



**REGULAR MEETING
MINUTES**

**ZONING & PLATTING COMMISSION
Tuesday, October 20, 2015**

Convened at 6:09 PM

The Zoning & Platting Commission convened in a regular meeting on October 20, 2015 @ 301 W. 2nd Street, Austin, TX 78701

Vice-Chair Goodman called the Commission Meeting to order at 6:09 p.m.

Board Members in Attendance:

**Ann Denkler
Bruce Evans
Yvette Flores
Jackie Goodman
Susan Harris
Sunil Lavani
Thomas Weber**

**Gabriel Rojas – Chair - Absent
Dustin Breithaupt – Absent
Jolene Kiolbassa - Absent**

EXECUTIVE SESSION (No public discussion)

The Zoning & Platting 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

B. APPROVAL OF MINUTES

1. Approval of minutes from October 6, 2015.

The motion to approve the minutes from October 6, 2015 meeting was approved on the consent agenda by Commissioner Thomas Weber, Commissioner Sunil Lavani seconded the motion on a vote of 7-0. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

C. C. PUBLIC HEARINGS

1. **Rezoning:** **C14-2015-0127 - Lexington Parke II; District 2**
Location: Northwest quadrant of Ross Road and Pearce Lane, Dry Creek East / Onion Creek Watersheds
Owner/Applicant: Lexington 281, L.P. (Mehrdad Moayed) **Recommended, with conditons**
Agent: Husch Blackwell LLP (Nikelle Meade)
Request: SF-4A; MF-3 to MH
Staff Rec.: **Recommended, with conditons**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Planning and Zoning Department

There was a motion made by Commissioner Susan Harris and seconded by Commissioner Sunil Lavani to **close the public hearing** and grant MH district zoning with staff recommendations. Friendly amendment made by Vice-Chair Goodman and accepted by Commissioner Susan Harris to include staff direction to provide a memo to Council regarding the existing state of Pearce Lane. In addition, Applicant agreed to submit a template for a Manufactured Home Park regime that will specify the rights of residents and the land owner's organization and operation. The motion failed (*due to lack of a vote in the affirmative*) on a vote of 5-2. Those voting nay were: Vice-Chair Jackie Goodman and Commissioner Thomas Weber. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

There was a motion made by Commissioner Ann Denkler and seconded by Vice-Chair Jackie Goodman to close the public hearing and postpone this item to November 3, 2015. The motion failed (*due to lack of a vote in the affirmative*) on a 4-3 vote. Those voting nay were: Commissioner Bruce Evans, Commissioner Susan Harris and Commissioner Sunil Lavani. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

There was a substitute motion made by Commissioner Susan Harris and seconded by Commissioner Sunil Lavani to close the public hearing and grant MH district zoning with R-O-W dedication on Ross Road as staff recommended, with an additional condition that the new development would not be completed until Pearce lane is improved, with special consideration given to buffered bike lanes. Staff was **instructed given** to provide a memo to Council regarding the existing state of Pearce Lane. In addition, Applicant agrees to submit a template for a Manufactured Home Park regime that will specify the rights of residents and the land owner's organization and operation. The motion passed on a vote of 6-1. Commissioner Thomas Weber voted nay. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

2. **Preliminary Plan:** **C8J-2015-0055 - Payton Subdivision Preliminary Plan**
 Location: Sprinkle Cutoff Road, Walnut Creek Watershed
 Owner/Applicant: Trine Devco, LLC (Ralph Reed)
 Agent: Longaro & Clarke, LP (Walter Hoysa)
 Request: Approval of the preliminary plan composed of 23 lots on 4.9 acres.
 Staff Rec.: **Recommended**
 Staff: Joe Arriaga, 512-854-7562, joe.arriaga@traviscountytexas.gov
 Travis County/City of Austin Single Office

The motion to grant staff's recommendation for C8J-2015-0055 - Payton Subdivision Preliminary Plan was approved on the consent agenda by Commissioner Thomas Weber, Commissioner Sunil Lavani seconded the motion on a vote of 7-0. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

