



**PLANNING COMMISSION
MINUTES**

September 24, 2019

The Planning Commission convened in a regular meeting on September 24, 2019 @ 301 W. 2nd Street, Austin, TX 78701.

Chair Kazi called the Commission Meeting to order at 5:05 p.m.

Commission Members in Attendance:

**Greg Anderson
Awais Azhar
Yvette Flores
Claire Hempel
Patrick Howard
Fayez Kazi – Chair
Conor Kenny – Vice-Chair
Carmen Llanes-Pulido
Robert Schneider
Patricia Seeger
Todd Shaw
James Shieh
Jeffrey Thompson**

Don Leighton-Burwell – Ex-Officio

Absent:

**Ann Teich – Ex-Officio
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

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 Kazi and Vice-Chair Kenny

a. LDC Revision Working Groups discussion and updates.

Affordability

(Commissioners Azhar, Howard, Llanes-Pulido and Anderson)

Downtown

(Commissioners Anderson, Flores and Hempel)

Non-Residential

(Vice-Chair Kenny and Commissioners: Flores and Thompson)

Process

(Commissioners Hempel, Shaw and Thompson)

Residential

(Commissioners Vice-Chair Kenny, Schneider, Seeger and Shieh)

Transitions

(Commissioners Anderson, Azhar, Seeger, Shaw and Shieh)

Discussion and presentations provided by members of the working groups.

6:30 PM TIME CERTAIN ITEMS

A. CITIZEN COMMUNICATION

The first four (4) speakers signed up prior to Citizen Communication being called 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 matters related to short-term rentals.

B. APPROVAL OF MINUTES

- 1. Approval of minutes from Tuesday, September 10, 2019.

Motion to approve the minutes from Tuesday, September 10, 2019 was approved on the motion by

Commissioner Seeger, seconded by Commissioner Thompson on a vote of 13-0.

C. PUBLIC HEARINGS

1. Plan Amendment: [NPA-2019-0020.04 - 600 Industrial Blvd; District 3](#)

Location: 600 Industrial Boulevard, Blunn Creek Watershed; South Congress Combined (East Congress) NP Area
Owner/Applicant: KC 600 Industrial LLC (Mitchell S. Johnson)
Agent: Smith Robertson, L.L.P. (David Hartman)
Request: Industry to Mixed Use land use
Staff Rec.: **Recommended**
Staff: [Jesse Gutierrez](#), 512-974-1606
Planning and Zoning Department

Motion to grant Neighborhood's request for postponement of this item to October 8, 2019 was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 13-0.

2. Rezoning: **C14-2019-0082 - 600 Industrial Blvd; District 3**

Location: 600 Industrial Boulevard, Blunn Creek Watershed; South Congress Combined (East Congress) NP Area
Owner/Applicant: KC 600 Industrial LLC (Mitchell S. Johnson)
Agent: Smith Robertson, L.L.P. (David Hartman)
Request: LI-CO-NP to LI-PDA-NP
Staff Rec.: **Recommended, with conditions**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Neighborhood's request for postponement of this item to October 8, 2019 was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 13-0.

3. Plan Amendment: [NPA-2018-0005.01 - 1501 Airport Commerce; District 3](#)

Location: 1501 Airport Commerce Drive, Carson Creek Watershed; Montopolis NP Area
Owner/Applicant: W2 Hill ACP II LP
Agent: Drenner Group, PC (Amanda Swor)
Request: Commercial to Mixed Use land use
Staff Rec.: **Not Recommended**
Staff: [Jesse Gutierrez](#), 512-974-1606
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Shaw, seconded by Commissioner Shieh to grant Staff's recommendation to deny Mixed Use land use for NPA-2018-0005.01 - 1501 Airport Commerce located at 1501 Airport Commerce Drive was approved on a vote of 8-3. Commissioners Hempel, Flores and Kazi voted nay. **Commissioners x and y abstained.**

