



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
January 24, 2017**

The Planning Commission convened in a regular meeting on January 24, 2017 @ 301 W. 2<sup>nd</sup> Street, Austin, TX 78701.

Commissioner Shieh called the Commission Meeting to order at 6:20 p.m.

**Commission Members in Attendance:**

**Stephen Oliver – Chair** (Arrived late)  
**Angela De Hoyos Hart**  
**Karen McGraw**  
**Tom Nuckols**  
**James Schissler**  
**Patricia Seeger**  
**James Shieh**  
**Jeffrey Thompson**  
**Trinity White**  
**Michael Wilson**  
**Nuria Zaragoza**

**Absent:**

**Fayez Kazi – Vice – Chair**  
**Jose Vela**

**William Burkhardt – Ex-Officio**  
**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

The first four (4) speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

Mr. Gavino Fernandez – Mr. Fernandez introduced himself as the President of Barrio Unido Neighborhood Association. Mr. Fernandez provided the Commission with an informational background on the Holly Neighborhood Plan; he conveyed the plan addressed the Holly Power Plant, desire for affordable housing, avoiding the prospects of gentrification and responding to the encroachment of businesses into the neighborhood residential areas.

## B. APPROVAL OF MINUTES

1. Approval of minutes from January 10, 2017.

Motion to approve the minutes from January 10, 2017 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

## C. PUBLIC HEARINGS

### 1. Plan Amendment: [NPA-2016-0005.01 - Thrasher Lane Lots; District 3](#)

Location: 2500, 2508 & 2514 Thrasher Lane, Country Club East & Carson Creek Watersheds; Montopolis NP Area

Owner/Applicant: Dalor, LTD

Agent: Permit Partners (David Cancialosi)

Request: Commercial to Mixed Use land use

Staff Rec.: **Mixed Use and Commercial land use**

Staff: [Maureen Meredith](#), 512-974-2695  
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff recommendation of Commercial land use for NPA-2016-0005.01 - Thrasher Lane Lots located at 2500, 2508 & 2514 Thrasher Lane was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

2. **Rezoning:** [C14-2016-0070 - Thrasher Lane Lots; District 3](#)  
Location: 2500, 2508 & 2514 Thrasher Lane, Country Club East & Carson Creek Watersheds; Montopolis NP Area  
Owner/Applicant: Dalor, LTD  
Agent: Permit Partners (David Cancialosi)  
Request: CS-NP to CS-MU-NP  
Staff Rec.: **Recommend CS-NP and CS-MU-CO-NP**  
Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff recommendation of CS-MU-CO-NP combining district zoning for C14-2016-0070 - Thrasher Lane Lots located at 2500, 2508 & 2514 Thrasher Lane was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

3. **Plan Amendment:** [NPA-2016-0016.01 - 3212 E. Cesar Chavez; District 3](#)  
Location: 3212 East Cesar Chavez Street, Colorado River Watershed; Govalle/Johnston Terrace Combined NP Area  
Owner/Applicant: Painter Enterprises, Inc. a Texas Corporation  
Agent: Husch Blackwell (Nikelle Meade)  
Request: Commercial and Industry to Mixed Use land use  
Staff Rec.: **Pending; Postponement request by Staff to February 28, 2017**  
Staff: [Maureen Meredith](#), 512-974-2695  
Planning and Zoning Department

Motion to grant staff request for postponement of this item to February 28, 2017 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

4. **Rezoning:** [C14-2016-0079 - 3212 E. Cesar Chavez; District 3](#)  
Location: 3212 East Cesar Chavez Street, Colorado River Watershed; Govalle/Johnston Terrace Combined NP Area  
Owner/Applicant: Painter Enterprises, Inc. a Texas Corporation  
Agent: Husch Blackwell (Nikelle Meade)  
Request: CS-CO-NP and LI-CO-NP to CS-MU-V-CO-NP  
Staff Rec.: **Pending; Postponement request by Staff to February 28, 2017**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

Motion to grant staff request for postponement of this item to February 28, 2017 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

**5. Plan Amendment:** [NPA-2016-0022.01 - 3920 South IH 35; District 3](#)

Location: 3920 S. IH-35 Southbound Service Road, Blunn Creek Watershed; Greater South River City Combined NP Area

Owner/Applicant: 3920 IH-35 Holdings Ltd. (Jimmy Nassour)

Agent: Alice Glasco Consulting (Alice Glasco)

