



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
June 23, 2015**

The Planning Commission convened in a regular meeting on June 23, 2015 @ 301 W.2<sup>nd</sup> Street, Austin, TX 78701

Chair Danette Chimenti called the Commission Meeting to order at 6:00 p.m.

**Board Members in Attendance:**

**Danette Chimenti**

**Richard Hatfield**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Jean Stevens**

**Nuria Zaragoza**

**Jeff Jack –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**

No Speakers.

**B. APPROVAL OF MINUTES**

1. Approval of minutes from June 9, 2015.

The motion to approve the minutes from June 9, 2015 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

## C. PUBLIC HEARINGS

1. **Plan Amendment: NPA-2015-0027.01 - Parandian NPA; District 10**  
Location: 1506 West 34th Street, Shoal Creek Watershed, Central West Austin  
Combined NPA  
Owner/Applicant: Farshid and Jennifer Parandian  
Agent: Jennifer Parandian  
Request: Single Family to Neighborhood Mixed Use  
Staff Rec.: **Recommendation of Mixed Use/Office**  
Staff: Maureen Meredith, 512-974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov);  
Planning and Zoning Department

The motion to postpone to July 28, 2015 was approved by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

2. **Rezoning: C14-2015-0023 - Parandian Rezoning; District 10**  
Location: 1506 West 34th Street, Shoal Creek Watershed, Central West Austin  
Combined NPA  
Owner/Applicant: Jennifer Parandian  
Agent: Jennifer Parandian  
Request: SF-3-NP to LO-MU-NP  
Staff Rec.: **Recommended**  
Staff: Tori Haase, 512-974-7691, [Tori.Haase@austintexas.gov](mailto:Tori.Haase@austintexas.gov);  
Planning and Zoning Department

The motion to postpone to July 28, 2015 was approved by Commissioner Richard Hatfield, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

3. **Plan Amendment: NPA-2015-0016.01 - Shady Lane Mixed Use; District 3**  
Location: 500 Shady Lane, Boggy Creek Watershed, Govalle/Johnston Terrace  
Combined NPA  
Owner/Applicant: 600 Shady Lane, Ltd. (Jimmy J. Nassour)  
Agent: Alice Glasco Consulting (Alice Glasco)  
Request: Industry to Mixed Use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov);  
Planning and Zoning Department

The motion to postpone to July 28, 2015 by request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 4. Rezoning: C14-2015-0043 - Shady Lane Mixed Use; District 3**  
Location: 500 Shady Lane, Boggy Creek Watershed, Govalle/Johnston Terrace Combined NPA  
Owner/Applicant: 600 Shady Lane, Ltd. (Jimmy J. Nassour)  
Agent: Alice Glasco Consulting (Alice Glasco)  
Request: LI-CO-NP to CS-MU-V-NP  
Staff Rec.: **Recommendation of CS-MU-V-CO-NP**  
Staff: Heather Chaffin, 512-974-2122, [Heather.Chaffin@austintexas.gov](mailto:Heather.Chaffin@austintexas.gov);  
Planning and Zoning Department

The motion to postpone to July 28, 2015 by request of the applicant was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 5. Code Amendment: C20-2014-028 - Parkland Dedication**  
Request: Consider an amendment to Title 25 of the City Code related to parkland dedication fees and requirements.  
**Recommended**  
Staff: Ricardo Soliz, 512-974-9452, [ricardo.soliz@austintexas.gov](mailto:ricardo.soliz@austintexas.gov);  
Parks and Recreation Department

Public hearing closed.

The motion to approve staff's recommendation for Parkland Dedication was approved with the following information to be included in City Council's backup:

1. Whether zones would work (ratios) for different land prices around the City
2. An example of a greenfield site vs an infill site in relation to how it would affect density, particularly with infill

The motion was made by Commissioner James Nortey, Commissioner Nuria Zaragoza seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 6. Restrictive Covenant Termination:** **C14-86-103(RCT) - Greater Mt. Zion Baptist Church; District 1**
- Location: 1801 Pennsylvania Avenue, Lady Bird Lake Watershed, Central East Austin NPA
- Owner/Applicant: Greater Mt. Zion Baptist Church (David Mims Jr.)
- Agent: Henry H. Gilmore
- Request: To terminate a Restrictive Covenant
- Staff Rec.: **Recommended**
- Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation to terminate a restrictive covenant was approved by Commissioner Brian Roark, Commissioner James Nortey seconded the motion on a vote of 5-3; Commissioners Danette Chimenti, Jean Stevens, Nuria Zaragoza voted against the motion (nay), Commissioner James Shieh was absent.

