

PLANNING COMMISSION MINUTES

SPECIAL CALLED MEETING November 12, 2014

The Planning Commission convened in a Special Called meeting on November 12, 2014 @ 301 W. 2^{nd} Street Austin, TX 78701

Chair Danette Chimenti called the Commission Meeting to order at 6:09 p.m.

Board Members in Attendance: Danette Chimenti – Chair Richard Hatfield Alfonso Hernandez James Nortey Stephen Oliver Brian Roark

Jean Stevens Jeff Jack – Ex-Officio

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

Antonio Gonzales – Lightsey 2 Preliminary Plan Jim Wittliff – Lightsey 2 – Rescind and Reconsider Chris Lehman – Lightsey 2 – Rescind and Reconsider Brian King – Lightsey 2 – Rescind and Reconsider

B. APPROVAL OF MINUTES

1. Approval of minutes from October 28, 2014.

The motion to approve the minutes from October 28, 2014 was approved on the consent agenda with amendments to Item #3; was approved by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

C. PUBLIC HEARINGS

1. Plan Amendment: NPA-2014-0005.02 - 1007 & 1011 Montopolis Drive

Location: 1007 and 1011 Montopolis Drive, Country Club Creek Watershed,

Montopolis Neighborhood Planning Area

Owner/Applicant: PRJ Development (Joe Stafford)
Agent: Thrower Design (Ron Thrower)
Request: Civic to Mixed Use land use

Staff Rec.: **Recommended**

Staff: Maureen Meredith, 512-974-2695,

maureen.meredith@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

Motion #1: Deny staff's recommendation was made by Commissioner Brian Roark; Commissioner Jean Stevens seconded the motion on a vote of 3-5. MOTION FAILED.

Motion #2: The motion to approve staff's recommendation of Mixed Use land use with 1500 maximum square foot was approved by Commissioner Alfonso Hernandez, Commissioner James Nortey seconded the motion on a vote of 5-3; Commissioner Brian Roark, Jean Stevens and Nuria Zaragoza voted against the motion (nay); Commissioner Lesley Varghese was absent.

2. Rezoning: C14-2014-0127 - PRJ Development, LLC

Location: 1007 and 1011 Montopolis Drive, Country Club East Watershed,

Montopolis Neighborhood Planning Area

Owner/Applicant: PRJ Development (Joe Stafford)
Agent: Thrower Design (Ron Thrower)
Request: LO-CO-NP to LO-MU-NP

Staff Rec.: Recommended with Conditions

Staff: Lee Heckman, 512-974-7607, lee.heckman@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

Motion #1: Deny staff's recommendation was made by Commissioner Brian Roark; Commissioner Jean Stevens seconded the motion on a vote of 3-5. MOTION FAILED.

Motion #2: The motion to approve staff's recommendation of Mixed Use land use with 1500 maximum square foot was approved by Commissioner Alfonso Hernandez, Commissioner James Nortey seconded the motion on a vote of 5-3; Commissioner Brian Roark, Jean Stevens and Nuria Zaragoza voted against the motion (nay); Commissioner Lesley Varghese was absent.

3. Plan Amendment: NPA-2014-0027.02 - 1018 W. 31st Street

Location: 1018 West 31st Street, Shoal Creek Watershed, Central West Austin

Combined (Windsor Road) NPA

Owner/Applicant: Daughters of Charity Ministries, Inc. (Sister Jane Graves)

Agent: McLean & Howard, L.L.P. (Jeffrey H. Howard)
Request: Multifamily to Mixed Use/Office land use

Staff Rec.: Recommended

Staff: Maureen Meredith, 512-974-2695,

maureen.meredith@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for Mixed Use/Office Land Use was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

4. Rezoning: C14-2014-0148 - 1018 W. 31st Street

Location: 1018 West 31st Street, Shoal Creek Watershed, Central West Austin

Combined (Windsor Road) NPA

Owner/Applicant: Daughters of Charity Ministry, Inc. (Sister Jane Graves)

Agent: McLean & Howard, LLP (Jeffrey Howard)

Request: MF-2-NP to LO-MU-NP

Staff Rec.: Recommended with Conditions

Staff: Tori Haase, 512-974-7691, tori.haase@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for LO-MU-NP district zoning with items read into the record by the case manager was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

5. Plan Amendment: NPA-2014-0029.01 - Little Walnut Creek

Location: 7400, 7424, and 7450 East U.S. Highway 290 and 2509 East

Anderson Lane, Little Walnut Creek Watershed, St. John/Coronado Hills Combined (Coronado Hills) Neighborhood Planning Area Cozy Living, LLC, AAA Fire & Safety, Inc. and Seyed Miri

Agent: Coats Rose (Pam Madere)

Request: Office to Mixed Use/Office land use

Staff Rec.: Recommended

Staff: Maureen Meredith, 512-974-2695,

maureen.meredith@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

Owner/Applicant:

The motion to deny staff's recommendation for Mixed Use/Office Land Use was made by Commissioner Stephen Oliver, Commissioner Alfonso Hernandez seconded the motion on a vote of 6-2; Commissioner James Nortey and Richard Hatfield voted against the motion, Commissioner Lesley Varghese was absent.

