



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
September 23, 2014**

**The Planning Commission convened in a regular meeting on September 23, 2014 @ 505 Barton Springs Road, Austin, Texas 78704**

**Chair Danette Chimenti called the Commission Meeting to order at 6:05 p.m.**

**Board Members in Attendance:**

**Danette Chimenti – Chair**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**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 September 9, 2014.

The motion to approve the minutes from September 9, 2014 was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

## C. PUBLIC HEARINGS

### 1. **Plan Amendment:** **NPA-2014-0020.01 - St. Elmo's Market and Lofts**

Location: 113 Industrial Blvd., 4323 S. Congress Ave., and 4300 Block of Willow Springs Road, East Bouldin Creek; Williamson Creek Watersheds, South Congress Combined (East Congress) NPA

Owner/Applicant: GFD Holdings, LLC (Brandon Bolin)

Agent: Alice Glasco Consulting (Alice Glasco)

Request: Industry to Mixed Use land use

Staff Rec.: **Not recommended**

Staff: Maureen Meredith, 512-974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to deny staff's recommendation and approve the request for mixed use land use with amendments was made by Commissioner James Nortey, Commissioner Stephen Oliver seconded the motion on a vote of 7-0-1; Commissioner Jean Stevens abstained, Commissioner Richard Hatfield was absent.

### 2. **Rezoning:** **C14-2014-0034 - St. Elmo's Market and Lofts**

Location: 4323 South Congress Avenue; 113 Industrial Boulevard; 4300 Block of Willow Springs Road, East Bouldin Creek; Williamson Creek Watersheds, South Congress Combined (East Congress) NPA

Owner/Applicant: GFD Holdings, LLC (Brandon Bolin)

Agent: Alice Glasco Consulting (Alice Glasco)

Request: CS-MU-NP; LI-NP; LI-CO-NP to LI-PDA-NP

Staff Rec.: **Not 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 deny staff's recommendation and approve LI-PDA-NP district zoning as requested by the applicant, with additional conditions as set forth in the letter from the South Congress Combined Neighborhood Contact Team and include condition of no affordable housing on-site; motion was made by Commissioner James Nortey, Commissioner Stephen Oliver seconded the motion on a vote of 7-0-1; Commissioner Jean Stevens abstained, Commissioner Richard Hatfield was absent.

**\*\* NOTE:** Additional direction to staff to look into restrictions requiring sound mitigation for apartments and the indoor music venue

- 3. Code** **C20-2014-013 - Alley Fences**  
**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 solid fencing eight feet in height along an alley that separates a residential use and a commercial or industrial use.  
  
Staff Rec.: **Recommended**  
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 approve staff's recommendation for an ordinance amendment for Alley Fences was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 4. Code** **C20-2014-001 - Micro Units**  
**Amendment:**  
Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department  
Request: Consider an ordinance amending Title 25 of the City Code 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](mailto:greg.dutton@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to deny staff's recommendation and approve the Codes & Ordinance's recommendation on amending City Code relating to Micro Units was approved by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 6-1-1; Commissioner Brian Roark voted against the motion (nay), Commissioner Stephen Oliver abstained, Commissioner Richard Hatfield 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](mailto:andy.linseisen@austintexas.gov); Planning and Development Review Department

The motion to postpone to October 28, 2014 by request of staff was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

6. **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  
Owner/Applicant: Telvending Corp (Greg Wilson)  
Agent: Land Strategies (Erin Welch)  
Request: LR-MU-CO to CS-1 (Footprint)  
Staff Rec.: **To Grant CS-1-CO, with conditions**  
Staff: Lee Heckman, 512-974-7607, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation with added conditions of limiting the hours of operation and that there be a private agreement addressing parking options was made by Commissioner Nuria Zaragoza, Commissioner Lesley Varghese seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

