



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
June 28, 2016**

**The Planning Commission convened in a regular meeting on June 28, 2016 @ 301 W. 2<sup>nd</sup> 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 (*left early*)  
Karen McGraw  
Tom Nuckols  
Angela PineyroDeHoyos  
James Schissler  
Patricia Seeger  
James Shieh  
Jose Vela  
Trinity White  
Michael Wilson  
Nuria Zaragoza**

**William Burkhardt – Ex-Officio**

**Absent:**

**Jeffrey Thompson**

**Robert Hinojosa – Ex-Officio  
Dr. Jayme Mathias – Ex-Officio**

**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**

Ms. Susana Almanza – Presented a video concerning the displacement of residents at Cactus Rose Mobile Home Park.

Mr. Saul Madero – Presented a video concerning the displacement of residents at Cactus Rose Mobile Home Park.

## **B. APPROVAL OF MINUTES**

1. Approval of minutes from June 14, 2016.

The motion to approve the minutes from June 14, 2016 was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

## **C. PUBLIC HEARINGS**

- 1. Rezoning:** [C14-2016-0025 - St. James Missionary Baptist Church; District 1](#)  
Location: 3417 East Martin Luther King, Jr. Boulevard, Tannehill Branch  
Watershed; East MLK Combined NP Area  
Owner/Applicant: St. James Missionary Baptist Church (Thomas J. Owens)  
Agent: Urban Design Group (Laura Touns)  
Request: SF-3-NP to SF-6-NP  
Staff Rec.: **Recommended**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

Public Hearing closed.

Motion by Vice-Chair Fayeze Kazi, seconded by Commissioner Tom Nuckols to grant SF-6-CO combining district zoning with a maximum of 60 units and to prohibit the payment in-lieu for on-site water quality controls, was approved on a vote of 8-4. Those voting aye were: Chair Stephen Oliver, Vice-Chair Fayeze Kazi, Commissioner Karen McGraw, Commissioner Tom Nuckols, Commissioner Patricia Seeger, Commissioner James Shieh, Commissioner Trinity White, and Commissioner Nuria Zaragoza. Those voting nay were: Commissioner Angela PineryoDeHoyos, Commissioner James Schissler, Commissioner Michael Wilson and Commissioner Jose Vela. Commissioner Jeffrey Thompson absent.

Planning Commission Note: Direction to staff to further study connection of this property to the larger JJ Seabrook trail network to the north and report to Council.

2. **Rezoning:** [C14-2015-0146 - 1414 W. Oltorf; District 5](#)  
Location: 1404, 1408, 1412, 1414 W. Oltorf St & 2043 S. Lamar Blvd, West  
Bouldin Creek Watershed; Zilker NP Area  
Owner/Applicant: Jstrain, LLC (Scott Trainer)  
Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele Rogerson Lynch)  
Request: CS, SF-3, CS-CO (Tract 1) & CS-MU-V-CO (Tract 2) to CS-MU-CO  
(Tract 1) & CS-MU-V-CO (Tract 2)  
Staff Rec.: **Recommended**  
Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to July 12, 2016 was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

3. **Rezoning:** [C14-2016-0039 - Thornton 2; District 5](#)  
Location: 2413 Thornton Road, West Bouldin Creek Watershed; South Lamar NP  
Area  
Owner/Applicant: John Hobberman  
Agent: South Llano Strategies (Glen Coleman)  
Request: CS to MF-4-CO  
Staff Rec.: **Recommendation of MF-2-CO**  
Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Public Hearing closed.

The motion to grant the Applicant's request for MF-4-CO combining district zoning with the condition of a 70 unit dwelling cap and to include the traffic mitigation measures per the Neighborhood Traffic Analysis (see [Staff Report - Ivan Naranjo and Scott A. James, Development Services Department. Neighborhood Traffic Analysis for Thornton Road. Memo \(June 22, 2016\) pgs. 10-12](#)), was approved on Commissioner Angela PineyroDeHoyo's motion, seconded by Commissioner Patricia Seeger on a vote of 10-1. Commissioner Tom Nuckols voted nay. Vice-Chair Fayez Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

Planning Commission Note: Applicant informed the Commission he is amenable to participating in the SMART Housing program.

