



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
October 11, 2016**

**The Planning Commission convened in a regular meeting on October 11, 2016 @ 301 W. 2nd Street,
Austin, TX 78701**

Chair Stephen Oliver called the Commission Meeting to order at 6:00 p.m.

Commission Members in Attendance:

**Stephen Oliver – Chair
Fayez Kazi – Vice-Chair
Karen McGraw
Tom Nuckols
Angela PineyroDeHoyos
James Schissler
Patricia Seeger
James Shieh
Jeffrey Thompson
Jose Vela
Trinity White
Michael Wilson
Nuria Zaragoza**

William Burkhardt – Ex-Officio

Absent:

**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

B. APPROVAL OF MINUTES

1. Approval of minutes from September 27, 2016.

The motion to approve the minutes from September 27, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

C. PUBLIC HEARINGS

- 1. Plan Amendment:** [NPA-2015-0015.03 - 5010 & 5102 Heflin Lane; District 1](#)
Location: 5010 & 5102 Heflin Lane, Fort Branch Creek Watershed; MLK-183 Combined NP Area
Owner/Applicant: Heflin Phase 1, LLC, (Lynn Yuan)
Agent: Metcalfe, Wolff, Stuart & Williams, LLP. (Michele R. Lynch)
Request: Single Family to High Density Single Family land use
Staff Rec.: **Postponement request by the Applicant to November 8, 2016.**
Staff: Kathleen Fox, 512-974-7877, kathleen.fox@austintexas.gov
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to November 8, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

- 2. Rezoning:** [C14-2015-0114 - 5010 & 5102 Heflin Lane; District 1](#)
Location: 5010 & 5102 Heflin Lane, Fort Branch Creek Watershed; MLK-183 Combined NP Area
Owner/Applicant: Heflin Phase 1, LLC, (Lynn Yuan)
Agent: Metcalfe, Wolff, Stuart & Williams, LLP. (Michele R. Lynch)
Request: SF-4A-NP to SF-6-NP
Staff Rec.: **Postponement request by the Applicant to November 8, 2016.**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to November 8, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

3. **Plan Amendment:** [NPA-2016-0021.01 - 5016-1/2 E. Ben White Blvd WB; District 3](#)
Location: 5016-1/2 E. Ben White Blvd., Country Club West & Carson Creek Watersheds; East Riverside/Oltorf Combined NP Area
Owner/Applicant: Azur Property Investment
Agent: Brown & Gay Engineers (Steven Buffum, P.E.)
Request: Commercial to Mixed Use land use
Staff Rec.: **Recommendation of Commercial and Mixed Use land uses**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner James Schissler, seconded by Commissioner Patricia Seeger to grant Mixed Use land use for NPA-2016-0021.01 - 5016-1/2 E. Ben White Blvd WB located at 5016-1/2 E. Ben White Blvd. was approved on a vote of 10-2-1.

Those voting aye were: Chair Stephen Oliver and Commissioners Karen McGraw, Tom Nuckols, Angela PineryoDeHoyos, James Schissler, Patricia Seeger, James Shieh, Jeffrey Thompson, Jose Vela, and Michael Wilson. Those voting nay were: Vice-Chair Fayez Kazi and Commissioner Trinity White. Commissioner Nuria Zaragoza abstained.

4. **Rezoning:** [C14-2016-0069 - 5016-1/2 E. Ben White Blvd WB; District 3](#)
Location: 5016-1/2 E. Ben White Blvd WB, Country Club West & Carson Creek Watersheds; East Riverside/Oltorf Combined NP Area
Owner/Applicant: Azur Property Investment
Agent: Brown & Gay Engineers (Steven Buffum, P.E.)
Request: CS-CO-NP & GR-CO-NP to CS-MU-CO-NP & GR-MU-CO-NP
Staff Rec.: **Recommended with Conditions**
Staff: Andrew Moore, 512-974-7604, andrew.moore@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner James Schissler, seconded by Commissioner Patricia Seeger to grant GR-CO-NP and GR-MU-CO-NP combining district zonings for C14-2016-0069 - 5016-1/2 E. Ben White Blvd WB located at 5016-1/2 E. Ben White Blvd WB. Friendly amendment by Commissioner Trinity White to recommend Council request a Traffic Impact Analysis (TIA) and have the item returned to the Planning Commission for further review; amendment not accepted by the maker. Friendly amendment by Commissioner Patricia Seeger to prohibit adult-oriented business land use was accepted by the maker. Friendly amendment by Commissioner James Shieh to prohibit residential land use within 200 feet of E. Ben White; amendment accepted by the maker, seconded by Commissioner Patricia Seeger.

