



**PLANNING COMMISSION  
MINUTES**

**February 26, 2019**

**The Planning Commission convened in a regular meeting on February 26, 2019 @ 301 W. 2<sup>nd</sup> Street, Austin, TX 78701.**

**Chair Shieh called the Commission Meeting to order at 6:03 p.m.**

**Commission Members in Attendance:**

**Greg Anderson  
Fayez Kazi – Vice-Chair  
Yvette Flores  
Patrick Howard  
Conor Kenny  
Karen McGraw  
Robert Schneider  
James Shieh - Chair  
James Schissler  
Patricia Seeger  
Todd Shaw  
Jeffrey Thompson**

**William Burkhardt – Ex- Officio  
Ann Teich – Ex-Officio**

**Absent:  
Angela De Hoyos Hart**

**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. 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.**

1. Mr. Ron Thrower – Mr. Thrower discussed proposed code amendments and the length of time to process and adopt.
2. Mr. Stuart Hersh – Mr. Hersh discussed the recent code amendments passed by Council regarding affordable housing.
3. Ms. Valerie Deyo – Ms. Deyo discussed a family owned residential property zoned historic.

## B. APPROVAL OF MINUTES

1. Approval of minutes from February 12, 2019 (**No action required – meeting cancelled due to lack of quorum**).

## C. PUBLIC HEARINGS

1. **Restrictive Covenant Amendment:** [C14-72-204\(RCA4\) - E. Riverside Dr and S. Pleasant Valley Rd. Tracts 1-5; District 3](#)  
Location: 4700 East Riverside Drive, Country Club West Watershed; Pleasant Valley NP Area  
Owner/Applicant: NRE ZONE LLC  
Agent: Armbrust & Brown, PLLC (Michael Whellan)  
Request: Amend Restrictive Covenant  
Staff Rec.: **Pending; Indefinite Postponement request by the Staff**  
Staff: [Scott Grantham](#), 512-974-3574  
Planning and Zoning Department

Items C-01 – C-05 acted upon in tandem. See annotation under C-05.

2. **Restrictive Covenant Termination:** [C14-97-0010\(RCT\) - E. Riverside Dr. and S. Pleasant Valley Rd. Tract 4; District 3](#)  
Location: 1600 Wickersham Lane, Country Club West Watershed; Pleasant Valley NP Area  
Owner/Applicant: AUSTIN STUDENT VENTURE II LP JLC SOUTHEAST LLC; NRE ION LLC  
Agent: Armbrust & Brown, PLLC (Michael Whellan)  
Request: Terminate Restrictive Covenant  
Staff Rec.: **Pending; Indefinite Postponement request by the Staff**  
Staff: [Scott Grantham](#), 512-974-3574  
Planning and Zoning Department

Items C-01 – C-05 acted upon in tandem. See annotation under C-05.

- 3. Rezoning:** [C14-2018-0026 - E Riverside Dr and S Pleasant Valley Rd Tract 4; District 3](#)
- Location: 1600 Wickersham Lane, Country Club West Watershed; Pleasant Valley NP Area
- Owner/Applicant: NRE ION LLC
- Agent: Armbrust & Brown, PLLC (Michael Whellan)
- Request: ERC-NMU to ERC-CMU, extend eligibility for a development bonus
- Staff Rec.: **Pending; Indefinite Postponement request by the Staff**
- Staff: [Scott Grantham](#), 512-974-3574  
Planning and Zoning Department

Items C-01 – C-05 acted upon in tandem. See annotation under C-05.

- 4. Rezoning:** [C14-2018-0027 - E. Riverside Dr and S. Pleasant Valley Rd. Tracts 3 & 5; District 3](#)
- Location: 4700 East Riverside Drive, Country Club West Watershed; Pleasant Valley NP Area
- Owner/Applicant: NRE ZONE LLC
- Agent: Armbrust & Brown, PLLC (Michael Whellan)
- Request: ERC-NMU and ERC-UR to ERC-CMU, extend eligibility for a development bonus
- Staff Rec.: **Pending; Indefinite Postponement request by the Staff**
- Staff: [Scott Grantham](#), 512-974-3574  
Planning and Zoning Department

Items C-01 – C-05 acted upon in tandem. See annotation under C-05.

