

ZONING & PLATTING COMMISSION MINUTES

REGULAR MEETING July 15, 2014

The Zoning & Platting Commission convened in a regular meeting on July 15, 2014 @ 505 Barton Springs Road, Austin, Texas 78704

Chair Betty Baker called the Board Meeting to order at 6:10 p.m. Board Members in Attendance: Betty Baker Rahm McDaniel Jason Meeker Gabriel Rojas Patricia Seeger

EXECUTIVE SESSION (No public discussion)

The Zoning & Platting 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

David King

B. APPROVAL OF MINUTES

1. Approval of minutes from July 1, 2014.

Pulled, no action required; meeting was cancelled.

C. PUBLIC HEARINGS

1. Rezoning: C14-2014-0037 - The Sealy

Location: 801 West Wells Branch Parkway, Harris Branch Watershed

Owner/Applicant: Sealy & Company (Michael Sealy)

Agent: Garrett-Ihnen Civil Engineers, Inc. (Steve Ihnen, P.E.)

Request: IP-CO, GR-CO to GR

Staff Rec.: **Recommendation Pending**

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

The motion to postpone to August 19, 2014 by request of staff was approved by Commissioner Patricia Seeger, Commissioner Rahm McDaniel seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

2. Rezoning: C14-2014-0082 - Stokes Ranch

Location: 11900 Buckner Road, Lake Travis Watershed

Owner/Applicant: Robert H. Stokes

Agent: MFH Engineering (Martha H. Mangum, P.E.)

Request: SF-2 (Tract 1), DR (Tract 2) to GR-MU for Tract 1 and SF-6 for Tract 2
Staff Rec.: Recommendation of GR-MU-CO for Tract 1 and SF-6-CO for Tract

2, with conditions

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for GR-MU-CO for Tract 1 and SF-6-CO for Tract 2 with conditions was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

3. Rezoning: C14-2014-0094 - 11205 Limoncillo Ct

Location: 11205 Limoncillo Court, Bull Creek Watershed

Owner/Applicant: William Brian Beckham and Kimberly Shannon Beckham

Agent: Armbrust & Brown, PLLC (Lynn Ann Carley)

Request: SF-1 to SF-2
Staff Rec.: Recommended

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for SF-2 zoning was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

4. Rezoning: C14-2014-0095 - Pour House Pints and Pies

Location: 11835 Jollyville Road, Walnut Creek Watershed

Owner/Applicant: Jollyville Holdings, LLC (Gregg Scott)
Agent: McLean & Howard (Jeffrey S. Howard)

Request: LO, SF-3, GR to GR-CO

Staff Rec.: **Recommendation of LO-CO for Tract 1 and GR-CO for Tract 2**Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

The motion to postpone to August 5, 2014 by request of the applicant was approved by Commissioner Patricia Seeger, Commissioner Rahm McDaniel seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

5. Zoning: C14-2014-0102 - Storage Center-Parmer Lane

Location: 1714 and 1724 East Parmer Lane, Harris Branch Watershed

Owner/Applicant: Essen-Parmer, LLC (R. Craig Smith)
Agent: KFW Engineers (Benjamin Bunker)

Request: I-RR to CS

Staff Rec.: Recommendation of CS-CO

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for CS-CO district zoning was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

6. Rezoning: C814-89-0006.05 - Canyon Ridge PUD Phase B PUD Amendment #5

Location: F.M. 2222 Road, West Bull Creek Watershed Owner/Applicant: CSGM Canyon Ridge, L.P. (Jesse McBay)

Agent: Cunningham-Allen, Inc. (Jana Rice)

Request: PUD to PUD, to change a condition of zoning

Staff Rec.: **Recommendation Pending**

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

The motion to postpone to August 19, 2014 by request of staff was approved by Commissioner Patricia Seeger, Commissioner Rahm McDaniel seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

7. Rezoning: C14-2013-0118 - Cooper Commercial

Location: 7200 Cooper Lane, South Boggy Creek Watershed

Owner/Applicant: 38 1/2 Street LC (Guy Oliver)

Agent: Husch Blackwell, LLP (Nikelle Meade)

Request: SF-2 to GR

Staff Rec.: **Recommendation Pending**

Staff: Wendy Rhoades, 512-974-7719, wendy rhoades@austintexas.gov;

Planning and Development Review Department

The motion to postpone to August 5, 2014 by request of staff and applicant was approved by Commissioner Patricia Seeger, Commissioner Rahm McDaniel seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

