



**PLANNING COMMISSION
MINUTES**

April 9, 2019

The Planning Commission convened in a regular meeting on April 9, 2019 @ 301 W. 2nd 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
James Schissler
James Shieh - Chair
Todd Shaw
Jeffrey Thompson**

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

Absent:

**Karen McGraw
Robert Schneider
Patricia Seeger**

Robert Mendoza – Ex-Officio

One 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.**

B. APPROVAL OF MINUTES

1. Approval of minutes from March 26, 2019

Motion to approve the minutes from March 26, 2019 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

C. PUBLIC HEARINGS

1. **Plan Amendment:** [NPA-2017-0021.01 - East Riverside/Oltorf FLUM Amendment; District 3](#)

Location: 4530 East Ben White Boulevard, 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 Staff to May 28, 2019.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to May 28, 2019 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. 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 Combined NP Area
Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust
Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch)
Request: Commercial to Mixed Use land use
Staff Rec.: **Pending. Postponement request by Staff to May 14, 2019.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to May 28, 2019 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 7-0. Vice-Chair Kazi recused on this item due to a conflict of interest (rendered professional services). Commissioner Schissler recused on this item due to a conflict of interest (rendered professional services). Commissioners McGraw, Schneider and Seeger absent. 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 Combined NP Area
Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust
Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch)
Request: GR-CO-NP and CS-CO-NP to MF-6-CO-NP and CS-MU-CO-NP
Staff Rec.: **Pending. Postponement request by Staff to May 14, 2019.**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to May 28, 2019 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 7-0. Vice-Chair Kazi recused on this item due to a conflict of interest (rendered professional services). Commissioner Schissler recused on this item due to a conflict of interest (rendered professional services). Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

4. Rezoning: [C14-2018-0140 - Norwood Park; District 1](#)

Location: 916 and 918 Norwood Park Boulevard, Little Walnut Creek and Buttermilk Branch Watersheds; Heritage Hills/Windsor Hills Combined NP Area (Heritage Hills)
Owner/Applicant: Xchnge-Facilities (Robert Doherty)
Agent: Costello, Inc. (Steven Buffum)
Request: GR-NP to GR-MU-NP
Staff Rec.: **Recommendation of GR-MU-CO-NP**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Schissler seconded by Commissioner Kenny to grant Staff's recommendation of GR-MU-CO-NP combining district zoning for C14-2018-0140 - Norwood Park located at 916 and 918 Norwood Park Boulevard was approved on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

5. **Rezoning:** [C14-2018-0149 - MLK Rezoning; District 1](#)

Location: 3300 and 3302 East Martin Luther King, Jr. Boulevard, Tannehill Branch Watershed; East MLK Combined NP Area
Owner/Applicant: Deborah Boatner
Agent: Hector Avila
Request: SF-3-NP to SF-5-CO-NP, as amended
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson seconded by Commissioner Howard to grant Staff's recommendation of SF-5-CO-NP combining district zoning as amended by the Applicant for C14-2018-0149 - MLK Rezoning located at 3300 and 3302 East Martin Luther King, Jr. Boulevard was approved on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

6. **Site Plan (CUP):** [SPC-2018-0478A - Plaza Saltillo Block E Texaco; District 3](#)

Location: 1300 E 4th Street, Bldg C, Waller Creek and Lady Bird Lake Watersheds; East Cesar Chavez NP Area
Owner/Applicant: Capital Metropolitan Transportation Authority (Todd Hemingson)
Agent: Armbrust & Brown, PLLC (Richard Suttle)
Request: Approval of a CUP for a Cocktail Lounge land use with a late hours permit.
Staff Rec.: **Recommended**
Staff: [Anaiah Johnson](#), 512-974-2932,
Development Services Department

Motion to grant Neighborhood's request for postponement of this item to May 14, 2019 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

7. **Resubdivision:** [C8-2018-0126.0A - Airport and Manor Road Subdivision; District 1](#)

Location: 2213 Airport Boulevard, Boggy Creek Watershed; MLK/East MLK Combined NP Area
Owner/Applicant: CVS Inc.
Agent: Permit Partners (Jennifer Hanlen)
Request: Approval of the Airport & Manor Road resubdivision, comprised of one lot on 1.4 acres.
Staff Rec.: **Recommended**
Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2018-0126.0A - Airport and Manor Road Subdivision located at 2213 Airport Boulevard was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

- 8. Resubdivision:** [C8-2017-0302.0A - Resubdivision of Lots 15 and 16, Block B, Ford Place No. 1; District 5](#)
- Location: 4412 & 4414 Merle Drive, Williamson Creek Watershed; South Manchaca NP Area
- Owner/Applicant: Short Ridge Ave LLC; Bite the Bullet LLC; and BYB Inc. (Jeffery Keith Davis)
- Agent: LandDev Consulting, LLC (Judd Wilmann)
- Request: Approve a resubdivision of 2 lots into 3 lots on 0.543 acres.
- Staff Rec.: **Recommended**
- Staff: [Sylvia Limon](#), 512-974-2767
Development Services Department

Motion to grant Staff's recommendation for C8-2018-0126.0A - Airport and Manor Road Subdivision located at 4412 and 4414 Merle Drive was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

- 9. Site Plan:** [SPC-2018-0574A - 70 Rainey Street; District 9](#)
- Location: 70 Rainey Street, Lady Bird Lake Watershed; Downtown Master Plan
- Owner/Applicant: 70 Rainey Street Owner, LLC
- Agent: Big Red Dog
- Request: The applicant is proposing a cocktail lounge within the Rainey Street subdistrict of the Waterfront Overlay requiring a conditional use permit 25-2-692(K). The applicant also requests a variance from 25-5-146(B) for parking to serve a cocktail lounge within 200 feet of a single-family use.
- Staff Rec.: **Recommended**
- Staff: [Jeremy Siltala](#), 512-974-2945
Development Services Department

