



REGULAR MEETING

ZONING & PLATTING COMMISSION

Tuesday, February 21, 2017

The Zoning & Platting Commission convened in a regular meeting on February 21, 2017 @ 301 W. 2nd Street, Austin, TX 78701

Chair Weber called the Commission Meeting to order at 6:19 p.m.

Commission Members in Attendance:

**Ana Aguirre
Ann Denkler – Parliamentarian
Jim Duncan
Bruce Evans
Yvette Flores
Betsy Greenberg
Jolene Kiolbassa – Secretary
Sunil Lavani
Gabriel Rojas – Vice-Chair
Thomas Weber - Chair**

Absent:

Dustin Breithaupt

EXECUTIVE SESSION (No public discussion)

The Zoning & Platting 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.

B. APPROVAL OF MINUTES

1. Approval of minutes from February 7, 2017.

Motion to approve the Minutes from February 7, 2017 was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

C. PUBLIC HEARINGS

- 1. Rezoning:** **C14-2015-0083 - River Place; Districts 6 and 10**
Location: Milky Way Drive, West Bull Creek Watershed
Owner/Applicant: Berta Bradley
Agent: McLean & Howard, LLP (Jeff Howard)
Request: DR to SF-2
Staff Rec.: **Recommendation of SF-1-CO**
Staff: Sherri Sirwaitis, 512-974-3057
Planning and Zoning Department

Public Hearing closed.

There was a motion by Vice-Chair Rojas, seconded by Commissioner Evans to grant SF-2-CO combining district zoning with the CO for a maximum of 82 units.

Commissioner Kiolbassa's substitution motion, seconded by Commissioner Duncan to grant staff recommendation of SF-1-CO combining district zoning for C14-2015-0083 - River Place located at Milky Way Drive was approved on a vote 6-4. Those voting aye were Commissioners Aguirre, Denkler, Duncan, Flores, Greenberg and Kiolbassa. Those voting nay were Chair Weber, Vice-Chair Rojas and Commissioners Evans and Lavani. Commissioner Breithaupt absent.

- 2. Rezoning:** **C14-2015-0084 - River Place - Autism Center; Districts 6 and 10**
Location: River Place Boulevard, West Bull Creek Watershed
Owner/Applicant: Berta Bradley
Agent: McLean & Howard, LLP (Jeff Howard)
Request: DR to GO-CO
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 512-974-3057
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Duncan, seconded by Commissioner Denkler to grant staff recommendation of GO-CO combining district zoning for C14-2015-0084 - River Place - Autism Center located at River Place Boulevard.

Commissioner Greenberg's amendment, seconded by Commissioner Kiolbassa to require Congregate Living as a conditional use failed on a vote 2-8. Commissioners Greenberg and Kiolbassa voted aye. Commissioner Breithaupt absent.

After debate the main motion by Commissioner Duncan seconded by Commissioner Denkler was approved on a unanimous vote. Commissioner Breithaupt absent.

- 3. Rezoning:** [C14-2016-0094 - Parmer Village, District 7](#)
Location: 800 East Parmer Lane, Walnut Creek and Harris Branch Watersheds
Owner/Applicant: Austin Ly & Nguyen LP (Kevin Nguyen)
Agent: Tri-County Consultants (Phillip T. Duprey)
Request: GR, LR-CO to GR-MU
Staff Rec.: **Recommendation Pending; Staff postponement request to March 7, 2017**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to March 7, 2017 was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

- 4. Zoning:** [C14-2016-0090 - 130/Parmer; District 1](#)
Location: 10208 Lindell Lane, Gilleland Creek Watershed
Owner/Applicant: Land Strategies, Inc. (Paul Linehan)
Agent: Cottonwood Holdings, Ltd. (Pete Dwyer)
Request: I-RR to GR-MU
Staff Rec.: **Recommendation Pending; Staff postponement request to April 18, 2017.**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to April 18, 2017 was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

5. Restrictive Covenant Termination: [C14-85-149.100.02 - Scofield Apartments; District 7](#)

Location: 13121, 13125, 13133, 13139, 13145, 13147 FM 1325 and 3001 Scofield Ridge Parkway, Walnut Creek Watershed
Owner/Applicant: Ringgold Partners II, LP (John Bultman, III)
Agent: Drenner Group (Amanda Swor)
Request: To terminate a public restrictive covenant applied to this property in 1986 as part of zoning case C14-85-148.100.02
Staff Rec.: **Recommended**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation and terminate the restrictive covenant for C14-85-149.100.02 - Scofield Apartments located at 13121, 13125, 13133, 13139, 13145, 13147 FM 1325 and 3001 Scofield Ridge Parkway was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