8. Zoning: C14-2014-0077 - Whole Life Learning Center

Location: 10801 Old San Antonio Road, Onion Creek Watershed

Owner/Applicant: Whole Life Learning Center, LLC (Michael Carberry; Caroline Riley)

Request: I-RR to LR-MU

Staff Rec.: Recommendation of LO-MU-CO

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for LO-MU-CO district zoning was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

9. Rezoning: C14-2014-0087 - 2103 W. Slaughter Lane Zoning Change

Location: 2103 West Slaughter Lane, Slaughter Creek Watershed

Owner/Applicant: Shokrollah Delaram

Agent: Sara Delaram

Request: GO-MU-CO to GR Staff Rec.: **Not Recommende**

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve LR-MU-CO district zoning with the condition allowing for personal improvement services and personal services uses and all NO (neighborhood office) uses and development regulations for the lot fronting West Slaughter Lane and the north 45-feet of the adjoining lot to the south, and maintaining the existing SF-2 zoning for that portion of the lot fronting Allred Drive; motion was made by Commissioner Gabriel Rojas, Commissioner Jason Meeker seconded the motion on a vote of 5-0; Commissioners Sean Compton and Cynthia Banks were absent.

10. Restrictive C14-92-0150(RCT) - Silver Springs Apartments

Covenant

Termination:

Location: 12151 N. IH 35 Northbound, Walnut Creek Watershed

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;

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 Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

11. Site Plan - Hill SPC-2013-0350C - The Shoppes at Boulder Lane

Country

Roadway:

Location: 10200 Boulder Lane, Bull Creek Watershed Owner/Applicant: Shoppes at Boulder, LLC (Sandy Aron)

Agent: Prossner and Associates Inc. (Kurt M. Prossner, P.E.)
Request: Approval of a Hill Country Roadway Site Plan

Staff Rec.: **Recommended**

Staff: Brad Jackson, 512-974-3410, brad.jackson@austin.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of a Hill Country Roadway Site Plan was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

12. Site Plan SP-2009-0216C(XT2) - Research Park Plaza III

Extension:

Location: 12301 Research Boulevard Northbound, Walnut Creek Watershed

Owner/Applicant: Cousins Research Park V LLC (Tim Hendricks)

Agent: 360 Professional Services, Inc.

Request: Approve a 3-year extension to a previously approved site plan.

Staff Rec.: **Recommended**

Staff: Donna Galati, 512-974-2733, donna.galati@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to approve a 3-year extension for Research Park Plaza III was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

13. Site Plan - SP-2013-0435C.SH - Homestead Oaks

Variance:

Location: 3226 West Slaughter Lane, Slaughter Creek Watershed-Barton Springs

Zone Watershed

Owner/Applicant: FC SW Housing LP

Agent: Axiom Engineering (Alan Rhames)

Request: Approval of variance to allow the construction of a driveway in a

WQTZ (Water Quality Transition Zone) within the Barton Springs Zone

- LDC Section 25-8-482(A)(1)

Staff Rec.: **Recommended**

Staff: Jim Dymkowski, 512-974-2707, james.dymkowski@austintexas.gov

Michael Simmons-Smith, 512-974-1225, michael.simmons-

smith@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of a variance for Homestead Oaks was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

14. Site Plan - SP-2010-0102(XT2) - Randall's at the Ranch

Extension Only:

Location: 5145 FM 620, Bear Creek West Watershed
Owner/Applicant: Property Development Centers, LLC (Joe Kinn)
Agent: LJA Engineering and Surveying (Danny Miller, PE)

Request: Approval of a 3-year extension to a previously approved site plan.

Staff Rec.: **Recommended**

Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-

holmes@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 Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

15. Final Plat out of C8-2013-0092.1A - Springfield Section 2

Approved Preliminary:

Location: E. William Cannon Drive at McKinney Falls Parkway (Janes Ranch

Road), Cottonmouth/Marble Creek Watersheds

Owner/Applicant: RKS Texas Investments LP (Rick Sheldon)
Agent: Pape-Dawson Engineers Inc. (Dustin Goss)

Request: Approve a final plat out of an approved preliminary for 116 lots on

30.342 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 to approve Springfield Section 2 was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

16. Final Plat: C8J-2013-0235.0A - Springwoods Place

Location: 9218 Anderson Mill Rd., Lake Creek Watershed

Owner/Applicant: Brian Birdwell

Agent: Texas Engineering Solutions (James Hagen)

Request: Approve a variance from 25-4-151 LDC to not extend Robins Nest Ln.

and to then approve a subdivision of one lot on 3.242 acres.

