



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
August 27, 2013**

The Planning Commission convened in a regular meeting on August 27, 2013 @ 301 W. 2<sup>nd</sup> Street, Austin, Texas 78701

Chair Dave Anderson called the Board Meeting to order at 6:03 p.m.

**Board Members in Attendance:**

**Dave Anderson – Chair**

**Richard Hatfield**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Myron Smith**

**Jean Stevens**

**Jeff Jack – Ex-Officio Member**

**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 August 13, 2013.

The motion to approve the minutes from August 13, 2013 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

## C. PUBLIC HEARINGS

### 1. **Municipal Utility**     **C12M-2013-0001 – Cascades MUD No. 1**

#### **District:**

Location: 11601 South IH 35, Onion Creek Watershed  
Owner/Applicant: T. Marc Knutsen  
Agent: Armbrust & Brown (Sue Brooks Littlefield)  
Request: Consent to Create a Municipal Utility District (MUD)  
Staff: Virginia Collier, 512-974-2022; [virginia.collier@austintexas.gov](mailto:virginia.collier@austintexas.gov);  
Planning and Development Review Department

The motion to postpone to September 10, 2013 by the request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

### 2. **Discussion and Action:**     **Holly Shores/Edward Rendon Sr. at Festival Beach Park Master Plan**

Discussion and action on providing a recommendation to the City Council on the draft Holly Shores/Edward Rendon Sr. at Festival Beach Park Master Plan.  
City Staff: Chris Yanez, 512-974-9455; [chris.yanez@austintexas.gov](mailto:chris.yanez@austintexas.gov);  
Parks and Recreation Department

Public hearing closed.

The motion to recommend the Draft Holly Shores/Edward Rendon Sr. at Festival Beach Park Master Plan and forward to City Council was made by Commissioner James Nortey, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

**3. Code C20-2013-017 – Watershed Protection Amendments**

**Amendment:**

Owner/Applicant: City of Austin  
Agent: Watershed Protection Department (Matt Hollon)  
Request: Amend Chapters 25-7, 25-8, 30-4, and 30-5 relating to drainage and water quality; amend various sections of Titles 25 and 30 relating to environmental protection, and establish a water supply mitigation fund and riparian zone fund.  
  
Staff Rec.: **Recommended**  
Staff: Matt Hollon, 512-974-2212; [matt.hollon@austintexas.gov](mailto:matt.hollon@austintexas.gov);  
Watershed Protection Department

Public hearing closed.

The motion to approved staff's recommendation with the following conditions:

- That it include the recommendations made by the Environmental Board;
- That it include the special exemptions and limited adjustment items handed out on the dais, including amendments to 25-8-24, 25-1-251, 25-1-252, 30-5-23, 30-1-291, and 30-1-292;
- That it amend 25-8-261 and 30-5-261 to add a new subsection (E)(4) to read “the project includes either riparian restoration of an area within the critical water quality zone equal in size to the area of disturbance in accordance with the Environmental Criteria Manual, or payment into the Riparian Zone Mitigation Fund of a non-refundable amount established by ordinance”; and
- That City Council consider details of implementation of the Riparian Mitigation Fund.

The motion was made by Commissioner Dave Anderson, Commissioner James Nortey seconded the motion on a vote of 7-0; Commissioner Myron Smith was off the dais, Commissioner Danette Chimenti was absent.

**4. Plan Amendment: NPA-2013-0025.02 – Lantana Tract 32**

Location: 6401 Rialto Boulevard, Barton Springs Watershed-Barton Springs Zone, Oak Hill Combined (East Oak Hill) NPA  
Owner/Applicant: Lantana Tract 32, LP  
Agent: Smith Robertson Elliott Glen Klein & Douglas, LLP (David Hartman)  
Request: Office to Multifamily land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695;  
[maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for multifamily land use was approved on the consent agenda by Commissioner Richard Hatfield motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