6. Conditional Use Permit & Site Plan Variance: [SPC-2016-0494A - Wing Daddy's; District 5](#)

Location: 9811 S. IH-35, Northbound Service Road, Onion Creek Watershed
Owner/Applicant: First Valley Tower
Agent: Masterplan (Karen Wunsch)
Request: Approve a Conditional Use Permit for a restaurant with late-hours alcohol sales located within 540 feet of property zoned SF-4, and approve a variance from LDC Section 25-5-146(B), which requires that parking for a late-hours restaurant be placed no less than 200 feet from property zoned SF-6 or more restrictive.
Staff Rec.: **Recommended**
Staff: [Michael Simmons-Smith](#), 512-974-1225
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for a conditional use permit for SPC-2016-0494A - Wing Daddy's located at 9811 S. IH-35, Northbound Service Road was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

7. **EV Variances, CUP and HCRO height bonus:** [SPC-2016-0055C - Junior League Community Impact Center; District 10](#)
- Location: 5330 Bluffstone Lane, Bull Creek Watershed
- Owner/Applicant: Junior League of Austin (Gregory M. Noack)
- Agent: Garrett-Ihnen Civil Engineers (Jason Rodgers)
- Request: 1. To approve EV Variances A. Cut and Fill (2 variances) above 4' [13-15-235]; B. Construction on slopes [13-15-237] 2.To approve HCRO Bonus Height provision [25-2-1128 (C)1 and 2]; 4. CUP for approval of Club or Lodge Use
- Staff Rec.: **Recommended**
- Staff: [Lynda Courtney](#), 512-974-2810
Development Services Department

Public Hearing closed.

Motion by Commissioner Duncan, seconded by Commissioner Lavani to grant staff's recommendation for SPC-2016-0055C - Junior League Community Impact Center located 5330 Bluffstone Lane.

Amendment by Commissioner Greenberg, seconded by Commissioner Kiolbassa to prohibit amplified sound on the balcony was approved by general consent. Commissioner Breithaupt absent.

After debate and amendment, the main motion by Commissioner Duncan, seconded by Commissioner Lavani was approved unanimously. Commissioner Breithaupt absent.

8. **Final Plat with Preliminary:** [C8-2016-0146.1A - Park 183; District 2](#)
- Location: 8219 Burleson Road, Onion Creek Watershed
- Owner/Applicant: Park 183 Land, LLC
- Agent: Jones & Carter (Gemsong Ryan)
- Request: Request approval of Park 183, a resubdivision of Lot 1 of Sundberg Estates, comprised of 4 lots on 29.7 acres.
- Staff Rec.: **Recommended**
- Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2016-0146.1A - Park 183 located at 8219 Burleson Road was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 9-0. Commissioner Aguirre abstained on this item. Commissioner Breithaupt absent.

9. **Final Plat with Preliminary:** [C8J-04-0160.6A - Gilbert Lane Phase 2](#)
Location: 5511 Gilbert Road, Decker Creek
Owner/Applicant: Gilbert Lane Investments, (John Lloyd)
Agent: Murfee Engineering Co. (Ronee Gilbert)
Request: The approval of the final plat for Gilbert Lane Phase 2 consisting of 110 lots and associated right-of-way on 20.06 acres.
Staff Rec.: **Recommended**
Staff: [Don Perryman](#), 512-974-2786
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8J-04-0160.6A - Gilbert Lane Phase 2 located at 5511 Gilbert Road was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

10. **Final Plat out of Approved Preliminary Plan:** [C8J-2014-0131.1A - Bear Creek Crossing Phase 1 \(aka: Cebolla Creek\)](#)
Location: Twin Creeks Road (Just west of Old San Antonio Road), Bear and Onion Creeks
Owner/Applicant: Jarrod Gaither (512-770-8505)
Agent: LJA Engineering Inc. (Dan Ryan 512-439-4700)
Request: Approval of a final plat out of an approved preliminary consisting of 112 lots on 39.941 acres.
Staff Rec.: **Recommended**
Staff: [Jose Luis Arriaga](#)., 512-854-7562
Single Office

Public Hearing closed.

