



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
August 11, 2015**

**The Planning Commission convened in a regular meeting on August 11, 2015 @ 301 W.2nd Street,
Austin, TX 78701**

Chair Stephen Oliver called the Commission Meeting to order at 6:02 p.m.

Commission Members in Attendance:

**Fayez Kazi
Tom Nuckols
Stephen Oliver
James Schissler
Patricia Seeger
James Shieh
Jean Stevens
Jose Vela
Trinity White
Michael Wilson
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

Susana Almanza – Infill tools

B. APPROVAL OF MINUTES

1. Approval of minutes from July 28, 2015.

The motion to approve the minutes from July 28, 2015 with amendments made by Commissioner Nuria Zaragoza was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 11-0, Commissioner Jeffrey Thompson was absent.

C. PUBLIC HEARINGS

1. Plan Amendment: NPA-2015-0017.01 - Korean United Presbyterian Church FLUM Amendment; District 10

Location: 2000 Justin Lane, Shoal Creek Watershed, Crestview/Wooten Combined NPA

Owner/Applicant: Korean United Presbyterian Church (Roy. M. Kim)

Agent: Thrower Design (Ron Thrower)

Request: Civic to Multifamily

Staff Rec.: **Recommended**

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov; Planning and Zoning Department

1st Motion: Motion made to re-open the public hearing was made by Commissioner Tom Nuckols, Commissioner James Shieh seconded the motion on a vote of 9-2; Commissioner Jose Vela and James Schissler voted against the motion (nay).

2nd Motion: Motion made to continue to August 25, 2015 by request of the Planning Commission was made by Commissioner Patricia Seeger, Commissioner Tom Nuckols seconded the motion on a vote of 7-4; Commissioners Fayez Kazi, Jose Vela, James Schissler and Michael Wilson voted against the motion (nay).

2. Rezoning: C14-2015-0025 - Korean United Presbyterian Church Re-Zoning; District 10

Location: 2000 Justin Lane, Shoal Creek Watershed, Crestview/Wooten Combined NPA

Owner/Applicant: Korean United Presbyterian Church (Roy. M. Kim)

Agent: Thrower Design (Ron Thrower)

Request: SF-3-NP to MF-3-NP

Staff Rec.: **Recommended**

Staff: Tori Haase, 512-974-7691, Tori.Haase@austintexas.gov; Planning and Zoning Department

1st Motion: Motion made to re-open the public hearing was made by Commissioner Tom Nuckols, Commissioner James Shieh seconded the motion on a vote of 9-2; Commissioner Jose Vela and James Schissler voted against the motion (nay).

2nd Motion: Motion made to continue to August 25, 2015 by request of the Planning Commission was made by Commissioner Patricia Seeger, Commissioner Tom Nuckols seconded the motion on a vote of 7-4; Commissioners Fayez Kazi, Jose Vela, James Schissler and Michael Wilson voted against the motion (nay).

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.: **Pending**

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov; Planning and Zoning Department

The motion to postpone to August 25, 2015 by request of staff was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 11-0.

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.: **Pending**

Staff: Heather Chaffin, 512-974-2122, Heather.Chaffin@austintexas.gov; Planning and Zoning Department

The motion to postpone to August 25, 2015 by request of staff was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 11-0.

5. Plan Amendment: NPA-2015-0029.01 - Sunrise Pharmacy; District 4

Location: 7104, 7106, & 7108 Bennett Ave., Buttermilk Creek Watershed, St. John / Coronado Hills Combined NPA

Owner/Applicant: 11800 Metric, Inc. (Abul Patel)

Agent: Land Answers, Inc. (Jim Wittliff)

Request: Single Family to Neighborhood Mixed Use

Staff Rec.: **Not recommended**

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov; Planning and Zoning Department

The motion to postpone to August 25, 2015 by request of Planning Commission was approved by Commissioner Jean Stevens, Commissioner Fayez Kazi seconded the motion on a vote of 11-0.

6. Rezoning: C14-2015-0050 - Sunrise Pharmacy; District 4

Location: 7104, 7106, and 7108 Bennett Avenue, Buttermilk Creek Watershed, St. John / Coronado Hills Combined NPA

Owner/Applicant: 11800 Metric Inc. (Abdul Patel)

Agent: Land Answers, Inc. (Jim Wittliff)

Request: SF-3-NP to LR-CO-MU-NP

Staff Rec.: **Not Recommended**

Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

The motion to postpone to August 25, 2015 by request of Planning Commission was approved by Commissioner Jean Stevens, Commissioner Fayez Kazi seconded the motion on a vote of 11-0.

7. Restrictive Covenant Termination: C14-79-171(RCT) - 501 E 53rd Street; District 9

Location: 501 East 53rd Street, Waller Creek Watershed, North Loop NPA

Owner/Applicant: Janet & Edward Belz

Agent: Land Use Solutions, LLC (Michele Haussmann)

Request: To terminate a Restrictive Covenant

Staff Rec.: **Recommended**

Staff: Tori Haase, 512-974-7691, Tori.Haase@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve staff's recommendation to terminate a restrictive covenant was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 11-0.

