



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
April 12, 2016**

**The Planning Commission convened in a regular meeting on April 12, 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
Karen McGraw
Tom Nuckols
Angela Pineyro De Hoyos
James Schissler
Patricia Seeger
James Shieh (*arrived late*)
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**

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 22, 2016.

The motion to approve the minutes from March 22, 2016 was approved on the consent agenda by Vice-Chair Fayez Kazi and seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

C. PUBLIC HEARINGS

- 1. Rezoning:** [**C14-2015-0162 - Airport Commerce; District 3**](#)
Location: 1501 Airport Commerce Drive, Carson Creek Watershed; Montopolis NP Area
Owner/Applicant: W2 Hill ACP II LP
Agent: Thrower Design (Ron Thrower)
Request: CS-CO-NP to CS-CO-NP to remove FAR restriction
Staff Rec.: **Recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of CS-CO-NP combining district zoning, to remove the FAR restriction for C14-2015-0162 - Airport Commerce located at 1501 Airport Commerce Drive was approved on the consent agenda by Vice-Chair Fayez Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

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

Public hearing closed.

The motion to grant staff's recommendation of LI-PDA-NP combining district zoning for C14-2015-0062 - US 183 & McCall Lane Rezoning located at 2900, 3000, 3024 US 183 Highway South and 3120 McCall Lane was approved on the consent agenda by Vice-Chair Fayez Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

3. **Rezoning:** [C14-03.0116.03 - 3101 Metlink Drive Rezoning; District 2](#)
Location: 3101 Metlink Drive, Carson Creek and Onion Creek Watersheds;
Southeast Combined (Southeast) NP Area
Owner/Applicant: Met Center NYCTEX, Ltd. (Howard Yancy)
Agent: Thrower Design (Ron Thrower)
Request: LI-PDA-NP to LI-PDA-NP, to change a condition of zoning
Staff Rec.: **Recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of LI-PDA-NP combining district zoning, to change a condition of zoning for C14-03.0116.03 - 3101 Metlink Drive Rezoning located at 3101 Metlink Drive was approved on the consent agenda by Vice-Chair Faye Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

4. **Rezoning:** [C14-2016-0027 - WhichCraft Beer Store; District 5](#)
Location: 2110 S. Lamar, Suite F, West Bouldin Creek Watershed; Zilker NP Area
(Suspended)
Owner/Applicant: City of Austin - Charlie Tames
Agent: Drenner Group (Dave Anderson)
Request: CS to CS-1
Staff Rec.: **Recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of CS-1-CO combining district zoning for C14-2016-0027 - WhichCraft Beer Store located at 2110 S. Lamar was approved on the consent agenda by Vice-Chair Faye Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

[Speakers FOR Item C-04](#)

5. **Rezoning:** [C14H-2016-0005 - William F. and Eleanor Warren House; District 9](#)
Location: 1502 Hardouin Avenue, Shoal Creek Watershed
Owner/Applicant: Richard G. and Laura Key, owners
Request: SF-3-NP to SF-3-H-NP
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454,
Planning and Zoning Department

Public hearing closed.

The motion to approve staff's recommendation of SF-3-H-NP combining district zoning for C14H-2016-0005 - William F. and Eleanor Warren House located at 1502 Hardouin Avenue was approved on Commissioner James Schissler's motion, Commissioner Karen McGraw's second on a vote of

10-2. Those voting aye were: Chair Stephen Oliver, Vice-Chair Faye Kazi, Commissioner Karen McGraw, Commissioner Tom Nuckols, Commissioner Angela Pineyro De Hoyos, Commissioner James Schissler, Commissioner Jeffrey Thompson, Commissioner Trinity White, Commissioner Michael Wilson, and Commissioner Nuria Zaragoza. Those voting nay were: Commissioner Patricia Seeger and Commissioner Jose Vela. Commissioner James Shieh (*arrived late*).

[Speakers FOR Item C-05](#)

[Speakers AGAINST Item C-05](#)

- 6. Rezoning:** [C14H-2015-0164 - T.H. Shelby House; District 9](#)
Location: 503 W. 33rd Street, Waller Creek; North University NP Area
Owner/Applicant: Andrew K. and Lindsey L. Heddleston Smith, owners
Agent: Emily Payne, Hardey, Heck and Moore
Request: SF-3-NCCD-NP to SF-3-H-NCCD-NP
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454,
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of SF-3-H-NCCD-NP combining district zoning for C14H-2015-0164 - T.H. Shelby House located at 503 W. 33rd Street was approved on the consent agenda by Vice-Chair Faye Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

