



**ZONING & PLATTING COMMISSION
MINUTES**

**REGULAR MEETING
June 18, 2013**

The Zoning & Platting Commission convened in a regular meeting on June 18, 2013 @ 301 W. 2nd Street, Austin, Texas 78701

Chair Betty Baker called the Board Meeting to order at 6:05 p.m.

Board Members in Attendance:

**Betty Baker – Chair
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 June 4, 2013.

The motion to approve the minutes from June 4, 2013 was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Rahm McDaniel seconded the motion on a vote of 5-0-1; Commissioner Gabriel Rojas abstained, Commissioner Cynthia Banks was absent.

C. PUBLIC HEARINGS

**1. Site Plan - SP-2012-0382D - Republic Services of Austin - Recycling Center
Appeal: ACTION Grading Plan
ONLY**

Location: 10001 East 290 Highway Eastbound, Decker/Gilleland Creek Watersheds
Owner/Applicant: BFI Waste Systems of North America, LLC (Lee Kuhn)
Appellant: Coats Rose Yale Ryman & Lee, PC (John M. Joseph)
Request: Appeal of an administratively approved 180-day extension to an application update deadline.
Staff Rec.: **Not Recommended**
Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov;
Planning and Development Review Department

Public hearing re-opened.

The motion to resend and reconsider previous action taken and repost on the July 2, 2013 OR July 16, 2013 agenda, with ALL Commissioners confirming their attendance, was approved by Commissioner Gabriel Rojas' motion, Commissioner Jason Meeker seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

2. Rezoning: C14-2013-0034 - Ross Conley Lot 1 LLP
Location: 3447 Northland Drive, Shoal Creek Watershed
Owner/Applicant: David C. Conley, P.C. (David C. Conley)
Agent: Thrower Design (Ron Thrower)
Request: LR to GR
Staff Rec.: **Recommendation of GR-CO**
Staff: Clark Patterson, 512-974-7691, clark.patterson@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

1st motion:

The motion to deny staff's recommendation for GR-CO district zoning, was made by Commissioner Jason Meeker, Commissioner Gabriel Rojas seconded the motion on a vote of 3-3; Commissioners Betty Baker, Patricia Seeger and Sean Compton voted against the motion (nay); Commissioner Cynthia Banks was absent. MOTION FAILED.

2nd motion:

The motion to approve staff's recommendation for GR-CO with the added condition to prohibit gas stations was made by Commissioner Sean Compton, Commissioner Rahm McDaniel seconded the motion on a vote of 3-3; Commissioner Jason Meeker, Gabriel Rojas and Patricia Seeger voted against the motion, Commissioner Cynthia Banks was absent. MOTION FAILED.

Case forwarded to City Council with no recommendation from the Zoning & Platting Commission.

- 3. Rezoning: C14-2013-0041 - Fort Dessau-GR**
Location: 1602 Fish Lane, Harris Branch Watershed
Owner/Applicant: John C. & Dana Fish
Agent: Land Strategies, Inc. (Paul W. Linehan)
Request: SF-2-CO to MF-3
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;
Planning and Development Review Department

Public hearing was closed.

The motion to approve staff's recommendation for MF-3 district zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

- 4. Rezoning: C14-2013-0047 - JDJ Family Holdings, Ltd. (Slaughter 25 Rezoning)**
Location: 913 West Slaughter Lane, Slaughter Creek Watershed
Owner/Applicant: JDJ Family Holdings, Ltd. (Kirby H., Jackson, Jr.)
Agent: Thrower Design (Ron Thrower)
Request: DR; SF-1-CO to MF-2
Staff Rec.: MF-2-CO
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for MF-2-CO district zoning was approved by Commissioner Gabriel Rojas' motion, Commissioner Sean Compton seconded the motion on a vote of 5-0-1; Chair Betty Baker abstained, Commissioner Cynthia Banks was absent.

