



**PLANNING COMMISSION
MINUTES**

**REGULAR MEETING
August 26, 2014**

The Planning Commission convened in a regular meeting on August 26, 2014 @ 505 Barton Springs Road, Austin, Texas 78704

Vice-Chair Stephen Oliver called the Commission Meeting to order at 6:03 p.m.

Board Members in Attendance:

Stephen Oliver – Vice-Chair

Richard Hatfield

Alfonso Hernandez

James Nortey

Brian Roark

Jean Stevens

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 August 12, 2014.

The motion to approve the minutes from August 12, 2014 with amendments from Commissioner Nuria Zaragoza was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Chair Danette Chimenti was absent.

C. PUBLIC HEARINGS

1. Plan Amendment: **NPA-2014-0017.01 - Korean United Presbyterian Church FLUM Amendment**

Location: 2000 Justin Lane & 2009 Cullen Avenue, Shoal Creek Watershed, Crestview/Wooten Combined (Crestview) NPA
Owner/Applicant: Korean United Presbyterian Church (Roy M. Kimm)
Agent: Thower Design (A. Ron Thrower)
Request: Civic and Multifamily to Mixed Use/Office land use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 512-974-2695,
maureen.meredith@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

1st motion: Approve GO-MU-CO with conditions read in by Commissioner Hernandez; motion made by Commissioner Hernandez, Commissioner Roark seconded the motion on a vote of 4-4; Commissioners Lesley Varghese, Nuria Zaragoza, Jean Stevens and James Nortey voted against the motion (nay), Commissioner Danette Chimenti was absent. MOTION FAILED.

2nd motion: Motion made to deny staff's recommendation; motion made by Commissioner Nuria Zaragoza, Commissioner Jean Stevens seconded the motion on a vote of 3-5; Commissioners Roark, Hatfield, Hernandez, Oliver and Nortey voted against the motion, Commissioner Danette Chimenti was absent. MOTION FAILED.

3rd motion: Motion made to approve staff's recommendation for mixed use/office land use; motion made by Commissioner James Nortey, Commissioner Richard Hatfield seconded the motion on a vote of 6-2; Commissioners Nuria Zaragoza and Jean Stevens voted against the motion, Commissioner Danette Chimenti was absent.

- 2. Rezoning: C14-2014-0036 - Korean United Presbyterian Church Rezoning**
 Location: 2000 Justin Lane & 2009 Cullen Avenue, Shoal Creek Watershed, Crestview/Wooten Combined (Crestview) NPA
 Owner/Applicant: Korean United Presbyterian Church (Roy M. Kimm)
 Agent: Thower Design (A. Ron Thrower)
 Request: SF-3-NP, LO-NP & MF-3-NP to GO-MU-NP
 Staff Rec.: **Recommendation of LO-MU-CO-NP with conditions**
 Staff: Lee Heckman, 512-974-7604, lee.heckman@austintexas.gov;
 Planning and Development Review Department

Public hearing closed.

1st motion: Approve GO-MU-CO with conditions read in by Commissioner Hernandez; motion made by Commissioner Hernandez, Commissioner Roark seconded the motion on a vote of 4-4; Commissioners Lesley Varghese, Nuria Zaragoza, Jean Stevens and James Nortey voted against the motion (nay), Commissioner Danette Chimenti was absent. MOTION FAILED.

2nd motion: Motion made to deny staff's recommendation; motion made by Commissioner Nuria Zaragoza, Commissioner Jean Stevens seconded the motion on a vote of 3-5; Commissioners Roark, Hatfield, Hernandez, Oliver and Nortey voted against the motion, Commissioner Danette Chimenti was absent. MOTION FAILED.

3rd motion: Motion made to approve staff's recommendation for mixed use/office land use; motion made by Commissioner James Nortey, Commissioner Richard Hatfield seconded the motion on a vote of 6-2; Commissioners Nuria Zaragoza and Jean Stevens voted against the motion, Commissioner Danette Chimenti was absent.

- 3. Plan Amendment: NPA-2014-0022.01 - 209 Project**
 Location: 209 East Live Oak Street, Blunn Creek Watershed, Greater South River City Combined (South River City) NPA
 Owner/Applicant: Joshua L. Mcguire
 Agent: Com4923.LLC (Charles Morton)
 Request: Single Family to Higher Density Single Family 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 deny staff's recommendation for higher density single family land use was made by Commissioner Jean Stevens, Commissioner Brian Roark seconded the motion on a vote of 6-2; Commissioners Alfonso Hernandez and Richard Hatfield voted against the motion, Commissioner Danette Chimenti was absent.

