



**PLANNING COMMISSION
MINUTES**

April 10, 2018

The Planning Commission convened in a regular meeting on April 10, 2018 @ 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
Todd Shaw
Jeffrey Thompson
Jose Vela**

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

Absent:

**Trinity White
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.

Mr. Pinaki Ghosh – Mr. Ghosh discuss matter related to redevelopment and CodeNEXT.

Mr. Ryan Nill – Mr. Nill discussed matters related to Co-Op housing and CodeNEXT.

Ms. Beth Avang – Ms. Avang discussed matters related to Co-Op housing and CodeNEXT.

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

B. APPROVAL OF MINUTES

1. Approval of minutes from March 27, 2018.

Motion to approve the minutes from March 27, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

C. PUBLIC HEARINGS

1. **Neighborhood Plan:** **NP-2016-0031 - North Shoal Creek Neighborhood Plan; District 7**
- Location: Research Boulevard on the north, Burnet Road on the east, Anderson Lane on the south, and Mopac Expressway on the west, Shoal Creek Watershed
- Request: Adopt the North Shoal Creek Neighborhood Plan as an Amendment to Imagine Austin Comprehensive Plan
- Staff Rec.: **Recommended**
- Staff: Jeff Engstrom, 512-974-1621, jeffrey.engstrom@austintexas.gov
Planning and Zoning Department

Motion by Commissioner Seeger, seconded by Vice-Chair Kazi to postpone this item to April 24, 2018 by the Planning Commission was approved on an 11-0 vote. Commissioner Nuckols off the dais. Commissioner White absent.

- 2. 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, Maureen.meredith@austintexas.gov
 Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner McGraw, seconded by Commissioner Shieh to grant Staff's recommendation of Multifamily land use for NPA-2017-0016.02 - Flats on Shady located at 1125 Shady Lane was approved on a vote of 8-4. Those voting aye were Chair Oliver and Commissioners Anderson, De Hoyos Hart, Kenny, Nuckols, Shieh, Schissler and Thompson. Those voting nay were Vice-Chair Kazi and Commissioners McGraw, Seeger and Shaw. Commissioner White absent.

- 3. 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, heather.chaffin@austintexas.gov
 Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner McGraw, seconded by Commissioner Shieh to grant Staff's recommendation of MF-4-NP combining district zoning for C14-2017-0094 - Flats on Shady located at 1125 Shady Lane was approved on a vote of 8-4. Those voting aye were Chair Oliver and Commissioners Anderson, De Hoyos Hart, Kenny, Nuckols, Shieh, Schissler and Thompson. Those voting nay were Vice-Chair Kazi and Commissioners McGraw, Seeger and Shaw. Commissioner White absent.

- 4. 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, maureen.meredith@austintexas.gov
 Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to April 24, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

- 5. 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, heather.chaffin@austintexas.gov
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to April 24, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

- 6. 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, Maureen.meredith@austintexas.gov
Planning and Zoning Department

Item C-06 and C-07 taken in tandem.

- 7. 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-CO-NP
Staff Rec.: **Not Recommended**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Planning and Zoning Department

Motion to postpone items C-06 and C-07 to May 22, 2018 by the Planning Commission was approved on a vote of 7-4. Those voting aye were Vice-Chair Kazi and Commissioners Anderson, Kenny, Nuckols, Schissler, Shieh and Thompson. Chair Oliver and Commissioners McGraw, Seeger and Shaw voted nay. Commissioner White absent.

- 8. 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, cara.bertron@austintexas.gov
 Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner McGraw, seconded by Commissioner Shieh to grant Staff’s recommendation of HD combining district zoning for properties within the district located on both sides of the 500 block of E. Mary Street was approved on a vote of 9-0. Commissioner Schissler abstained on this item. Chair Oliver and Commissioner De Hoyos Hart off the dais. Commissioner White absent.

