



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
September 8, 2015**

**The Planning Commission convened in a regular meeting on September 8, 2015 @ 301 W.2nd Street,
Austin, TX 78701**

Chair Stephen Oliver called the Commission Meeting to order at 6:13 p.m.

Commission Members in Attendance:

**Stephen Oliver - Chair
Fayez Kazi
Tom Nuckols
James Schissler
Jean Stevens
Jeffrey Thompson
Trinity White
Michael Wilson
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

Ron Thrower – 1). Requested a code amendment to allow Planning Commission to initiate a neighborhood plan amendment; 2) A code amendment to remove the date of filing periods if a neighborhood planning contact team does not exist.

B. APPROVAL OF MINUTES

- 1. Approval of minutes from August 11, 2015.

The motion to approve the minutes from August 11, 2015 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of (8-0) Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

- 2. Approval of minutes from August 25, 2015.

The motion to postpone to September 22, 2015 by request of staff was approved on the consent agenda by Commissioner James Schissler, Commissioner James Shieh seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were 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. (Case withdrawn by applicant)**

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

This case was withdrawn by the applicant, no action required.

- 2. Rezoning: C14-2015-0023 - Parandian Rezoning; 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: SF-3-NP to LO-MU-NP
- Staff Rec.: **Recommended (Case withdrawn by applicant)**
- Staff: Tori Haase, 512-974-7691, Tori.Haase@austintexas.gov; Planning and Zoning Department

This case was withdrawn by the applicant, no action required.

- 3. Rezoning: C14H-2015-0010 - Yerwood-Simond House; District 1**
- Location: 2005 Hamilton Avenue, Boggy Creek Watershed, Central East Austin NPA
- Owner/Applicant: Harold B. Groendyke and Catherine Lucchesi, owners
- Agent: Alyson McGee
- Request: SF-3-NP to SF-3-H-NP
- Staff Rec.: **Recommended**
- Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov; Planning and Zoning Department

This item was pulled from the agenda; was noticed for September 22, 2015.

- 4. Rezoning: C14-2015-0073 - 7200 E. Ben White; District 3**
- Location: 7200 E. Ben White Boulevard, Carson Creek Watershed, Montopolis NPA
- Owner/Applicant: KWH Properties
- Agent: Thrower Designs (Ron Thrower)
- Request: LI-NP & GR-MU-NP to SF-6
- Staff Rec.: **Pending; Postponement by staff to September 22, 2015, case will be re-notified.**
- Staff: Andy Moore, 512-974-7604, andrew.moore@austintexas.gov; Planning and Zoning Department

The motion to postpone to September 22, 2015 by request of staff was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

- 5. Rezoning: C14-2015-0091 - 1900 Burton Drive & 1901 Mariposa Drive; District 3**
- Location: 1900 Burton Drive & 1901 Mariposa Drive, Lady Bird Lake Watershed, East Riverside NPA
- Owner/Applicant: Richard J. Bruggeman
- Agent: Metcalfe, Wolff, Stuart & Williams (Michele R. Lynch)
- Request: MF-2 & MF-3 to MF-4
- Staff Rec.: **MF-4-CO**
- Staff: Andy Moore, 512-974-7604, andrew.moore@austintexas.gov; Planning and Zoning Department

The motion to postpone to October 13, 2015 by request of the applicant was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

- 6. Rezoning: C14-2015-0078 - 1411 West 5th Street and 403 Paul Street; District 9**
- Location: 1411 West 5th Street and 403 Paul Street, Lady Bird Lake Watershed, Old West Austin NPA
- Owner/Applicant: Matthews-Barnes Brothers Investments, LP (Duke, Danay, Rox Covert)
- Agent: Armbrust & Brown, L.L.P. (Richard Suttle)
- Request: LI-CO-NP to LI-PDA-NP
- Staff Rec.: **Recommended**
- Staff: Victoria Haase, 512-974-7691, Tori.Haase@austintexas.gov; Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation of LI-PDA-NP zoning noting the acreage/square feet of the subject rezoning area was noted incorrectly in the zoning case report. It is 1.4 acres or 48,362 sq. ft., was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

- 7. 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; Planning and Zoning Department

Public hearing closed.

The motion to approve staff’s recommendation with direction that items in agreement be placed in conditional overlay, public restrictive covenant or private restrictive covenant as appropriate; including OSHA Standards, was made by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of 7-0; Commissioner Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent, Commissioner Michael Wilson recused from this item.

- 8. 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 Watershed, 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**
- Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov; Planning and Zoning Department

Motion to postpone to September 22, 2015 by request of staff and place item as #1 on the agenda was made by Commissioner Jean Stevens, Commissioner James Schissler seconded the motion on a vote of (7-0); Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent, Commissioner Tom Nuckols recused from this item.

