



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
March 24, 2015**

The Planning Commission convened in a regular meeting on March 24, 2015 @ 301 W.2nd Street, Austin, TX 78701

Chair Danette Chimenti called the Commission Meeting to order at 6:02 p.m.

Board Members in Attendance:

Danette Chimenti

Richard Hatfield

Alfonso Hernandez

James Nortey

Stephen Oliver

Brian Roark

Jean Stevens

Jeff Jack – Ex-Officio

Nuria Zaragoza

1 Vacancy

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

Steve Wood – Memo from Legal Department regarding the memo on connectivity and block length

Bryan King – Lightsey 2

B. APPROVAL OF MINUTES

1. Approval of minutes from March 10, 2015.

The motion to approve the minutes from March 10, 2015 was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

C. PUBLIC HEARINGS

- 1. Plan Amendment: NPA-2014-0015.01 - City School (6005 Wilcab Road); District 1**
Location: 6005 Wilcab Road, Fort Branch Watershed, East MLK Combined NPA
Owner/Applicant: Bill Gaston (City School - Buyer)
Agent: McLean & Howard, LLP (Jeffrey Howard)
Request: Industry to Commercial land use
Staff Rec.: **Not Recommended (Withdrawn by applicant on March 6, 2015)**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov;
Planning and Development Review Department

This item was withdrawn by the applicant, no action required by the Commission.

- 2. Plan Amendment: NPA-2014-0009.01 - Waller on Swede Hill; District 1**
Location: 908 E. 15th Street, 807 E. 16th Street, & 1506 Waller Street, Waller Creek Watershed, Central East Austin NPA
Owner/Applicant: WJP Swede Hill, LLC (Wes Peoples)
Agent: Kenneth T. Blaker
Request: Multifamily and Single Family to Mixed Use 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 Mixed Use land use was made by Commissioner James Nortey, Commissioner Nuria Zaragoza seconded the motion on a vote of 5-3; Commissioners Brian Roark, Alfonso Hernandez and Richard Hatfield voted against the motion (nay), 1 vacancy on the Commission.

- 3. Rezoning: C14-2015-0006 - Waller on Swede Hill; District 1**
Location: 908 E. 15th Street, 807 E. 16th Street, & 1506 Waller Street, Waller Creek Watershed, Central East Austin NPA
Owner/Applicant: WJP Swede Hill, LLC (Wes Peoples)
Agent: Kenneth T. Blaker
Request: SF-3-NP to GR-MU-CO-NP
Staff Rec.: **Pending**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve SF-3-H-NP ("H" zoning for the structure only) was made by Commissioner James Nortey, Commissioner Nuria Zaragoza seconded the motion on a vote of 5-3; Commissioners Brian Roark, Alfonso Hernandez and Richard Hatfield voted against the motion (nay), 1 vacancy on the Commission.

- 4. Plan Amendment: NPA-2014-0016.01 - 2nd & Broadway; District 3**
Location: 203 Broadway & 2901 E. 3rd Street, Colorado River Watershed, Govalle/Johnston Terrace Combined NPA
Owner/Applicant: McAdam's Enterprise, LLC
Agent: Husch Blackwell, LLP (Nikelle Meade)
Request: Single Family to Mixed Use land use
Staff Rec.: **Higher Density Single Family land use**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Higher Density Single-Family land use was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

- 5. Rezoning: C14-2014-0115 - 2nd & Broadway; District 3**
Location: 203 Broadway & 2901 East 3rd Street, Colorado River Watershed, Govalle/Johnston Terrace Combined NPA
Owner/Applicant: McAdam's Enterprise, LLC
Agent: Husch Blackwell, LLP (Nikelle Meade)
Request: SF-3-NP to GR-MU-NP
Staff Rec.: **Recommendation of SF-5-NP**
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 for SF-5-NP zoning was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

