



**PLANNING COMMISSION
MINUTES**

July 24, 2018

The Planning Commission convened in a regular meeting on July 24, 2018@ 301 W. 2nd Street, Austin, TX 78701.

Commissioner Seeger called the Commission Meeting to order at 6:02 p.m.

Commission Members in Attendance:

**Greg Anderson
Angela DeHoyosHart
Yvette Flores
Conor Kenny
Karen McGraw
James Schissler
Patricia Seeger
Todd Shaw**

Absent:

**James Shieh - Chair
Fayez Kazi – Vice-Chair
Jeffrey Thompson
Trinity White**

**William Burkhardt – Ex-Officio
Robert Mendoza – Ex-Officio
Ann Teich – 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. Stuart Hersh – Mr. Hersh voiced concerns regarding an affordable impact statement not being completed prior to the stakeholder meeting regarding proposed flood plain amendments

B. APPROVAL OF MINUTES

- 1. Approval of minutes from July 10, 2018.

Motion to approve the minutes from July 10, 2018 was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

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 uses to Mixed Use land use
Staff Rec.: **Pending; Postponement request by the Staff to August 28, 2018**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant staff request for postponement of this item to August 28, 2018 was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

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; Postponement request by the Staff to September 11, 2018**
 Staff: [Maureen Meredith](#), 512-974-2695
 Planning and Zoning Department

Motion to grant staff request for postponement of this item to September 11, 2018 was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

Location and time of the Public Hearing read in to the record; One Texas Center, 505 Barton Springs Rd., 6:00 pm

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

Motion to grant staff request for postponement of this item to August 28, 2018 was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

4. **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.: **Pending; Postponement request by the Staff to August 28, 2018**
 Staff: [Wendy Rhoades](#), 512-974-7719
 Planning and Zoning Department

Motion to grant staff request for postponement of this item to August 28, 2018 was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote

of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

- 5. 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

Public Hearing closed.

Motion to grant staff recommendation of SF-3-H-NP combining district zoning for C14H-2017-0129 - Vogtsberger-Duarte House located at 1402 E. 2nd Street was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

- 6. 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

Public Hearing closed.

Motion to grant staff recommendation of SF-3-H-NP combining district zoning for C14H-2018-0032 - Thomas and Jessie Ellison House located at 4605 Leslie Avenue was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

7. **Site Plan - Conditional Use Permit:** [SPC-2017-0165C - Govalle Neighborhood Park Renovations; District 3](#)
- Location: 5200 Bolm Road, Boggy Creek Watershed; Govalle/Johnston Terrace Combined NP Area
- Owner/Applicant: COA - Public Works Dept. (Sergio Altamirano)
- Agent: Jose I. Guerra Inc. (Glenn Frey, P.E.)
- Request: Request approval of a conditional use permit because the site is zoned P, Public and is greater than 1 acre in size. [LDC Sec.25-2-625].
- Staff Rec.: **Recommended**
- Staff: [Nikki Hoelter](#), 512-974-2863
Development Services Department

Public Hearing closed.

Motion to grant staff request for postponement of this item to August 14, 2018 was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

8. **Site Plan:** [SP-2017-0206C - 913 Duncan Multifamily; District 9](#)
- Location: 913 Duncan Lane, Waller Creek Watershed; Hancock NP Area
- Agent: Wuest Group (Joan Angil Ternus, PE)
- Request: Approval of 3 Compatibility Variances. 1)From 25 feet to 15 feet for the front setback. [LDC § 25-2-1064]; 2)From 20 feet to 10 feet for the side/rear setback. [LDC § 25-2-1062]; 3)From 20 feet to 10 feet for the dumpster setback. [LDC § 25-2-1067(C)]
- Staff Rec.: **Recommended**
- Staff: [Anaiah Johnson](#), 512-974-2932,
Development Services Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner De Hoyos Hart to grant staff recommendation for SP-2017-0206C - 913 Duncan Multifamily located at 913 Duncan Lane, grant compatibility variance 1) From 25 feet to 15 feet for the front setback. [LDC § 25-2-1064]; compatibility variance 3) From 20 feet to 10 feet for the dumpster setback. [LDC § 25-2-1067(C)] and postpone compatibility variance 2) From 20 feet to 10 feet for the side/rear setback. [LDC § 25-2-1062 to August 14, 2018. Motion approved on the consent agenda on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

- 9. Resubdivision:** [C8-2017-0113.0A - Resubdivision of Lot 5 Block 12 Habicht Addition of Outlot 34 Division B; District 1](#)
 Location: 2208 E. 14th Street, Boggy Creek Watershed; Chestnut NP Area
 Owner/Applicant: Chester J. Shiu / John Chen
 Agent: Civiltude Engineering (Fayez Kazi)
 Request: Approval of the resubdivision of one lot into a two lot subdivision on 0.18 acres.
 Staff Rec.: **Recommended**
 Staff: [Cesar Zavala](#), 512-974-3404
 Development Services Department

Public Hearing closed.

