



**PLANNING COMMISSION
MINUTES**

August 28, 2018

The Planning Commission convened in a regular meeting on August 28, 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
Karen McGraw
James Schissler
Todd Shaw
Patricia Seeger
James Shieh - Chair
Jeffrey Thompson
Tracy Witte**

William Burkhardt – Ex-Officio

Absent:

**Ann Teich – 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. Stuart Hersh – Mr. Hersh discussed concerns regarding the Housing Market Study

B. APPROVAL OF MINUTES

1. Approval of minutes from August 14, 2018.

Motion to approve the minutes from August 14, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. 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 September 25, 2018**
Staff: [**Maureen Meredith**](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's recommendation for postponement of this item to September 25, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

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 the Staff to September 25, 2018**
Staff: [**Maureen Meredith**](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's recommendation for postponement of this item to September 25, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

- 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 the Staff to September 25, 2018**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's recommendation for postponement of this item to September 25, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

- 4. 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 October 9, 2018**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's recommendation for postponement of this item to October 9, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

- 5. 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 October 9, 2018**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Staff's recommendation for postponement of this item to October 9, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

6. **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; Postponement request by the Staff to September 25, 2018**
 Staff: [Wendy Rhoades](#), 512-974-7719
 Planning and Zoning Department

Motion to grant Staff's recommendation for postponement of this item to September 25, 2018 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

7. **Rezoning:** [C14-2018-0068 - James Casey Medical; District 3](#)
 Location: 4319 James Casey Street, West Bouldin Creek / Williamson Creek Watersheds; South Austin Combined (South Manchaca) NP Area
 Owner/Applicant: Raymond and Grace Chan
 Agent: Land Answers, Inc. (Jim Wittliff)
 Request: LO-V-NP to GO-V-NP
 Staff Rec.: **Recommended, with conditions**
 Staff: [Wendy Rhoades](#), 512-974-7719
 Planning and Zoning Department

Public Hearing closed.

Motion to grant GO-V-CO-NP combining district zoning for C14-2018-0068 - James Casey Medical located at 4319 James Casey Street was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

Conditional Overlay:

The maximum height of a building or structure on the Property is limited to 45 feet.

8. **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 (Virgil Shelby)
 Request: GR-NP to CS-NP
 Staff Rec.: **Recommendation of CS-CO-NP**
 Staff: [Wendy Rhoades](#), 512-974-7719
 Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-CO-NP combining district zoning for C14-2018-0053 - Sales Inventory Lot for New and / or Used Vehicles located at 817 North Bluff Drive was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

- 9. Site Plan - Extension:** [SP-2012-0427C\(XT2\) - Regents West Campus; District 8](#)
- Location: 3231 Travis Country Circle, Barton Creek Watershed-Barton Springs Zone
- Owner/Applicant: Regents School of Austin (Mike Stevens); Oak Hill Combined (East Oak Hill) NP Area
- Agent: Jamison Civil Engineering LLC (Stephen Jamison)
- Request: Request a 10-year extension to a previously approved site plan.
- Staff Rec.: **Recommended**
- Staff: [Jonathan Davila](#), 512-974-2414
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2012-0427C(XT2) - Regents West Campus located at 3231 Travis Country Circle was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

- 10. Alley Vacation:** [F#9993-1807 - Alley Vacation of E. 4th St.](#)
- Location: Between E. 4th Street, and E. 5th Street, starting from Robert T. Martinez Jr. Street
- Owner/Applicant: 4th & RTM, LP, a Texas Limited Partnership
- Agent: Armbrust & Brown, PLLC (Jewels Cain)
- Request: Grant vacation of the north half of a partial alley running between East 4th and East 5th Streets at Robert T. Martinez Jr. Street.
- Staff Rec.: **Recommended**
- Staff: [Kim Vasquez](#), 512-974-9241
Office of Real Estate Services

Public Hearing closed.

Motion to grant Staff's recommendation for F#9993-1807 - Alley Vacation of E. 4th St. located between E. 4th Street, and E. 5th Street, starting from Robert T. Martinez Jr. Street was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 11-0. Commissioner Anderson recused on this item; conflict of interest due to employment. One vacancy on the Commission.

- 11. Alley Vacation:** [F#9975-1806 Alley Vacation of E. 5th St.](#)
 Location: Between E. 6th Street, and E. 5th Street, and Onion Street, and Navasota Street
 Owner/Applicant: Hall Family Properties, LLC (North ½ of alley); and Fifth & Onion 2016, LP (South ½ of alley)
 Agent: Armbrust & Brown, PLLC (Jewels Cain)
 Request: Grant vacation of entire 20-ft Wide Alley Traversing Block 4, M.A. Taylor Subdivision, of Outlot 4, Division A, of the Government Tract Adjoining City of Austin, subject to the following conditions: 1) Retain a public utility easement for AT&T, Austin Energy, Austin Water Utility, Google, and Texas Gas Service; 2) Retain a drainage easement for Watershed Protection Department; 3) Any relocation of Grande Communications utilities within the alley will be at the owner’s expense.
 Staff Rec.: **Recommended**
 Staff: [Kim Vasquez](#), 512-974-9241
 Office of Real Estate Services

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commission Flores to grant Staff’s recommendation for F#9975-1806 Alley Vacation of E. 5th St. located between E. 6th Street, and E. 5th Street, and Onion Street, and Navasota Street was approved on a 12-0 vote. One vacancy on the Commission.