- 4. Rezoning: C14-2014-0032 - 209 E Live Oak Street**
Location: 209 East Live Oak Street, Blunn Creek Watershed, Greater South River City Combined (South River City) NPA
Owner/Applicant: Joshua L. Mcguire
Agent: Com4923.LLC (Charles Morton)
Request: SF-3-NP to SF-5-NP
Staff Rec.: **Recommended**
Staff: Lee Heckman, 512-974-7604, lee.heckman@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to deny staff's recommendation for higher density single family land use was made by Commissioner Jean Stevens, Commissioner Brian Roark seconded the motion on a vote of 6-2; Commissioners Alfonso Hernandez and Richard Hatfield voted against the motion, Commissioner Danette Chimenti was absent.

- 5. Code C20-2013-019 - Temporary Staging**
Amendment:
Owner/Applicant: City of Austin
Agent: Planning and Development Review Department
Request: Consider an ordinance amending Title 25 of the City Code to allow temporary staging of equipment, for City of Austin and utility projects, on non-City-owned property.
Staff Rec.: **Recommended**
Staff: Andy Linseisen, 512-974-2239, andy.linseisen@austintexas.gov;
Planning and Development Review Department

The motion to postpone to September 23, 2014 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 8. Code** **C20-2014-005 - Right-of-Way Installations**
Amendment:
 Owner/Applicant: City of Austin
 Agent: Planning and Development Review Department
 Request: Consider an ordinance to amend Title 25 of the City Code to allow sign, logo or placard placement on a legally permitted right-of-way installation that identifies the name, operator, or sponsor of the right-of-way installation.
- Staff Rec.: **Recommended**
 Staff: Viktor Auzenne, 512-974-2941, viktor.auzenne@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Right-of-Way Installations was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 9. Code** **C20-2014-006 - Sidewalks Sales and Signs**
Amendment:
 Owner/Applicant: City of Austin
 Agent: Planning and Development Review Department
 Request: Consider an ordinance amending City Code Chapter 25-10 relating to requirements for sidewalk signs and merchandise displays.
- Staff Rec.: **Recommended**
 Staff: Viktor Auzenne, 512-974-2941, viktor.auzenne@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Sidewalks Sales and Signs was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 10. Code** **C20-2014-001 - Micro Units**
Amendment:
 Owner/Applicant: City of Austin
 Agent: Planning and Development Review Department
 Request: Consider an ordinance amending City Code Title 25 relating to the regulation of efficiency dwelling units in certain zoning districts.
- Staff Rec.: **Recommended**
 Staff: Greg Dutton, 512-974-3509, greg.dutton@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 23,2014 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 11. ERC Plan Amendment:** **C14-2014-0099 - 1500 S Pleasant Valley**
 Location: 1500 South Pleasant Valley Road, Lady Bird Lake, Country Club West Watersheds, East Riverside Corridor NPA
 Owner/Applicant: 1500 SPV LLC (Colin Brothers)
 Agent: Drenner Group, P.C. (Stephen Rye)
 Request: ERC to ERC to Change Subdistrict Designation, Hub Boundary Delineation, and Maximum Bonus Height Specification.
 Staff Rec.: **Recommended**
 Staff: Lee Heckman, 512-974-7604, lee.heckman@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 9, 2014 by request of EROC Contact Team was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 12. Rezoning:** **C14-2014-0050 - 2311 Westrock**
 Location: 2311 Westrock Drive, West Bouldin Creek Watershed; Barton Creek Watershed-Barton Springs Zone; South Lamar Combined (Barton Hills) NPA
 Agent: Terrance L. Irion Law Office (Terrance L. Irion)
 Request: RR & SF-5-CO to SF-5-CO
 Staff Rec.: **Recommended**
 Staff: Lee Heckman, 512-974-7605, lee.heckman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for SF-5-CO district zoning was made by Commissioner Alfonso Hernandez, Commissioner Nuria Zaragoza seconded the motion on a vote of 7-1; Commissioner Jean Stevens voted against the motion, Commissioner Danette Chimenti was absent.