8. Rezoning: C14-2015-0081 - Rezone 2513; District 1

Location: 2513 East 10th Street, Boggy Creek Watershed, Central East Austin NPA

Owner/Applicant: Guido and Lito Porto

Agent: Guido Porto

Request: LI-CO-NP to NO-MU-CO-NP

Staff Rec.: **Recommended**

Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve staff's recommendation of NO-MU-CO-NP district zoning was approved by Commissioner James Schissler, Commissioner James Shieh seconded the motion on a vote of 11-0.

9. Rezoning: C14-2015-0065 - New Central Library; District 9

Location: 710 W Cesar Chavez Street, Shoal Creek Watershed, Downtown Austin Plan NPA

Owner/Applicant: City of Austin

Agent: City of Austin (Mashell Smith - Real Estate Services)

Request: P to CBD

Staff Rec.: **Recommended**

Staff: Tori Haase, 512-974-7692, Tori.Haase@austintexas.gov; Planning and Zoning Department

The motion to continue to August 25, 2015 by request of the Planning Commission was approved by Commissioner Patricia Seeger, Commissioner Jean Stevens seconded the motion on a vote of 11-0.

10. Resubdivision with variance: C8-2014-0190.0A - Pemberton Heights; District 9

Location: 2410 Pemberton Parkway, Shoal Creek Watershed, Windsor Road NPA
Owner/Applicant: Hollow Creek LLC (Michel Issa)
Agent: Nobel S&E Works (Ryan Irion)
Request: Approval of a Resubdivision of Lot 8 Pemberton Heights, Section 12 and a portion of Lot 1, Block 18, of First Section of Pemberton Heights; and a variance to LDC 25-4-171(a).
Staff Rec.: **Recommended**
Staff: Steve Hopkins, 512-974-3175, steve.hopkins@austintexas.gov; Development Services Department

Public hearing closed.

The motion to approve staff's recommendation for approval of Pemberton Heights variance was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 10-0-1. Commissioner James Shieh recused from this item.

11. Resubdivision: C8-2014-0142.0A - Resubdivision of Lot 23A of the Resubdivision of Lot 23 Block 1, Pleasant Hill Addition; District 3

Location: 5501 Blue Bird Lane, Williamson Creek Watershed, West Congress NPA
Owner/Applicant: Grayland LLC (Lisa Gray)
Agent: Grayland LLC (Lisa Gray)
Request: Approval of the Resubdivision of Lot 23A of the Resubdivision of Lot 23 Block 1, Pleasant Hill Addition composed of 3 lots on 0.400 acres.
Staff Rec.: **Recommended**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov; Development Services Department

Public hearing closed.

The motion to approve staff's recommendation for approval of a re-subdivision of Lot 23A of the re-subdivision of Lot 23 Block 1, Pleasant Hill Addition, was approved by Commissioner Patricia Seeger, Commissioner Jean Stevens seconded the motion on a vote of 11-0.

12. Preliminary Plan: C8-2015-0155 - Grove at Shoal Creek; District 10

Location: 4205 Bull Creek Road, Shoal Creek Watershed, Rosedale NPA
Owner/Applicant: Steve Walkup
Agent: Brown & Gay Engineers (Brian Williams)
Request: Approval of Grove at Shoal Creek Subdivision composed of 4 lots on 75.75 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public hearing closed.

The motion to disapprove Item #12 was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 11-0.

13. Final Plat: C8-2015-0163.0A - Pecan Grove II; District 3

Location: 1147 Shady Ln, Boggy Creek Watershed, Johnston Terrace NPA
Owner/Applicant: Polis Properties LLC (Chris Peterson)
Agent: Fayezi Kazi
Request: Approval of Pecan Grove II composed of 2 lots on 0.365 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public hearing closed.

The motion to disapprove Item #13 was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 10-0-1; Commissioner Fayezi Kazi recused himself from this item.

- 14. Final Plat - Replat: C8-2015-0165.0A - 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 Moltz)
- Request: Approval of Highlands of University Hills Section 2; Replat composed of 50 lots on 10.85 acres.
- Staff Rec.: **Disapproval**
- Staff: Development Services Department
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- 15. Final Plat - Resubdivision: C8-2015-0153.0A - Austin Mall Lot 4. Resubdivision; District 4**
- Location: 5901 Airport Boulevard, Tannehill Branch, Waller Creek Watershed, Highland NPA
- Owner/Applicant: Austin Community College District (Dr. Richard Rhodes)
- Agent: Bury, Inc. (Craig Chonko)
- Request: Approval of Austin Mall Lot 4, Resubdivision composed of 4 lots on 17.3 acres.
- Staff Rec.: **Disapproval**
- Staff: Development Services Department
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- 16. Final Plat - Resubdivision: C8-2015-0159.0A - Edgewood Section Three Lot 2 Block G; Resubdivison; District 7**
- Location: 2801 Twin Oaks Drive, Shoal Creek Watershed, Allandale NPA
- Owner/Applicant: Laura May Burns Estate Operating Acct. (Tom Burns)
- Agent: Laura May Burns Estate Operating Acct. (Tom Burns)
- Request: Approval of Edgewood Section Three Lot 2 Block G; Resubdivison composed of 2 lots on 1.025 acres.
- Staff Rec.: **Disapproval**
- Staff: Development Services Department

