



**REGULAR MEETING  
MINUTES**

**ZONING & PLATTING COMMISSION  
Tuesday, March 1, 2016**

**The Zoning & Platting Commission convened in a regular meeting on March 1, 2016 @ 301 W. 2<sup>nd</sup> Street, Austin, TX 78701**

**Chair Gabriel Rojas called the Commission Meeting to order at 6:05 p.m.**

**Board Members in Attendance:**

**Gabriel Rojas – Chair**  
**Ann Denkler**  
**Bruce Evans**  
**Yvette Flores**  
**Jackie Goodman** (*arrived late*)  
**Betsy Greenberg**  
**Susan Harris**  
**Jolene Kiolbassa**  
**Sunil Lavani**  
**Thomas Weber**

**Dustin Breithaupt - 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**

Madelon Highsmith – Ms. Highsmith conveyed that she is a member of the Northwest Austin Neighbors Coalition and a member of the Austin Oaks Charrette Working Group. Ms. Highsmith raised concerns over the voting process for the consensus plan during the Austin Oaks Charrette. Ms. Highsmith also stated the Charrette did not meet key elements of the Objectives, Strategies and Measures; those being traffic, height and trees. Ms. Highsmith stated that as a result of the above

noted deficiencies, five of the six participating neighborhood groups have signed a [Letter of No Confidence](#).

Kathleen Vermillion – Ms. Vermillion stated she signed the [Letter of No Confidence](#) due the fact the Charrette did not honor the Objectives, Strategies and Measures. Ms. Vermillion stated that during a meeting with representatives of Spire Realty it was conveyed that the developer would not deviate from the plan voted on by participants during the Charrette. Ms. Vermillion informed the Commission that there was no advance notice to the general public that a deciding vote would be taken on the fourth night of the Charrette and closed her remarks by questioning whether or not the Charrette was a true playing field.

Daniel Germain – Mr. Germain conveyed that he is a member of the Northwest Austin Neighbors Coalition and signatory of the [Letter of No Confidence](#). Mr. Germain expressed concerns regarding the conditions in the plan voted on by the participating member of the Charrette. Mr. Germain explained that in the consensus plan, the plan to preserve trees decreased from preserving 91 % of the heritage trees to 73 % of the heritage trees; the trip generation had significantly increased and the heights of the buildings along MoPac increased from three, four and six stories to seven to ten stories. Mr. Germain does not believe this demonstrates the Objectives, Strategies and Measures as collaborated by the property owners and the Charrette Working Group have been met.

## **B. APPROVAL OF MINUTES**

1. Approval of minutes from February 16, 2016.

The motion to approve the minutes from February 16, 2016 was approved on the consent agenda by Commissioner Ann Denkler, Commissioner Susan Harris seconded the motion on a vote of 9-0; Vice-Chair Jackie Goodman absent for passage of the consent agenda and Commissioner Dustin Breithaupt absent.

## **C. PUBLIC HEARINGS**

- 1. Rezoning:** **C14-2015-0129 - 7804 Cooper Lane; District 5**  
Location: 7804 Cooper Lane, South Boggy Creek Watershed  
Owner/Applicant: Kimo Mortgage Realty Inspection, PLLC (Chi-mo Dai)  
Agent: Rivera Engineering (Michael A. Rivera)  
Request: SF-2-CO to SF-3-CO  
Staff Rec.: **Recommended**  
Staff: [Wendy Rhoades](#), 512-974-7719  
Planning and Zoning Department

Public hearing closed.

Motion by Commissioner Ann Denkler, seconded by Commissioner Susan Harris to grant staff's recommendation of SF-3-CO combining district zoning with an additional condition prohibiting

vehicular access to Cooper Lane for C14-2015-0129 - 7804 Cooper Lane located at 7804 Cooper Lane approved on a vote of 10-0. Commissioner Dustin Breithaupt absent.

**2. Zoning and Rezoning: C14-2015-0117 - Velocity Crossing; District 2**

Location: 3311 South FM 973 Road and 3326 East SH 71 Eastbound, Onion Creek and Colorado River Watersheds  
Owner/Applicant: SH 71-130 Holdings, LP (Karl Koebel)  
Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele Rogerson Lynch)  
Request: I-RR; DR and CS-CO to LI-PDA  
Staff Rec.: **Recommended, with conditons**  
Staff: [Wendy Rhoades](#), 512-974-7719  
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of LI-PDA combining district zoning, with conditions for C14-2015-0117 - Velocity Crossing located at 3311 South FM 973 Road and 3326 East SH 71 Eastbound was approved on the consent agenda by Commissioner Ann Denkler, Commissioner Susan Harris seconded the motion on a vote of 9-0; Vice-Chair Jackie Goodman absent for passage of the consent agenda and Commissioner Dustin Breithaupt absent.