6. Rezoning: C14-2014-0135 - Little Walnut Creek

Location: 7400, 7424, and 7450 East U.S. Highway 290 and 2509 East

Anderson Lane, Little Walnut Creek Watershed, St. John/Coronado Hills Combined (Coronado Hills) Neighborhood Planning Area Cozy Living, LLC, AAA Fire & Safety, Inc. and Seyed Miri

Owner/Applicant: Cozy Living, LLC, AAA Fire Coats Rose (Pam Madere)

Request: GO-NP to GO-MU-NP

Staff Rec.: Recommended with Conditions

Staff: Heather Chaffin, 512-974-2122, <u>heather.chaffin@austintexas.gov</u>;

Planning and Development Review Department

Public hearing closed.

The motion to deny staff's recommendation for Mixed Use/Office Land Use was made by Commissioner Stephen Oliver, Commissioner Alfonso Hernandez seconded the motion on a vote of 6-2; Commissioner James Nortey and Richard Hatfield voted against the motion, Commissioner Lesley Varghese was absent.

7. Code C20-2014-012 - Accessory Dwelling Units

Amendment:

Owner/Applicant: City of Austin

Agent: Planning and Development Review Department

Request: Consider an ordinance amending City Code Title 25 relating to

reducing regulatory barriers to the development of accessory dwelling

units.

Staff Rec.: Recommended

Staff: Ming Chu, 512-974-6413, Ming-ru.Chu@austintexas.gov

Planning and Development Review Department

The motion to postpone to December 9, 2014 by request of staff was approved by Commissioner James Nortey, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

8. Rezoning: C14-2014-0173 - Rodolfo Carrera & Elana Montalvo

Location: 3100 Manchaca Road, West Bouldin Creek Watershed, South Lamar

Combined (South Lamar) NPA

Owner/Applicant: Rodolfo Carrera & Elana Montalvo

Agent: McLean & Howard, LLP (Jeffrey S. Howard)

Request: LO-CO to GO-MU-CO

Staff Rec.: Recommended

Staff: Lee Heckman, 512-974-7607, lee.heckman@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation of GO-MU-CO with added condition that only LO uses are allowed; was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

9. Rezoning: C14-2014-0011A - Garza Ranch

Location: 3800 Ben Garza Lane, Williamson Creek Watershed-Barton Springs

Zone, Oak Hill Combined (East Oak Hill) NPA

Owner/Applicant: Rancho Garza, Ltd. (Ron White)
Agent: Cunningham Allen, Inc. (Jana Rice)

Request: GR-MU-CO-NP to GR-MU-CO-NP, to change a condition of zoning

Staff Rec.: Recommended, with Conditions

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov;

Planning and Development Review Department

The motion to postpone to December 9, 2014 by request of the neighborhood was approved by Commissioner Nuria Zaragoza, Commissioner Jean Stevens seconded the motion on a vote of 6-2; Commissioners Richard Hatfield and Brian Roark voted against the motion, Commissioner Lesley Varghese was absent.

10. Rezoning: C14-2014-0011B - Garza Ranch

Location: 3510 and 4003 Ben Garza Lane, Williamson Creek Watershed-Barton

Springs Zone, Oak Hill Combined (East Oak Hill) NPA

Owner/Applicant: Rancho Garza, Ltd. (Ron White)
Agent: Cunningham Allen, Inc. (Jana Rice)

Request: GR-MU-CO-NP to GR-MU-CO-NP, to change a condition of zoning

Staff Rec.: **Recommended, with Conditions**

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov;

Planning and Development Review Department

The motion to postpone to December 9, 2014 by request of the neighborhood was approved by Commissioner Nuria Zaragoza, Commissioner Jean Stevens seconded the motion on a vote of 6-2; Commissioners Richard Hatfield and Brian Roark voted against the motion, Commissioner Lesley Varghese was absent.

