



## **PLANNING COMMISSION**

### **MINUTES**

**May 26, 2020**

The Planning Commission convened in a meeting on May 26, 2020 via videoconference (<http://www.austintexas.gov/page/watch-atxn-live>)

**Chair Kenny 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 – Vice-Chair  
Conor Kenny – Chair  
Carmen Llanes Pulido  
Robert Schneider  
Todd Shaw  
James Shieh  
Patricia Seeger  
Jeffrey Thompson**

#### **Absent:**

**Don Leighton-Burwell – Ex-Officio  
Ann Teich – 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

## APPROVAL OF MINUTES

1. Approve the minutes of May 12, 2020.

Motion to approve minutes from May 12, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

### A. PUBLIC HEARINGS

- 1. Plan** [NPA-2019-0022.02 - 305 S. Congress; District 9](#)  
**Amendment:**  
Location: 305 S. Congress Avenue, Lady Bird Lake Watershed; South River City NP Area  
Owner/Applicant: Richard T. Suttle, Jr.  
Agent: Armbrust & Brown (Richard T. Suttle Jr.)  
Request: Industry to Mixed Use land use  
Staff Rec.: **Pending; Indefinite Postponement request by the Staff**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Planning and Zoning Department

Motion to grant Staff's request for indefinite postponement was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 2. Rezoning:** [C814-89-0003.02 - 305 S. Congress; District 9](#)  
Location: 305 S. Congress Avenue, Lady Bird Lake Watershed; South River City NP Area  
Owner/Applicant: Richard T. Suttle, Jr.  
Agent: Armbrust & Brown (Richard T. Suttle Jr.)  
Request: PUD-NP to PUD-NP, to change conditions of zoning  
Staff Rec.: **Pending; Indefinite Postponement request by the Staff**  
Staff: Kate Clark, 512-974-1237, Kate.Clark@austintexas.gov  
Planning and Zoning Department

Motion to grant Staff's request for indefinite postponement was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 3. Plan Amendment:** [NPA-2016-0012.01.SH - Nuckols Crossing Road - SMART Housing; District 2](#)
- Location: 4316 and 4400 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
- Owner/Applicant: Owners: Angelos Angelou and John Sasaridis; Mark Sebastian Miles Weindel. Applicant: McDowell Housing Partners (Ariana Brendle)
- Agent: Thrower Design (Ron Thrower)
- Request: Single Family to Multifamily land use
- Staff Rec.: **Pending; Postponement request by the Staff to July 14, 2020**
- Staff: Maureen Meredith, 512-974-2695, Maureen.meredith@austintexas.gov  
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to July 14, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 4. Rezoning:** [C14-2017-0010.SH - Nuckols Crossing Road - SMART Housing; District 2](#)
- Location: 4316 and 4400 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
- Owner/Applicant: Owners: Angelos Angelou and John Sasaridis; Mark Sebastian Miles Weindel. Applicant: McDowell Housing Partners (Ariana Brendle)
- Agent: Thrower Design (Ron Thrower)
- Request: SF-2-NP; SF-2-CO-NP to MF-4-NP, as amended
- Staff Rec.: **Pending; Postponement request by the Staff to July 14, 2020**
- Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov  
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to July 14, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 5. Plan**                                [NPA-2019-0015.01 - 5010 & 5102 Heflin Lane; District 1](#)  
**Amendment:**  
Location:                                5010 & 5102 Heflin Lane, Fort Branch Watershed; East MLK  
    Combined NP Area  
Owner/Applicant:                        Heflin Phase 1, LLC  
Agent:                                        Thrower Design (Ron Thrower)  
Request:                                    Single Family to Higher Density Single Family land use  
Staff Rec.:                                **Pending: Posponement request by the Staff to June 9, 2020**  
Staff:                                        Kathleen Fox, 512-974-7877, kathleen.fox@austintexas.gov  
    Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to June 9, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 11-0. Commissioner Llanes Pulido off the dais. Commissioner Shieh recused on this item due to a conflict of interest; rendered professional services.

