

REGULAR MEETING MINUTES

PLANNING COMMISSION February 23, 2016

The Planning Commission convened in a regular meeting on February 23, 2016 @ 301 W. 2^{nd} 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 (arrived late)
Patricia Seeger
Jeffrey Thompson
Jose Vela
Trinity White
Michael Wilson
Nuria Zaragoza

Dr. Jayme Mathias - Ex-Officio

1 - Vacancy

William Burkhardt - 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 February 9, 2016.

The motion to approve the minutes from February 9, 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 James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

C. PUBLIC HEARINGS

1. Plan Amendment: NPA-2015-0002.02 - 901 Spence; District 3

Location: 901 Spence Street, Lady Bird Lake Watershed, East Cesar Chavez NP

Area

Owner/Applicant: Margot Perez-Greene, Executor Estate of Ananias B. Perez

Agent: Gayle Rosenthal, Attorney/Broker

Request: Single Family land use to Mixed Use/Office land use

Staff Rec.: **Not recommended**

Staff: <u>Maureen Meredith</u>, 512-974-2695

Planning and Zoning Department

The motion to grant staff's request for postponement of this item to March 22, 2016 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

2. Rezoning: C14-2015-0109 - 901 Spence; District 3

Location: 901 Spence, Lady Bird Lake Watershed, East Cesar Chavez NP Area

Owner/Applicant: Margot Perez-Greene, Executor Estate of Ananias B. Perez

Agent: Gayle Rosenthal, Attorney/Broker

Request: SF-3-NP to GO-MU-NP Staff Rec.: Not recommended

Staff: Heather Chaffin, 512-974-2122

Planning and Zoning Department

The motion to grant staff's request for postponement of this item to March 22, 2016 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

3. Rezoning: C14-2015-0119 - Neal Mixed Use Zoning; District 9

Location: 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard, 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

Planning and Zoning Department

The motion to grant staff's request for postponement of this item to March 22, 2016 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

4. Rezoning: C14-2015-0133 A - 1204 San Antonio & 1205 Nueces Rezoning;

District 9

Location: 1204 San Antonio & 1205 Nueces Street, Shoal Creek Watershed;

Downtown Austin Plan

Owner/Applicant: Texas Association of Counties (Gene Terry)
Agent: Alice Glasco Consulting (Alice Glasco)

Request: GO to DMU

Staff Rec.: Recommendation of DMU-CO
Staff: Victoria Haase, 512-974-7691
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to March 8, 2016 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

5. Rezoning: C14-2015-0133 B - 1204 San Antonio & 1205 Nueces Rezoning;

District 9

Location: 1204 San Antonio & 1205 Nueces Street, Shoal Creek Watershed;

Downtown Austin Plan

Owner/Applicant: Texas Association of Counties (Gene Terry)
Agent: Alice Glasco Consulting (Alice Glasco)

Request: GO to DMU

Staff Rec.: Recommendation of DMU-CO
Staff: Victoria Haase, 512-974-7691

Planning and Zoning Department

The motion to grant staff's request for postponement of this item to March 8, 2016 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the

motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

6. Rezoning: <u>C14-2015-0157 - North Bluff</u>; District 2

Location: 813 North Bluff Drive, 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,

Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of SF-6-NP combining district zoning for C14-2015-0157 - North Bluff of located at 813 North Bluff Drive was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

7. Rezoning: C14-2015-0165 - South Congress at Little Texas Lane Commercial;

District 3

Location: 5711 South Congress Avenue, Williamson Creek Watershed, South

Congress Combined (Sweetbriar) NP Area

Owner/Applicant: 5711 S. Congress, LLC (Jimmy Nassour)
Agent: Alice Glasco Consulting (Alice Glasco)

Request: GR-MU-CO-NP to CS-MU-NP

Staff Rec.: Recommendation of CS-MU-CO-NP

Staff: Wendy Rhoades, 512-974-7719

Planning and Zoning Department

The motion to grant neighborhood's request for postponement of this item to March 8, 2016 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

8. Appeal: SP-2015-0195C - 2015 Manor Road; District 1

Location: 2015 Manor Road, 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: <u>Nikki Hoelter</u>, (512)974-2863

Development Services Department

The motion to grant staff's request for postponement of this item to March 22, 2016 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

9. Site Plan - SPC-2014-0216CT - Griffin School; District 9

Conditional Use

Permit:

Location: 5000 Martin Avenue, Waller Creek Watershed, Hyde Park NP Area

Owner/Applicant: Griffin School (Adam Wilson)

Agent: Civilitude (Fayez Kazi)

Request: Amend a previous conditional use permit to increase the maximum

allowable student enrollment in an existing Private Secondary Education

facility from 68 students to 125 students.