7. **Rezoning:** **C14-2014-0072 - Roberts Tract**  
Location: 710 Augusta Avenue, Lady Bird Lake Watershed, Old West Austin NPA  
Owner/Applicant: Chris Robert  
Agent: Land Answers (Jim Wittliff)  
Request: SF-3-NP to SF-4A-NP  
Staff Rec.: **Recommended**  
Staff: Lee Heckman, 512-974-7607, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation of SF-4A-NP zoning was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 8. Preliminary Plan: C8-2013-0118 - Lightsey 2**  
 Location: 1805 Lightsey Road, West Bouldin Creek Watershed, South Lamar NPA  
 Owner/Applicant: AJF Partners, Ltd.; Annie Foss  
 Agent: PSW Homes (Casey Giles)  
 Request: Approval of a preliminary plan of 16 lots and related right-of-way on 4.0 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 October 28, 2014 by request of the Planning Commission, was that Environmental Board can address whether waivers are proper and complies with the Heritage Tree Ordinance, was approved by Commissioner Nuria Zaragoza, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 9. Final Plat - C8-2014-0015.0A - Theodore Low Heights Portion of Block 24; Resubdivision: Resubdivision**  
 Location: 3113 Clawson Road, West Bouldin Creek Watershed, South Lamar NPA  
 Owner/Applicant: Kirsten Whitworth  
 Agent: Hector Avila  
 Request: Approval of the Theodore Low Heights Portion of Block 24; Resubdivision composed of 4 lots on 0.983 acres. The applicant also requests a variance from LDC Section 25-4-175(A)(2) to utilize a flag lot design.  
 Staff Rec.: **Recommended**  
 Staff: Don Perryman, 512-974-2786, [don.perryman@austin.texas.gov](mailto:don.perryman@austin.texas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of the Theodore Low Heights Portion of Block 24 Re-subdivision was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 10. Final Plat - Resubdivision: C8-2014-0175.0A - Lot A, The Louis Herrera Subdivision**  
 Location: 2810 Oak Springs Drive, Boggy Creek Watershed, Govalle NPA  
 Owner/Applicant: Cesar Fuentes  
 Agent: Perales Engineering (Jerome Perales)  
 Request: Approval of Lot A, The Louis Herrera Subdivision composed of 2 lots on 0.476 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 11. Final Plat - Resubdivision: C8-2014-0169.0A - 908 Nueces**  
 Location: 908 Nueces Street, Shoal Creek Watershed, Downtown NPA  
 Owner/Applicant: 908 Nueces Street (Sean O'Neil)  
 Agent: Perales Engineering, L.L.C. (Jerome Perales)  
 Request: Approval of the 908 Nueces composed of 2 lots on 0.2938 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 12. Final Plat - Amended Plat: C8-2014-0168.0A - Chernosky Subdivision No. 9 Block 1 Lots 3 & 4; Amended Plat**  
 Location: 1204 Perez Street, Tannehill Branch Watershed, MLK NPA  
 Owner/Applicant: Pat Orman & Anne Ashley  
 Agent: Pat Orman & Anne Ashley  
 Request: Approval of the Chernosky Subdivision No. 9 Block 1 Lots 3 & 4; Amended Plat composed of of 2 lots on 0.31 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 13. Final Plat - Resubdivision: C8-2014-0173.0A - Domain Block J Subdivision**  
 Location: 2901-1/2 Esperanza Crossing, Walnut Creek Watershed, North Burnet TOD  
 Owner/Applicant: RREEF Domain, LP Development Trust Acct. c/o Endeavor Real Estate Group (Chad Marsh)  
 Agent: Bury-Aus, Inc. (Allison Lehman)  
 Request: Approval of the Domain Block J Subdivision. The proposed plat is composed of 2 lots on 75.646 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department

- 14. Final Plat - Resubdivision: C8-2014-0178.0A - Ava's Subdivision**  
 Location: 4109 Valley View Road, West Bouldin Creek Watershed, South Lamar NPA  
 Owner/Applicant: 4023 Valley View Rd, Development LLC (Ben Menfi)  
 Agent: McDill Engineering (Tom McDill)  
 Request: Approval of Ava's Subdivision. The proposed plat is composed of 1 lot on 0.85 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 15. Final Plat - Resubdivision: C8-2014-0176.0A - Resubdivision of Lot 6 Block 6 of Broadacres**  
 Location: 5611 Jeff Davis Avenue, Shoal Creek Watershed, Brentwood NPA  
 Owner/Applicant: Michel Issa  
 Agent: Noble S&E Works (Ryan Irion)  
 Request: Approval of the Resubdivision of Lot 6 Block 6 of Broadacres composed of 2 lots on 0.333 acres  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 16. Final Plat - Resubdivision: C8-2014-0174.0A - 4515 South 3rd Street**  
 Location: 4515 South 3rd Street, Williamson Creek Watershed, South Manchaca NPA  
 Owner/Applicant: Sandra Eames  
 Agent: Austin Civil Engineering, Inc (Hunter Shadburne)  
 Request: Approval of 4515 South 3rd Street composed of 2 lots on 0.599 acres  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department
- 17. Final Plat - Amended Plat: C8-2014-0172.0A - Chandler and Carleton Subdivision**  
 Location: 1012 East 15th Street, Waller Creek Watershed, Central East Austin NPA  
 Owner/Applicant: Calavan Family Partnership LTD (Brooks Calavan)  
 Agent: Perales Engineering (Jerome Perales)  
 Request: Approval of the Chandler and Carleton Subdivision composed of 2 lots on 0.195 acres  
 Staff Rec.: **Disapproval**  
 Staff: Planning and Development Review Department