- 6. Plan**                                [NPA-2019-0016.01 - Shady Lane Mixed Use; District 3](#)  
**Amendment:**  
Location:                                914 Shady Lane, Boggy Creek Watershed; Govalle / Johnston  
    Terrace NP Area  
Owner/Applicant:                        Kimberly Beal & Stephanie Scherzer  
Agent:                                        Alice Glasco Consulting (Alice Glasco)  
Request:                                    Water & Single Family to Higher Density Single Family (Tract 1)  
    and Neighborhood Mixed Use (Tract 2) land uses, as amended  
Staff Rec.:                                **Recommended**  
Staff:                                        Maureen Meredith, 512-974-2695,  
    maureen.meredith@austintexas.gov  
    Planning and Zoning Department

Motion to grant Neighborhood's request for postponement of this item to June 23, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 7. Rezoning:**                            [C14-2019-0098 - Shady Lane Mixed Use; District 3](#)  
Location:                                914 Shady Lane, Boggy Creek Watershed; Govalle / Johnston  
    Terrace NP Area  
Owner/Applicant:                        Kimberly Beal and Stephanie Scherzer  
Agent:                                        Alice Glasco Consulting (Alice Glasco)  
Request:                                    SF-3-NP to SF-6-NP (Tract 1) and LR-MU-NP (Tract 2), as  
    amended  
Staff Rec.:                                **Recommended**  
Staff:                                        Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
    Planning and Zoning Department

Motion to grant Neighborhood's request for postponement of this item to June 23, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by

Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 8. Rezoning:** [C14-2020-0007 - 2001 Guadalupe Street, District 9](#)  
Location: 2001 Guadalupe Street, Shoal Creek Watershed; Central Austin  
Combined (West University) NP Area  
Owner/Applicant: Powell-Corbett LLC (William Corbett)  
Agent: Coats-Rose (John Joseph)  
Request: CS-NP to CS-MU-NP  
Staff Rec.: **Recommended; Postponement request by the Applicant to June 9, 2020**  
Staff: Mark Graham, 512-974-3574, mark.graham@austintexas.gov  
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to June 9, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 9. Rezoning:** [C14-2019-0108 - Parker House; District 9](#)  
Location: 2404 Rio Grande Street, Shoal Creek Watershed; Central Austin  
Combined (West University) NP Area  
Owner/Applicant: William Archer  
Agent: South Llano Strategies (Glen Coleman)  
Request: GO-H-NP and MF-4-H-NP to GR-MU-H-NP (Tract 1) and GR-MU-NP (Tract 2), as amended  
Staff Rec.: **Recommended with conditions**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Zoning Department

Motion to grant Neighborhood's request for postponement of this item to June 23, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 10. Rezoning:** [C14-2020-0031.SH - E MLK Rezoning, District 1](#)  
Location: 5201 East Martin Luther King Jr. Boulevard, Fort Branch  
Watershed; East MLK Combined (MLK-183) NP Area  
Owner/Applicant: 5201 E MLK LP (Ryan Walker)  
Agent: Thrower Design (Ron Thrower)  
Request: SF-3-NP to MF-6-NP  
Staff Rec.: **Recommendation of MF-3-NP**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Zoning Department

Motion to grant Neighborhood's request for postponement of this item to June 9, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 11-0. Commissioner Llanes Pulido off the dais. Vice-Chair Kazi recused on this item due to a conflict of interest; rendered professional services.

- 11. Rezoning:** [C14-2020-0010 - FM 969 Retail Center; District 1](#)  
Location: 6401 FM 969, Walnut Creek Watershed; East MLK Combined (MLK-183) NP Area  
Owner/Applicant: 6401 E FM 969 LLC (Najib Wehbe)  
Agent: South Llano Strategies (Glen Coleman)  
Request: LR-NP to CS-1-NP  
Staff Rec.: **Recommendation of CS-1-CO-NP**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Planning and Zoning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-1-CO-NP combining district zoning for C14-2020-0010 - FM 969 Retail Center located at 6401 FM 969 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 12 Rezoning:** [C14H-2020-0033 - Teer-Peterson House; District 9](#)  
Location: 2408 Harris Boulevard, Shoal Creek Watershed; Central West Austin NP Area  
Owner/Applicant: Tina Contros, applicant; Willie Fischler, owner  
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

Public Hearing closed.

Motion to grant Staff's recommendation of SF-3-H-NP combining district zoning for C14H-2020-0033 - Teer-Peterson House located at 2408 Harris Boulevard was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 13 Preliminary Plan:** [C8J-2018-0105 - Easton Park 3A Preliminary Plan; District 2](#)  
Location: Moonbeam Drive and Finial Drive, North Fork Dry Creek Watershed; Pilot Knob MUD  
Owner/Applicant: Carma Easton LLC (Matthew McCafferty)  
Agent: Bill E. Couch (Carlson, Brigance & Doering, Inc.)  
Request: Approval of Easton Park 3A Preliminary Plan which will develop 84.76 acres with 284 total lots for single-family, ROW, parkland/open space and other associated improvements.  
Staff Rec.: **Recommended**  
Staff: Sue Welch, 512-854-7637, sue.welch@traviscountytexas.gov  
Travis County TNR - Single Office

Public Hearing closed.

