



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
February 9, 2016**

**The Planning Commission convened in a regular meeting on February 9, 2016 @ 301 W. 2<sup>nd</sup> Street,  
Austin, TX 78701**

**Chair Stephen Oliver called the Commission Meeting to order at 6:01 p.m.**

**Commission Members in Attendance:**

**Stephen Oliver – Chair  
Fayez Kazi – Vice - Chair  
Tom Nuckols  
Angela Pineyro De Hoyos  
James Schissler - Parliamentarian  
James Shieh  
Patricia Seeger  
Jose Vela  
Trinity White  
Michael Wilson  
Nuria Zaragoza**

**Jeffrey Thompson – Absent**

**1 - Vacancy**

**William Burkhardt – Ex-Officio**

**Dr. Jayme Mathias – Ex-Officio - Absent  
Howard Lazarus – Ex-Officio - Absent**

**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**

**B. APPROVAL OF MINUTES**

1. Approval of minutes from January 26, 2016.

The motion to approve the minutes from January 26, 2016 as amended was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

**C. PUBLIC HEARINGS**

- 1. Plan Amendment:** **NPA-2015-0014.01 - 4501 East St. Elmo Road; District 2**  
Location: **4501 East St. Elmo Road**; District 2, Williamson Creek Watershed.  
Southeast Combined (Franklin Park) NP Area  
Owner/Applicant: Emilia Linares  
Agent: Moncada Consulting (Phil Moncada)  
Request: Industry and Multifamily to Mixed Use/Office land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov)  
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of Mixed Use/Office land use for NPA-2015-0014.01 - 4501 East St. Elmo Road located at 4501 East St. Elmo Road was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

- 2. Rezoning:** **C14-2015-0142 - 4501 E St. Elmo Rd - Zoning Change; District 2**  
Location: **4501 East St. Elmo Road**; District 2, Williamson Creek Watershed.  
Southeast Combined (Franklin Park) NP Area  
Owner/Applicant: Emilia Linares  
Agent: Moncada Consulting (Phil Moncada)  
Request: LO-NP to LO-MU-NP  
Staff Rec.: **Recommended**  
Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)  
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of LO-MU-NP combining district zoning for C14-2015-0142 - 4501 E St. Elmo Rd - Zoning Change located at 4501 East St. Elmo Road was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

3. **Rezoning:** [C14-2014-0198 - One Two East; District 1](#)  
Location: [1105, 1107, and 1109 N. IH 35 Service Road Northbound](#); District 1, Waller Creek Watershed. Central East Austin NP Area  
Owner/Applicant: JH West 12th Street Partners, Ltd. (Haythem Dawlett)  
Agent: Drenner Group, P.C. (Stephen Rye)  
Request: Tract 1: from CS-NCCD-NP to CS-NCCD-NP, to change a condition of zoning; Tract 2: from CS-1-NCCD-NP to CS-1-NCCD-NP, to change a condition of zoning  
Staff Rec.: **Recommended, with conditions**  
Staff: Heather Chaffin, 512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)  
Planning and Zoning Department

Public hearing closed.

There was a motion by Commissioner Nuria Zaragoza, seconded by Commissioner Patricia Seeger to deny the Applicant's request for rezoning for the property located at 1105, 1107, and 1109 N. IH 35 Service Road Northbound.

A substitute motion was made by Commissioner Tom Nuckols, seconded by Commissioner James Schissler to grant staff recommendation of CS-NCCD-NP combining district zoning for Tract 1 and CS-1-NCCD-NP combining district zoning for Tract 2 for the property located at 1105, 1107, and 1109 N. IH 35 Service Road Northbound, with additional conditions. A friendly amendment was made by Commissioner James Shieh for the development to consist of two vehicular access points on to Branch St. and the retail vehicular access point shall be on to 12<sup>th</sup> St. The friendly amendment was accepted by the maker of the motion and seconded by Commissioner James Schissler.

Amended substitute motion was made by Commissioner Tom Nuckols, seconded by Commissioner James Schissler to include conditions in a private restrictive covenant.

The amended substitute motion along with the friendly amendment by Commissioners James Shieh was approved on Commissioner Tom Nuckols's motion, seconded by Commissioner James Schissler on a vote of 7-3-1. Those voting aye were: Chair Stephen Oliver, Vice-Chair Fayez Kazi, Commissioner Tom Nuckols, Commissioner James Shieh, Commissioner James Schissler, Commissioner Jose Vela, and Commissioner Michael Wilson. Those voting nay were: Commissioner Patricia Seeger, Commissioner Trinity White, and Commissioner Nuria Zaragoza. Commissioner Angela Pineyro De Hoyos abstained. Commissioner Jeffrey Thompson was absent. 1 vacancy on the Commission.

