



**PLANNING COMMISSION
MINUTES**

August 14, 2018

The Planning Commission convened in a regular meeting on August 14, 2018 @ 301 W. 2nd Street, Austin, TX 78701.

Chair Shieh called the Commission Meeting to order at 6:05 p.m.

Commission Members in Attendance:

**Greg Anderson
Angela De Hoyos Hart
Yvette Flores
Fayez Kazi – Vice-Chair
Conor Kenny
James Schissler
Patricia Seeger
James Shieh - Chair
Jeffrey Thompson
Tracy Witte**

Ann Teich – Ex-Officio

Absent:

**Karen McGraw
Todd Shaw**

**William Burkhardt – Ex-Officio
Robert Mendoza – Ex-Officio**

1 Vacancy on the Commission

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. Eric Goff – Mr. Goff discussed concerns regarding Street Impact Fees.

Mr. David Fisher – Mr. Fisher discussed water issues facing the City of Austin.

B. APPROVAL OF MINUTES

- 1. Approval of minutes from July 24, 2018.

Motion to approve minutes from July 24, 2018 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

C. PUBLIC HEARINGS

- 1. **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)
Request: Withdrawn by Applicant
Staff Rec.: NA
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

No action required; withdrawn by Applicant

- 2. **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)
Request: Withdrawn by Applicant
Staff Rec.: NA
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

No action required; withdrawn by Applicant

3. **Plan Amendment:** [NPA-2018-0001.01 - Alpine Road; District 3](#)
Location: 410 West Alpine Road, East Bouldin Creek Watershed; Dawson NP Area
Owner/Applicant: West Alpine Partners LLC (new owner); Claude H. Nolan (previous owner)
Agent: Thrower Design (A. Ron Thrower)
Request: Single Family to Multifamily land use
Staff Rec.: **Recommended**
Staff: [Maureen Meredith](#), 512-074-2695
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of Multifamily land use for NPA-2018-0001.01 - Alpine Road located at 410 West Alpine Road was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

4. **Rezoning:** [C14-2018-0039 - Alpine Road Rezoning; District 3](#)
Location: 410 West Alpine Road, East Bouldin Creek Watershed; Dawson NP Area
Owner/Applicant: West Alpine Partners LLC
Agent: Thrower Design (A. Ron Thrower)
Request: SF-3-NP to MF-2-NP
Staff Rec.: **Recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of MF-2-NP combining district zoning for C14-2018-0039 - Alpine Road Rezoning located at 410 West Alpine Road was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