4. **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**  
Staff: [Victoria Haase](#), 512-974-7691  
Planning and Zoning Department

The motion to grant the Applicant's request for postponement of this item to August 23, 2016 was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

5. **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**  
Staff: [Lauren Avioli](#), 512-974-3141  
Neighborhood Housing and Community Development

Public Hearing closed.

Motion by Commissioner Angela PineyroDeHoyos, seconded by Commissioner Tom Nuckols to refer this item to the Codes and Ordinance Joint Committee for further review along with direction to staff to schedule the item for the July 26, 2016 Planning Commission agenda was approved on a 10-0-1 vote. Commissioner James Schissler recused himself from this item. Vice-Chair Faye Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

6. **Code Amendment:** [C20-2015-004 - Subchapter F: Carport and Garage Exemptions](#)  
Request: Consider an amendment to Title 25 of the City Code to change regulations related to Subchapter F gross floor area exemptions for garages and carports.  
Staff Rec.: **Recommended**  
Staff: [Greg Dutton](#), 512-974-3509  
Planning and Zoning Department

Public Hearing closed.

There was a motion by Commissioner Trinity White, seconded by Commissioner James Schissler to deny staff recommendation and recommend the amendment be reviewed during the CodeNext rewrite.

There was a substitute motion by Commissioner Karen McGraw to grant staff's recommendation and allow existing carports to maintain their exemptions. The motion failed to garner a second. There was a motion by Commissioner Jose Vela to remove Article 3, increase F.A.R. to .6 and increase square footage to 3,450 feet. *Motion deemed erroneous in disposing of the item as posted on the Planning Commission agenda.*

There was a substitute motion by Commissioner James Shieh to grant staff recommendation with a 450 square foot exemption. The motion failed to garner a second.

Substitute motion by Commissioner Nuria Zaragoza, seconded by Commissioner Patricia Seeger to deny staff recommendation was approved on an affirmative vote of 9-2. Commissioner Karen McGraw and Commissioner Tom Nuckols voted nay. Vice-Chair Faye Kazi (left early) and Commissioner Jeffrey Thompson absent.

Planning Commission Note: Commission strongly encourages the CodeNEXT Group to review Subchapter F and the issue of F.A.R.

**7. Site Plan - [SPC-2015-0600A - Eberly; District 5](#)  
Conditional Use Permit:**

Location: 615 S. Lamar Boulevard, West Bouldin Creek Watershed; Zilker NP Area  
Owner/Applicant: 613 South Lamar LLC  
Agent: Armbrust & Brown, PLLC (Richard Suttle)  
Request: Approval of a Conditional Use Permit for a restaurant with late hours in CS-V zoning and approval of a compatibility setback variance for parking.  
Staff Rec.: **Recommended**  
Staff: [Donna Galati](#), 512-974-2733  
Development Services Department

The motion to grant the Applicant's request for postponement of this item to July 12, 2016 was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

**8. Site Plan - [SP-2015-0300C - 2510 S. Congress; District 3](#)  
Compatibility Waiver:**

Location: 2510 South Congress Avenue, East Bouldin Creek Watershed; Dawson NP Area  
Owner/Applicant: Krug Development (David Krug)  
Agent: Wuest Group, Ltd. (Scott Wuest)  
Request: Approval of compatibility waivers for driveway setback within 15' and swimming pool within 50' of residential property.  
Staff Rec.: **Recommended**  
Staff: [Lynda Courtney](#), 512-974-2810,  
Development Services Department

Public Hearing closed.

