



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
May 26, 2015**

The Planning Commission convened in a regular meeting on May 26, 2015 @ 301 W.2<sup>nd</sup> Street, Austin, TX 78701

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

**Board Members in Attendance:**

**Danette Chimenti**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**James Shieh**

**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**

No Speakers.

**B. APPROVAL OF MINUTES**

1. Approval of minutes from April 28, 2015.

The motion to approve the minutes from April 28, 2015 was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Richard Hatfield, Alfonso Hernandez and Jean Stevens were absent, Commissioner James Shieh had not yet arrived.

2. Approval of minutes from May 12, 2015.

The motion to approve the minutes from May 12, 2015 was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Richard Hatfield, Alfonso Hernandez and Jean Stevens were absent, Commissioner James Shieh had not yet arrived.

**C. PUBLIC HEARINGS**

**1. Briefing:**

Request: Briefing on the functions of the newly created Development Services Department and Planning and Zoning Department.  
Staff: Greg Guernsey, 512-974-2387; [Greg.Guernsey@AustinTexas.gov](mailto:Greg.Guernsey@AustinTexas.gov); Planning and Zoning Department  
Rodney Gonzales, 512-974-2313; [Rodney.Gonzales@AustinTexas.gov](mailto:Rodney.Gonzales@AustinTexas.gov); Development Services Department

Briefing given to commission by Greg Guernsey and Rodney Gonzales

**2. Briefing:**

Request: Briefing on Fiscal Year 2015-2016 Financial Forecast for Planning and Zoning Department and Development Services Department  
Staff: Greg Guernsey, 512-974-2387, [Greg.Guernsey@AustinTexas.gov](mailto:Greg.Guernsey@AustinTexas.gov); Planning and Zoning Department  
Rodney Gonzales, 512-974-2313, [Rodney.Gonzales@AustinTexas.gov](mailto:Rodney.Gonzales@AustinTexas.gov); Development Services Department

Briefing given to commission by Greg Guernsey and Rodney Gonzales

**3. Code Amendment C20-2014-012 - Accessory Dwelling Units (Public hearing closed):**

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](mailto:ming-ru.chu@austintexas.gov); Planning and Zoning Department

Public hearing was already closed from previous meeting;  
The motion to approve amendment to Title 25 of the City Code related to Accessory Dwelling Units and apply citywide was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Richard Hatfield, Alfonso Hernandez and Jean Stevens were absent, Commissioner James Shieh had not yet arrived.

- 4. Plan Amendment: NPA-2015-0002.01 - Rebekah Baines Johnson (RBJ) Center; District 3**  
 Location: 21 Waller Street, Lady Bird Lake Watershed, East Cesar Chavez NPA  
 Owner/Applicant: Austin Geriatric Center, Inc. (Clarke Hendrick)  
 Agent: City of Austin, Planning & Zoning Department (Maureen Meredith)  
 Request: Multifamily to Mixed Use land use  
 Staff Rec.: **Recommended**  
 Staff: Maureen Meredith, 512-974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov);  
 Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation for Mixed Use Land Use was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Richard Hatfield, Alfonso Hernandez and Jean Stevens were absent, Commissioner James Shieh had not yet arrived.

- 5. Rezoning: C14-2015-0055 - Rebekah Baines Johnson (RBJ) Center; District 3**  
 Location: 21 Waller Street, Lady Bird Lake Watershed, East Cesar Chavez NPA  
 Owner/Applicant: Austin Geriatric Center, Inc. (Clarke Hendrick)  
 Agent: Capital Property Management (Dave Stauch)  
 Request: CS-MU-CO-NP to CS-MU-V-CO-NP  
 Staff Rec.: **Recommended**  
 Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov);  
 Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation of CS-MU-V-CO-NP district zoning with conditions read into the record by staff of: Local Utility Services is not prohibited, TIA required at time of site plan, 2000 vehicle trips per day is NOT required, was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Richard Hatfield, Alfonso Hernandez and Jean Stevens were absent, Commissioner James Shieh had not yet arrived.

- 6. 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 GR-MU-CO-NP  
 Staff Rec.: **Recommendation of LR-MU-CO-NP**  
 Staff: Tori Haase, 512-974-7691, [tori.haase@austintexas.gov](mailto:tori.haase@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 Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Richard Hatfield, Alfonso Hernandez and Jean Stevens were absent, Commissioner James Shieh had not yet arrived.

- 7. Zoning: C814-2014-0083 - Sunfield PUD; District 2**  
 Location: 1901 Turnersville Road; Southwest corner of Turnersville Road and South Turnersville Road, Rinard Creek, Plum Creek, Onion Creek Watersheds, Sunfield MUD #2  
 Owner/Applicant: A & M Option 541, LLC and 2428 Partners, LLC (Richard Mildner)  
 Agent: Coats Rose (Pamela Madere)  
 Request: I-RR to PUD  
 Staff Rec.: **Recommended, with conditions**  
 Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov); Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation of PUD district zoning with the conditions of the Environmental Board and restrictive covenant for the conditions of the traffic impact analysis, with a wording change to exhibit K, Item #9, as follows: “Lots offered for affordable ownership shall be platted and developed in at least 3 areas of the PUD, in sections of at least 25 lots...” was approved on the consent agenda by Commissioner Steven Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Jean Stevens, Richard Hatfield and Alfonso Hernandez were absent, Commissioner James Shieh had not yet arrived.

