



**PLANNING COMMISSION
MINUTES**

April 25, 2017

The Planning Commission convened in a regular meeting on April 25, 2017@ 301 W. 2nd Street, Austin, TX 78701.

Chair Oliver called the Commission Meeting to order at 6:02 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
Jeffrey Thompson**

**William Burkhardt – Ex-Officio
Ann Teich – Ex-Officio**

Absent:

**Jose Vela
Nuria Zaragoza
Trinity White**

Robert Hinojosa – 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.

B. APPROVAL OF MINUTES

1. Approval of minutes from April 25, 2017.

The motion to approve the minutes of April 25, 2017 was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

C. PUBLIC HEARINGS

1. Plan Amendment: [NPA-2016-0016.04 - The Rail Spur Building; District 3](#)

Location: 618 Tillery Street, Colorado River Watershed; Govalle/Johnston Terrace (Govalle) NP Area
Owner/Applicant: Tom Calhoon
Agent: Land Use Solutions, LLC (Michele Haussmann)
Request: Office and Mixed Use to Commercial and Mixed Use land uses
Staff Rec.: **Pending; Applicant postponement request to May 23, 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 23, 2017 was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

2. Rezoning: [C14-2017-0020 - The Rail Spur Building; District 3](#)

Location: 618 Tillery Street, Colorado River Watershed; Govalle/Johnston Terrace (Govalle) NP Area
Owner/Applicant: Tom Calhoon
Agent: Land Use Solutions, LLC (Michele Haussmann)
Request: LO-CO-NP and LO-MU-CO-NP to GR-NP and GR-MU-NP
Staff Rec.: **Pending; Applicant postponement request to May 23, 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 23, 2017 was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

3. Rezoning: [C14-2017-0016.SH - Aria Grand; District 9](#)

Location: 1800 South IH-35 Service Road Southbound, Harpers Branch Watershed; South River City Citizens NP Area
Owner/Applicant: Maria P. Sifuentes & Lendol L. Davis
Agent: Saigebrook Development, LLC (Megan Lasch)
Request: GR-MU-CO-NP to MF-6-NP
Staff Rec.: **Recommendation of MF-6-CO-NP**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of MF-6-CO-NP combining district zoning for C14-2017-0016.SH - Aria Grand located at 1800 South IH-35 Service Road Southbound, was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

4. Rezoning: [C14-2017-0025 - Pompee-Clarke-Cook House; District 9](#)

Location: 2203 Nueces Street, Shoal Creek Watershed; West University NP Area
Owner/Applicant: 2203 Nueces, L.P. (Brad Zucker)
Agent: Mike McHone Real Estate (Mike McHone)
Request: GR-MU-H-CO-NP to GR-MU-CO-NP
Staff Rec.: **Recommended; Neighborhood postponement request to May 23, 2017.**
Staff: [Scott Grantham](#), 512-974-3574
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 Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

5. Rezoning: [C14-2017-0014 - Victory Medical Center; District 5](#)

Location: 2106 West Ben White Boulevard Westbound, Williamson Creek Watershed; South Lamar NP Area
Owner/Applicant: Eveanne Enterprises, Inc. (Dr. William Franklin)
Agent: Land Strategies, Inc. (Paul Linehan)
Request: SF-3 to LO-CO
Staff Rec.: **Recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

The motion to grant staff's recommendation of LO-CO combining district zoning, with an additional condition to have joint access between Tracts, for C14-2017-0014 - Victory Medical Center; located at 2106 West Ben White Boulevard Westbound, was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

Note: Law Department has determined the access matter shall be addressed at site plan; at that time Transportation Review staff will coordinate with TXDOT to determine access for the property.

6. Plan Amendment: [NPA-2017-0013.01 - Bouldin Creek Neighborhood Plan Area-Wide Garage Placement; District 9](#)

Location: Area bounded by Lady Bird Lake on the north, South Congress Avenue on the east, Oltorf Street on the south and the Union Pacific Railroad tracks on the west, West Bouldin Creek Watershed; East Bouldin Creek Watershed; Bouldin Creek NP Area

Owner/Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Current Chair. Application was submitted by Stuart Hampton, Previous Chair)

Agent: Sean Kelly, Chair

Request: To add the Garage Placement Design Tool to the neighborhood planning area to single-family residential use, a duplex residential use, or a two-family residential use