Request: Office to Mixed Use land use

Staff Rec.: **Commerical land use**

Staff: [Maureen Meredith](#), 512-974-2695  
Planning and Zoning Department

Motion to grant neighborhood's request for postponement of this item to February 14, 2017 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

**6. Rezoning:** [C14-2016-0105 - 3920 South IH 35; District 3](#)

Location: 3920 S. IH-35 Southbound Service Road, Blunn Creek Watershed; Greater South River City Combined NP Area

Owner/Applicant: 3920 IH-35 Holdings Ltd. (Jimmy Nassour)

Agent: Alice Glasco Consulting (Alice Glasco)

Request: GO-NP to CS-MU-V-NP

Staff Rec.: **Recommend CS-NP**

Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Motion to grant neighborhood's request for postponement of this item to February 14, 2017 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

**7. Rezoning:** [C14-2016-0115 - 2222 Town Lake; District 3](#)

Location: 2222 & 2400 Town Lake Circle and 2217 & 2225 Elmont Drive, Lady Bird Lake Watershed; East Riverside Corridor

Owner/Applicant: Town Lake Holdings, LLC (David Cox)

Agent: Graves Dougherty Moody Hearn (Michael Whellan)

Request: NMU to CMU  
Staff Rec.: **Recommend CMU**  
Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Motion to grant staff request for postponement of this item to February 28, 2017 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 9-0. Commissioner Schissler recused himself from this item (Conflict of interest – rendered professional services). Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

8. **Rezoning:** [\*\*C14-2016-0065 - Pioneer Bank, SSB; District 9\*\*](#)  
Location: 623 West 38th Street, Waller Creek Watershed; Central Austin Combined (West University) NP Area  
Owner/Applicant: Pioneer Bank (Brian May)  
Agent: Doucet & Associates (Ted McConaghy)  
Request: GR-CO-NP to GR-CO-NP, to change a condition of zoning  
Staff Rec.: **Recommended**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner McGraw, seconded by Commissioner De Hoyos Hart to deny the rezoning request for C14-2016-0065 - Pioneer Bank was approved on a vote of 10-0. Chair Oliver off the dais. Vice-Chair Kazi and Commissioner Vela absent.

9. **Rezoning:** [\*\*C14-2016-0116 - 1616 E. Oltorf; District 9\*\*](#)  
Location: 1616 E. Oltorf Street, Harper Branch Creek Watershed; East Riverside/Oltorf Combined NP Area  
Owner/Applicant: 1616 West Sixth St. Ltd. (Will Marsh)  
Agent: Armbrust & Brown (Richard Suttle)  
Request: GR-CO to CS  
Staff Rec.: **Recommend CS-CO**  
Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner White, seconded by Commissioner Schissler to grant CS-MU-CO combining district zoning with additional conditions for C14-2016-0116 - 1616 E. Oltorf located at

1616 E. Oltorf Street was approved on a vote of 11-0. Vice-Chair Kazi and Commissioner Vela absent.

Additional conditions are:

Drive-in services shall be a conditional use.

Pawn Shops shall be a prohibited land use.

**10. Rezoning:** [C14-2016-132 - Property Adjacent to 1311 S. Lamar; District 5](#)

Location: 1311 S. Lamar Blvd, Bldg B, West Bouldin Creek Watershed; Zilker NP Area (Suspended)

Owner/Applicant: Seamless GCW LTD (Bernard Barrett)

Agent: Drenner Group (Leah Bojo)

Request: CS-CO to CS-V

Staff Rec.: **Recommended**

Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Motion to grant neighborhood's request for postponement of this item to February 14, 2017 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

**11. Rezoning:** [C14H-2016-0053 - Aldridge Place Historic District; District 9](#)

Location: Roughly bounded by Speedway on the east, Guadalupe Street on the west, 34th Street on the north and 30th Street on the south, and including Hemphill Park., Waller Creek Watershed; North University NP Area

Owner/Applicant: Aldridge Place Historic District Nominating Team

Agent: Roger Binkley, Janet Beinke, and Rick Iverson

Request: Add HD to all existing base zonings

Staff Rec.: **Recommended**

Staff: [Steve Sadowsky](#), 512-974-6454  
Planning and Zoning Department

Public Hearing closed.

