



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
May 12, 2015**

The Planning Commission convened in a regular meeting on May 12, 2015 @ 301 W.2nd Street, Austin, TX 78701

Secretary Jean Stevens called the Commission Meeting to order at 6:03 p.m.

Board Members in Attendance:

Richard Hatfield

Alfonso Hernandez

James Nortey

Brian Roark

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

Gwen O’Barr – East Side Hotel CUP

B. APPROVAL OF MINUTES

1. Approval of minutes from April 28, 2015.

The motion to postpone to May 26, 2015 by request of the Planning Commission was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

C. PUBLIC HEARINGS

- 1. Plan Amendment: NPA-2014-0016.03 - Morotito's Plan; District 3**
 - Location: 2901 East 5th Street, Colorado River Watershed, Govalle/Johnston Terrace Combined NPA
 - Owner/Applicant: Michael A. Valdez
 - Agent: Lourdes Godoy
 - Request: Single Family to Mixed Use land use
 - Staff Rec.: **Recommended**
 - Staff: Maureen Meredith, (512) 974-2695, Maureen.meredith@austintexas.gov; Planning and Zoning Department

1st Motion:
The motion to deny staff’s recommendation for Mixed Use Land Use was made by Commissioner Brian Roark, Commissioner Nuria Zaragoza seconded the motion on a vote of 2-5; MOTION FAILED.

2nd Motion:
Motion made to approve staff’s recommendation for Mixed Use Land Use was approved by Commissioner James Nortey, Commissioner Richard Hatfield seconded the motion on a vote of 5-2; Commissioners Nuria Zaragoza and Brian Roark voted against the motion (nay), Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 2. Rezoning: C14-2014-0194 - Morotito's Plan; District 3**
 - Location: 2901 East 5th Street, Colorado River Watershed, Govalle/Johnston Terrace Combined NPA
 - Owner/Applicant: Michael A. Valdez
 - Agent: Lourdes Godoy
 - Request: SF-3-NP to GR-MU-NP
 - Staff Rec.: **Recommendation of LO-MU-NP**
 - Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

1st Motion:
The motion to deny staff’s recommendation for LO-MU-NP zoning was made by Commissioner Brian Roark, Commissioner Nuria Zaragoza seconded the motion on a vote of 2-5; MOTION FAILED.

2nd Motion:
Motion made to approve staff’s recommendation for LO-MU-NP zoning was approved by Commissioner James Nortey, Commissioner Richard Hatfield seconded the motion on a vote of 5-2; Commissioners Nuria Zaragoza and Brian Roark voted against the motion (nay), Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 3. Plan Amendment: NPA-2015-0019.01 - 919 West 29th; District 9**
Location: 919 West 29th Street, Shoal Creek Watershed, Central Austin Combined NPA
Owner/Applicant: Clay C. Duckworth
Agent: Land Use Solutions (Michele Haussmann)
Request: Single Family to Mixed Use/Office land use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 512-974-2695, Maureen.meredith@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve staff's recommendation of Mixed Use Land Use was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 4. Rezoning: C14-2015-0024 - Duckworth Property Holdings, LLC; District 9**
Location: 919 West 29th Street, Shoal Creek Watershed, Central Austin Combined NPA
Owner/Applicant: Duckworth Property Holdings, LLC (Clay C. Duckworth)
Agent: Land Use Solutions (Michele Haussmann)
Request: SF-3-CO-NP to GO-MU-CO-NP
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 for GO-MU-CO-NP district zoning with short term rentals as a prohibited use was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 5. Rezoning: C14-2015-0044 – James; District 9**
Location: 1411 West 6th Street, Lady Bird Lake Watershed, Old West Austin NPA
Owner/Applicant: Jay. W. Barnes, III
Agent: Hunter Ellis
Request: LO-NP to LR-MU-CO-NP, as amended
Staff Rec.: **Recommendation of LR-MU-CO-NP**
Staff: Tori Haase, 512-974-7691, tori.haase@austintexas.gov; Planning and Zoning Department

The motion to postpone to May 26, 2015 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 6. Restrictive Covenant Termination:** **C14-86-103(RCT) - Greater Mt. Zion Baptist Church; District 1**
 Location: 1801 Pennsylvania Avenue, Lady Bird Lake Watershed, Central East Austin NPA
 Owner/Applicant: Greater Mt. Zion Baptist Church (David Mims Jr.)
 Agent: Henry H. Gilmore
 Request: To terminate a Restrictive Covenant.
 Staff Rec.: **Recommended**
 Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