**18. Final Plat - C8-2014-0165.0A - Lot 1, Block A, Violet Crown; Resubdivision**  
**Resubdivision:**

Location: 900 Ruth Avenue, Shoal Creek Watershed, Crestview NPA  
Owner/Applicant: MX 3 Management (Victor Wang)  
Agent: Hector Avila  
Request: Approval of the Lot 1, Block A, Violet Crown; Resubdivision composed of 2 lots on 0.30 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

Items #10-18;

Public hearing closed.

The motion to disapprove Items #10-18 was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

**19. Site Plan - SP-2014-0167C - 5th**  
**Compatibility**

**Waiver only:**

Location: 2300 South 5th Street, West Bouldin Creek Watershed, Bouldin Creek NPA  
Owner/Applicant: Bart Koonse  
Agent: MSGC (Bart Koonse)  
Request: Compatibility waiver request to LDC 25-2-1067(G) to allow parking and driveway within 5.1 feet of a lot with a use permitted in an SF-5 or more restrictive zoning district is located.  
Staff Rec.: **Recommended**  
Staff: Brad Jackson, 974-3410, [brad.jackson@austintexas.gov](mailto:brad.jackson@austintexas.gov)  
Planning and Development Review Department

The motion to postpone to October 14, 2014 by request of the neighborhood was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.



- 20. Site Plan Extension: SP-2009-0145C(XT2) - Rago Enterprises**  
 Location: 3705 Bluestein Drive, Walnut Creek Watershed, MLK-183 NPA  
 Owner/Applicant: Rago Enterprises, LLC (Gary Randolph)  
 Agent: Thrower Design (Ron Thrower)  
 Request: Approve a request for a 3 year extension to the previously approved site plan.  
 Staff Rec.: **Recommended**  
 Staff: Rosemary Avila, 512-974-2784, [rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov)  
 Planning and Development Review Department

Public hearing closed.

The motion to approve a site plan extension for Rago Enterprises was approved on the consent agenda by Commissioner Nuria Zaragoza, Commissioner Alfonso Hernandez seconded the motion on a vote of 8-0; Commissioner Richard Hatfield was absent.

- 21. 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.  
 Staff: **Recommended**  
 Eric Hammack, 512-974-7079, [Eric.Hammack@austintexas.gov](mailto:Eric.Hammack@austintexas.gov)  
 Office of Real Estate Services

Public hearing closed.

The motion to approve staff’s recommendation for aerial encroachment of a portion of 15<sup>th</sup> Street by a pedestrian bridge near the intersection of 15<sup>th</sup> Street and Red River Street was approved by Commissioner Brian Roark, Commissioner Lesley Varghese seconded the motion on a vote of 7-1; Commissioner Stephen Oliver voted against the motion (nay), Commissioner Richard Hatfield was absent.

- 22. Code Revision: Code Approach Alternatives and Annotated Outlines**  
 Owner/Applicant: City of Austin  
 Agent: Opticos Design, Inc. (Daniel Parolek)  
 Request: Conduct a public hearing and consider a recommendation on the Code Approach Alternatives and Annotated Outlines report.  
 Staff Rec.: **Recommended**  
 Staff: George Zapalac, 512-974-2725, [george.zapalac@austintexas.gov](mailto:george.zapalac@austintexas.gov)  
 Planning and Development Review Department

Presentation given by David Parolek

Public hearing closed.

Motion made to approve Approach #2 (Option #2) was made by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 7-0-1; Commissioner Nuria Zaragoza abstained, Commissioner Richard Hatfield was absent.

**D. NEW BUSINESS**

**E. SUBCOMMITTEE REPORTS**

**F. ADJOURN**

**Chair Danette Chimenti adjourned the meeting without objection at 11:45 p.m.**