13. Rezoning: C14-2014-0105 - Samon
Location: 2428 and 2432 South 1st Street, East Bouldin Creek Watershed, South Lamar Combined (Galindo) NPA
Agent: Ray Ates
Request: LO to CS
Staff Rec.: **Recommend CS for Tract 1, LR for Tract 2, and LO for Tract 3, with Conditions**
Staff: Lee Heckman, 512-974-7606, lee.heckman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for CS for Tract 1, LR for Tract 2 and LO for Tract 3 with conditions, was made by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

14. Rezoning: C14-2014-0103 - Radio Coffee & Beer
Location: 4204 Manchaca Road and 2008 Fort View Road, West Bouldin Creek Watershed, South Lamar Combined (South Lamar) NPA
Agent: Land Strategies (Erin Welch)
Request: LR-MU-CO to CS-1 (Footprint)
Staff Rec.: **Recommend GR**
Staff: Lee Heckman, 512-974-7607, lee.heckman@austintexas.gov; Planning and Development Review Department

The motion to postpone to September 9, 2014 by request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

15. Rezoning: C14-2014-0085 - Concorde Center Rezoning
Location: 4631 Airport Boulevard, Boggy Creek Watershed, North Loop NPA
Owner/Applicant: Houston 6000 Bissonet Ltd, c/o Tarantino Properties, Inc. (Aaron Scott)
Agent: Thrower Design (Ron Thrower)
Request: CS-V-CO-NP to CS-1-V-CO-NP for Tract 1; CS-1-V-CO-NP to CS-V-CO-NP for Tract 2
Staff Rec.: **Recommended**
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 of CS1-V-CO-NP for Tract 1 and CS-V-CO-NP for Tract 2 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

16. Rezoning: C14H-2014-0004 - Leffingwell House
Location: 910 Christopher Street, West Bouldin Creek Watershed, Bouldin NPA
Owner/Applicant: Petra Rogers, owner
Request: SF-3-NP to SF-3-H-NP
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation of SF-3-H-NP zoning was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

17. Rezoning: C14H-2014-0007 - Red River International House
Location: 3805 Red River Street, Waller Creek Watershed, Hancock NPA
Owner/Applicant: Historic Landmark Commission, applicant; Delta H Corporation, owner
Agent: Jim Bennett
Request: SF-3-CO-NP to SF-3-H-CO-NP
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to deny staff's recommendation for SF-3-H-CO-NP zoning was made by Commissioner Brian Roark, Commissioner Richard Hatfield seconded the motion on a vote of 5-3; Commissioner Jean Stevens, Stephen Oliver and Nuria Zaragoza voted against the motion; Commissioner Danette Chimenti was absent.

18. Rezoning: C14H-2014-0009 - Clappart-Bannerman-Castro House
Location: 1207 East 8th Street, Boggy Creek Watershed, Central East Austin NPA
Owner/Applicant: Sharon Wang McKinney, owner
Agent: Phoebe Allen
Request: SF-3-NP to SF-3-H-NP
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation of SF-3-H-NP zoning was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 19. Rezoning:** **C14H-2014-0010 - Majors-Butler-Thomas House**
 Location: 1119 E. 11th Street, Boggy Creek Watershed, Central East Austin NPA
 Owner/Applicant: Monica Woods, Richard Thomas, and Thomas family members, owners
 Request: CS-1-NCCD-NP to CS-1-H-NCCD-NP
 Staff Rec.: **Recommended**
 Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov; planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation of CS-1-H-NCCD-NP zoning was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 20. Final Plat - Resubdivision:** **C8-2013-0163.0A - First Resubdivision of a Portion of Lot 1 Block 6**
 Location: 4400 Gillis Street, Williamson Creek Watershed, South Austin Combined NPA (South Manchaca) NPA
 Owner/Applicant: Dan Day Homes (Dan Day)
 Agent: Real Estate (Mike McHone)
 Request: Approval of the First Resubdivision of a Portion of Lot 1 Block 6 composed of 1 lot on 0.169 acres
 Staff Rec.: **Recommended**
 Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of the First Re-subdivision of a portion of Lot 1 Block 6 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

**21. Final Plat - C8-2013-0164.0A - Second Resubdivision of a Portion of Lot 1
Resubdivision: Block 6 Banister Acres**
 Location: 4400 Gillis Street, Williamson Creek Watershed, South Austin
 Combined NPA (South Manchaca) NPA
 Owner/Applicant: Dan Day Homes (Dan Day)
 Agent: Real Estate (Mike McHone)
 Request: Approval of the Second Resubdivision of a Portion of Lot 1 Block 6
 Banister Acres composed of 2 lots on 0.331 acres
 Staff Rec.: **Recommended**
 Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov;
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of the Second Re-Subdivision of a portion of Lot 1 Block 6 Banister Acres was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