- 9. 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
 Owner/Applicant: Denise Younger
 Request: Apply HD (Historic Area Combining District) overlay to properties within the district. No changes to base zoning are proposed.; Old West Austin NP Area
 Staff Rec.: **Recommended**
 Staff: Cara Bertron, 512-974-1446, cara.bertron@austintexas.gov
 Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Seeger, seconded by Commissioner McGraw to grant Staff’s recommendation to apply HD combining district zoning for C14H-2018-0013 - Smoot/Terrace Park Historic District lost on a vote of 4-6. Those voting aye were: Commissioners McGraw, Nuckols, Seeger and Shaw. Those voting nay were: Vice-Chair Kazi and Commissioners Anderson, Kenny, Thompson, Schissler and Shieh. Chair Oliver and Commissioner De Hoyos Hart off the dais. Commissioner White absent.

There was a motion by Commissioner Seeger to postpone the item.

Point of order raised by Commissioner Anderson regarding motion to reconsider; Vice-Chair Kazi sustained the point of order.

Motion by Commissioner Seeger, seconded by Commissioner Kenny to reconsider the previous question was approved on unanimous consent. Chair Oliver and Commissioner De Hoyos Hart and Nuckols off the dais. Commissioner White absent.

There was a motion by Commissioner Seeger, seconded by Commissioner Kenny to postpone this item to April 24, 2018.

Substitute motion by Commissioner Thompson, seconded by Commissioner Shieh to forward the item to Council without recommendation was approved on a vote of 7-1. Commissioner Kenny voted nay. Commissioner Shaw abstained. Chair Oliver and Commissioners De Hoyos Hart and Nuckols off the dais. Commissioner White absent.

- 10. Rezoning: C14H-2018-0010 - Robert Mueller Airport Control Tower; District 9**
- Location: 3952 Berkman Drive, Tannehil Branch Watershed; RMMA
Owner/Applicant: City of Austin
Request: PUD to PUD-H for the limited tract.
Staff Rec.: **Recommended**
Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of PUD-H combining district zoning for the limited tract for C14H-2018-0010 - Robert Mueller Airport Control Tower located at 3952 Berkman Drive was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

- 11. Site Plan - Conditional Use Permit: SPC-2016-0582C - Montopolis Recreation Center; District 3**
- Location: 1200 Montopolis Drive, Country Club East Watershed; Montopolis NP Area
Owner/Applicant: COA - Public Works Department (David Smythe-Macauley)
Agent: Urban Design Group (J Segura, P.E.)
Request: Request approval of a conditional use permit because the site is zoned P, public and over 1 acre in size. [Section 25-2-625]
Staff Rec.: **Recommended**
Staff: Nikki Hoelter, 512-974-2863, nikki.hoelter@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2016-0582C - Montopolis Recreation Center located at 1200 Montopolis Drive was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

- 12. Site Plan - Variance Only: SP-2017-0311C - Block 71; District 9**
- Location: 200 W. 6th Street, Shoal Creek Watershed; Downtown Master Plan
 Owner/Applicant: Stantec (Jonah Mankovsky)
 Agent: Board of Regents University of Texas System
 Request: The applicant is requesting a waiver to allow vehicular maneuvering in the right-of-way. [LDC 25-6-592(D)(2)]
- Staff Rec.: **Recommended**
 Staff: Katie Wettick, 512-974-3529, katie.wettick@austintexas.gov
 Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2017-0311C - Block 71 located at 200 W. 6th Street was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

- 13. Final Plat with Preliminary: C8-2017-0041.1A - Penn Place Cottages Section A; District 1**
- Location: 3412 Pennsylvania Ave., Tannehill Branch Watershed; East MLK Combined NP Area
 Owner/Applicant: Scott Way
 Agent: Big Red Dog Engineering (Ricky DeCamps)
 Request: The applicant is requesting approval of a final plat for 15 residential lots and associated right-of-way on 1.97 acres.
- Staff Rec.: **Recommended**
 Staff: Don Perryman, 512-974-2786, Don.perryman@austintexas.gov
 Development Services Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Shieh to grant Staff's recommendation for C8-2017-0041.1A - Penn Place Cottages Section A located at 3412 Pennsylvania Ave. was approved on a a vote of 9-0. Chair Oliver and Commissioners De Hoyos Hart and Nuckols off the dais. Commissioner White absent.

