



ZONING & PLATTING COMMISSION
Tuesday, March 6, 2018

**The Zoning & Platting Commission convened in a regular meeting on Tuesday, March 6, 2018
@ 301 W. 2nd Austin, TX 78701**

Vice-Chair Duncan called the Commission Meeting to order at 6:00 p.m.

Commission Members in Attendance:

Ana Aguirre – Secretary
Ann Denkler
Jim Duncan – Vice-Chair
Bruce Evans
Betsy Greenberg – Parliamentarian
David King
Sunil Lavani
Abigail Tatkow

Absent:

Jolene Kiolbassa – Chair
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.

Ms. Monica Guzman – Ms. Guzman discussed matters related to CodeNEXT.

Mr. Stuart Hersh – Mr. Hersh discussed matters related to CodeNEXT.

B. APPROVAL OF MINUTES

1. Approval of minutes from February 6, 2018 and minutes from special called meeting of February 28, 2018.

Motion to approve the minutes from February 6, 2018 and minutes from special called meeting of February 28, 2018 was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

C. PUBLIC HEARINGS

- 1. Rezoning:** [C14-2017-0141 - SOCO South; District 2](#)
Location: 8103 and 8121 South Congress Avenue, South Boggy Creek Watershed
Owner/Applicant: Trustee for NFP Partnership (James C. Niemann)
Agent: Land Use Solutions, LLC (Michele Haussmann)
Request: LI-CO to MF-4
Staff Rec.: **Recommended, with conditions**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to approve Staff's recommendation of MF-4 district zoning for C14-2017-0141 - SOCO South located at 8103 and 8121 South Congress Avenue was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 2. Rezoning:** [C14-2017-0051 - Waters Park Commercial; District 7](#)
Location: 12219, 12219-1/2 and 12221 Waters Park Road, Walnut Creek Watershed
Owner/Applicant: BarCzar, LLC (Matias Segura III)
Agent: South Llano Strategies (Glen Coleman)
Request: RR, LO and GO to CS-1-CO for Tract 1 and GR-CO for Tract 2
Staff Rec.: **Recommended, with conditions**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Motion by Commissioner Greenberg, seconded by Commissioner King to deny the Applicant's request for rezoning for C14-2017-0051 - Waters Park Commercial located at 12219, 12219-1/2 and 12221 Waters Park Road was approved on a vote of 8-1. Commissioner Tatkov voted nay. Chair Kiolbassa and Commissioner Breithaupt absent.

- 3. Rezoning:** [C14-2017-0139 - Ferguson Crossing; District 1](#)
Location: 3207 Ferguson Lane, Walnut Creek Watershed
Owner/Applicant: Fergi AV Land, LLC (Colin Armstrong)
Agent: Armbrust & Brown, PLLC (David Armbrust)
Request: W/LO-CO, RR, NO-CO and SF-1-CO to W/LO
Staff Rec.: **Recommendation of W/LO-CO**
Staff: [Heather Chaffin](#), 521-974-2122
Planning and Zoning Department

Motion by Commissioner Denkler, seconded by Commissioner Evans to grant the Applicant's request of postponement of this item to April 3, 2018 was approved on a vote of 7-2. Commissioners Greenberg and King voted nay. Chair Kiolbassa and Commissioner Breithaupt absent.

4. **Rezoning:** [C14-2017-0130 - Genesis Autos; District 2](#)
Location: 4410 East William Cannon Drive, Williamson Creek Watershed
Owner/Applicant: Genesis Autos (Daniel Garcia)
Agent: LOC Consultants (Sergio Lozano-Sanchez, P.E.)
Request: GR-CO to GR-CO, to change a condition of zoning
Staff Rec.: **Not recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion by Commissioner Evans, seconded by Commissioner Lavani to grant Staff's recommendation for GR-CO combining district zoning, but to remove Automotive Sales from the prohibited use list, for C14-2017-0130 - Genesis Autos located at 4410 East William Cannon Drive was approved on a vote on a vote of 6-3. Commissioners Aguirre, Denkler and Greenberg voted nay. Chair Kiolbassa and Commissioner Breithaupt absent.