5. **Rezoning:** **C14-2013-0044 – Lantana Tract 32**  
Location: 6401 Rialto Boulevard, Barton Creek Watershed-Barton Springs Zone, Oak Hill Combined (East Oak Hill) NPA  
Owner/Applicant: Lantana Tract 32, LP  
Agent: Smith Robertson Elliott Glen Klein & Douglas, LLP (David Hartman) David Hartman  
Request: GO-NP to MF-4-CO-NP  
Staff Rec.: **Recommended with conditions**  
Staff: Lee Heckman, 512-974-2695; [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for MF-4-CO-NP district zoning was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

6. **Restrictive Covenant Amendment:** **C14-85-288.8(RCA) Lantana Tract 32 Restrictive Covenant Amendment**  
Location: 6401 Rialto Boulevard, Barton Creek Watershed-Barton Springs Zone, Oak Hill Combined (East Oak Hill) NPA  
Owner/Applicant: Lantana Tract 32, LP  
Agent: Smith Robertson Elliott Glen Klein & Douglas, LLP (David Hartman)  
Request: Delete reference to net leasable square feet and add additional restrictions.  
Staff Rec.: **Recommended**  
Staff: Lee Heckman, 512-974-2695; [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a restrictive covenant amendment was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 7. Plan Amendment: NPA- 2011-0002.01 – Jaylee Ltd.**  
Location: 1601 & 1645 E. 6<sup>th</sup> Street, Lady Bird Lake Watershed, East Cesar Chavez NPA & Plaza Saltillo Station Area Plan  
Owner/Applicant: Jaylee Ltd. (Jim Arnold)  
Agent: Winstead PC (Amanda Swor)  
Request: Specific Regulating District to Specific Regulating District  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695;  
[Maureen.meredith@austintexas.gov](mailto:Maureen.meredith@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Specific Regulating District was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 8. Rezoning: C14-2011-0091 – Jaylee Ltd.**  
Location: 1601 & 1645 E. 6<sup>th</sup> Street, Lady Bird Lake Watershed, East Cesar Chavez NPA & Plaza Saltillo Station Area Plan  
Owner/Applicant: Jaylee Ltd. (Jim Arnold)  
Agent: Winstead PC (Amanda Swor)  
Request: TOD-NP to TOD-NP-CURE  
Staff Rec.: **Recommended**  
Staff: Heather Chaffin, 512-974-2122; [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for TOD-NP-CURE zoning was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

**9. Urban Renewal Franklin BBQ Kitchen**

**Plan Amendment:**

Location: 901 Juniper Street, Waller Creek Watershed, Central East Austin Combined NPA

Owner/Applicant: Ben's Long Branch Bar-B-Q, Inc. (Perry Lorenz)

Agent: LS Johnston Architects (Linda Johnston)

Request: Modify permitted land use categories of the East 11th and 12th Streets Urban Renewal Plan (URP) for the property located at 901 Juniper Street. FROM: Mixed use/office/residential and civic land uses TO: Mixed use/office/commercial/residential and civic land uses.

Staff Rec.: **Recommended**

Staff: Sandra Harkins, 512-974-3128; [sandra.harkins@austintexas.gov](mailto:sandra.harkins@austintexas.gov); Neighborhood Housing and Community Development Department  
Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Urban Renewal Plan Amendment was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

**10. Rezoning: C14-2013-0084 – Franklin BBQ Kitchen**

Location: 901 Juniper Street, Waller Creek Watershed, Central East Austin Combined NPA

Owner/Applicant: Ben's Long Branch Bar-B-Q, Inc. (Perry Lorenz)

Agent: LS Johnston Architects (Linda Johnston)

