



PLANNING COMMISSION

MINUTES

July 14, 2020

The Planning Commission convened in a meeting on July 14, 2020 via videoconference
(<http://www.austintexas.gov/page/watch-atxn-live>)

Chair Kenny called the Commission Meeting to order at 6:15 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
Patricia Seeger
Todd Shaw
James Shieh
Jeffrey Thompson

Don Leighton-Burwell – Ex-Officio

Absent:

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

A. APPROVAL OF MINUTES

1. Approve the minutes of June 26, 2020.

Motion to approve the minutes of June 26, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

B. PUBLIC HEARINGS

- 1. Rezoning:** [C14-2020-0029 - Montopolis Acres Rezoning; District 3](#)
Location: 1013 and 1017 Montopolis Drive, Country Club East and Colorado River Watersheds; Montopolis NP Area
Owner/Applicant: Montopolis Acres LP (Danny Walker)
Agent: Thrower Design (A. Ron Thrower)
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommended**
Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov
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 Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 2. Rezoning:** [C14-2020-0030 - 200 Montopolis Rezoning; District 3](#)
Location: 200 Montopolis Drive and 6208 Clovis Street, Country Club East and Colorado River Watersheds; Montopolis NP Area
Owner/Applicant: Nine Banded Holdings LLC (Taylor Jackson)
Agent: Thrower Design (A. Ron Thrower)
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommended**
Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to July 28, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 3. Rezoning:** **[C14-2020-0039 - Clovis and Kemp Rezone; District 3](#)**
Location: 6201 Clovis Street and 301 Kemp Street, Country Club East
 Watershed; Montopolis NP Area
Owner/Applicant: 3SC Venture LLC (Gary O’Dell)
Agent: Thrower Design (A. Ron Thrower)
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommended**
Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov
 Planning and Zoning Department

Motion to grant Applicant’s request for postponement of this item to July 28, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 4. Rezoning:** **[C14-2020-0044 - Saxon Acres Residential Zoning; District 3](#)**
Location: 316 Saxon Lane & 6328 El Mirando Street, Country Club East and
 Colorado River Watersheds; Montopolis NP Area
Owner/Applicant: Saxon Acres LLC (Danny Walker)
Agent: Thrower Design (A. Ron Thrower)
Request: SF-3-NP to SF-6-NP
Staff Rec.: **Recommended**
Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov
 Planning and Zoning Department

Motion to grant Applicant’s request for postponement of this item to July 28, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 5. Rezoning:** **[E MLK Rezoning, District 1](#)**
Location: 5201 East Martin Luther King Jr. Boulevard, Fort Branch Watershed;
 Montopolis NP Area; 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-3-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 Commissioner Shieh, seconded by Commissioner Anderson to grant MF-3-NP combining district zoning for E MLK Rezoning located at 5201 East Martin Luther King Jr. Boulevard was approved on a vote of 7-3. Commissioners Llanes Pulido, Shaw and Seeger voted nay. Vice-Chair Kazi recused due to a conflict of interest; rendered professional services. Chair Kenny and Commissioner Azhar abstained.

6. Plan [NPA-2019-0017.01 - 7113 Burnet, District 7](#)

Amendment:

Location: 7113 Burnet Road, Shoal Creek; Crestview / Wooten Combined (Crestview) NP Area

Owner/Applicant: Ronan Corp. (Craig Hopper)

Agent: Armbrust & Brown, PLLC (Michael Gaudini)

Request: From Commercial to Multifamily land use

Staff Rec.: **Recommended**

Staff: Maureen Meredith, (512) 974-2695,
maureen.meredith@austintexas.gov
Planning & Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Azhar to grant Staff's recommendation of Multifamily land use for NPA-2019-0017.01 - 7113 Burnet located at 7113 Burnet Road was approved on a vote of 8-4. Commissioners Llanes Pulido, Schneider, Seeger and Shaw voted nay. Commissioner Shieh abstained.

7. Restrictive [C14-72-032\(RCT\) - 7113 Burnet Rd, District 7](#)

Covenant

Termination:

Location: 7113 Burnet Road, Shoal Creek Watershed; Crestview / Wooten Combined (Crestview) NP Area

Owner/Applicant: Ronan Corp. (Craig Hopper)

Agent: Armbrust & Brown, PLLC (Michael Gaudini)

Request: To terminate a Restrictive Covenant

Staff Rec.: **Recommended**

Staff: Mark Graham, 512-974-3574, mark.graham@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Azhar to terminate a Restrictive Covenant for C14-72-032(RCT) - 7113 Burnet Rd located at 7113 Burnet Road was approved on a vote of 8-4. Commissioners Llanes Pulido, Schneider, Seeger and Shaw voted nay. Commissioner Shieh abstained.

