



**PLANNING COMMISSION
MINUTES**

July 10, 2018

The Planning Commission convened in a regular meeting on July 10, 2018 @ 301 W. 2nd Street, Austin, TX 78701.

Chair Shieh called the Commission Meeting to order at 5:15 p.m.

Commission Members in Attendance:

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

Ann Teich – Ex-Officio

Absent:

**Tom Nuckols
Jeffrey Thompson**

**William Burkhardt – Ex-Officio
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. EXECUTIVE SESSION

1. Discuss legal issues related to *State of Texas v. McGraw et al.*, Travis County District Court Cause No. D-1-GN-18-003286. (Private consultation with legal counsel - Section 551.071 of the Government Code).

Executive session conducted to discuss issues related to *State of Texas v. McGraw et al.*, Travis County District Court Cause No. D-1-GN-18-003286.

6:00 PM TIME CERTAIN ITEMS

B. CITIZEN COMMUNICATION

The first four (4) speakers signed up prior to Citizen Communication being called will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

C. PUBLIC HEARINGS

1. **Plan Amendment:** [NPA-2018-0024.01 - Metric and 183; District 7](#)
Location: 8965 Research Blvd. NB, 9000 Metric Blvd., & 9100 Metric Blvd., Little Walnut Creek Watershed; North Burnet/Gateway NP Area
Owner/Applicant: Goodwill Industries of Central Texas (Mark Hiemstra, Chief Operating Officer)
Agent: Drenner Group, PC (Amanda Swor)
Request: Industry to High Density Mixed Use
Staff Rec.: **Pending. Indefinite postponement by the request of Staff.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for indefinite postponement of this item was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

2. **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; Postponement request by Staff to August 28, 2018**
 Staff: [Maureen Meredith](#), 512-974-2695
 Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to August 28, 2018 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

3. **Rezoning:** [C14-2017-0138 - 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: GR-CO-NP and CS-CO-NP to MF-6-CO-NP and CS-MU-CO-NP
 Staff Rec.: **Pending; Postponement request by Staff to August 28, 2018**
 Staff: [Heather Chaffin](#), 512-974-2122
 Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to August 28, 2018 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

4. **Plan Amendment:** [NPA-2018-0026.02 - Powell Lane Apartments; District 4](#)
 Location: 411 & 601 East Powell Lane and 410, 500, 504, 508 and 606 East Wonsley Drive, Little Walnut Creek Watershed; North Lamar Combined NP / Georgian Acres Planning Area
 Owner/Applicant: HDF Investments, Ltd. (Helen Doris Clark Foster) and Behzad Bahrami, JCI Residential, LLC (Sam Kumar)
 Agent: Alice Glasco Consulting (Alice Glasco)
 Request: Neighborhood Mixed Use and Mixed Use/Office to Multifamily land use
 Staff Rec.: **Recommended**
 Staff: [Maureen Meredith](#), 512-974-2695
 Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Shaw to grant Staff's recommendation of Multifamily land use for NPA-2018-0026.02 - Powell Lane Apartments located at 411 & 601 East Powell Lane and 410, 500, 502, 504, 508 and 606 East Wonsley Drive was approved on a vote of 8-0. Commissioner McGraw abstained. Commissioner Schissler recused

himself on this item due to a conflict of interest (*rendered professional services to applicant*). Commissioner Kenny off the dais. Commissioners Nuckols and Thompson absent.

5. **Rezoning:** [C14-2018-0024 - Powell Lane Apartments; District 4](#)
Location: 411 & 601 East Powell Lane and 410, 500, 504, 508 and 606 East Wonsley Drive, Little Walnut Creek Watershed; North Lamar Combined NP / Georgian Acres Planning Area
Owner/Applicant: HDF Investments, Ltd. (Helen Doris Clark Foster) and Behzad Bahrami, JCI Residential, LLC (Sam Kumar)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: LO-MU-NP, LR-MU-NP to MF-4-NP
Staff Rec.: **Recommended, with conditions**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Shaw to grant Staff's recommendation of MF-4-NP combining district zoning located at 411 & 601 East Powell Lane and 410, 500, 502, 504, 508 and 606 East Wonsley Drive was approved on a vote of 8-0. Commissioner McGraw abstained. Commissioner Schissler recused himself on this item due to a conflict of interest (*rendered professional services to applicant*). Commissioner Kenny off the dais. Commissioners Nuckols and Thompson absent.