11. Rezoning: C14-2014-0150 - Whiddon .85

Location: 4102 & 4200 Manchaca Road, West Bouldin Creek Watershed, South

Lamar Combined NPA (South Lamar)

Owner/Applicant: Mitchell Whiddon

Agent: Jim Bennett Consulting (Jim Bennett)

Request: LO-MU & SF-3 to GR

Staff Rec.: Recommendation of LR-MU, with Conditions

Staff: Lee Heckman, 512-974-7607, <u>lee.heckman@austintexas.gov</u>;

Planning and Development Review Department

The motion to postpone to December 9, 2014 by request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

12. Rezoning: C14-2014-0111 - 4500 Speedway

Location: 4500 Speedway, Waller Creek Watershed, North Hyde Park NCCD,

Hyde Park NPA

Owner/Applicant: Navid Hoomanrad

Agent: Husch Blackwell, LLP (Alexandra Jashinsky)

Request: SF-3-NCCD-NP to NO-NCCD-NP, with an Amendment to the North

Hyde Park NCCD

Staff Rec.: Recommended with Conditions

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov;

Planning and Development Review Department

The motion to postpone to December 9, 2014 by request of the neighborhood and applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

13. Rezoning: C14-2014-0159 - Penick Drive Rezoning

Location: 5600-5722 Penick Drive, Country Club East Watershed, East

Riverside Corridor NPA

Owner/Applicant: Bill Greif

Agent: Thrower Design (Ron Thrower)

Request: ERC; Designate ERC Regulating Plan Subdistrict of NMU

Staff Rec.: Recommended

Staff: Lee Heckman, 512-974-7607, lee.heckman@austintexas.gov;

Planning and Development Review Department

The motion to postpone to December 9, 2014 by request of the neighborhood was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

14. Rezoning: C14-2014-0162 - Buratti .33

Location: 701 and 703 East 9th Street, Waller Creek Watershed, Downtown

Master Plan

Owner/Applicant: Ann Buratti-Parsons Real Estate Trust (Richard Burrati)

Agent: Jim Bennett Consulting (Jim Bennett)

Request: CS to CBD Staff Rec.: Recommended

Staff: Tori Haase, 512-974-7691, tori.haase@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

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

15. Rezoning: C14-2014-0163 - Walker Brothers Venture

Location: 707 East 9th Street, Waller Creek Watershed, Downtown Master Plan

Owner/Applicant: Walker Brothers Venture (Wayne Walker)
Agent: Jim Bennett Consulting (Jim Bennett)

Request: CS to CBD Staff Rec.: Recommended

Staff: Tori Haase, 512-974-7691, tori.haase@austintexas.gov;

Planning and Development Review Department

Public hearing closed.

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

16. Rezoning: C14-2014-0156 - MoPac Rezoning

Location: 8611-1/2 and 8627 North Mopac Expressway, Shoal Creek

Watershed, Burnet Road, Anderson Lane, and the North Shoal Creek

NPA

Owner/Applicant: 8611 MoPac Investors, LP and U.S. REIF Eurus Austin, LLC

Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)

Request: LO to GR

Staff Rec.: Recommendation of GR-CO

Staff: Sherri Sirwaitis, 512-974-3057, 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 Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

17. Restrictive C14-2009-0151(RCA) - Shoal Creek Walk

Covenant Amendment:

Location: 835 West 6th Street, Shoal Creek Watershed, Downtown Master Plan

Owner/Applicant: Schlosser Development (Bradley Schlosser)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: Amendment of Public 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 Public Restrictive Covenant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

18. Final Plat - C8-2014-0106.0A - Resubdivision Lot 1 Block A Airport

Resubdivision: Commerce Section 2

Location: 1501 Airport Commerce Drive, Carson Creek Watershed, Montopolis

NPA

Owner/Applicant: SFSV Hill Airport Commerce II LLC Agent: Thrower Design (Ron Thrower)

Request: Approval of the Resubdivision of Lot 1 Block A Airport Commerce

Section 2 composed of 2 lots on 19.52 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 Re-subdivision of Lot 1 Block A Airport Commerce Section 2 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

19. Final Plat with C8-2013-0118.1A - Lightsey 2

Preliminary:

Location: 1805 Lightsey Road, West Bouldin Creek Watershed, South Lamar

NPA

Owner/Applicant: AJF Partners (Annie Foss)
Agent: PSW Real Estate (Casey Giles)

Request: Approval of the Lightsey 2 composed of 17 lots on 4.02 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

20. Final Plat - C8-2014-0206.0A - Penick Place Resubdivision of Lots 9-14;

Amended Plat: Amended Plat

Location: Penick Drive, Country Club East Watershed, Pleasant Valley NPA

Owner/Applicant: Greif Yount Partnership (Bill Greif)
Agent: Thrower Design (Ron Thrower)

Request: Approval of the Penick Place Resubdivision of Lots 9-14; Amended

Plat composed of 6 lots on 4.815 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

21. Final Plat - C8-2014-0209.0A - IBM Subdivision

Resubdivision:

Location: 11400 Burnet Road, Country Club East Watershed, North Burnet NPA

Owner/Applicant: SL Domain (John Klitz)

Agent: Big Red Dog Engineering (Thomas Lombardi Jr.)

