



**REGULAR MEETING  
MINUTES**

**PLANNING COMMISSION  
March 28, 2017**

The Planning Commission convened in a regular meeting on March 28, 2017 @ 301 W. 2<sup>nd</sup> Street, Austin, TX 78701.

Chair Oliver called the Commission Meeting to order at 6:11 p.m.

**Commission Members in Attendance:**

**Greg Anderson  
Angela De Hoyos Hart  
Fayez Kazi – Vice – Chair  
Karen McGraw  
Tom Nuckols  
Stephen Oliver – Chair  
James Schissler  
Patricia Seeger  
James Shieh  
Jose Vela  
Nuria Zaragoza  
Jeffrey Thompson**

**Absent:**

**Trinity White**

**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. Pinaki Ghosh – Mr. Ghosh discussed issues concerning a property that is being flooded by an adjacent property due to a City approved steel piling construction project.

Ms. Joe Sue Howard – Ms. Howard introduced herself as the President of the Judges Hill Neighborhood Association. She provided remarks regarding a recent rezoning case that took place within the neighborhood.

## B. APPROVAL OF MINUTES

1. Approval of minutes from February 28, 2017 and minutes from the Special Called meeting of March 21, 2017.

The motion to approve the minutes from February 28, 2017 and minutes from the Special Called meeting of March 21, 2017 was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White absent.

## C. PUBLIC HEARINGS

### 1. Plan Amendment: [NPA-2016-0005.04 - 500 Montopolis Drive; District 3](#)

Location:	500 Montopolis Drive, Country Club East Creek Watershed; Montopolis NP Area
Owner/Applicant:	KEEP Investment Group LLC
Agent:	Drenner Group (Leah Bojo)
Request:	Single Family to Mixed Use land use
Staff Rec.:	<b>Pending; Postponement request by Staff to May 23, 2017</b>
Staff:	<a href="#"><u>Maureen Meredith</u></a> , 512-974-2695 Planning and Zoning Department

The motion to grant staff's request for postponement of this item to May 23, 2017 was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White absent.

**2. 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 Staff to May 9, 2017**  
Staff: [Maureen Meredith](#), 512-974-2695  
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to May 9, 2017 was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White 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: Commerical and Industry to Mixed Use land use  
Staff Rec.: **Pending; Postponement request by Staff to May 9, 2017**  
Staff: [Maureen Meredith](#), 512-974-2695  
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to May 9, 2017 was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White absent.

**4. Rezoning: [C14-2016-0079 - 3212 E. Cesar Chavez; District 3](#)**

Location: 3212 East Cesar Chavez Street, Colorado River Watershed; Govalle/Johnson 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 May 9, 2017**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

The motion to grant staff's request for postponement of this item to May 9, 2017 was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White absent.

**5. 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  
Agent: Graves Dougherty Hearon & Moody (Michael Whellan)  
Request: NMU to CMU  
Staff Rec.: **Recommended**  
Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of CMU district zoning for C14-2016-0115 - 2222 Town Lake located at 2222 & 2400 Town Lake Circle and 2217 & 2225 Elmont Drive was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote of 12-0. Commissioner White 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.: **Recommendation of GR-MU-CO-NP**  
Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Public Hearing closed.

The motion by Commissioner Schissler, seconded by Commissioner Seeger to grant staff's recommendation of GR-MU-NP combining district zoning for C14-2016-0020 - Lantana IV located at 7717 Southwest Parkway was approved on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

7. **Restrictive Covenant Amendment:** [C14-85-288.8\(RCA4\) - 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: To amend the site development regulations for a site.
- Staff Rec.: **Recommended**
- Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Public Hearing closed.

The motion by Commissioner Schissler, seconded by Commissioner Seeger to grant staff's recommendation for the Restrictive Covenant Amendment with the additional condition to prohibit outdoor amplified sound, was approved on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

8. **Restrictive Covenant Amendment:** [C14-85-288.22\(RCA\) - 7919 W. State Hwy 71; District 8](#)
- Location: 7919 W. State Highway 71, Williamson Creek Watershed-Barton Springs Zone; Oak Hill Combined NP Area
- Owner/Applicant: Ridglea Properties (Stan Caskey)
- Agent: Metcalfe Wolff Stuart & Williams (Michele R. Lynch)
- Request: Amend certain provisions related to reduced impervious cover, increase in floor to area requirement and other provisions
- Staff Rec.: **Recommended**
- Staff: [Andrew Moore](#), 512-974-7604  
Planning and Zoning Department

Public Hearing closed.

The motion by Chair Oliver, seconded by Vice-Chair Kazi to grant staff's recommendation for the Restrictive Covenant Amendment for C14-85-288.22(RCA) - 7919 W. State Hwy 71 located at 7919 W. State Highway 71 was approved on a vote of 10-0. Commissioner Schissler recused on this item (rendered professional services). Commissioner Anderson off the dais. Commissioner White absent.