The motion to postpone to June 9, 2015 by request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 7. Rezoning:** **C14-2015-0039 - 4100 Banister; District 5**
 Location: 4006 & 4100 Banister Lane, West Bouldin Creek Watershed, South Lamar Combined (South Lamar) NPA
 Owner/Applicant: Gossett Jones Homes Inc. (Matt Jones)
 Agent: Gossett Jones Homes Inc. (Peter Pevoto)
 Request: SF-3 to MF-3
 Staff Rec.: **Recommendation of MF-3-CO**
 Staff: Tori Haase, 512-974-7691, tori.haase@austintexas.gov; Planning and Zoning Department

The motion to postpone to May 26, 2015 by request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 8. Rezoning:** **C14-2015-0015 - Sunset Trail Residences; District 5**
 Location: 4704, 4706, 4800 and 4802 Sunset Trail, Williamson Creek Watershed, South Austin Combined (Westgate) NPA
 Owner/Applicant: Sunset Ventures, LP (Michael Young)
 Agent: Alice Glasco Consulting (Alice Glasco)
 Request: SF-2-NP to MF-2-NP
 Staff Rec.: **Recommendation of SF-6-CO-NP**
 Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve MF-2-CO-NP district zoning including 300 trips per day was approved by Commissioner Alfonso Hernandez, Commissioner James Shieh seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 9. Rezoning: C14-2015-0019 - 5306 Samuel Huston; District 1**
Location: 5306 Samuel Huston Avenue, Fort Branch Watershed, East MLK Combined NPA
Owner/Applicant: Polis Properties, LLC (Chris Peterson)
Agent: Civiltude, LLC (Candace Craig)
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

The motion to postpone to May 26, 2015 by request of the Planning Commission was approved by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 6-0; Commissioner Brian Roark was off the dais, Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 10. Rezoning: C14-2014-0172 - Cottages of Lantana; District 8**
Location: 5610 and 5804 Wier Hills Road, Williamson Creek Watershed-Barton Springs Zone, Oak Hill Combined (West Oak Hill) NPA
Owner/Applicant: EuroAmerican Holdings, Ltd. (Jean Pelissero); Janet Wier Rourke; Linda Kay Wier
Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (Mary Stratmann)
Request: LO-NP to SF-6-NP
Staff Rec.: **Recommended, with conditions**
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 SF-6-CO-NP with condition for 300 trips per day, and right-of-way dedication on Weir Hills Road was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 11. Restrictive Covenant Amendment:** **C14-85-288.36(RCA) - Cottages of Lantana; District 8**
- Location: 5804 Wier Hills Road, Williamson Creek Watershed-Barton Springs Zone, Oak Hill Combined (West Oak Hill) NPA
- Owner/Applicant: EuroAmerican Holdings, Ltd. (Jean Pelissero)
- Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (Mary Stratmann)
- Request: To amend a portion of the Restrictive Covenant
- Staff Rec.: **Recommended, with conditions**
- Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve an amendment to the restrictive covenant to remove the FAR limit and add the conditions in the memo from the Environmental Officer, was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

- 12. Final Plat - Resubdivision:** **C8-2015-0031.1A - EM Franklin; District 1**
- Location: 2001 EM Franklin Avenue, Tannehill Branch Watershed, MLK NPA
- Owner/Applicant: EM Franklin LP (Ryan Diepenbrock)
- Agent: PSW Real Estates (Casey Giles)
- Request: Approval of the EM Franklin composed of 17 lots on 4.64 acres.
- Staff Rec.: **Disapproval**
- Staff: Development Services Department
- 13. Final Plat:** **C8-2015-0082.0A - Walton Place; District 3**
- Location: 1123 Walton Lane, Boggy Creek Watershed, Johnston Terrace NPA
- Owner/Applicant: Lakeside Engineers (Chritopher Ruiz)
- Agent: Lakeside Engineers (Chrisotpher Ruiz)
- Request: Approval of Walton Place composed of 4 lots on 0.800 acres.
- Staff Rec.: **Disapproval**
- Staff: Development Services Department
- 14. Final Plat - Previously Unplatted:** **C8-2015-0084.0A - Pecan Grove; District 3**
- Location: 1147 Shady Lane, Boggy Creek Watershed, Johnston Terrace NPA
- Owner/Applicant: Polis Properties, LLC (Chris Peterson)
- Agent: Civilitude, LLC (Candace Craig)
- Request: Approval of Pecan Grove composed of 2 lots on 0.356 acres.
- Staff Rec.: **Disapproval**
- Staff: Development Services Department