Motion to grant Neighborhood's request for postponement of this item to April 23, 2019 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

- 10. Final Plat - [C8-2019-0047.0A - Holiday Park; District 8](#)
Amended Plat:**
 Location: 5801 West US 290 Highway Eastbound, Barton Creek Watershed-
 Barton Springs Zone; East Oak Hill NP Area
 Owner/Applicant: Vans Holiday Park LLC
 Agent: Bob Demyan
 Request: Approval of the Holiday Park Final Plat composed of 1 lot on 5.98 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 11. Final Plat - [C8-2019-0048.1A - Amended Plat of Lot 9 and Lot 10; District 5](#)
Amended Plat:**
 Location: 3202 Cupid Drive, Barton Creek Watershed-Barton Springs Zone;
 Barton Hills, South Lamar Combined NP Area
 Owner/Applicant: William Robinson
 Agent: Thrower Design (Ron Thrower)
 Request: Approval of the Amended Plat of Lot 9 and Lot 10 Final Plat composed
 of 2 lots on 0.42 acres
 Staff Rec.: **Disapproval**
 Staff: Development Services Department
- 12. Final Plat - [C8-2019-0046.0A - Amended Plat of Lots 1A and 1B Resubdivision
of Lots 1 and 14, Block 5, McKinley Heights Section 1; District 1](#)
Amended Plat:**
 Location: 3006 East 14th Street, Boggy Creek Watershed; Rosewood NP Area
 Owner/Applicant: Ben Maddox
 Agent: Masterplan (Karen Wunsch)
 Request: Approval of the Amended Plat of Lots 1A and 1B Resubdivision of Lots
 1 and 14, Block 5, McKinley Heights Section 1 composed of 2 lots on
 0.386 acres.
 Staff Rec.: **Disapproval**
 Staff: Development Services Department

Motion to disapprove Items C-10 – C-12 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Kenny on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

D. BRIEFINGS

- 1. [Budget 2020](#)**
 Discussion and possible action to provide recommendations regarding the 2020 Budget. Staff: [Diane Siler](#), Budget Office, 512-974-2704.

Presentation provided by Ed Van Eenoo, Deputy Chief Financial Officer, Budget Office.

2. **Dougherty Arts Center**

Discuss and consider a recommendation regarding the proposed Dougherty Arts Center redevelopment site at Butler Shores Park. Staff: [Kevin Johnson](#), Project Manager, Parks and Recreation Department, 512-974-9506.

Motion by Commissioner Kenny, seconded by Vice-Chair Kazi to grant approval with the following amendment:

A parking and transportation demand management strategy be developed for the entire arts complex that takes into account area on- and off-street parking, and under-shoots parking supply in anticipation of public transit investments. Also, any structured parking should be innovative, employ LEED strategies, charge for parking, and be available for future conversion. The arts complex should be developed as an active transportation hub and generally minimize space dedicated to automobile use.

The motion by Commissioner Kenny, seconded by Vice-Chair Kazi was approved on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

E. ITEMS FROM COMMISSION

1. **Initiate Rezoning of 1119 East 11th Street**

Discuss and consider to initiate a rezoning of the property located at 1119 East 11th Street to remove historic landmark (H) district zoning. Co-Sponsors: Commissioners Thompson and Anderson

Motion by Vice-Chair Kazi, seconded by Commissioner Kenny to deny initiating the rezoning of the property located at 1119 East 11th Street to remove historic landmark (H) district zoning was approved on a vote of 9-0. Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

2. **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

Disposed without discussion.

F. ELECTIONS & NOMINATION RECOMMENDATIONS

1. **Election of Officers**

Election of Planning Commission Chair, Vice-Chair, Secretary and Parliamentarian.

After closing of nominations for Chair, Commissioner Kazi was elected by unanimous vote.

After closing of nominations for Vice-Chair, Commissioner Kenny was elected by unanimous vote.

After closing of nominations for Secretary, Commissioner Flores elected on a vote of 8-1.

Commissioner Shaw voted nay.

After closing of nominations for Parliamentarian, Commissioner Shieh was elected by unanimous vote.

Commissioners McGraw, Schneider and Seeger absent. One vacancy on the Commission.

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.

1. Commissioners Anderson / Kenny – Density Bonus Program Presentation
2. Commissioners Anderson / Kenny – Opportunity Zones Presentation

H. BOARDS, COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

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

Vice-Chair Kazi stated at the next meeting will review Affordability Unlocked and North Burnet / Gateway items.

[Comprehensive Plan Joint Committee](#)

(Commissioners Flores, Kenny, Schissler and Shaw)

Commissioner Shaw stated the Committee will be provided a presentation regarding Long Range CIP at the next meeting. Commissioner Flores added that a Working Group will draft a transmittal letter to the City Manager that will be included in the report.

[Joint Sustainability Committee](#)

(Commissioners Schneider and Seeger)

No report provided.

[Small Area Planning Joint Committee](#)

(Chair Shieh and Commissioners Anderson, Howard and Thompson)

Chair Shieh stated the Committee will review the North Lamar Boulevard Plan.

[South Central Waterfront Advisory Board](#)

(Commissioner Schissler)

Commissioner Schissler stated the Committee forward a letter to Council regarding the master plan.

HLC – Design Guidelines Working Group

(Commissioner McGraw)

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

Working Group dissolved.

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

Working Group dissolved.

ADJOURNMENT

Chair Shieh adjourned the meeting without objection on Tuesday, April 9, 2019 at 9:13 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.