



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
March 22, 2016**

**The Planning Commission convened in a regular meeting on March 22, 2016 @ 301 W. 2nd 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
Patricia Seeger
James Shieh
Jeffrey Thompson
Jose Vela Trinity White
Michael Wilson
Nuria Zaragoza**

Howard Lazarus – Ex-Officio

**Dr. Jayme Mathias – Ex-Officio - absent
William Burkhardt – 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

B. APPROVAL OF MINUTES

1. Approval of minutes from March 8, 2016.

The motion to approve the minutes from March 8, 2016 was approved on the consent agenda by Commissioner James Vela and seconded by Commissioner Trinity White on a vote of 12-0; 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: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov
Sandra Harkins, 512-974-3128, Sandra.Harkins@austintexas.gov
Planning and Zoning Department

The motion to grant the applicant's request for postponement of this item to April 26, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the commission.

- 2. Rezoning: C14-2015-0109 - 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: SF-3-NP to GO-MU-NP
Staff Rec.: **Not recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

The motion to grant the applicant's request for postponement of this item to April 26, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the commission.

- 3. Rezoning: C14-2015-0119 - Neal Mixed Use Zoning; District 9**
Location: 1507, 1509, 1511, 1601, & 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-MU-CO**
Staff: Victoria Haase, 512-974-7691, tori.haase@austintexas.gov
Planning and Zoning Department

The motion to grant the applicant's request for postponement of this item to April 26, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the commission.

- 4. Rezoning: C14-2015-0062 - US 183 & McCall Lane Rezoning; District 2**
Location: 2900, 3000, 3024 US 183 Highway South and 3120 McCall Lane, Carson Creek and Onion Creek Watersheds; Southeast Combined (Southeast) NP Area
Owner/Applicant: Met Center NYCTEX Phase II, Ltd. (Howard Yancy)
Agent: Thrower Design (Ron Thrower)
Request: LI-NP; LI-CO-NP to LI-PDA-NP
Staff Rec.: **Request for Indefinite Postponement by the Staff**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to April 12, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the commission.

- 5. 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: Nikki Hoelter, (512)974-2863, nikki.hoelter@austintexas.gov
Development Services Department

Public hearing closed.

The motion by Vice-Chair Faye Kazi, seconded by Commissioner Tom Nuckols to DENY the appellant an extension to the update deadline for SP-2015-0195C - 2015 Manor Road located at 2015 Manor Road was approved on a vote of 12-0; 1 vacancy on the commission.

6. **Site Plan - Extension:** **SP-2012-0148C(XT2) - Crestview Station Phase 1; District 7**
Location: 950 Banyon Street, Waller Creek Watershed; Lamar Blvd/Justin Lane TOD
Owner/Applicant: CS Master Community (Brad Maples)
Agent: Jones & Carter Inc. (Jim Schissler P.E.)
Request: Request of a 5 year extension to a previously approved site plan.
Staff Rec.: **Recommended**
Staff: Nikki Hoelter, (512)974-2863, nikki.hoelter@austintexas.gov
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for SP-2012-0148C(XT2) - Crestview Station Phase 1 located at 950 Banyon Street was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 11-0-1; Commissioner James Schissler recused himself from this item (*professional services rendered*); 1 vacancy on the commission.

7. **Site Plan - Conditional Use Permit:** **SPC-2015-0403A - Detour Domain Bar & Grill; District 7**
Location: 11101 Burnet Road, Walnut Creek Watershed; North Burnet/Gateway TOD
Owner/Applicant: MGM Affair LLC Domain Detour
Agent: Land Strategies, Inc. (Erin Welch)
Request: The approval of the expansion of an existing cocktail lounge
Staff Rec.: **Recommended**
Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov
Development Services Department

Public hearing closed.

The motion to grant the staff's recommendation for a conditional use permit for SPC-2015-0403A - Detour Domain Bar & Grill located at 11101 Burnet Road was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the commission.

8. **Code Amendment:** **C20-2014-006 - Garage Placement**
Request: Consider amendments to Title 25 of the Land Development Code related to the neighborhood plan design tool garage placement standards.
Staff Rec.: **Recommended**
Staff: Greg Dutton, 512-974-3509, greg.dutton@austintexas.gov
Planning and Zoning Department

Public hearing closed.