- 6. Code Amendment: C20-2015-001 - Adult-Oriented Businesses**
Request: Consider an amendment to Title 25 of the City Code related to location requirements and zoning regulations for adult-oriented businesses.
Recommended
Staff: Greg Dutton, 512-974-3509, greg.dutton@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a Code Amendment for Adult-Oriented Businesses was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

7. **Code Amendment: C20-2014-012 - Accessory Dwelling Units**
Request: Consider an amendment to Title 25 of the City Code related to accessory dwelling units.
Postponement request by staff to 4/14/15
Staff: Ming Chu, 512-974-6413, ming-ru.chu@austintexas.gov;
Planning and Development Review Department

The motion to postpone to April 28, 2015 by request of staff

8. **Code Amendment: C20-2014-027 - Residential Design and Compatibility Commission Dissolution**
Request: Consider an amendment to Title 25 of the City Code to dissolve the Residential Design and Compatibility Commission.
Recommended
Staff: Greg Dutton, 512-974-3509, greg.dutton@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Residential Design and Compatibility Commission Dissolution was approved by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

9. **Rezoning: C14-2015-0020 - Monarch Suzuki Academy; District 8**
Location: 6000 Mountain Shadows Drive, Williamson Creek Watershed-Barton Springs Zone, West Oak Hill NPA
Owner/Applicant: Monarch Suzuki Academy (Shana Guidi)
Agent: Permit Partners, LLC (David Cancialosi)
Request: LO-MU-NP to LR-MU-NP
Staff Rec.: **Recommended with conditions**
Staff: Tori Haase, 512-974-7601, tori.haase@austintexas.gov;
Planning and Development Review Department

The motion to postpone to April 14, 2015 by request of the applicant was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 Vacancy on the Commission.

10. Rezoning: **C14-2015-0021 - 4525 South Interstate Highway 35; District 2**
 Location: 4525 South IH 35 Service Road Northbound, Williamson Creek Watershed, Southeast Combined (Franklin Park) NPA
 Owner/Applicant: Duke M. Covert; 1982 Rox B. Covert Children Trusts; Kenneth Ryan Covert; Cory Brown Covert; Rox B. Covert; Kimberly Carol Covert 1982 Trust; Martha Carol Covert Crowley; Courtney C. Elliott; Frank M. Covert, III; JP Morgan Chase Bank N.A.; Frank M. Covert; Dan Carlson Covert Revocable Trust Dated December 31, 2007; Kathryn Conway Covert; Gary Elizabeth Covert Baggett; Chance Cottingham Covert
 Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele Rogerson Lynch)
 Request: GR-NP to CS-CO-NP
 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 CS-CO-NP district zoning with 3 additional prohibited uses of: Construction sales and services, drop-off recycling, collection facility and kennels; 1 conditional use of custom manufacturing; was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

11. Final out of a Preliminary: **C8-2013-0074.1A - Enclave at Covered Bridge; District 8**
 Location: 8437 West SH 71, Williamson Creek Watershed-Barton Springs Zone, Oak Hill NPA
 Owner/Applicant: Covered Bridge Investments, L.P. (Jennifer Stewart)
 Agent: Carlson, Brigance & Doering (Steve Cates)
 Request: Approve a final plat out of an approved preliminary plan consisting of 91 lots on 51.823 acres.
 Staff Rec.: **Recommended**
 Staff: Sylvia Limon, 512-974-2767, sylvia.limon@austintexas.com; Planning and Development Review Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of Enclave at Covered Bridge was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

- 12. Final Plat - Resubdivision:** **C8-2014-0165.0A - Resubdivision of Lot 1 Block A, Violet Crown Heights Section One; District 7**
 Location: 900 Ruth Ave, Shoal Creek Watershed, Brentwood NPA
 Owner/Applicant: MX3i (Sal Martinez)
 Agent: Hector Avila
 Request: Approval of the Resubdivision of Lot 1 Block A, Violet Crown Heights Section One composed of 2 lots on 0.300 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 Resubdivision of Lot 1 Block A, Violet Crown Heights Section One was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