**3. Rezoning: C14-2016-0004 - Oporta Zoning; District 2**

Location: 4400 East William Cannon Drive, Williamson Creek Watershed  
Owner/Applicant: Vicky Oporta  
Agent: Brown & Gay Engineers (Steven Buffum)  
Request: SF-3 to GR-MU-CO  
Staff Rec.: **Recommended**  
Staff: [Wendy Rhoades](#), 512-974-7719  
Planning and Zoning Department

Public hearing closed.

Motion by Commissioner Bruce Evans, seconded by Commissioner Susan Harris to grant staff's recommendation of GR-MU-CO combining district zoning for C14-2016-0004 - Oporta Zoning located at 4400 East William Cannon Drive. Friendly amendments by Commissioner Ann Denkler to limit building height to 45 feet and prohibit drive-in services as an accessory use accepted by the maker, seconded by Commissioner Susan Harris.

The motion along with the friendly amendments were approved on a vote of 9-1-0. Those voting aye were: Chair Gabriel Rojas, Commissioner Ann Denkler, Commissioner Bruce Evans, Commissioner Yvette Flores, Commissioner Betsy Greenberg, Commissioner Susan Harris, Commissioner Jolene Kiolbassa, Commissioner Sunil Lavani and Commissioner Thomas Weber. Vice-Chair Jackie Goodman voted nay. Commissioner Dustin Breithaupt absent.

- 4. Environmental Variance: SP-2015-0232DS - Gallagher Boat Dock; District 10**  
 Location: 3909 Westlake Drive, Lake Austin Watershed  
 Owner/Applicant: Matt and Katherine Gallagher  
 Agent: Permit Partners (David Cancialosi)  
 Request: Construct boat dock, access maintenance, and hand rail within 150-foot setbacks for Critical Environmental Features  
 Staff Rec.: **Recommended**  
 Staff: [Scott Grantham](#), 512-974-2942  
 Development Services Department

Public hearing closed.

The motion to grant staff’s recommendation for the environmental variance for SP-2015-0232DS - Gallagher Boat Dock located at 3909 Westlake Drive was approved on the consent agenda by Commissioner Ann Denkler, Commissioner Susan Harris seconded the motion on a vote of 9-0; Vice-Chair Jackie Goodman absent for passage of the consent agenda and Commissioner Dustin Breithaupt absent.

- 5. Preliminary Plan: C8-2014-0012 - Equinox East; District 1**  
 Location: 8515 E. Parmer Lane, Gilleland Creek Watershed  
 Owner/Applicant: Austin HB Residential (John McCullough)  
 Agent: CFS Civil Group (Charles Steinman)  
 Request: Approval of the Equinox East Preliminary Plan consisting of 19 lots on 116.34 acres  
 Staff Rec.: **Recommended**  
 Staff: [Don Perryman](#), 512-974-2786  
 Development Services Department

Public hearing closed.

The motion to grant staff’s recommendation for C8-2014-0012 - Equinox East located at 8515 E. Parmer Lane was approved on the consent agenda by Commissioner Ann Denkler, Commissioner Susan Harris seconded the motion on a vote of 9-0; Vice-Chair Jackie Goodman absent for passage of the consent agenda and Commissioner Dustin Breithaupt absent.

- 6. Preliminary Plan: C8-2016-0025 - Knox Preserve; District 10**  
 Location: 7304 Knox Lane, Shoal Creek Watershed  
 Owner/Applicant: Cabot-Chase, Ltd. (Jimmy Nassour)  
 Agent: Texas Engineering Solutions, LLC (Connor Overby)  
 Request: Approval of Knox Preserve composed of 14 lots on 5.83 acres.  
 Staff Rec.: **Disapproval**  
 Staff: [Cesar Zavala](#), 512-974-3404  
 Development Services Department

