



**Regular Called Meeting
ZONING & PLATTING COMMISSION
Tuesday, October 2, 2018**

The Zoning & Platting Commission convened in a meeting on Tuesday, October 2, 2018

@ 301 W. 2nd St., Austin, TX 78704

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

Commission Members in Attendance:

**Ana Aguirre – Secretary
Nadia Barrera-Ramirez
Dustin Breithaupt
Ann Denkler
Jim Duncan – Vice-Chair
Bruce Evans
Betsy Greenberg – Parliamentarian
David King
Jolene Kiolbassa- Chair
Sunil Lavani**

Absent:

Abigail Tatkow

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.

Mr. Carlos De Leon – Opined upon a nominee to the Supreme Court of the United States.

B. APPROVAL OF MINUTES

1. Approval of minutes from meeting September 18, 2018.

Motion to approve minutes from September 18, 2018 was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

C. PUBLIC HEARINGS

- 1. Resubdivision:** [C8-2017-0058.0A - Triple R Ranchettes](#)
Location: 1250 & 1420 South Turnersville Road, Plum Creek Watershed
Owner/Applicant: Victoriano Jr, Imelda & Lawrence Canales, and Pablo & Claudia Hernandez
Agent: Landmark Surveying (Eleuterio Leos)
Request: Approval of the Resubdivision of Lot 15, Triple R Ranchettes, comprised of four lots on 12.3 acres.
Staff Rec.: **Recommended**
Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2017-0058.0A - Triple R Ranchettes located at 1250 & 1420 South Turnersville Road, was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

- 2. Final Plat:** [C8-2017-5000.1A - Cantarra II, Phase 3; District 1](#)
Location: 4608 E Howard Lane, Gilliland Creek Watershed
Owner/Applicant: Continenal Homes of Texas, LP (Ian Cude)
Agent: BGE, Inc. (Jacob Kondo)
Request: Request approval of Cantarra II, Phase 3, a final plat comprised of 102 lot on 22.92 acres.
Staff Rec.: **Recommended**
Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2017-5000.1A - Cantarra II, Phase 3 located at 4608 E Howard Lane, was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

3. **Resubdivision:** [**C8J-2018-0004.0A - Fifth Generation Resubdivision**](#)
Location: 12101 Moore Rd., Dry Creek East Watershed
Owner/Applicant: Fifth Generation, Inc. (Bert B. Beveridge, II)
Agent: Stantec (Nicholas Brown)
Request: Approval of the Fifth Generation Resubdivision Final Plat consisting of 1 commercial lot on 75.95 acres.
Staff Rec.: **Recommended**
Staff: [Sarah Sumner](#), 512-854-7687
Single Office

Public Hearing closed.

Motion to grant Staff's recommendation for C8J-2018-0004.0A - Fifth Generation Resubdivision located at 12101 Moore Rd., was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

4. **Site Plan Extension:** [**SP-99-0172B\(XT5\) - Waterfront Marina Condominiums XT5; District 10**](#)
Location: 4408 Long Champ Drive, St. Stephens Creek Watershed; Lake Austin Watershed
Owner/Applicant: Charles Christ
Agent: MFH Engineering (Martha Magnum)
Request: Approval of a 5-year extension to the approved site plan from July 27, 2018, to July 27, 2023.
Staff Rec.: **Recommended**
Staff: [Christine Barton-Holmes](#), 512-974-2788
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-99-0172B(XT5) - Waterfront Marina Condominiums XT5 located at 4408 Long Champ Drive, was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

5. **Site Plan - Compatibility Waiver:** [**SP-2018-0155C - Risher Martin Office; District 10**](#)
Location: 3904 Medical Parkway, Waller Creek Watershed
Owner/Applicant: Bobby Engelke
Agent: Thrower Design (Ron Thrower)
Request: Approval of a compatibility waiver to allow encroachment in the compatibility setback
Staff Rec.: **Recommended**
Staff: [Clarissa Davis](#), 512-974-1423
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2018-0155C - Risher Martin Office located at 3904 Medical Parkway was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

6. **Resubdivision:** [C8-2017-2001.0A - Parke 27 Resubdivision of Lot 1, Block A; District 6](#)
- Location: North F.M. 620, Lake Travis Watershed
Owner/Applicant: FP Properties (Shay Rathburn)
Agent: LJA Engineering & Surveying, Inc. (Alex Clarke)
Request: Request approval of a a resubdivision of 1 lot into 10 lots on 27.18 acres.
Staff Rec.: **Recommended**
Staff: [Don Perryman](#), 512-974-2786
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2017-2001.0A - Parke 27 Resubdivision of Lot 1, Block A located at North F.M. 620 was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