- 7. Rezoning:** [C14H-2015-0147 - Peter and Esther Allidi House; District 9](#)
Location: 1315 Kenwood Avenue, Lady Bird Lake; South River City NP Area
Owner/Applicant: Bruce Curtis and Fred Daniel, owners
Agent: Annie Laurie Grabel, Clayton + Little, Architects
Request: SF-3-NCCD to SF-3-H-NCCD
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454,
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of SF-3-H-NCCD-NP combining district zoning for C14H-2015-0147 - Peter and Esther Allidi House located at 1315 Kenwood Avenue was approved on the consent agenda by Vice-Chair Faye Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

8. **Rezoning:** [C14-2015-0134 - Lantana Block P, Lots 3 and 5; District 8](#)
Location: 7415 Southwest Parkway, Williamson Creek Watershed-Barton Springs
Zone; Oak Hill Combined NP Area
Owner/Applicant: Stratus Properties Operating Co., LP (Erin Perkins)
Agent: LJA Engineering (Paul Viktorin)
Request: GR-NP to GR-MU-NP
Staff Rec.: **Recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Application withdrawn; no action required.

9. **Restrictive
Covenant
Amendment:** [C14-85-288 \(RCA\) - Lantana Block P, Lots 3 and 5; District 8](#)
Location: 7415 Southwest Parkway, Williamson Creek Watershed-Barton Springs
Zone; Oak Hill Combined NP Area
Owner/Applicant: Stratus Properties Operating Co., LP (Erin Perkins)
Agent: LJA Engineering (Paul Viktorin)
Request: Remove restriction on multi-family units
Staff Rec.: **Denial**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Application withdrawn; no action required.

10. **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

Public hearing closed.

The motion to grant staff's recommendation to amend the Restrictive Covenant for C14-85-027(RCA) - 2102 Rio Grande Street located at 2102 Rio Grande Street was approved on the consent agenda by Vice-Chair Faye Z Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

- 11. Preliminary Plan:** [C8-2015-0042 - St. Andrew's School; District 8](#)
Location: 5613 Patton Ranch Road, Barton Creek Watershed-Barton Springs
Zone; East Oak Hill NP Area
Owner/Applicant: St. Andrew's Episcopal School (Jeff Howard)
Agent: Bury, Inc. (Troy Moore)
Request: Approval of a Preliminary Plan containing 5 lots on 93.34 acres.
Staff Rec.: **Recommended**
Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2015-0042 - St. Andrew's School located at 5613 Patton Ranch Road was approved on the consent agenda by Vice-Chair Faye Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

- 12. Site Plan-Compatibility Waiver:** [SP-2015-0303C - Mount Zion Baptist Church Family Life Center; District 1](#)
Location: 2938 E 13th St, Boggy Creek Watershed; Rosewood NP Area
Owner/Applicant: Mount Zion Baptist Church (Luke Mercer)
Agent: Chan & Partners Engineering, LLC (Zhipeng Xing)
Request: The applicant is requesting a waiver to encroach into a 25' compatibility setback to construct a retaining wall. [LDC 25-2-1063]
Staff Rec.: **Recommended**
Staff: [Rosemary Avila](#), 512-974-2784
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for SP-2015-0303C - Mount Zion Baptist Church Family Life Center located at 2938 E 13th St. was approved on the consent agenda by Vice-Chair Faye Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

- 13. Site Plan-Conditional Use Permit:** [SPC-2015-0107CT - San Juan Diego Catholic High School; District 3](#)
Location: 2512 S 1st St, East Bouldin Creek Watershed; Galindo NP Area
Owner/Applicant: Roman Catholic Diocese of Austin Texas (Patrick Baker)
Agent: Urban Design Group PC (Don Sansom)
Request: The applicant is requesting a conditional use permit to construct a private secondary educational facility with other associated improvements.
Staff Rec.: **Recommended**
Staff: [Rosemary Avila](#), 512-974-2784
Development Services Department

The motion to grant Applicant's request for postponement of this item to April 26, 2016 was approved on the consent agenda by Vice-Chair Fayez Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

- 14. Final Plat:** [C8-2015-0194.0A - Domain Blocks L, M and N; District 7](#)
Location: 11501 Domain Drive, Walnut Creek Watershed; North Burnet TOD
Owner/Applicant: Domain LMN Investors, LP (Robert Shaw)
Agent: Bury-Aus, Inc. (Allison Lehman)
Request: Approval of Domain Blocks L, M and N composed of 4 lots on 67.193 acres.
Staff Rec.: **Recommended**
Staff: [Don Perryman](#), 512-974-2786
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2015-0194.0A - Domain Blocks L, M and N located at 11501 Domain Drive was approved on the consent agenda by Vice-Chair Faye Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

