



**ZONING & PLATTING COMMISSION
MINUTES**

**REGULAR MEETING
November 6, 2012**

The Zoning & Platting Commission convened in a regular meeting on November 6, 2012 @ 301 W. 2nd Street, Austin, Texas 78701

Chair Betty Baker called the Board Meeting to order at 6:04 p.m.

Board Members in Attendance:

**Betty Baker – Chair
Cynthia Banks
Sean Compton
Rahm McDaniel
Jason Meeker
Patricia Seeger**

EXECUTIVE SESSION (No public discussion)

The Zoning & Platting 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

Jeff Trucksess – Delays in the permitting process.

B. APPROVAL OF MINUTES

1. Approval of minutes from September 18, 2012.

The motion to approve the minutes from September 18, 2012, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 4-0-2; Commissioner Rahm McDaniel and Commissioner Seeger abstained from the approval of minutes; Commissioner Gabriel Rojas was absent.

2. Approval of minutes from October 2, 2012.

The motion to approve the minutes from October 2, 2012, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 4-0-2; Commissioner Rahm McDaniel and Cynthia Banks abstained from the approval of minutes, Commissioner Gabriel Rojas was absent.

3. Approval of minutes from October 16, 2012.

The motion to approve the minutes from October 16, 2012, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

C. PUBLIC HEARINGS

1. Appeal - Stop Work Order: Lake Austin boat dock for single family lot

Location: 4518 Rivercrest Drive, Lake Austin Watershed
Owner/Applicant: Lica Pinkston
Agent: Appellant - Graves Dougherty Hearon & Moody (Peter J. Cesaro)
Request: Discussion and Action on a Stop Work Order on 4518 Rivercrest Drive.
Staff Rec.: **WITHDRAWN BY THE APPELLANT; NO ACTION REQUIRED.**
Staff: Russell Lewis, 974-2183, russell.lewis@austintexas.gov;
Greg Guernsey, 974-2387, greg.guernsey@austintexas.gov;
Planning and Development Review Department

This item was withdrawn by the appellant, no action was required.

2. Appeal of Site Plan Denial: SP-2011-0177DS - Boat Dock for 5 Humboldt Lane

Location: 5 Humboldt Lane, Lake Austin Watershed
Owner/Applicant: Maureen Alexander
Agent: Braun & Gresham (David Braun)
Request: The applicant wishes to appeal the denial of a site plan to construct a residential boat dock.
Staff Rec.: **Not recommended**
Staff: Michael Simmons-Smith, 974-1225, michael.simmons-smith@austintexas.gov;
Planning and Development Review Department

The motion to postpone to November 20, 2012 by the request of the applicant, was approved by Commissioner Sean Compton's motion, Commissioner Patricia Seeger seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

- 3. Zoning: C14-2012-0099 - Myers Zoning Change**
 Location: 6810 McNeil Drive, Rattan Creek Watershed
 Owner/Applicant: Connie and Cheryl Myers
 Agent: Crocker Consultants (Sarah Crocker)
 Request: I-SF-2 to GR
 Staff Rec.: **Recommendation of LR-CO**
 Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov;
 Planning and Development Review Department

The motion to approve GR-CO district zoning with the following conditions:

- 2000 vehicle trip limit;
- Prohibit hours of operation between 12 a.m – 6:00 a.m.;
- Prohibit the following uses: Local Utility Services, Private secondary education facility, private/primary education facility, residential treatment, safety services, local utility services, hospital services (general and limited), guidance services, counseling services, community recreation (private & public), communication service facility, college/university, custom manufacturing, theatre, service stations, plant nursery, outdoor sports & recreation, outdoor entertainment, off-site accessory parking, indoor sports & recreation, indoor entertainment, funeral services, hotel/motel, drop-off recycling facility, exterminating services, food sales, auto repair services, auto sales, auto washing of any type, bail bond services, commercial off-street parking.

Commissioner Patricia Seeger made the motion, Commissioner Jason Meeker seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

- 4. Rezoning: C14-2012-0119 - The Oaks Phase III**
 Location: 14233 The Lakes Boulevard, Harris Branch Watershed
 Owner/Applicant: Techridge Spectrum B.C., LP
 Agent: Smith, Robertson, Elliott, Glen, Klein & Douglas, L.L.P. (David Hartman)
 Request: CS-MU-CO to MF-2
 Staff Rec.: **Recommended**
 Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov;
 Planning and Development Review Department

The motion to approve staff’s recommendation for MF-2 district zoning, was approved on the consent agenda by Commissioner Patricia Seeger’s motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