- 7. Rezoning:** **C14H-2015-0006 - Lightsey-Russell House; District 5**
- Location: 1805 Lightsey Road, West Bouldin Creek Watershed, South Lamar NPA
- Owner/Applicant: Historic Landmark Commission - applicant; Lightsey Two, LP, owner
- Request: SF-3 to SF-3-H
- Staff Rec.: **No Recommendation**
- Staff: Steve Sadowsky, 512-974-6454, [steve.sadowsky@austintexas.gov](mailto:steve.sadowsky@austintexas.gov); Planning and Zoning Department

Public hearing closed.

Motion 1: The motion to postpone to July 14, 2015 by request of Planning Commission was made by Commissioner Nuria Zaragoza, Commissioner Jean Stevens seconded the motion on a vote of 3-5; Commissioners James Nortey, Richard Hatfield, Stephen Oliver, Alfonso Hernandez and Brian Roark voted against the motion (nay), Commissioner James Shieh was absent. MOTION FAILED.

Case discussed

Motion 2: The motion to approve SF-3-H district zoning, Historic Landmark Commission’s recommendation; was made by Commissioner Jean Stevens, Commissioner Nuria Zaragoza seconded the motion on a vote of 3-5; Commissioners Stephen Oliver, Richard Hatfield, Brian Roark, Alfonso Hernandez and James Nortey voted against the motion. MOTION FAILED.

Request denied due to a lack of a quorum vote.

- 8. Rezoning: C14-2015-0001 - Marlo Heights Rezoning; District 1**  
 Location: 4905, 5001, and 5003 Pecan Springs Road, Fort Branch Creek Watershed, East MLK Combined NPA  
 Owner/Applicant: Christopher Chollet and Carianne Shulte, Luke and Peni Ellis, Stephen Reynolds  
 Agent: Garrett-Ihnen Civil Engineers (Steve Ihnen)  
 Request: SF-3-NP to MF-2-NP  
 Staff Rec.: **Staff recommendation for Tract 1: MF-2-CO-NP and Tract 2: SF-6-CO-NP**  
 Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Zoning Department

The motion to postpone to July 28, 2015 by request of the Planning Commission was approved by Commissioner Alfonso Hernandez, Commissioner Jean Stevens seconded the motion on a vote of 6-2; Commissioners Alfonso Hernandez and Richard Hatfield voted against the motion (nay), Commissioner James Shieh was absent.

- 9. Rezoning: C14-2015-0019 - 5306 Samuel Huston; District 1**  
 Location: 5306 Samuel Huston Avenue, Fort Branch Watershed, East MLK Combined NPA  
 Owner/Applicant: Polis Properties, LLC (Chris Peterson)  
 Agent: Civilitude, LLC (Candace Craig)  
 Request: SF-3-NP to SF-6-NP  
 Staff Rec.: **Recommended**  
 Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Zoning Department

Public hearing closed.

Motion 1: The motion to deny staff's recommendation for SF-6-NP district zoning was made by Commissioner James Nortey, Commissioner Alfonso Hernandez seconded the motion on a vote of 6-1; Commissioner Stephen Oliver voted against the motion (nay), Commissioner Brian Roark left early, Commissioner James Shieh was absent

- 10. Rezoning: C14-2015-0054 - 901 East; District 3**  
 Location: 901 and 917 East 6th Street, Waller Creek Watershed, East Cesar Chavez NPA  
 Owner/Applicant: Osten Hall, LLC (Richard Kooris)  
 Agent: Land Use Solutions (Michele Haussmann)  
 Request: TOD-NP to TOD-CURE-NP  
 Staff Rec.: **Recommendation of TOD-CURE-CO-NP**  
 Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Zoning Department

Public hearing closed.