Motion to grant Staff's recommendation for C8J-2018-0105 - Easton Park 3A Preliminary Plan located at Moonbeam Drive and Finial Drive was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

**14. Resubdivision:**     [C8-2019-0051.0A - Dean Terrace, Resubdivision of Lot 4 Block D; District 4](#)

Location:             205 East Walnut Drive, Little Walnut Creek Watershed; Georgian Acres NP Area  
Owner/Applicant:    Elliott Jemty  
Agent:                Hector Avila  
Request:             Approval of the resubdivision of Lot 4, Block D of Dean Terrace, comprised of two lots on 20,260 square feet, with a variance for a flag lot.  
Staff Rec.:           **Recommend**  
Staff:                 Jennifer Bennett-Reumuth, 512-974-9002, jennifer.bennett-reumuth@austintexas.gov  
                          Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2019-0051.0A - Dean Terrace, Resubdivision of Lot 4 Block D located at 205 East Walnut Drive was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

**15. Resubdivision:**     [C8-04-0043.09.3A.SH - Berkman Tower View Subdivision; District 9](#)

Location:             3900 Berkman Drive, Tannehill Branch Watershed; RMMA  
Owner/Applicant:    Austin Modern Lofts (Ross Wang)  
Agent:                Doucet & Associates, Inc. (Davood Salek, P.E.)  
Request:             Approval of the resubdivision of four lots into a 58 lot subdivision on 3.02 acres.  
Staff Rec.:           **Recommended**  
Staff:                 Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov  
                          Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-04-0043.09.3A.SH - Berkman Tower View Subdivision located at 3900 Berkman Drive was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 16. Site Plan (CUP):** [SPC-2019-0590A - 76 Rainey CUP; District 9](#)  
Location: 76 Rainey Street, Waller Creek and Lady Bird Lake Watersheds;  
Downtown Master Plan (Rainey Street District)  
Owner/Applicant: Regalado Joe Martin  
Agent: WGI (Cliff Kendall)  
Request: The proposed use, cocktail lounge is a Conditional use within the  
Rainey Street subdistrict of the Waterfront Overlay.  
Staff Rec.: **Recommended**  
Staff: Renee Johns, 512-974-2711, renee.johns@austintexas.gov  
Development Services Department

Motion to grant Applicant's request for postponement of this item to July 14, 2020 was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 17 Site Plan:** [SPC-2020-0073A - 75 Rainey CUP; District 9](#)  
Location: 75 Rainey Street, Waller Creek and Lady Bird Lake Watersheds;  
Downtown Master Plan (Rainey Street District)  
Owner/Applicant: Ashland Rainey LLC & EW Renovating Rainey LLC  
Agent: WGI (Cliff Kendall)  
Request: CUP to cocktail lounge in CBD Waterfront overlay  
Staff Rec.: **Recommended**  
Staff: Renee Johns, 512-974-2711, renee.johns@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2020-0073A - 75 Rainey CUP located at 75 Rainey Street was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

- 18 Site Plan:** [SPC-2020-0074A - 80 Rainey CUP; District 9](#)  
Location: 80 Rainey Street, Waller Creek and Lady Bird Lake Watersheds;  
Downtown Master Plan (Rainey Street District)  
Owner/Applicant: Ashland Rainey LLC & EW Renovating Rainey LLC  
Agent: WGI (Cliff Kendall)  
Request: CUP to cocktail lounge in CBD Waterfront overlay  
Staff Rec.: **Recommended**  
Staff: Renee Johns, 512-974-2711, renee.johns@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2020-0074A - 80 Rainey CUP located at 80 Rainey Street was approved on the consent agenda on the motion by Commissioner Hempel,



seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

**19 Site Plan:** [SPC-2020-0072A - 82 Rainey CUP; District 9](#)  
Location: 82 Rainey Street, Waller Creek and Lady Bird Lake Watersheds; Downtown Master Plan (Rainey Street District)  
Owner/Applicant: Ashland Rainey LLC & EW Renovating Rainey LLC  
Agent: WGI (Cliff Kendall)  
Request: CUP to cocktail lounge in CBD Waterfront overlay  
Staff Rec.: **Recommended**  
Staff: Renee Johns, 512-974-2711, renee.johns@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2020-0072A - 82 Rainey CUP located at 82 Rainey Street, was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