Staff Rec.: **Recommended**

Staff: Sylvia Limon, 512-974-2767, sylvia.limon@austintexas.gov;

Bryan Golden, 512-974-3124, bryan.golden@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to approve a variance for Springwoods Place was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

17. Final Plat - C8-2014-0044.0A - Resubdivision of Lot 3, Block A, Park At Aspen

Resubdivision: Lake

Location: 10205 Pecan Park Blvd., Lake Creek Watershed Owner/Applicant: CREF Aspen Lake II, LLC (Michael Nichols)

Agent: Bury - AUS, Inc. (Megan Meyer)

Request: Approve the resubdivision of one lot into 2 lots on 21.557 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 Park at Aspen Lake Re-subdivision was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 4-0-1; Commissioner Rahm McDaniel abstained, Commissioners Cynthia Bank and Sean Compton were absent.

18. Resubdivision: C8-2013-0214.0A - Prosperity Bank Research Subdivision

Location: 11545 Research Blvd. NB, Walnut Creek Watershed

Owner/Applicant: Prosperity Bank (Justin Westmoreland)

Agent: KBGE (Jennifer Garcia)

Request: Approval of the resubdivision of a portion of an existing lot into a one

lot subdivision on 1.116 acres.

Staff Rec.: **Recommended**

Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of Prosperity Bank Research Subdivision was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Cynthia Bank and Sean Compton were absent.

19. Preliminary Plan: C8J-2013-0148 - Tipco Subdivision

Location: 1750 Far Gallant Drive, Bee Creek Watershed

Owner/Applicant: Steven J Dell Trust (Mary Sikora)

Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero)

Request: Approval of the Tipco Subdivision composed of 24 lots on 85.27 acres

Staff Rec.: Recommended

Staff: Don Perryman, 512-974-2786, <u>don.perryman@austintexas.gov</u>;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation with commitment made by applicant and property owners was approved by Commissioner Gabriel Rojas, Commissioner Patricia Seeger seconded the motion on a vote of 5-0; Commissioners Cynthia Banks and Sean Compton were absent.

20. Final Plat - C8-2014-0116.0A - Congress Avenue Commercial Tract

Previously Unplatted:

Location: 8832-1/2 South IH 35 Service Road, Onion Creek Watershed

Owner/Applicant: HEB Grocery Company, LP (Todd Piland)
Agent: Bury + Partners (Brandon D. Mettler, P.E.)

Request: Approval of the Final Plat for Congress Avenue Commercial Tract. The

proposed plat is composed of 3 lots on 25.922 acres.

Staff Rec.: **Disapproval**

21. Final Plat - C8-2014-0117.0A - University of St. Augustine-Circle C Ranch

Resubdivision: Subdivision

Location: 5401 La Crosse Avenue, Slaughter Creek Watershed-Barton Springs

Zone

Owner/Applicant: La Crosse Partners, L.P. (Clay Sammis)

Agent: Bury, Inc. (Nick Brown)

Request: Approval of the Final Plat for University of St. Augustine-Circle C

Ranch Subdivision. The proposed plat is composed of 2 lots on 27.7412

acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

22. Final Plat: C8J-2014-0111.1A - William Cannon Phase 1 Final Plat

Location: 6975 McKinney Falls Parkway, Cottonmouth Creek Watershed

Owner/Applicant: Carma Easton, LLC (Scott Rogers)

Agent: Peloton Land Solutions (Paulo Misi, P.E.)

Request: Approval of the William Cannon Phase 1 Final Plat composed of 1 lot

on 4.03 aces.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

23. Final Plat with C8-85-086.02.10A - Springfield Section 9

Preliminary:

Location: McKinney Falls Parkway, Cottonmouth Creek, Marble Creek, Onion

Creek Watersheds

Owner/Applicant: RKS Texas Investments, LP (Rick Sheldon)

Agent: Pape-Dawson Engineer (Dustin Goss) (Mary Helen Tello)

Request: Approval of Springfield Section 9 composed of 114 lots on 23.11 acres.