The motion by Commissioner James Schissler, seconded by Commissioner Patricia Seeger and friendly amendments by Commissioners Patricia Seeger and James Shieh was approved on a 10-2-1.

Those voting aye were: Chair Stephen Oliver and Commissioners Karen McGraw, Tom Nuckols, Angela PineryoDeHoyos, James Schissler, Patricia Seeger, James Shieh, Jeffrey Thompson, Jose Vela, and Michael Wilson. Those voting nay were: Vice-Chair Faye Kazi and Commissioner Trinity White. Commissioner Nuria Zaragoza abstained.

5. **Rezoning:** [C14-2016-0095 - Completion of Lot 6 Zoning; District 8](#)
Location: 9100 West State Highway 71, Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined (West Oak Hill) NP Area
Owner/Applicant: River City Partners Management, Ltd. (Lee Raines)
Agent: Sprouse Shrader Smith PLLC (Terrence L. Irion)
Request: SF-2-NP to GO-NP
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of GO-NP combining district zoning for C14-2016-0095 - Completion of Lot 6 Zoning located at 9100 West State Highway 71 was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Jose Vela seconded the motion on a unanimous vote. Commissioner James Schissler off the dais.

6. **Rezoning:** [C14-2016-0020 - Lantana IV; District 8](#)
Location: 7717 Southwest Parkway, Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined NP Area (East Oak Hill)
Owner/Applicant: JDI Holdings LLC (Douglas Ivey)
Agent: Permit Partners LLC (David Cancialosi)
Request: LR-NP to GR-MU-NP
Staff Rec.: **Pending; Staff Postponement to November 8, 2016**
Staff: Andrew Moore, 512-974-7604, andrew.moore@austintexas.gov
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to December 13, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

7. **Rezoning:** [C14-2016-0077 - Bouldin Court](#)
Location: 900, 904, 908, 1000 & 1002 S. 2nd St & 705 Christopher St., East Bouldin Creek Watershed; Bouldin Creek NP Area
Owner/Applicant: PSW-1st St. Highlands LP
Agent: PSW Homes - Jarred Corbell
Request: GR-MU-CO-NP & SF-3-NP to SF-6-NP
Staff Rec.: **Pending; Staff Postponement to October 25, 2016**
Staff: Andrew Moore, 512-974-7604, andrew.moore@austintexas.gov
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to October 25, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

8. **Rezoning:** [C14-2016-0050 - Plaza Saltillo Tract 1/2/3; District 3](#)
Location: 901, 1011 and 1109 East 5th Street, Waller Creek Watershed; East Cesar Chavez NP Area
Owner/Applicant: Capital Metro Transportation Authority (Shanea Davis)
Agent: Land Use Solutions, LLC (Michele Haussmann)
Request: TOD-NP to TOD-NP-CURE
Staff Rec.: **Postponement request by the Applicant to November 8, 2016.**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to October 25, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

9. **Rezoning:** [C14-2016-0049 - Plaza Saltillo Tract 4/5; District 3](#)
Location: 1211 and 1301 East 5th Street, Waller Creek; Lady Bird Lake Watersheds; East Cesar Chavez NP Area
Owner/Applicant: Capital Metro Transportation Authority (Shanea Davis)
Agent: Land Use Solutions, LLC (Michele Haussmann)
Request: TOD-NP to TOD-NP-CURE
Staff Rec.: **Postponement request by the Applicant to November 8, 2016.**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to October 25, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

- 10. Rezoning:** [C14-2016-0051 - Plaza Saltillo Tract 6, District 3](#)
Location: 413 Navasota Street, Lady Bird Lake Watershed; East Cesar Chavez NP Area
Owner/Applicant: Capital Metro Transportation Authority (Shanea Davis)
Agent: Land Use Solutions, LLC (Michele Haussmann)
Request: TOD-NP to TOD-NP-CURE
Staff Rec.: **Postponement request by the Applicant to November 8, 2016.**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to October 25, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