- 9. Resubdivision: C8-2014-0183.0A - W.B. Anthony Subdivision; District 3**
- Location: 2704 East 2nd Street, Lady Bird Lake Watershed, Holly NPA
- Owner/Applicant: David Messier
- Agent: Plumb Architecture (C. Denise Shaw)
- Request: Approval of the resubdivision of four existing lots and portions of a vacated alley into a three lot subdivision on .6625 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 the re-subdivision of W.B. Anthony Subdivision was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

10. Resubdivision: C8-2014-0241.0A - Resubdivision of a Portion of a Portion of Lots 8 and 9, Block 8, Ridgetop Annex; District 9

Location: 815 Keasbey Street, Boggy Creek Watershed, Hancock NPA
Owner/Applicant: Truc M. Nguyen and Lan T. Nguyen
Agent: Larry Rolon
Request: Approval of the resubdivision of portions of existing lots into a one lot subdivision on .0527 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 the re-subdivision of portions of Lots 8 and 9, Block 8, Ridgetop Annex was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Sevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

11. Resubdivision: C8-2015-0048.0A - Resubdivision of Lot 12, Block D, Lakeshore Village; District 10

Location: 3600 Meredith Street, Lake Austin Watershed, West Austin NPA
Owner/Applicant: Daniel Camspey & Mark Waugh
Agent: Hector Avila
Request: Approve the resubdivision of one lot into 2 lots on 0.285 acres.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 512-974-2767, sylvia.limon@austintexas.gov; Development Services Department

Public hearing closed.

Motion #1: The motion to approve staff's recommendation for approval of Lakeshore Village was made by Commissioner James Schissler, Commissioner Faye Kazi seconded the motion on a vote of 6-2; Commissioners Jean Stevens and Trinity White voted against the motion (nay); Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.
MOTION FAILED.

Motion #2: The motion to postpone to September 22, 2015 with supporting documentation regarding the 100-year floodplain, impervious cover and critical environmental features; was made by Commissioner Jean Stevens, Commissioner Tom Nuckols seconded the motion on a vote of 6-2;

Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent, Commissioners Michael Wilson and James Schissler voted against the motion (nay). MOTION FAILED.

Motion #3: The motion to postpone to September 22, 2015 by request of the Planning Commission was made by Commissioner Jean Stevens, Commissioner Fayez Kazi seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent. MOTION PASSED.

12. Final Plat - Resubdivision: C8-2015-0038.0A - Rialto Park at Lantana, Resubdivision of Lot 9, Block A; District 8

Location: 6901 Southwest Parkway, Williamson Creek/Barton Creek Watersheds-Barton Springs Zone Watershed, East Oak Hill NPA

Owner/Applicant: CH Realty VII-THC MF Austin Lantana Hills, L.P. (Kathy K. Binford)

Agent: LJA Engineering, Inc. (Danny Miller)

Request: Approval of the Rialto Park at Lantana, Resubdivision of Lot 9, Block A composed of 2 lots on 54.748 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 Rialto Park at Lantana was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

13. Final Plat: C8-2015-0173.0A - Blue Bonnet Garden; Amended plat of Lot 31 & 31A; District 2

Location: 4401 Norwood Lane, Cottonwood Creek Watershed, Southeast NPA

Owner/Applicant: The Clifford W. Stark & Nayoma Stark Living Trust

Agent: Hector Avila

Request: Approval of Blue Bonnet Garden; Amended Plat of Lot 31 & 31A composed of 2 lots on 0.55 acres.

Staff Rec.: **Disapproval**

Staff: Development Services Department

14. Final Plat: C8-2015-0177.0A - 900 S. 1st Street; District 9

Location: 900 South 1st Street, East Bouldin Creek Watershed, Bouldin Creek NPA

Owner/Applicant: 1st Street Highlands, LP (Ryan Diepenbrock)

Agent: PSW Homes LLC (Jarred Corbell)

Request: Approval of the resubdivision of 8 lots into 1 lot on 1.323 acres

Staff Rec.: **Disapproval**

Staff: Development Services Department

15. Final Plat - Amended Plat: C8-2015-0175.0A - Abe Williams; District 9

Location: 900 South 2nd Street, East Bouldin Creek Watershed, Bouldin Creek NPA

Owner/Applicant: 1st Street Highlands, LP (Ryan Diepenbrock)

Agent: PSW Homes LLC (Jarred Corbell)

Request: Approval of the Abe Williams final plat composed of 1 lot on 2.161 acres

Staff Rec.: **Disapproval**

Staff: Development Services Department

Items #13-15;
Public hearing closed.