5. **Plan Amendment:** [NPA-2018-0026.02 - Powell Lane Apartments; District 4](#)
Location: 502 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 to Multifamily land use
Staff Rec.: **Recommended**
Staff: [Maureen Meredith](#), 512-974-2605
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of Multifamily land use for NPA-2018-0026.02 - Powell Lane Apartments located at 502 East Wonsley Drive was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 9-0. Commissioner Schissler recused on this item due to a conflict of interest (rendered professional services). Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 6. Rezoning:** [C14-2018-0024 - Powell Lane Apartments; District 4](#)
Location: 502 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: LR-MU-NP to MF-4-NP
Staff Rec.: **Recommended, with conditions**
Staff: [Sherry Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of MF-4-NP combining district zoning with conditions for C14-2018-0024 - Powell Lane Apartments located at 502 East Wonsley Drive was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 9-0. Commissioner Schissler recused on this item due to a conflict of interest (rendered professional services). Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 7. Rezoning:** [C14-2015-0062.01 - Met Campus PDA Amendment; District 2](#)
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**
Staff: [Wendy Rhoades](#), 512-974-7719
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 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 8. Restrictive Covenant Termination:** [C10-V-82-033\(RCT\) - Caruth Administration Center \(AISD Site\); District 9](#)
- Location: 1111 W. 6th Street, Lady Bird Lake Watershed; Old West Austin NP Area
- Owner/Applicant: Austin Independent School District (AISD)
- Agent: Alice Glasco Consulting (Alice Glasco)
- Request: Termination of the Restrictive Covenant
- Staff Rec.: **Recommended**
- Staff: [Scott Grantham](#), 512-974-3574
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of terminating the Restrictive Covenant for C10-V-82-033(RCT) - Caruth Administration Center (AISD Site) located at 1111 W. 6th Street, was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 9-0. Commissioner Schissler recused on this item due to a conflict of interest (rendered professional services). Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 9. Rezoning:** [C14-2018-0063 - Phoenix & Dragon, District 1](#)
- Location: 1800 East Martin Luther King Jr Boulevard, Boggy Creek Watershed; Upper Boggy Creek NP Area
- Owner/Applicant: Frank Cheff and Sharon Shuppert
- Agent: ATX Permit and Consulting, LLC (Lila Nelson)
- Request: MF-3-NP to LO-MU-V-NP
- Staff Rec.: **Recommended**
- Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of LO-MU-V-NP combining district zoning for C14-2018-0063 - Phoenix & Dragon located at 1800 East Martin Luther King Jr Boulevard, was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 10. Code Amendment:** [C20-2018-002 - Code Amendment: Administrative Services Use](#)
Request: Consider an amendment to the Austin City Code Section 25-2-491 Permitted, Conditional, and Prohibited Uses to add Administrative Services as a permitted use in the Downtown Mixed Use (DMU) and the Central Business District (CBD) zoning districts and amend 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
Staff Rec.: **Recommended**
Staff: [Joi Harden](#), 512-974-1617
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff’s recommendation to amend the Austin City Code Section 25-2-491 Permitted, Conditional, and Prohibited Uses to add Administrative Services as a permitted use in the Downtown Mixed Use (DMU) and the Central Business District (CBD) zoning districts and amend 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 Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 11. Resubdivision:** [C8-2017-0085.0A - Resubdivision of Lot 1 Bertha Ferguson Subdivision; District 1](#)
Location: 1191 Greenwood Avenue, Tannehill Branch Watershed; East MLK Combined NP Area (MLK)
Owner/Applicant: Scott Way
Agent: Southwest Engineers, Inc. (Travis Flake)
Request: Approve a variance from LDC 25-4-175 to allow a flag lot and the resubdivision of one lot into 2 lots.
Staff Rec.: **Recommended**
Staff: [Sylvia Limon](#), 512-974-2767
Development Services Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner De Hoyos Hart to grant Staff’s recommendation for C8-2017-0085.0A - Resubdivision of Lot 1 Bertha Ferguson Subdivision located at 1191 Greenwood Avenue was approved on a vote of 8-2. Commissioners Seeger and Witte voted nay. Commissioner McGraw and Shaw absent. One vacancy on the dais.

12. Resubdivision: [**C8-2017-0086.0A - Resubdivision of Lot 4 Bertha Ferguson Subdivision; District 1**](#)
Location: 1197 Greenwood Avenue, Tannehill Branch Watershed; East MLK Combined NP Area (MLK)
Owner/Applicant: Scott Way
Agent: Southwest Engineers, Inc. (Travis Flake)
Request: Approve a variance from LDC 25-4-175 to allow a flag lot and the resubdivision of one lot into 2 lots.
Staff Rec.: **Recommended**
Staff: [Sylvia Limon](#), 512-974-2767
 Development Services Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner De Hoyos Hart to grant Staff's recommendation for C8-2017-0086.0A - Resubdivision of Lot 4 Bertha Ferguson Subdivision located at 1197 Greenwood Avenue was approved on a vote of 8-2. Commissioners Seeger and Witte voted nay. Commissioner McGraw and Shaw absent. One vacancy on the dais.

