



**ZONING & PLATTING COMMISSION
MINUTES**

**REGULAR MEETING
April 16, 2013**

The Zoning & Platting Commission convened in a regular meeting on April 16, 2013 @ 301 W. 2nd Street, Austin, Texas 78701

Chair Betty Baker called the Board Meeting to order at 6:15 p.m.

Board Members in Attendance:

Betty Baker - Chair
Cynthia Banks
Sean Compton
Rahm McDaniel
Jason Meeker
Gabriel Rojas
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

No speakers.

B. APPROVAL OF MINUTES

1. Approval of minutes from March 19, 2013.

The motion to approve the minutes for March 19, 2013, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 6-0-1; Commissioner Patricia Seeger abstained.

2. Approval of minutes from April 2, 2013.

The motion to approve the minutes from April 2, 2013, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 4-0-3; Commissioners Jason Meeker, Cynthia Banks and Chair Betty Baker abstained.

C. PUBLIC HEARINGS

- 1. Rezoning: C14-2012-0162 - Riddle Road Retail Center**
Location: 2301 Riddle Road, Slaughter Creek Watershed
Owner/Applicant: Manchaca Volunteer Fire Department, Inc. (Warren Hassinger)
Agent: Land Answers, Inc. (Jim Wittliff)
Request: SF-2 to LO
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for LO district zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

- 2. Zoning: C14-2013-0024 - Onion Creek Greenway**
Location: 4439-B East SH 71, Onion Creek Watershed
Owner/Applicant: City of Austin
Agent: Parks and Recreation Department (Gregory Montes)
Request: I-RR to P
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for P zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

- 3. Rezoning: C14-2013-0011 - Restaurant**
Location: 11800 Arabian Trail, Walnut Creek Watershed
Owner/Applicant: Xue Yun Tang
Agent: Shaw Hamilton Consultants (Shaw Hamilton)
Request: SF-2 to GR
Staff Rec.: **Not Recommended**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov;
Planning and Development Review Department

The motion to postpone to May 21, 2013 by the request of the neighborhood, was approved by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 7-0.

- 4. Zoning: C14-2013-0026 - Springdale Business Center**
Location: 8301 Springdale Road, Walnut Creek Watershed
Owner/Applicant: Springdale Business Center, Ltd. (EJ Bomer)
Agent: Land Answers, Inc. (Jim Wittliff)
Request: I-RR to LI
Staff Rec.: **Recommendation of LI-CO**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for LI-CO district zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

- 5. Rezoning: C14-2013-0030 - Roddick Tennis and Learning Center**
Location: 8509 FM 969 Road, Walnut Creek Watershed
Owner/Applicant: MF Austin Ridge, LLC (Manny Farahani)
Agent: Thonhoff Consulting Engineers, Inc. (Robert Thonholff, Jr., P.E.)
Request: SF-3, GO-CO to GR
Staff Rec.: **Recommendation of GR-CO**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for GR-CO district zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

- 6. Rezoning: C14-2013-0036 - Paloma Ridge**
Location: 13620-13700 North FM 620 Road, Lake Creek Watershed
Owner/Applicant: Koontz McCombs, Remington, Ltd. (Troves Gilbert, Jr.)
Agent: Bury & Partners, Inc. (Melissa Neslund)
Request: MF-3, GO-MU-CO to GR-MU
Staff Rec.: **Recommendation of GR-MU-CO**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for GR-MU-CO district zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

- 7. Zoning: C14-2013-0038 - Dilley 2.5**
Location: 10811 D-K Ranch Road, Bull Creek Watershed
Owner/Applicant: Dilley Investment, LLC (Nash Mahensania)
Agent: Jim Bennett Consulting (Jim Bennett)
Request: I-SF-2 to SF-2
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for SF-2 district zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

