



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
April 28, 2015**

The Planning Commission convened in a regular meeting on April 28, 2015 @ 301 W.2nd Street, Austin, TX 78701

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

Board Members in Attendance:

Danette Chimenti

Richard Hatfield

Alfonso Hernandez

James Nortey

Stephen Oliver

James Shieh

Jean Stevens

Jeff Jack – Ex-Officio

Nuria Zaragoza

Howard Lazarus – 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

Darlene Berghammer

Tina Pamilia

Gavino Fernandez

B. APPROVAL OF MINUTES

1. Approval of minutes from April 14, 2015.

The motion to approve the minutes from April 14, 2015 was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

C. PUBLIC HEARINGS

1. Discussion and Possible Action:

Request: Discussion and possible action on Subdivisions and Connectivity

George Adams presented and addressed the Commission.

Commissioner James Nortey made the motion in favor of an interpretation of 25-4-151 that will allow the commission discretion to depart from street connectivity in subdivisions.

The motion also includes directing staff to provide a list of ordinances that conflicted with Planning Commission's new interpretation. They clarified that if there was disagreement with their new interpretation, staff should bring alternate language forward through the city's formal code amendment process.

Additionally, the Planning Commission will explore, in the future, whether it will need procedural changes to implement the revision. Commissioners and city staff will also start to work on a comprehensive connectivity plan for the city.

Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent

2. Code Amendment: C20-2014-012 - Accessory Dwelling Units

Request: Consider an amendment to Title 25 of the City Code related to accessory dwelling units.

Staff: Ming Chu, 512-974-6413, ming-ru.chu@austintexas.gov;
Planning and Zoning Department

Public hearing closed.

The motion to send back to the Codes & Ordinances Committee was made by Commissioner Jean Stevens, Commissioner Richard Hatfield seconded the motion on a vote of 5-3; Commissioners James Nortey, Alfonso Hernandez and Stephen Oliver voted against the motion, Commissioner Brian Roark was absent.

- 3. Rezoning: C14-2014-0198 - Huston Heights; District 1**
 Location: 1105, 1107, and 1109 North IH 35 Service Road, Northbound, Waller Creek Watershed, Central East Austin NPA
 Owner/Applicant: JH West 12th Street Partners, Ltd. (Haythem Dawlett)
 Agent: Drenner Group. P.C. (Stephen Rye)
 Request: Tract 1: from CS-NCCD-NP to CS-NCCD-NP, to change a condition of zoning; Tract 2: from CS-1-NCCD-NP to CS-1-NCCD-NP, to change a condition of zoning
 Staff Rec.: **Request for Indefinite Postponement by the Applicant**
 Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

The motion to postpone indefinitely was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 4. Rezoning: C14-2015-0038 - Domain Entertainment District; District 7**
 Location: 11624-11824 Burnet Road, Walnut Creek Watershed, North Burnet/Gateway TOD
 Owner/Applicant: Domain Retail Property Owner LP
 Agent: Jackson Walker, LLC (Katherine Loayza)
 Request: To amend the PDA overlay to allow for the sale of alcoholic beverages as an assessor use to a General Retail Sales (General) or a General Retail Sales (Convenience) use for on premise consumption.
 Staff Rec.: **Recommendation of MI-PDA zoning with conditions**
 Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve staff's recommendation of MI-PDA zoning with conditions was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 5. Rezoning: C14-2015-0015 - Sunset Trail Residences; District 5**
 Location: 4704, 4706, 4800 and 4802 Sunset Trail, Williamson Creek Watershed, South Austin Combined NPA (Westgate)
 Owner/Applicant: Sunset Ventures, LP (Michael Young)
 Agent: Alice Glasco Consulting (Alice Glasco)
 Request: SF-2-NP to MF-2-NP
 Staff Rec.: **Request for postponement by the Staff and the Applicant to May 12, 2015**
 Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov; Planning and Zoning Department