The motion to add HD combining district to all base zonings within the proposed historic district to create the Aldridge Place Historic District, roughly bounded by Speedway on the east, Guadalupe

Street on the west, 34th Street on the north and 30th Street on the south, and including Hemphill Park, was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

**12. MUD** [C12M-2016-0006 - Moore's Crossing MUD; District 2](#)

**Amendment:**

Location: East of FM 973 at the intersection of FM 973 and Elroy Road, Dry Creek East and Onion Creek Watersheds

Owner/Applicant: SR Development, Inc. and MC Joint Venture (William G. Gurasich)

Agent: Coats Rose (John M. Joseph)

Request: Consider an amendment to certain provisions of the Moore's Crossing MUD Consent Agreement relating to (1) the amount of reimbursements to the Developer for internal water, wastewater, drainage, and water quality facilities; and (2) the Developer's obligations for right-of-way dedication and roadway improvements.

Staff Rec.: **Staff recommends amendments to the consent agreement regarding the developer's obligations for transportation improvements and does not recommend other requested amendments.**

Staff: [Virginia Collier](#), 512-974-2022  
Planning and Zoning Department

Public Hearing closed.

The motion by Commissioner Nuckols, seconded by Chair Oliver to divide the question was granted by general consent.

Developer's obligations for right-of-way dedication and roadway improvements.

The motion by Commissioner White, seconded by Commissioner Schissler to recommend amending transportation provisions of the Consent Agreement to ensure any right-of-way dedication or roadway improvements constructed by the developer (meeting the City of Austin's Drainage Criteria Manual (DCM) and current Code) and are consistent with other adopted roadway plans and agreements; and also that Section 8.10 (7) related to traffic impact analysis in the current Agreement remains; was approved on a vote of 10-0. Commissioner Nuckols abstained on this item. Vice-Chair Kazi and Commissioner Vela absent.

Reimbursements to the Developer for internal water, wastewater, drainage, and water quality facilities.

The motion by Commissioner White, seconded by Commissioner Schissler to recommend amending provisions of the Moore's Crossing MUD Consent Agreement bond provisions to increase the allowed reimbursement to the Developer from MUD bonds from 70% to 100% of the actual cost of the design, engineering, and construction of internal water, wastewater, drainage, and water quality facilities if other amenities or benefits are provided or negotiated at the Council level

comparable to other recently approved MUDs such as permanent affordable housing; was approved on an 11-0 vote. Vice-Chair Kazi and Commissioner Vela absent.

- 13. Final Plat - [C8-2015-0135.0A - Resubdivision Plat of Lot 3, Blk A, Redeemer Presbyterian Subd.](#)**  
**Resubdivision:**  
Location: 2111 Alexander Avenue, Boggy Creek Watershed; Rosewood NP Area  
Owner/Applicant: Cityline LLC  
Agent: Frank Gordon  
Request: Approval of the resubdivision of 1 lot into 6 lots  
Staff Rec.: **Recommended**  
Staff: David Wahlgren, 512-974-6455, david.wahlgren@austintexas.gov  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2015-0135.0A - Resubdivision Plat of Lot 3, Blk A, Redeemer Presbyterian Subd. located at 2111 Alexander Avenue was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

- 14. Resubdivision: [C8-2016-0124.0A - Galanter-Kimbell Subdivision; District 9](#)**  
Location: 611 & 707 Elizabeth St., East Bouldin Creek Watershed; Bouldin Creek NP Area  
Owner/Applicant: Chad & Ashley Kimbell / Dan Galanter  
Agent: KBGE (Chad Kimbell)  
Request: Approval of the resubdivision of two existing lots and portions of existing lots into a two lot subdivision on 0.425 acres.  
Staff Rec.: **Recommended**  
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov  
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2016-0124.0A - Galanter-Kimbell Subdivision, located at 611 & 707 Elizabeth St., was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.



**15. Site Plan - [SPC-2016-0119A - Pershing House; District 3](#)  
Conditional Use  
Permit:**

Location: 2415 E. 5th St., Lady Bird Lake Watershed; Holly NP Area  
Owner/Applicant: Pershing East, LLC (Kip McClanahan)  
Agent: Armbrust & Brown (Richard Suttle)  
Request: Approval of a conditional use permit for a Club or Lodge use in LI-NP zoning.  
Staff Rec.: **Recommended**  
Staff: Donna Galati, 512-974-2733, donna.galati@austintexas.gov  
Development Services Department

Public Hearing closed.

The motion by Commissioner Nuckols, seconded by Commissioner Zaragoza to grant staff's recommendation with additional conditions for SPC-2016-0119A - Pershing House located at 2415 E. 5th St. was approved on a vote of 10-1. Commissioner McGraw voted nay.

Additional conditions are:

Amplified sound is limited to 75 db measured at the property line adjacent to all residential properties.

Business shall close at 12:00 a.m. Thursday – Sunday and 1:00 a.m. Friday and Saturday.

