



**PLANNING COMMISSION
MINUTES**

October 22, 2019

The Planning Commission convened in a regular meeting on October 22, 2019 @ 301 W. 2nd Street, Austin, TX 78701.

Chair Kazi called the Commission Meeting to order at 6:06 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
Ann Teich – Ex-Officio**

Absent:

Awais Azhar

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 matters related to the code revision.

Ms. Angela Garza – Ms. Garza discussed matters related to the code revision.

B. APPROVAL OF MINUTES

1. Approval of minutes from Tuesday, October 8, 2019

Motion to approve the minutes from Tuesday, October 8, 2019 was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

B. PUBLIC HEARINGS

1. **Plan Amendment:** [NPA-2018-0021.02 - Skyline Oltorf Mixed Use; District 3](#)
Location: 5208 and 5010 East Oltorf St and 2424 Riverside Farms Rd, Country Club West Watershed
Owner/Applicant: ADD Land, Ltd. and Charitable Holdings II
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr. and Ferris Clements)
Request: Office and Rural Residential to Mixed Use land use
Staff Rec.: **Indefinite postponement request by Staff.**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for indefinite postponement of this item was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

2. **Rezoning:** [C14-2019-0126 - Fiesta CS-1; District 3](#)
Location: 5500 S. IH-35, Suite 210, Williamson Creek Watershed
Owner/Applicant: LRF1 Stassney Heights Plaza LLC
Agent: Thrower Design (Ron Thrower)
Request: GR-NP to CS-1-NP
Staff Rec.: **Recommended**
Staff: [Kate Clark](#), 512-974-1237
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-1-NP combining district zoning for C14-2019-0126 - Fiesta CS-1 located at 5500 S. IH-35, Suite 210 was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

- 3. Rezoning:** [C14-2019-0102 – Wonderspaces; District 1](#)
Location: 1205 Sheldon Cove, Building Two, Suites A - H, Little Walnut Creek Watershed
Owner/Applicant: Metis Capital, LLC (Colin Laitner)
Agent: Graves Dougherty Hearon & Moody (Peter J. Cesaro)
Request: LI-NP to CS-1-NP
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to November 12, 2019 was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

- 4. Restrictive Covenant Termination:** [C14-75-126\(B\)\(RCT\) - Restrictive Covenant Termination - 6111 F.M. 969; District 1](#)
Location: 6111 F.M. 969 Road, Walnut Creek Watershed
Owner/Applicant: Masoud Arami, Majid Kamalipour, & Mohammed Arami
Agent: Drenner Group (Amanda Swor)
Request: To terminate restrictive covenant C14-75-126(B).
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation to terminate the restrict covenant for C14-75-126(B)(RCT) - Restrictive Covenant Termination - 6111 F.M. 969 located at 6111 F.M. 969 Road was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

- 5. Planned Unit Development Amendment:** **C814-04-0055.04.SH – Mueller; District 9**
- Location: North I-35 at E. 51st Street / Mueller PUD, Boggy Creek, Tannehill Branch Watersheds
- Owner/Applicant: City of Austin Economic Development Department (Pamela Hefner)
- Agent: McCann Adams Studio (Jana McCann)
- Request: PUD to PUD, to change a condition of zoning
- Staff Rec.: **Recommended**
- Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Neighborhood’s request for postponement of this item to November 12, 2019 was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

- 6. Conditional Use Permit:** **[SPC-2018-0550C - Clive Bar; District 9](#)**
- Location: 609 Davis Street, Lake Austin Watershed
- Owner/Applicant: Clive Bar Austin LLC
- Agent: Big Red Dog
- Request: Applicant proposes a 3-story addition to existing one-story cocktail lounge
- Staff Rec.: **Recommended**
- Staff: [Jeremy Siltala](#), 512-974-2945
Development Services Department

Public Hearing closed.

Motion to grant Staff’s recommendation for SPC-2018-0550C - Clive Bar located at 609 Davis Street was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

- 7. Resubdivision:** **[C8-2019-0084.0A - Resubdivision of Part of Lots 19, 20, 21, & 22, Block 13 Hyde Park Addition; District 9](#)**
- Location: 4302 Avenue D, Waller Creek Watershed
- Owner/Applicant: GTT Properties, LLC (G. Tyson Tuttle)
- Agent: Hector Avila
- Request: Approve resubdividing portions of lots into a one lot subdivision on 0.144 acres.
- Staff Rec.: **Recommended**
- Staff: [Cesar Zavala](#), 512-974-3404
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2019-0084.0A - Resubdivision of Part of Lots 19, 20, 21, & 22, Block 13 Hyde Park Addition located at 4302 Avenue D was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

8. 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 to grant Staff's recommendation and approve amending Title 25 and Title 30 of the City Code related to floodplain regulations, as amended, was approved on the consent agenda on the motion by Commissioner Shieh, seconded by Vice-Chair Kenny on a vote of 12-0. Commissioner Azhar absent.

- 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.

9. Encroachment [F# 10115-1903 – Right-Of-Way Subsurface Encroachment at East Cesar Chavez Street, Comal Street and Alley; District 3](#)

Location: 1501 East Cesar Chavez Street; Lady Bird Lake Watershed

Owner/Applicant: 1500 CC, LLC / Alejandra Flores

Request: Approve Sub-surface Encroachment of a portion of East Cesar Chavez Street, Comal Street and Willow Street Alley Right-of-Way by a parking garage near the intersection of East Cesar Chavez Street and Comal Street.

Staff Rec.: **Recommended**

Staff: [Andy Halm](#), 512-974-7185, Office of Real Estate Services

Public Hearing closed.

Motion to grant Staff's recommendation for F# 10115-1903 – Right-Of-Way Subsurface Encroachment at East Cesar Chavez Street, Comal Street and Alley, located at 1501 East Cesar Chavez Street was approved on the consent agenda on the motion by Commissioner Shieh,

seconded by Vice-Chair Kenny on a vote of 11-0. Commissioner Azhar absent. Commissioner Thompson recused on this item due to a conflict of interest (owner of property near subject address).

C. BRIEFING

1. Lobbyist Ordinance

Briefing regarding lobbyist ordinance; requirements for Boards and Commissions. Staff: Lynn Carter, Law Department, 512-974-2171 (Co-Sponsors: Commissioners Shaw and Schneider)

Presentation provided by Lynn Carter, Law Department, 512-974-2171 and Jannette Goodall, City Clerk, 512-974-2211.

D. ITEMS FROM COMMISSION

1. Neighborhood Plans and Process

Discussion regarding history of neighborhood plans and process. (Co-Sponsors: Commissioners Llanes-Pulido and Shieh)

Item discussed.

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 Kazi, Vice-Chair Kenny)

Item discussed.

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)

Presentations provided by Working Groups.

b. Consider adoption of rules related to public testimony.

Rules adopted by unanimous consent.

F. BOARDS & COMMITTEES 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, October 22, 2019 at 11:00 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.