Staff Rec.: **Recommended**

Staff: Michael Simmons-Smith, 512-974-1225,

Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for SPC-2014-0216CT - Griffin School located at 5000 Martin Avenue was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 10-0; Vice-Chair Fayez Kazi recused himself on this item (*professional services rendered*), Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

10. Site Plan - SPC-2015-0190A - Griffin School 2; District 9

Conditional Use

Permit:

Location: 5001 Evans Avenue, Waller Creek Watershed, Hyde Park NP Area

Owner/Applicant: Griffin School (Adam Wilson)

Agent: Civilitude (Fayez Kazi)

Request: Amend a previous conditional use permit to increase the maximum

allowable student enrollment in an existing Private Secondary Education

facility from 68 students to 125 students.

Staff Rec.: **Recommended**

Staff: Michael Simmons-Smith. 512-974-1225

Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for SPC-2015-0190A - Griffin School 2 located at 5001 Evans Avenue was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 10-0; Vice-Chair Fayez Kazi recused himself on this item (*professional services rendered*), Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

11. Site Plan - Late SPC-2015-0334W - Pacific Rim Sushi & Yakatori Late Hours &

Hours Permit: Parking Variance; District 9

Location: 9070 Research Boulevard, Unit 305, Shoal Creek Watershed, North

Shoal Creek NP Area

Owner/Applicant: MWM Fund VII, Ltd. (Randy Bassett)
Agent: GGS Multiplex (Rolando J. Osorio)

Request: Approve a late-hours permit and a separation waiver for a restaurant

with existing parking less than 200 feet from property zoned SF-6 or

more restrictive.

Staff Rec.: **Recommended**

Staff: Michael Simmons-Smith, 512-974-1225

Development Services Department

Item withdrawn by applicant; no action required.

12. Site Plan - SPC-2015-0452C - STOR IH 35; District 4

Conditional Use

Permit:

Location: 5656 North IH 35 Southbound Service Road, Tannehill Branch Creek

Watershed, North Loop NP Area

Owner/Applicant: Hixon Properties Inc (Clint Wynn)

Agent: 360 Professional Services (Scott Foster, PE)

Request: Construct two convenience storage buildings with associated

improvements, which is a Conditional Use per Ordinance 020523-31.

Staff Rec.: Recommended with conditions

Staff: Christine Barton-Holmes, 512-974-2788

Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for SPC-2015-0452C - STOR IH 35 located at 5656 North IH 35 Southbound Service Road was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

13. Final Plat with C8-2014-0083.1A - Ponca Street Subdivision; District 3

Preliminary:

Location: 6317 Ponca Street, Country Club East Watershed, Montopolis NP Area

Owner/Applicant: Jesus Sandoval

Agent: Stafford Development (Joe Stafford)

Request: Approval of the final plat of the Ponca Street Subdivision, comprised of

16 lots on 4.79 acres.

Staff Rec.: **Recommended**

Staff: Steve Hopkins, 512-974-3175

Development Services Department

Public hearing closed.

The motion by Commissioner James Schissler, seconded by Commissioner Tom Nuckols to grant staff recommendation for C8-2014-0083.1A - Ponca Street Subdivision located at 6317 Ponca Street was approved on a vote of 12-0; 1 vacancy on the commission.

14. Final Plat with C8-2014-0115.1A - Richardson Lane Subdivision; District 3

Preliminary:

Location: Montopolis Drive at Richardson Lane, Country Club East Watershed,

Montopolis NP Area

Owner/Applicant: Suchan Investments LLC (Sudhit Kolli)
Agent: Powers Engineering (Forrest Powers)

Request: Approve a final plat out of an approved preliminary plan consisting of

12 lots on 1.203 acres.

Staff Rec.: Recommended

Staff: Sylvia Limon, 512-974-2767

Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2014-0115.1A - Richardson Lane Subdivision located at Montopolis Drive at Richardson Lane was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

15. Resubdivision: C8-2015-0068.0A - Resubdivision of Lot 2-B, Block D, Met Center II

Section 1; District 2

Location: 7701 Metropolis Drive, Onion Creek Watershed, Montopolis NP Area

Owner/Applicant: Met Center II, Nyctex, Phase II, Ltd. (Howard Yancy)

Agent: Thrower Design (Ron Thrower)

Request: Approve a resubdivision of one lot into 2 lots on 33.277 acres.

Staff Rec.: **Recommended**

Staff: <u>Sylvia Limon</u>, 512-974-2767

Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2015-0068.0A - Resubdivision of Lot 2-B, Block D, Met Center II Section 1 at 7701 Metropolis Drive was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

16. Code Amendment: C20-2014-016 - Review Times

Request: Consider amendments to Chapter 25 and Title 30 of the Land

Development Code to remove staff review time for development

applications (Site

Development, Subdivision, and Building Permits) from the Land Development Code and define them by administrative rule, modify the life of a site plan or subdivision application from 180 days with an available 180 day extension to one year with no extension provision, establish a stop-clock provision for development application life for related applications that require a public hearing, establish a clear

process for the review and approval of subdivision vacation applications,

and establishes an expiration for subdivision construction plan applications consistent with other development permit applications.

