



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
July 12, 2016**

**The Planning Commission convened in a regular meeting on July 12, 2016 @ 301 W. 2<sup>nd</sup> Street, Austin, TX 78701**

**Chair Stephen Oliver called the Commission Meeting to order at 6:02 p.m.**

**Commission Members in Attendance:**

**Stephen Oliver – Chair  
Fayez Kazi – Vice – Chair  
Karen McGraw  
Tom Nuckols (*Left early*)  
Angela PineyroDeHoyos  
James Schissler  
Patricia Seeger  
James Shieh  
Jose Vela  
Trinity White  
Michael Wilson**

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

**Absent:**

**Jeffrey Thompson  
Nuria Zaragoza**

**Robert Hinojosa**

**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 June 28, 2016.

The motion to approve the minutes from June 28, 2016 was approved on the consent agenda by Vice-Chair Fayez Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 11-0. Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

**C. PUBLIC HEARINGS**

- 1. Rezoning:** [C14-2015-0146 - 1414 W. Oltorf; District 5](#)  
Location: 1404, 1408, 1412 & 1414 W. Oltorf Street & 2043 S. Lamar Blvd, West  
Bouldin Creek Watershed; Zilker NP Area  
Owner/Applicant: Jstrain LLC (Scott Trainer)  
Agent: Metcalfe, Wolfe, 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 & Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of CS-MU-CO combining district zoning for Tract 1 and CS-MU-V-CO for Tract 2 with the additional uses of Funeral Services and Drive-in Services as an accessory use to a commercial use shall be prohibited for C14-2015-0146 - 1414 W. Oltorf located at 1404, 1408, 1412 & 1414 W. Oltorf Street & 2043 S. Lamar Blvd was approved on the consent agenda by Vice-Chair Fayez Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 11-0. Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

- 2. Rezoning:** [C14-2016-0041 - East Sixth Village South; District 3](#)  
Location: 2416 East 6th Street, Lady Bird Lake Watershed; Holly NP Area  
Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox)  
Agent: 2416 East Sixth Street, L.P. (David Cox)  
Request: LI-CO-NP to CS-V-CO-NP  
Staff Rec.: **Postponement request by Staff to July 26, 2016**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning & Zoning Department

The motion to grant staff's request for postponement to July 26, 2016 was approved on the consent agenda by Vice-Chair Fayez Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 10-0-1. Commissioner James Schissler recused himself on this item (*rendered professional service to applicant*). Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

3. **Rezoning:** [C14-2016-0043 - East Sixth Village North; District 3](#)  
Location: 622 Pedernales Street, Lady Bird Lake Watershed; Holly NP Area  
Owner/Applicant: 2422 Hidalgo Street, L.P. (David Cox)  
Agent: 2422 Hidalgo Street, L.P. (David Cox)  
Request: LI-CO-NP to CS-MU-CO-NP  
Staff Rec.: **Postponement request by Staff to July 26, 2016**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning & Zoning Department

The motion to grant staff's request for postponement to July 26, 2016 was approved on the consent agenda by Vice-Chair Faye Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 10-0-1. Commissioner James Schissler recused himself on this item (*rendered professional service to applicant*). Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

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

Public Hearing closed.

Motion by Commissioner Tom Nuckols, seconded by Commissioner Angela PineyroDeHoyos to grant a conditional use permit for a restaurant with late hours in CS-V combining district zoning and approval of a compatibility setback variance for parking with the following conditions as follows: 1) No outdoor amplified sound; 2) no live outdoor music above 70 decibels as measured from the property; and 3) The CUP is not in effect until the Transportation Site Plan ([see Transportation Site Plan - SPC-2015-0600A – Eberly](#)) is implemented and certified by an engineer. Friendly amendments by Commissioner Trinity White requiring that lighting onsite must comply with current code lighting standards and the roof deck must close at 12:00 a.m. daily were accepted by the maker and seconded by Commissioner Angela PineyroDeHoyos.

Motion by Commissioner James Shieh to limit amplified music after 10:00 p.m. failed for lack of a second.

Motion by Commissioner Karen McGraw to reduce the use of the ground floor after hours to 5,000 square feet failed due to lack of a second.

