



**PLANNING COMMISSION
MINUTES**

May 9, 2017

The Planning Commission convened in a regular meeting on May 9, 2017@ 301 W. 2nd Street, Austin, TX 78701.

Chair Oliver called the Commission Meeting to order at 6:04 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**

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

Absent:

**Jeffrey Thompson
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.

Mr. Stuart Hersh – Mr. Hersh discussed matters related to affordable housing and CodeNEXT.

Mr. John Scott Neal – Mr. Neal discussed matters related to the affordable density bonus and CodeNEXT.

Mr. Andy Cantu – Mr. Cantu introduced himself as Executive Director of Evolve Austin and discussed matters related to Imagine Austin and CodeNEXT.

Mr. Eric Goff – Mr. Goff discussed matters related to CodeNEXT

Ms. Katie Van Dyk – Ms. Van Dyk provided information regarding the Evolve Austin coalition.

Ms. Mary Ingle – Ms. Ingle discussed matters related to CodeNEXT.

Ms. Sammy Easterday – Ms. Easterday discussed matters related to CodeNEXT.

B. APPROVAL OF MINUTES

1. Approval of minutes from April 25, 2017.

Motion to approve the minutes of April 25, 2017 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White 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 Staff to May 23, 2017**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to May 23, 2017 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

2. **Rezoning:** [C14H-2017-0006 - 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: SF-3-NP to LO-MU-H-NP
Staff Rec.: **Pending; Postponement request by Staff to May 23, 2017**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to May 23, 2017 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and 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 23, 2017**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to May 23, 2017 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

4. **Rezoning:** [C14-2016-0079 - 3212 E. Cesar Chavez; District 3](#)
Location: 3212 East Cesar Chavez Street, 111 Tillery 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 MF-6-CO-NP and CS-MU-CO-NP, as Amended
Staff Rec.: **Pending; Postponement request by Staff to May 23, 2017**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant staff's request for postponement of this item to May 23, 2017 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

5. **Rezoning:** [C14-2017-0037 - Burrell Johnston; District 9](#)
Location: 1108 Nueces Street, Shoal Creek Watershed; Downtown
Owner/Applicant: Burrell D. Johnston
Agent: Bennett Consulting (Rodney K. Bennett)
Request: GO to DMU
Staff Rec.: **DMU-CO (Conditional Overlay for 60 foot height limit)**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff's recommendation of DMU-CO combining district zoning for C14-2017-0037 - Burrell Johnston located at 1108 Nueces Street was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

6. **Rezoning:** [C14-2017-0034 - 3718 Manchaca Road; District 5](#)
Location: 3718 Manchaca Road, West Bouldin Creek Watershed; South Lamar NP Area (Suspended)
Owner/Applicant: Margaret and Robert Anderson
Agent: Robert Anderson
Request: LO to LO-MU
Staff Rec.: **Recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

Motion to grant staff's recommendation of LO-MU combining district zoning for C14-2017-0037 – 3718 Manchaca Road located at 3718 Manchaca Road was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

7. **Preliminary with a variance:** [C8J-2015-0255 - Easton Park Section 2B Preliminary Plan; District 2](#)
Location: 7901 Colton Bluff Springs Road, Cottonmouth & North Fork Dry Creek Watersheds; Pilot Knob MUD
Owner/Applicant: Carna Easton LLC, (Logan Kimble)
Agent: Peloton Land Solutions (Paulo Misi)
Request: Approval of the preliminary plan composed of 549 lots on 174.34 acres with a variance from LDC 30-5-342(A) to allow fill.
Staff Rec.: **Recommended with conditions**
Staff: [Sue Welch](#), 512-854-7637,
Travis County Single-Office

Public Hearing closed.

Motion to grant staff's recommendation for C8J-2015-0255 - Easton Park Section 2B Preliminary Plan located at 7901 Colton Bluff Springs Road was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

8. **Final Plat - Resubdivision:** [C8-2017-0084.0A - Penn Heights \(Withdraw / Resubmittal of C8-2016-0043.0A\); District 1](#)
Location: 3413 Pennsylvania Avenue, Boggy Creek Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers, Inc. (Travis Flake)
Request: Approval of Penn Heights (Withdraw / Resubmittal of C8-2016-0043.0A) composed of 5 lots on 0.74 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
9. **Final Plat - Resubdivision:** [C8-2017-0083.0A - Penn Heights Two \(Withdraw / Resubmittal of C8-2016-0071.0A\); District 1](#)
Location: 3409 Pennsylvania Avenue, Boggy Creek Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers, Inc. (Travis Flake)
Request: Approval of Penn Heights Two (Withdraw / Resubmittal of C8-2016-0071.0A) composed of 2 lots on 0.27 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