5. **Rezoning:** [C14-2017-0152 - 3904 Medical Parkway; District 10](#)
Location: 3904 Medical Parkway, Shoal Creek Watershed
Owner/Applicant: Bennie Engelke
Agent: Thrower Design (Ron Thrower)
Request: SF-3 to LO
Staff Rec.: **Recommendation of LO-MU**
Staff: [Scott Grantham](#), 512-974-3574
Planning and Zoning Department

Motion by Commissioner Lavani, seconded by Commissioner Denkler to grant LO-MU combining district zoning for C14-2017-0152 - 3904 Medical Parkway located at 3904 Medical Parkway was approved on a vote of 8-1. Commissioner Greenberg voted nay. Chair Kiolbassa and Commissioner Breithaupt absent.

6. **Rezoning:** [C14-2017-0123 - South Chisholm Professional Offices; District 5](#)
Location: 1109 West Slaughter Lane, Slaughter Creek Watershed
Owner/Applicant: Mario Solis
Agent: Land Answers, Inc. (Jim Wittliff)
Request: SF-2 to LO-MU
Staff Rec.: **Recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Neighborhood's request for postponement of this item to March 20, 2018 was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

7. **Rezoning:** [C14-2016-0021 - Double Creek Residences; District 5](#)
Location: 420 East FM 1626 Road, Onion Creek Watershed
Owner/Applicant: Riddell Family Limited Partnership (Jim Henry)
Agent: Drenner Group (Amanda Swor)
Request: CS-CO; CS-MU-CO; GR-CO to CS-MU-CO
Staff Rec.: **Recommended, with conditions**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion by Commissioner King, seconded by Commissioner Lavani to grant Staff's recommendation of CS-MU-CO combining district zoning for C14-2016-0021 - Double Creek Residences located at 420 East FM 1626 Road was approved on a vote 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 8. Final Plat - C8-2017-0269.0A - Oaks Ranch Section 2; District 2**
Variance Only:
Location: 5412 Ross Rd., Onion Creek Watershed
Owner/Applicant: Deerwood MHC LLC (Scott Roberts)
Request: The applicant is requesting a variance to Title 25 of the Land Development Code (LDC) Section 25-4-151, which requires streets of a new subdivision to be in line with existing streets on adjoining property. The variance is for the connection to Saint Thomas Drive.

Staff Rec.: **Recommended**
Staff: [Don Perryman](#), 512-974-2786
Development Services Department

Motion to grant Staff's recommendation for C8-2017-0269.0A - Oaks Ranch Section 2 located at 5412 Ross Rd. was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 9. Site Plan - SP-2017-0176D - 1704 and 1706 Channel Road**
Environmental Variance:
Location: 1704 Channel Road, Lake Austin Watershed
Owner/Applicant: John and Amy Porter
Agent: Janis Smith LLC (Janis Smith)
Request: Variance request to allow cut above 4' feet within Lake Austin. [25-8-341(A)]

Staff Rec.: **Not Recommended**
Staff: [Atha Phillips](#), 512-974-6303
Development Services Department

Motion by Commissioner Evans, seconded by Commissioner Lavani to grant the variance and include the Environmental Commission's recommendations for SP-2017-0176D - 1704 and 1706 Channel Road located at 1704 Channel Road was approved on a 9-0 vote. Chair Kiolbassa and Commissioner Breithaupt absent.

- 10. Site Plan - Hill SPC-2016-0453C - Westlake Residential; District 10**
Country Roadway:
Location: 800 North Capital of Texas Highway, Bee Creek Watershed
Owner/Applicant: 360 Development
Agent: Civile LLC (Lawrence Hanrahan)
Request: Approval to construct multi-family with associated improvements within the Low Intensity Zone of the Loop 360 Hill Country Roadway Corridor

Staff Rec.: **Withdrawn by Staff**
Staff: [Christine Barton-Holmes](#), 512-974-2788
Development Services Department

Item withdrawn; no action required.