The motion by Commissioner Tom Nuckols motion, seconded by Commissioner Angela PineyroDeHoyos and the friendly amendments by Commissioner Trinity White were approved on a vote of 7-2-2. Those voting aye were: Chair Stephen Oliver, Vice-Chair Faye Kazi, Commissioner Tom Nuckols, Commissioner Angela PineyroDeHoyos, Commissioner James Schissler, Commissioner James Shieh, and Commissioner Trinity White. Those voting nay were: Commissioner Karen McGraw, Commissioner Patricia Seeger. Those abstaining were: Commissioner Jose Vela and Commissioner Michael Wilson. Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

5. **Site Plan - Conditional Use Permit:** [SPC-2016-0018C - Republic Square Park Improvement Project; District 9](#)
- Location: 422 Guadalupe Street, Lady Bird Lake/Shoal Creek Watersheds; Downtown NP Area
- Owner/Applicant: City of Austin - Parks and Recreation Department (Marty Stump)
- Agent: Axiom Engineering Inc. (Alan Rhames, P.E.)
- Request: Approval of a conditional use permit because the site is zoned P, public and over 1 acre in size. [Section 25-2-625]
- Staff Rec.: **Recommended**
- Staff: [Nikki Hoelter](#), 512-974-2863  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for SPC-2016-0018C - Republic Square Park Improvement Project located at 422 Guadalupe Street was approved on the consent agenda by Vice-Chair Faye Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 11-0. Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

6. **Resubdivision:** [C8-2015-0226.0A - Cherico Gardens; District 3](#)
- Location: 3403 Neal Street, Boggy Creek Watershed; Govalle NP Area
- Owner/Applicant: MX3 Homes, LLC (Sal Martinez)
- Agent: Southwest Engineers (Miguel Gonzales)
- Request: Approve the resubdivision of one lot into 3 lots on 0.494 acres.
- Staff Rec.: **Recommended**
- Staff: [Sylvia Limon](#), 512-974-2767  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2015-0226.0A - Cherico Gardens located at 3403 Neal Street was approved on the consent agenda by Vice-Chair Faye Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 11-0. Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

7. **Final Plat:** [C8-2016-0003.0A - Georgian Acres Resubdivision; District 4](#)  
Location: 9000 Georgian Drive, Little Walnut Creek Watershed; Georgian Acres NP Area  
Owner/Applicant: Susan Ponder  
Agent: Carlson, Brigrance & Doering, Inc. (Geoff Guerrero)  
Request: Approval of the Georgian Acres Resubdivision composed of 2 lots on 0.80 acres.  
Staff Rec.: **Recommended**  
Staff: [Don Perryman](#), 512-974-2786  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2016-0003.0A - Georgian Acres Resubdivision located at 9000 Georgian Drive was approved on the consent agenda by Vice-Chair Faye Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 11-0. Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

8. **Resubdivision - Final Plat:** [C8-2016-0134.0A - Leona Street Subdivision; District 1](#)  
Location: 1135 Leona Street, Boggy Creek Watershed; Central East Austin NP Area  
Owner/Applicant: Rex Bowers and Paul Barnes; Central East Austin NP Area  
Agent: Perales Engineering LLC (Jerry Perales)  
Request: Approval of the Leona Street Subdivision composed of 2 lots on 0.31 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
9. **Preliminary Plan:** [C8-2016-0130 - Bouldin Court Subdivision; District 9](#)  
Location: 900 South 2nd Street, East Bouldin Creek Watershed; Bouldin Creek NP Area  
Owner/Applicant: 1st Street Highlands, LP  
Agent: PSW Homes LLC (Jarred Corbell)  
Request: Approval of the Bouldin Creek Subdivision, composed of 15 lots on 3.62 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
10. **Final Plat - Resubdivision:** [C8-2016-0129.0A - Lot 2, Ebony Acres; Resubdivision; District 1](#)  
Location: 3515 East 12th Street, Tannehill Branch Creek Watershed; MLK NP Area  
Owner/Applicant: Scott Way