- 13. Final Plat - Resubdivision:** **C8-2014-0041.0A - River View Addition Block 8 Lot 1 and part of Lot 2; Resubdivision; District 3**
 Location: 2601 Canterbury Street, Lady Bird Lake Watershed, Holly NPA
 Owner/Applicant: GHB3 Design, LLC (George Blume III)
 Agent: Thompson Land Engineering (Ric Thompson)
 Request: Approval of the River View Addition Block 8 Lot 1 and part of Lot 2; Resubdivision composed of 2 lots on 0.59 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 River View Addition was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

- 14. Final Plat - Resubdivision:** **C8-2015-0045.0A - RREEF Domain Lot E Subdivision; District 7**
 Location: 2900 Palm Way, Walnut Creek Watershed, North Burnet TOD
 Owner/Applicant: RREEF Domain, LP (Chad Marsh)
 Agent: Bury-Aus, Inc. (Allison Lehman)
 Request: Approval of the RREEF Domain Lot E Subdivision composed of 2 lots on 70.982 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 15. Final Plat - Resubdivision:** **C8-2015-0048.0A - Lakeshore Addition: Resubdivision of Lot 12 Blk D; District 10**
 Location: 3600 Meredith Street, Lake Austin Watershed, West Austin Neighborhood Group NPA
 Owner/Applicant: Mark Waugh (Daniel Campsey)
 Agent: Hector Avila
 Request: Approval of the Lakeshore Addition: Resubdivision of Lot 12 Blk D composed of 2 lots on 0.285 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 16. Final Plat - Resubdivision:** **C8-2015-0049.0A - Green Acres Lots 1 & 2 Blk 10 North 109; Resubdivision; District 7**
 Location: 2601 Pegram Avenue, Shoal Creek Watershed, Allandale NPA
 Owner/Applicant: Weekley Homes (Nick Quijano)
 Agent: Marc L. Dickey
 Request: Approval of the Green Acres Lots 1 & 2 Blk 10 North 109; Resubdivision composed of 2 lots on 0.4 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 17. Final Plat with Preliminary:** **C8-2014-0110.1A - Bouldin Court; District 9**
 Location: 900 South 2nd Street, East Bouldin Creek Watershed, Boudin Creek NPA
 Owner/Applicant: 1st. Street Highlands, LP (Ryan Diepenbrock)
 Agent: PSW HOMES LLC (Jarred Corbell)
 Request: Approval of the Bouldin Court composed of 17 lots on 5.1 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 18. Preliminary Plan:** **C8-2015-0042 - St. Andrew's School Miller Tract; District 8**
 Location: 5613 Patton Ranch Road, Barton Creek Watershed-Barton Springs Zone, East Oak Hill NPA
 Owner/Applicant: St. Andrew's Episcopal School (Jeff Howard)
 Agent: Bury Inc. (Stephanie Stanford)
 Request: Approval of the St. Andrew's School Miller Tract composed of 5 lots on 93.342 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Public hearing closed.

Items #14-18;

The motion to disapprove Items #14-18 was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Northey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

19. Site Plan - Conditional Use Permit: **SPC-2014-0415W - Uncle Billy's Brewery & Smokehouse; District 5**

Location: 1530 Barton Springs Rd, Lady Bird Lake Watershed, South Lamar Combined NPA
Owner/Applicant: UBBS, LLC (Rick Engel)
Agent: Consort, Inc. (Enrique Serna)
Request: Approve a conditional use permit for a restaurant with late hours alcohol sales.
Staff Rec.: **Recommended**
Staff: 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 with added conditions to include hours of operation and decibel levels in the conditional use permit was made by Commissioner Jean Stevens, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioner Brian Roark left early, 1 vacancy on the Commission.