The motion to divide the question of granting compatibility waivers for SP-2015-0300C - 2510 S. Congress located at 2510 South Congress Avenue, and to grant the approval of a compatibility waiver

for a driveway setback within 15' of a residential property, contingent upon the adherence to the mitigating measures as proposed by the applicant/owner (*see [Compatibility Waiver Review Sheet. Scott Wuest - Memo \(March 30, 2016\) pgs. 6-7](#)*), was approved on Commissioner James Schissler's motion, seconded by Commissioner James Shieh on an affirmative vote of 9-2. Commissioners Karen McGraw and Tom Nuckols voted nay. Vice-Chair Fayez Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

The motion to grant the approval of a compatibility waiver for a swimming pool within 50' of residential property, contingent upon the adherence to the mitigating measures as proposed by the applicant/owner (*see [Compatibility Waiver Review Sheet. Scott Wuest - Memo \(March 30, 2016\) pg. 6-7](#)*), was approved on Commissioner James Schissler's motion, seconded Commissioner Patricia Seeger on an affirmative vote of 8-3. Commissioners Tom Nuckols, Trinity White and Nuria Zaragoza voted nay. Vice-Chair Fayez Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

- 9. Site Plan - Hill Country Roadway:** **[SPC-2016-0258C - 5301 Southwest Parkway - Phase II; District 8](#)**
- Location: 5301 Southwest Parkway, Barton Creek Watershed-Barton Springs Zone; Oak Hill Combined (West Oak Hill) NP Area
- Owner/Applicant: Drawbridge 5301 SW Pkwy, LLC (Michael Embree)
- Agent: Bury (Joe Farias, P.E.)
- Request: Approve a site plan to increase the size of an existing building and add amenities with associated improvements in the Southwest Parkway Low Intensity Hill Country Roadway.
- Staff Rec.: **Recommended**
- Staff: **[Christine Barton-Holmes](#)**, 512-974-2788  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for SPC-2016-0258C - 5301 Southwest Parkway - Phase II located at 5301 Southwest Parkway was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

- 10. Resubdivision:** **[C8-2016-0036.0A - Resubdivision of Lot 2, Longhorn Business Park No. 3 and Lots A and B, Block A, Resubdivision of Lots 1, 2 & 3, Block A, Longhorn Business Park; District 7](#)**
- Location: 2608 Brockton Drive, Walnut Creek Watershed; North Burnet / Gateway TOD
- Owner/Applicant: 2608 Brockton Ltd. (Andy Portor)
- Agent: Stantec (Lauren Beavers)
- Request: Approve the resubdivision of 3 lots into 2 lots on 4.024 acres.
- Staff Rec.: **Recommended**

Staff: [Sylvia Limon](#), 512-974-2767  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2016-0036.0A - Resubdivision of Lot 2, Longhorn Business Park No. 3 and Lots A and B, Block A, Resubdivision of Lots 1, 2 & 3, Block A, Longhorn Business Park located at 2608 Brockton Drive was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

**11. Final Plat without Preliminary:** [\*\*C8J-2015-0106.0A - Easton Park Section 1B Final Plat; District 2\*\*](#)

Location: McKinney Falls Parkway, Cottonmouth Creek Watershed; Pilot Knob MUD  
Owner/Applicant: Carma Easton, LLC (Shaun Cranston)  
Agent: Stantec, Inc. (Joe Farias)  
Request: Approval of the Easton Park Section 1B Final Plat, containing 5 lots on 93.48 acres.  
Staff Rec.: **Recommended**  
Staff: [Michael Hettenhausen](#), 512-854-7563  
Travis County/City of Austin Single Office

Public Hearing closed.