4. Rezoning: [C14-2019-0029 - 1501 Airport Commerce Dr; District 3](#)

Location: 1501 Airport Commerce Drive, Carson Creek Watershed; Montopolis NP Area
Owner/Applicant: W2 Hill ACP II, LP
Agent: Drenner Group, PC (Amanda Swor)
Request: CS-CO-NP to CS-MU-CO-NP
Staff Rec.: **Not Recommended**
Staff: [Sherri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Shaw, seconded by Commissioner Shieh to grant Staff's recommendation to deny CS-MU-CO-NP combining district zoning for C14-2019-0029 - 1501 Airport Commerce Dr. located at 1501 Airport Commerce Drive was approved on a vote of 8-3. Commissioners Hempel, Flores and Kazi voted nay. **Commissioners x and y abstained.**

5. Plan Amendment: [NPA-2019-0010.01 - 2700 E. 5th Street, District 3](#)

Location: 2700 E. 5th Street, Lady Bird Lake Watershed; Holly NP Area
Owner/Applicant: 2700 E. 5th JV, LLC
Agent: Drenner Group, PC (Leah Bojo)
Request: (No FLUM designation) to Mixed Use land use
Staff Rec.: **Recommended**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of Mixed Use land use for NPA-2019-0010.01 - 2700 E. 5th Street located at 2700 E. 5th Street was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 13-0.

6. Rezoning: [C14-2019-0089 - 2700 E. 5th Street, District 3](#)

Location: 2700 E. 5th Street, Lady Bird Lake Watershed; Holly NP Area
Owner/Applicant: 2700 E. 5th JV, LLC
Agent: Drenner Group, PC (Leah Bojo)
Request: LI-NP to CS-MU-NP
Staff Rec.: **Recommendation of CS-MU-CO-NP**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-MU-CO-NP, with additional conditions, combining district zoning for C14-2019-0089 - 2700 E. 5th Street located at 2700 E. 5th Street was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 13-0.

Additional Conditions

The following uses are prohibited:

Alternative Financial Services
Bail Bond Services

7. Plan Amendment: [NPA-2019-0027.02 - 2401 Winsted; District 10](#)

Location: 2401 Winsted Lane, Johnson Creek Watershed; Central West Austin Combined (West Austin Neighborhood Group) NP Area
Owner/Applicant: David Kanne, Lincoln Ventures LLC
Agent: Drenner Group (Amanda Swor)
Request: Single-Family to Neighborhood Mixed Use land use
Staff Rec.: **Postponement request by Staff to October 8, 2019**
Staff: [Kathleen Fox](#), 512-974-7877
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to October 8, 2019 was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 12-0. Commissioner Shieh recused on this item (owner of real estate near subject property).

8. Rezoning: [C14-2019-0049 - 2401 Winsted; District 10](#)

Location: 2401 Winsted Lane, Johnson Creek Watershed; Central West Austin Combined (West Austin Neighborhood Group) NP Area
Owner/Applicant: David Kanne, Lincoln Ventures LLC
Agent: Drenner Group (Amanda Swor)
Request: MF-2-NP to LR-MU-NP
Staff Rec.: **Postponement request by Staff to October 8, 2019**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to October 8, 2019 was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 12-0. Commissioner Shieh recused on this item (owner of real estate near subject property).

9. Rezoning: [C14-2019-0114 - 2111 Prather Lane; District 5](#)

Location: 2111 Prather Lane, West Bouldin Creek Watershed; South Lamar (Suspended) NP Area
Owner/Applicant: LZA Real Properties East, LLC (Lynn Antoniono)
Agent: Greystone Custom Homes, LLC (Jerry Johnson)
Request: SF-3 to SF-6
Staff Rec.: **Recommended**
Staff: [Kate Clark](#), 512-974-1237
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of SF-6 district zoning for C14-2019-0114 - 2111 Prather Lane located at 2111 Prather Lane was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 13-0.

10. Rezoning: [C14-2019-0107.SH - Diamond Forty-Two; District 1](#)

Location: 5511 - 5519 Jackie Robinson Street, Fort Branch Watershed; East MLK Combined (MLK-183) NP Area
Owner/Applicant: William Moseley
Agent: O-SDA Industries, LLC (Megan Lasch)
Request: SF-3-NP to MF-2-NP
Staff Rec.: **Recommended; Postponement request by Applicant to October 8, 2019**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to October 8, 2019 was approved on the motion by Commissioner Seeger, seconded by Commissioner Thompson on a vote of 13-0.

