



**PLANNING COMMISSION
MINUTES**

March 27, 2018

The Planning Commission convened in a regular meeting on March 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
Karen McGraw
Tom Nuckols
Stephen Oliver – Chair
James Schissler
James Shieh
Todd Shaw
Jeffrey Thompson
Jose Vela
Trinity White**

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

Absent:

Patricia Seeger

Robert Mendoza – 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 March 13, 2018.

Motion to approve the minutes from March 13, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

C. PUBLIC HEARINGS

1. **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 postponement request to May 8, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to postpone this item to May 8, 2018 at the request of Staff was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

2. **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. Staff postponement request to May 8, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to postpone this item to May 8, 2018 at the request of Staff was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

3. **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 postponement request to April 24, 2018.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to postpone this item to April 24, 2018 at the request of Staff was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

4. **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.: **Not Recommended**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

5. **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.: **Not Recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger 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**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger 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.: **Recommendation of MF-2-CO-NP**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

8. **Rezoning:** [C14-2015-0062.01 - Met Campus PDA Amendment](#)
Location: 2900-3024 U.S. Highway 183 South, Carson Creek/Onion Creek Watersheds, Southeast Combined (Southeast) NP Area
Owner/Applicant: Met Center NYCTEX, Phase II, Ltd. (Howard Yancy)
Agent: Thrower Design (Ron Thrower)
Request: LI-PDA-NP to LI-PDA-NP, to change a condition of zoning
Staff Rec.: **Pending; Postponement request by the Staff to May 22, 2018**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to postpone this item at the request of Staff to May 22, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 9. 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.: **Recommended**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff recommendation of NBG-TOD-NP combining district zoning for C14-2016-0136 – Broadmoor located at 11501 Burnet Road was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 10. Rezoning:** [C14-2018-0018 - 4101 Manchaca Condos; District 5](#)
Location: 4101 Manchaca Road, West Bouldin Creek Watershed, South Lamar NP Area
Owner/Applicant: Two Pura Vida Designs, LLC - Charlotte Aceituno
Request: SF-3 to MF-2
Staff Rec.: **Recommend GO-MU**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of GO-MU combining district zoning for C14-2018-0018 - 4101 Manchaca Condos located at 4101 Manchaca Road was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 11. Rezoning:** [C14-2018-0017 - 501 Cater Drive Single Family Zoning; District 5](#)
Location: 501 Cater Drive, Lady Bird Lake Watershed, Zilker NP Area
Owner/Applicant: Paul Long
Agent: Land Answers, Inc. (Jim Wittliff)
Request: CS to SF-3
Staff Rec.: **Recommended**
Staff: [Andrew Moore](#), 512-974-7604
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of SF-3 district zoning for C14-2018-0017 - 501 Cater Drive Single Family Zoning located at 501 Cater Drive was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 12. Rezoning:** [C14H-2018-0014 - West Sixth Street Bridge over Shoal Creek; District 9](#)
Location: 800 Block of W. 6th Street, Shoal Creek Watershed, Downtown Master Plan
Owner/Applicant: Historic Landmark Commission, applicant; City of Austin, owner
Request: P to P-H
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of P-H combining district zoning for C14H-2018-0014 – West Sixth Street Bridge over Shoal Creek located at the 800 Block of W. 6th Street was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 13. Rezoning:** [C14H-2018-0015 - Mary Street Historic District; District 9](#)
Location: Multiple properties on both sides of the 500 Block of E. Mary Street., Blunn Creek Watershed, South River City NP Area
Owner/Applicant: James Bilodeau
Request: Apply HD (Historic Area Combining District) overlay to properties within the district. No changes to base zoning are proposed.
Staff Rec.: **Recommended**
Staff: [Cara Bertron](#), (512) 974-1446
Planning and Zoning Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 14. Rezoning:** [C14H-2018-0013 - Smoot/Terrace Park Historic District; District 9](#)
Location: Multiple properties. Roughly bounded by Pressler Street on the east, including the parcels on both sides of the street; W. 9th Street on the north, including the parcels on both sides of the street; W. 6th Street on the south, including only the parcels on the north side of the street; and Highland Avenue on the west, including the parcels on both sides of the street, Lady Bird Lake Watershed, Old West Austin NP Area
Owner/Applicant: Denise Younger
Request: Apply HD (Historic Area Combining District) overlay to properties within the district. No changes to base zoning are proposed.
Staff Rec.: **Recommended**
Staff: [Cara Bertron](#), (512) 974-1446
Planning and Zoning Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 15. Code Amendment:** [C20-2017-006 - North Burnet/Gateway Regulating Plan](#)
 Request: Consider an ordinance amending Title 25 of the City Code to add a new Commercial Mixed Use - Gateway Zone subdistrict.
 Staff Rec.: **Recommended**
 Staff: Anne Milne, 512-974-2868, anne.milne@austintexas.gov
 Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff’s recommendation to amend Title 25 of the City Code to add a new Commercial Mixed Use - Gateway Zone subdistrict was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 16. Right-of-Way Encroachment:** [F# 9828-1705 Right-of-Way Surface Encroachment at Waller Street at East Cesar Chavez Street](#)
 Location: Portion of Waller Street between East Cesar Chavez and Willow Street
 Request: Grant Surface Encroachment of a portion of Waller Street between East Cesar Chavez and Willow Street by existing West wall façade of the building at intersection of East Cesar Chavez Street and Waller Street.
 Applicant: DeLea Becker
 Property Owner: Hartford Properties, LLC
 Staff Rec.: **Recommended**
 Staff: [Andy Halm](#), 974-7185
 Office of Real Estate Services

