPA  
 Owner/Applicant: NEC Ben White/ Montopolis LTD (Scott Fried)  
 Agent: Garrett-Ihnen Civil Engineers (Norma Divine)  
 Request: Approval of the Amended Plat of Lots 1 and 4 of the Amended Plat of Lots 1, 2, and 4 of a Resubdivision, composed of 2 lots on 3.29 acres  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 12. Preliminary Plan: C8-2014-0110 - Bouldin Court (Resubmittal of C8-2013-0112)**  
 Location: 900 South 2nd Street, East Bouldin Creek Watershed, Bouldin Creek NPA  
 Owner/Applicant: 1st. Street Highlands, LP (Ryan Diepenbrock)  
 Agent: PSW HOMES LLC (Jarred Corbell)  
 Request: Approval of Bouldin Court (Resubmittal of C8-2013-0112), composed of 15 lots on 5.1 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department

- 13. Final Plat - Resubdivision:** **C8-2014-0106.0A - Resubdivision Lot 1 Block A Airport Commerce Section 2**  
Location: 1501 Airport Commerce Drive, Carson Creek Watershed, Montopolis NPA  
Owner/Applicant: SFSV Hill Airport Commerce II LLC  
Agent: Thrower Design (Ron Thrower)  
Request: Approval of the Resubdivision of Lot 1 Block A Airport Commerce Section 2 composed of 2 lots on 19.52 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 14. Final Plat - Resubdivision:** **C8-2014-0107.0A - Waller Park Place**  
Location: 92 Red River Street, Waller Creek Watershed, Downtown NPA  
Owner/Applicant: Perry Lorenz  
Agent: KBGE (Chad Kimbell)  
Request: Approval of Waller Park Place composed of 1 lot on 3.23 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

Items #8-14;

The motion to disapprove Items #8-14 was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 8-0; Commissioner Jean Stevens was absent.

- 15. Site Plan - Boat Dock variance:** **SP-2014-0134DS - 7100 Greenshores**  
Location: 7100 Greenshores Dr., Bldg. DB, Lake Austin Watershed  
Owner/Applicant: Kenneth Beall  
Agent: Auperlee Co. (Carolyn Auperlee)  
Request: **#1** - 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, **#2** a variance from § 25-2-1176(D)(1) to allow a dock to be constructed closer than 10 feet from the property line, and **#3** a variance from § 25-2-1176(D)(2) to allow a boat dock to exceed 20% of the shoreline width of the lot.  
Staff Rec.: **Not Recommended**  
Staff: Brad Jackson, 512-974-3410, [brad.jackson@austintexas.gov](mailto:brad.jackson@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve Variance #1 Section 25-2-1176(B)(2) and Variance #3 Section 25-2-1176(D)(2) and Deny Variance # 2 Section 25-2-1176(D)(1); motion made by Commissioner Nuria Zaragoza, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner Jean Stevens was absent.

- 16. Site Plan - Compatibility Waivers only:** **SP-2013-0484CS - 1106 Lambie**
- Location: 1106 Lambie Street, Lady Bird Lake Watershed, East Cesar Chavez NPA
- Owner/Applicant: MX3 Homes, LLC (Sal Martinez)
- Agent: Prossner and Associates (Kurt Prossner, P.E.)
- Request: To approve a waiver from the front compatibility setback from 25 feet to 10 feet, and from the side compatibility setback from 15 feet to 5 feet.
- Staff Rec.: **Postponement request to August 12, 2014 (after August 7 City Council hearing on impervious cover).**
- Staff: Donna Galati, 512-974-2733, [donna.galati@austintexas.gov](mailto:donna.galati@austintexas.gov); Planning and Development Review Department

The motion to postpone to August 12, 2014 by request of staff was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 8-0; Commissioner Jean Stevens was absent.

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

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

Comprehensive Plan Committee – July 14, 2014  
Downtown Commission – No Meeting  
Neighborhood Plan Committee – July 16, 2014  
Codes & Ordinances Committee – July 15, 2014  
Code Next - Unknown

#### **F. ADJOURN**

**Chair Danette Chimenti adjourned the meeting without objection at 9:07 p.m.**