- 15. Final Plat - Resubdivision: C8-2015-0078.0A - Glenwood Addition Subdivision; District 1**
 Location: 1301 Cedar Avenue, Boggy Creek Watershed, Chestnut NPA
 Owner/Applicant: Guardian Custom Builders (Jeff Grier)
 Agent: Genesis 1 Engineering (George Gonzalez)
 Request: Approval of the Glenwood Addition Subdivision composed of 4 lots on 0.28 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 16. Final Plat - Resubdivision: C8-2015-0086.0A - Allandale Oaks; Resubdivision of Lot 1 Block F; District 7**
 Location: 6101 Cary Drive, Shoal Creek Watershed, Allandale NPA
 Owner/Applicant: Highflex Development LLC (Darrell S. David)
 Agent: Bleyl Interests, Inc. (Kenny Watkins)
 Request: Approval of the Allandale Oaks; Resubdivision of Lot 1 Block F composed of 2 lots on 0.366 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 17. Final Plat: C8-2015-0080.0A - Walnut Acres; District 1**
 Location: 6121 FM 969 Road, Boggy Creek Watershed, MLK-183 NPA
 Owner/Applicant: Arami Masoud/Majid Kamalipour (Arami Mohammad)
 Agent: Jacobs Engineering (Joel Bock)
 Request: Approval of Walnut Acres composed of 1 lot on 6.1 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 18. Final Plat - Resubdivision: C8-2015-0079.0A - Shadowridge Crossing Section 9-B Resubdivision of Lot 2, Block B; District 8**
 Location: 6520 Rotan Drive, Williamson Creek Watershed-Barton Springs Zone, West Oak Hill NPA
 Owner/Applicant: Clark & Julianna Ross
 Agent: KBGE (Armando Pottillo)
 Request: Approval of the Shadowridge Crossing Section 9-B Resubdivision of Lot 2, Block B composed of 2 lots on 5.674 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

19. Final Plat - Amended Plat: **C8-2015-0085.0A - Met Center II Section 3; Amended Plat of the Resubdivision of Lot 4, Block D; District 2**
Location: 7101 Metropolis Drive, Onion Creek Watershed, Southeast NPA
Owner/Applicant: Thrower Design (Ron Thrower)
Agent: Met Center NCTEX Phase II (Howard Yancy, Genral Partners)
Request: Approval of the Met Center II Section 3; Amended Plat of the Resubdivision of Lot 4, Block D composed of 5 lots on 50.212 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

20. Final Plat: **C8-2013-0081.2A.SH - Colorado Crossing IV, Section Six-A; District 2**
Location: Autumn Bay, Onion Creek Watershed, Southeast NPA
Owner/Applicant: Lennar Buffington Colo Cross (Ryan Mattox)
Agent: Lakeside Engineers (Christopher M. Ruiz P.E.)
Request: Approval of Colorado Crossing IV, Section Six-A composed of 70 lots on 14.986 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

Items #12-20;

Public hearing closed.

The motion to disapprove Items #12-20 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

21. Site Plan Conditional Use Permit: **SPC-2015-0075AT - Springdale Farms; District 3**
Location: 739 1/2 Mansell Avenue, Boggy Creek Watershed, Govalle/ Johnston Terrace NPA
Owner/Applicant: Paula Foore, Springdale Farm
Agent: Metcalfe, Wolfe, Stuart & Williams, LLC (Michele Lynch)
Request: Approve a CUP for Outdoor Entertainment, with offsite parking
Staff Rec.: **Recommended**
Staff: Lynda Courtney, 512-974-2810, lynda.courtney@austintexas.gov; Development Services Department

The motion to postpone to June 9, 2015 by request of the neighborhood was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

22. 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 Sec. 25-2-1062(C)]
Staff Rec.: **Recommended**
Staff: Nikki Hoelter, 512-974-2863, nikki.hoelter@austintexas.gov;
Development Services Department

The motion to postpone to May 26, 2015 by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

23. Briefing, Discussion and possible action:

Request: Presentation of Austin Water (AW) Capital Improvement Projects (CIP) located in the Drinking Water Protection Zone (DWPZ) to boards and commissions for review and recommendation for approval to include in AWs 5-year capital spending plan as required by Austin Water.
Staff: Kristi Fenton, 512-972-0178, Kristi.Fenton@AustinTexas.gov;
Austin Water Utility

Item taken up 1st on the agenda;

Presentation made by Kristi Fenton

The motion to approve and forward to other Boards and Council was made by Commissioner Alfonso Hernandez, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

D. NEW BUSINESS

1. 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 26, 2015 by request of the Planning Commissioner was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

2. Discussion and Possible Action:

Request: Discussion and possible action on a letter to new Planning Commission.

The motion to postpone to May 26, 2015 by request of the Planning Commissioner was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner James Nortey seconded the motion on a vote of 7-0; Chair Danette Chimenti and Commissioner Stephen Oliver were absent.

E. SUBCOMMITTEE REPORTS

Codes and Ordinances – Meeting Tuesday May 19, 2015

Neighborhood Plan – Met May 11, 2015

Comp Plan – Meeting May 20, 2015

CIP – No report

Code Next - Commissioner Nortey briefed PC on CodeNext issues

Downtown – No report

F. ADJOURN

Secretary Jean Stevens adjourned the meeting without objection at 9:05PM.