3. **Final Plat with Preliminary Plan:** **C8J-2015-0055.1A - Payton Subdivision Final Plat**
 Location: Sprinkle Cutoff Road, Walnut Creek Watershed
 Owner/Applicant: Trine Devco, LLC (Ralph Reed)
 Agent: Longaro & Clarke, LP (Walter Hoysa)
 Request: Approval of the Payton Subdivision Final Plat composed of 23 lots on 4.9 acres.
 Staff Rec.: **Recommended**
 Staff: Michael Hettenhausen, 512 854-7563,
 michael.hettenhausen@traviscountytexas.gov
 Travis County/City of Austin Single Office

The motion to grant staff's recommendation for C8J-2015-0055.1A - Payton Subdivision Final Plat was approved on the consent agenda by Commissioner Thomas Weber, Commissioner Sunil Lavani seconded the motion on a vote of 7-0. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

4. **Final Plat:** **C8-2013-0092.01.1A - Springfield Section 3 (Withdraw/Resubmittal of C8-2013-0092.2A), District 2**
 Location: East William Cannon Drive, Cottonmouth Creek Watershed
 Owner/Applicant: KB Home Lone Star L.P. (John Zinsmeyer)
 Agent: Pape-Dawson Engineers, Inc. (Dustin Goss)
 Request: Approval of Springfield Section 3 (Withdraw/Resubmittal of C8-2013-0092.2A) composed of 120 lots on 18.075 acres.
 Staff Rec.: **Disapproval**
 Staff: Sylvia Limon, 512-974-2767, Sylvia.Limon@austintexas.gov
 Development Services Department

5. **Final Plat:** **C8-2015-0207.0A - 3804 McNeil Dr, District 7**
 Location: 3804 McNeil Drive, Walnut Creek Watershed
 Owner/Applicant: SAM Builders, LLC (Saeed Minhas)
 Agent: Cuatro Consultants, LTD (Hugo Elizondo)
 Request: Approval of 3804 McNeil Drive composed of 8 lots on 9.52 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
6. **Final Plat:** **C8-2015-0208.0A - Wolf Corner, District 2**
 Location: 7910 Wolf Lane, Maha Creek Watershed
 Owner/Applicant: Adam Ahmad
 Agent: Servant Engineering (Mauricio Quintero)
 Request: Approval of Wolf Corner composed of 1 lot on 2.0 acres.
 Staff Rec.: **Disapproval**
 Staff: Steve Hopkins, 512-974-3175, steve.hopkins@austintexas.gov
 Development Services Department
7. **Final Plat:** **C8-2015-0212.0A - Harris Ridge Business Center Subdivision Lot 6 Block A; Resubdivision**
 Location: 110 East Howard Lane, Harris Branch Watershed
 Owner/Applicant: HP Harris Land LLC (Ben Grieder)
 Agent: HP Engineering (Steven Jamison)
 Request: Approval of Harris Ridge Business Center Subdivision Lot 6 Block A; Resubdivision
 Staff Rec.: **Dissapproval**
 Staff: David Wahlgren, 512-974-6455, david.wahlgren@austintexas.gov
 Development Services Department
8. **Final Plat With Replat:** **C8-2015-0213.0A - Wal-Mart USA Store No. 1129 Subdivision, District 6**
 Location: 10014-1/2 Lake Creek Parkway, Lake Creek Watershed
 Owner/Applicant: Wal-Mart Real Estate Business Trust MS 0555 Property Tax Department
 Agent: Southwest Engineers (Miguel Gonzales)
 Request: Approval of the Wal-Mart USA Store No. 1129 Subdivision composed of 1 lot on 0.7517 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 9. Final Plat with Replat:** **C8-2015-0214.0A - Wal-Mart USA Store No. 5478 Subdivision, District 6**
 Location: 8201 North FM 620 Road, Bull Creek Watershed
 Owner/Applicant: Wal-Mart Real Estate Business Trust MS 0555 Property Tax Department
 Agent: Southwest Engineers (Miguel Gonzales)
 Request: Approval of Wal-Mart USA Store No. 5478 Subdivision composed of 1 lot on 0.818 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 10. Final Plat:** **C8-2015-0215.0A - Velocity Technology Center, District 2**
 Location: 3326 East SH 71, Colorado River / Onion Creek Watersheds
 Owner/Applicant: SH71-130 Holdings, LP (Karl Koebel)
 Agent: Kimley-Horn & Associates, Inc. (Robert Smith)
 Request: Approval of Velocity Technology Center composed of 1 lot on 50.37 acres.
 Staff Rec.: **Disapproval**
 Staff: David Wahlgren, 512-974-6455, david.wahlgren@austintexas.gov
 Development Services Department
- 11. Final Plat:** **C8J-2008-0176.01.3A - Sun Chase South Section 3 Final Plat, District 2**
 Location: Pearce Lane, Dry Creek East Watershed,
 Owner/Applicant: Qualico CR. LP (Vera Massaro)
 Agent: Carlson, Brigance, and Doering, Inc. (Bill E. Couch)
 Request: Approval of Sun Chase South Section 3 Final Plat composed of 89 lots on 14.112 acres.
 Staff Rec.: **Disapproval**
 Staff: Sarah Sumner, 512-854-7687, Sarah.sumner@traviscountytexas.gov
 Development Services Department
- 12. Final Plat:** **C8J-2015-0176.01.4A - Sun Chase South Section 4 Final Plat, District 2**
 Location: Pearce Lane, Dry Creek East Watershed
 Owner/Applicant: Qualico CR. LP (Vera Massaro)
 Agent: Carlson, Brigance, and Doering, Inc. (Bill E. Couch)
 Request: Approval of Sun Chase South Section 4 Final Plat composed of 65 lots on 187.72 acres.
 Staff Rec.: **Disapproval**
 Staff: Sarah Sumner, 512-854-7687, sarah.sumner@traviscountytexas.gov
 Development Services Department