Request: MF-3-NCCD-NP to GR-CO-NCCD-NP

Staff Rec.: **Recommended**

Staff: Heather Chaffin, 512-974-2122; [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for GR-CO-NCCD-NP district zoning was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 11. Neighborhood Conservation Combining District Amendment:** **C14-2013-0085 – Franklin BBQ Kitchen (NCCD Amendment)**
- Location: 901 Juniper Street, Waller Creek Watershed, Central East Austin Combined NPA
- Owner/Applicant: Ben's Long Branch Bar-B-Q, Inc. (Perry Lorenz)
- Agent: LS Johnston Architects (Linda Johnston)
- Request: Add Food Preparation as a conditional land use to the East 11th Street Neighborhood Conservation Combining District (NCCD) for the property located at 901 Juniper Street.
- Staff Rec.: **Recommended**
- Staff: Heather Chaffin, 512-974-2122; [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a Neighborhood Conservation Combining District Amendment was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 12. Rezoning:** **C814-06-0106.01 – Hyatt PUD Amendment**
- Location: 208 Barton Springs Road, Lady Bird Lake Watershed, Bouldin Creek NPA
- Owner/Applicant: Tantallon Austin Hotel, LLC (Terry M. Shaikh)
- Agent: Graves, Dougherty, Hearon & Moody, P.C. (Michael J. Whellan)
- Request: PUD-NP to PUD –NP, to change a condition of zoning
- Staff Rec.: **Recommended**
- Staff: Lee Heckman, 512-974-7604; [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for PUD-NP to change a condition of zoning, was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 13. Conditional Use Permit:** **SPC-2013-0181A – Taco Cabana**  
Location: 5242 N. Lamar Blvd., Waller Creek Watershed, Brentwood/Highland Combined NPA  
Owner/Applicant: Equity Trust Company (Jeffrey S. Brown)  
Agent: Bury & Partners, Inc. (Joe Farias)  
Request: Conditional Use Permit for a late hours permit.  
Staff Rec.: **Recommended**  
Staff: Amanda Couch, 512-974-2881; [amanda.couch@austintexas.gov](mailto:amanda.couch@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a conditional use permit was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 14. Resubdivision:** **C8-2012-0117.0A – Garadi Subdivision, A Resubdivision of a portion of Lot 14 of Evergreen Heights**  
Location: 1803 & 1807 S. Lamar Blvd., West Bouldin Creek Watershed, South Lamar NPA  
Owner/Applicant: Garadi Corporation (Viswas S. Garadi)  
Agent: Genesis 1 Engineering Co (George Gonzalez)  
Request: Approve the resubdivision of part of a lot into one lot on 0.33 acres.  
Staff Rec.: **Recommended**  
Staff: Sylvia Limon, 512-974-2767; [sylvia.limon@austintexas.gov](mailto:sylvia.limon@austintexas.gov); Planning and Development Review Department

The motion to postpone to September 10, 2013 by the request of the neighborhood was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

- 15. Final Plat:** **C8-2013-0141.0A – The Velasquez Subdivision**  
Location: 2109 Thrasher Lane, Carson Creek Watershed, Montopolis NPA  
Owner/Applicant: Gilbert & Doris R. Velasquez  
Agent: Candy Moreno  
Request: Approval of The Velasquez Subdivision composed of 3 lots on 0.99 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department



- 16. Final Plat:** **C8-2013-0139.0A – Crestview Station**  
Location: 1001 Banyon Street, Waller Creek Watershed, Crestview NPA  
Owner/Applicant: Crestview Station (James Matoushek); Gray Engineering, Inc. (Brian Williams)  
Request: Approval of the Crestview Station LLR Land composed of 75 lots on 4.58 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 17. Final Plat-Amended Plat:** **C8-2013-0135.0A – Crestview Addition, Section 8 Lots 34 & 36; Block T Amended Plat**  
Location: 7600 Woodrow Avenue, Shoal Creek Watershed, Crestview NPA  
Owner/Applicant: Todd Watkin, Kelly Lao & Mark Hagen  
Agent: Lenworth Consulting (Nash Gonzalez)  
Request: Approval of Crestview Addition, Section 8, Lots 34 & 36, Block T; Amended Plat composed of 2 lots on 0.36 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

Items #15-17;

The motion to disapprove Items #15-17 was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

## **C. NEW BUSINESS**

### **1. New Business:**

Request: Discussion and action on referring downtown cases being considered before the Planning Commission to the Downtown Commission.

The motion to refer downtown cases to the Downtown Commission was approved on the consent agenda by Commissioner Richard Hatfield's motion, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Danette Chimenti was absent.

## **E. SUBCOMMITTEE REPORTS**

Comprehensive Plan Committee – Met 8/26/2103  
Neighborhood Plan Committee – September 18, 2013  
Codes & Ordinances Committee – No meeting  
CIP Committee – No meeting

## **F. ADJOURN**

**Chair Dave Anderson adjourned the meeting without objection at 9:00 p.m.**