The motion to postpone to May 12, 2015 by request of the applicant and staff was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 6. Rezoning: C14-2015-0008 - 2130 Goodrich; District 5**
 Location: 2130 Goodrich Avenue, West Bouldin Creek Watershed, South Lamar Combined NPA (Zilker)
 Owner/Applicant: Holt Engineering, INC. (Jack Holt)
 Agent: Peter Sebesta
 Request: CS to CS-MU
 Staff Rec.: **Recommended**
 Staff: Tori Haase, 512-974-7691, tori.haase@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation of CS-MU with prohibited uses read into the record was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 7. Rezoning: C14-2015-0005 - 8060 Highway 290 West; District 8**
 Location: 8060 West U.S. 290 Highway, Williamson Creek Watershed-Barton Springs Zone, Oak Hill Combined (West Oak Hill)
 Owner/Applicant: George Wilhelm Rodenbusch; Cora Shuler Rodenbusch
 Request: LO-NP to LR-MU-NP
 Staff Rec.: **Recommendation of LR-MU-CO-NP**
 Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation of LR-MU-CO-NP district zoning was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 8. Final Plat - Resubdivision: C8-2015-0074.0A - Edgewood; Resubdivision of Lot 2, Block G (Withdraw and Resubmit of C8-2014-0057.0A); District 7**
 Location: 2801 Twin Oaks Drive, Shoal Creek Watershed, Allandale NPA
 Owner/Applicant: Laura May Burns Estate Operating Acct (Tom Burns)
 Agent: Laura May Burns Estate Operating Acct (Tom Burns)
 Request: Approval of the Edgewood; Resubdivision of Lot 2, Block G (Withdraw and Resubmit of C8-2014-0057.0A) composed of 2 lots on 1.025 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 9. Final Plat - Resubdivision: C8-2015-0072.0A - RREEF Domain Lot Q1 Subdivision; District 7**
 Location: Kramer Lane, Walnut Creek Watershed, North Burnet TOD
 Owner/Applicant: RREEF Domain LP (Ben Bufkin)
 Agent: Bury-Aus, Inc. (Lauren Beavers)
 Request: Approval of the RREEF Domain Lot Q1 Subdivision composed of 2 lots on 67.193 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 10. Final Plat - Amended Plat: C8-2015-0075.0A - Peppertree Park Section 2; District 2**
 Location: 5104 Spruce Cove, Williamson Creek Watershed, Southeast Combined NPA (Franklin Park)
 Owner/Applicant: Walter Lopez
 Agent: Michael Potter
 Request: Approval of the Peppertree Park Section 2 composed of 2 lots on 0.812 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 11. Final Plat - Resubdivision: C8-2015-0068.0A - Met Center II, Resubdivision of Lot 2B, Block D Section 1; District 2**
 Location: 7701 Metropolis Drive, Onion Creek Watershed, Southeast Combined NPA (Southeast)
 Owner/Applicant: Met Center II NYCTEX Phase II, Ltd. Operating Account (Howard Yancy)
 Agent: Thrower Design (Ron Thrower)
 Request: Approval of the Met Center II, Resubdivision of Lot 2B, Block D Section 1 composed of 5 lots on 36.277 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Items #8-11;

Public hearing closed.

The motion to disapprove Items #8-11 was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 12. Site Plan - Extension:** **SPC-2009-0199D(XT2) - Holly Street Power Plant Decommissioning and Demolition Project; District 3**
 Location: 2401 Holly Street, Lady Bird Lake Watershed, Holly NPA
 Owner/Applicant: City of Austin - Austin Energy (Eric Stager)
 Agent: Axiom Engineers Inc. (Nicole Findeisen P.E.)
 Request: The applicant is requesting a 2 year extension to an approved site plan.
 Staff Rec.: **Recommended**
 Staff: Nikki Hoelter, 512-974-2863, nikki.hoelter@austintexas.gov;
 Development Services Department

The motion to postpone to June 9, 2015 by request of the neighborhood was approved by Commissioner Alfonso Hernandez, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 13. 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.: **Recommended with conditions**
 Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov;
 Amanda Couch, 512-974-2881, amanda.couch@austintexas.gov;
 Development Services Department

Public hearing closed.

