



**PLANNING COMMISSION  
MINUTES**

**December 10, 2019**

**The Planning Commission convened in a regular meeting on December 10, 2019 @ 301 W. 2<sup>nd</sup> Street, Austin, TX 78701.**

**Chair Kazi called the Commission Meeting to order at 6:00 p.m.**

**Commission Members in Attendance:**

**Greg Anderson  
Awais Azhar  
Yvette Flores  
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:**

**Claire Hempel  
Patrick Howard**

**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. Stuart Hersh – Mr. Hersh discussed matters related to the proposed Land Development Code.

## **A. APPROVAL OF MINUTES**

1. Approve the minutes of November 26, 2019.

Motion to approve the minutes of November 26, 2019 was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

## **B. PUBLIC HEARINGS**

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

Location: 4530 E. Ben White Blvd., 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.: **Postponement request by Applicant to January 28, 2020**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to January 28, 2020 was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

### **2. Plan Amendment: [NPA-2017-0018.01 - 2106 Payne Avenue; District 7](#)**

Location: 2106 Payne Avenue, Shoal Creek Watershed; Brentwood / Highland Combined (Brentwood) NP Area  
Owner/Applicant: ARCH Properties, Inc.  
Agent: Daniel McFarland  
Request: Single Family to Mixed Use/Office land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Seeger to grant Staff's recommendation of Mixed Use/Office land use for NPA-2017-0018.01 - 2106 Payne Avenue located at 2106 Payne Avenue was approved on a vote of 10-1. Commissioner Llanes-Pulido voted nay. Commissioners Hempel and Howard absent.

**3. Rezoning:**                    [C14-2019-0053 - 2106 Payne Avenue, District 7](#)

Location:                    2106 Payne Avenue, Shoal Creek Watershed; Brentwood / Highland Combined (Brentwood) NP Area  
Owner/Applicant:        ARCH Properties, Inc.  
Agent:                        Daniel McFarland  
Request:                     SF-3-NP to NO-MU-NP  
Staff Rec.:                 **Recommended**  
Staff:                         Kate Clark, 512-974-1237, kate.clark@austintexas.gov  
                                     Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Seeger to grant Staff's recommendation of NO-MU-NP combining district zoning for C14-2019-0053 - 2106 Payne Avenue located at 2106 Payne Avenue was approved on a vote of 10-1. Commissioner Llanes-Pulido voted nay. Commissioners Hempel and Howard absent.

**4. Plan Amendment:**       [NPA-2019-0008.01 - 2711-2717 Manor Road; District 1](#)

Location:                    2711, 2713, 2715, and 2717 Manor Road; 2204 Curtis Avenue, Boggy Creek Watershed; Rosewood NP Area  
Owner/Applicant:        2715 Manor, LLC; 2717 Manor, LLC; Dennis Bruyere; and Andrew Pluta  
Agent:                        Drenner Group, LLC (Amanda Swor)  
Request:                     Single Family to Mixed Use land use  
Staff Rec.:                 **Recommended**  
Staff:                         Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
                                     Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of Mixed Use land use for NPA-2019-0008.01 - 2711-2717 Manor Road located at 2711, 2713, 2715, and 2717 Manor Road; 2204 Curtis Avenue was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

5. **Rezoning:** [C14-2019-0105 - 2711-2717 Manor Road; District 1](#)

Location: 2711, 2713, 2715, and 2717 Manor Road; 2204 Curtis Avenue, Boggy Creek Watershed; Rosewood NP Area  
Owner/Applicant: E-I35 Properties LLC, (Jerry T. Springer); 2717 Manor, LLC (Dennis Bruyere); Andrew Pluta  
Agent: Drenner Group, LLC (Amanda Swor)  
Request: SF-3-NP to CS-V-NP  
Staff Rec.: **Recommended**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion to grant CS-V-CO-NP combining district zoning for C14-2019-0105 - 2711-2717 Manor Road located at 2711, 2713, 2715, and 2717 Manor Road; 2204 Curtis Avenue was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

Conditional Overlay:

Alternative Financial Services is a prohibited use.

6. **Plan Amendment:** [NPA-2019-0007.01 - Settlement Home - 8900 Hunters Trace; District 4](#)

Location: 8900 Hunters Trace, Little Walnut Creek Watershed; North Austin Civic Association NP Area  
Owner/Applicant: Owner: The Settlement Club  
Applicant: City of Austin - Planning and Zoning Department  
Agent: Julie Schechter  
Request: Single Family to Mixed Use/Office land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Vice-Chair Kenny to grant Mixed Use/Office land use for NPA-2019-0007.01 - Settlement Home - 8900 Hunters Trace located at 8900 Hunters Trace was approved on a vote of 11-0. Commissioners Hempel and Howard absent.