13. Resubdivision: [**C8-2017-0221.0A - Resubdivision of South 74 Feet of Lot 18, Block 1, Crest Haven Addition; District 1**](#)
Location: 2106 E M Franklin Avenue, Tannehill Branch Watershed; East MLK Combined NP Area (MLK)
Owner/Applicant: Joaquin Avila Graces
Agent: Nobel Surveying & Engineering, LLC (Gabriel Morales)
Request: Approve a variance from LDC 25-4-175 to allow a flag lot and the resubdivision of one lot into 2 lots.
Staff Rec.: **Recommended**
Staff: [Sylvia Limon](#), 512-974-2767
 Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation of C8-2017-0221.0A - Resubdivision of South 74 Feet of Lot 18, Block 1, Crest Haven Addition located at 2106 E M Franklin Avenue was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 14. Resubdivision:** [C8-2017-0143.0A - Penn Heights Two; District 1](#)
 Location: 3409 Pennsylvania Avenue, Tannehill Branch Watershed; East MLK
 Combined NP Area (MLK)
 Owner/Applicant: Scott Way
 Agent: Southwest Engineers, Inc. (Travis Flake)
 Request: Approve a variance from LDC 25-4-175 to allow a flag lot and the
 resubdivision of one lot into 2 lots.
 Staff Rec.: **Recommended**
 Staff: [Sylvia Limon](#), 512-974-2767
 Development Services Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner De Hoyos Hart to grant Staff's recommendation for C8-2017-0143.0A – Penn Heights Two located at 3409 Pennsylvania Avenue was approved on a vote of 8-2. Commissioners Seeger and Witte voted nay. Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 15. Site Plan -** [SPC-2017-0186C - Shipe Neighborhood Pool Facility](#)
Conditional Use [Improvements; District 9](#)
Permit:
 Location: 4400 Avenue G, Waller Creek Watershed; Hyde Park NCCD
 Owner/Applicant: City of Austin – Public Works Department (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's recommendation for SPC-2017-0186C - Shipe Neighborhood Pool Facility Improvements located at 4400 Avenue G, was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 9-0. Commissioner Schissler recused on this item due to a conflict of interest (rendered professional services). Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 16. 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: City of Austin – Public Works Department (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’s recommendation for SPC-2017-0165C - Govalle Neighborhood Park Renovations located at 5200 Bolm Road, was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 9-0. Commissioner Schissler recused on this item due to a conflict of interest (rendered professional services). Commissioners McGraw and Shaw absent. One vacancy on the dais.

- 17. Site Plan - Conditional Use Permit Revision:** [SPC-2015-0111A\(R1\) - Austin Classical School; District 7](#)
- Location: 6301 Woodrow Avenue, Shoal Creek Watershed; Brentwood/Highland Combined NP Area
- Owner/Applicant: Northwest Baptist Church (Harry Scott)
- Agent: Austin Classical School
- Request: Request approval of the revision of a previously approved Conditional Use site plan, with no construction
- Staff Rec.: **Recommended**
- Staff: [Christine Barton-Holmes](#), 512-974-2788
Development Services Department

Public Hearing closed.

Motion to grant Staff’s recommendation for SPC-2015-0111A(R1) - Austin Classical School, with additional conditions, located at 6301 Woodrow Avenue, was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

Conditions:

1. Enrollment limit of 242 students.
2. Grades shall be limited to Pre-K through 8th grade.
3. Changing meeting days to Mondays, Wednesdays, and Thursdays.

4. Updating building usages to include primary and secondary education (for 7th and 8th grades).
5. Updating staff maximum to 30.
6. Changing required parking to 45 spaces (on weekdays only).

18. Final Plat - With Preliminary: [C8-2014-0238.01.1A - Ballantyne Section 2; District 7](#)

Location: 800-1/2 West Wells Branch Parkway, Harris Branch Watershed
 Owner/Applicant: The Crossing at Wells Branch, LLC
 Agent: Jamison Civil Engineering (Stephen Jamison)
 Request: Approval of the Ballantyne Section 2 plat, composed of 78 lots on 10.69 acres.
 Staff Rec.: **Disapproval**
 Staff: [Sylvia Limon](#), 512-974-2767
 Development Services Department

19. Final Plat - Amended Plat: [C8-2018-0114.0A - The East; District 9](#)

Location: 42 East Avenue, Lady Bird Lake Watershed; Downtown Master Plan
 Owner/Applicant: LROC Properties Southwest; 42 East Property Investments
 Agent: Big Red Dog Engineering (Alexa Turney)
 Request: Approval of The East composed of 1 lot on 0.67 acres
 Staff Rec.: **Disapproval**
 Staff: [Steve Hopkins](#), 512-974-3175
 Development Services Department