The motion by Commissioner Tom Nuckols, seconded by Commissioner Patricia Seeger to grant staff's recommendation to amend Title 25 of the Land Development Code related to the

neighborhood plan design tool garage placement standards. Friendly amendment by Commissioner James Schissler to strike the uses of single family attached and secondary apartment special use accepted by the maker and seconded by Commissioner Patricia Seeger. Friendly amendment by Commissioner James Shieh accepted by the maker and seconded by Commissioner Patricia Seeger to revise the draft ordinance to read [(B) (1) *BUILDING FACADE means fronting the public right of way exterior wall or walls of the first floor of the principal structure on a lot...*]

The motion by Commissioner Tom Nuckols, seconded by Commissioner Patricia Seeger along with the friendly amendments by Commissioner James Schissler and Commissioner James Shieh was approved on a vote of 9-3. Those voting aye were: Chair Stephen Oliver, Commissioner Tom Nuckols, Commissioner Angela Pineyro De Hoyos, Commissioner Patricia Seeger, Commissioner James Shieh, Commissioner James Schissler; Commissioner Trinity White, Commissioner Jose Vela, and Commissioner Nuria Zaragoza. Those voting nay were: Those voting nay were: Commissioner Jeffrey Thompson, Commissioner Michael Wilson, and Commissioner Faye Kazi; 1 vacancy on the Commission.

9. Code Amendment: C20-2014-017 - MF-6 Density Bonus

Request: Consider amendments to Title 25 of the Land Development Code related to the multifamily residence highest density (MF-6) district zoning regulations.

Staff Rec.: **Recommended**

Staff: Greg Dutton, 512-974-3509, greg.dutton@austintexas.gov
Planning and Zoning Department

There was a motion by Vice-Chair Faye Kazi, seconded by Commissioner Tom Nuckols to postpone this item to April 12, 2016.

Substitute motion by Commissioner Patricia Seeger, seconded by Commissioner Trinity White to postpone this item to April 26, 2016. The motion passed on a vote of 10-2. Those voting aye were: Chair Stephen Oliver, Vice-Chair Faye Kazi, Commissioner Tom Nuckols, Commissioner Angela Pineyro De Hoyos, Commissioner Patricia Seeger, Commissioner James Shieh, Commissioner Jeffrey Thompson, Commissioner Trinity White and Commissioner Michael Wilson. Those voting nay were: Commissioner James Schissler and Commissioner Jose Vela; 1 vacancy on the Commission.

10. Code Amendment: C20-2015-018 - Tenant Relocation

Request: Consider amendments to Title 25 of the Land Development Code related to recommendations regarding tenant relocation assistance requirements.

Staff Rec.: **Recommended; Request postponement to the April 26, 2016 Planning Commission meeting**

Staff: Lauren Avioli, 512-974-3141, Lauren.Avioli@austintexas.gov
Neighborhood Housing and Community Development

The motion to grant staff's request for postponement of this item to April 26, 2016 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the commission.

- 11. 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 a 16 lot subdivision for residential use on 4.64 acres.
Staff Rec.: **Recommended**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

The motion to grant staff's recommendation for C8-2015-0031 - E M Franklin Preliminary Plan located at 2001 E M Franklin Avenue was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the commission.

- 12. Preliminary Plan: C8-2016-0055 - Riverside & Lamar Preliminary Plan; District 5**
Location: 211 South Lamar Boulevard, Lake Austin Watershed; Zilker NP Area
Owner/Applicant: 16 Piggybank Ltd. (Huston Street)
Agent: Bury & Partners Inc. (Katie Hammen)
Request: Approval of the Riverside & Lamar Preliminary Plan composed of 3 lots on 1.16 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

- 13. Final Plat - C8-2016-0051.0A - Resubdivision of Flatiron District; District 7**
Resubdivision:
Location: 10721 Domain Drive, Walnut Creek Watershed; North Burnet TOD
Owner/Applicant: Stonelake Capital Partners
Agent: Big Red Dog Engineering/Consulting (Diana Wang)
Request: Approval of the Resubdivision of Flatiron District composed of 5 lots on 33.14 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