- 8. Rezoning:** [C14-2020-0016 - 7113 Burnet Rd; District 7](#)
Location: 7113 Burnet Road, Shoal Creek Watershed; Crestview / Wooten Combined (Crestview) NP Area
Owner/Applicant: Ronan Corp. (Craig Hopper)
Agent: Armbrust & Brown, PLLC (Michael Gaudini)
Request: LO-CO-NP; CS-CO-NP; CS-1-CO-NP to MF-6-NP
Staff Rec.: **Recommendation to MF-4-CO-NP**
Staff: Mark Graham, 512-974-3574, mark.graham@austintexas.gov
Planning and Zoning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Commissioner Azhar to grant MF-6-NP combining district zoning for C14-2020-0016 - 7113 Burnet Rd located at 7113 Burnet Road was approved on a vote of 8-4. Commissioners Llanes Pulido, Schneider, Seeger and Shaw voted nay. Commissioner Shieh abstained.

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

Motion by Commissioner Seeger, seconded by Commissioner Schneider to grant Neighborhood's request for postponement of this item to July 28, 2020 was approved on a vote of 12-1. Commissioner Flores voted nay.

- 10. Rezoning:** [C14-2017-0010.SH - Nuckols Crossing Road - SMART Housing; District 2](#)
Location: 4400 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
Owner/Applicant: Owners: Angelos Angelou and John Sasaridis. Applicant: McDowell Housing Partners (Ariana Brendle)
Agent: Thrower Design (Ron Thrower)
Request: SF-2-NP to MF-4-NP, as amended
Staff Rec.: **Recommendation of MF-2-NP, with conditions**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Planning and Zoning Department

Motion by Commissioner Seeger, seconded by Commissioner Schneider to grant Neighborhood's request for postponement of this item to July 28, 2020 was approved on a vote of 12-1. Commissioner Flores voted nay.

- 11. Plan** [NPA-2018-0005.02 - Mary Vice Estates PUD Lot 27 Amendment #1; District 3](#)
Amendment: [#1; District 3](#)
Location: 6301 Circulo de Amistad, Carson Creek Watershed; East Riverside / Oltorf Combined (Pleasant Valley) NP Area
Owner/Applicant: Austin Habitat for Humanity, Inc. (Andy Alarcon)
Agent: Husch Blackwell, LLP (Stacey Milazzo)
Request: Commerical to Mixed Use land use
Staff Rec.: **Recommendation Pending, Staff request for Indefinite Postponement**
Staff: Jesse Gutierrez, 512-974-1606, jesse.gutierrez@austintexas.gov
 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 Azhar, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Anderson recused; employed by Applicant.

- 12. Rezoning:** [C814-97-0002.01 - Mary Vice Estates PUD Lot 27 Amendment #1; District 3](#)
Location: 6301 Circulo de Amistad, Carson Creek Watershed; East Riverside / Oltorf Combined (Pleasant Valley) NP Area
Owner/Applicant: Austin Habitat for Humanity, Inc. (Andy Alarcon)
Agent: Husch Blackwell, LLP (Stacey Milazzo)
Request: PUD-NP to PUD-NP
Staff Rec.: **Recommendation Pending, Staff request for Indefinite Postponement**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
 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 Azhar, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Anderson recused; employed by Applicant.

- 13. Plan** [NPA-2019-0013.01 - Copeland South; District 9](#)
Amendment:
 Location: 909, 911, 915, 1001, 1003 S. 2nd Street & 604 and 606 Copeland Street, East Bouldin Creek Watershed; Bouldin Creek NP Area
 Owner/Applicant: Leslie Moore, Magdalena Rood and Thomas Esparza, Jr.
 Agent: StoryBuilt (Jarred Corbell)
 Request: Single Family to Mixed Use land use
 Staff Rec.: **Staff recommendation is pending. Applicant requests an indefinite postponement**
 Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov
 Planning and Zoning Department

Motion to grant Applicant’s request for indefinite postponement of this item was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Hempel recused due to a conflict of interest; rendered professional services.

- 14. Rezoning:** [C14-2020-0056 - Wickersham Retail Center; District 3](#)
 Location: 4544 E. Oltorf Street, Country Club West Watershed; East Riverside / Oltorf Combined (Pleasant Valley) NP Area
 Owner/Applicant: Wickersham Enterprises, LLC (Abdul Patel)
 Agent: Land Answers, Inc. (Jim Wittliff)
 Request: GR-MU-CO to GR-MU-CO, to change a condition of zoning
 Staff Rec.: **Recommended; Postponement request by the Neighborhood Contact Team to July 28, 2020**
 Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov
 Planning and Zoning Department

Motion to grant Neighborhood’s request for postponement of this item to July 28, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 15. Site Plan (CUP):** [SPC-2019-0590A - 76 Rainey CUP; District 9](#)
 Location: 76 Rainey Street, Waller Creek / Lady Bird Lake Watersheds; Downtown Master Plan (Rainey Street District)
 Owner/Applicant: Regalado Joe Martin
 Agent: Cliff Kendall (WGI)
 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 postponement of this item to August 25, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh

on a vote of 13-0.