20. Final Plat - Resubdivision: [C8-2018-0116.0A - Fredricksburg Road Acres, Resubdivision of Part of Lot 16 Block 2; District 5](#)

Location: 2300 Thornton Road, West Bouldin Creek Watershed; South Lamar Combined NP Area
 Owner/Applicant: Happy East Homes (Mark Hutchinson)
 Agent: Servant Engineering & consulting PLLC (Mauricio Quintero-Rangel)
 Request: Approval of Fredrickburg Road Acres, Resubdivision of Part of Lot 16 Block 2 composed of 2 lots on 0.48 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

21. **Final Plat - Resubdivision:** [C8-2018-0117.0A - Lary Addition, Re-Subdivision of Lot 2; District 3](#)
 Location: 3507 Oak Springs Drive, Boggy Creek Watershed; East MLK Combined NP Area
 Owner/Applicant: James Caswell
 Agent: Southwest Engineers, Inc. (Matt Dringenberg)
 Request: Approval of Lary Addition, Re-Subdivision of Lot 2 composed of 2 lots on 0.37 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
22. **Final Plat - Resubdivision:** [C8-2018-0119.0A - 4201 Clawson Road; District 5](#)
 Location: 4201 Clawson Road, West Bouldin Creek Watershed; South Lamar Combined NP Area
 Owner/Applicant: A New Hope Investments LLC
 Agent: Hector Avila
 Request: Approval of 4201 Clawson Road composed of 1 lot on 0.099 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Public Hearings closed.

Motion to disapprove Items C-18 – C-22 was approved on the consent agenda by Commissioner Seeger, seconded by Commissioner Kenny on a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

D. NEW BUSINESS

E. BRIEFINGS

1. [Water Forward Briefing](#)

Informative presentation regarding Water Forward, Austin’s Integrated Water Resource Plan.
 Staff: [Marisa Flores-Gonzalez](#), 512-972-0194; [Teresa Lutes](#), 972-0179, Austin Water

Presentation was conducted by Marisa Flores-Gonzalez, 512-972-0194; Teresa Lutes, 972-0179, Austin Water.

F. ITEMS FROM COMMISSION

1. CodeNEXT

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

Discussion occurred; item postponed to August 28, 2018 by unanimous consent.

G. FUTURE AGENDA ITEMS

Request for briefing regarding Street Impact Fees. Sponsors: Vice-Chair Kazi and Commissioner Thompson

H. JOINT COMMITTEE NOMINATIONS

1. Comprehensive Plan Joint Committee Nominee

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 of nominations, Commissioner Flores nominated to be recommended to Council for the purpose of serving on the Comprehensive Plan Joint Committee by a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

I. COMMITTEES & WORKING GROUPS UPDATES

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

[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 stated the Working Group continues to review collected feedback.

ADDENDUM

H. JOINT COMMITTEE NOMINATIONS

2. [Joint Sustainability Committee Nominee](#)

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

After closing of nominations, Chair Shieh nominated to be recommended Council for the purpose of serving on the Joint Sustainability Committee by a vote of 10-0. Commissioners McGraw and Shaw absent. One vacancy on the dais.

ADDENDUM # 2

C. PUBLIC HEARINGS

- 23. 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 a compatibility variance From 20 feet to 5 feet for the side/rear setback. [LDC § 25-2-1062]
Staff Rec.: **Recommended**
Staff: [Anaiah Johnson](#), 512-974-2932,
Development Services Department

Public Hearing closed.

Motion by Commissioner Schissler, seconded by Commissioner De Hoyos Hart to grant Staff's recommendation for SP-2017-0206C - 913 Duncan Multifamily located at 913 Duncan Lane was approved on a vote of 8-2. Commissioners Seeger and Witte voted nay. Commissioners McGraw and Shaw absent. One vacancy on the dais.

ADJOURNMENT

Chair Shieh adjourned the meeting without objection on Tuesday August 14, 2018 at 8:19 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.