Staff Rec.: **Recommended**

Staff: Donna Galati, 512-974-2733

Development Services Department

Public hearing closed.

Motion to grant staff recommendation of the amendments to Chapter 25 and Title 30 of the Land Development Code was approved on the motion by Commissioner Nuria Zaragoza, seconded by Commissioner James Schissler on a vote of 10-1-1. Those voting aye were: Chair Steven Oliver, Vice-Chair Fayez Kazi, Commissioner Angela Pineyro DeHoyos; Commissioner Patricia Seeger, Commissioner James Shieh, Commissioner James Schissler, Commissioner Jeffrey Thompson, Commissioner Jose Vela, Commissioner Trinity White and Commissioner Nuria Zaragoza. Commissioner Michael Wilson voted nay. Commissioner Tom Nuckols recused himself from this item; 1 vacancy on the commission.

17. Final Plat - C8-2016-0030.0A - 600 E Riverside Dr; Amended Plat; District 9

Amended Plat:

Location: 600 East Riverside Drive, Lady Bird Lake Watershed, South River City

NP Area

Owner/Applicant: River Crab, Ltd. (Andy Pastor)
Agent: Big Red Dog (Bradley Lingvai)

Request: Approval of the 600 E Riverside Dr; Amended Plat composed of 1 lot on

1.88 acres

Staff Rec.: **Disapproval**

Staff: Development Services Department

18. Preliminary Plan: C8-2016-0017 - Grant A Subdivision; District 1

Location: 3601 Grant Street, Tannehill Branch Creek Watershed, MLK NP Area

Owner/Applicant: Scott Way

Agent: Big Red Dog Engineering

Request: Approval of Grant A Subdivision composed of 13 lots on 1.89 acres.

Staff Rec.: **Disapproval**

Staff: Don Perryman, 512-974-2786

Development Services Department

19. Final Plat with C8-2016-0017.1A - Grant A Subdivision; Final Plat; District 1

Preliminary:

Location: 3601 Grant Street, Tannehill Branch Creek Watershed, MLK NP Area

Owner/Applicant: Scott Way

Agent: Big Red Dog (Jerret Daw)

Request: Approval of the Grant A Subdivision; Final Plat composed of 13 lots on

1.89 acres.

Staff Rec.: **Disapproval**

Staff: Development Services Department

20. Final Plat with <u>C8-2016-0017.2A - Grant B Subdivision; District 1</u>

preliminary:

Location: 3601 Grant Street, Tannehill Branch Creek Watershed, MLK NP Area

Owner/Applicant: Scott Way

Agent: Big Red Dog (Jerret Daw)

Request: Approval of the Grant B Subdivision composed of 13 lots on 1.89 acres

Staff Rec.: **Disapproval**

Staff: Development Services Department

21. Preliminary Plan: <u>C8-2016-0016 - Pennsylvania Subdivision A; District 1</u>

Location: 3412 Pennsylvania Avenue, Tannehill Branch Creek Watershed, MLK

NP Area

Owner/Applicant: Scott Way

Agent: Big Red Dog Engineering (Jerret Daw)

Request: Approval of Pennsylvania Subdivision A composed of 31 lots on 3.31

acres.

Staff Rec.: **Disapproval**

Staff: Don Grigsby, 512-854-7560.

Development Services Department

22. Final Plat with C8-2016-0016.1A - Pennsylvania Subdivision A; District 1

Preliminary:

Location: 3412 Pennsylvania Avenue, Tannehill Branch Creek Watershed, MLK

NP Area

Owner/Applicant: Scott Way

Agent: Big Red Dog (Jerret Daw)

Request: Approval of Pennsylvania Subdivision A composed of 16 lots on 3.31

acres

Staff Rec.: **Disapproval**

Staff: Development Services Department

23. Final Plat with C8-2016-0016.2A - Pennsylvania Subdivision B; District 1

Preliminary:

Location: 3412 Pennsylvania Avenue, Tannehill Branch Creek Watershed, MLK

NP Area

Owner/Applicant: Scott Way

Agent: Big Red Dog (Jerret Daw)

Request: Approval of the Pennsylvania Subdivision B composed of 15 lots on

1.21 acres

Staff Rec.: **Disapproval**

Staff: Development Services Department

24. Final Plat without C8-2016-0018.0A - Resubdivision of Lots 15 & 16, Block 1 Post

Preliminary: Road Addition; District 3

Location: 232 Lessin Lane, Williamson Creek Watershed, Dawson NP Area

Owner/Applicant: Thomas Esparza

Agent: Land Answers (Jim Wittliff)

Request: Approval of the Resubdivision of Lots 15 & 16, Block 1 Post Road

Addition composed of 3 lots on 0.81 acres.

