



**PLANNING COMMISSION
MINUTES**

February 27, 2018

The Planning Commission convened in a regular meeting on February 27, 2018 @ 301 W. 2nd Street, Austin, TX 78701.

Chair Oliver called the Commission Meeting to order at 6:01 p.m.

Commission Members in Attendance:

**Greg Anderson
Angela De Hoyos Hart
Fayez Kazi – Vice-Chair
Conor Kenny
Karen McGraw
Tom Nuckols
Stephen Oliver – Chair
James Schissler
Patricia Seeger
James Shieh
Todd Shaw
Trinity White**

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

Absent:

Jeffrey Thompson

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.

Ms. Elizabeth Aarang – Ms. Aarang discussed matters related to CodeNEXT

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

Mr. Hannah Frankel – Mr. Frankel discussed matters related to CodeNEXT

Mr. Ryan Nill – Mr. Nill discussed matters related to CodeNEXT

B. APPROVAL OF MINUTES

1. Approval of minutes from February 13, 2018.

Motion to approve the minutes February 13, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

C. PUBLIC HEARINGS

1. **Plan Amendment:** [NPA-2017-0016.04 - 4813 Gonzales; District 3](#)
Location: 4813 Gonzales Street and 4820 E. 7th Street, Boggy Creek Watershed; Govalle-Johnston Terrace NP Area
Owner/Applicant: Laura Hensley
Agent: McLean & Howard, LLP (Jeff Howard)
Request: Commercial to Mixed Use land use
Staff Rec.: **Postponement request by Staff to March 13, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 13, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

2. **Rezoning:** [C14-2017-0140 - 4813 Gonzales Rezoning; District 3](#)
Location: 4813 Gonzales Street and 4820 E. 7th Street, Boggy Creek Watershed;
Govalle/Johnston Terrace NP Area
Owner/Applicant: Laura Hensley
Agent: McLean & Howard, LLP (Jeff Howard)
Request: CS-CO-NP to CS-MU-V-CO-NP
Staff Rec.: **Postponement request by Staff to March 13, 2018.**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 13, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

3. **Plan Amendment:** [NPA-2017-0021.01 - East Riverside/Oltorf FLUM Amendment; District 3](#)
Location: 4530 E. Ben White Blvd., Country Club Creek Watershed; East
Riverside/Oltorf Combined NP Area
Owner/Applicant: Belco Equities, Inc.
Agent: Coats Rose (John M. Joseph)
Request: Commercial to Mixed Use land use
Staff Rec.: **Pending; Postponement request by Staff to March 27, 2018**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 27, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

4. **Plan Amendment:** [NPA-2017-0016.03 - 3232 & 3306 E. Cesar Chavez Street; District 3](#)
Location: 3232 & 3306 E. Cesar Chavez Street, Colorado River Watershed;
Govalle-Johnston Terrace NP Area
Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust
Agent: Husch Blackwell, LLP (Stacey L. Milazzo)
Request: Commercial to Mixed Use land use
Staff Rec.: **Pending. Staff requests postponement to March 27, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 27, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

5. **Plan Amendment:** [NPA-2017-0018.01 - Burnet Lane; District 7](#)
Location: 2106 and 2108 Payne Avenue & 6431 Burnet Lane, Shoal Creek Watershed; Brentwood/Highland Combined NP Area
Owner/Applicant: ARCH Properties Inc., Trustee
Agent: Drenner Group (Amanda Swor)
Request: Single Family and Mixed Use/Office land use to Mixed Use land use
Staff Rec.: **Pending. Staff requests postponement to March 27, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 27, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

6. **Plan Amendment:** [NPA-2017-0016.05 - Tillery MF; District 3](#)
Location: 507 Tillery Street, Colorado River and Boggy Creek Watersheds; Govalle-Johnston Terrace NP Area
Owner/Applicant: 507 Tillery House LLC (Caren W. Wendt & Kathryn L. Ingerly)
Agent: Rize Planning Development & Construction (Ross Frie)
Request: Single Family to Multifamily land use
Staff Rec.: **Recommended. Applicant requests postponement to March 27, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to March 27, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

7. **Rezoning:** [C14-2017-0106 - Tillery MF; District 3](#)
Location: 507 Tillery Street, Colorado River and Boggy Creek Watersheds; Govalle-Johnston Terrace NP Area
Owner/Applicant: 507 Tillery House LLC (Caren W. Wendt & Kathryn L. Ingerly)
Agent: Rize Planning Development & Construction (Ross Frie)
Request: SF-3-NP to MF-2-NP
Staff Rec.: **Recommended. Applicant requests postponement to March 27, 2018.**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to March 27, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