The motion to approve the conditional use permit with the included conditions made by Planning Commission:

- Accessible path/connection for those walking to Radio Coffee and Beer;
- Parking available at all hours;
- Continuous sidewalk;
- Maintenance including trash pick-up between the hours of 7AM-8PM
- Include the conditions of zoning in the CUP

Motion made by Commissioner Nuria Zaragoza, Commissioner James Shieh seconded the motion on a vote of 7-1; Commissioner Jean Stevens voted against the motion (nay), Commissioner Brian Roark was absent.

- 14. Site Plan - Conditional Use Permit:** **SPC-2014-0387C - East Side Hotel; District 3**
- Location: 1207 East Cesar Chavez Street, Lady Bird Lake & Waller Creek Watersheds, East Cesar Chavez NPA
- Owner/Applicant: Robert and Daniel Vasquez
- Agent: Big Red Dog Engineering (Kaitlin Redmon)
- Request: Approve a conditional use permit for a hotel use.
- Staff Rec.: **Pulled, no action required**
- Staff: Rosemary Avila, 512-974-2784, rosemary.avila@austintexas.gov; Development Services Department

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

- 15. Briefing and Possible Action:** **Long-Range Capital Improvement Program (CIP) Strategic Plan**
- Request: Briefing on the Long-Range Capital Improvement Program (CIP) Strategic Plan and possible action on the Planning Commission CIP recommendation letter.
- Staff: Mike Trimble, 512-974-3442, michael.trimble@austintexas.gov; Annick Beaudet, 512-974-7959, annick.beaudet@austintexas.gov; Capital Planning Office

Briefing given by Annick Beaudet;
 The motion to recommend and forward to Council was made by Commissioner Alfonso Hernandez, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioner Stephen Oliver was off the dais, Commissioner Brian Roark was absent.

D. NEW BUSINESS

- 1. New Business:** **Code Amendment - Initiate a Code Amendment - Subchapter F: Carport and Garage Exemptions**
- Request: Initiate an amendment to Title 25 of the City Code to change regulations related to Subchapter F gross floor area exemptions for garages and carports.
- Staff: **Recommended**
 Greg Dutton, 512-974-3509, greg.dutton@austintexas.gov; Planning and Zoning Department

Public hearing closed.
 The motion to initiate an amendment to Title 25 Subchapter F was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 2. New Business: Code Amendment - Initiate a Code Amendment - Subchapter F: East Riverside Corridor and Transit Oriented Districts**
Request: Consider an amendment to Title 25 of the City Code to clarify that Subchapter F does not apply to property zoned ERC or TOD.
Recommended
Staff: Greg Dutton, 512-974-3509, greg.dutton@austintexas.gov;
Planning and Zoning Department

Public hearing closed.

The motion to initiate a code amendment – Subchapter F was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 3. New Business: Code Amendment - Initiate a Code Amendment - Eliza Springs SOS Site-Specific Amendment**
Request: Consider a site-specific amendment to City Code Chapter 25-8, Article 13 (Save Our Springs Initiative) for the Eliza Springs outlet daylighting project located generally within Zilker Park.
Recommended
Staff: Chris Herrington, 512-974-2840, chris.herrington@austintexas.gov;
Watershed Protection Department

Public hearing closed.

The motion to initiate a code amendment – Eliza Springs SOS Site-Specific Amendment was approved on the consent agenda by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

- 4. New Business:**
Request: Discussion and possible action on a resolution regarding Planning Commission's responsibilities and areas of influence regarding Interrelationship of CIP to zoning, subdivision, and CUP cases; current and future small area plans; transportation planning and other staff or council directed planning issues.

The motion to postpone to May 12, 2015 by request of the Planning Commission was approved by Commissioner Jean Stevens, Commissioner James Shieh seconded the motion on a vote of 8-0; Commissioner Brian Roark was absent.

E. SUBCOMMITTEE REPORTS

- F. ADJOURN**
Chair Danette Chimenti adjourned the meeting without objection at 11:25 PM.