11. Rezoning: [C14-2018-0155 - 3303 Manor Road; District 1](#)

Location: 2205 Tillery Street, 2213 Tillery Street and 3303 Manor Road, Tannehill Branch Watershed; East MLK Combined (MLK-183) NP Area
Owner/Applicant: The Urban Groundskeeper (Glenn F. Cooper)
Agent: Drenner Group, PC (Amanda Swor)
Request: CS-V-CO-NP, CS-CO-NP, and SF-3-NP to CS-MU-V-CO-NP
Staff Rec.: **Recommended, with conditions**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Vice-Chair Kenny to grant Staff's recommendation of CS-MU-V-CO-NP combining district zoning, with conditions, for C14-2018-0155 - 3303 Manor Road located at 2205 Tillery Street, 2213 Tillery Street and 3303 Manor Road was approved on a vote of 12-0. Commissioner Flores off the dais.

12. Rezoning: [C14H-2019-0112 - Herrera House, District 3](#)

Location: 1805 E. 3rd Street, Lady Bird Lake Watershed; East Cesar Chavez NP Area
Owner/Applicant: Historic Landmark Commission, applicant; Rex Bowers, owner
Agent: Hector Avila
Request: SF-3-NP to SF-3-H-NP
Staff Rec.: **Recommended**
Staff: [Cara Bertron](#), 512-974-1446
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Llanes-Pulido, seconded by Commission Schneider to grant Staff's recommendation of SF-3-H-NP combining district zoning for C14H-2019-0112 - Herrera House located at 1805 E. 3rd Street was approved on a vote of 11-0. Vice-Chair Kenny abstained on this item. Commissioner Flores off the dais.

13. Code Amendment [Atlas 14](#)

Request: Discuss and consider an ordinance amending Title 25 and Title 30 of the City Code related to floodplain regulations.
Staff: [Kevin Shunk](#), Watershed Engineering Division Manager, Watershed Protection Department, (512) 974-9176

Public Hearing closed.

Motion by Commissioner Seeger, seconded by Commissioner Shaw to recommend amending Title 25 and Title 30 of the City Code related to floodplain regulations, as amended. Motion approved on a vote of 12-0. Commissioner Flores off the dais.

Amendments

- Recommend that the Equity Office review and comment on the Atlas 14 ordinance
- Recommend that WPD staff review the Houston flood ordinance that allows small additions to residential structures in areas with shallow flooding
- Recommend that Council discuss a potential Transfer of Development Rights program that would give developers increased entitlements outside of the floodplain in exchange for buying out properties inside of the floodplain.

Item to be rescheduled for public hearing due to notification error.

D. PRESENTATIONS

1. [Parks and Recreation Department Long Range Plan](#)

Discuss and consider recommending the Parks and Recreation Department Long Range Plan for Land, Facilities and Programs. Staff: [Kim McKnight](#), Environmental Conservation Program Manager, Parks and Recreation Department, (512) 974-9478

Motion by Commissioner Seeger, seconded by Commissioner Hempel to recommend the Parks and Recreation Department Long Range Plan for Land, Facilities and Programs was approved on a vote of 11-0. Commissioners Flores and Shaw off the dais.

E. 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.

F. BOARDS, COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

(Vice-Chair Kenny and Commissioners Azhar, Anderson and Seeger)
No report provided.

[Comprehensive Plan Joint Committee](#)

(Chair Kazi and Commissioners Flores, Llanes Pulido and Shaw)

No report provided.

[Joint Sustainability Committee](#)

(Commissioners Schneider and Seeger, *secondary*)

No report provided.

[Small Area Planning Joint Committee](#)

(Commissioners Hempel, Howard, Thompson and Shieh)

No report provided.

[South Central Waterfront Advisory Board](#)

(Commissioner Anderson)

No report provided.

ADJOURNMENT

Chair Kazi adjourned the meeting without objection on Tuesday, September 24, 2019 at 10:30 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.