- 5. Rezoning: C14-2013-0039 - Allen Development**
Location: 8800 FM 969 Road, Elm Creek Watershed
Owner/Applicant: Joe D. Allen
Agent: The Faust Group (Bill Faust)
Request: DR; SF-3 to CS
Staff Rec.: **Recommendation of GR-CO**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@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 Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

- 6. Rezoning: C14-2013-0054 - Parmer US 290 Retail**
Location: 10104 East U.S. Highway 290 Westbound, Gilleland Creek Watershed
Owner/Applicant: Endeavor Real Estate Group (Dan Frey)
Request: DR to CH-CO
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for CH-CO zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

- 7. Restrictive Covenant Amendment: C14-05-0120(RCA) - Parmer US 290**
Location: East U.S. Highway 290 Westbound, Gilleland Creek Watershed
Owner/Applicant: Endeavor Real Estate Group (Dan Frey)
Request: To amend restrictive covenant to add adjacent tract to restrictive covenant.
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov;
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to amend a restrictive covenant, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

- 8. Rezoning: C14-2013-0027 - Kincheon Neighborhood Commercial Center**
Location: 7905 Brodie Lane, Williamson Creek Watershed-Barton Springs Zone
Owner/Applicant: Shelby Michael Minns and Katherine T. Minns
Agent: Land Answers, Inc. (Jim Wittliff)
Request: NO-CO to LR-CO
Staff Rec.: **Not Recommended**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov;
Planning and Development Review Department

The motion to indefinitely postpone by the request of the applicant, was approved on the consent agenda by Commissioner Jason Meeker's motion, Commissioner Gabriel Rojas seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

- 9. Conditional Use Permit: SPC-2013-0061AS - Buckingham Park**
Location: 736 Yarsa Blvd., Slaughter Creek Watershed
Owner/Applicant: Mutual Housing Development Corporation (Vicki McDonald)
Agent: Civiltude (Fayez Kazi)
Request: Approval of a conditional use permit for community recreation use in SF-3 and approval of a compatibility setback variance.
Staff Rec.: **Recommended**
Staff: Brad Jackson, 512-974-3410, brad.jackson@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of a conditional use permit, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

- 10. Total Plat Vacation: C8-02-0110.0A(VAC) - Monaco Subdivision**
Location: 2440 Wickersham Lane, Country Club Creek Watershed
Owner/Applicant: Joycevus Inc.
Agent: Vaughn and Associates (Rick Vaughn)
Request: Approval of the Total Vacation of the Monaco Subdivision consisting of one lot on 2.037 acres
Staff Rec.: **Recommended**
Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

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

- 11. Final Plat with a Preliminary Plan:** **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 Reserve at Southpark Meadows II Phase 2C composed of 32 lots on 6.04 acres.
Staff Rec.: **Recommended**
Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

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

- 12. Final Plat with a Preliminary Plan:** **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 composed of 1 lot on 9.17 acres.
Staff Rec.: **Recommended**
Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov; Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of the Springs of Walnut Creek; The Phase IV, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

- 13. Final Plat; Previously Unplatted:** **C8J-2013-0097.0A - Aguilera Subdivision**
Location: 15709 FM 812 Road, Maha Creek Watershed
Owner/Applicant: Maria Elena Aguilera
Agent: Hector Avila
Request: Approval of the Aguilera Subdivision composed of 6 lots on 14 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