- 14. Resubdivision: C8-2016-0016.4A - Penn Place Cottages Section B; District 1**
- Location: 3412 Pennsylvania Ave., Tannehill Branch Watershed; East Cesar Chavez NP Area
 Owner/Applicant: Scott Way
 Agent: Big Red Dog Engineering (Ricky DeCamps)
 Request: The applicant is requesting approval of a final plat for 15 residential lots on 1.35 acres.
- Staff Rec.: **Recommended**
 Staff: Don Perryman, 512-974-2786, Don.perryman@austintexas.gov
 Development Services Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Thompson to grant Staff's recommendation for C8-2017-0041.1A - Penn Place Cottages Section B located at 3412 Pennsylvania Ave. was approved on a vote of 9-0. Chair Oliver and Commissioners De Hoyos Hart and Nuckols off the dais. Commissioner White absent.

15. Site Plan - Conditional Use Permit: SPC-2017-0224C - Ava Development; District 3

Location: 1408 E Cesar Chavez Street, Lady Bird Lake Watershed; East MLK Combined NP Area
Owner/Applicant: Nicolas Ava, 900 Rio Holdings LLC
Agent: Servant Engineering and Consulting (Mauricio Quintero-Rangel)
Request: Approval of a Conditional Use Permit for a Restaurant (General) in CS-MU-CO-NP zoning.
Staff Rec.: **Recommended**
Staff: Anaiah Johnson, 512-974-2932, Anaiah.Johnson@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2017-0224C - Ava Development located at 1408 E Cesar Chavez Street was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 10-0. Commissioner Thompson recused himself from this item due to a conflict of interest (*Notified as interested party and owner of property near subject property*). Commissioner Nuckols off the dais. Commissioner White absent.

16. 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 lots along with unplatted land into 8 lots on 1.8803 acres.
Staff Rec.: **Recommended**
Staff: Sylvia Limon, 512-974-2767, sylvia.limon@austintexas.gov
Development Services Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded Commissioner Kenny to grant Staff's recommendation with an additional plat note for C8-2016-0215.0A - Villas At Vinson Oak Resubdivision located at 4511 Vinson Drive was approved on a vote of 8-1. Commissioner McGraw voted nay on this item. Chair Oliver and Commissioners De Hoyos Hart and Nuckols off the dais. Commissioner White absent.

Additional plat note to read:

A single joint-use driveway may serve not more than eight dwelling units.

- 17. Resubdivision: C8-2017-0064.0A - Resubdivision of Lot 9, Block 1, Marlo Heights, Section 2; District 1**
- Location: 4627 Marlo Dr., Fort Branch / Tannehill Branch Watersheds; M.L.K. NP Area
- Owner/Applicant: Thomas Philpott
- Agent: Cude Engineers (Anthony Goode. P.E.)
- Request: Approve the resubdivision of one lot into a two lot subdivision on 0.421 acres
- Staff Rec.: **Recommended**
- Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Motion by Commissioner Schissler, seconded by Commissioner Shieh to grant Applicant's request for postponement of this item to April 24, 2018 was approved on a vote of 12-0. Commissioner White absent.

- 18. Final Plat - Resubdivision: C8-2017-0236.0A - Resubdivision of Lot 12-A, Block K of North Acres Section 3; District 1**
- Location: 1108 Floradale Drive, Walnut Creek Watershed; Windsor Road NP Area
- Owner/Applicant: Sean Kubicek
- Agent: Prossner and Associates, Inc. (Kurt Prossner)
- Request: Approval of the Resubdivision of Lot 12-A, Block K of North Acres Section 3, comprised of 2 lots on 0.48 acre.
- Staff Rec.: **Recommended**
- Staff: Steve Hopkins, 512-974-3175, steve.hopkins@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation C8-2017-0236.0A - Resubdivision of Lot 12-A, Block K of North Acres Section 3 located at 1108 Floradale Drive was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White absent.