The motion to approve staff's recommendation for TOD-CURE-CO-NP zoning was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 11. Rezoning: C14H-2015-0007 - Clyde and Henrietta Littlefield House; District 9**  
 Location: 903 Shoal Cliff Court, Waller Creek Watershed, Central Austin  
 Combined (West University) NPA  
 Owner/Applicant: Historic Landmark Commission - applicant; 903 Shoal Cliff Court, LLC,  
 Presidium Group, owners  
 Request: MF-4-CO-NP to MF-4-H-CO-NP  
 Staff Rec.: **Recommended**  
 Staff: Steve Sadowsky, 512-974-6454, [steve.sadowsky@austintexas.gov](mailto:steve.sadowsky@austintexas.gov);  
 Planning and Zoning Department

Public hearing closed.

The motion to deny staff's recommendation for MF-4-H-CO-NP district zoning was approved by Commissioner Alfonso Hernandez, Commissioner Richard Hatfield seconded the motion on a vote of 4-3; Commissioners Danette Chimenti, Nuria Zaragoza and Jean Stevens voted against the motion (nay), Commissioner Brian Roark left early, Commissioner James Shieh was absent.

- 12. Zoning: C814-2012-0152 - Pilot Knob Planned Unit Development; District 2**  
 Location: East and southeast of the intersection of William Cannon Drive and  
 McKinney Falls Parkway, and west of South U.S. Highway 183 and FM  
 1625, Cottonmouth Creek, North Fork Dry Creek, South Fork Dry Creek  
 Watersheds, Pilot Knob MUD No. 1-5  
 Owner/Applicant: Carma Easton, Inc. (Logan Kimble)  
 Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley)  
 Request: I-RR; I-SF-4A to PUD  
 Staff Rec.: **Pending; Postponement request by the Staff to July 28, 2015**  
 Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov);  
 Planning and Zoning Department

The motion to postpone to July 28, 2015 by request of the staff was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 13. Preliminary Plan: C8-2014-0115 - Richardson Lane Subdivision; District 3**  
 Location: 749 Montopolis Road, Country Club East Watershed, Montopolis NPA  
 Owner/Applicant: Stafford Development LLC (Joe Stafford)  
 Agent: Powers Engineering Group, Inc. (Forrest Powers)  
 Request: Approve a preliminary subdivision plan of 12 lots on 1.204 acres.  
 Staff Rec.: **Recommended**  
 Staff: Sylvia Limon, 512-974-2767, [sylvia.limon@austintexas.gov](mailto:sylvia.limon@austintexas.gov);  
 Development Services Department

Pulled no action required; notice error, will re-notice for July 14, 2015 agenda.

- 14. Resubdivision: C8-2014-0181.0A - Medlock Resubdivision; District 3**  
 Location: 813 South Center Street, West Bouldin Creek Watershed, Galindo NPA  
 Owner/Applicant: Ken Blaker  
 Agent: Texas Engineering Solutions (James Hagen)  
 Request: Approve a resubdivision of 1 lot into 2 lots for residential use on 0.449 acres.  
 Staff Rec.: **Recommended**  
 Staff: Don Perryman, 512-974-2786, [don.perryman@austintexas.gov](mailto:don.perryman@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve staff's recommendation to approve Medlock Re-subdivision was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 15. Resubdivision: C8-2014-0211.0A - Langham Place, Resubdivision of Lot 48, Block C, C.L Angell Addition; District 3**  
 Location: 6114 Langham Street, Country Club East Watershed, Montopolis NPA  
 Owner/Applicant: Cantegra Investments LLC (Shaun Ryan)  
 Agent: Tom Groll Engineering (Tom Groll)  
 Request: Approval of the Langham Place, Resubdivision of Lot 48, Block C, C.L. Angell Addition composed of three lots on 0.23 acres.  
 Staff Rec.: **Recommended**  
 Staff: Cesar Zavala, 512-974-3404, [cesar.zavala@austintexas.gov](mailto:cesar.zavala@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve staff's recommendation to approve Langham Place subdivision was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 16. Final Plat with Replat: C8-2015-0127 - Kennelwood Subdivision; District 10**  
 Location: 3805 Kennelwood Road, Lake Austin Watershed, West Austin Neighborhood Group NPA  
 Owner/Applicant: Graves Dougherty Hearon & Moody (Peter J. Cesaro)  
 Agent: Bury, Inc. (Travis Flake)  
 Request: Approval of the Kennelwood Subdivision composed of 2 lots on 0.870 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department

