



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
March 8, 2016**

**The Planning Commission convened in a regular meeting on March 8, 2016 @ 301 W. 2nd Street,
Austin, TX 78701**

Chair Stephen Oliver called the Commission Meeting to order at 6:03 p.m.

Commission Members in Attendance:

**Stephen Oliver – Chair
Fayez Kazi – Vice - Chair
Tom Nuckols
Angela Pineyro De Hoyos
James Schissler
Patricia Seeger
James Shieh
Jeffrey Thompson
Trinity White
Michael Wilson**

William Burkhardt – Ex-Officio

**Jose Vela - Absent
Nuria Zaragoza – Absent**

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

1 Vacancy

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

Mr. Pinaki Gosh – Mr. Gosh stated he is a resident of the Ebony Acres Neighborhood and speaking on their behalf. Mr. Gosh stated due to the unique character of the subdivision a neighborhood plan amendment is needed to protect SF-3 zoned properties and to focus on drainage issues. Mr. Gosh closed his remarks by requesting the Commission initiate a neighborhood plan amendment for Ebony Acres.

B. APPROVAL OF MINUTES

1. Approval of minutes from February 23, 2016.

The motion to approve the minutes from February 23, 2016 was approved on the consent agenda by Commissioner James Schissler and seconded by Commissioner Trinity White on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

C. PUBLIC HEARINGS

1. **Rezoning:** [C14-2015-0133A - 1204 San Antonio & 1205 Nueces Rezoning; District 9](#)
Location: 1204 San Antonio, 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

See annotation under item C-02

2. **Rezoning:** [C14-2015-0133B - 1204 San Antonio & 1205 Nueces Rezoning; District 9](#)
- Location: 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

Public hearings closed.

Motion by Commissioner Patricia Seeger, seconded by Commissioner Angela Pineyro De Hoyos to grant staff recommendation of DMU-CO combining district zoning, with additional conditions, for properties located at 1204 San Antonio Street & 1205 Nueces Street.

The additional conditions are building height shall not exceed 90 feet for Tract A and building height shall not exceed 60 feet for Tract B.

Friendly amendment by Commissioner Trinity White to prohibit the land uses of bail bond services, cocktail lounge, pawn shop, liquor store, outdoor entertainment and amplified music accepted by the maker of the motion, seconded by Commissioner Angela Pineyro De Hoyos.

Motion by Commissioner Patricia Seeger, seconded by Commissioner Angela Pineyro De Hoyos along with the friendly amendment by Commissioner Trinity White was approved on a 10-0 vote; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent; 1 vacancy on the Commission.

3. **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, with conditions**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

The motion to grant staff's recommendation of CS-MU-CO-NP combining district zoning for C14-2015-0165 with conditions as staff recommended, with an additional condition that a minimum of 5,000 square feet of retail or commercial uses, excluding convenience storage be required on the first floor was approved on the consent agenda by Commissioner James Schissler and seconded by Commissioner Trinity White on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

4. **Rezoning:** [C14-2016-0008 - Old Bee Cave Road Subdivision; District 8](#)
Location: 7809 Old Bee Cave Road, Williamson Creek Watershed-Barton Springs
Zone, Oak Hill Combined (West Oak Hill) NP Area
Owner/Applicant: Ron McGuire Construction (Ron McGuire)
Agent: Southwest Engineers (Matt Dringenberg)
Request: RR-NP to SF-3-NP
Staff Rec.: **Recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

The motion to grant staff's recommendation of SF-3-NP combining district zoning for C14-2016-0008 - Old Bee Cave Road Subdivision located at 7809 Old Bee Cave Road was approved on the consent agenda by Commissioner James Schissler and seconded by Commissioner Trinity White on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

5. **Restrictive
Covenant
Amendment:** [C14-85-027\(RCA\) - 2102 Rio Grande Street; District 9](#)
Location: 2102 Rio Grande Street, Shoal Creek Watershed, West University NP
Area
Owner/Applicant: McElroy Ralph Company Inc. (Ryan McElroy)
Agent: Drenner Group (Amanda Swor)
Request: To amend a Restrictive Covenant
Staff Rec.: **Recommended**
Staff: [Victoria Haase](#), 512-974-7691
Planning and Zoning Department

The motion to grant the neighborhood's request for postponement of this item to April 12, 2016 was approved on the consent agenda by Commissioner James Schissler and seconded by Commissioner Trinity White on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