- 15. Final Plat-VARIANCE ONLY:** [C8-2015-0227.0A - 1023 Springdale Subdivision; District 3](#)
Location: 1023 Springdale Road, Boggy Creek Watershed; MLK NPA
Owner/Applicant: 1023 Holdings, LLC (Daryl Kunik)
Agent: 1023 Holdings, LLC (Daryl Kunik)
Request: The applicant requests a variance from LDC Section 25-4-151 which requires that streets of a new subdivision shall be aligned with and connect to streets on adjoining property. The applicant proposes to not connect Don Ann street into the subdivision.
Staff Rec.: **Recommended**
Staff: [Don Perryman](#), 512-974-2786
Development Services Department

Motion made by Commissioner Trinity White, seconded by Commissioner Tom Nuckols to postpone this item to April 26, 2016 was approved on a vote 12-1. Commissioner James Schissler voting nay.

D. BRIEFINGS

1. Informative briefing regarding the current state of the South Waterfront Master Plan

Staff: [Alan Holt](#), 512-974-2716; [Elizabeth Smith](#) 974-2856
Planning and Zoning Department

The presentation was made by Alan Holt, Planning and Zoning Department.

E. NEW BUSINESS

1. Discussion and possible initiation of rezoning for properties located at 1120 E. 12th Street; 1322, 1324, 1326, 1328, 1330, 1332, 1334, and 1336 E. 12th Street. (Butler Family Property); District 1

Staff: [Jerry Rusthoven](#), 512-974-3207; [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

The motion to grant the neighborhood's request for postponement of this item to May 10, 2016 was approved on the consent agenda by Vice-Chair Fayez Kazi, seconded by Commissioner James Schissler on a unanimous vote; Commissioner James Shieh (*arrived late*).

2. Discussion on Planning Commission review of future CodeNEXT work products and CodeNEXT updates to Planning Commission. (Chair Stephen Oliver, Commisisoner Nuria Zaragosa)

Commissioners to meet in Working Groups to review the series of CodeNEXT Prescription Papers and CodeNEXT staff to follow up periodically with Planning Commission.

3. Discussion and possible action on amending the Planning Commission Bylaws and forward to Audit and Finance for approval.

The motion by Commissioner James Schissler, seconded by Commissioner Jose Vela to postpone this item to April 26, 2016 was approved on a unanimous vote.

4. Discussion and possible action on amending the Planning Commission Rules of Procedure.

The motion by Commissioner James Schissler, seconded by Commissioner Jose Vela to postpone this item to April 26, 2016 was approved on a unanimous vote.

5. Nomination and election of Chair, Vice – Chair, Secretary and Parliamentarian of the Planning Commission.

There was a call for nominations for Chair.

Commissioner Stephen Oliver nominated by Commissioner James Schissler.

Commissioner Stephen Oliver elected Chair of the Planning Commission by acclamation.

Chair Stephen Oliver called for nominations for Vice-Chair.

Commissioner Faye Kazi nominated by Commissioner Nuria Zaragoza.

Commissioner Faye Kazi elected Vice-Chair of the Planning Commission by acclamation.

Chair Stephen Oliver called for nominations for Parliamentarian.

Commissioner James Schissler nominated by Commissioner Nuria Zaragoza.

Commissioner James Schissler elected Parliamentarian of the Planning Commission by acclamation.

Chair Stephen Oliver called for nominations for Secretary.

Commissioner James Shieh nominated by Commissioner Nuria Zaragoza.

Commissioner James Shieh elected Secretary of the Planning Commission by acclamation.

F. ITEMS FROM COMMISSION

Request for an item to be placed on the April 26, 2016 agenda to discuss recension and reconsideration of rezoning initiation 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 ([Item D-01 from March 22, 2016](#)). (Commissioner Patricia Seeger, Commissioner Nuria Zaragoza)

G. COMMITTEE REPORTS

Committee on Codes and Ordinances – Commissioner Nuria Zaragoza informed the Commission that the Committee had decided to discuss and review a possible code amendment to the Sidewalk Fee-in-Lieu ordinance.

Committee on the Comprehensive Plan – Chair Stephen Oliver informed the Commission that the Committee continues to develop and discuss recommendations in Working Groups and a CIP recommendation letter will be presented to the Commission at the next Planning Commission meeting.

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

Small Area Planning Joint Committee – Commissioner James Shieh informed the Commission that the Committee heard from a concerned resident in the Ebony Acres Neighborhood regarding localized flooding due to development in the neighborhood. Commissioner James Shieh also stated staff presented an outline of the Neighborhood Plan Amendment Process. The Committee also continues to develop and define a strategic work plan and will present a letter to the Commission at a future meeting.

H. ADJOURN

Chair Stephen Oliver adjourned the meeting without objection on Tuesday, April 12, 2016 at 8:54 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.