- 11. Site Plan - Conditional Use Permit:** [SPC-2017-0158C - Bellingham Meadows Amenity Center; District 1](#)
Location: 12107 Reindeer Drive, Gilleland Creek Watershed
Owner/Applicant: CADG Bellingham Meadows, LLC. (Brian Saathoff)
Agent: TRE & Associates, LLC (Marc Dickey)
Request: Approval of a conditional use permit to construct an amenity center (community recreation private use).
Staff Rec.: **Recommended**
Staff: [Rosemary Avila](#), 512-974-2784
Development Services Department

Motion to grant Staff's recommendation for SPC-2017-0158C - Bellingham Meadows Amenity Center located at 12107 Reindeer Drive was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 12. Final Plat:** [C8J-2017-0199.0A - The Corners at Frate Barker](#)
Location: 11726 Manchaca Road, Slaughter Creek Watershed
Owner/Applicant: DBI Frate Barker LP and Joseph D Christian
Agent: Garrett-Ihnen Civil Engineers (Jevon Poston)
Request: Approval of The Corners at Frate Barker Final Plat consisting of 3 lots on 13.69 acres.
Staff Rec.: **Recommended**
Staff: [Sarah Sumner](#), 512-854-7687
Single Office

Motion to grant Staff's recommendation for C8J-2017-0199.0A - The Corners at Frate Barker located at 11726 Manchaca Road was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 13. Final Plat out of the Revised Preliminary Plan:** [C8J-2013-0236.01.1A - Prado Ranch Phase 2 A Small Lot Subdivision](#)
Location: 2005 South FM 973 Road, Colorado River Watershed
Owner/Applicant: RSI Prado LLC (Ryan Mattox)
Agent: Carlson, Brigrance & Doering, Inc. (Brett Pasquarella)
Request: Approval of the Prado Ranch Phase 2 Final Plat consisting of 125 lots on 25.71 acres.
Staff Rec.: **Recommended**
Staff: [Sarah Sumner](#), 512-854-7687
Single Office

Motion to grant Staff's recommendation for C8J-2013-0236.01.1A - Prado Ranch Phase 2 A Small Lot Subdivision located at 2005 South FM 973 Road was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 14. Resubdivision:** [**C8J-2017-0103.0A - Singh Subdivision \(Resubdivision Lot 19A and a portion of Lot 19 of Thoroughbred Estates, Phase Two\)**](#)
- Location: 11411 FM 812 Road, South Fork Dry Creek Watershed
- Owner/Applicant: Major Singh and Manjit Kaur
- Agent: Thomas Land Engineering, Mark Roeder
- Request: Approval of Singh Subdivision, which is a resubdivision of Lot 19A and a portion of Lot 19 of Thoroughbred Estates, Phase Two, consisting of one commercial lot on 7.45 acres. Water will be provided by Austin Water Utility, and wastewater will be provided by an onsite sewage facility.
- Staff Rec.: **Recommended**
- Staff: [Jennifer Bennett-Reumuth](#), 512-854-1434, Single Office

Motion to grant Staff's recommendation for C8J-2017-0103.0A - Singh Subdivision (Resubdivision Lot 19A and a portion of Lot 19 of Thoroughbred Estates, Phase Two) located at 11411 FM 812 Road was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 15. Resubdivision:** [**C8J-2017-0014.0A - Resubdivision of Lot 14A, Block B of Overlook Estates Phase 2 & Morgan Survey**](#)
- Location: 7813 Aria Loop, Barton Creek Watershed-Barton Springs Zone
- Owner/Applicant: Katherine Babb Wright
- Agent: Place Design (Vincent Shaw)
- Request: Approval of the resubdivision of one lot and unplatted into a two lot subdivision on 5.085 acres.
- Staff Rec.: **Recommended**
- Staff: [Cesar Zavala](#), 512-974-3404