10. **Final Plat - Resubdivision:** [C8-2017-0082.0A - Penn Heights Four \(Withdraw / Resubmittal of C8-2016-0070.0A\); District 1](#)
Location: 3502 Pennsylvania Avenue, Tannehill Branch Creek Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers, Inc. (Travis Flake)
Request: Approval of Penn Heights Four (Withdraw / Resubmittal of C8-2016-0070.0A) composed of 2 lots on 0.27 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
11. **Final Plat w/Replat:** [C8-2017-0077.0A - Lake Shore Colony; Replat; District 3](#)
Location: 2215 Town Lake Circle, Town Lake Watershed; Riverside NP Area
Owner/Applicant: FBZ TOWN LAKE CIRCLE LP, Diana Zuniga, Robyn & Jonathan Gancas, Scott Sepic
Agent: KBGE Surveying LLC (Armando Portillo)
Request: Approval of Lake Shore Colony; Replat composed of 9 lots on 13.5 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
12. **Final Plat - Resubdivision:** [C8-2017-0085.0A - Resubdivision of Lot 1 Bertha Ferguson Subdivision; District 1](#)
Location: 1191 Greenwood Avenue, Tannehill Branch Creek Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers, Inc. (Travis Flake)
Request: Approval of Resubdivision of Lot 1 Bertha Ferguson Subdivision composed of 2 lots on 0.23 acres
Staff Rec.: **Disapproval**
Staff: [Sylvia Limon](#), 512-974-2767
Development Services Department
13. **Final Plat - Resubdivision:** [C8-2017-0086.0A - Resubdivision of Lot 4 Bertha Ferguson Subdivision; District 1](#)
Location: 1197 Greenwood Avenue, Tannehill Branch Creek Watershed; MLK NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers, Inc. (Travis Flake)
Request: Approval of Resubdivision of Lot 4 Bertha Ferguson Subdivision composed of 2 lots on 0.27 acres
Staff Rec.: **Disapproval**
Staff: [Sylvia Limon](#), 512-974-2767
Development Services Department

- 14. Final Plat - Resubdivision:** [C8-2017-0089.0A - Flournov Heights Section 3 Resubdivision of Lot 38; District 1](#)
Location: 1412 Waldorf Avenue, Tannehill Branch Creek Watershed; MLK NP Area
Owner/Applicant: Deborah Yeh
Agent: Hector Avila
Request: Approval of Flournoy Heights Section 3 Resubdivision of Lot 38 composed of 2 lots on 0.28 acres.
Staff Rec.: **Disapproval**
Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department
- 15. Final Plat - Amended Plat:** [C8-2017-0090.1A - Greenlee Amended Plan; District 10](#)
Location: 2906 Greenlee Drive, Taylor Slough South Watershed; West Austin Neighborhood Group NP Area
Owner/Applicant: Rajesh Idnami
Agent: Perales Engineering (Jerry Perales)
Request: Approval of Greenlee Amended Plan composed of 2 lots on 1.04 acres
Staff Rec.: **Disapproval**
Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department
- 16. Final Plat - Resubdivision:** [C8-2017-0092.0A - Bouldin Court; District 9](#)
Location: 900 South 2nd Street, East Bouldin Creek Watershed; Bouldin Creek Watershed
Owner/Applicant: 1st. Street Highlands
Agent: PSW (Jarred Corbell)
Request: Approval of Bouldin Court composed of 2 lots on 3.65 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public Hearings closed.

Motion to disapprove items C-8 – C-16 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

D. NEW BUSINESS

1. [Austin Water Capital Improvement Projects](#)

Discussion and possible recommendation of Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone for approval to include in Austin Water 5-year capital spending plan.

Staff: [Kristi Fenton](#), Utility Finance Manager, 512-972-0178
Austin Water Utility

Motion to grant staff recommendation of Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone for approval to include in Austin Water 5-year capital spending plan was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Vela on a vote of 11-0. Commissioners Thompson and White absent.

2. [Fiscal Year 2017-2018 Long-Range Capital Improvement Program Strategic Plan](#)

[Discussion and possible action to adopt a letter to the City Manager with recommendations on ways that the Capital Improvement Program can assist in implementing the Imagine Austin Comprehensive Plan.](#)

Staff: [Stevie Greathouse](#), Program Manager, 512-974-7226
Planning and Zoning Department

Motion by Vice-Chair Kazi, seconded by Commissioner McGraw to adopt a letter to the City Manager with recommendations on ways that the Capital Improvement Program can assist in implementing the Imagine Austin Comprehensive Plan was approved on a vote of 11-0. Commissioners Thompson and White absent.

E. BRIEFING

1. [Flood Mitigation Task Force Recommendations](#)

Informative briefing regarding the recommendations from the Flood Mitigation Task Force.

Staff: [Matt Hollon](#), Program Manager, 512-974-2212
Watershed Protection Department

Briefing presented by Matt Hollon, Program Manager, Watershed Protection Department and Members of the Flood Mitigation Task Force

2. [Small Area Plan Implementation Annual Report](#)

Informative Briefing on the Small Area Plan Implementation Annual Report

Staff: [Stevie Greathouse](#), Program Manager, 512-974-7226
Planning and Zoning Department

Briefing presented by Stevie Greathouse, Program Manager, Planning and Zoning Department.

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)

Item discussed; no action taken.

2. CodeNEXT Working Groups

Discussion and possible establishment of working groups tasked with reviewing the CodeNEXT draft. (Sponsor: Chair Oliver; Co-Sponsor: Vice-Chair Kazi)

Motion by Commissioner Shieh, seconded by Commission McGraw to establish Working Groups tasked with reviewing various sections of the draft CodeNEXT, (see [Exhibit A](#) – membership and tasks), was approved on a vote of 10-0. Commissioner Vela abstained on this item. Commissioners Thompson and White absent.

G. COMMITTEE REPORTS

[Codes and Ordinances Joint Committee](#) – Commissioner Zaragoza stated the Committee reviewed a code amendment regarding the Historic Landmark Commission's use of supermajority vote. The Committee postponed action and requested additional information from staff.

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

[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, May 9, 2017 at 9:54 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.