- 11. Rezoning:** [C14-2016-0091 - ASC/Bearcreek Properties](#)
Location: 4001 S. Lamar Blvd, NB Unit E, Barton Creek Watershed-Barton Springs Zone & Williamson Creek Watershed; South Lamar NP Area
Owner/Applicant: ASC/Bearcreek Properties Ltd. (Manny Farahani)
Agent: Thrower Design (Ron Thrower)
Request: CS-V to CS-1-V
Staff Rec.: **Recommended**
Staff: Andrew Moore, 512-974-7604, andrew.moore@austintexas.gov
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to October 25, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

- 12. Rezoning:** [C14-2016-0072 - 39th Street Apartments](#)
Location: 405 – 407 West 39th Street, Waller Creek Watershed; Hyde Park NP Area
Owner/Applicant: 405 West 39th Street LLC
Agent: Mike McHone Real Estate (Mike McHone)
Request: SF-3-NCCD-NP to MF-4-NCCD-NP
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of MF-4-NCCD-NP combining district zoning for C14-2016-0072 - 39th Street Apartments located at 405-407 West 39th Street was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Jose Vela seconded the motion on a unanimous vote. Commissioner James Schissler off the dais.

- 13. Rezoning:** [C814-2012-0128.01.SH - thinkEAST Austin](#)
Location: 1141 Shady Lane and 5300 Jain Lane, Boggy Creek Watershed;
Govalle/Johnston Terrace Combined NP Area
Owner/Applicant: Thinkeast Austin LP
Agent: ThinkEast Austin Mgmt, LLC (Richard J. deVarga)
Request: PUD-NP to PUD-NP, to change a condition of zoning
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of PUD-NP combining district zoning for C814-2012-0128.01.SH - thinkEAST Austin located at 1141 Shady Lane and 5300 Jain Lane was approved on the consent agenda by Commissioner Patricia Seeger, Commissioner Jose Vela seconded the motion on a unanimous vote. Commissioner James Schissler off the dais.

- 14. 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: LO, GO to GO-MU-V, as amended
Staff Rec.: **Recommended**
Staff: Andrew Moore, 512-974-7604, andrew.moore@austintexas.gov
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to December 13, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

- 15. Site Plan –** [SP-2016-0008C - Lofts at 12th Street; District 1](#)
Compatibility
Waiver:
Location: 2724 E. 12th Street, Boggy Creek Watershed; Chestnut NP Area
Owner/Applicant: San Antonio Dream Homes, LLC. (Shravan Parsi)
Agent: Big Red Dog (Mike Reyes)
Request: Approval of a waiver to encroach into a 25' compatibility setback [LDC
25-2-1063] for site improvements for a multi-family residential
development.
Staff Rec.: **Recommended**
Staff: Rosemary Avila, 512-974-2784, rosemary.avila@austintexas.gov
Development Services Department

Motion to grant staff's request for postponement of this item to October 25, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

16. Site Plan – [SPC-2016-0079A - Home Slice North; District 9](#)
Conditional Use

Permit:

Location: 501 East 53rd Street, Waller Creek Watershed; North Loop NP Area
Owner/Applicant: 501 E. 53rd, LLC (Janet Belz)
Agent: The Drenner Group (Amanda Swor)
Request: Approval of a conditional use permit for food preparation (a commissary kitchen) to support onsite and other restaurant locations
Staff Rec.: **Recommended**
Staff: Scott Grantham, 512-974-2942, scott.grantham@austintexas.gov
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for SPC-2016-0079A - Home Slice North located at 501 East 53rd Street was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

17. Site Plan – [SP-2015-0300C - 2510 S. Congress; District 3](#)
Compatibility

Waiver:

Location: 2510 S. Congress Avenue, East Bouldin Creek Watershed, Dawson NP Area
Owner/Applicant: Krug Development (David Krug)
Agent: Wuest Group (Scott Wuest)
Request: Approval of 2 compatibility waivers: 25-2-1067H to allow a driveway within 15' of a triggering property, and 25-2-1064, to allow a building to be closer than 25' to the Congress Avenue ROW
Staff Rec.: **Postponement request to October 25, 2016 due to notification error**
Staff: Lynda Courtney, 512-974-2810
Development Services Department

Motion to grant staff's request for postponement of this item to October 25, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

