



**Regular Meeting
ZONING & PLATTING COMMISSION
Tuesday, June 1, 2021**

**The Zoning & Platting Commission convened in a meeting on Tuesday, June 1, 2021
@ <http://www.austintexas.gov/page/watch-atxn-live>**

Chair Barrera-Ramirez called the Commission Meeting to order at 6:05 p.m.

Commission Members in Attendance:

**Cesar Acosta
Nadia Barrera-Ramirez – Chair
Timothy Bray
Ann Denkler – Parliamentarian
David King
Jolene Kiolbassa – Vice-Chair
Ellen Ray
Hank Smith
Carrie Thompson
Roy Woody**

One vacancy on the dais.

EXECUTIVE SESSION (No public discussion)

The Zoning & Platting 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

CITIZEN COMMUNICATION

The first four (4) speakers signed up prior to the speaker registration deadline will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

A. APPROVAL OF MINUTES

1. Approval of minutes from May 18, 2021.

Motion approve the minutes from May 18, 2021 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

B. PUBLIC HEARINGS

- 1. Rezoning:** [C14-2020-0146 - 11705 Research Blvd Zoning; District 6](#)
Location: 11705 Research Boulevard, Walnut Creek Watershed
Owner/Applicant: 3M Company
Agent: Drenner Group, PC (Amanda Swor)
Request: LI-CO to LI
Staff Rec.: **Recommendation of LI-CO**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to June 15, 2021 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

- 2. Rezoning:** [C14-2021-0056 - 1609 Matthews Lane Rezoning; District 5](#)
Location: 1609 Matthews Lane, Williamson Creek Watershed
Owner/Applicant: CMCBH2, LLC (Ben Heimsath)
Agent: Thrower Design (Victoria Haase)
Request: SF-2 to MF-3
Staff Rec.: **Recommendation of MF-2**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Public Hearing closed.

There was a motion by Commissioner King, seconded by Vice-Chair Kiolbassa to grant MF-2-CO combining district zoning to restrict the subject property to 55% impervious cover. The motion failed on a vote of 5-5. Those voting aye were Vice-Chair Kiolbassa and Commissioners King, Denkler, Thompson and Woody. Those voting nay were Chair Barrera-Ramirez and Commissioners Acosta, Bray, Ray and Smith. One vacancy on the dais.

There was a motion by Commissioner Smith, seconded by Commissioner Acosta to grant Staff's recommendation of MF-2 district zoning. Motion failed on a vote of 5-4. Those voting aye were Chair Barrera-Ramirez and Commissioners Acosta, Bray, Ray and Smith. Those voting nay were Vice-Chair Kiolbassa and Commissioners King, Denkler and Thompson. Commissioner Woody abstained. One vacancy on the dais.

Item is forwarded to Council without a recommendation due to lack of an affirmative vote.

3. **Rezoning:** [C14-2021-0060 - Albert Road Rezone; District 5](#)
Location: 7401 and 7407 Albert Road, Williamson Creek Watershed; South Boggy Creek Watershed
Owner/Applicant: Linda Fontaine and Stuart Bailey
Agent: Thrower Design (Victoria Haase)
Request: DR to SF-3
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 SF-3 district zoning for C14-2021-0060 - Albert Road Rezone located at 7401 and 7407 Albert Road was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

4. **Zoning and Rezoning:** [C14-2019-0059 - SH 71 and FM 973; District 2](#)
Location: 3201, 3203, 3205, 3207, 3209, and 3211 East SH 71 Service Road Westbound; 3214 Bessie Avenue, 3174 and 3176 Eva Street, Colorado River Watershed
Owner/Applicant: Stripes LLC (Billy Arnette)
Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch)
Request: I-SF-2; GR-CO to GR-CO
Staff Rec.: **Recommended, with conditions**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of GR-CO combining district zoning, with conditions for C14-2019-0059 - SH 71 and FM 973, located at 3201, 3203, 3205, 3207, 3209, and 3211 East SH 71 Service Road Westbound; 3214 Bessie Avenue, 3174 and 3176 Eva Street was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

5. **Rezoning:** [C14-2021-0054 - 11700 North IH-35 SB; District 7](#)
Location: 11700 North Interstate Highway-35 Service Road Southbound, Walnut Creek Watershed
Owner/Applicant: SQ Development LLC (Dalia and Tony Ballard)
Agent: Tony's Jamaican Food, LLC (Kimberly Scott)
Request: LO to GR
Staff Rec.: **Recommendation of GR-CO**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to June 15, 2021 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