7. **Site Plan - Environmental Variance only:** [SP-2017-0279D - Island Cove Boat Dock](#)
- Location: 4409 Island Cove, Lake Austin Watershed
Owner/Applicant: Bill and Tracey Marshall
Agent: Permit Partners (David Cancialosi)
Request: Approval of fill in the lake, cut over 4 feet and fill over 4 feet
Staff Rec.: **Not Recommended**
Staff: [Atha Phillips](#), 512-974-2132
Watershed Protection Department

Public Hearing closed.

Motion by Commissioner Greenberg, seconded by Commissioner Evans to grant the environmental variance and include recommendations by the Environmental Commission for SP-2017-0279D - Island Cove Boat located at 4409 Island Cove was approved on a vote of 9-0. Chair Kiolbassa abstained on this item. Commissioner Tatkov absent.

8. **Rezoning:** [C14-2018-0092 - 11900 Buckner Road; District 6](#)
- Location: 11900 Buckner Road, Lake Travis Watershed
Owner/Applicant: Budget Leasing, Inc. (David Stein)
Agent: McLean & Howard, LLP (Jeffrey Howard)
Request: SF-6-CO to GR-MU for Tract 1 and LO-MU for Tract 2
Staff Rec.: **Pending; Postponement request by Staff to October 16, 2018.**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to October 16, 2018 was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

- 9. Rezoning:** [C14-2018-0079 - 11713 Jollyville Rd; District 10](#)
Location: 11713 Jollyville Road, Walnut Creek Watershed
Owner/Applicant: Asian American Cultural Center, LLC (Amy Wong Mok)
Request: LO to GR-MU
Staff Rec.: **Recommendation of GO-MU-CO zoning**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to November 6, 2018 was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkow absent.

- 10. Rezoning:** [C14-2018-0097 - South Chisholm Professional Offices; District 5](#)
Location: 9401 South Chisholm Trail, Slaughter Creek Watershed
Owner/Applicant: Mario Solis
Agent: Land Answers, Inc. (Jim Wittliff)
Request: SF-2 to LO-MU-CO
Staff Rec.: **Recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner King, seconded by Commissioner Lavani to grant Staff's recommendation of LO-MU-CO combining district zoning for C14-2018-0097 - South Chisholm Professional Offices located at 9401 South Chisholm Trail was approved on a vote of 8-1. Chair Kiolbassa voted nay. Commissioner Barrera-Ramirez abstained. Commissioner Tatkow absent.

- 11. Rezoning:** [C814-86-023.01 - Camelback PUD; District 10](#)
Location: 6507 Bridge Point Parkway, Coldwater Creek Watershed; Lake Austin Watershed
Owner/Applicant: Loop 360 Land LP (Jonathan Coon)
Agent: McClean & Howard, L.L.P. (Jeffrey S. Howard)
Request: PUD to PUD, to amend a previously approved land use plan, allowable uses and site development regulations
Staff Rec.: **Recommended with conditions**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

There was a motion by Commissioner Greenberg, seconded by Commissioner Denkler to postpone the public hearing to October 10, 2018.

Substitute motion by Commissioner Lavani seconded by Commissioner Breithaupt to deny the request for postponement. The motion was approved on a vote of 6-4. Those voting aye were Vice-Chair Duncan and Commissioners Barrera-Ramirez, Breithaupt, Aguirre, Lavani and Evans. Those voting nay were Chair Kiolbassa and Commissioners King, Denkler and Greenberg. Commissioner Tatkow absent.

Public Hearing closed.

Motion by Commissioner Lavani, seconded by Commissioner Breithaupt to grant staff's recommendations for PUD district zoning, with conditions of the Traffic Impact Analysis for C814-86-023.01 - Camelback PUD located at 6507 Bridge Point Parkway.

There was an amendment by Commissioner Greenberg, seconded by Commissioner King to prohibit flood plain variances and prohibit mechanized access.

Motion to divide the question adopted by unanimous consent.

Amendment by Commissioner Greenberg, seconded by Commissioner King to recommend no flood plain variance failed on a vote of 5-4. Those voting aye were Chair Kiolbassa and Commissioners King, Denkler, Aguirre and Greenberg. Those voting nay were Vice-Chair Duncan and Commissioners Breithaupt, Evans and Lavani. Commissioner Barrera-Ramirez abstained. Commissioner Tatkov absent.