Staff Rec.: **Disapproval**

24. Final Plat - C8-2014-0119.0A - CMA Alexandria Addition Subdivision

Previously Unplatted:

Location: 4201 Alexandria Drive, Barton Creek Watershed-Barton Springs Zone

Owner/Applicant: CMA Custom Homes (Claudia Marin Acosta)
Agent: Genesis 1 Engineering Co. (George Gonzalez)

Request: Approval of the CMA Alexandria Addition Subdivision composed of 6

lots on 1.0149 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

25. Final Plat - C8-2014-0123.0A - Lots 84 and 85 Palomino -Section Three;

Amended Plat: Amended Plat

Location: 10013 Rocking Horse Road, Slaughter Creek Watershed-Barton Springs

Zone

Owner/Applicant: 10013 Rocking Horse Rd. (Tracy East)
Agent: All Start Land Surveying (Edward Rumsey)

Request: Approval of the Lots 84 and 85 Palomino - Section Three; Amended

Plat composed of 2 lots on 1.60 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

26. Preliminary Plan: C8J-2014-0111 - William Cannon Phase 1

Location: 6975 McKinney Falls Parkway, Cottonmouth Creek Watershed

Owner/Applicant: Carma Easton, LLC (Scott Rogers)

Agent: Peloton Land Solutions (Paulo Misi, P.E.)

Request: Approval of William Cannon Phase 1 composed of 1 lot on 4.03 acres.

Staff Rec.: **Disapproval**

27. Final Plat with C8J-03-0146.6A - Austin's Colony Section 8

Preliminary:

Location: Hunters Bend Road, Elm Creek Watershed

Owner/Applicant: Qualico, AC, LP (Vera Massaro)

Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero)

Request: Approval of the Final Plat for Austin's Colony Section 8. The proposed

plat is composed of 73 lots on 13.198 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

28. Final Plat - C8J-2014-0122.0A - Lot 2, Cedar Bluff Research Park Section One,

Resubdivision: Resub of (Withdraw/Resubmit)

Location: 10549 West SH 71, Barton Creek Watershed-Barton Springs Zone

Owner/Applicant: Austin Seventy One, LTD (Joseph Bell, Jr)

Agent: J Boswell Interests (John Boswell) & Perales Engineering LLC (Jerry

Perales)

Request: Approval of the Lot 2, Cedar Bluff Research Park Section One,

Resubdivision (Withdraw/Resubmit) composed of 4 lots on 39.183 acres

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

29. Final Plat - C8-2014-0120.0A - Elmwood Estates Replat Lot 12 Block E;

Resubdivision: Resubdivision

Location: 1103 Matthews Lane, South Boggy Creek Watershed

Owner/Applicant: Matthews Lane LP (Amy Bernhard)
Agent: ATS Engineers (Andrew Evans)

Request: Approval of the Elmwood Estates Replat Lot 12 Block E; Resubdivision

composed of 4 lots on 2.664 acres

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

30. Final Plat: C8-2014-0114.0A - LA Fitness Subdivision

Location: Manchaca Road, Slaughter Creek Watershed

Owner/Applicant: Manchaca Center LTD (Stephen Fain)
Agent: Big Red Dog Engineering (Jerret Daw)

Request: Approval of the LA Fitness Subdivision composed of 2 lots on 6.3367

acres

Staff Rec.: **Disapproval**

31. Preliminary Plan: C8J-2014-0113 - Live Oak Springs

Location: 9406 Morninghill Drive, Slaughter Creek Watershed-Barton Springs

Zone

Owner/Applicant: David Knapp

Agent: Land Strategies (Paul Linehan)

Request: Approval of the Live Oak Springs composed of 90 lots on 164.60 acres

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

32. Final Plat with C8J-05-0236.02.2A - Cantarra III-A

Preliminary:

Location: Gregg Lane, Gilleland Creek, Harris Branch Watersheds

Owner/Applicant: Randell Livingston

Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero)

Request: Approval of the Cantarra III-A composed of composed of 68 lots on

10.971 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

Items #20-32;

The motion to disapprove Items #20-32 was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Sean Compton and Cynthia Banks were absent.

33. Street Vacation: F#9339-1404 -

Request: Vacation of an unconstructed portion of street Right of Way parellel to

Old San Antonio Road, in exchange for dedication of equal Right of Way, near the southeast corner of the intersection of Old San Antonio

Road and F.M. 1626.

Staff Rec.: **Recommended**

Staff: Eric Hammack, 512-974-7079, eric.hammack@austintexas.gov;

Office of Real Estate Services

Public hearing closed.

The motion to approve a Street Vacation on Old San Antonio Road was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Gabriel Rojas seconded the motion on a vote of 5-0; Commissioners Sean Compton and Cynthia Banks were absent.

D. NEW BUSINESS

1. Information C14-2014-0047 – Overlook at Spicewood Springs

Request:

Request: Review of information related to zoning case C14-2014-0047 - Overlook

at Spicewood Springs.

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

Information presented to Zoning & Platting Commission by Sherri Sirwaitis.

E. ADJOURN

Chair Betty Baker adjourned the meeting without objection at 8:05 p.m.