#### Conditions:

Approval of the site plan is conditional on a legally binding commitment of the applicant developing a full service grocery store with a pharmacy (Size determined by the Traffic Impact Analysis)

The portion of Tract 1 that is currently limited to 150 feet in height shall not exceed a height of 185 feet

The portion of Tract 2 that is currently limited to 150 feet in Tract 2 shall not exceed a height of 150 feet

The portion of Tract 2 that is currently limited to 100 feet in Tract 2 shall not exceed a height of 150 feet

Building along Branch St. limited to Townhomes

50% of residential units on site shall be contained in a single tower and restricted to senior residential

Private Restrictive Covenant conditions as agreed upon by the Applicant.

The Applicant shall enter into the above-mentioned private restrictive covenant with a land trust that is approved by the City

Second Tower on site shall consist of market rate residential units and 17 affordable units  
Applicant shall make a contribution of \$250,000 towards affordable housing

- 4. Rezoning:** [C14-2015-0119 - Neal Mixed Use Zoning; District 9](#)  
Location: [1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard](#); District 9, Shoal Creek Watershed. Downtown Austin Plan  
Owner/Applicant: F. Scott Holdings LLC (John S. Neal), Neal Family Chalet LP, Caroline Neal, Francis CC Neal Trust  
Agent: Site Specifics (John Hussey)  
Request: SF-3, LO, GO to GO-MU  
Staff Rec.: **Recommendation of GO-CO**  
Staff: Victoria Haase, 512-974-7691, [tori.haase@austintexas.gov](mailto:tori.haase@austintexas.gov)  
Planning and Zoning Department

The motion to grant applicant's request for postponement of this item to February 23, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

- 5. Rezoning:** [C14-2015-0154 - LMLM Investments, LLC; District 2](#)  
Location: [7050 Elroy Road](#); District 2, Dry Creek East Watershed. Moore's Crossing MUD  
Owner/Applicant: LMLM Investments, LLC (Tomas Gunz)  
Agent: Bury, Inc. (Derek Villemmez)  
Request: LR to GR  
Staff Rec.: **Recommendation of GR-CO**  
Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)  
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of GR-CO combining district zoning for C14-2015-0154 - LMLM Investments located at 7050 Elroy Road was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

6. **Rezoning:** [C14-2015-0157 - North Bluff; District 2](#)  
Location: [813 North Bluff Drive](#); District 2, Williamson Creek Watershed. South Congress Combined (Sweetbriar) NP Area  
Owner/Applicant: Northbluff Land LP (PSW Homes LLC, Rachel Hartzler)  
Agent: South Llano Strategies (Glen Coleman)  
Request: GR-MU-CO-NP to SF-6-NP  
Staff Rec.: **Recommended**  
Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)  
Planning and Zoning Department

The motion to grant applicant's request for postponement of this item to February 23, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

7. **Rezoning:** [C14-2015-0166 - Cherry Creek Commercial; District 5](#)  
Location: [2716 West William Cannon Drive](#); District 5, Williamson Creek Watershed. South Austin Combined (Garrison Park) NP Area  
Owner/Applicant: Anchor Equities, Ltd. (Jimmy J. Nassour)  
Agent: Alice Glasco Consulting (Alice Glasco)  
Request: GR-NP to CS-1-NP  
Staff Rec.: **Recommended**  
Staff: Wendy Rhoades, 512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)  
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of CS-1-NP combining district zoning for C14-2015-0166 - Cherry Creek Commercial located at 2716 West William Cannon Drive was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

8. **Conditional Use Permit:** [SPC-2015-0424A - Enterprise; District 9](#)  
Location: [816 Colorado Street](#); District 9, Lady Bird Lake Watershed. Downtown Austin Plan  
Owner/Applicant: 900 Congress I Ltd Investment Property Management  
Agent: Site Specifics (John Hussey)  
Request: Change of use for the ground floor only, from Financial Services (drive-thru bank) to Automotive Rental  
Staff Rec.: **Recommended**  
Staff: Scott Grantham, 512-974-2942, [scott.grantham@austintexas.gov](mailto:scott.grantham@austintexas.gov)  
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for SPC-2015-0424A - Enterprise located at 816 Colorado Street was approved on the consent agenda by Commissioner Jose Vela and seconded by

Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

- 9. Resubdivision:** **C8-2015-050.0A - Catalpa Place, Portion of Lot 19, Outlot 55, Division B, George L. Robertson Subdivision; District 1**  
Location: **904 Catalpa Street**; District 1, Waller Creek Watershed. Central East Austin NP Area  
Owner/Applicant: Milestone Community Builders LLC (Garrett Martin)  
Agent: Thrower Design (Ron Thrower)  
Request: Approve the resubdivision of part of one lot into one lot, comprised of 0.240 acres.  
Staff Rec.: **Recommended**  
Staff: Sylvia Limon, 512-974-2767, [sylvia.limon@austintexas.gov](mailto:sylvia.limon@austintexas.gov)  
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2015-050.0A - Catalpa Place, Portion of Lot 19, Outlot 55, Division B, George L. Robertson Subdivision at 904 Catalpa Street was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