- 5. Rezoning:** [C14-2018-0028 - E. Riverside Dr and 1109 S. Pleasant Valley Road Tracts 1 and 2; District 3](#)
- Location: 1109-1/2 South Pleasant Valley Road, Country Club West Watershed; Pleasant Valley NP Area
- Owner/Applicant: NRE TOWN LAKE PROPERTY OWNER LLC
- Agent: Armbrust & Brown, PLLC (Michael Whellan)
- Request: ERC-UR to ERC-CMU, extend eligibility for a development bonus
- Staff Rec.: **Pending; Indefinite Postponement request by the Staff**
- Staff: [Scott Grantham](#), 512-974-3574  
Planning and Zoning Department

Motion by Commissioner McGraw, seconded by Commissioner Seeger to grant Staff's request for indefinite postponement.

Amendment by Commissioner Schneider, seconded by Commissioner Shaw to request staff provide an update of the cases on March 26, 2019 and April 23, 2019 was adopted on a vote of 10-0. Commissioners Schissler and Kazi recused on this matter, due to a conflict of interest (*rendered professional services*). Commissioner De HoyosHart absent.

Commissioner McGraw’s motion, as amended, was approved on a vote of 7-3. Those voting nay were Commissioners Anderson, Kenny and Thompson. Commissioners Schissler and Kazi recused on this matter, due to conflicts of interest (*rendered professional services*). Commissioner De Hoyos Hart absent.

**6. Rezoning:**                                    **[C14-2018-0141 - 1907 Inverness Zoning Change; District 5](#)**

Location:                                    1907 Inverness Boulevard, Williamson Creek Watershed; South Austin Combined (South Manchaca) NP Area  
Owner/Applicant:                        Marquee Investments, LLC (Alex Bahrami)  
Agent:                                        Austex Building Consultants (Jonathan Perlstein)  
Request:                                    SF-3-NP to NO-MU-NP, as amended  
Staff Rec.:                                 **Recommended**  
Staff:                                         [Wendy Rhoades](#), 512-974-7719  
    Planning and Zoning Department

Motion by Commissioner Schissler, seconded by Commissioner Seeger to grant Applicant’s request for postponement of this item to April 23, 2019 was approved on a vote of 8-4. Commissioners Anderson, Schneider, Kenny and Flores voted nay. Commissioner De Hoyos Hart absent.

**7. Plan Amendment:**                        **[NPA-2018-0012.02.SH - 2107 Alamo; District 1](#)**

Location:                                    2107 Alamo Street, Boggy Creek Watershed; Upper Boggy Creek NP Area  
Owner/Applicant:                        Anmol Mehra  
Agent:                                        South Llano Strategies (Glen Coleman)  
Request:                                    Single Family to Multifamily use  
Staff Rec.:                                 **Not Recommended**  
Staff:                                         [Jeff Engstrom](#), 512 974-1621  
    Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Kenny to grant Multifamily land use for NPA-2018-0012.02.SH - 2107 Alamo located at 2107 Alamo Street was approved on a vote of 8-3. Commissioners Shaw, Seeger and McGraw voted nay. Chair Shieh abstained on this item. Commissioner De Hoyos Hart absent.

**8. Rezoning:** [C14-2018-0100.SH - 2107 Alamo; District 1](#)

Location: 2107 Alamo Street, Boggy Creek Watershed; Upper Boggy Creek NP Area  
Owner/Applicant: Anmol Mehra  
Agent: South Llano Strategies (Glen Coleman)  
Request: SF-3-NP to MF-4-CO-NP  
Staff Rec.: **Not Recommended**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Kenny to grant MF-4-CO-NP combining district zoning for C14-2018-0100.SH - 2107 Alamo located at 2107 Alamo Street was approved on a vote of 8-3. Commissioners Shaw, Seeger and McGraw voted nay. Chair Shieh abstained on this item. Commissioner De Hoyos Hart absent.

**9. Rezoning:** [C14-2018-0128 - 2323 South Lamar; District 5](#)

Location: 2323 South Lamar Boulevard, 2421 Bluebonnet Lane, and 2315 South Lamar Boulevard, West Bouldin Creek Watershed; South Lamar NP Area (Suspended)  
Owner/Applicant: 2323 South Lamar LTD (Kirk Rudy)  
Agent: Armbrust & Brown PLLC (Richard Suttle)  
Request: LO-CO and GR-CO to LO-V-CO and GR-CO-V  
Staff Rec.: **Recommended**  
Staff: [Heather Chaffin](#), 512-974-2122  
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to March 12, 2019 was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