- 8. 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](mailto:tori.haase@austintexas.gov); Planning and Zoning Department

Public hearing closed.

The motion to approve MF-2 district zoning with conditions read into the record by staff of:

- 50-foot setback on southern property line for all habitable structures;
- Within the 50-foot setback from the southern property line the impervious cover shall not exceed 45% impervious cover;
- 10-foot vegetative buffer on the southern property line, shall be maintained;
- Minimum parking requirement of .5 spaces above the minimum code requirement;
- Existing peak flow shall be reduced by 10.01 % for proposed development or redevelopment that would exceed 45% impervious cover as calculated on gross site area;
- 300 vehicle trips per day limit

The motion was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Jean Stevens, Richard Hatfield and Alfonso Hernandez were absent, Commissioner James Shieh had not yet arrived.

- 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.: **Recommendation of SF-6-CO-NP**  
 Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto: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 Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioner James Shieh was off the dais, Commissioners Richard Hatfield and Alfonso Hernandez were absent.

- 10. Restrictive Covenant Amendment: C14-73-144(RCA) - HDJS Partners South First; District 2**  
 Location: 6311 South 1st Street, Williamson Creek Watershed, South Congress Combined (Sweetbriar) NPA  
 Owner/Applicant: HDJS Partners LP (Haythem Dawlett)  
 Agent: Jim Bennett Consulting (Jim Bennett)  
 Request: To terminate a 1973 public restrictive covenant as it applies to this property.  
 Staff Rec.: **Recommended**  
 Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov); Planning and Zoning Department

Public hearing closed.

The motion to approve staff's recommendation of a termination of a restrictive covenant as it applies to this property was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Jean Stevens, Richard Hatfield, Alfonso Hernandez were absent, Commissioner James Shieh had not yet arrived.

**11. Rezoning:** **C14H-2014-0014 - Bluebonnet Hills Historic District; District 9**  
 Location: Roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west, Blunn Creek Watershed, South River City NPA  
 Owner/Applicant: Michele Webre - Bluebonnet Hills Historic District Committee  
 Request: SF-3-NP and SF-3-H-NP to SF-3-HD-NP and SF-3-H-HD-NP  
 Staff Rec.: **Recommended**  
 Staff: Steve Sadowsky, 512-974-6454, [steve.sadowsky@austintexas.gov](mailto:steve.sadowsky@austintexas.gov); Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation of SF-3-HD-NP and SF-3-H-HD-NP district zoning with the following added conditions and recommendations:

- One day before this item goes to City Council, that Planning Commission gets an updated calculation on the petition;
- Codes & Ordinances Committee initiate a code amendment revising the process for an application for Local Historic District;
- Urge the neighbors on both sides, favor and against, to work towards a resolution before this goes to City Council;
- Recommend that an Advisory Committee be created for Local Historic District residents, so they can have somewhere to get advise;

The motion was approved by Commissioner James Nortey, Commissioner Nuria Zaragoza seconded the motion on a vote of 5-1; Commissioner Brian Roark voted against the motion, Commissioners Alfonso Hernandez, Richard Hatfield and Jean Stevens were absent.

**12. Final Plat - Resubdivision:** **C8-2015-0101.0A - Flatiron District**  
 Location: 11400 Burnet Road, Walnut Creek Watershed, North Burnet TOD  
 Owner/Applicant: SL Domain LP  
 Agent: Big Red Dog Engineering (Aaron Bourgeois)  
 Request: Approval of the Flatiron District composed of 4 lots on 33.139 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department

**13. Final Plat - Amended Plat:** **C8-2015-0099.0A - Austin Mall Amending Plat; Resubdivision of Lot 2**  
 Location: 5901 Airport Blvd., Tannehill Branch Watershed, Highland NPA  
 Owner/Applicant: Austin Community College District (Richard M. Rhodes)  
 Agent: Bury Inc. (Craig Chonko)  
 Request: Approval of the Austin Mall Amending Plat; Resubdivision of Lot 2 composed of 4 lots on 18.383 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department

- 14. Final Plat: C8-2015-0090.0A - McGuire's Subdivision No. 1; Resubdivision of Lots 6 & 7 and a Portion of Lot 5 Block 4**
- Location: Shoal Creek Watershed, Rosedale NPA  
 Owner/Applicant: Robert & Olga Levin  
 Agent: Hector Avila  
 Request: Approval of the McGuire's Subdivision No. 1; Resubdivision of Lots 6 & 7 and a portion of Lot 5 Block 4 composed of 1 lot on 0.373 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department

Items #12-14;

The motion to disapprove Items # 12-14 was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Jean Stevens, Richard Hatfield, Alfonso Hernandez were absent, Commissioner James Shieh had not yet arrived.