6. **Rezoning:** [C14-2018-0053 - Sales Inventory Lot for New and / or Used Vehicles; District 2](#)
Location: 817 North Bluff Drive, Williamson Creek Watershed; South Congress Combined (Sweetbriar) NP Area
Owner/Applicant: Capitol Chevrolet (Robert Ruiz)
Agent: Peloton Land Solutions (Jose Castillo)
Request: GR-NP to CS-NP
Staff Rec.: **Recommendation of CS-CO-NP, with conditions; Postponement request by Applicant to August 14, 2018**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to August 28, 2018 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioner Nuckols and Thompson absent.

7. **Rezoning:** [C14-2018-0034 - Andy G's; District 3](#)
Location: 2715 East 5th Street and 420 Pleasant Valley Road, Lady Bird Lake Watershed; Holly NP Area
Owner/Applicant: QAAZ International, Inc. (Mohammad Ghulam)
Agent: Bennett Consulting (Rodney Bennett)
Request: CS-MU-CO-NP and CS-1-MU-CO-NP to CS-MU-NP (Tract 1) and CS-1-MU-CO-NP (Tract 2), as Amended
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-MU-NP combining district zoning for Tract 1 and CS-1-MU-CO-NP combining district zoning for Tract 2 for C14-2018-0034 - Andy G's located at 2715 East 5th Street and 420 Pleasant Valley Road was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

8. **Rezoning:** [C14H-2017-0129 - Vogtsberger-Duarte House; District 3](#)
Location: 1402 E. 2nd Street, Lady Bird Lake Watershed; East Cesar Chavez NP Area
Owner/Applicant: Amy Thompson, owner
Request: SF-3-NP to SF-3-H-NP
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454
Planning and Zoning Department

Item withdrawn due to notification error.

9. **Rezoning:** [C14H-2018-0032 - Thomas and Jessie Ellison House; District 1](#)
Location: 4605 Leslie Avenue, Fort Branch Watershed; East MLK Combined NP Area
Owner/Applicant: Historic Landmark Commission, applicant; Thomas Kim, owner
Request: Sf-3-NP to SF-3-H-NP
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454
Planning and Zoning Department

Item withdrawn due to notification error.

10. Resubdivision: [C8-2017-0116.0A - Resubdivision of portions of Lots 5 and 6 Rector's Subdivision and a portion of the vacated Rector Street; District 1](#)

Location: 1500 E. 11th Street, Lady Bird Lake Watershed; Central East Austin NP Area

Owner/Applicant: Monika V. Bustamante / Walter M. Coots

Agent: Moncada Enterprises (Phil Moncada)

Request: Approve the resubdivision of portions of lots and a portion of a vacated street into a two lot subdivision on 0.19 acres.

Staff Rec.: **Recommended**

Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2017-0116.0A - Resubdivision of portions of Lots 5 and 6 Rector's Subdivision and a portion of the vacated Rector Street located at 1500 E. 11th Street was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

11. Resubdivision: [C8-2017-0106.0A - Resubdivision of Lot 7D of the Resubdivision of Lot 7 Sam Huston Heights; District 1](#)

Location: 3407 E. 12th Street, Tannehill Branch Watershed; MLK/East MLK Combined NP Area

Owner/Applicant: Charles Brown, Sandra Waters & Anthony Hollins

Agent: Hector Avila

Request: Approve the resubdivision of one lot into 2 on 0.498 acres.

Staff Rec.: **Recommended**

Staff: [Sylvia Limon](#), 512-974-2767
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2017-0106.0A - Resubdivision of Lot 7D of the Resubdivision of Lot 7 Sam Huston Heights located at 3407 E. 12th Street was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

- 12. Final Plat - Resubdivision:** [C8-2018-0096.0A - Domain Lot D10 Subdivision; District 7](#)
 Location: 11815 Alterra Parkway, Walnut Creek Watershed; Govalle NP Area
 Owner/Applicant: Greg Brooke
 Agent: Stantec Consulting Services (Allison Lehman)
 Request: Approval of the Domain Lot D10 Subdivision composed of 2 lots on 49.28 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 13. Final Plat - Resubdivision:** [C8-2018-0097.0A - Holton Tillery Acres Subdivision; District 3](#)
 Location: 3201 Holton Street, Colorado River Watershed; Govalle NP Area
 Owner/Applicant: Urban Gravity LLC
 Agent: Southwest Engineers (Matt Dringenberg)
 Request: Approval of the Holton Tillery Acres Subdivision composed of 6 lots on 0.977 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 14. Final Plat - Resubdivision:** [C8-04-0043.09.3A.SH - Berkman Tower View Subdivision; District 9](#)
 Location: 3600 Manor Road, Tannehill Branch Watershed; RMMA
 Owner/Applicant: Austin Modern Lofts (Ross Wang)
 Agent: Doucet & Associates (Davood Salek, P.E.)
 Request: Approval of the Berkman Tower View Subdivision composed of 58 lots on 3.02 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 15. Final Plat with Preliminary:** [C8-04-0043.10.2A.SH - Mueller Section 1B-2 Subdivision; District 9](#)
 Location: 1527-1/2 Barbara Jordan Boulevard, Boggy Creek Watershed; RMMA
 Owner/Applicant: City of Austin, Economic Development Department (Pamela Hefner)
 Agent: Stantec Consulting Services (Hillary Paris)
 Request: Approval of the Mueller Section 1B-2 Subdivision composed of 2 lots on 9.02 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Public Hearings closed.