- Agent: Southwest Engineers (Travis Flake)  
Request: Approval of the resubdivision of Lot 2, Ebony Acres, composed of 2 lots on 0.22 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 11. Final Plat - Resubdivision:** [C8-2016-0126.0A - Porter Heights, Resubdivision of Lot B; District 5](#)  
Location: 3900 Manchaca Road, West Bouldin Creek Watershed; South Lamar NP Area  
Owner/Applicant: Keith Taniguchi  
Agent: Servant Engineering & Consulting (Mauricio Quintero-Macias)  
Request: Approval of Porter Heights, Resubdivision of Lot B composed of 2 lots on 0.61 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 12. Final Plat:** [C8-2016-0125.0A - Harp Grove 3; District 3](#)  
Location: 202 Montopolis Drive, Colorado River Watershed; Montopolis NP Area  
Owner/Applicant: Cynthia Harp  
Agent: Prossner and Associates (Kurt Prossner)  
Request: Approval of Harp Grove 3 composed of 2 lots on 0.46 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 13. Final Plat - Amended Plat:** [C8-2016-0132.0A - Wright Amending Plat; District 5](#)  
Location: 2100 Wright Street, Lady Bird Lake Watershed; Zilker NP Area  
Owner/Applicant: Moazami Homes LLC (Amir Moazami)  
Agent: Land Answers (Jim Wittliff)  
Request: Approval of the Wright Amending Plat composed of 2 lots on 0.41 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 14. Final Plat:** [C8-2016-0123.0A - Bluebonnet Subdivision Amended Plat of Lots 1 & 2; District 5](#)  
Location: 2103 Blue Bonnet Lane, West Bouldin Creek Watershed; Zilker NP Area  
Owner/Applicant: Rivercity Capital Partners, Inc. (Dolores Spantak)  
Agent: Hector Avila  
Request: Approval of the Bluebonnet Subdivision Amended Plat of Lots 1 & 2 composed of 2 lots on 0.947 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
- 15. Final Plat:** [C8-2016-0124.0A - Galanter-Kimbell Subidivision; District 9](#)  
Location: 611 W. Elizabeth Street, East Bouldin Creek; Bouldin Creek NP Area  
Owner/Applicant: Chad Galanter

Agent: KBGE (Chad Kimbell)  
Request: Approval of the Galanter-Kimbell Subdivision composed of 2 lots on 0.4 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

Public Hearing closed.

The motion to disapprove Items #8-15 was approved on the consent agenda by Vice-Chair Fayez Kazi, Commissioner Patricia Seeger seconded the motion on a vote of 11-0. Commissioners Jeffrey Thompson and Nuria Zaragoza absent.

#### **D. BRIEFINGS**

1. [Staff informative briefing and presentation regarding Code Prescription Paper # 2: Household Affordability.](#)

Staff: [Paul DiGiuseppe](#), Principal Planner, (512) 974-2865  
Planning and Zoning Department

Presentation was made by Paul DiGiuseppe, Principal Planner, Planning and Zoning Department.

#### **E. NEW BUSINESS**

1. Discussion and possible action relative to the Working Group's comments and findings regarding the CodeNEXT - Code Prescription Paper # 2: Household Affordability.

Discussion occurred and Working Group's comments presented.

By unanimous consent, a future new business item is proposed to establish a Working Group tasked with reviewing Prescription Paper #3 and tasked with codifying and reformatting previous Working Groups findings of Prescription Papers.

2. Discussion and possible creation of a Working Group tasked with reviewing and completing the Annual Internal Review of the Planning Commission.

The motion by Commissioner Jose Vela, seconded by James Schissler to establish a Working Group tasked with reviewing and completing the Annual Internal Review of the Planning Commission was approved on a vote on a vote of 10-0. Commissioners Tom Nuckols (*left early*), Jeffrey Thompson and Nuria Zaragoza absent.

3. Discussion and possible recommendation of a Member of the Planning Commission to serve on the [Joint Sustainability Committee](#).

The motion by Commissioner Jose Vela, seconded by James Schissler to nominate and recommend Commissioner Patricia Seeger to serve on the Joint Sustainability Committee was approved on an

unanimous vote. Commissioners Tom Nuckols (*left early*), Jeffrey Thompson and Nuria Zaragoza absent.

## **F. ITEMS FROM COMMISSION**

Chair Stephen Oliver proposed an item for the Comprehensive Plan Joint Committee to review unzoned properties and compare them against the Imagine Austin Growth Concept map.

Planning Commission Note: By unanimous consent, instruct Board Liaison to inquire of the CodeNEXT Group whether Subchapter F and FAR will be reviewed as part of the code rewrite process. Also inquire of the possibility of the CodeNEXT Group to hold a public forum regarding this matter.

See [Memorandum to the Planning Commission: Greg Guernsey, Director of Planning and Zoning Department \(July 26, 2016\).](#)

## **G. COMMITTEE REPORTS**

Codes and Ordinances Joint Committee

Comprehensive Plan Joint Committee

Land Development Code Advisory Group

Small Area Planning Joint Committee

## **ADJOURNMENT**

**Chair Stephen Oliver adjourned the meeting without objection on Tuesday, July 12, 2016 at 9:45 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 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.