- 15. Site Plan SPC-2014-0387C - East Side Hotel; District 3**  
**Conditional Use Permit:**
- Location: 1207 E 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.  
 Staff Rec.: **Recommended**  
 Staff: Rosemary Avila, 512-974-2785, [rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov); Development Services Department

The motion to postpone to June 9, 2015 by request of the applicant was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioner James Shieh was off the dais, Commissioners Richard Hatfield and Alfonso Hernandez were absent.

**16. Site Plan Conditional Use Permit: SPC-2014-0528A - Twin Liquors Conditional Use Permit; District 3**

Location: 1717 S Pleasant Valley Rd Unit 260, Country Club West Watershed, Pleasant Valley NPA  
Owner/Applicant: Parke Green Investments, LLC (Meyer Marcos)  
Agent: Thrower Design (Ron Thrower)  
Request: Approve a conditional use permit for liquor store expansion.  
Staff Rec.: **Recommended**  
Staff: Rosemary Avila, 512-974-2784, [rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve staff's recommendation for a conditional use permit was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Jean Stevens, Richard Hatfield, Alfonso Hernandez were absent, Commissioner James Shieh had not yet arrived.

**17. Site Plan Extension: SP-2009-0376C.SH(XT2) - Guadalupe-Saldana Netzero Subdivision; District 1**

Location: 2721 Goodwin Avenue, Boggy Creek Watershed, Govalle NPA  
Owner/Applicant: Guadalupe Neighborhood Development Corp. (Mark Rogers)  
Agent: Jones & Carter, Inc. (Jim Schissler)  
Request: Approve a ten-year extension to an approved site plan  
Staff Rec.: **Recommended**  
Staff: Lynda Courtney, 512-974-2810, [lynda.courtney@austintexas.gov](mailto:lynda.courtney@austintexas.gov); Development Services Department

The motion to postpone to June 9, 2015 by request of the Planning Commission, so that a resolution with City Code Enforcement be worked on, motion was made by Commissioner James Nortey, Commissioner Stephen Oliver seconded the motion on a vote of 6-0; Commissioners Danette Chimenti, Richard Hatfield and Jean Stevens were absent.

**18. Site Plan Conditional Use Permit: SPC-2014-0303C - Banger's Sausage House & Beer Garden; District 9**

Location: 81 & 79 Rainey Street, Lady Bird Lake Watershed, Downtown NPA  
Owner/Applicant: Palacios Lilli T (Ben Siegel)  
Agent: Perales Engineering, LLC (Jerry Perales, P.E.)  
Request: Approve a Conditional Use Permit for a Cocktail Lounge.  
Staff Rec.: **Recommended**  
Staff: Donna Galati, 512-974-2733, [donna.galati@austintexas.gov](mailto:donna.galati@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve staff's recommendation for approval of a conditional use permit for a cocktail lounge was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioners Jean Stevens, Richard Hatfield, Alfonso Hernandez were absent, Commissioner James Shieh had not yet arrived.



**19. 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.: **Pulled, no action required**  
Staff: Nikki Hoelter, 512-974-2863, [nikki.hoelter@austintexas.gov](mailto:nikki.hoelter@austintexas.gov);  
Development Services Department

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

**20. Street Vacation: F#9479-1502**

Request: Vacation of an unconstructed portion of Brushy Street, between East 4th Street and East 5th Street.  
**Recommended with Conditions**  
Staff: Eric Hammack, 512-974-7079, [Eric.Hammack@AustinTexas.gov](mailto:Eric.Hammack@AustinTexas.gov);  
Office of Real Estate Services

The motion to postpone to June 9, 2015 by request of the applicant was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioner James Shieh was off the dais, Commissioners Richard Hatfield and Alfonso Hernandez were absent.

**D. NEW BUSINESS**

**1. New Business: Code Amendment - Initiate a Code Amendment - East Riverside Corridor Drive-Through**

Request: Initiate an amendment to Title 25 of the City Code to amend the East Riverside Corridor Regulating Plan to add an address to the list of existing drive-throughs.  
**Recommended**  
Staff: Greg Dutton, 512-974-3509, [greg.dutton@austintexas.gov](mailto:greg.dutton@austintexas.gov);  
Planning and Zoning Department

Motion was made to initiate an amendment to Title 25 to amend the East Riverside Corridor Regulating Plan was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioner James Shieh was off the dais, Commissioners Richard Hatfield and Alfonso Hernandez were absent.

**2. 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 June 9, 2015 by request of the Planning Commission was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioner James Shieh was off the dais, Commissioners Richard Hatfield and Alfonso Hernandez were absent.

**3. New Business:**

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

The motion to postpone to June 9, 2015 by request of the Planning Commission was approved on the consent agenda by Commissioner Stephen Oliver, Commissioner James Nortey seconded the motion on a vote of 5-0; Commissioner James Shieh was off the dais, Commissioners Richard Hatfield and Alfonso Hernandez were absent.

**E. SUBCOMMITTEE REPORTS**

**F. ADJOURN**

**Chair Danette Chimenti adjourned the meeting without objection at 10:00PM.**