20. Site Plan - Conditional Use Permit & Waiver: **SPC-2014-0265AT - Radio Coffee and Beer; District 5**

Location: 4204 Manchaca Road, West Bouldin Creek Watershed, South Lamar Combined NPA
Owner/Applicant: Telvending Corp (Greg Wilson)
Agent: Land Strategies, Inc (Paul Linehan)
Request: Approve a conditional use permit for a cocktail lounge, and a waiver for parking within 200' of residential uses.
Staff Rec.: **Not Recommended**
Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov;
Amanda Couch, 512-974-2881, amanda.couch@austintexas.gov;
Planning and Development Review Department

The motion to postpone to April 14, 2015 by request of the applicant was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 Vacancy on the Commission.

21. Site Plan - Waiver Only: SP-2014-0311C - 2312 Enfield Road; District 9

Location: 2312 Enfield Road, Johnson Creek Watershed, Old West Austin NPA
Owner/Applicant: BPCH LLC (Brooks Calavan)
Agent: Perales Engineering LLC (Jerome Perales P.E.)
Request: Request a waiver from the compatibility setback for a building [LDC Section 25-2-1062(C)].
Staff Rec.: **Recommended**
Staff: Nikki Hoelter, 512-974-2863, nikki.hoelter@austintexas.gov; Planning and Development Review Department

The motion to postpone to April 14, 2015 by request of staff was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 Vacancy on the Commission.

22. Site Plan - Waiver Only: SP-2014-0117C - San Marcos Hotel; District 3

Location: 924 E. 7th Street, Waller Creek Watershed, Plaza Saltillo TOD
Owner/Applicant: Bruner Interests LLC (Scott Bruner)
Agent: LOC Consultants Civil Division Inc. (Sergio Lozano P.E.)
Request: 1. A permanently placed refuse receptacle including a dumpster may not be located 20 feet or less from property from an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located. [LDC Sec. 25-2-1067(C)] 2. Unless a parking area or driveway is on a site that is less than 125 feet wide, a parking area or driveway may not be constructed 25 feet or less from a lot that is in an SF-5 or more restrictive zoning district is located. [LDC Sec. 25-2-1067(G)]
Staff Rec.: **Recommended**
Staff: Nikki Hoelter, 512-974-2863, nikki.hoelter@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for San Marcos Hotel Waiver Only was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Nortey seconded the motion on a vote of 8-0; 1 vacancy on the Commission.

- 23. Street Vacation: F#9243-1308; F#9244-1308; F#9245-1308; F#9246-1308**
Request: Vacation of a 6,722 square foot portion of East Avenue; a 5,052 square foot portion of East Avenue; a 3,347 square foot portion of East Avenue, and 4,617 square foot portion of East Avenue. Said portions of right-of-way collectively abutting 801 Lambie Street, 803 Lambie Street, 805 Lambie Street, and 48 East Avenue.
Recommended with conditions
Staff: Eric Hammack, 512-974-7079, Eric.Hammack@AustinTexas.gov; Office of Real Estate Services

Public hearing closed.

1st motion: Motion made to postpone indefinitely was made by Commissioner Nuria Zaragoza, Commissioner Jean Stevens seconded the motion on a vote of 7-0; Commissioner Brian Roark left early, 1 vacancy on the Commission.

2nd motion: Rescind and reconsider 1st motion (Nuria Zaragoza 1st, Alfonso Hernandez 2nd) (7-0)

3rd motion: Postpone to April 14, 2015 by request of Planning Commission was made by Commissioner Nuria Zaragoza, Commissioner Jean Stevens seconded the motion on a vote of 7-0; Commissioner Brian Roark left early, 1 vacancy on the Commission.

Public hearing remained closed.

D. NEW BUSINESS

Post item related to connectivity and block length (Not regarding Lightsey 2 case)

E. SUBCOMMITTEE REPORTS

Codes & Ordinances – Meet April 21, 2015
Comprehensive Plan – April 13, 2015
Neighborhood Plan – April 15, 2015
CIP – April 13, 2015
Code Next – Not yet determined
Working Groups

F. ADJOURN

Chair Danette Chimenti adjourned the meeting without objection at 10:12 PM