Motion to disapprove Items C-12 – C-15 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

D. PRESENTATIONS

1. Local Historic Districts

Discussion and briefing regarding local historic districts.

Staff: [Cara Bertron](#), Deputy Historic Preservation Officer, 512-974-1446

Planning and Zoning Department

Presentation was conducted by Cara Bertron, Deputy Historic Preservation Officer, Planning and Zoning Department

E. DISCUSSION AND APPROVAL OF MINUTES

1. Approval of minutes from May 8, 2018; Item D-01 (CodeNEXT)
2. Approval of minutes from May 14, 2018; Item 1 (CodeNEXT)
3. Approval of minutes from May 16, 2018; Item 1 (CodeNEXT)
4. Approval of minutes from May 22, 2018, including Item B-01 (CodeNEXT)
5. Approval of minutes from May 24, 2018, Item A-01 (CodeNEXT)
6. Approval of minutes from May 25, 2018; Item B-01 (CodeNEXT)

Motion by Commissioner Anderson, seconded by Commissioner Schissler to approve the minutes, Items E-01 – E-06, as amended, was approved on a vote of 8-0. Commissioners Flores and McGraw abstained. Commissioners Nuckols and Thompson absent. Commissioner Kenny off the dais.

7. Approval of minutes from June 24, 2018

Minutes with the correct date of June 26, 2018 read into the record, was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

F. NEW BUSINESS

1. Floodplain Regulations Code Amendment Initiation

Consider initiation of an amendment to Title 25 of the City Code regarding floodplain regulations.

Staff: [Kevin Shunk](#), 512-974-9176

Watershed Protection Department

Motion to initiate amendments to Title 25 of the City Code regarding floodplain regulations was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 11-0. Commissioners Nuckols and Thompson absent.

2. Comprehensive Plan Joint Committee

Discussion and nomination of a member of the Planning Commission to be recommended to Council for the purpose of serving on the Comprehensive Plan Joint Committee

After closing the call for nominees, Commissioner Schissler was nominated by Commissioner Seeger and elected by unanimous consent as a member of the Planning Commission to be recommended to Council for the purpose of serving on the Comprehensive Plan Joint Committee. Commissioners Nuckols and Thompson absent. Commissioner Kenny off the dais.

G. ITEMS FROM COMMISSION

1. Memorandum – Clarification of Intent

Discussion and possible action regarding a memorandum to be forwarded to staff to clarify intent of CodeNEXT amendments. (Sponsor: Chair Shieh; Co-Sponsor: Vice-Chair Kazi)

Motion by Commissioner Schissler, seconded by Commissioner White to include amended exhibits in the Council Report and include the following verbiage on each exhibit, “Visual representations of motion *reference* # does not reflect the cumulative effect of all Planning Commission motions”, was approved on a vote of 8-0. Commissioners Flores and McGraw abstained. Commissioners Nuckols and Thompson absent. Commissioner Kenny off the dais.

2. CodeNEXT

Discussion and possible action regarding matters related to CodeNEXT. (Sponsor: Chair Shieh; Co-Sponsor: Vice-Chair Kazi)

Discussion occurred; no action taken.

H. FUTURE AGENDA ITEMS

1. Request for briefing by Economic Development Review regarding Chapter 380 Economic Development Program. Sponsor Chair Shieh; Co-Sponsor Commissioner Seeger.

I. COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#) – Commissioner Seeger stated the Committee reviewed and recommended the Floodplain Regulations Code Amendment Initiation.

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

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

Planning Commission Operating Model Working Group – Commissioner De Hoyos Hart requested Commissioners submit comments / suggestions by Friday, July 20, 2018.

ADJOURNMENT

Chair Shieh adjourned the meeting without objection on Tuesday July 10, 2018 at 9:37 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.