**20 Site Plan - Environmental Variance Only:** [SP-2019-0529C.SH - Vi Collina Multifamily; District 3](#)  
Location: 2401 E Oltorf Street, Country Club West Watershed; Parker Lane NP Area  
Owner/Applicant: Jimmy Nassour (Cedar Willow Creek LTD)  
Agent: Ryan Taylor (Kimley-Horn)  
Request: Approval of variance request for the following: 1. Vary from 25-8-302(B)(1) to allow construction of a building on a slope between 15 and 25 percent, where impervious cover on slopes over 15 percent exceeds 10 percent of the total area of the slopes over 15 percent.  
2. Vary from 25-8-302(A)(2) to allow construction of a parking area on a slope over 15 percent.  
3. Vary from 25-8-341 to allow cut exceeding 4 feet on slopes over 15 percent.  
4. Vary from 25-8-342 to allow fill exceeding 4 feet on slopes over 15 percent.  
Staff Rec.: **Recommended with conditions**  
Staff: Pamela Abee-Taulii, 512- 974-1879, Pamela.Abee-Taulii@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation, including conditions for SP-2019-0529C.SH - Vi Collina Multifamily located at 2401 E Oltorf Street, was approved on the consent agenda on the

motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

## **B. NEW BUSINESS**

1. Discussion and possible action to rescind Planning Commission action from April 28, 2020 granting approval of Simon-Caskey Tract Preliminary Plan, located at 7715 West SH 71. (Co-Sponsors: Commissioners Shieh and Seeger)

Motion by Commissioner Anderson, seconded by Vice-Chair Kazi to deny rescinding the action from April 28, 2020 granting approval of Simon-Caskey Tract Preliminary Plan, located at 7715 West SH 71 was approved on a vote of 7-5. Those voting aye were Chair Kenny, Vice-Chair Kazi and Commissioners Anderson, Howard, Flores, Hempel and Thompson. Those voting nay were Commissioners Seeger, Schneider, Shaw, Llanes Pulido and Shieh. Commissioner Azar abstained.

## **C. 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.*

Various staff briefings sponsored by members of the Planning Commission to be coordinated by Chair Kenny for future meetings supported by Planning Commission, by unanimous consent

## **D. BOARDS, COMMITTEES & WORKING GROUPS UPDATES**

### [Codes and Ordinances Joint Committee](#)

(Chair Kenny and Commissioners: Azhar, Anderson and Seeger)

No report provided.

### [Comprehensive Plan Joint Committee](#)

(Vice-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.

## **ADDENDUM**

### **A. NEW BUSINESS**

2. Discuss and consider initiating amendments to City Code Title 25 relating to sign regulations in the University Neighborhood Overlay (UNO) District. Staff: Jerry Rusthoven, Interim Lead, Planning and Zoning Department, 512-974-3207.

Motion to initiate amendments to City Code Title 25 relating to sign regulations in the University Neighborhood Overlay (UNO) District was approved on the consent agenda on the motion by Commissioner Hempel, seconded by Commissioner Schneider on a vote of 12-0. Commissioner Llanes Pulido off the dais.

3. Discussion and possible action to provide input regarding the Burnet Road Corridor. (Co-Sponsors: Commissioners Thompson and Anderson)

Item postponed to June 9, 2020 by unanimous consent.

4. Discussion regarding topics Planning Commission should examine over the next year and in lead-up to 2022 revision of Imagine Austin; how such discussions could be structured. (Co-Sponsors: Chair Kenny and Vice-Chair Kazi)

Item discussed.

5. Discussion and possible action revising speaker time during Special Meetings of the Planning Commission, virtual meetings. (Co-Sponsors: Chair Kenny and Vice-Chair Kazi)

Exhibit below adopted by unanimous consent.

## Speaker Testimony

### Time Allocation

| Speaker                 | Number    | Time Allocated                      |
|-------------------------|-----------|-------------------------------------|
| Applicant / Agent       | 1         | 6 min. (Additional 3 min. rebuttal) |
| Speakers For            | Up to 6   | 3 min.                              |
| Speakers For            | Unlimited | 1 min.                              |
| Primary Speaker Against | 1         | 6 min.                              |
| Speakers Against        | Up to 6   | 3 min.                              |
| Speakers Against        | Unlimited | 1 min.                              |

**Chair Kenny adjourned the meeting without objection on Tuesday, May 26, 2020 at 7:51 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.