7. **Final Plat:** **C8J-2009-0142.2A - Estancia Hill Country Subdivision Phase 4; District 5**  
 Location: Puryear Road, Onion Creek Watershed  
 Owner/Applicant: SLF III-Onion Creek, LP (Ocie Vest)  
 Agent: Bury & Partners, Inc. (Harrison Hudson)  
 Request: Approval of Estancia Hill Country Subdivision Phase 4 composed of 1 lot on 17.585 acres.  
 Staff Rec.: **Disapproval**  
 Staff: [Sarah Sumner](#), 512-854-7687  
 Development Services Department
8. **Final Plat:** **C8-2016-0033.0A - Congress Group Subdivision; District 2**  
 Location: 7601 South Congress Avenue, South Boggy Creek Watershed  
 Owner/Applicant: Congress Group LLC (Odhavji Lavani)  
 Agent: KBGE (Jennifer Garcia)  
 Request: Approval of Congress Group Subdivision composed of 2 lots on 5.98 acres.  
 Staff Rec.: **Disapproval**  
 Staff: [David Wahlgren](#), 512-974-6455  
 Development Services Department
9. **Final Plat without Preliminary:** **C8-2016-0032.0A - LAD Services, LLC Office**  
 Location: 5720 Blue Bluff Road, Elm Creek Watershed  
 Owner/Applicant: Damian Pape  
 Agent: Albert Alaniz  
 Request: Approval of LAD Services, LLC Office composed of 1 lot on 2.99 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department
10. **Final Plat - Resubdivision:** **C8-2016-0034.0A - Third Resubdivision of a Portion of Lot 8 Cameron Acres; District 1**  
 Location: 1711 Future Drive, Little Walnut Creek Watershed  
 Owner/Applicant: Maria Urbino  
 Agent: Hector Avila  
 Request: Approval of the Third Resubdivision of a Portion of Lot 8 Cameron Acres composed of 2 lots on 0.66 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department

- 11. Final Plat with Preliminary: C8J-2015-0191.1A - Travesia Subdivision**  
 Location: 4001 Grand Avenue Parkway, Gilleland Creek Watershed  
 Owner/Applicant: Matthew Scrivener  
 Agent: Jones & Carter Inc. (Josh Miksch)  
 Request: Approval of the Travesia Subdivision composed of 84 lots on 17.51 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department
- 12. Final Plat: C8-2016-0037.0A - 1616 East Oltorf Subdivision; District 9**  
 Location: 1616 E. Oltorf Street, Harper's Branch Watershed  
 Owner/Applicant: 1616 E. Oltorf Investors, LTD c/o Endeavor Real Estate Group (Andy Pastor)  
 Agent: Bury-Aus, Inc. (Lauren Beavers)  
 Request: Approval of the 1616 East Oltorf Subdivision composed of 1 lot on 2.16 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department
- 13. Final Plat: C8-2016-0036.0A - 2608 Brockton; District 7**  
 Location: 2608 Brockton Drive, Walnut Creek Watershed  
 Owner/Applicant: 2608 Brockton, LTD. c/o Endeavor Real Estate Group (Andy Pastor)  
 Agent: Bury-Aus, Inc. (Lauren Beavers)  
 Request: Approval of 2608 Brockton composed of 3 lots on 4.02 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department
- 14. Final Plat without Preliminary: C8J-2016-0027.0A - Fifth Generation Final Plat**  
 Location: 12101 Moore Road, Dry Creek East Watershed  
 Owner/Applicant: Fifth Generation, Inc. (Bert Tito Bereridge)  
 Agent: Bury & Partners Inc. (Kelly Fowler)  
 Request: Approval of the Fifth Generation Final Plat composed of 1 lot on 70.077 acres  
 Staff Rec.: **Disapproval**  
 Staff: Development Services Department

Public hearing closed.

The motion to disapprove Items #6-14 was approved on the consent agenda by Commissioner Ann Denkler, Commissioner Susan Harris seconded the motion on a vote of 9-0; Vice-Chair Jackie Goodman absent for passage of the consent agenda and Commissioner Dustin Breithaupt absent.

- 15. Briefing:**                   **Briefing on Traffic Impact Analysis, Traffic Mitigation, Rough Proportionality and Transportation Impact Fees**  
Staff:                            [Annick Beaudet](#), 512-974-7959  
Austin Transportation Department

The motion to grant staff’s request for postponement of this item to March 29, 2016 (Joint Planning Commission and Zoning and Platting Commission Training Session) was approved on the consent agenda by Commissioner Ann Denkler, Commissioner Susan Harris seconded the motion on a vote of 9-0; Vice-Chair Jackie Goodman absent for passage of the consent agenda and Commissioner Dustin Breithaupt absent.

**D. NEW BUSINESS**

**E. ITEMS FROM COMMISSION**

Proposed future agenda item to discuss and consider a resolution requesting City of Austin Staff and consultant Opticos, relative to the Code rewrite and CodeNext, furnish the Commission any and all draft rewrite language on an ongoing continuous basis in legislative format and or manner that is a comparative and trackable representation of the old and new Code. (*Vice-Chair Jackie Goodman, Zoning and Platting Commission*)

**F. COMMITTEE REPORTS**

Committee on the Comprehensive Plan – Had not met since previous report.

Land Development Code Advisory Group – Had not met since previous report.

Small Area Planning Joint Committee – Had not met since previous report.

**G. ADJOURNMENT**

**Chair Gabriel Rojas adjourned the meeting without objection at 7:20 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 the Planning and Zoning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.