17. Final Plat - Resubdivision: C8-2015-0164.0A - Diza Trucking Subdivision; Final Plat; District 1

Location: 5710 Hudson Street, Fort Branch Watershed, MLK-183 NPA
Owner/Applicant: Jose F. Diaz
Agent: FnF CAD Services (Alberto Alaniz)
Request: Approval of Diza Trucking Subdivision; Final Plat composed of 1 lot on 2.827 acres.
Staff Rec.: **Disapproval**
Staff: Planning and Zoning Department

18. Final Plat - Resubdivision: C8-2015-0154.0A - North Bluff; District 2

Location: 801 North Bluff Drive, Williamson Creek Watershed, South Congress Combined (Sweetbriar) NPA
Owner/Applicant: Northbluff Land, LP (Ryan Diepenbrock)
Agent: PSW Homes (Casey Giles)
Request: Approval of North Bluff Subdivision composed of 1 lot on 6.204 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public hearing closed.

The motion to disapprove Item #14-18 was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 11-0.

19. Site Plan - Conditional Use Permit: SPC-2015-0162AS - The Catherine; District 9

Location: 214 Barton Springs Road, Lady Bird Lake Watershed, Downtown Austin Plan NPA

Owner/Applicant: SLR Residential at Barton Springs LLC (Tom Bakewell)

Agent: Land Use Solutions, LLC (Michele Haussmann)

Request: The applicant is requesting a conditional use permit for a cocktail lounge.

Staff Rec.: **Recommended**

Staff: Nikki Hoelter, 512-974-2863, nikki.hoelter@austintexas.gov; Development Services Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of The Catherine was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 10-0-1. Commissioner James Shieh recused from this item.

20. Site Plan Conditional Use Permit: SPC-2015-0111A - Austin Classical School; District 7

Location: 6301 Woodrow Avenue, Shoal Creek Watershed, Brentwood/Highland Combined NPA

Owner/Applicant: Austin Classical School

Agent: James Shackelford

Request: Approval of a Conditional Use Permit for a private primary school with 99 students

Staff Rec.: **Meets all administrative code requirements**

Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov; Development Services Department

Public hearing closed.

The motion to approve staff’s recommendation with conditions read into the record by staff was approved on the consent agenda by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 11-0.

D. NEW BUSINESS

1. New Business:

Request: Discussion and possible action on addressing infill tools that were adopted during the neighborhood planning process.

Mark Walters gave presentation and answered questions from the commission
Request made to place on the Neighborhood Plan Committee agenda in September; motion was made by Commissioner Nuria Zaragoza, Commissioner Trinity White seconded the motion on a vote of 11-0.

2. New Business:

Request: Discussion and possible action on a moratorium on all permits for hotel/motel, cocktail lounges, breweries, sound amplification and late night permits for the East Cesar Chavez Corridor between IH-35 on the west and U.S Highway 183 on the east.

Continue to August 25, 2015 by request of the Planning Commission;
Post on the next Codes & Ordinances Committee agenda; Legal Department to give information on what can be done by the Commission, and are there other options.
Motion made by Commissioner Nuria Zaragoza, Commissioner Patricia Seeger seconded the motion on a vote of 11-0.

3. New Business:

Request: Discussion and possible action on appointing Commissioners to the Economic and Capital Budget Joint Committee, the Small Area Planning Joint Committee, and the Joint Sustainability Committee.

Motion made to Continue to August 25, 2015 by request of Planning Commission
Was made by Commissioner Jean Stevens, Commissioner Nuria Zaragoza seconded the motion on a vote of 11-0.

4. New Business:

Request: Discussion and possible action on appointing Commissioners to the following Committees of Planning Commission: Executive Committee, Committee on Comprehensive Planning, Committee on Capital Improvements Program, and Committee on Neighborhood Planning.

Motion made to Continue to August 25, 2015 by request of Planning Commission
Was made by Commissioner Jean Stevens, Commissioner Nuria Zaragoza seconded the motion on a vote of 11-0.

5. New Business:

Request: Discussion and possible action on appointing a Planning Commission member to Downtown Commission.

Motion made to Continue to August 25, 2015 by request of Planning Commission
Was made by Commissioner Jean Stevens, Commissioner Nuria Zaragoza seconded the motion on a vote of 11-0.

6. New Business:

Request: Discussion and possible action on amending the Planning Commission bylaws.

Forwarded to the Executive Committee of the Planning Commission

7. New Business:

Request: Discussion and possible action on amending the Planning Commission Rules and Procedures.

Forwarded to the Executive Committee of the Planning Commission

E. SUBCOMMITTEE REPORTS

Request was made for a Planning Commission Work Session (Retreat) on the September 29th, (5th Tuesday).

F. ADJOURN

Chair Stephen Oliver adjourned the meeting without objection at 10:23 P.M.