- 14. Final Plat - C8-2016-0049.0A - Broadacres, Lot 17, Block 6 Resubdivision;**
Resubdivision: District 7
Location: 5503 Jeff Davis Avenue, Shoal Creek Watershed; Brentwood NP Area
Owner/Applicant: David Whitworth Development Co (David Whitworth)
Agent: David Whitworth Development Co (David Whitworth)
Request: Approval of Broadacres, Lot 17, Block 6 Resubdivision composed of 2 lots on 0.334 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

- 15. Final Plat - Resubdivision:** **C8-2016-0047.0A - Bertha Ferguson Subdivision, Resubdivision of Lot 1; District 1**
Location: 1191 Greenwood Avenue, Tannehill Branch Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers (Miguel Gonzales)
Request: Approval of the Bertha Ferguson Subdivision, Resubdivision of Lot 1 composed of 2 lots on 0.2326 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 16. Final Plat - Resubdivision:** **C8-2016-0042.0A - Resub of Lot 3C of the Amending Plat of Lots 3A, 3B & 3C; District 1**
Location: 1809 Webberville Road, Fort Branch Watershed; MLK-183 NP Area
Owner/Applicant: Bodhi Group, LLC (Yusuf Johnson)
Agent: Land Answers, Inc. (Jim Wittliff)
Request: Approval of the Resubdivision of Lot 3C of the Amending Plat of Lots 3A, 3B & 3C composed of 3 lots on 0.69 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 17. Final Plat - Resubdivision:** **C8-2016-0043.0A - Penn Heights; District 1**
Location: 3413 Pennsylvania Avenue, Boggy Creek Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers (Miguel Gonzales)
Request: Approval of Penn Heights composed of 5 lots on 0.74 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 18. Final Plat - Amended Plat:** **C8-2016-0045.0A - Glenwood Addition - Lot 7 and 8, Block 10 Amended Plat; District 1**
Location: 1601 Singleton Avenue, Boggy Creek Watershed; Chestnut NP Area
Owner/Applicant: Alicia Moore
Agent: Texas Engineering Solutions (Connor Overby)
Request: Approval of the Glenwood Addition - Lot 7 and 8, Block 10 Amended Plat composed of 2 lots on a 27 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

- 19. Final Plat - Amended Plat:** **C8-2016-0057.0A - KFL Addition Lots 3 and 4 Amended Plat; District 4**
Location: 10200 North Lamar Boulevard, Little Walnut Creek Watershed; North Austin Civic Association NP Area
Owner/Applicant: Calibre International Company
Agent: KBGE Engineering Consulting
Request: Approval of the KFL Addition Lots 3 and 4 Amended Plat composed of 2 lots on a 2.99 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 20. Final Plat:** **C8-2016-0044.0A - 1418 Frontier Valley Road RV Park; District 3**
Location: 1418 Frontier Valley Drive, Carson Creek Watershed; Montopolis NP Area
Owner/Applicant: Frontier Land MHP, LLC (Stathis Edel)
Agent: Southwest Engineers, Inc. (Chris Dringenberg)
Request: Approval of the 1418 Frontier Valley Road RV Park composed of 1 lot on a 1.68 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 21. Final Plat - Resubdivision:** **C8-2016-0048.0A - Bertha Ferguson Subdivision, Resubdivision of Lot 4; District 1**
Location: 1197 Greenwood Avenue, Tannehill Branch Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers (Miguel Gonzales)
Request: Approval of the Bertha Ferguson Subdivision, Resubdivision of Lot 4 composed of 2 lots on 0.267 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 22. Final Plat - Resubdivision:** **C8-2016-0046.0A - Freewater Addition; District 3**
Location: 3711 Garden Villa Lane, West Bouldin Creek Watershed; Galindo NP Area
Owner/Applicant: The 360 Company (Kacee Jackson)
Agent: Permit Partners, LLC (Mindy Briggs)
Request: Approval of the Freewater Addition composed of 2 lots on 0.50 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public hearing closed.

The motion to disapprove Items #12-22 was approved on the consent agenda by Commissioner Jose Vela and seconded by Commissioner Trinity White on a vote of 12-0; 1 vacancy on the Commission.