- 5. Rezoning: C14-2012-0060 - 8401 South 1st Street**
 Location: 8401 South 1st Street, South Boggy Creek Watershed
 Owner/Applicant: PV First Street Investors LLC (Joe Simmons)
 Agent: Aquila Commercial (Jim Gallegos)
 Request: DR; SF-2 to GR-MU
 Staff Rec.: **Recommendation of LR-MU-CO for Tract 1 and SF-6-CO for Tract 2**
 Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov;
 Planning and Development Review Department

The motion to postpone to December 4, 2012 by the request of an adjacent property owner, was approved by Commissioner Jason Meekers' motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

- 6. Zoning: C14-2012-0108 - Ross Road Center**
 Location: 5501 1/2 Ross Road, Dry Creek East Watershed
 Owner/Applicant: Equinox Power Systems. Inc. (Daniel Wang)
 Agent: Land Answers, Inc. (Jim Wittliff)
 Request: I-SF-2 to GR-MU-CO for Tract 1; LR-MU-CO for Tract 2
 Staff Rec.: **Recommendation of LR-MU-CO for Tracts 1 and 2**
 Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov;
 Planning and Development Review Department

The motion to continue to November 20, 2012 and public hearing remains open, with the applicant to provide a list of proposed prohibited uses in the staff support material, was approved by Commissioner Jason Meeker's motion, Commissioner Patricia Seeger seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

- 7. Site Plan: SPC-2012-0154C - The Oaks at Techridge Phase II**
 Location: 14200 The Lakes Boulevard, Harris Branch Watershed
 Owner/Applicant: Bury + Partners Inc. (Steven J. Bertke, P.E.)
 Agent: Oaks at Techridge Ph. 2 Partners LP (Pat Patterson)
 Request: Request approval of the site plan; a provision in the Northtown MUD agreement requires Land Use Commission for any use other than single family residential or duplex residential, therefore Zoning and Platting Commission is required for the approval of this site plan. The applicant is proposing to construct a multi-family development with associated improvements.
 Staff Rec.: **Recommended**
 Staff: Nikki Hoelter, 974-2863, nikki.hoelter@austintexas.gov;
 Planning and Development Review Department

The motion to approve staff's recommendation for approval of a site plan, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

8. Site Plan - Environmental Variance Only: SPC-2012-0226D - Bulldog Storage

Location: 4221 FM 620 North, Lake Austin Watershed
Owner/Applicant: VIP Storage (Todd Dailey)
Agent: Mercury Permits (Denise Reid)
Request: Approval of an Environmental Variance request to Section 25-8-342 to allow fill up to 12 feet, to construct a storage building with associated improvements
Staff Rec.: **Recommended**
Staff: Brad Jackson, 974-3410, brad.jackson@austintexas.gov; Planning and Development Review Department

The motion to approve staff’s recommendation for approval of an Environmental Variance only, was approved by Commissioner Patricia Seeger’s motion, Commissioner Cynthia Banks seconded the motion on a vote of 5-1; Commissioner Jason Meeker voted against the motion (nay); Commissioner Gabriel Rojas was absent.

9. Total Plat Vacation: C8-2008-0076.0A(VAC) - Turtle Creek Commercial Subdivision, A Resubdivision of Lot 1, Fairview Baptist Subdivision Section Two

Location: 5606 S. 1st Street, Williamson Creek Watershed
Owner/Applicant: Creekside Homes, LP (Ryan Diepenbrock)
Agent: Perales Engineering, LLC (Jerry Perales)
Request: Approve the total plat vacation of Turtle Creek Commercial Subdivision, A Resubdivision of Lot 1, Fairview Baptist Subdivision Section Two.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 974-2767, sylvia.limon@austintexas.gov; Planning and Development Review Department

The motion to approve staff’s recommendation for approval of a total plat vacation, was approved on the consent agenda by Commissioner Patricia Seeger’s motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

10. Replat with Variance: C8-2012-0094.0A - Creekside Homes
 Location: 5606 S. 1st Street, Williamson Creek Watershed
 Owner/Applicant: Creekside Homes, LP (Ryan Diepenbrock)
 Agent: Perales Engineering, LLC (Jerry Perales)
 Request: Approve variance to 25-4-151 (LDC) to not extend replat subdivision to existing Leisure Run Road and Cynthia Drive. Then to approve the replat of Creekside Homes, a subdivision of 2 lots on 8.073 acres.
 Staff Rec.: **Recommended**
 Staff: Sylvia Limon, 974-2767, sylvia.limon@austintexas.gov; Planning and Development Review Department

The motion to continue to November 20, 2012 by the request of the Zoning & Platting Commission, with the public hearing closed and posting for action only, was approved by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

11. Final Plat: C8-98-0115.08.1A - Pioneer Crossing West Section 9B
 Location: E. Braker Lane, Walnut Creek Watershed
 Owner/Applicant: Pioneer Austin Development Ltd. (Ralph Reed)
 Agent: Longaro & Clarke, LP. (Walter Hoysa)
 Request: Approval of Pioneer Crossing West Section 9B composed of 56 lots on 11.441 acres
 Staff Rec.: **Recommended**
 Staff: Cesar Zavala, 974-3404, cesar.zavala@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for approval of the Pioneer Crossing West Section 9B, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