Public Hearing closed.

Motion to grant Staff’s recommendation to grant a Right-of-Way Surface Encroachment of a portion of Waller Street between East Cesar Chavez and Willow Street by existing West wall façade of the building at the intersection of East Cesar Chavez Street and Waller Street was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 17. Resubdivision:** [C8-2017-0174.0A - Resubdivision of Lot 2, Woodwillow Addition; District 3](#)
 Location: 3409 Willow Springs Road, Blunn Creek Watershed, Greater South River City Combined (St. Edward's) NP Area
 Owner/Applicant: Khabe Lehfed Properties, Inc. (Steve Portnoy)
 Agent: SEC Solutions LLC (Marco Castaneda)
 Request: Approve a variance from LDC 25-4-175 to allow a flag lot and the resubdivision of one lot into two lots on 0.375 acres.
 Staff Rec.: **Recommended**
 Staff: [Sylvia Limon](#), 512-974-2767
 Development Services Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 18. Resubdivision:** [C8-2016-0215.0A - Villas At Vinson Oak Resubdivision, District 3](#)
Location: 4511 Vinson Drive, Williamson Creek Watershed; South Manchaca NP Area
Owner/Applicant: Notigus, LLC (Antonio Gustino)
Agent: Perales Engineering, LLC (Jerry Perales)
Request: Approve a variance from LDC 25-4-175 to allow a flag lot and the resubdivision of portions of 2 lot along with unplatted land into 8 lots on 1.8803 acres.
Staff Rec.: **Recommended**
Staff: [Sylvia Limon](#), 512-974-2767
 Development Services Department

Motion to postpone this item by the Planning Commission to April 10, 2018 was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 19. Resubdivision:** [C8-2017-0030.0A - Resubdivision Plat of Lot 23, Northgate Addition; District 7](#)
Location: 911 Stobaugh Street, Waller Creek Watershed, Crestview NP Area
Owner/Applicant: The Cobalt Companies, LLC (Matt McCormack)
Agent: Cedillos & Company (Rey Cedillos)
Request: Approve a variance from LDC 25-4-175 to allow a flag lot and the resubdivision of one lot into two lots on 0.4998 acres.
Staff Rec.: **Recommended**
Staff: [Sylvia Limon](#), 512-974-2767
 Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2017-0030.0A - Resubdivision Plat of Lot 23, Northgate Addition located at 911 Stobaugh Street was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 11-1. Commissioner McGraw voted nay on this item. Commissioner Seeger absent.

- 20. Resubdivision:** [C8-2017-0214.0A - Resubdivision of Lot 1, 13-15 Wilder Addition, District 7](#)
- Location: 1303 W. Koenig Lane, Shoal Creek Watershed, Brentwood/Highland Combined NP Area
- Owner/Applicant: Koenig Land Development Partners - Pat Patterson
- Agent: 360 Professional Services - Scott Foster
- Request: The request is for approval of a resubdivision of 4 lots into 2 lots.
- Staff Rec.: **Recommended**
- Staff: Don Perryman, 512-974-2786, don.perryman@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2017-0214.0A - Resubdivision of Lot 1, 13-15 Wilder Addition located at 1303 W. Koenig Lane was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson on a vote of 11-0. Commissioner McGraw abstained on this item. Commissioner Seeger absent.