Amendment by Commissioner Greenberg, seconded by Commissioner King to recommend no mechanized access failed on a vote of 3-6. Those voting aye were Chair Kiolbassa and Commissioner King and Greenberg. Those voting nay were Vice-Chair Duncan and Commissioners Barrera-Ramirez, Breithaupt, Aguirre, Lavani and Evans. Commissioner Denkler abstained. Commissioner Tatkov absent.

Amendment by Commissioner King to recommendation on-site affordable housing failed for lack of a second.

Amendment by Chair Kiolbassa, seconded by Commissioner Barrera-Ramirez to recommend the Applicant consider offering Open Space area to a conservancy was approved on a vote of 10-0. Commissioner Tatkov absent.

Amendment by Commissioner Barrera-Ramirez, seconded by Commissioner Greenberg to recommend the Applicant pay into a fund for affordable housing was approved on a vote of 10-0. Commissioner Tatkov absent.

Amendment by Commissioner Denkler, seconded by Commissioner Barrera-Ramirez amend PUD Note #4 to address the protection of critical root zone of heritage trees at the lakefront failed on a vote of 5-3. Those voting aye were Chair Kiolbassa and Commissioners King, Barrera-Ramirez, Denkler and Greenberg. Vice-Chair Duncan and Commissioners Evans and Lavani voted nay. Commissioners Aguirre and Breithaupt abstained. Commissioner Tatkov absent.

Amendment by Commissioner Denkler, seconded by Commissioner Evans recommend requiring Firewise development and amend PUD note #27 to "All buildings, docks or structures within the Dock (D) District shall install a sprinkler system for fire protection", approved on a vote of 9-0. Commissioner Breithaupt abstained. Commissioner Tatkov absent.

There was an amendment by Commissioner Denkler, regarding slopes and impervious cover, amendment later withdrawn.

Amendment by Commissioner Denkler, seconded by Commissioner King to recommend amendment to PUD Note #15 to Section 25-5-81(B) (Site Plan Expiration) to provide that, except as provided in subsections C, D, and E of that section, a site plan expires 5 years after the date of its approval. Section 25-4-54 (Preliminary Plan Expiration) is amended to provide that a preliminary plan expires 5 years after the date of its approval, was approved on a vote of 6-0. Those voting aye were Chair Kiolbassa and Commissioners King, Denkler, Greenberg, Lavani

and Evans. Vice-Chair Duncan and Commissioners Aguirre, Breithaupt and Barrera-Ramirez abstained. Commissioner Tatkow absent.

There was an amendment by Commissioner Denkler regarding boundaries, motion later withdrawn.

Motion by Commissioner Lavani, seconded by Commissioner Breithaupt as amended by adopted amendments was approved on a vote of 6-2. Commissioners Greenberg and Denkler voted nay. Chair Kiolbassa and Commissioner King abstained. Commissioner Tatkow absent.

- 12. Final Plat -** [**C8J-2018-0153.0A - South Forks Estates Lot 4A Resubdivision**](#)
Resubdivision:
Location: 8013 South FM 973 Road, Colorado River Watershed
Owner/Applicant: Esther E. Mendez
Agent: ATX Construction Group (Ramon Duran)
Request: Approval of the South Forks Estates Lot 4A Resubdivision Final Plat composed of 2 lots on 5.04 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 13. Final Plat -** [**C8J-2018-0154.0A - Bull Creek Divide**](#)
Resubdivision:
Location: 7304 Spicewood Springs Road, Bull Creek Watershed
Owner/Applicant: Bull Creek Divide LLC (Joel Hurt)
Agent: McIntyre & McIntyre, Inc. (John N. McIntyre, P.E.)
Request: Approval of the Bull Creek Divide Final Plat composed of 4 lots on 18.55 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 14. Final Plat with** [**C8J-2013-0089.01.1A - McCormick Ranch on Lake Austin; District 6**](#)
Preliminary:
Location: Selma Hughes Park Road, Lake Austin Austin
Owner/Applicant: TR Vista Preserve, LLC (Chris Thompson)
Agent: Texas Engineering Solutions (Connor J Overby)
Request: Approval of the McCormick Ranch on Lake Austin Final Plat composed of 4 lots on 115.63 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
- 15. Preliminary Plan:** [**C8J-2018-0151 - Whisper Valley, Village 1 - Phases 3 & 4; District 1**](#)
Location: 9501 North FM 973 Road, Gilliland Creek Watershed
Owner/Applicant: Club Deal 116 Indian Hills, TX LP (Douglas Gilliland)
Agent: LanDev Consulting, LLC (Judd T. Willman)
Request: Approval of Whisper Valley, Village 1 - Phases 3 & 4 composed of 390 lots on 112.65 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