- 8. Plan Amendment:** [NPA-2016-0014.01 - 4500 Nuckols Crossing Road; District 2](#)
Location: 4500 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
Owner/Applicant: Angelos Angelou and John Sasaridis
Agent: Thrower Design (Ron Thrower)
Request: Single Family to Multifamily land use
Staff Rec.: **Pending; Staff requests postponement to March 13, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 13, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

- 9. Rezoning:** [C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning; District 2](#)
Location: 4500 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
Owner/Applicant: Angelos Angelou and John Sasaridis
Agent: Thrower Design (Ron Thrower)
Request: SF-2-NP to MF-3-NP
Staff Rec.: **Pending; Staff requests postponement to March 13, 2018.**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 13, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

- 10. Plan Amendment:** [NPA-2017-0016.02 - Flats on Shady; District 3](#)
Location: 1125 Shady Lane, Boggy Creek Watershed; Govalle/Johnston Terrace NP Area
Owner/Applicant: Otto Freidrich Jr. Estate
Agent: Drenner Group, PC (Dave Anderson)
Request: Single Family to Multifamily land use
Staff Rec.: **Recommended**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

See annotation under Item C-11

- 11. Rezoning:** [C14-2017-0094 - Flats on Shady; District 3](#)
Location: 1125 Shady Lane, Boggy Creek Watershed; Govalle/Johnston Terrace NP Area
Owner/Applicant: Otto Freidrich Jr. Estate
Agent: Drenner Group, PC (Dave Anderson)
Request: SF-3-NP to MF-4-NP
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion by Commissioner McGraw, seconded by Commissioner Nuckols to postpone Items C-10 and C-11 to April 10, 2018 was approved on a vote of 8-4. Those voting aye were Chair Oliver and Commissioners Anderson, McGraw, Nuckols, Shieh, Seeger, Todd and White. Those voting nay were Vice-Chair Kazi and Commissioners De Hoyos Hart, Kenny and Schissler. Commissioner Thompson absent.

- 12. Plan Amendment:** [NPA-2017-0016.06 - Leija Villas, District 3](#)
Location: 3305 and 3309 Hidalgo Street, Boggy Creek Watershed; Govalle/Johnston Terrace NP Area
Owner/Applicant: Dr. Graciela Leija, M.D.
Agent: Michael Moran
Request: Single Family to Mixed Use/Office land use
Staff Rec.: **Recommended**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner White to grant Staff's recommendation of Mixed Use/Office land use for NPA-2017-0016.06 - Leija Villas located at 3305 and 3309 Hidalgo Street. Motion was approved on a vote of 12-0. Commissioner Thompson absent.

- 13. Rezoning:** [C14-2017-0150 - Leija Villas; District 3](#)
Location: 3305 and 3309 Hidalgo Street, Boggy Creek Watershed; Govalle/Johnston Terrace NP Area
Owner/Applicant: Dr. Graciela Leija, M.D.
Agent: Michael Moran
Request: SF-3-NP and SF-3-CO-NP to LO-MU-NP
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner White to grant Staff's recommendation of LO-MU-NP combining district zoning for C14-2017-0150 - Leija Villas located

at 3305 and 3309 Hidalgo Street. Motion was approved on a vote of 12-0. Commissioner Thompson absent.

- 14. Rezoning:** [C814-2017-0001 - 425 W. Riverside Drive PUD; District 9](#)
Location: 425 W. Riverside Drive, Lady Bird Lake Watershed; Bouldin Creek NP Area
Owner/Applicant: Stream Realty Partners (David Blackbird)
Agent: Armbrust & Brown, PLLC (Richard Suttle)
Request: CS-1-V-NP to PUD-NP
Staff Rec.: **Recommended, with conditions**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner Anderson to grant Staff's recommendation of PUD-NP combining district zoning, and to the extent possible include recommendations by the Environmental Commission, Small Area Planning Joint Committee, South Central Waterfront Advisory Board and South Central Waterfront Advisory Board for the property located at 425 W. Riverside Dr. Motion was approved on a vote of 12-0. Commissioner Thompson absent.