19. Resubdivision: C8-2017-0174.0A - Resubdivision of Lot 2, Woodwillow Addition; District 3
 Location: 3409 Willow Springs Road, Blunn Creek Watershed; St Edward's, Greater South River City Combined 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, sylvia.limon@austintexas.gov
 Development Services Department

Public Hearing closed.

Motion by Commissioner Kenny, seconded by Commissioner Seeger to grant Staff's recommendation for C8-2017-0174.0A - Resubdivision of Lot 2, Woodwillow Addition located at 3409 Willow Springs Road on a vote of 8-0. Commissioner McGraw abstained on this item. Chair Oliver and Commissioners De Hoyos Hart and Nuckols off the dais. Commissioner White absent.

20. Final Plat - Resubdivision: C8-2018-0044.0A - Broadacres Subdivision Re-Sub of Lot 14, Block 4; District 7
 Location: 5509 Clay Avenue, Shoal Creek Watershed; Brentwood NP Area
 Owner/Applicant: Starling Holdings (AKA: Magpie Group LLC, Lynn Currie)
 Agent: Prossner and Associates, Inc. (Kurt Prossner)
 Request: Approval of Broadacres Subdivision Re-Sub of Lot 14, Block 4, composed of 2 lots on 0.34 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

21. Final Plat with Preliminary: C8-2016-0146 - Park 183 - Phase 2, A Resubdivision of a portion of Lot 1, Sundberg Estates; District 2
 Location: 8219 Burleson Road, Onion Creek Watershed
 Owner/Applicant: Park 183 Land, LLC (Adam Nims)
 Agent: Stantec Consulting Services, Inc. (Jonah Mankovsky)
 Request: Approval of Park 183 - Phase 2, A Resubdivision of a portion of lot 1, Sundberg Estates composed of 9 lots on 87.99 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 22. Final Plat with Preliminary:** **C8-2015-0012 - Equinox East (Withdraw / Resubmittal of C8-2017-0012.2A); District 1**
 Location: 8515-1/2 East Parmer Lane, Gilleland Creek Watershed
 Owner/Applicant: Austin HB Residential Properties, LTD (John McCullough)
 Agent: CSF Civil Group, LLC (Christine Potts)
 Request: Approval of Equinox East (Withdraw / Resubmittal of C8-2017-0012.2A) composed of 6 lots on 41.89 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 23. Preliminary Plan:** **C8-2018-0041 - Twilight Gardens Preliminary Plan (Withdraw / Resubmittal of C8-2016-0239); District 8**
 Location: Twilight Terrace Drive, Williamson Creek Watershed-Barton Springs Zone; West Oak Hill NP Area
 Owner/Applicant: Andrey Dervianko
 Agent: Perales Engineering (Jerome Perales)
 Request: Approval of the Twilight Gardens Preliminary Plan (Withdraw / Resubmittal of C8-2016-0239) composed of 32 lots on 18 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Public Hearings closed.

Motion to disapprove Item C-20 – C-23 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Seeger on a vote of 11-0. Commissioner Nuckols off the dais. Commissioner White 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. NEW BUSINESS

- 1. Nomination and election of Planning Commission Officers**

Motion by Commissioner Anderson, seconded by Commissioner McGraw to nominate and appoint by slate the following members as Planning Commission Officers:

Stephen Oliver – Chair
 Fayezi Kazi – Vice-Chair
 James Shieh – Secretary
 James Schissler - Parliamentarian

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](#) – No Report Provided

[Comprehensive Plan Joint Committee](#) – No Report Provided

[Small Area Planning Joint Committee](#) – No Report Provided

ADJOURNMENT

Chair Oliver adjourned the meeting without objection on April 10, 2018 at 12:58 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.