16. **Final Plat - Resubdivision:** [C8-2018-0109.1A - Oaks at Slaughter; District 2](#)
Location: 8409 South Congress Avenue, Onion Creek Watershed
Owner/Applicant: SOCO 35 Retail LTD
Agent: Stantec Consulting Services Inc. (Ryan Taylor)
Request: Approval of Oaks at Slaughter composed of 10 lots on 18.76 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
17. **Final Plat:** [C8-2018-0159.0A - The Circle at Nelms Subdivision; District 2](#)
Location: 6200 Bluff Springs Road, Williamson Creek Watershed
Owner/Applicant: The Circle at Nelms LLC
Agent: Genesis 1 Engineering (George Gonzalez)
Request: Approval of The Circle at Nelms Subdivision composed of 1 lot on 1.78 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
18. **Preliminary Plan:** [C8J-2013-0089.01 - McCormick Ranch on Lake Austin](#)
Location: Selma Hughes Park Road, Lake Austin Watershed
Owner/Applicant: TR Vista Preserve, LLC (Chris Thompson)
Agent: Texas Engineering Solutions (Connor J. Overby)
Request: Approval of the McCormick Ranch on Lake Austin composed of 132 lots on 211.66 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
19. **Final Plat - Resubdivision:** [C8J-2018-0156.0A - Easton Park Section 1B; Resubdivision of Lot 4A; District 2](#)
Location: 7514-1/2 Colton Bluff Springs, Dry Creek North Watershed
Owner/Applicant: Carma Easton, LLC
Agent: Carlson, Brigrance, and Doering, Inc. (Bill E. Couch)
Request: Approval of the Easton Park Section 1B; Resubdivision of Lot 4A composed of 5 lots on 25.43 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
20. **Preliminary Plan:** [C8J-2018-0160 - Bratton II - Preliminary Plan](#)
Location: 15720 Bratton Lane, Walnut Creek Watershed
Owner/Applicant: Bratton Lane Industrial Center LLC (Robert Myer)
Agent: LJA Engineering & Surveying, Inc. (Jeremy Reyes)
Request: Approval of Bratton II - Preliminary Plan composed of 2 lots on 20.55 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

- 21. Final Plat with Preliminary:** [C8J-2018-0160.1A - Bratton II -Final Plat](#)
- | | |
|------------------|---|
| Location: | 15720 Bratton Lane, Walnut Creek Watershed |
| Owner/Applicant: | Bratton Lane Industrial Center LLC (Robert Myer) |
| Agent: | LJA Engineering & Surveying, Inc. (Jeremy Reyes) |
| Request: | Approval of the Bratton II Final Plat composed of 2 lots on 20.55 acres |
| Staff Rec.: | Disapproval |

Public Hearings closed.

Motion to disapprove Items C-12 – C-21 was approved on the consent agenda by Commissioner Evans, seconded by Commissioner Lavani on a vote of 10-0. Commissioner Tatkov absent.

D. ITEMS FROM THE COMMISSION

1. [Capital Metro Interlocal Agreements](#)

Discussion and possible action on recommendation(s) regarding interlocal agreements between Capital Metro and City of Austin. Co-Sponsors: Commissioner King; Commissioner Aguirre

Motion to postpone this item to October 16, 2018 was approved by unanimous consent.

2. Revision of the Austin Land Development Code

Discussion and possible action regarding matters related to any proposed project to revise the Land Development Code including but not limited to staff updates, presentations and scheduling. Co-Sponsors: Chair Kiolbassa, Vice-Chair Duncan

No discussion occurred on this item.

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. COMMITTEE REPORTS

[Codes and Ordinances Joint Committee](#) (Commissioners: Breithaupt, Denkler and Greenberg)

No report provided.

[Comprehensive Plan Joint Committee](#) (Commissioners: Aguirre, Evans and Lavani)

No report provided.

[Small Area Planning Joint Committee](#) (Chair Kiolbassa, Vice-Chair Duncan and Commissioner King)

No report provided.

Chair Kiolbassa adjourned the meeting without objection on Wednesday, October 3, 2018 at 12:28 a.m.

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