23. Briefing and Action:

An Approach for Selecting Future Planning Areas

Request: Discuss and consider endorsing the approach for selecting areas for future small area planning efforts.

Staff: Mark Walters, 512-974-7695, mark.walters@austintexas.gov
Planning and Zoning Department

The motion to endorse the approach for selecting areas for future small area planning efforts was approved on Commissioner Nuria Zaragoza's motion, Commissioner James Shieh's second on a unanimous vote; 1 vacancy on the Commission.

D. NEW BUSINESS

1. New Business:

East 12th Street NCCD Partial Rezoning; District 1

Location: 1501 E 12th St, 1511 E 12th St, 1517 E 12th St, 1521 E 12th St, 1601 E 12th St, 1603 E 12th St, 1611 E 12th St, 1615 E 12th St, 1701 E 12th St, 1709 E 12th St, 1717 E 12th St, 1721 E 12th St, 1713 E 12th St, 1803 E 12th St, 1805 E 12th St, 1809 E 12th St., Boggy Creek Watershed;
Boggy Creek Watershed

Request: Discussion and possible initiation of rezoning for properties located on the south side of East 12th Street between Comal Street and Chicon Street in the East 12th Street Neighborhood Conservation Combining District.

Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

There was a motion by Commissioner Tom Nuckols, seconded by Commissioner Patricia Seeger to direct staff to initiate rezoning for properties located on the south side of East 12th Street between Comal Street and Chicon Street in the East 12th Street Neighborhood Conservation Combining District.

Friendly amendment by Commissioner James Shieh to include Tract 18 (Subdistrict 2) and a portion of Tract 15 (Subdistrict 3) was accepted by the maker, seconded by Commissioner Patricia Seeger.

The motion made by Commissioner Tom Nuckols, seconded by Commissioner Patricia Seeger along with the friendly amendment by Commissioner James Shieh was approved on a vote of 7-5. Those voting aye were: Commissioner Tom Nuckols, Commissioner Angela Pineyro De Hoyos, Commissioner Patricia Seeger, Commissioner James Shieh, Commissioner Jeffrey Thompson, Commissioner Trinity White, and Commissioner Nuria Zaragoza. Those voting nay were: Chair Stephen Oliver, Vice-Chair Faye Kazi, Commissioner James Schissler, Commissioner Jose Vela and Commissioner Michael Wilson; 1 vacancy on the Commission.

- 2. New Business: Code Amendment - Zilker Park Site-Specific SOS Amendment**
Request: Initiate an amendment to Title 25 of the Land Development Code for a site-specific Save Our Springs (SOS) amendment for a project located generally within Zilker Park.
Staff: Robert Brennes, 512-974- 9472, robert.brennes@austintexas.gov
Parks and Recreation Department

The motion to direct staff to initiate an amendment to Title 25 of the Land Development Code for a site-specific Save Our Springs (SOS) amendment for a project located generally within Zilker Park was approved on Commissioner Patricia Seeger's motion, Commissioner James Schissler's second on a unanimous vote; 1 vacancy on the Commission.

E. ITEMS FROM COMMISSION

Request for staff briefing regarding the audit of the neighborhood planning process and contact teams. (Commissioner Tom Nuckols, Commissioner Trinity White)

F. COMMITTEE REPORTS

Committee on Codes and Ordinances – Commissioner Nuria Zaragoza informed the Commission that the next meeting is set for April 26, 2016.

Land Development Code Advisory Group – Commissioner Nuria Zaragoza stated the Group discussed the first of a series of Prescription Papers, [Natural and Built Environment Code Prescription Paper](#). On April 4, 2016, the Group will hold a meeting to receive public feedback. The next meeting will be April 18, 2016. The Group will assimilate the feedback and the Group will provide comment as well.

Small Area Planning Joint Committee - Commissioner James Shieh stated the committee discussed their role in relationship to Council and the Land Use Commissions. The Committee also discussed their regulatory purview. Commissioner James Shieh stated the Committee also discussed development and land use issues along the East Cesar Chavez Street corridor.

G. ADJOURN

Chair Stephen Oliver adjourned the meeting without objection on Tuesday, March 22, 2016 at 10:12 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.