The motion to grant staff's recommendation for C8J-2015-0106.0A - Easton Park Section 1B Final Plat located at McKinney Falls Parkway was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

**12. Final Plat with Preliminary:** [\*\*C8J-2015-0188.1A - Easton Park Section 2A Final Plat; District 2\*\*](#)

Location: Colton Bluff Springs Road, Cottonmouth Creek Watershed; Pilot Knob MUD  
Owner/Applicant: Carma Easton, LLC (Shaun Cranston)  
Agent: Peloton Land Solutions (Jonathan Fleming)  
Request: Approval of the Easton Park Section 2A Final Plat, containing 18 lots on 55.95 acres.  
Staff Rec.: **Recommended**  
Staff: [Michael Hettenhausen](#), 512-854-7563  
Travis County/City of Austin Single Office

Public Hearing closed.

The motion to grant staff's recommendation for C8J-2015-0188.1A - Easton Park Section 2A Final Plat located at Colton Bluff Springs Road was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

- 13. Preliminary Plan:** [C8-2015-0260 - Rancho Garza Subdivision Preliminary Plan; District 8](#)
- Location: 3800 Ben Garza Lane, Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined (East Oak Hill) NP Area
- Owner/Applicant: Rancho Garza Ltd. (C. Daniel Wheelus)
- Agent: Cunningham-Allen, Inc. (Elias Haddad)
- Request: Approval of the preliminary plan composed of 10 lots on 34.717 acres.
- Staff Rec.: **Recommendation pending**
- Staff: [Cesar Zavala](#), 512-974-3404  
Development Services Department

Public Hearing closed.

The motion by Commissioner Angela PineyroDeHoyos, seconded by Commissioner James Shieh to grant approval of the preliminary plan composed of 10 lots on 34.717 acres for C8-2015-0260 - Rancho Garza Subdivision Preliminary Plan located at 3800 Ben Garza Lane, and friendly amendment by Commissioner Tom Nuckols that the preliminary plan shall note the unnamed private Drive as Sabio Drive was approved on a vote of 12-0. Commissioner Jeffrey Thomson absent.

- 14. Final Plat with Preliminary Plan:** [C8-2015-0260.1A - Rancho Garza Subdivision; District 8](#)
- Location: 3800 Ben Garza Lane, Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined (East Oak Hill) NP Area
- Owner/Applicant: Rancho Garza Ltd. (C. Daniel Wheelus)
- Agent: Cunningham-Allen, Inc. (Elias Haddad)
- Request: Approval of the final plat composed of 10 lots on 34.717 acres.
- Staff Rec.: **Recommendation pending**
- Staff: [Cesar Zavala](#), 512-974-3404  
Development Services Department

Public Hearing closed.

The motion by Commissioner Angela PineyroDeHoyos, seconded by Commissioner James Shieh to grant approval of the final plat composed of 10 lots on 34.717 acres C8-2015-0260.1A - Rancho Garza Subdivision located at 3800 Ben Garza Lane and friendly amendment by Commissioner Tom Nuckols that the preliminary plan shall note the unnamed private Drive as Sabio Drive was approved on a vote of 12-0. Commissioner Jeffrey Thomson absent.

- 15. Street Vacation:** [F#9677-1604; District 3](#)
- Location: Approximately located at 2220 Riverview Street
- Owner/Applicant: City of Austin Parks and Recreation Department
- Request: Vacation of a portion of Riverview Street.
- Staff Rec.: **Recommended**
- Staff: [Kim Vasquez](#), 974-9241  
Office of Real Estate Services



Public Hearing closed.

The motion to grant staff's recommendation for vacation of a portion of Riverview Street approximately located at 2220 Riverview Street was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