Staff Rec.: **Recommended**

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

See item C-07

7. Rezoning: [C14-2017-0026 - Bouldin Creek Neighborhood Plan Area-Wide Garage Placement; District 9](#)

Location: Area bounded by Lady Bird Lake on the north, South Congress Avenue on the east, Oltorf Street on the south and the Union Pacific Railroad tracks on the west, West Bouldin Creek Watershed; East Bouldin Creek Watershed; Bouldin Creek NP Area

Owner/Applicant: Bouldin Creek Neighborhood Plan Contact Team (Sean Kelly, Current Chair. Application was submitted by Stuart Hampton, Previous Chair)

Agent: Sean Kelly, Chair

Request: To add the Garage Placement Design Tool to the neighborhood planning area to single-family residential use, a duplex residential use, or a two-family residential use

Staff Rec.: **Recommended**

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

Motion by Commissioner Anderson, seconded by Commissioner Nuckols to grant neighborhood's request for postponement of Items C-06 and C-07 to May 23, 2017 was approved on a vote of 8-2. Commissioners McGraw and Seeger voted nay. Commissioners Vela, White and Zaragoza absent.

8. **Resubdivision with a variance:** [**C8-2016-0018.0A - Resubdivision of Lots 15 & 16, Post Road Addition; District 3**](#)
Location: 232 Lessin Lane, East Bouldin Watershed; Dawson NP Area
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 0.808 acres, with a variance request from LDC Section 25-4-175 to allow a flag lot.
Staff Rec.: **Recommended**
Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department

Public Hearing closed.

The motion to grant staff's recommendation for C8-2016-0018.0A - Resubdivision of Lots 15 & 16, Post Road Addition located at 232 Lessin Lane was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

9. **Resubdivision:** [**C8-2016-0141.0A - Resubdivision of Lot 7, Block B, Schieffer Place, Section 5; District 9**](#)
Location: 3901 Brookview Road, Boggy Creek Watershed; Upper Boggy Creek NP Area
Owner/Applicant: BDB Ventures, LLC (Shawn Breedlove)
Agent: BDB Ventures, LLC (Dale Thornton)
Request: Approval of the resubdivision on one lot into a three lot subdivision on 0.634 acres.
Staff Rec.: **Recommended; Neighborhood postponement request to June 27, 2017.**
Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department

Motion by Commissioner Schissler, seconded by Commissioner Seeger to grant neighborhood's request for postponement of this item to May 23, 2017 was approved on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

- 10. Final Plat - Amended Plat:** [C8-2017-0065.0A - Amended Plat of Portions of Lots 5 and 6 Rector's Subdivision; District 1](#)
Location: 1500 East 11th Street, Town Lake Watershed; Central East Austin NP Area
Owner/Applicant: Walter M. Coots; Monika Bustamante
Agent: Moncada Enterprises (Phil Moncada)
Request: Approval of the Amended Plat of Portions of Lots 5 and 6 Rector's Subdivision composed of 2 lots on 0.19 acres
Staff Rec.: **Disapproval**
Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department
- 11. Final Plat - Previously Unplatted:** [C8-2017-0074.0A - Austex Subdivision; District 1](#)
Location: 6414 Hudson Street, Gilleland Creek Watershed; MLK-183 NP Area
Owner/Applicant: Austex Auto Sales & Care Inc.
Agent: ATX Design Group (Ramon Duran)
Request: Approval of the Austex Subdivision composed of 1 lot on 0.47 acres
Staff Rec.: **Disapproval**
Staff: [Sylvia Limon](#), 512-974-2767,
Development Services Department
- 12. Final Plat - Resubdivision:** [C8-2017-0061.0A - Baily Subdivision, Resubdivision of Lot 1; District 5](#)
Location: 714 Ethel Street, Town Lake Watershed; Zilker NP Area
Owner/Applicant: Evan Minard
Agent: Land Strategies (Erin Welch)
Request: Approval of Baily Subdivision, Resubdivision of Lot 1 composed of 2 lots on 0.33 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 13. Final Plat - Resubdivision:** [C8-2017-0064.0A - Marlo Heights; District 1](#)
Location: 4627 Marlo Drive, Fort Branch Watershed; MLK NP Area
Owner/Applicant: Thomas Philpott
Agent: Lockwood Engineers, Inc. (Anthony Goode)
Request: Approval of Marlo Heights composed of 2 lots on 0.42 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