- 21. Final Plat - Amended Plat:** [C8-2018-0037.0A - Shadowridge Crossing Section 9-B; District 8](#)
- Location: 6520 Rotan Drive, Williamson Creek Watershed-Barton Spring Zone, West Oak Hill NP Area
- Owner/Applicant: Tory Ransom House
- Agent: Kitchen Table Civil (Jonathan Fleming, P.E.)
- Request: Approval of the Shadowridge Crossing Section 9-B plat, composed of 2 lots on 5.67 acres.
- Staff Rec.: **Disapproval**
- Staff: Development Services Department

- 22. Final Plat - Resubdivision:** [C8-2018-0038.0A - Mount Moriah Subdivision; District 1](#)
- Location: 4907 Springdale Road, Fort Branch Watershed, East MLK Combined (Pecan Springs-Springdale) NP Area
- Owner/Applicant: Greater Mount Moriah Primitive Church (Loyd Mays)
- Agent: LJA Engineering, Inc. (Danny Miller P.E.)
- Request: Approval of the Mount Moriah Subdivision Final Plat composed of 2 lots on 6.38 acres
- Staff Rec.: **Disapproval**
- Staff: Development Services Department

Public Hearings closed.

Motion to disapprove Items C-21 – C-22 was approved on the consent agenda by Commissioner Anderson and Commissioner Thompson on a vote of 12-0. Commissioner Seeger absent.

- 23. Final Plat - [C8-2018-0039.0A - Stobaugh Resubdivision; District 7](#)**
Resubdivision:
 Location: 1200 Stobaugh Street, Waller Creek Watershed, Crestview NP Area
 Owner/Applicant: Joseph Mueller
 Agent: Civiltude LLC (Eyad Kasemi)
 Request: Approval of Stobaugh Resubdivision composed of 3 lots on 0.66 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Public Hearing closed.

Motion to disapprove this item was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson was approved on a vote of 9-0. Vice-Chair Kazi recused from the item due to conflict of interest (rendered professional services). Commissioner Schissler recused from the item due to conflict of interest (rendered professional services). Commissioner Seeger absent.

- 24. Resubdivision: [C8-2018-0034.0A - East Braker Corner Market; District 1](#)**
 Location: 861 East Braker Lane, Walnut Creek Watershed, Windsor Hills NP Area
 Owner/Applicant: March Braker, LLC DBA Quik Trip Corporation (David Meyer)
 Agent: Jones & Carter (Joeseph York)
 Request: Approval of the East Braker Corner Market composed of 2 lots on 2.25 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Public Hearing closed.

Motion to disapprove this item was approved on the consent agenda by Commissioner Anderson and seconded by Commissioner Thompson was approved on a vote of 9-0. Vice-Chair Kazi recused from the item due to conflict of interest (rendered professional services). Commissioner Schissler recused from the item due to conflict of interest (rendered professional services). Commissioner Seeger absent.

D. 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.

E. ITEMS FROM COMMISSION

1. Affordable Bonus Working Group

Discussion and possible creation of a working group tasked to review and recommend to the Planning Commission changes to the affordable bonuses in Draft 3 of CodeNEXT.
 (Sponsor: Commissioner Kenny; Co-Sponsor: Commissioner Anderson)

Motion by Commissioner Nuckols, seconded by Commissioner Schissler to create the Affordable Bonus Working Group and appoint Commissioners Anderson, De Hoyos Hart and Kenny to the working group was approved on a vote of 12-0. Commissioner Seeger absent.

2. 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)

- a. Motion by Commissioner Nuckols, seconded by Commissioner Shieh for Chair Oliver to revisit the CodeNEXT Rules for Public Hearing with Chair Kiolbassa of the Zoning and Platting Commission for possible amendment was approved on a vote of 7-4. The following members voted aye: Commissioners Anderson, Kenny, McGraw, Nuckols, Shieh, Thompson and White. Following members voted nay: Vice-Chair Kazi, Commissioners Schissler, De Hoyos Hart and Shaw. Chair Oliver abstained. Commissioner Seeger absent.

F. COMMITTEE REPORTS

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

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

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

ADJOURNMENT

Chair Oliver adjourned the meeting without objection on March 27, 2018 at 6:55 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.