- 14. Preliminary Plan: C8-2013-0099 - Glencoe Subdivision**
Location: Harris Branch Parkway, Harris Branch Watershed
Owner/Applicant: CSF TRG Holdings LLC. (J.M. Cook)
Agent: CSF TRG Holdings LLC. (J.M. Cook)
Request: Approval of the Glencoe Subdivision composed of 71 lots on 22.66 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 15. Final Plat with a Preliminary Plan: C8-79-079.5A - Town & Country Village Addition Section Three, Lot 3, Block A**
Location: 12860 North US 183 Highway Service Road Southbound, Rattan Creek Watershed
Owner/Applicant: Neiman Properties, A Texas General Partnership (Paul Neiman)
Agent: Cunningham-Allen Inc. (Jana Rice)
Request: Approval of the Town & Country Village Addition Section Three, Lot 3, Block A composed of 1 lot on 5.795 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 16. Final Plat-Resubdivision: C8-2013-0106.0A - SPM Lot 15-C Block A; Resubdivision**
Location: 9806-1/2 South IH 35 Service Road, Slaughter Creek Watershed
Owner/Applicant: SP Meadows III, LTD (Will Marsh)
Agent: Cunningham-Allen, Inc. (Gabriel Hovdey)
Request: Approval of the SPM Lot 15-C Block A; Resubdivision composed of 5 lots on 12.539 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 17. Amended Plat: C8J-2013-0105.0A - Amarra Drive Phase III**
Location: 8213 Carranzo Drive, Barton Creek Watershed-Barton Springs Zone
Owner/Applicant: Amarra Development LLC (Doyle Wilson)
Agent: ATS Engineers, Inspectors, Surveyors (Andrew Evans)
Request: Approval of the Amarra Drive Phase III composed of 2 lots on 0.637 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

- 18. Final Plat w/Preliminary:** **C8J-2013-0089.0A - McCormick Ranch, Phase 1**
Location: Selma Hughes Park Road, Lake Austin Watershed
Owner/Applicant: TR Vista Preserve, LLC (Chris Thompson)
Agent: Texas Engineering Solutions (Connor J Overby)
Request: Approval of McCormick Ranch, Phase 1 composed of 21 lots on 41.42 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 19. Final Plat w/Preliminary:** **C8J-2010-0036.4A - Raceway Single Family Subdivision Section Four**
Location: 4505-1/2 Grand Avenue Parkway, Gilleland Creek Watershed
Owner/Applicant: Pulte Homes of Texas, LP (Steve Ashlock)
Agent: CSF Civil Group, LLC (Christine Potts)
Request: Approval of the Raceway Single Family Subdivision Section Four composed of 84 lots on 18.96 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 20. Final Plat:** **C8-2013-0101.0A - The Retreat at Tech Ridge, Section One**
Location: 12422 Dessau Road, Harris Branch/Walnut Creek Watersheds
Owner/Applicant: Oertli Family Partnership, LP, Joy Lyn Offield, Brenda Lee Oertli, Robin Elaine Oertli Heine
Agent: KB Home Lone Star, LP (John Zinsmeyer)
Request: Approval of the The Retreat at Tech Ridge, Section One composed of 96 lots on 29.37 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department
- 21. Final Plat-Resubdivision:** **C8-2013-0100.0A - SPM, Block A, Lots 29; Resubdivision**
Location: 301 West Slaughter Lane, Slaughter Creek Watershed
Owner/Applicant: SP Meadows West, LTD (Daniel Frey)
Agent: Cunningham-Allen, Inc (Garbiel Hovdey)
Request: Approval of the SPM, Block A, Lots 29; Resubdivision composed of 2 lots on 8.242 acres
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

22. Final Plat: **C8J-2013-0102.0A - John E. Simmons Subdivision Lots 2 and 3; Amended Plat**
Location: 5425 Petticoat Lane, Bee Creek Watershed
Owner/Applicant: Anne C. Guerin; Stephane De Berneded; Virginia Drake Lebermann; John Scott Wotowicz
Agent: Land Answers, Inc. (Jim Wittliff)
Request: Approval of the John E. Simmons Subdivision Lots 2 and 3; Amended Plat composed of 2 lots on 7.73 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Development Review Department

Items #13-22;

Public hearing closed.

The motion to disapprove Items #13-22 was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.

D. NEW BUSINESS

E. ADJOURN

Chair Betty Baker adjourned the meeting without objection at 7:50 p.m.