- 15. Rezoning:** [C14-2017-0132 - 4515 South Congress Rezoning; District 3](#)
Location: 4515 South Congress Avenue; 134 Sheraton Avenue, Williamson Creek Watershed; South Congress Combined (East Congress) NP Area
Owner/Applicant: Life Storage LP (Michael J. Rogers); LEMCO Holdings, LLC (David Cox)
Agent: Armbrust & Brown, PLLC (Michael J. Whellan)
Request: CS-NP; CS-MU-CO-NP to CS-MU-V-NP
Staff Rec.: **Recommendation of CS-MU-V-CO-NP**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner Anderson to grant Staff's recommendation of CS-MU-V-CO-NP combining district zoning for C14-2017-0132 - 4515 South Congress Rezoning located at 4515 South Congress Avenue; 134 Sheraton Avenue was approved on a vote of 12-0. Commissioner Thompson absent.

Note: The Applicant and Neighborhood were encouraged to work towards a private Restrictive Covenant prior to Council.

- 16. Rezoning:** [C14-01.0046.02- The Baker School; District 9](#)
Location: 3908 Avenue B, Waller Creek Watershed; Hyde Park NCCD
Owner/Applicant: Austin Independent School District
Agent: Weiss Architecture (Richard Weiss)
Request: Unzoned to CS-HD-NCCD-NP
Staff Rec.: GR-HD-NCCD-NP
Staff: [Scott Grantham](#), 512-974-3574
Planning and Zoning Department

Motion by Commissioner Seeger, seconded by Commissioner McGraw to postpone this item to March 13, 2018 was approved on a vote of 10-2. Vice-Chair Kazi and Commissioner Schissler voted nay. Commissioner Thompson absent.

- 17. Rezoning:** [C14-2017-0149 - 5521 Springdale Road Rezoning; District 1](#)
Location: 5521 Springdale Road, Little Walnut Creek Watershed; East MLK Combined NP Area
Owner/Applicant: Kingdom of God Christian Center, Inc. (Fredrick D. Moore)
Agent: Armbrust & Brown, PLLC (Amanda Morrow)
Request: GR-NP to GR-MU-NP
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner Shieh to grant Staff's recommendation of GR-MU-NP combining district zoning for C14-2017-0149 - 5521 Springdale Road Rezoning located 5521 Springdale Road was approved on a vote of 12-0. Commissioner Thompson absent.

- 18. Rezoning:** [C14-2016-0136 - Broadmoor; District 7](#)
Location: 11501 Burnet Road, Walnut Creek Watershed; North Burnet/Gateway NP Area
Owner/Applicant: Brandywine Austin, LLC (Leon Shadowen)
Agent: Drenner Group, PC (Dave Anderson)
Request: NBG-CMU-NP to NBG-TOD-NP
Staff Rec.: **Pending; Staff requests postponement to March 13, 2018.**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 13, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

- 19. Resubdivision:** [C8-2016-0129.0A - Resubdivision of Lot 2, Ebony Acres; District 1](#)
Location: 3515 E. 12th Street, Tannehill Branch Watershed; East MLK Combined NP Area
Owner/Applicant: Scott Way
Agent: Southwest Engineers, (Travis Flake)
Request: Approve the resubdivision of 1 lot into 2 lots on 0.22 acres
Staff Rec.: **Recommended**
Staff: [Don Perryman](#), 512-974-2786
Development Services Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner Shieh to grant Staff's recommendation for C8-2016-0129.0A - Resubdivision of Lot 2, Ebony Acres located at 3515 E. 12th Street was approved on a vote of 11-0. Commissioner Seeger off the dais. Commissioner Thompson absent.

- 20. Final Plat - Resubdivision:** [C8-2017-0092.0A - Bouldin Court; District 9](#)
Location: 900 South 2nd Street, East Bouldin Creek Watershed; Bouldin Creek NP Area
Owner/Applicant: PSW Homes, LLC
Agent: Jarred Corbell (PSW)
Request: Approval of the Bouldin Court Subdivision composed of 2 lots on 3.64 acres. Additionally, the applicant requests a variance to 25-4-151 which requires extension of existing streets from adjacent properties.
Staff Rec.: **Recommended**
Staff: [Jeremy Siltala](#), 512-974-2945
Development Services Department

Public Hearing closed.

Motion by Commissioner Seeger, seconded by Commissioner Schisler to grant Staff's recommendation for C8-2017-0092.0A - Bouldin Court located at 900 South 2nd Street was approved on a vote of 11-0. Chair Oliver off the dais. Commissioner Thompson absent.