Motion to grant Staff's recommendation for C8J-2017-0014.0A - Resubdivision of Lot 14A, Block B of Overlook Estates Phase 2 & Morgan Survey located at 7813 Aria Loop was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

- 16. Preliminary Plan:** [**C8J-2016-0248 - Timmerman Tract Preliminary Plan**](#)
- Location: N. F.M. 1825 & Grand Avenue Parkway, Rattan Creek Watershed
- Owner/Applicant: Estate of Terrell Timmerman
- Agent: Carlson, Brigrance & Doering, Inc. (Lee Whited, P.E.)
- Request: Approval of the Timmerman Tract Preliminary Plan composed of 179 lots on 60.301 acres
- Staff Rec.: **Recommended**
- Staff: [Cesar Zavala](#), 512-974-3404

Motion by Commissioner Evans, seconded by Commissioner Denkler to grant Staff's recommendation for C8J-2016-0248 - Timmerman Tract Preliminary Plan located at N. F.M. 1825 & Grand Avenue Parkway was approved on a vote of 9-0. Kiolbassa and Commissioner Breithaupt absent.

- 17. Site Plan - Extension:** [SP-98-0031C\(XT6\) - Park Central Section One; District 7](#)
Location: 12345 N. Lamar Blvd., Walnut Creek Watershed
Owner/Applicant: NYOS Charter School Inc.(Kathleen Zimmerman)
Agent: Kimley Horn and Associates (Joel Wixson)
Request: Request approval of a 3 year extension to a previously approved site plan.
Staff Rec.: **Not Recommended**
Staff: [Nikki Hoelter](#), 512-974-2863
Development Services Department

Motion by Commissioner Lavani, seconded by Commissioner Evans to grant the request for approval of a 3 year extension to a previously approved site plan for SP-98-0031C(XT6) - Park Central Section One located at 12345 N. Lamar Blvd. was approved on a vote of 8-0. Commissioner King abstained on this item. Chair Kiolbassa and Commissioner Breithaupt absent.

- 18. Preliminary Plan - Revised Preliminary:** [C8-60-006.01 - Eubank Acres Section 4 Revised Preliminary Plan; District 7](#)
Location: 11705 Cherokee Street, Bldg A, Walnut Creek Watershed
Owner/Applicant: CMS T Development LLC (Nichols S. Charles, Jr.)
Agent: Gice, Inc. / DBA Garrett-Ihnen (Norma Divine)
Request: Approval of the Eubank Acres Section 4 Revised Preliminary Plan, composed of 6 lots on 4.12 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 19. Final Plat - With Preliminary:** [C8-60-006.01.0A - Eubank Acres Section Four Final Plat Lots 16-18; District 7](#)
Location: 11705 Cherokee Street, Bldg A, Walnut Creek Watershed
Owner/Applicant: CMS T Development LLC (Nichols S. Charles, Jr.)
Agent: Gice, Inc. / DBA Garrett-Ihnen (Norma Divine)
Request: Approval of the Eubank Acres Section Four Final Plat Lots 16-18, composed of 3 lots on 1.04 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 20. Final Plat - With Preliminary:** [C8J-2014-0131.2A - Bear Creek Crossing Phase 2](#)
Location: 12300 Twin Creek dr, Onion Creek Watershed
Owner/Applicant: Jarrod Gaither
Agent: LJA Engineering (Brian Falteseck)
Request: Approval of Bear Creek Crossing Phase 2 composed of 88 lots on 30.91 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 21. Final Plat - Amended Plat:** [C8-2018-0028.0A - Springfield Multifamily, Amended Final Plat; District 2](#)
Location: 6824-1/2 East William Cannon Drive, Marble Creek Watershed
Owner/Applicant: RKX Texas Investments, LP (Rick Sheldon)
Agent: Pape-Dawson Engineers (Terry Reynolds)