The motion to disapprove Items #13-15 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Sevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

16. Site Plan Conditional Use Permit: SPC-2015-0135A - Detour Bar & Grill; District 8

Location: 6705 W US Hwy 290, Williamson Creek Watershed-Barton Springs Zone Watershed, Oak Hill Combined NPA

Owner/Applicant: Detour Bar & Grill

Agent: Land Strategies, Inc. (Erin Welch)

Request: Approval of a Conditional Use Permit for a 1,974 sf expansion to an existing 1,483 sf cocktail lounge.

Staff Rec.: **Recommended**

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 for approval of a conditional use permit for Detour Bar & Grill was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

17. Site Plan Conditional Use Permit: SPC-2015-0140A - Infinite Monkey Theorem Winery; District 3

Location: 121 Pickle Road, East Bouldin Creek Watershed, Dawson NPA
Owner/Applicant: 3423 Holdings, LLC (Peter Barlin)
Agent: Moya Khabele
Request: Approval of a conditional use permit to allow a 2,000 square foot wine tasting room on this site (a conditional use per LDC 25-2-865).
Staff Rec.: **Recommended**
Staff: Rosemary Avila, 512-974-2784, rosemary.avila@austintexas.gov; Development Services Department

Public hearing closed.

The motion to approve staff’s recommendation for approval of a conditional use permit for Detour Bar & Grill was approved on the consent agenda by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

D. NEW BUSINESS

1. New Business: Greater Mt. Zion Baptist Church; District 1

Location: 1801 Pennsylvania Avenue, Lady Bird Lake Watershed, Central East Austin NPA
Request: Discussion and possible initiation of rezoning for property located at 1801 Pennsylvania Avenue. Request made by Commissioners Jean Stevens and Nuria Zaragosa.
Staff: Heather Chaffin 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

Motion made to direct staff to initiate a rezoning case to MF-4 zoning with a conditional overlay for MF-1-uses, was made by Commissioner Trinity White, Commissioner James Schissler seconded the motion on a vote of 8-0; Commissioner Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

- 2. New Business: Greater Mt. Zion Baptist Church; District 1**
- Location: 1801 Pennsylvania Avenue, Lady Bird Lake Watershed, Central East Austin NPA
- Request: Discussion and possible initiation of a neighborhood plan amendment for property located at 1801 Pennsylvania Avenue. Request made by Staff.
- Staff: Maureen Meredith 512-974-2695, maureen.meredith@austintexas.gov; Planning and Zoning Department

This item was discussed but no action was taken because item will be initiated by the Director of Planning and Zoning Department.

- 3. New Business: Greater Mt. Zion Baptist Church; District 1**
- Location: 1809 Pennsylvania Avenue and 1170 Chicon Street, Lady Bird Lake Watershed, Central East Austin NPA
- Request: Discussion and possible initiation of rezoning for property located at 1809 Pennsylvania Avenue and 1170 Chicon Street. Request made by Staff.
- Staff: Heather Chaffin 512-974-2122, heather.chaffin@austintexas.gov; Planning and Zoning Department

The motion to direct staff to initiate a rezoning case to MF-4 zoning with a conditional overlay for MF-1- uses was made by Commissioner Trinity White, Commissioner James Schissler seconded the motion on a vote of 8-0; Commissioners Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

- 4. New Business: Greater Mt. Zion Baptist Church; District 1**
- Location: 1809 Pennsylvania Avenue and 1170 Chicon Street, Lady Bird Lake Watershed, Central East Austin NPA
- Request: Discussion and possible initiation of a neighborhood plan amendment for property located at 1809 Pennsylvania Avenue and 1170 Chicon Street. Request made by Staff.
- Staff: Maureen Meredith 512-974-2695, maureen.meredith@austintexas.gov; Planning and Zoning Department

This item was discussed but no action was taken because item will be initiated by the Director of Planning and Zoning Department.

5. New Business:

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

Motion made to forward to City Clerk's Office was made by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

6. New Business:

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

Motion made to forward to City Clerk's Office was made by Commissioner James Schissler, Commissioner Jean Stevens seconded the motion on a vote of 8-0; Commissioner Patricia Seeger, James Shieh, Jose Vela and Nuria Zaragoza were absent.

E. ITEMS FROM COMMISSION

- Request from Commissioner Trinity White with support of the Commission, a briefing on 2018 Meredith Drainage Plan
- Post appointment to Joint Sustainability Committee

F. COMMITTEE REPORTS

Joint Sustainability Committee – Unknown
Small Area Planning Committee – September 16, 2015
Codes & Ordinances Committee – September 15, 2015
Comp. Plan Committee – September 14, 2015
Downtown Commission – Unknown

G. ADJOURN

Chair Stephen Oliver adjourned the meeting without objection at 8:16 PM.