- 14. Final Plat - Resubdivision:** [C8-2017-0075.0A - Resubdivision of Lots 1 & 2, Block 2, Marlo Heights, Section 2; District 1](#)
Location: 4520 Rimrock Trail, Tannehill Branch Watershed; MLK NP Area
Owner/Applicant: Pendleton Plus (Bruce Beaty)
Agent: Servant Engineering & Consulting PLLC (Mauricio Quintero-Rangel)
Request: Approval of Resubdivision of Lots 1 & 2, Block 2, Marlo Heights, Section 2, composed of 4 lots on 0.97 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 15. Final Plat - Amended Plat:** [C8-2017-0063.0A - Sillmans Subdivision Outlot 5 Division Z; Amended Plat of Lots 10, 11, and 12 Block 7; District 9](#)
Location: 910 Baylor Street, Shoal Creek Watershed; Old West Austin NP Area
Owner/Applicant: Ten Bay LLC (Jay Allen Chaffee)
Agent: John Hussey
Request: Approval of the Sillmans Subdivision Outlot 5 Division Z Final Plat; Amended Plat of Lots 10, 11, and 12 Block 7, composed of 3 lots on 0.52 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 16. Final Plat - Resubdivision:** [C8-2017-0070.0A - Walton Subdivision; District 3](#)
Location: 1113 Walton Lane, Boggy Creek Watershed; Govalle/Johnston Terrace Combined NP Area
Owner/Applicant: Michael Schreiber
Agent: Perales Engineering, LLC (Jerry Perales)
Request: Approval of the Walton Subdivision Final Plat composed of 2 lots on 0.48 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 17. Final Plat - Previously Unplatted:** [C8-2017-0066.0A - Wheless Subdivision; District 1](#)
Location: 2501 Wheless Lane, Fort Branch Watershed; Windsor Park NP Area
Owner/Applicant: We Rehab, LLC (Kristi Black)
Agent: Austin Civil Engineering (Gracie Luna)
Request: Approval of the Wheless Subdivision Final Plat composed of 3 lots on 0.482 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public Hearings closed.

Motion to disapprove items C-10 – C-17 was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

D. NEW BUSINESS

- 1. Municipal Utility** **[C12M-2017-0001 - Travis County Water Control & Improvement District No. 18](#)**
District: **[District No. 18](#)**
Location: 51 individual properties receiving out-of-District water service from the District, Lake Austin Watershed
Owner/Applicant: Travis County Water Control & Improvement District No. 18
Agent: McLean & Howard, LLP (Anthony Corbett)
Request: City consent to the annexation by the District of 51 out-of-District properties
Staff Rec.: **Recommended**
Staff: **[Virginia Collier](#)**, 512-974-2022
Planning and Zoning Department

Motion to grant staff recommendation for approval of the request to allow Water Control & Improvement District No. 18 to annex the 60 out-of-District water customer parcels into the District was approved on the consent agenda by Vice-Chair Kazi, seconded by Commissioner Schissler on a vote of 10-0. Commissioners Vela, White and Zaragoza absent.

- 2. New Business:** **[5201 E. Riverside Drive; District 3](#)**
Location: 5201 East Riverside Drive, Country Club East Creek Watershed
Owner/Applicant: The Casey Family Program
Agent: City of Austin - Planning and Zoning Department (Jerry Rusthoven)
Request: Discussion and possible initiation of rezoning a portion of the property located at 5201 East Riverside Drive to remove from the East Riverside Corridor Plan.
Staff: **[Andrew Moore](#)**, 512-974-7604,
Planning and Zoning Department

Motion by Commissioner Schissler, seconded by Commissioner Seeger to deny initiation of rezoning of the property located at 5201 East Riverside Drive was approved on a vote 10-0. Commissioners Vela, White and Zaragoza absent.

F. ITEMS FROM COMMISSION

1. CodeNEXT

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

Discussion occurred; no action taken.

G. COMMITTEE REPORTS

[Codes and Ordinances Joint Committee](#) - Commissioner Seeger stated the committee discussed an amendment to the Neighborhood Plan Amendment process. The Committee unanimously voted to support a proposal to charge owners / applicants for out-of-cycle applications. Commissioner Seeger also stated the Committee requested additional information from staff and postponed hearing an amendment regarding the Historic Landmark Commission's use of a super-majority votes involving demolition applications.

[Comprehensive Plan Joint Committee](#) - Commissioner McGraw informed the Commission the CIP Plan will be presented to the Commission on May 9, 2017 along with a briefing regarding the flood mitigation recommendations.

[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, April 25, 2017 at 8:11 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.