- 10. Appeal:** **SP-2015-0195C - 2015 Manor Road; District 1**  
Location: **2015 Manor Road**; District 1, Boggy Creek Watershed. Upper Boggy Creek NP Area  
Owner/Applicant: 2015 Manor Road Development LLC (David Kanne)  
Agent: Wuest Group (Scott M. Wuest)  
Request: Conduct a public hearing and consider action on an appeal on an administrative decision to grant an extension to the update deadline. [LDC Sec. 25-1-88] Appellant: Bo McCarver  
Staff Rec.: **Not Recommended**  
Staff: Nikki Hoelter, 512-974-2863, [nikki.hoelter@austintexas.gov](mailto:nikki.hoelter@austintexas.gov)  
Development Services Department

The motion to grant applicant's request for postponement of this item to February 23, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

- 11. Site Plan Conditional Use Permit:** **SPC-2015-0163D - Ponciana Neighborhood Park Development; District 2**  
Location: **5201 Freidrich Lane**; District 2, Williamson Creek Watershed. Southeast Combined (Franklin Park) NP Area  
Owner/Applicant: City of Austin – Parks and Recreation Department (Charles Mabry)  
Agent: Pape-Dawson Engineers, Inc. (Kevin Osborne, P.E.)

Request: Request approval of a conditional use site plan because the development is zoned P, Public and over 1 acre. [LDC Sec. 25-2-625(D)(2)]  
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 grant staff's recommendation for SPC-2015-0163D - Ponciana Neighborhood Park Development at 5201 Freidrich Lane was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

- 12. Final Plat:** [\*\*C8-2016-0014.0A - SouthPark Industrial; District 2\*\*](#)  
Location: 2501 East St. Elmo Road; District 2, Williamson Creek Watershed. Southeast Combined (Franklin Park) NP Area  
Owner/Applicant: Barkley Family Farm Partnership Ltd. (Janet Barkley-Booher)  
Agent: KBGE (Armando Portillo)  
Request: Approval of SouthPark Industrial composed of 3 lots on 37.57 acres.  
Staff Rec.: **Disapproval**  
Staff: David Wahlgren, 512-974-6455, [david.wahlgren@austintexas.gov](mailto:david.wahlgren@austintexas.gov)  
Development Services Department
- 13. Final Plat:** [\*\*C8-2016-0013.0A - ThinkEAST Subdivision; District 3\*\*](#)  
Location: 1142 Shady Lane; District 3, Boggy Creek Watershed. Johnston Terrace NP Area  
Owner/Applicant: APC thinkEAST Development, LLC (Austin Affordable Housing Corp)  
Agent: Bury, Inc. (Donald Cecil)  
Request: Approval of the ThinkEAST Subdivision composed of 1 lot on 6.308 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 14. Final Plat:** [\*\*C8-2016-0011.0A - Harp Grove Two; District 3\*\*](#)  
Location: 202 Montopolis Drive; District 3, Colorado River Watershed. Montopolis NP Area  
Owner/Applicant: Seth Harp; Cynthia & Isaiah Harp  
Agent: Hector Avila  
Request: Approval of Harp Grove Two composed of 3 lots on 0.72 acres.  
Staff Rec.: **Disapproval**  
Staff: Steve Hopkins, 512-974-3175, [steve.hopkins@austintexas.gov](mailto:steve.hopkins@austintexas.gov)  
Development Services Department

Public hearing closed.

The motion to disapprove Items #12-14 was approved was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner James Schissler on a vote of 11-0; Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

## **D. NEW BUSINESS**

### **1. New Business:           Nomination and election of a Planning Commission Secretary**

Request:                   Discussion and possible action to nominate and elect a member of the Planning Commission as Secretary of the commission.

Chair Stephen Oliver called for nominees for Planning Commission Secretary. Motion to nominate and elect Commissioner James Shieh for Planning Commission Secretary was approved on Vice-Chair Faye Kazi's motion, seconded by Commissioner Nuria Zaragoza on a vote of 11-0, Commissioner Jeffrey Thompson absent; 1 vacancy on the commission.

### **2. New Business:           Nomination and appointment of a member of the Planning Commission to the Small Area Planning Joint Committee**

Request:                   Discussion and possible action to nominate and appoint a member of the Planning Commission to the Small Area Planning Joint Committee.

No action taken.

## **E. ITEMS FROM COMMISSION**

## **F. COMMITTEE REPORTS**

## **G.       ADJOURN**

**Chair Stephen Oliver adjourned the meeting without objection on Tuesday, February 9, 2016 at 9:45 p.m.**

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Jerry Rusthoven at Planning & Zoning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.