7. **Rezoning:** [C14-2019-0141 - Settlement Home; District 4](#)

Location: 8900 Hunters Trace, Little Walnut Creek Watershed; North Austin Civic Association NP Area  
Owner/Applicant: Settlement Club  
Agent: City of Austin - Planning and Zoning Department (Sherri Sirwaitis)  
Request: SF-3-NP to NO-MU-NP  
Staff Rec.: **Recommended**  
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Vice-Chair Kenny to grant Staff's recommendation of NO-MU-NP combining district zoning for C14-2019-0141 - Settlement Home located at 8900 Hunters Trace was approved on a vote of 11-0. Commissioners Hempel and Howard absent.

8. **Rezoning:** [C14-2019--0142 - AISD - Loyola Lane Tract, District 1](#)

Location: 6412 Ed Bluestein Boulevard, Little Walnut Creek Watershed; North Austin Civic Association NP Area  
Owner/Applicant: Blusky Interests, Ltd. (John McCormack)  
Agent: Metcalfe, Wolff, Stuart & Williams LLP (Amanda Brown)  
Request: GR-MU-CO-NP to GR-MU-CO-NP, to change a condition of zoning  
Staff Rec.: **Recommended**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of GR-MU-CO-NP combining district zoning, to change a condition of zoning for C14-2019-0142 - AISD - Loyola Lane Tract located at 6412 Ed Bluestein Boulevard was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

9. **Rezoning:** [C14-2017-0148 - Eightfold; District 1](#)

Location: 3443 Ed Bluestein Boulevard Northbound, Walnut Creek and Boggy Creek Watersheds; East MLK Combined NP Area  
Owner/Applicant: 3443 Zen Garden LLP (Adam Zarafshari)  
Agent: Sprouse Shrader Smith (Terrence L. Irion)  
Request: LI-NP to LI-PDA-NP  
Staff Rec.: **Recommended**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to January 14, 2020 was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**10. Rezoning:**                    [C814-2018-0121 - 218 S. Lamar; District 5](#)

Location:                    218 South Lamar Boulevard, Lady Bird Lake and West Bouldin Creek Watersheds; South Lamar Combined (Zilker) NP Area (Suspended)  
Owner/Applicant:        Michael Pfluger, William Reid Pfluger & the Pfluger Spousal Irrevocable Trust (Reid Pfluger)  
Agent:                        Drenner Group, PC (Amanda Swor)  
Request:                    CS-V to PUD  
Staff Rec.:                **Postponement by Staff to January 14, 2020**  
Staff:                        Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
   Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 14, 2020 was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**11. Rezoning:**                    [C14-2019-0123 - 1408 E. 51st Street; District 4](#)

Location:                    1408, 1410, 1414, 1416, and 1418 East 51st Street, Tannehill Branch Creek Watershed; Windsor Park NP Area  
Owner/Applicant:        Sage Crossroads, LLC (David Foor)  
Agent:                        Drenner Group PC (Leah Bojo)  
Request:                    LO-V-NP to GR-MU-V-NP, as amended  
Staff Rec.:                **Recommended**  
Staff:                        Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
   Planning and Zoning Department

Public Hearing closed.

Motion by Vice-Chair Kenny, seconded by Commissioner Anderson to grant GR-MU-V-CO-NP combining district zoning for C14-2019-0123 - 1408 E. 51st Street located at 1408, 1410, 1414, 1416, and 1418 East 51st Street was approved on a vote of 10-0. Commissioner Llanes-Pulido abstained. Commissioners Hempel and Howard absent.

Conditions:

1. Drop-off recycling collection facility and Funeral services land uses shall be prohibited;
2. Drive-in (all types), Alternative financial services, Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (all types), Bail bond services, Pawn shop services, Pedicab storage and dispatch land uses shall be conditional.

**12. Restrictive Covenant Amendment:** [C14-71-278\(RCA\) - 1408 E. 51st Street; District 4](#)

Location: 1408, 1410, 1414, 1416, and 1418 East 51st Street, Tannehill Branch Creek Watershed; Windsor Park NP Area  
Owner/Applicant: Sage Crossroads, LLC (David Foor)  
Agent: Drenner Group PC (Leah Bojo)  
Request: To amend a public restrictive covenant associated with zoning case C14-71-278(RCA)  
Staff Rec.: **Recommended**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion to amend a public restrictive covenant for C14-71-278(RCA) - 1408 E. 51st Street located at 1408, 1410, 1414, 1416, and 1418 East 51st Street was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**13. Rezoning:** [C14H-2019-0148 - Edward and Connie Rendon House; District 3](#)

Location: 1705 Haskell Street, Lady Bird Lake Watershed; East Cesar Chavez NP Area  
Owner/Applicant: Historic Landmark Commission - Applicant  
Request: SF-3-NP to SF-3-H-NP  
Staff Rec.: **Recommended**  
Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov  
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 14, 2020 was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**14. Rezoning:** [C14H-2019-0147 - Heflybower House; District 9](#)

Location: 704 W. 22nd Street, Shoal Creek Watershed; Central West Austin NP Area  
Owner/Applicant: Historic Landmark Commission - Applicant  
Request: MF-4-NP to MF-4-H-NP  
Staff Rec.: **Recommended**  
Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Shieh, seconded by Commissioner Anderson to deny MF-4-H-NP combining district zoning for C14H-2019-0147 - Heflybower House located at 704 W. 22nd Street

was approved on a vote of 8-2. Commissioners Shaw and Schneider voted nay. Commissioner Llanes-Pulido abstained on this item.