6. **Rezoning:** **C14-2021-0032 - Shelton Road; District 1 and District 3**
Location: 6610 Shelton Road, Boggy Creek Watershed
Owner/Applicant: City of Austin, Housing and Planning Department (Jerry Rusthoven)
Agent: City of Austin, Housing and Planning Department (Heather Chaffin)
Request: SF-2 to P
Pending; Postponement request by Staff to June 15, 2021
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 June 15, 2021 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

7. **Rezoning:** **C14-2020-0143 - 12121 N. IH 35 Rezoning; District 1**
Location: 12121 North IH 35, Walnut Creek Watershed
Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack)
Agent: Coats Rose (John M. Joseph)
Request: GR-CO to MF-4
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to July 6, 2021 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

8. **Preliminary Plan:** **C8J-2019-0138 - Schwetman Tract - Preliminary Plan: Small Lot**
Location: FM 969 Road, Decker Creek Watershed
Owner/Applicant: Gilbert Schwetman (Herbert DeWitt, Trustee)
Agent: Carlson, Brigrance and Doering, Inc. (C. Brigrance)
Request: Approval of a preliminary plan small lot subdivision located in the 2-Mile ETJ for 513 lots on 103.93 acres.
Staff Rec.: **Recommended**
Staff: Joe L. Arriaga, 512-854-7562, joe.arriaga@traviscountytexas.gov
Single Office: Travis County / City of Austin

Public Hearing closed.

Motion to grant Staff's recommendation for C8J-2019-0138 - Schwetman Tract - Preliminary Plan: Small Lot located on FM 969 Road was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

9. **Site Plan:** [SP-2019-0141C - Howard Plaza; District 1](#)
Location: 3127 East Howard Lane, Harris Branch Watershed
Owner/Applicant: Peter Pham and Ha Vu
Agent: Way Consulting Engineers, Inc. (Way Atmadja, PE)
Request: Approval of a waiver to reduce the compatibility setback from 25 feet to 5 feet to permit construction of parking and a drive aisle on an industrially zoned parcel.
Staff Rec.: **Pending; Applicant postponement request to July 6, 2021**
Staff: Randall Rouda, 512-974-3338, randall.rouda@austintexas.gov
Development Services Department

Motion to grant Applicant's request for postponement of this item to July 6, 2021 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioners Acosta and Bray off the dais. One vacancy on the dais.

10. **Capital Improvement Projects:** [Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone](#)
Request: Recommendation of Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone for approval to include in the 5-year Capital spending plan as required by Financial Policy #8
Staff Rec.: **Recommended**
Staff: Aurora Pizano, 512- 972-0331, Aurora.Pizano@austintexas.gov
Austin Water

Motion to recommend Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone for approval to include in the 5-year Capital spending plan as required by Financial Policy #8 was approved on the motion by Commissioner Smith, seconded by Vice-Chair Kiolbassa on a vote of 8-0. Commissioner Thompson abstained. Commissioner Bray off the dais. One vacancy on the Commission.

C. ITEMS FROM THE COMMISSION

1. Discussion and possible action regarding matters related to any proposed revisions to the Land Development Code including but not limited to staff updates, presentations and scheduling. (Sponsors: Chair Barrera-Ramirez and Vice-Chair Kiolbassa)

Disposed without discussion or action.

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.

Commissioners Denkler and Thompson - CIP Development Projects
Commissioners Bray and King - Briefing on Impervious Cover

E. COMMITTEE REPORTS & WORKING GROUPS

Codes and Ordinances Joint Committee

(Chair Barrera-Ramirez, Vice-Chair Kiolbassa, Commissioner Denkler)

No report provided.

Comprehensive Plan Joint Committee

(Commissioners: Acosta, Bray and Smith)

No report provided.

Small Area Planning Joint Committee

(Commissioners: Acosta, King and Ray)

No report provided.

Onion Creek and Localized Flooding Working Group

(Commissioners: King, Denkler and Smith)

No report provided.

ADJOURNMENT

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 2 days before the meeting date. Please call Andrew Rivera at the Housing and Planning Department, at 512-974-6508, for additional information; TTY users route through Relay Texas at 711.

Chair Barrera-Ramirez adjourned the meeting without objection on Tuesday, June 1, 2021 at 8:21 p.m.