Request: Approval of the IBM Subdivision composed of 2 lots on 31.35 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

22. Final Plat - C8-2014-0204.0A - Hanover South Lamar Subdivision

Previously Unplatted:

Location: 809 South Lamar Boulevard, West Bouldin Creek Watershed, Zilker

NPA

Owner/Applicant: Kathy K. Binford Agent: Kelly Fowler

Request: Approval of the Hanover South Lamar Subdivision composed of 1 lot

on 3.616 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

23. Final Plat with C8-2014-0189.SH.1A - Colony Park Street Dedication

Preliminary:

Location: Loyola Lane, Walnut Creek Watershed, University Hills NPA

Owner/Applicant: City of Austin - Neighborhood Housing & Community

Development/Austin Housing Finance Corp. (Sandra Harkins)

Agent: Urban Design Group (Laura Toups)

Request: Approval of the Colony Park Street Dedication composed of 0 lots on

8.56 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

24. Final Plat with C8-04-0043.07.2A.SH - Mueller Section 2C-2 Final Plat Preliminary:

Location: 3600 Manor Road, Tannehill Branch Watershed, RMMA

Owner/Applicant: City of Austin - Economic Development Department (Pam Hefner)

Agent: Bury & Partners, INC. (Joe Farias)

Request: Approval of the Mueller Section 2C-2 Final Plat composed of 5 lots

on 23.685 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

25. Final Plat - C8-2014-0211.0A - C.L. Angell Addition

Resubdivision:

Location: 6114 Langham, Country Club East Watershed, Montopolis NPA

Owner/Applicant: Shaun Ryan

Agent: Tom Groll Engineering (Tom Groll)

Request: Approval of the C.L. Angell Addition composed of 3 lots on 0.23

acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

26. Final Plat - C8-2014-0213.0A - Lightsey 2

Resubdivision:

Location: 1805 Lightsey Road, Williamson Creek Watershed, South Lamar

NPA

Owner/Applicant: Lightsey Two, L.P.

Agent: PSW Real Estate (Casey Giles)

Request: Approval of Lightsey 2 composed of 31 lots on a 4.02 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

27. Final Plat: C8-2014-0214.0A - Peschka Subdivision; Resubdivision of Lot 1 of

the Resubdivision of Lots 1-4

Location: 1405 Rabb Road, Lady Bird Lake Watershed, Zilker NPA

Owner/Applicant: Sara Neal Eskew (Justin Poses)
Agent: Moncada Consulting (Phil Moncada)

Request: Approval of the Peschka Subdivision; Resubdivision of Lot 1 of the

Resubdivision of Lots 1-4 composed of 3 lots on 0.567 acres.

Staff Rec.: **Disapproval**

Staff: Planning and Development Review Department

Items #19-27;

Public hearing closed.

The motion to disapprove Items #19-27 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

28. Site Plan - SPC-2014-0345AS - Tatsu-ya Commissary Kitchen Conditional

Conditional Use Use Permit

Permit:

Location: 1030 Norwood Park Blvd, Bldg 3, Unit 300, Buttermilk Branch

Watershed, Heritage Hills NPA

Owner/Applicant: Ramen Tatsu-ya (Tatsu Aikawa) Agent: McCray & Co. (Katy Sielen)

Request: Approval of a Conditional Use Permit to allow food preparation use in

GR-CO-NP zoning.

Staff Rec.: Recommended

Staff: Rosemary Avila, 512-974-2784, rosemary.avila@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 Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

29. Street Vacation: F#9245-1308

Request: Vacation of a 3,347 square foot portion of East Avenue, adjacent to

803 Lambie Street. **Recommended**

Staff: Eric Hammack, 512-974-7079, Eric.Hammack@AustinTexas.gov;

Office of Real Estate Services

The motion to Postpone Indefinitely by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

30. Street Vacation: F#9243-1308

Request: Vacation of a 6,722 square foot portion of East Avenue, adjacent to

805 Lambie Street. **Recommended**

Staff: Eric Hammack, 512-974-7079, Eric.Hammack@AustinTexas.gov;

Office of Real Estate Services

The motion to Postpone Indefinitely by request of staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Brian Roark seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

C. NEW BUSINESS

1. New Business:

Request: Discussion and action on approving the 2015 Planning Commission

schedule.

The motion to approve the 2015 Planning Commission Schedule with the cancellations of November 24, 2015 and December 22, 2015 was approved by Commissioner Brian Roark, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner Lesley Varghese was absent.

E. SUBCOMMITTEE REPORTS

F. ADJOURN

Chair Danette Chimenti adjourned the meeting without objection at 8:46 p.m.