22. Preliminary Plan: C8-2013-0154 - Park Place at Riverside
 Location: 7010 East Riverside Drive, Carson Creek Watershed, Montopolis
 NPA
 Owner/Applicant: Equity Secured Capital, LP (Vince Dimare)
 Agent: Big Red Dog Engineering (Nicholas Kehl)
 Request: Approval of the Park Place at Riverside Preliminary plan consisting of
 124 lots on 29.73 acres.
 Staff Rec.: **Recommended**
 Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov;
 Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of the Park Place at Riverside was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

23. Resubdivision: C8-2014-0030.0A - Springdale Subdivision
 Location: 1036 Springdale Rd., Boggy Creek Watershed, M.L.K. - Oaks Springs NPA
 Owner/Applicant: S & S Isdale, LLC (Scott Isdale)
 Agent: Big Red Dog Engineering (Russell Kutara)
 Request: Approval of the resubdivision of an existing lot into the Springdale Subdivision composed of six lots on 0.4477 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 Springdale Subdivision was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

24. Final Plat - C8-2014-0152.0A – Amended Plat of Lots 3 & 4, Block D, Benson Amended Plat: Subdivision
 Location: 2301 Garden Street, Lady Bird Lake Watershed, Holly NPA
 Owner/Applicant: 3 Mountain Minstrall Pl. (Michael Clinchard)
 Agent: Avenue Construction (Rob Clinchard)
 Request: Approval of the Amended Plat of Lots 3 & 4, Block D, Benson Subdivision composed of 2 lots on 0.33 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

25. Final Plat - C8-2014-0146.0A - Teri Road at IH-35 Previously Unplatted:
 Location: Teri Road, Williamson Creek Watershed, East Congress NPA
 Owner/Applicant: F.M. Covert Jr. Trust (Matthew A. Theisen, Co-Trustee) F.M. Covert. Jr. Trust (Frank M. Covert, III Co-Trustee)
 Agent: LJA Engineering, Inc. (Joseph Sandoval, PE, MBA)
 Request: Approval of Teri Road at IH-35 composed of 3 lots on 6.875 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

26. Final Plat - C8-2014-0149.A - Domain Z4 Subdivision
Resubdivision:
 Location: 11100-1/2 Alterra Parkway, Walnut Creek Watershed, North Burnet NPA
 Owner/Applicant: RREEF Domain LP (Ben Bufkin)
 Agent: Bury-Aus, Inc. (Allison Lehman)
 Request: Approval of the Domain Z4 Subdivision. The proposed plat is composed of 2 lots on 7.770 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Public hearing closed.

Items #23-26;

The motion to disapprove Items #23-26, was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

27. Site Plan - SPC-2014-0091A - 508 E. Oltorf Coffee Shop
Conditional Use Permit:
 Location: 508 East Oltorf Street, Blunn Creek Watershed, Greater South River City Combined NPA
 Owner/Applicant: 508 E. Oltorf, LLC (Jimmy Nassour)
 Agent: Carlson Commercial Properties, LLC (Steve Portnoy)
 Request: Approve a limited restaurant use in GO-NP zoning, a conditional use
 Staff Rec.: **Postponement Request by Neighborhood to 9/9/2014**
 Staff: Lynda Courtney, 512-974-2810, lynda.courtney@austintexas.gov;
 Planning and Development Review Department

The motion to postpone to September 9, 2014 by request of the neighborhood was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

28. Street Vacation: F#9342-1403
 Request: Aerial Encroachment of a portion of 15th Street by a pedestrian bridge near the intersection of 15th Street and Red River Street.
Recommended
 Staff: Eric Hammack, 512-974-7079, Eric.Hammack@austintexas.gov;
 Office of Real Estate Services

The motion to postpone to September 9, 2014 by request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 29. Street Vacation: F#9268-1310**
Request: Vacation of an unconstructed alley between East 3rd and East 4th Streets and between East Avenue and Waller Creek.
Recommended
Staff: Eric Hammack, 512-974-7070, Eric.Hammack@austintexas.gov; Office of Real Estate Services

Public hearing closed.

The motion to approve staff's recommendation for a street vacation between East 3rd and East 4th Streets was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 30. Briefing, Discussion and Possible Action: Pease Park Master Plan**
Request: Briefing, discussion and possible action on a recommendation to City Council on the Pease Park Master Plan.
Staff: Kim McKnight, 512-974-9478, Kim.McKnight@austintexas.gov; Parks and Recreation Department

The motion to postpone to September 9, 2014 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

D. NEW BUSINESS

E. SUBCOMMITTEE REPORTS

F. ADJOURN

Vice-Chair Stephen Oliver adjourned the meeting without objection at 10:42 p.m.