Motion to grant Staff recommendation for C8-2017-0113.0A - Resubdivision of Lot 5 Block 12 Habicht Addition of Outlot 34 Division B located at 2208 E. 14th Street was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 7-0. Commissioner Schissler recused himself on this item due to a conflict of interest (rendered professional services to applicant). Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

- 10. Final Plat - Resubdivision:** [C8-2018-0100.0A - Urban Yellow Jacket Subdivision; District 3](#)
 Location: 2201 Yellow Jacket Lane, Carson Creek Watershed; Montopolis NP Area
 Owner/Applicant: Urban Bat, LLC
 Agent: Servant Engineering & Consulting, PLLC (Marucio Quintero Rangel, P.E.)
 Request: Approval of the Urban Yellow Jacket Subdivision plat, composed of 2 lots on 0.41 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 11. Final Plat with Preliminary:** [C8-2018-0103.4A.SH - Mueller Gateway Subdivision; District 9](#)
 Location: 5025 Mueller Boulevard, Boggy Creek Watershed; RMMA
 Owner/Applicant: Austin Modern Lofts (Ross Wang)
 Agent: Doucet & Associates (Davood Salek)
 Request: Approval of the Mueller Gateway Subdivision composed of 9 lots on 0.97 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 12. Preliminary Plan:** [C8-2018-0108 - Mount Moriah Subdivision; District 1](#)
 Location: 4907 Springdale Road, Fort Branch Watershed; Pecan Springs – Springdale NP Area
 Owner/Applicant: Greater Mount Moriah Primitive Baptist Church
 Agent: LJA Engineering, Inc. (Danny Miller, P.E.)

Request: Approval of the Mount Moriah Subdivision plat composed of 2 lots on 6.33 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public Hearing closed.

Motion to disapprove Items C-10 – C-12 was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

D. NEW BUSINESS

1. **[Austin Water Capital Improvement Projects](#)**

Discussion and possible recommendation of Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone for approval to include in Austin Water 5-year capital spending plan.

Staff: [Christina Romero](#), Financial Manager II, Austin Water. 512-972-0122

Motion by Commissioner Anderson, seconded by Commissioner Kenny to recommend Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone for approval to include in Austin Water 5-year capital spending plan was approved on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

E. BRIEFINGS

1. **[Shoal Creek Vision Trail Action Plan](#)**

Discussion and briefing on the Shoal Creek Vision Trail Action Plan.

Staff: [Janae Spence](#), Acting Community Services Division Manager, Public Works Department. 512- 974-3159

Briefing conducted by Janae Spence, Acting Community Services Division Manager, Public Works Department, 974-3159

F. ITEMS FROM COMMISSION

1. **[Austin City Code Amendment - Administrative Services](#)**

Initiate an amendment to Austin City Code Section 25-2-491 *Permitted, Conditional, and Prohibited Uses* to add Administrative Services a permitted use in the Downtown Mixed Use (DMU) and the Central Business District (CBD) zoning districts and to Austin City Code Section 25-2-6 (B)(1) to add “federal, state, county, and city courthouses” as uses expressly enumerated as being Administrative Services.

Sponsor: Commissioner Anderson, Co-Sponsor: Vice-Chair Kazi

Motion to initiate a code amendment to Austin City Code Section 25-2-491 *Permitted, Conditional, and Prohibited Uses* to add Administrative Services a permitted use in the Downtown Mixed Use (DMU) and the Central Business District (CBD) zoning districts and to Austin City Code Section 25-2-6 (B)(1) to add “federal, state, county, and city courthouses” as uses expressly enumerated as being Administrative Services was approved on the consent agenda by Commissioner Anderson, seconded by Commissioner De Hoyos Hart on a vote of 8-0. Chair Shieh, Vice-Chair Kazi and Commissioners Thompson and White absent. One vacancy on the commission.

2. CodeNEXT

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

Item not discussed.

G. FUTURE AGENDA ITEMS

H. COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#) - Commissioner Seeger stated the committee did not have a July meeting.

[Comprehensive Plan Joint Committee](#) – Commissioner Kenny discussed the committee membership and provided a reminder for nomination of a new member at the next meeting.

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

Planning Commission Operating Model Working Group – No report provided.

ADJOURNMENT

Commissioner Seeger adjourned the meeting without objection on Tuesday July 24, 2018 at 6:58 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 Andrew Rivera at Planning & Zoning Department, at 512-974-6508, for additional information; TTY users route through Relay Texas at 711.