- 16. Site Plan:** [SP-2019-0589C - Colorfield; District 9](#)
Location: 1006 Baylor Street, Shoal Creek Watershed
Owner/Applicant: 1012 Baylor LLC
Agent: Jones Carter (William McAshan)
Request: Compatibility waiver to build gate, fence, and pedestrian walkway in compatibility setback.
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 SP-2019-0589C - Colorfield located at 1006 Baylor Street was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 12-0. Commissioner Hempel recused due to a conflict of interest; rendered professional services.

- 17 Site Plan:** [SP-2019-0253C - Springdale Farms; District 3](#)
Location: 755 Springdale Road, Boggy Creek Watershed; Govalle / Johnston Terrace NP Area
Owner/Applicant: Glenn and Paula Foore dba Texas Trees & Landscapes
Agent: Jarred Corbell and Casey Giles, P.E. (Storybuilt)
Request: Request to vary from LDC 25-8-261 – to allow development in a Critical Water Quality Zone
Staff Rec.: **Not Recommended**
Staff: Kristy Nguyen, 512-974-3035, kristy.nguyen@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to postpone action on this item August 11, 2020 was approved on the motion by Commissioner Shieh, seconded by Commissioner Seeger on a vote of 12-0. Commissioner Hempel recused due to a conflict of interest; rendered professional services.

- 18. Site Plan:** [SP-2019-0559C - W 7th St Passive; District 9](#)
Location: 1118 West 7th Street, Lady Bird Lake Watershed; Old West Austin NP Area
Owner/Applicant: Mountain Sun Development Group (Russ Hooper)
Agent: Russ Hooper
Request: The applicant is proposing to develop a duplex with associated improvements and is requesting a compatibility setback waiver, per Section 25-2-1062.
Staff Rec.: **Recommended**
Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2019-0559C - W 7th St Passive located at 1118 West 7th Street was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 19. Site Plan:** [SPC-2012-0104D\(R4\) - Zilker Maintenance Barn; District 8](#)
Location: 2338 Columbus Drive, Eanes Creek Watershed; South Lamar Combined (Barton Hills) NP Area
Owner/Applicant: City of Austin Parks and Recreation Department
Agent: Weston Solutions, Inc.
Request: The applicant proposes construction of a new maintenance facility. Sites zoned Public (P) with limits of construction greater than one acre in size are a Conditional Use that require Land Use Commission approval according to Land Development Code section 25-2-625.
Staff Rec.: **Recommended**
Staff: Jeremy Siltala, 512-974-2945, jeremy.siltala@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2012-0104D(R4) - Zilker Maintenance Barn located at 2338 Columbus Drive was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 20. Resubdivision with a flag lot variance:** [C8-2018-0211.0A - Cherico Resubdivision; District 3](#)
- Location: 3409 Neal Street, Boggy Creek Watershed; Govalle NP Area
- Owner/Applicant: Una Kerensa
- Agent: Permit Partners (Jennifer Hanlen)
- Request: Resubdivision comprised of two lots on 0.45 acre with a flag lot variance.
- 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 C8-2018-0211.0A - Cherico Resubdivision located at 3409 Neal Street was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

- 21. Code Amendment** [Street Impact Fee Program](#)
- Request: Discuss and consider recommendations amending Title 25 of the City Code related to Street Impact Fee program.
- 1) Establishing a Street Impact Fee
2) Street Impact Fee Schedule
- Staff Rec.: **Recommended**
- Staff: City Staff: Liane Miller, Austin Transportation Department,
512-974-7922, Liane.Miller@austintexas.gov

Public Hearing closed.

Motion by Commissioner Llanes Pulido, seconded by Commission Anderson to postpone action on this item to July 28, 2020 was approved on a vote of 13-0.

C. NEW BUSINESS

D. ITEMS FROM THE COMMISSION

1. Discussion and possible action to forward recommendations to Council regarding the Burnet Road Corridor. (Co-Sponsors: Commissioners Thompson and Anderson)

Item postponed to July 28, 2020 by unanimous consent.

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.

Commissioners Azhar / Hempel – Agenda and meeting procedures

Commissioners Azhar / Hempel – Briefing by Law Department – Private Restrictive Covenants

F. BOARDS, COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

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

Chair Kenny stated the Committee reviewed the Street Impact Fee ordinance.

[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*)

Commissioner Schneider stated the Committee reviewed the Climate Plan.

[Small Area Planning Joint Committee](#)

(Commissioners: Hempel, Howard, Thompson and Shieh)

No report provided.

[South Central Waterfront Advisory Board](#)

(Commissioner Anderson)

No report provided.

Chair Kenny adjourned the meeting without objection on Tuesday, July 14, 2020 at 11:28 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.