



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
February 14, 2017**

The Planning Commission convened in a regular meeting on February 14, 2017 @ 301 W. 2nd Street, Austin, TX 78701.

Vice-Chair Kazi called the Commission Meeting to order at 6:06 p.m.

Commission Members in Attendance:

Angela De Hoyos Hart
Fayez Kazi – Vice – Chair
Karen McGraw
Tom Nuckols
James Schissler
Patricia Seeger
Jeffrey Thompson
Jose Vela
Trinity White
Michael Wilson

William Burkhardt – Ex-Officio

Absent:

Stephen Oliver – Chair
James Shieh
Nuria Zaragoza

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. Stuart Hersh – Mr. Hersh discussed concerns regarding CodeNEXT and affordability.

Mr. Fred McGhee – Mr. McGhee discussed Rosewood Courts and provided historical information related to Emancipation Park.

B. APPROVAL OF MINUTES

1. Approval of minutes from January 24, 2017.

Motion to approve the minutes from January 24, 2017 was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

C. PUBLIC HEARINGS

1. **Plan Amendment:** [NPA-2016-0002.01 - 78 San Marcos St.; District 3](#)
Location: 78 San Marcos Street; Lady Bird Lake Watershed; East Cesar Chavez NP Area
Owner/Applicant: Carrie Altemus
Agent: McLean & Howard, LLP (Jeff Howard)
Request: Civic to Neighborhood Mixed Use land use
Staff Rec.: **Pending; Postponement request by the Applicant to March 28, 2017**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Applicant's request for postponement to March 28, 2017 was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

2. **Plan Amendment:** [NPA-2016-0022.01 - 3920 South IH 35; District 3](#)
Location: 3920 S. IH-35 Southbound Access 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.: **Commercial land use**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Public Hearing closed.

The motion to grant Staff recommendation of Commercial land use for NPA-2016-0022.01 - 3920 South IH 35 located at 3920 S. IH-35 Southbound Access Road was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

3. **Rezoning:** [C14-2016-0105 - 3920 South IH 35; District 3](#)
Location: 3920 S. IH-35 Southbound Access Road; Blunn Creek Watershed; 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-CO-NP
Staff Rec.: **Recommendation of CS-NP**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

The motion to grant Staff recommendation of CS-NP combining district zoning, with additional conditions, for C14-2016-0105 - 3920 South IH 35 located at 3920 S. IH-35 Southbound Access Road was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

Additional prohibited uses:

Vehicle storage
Cemetery
Funeral Home
Maintenance and Service Facilities
Storage of vehicles or equipment are prohibited as an accessory use to Convenience Storage

4. **Plan Amendment:** [NPA-2016-0005.03 - 2509 Montopolis Drive; District 3](#)
Location: 2507, 2509, & 2511 Montopolis Drive; Country Club East Creek Watershed; Montopolis NP Area
Owner/Applicant: John Robert Stratton
Request: Commercial to Mixed Use land use
Staff Rec.: **Not recommended**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Applicant's request for postponement to April 11, 2017 was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

5. **Rezoning:** [C14-2016-0113 - 2509 Montopolis Drive; District 3](#)
Location: 2507, 2509, & 2511 Montopolis Drive; Country Club East Creek Watershed; Montopolis NP Area
Owner/Applicant: John Robert Stratton
Agent: Graves, Dougherty, Hearon & Moody (Michael Whellan)
Request: CS-NP to CS-MU-CO-NP
Staff Rec.: **Not recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Motion to grant Applicant's request for postponement to April 11, 2017 was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

6. **Rezoning:** [C14-2016-0020 - Lantana IV; District 8](#)
Location: 7717 Southwest Parkway; Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined NP Area
Owner/Applicant: JDI Holdings, LLC Douglas Ivey
Agent: Sprouse Shrader Smith, Terry Irion
Request: LR-NP to GR-MU-NP
Staff Rec.: **Pending; Postponement request by Staff to February 28, 2017**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Motion to grant Staff request for postponement to February 28, 2017 was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

7. **Rezoning:** [C14-2016-0132 - Property Adjacent to 1311 S. Lamar; District 5](#)
Location: 1311 S. Lamar Blvd; 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.: **Recommendation of CS-V-CO**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner White to grant Staff recommendation of CS-V-CO combining district zoning, with an additional condition to prohibit alternative financial services, for C14-2016-0132 - Property Adjacent to 1311 S. Lamar was approved on a vote of 7-0. Commissioners De Hoyos Hart, Nuckols and McGraw abstained on this item. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