- 12. Final Plat:** [C8-2018-0137.0A - TRG N Lamar; District 4](#)
 Location: 5629 N Lamar Boulevard, Waller Creek Watershed; North Loop NP Area
 Owner/Applicant: State of Texas
 Agent: KBGE Engineering (Bryant Bell)
 Request: Approval of TRG N Lamar composed of 1 lot on 3.65 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 13. Final Plat:** [C8-2018-0127.0A - Hill 71 Convenience; District 8](#)
 Location: 8624 West SH 71, Bear Creek Watershed; West Oak Hill NP Area
 Owner/Applicant: Slumar Properties LLC
 Agent: LOC Consultants LLP (Sergio Lozano)
 Request: Approval of Hill 71 Convenience composed of 1 lot on 3.88 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 14. Final Plat - Previously Unplatted:** [C8-2018-0129.0A - The Ridge at Walnut Creek; District 1](#)
 Location: 6020 Springdale Road, Walnut Creek Watershed; Pecan Springs - Springdale NP Area
 Owner/Applicant: Springdale 6020, LLC
 Agent: Texas Engineering Solutions, LLC (Jordan Zylberg)g
 Request: Approval of The Ridge at Walnut Creek composed of 1 lot on 1 acre
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 15. Final Plat - Resubdivision:** [C8-2018-0130.0A - 1700 Pennsylvania Ave. Subdivision; District 1](#)
 Location: 1700-1715 Pennsylvania Avenue, Boggy Creek Watershed; Central East Austin NP Area
 Owner/Applicant: Benny Sustaita
 Agent: Miguel Gonzales Jr. TBPE Firm No. 15437 (Miguel Gonzales Jr.)
 Request: Approval of 1700 Pennsylvania Ave. Subdivision composed of 2 lots on 0.27 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 16. Final Plat - Resubdivision:** [C8-2018-0126.0A - CVS Pharmacy #11210; District 1](#)
 Location: 2213 Airport Boulevard, Boggy Creek Watershed; MLK / East MLK Combined NP Area
 Owner/Applicant: UPSIDE VENTURES LLC
 Agent: Permit Partners, LLC (Jennifer Hanlen)
 Request: Approval of the CVS Pharmacy #11210 Final Plat composed of 1 lot on 1.42 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 17. Final Plat - Resubdivision:** [C8-2018-0132.0A - 1125 Tillery Street Subdivision; District 3](#)
 Location: 1125 Tillery Street, Boggy Creek Watershed; Govalle / Govalle/Johnston Terrace Combined NP Area
 Owner/Applicant: Urban Gravity, LLC (Denise Villa)
 Agent: Southwest Engineers Inc (Russell Kotara)
 Request: Approval of the 1125 Tillery Street Subdivision Final Plat composed of 4 lots on 1.09 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

- 18. Final Plat - Resubdivision:** [C8-2018-0136.0A - 2509 Wheless Lane Subdivision; District 1](#)
 Location: 2509 Wheless Lane, Fort Branch; Windsor Park / University Hills/
 Windsor Park Combined NP Area
 Owner/Applicant: S & K Development Co, Inc. (2509 Wheless Partners, LLC)
 Agent: Southwest Engineers (Matt Dringenberg)
 Request: Approval of the 2509 Wheless Lane Subdivision Final Plat composed of
 2 lots on 0.48 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 19. Final Plat - Resubdivision:** [C8-2018-0128.0A - 5702 McCarthy Circle; District 7](#)
 Location: 5702 McCarthy Circle, Shoal Creek Watershed; Brentwood NP Area
 Owner/Applicant: Basa Backyard LLC (Lucian Morehead)
 Agent: Cormier Architecture (James Cormier)
 Request: Approval of 5702 McCarthy Circle composed of 3 lots on 0.512 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 20. Preliminary Plan:** [C8-2018-0122 – East Village Single Family Preliminary Plan; District 1](#)
 Location: 3407 East Howard Lane, Harris Branch Watershed
 Owner/Applicant: RH Pioneer North, LLC (Gordon Reger)
 Agent: LJA Engineering, Inc. (Walter Hoysa, P.E.)
 Request: Approval of the East Village Single Family Preliminary Plan, composed
 of 493 acres on 101.47 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Public Hearings closed.