**16. Final Plat - [C8-2016-0253.0A - Replat of South Extension of Bouldin Creek](#)  
Amended Plat:**

Location: 2209 S. 1st Street, East Bouldin Creek Watershed; Bouldin Creek NP Area  
Owner/Applicant: WC 2209 South First St. LLC  
Agent: JAB Engineering, LLC (Joshua A. Baran)  
Request: Approval of replat of South Extension of Bouldin Creek final plat composed of 2 lots on 1.81 acres.  
Staff Rec.: **Disapproval**  
Staff: Ramon Rezvanipour, 512-974-3124  
Development Services Department

**17. Final Plat - [C8-2016-0251.0A - Annex to River View Addition; District 3](#)  
Amended Plat:**

Location: 2601 Canterbury Street, Town Lake Watershed; Holly NP Area  
Owner/Applicant: Four San Saba (Michael Casias)  
Agent: LandDev Consulting, LLC (Russell Kotara)  
Request: Approval of Annex to River View Addition final plat composed of 2 lots on 0.57 acres.  
Staff Rec.: **Disapproval**  
Staff: Ramon Rezvanipour, 512-974-3124  
Development Services Department

**18. Resubdivision:** [C8-2016-0256.0A - Resubdivision of Lot 15 Parkinson Place No. 1; District 9](#)

Location: 1503 Betty Jo Drive, Harper's Branch Creek Watershed; South River City NP Area  
Owner/Applicant: LZA Real Properties East (Jerry Johnson)  
Agent: ADD Design (Marc Dickey)  
Request: Approval of the Resubdivision of Lot 15 Parkinson Place No. 1 to resubdivide one lot into two lots.  
Staff Rec.: **Disapproval**  
Staff: Jeremy Siltala, 512-974-2945, jeremy.siltala@austintexas.gov  
Development Services Department

**19. Final Plat:** [C8-2017-0003.0A - Springdale Grove; District 1](#)

Location: 4120 East 12th Street, Tannehill Branch Creek Watershed; East MLK NP Area  
Owner/Applicant: JJ & B Investment, LLC  
Agent: Southwest Engineers, Inc. (Travis Flake)  
Request: Approval of Springdale Grove composed of 9 lots on 3.44 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

**20. Amended Plat:** [C8-2016-0254.0A - Replat of Block 5, Pleasant Hill Addition; District 3](#)

Location: 5402 South Congress Avenue, Williamson Creek Watershed; South Congress Combined NP Area  
Owner/Applicant: WC 5402 South Congress LLC  
Agent: JAB Engineering, LLC (Joshua A. Baran)  
Request: Approval of the Replat of Block 5, Pleasant Hill Addition to combine 10 lots into one lot.  
Staff Rec.: **Disapproval**

Staff: Jeremy Siltala, 512-974-2945, [jeremy.siltala@austintexas.gov](mailto:jeremy.siltala@austintexas.gov)  
Development Services Department

Public Hearings closed.

The motion to disapprove Items 16-20 was approved on the consent agenda by Commissioner White, seconded by Commissioner Seeger on a vote of 10-0. Chair Oliver absent for consent agenda. Vice-Chair Kazi and Commissioner Vela absent.

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

##### **1. Current Code Amendment Cases**

Discussion of how current code amendment cases will be handled in relation to CodeNEXT and the new draft code.

Staff: [Jerry Rusthoven](#), 512-974-3207

Acting Assistant Director, Planning and Zoning Department

Presentation was provided by Jerry Rusthoven, Acting Assistant Director of the Planning and Zoning Department.

#### **E. ITEMS FROM COMMISSION**

#### **F. COMMITTEE REPORTS**

Codes and Ordinances Joint Committee – Commissioner Zaragoza stated the Committee discussed the following items: SOS Amendment for construction of Zilker Park bathrooms, review amendments to construction and maintenance of sidewalks and clarification of walkup services – staff to provide clarification.

Comprehensive Plan Joint Committee – No report provided.

Land Development Code Advisory Group – No report provided.

Small Area Planning Joint Committee – Previous meeting cancelled due to lack of quorum.

## **ADDENDUM**

### **D. NEW BUSINESS**

#### **2. CodeNEXT Coordination List**

Discussion and possible action regarding Planning Commission and City of Austin Planning Staff CodeNEXT Coordination List.

(Chair Stephen Oliver, Vice-Chair Faye Kazi)

Discussion occurred; no action taken.

**Chair Stephen Oliver adjourned the meeting without objection on Tuesday, January 24, 2017 at 10:55 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.