**10. Rezoning:** [C14-2018-0115 - Sigma Chi Fraternity; District 9](#)

Location: 2701 Nueces Street, Waller Creek Watershed; West University NP Area  
Owner/Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsch)  
Agent: Thrower Design (Victoria Haase)  
Request: From MF-4-CO-NP to MF-4-NP, as amended  
Staff Rec.: **Recommended**  
Staff: [Scott Grantham](#), 512-974-3574  
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of MF-4-NP combining district zoning for C14-2018-0115 - Sigma Chi Fraternity located at 2701 Nueces Street was approved on the consent agenda on the

motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

- 11. Rezoning:**                    [C14-2018-0120 - Herblin-Shoe Historic Mixed Use Rezoning; District 9](#)
- Location:                    712 West 16th Street, Shoal Creek Watershed; Downtown NP Area
- Owner/Applicant:        Rothcom, LLC (Megan Fults)
- Agent:                        Thrower Design (Victoria Haase)
- Request:                    SF-3-H to GO-MU-H-CO
- Staff Rec.:                **Recommendation of GO-MU-H-CO**
- Staff:                        [Scott Grantham](#), 512-974-3574  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Kenny, seconded by Vice-Chair Kazi to grant Staff’s recommendation of GO-MU-H-CO combining district zoning for C14-2018-0120 - Herblin-Shoe Historic Mixed Use Rezoning located at 712 West 16th Street was approved on a vote of 10-1. Commissioner Anderson voted nay. Commissioner Seeger off the dais. Commissioner De Hoyos Hart absent.

- 12. Rezoning:**                    [C14H-2018-0151 - Cisco's Bakery and Restaurant; District 3](#)
- Location:                    1511 E. 6th Street, Lady Bird Lake Watershed; East Cesar Chavez NP Area
- Owner/Applicant:        Ogee Preservation, LLC
- Request:                    TOD-NP to TOD-H-NP
- Staff Rec.:                **Recommended**
- Staff:                        [Steve Sadowsky](#), 512-974-6454  
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff’s recommendation of TOD-H-NP combining district zoning for C14H-2018-0151 - Cisco's Bakery and Restaurant located at 1511 E. 6th Street was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

- 13. Site Plan - Conditional Use:**                    [SP-2018-0175D - Walsh Boat Landing; District 10](#)
- Location:                    1600 Scenic Drive, Lady Bird Lake Watershed; West Austin Neighborhood Group NP Area
- Owner/Applicant:        City of Austin Transportation and Public Works Departments
- Agent:                        Hagood Engineering (Terry Hagood P.E.)
- Request:                    Approval of re-development of existing bulkheads, piers, etc.
- Staff Rec.:                **Recommended**
- Staff:                        [Clarissa Davis](#), 512-974-1423  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2018-0175D - Walsh Boat Landing located at 1600 Scenic Drive was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

- 14. Partial Plat**                    **[C8-2016-0194.0A\(VAC\) - Resubdivision of Lot 12, Block "A" of Barton Heights "B"; District 5](#)**  
**Vacation:**  
Location:                    1517 Oxford Ave. and 1516 Kinney Ave. at Collier St., Lady Bird Lake Watershed; Zilker NP Area (Suspended)  
Owner/Applicant:        Joel McNinch  
Agent:                        Jim Wittliff / Land Answers, Inc.  
Request:                    Approval of the partial plat vacation of the Resubdivision of Lot 12, Block "A" of Barton Heights "B" composed of one lot on 0.238 acres.  
Staff Rec.:                **Recommended**  
Staff:                        [Joey de la Garza](#), 512-974-2664  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2016-0194.0A(VAC) - Resubdivision of Lot 12, Block "A" of Barton Heights "B" located at 1517 Oxford Ave. and 1516 Kinney Ave. at Collier St., was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

- 15. Resubdivision:**            **[C8-2018-0086.0A - Banister; District 5](#)**  
Location:                    4430 Hank Avenue, Williamson Creek Watershed; South Manchaca NP Area  
Owner/Applicant:        SLDM4430 Hank, LLC  
Agent:                        Prossner and Associates, Inc. (Kurt Prossner)  
Request:                    Approval of the Resubdivision of Lot 8, Block E of Banister Acres Section 2, comprised of two lots on 0.392 acre.  
Staff Rec.:                **Recommended**  
Staff:                        [Steve Hopkins](#), 512-974-3175  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2018-0086.0A - Banister located at 4430 Hank Avenue was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

- 16. Site Plan - [SP-2018-0186C - Office at Oak Springs; District 3](#)  
Compatibility  
Waiver:**  
Location: 3313 Oak Springs Drive, Boggy Creek Watershed; East MLK NP Area  
Owner/Applicant: 3133 Oak Springs, LLC (Chris Krager)  
Agent: Southwest Engineers, Inc.  
Request: Approval of compatibility setback waivers for front and side setbacks.  
Staff Rec.: **Recommended**  
Staff: [Rosemary Avila](#), 512-974-2784  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2018-0086.0A - Banister located at 3313 Oak Springs Drive was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