8. **Rezoning:** [C14-2016-0137 - Grady .46; District 4](#)
Location: 600 East Grady Drive; Walnut Creek Watershed; North Lamar Combined NP Area
Owner/Applicant: Saleem Memon
Agent: Bennett Consulting (Rodney K. Bennett)
Request: SF-2-NP to SF-3-NP
Staff Rec.: **Recommended**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

The motion to grant SF-3-NP combining district zoning for C14-2016-0137 - Grady .46 located at 600 East Grady Drive was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

9. **Appeal:** [HDP-2016-0648 - 1207 and 1209 W. 22-1/2 Street - Appeal of granting of demolition permit by the Historic Landmark Commission; District 9](#)
Location: 1207 and 1209 W. 22-1/2 Street; Shoal Creek Watershed; West University NP Area
Appellant: Olivia Ruiz, appellant
Request: Consider an appeal from the HLC's granting of a demolition permit for the fourplexes at 1207 and 1209 W. 22-1/2 Street.
Staff Rec.: **Deny the appeal.**
Staff: [Steve Sadowsky](#), 512-974-6454
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner Nuckols to deny the appeal.

The substitute motion by Commissioner McGraw, seconded by Commissioner De Hoyos Hart to grant the appeal failed on a vote of 2-8. Commissioner McGraw and De Hoyos Hart voted aye. Those voting nay were Vice-Chair Kazi and Commissioners Nuckols, Schissler, Seeger, Thompson, Vela and White.

Main motion by Commissioner Schissler, seconded by Commissioner Nuckols to deny the appeal was approved on a vote of 8-1. Commissioner McGraw voted nay. Commissioner De Hoyos Hart abstained on this item. Chair Oliver and Commissioners Shieh and Zaragoza absent.

10. Code Amendment: [C20-2016-004 - Zilker Park Restroom Facility](#)

Request: Consider an ordinance granting site-specific amendments to City Code Section 25-8-514 (Save Our Springs Initiative, Pollution Prevention Required) to allow development of the Zilker Park restroom facility (SPC-2012-0104D) to exceed impervious cover limits, modify water quality requirements, and allow construction in the Critical Water Quality Zone.

Staff Rec.: **Recommended**

Staff: [Gary Gregson](#), 512-974-9475
Parks and Recreation Department

Public Hearing closed.

The motion by Commissioner De Hoyos Hart, seconded Commissioner Vela to grant Staff recommendation for C20-2016-004 - Zilker Park Restroom Facility was approved on a vote of 10-0. Chair Oliver and Commissioners Shieh and Zaragoza absent.

11. Site Plan - [SP-2016-0008C - Lofts at 12th Street; District 1](#)
Compatibility

Waiver:

Location: 2724 E. 12th Street; Chestnut NP Area; Boggy Creek Watershed

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
Development Services Department

Note: The Public Hearing was closed on December 13, 2016.

The motion by Commissioner Nuckols, seconded by Commissioner Seeger to approve the waiver failed on a vote of 6-3. Those voting aye were Vice – Chair Kazi and Commissioners McGraw,

Nuckols, Schissler, Seeger and Wilson. Those voting nay were Commissioners Thompson, White and Vela. Commissioner De Hoyos Hart abstained on this item. Chair Oliver and Commissioners Shieh and Zaragoza absent.

The motion by Commissioner White, seconded by Commissioner Thompson to deny the waiver failed on a vote of 4-5. Those voting aye were Commissioners McGraw, Thompson, Vela and White. Those voting nay were Vice – Chair Kazi and Commissioners Nuckols, Schissler, Seeger and Wilson. Commissioner De Hoyos Hart abstained on this item. Chair Oliver and Commissioners Shieh and Zaragoza absent.

12. Final Plat out of Approved Preliminary Plan: [C8J-2009-0142.02.2A - Estancia Hill Country Phase 4](#)

Location: Estancia Parkway near Camino Vaquero Parkway; Onion Creek Watershed; Estancia Hill Country PUD
Owner/Applicant: SLF III-Onion Creek (Ocie Vest)
Agent: Stantec (Shervin Nooshin)
Request: Approval of the Estancia Hill Country Subdivision Phase 4 Final Plat consisting of 1 lot on 13.275 acres. Water and Waste water provided by the City of Austin.
Staff Rec.: **Recommended**
Staff: [Sarah Sumner](#), 512-854-7687
Single Office

Public Hearing closed.