13. Final Plat with Preliminary Plan: **C8J-2008-0176.01.5A - Sun Chase South Section 5 Final Plat, District 2**
 Location: Pearce Lane, Dry Creek East Watershed
 Owner/Applicant: Qualico CR, LP (Vera Massaro)
 Agent: Carlson, Brigance, and Doering, Inc. (Bill E. Couch)
 Request: Approval of the Sun Chase South Section 5 Final Plat composed of 44 lots on 11.064 acres.
 Staff Rec.: **Disapproval**
 Staff: Sarah Sumner, 512-854-7687, sarah.sumner@traviscountytexas.gov
 Development Services Department

14. Final Plat with Preliminary Plan: **C8J-2015-0188.1A - Easton Park Section 2A, District 2**
 Location: 7000 Auburn Blaze Lane, Cottonmouth Creek Watershed
 Owner/Applicant: Carma Easton LLC (Logan Kimble)
 Agent: Peloton Land Solutions (Jonathan Fleming)
 Request: Approval of Easton Park Section 2A composed of 18 lots on 57 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Items 4-14;
 Public hearing closed.

The motion to disapprove Items #4-14 was approved on the consent agenda by Commissioner Thomas Weber, Commissioner Sunil Lavani seconded the motion on a vote of 7-0. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

15. Briefing: Briefing by City of Austin Law Department staff regarding Zoning and Platting Commission discretion in zoning cases
 Staff: David Sorola, 512-974-2175, david.sorola@austintexas.gov,
 Law Department

Briefing presented by David Sorola.

D. NEW BUSINESS

1. New Business: Discussion and possible action to rescind and reconsider action taken on October 6, 2015, regarding case # C14-2015-0061 – Townbridge Homes Rezoning, located at 7513 and 7603 Cooper Lane. Request made by Commissioners Ann Denkler and Jackie Goodman to place on next agenda to rescind and reconsider action taken on this case.

Item withdrawn by makers; no action taken.

- 2. New Business:** Discussion and possible action on revising the Zoning and Platting Commission Bylaws, and forwarding to the Audit and Finance Committee for approval.

The motion to postpone to November 3, 2015 was approved by Commissioner Bruce Evans and seconded by Commissioner Susan Harris on a 7-0 vote. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

- 3. New Business:** Discussion and possible action on revising the Zoning and Platting Commission Rules and Regulations, and forwarding to the Audit and Finance Committee for approval.

The motion to postpone to November 3, 2015 was approved by Commissioner Bruce Evans and seconded by Commissioner Ann Denkler on a 7-0 vote. Chair Gabriel Rojas, Commissioner Dustin Breithaupt and Commissioner Jolene Kiolbassa were absent; 1 vacancy on the Commission.

- 4. New Business:** Commission requested a briefing from staff regarding an update on CodeNext. (Planning and Zoning Department)

E. ADJOURN

Vice - Chair Goodman adjourned the meeting without objection at 9:35 PM.