Staff Rec.: **Disapproval**

Staff: Development Services Department

25. Preliminary Plan: <u>C8-2016-0026 - Quintientos Subdivision; District 3</u>

Location: 500 Montopolis Drive, Country Club East Watershed, Montopolis NP

Area

Owner/Applicant: Keep Investment Group (Austin Stowell)
Agent: Texas Design Interests (Jeff Shindler)

Request: Approval of the Quintientos Subdivision composed of 17 lots on 1.76

acres.

Staff Rec.: **Disapproval**

Staff: Development Services Department

26. Final Plat - C8-2016-0031.0A - Pharis Subdivision; District 3

Resubdivision:

Location: 2701 South Congress Avenue, East Bouldin Creek Watershed, St.

Edwards NP Area

Owner/Applicant: Jimmy L. Spillar

Agent: Consort, Inc. (Enrique Serna)

Request: Approval of the Pharis Subdivision composed of 2 lots on 1.847 acres.

Staff Rec.: **Disapproval**

Staff: Development Services Department

27. Final Plat: C8-2016-0028.0A - NEC Davis Street and Red River Street,

Amended Plat; District 9

Location: 91 Red River Street, Waller Creek Watershed, Downtown Austin Plan Owner/Applicant: Endeavor Real Estate Group; SP Meadows West, Ltd. (David Roche)

Agent: Big Red Dog Engineering

Request: Approval of NEC Davis Street and Red River Street; Amended Plat

composed of 1 lot on 0.73 acres.

Staff Rec.: **Disapproval**

Staff: David Wahlgren, 512-974-6455

Development Services Department

28. Final Plat: C8-2016-0029.0A - NWC East Dean Keeton and Red River Street;

District 9

Location: 924 East Dean Keeton Street, Waller Creek Watershed, Downtown

Austin Plan, Waller Creek Watershed

Owner/Applicant: 924 Dean Keeton Investors, Ltd. C/O Endeavor Real Estate Group, Ltd.

Agent: Big Red Dog Engineering (Brad Lingvai)

Request: Approval of NWC East Dean Keeton and Red River Street composed of

1 lot on 0.98 acres.

Staff Rec.: **Disapproval**

Staff: David Wahlgren, 512-974-6455

Development Services Department

29. Final Plat: <u>C8-2016-0024.0A - Aspen Heights Subdivision; District 2</u>

Location: 3733-1/2 Drossett Drive, Waller Creek Watershed, Waller Creek

Watershed

Owner/Applicant: KBGE (Armando Porillo)
Agent: KBGE (Armando Porillo)

Request: Approval of the Aspen Heights Subdivision composed 1 lot on 3.40

acres.

Staff Rec.: **Disapproval**

Staff: Development Services Department

Public hearing closed.

The motion to disapprove Items #17-29 was approved on the consent agenda by Commissioner James Schissler, Commissioner Jose Vela seconded the motion on a vote of 11-0; Commissioner James Shieh absent for passage of the consent agenda; 1 vacancy on the commission.

E. ITEMS FROM COMMISSION

1. 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 on this item.

F. COMMITTEE REPORTS

Land Development Code Advisory Group – Commissioner Nuria Zaragoza informed the Commission the Advisory Group now consists of 18 members and have elected Jim Duncan as the Chair. To assist in outreach, Commissioner Nuria Zaragoza will request a briefing on the CodeNext matrix. Commissioner Nuria Zaragoza also stated the Group will receive prescription papers in two month intervals with the first being due in March/April regarding Green Infrastructure and the built environment.

Small Area Planning Joint Committee – Commissioner James Shieh informed the Commission that the committee has not met since the previous report.

Joint Sustainability Committee – Commissioner Angel Pineyro DeHoyos informed the Commission that the Joint Committee will meet in March.

Committee on Codes and Ordinances – Commissioner Nuria Zaragoza informed the Commission that the Committee discussed the item regarding amendments pertaining to staff review times. Commissioner Nuria Zaragoza also stated the committee received a briefing regarding tenant relocation assistance requirements. The Committee will continue to review and discuss the item at the March meeting.

Committee on the Comprehensive Plan – Chair Steven Oliver informed the Commission that the Committee continues to discuss the development of recommendations for the Long-Range Capital Improvement report. Commissioner Tom Nuckols informed the Commission the Committee will set the schedule for CIP Work Group meetings.

G. ADJOURN

Chair Stephen Oliver adjourned the meeting without objection on Tuesday, February 23, 2016 at 7:18 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.