The motion to grant staff's recommendation for C8J-2014-0131.1A - Bear Creek Crossing Phase 1 (aka: Cebolla Creek) located at Twin Creeks Road (just west of Old San Antonio Road) was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

11. **Final Plat:** [C8-2017-0021.0A - Mercedes-Benz for South Austin](#)
Location: 10810 S IH35, Onion Creek Watershed
Owner/Applicant: Riddell Family Partnership
Agent: Troy Moore (Jones-Carter)
Request: Final Plat (previously unplatted)
Staff Rec.: **Disapproval**
Staff: Development Services Department

- 12. Resubdivision:** [C8J-2017-0026.OA - South Form Estates lot 4A Resubdivision](#)
Location: 8013 S FM 973 Road, Colorado River
Owner/Applicant: Esther Mendez
Agent: Ramon Duran Jr (ATX Design Group)
Request: Resubdivision
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 13. Final Plat with Preliminary:** [C8J-2015-0188.SH.OA - Easton Park Section 2A-1](#)
Location: 7000 AUBURN BLAZE LN, Cottonmouth Creek
Owner/Applicant: Brookfield Residential (Carma Easton)
Agent: LandDev Consulting, LLC (Russell Kotara)
Request: The Approval of Easton Park Section 2A-1 composed of 247 lots on 23.15 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 14. Final Plat with Preliminary:** [C8J-2015-0188.SH.1A - Easton Park Section 2A.2](#)
Location: 7000 Auburn Blaze Ln, Cottonmouth Creek
Agent: LandDev Consulting, LLC (Russell Kotara)
Request: The Approval of Easton Park Section 2A.2 composed of 247 lots on 23.15 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 15. Final Plat - Resubdivision:** [C8J-2017-0014.OA - Block B of Overlook Estates, Phase 2 & Morgan Survey; Resubdivision](#)
Location: 7813 Aria Loop, Barton Creek
Owner/Applicant: Katherine B Wright
Agent: Vincent Shaw
Request: Approval of the Block B of Overlook Estates, Phase 2 & Morgan Survey Resubdivision Final Plat composed of 1 lot on 5.083 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 16. Final Plat - Resubdivision:** [C8-2017-0016.OA - Courtyard Final Plat and Subdivision](#)
Location: 6910 West Courtyard Drive, West Bull Creek
Owner/Applicant: Perales Engineering, LLC (Jerry Perales)
Agent: Perales Engineering, LLC (Jerry Perales)
Request: Approval of the Courtyard Final Plat and Subdivision composed of 3 lots on 3.26 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

17. Final Plat with Preliminary:

C8J-2017-0020.1A - Indian Hills Corporate Park

Location: 12101 Decker Lake Road, Decker Creek
Owner/Applicant: Club Deal 116 Indian Hills TX, LP (Douglas Gilliland)
Agent: Big Red Dog - Austin, LLC (Ricardo Decamps)
Request: Approval of the Indian Hills Corporate Park Final Plat composed of 1 lot on 9.24 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public Hearing closed.

The motion to disapprove items C-11 - C-17 was approved on the consent agenda by Vice-Chair Rojas, seconded by Commissioner Lavani on a vote 10-0. Commissioner Breithaupt absent.

D. NEW BUSINESS

1. Discussion and possible nomination and election of interim officers of the Zoning and Platting Commission.

Motion by Chair Weber, seconded by Vice-Chair Rojas to postponed this item to March 7, 2017 was approved by general consent.

E. ITEMS FROM THE COMMISSION

1. Discussion and possible action regarding matters related to CodeNEXT including but not limited to staff updates, presentations and scheduling. (Chair Thomas Weber, Vice-Chair Gabriel Rojas)

Item tabled by general consent.

F. COMMITTEE REPORTS

[Codes and Ordinances Joint Committee](#) - No report provided.

[Comprehensive Plan Joint Committee](#) - No report provided.

[Small Area Planning Joint Committee](#) - No report provided.

ADJOURNMENT

Chair Weber adjourned the meeting without objection at 11:15 p.m.

Approved on March 7, 2017



Ana Aguirre – Interim Secretary

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 the Planning and Zoning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.