- 18. Final Plat:** [C8-2016-0189.0A - Lot A-2 Resubdivision of Lot A, Sellstrom-Spear Addition; District 10](#)
Location: 2617 Pecos Street, Taylor Slough North Watershed; West Austin
Neighborhood Group NP Area
Owner/Applicant: Ashley Amini
Agent: 318 Group (James R. McCann, P.E.)
Request: Approval of the Lot A-2 Resubdivision of Lot A, Sellstrom-Spear
Addition composed of 1 lot on 0.385 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 19. Final Plat:** [C8-2016-0188.0A - Lot A-1, Resubdivision of Lot A, Sellstrom-Spear Addition; District 10](#)
Location: 2617 Pecos Street, Taylor Slough North Watershed; West Austin
Neighborhood Group NP Area
Owner/Applicant: Ashley Amini
Agent: 318 Group (James R. McCann, P.E.)
Request: Approval of the Lot A-1, Resubdivision of Lot A, Sellstrom-Spear
Addition composed of 1 lot on 0.68 acre
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 20. Final Plat:** [C8-2016-0191.0A - Hudson Aviary \(Withdraw/Resubmittal of C8-2015-0187.0A\); District 1](#)
Location: 6009-1/2 Hudson Street, Fort Branch Watershed; MLK-183 NP Area
Owner/Applicant: Equitable Green Group (Nicholas Koch)
Agent: Perales Engineering, LLC (Jerry Perales)
Request: Approval of the Hudson Aviary (Withdraw/Resubmittal of C8-2015-
0187.0A) composed of 1 lot on 3.0010 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public Hearings Closed.

The motion to disapprove Items #18 and 20 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

D. BRIEFINGS

- 1.** Informative briefing regarding CodeNEXT Prescription Papers [#3 - Mobility](#) and [#4 - Fiscal Health](#)
Presenters: CAG Members Dave Sullivan and Colby Wallis
Staff: Annick Beaudet, Ashley Greenstein and Paul DiGiuseppe
Austin Transportation Department / Planning and Zoning Department

Presentation given by CAG Members Dave Sullivan and Colby Wallis along with Annick Beaudet of the Austin Transportation Department, and Ashley Greenstein and Paul DiGiuseppe from the Planning and Zoning Department.

2. Informative briefing regarding [Austin Housing Strategic Plan](#)

Presenter: [Jonathan Tomko](#), 974-1057, Neighborhood Housing and Community Development Department

Presentation given by Jonathan Tomko, Neighborhood Housing and Community Development Department.

D. NEW BUSINESS

1. [Discussion and possible action to initiate a rezoning application for property located at 1139-1/2 Poquito Street, within the Central East Austin Neighborhood Planning Area.](#)

Staff: Wendy Rhoades, 512-974-7719
Planning and Zoning Department

Motion to grant neighborhood's request for postponement of this item to November 8, 2016 was approved on the consent agenda by Commissioner Patricia Seeger, seconded by Commissioner Jose Vela on a unanimous vote. Commissioner James Schissler off the dais.

2. [Discussion and possible recommendation of the Lamar Beach Master Plan.](#)

Staff: Charles Mabry, 512-974-9481
Parks and Recreation Department

Motion by Commissioner Tom Nuckols seconded by Commissioner Jose Vela to recommend the Lamar Beach Master Plan with an additional recommendation for an interim trail for bicycle and pedestrian access from Pressler Street was approved on an affirmative vote of 10-0-

1. Commissioner Nuria Zaragoza abstained. Chair Stephen Oliver (*left early*) and Commissioner Angela PineryoDeHoyos (*left early*) absent.

3. Discussion and possible action regarding the Annual Internal Review of the Planning Commission.

Item postponed to October 25, 2016 by unanimous consensus of the Planning Commission.

F. ITEMS FROM COMMISSION

1. Discussion and possible action regarding Working Group's review of CodeNEXT Prescription Paper #4

Item postponed to October 25, 2016 by unanimous consensus of the Planning Commission.

G. COMMITTEE REPORTS

Citizen Code Advisory Group – No report provided.

Codes and Ordinances Joint Committee – No report provided.

Comprehensive Plan Joint Committee – No report provided.

Small Area Planning Joint Committee – Commissioner Jeffrey Thompson stated the Committee reviewed and recommended the Lamar Beach Master Plan.

ADJOURNMENT

Vice-Chair Fayez Kazi adjourned the meeting without objection on Tuesday, October 11, 2016 at 11:18 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.