- 17. Final Plat - Previously Unplatted: C8-2015-0131.0A - St. Stephen's Square Phase Two; District 1**  
 Location: 4905 Pecan Springs Road, Little Walnut Creek Watershed, MLK NPA  
 Owner/Applicant: Carianne Shulte; Christopher R. Chollet; Luke & Peni Ellis  
 Agent: Garrett-Ihnen Civil Engineers (Norma Divine)  
 Request: Approval of St. Stephen's Square Phase Two composed of 1 lot on 3.43 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department
- 18. Final Plat - Resubdivision: C8-2015-0116.0A - Ragsdale Resubdivision; District 10**  
 Location: 1407 West 40th Street, Shoal Creek Watershed, Rosedale NPA  
 Owner/Applicant: Mac Ragsdale  
 Agent: Land Answers Inc (Jim Wittliff)  
 Request: Approval of the Ragsdale Resubdivision composed of 2 lots on 0.2516 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department
- 19. Final Plat with Replat: C8-2015-0120.0A - Highlands of University Hills Section 2; Replat; District 1**  
 Location: Friendswood Drive, Little Walnut Creek Watershed, Windsor Park NPA  
 Owner/Applicant: Trimel Opportunities (Mark Rose)  
 Agent: Catalyst Engineering Group (Timothy J. Moltz, P.E.)  
 Request: Approval of the Highlands of University Hills Section 2; Replat composed of 50 lots on 10.85 acres.  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department



- 20. Final Plat - Resubdivision: C8-2015-0123.0A - Hargrave Place (Withdraw/Resubmittal of C8-2014-0104.0A); District 1**
- Location: Hargrave Street, Boggy Creek Watershed, Rosewood NPA  
 Owner/Applicant: 12th & Hargrave Interests, LLC  
 Agent: Texas Engineering Solutions (James Hagen)  
 Request: Approval of Hargrave Place (Withdraw/Resubmittal of C8-2014-0104.0A) composed of 1 lot on 5.36 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department

Public hearing closed.

Items #16-20;

The motion to disapprove Items #16-20 was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

- 21. Site Plan Conditional Use Permit: SPC-2014-0220A – Megabus; District 1**
- Location: 1500 San Jacinto Boulevard, Waller Creek Watershed, Downtown NPA  
 Owner/Applicant: Megabus Southwest (Rich Funke)  
 Agent: Land Use Solutions (Michele Haussmann)  
 Request: Approval of a conditional use permit for a Transportation Terminal use  
 Staff Rec.: **Not Recommended**  
 Staff: Lynda Courtney, 512-974-2810, [lynda.courtney@austintexas.gov](mailto:lynda.courtney@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve the conditional use permit for a Transportation Terminal Use with the following conditions:

- 1) Facility will be staffed during operational hours;
- 2) Megabus will use an alternate location during special events that include road closures;
- 3) Megabus will install “No Parking” and “Will Tow” signs throughout the site and where requested by adjacent property owners and will educate customers on appropriate and legal places to park nearby;
- 4) Megabus will adhere to the City’s idling regulation and will load/un load buses on the east side of the existing building, in front of the canopy;
- 5) No more than 1 bus will be scheduled to arrive at the site at a time;
- 6) All automobiles will exit the site onto 15<sup>th</sup> Street;
- 7) Indoor seating will be provided on site;
- 8) Indoor restrooms will be provided on site;
- 9) existing structure will be renovated and maintained;
- 10) Megabus will not use a public address system or any amplified sound;
- 11) The hours of operation will be 6 am to midnight;
- 12) Megabus agrees to close the east driveway on 15<sup>th</sup> Street (the one closest to the corner) but will maintain the other driveways as they currently exist;
- 13) Megabus agrees to install striping and bollards to provide directional control of vehicles;

- 14) Meabus will prohibit buses from 4:00 pm to 6:00 pm, Monday through Friday only;
- 15) Megabus will not oppose road closures for existing special events;
- 16) Megabus will return to the Planning Commission in one year to report on the status of their business and the impact of these conditions.