9. **Site Plan Conditional Use Permit:** [SPC-2016-0088C - Western Oaks Retail Center; District 8](#)
- Location: 4625 W. William Cannon Dr., Williamson Creek Watershed-Barton Springs Zone; East Oak Hill NP Area
- Owner/Applicant: AVG-Austin, LP (Peter Gilbert)
- Agent: Garrett-Ihnen Engineers (Jason Rodgers)
- Request: Approval of final building on a multiphase site plan, per restrictive covenant.
- Staff Rec.: **Recommended**
- Staff: [Lynda Courtney](#), 512-974-2810  
Development Services Department

Public Hearing closed.

The motion to grant staff' recommendation for SPC-2016-0088C - Western Oaks Retail Center located at 4625 W. William Cannon Dr. was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White absent.

10. **Site Plan - Compatibility Waiver and CUP:** [SPC-2016-0201DT - Grover Parking; District 7](#)
- Location: 4809-1/2 Burnet Road, Waller Creek Watershed; Brentwood NP Area
- Owner/Applicant: 4801 Burnet LTD (Jimmy Nassour)
- Agent: AJ Ghaddar, P.E. & Associates (AJ Ghaddar)
- Request: Approval of a waiver to encroach into a 25' compatibility setback [LDC 25-2-1063] for site improvements for an offsite parking lot and a Conditional Use Permit for offsite parking in an LO-MU-NP district (25-6-501).
- Staff Rec.: **Recommended**
- Staff: [Christine Barton-Holmes](#), 512-974-2788  
Development Services Department

Public Hearing closed.

The motion by Commissioner Schissler, seconded by Commissioner Shieh to grant staff' recommendation for SPC-2016-0201DT - Grover Parking located at 4809-1/2 Burnet Road was approved on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

- 11. Final Plat - Resubdivision:** [C8-2016-0220.0A - Domain Lot D11 Subdivision; District 7](#)  
Location: 11901-11925 Alterra Parkway, Walnut Creek Watershed; North Burnet TOD  
Owner/Applicant: Tier Riet; TR Domain, LLC (Greg Brooke)  
Agent: Stantec Consulting Services, Inc. (Allison Lehman)  
Request: Approval of the Domain Lot D11 Subdivision composed of 2 lots on 55.58 acres  
Staff Rec.: **Recommended**  
Staff: [Don Perryman](#), 512-974-2786  
Development Services Department

The motion to grant staff's request for postponement of this item to April 18, 2017 was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White absent.

- 12. Final Plat:** [C8-2017-0044.0A - Freidich Lane Subdivision; District 2](#)  
Location: Sponberg Drive, Williamson Creek Watershed; Franklin Park NP Area  
Owner/Applicant: Richard O Davis  
Agent: Landmark Eng (Javier Barajas)  
Request: Approval of Freidich Lane Subdivision composed of 1 lot on 5.67 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

- 13. Preliminary Plan:** [C8-2017-0041 - Penn Place Cottages; District 1](#)  
Location: 3412 Pennsylvania Avenue, Tannehill Branch Watershed; East MLK Combined NP Area  
Owner/Applicant: Scott Way  
Agent: Big Red Dog Engineering (Jerret Daw)  
Request: Approval of the Penn Place Cottages Preliminary Plan composed of 29 lots on 3.31 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

- 14. Final Plat with Preliminary:** [C8-2016-0016.3A - Penn Place Cottages A; District 1](#)  
Location: 3412 Pennsylvania Avenue, Tannehill Branch Watershed; East MLK Combined NP Area  
Owner/Applicant: Scott Way  
Agent: Big Red Dog Engineering (Jerret Daw)  
Request: Approval of the Penn Place Cottages A Final Plat composed of 14 lots on 2 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

15. **Final Plat with Preliminary:** [C8-2016-0016.4A - Penn Place Cottages B; District 1](#)  
Location: 3412 Pennsylvania Avenue, Tannehill Branch Watershed; East MLK Combined NP Area  
Owner/Applicant: Scott Way  
Agent: Big Red Dog Engineering (Jerret Daw)  
Request: Approval of Penn Place Cottages B composed of 15 lots on 1.21 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
16. **Final Plat with Preliminary:** [C8-04-0043.4A.SH - Mueller Section 2; District 9](#)  
Location: 3600 Manor Road, Boggy Creek Watershed; RMMA  
Owner/Applicant: City of Austin  
Agent: David Miller (Stantec)  
Request: The request is for approval of Mueller Section 2. The proposed plat is composed of 1 lot on 2.48 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department
17. **Preliminary Plan:** [C8-2017-0042 - Grant A Subdivision; District 1](#)  
Location: 3601 Grant Street, Tannehill Branch Watershed; East MLK Combined NP Area  
Owner/Applicant: Scott Way  
Agent: Jerrett Daw (Big Red Dog)  
Request: The request is for approval of Grant A Subdivision. The proposed plat is composed of 11 lots on 1.89 acres.  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

Public Hearings closed.

The motion to grant the disapproval of items C-12 – C-17 was approved on the consent agenda by Commissioner McGraw, seconded by Commissioner Seeger on a vote on 12-0. Commissioner White absent.

18. [Austin Strategic Housing Plan](#)

Discussion and possible recommendation to amend the Imagine Austin Comprehensive Plan to adopt and attach the [Austin Strategic Housing Plan](#).

