



## PLANNING COMMISSION

### MINUTES

October 27, 2020

The Planning Commission convened in a meeting on October 27, 2020 via videoconference  
(<http://www.austintexas.gov/page/watch-atxn-live>)

Chair Shaw called the Commission Meeting to order at 6:05 p.m.

#### Commission Members in Attendance:

Greg Anderson  
Awais Azhar  
Joao Paulo Connolly  
Yvette Flores  
Claire Hempel – Vice-Chair  
Patrick Howard  
Carmen Llanes Pulido  
Robert Schneider  
Patricia Seeger  
Todd Shaw – Chair  
Jeffrey Thompson

Don Leighton-Burwell – Ex-Officio

#### Absent:

James Shieh

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 October 13, 2020.

Motion to approve the minutes of October 13, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

## B. PUBLIC HEARINGS

### 1 Plan Amendment: [NPA-2019-0003.01 - David Chapel Missionary Baptist Church; District 1](#)

Location: 2201, 2203, 2205, 2207, 2209, 2211, 2301 E. Martin Luther King, Jr. Blvd. and 1805 & 1807 Ferdinand St. and 1803, 1805 & 1807 Chestnut Ave., Boggy Creek Watershed; Chestnut NP Area

Owner/Applicant: David Chapel Missionary Baptist Church

Agent: Husch Blackwell, LLP (Nikelle Meade)

Request: Civic and Single Family land uses to Mixed Use land use

Staff Rec.: **Pending; Staff Postponement to November 10, 2020**

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Housing and Planning Department

Motion to grant Staff's request for postponement of this item to November 24, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

### 2 Rezoning: [C14-2020-0105 - David Chapel Missionary Baptist Church Tract 1; District 1](#)

Location: 2201, 2203, 2205, 2207, 2209, 2211 E. MLK Jr. Blvd. and 1807 Ferdinand Street, Boggy Creek Watershed; Chestnut NP Area

Owner/Applicant: David Chapel Missionary Baptist Church

Agent: Husch Blackwell, LLP (Nikelle Meade)

Request: P-NP to CS-MU-V-NP

Staff Rec.: **Pending; Staff Postponement to November 10, 2020**

Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Housing and Planning Department

Motion to grant Staff's request for postponement of this item to November 24, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**3 Rezoning:** [C14-2020-0106 - David Chapel Missionary Baptist Church Tract 3; District 1](#)

Location: 2301 East MLK Jr. Boulevard, Boggy Creek Watershed; Chestnut NP Area  
Owner/Applicant: David Chapel Missionary Baptist Church  
Agent: Husch Blackwell, LLP (Nikelle Meade)  
Request: P-NP to CS-MU-V-NP  
Staff Rec.: **Pending; Staff Postponement to November 10, 2020**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Housing and Planning Department

Motion to grant Staff's request for postponement of this item to November 24, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**4 Rezoning:** [C14-2020-0107 - David Chapel Missionary Baptist Church Tract 4; District 1](#)

Location: 1803, 1805, and 1807 Chestnut Avenue, Boggy Creek Watershed; Chestnut NP Area  
Owner/Applicant: David Chapel Missionary Baptist Church  
Agent: Husch Blackwell, LLP (Nikelle Meade)  
Request: P-NP and SF-3-NP to CS-MU-V-NP  
Staff Rec.: **Pending; Staff Postponement to November 10, 2020**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Housing and Planning Department

Motion to grant Staff's request for postponement of this item to November 24, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**5 Plan Amendment:** [NPA-2020-0003.01 - 1804 Ulit Avenue, District 1](#)

Location: 1804 Ulit Avenue, Boggy Creek Watershed; Chestnut NP Area  
Owner/Applicant: Four Caddy, LLC (Stephen DiMarco)  
Agent: Drenner Group. PC (Amanda Swor)  
Request: Civic to Office land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of Office land use for NPA-2020-0003.01 - 1804 Ulit Avenue located at 1804 Ulit Avenue was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**6 Rezoning:** [C14-2020-0074 - 1804 Ulit Avenue; District 1](#)  
Location: 1804 Ulit Avenue, Boggy Creek Watershed; Chestnut NP Area  
Owner/Applicant: Four Caddy, LLC (Stephen DiMarco)  
Agent: Drenner Group. PC (Amanda Swor)  
Request: P-NP to NO-CO-NP  
Staff Rec.: **Recommended**  
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov  
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of NO-CO-NP combining district zoning, for C14-2020-0074 - 1804 Ulit Avenue located at 1804 Ulit Avenue was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**7 Plan Amendment:** [NPA-2020-0016.02 - Trailhead Phase II; District 3](#)  
Location: 1101 Shady Lane, Boggy Creek Watershed; Govalle / Johnston Terrace Combined (Johnston Terrace) NP Area  
Owner/Applicant: SL4 Airport, LP (John Kiltz)  
Agent: Land Use Solutions, LLC (Michele Haussmann)  
Request: Commercial to Mixed Use land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of Mixed Use land use for NPA-2020-0016.02 - Trailhead Phase II located at 1101 Shady Lane was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**8 Rezoning:** [C14-2020-0082 - Trailhead Phase II; District 3](#)  
Location: 1101 and 1109 Shady Lane, Boggy Creek Watershed; Govalle / Johnston Terrace Combined (Johnston Terrace) NP Area  
Owner/Applicant: SL4 Airport, LP (John Kiltz)  
Agent: Land Use Solutions, LLC (Michele Haussmann)  
Request: GR-NP; CS-MU-CO-NP to CS-V-CO-NP  
Staff Rec.: **Recommended**  
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov  
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-V-CO-NP combining district zoning, with an additional condition to prohibit Adult-Oriented Businesses, for C14-2020-0082 - Trailhead Phase II located at 1101 Shady Lane was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**9 Plan Amendment:** [NPA-2019-0022.02 - 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. Trustee  
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  
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Azhar, seconded by Commissioner Llanes Pulido to grant Staff's request for indefinite postponement of this item was approved on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**10 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  
Housing and Planning Department