**15. Code Amendment:** [Central Health](#)

Owner/Applicant: City of Austin  
Request: Discuss and consider an amendment to Title 25 of the City Code related to allowable uses, building heights, floor area ratio, and general site development standards for the area relatively located within the Central Health downtown campus.  
Staff Rec.: **Recommended**  
Staff: Jerry Rusthoven, 512-974-3207, jerry.rusthoven@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation with additional conditions to amend Title 25 of the City Code related to allowable uses, building heights, floor area ratio, and general site development standards for the area relatively located within the Central Health downtown campus, was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

Additional Conditions:

1. Light Manufacturing and Limited Warehouse Distribution are conditional uses.
2. If residential development occurs on the property, at least 100 multifamily units at 50% MFI will be provided subject to the following:

There will be monetary participation by the City of Austin via the Housing Trust Fund or another source worked out prior to development and there will be a 40-year affordability term attached to those units at 50% MFI.

**16. Resubdivision:** [C8-2019-0097.0A - O'Reilly resubdivision; District 1](#)

Location: 1300 Bob Harrison, Boggy Creek Watershed; Central East Austin NP Area  
Owner/Applicant: Paul Krause  
Agent: Southwest Engineers (Henry Juarez)  
Request: Approve the O'Reilly Resubdivision, comprised of three lots on 0.27 acre.  
Staff Rec.: **Recommended**  
Staff: Steve Hopkins, 512-974-3175, steve.hopkins@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2019-0097.0A - O'Reilly resubdivision located at 1300 Bob Harrison was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**17. Resubdivision:**                    **[C8-2018-0175.1A - Cartwright Lots, Resubdivision of Part of Lot 32, Theodore Low Heights; District 5](#)**

Location:                    3204 Clawson Road, West Bouldin Creek Watershed; South Lamar Combined NP Area (Suspended)  
Owner/Applicant:        3204 Clawson LLC  
Agent:                      Servant Engineering & Consulting (Mauricio Quintero Rangel)  
Request:                    Approve a variance from 25-4-175 (LDC) to allow flag lots and the resubdivision of part of one lot into 4 lots on 0.99 acres.  
Staff Rec.:                **Recommended**  
Staff:                        Sylvia Limon, 512-974-2767, sylvia.limon@austintexas.gov  
Development Services Department.

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2018-0175.1A - Cartwright Lots, Resubdivision of Part of Lot 32, Theodore Low Heights located at 3204 Clawson Road, was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**18. Site Plan:**                        **[SPC-2018-0575CS - Vertical Bridge 5288; District 4](#)**

Location:                    8226-1/2 Georgian Drive, Little Walnut Creek Watershed; North Lamar Combined NP Area  
Owner/Applicant:        Powell Lane Plaza Partnership  
Agent:                      Vertical Bridge (Lou Garcia)  
Request:                    Approve a conditional use permit for a telecommunications tower within 200 ft. of an SF-5 or more restricted zoning district or use.  
Staff Rec.:                **Recommended**  
Staff:                        Robert Anderson, 512-974-3026, robert.anderson@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2018-0575CS - Vertical Bridge 5288 located at 8226-1/2 Georgian Drive, was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**19. Street Vacation: [F # 9941-1803 Street Vacation](#)**

Location: West 49<sup>th</sup> Street (1304 and 1306 West 49<sup>th</sup> Street)  
Owner/Applicant: Woodrow W 49 Partners, LLC  
Agent: Civilitude (Nhat Ho)  
Request: Approve street vacation of 2,067 square foot portion of West 49<sup>th</sup> Street.  
Staff Rec.: **Recommended**  
Staff: Mashell Smith, 512-974-7079, mashell.smith@austintexas.gov  
Office of Real Estate Services

Public Hearing closed.

Motion to grant Staff’s recommendation for F # 9941-1803 Street Vacation located at West 49th Street (1304 and 1306 West 49th Street), was approved on the consent agenda on the motion by Vice-Chair Kenny, seconded by Commissioner Azhar on a vote of 11-0. Commissioners Hempel and Howard absent.

**C. NEW BUSINESS**

**1. [Recommendation: Amendment to Chapter 1-2](#)**

Discussion and possible action to recommend that Council initiate an amendment to Chapter 1-2 relating to the approval process for criteria manuals (administrative rules).  
Co- Sponsors Commissioner Thompson and Chair Kazi.

Motion by Commissioner Thompson, seconded by Chair Kazi to recommend that Council initiate an amendment to Chapter 1-2 relating to the approval process for criteria manuals (administrative rules) was approved on a vote of 11-0. Commissioners Hempel and Howard absent.

**D. 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.*

**D. 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*)

Commissioner Schneider stated the Committee heard from a professor from Huston Tillotson regarding initial findings related to the University of Texas Gentrification Study.

[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, December 10, 2019 at 8:03 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.