Staff: [Erica Leak](#), 512-974-9375, Neighborhood Housing and Community Development Department; [Jonathan Tomko](#), 512- 974-1057, Neighborhood Housing and Community Development Department



Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Schissler to recommend the Austin Strategic Housing Plan.

Amendment by Commissioner Vela, seconded by Commissioner Schissler to increase the goal of New Housing Units by 2025 to 183,000 units was lost on a vote of 6-6. Those voting aye were Chair Oliver and Commissioners Anderson, Nuckols, Schissler, Thompson and Vela. Those voting nay were Vice-Chair Kazi and Commissioners De Hoyos Hart, McGraw, Seeger, Shieh, and Zaragoza. Commissioner White absent

Amendment by Commissioner Zaragoza, seconded by Commissioner Shieh to add a section regarding family-friendly housing with specific strategies to create multi-bedroom units for families, was adopted on a vote of 9-3. Those voting aye were Chair Oliver and Commissioners Anderson, De Hoyos Hart, McGraw, Nuckols, Shieh, Vela and Zaragoza. Those voting nay were Vice-Chair Kazi and Commissioners Thompson and Schissler. Commissioner White absent.

Amendment by Commissioner Zaragoza, seconded by Commissioner De Hoyos Hart to add a section with specific strategies to address gentrification, was adopted on a vote of 11-0. Commissioner Schissler abstained. Commissioner White absent.

Amendment by Commissioner Zaragoza, seconded by Vice-Chair Kazi to set goals for unit mix by type in accordance with the projected need for future units, per Fregonese and Associates, on page 10 of the Strategic Housing Plan and include strategies that encourage families, was adopted on a vote of 11-1. Commissioner Thompson voted nay. Commissioner White absent.

Amendment by Commissioner Zaragoza, seconded by Commissioner Seeger to set a goal for affordable housing in high opportunity areas, was adopted on a vote of 12-0. Commissioner White absent.

Amendment by Commissioner Nuckols, seconded by Commissioner Thompson to make it clear that the City should utilize inclusionary zoning in Homestead Preservation Districts, was adopted on a vote of 11-1. Commissioner Schissler vote nay. Commissioner White absent.

After debate and amendment, the motion by Commissioner Anderson, seconded by Commissioner Schissler to recommend the Austin Strategic Housing Plan was approved on a unanimous vote of 12-0. Commissioner White absent.

## **D. BRIEFING**

### **1. Housing Development Toolkit**

Informative briefing regarding the utilization of the Housing Development Toolkit to promote affordable housing opportunities.

Presenters: [Jake Wegmann](#), 512-471-0169, The University of Texas at Austin School of Architecture; [Erica Leak](#), 512-974-9375, Neighborhood Housing and Community Development Department

(Sponsor: Commissioner Jeffrey Thompson; Co-Sponsor: Vice-Chair Fayez Kazi)

Briefing was presented by Jake Wegmann, The University of Texas at Austin School of Architecture.

## **E. NEW BUSINESS**

### **1. Initiate Rezoning for 500 Montopolis Drive; District 3**

Discussion and possible initiation of rezoning for property located at 500 Montopolis Drive.

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

The motion by Commissioner Schissler, seconded by Commissioner De Hoyos Hart to direct staff to initiate a rezoning application for the property located at 500 Montopolis Drive was approved on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

### **2. South Central Waterfront Advisory Board**

Discussion and possible nomination of a member of the Planning Commission to be considered by the Austin City Council for the purpose of serving on the South Central Waterfront Advisory Board.

Commissioner Schissler nominated to be considered by the Austin City Council for the purpose of serving on the South Central Waterfront Advisory Board was approved by unanimous vote. Commissioner Nuckols off the dais. Commissioner White absent.

## **F. ITEMS FROM COMMISSION**

### **1. Initiate Historic Zoning for 2724 E. 12<sup>th</sup> Street**

Discussion and possible action to direct staff to initiate a historic zoning application for property located at 2724 E. 12<sup>th</sup> Street.

(Sponsor: Commissioner James Shieh; Co-Sponsor: Commissioner Angela De Hoyos Hart)

The motion by Commissioner McGraw, seconded by Commissioner Seeger to direct staff to initiate a historic zoning application for the property located at 2724 E. 12th Street, area to be determined by the Historic Landmark Commission, was approved on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

## **2. CodeNEXT**

Discussion and possible action regarding matters related to CodeNEXT including but not limited to staff updates, presentations and scheduling. (Sponsor: Chair Stephen Oliver; Co-Sponsor: Vice-Chair Faye Kazi)

Discussion occurred; no action taken.

## **G. COMMITTEE REPORTS**

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

[Comprehensive Plan Joint Committee](#) – Commissioner McGraw stated the Working Group is reviewing previous CIP letters and new things that have come up this year including flood mitigation. The Working Group will forward a recommendation letter to the Comprehensive Plan Joint Committee.

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

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

**Chair Oliver adjourned the meeting without objection on Tuesday, March 28, 2017 at 11:19 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.