8. **Zoning:** **C814-2012-0085 - Estancia Hill Country Planned Unit Development**
Location: 12814 Interstate Highway 35 South, FM 1327 (Puryear Road) at South 1H 35 Southbound Service Road, Onion Creek Watershed
Owner/Applicant: Sevensgreen One LTD; Quartersage II LTD; Reverde Three LTD; IV Capitol Pointe LTD; Stone Pointe Five LTD; Saladia VI LTD; Paol Grande Seven, LTD; High Point Green VIII LTD; Golondrina Nine LTD; X Cordoniz LTD; Ciero Eleven LTD; Zaguan XII LTD; Thirteen Canard LTD; Ruissea XIV LTD; Dindon Fifteen LTD; Bois de Chene XVI LTD; Etourneau Seventeen LTD; Moineau XVIII LTD; SLF III – Onion Creek LP (The Stratford Company) (Ocie Vest)
Agent: Metcalfe Wolff Stuart & Williams LLP (Michele Rogerson Lynch)
Request: Unzoned to PUD
Staff Rec.: **Recommended with conditions**
Staff: Wendy Rhoades, 974-7719, wendy.rhoades@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for PUD district zoning with conditions of the Environmental Board motion 20130403-6b as shown in Attachment A, and as shown in the Land Use Plan, as provided in Exhibit B, and supporting Exhibits C, D, H, H-1 and also including the headwaters buffer and construction on slopes exhibits that are part of Attachment A. The Environmental Board condition includes the statement "provide at least 25% of the water for landscape irrigation of right-of-way infrastructure project-wide from non-potable water sources (rainwater, condensate water, or catchment of storm water). The restrictive covenant includes all recommendations listed in the Traffic Impact Analysis memorandum dated April 9, 2013, as provided in Attachment B. The motion to approve was made by Commissioner Sean Compton; Commissioner Gabriel Rojas seconded the motion on a vote of 7-0.

9. Site Plan - SP-2012-0175D - Steiner Ranch MU-11

Variances only:

Location: 4200 Steiner Ranch Blvd., Bear Creek West Watershed
Owner/Applicant: TWC/Steiner Ranch (Michael Slack)
Agent: Hanrahan-Pritchard Eng. (Stephen Jamison)
Request: The applicant has requested variances from LDC 25-8-341 to allow cut up to a maximum of 16 feet and LDC 25-8-342 to allow fill up to a maximum of 14 feet for construction of 55 townhomes.

Staff Rec.: **Not Recommended**
Staff: Nikki Hoelter, (512) 974-2863, nikki.hoelter@austintexas.gov;
Brad Jackson, 974-3410, brad.jackson@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve variances from LDC 24-8-341 to allow cut up to a maximum of 12 feet; and LDC 25-8-342 to allow fill up to a maximum of 12-feet for construction of 55 townhomes, was approved by Commissioner Cynthia Banks' motion, Commissioner Sean Compton seconded the motion on a vote of 4-3; Commissioners Jason Meeker, Gabriel Rojas and Rahm McDaniel voted against the motion (nay).

10. Site Plan - Appeal: SP-2012-0276C - Waters at Willow Run

Location: 15433 FM 1325 Road, Walnut Creek, Rattan Creek Watersheds
Owner/Applicant: Waters at Willow Run LP (Michael N. Nguyen)
Agent: Vickrey & Associates, Inc. (Steven G. Frost)
Request: Appeal of an administratively approved 180-day extension to application update deadline.

Staff Rec.: **Not Recommended**
Staff: Donna Galati, 974-2733, donna.galati@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to deny the request for a site plan appeal, was approved by Commissioner Gabriel Rojas' motion, Commissioner Patricia Seeger seconded the motion on a vote of 7-0.