- 17. Final Plat - [C8-2019-0024.0A - Mueller Subdivision; District 9](#)  
Previously  
Unplatted:**  
Location: 1600-½ Robert Browning Street, Boggy Creek Watershed; RMMA  
Owner/Applicant: Mueller Austin Town Center, LLC (Gregory Weaver)  
Agent: Kimley-Horn (Benjamin L. Green, P.E.)  
Request: Approval of the Mueller Subdivision Final Plat composed of 3 lots on 5.19 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

- 18. Final Plat - [C8-2019-0014.0A - 6901 Guadalupe Street; District 4](#)  
Resubdivision:**  
Location: 6901 Guadalupe Street, Waller Creek Watershed; Brentwood / Highland NP Area  
Owner/Applicant: Ajon  
Agent: Miguel Gonzales Jr., TBPE Firm No. 15437 (Miguel Gonzales Jr.)  
Request: Approval of 6901 Guadalupe Street composed of 2 lots on 0.34 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department



**19. Final Plat:** [C8-2019-0007.0A - Georgian Acres Resubdivision; District 4](#)

Location: 507 Middle Lane, Little Walnut Creek Watershed; Georgian Acres NP Area  
Owner/Applicant: 2315 Townlake Circle, LP (Michel Issa)  
Agent: Noble Surveying & Engineering Works (Tres Howland, III, P.E.); (Gabriel Morales)  
Request: Approval of the Georgian Acres Resubdivision composed of 2 lots on 0.379 acres  
Staff Rec.: **Disapproval**  
Staff: Development Services Department

Public Hearings closed.

Motion to disapprove items C-17 – C-19 was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

**D. NEW BUSINESS**

**1. [Initiation of Code Amendment related to North Burnet Gateway Zoning Sub District Map](#)**

Discuss and consider the initiation of an amendment to Title 25 of the Land Development Code regarding the North Burnet Gateway Zoning sub district map. Staff: [Jerry Rusthoven](#), 512-974-3207, Planning and Zoning Department

Motion to initiate a Code amendment related to North Burnet Gateway Zoning Sub District Map was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

**2. [Initiation of Code Amendment related to University Neighborhood Overlay District](#)**

Discuss and consider the initiation of an amendment of an amendment to Title 25 of the Land Development Code regarding the University Neighborhood Overlay District Boundaries, Subdistrict Boundaries, and Height Limits to change the allowed maximum height on the University Neighborhood Overlay Height Districts map for 2408 Leon Street. Staff: [Jerry Rusthoven](#), 512-974-3207, Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to March 12, 2019 was approved on the consent agenda on the motion by Commissioner Seeger, seconded by Commissioner Anderson on a vote of 12-0. Commissioner De Hoyos Hart absent.

**E. BRIEFINGS**

**1. [Briefing regarding Brush Square Master Plan](#)**

Briefing and discussion to consider recommendation of the Brush Square Master Plan. Staff: [Kim McKnight](#), Environmental Conservation Program Manager, Austin Parks and Recreation, 512-974-9478

Motion by Commissioner Schissler, seconded by Commissioner McGraw to recommend the Brush Square Master Plan. Motion approved on a vote of 11-0. Commissioner Seeger off the dais. Commissioner De Hoyos Hart absent.

## **F. ITEMS FROM COMMISSION**

### **1. Revision of the Austin Land Development Code**

Discussion 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

Item disposed without discussion.

## **G. 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.*

## **H. BOARDS, 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 Shaw stated the Committee will meet March 1, 2019 to review the Austin Strategic Mobility Plan and receive a briefing on the Long Range CIP.

### [Joint Sustainability Committee](#)

(Chair Shieh and Commissioner Seeger)

No report provided.

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

(Chair Shieh and Commissioners Anderson and Thompson)

No report provided.

### [South Central Waterfront Advisory Board](#)

(Commissioner Schissler)

Commissioner Schissler stated the Committee is working with staff in the Economic Development Department to create a Tax Increment Financing (TIF) for the South Central Waterfront area.

HLC – Design Guidelines Working Group  
(Commissioner McGraw)

Commissioner McGraw stated she reviewed the template by Preservation Austin and recommended a missing design style. Working Groups were formed to begin working on a draft.

Operating Model Working Group  
(Chair Shieh, and Commissioners De Hoyos Hart, McGraw and Seeger)

No report provided.

Transportation Working Group  
(Chair Shieh and Commissioners Kenny, Schissler and Thompson)

No report provided.

## **ADJOURNMENT**

**Chair Shieh adjourned the meeting without objection on Tuesday, February 26, 2019 at 10:00 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.