- 16. Final Plat:** [C8J-2016-0121.0A - Thomas Springs Addition; District 8](#)  
Location: 7919 Thomas Springs Road, Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined (West Oak Hill) NP Area  
Owner/Applicant: Logo Grande Enterprises LLC (Brandon Brydson)  
Agent: Kimley Horn & Associates, Inc. (Andrew S. Evans)  
Request: The request is for approval of Thomas Springs Addition. The proposed plat is composed of 2 lots on 5.04 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 17. Final Plat - Amended Plat:** [C8-2016-0111.1A - Ogden Farms Subdivision, Amended; District 2](#)  
Location: 5501 South IH 35 Service Road Northbound, Williamson Creek Watershed; Franklin Park NP Area  
Owner/Applicant: HAG RE CDT LLC  
Agent: Stantec Consulting Services (David Miller)  
Request: The request is for approval of the Ogden Farms Subdivision, Amended. The applicant is proposing to combine existing Lot 1 and Lot 2 into one lot of 14.61 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 18. Final Plat with Preliminary:** [C8-2016-0017.3A - Grant B Subdivision; District 1](#)  
Location: 3601 Grant Street, Tannehill Branch Watershed; MLK NP Area  
Owner/Applicant: Scott Way  
Agent: Big Red Dog (Jerett Daw)  
Request: The request is for approval of Grant B Subdivision. The proposed plat is composed of 13 lots on 1.89 acres.  
Staff Rec.: **Disapproval**  
Staff: [Don Perryman](#), 512-974-2786  
Development Services Department

- 19. Final Plat - Resubdivision:** [C8-2016-0117.0A - Lot 2, Woodwillow Addition, Resubdivision; District 3](#)  
Location: 3409 Willow Springs Road, Blunn Creek Watershed; St. Edwards NP Area  
Owner/Applicant: Khabe Lehfed Properties (Steve Portnoy)  
Agent: AJ Ghaddar, P.E. & Associates (Marco Castaneda)  
Request: The request is for approval of the resubdivision of Lot 2, Woodwillow Addition. The proposed plat is composed of 2 lots on 0.375 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

Public Hearing closed.

The motion to disapprove Items #16-19 was approved on the consent agenda by Commissioner Jose Vela, Commissioner Nuria Zaragoza seconded the motion on a vote of 12-0. Commissioner Jeffrey Thompson absent.

- 20. Preliminary Plan:** [C8-2015-0200 - Woodbridge; District 1](#)  
Location: 5036 Samuel Huston Avenue, Fort Branch Watershed; MLK-183 NP Area  
Owner/Applicant: South Llano (Glen Coleman)  
Agent: Civilitude Engineers (Fayez Kazi)  
Request: Approval of the preliminary plan for Woodbridge Subdivision, containing 10 lots on 2.87 acres.  
Staff Rec.: **Recommended**  
Staff: [Steve Hopkins](#), 512-974-3175  
Development Services Department

Public Hearing closed.

The motion grant staff's recommendation for C8-2015-0200 - Woodbridge located at 5036 Samuel Huston Avenue was approved on the motion by Commissioner Jose Vela, seconded by Commissioner James Schissler on a vote of 11-0. Vice-Chair Fayez Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

#### **D. NEW BUSINESS**

1. Discussion and possible action to initiate a code amendment to § 25-2-567, Special Requirement for Affordable Housing in Certain Multifamily Districts, to explore expanding MF-6 regulations to more restrictive Multifamily Districts. (Vice-Chair Fayez Kazi, Commissioner James Shieh)

Commissioner James Schissler's motion, seconded by Chair Stephen Oliver to postpone this item to July 26, 2016 was approved on a vote of 11-0. Vice-Chair Fayez Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

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

Commissioner James Schissler's motion, seconded by Chair Stephen Oliver to postpone this item to July 26, 2016 was approved on a vote of 11-0. Vice-Chair Fayez Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

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

Commissioner James Schissler's motion, seconded by Chair Stephen Oliver to postpone this item to July 26, 2016 was approved on a vote of 11-0. Vice-Chair Fayez Kazi (*left early*) and Commissioner Jeffrey Thompson absent.

## **E. COMMITTEE REPORTS**

Committee on Codes and Ordinances

Committee on the Comprehensive Plan

Garage Working Group

Land Development Code Advisory Group

Small Area Planning Joint Committee

## **F. ADJOURNMENT**

**Chair Stephen Oliver adjourned the meeting without objection on Wednesday, June 29, 2016 at 1:17 a.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 2 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.