11. Site Plan - Extension: SP-2008-0251C (XT2) - Southpark Meadows II Luby's

Location: 415 West Slaughter Lane, Slaughter Creek Watershed
Owner/Applicant: Luby's Fuddruckers Restaurants, LLC (Michael Rokas)
Agent: Cunningham-Allen, Inc (Ruben Lopez Jr, PE)
Request: Extension of a previously-approved site plan to construct a Luby's/Fuddruckers.
Staff Rec.: **Recommended**
Staff: Christine Barton-Holmes, 974-2788, christine.barton-holmes@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a site plan extension, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

12. Site Plan - Variances only: SP-2012-0350C - Dessau Retail Center

Location: 11800 Dessau Rd., Walnut Creek Watershed
Owner/Applicant: MITA Enterprises (Rahim Marediya)
Agent: Moncada Consulting (Phil Moncada)
Request: Approval of EV Variances: 1. To Section 25-8-281 (C) (1) (a) to allow for the reduction of the buffer zone established around each critical environmental feature from the code required 150 feet to the following: CEF #1 (Canyon Rimrock/Seep) to 100 feet, CEF #3 (Canyon Rimrock) to 85 feet, and CEF #4 (Seep) to 11 feet.
2. To Section 25-8-302(A) (2) to allow the construction of a parking area on a slope with a gradient of more than 15%.
3. To Section 25-8-302(B) (1) to allow impervious cover on slopes with a gradient of more than 15 percent to exceed 10 percent of the total area of the 15% slopes.
4. To Section 25-8-342 to allow fill greater than 4 feet, not to exceed 8 feet.
Staff Rec.: **Recommended with conditions**
Staff: Lynda Courtney, (512) 974-2810, lynda.courtney@austintexas.gov;
Jim Dymkowski, (974) 2707, jim.dymkowski@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of the Environmental Variances to Section 25-8-281(C)(1), Section 25-8-302(A)(2), Section 25-8-302(B)(1) and Section 25-8-342 with the conditions of staff included (see below), was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

Staff conditions:

- Tree Mitigation required 98.5 caliper inches, providing 164.5 caliper inches.
- Pedestrian amenity Common Space required 5,654sf. providing 6,905 sf.
- Landscape street yard greenspace area required 7,405sf. (20%), providing 16,399sf. (44%)
- Innovative Water Management Undisturbed Area required 3,952sf, providing 94,213sf. (This is area on-site that will remain natural and not require additional potable water irrigation.)

**13. Final Plat C8-2012-0154.0A - Red Bird Subdivision
Resubdivision:**

Location: 710 Cardinal Lane, West Bouldin Creek Watershed
Owner/Applicant: Moore Tate Projects & Design (Dawn Moore)
Agent: McClendon & Associates Development Consulting LLC (Carl McClendon)
Request: Approval of the Red Bird Subdivision composed of 4 lots on 0.9496 acres.
Staff Rec.: **Recommended**
Staff: Don Perryman, 974-2786, don.perryman@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of the Red Bird Subdivision, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

14. Final Plat: C8J-2013-0054.0A - Howard Subdivision

Location: 3119 East Howard Lane, Harris Branch Watershed
Owner/Applicant: Peter Pham
Agent: Stansberry Engineering (Blayne Stansberry)
Request: Approval of the Howard Subdivision composed of 3 lots on 10 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

15. Final Plat: C8-2013-0053.0A - Northwest Skyline

Location: 3511 Starline Drive, Shoal Creek Watershed
Owner/Applicant: Y&P Design & Build, LLC
Agent: Stansberry Engineering (Blayne Stansberry)
Request: Approval of Northwest Skyline composed of 3 lots on 0.9 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