Motion to disapprove Items C-12 – C-20 was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

D. NEW BUSINESS

1. [Initiate an Amendment to Title 30 \(Austin/Travis County\)](#)

Discussion and possible action to initiate an amendment to Title 30 (Austin/Travis County) regarding sidewalks. Staff: [Chris Yanez](#), 512-974-1253, Development Services Department

Motion to initiate an amendment to Title 30 (Austin/Travis County) regarding sidewalks was approved on the consent agenda by Commissioner Schissler, seconded by Commissioner Kenny on a vote of 12-0. One vacancy on the Commission.

E. PRESENTATION

1. [Imagine Austin Comprehensive Plan Annual Report and Proposed Amendments](#)

Discussion and possible action regarding Imagine Austin Comprehensive Plan Annual Report and proposed amendments. Staff: [Matt Dugan](#), 512-974-7665, Planning and Zoning Department

Presentation conducted by Matt Dugan, Planning and Zoning Department.

F. ITEMS FROM COMMISSION

1. Revision of the Austin Land Development Code

Discussion and possible action regarding matters related to the revision of the City of Austin Land Development Code including but not limited to staff updates, presentations and scheduling. Co-Sponsors: Chair Shieh, Vice-Chair Kazi

- a. Motion by Commissioner McGraw, seconded by Commissioner Seeger to include a standing rewrite item on the agenda with the deletion of, “possible action”. Motion was approved on a vote of 8-4. Commissioners Anderson, Kenny, De Hoyos Hart and Shaw voted nay. One vacancy on the Commission.
- b. Motion by Commissioner Seeger, seconded by Commissioner Shaw to table the resolution (see [Draft resolution: Kazi/Kenny](#)) by Vice-Chair Kazi and Commissioner Kenny, was approved on a vote of 7-5. Those voting aye were Chair Shieh and Commissioners Flores, McGraw, Seeger, Shaw, Shieh, and Witte. Those voting nay were Vice-Chair Kazi and Commissioners De Hoyos Hart, Kenny, Schissler and Thompson.
- c. Motion by Commissioner Seeger, seconded by Commissioner McGraw to adopt framework presented by Commissioners Seeger, McGraw and Witte (See [Planning Commission Priorities: Review and Revision of Austin’s Land Development Code](#)) was approved on a vote of 7-3. Commissioners Anderson, Kenny and Schissler voted nay. Chair Shieh and Commissioner De Hoyos Hart off the dais. One vacancy on the Commission.

2. Amendment to the Rules of Procedure: Requirements for Commissioner Sponsored Recommendations and Resolutions

Discussion and possible adoption of a rule regarding requirements for Commissioner sponsored recommendations and resolutions. Co-Sponsors: Commissioners McGraw, Seeger and Witte

Motion by Commissioner Kenny, seconded by Shaw to adopt the following Rule of Procedure as amended:

Any member of the Planning Commission sponsoring recommendations and/or resolutions for consideration, discussion and/or possible action by the Planning Commission is required to submit a draft of the proposed recommendation and/or resolution.

The agenda topic must be submitted to the Commission Liaison by Friday 9:00 am for submission to the City Clerk at 10:00 am, prior to the meeting the following Tuesday.

Motion approved on a vote of 7-3. Commissioners McGraw, Seeger and Witte voted nay. Chair Shieh and Commissioner De Hoyos Hart off the dais. One vacancy on the Commission.

G. FUTURE AGENDA ITEMS

- a. Commissioner Anderson and Commissioner Kenny: Initiate code amendment regarding Small Area Planning Joint Committee
- b. Commissioner Seeger and Commissioner McGraw: Request for Small Area Planning briefing.

H. JOINT COMMITTEE NOMINATIONS

1. [Small Area Planning Joint Committee](#)

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

After closing the call for nominations, Commissioner Witte was nominated to be recommended to Council for the purpose of serving on the Small Area Planning Joint Committee by unanimous consent.

I. COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

(Vice-Chair Kazi and Commissioners McGraw, Schissler, and Seeger)

No report provided.

[Comprehensive Plan Joint Committee](#)

(Commissioners Flores, Kenny, Schissler and Shaw)

Commissioner Kenny stated the Committee established a working group regarding the CIP.

[Joint Sustainability Committee](#)

(Chair Shieh and Commissioner Seeger)

Commissioner Seeger stated the Committee reviewed and recommended a budget item to Council to place recycling bins in all public parks and city spaces to encourage recycling.

[Small Area Planning Joint Committee](#)

(Chair Shieh and Commissioners Anderson and Thompson)

Commissioner Anderson stated the Committee reviewed a waterfront overlay variance.

Planning Commission Operating Model Working Group

(Chair Shieh, and Commissioners De Hoyos Hart, McGraw and Seeger)

Commissioner Seeger stated the Committee is continuing to review input.

ADJOURNMENT

Vice-Chair Kazi adjourned the meeting without objection on Tuesday August 28, 2018 at 8:53 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.