Motion was made by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 7-0; Commissioner Brian Roark left early, Commissioner James Shieh was absent.

**22. Site Plan - SPC-2015-0112A - Block 188; District 1**

**Waivers:**

Location: 202 Nueces Street, Lady Bird Lake Watershed, Downtown NPA  
 Owner/Applicant: City of Austin, Economic Development Department (Fred Evins)  
 Agent: Jones & Carter (Jim Schissler P.E.)  
 Request: 1. Request a waiver to allow a building to exceed the maximum permitted setback of 10 feet within the CBD and DMU districts [LDC Sec. 25-2-594]. 2. Request a waiver to allow a building to encroach into a required building envelope which is delineated by a 70 degree angle starting at a line 45 feet above the property boundary line nearest Shoal Creek, with the base of the angle being a horizontal plane extending from the line parallel to and away from the surface of Shoal Creek [LDC Sec. 25-2-738(E)].

Staff Rec.: **Recommended**

Staff: Nikki Hoelter, 512-974-2863, [nikki.hoelter@austintexas.gov](mailto:nikki.hoelter@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve staff's recommendation for Variance #2 ONLY was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

Variance #1 was withdrawn by the staff; no action was required by the Commission.

**23. Site Plan Conditional Use Permit: SPC-2014-0395C - Austin Concrete; District 8**

Location: 8649 Old Bee Caves Road, Williamson Creek Watershed-Barton Springs Zone, Oak Hill Combined NPA (West Oak Hill)  
Owner/Applicant: Position & Hold Investments, LLC (Mark Whaling)  
Agent: Thompson Land Engineering (Odalys Johnson)  
Request: Approval of a conditional use permit for construction sales and service in W/LO zoning.  
Staff Rec.: **Recommended**  
Staff: Donna Galati, 512-974-2733, [donnal.galati@austintexas.gov](mailto:donnal.galati@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of a conditional use permit for Austin Concrete was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

**24. Site Plan Extension: SP-2011-0185C(XT2) - Promiseland Church; District 8**

Location: 8901 West State Highway 71, Williamson Creek Watershed-Barton Springs Zone, Oak Hill Combined NPA (West Oak Hill)  
Owner/Applicant: Promiseland West Church  
Agent: Metcalfe Wolff, Stuart & Williams, LLP (Michele Rogerson Lynch)  
Request: Approval of a five-year extension request for a previously-approved site plan.  
Staff Rec.: **Recommended**  
Staff: Christine Barton-Holmes, 512-974-2788, [christine.barton-holmes@austintexas.gov](mailto:christine.barton-holmes@austintexas.gov); Development Services Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of a five-year extension for Promiseland Church was approved on the consent agenda by Commissioner Richard Hatfield, Commissioner Stephen Oliver seconded the motion on a vote of 8-0; Commissioner James Shieh was absent.

**25. Briefing,  
Discussion and  
Possible Action:**

Request: Briefing, discussion and possible action on a recommendation to City Council on the Cemetery Master Plan.

Staff: Kim McKnight, 512-974-9478, [Kim.McKnight@AustinTexas.gov](mailto:Kim.McKnight@AustinTexas.gov);  
Parks and Recreation Department

Briefing given by Kim Knight

The motion to approve the Cemetery Master Plan was made by Commissioner James Nortey, Commissioner Richard Hatfield seconded the motion on a vote of 7-0; Commissioner Brian Roark left early, Commissioner James Shieh was absent.

**D. NEW BUSINESS**

**E. SUBCOMMITTEE REPORTS**

**F. ADJOURN**

**Chair Danette Chimenti adjourned the meeting without objection at 3:15 A.M.**