Motion by Commissioner Azhar, seconded by Commissioner Llanes Pulido to grant Staff's request for indefinite postponement of this item was approved on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

**11 Rezoning:** [C14-2020-0093 - 4329 S Congress Ave; District 3](#)  
Location: 4329-4341 South Congress Avenue, Williamson Creek Watershed;  
South Congress Combined (East Congress) NP Area  
Owner/Applicant: South Congress Development LLC  
Agent: Drenner Group PC (Amanda Swor)  
Request: CS-MU-NP to CS-MU-V-NP  
Staff Rec.: **Recommended**  
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov  
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Anderson, seconded by Vice-Chair Hempel to grant CS-MU-V-CO-NP combining district zoning, for C14-2020-0093 - 4329 S Congress Ave located at 4329-4341 South Congress Avenue was approved on a vote of 10-0. Commissioner Llanes Pulido abstained. Commissioner Shieh absent. One vacancy on the Commission.

Conditional Overlay:

Prohibit the following uses:

Adult-Oriented Businesses  
Alternative Financial Services  
Bail Bond Services  
Outdoor Entertainment

**12 Rezoning:** [C14-2020-0097 - Evergreen at Mary; District 5](#)  
Location: 1709 & 1803 Evergreen Ave and 1204 W Mary St, West Bouldin  
Creek Watershed; Zilker NP Area (Suspended)  
Owner/Applicant: Helsinki Partners LLC (Jesse Boskoff)  
Agent: Husch Blackwell LLP (Nikelle Meade)  
Request: Tract 1: CS and SF-3 to CS-MU; Tract 2: MF-3-H to CS-MU-H  
Staff Rec.: **Recommendation of CS-MU for Tract 1 and GO-MU-H for  
Tract 2**  
Staff: Kate Clark, 512-974-1237, Kate.Clark@austintexas.gov  
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-MU combining district zoning for Tract 1 and GO-MU-H combining district zoning for Tract 2 for C14-2020-0097 - Evergreen at Mary located at 1709 & 1803 Evergreen Ave and 1204 W Mary St was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

- 13. Rezoning:** [C14-2020-0096 - 3707 S 2nd Street; District 3](#)  
Location: 3707 South 2nd Street, West Bouldin Creek Watershed; Galindo NP Area (Suspended)  
Owner/Applicant: 3707 S. 2nd Property, LP (Justin Albright)  
Agent: Armbrust & Brown, PLLC (Amanda Surman)  
Request: SF-3 to GR-MU-V  
Staff Rec.: **Recommendation of GO-MU**  
Staff: Kate Clark, 512-974-1237, Kate.Clark@austintexas.gov  
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to November 10, 2020 was approved on the consent agenda on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

- 14. Rezoning:** [C14-2020-0086 - 6111 FM Rd 969 - MLK & 183 Residential; District 1](#)  
Location: 6111 FM Road 969, Walnut Creek Watershed; East MLK Combined (MLK-183) NP Area  
Owner/Applicant: QT South, LLC (Matthew Miller)  
Agent: Armbrust & Brown (Ferris Clements)  
Request: **Withdrawn by Applicant**  
Staff Rec.: Not Applicable  
Staff: Kate Clark, 512-974-1237, Kate.Clark@austintexas.gov  
Housing and Planning Department

Item withdrawn by Applicant. No action taken.

- 15 Rezoning:** [C14H-2020-0087 - Baker School; District 9](#)  
Location: 3908 Avenue B, Waller Creek Watershed; Hyde Park NCCD NP Area  
Owner/Applicant: Alamo Drafthouse Cinemas Baker, LLC  
Agent: Richard Weiss  
Request: GR-HD-NCCD-NP to GR-HD-H-NCCD-NP  
Staff Rec.: **Recommended**  
Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov  
Housing and Planning Department

Motion to grant Staff's request for postponement of this item to November 24, 2020 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Vice-Chair Hempel on a vote of 11-0. Commissioner Shieh absent. One vacancy on the Commission.

- 16 Code** [C20-2020-006 - North Burnet / Gateway Regulating Plan – Civic Uses](#)  
**Amendment:** [Uses](#)  
Request: Discuss and consider recommendations of amendments to City Code Title 25 relating to the North Burnet / Gateway Regulating Plan to allow certain civic uses.  
Staff Rec.: **Recommended**  
Staff: Jerry Rusthoven, Assistant Director, Housing and Planning Department, 512-974-3207

Public Hearing closed.

Motion by Commissioner Thompson, seconded by Commissioner Connolly to recommend certain civic uses as a conditional use in the North Burnet / Gateway Regulating Plan was approved on a vote of 9-0. Chair Shaw voted nay. Commissioner Seeger abstained. Commissioner Shieh absent. One vacancy on the Commission.

### **C. NEW BUSINESS**

1. Discussion regarding Planning Commission meeting schedule for calendar year 2021.  
Item discussed.

### **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.*

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

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

(Commissioners: Azhar, Anderson, Connolly and Seeger)

No report provided.

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

(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.

Mobility and Transportation Working Group

(Commissioners: Thompson, Schneider, Shieh, Llanes Pulido and Seeger)

No report provided.

**Chair Shaw adjourned the meeting without objection on Tuesday, October 27, 2020 at 7:57 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 the Housing and Planning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.