**21. Preliminary Plan - [C8-2017-0124 - Lightfield Preliminary Plan; District 1](#)
VARIANCE**

ONLY:

Location: 4902 Lott Avenue, Fort Branch Watershed; East MLK Combined NP Area
Owner/Applicant: MX3 Homes (Sal Martinez)
Agent: Southwest Engineers (Gabriel Hovdey)
Request: The applicant requests a variance to LDC Section 25-4-151 which requires extension of existing streets from adjacent properties. The applicant proposes to not extend Lott Ave.
Staff Rec.: **Recommended**
Staff: [Don Perryman](#), 512-974-2786
Development Services Department

Motion by Commissioner Schissler, seconded by Commissioner Seeger to grant Applicant's request for postponement of this item to March 13, 2018 was approved on a vote of 12-0. Commissioner Thompson absent.

**22. Final Plat - [C8-2018-0021.0A - Southwest Key Subdivision; District 1](#)
Previously
Unplatted:**

Location: 5501-1/2 East Martin Luther King Junior Boulevard, Fort Branch Watershed; MLK NP Area
Owner/Applicant: Southwest Key Programs, Inc. (Dr. Juan J. Sanchez)
Agent: Texas Design Interests, LLC (Carey Bresler)
Request: Approval of the Southwest Key Subdivision plat, composed of 1 lot on 9.18 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

**23. Final Plat - [C8-2018-0023.0A - Wells Fargo; District 3](#)
Previously
Unplatted:**

Location: 912 Bastrop Highway Southbound, Carson Creek Watershed; Montopolis NP Area
Owner/Applicant: Pure Partners (8200 N. I-35, LLC)
Agent: Kimley-Horn (Harrison M. Hudson, P.E.)
Request: Approval of the Wells Fargo Final Plat composed of 1 lot on 1.15 acres
Staff Rec.: **Disapproval**
Staff:

Public Hearings closed.

Motion to disapprove items C-22 and C-23 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

- 24. Code Amendment:** [C20-2017-005 - Plaza Saltillo TOD](#)
Request: Consider an ordinance amending Title 25 of the City Code to add a new TOD-Urban Mixed Use Subdistrict and additional Density Bonus to the Plaza Saltillo regulating plan.
Staff Rec.: **Recommended**
Staff: [Anne Milne](#), 512-974-2868
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner De Hoyos Hart, seconded by Commissioner Schissler to approve the code amendment, as amended, was approved on a vote of 8-2. Commissioners McGraw and Shaw voted nay. Commissioner Shieh abstained. Commissioner Anderson recused on this item. Commissioner Thompson absent.

Amendment:

A minimum of 75% of total housing units must be on-site and affordable. A maximum of 70% of the housing units can be one bedroom or efficiency.

- 25. Code Amendment:** [C20-2017-008 - Central Urban Redevelopment \(CURE\) Combining District](#)
Request: Consider an ordinance amending Title 25 of the City Code to change the applicability of the Central Urban Redevelopment combining district (CURE) so that it does not apply east of IH-35.
Staff Rec.: **Recommended**
Staff: [Greg Dutton](#), 512-974-3509
Planning and Zoning Department

Motion to postpone this item by an interested party to March 13, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Thompson absent.

D. NEW BUSINESS

1. Discussion and possible nomination of members of the Planning Commission to be considered by the Austin City Council for the purpose of serving on the following joint committees:

[Codes and Ordinances Joint Committee](#)

[Comprehensive Plan Joint Committee](#)

[Small Area Planning Joint Committee](#)

2. Discussion and possible appoint of members of the Planning Commission to serve on the Mapping Working Group.

Items D-1 and D-2 taken in tandem.

Motion by Vice-Chair Kazi, seconded by Commissioner White to make the following nominations and appointments by slate:

Karen McGraw – Codes and Ordinance Joint Committee

Stephen Oliver – Comprehensive Plan Joint Committee

Todd Shaw – Comprehensive Plan Joint Committee

Jeffrey Thompson – Small Area Planning Joint Committee

Commissioner Connor Kenny – Mapping Working Group

Commissioner Todd Shaw – Mapping Working Group

Motion was approved on a vote 11-0. Commissioner Anderson off the dais. Commissioner Thompson absent.

E. FUTURE AGENDA ITEMS

Future agenda items will not be discussed at the current meeting, but will be offered for initiation, discussion or possible recommendation at a future meeting.

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)

G. COMMITTEE REPORTS

[Codes and Ordinances Joint Committee](#) – Commissioner Seeger stated the committee discussed a Plaza Saltillo amendment, CURE Amendment and North Burnet Gateway amendment.

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

[Small Area Planning Joint Committee](#) - Commissioner Shieh stated the committee discussed capacity and density. Staff provided a presentation of future small area planning. The committee will provide feedback to staff.

Chair Oliver adjourned the meeting without objection on Tuesday, February 27, 2018 at 11:56 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.