- 16. Final Plat w/Replat: C8-2013-0056.0A - Nexus Subdivision**
Location: 2440 Wickersham Lane, Country Club East Watershed
Owner/Applicant: Joycevus Inc. (Mark Knutson)
Agent: Vaughn & Associates, Inc. (Rick Vaughn)
Request: Approval of the Nexus Subdivision composed of 1 lot on 2.037 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 17. Final Plat w/Replat: C8-2013-0048.0A - Las Casas Verdes**
Location: 3118 Sacbe Cove, South Boggy Creek Watershed
Owner/Applicant: Martin-Ayers Development (David Martin)
Agent: LOC Consultants, LLP (Sergio Lozano)
Request: Approval of Las Casas Verdes composed of 18 lots on 2.744 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 18. Final Plat Resubdivision: C8-2013-0058.0A - Fort Dessau**
Location: 13826 Dessau Road, Harris Branch Watershed
Owner/Applicant: John Fish
Agent: DR Horton (Kevin Pape)
Request: Approval of Fort Dessau composed of 173 lots on 111 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 19. Final Plat Resubdivision: C8-2013-0051.0A - Raymond H. Stewart Lot B**
Location: 2013 Bluebonnet Lane, West Bouldin Creek Watershed
Owner/Applicant: Denis G. Breining
Agent: Hector Avila
Request: Approval of Raymond H. Stewart Lot B composed of 2 lots on 0.78 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 20. Final Plat Resubdivision: C8-2013-0047.0A - Park at Aspen Lake Block A Lot 1**
Location: 13805 North US 183 Highway, Lake Creek Watershed
Owner/Applicant: 13809 Research Blvd, LLC (Michael E. Nicholls)
Agent: Bury + Partners, Inc. (Jonathan E. McKee, P.E.)
Request: Approval of Park at Aspen Lake Block A Lot 1 composed of 2 lots on 7.428 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

- 21. Final Plat-Resubdivision: C8J-2013-0060.0A - Barton Valley Subdivision Lot 2; Resubdivision**
 Location: 802 Crystal Creek Drive, Barton Creek Watershed – Barton Springs Zone
 Owner/Applicant: Andrew & Carmel Wakefield
 Agent: Aupperle Company (Bruce Aupperle)
 Request: Approval of the Barton Valley Subdivision Lot 2; Resubdivision composed of 2 lots on 5.2774 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 22. Final Plat-Resubdivision: C8-2013-0059.0A - Balcones Oaks Section II**
 Location: 7305 Kapok Lane, Bull Creek Watershed
 Owner/Applicant: Roy Whitaker
 Agent: ATS Engineers (Andrew Evans)
 Request: Approval of Balcones Oaks Section II composed of 2 lots on 0.5556 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 23. Final Plat-Amended Plat: C8J-2013-0055.0A - McAngus Road Subdivision (C85-2009-0054.0A)**
 Location: 7711 McAngus Road, Dry Creek East Watershed
 Owner/Applicant: Damaso E & Damaso A Rojo
 Agent: Nash Gonzales
 Request: Approval of the McAngus Road Subdivision (C85-2009-0054.0A) composed of 8 lots on 15.05 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department
- 24. Final Plat-Resubdivision: C8-2013-0052.0A - Stone Creek Ranch Section Two; Resubdivision**
 Location: 515 East Slaughter Lane, Onion Creek Watershed
 Owner/Applicant: Westwood Residential 48 LP (Jeff Lindsey)
 Agent: Jones & Carter, Inc (Shawn Graham, PE)
 Request: Approval of Stone Creek Ranch Section Two; Resubdivision composed of 2 lots on 22.730 acres
 Staff Rec.: **Disapproval**
 Staff: Planning and Development Review Department

- 25. Final Plat-Resubdivision:** **C8-2013-0050.0A - Tech Ridge Section 2**
- Location: 600 Center Ridge Drive, Walnut Creek Watershed
Owner/Applicant: Centerstate 99 Ltd (Steve Mattingly); HID Global Corp (Chris Milford)
Agent: Bury & Partners, Inc. (Kristi English)
Request: Approval of Tech Ridge Section 2 composed of 3 lots on 54.895 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #14-25;

Public hearing closed.

The motion to disapprove Items #14-25, was approved on consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

D. NEW BUSINESS

1. New Business:

Request: Discussion and action on approving the 2012 Annual Report and Work Plan for 2013.

Public hearing closed.

The motion to approve the 2012 Annual Report and Work Plan for 2013, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.

E. ADJOURN

Chair Betty Baker adjourned the meeting without objection at 8:25 p.m.