The motion to grant Staff recommendation for C8J-2009-0142.02.2A - Estancia Hill Country Phase 4 located at Estancia Parkway near Camino Vaquero Parkway was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

13. Resubdivision with variance: [C8-2016-0004.0A - Resubdivision of Lots 2 & 3, of the Resubdivision of Lots 1 & 2, J.D. Horne Addition; District 5](#)

Location: 4016 Valley View Road; West Bouldin Creek Watershed; Zilker NP Area (Suspended)
Owner/Applicant: Bodhi Group, LLC (Yusuf Johnson)
Agent: Land Answers, Inc. (Jim Wittliff)
Request: Approval of the resubdivision of two lots into a three lot subdivision on 0.616 acres, with a variance from 25-4-175 to allow a flag lot.
Staff Rec.: **Pulled due to notice error. Item will be re-notified for the next available agenda.**
Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department

Item pulled from the agenda; no action required.

- 14. Final Plat:** [C8-2017-0018.0A - Resubdivision of Lot 25 Block C Northgate Addition; District 7](#)
Location: 904 Taulbee Lane; Waller Creek Watershed; Crestview NP Area
Owner/Applicant: Brady & Sarah Patterson
Agent: Real Estate (Mike McHone)
Request: Approval of the Resubdivision of Lot 25 Block C Northgate Addition composed of 2 lots on 0.5 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 15. Final Plat - Amended Plat:** [C8-2017-0017.0A - 5901 Airport Boulevard Building 1; District 4](#)
Location: 5901 Airport Boulevard Building 1; Tannehill Branch Watershed; Highland NP Area
Owner/Applicant: GUGV Highland Austin Property Owning, LLC & HM RETAIL LLC
Agent: Stantec Consulting Services, Inc. (Jonathan McKee)
Request: Approval of 5901 Airport Boulevard Building 1 composed of 2 lots on 4.42 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public Hearings closed.

The motion to disapprove items 14 and 15 was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 10-0. Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

- 16. Final Plat with Replat:** [C8-2017-0015.0A - 1801 East Sixth Subdivision; District 3](#)
Location: 1801 East 6th Street; Town Lake Watershed; East Cesar Chavez NP Area
Owner/Applicant: RRZ East 6th, LP (Jeremy Smitheal)
Agent: Nsikanabasi Uko
Request: Approval of 1801 East Sixth Subdivision composed of 1 lot on 1.03 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public Hearing closed.

The motion to disapprove C8-2017-0015.0A - 1801 East Sixth Subdivision located at 1801 East 6th Street was approved on the consent agenda by Commissioner De Hoyos Hart, seconded by Commissioner Vela on a vote of 9-0. Commissioner Schissler recused himself on this item (Conflict of Interest: rendered professional services). Chair Oliver absent and Commissioners Shieh and Zaragoza absent.

D. NEW BUSINESS

1. New Business: Sidewalk Placement Code Amendment

Request: Initiation of an amendment to Title 25 of the City Code related to requirements for sidewalk placement.

Staff: [Joel Meyer](#), 512-974-1405
Austin Transportation Department

Motion by Commissioner Schissler seconded by Commissioner Seeger to recommend Staff initiate the amendments to Title 25 of the City Code related to requirements for sidewalk placement was approved on a unanimous vote. Chair Oliver and Commissioners Shieh and Zaragoza absent.

E. ITEMS FROM COMMISSION

F. COMMITTEE REPORTS

[Codes and Ordinances Joint Committee](#) – Commissioner Schissler stated the Committee discussed and reviewed the Zilker Park Restroom Facility item and Sidewalk Placement Code Amendment.

[Comprehensive Plan Joint Committee](#) – Commissioner Nuckols stated the Committee discussed the annual CIP plan.

[Land Development Code Advisory Group](#) – No report provided.

[Small Area Planning Joint Committee](#) – Committee did not meet due to lack of quorum

Chair Kazi adjourned the meeting without objection on Tuesday, February 14, 2017 at 9:40 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.