6. **Final Plat - Resubdivision:** [C8-2015-0216.0A - 8611 Centre; District 7](#)
- Location: 8611 North Mopac Service Road Northbound, Shoal Creek Watershed, North Shoal Creek NP Area
- Owner/Applicant: Gerald Kucera
- Agent: Thrower Design (Ron Thrower)
- Request: Approval of the resubdivision of Lot 1A of the Atrium Amended Plat, comprised of one lot on 2.316 acres.
- Staff Rec.: **Recommended**
- Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department

The motion to grant staff recommendation for C8-2015-0216.0A - 8611 Centre located at 8611 North Mopac Service Road Northbound was approved on the consent agenda by Commissioner James Schissler and seconded by Commissioner Trinity White on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

7. **Final Plat - Resubdivision:** [C8-2015-0192.0A - Austin Mall; Resubdivision of Lot 3E; District 4](#)
- Location: 5901 Airport Boulevard, Tannehill Branch Watershed, Highland NP Area
- Owner/Applicant: Austin Community College District (Richard Rhodes)
- Agent: Bury Inc. (Craig Chonko)
- Request: Approval of the Austin Mall; Resubdivision of Lot 3E into 4 lots on 27.98 acres.
- Staff Rec.: **Recommended**
- Staff: [David Wahlgren](#), 512-974-6455
Development Services Department

The motion to grant staff recommendation for C8-2015-0192.0A - Austin Mall located at 5901 Airport Boulevard was approved on the consent agenda by Commissioner James Schissler and seconded by Commissioner Trinity White on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

8. **Resubdivision:** [C8-2015-0019.0A - Resubdivision of Portion of Lot 32, Theodore Low Heights Subdivision; District 5](#)
- Location: 3202 Clawson Road, West Bouldin Creek Watershed, South Lamar Combined NP Area
- Owner/Applicant: Little City Lending, LLC (Jerad Kolarik)
- Agent: Permit Partners, LLC (David Cancialosi)
- Request: Variance from 25-4-175 (LDC) to allow a flag lot, and then approve a resubdivision of part of one lot into 4 lots on 0.988 acres.
- Staff Rec.: **Recommended**
- Staff: [Sylvia Limon](#), 512-974-2767
Development Services Department

The motion by Commissioner James Shieh, seconded by Commissioner James Schissler to grant staff recommendation for C8-2015-0019.0A - Resubdivision of Portion of Lot 32, Theodore Low Heights Subdivision located at 3202 Clawson Road was approved on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

9. **Preliminary Plan:** [C8-2015-0031 - E M Franklin Preliminary Plan; District 1](#)
Location: 2001 E M Franklin Avenue, Tannehill Branch Watershed, MLK NP Area
Owner/Applicant: E M Franklin GP, LLC (Ryan Diepenbrock)
Agent: PSW Homes, LLC (Casey Giles)
Request: Approval of the preliminary plan composed of 14 residential lots, a greenbelt lot, and a drainage pond lot on 4.64 acres.
Staff Rec.: **Item pulled and will be renotified. No action required.**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Item withdrawn; no action required.

10. **Final Plat with Preliminary:** [C8-04-0043.08.2A.SH - Mueller Section 1B-1; District 9](#)
Location: 3600 Manor Road, Tannehill Branch Watershed, RMMA
Owner/Applicant: City of Austin-Economic Development Department (Pam Hefner)
Agent: Bury Inc. (Joes M. Farias, P.E.)
Request: Approval of Mueller Section 1B-1 composed of 4 lots on 7.50 acres.
Staff Rec.: **Disapproval**
Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov
Development Services Department

The motion to disapprove C8-04-0043.08.2A.SH - Mueller Section 1B-1 located at 3600 Manor Road was approved on the consent agenda by Commissioner James Schissler and seconded by Commissioner Trinity White on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

D. NEW BUSINESS

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.

Chair Stephen Oliver called for nominations. Commissioner Angela Pineyro DeHoyos nominated and appointed to the Small Area Planning Joint Committee approved on the motion by Commissioner James Schissler, Commissioner Trinity White seconded on a vote of 10-0; Commissioner Jose Vela and Commissioner Nuria Zaragoza absent. 1 vacancy on the Commission.

E. ITEMS FROM COMMISSION

F. COMMITTEE REPORTS

Committee on the Comprehensive Plan – Chair Stephen Oliver stated the committee will continue meeting in working groups and encouraged participation.

Committee on Codes and Ordinances – Vice-Chair Faye Kazi stated the next meeting will be held on March 15, 2016.

G. ADJOURN

Chair Stephen Oliver adjourned the meeting without objection on Tuesday, March 8, 2016 at 7:23 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.