Request: Approval of Springfield Multifamily, Amended Final Plat composed of 1 lot on 20.19 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

22. Final Plat - With Preliminary: [C8J-2015-0271.2A - Malone Subdivision, Section Two](#)

Location: 10109 Slaughter Creek Drive, Slaughter Creek Watershed
Owner/Applicant: CalAtlantic Homes of Texas, Inc. (Kevin Forader)
Agent: LJA Engineering, Inc. (Brian Faltesek, P.E.)
Request: Approval of the Malone Subdivision, Section Two Final Plat composed of 77 lots on 12.09 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

23. Final Plat - With Preliminary: [C8-2018-0012.2A.SH - Goodnight Ranch Phase One-A Section 8; District 2](#)

Location: 8749 Vertex Boulevard, Onion Creek Watershed
Owner/Applicant: Austin Goodnight Ranch GP, LLC (Myra Goepp)
Agent: Civile LLC (Greg Fortman)
Request: Approval of the Goodnight Ranch Phase One-A Section 8 Final Plat composed of 1 lot on 2.17 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

24. Final Plat - Previously Unplatted: [C8J-2018-0026.0A - Patino Subdivision](#)

Location: 10603 Spring Valley Road, Slaughter Creek Watershed
Owner/Applicant: Jesus Gutierrez Patino
Agent: IT Gonzalez Engineers (I.T. Gonzalez)
Request: Approval of the Patino Subdivision Final Plat composed of 1 lot on 1 acre
Staff Rec.: **Disapproval**
Staff: Development Services Department

Motion to disapprove items C-18 – C-24 was approved on the consent agenda by Commissioner Greenberg, seconded by Commissioner Evans on a vote of 9-0. Chair Kiolbassa and Commissioner Breithaupt absent.

D. BRIEFINGS

1. [Briefing regarding the People's Plan](#)

Presenters: Ms. Susana Almanza, Ms. Jane Rivera and Dr. Fred McGhee
(Sponsor: Chair Kiolbassa, Co-Sponsor: Commissioner King)

Briefing was conducted by Dr. Jane Rivera and Dr. Fred McGhee.

E. ITEMS FROM THE COMMISSION

1. Discussion and possible action regarding the People's Plan.
(Sponsor: Chair Kiolbassa, Co-Sponsor: Commissioner King)

Motion by Commissioner King, seconded by Commissioner Aguirre to support the People's Plan in principle was approved on a vote of 7-0. Commissioner Evans abstained on this item. Commissioner Lavani off the dais. Chair Kiolbassa and Commissioner Breithaupt absent.

2. Discussion and possible action regarding matters related to CodeNEXT including but not limited to Staff updates, presentations and scheduling. (Sponsor: Chair Kiolbassa, Co-Sponsor: Vice-Chair Duncan)
 - a. Motion by Commissioner Greenberg, seconded by Commissioner Aguirre to adopt the Rules of Procedure for the CodeNEXT Public Hearings was approved on a vote of 8-0. Commissioner Lavani off the dais. Chair Kiolbassa and Commissioner Breithaupt absent.
 - b. Motion by Commissioner Denkler, seconded by Commissioner Evans to conduct the CodeNEXT Public Hearings jointly with the Planning Commission on April 28, 2018 and May 1, 2018 was approved on a vote of 8-0. Commissioner Lavani off the dais. Chair Kiolbassa and Commissioner Breithaupt absent.

F. 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.

G. COMMITTEE REPORTS

[Bond Election Advisory Task Force](#) – No report provided.

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

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

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

Vice-Chair Duncan adjourned the meeting without objection on Wednesday, March 7, 2018 at 12:20 a.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 2 days before the meeting date. Please call Andrew Rivera at the Planning and Zoning Department, at 512-974-6508, for additional information; TTY users route through Relay Texas at 711.