12. Final Plat: C8-98-0115.09.1A - Pioneer Crossing West Section 10
 Location: E. Braker Lane, Walnut Creek Watershed
 Owner/Applicant: Pioneer Austin Development Ltd. (Ralph Reed)
 Agent: Longaro & Clarke, LP. (Walter Hoysa)
 Request: Approval of Pioneer Crossing West Section 10 composed of 43 lots on 11.226 acres
 Staff Rec.: **Recommended**
 Staff: Cesar Zavala, 974-3404, cesar.zavala@austintexas.gov; Planning and Development Review Department

The motion to approve staff's recommendation for approval of the Pioneer Crossing West Section 10, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

- 13. Final with Preliminary: C8-2012-0091.2A - Reserve at Southpark Meadows II Phase 2C**
 Location: South 1st Street, Slaughter Creek Watershed
 Owner/Applicant: Len-Buf Acquisitions of Texas LP (Chris L. Fields)
 Agent: Cunningham-Allen, Inc. (Ruben Lopez)
 Request: Approval of the Reserve at Southpark Meadows II Phase 2C composed of 32 lots on 6.04 acres.
 Staff Rec.: **Recommended**
 Staff: Don Perryman, 974-2786, don.perryman@austintexas.gov; Planning and Development Review Department

The motion to approve staff’s recommendation for approval of the Reserve at Southpark Meadows II Phase 2C, was approved on the consent agenda by Commissioner Patricia Seeger’s motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

- 14. Final Plat: C8J-2012-0149.0A - Pecan Settlement**
 Location: 9515 Hergotz Lane, Colorado River Watershed
 Owner/Applicant: Brent Johnson
 Agent: Hector L. Avila
 Request: Approval of the Pecan Settlement composed of 4 lots on 19.78 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 15. Final Plat: C8J-2012-0151.0A - GEOBAS Subdivision**
 Location: FM 969 Road, Decker Creek Watershed
 Owner/Applicant: GEOBAS, Inc. (George Faddoul)
 Agent: PSCE, Inc. (Diane Bernal)
 Request: Approval of the GEOBAS Subdivision composed of 1 lot on 1.273 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 16. Final Plat: C8-2010-0051.4A - Springs of Walnut Creek; The Phase IV**
 Location: 12009-1/2 North IH-35 Service Road Northbound, Walnut Creek Watershed
 Owner/Applicant: Yager Development, L.L.C. (Richard Kunz)
 Agent: Pape-Dawson Engineers (Shelly Mitchell)
 Request: Approval of the Springs of Walnut Creek; The Phase IV on 46 lots on 9.17 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 17. Final Plat w/Preliminary: C8-2009-0118.10A.SH - Bradshaw Crossing Section Seven**
 Location: Zacahry Scott Street, Onion Creek/Rinard Creek Watersheds
 Owner/Applicant: Lennar Buffington Zack Scott (Ryan Mattox)
 Agent: Lakeside Engineers (Christopher M. Ruiz, P.E.)
 Request: Approval of Bradshaw Crossing Section Seven composed of 76 lots on 14.015 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 18. Final Plat w/Preliminary: C8J-2008-0056.MGA - Pearson Place at Avery Ranch**
 Location: 13115 Avery Ranch Blvd., South Brushy Creek Watershed
 Owner/Applicant: Pearson Place at Avery Ranch (Gary L. Newman)
 Agent: McLean & Howard, LLP (Jeffrey S. Howard)
 Request: Approval of the Pearson Place at Avery Ranch composed of 195.563 lots.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 19. Final Plat/ Resubdivision: C8J-2012-0155.0A - Bluebell Ridge Resubdivision of Lot 10**
 Location: 7701 Coulver Road, Marble Creek Watershed
 Owner/Applicant: Lloyd Earl Hunt
 Agent: Texas Design Interest (Jeff Shindler)
 Request: Approval of the Bluebell Ridge Resubdivision of Lot 10 composed of 4 lots on 9.59 acres.
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

Items #14-19;
 The motion to disapprove Items #14-19 was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Cynthia Banks seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

D. NEW BUSINESS

1. New Business

Request: Discussion and action on approving the Zoning & Platting Commission's 2013 meeting schedule.

The motion to postpone to November 20, 2012 by the request of staff, was approved by Commissioner Sean Compton's motion, Commissioner Patricia Seeger seconded the motion on a vote of 6-0; Commissioner Gabriel Rojas was absent.

E. ADJOURN

Chair Betty Baker adjourned the meeting without objection at 7:40 p.m.