

## **PLANNING COMMISSION AGENDA**

Tuesday, December 14, 2021

The Planning Commission will convene at 6:00 PM on Tuesday, December 14, 2021 at Austin City Hall, Council Chambers, Room 1001 301 W. Second Street, Austin, TX.

Some members of the Planning Commission may be participating by videoconference. The meeting may be viewed online at: http://www.austintexas.gov/page/watch-atxn-live

Awais Azhar
Joao Paulo Connolly
Grayson Cox
Yvette Flores – Secretary
Claire Hempel – Vice-Chair
Patrick Howard
Jennifer Mushtaler
Solveij Rosa Praxis
Carmen Llanes Pulido

Robert Schneider
Todd Shaw – Chair
James Shieh – Parliamentarian
Jeffrey Thompson
Jessica Cohen – Ex-Officio
Richard Mendoza – Ex-Officio
Arati Singh - AISD 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

Attorney: Steven Maddoux 512-974-6080

### CITIZEN COMMUNICATION

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

### A. APPROVAL OF MINUTES

1. Approve the minutes of November 17, 2021.

### **B. PUBLIC HEARINGS**

1. Plan Amendment: NPA-2019-0022.02 - 305. S. Congress PUD; District 9

Location: 305 S. Congress Avenue, Lady Bird Lake Watershed; Greater South River City

Combined NP Area

Owner/Applicant: Richard T. Suttle Jr. (Trustee)

Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)

Request: Industry to Mixed Use land use

Staff Rec.: Recommended

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov

Housing and Planning Department

2. Rezoning: C814-89-0003.02 - 305 S. Congress PUD; District 9

Location: 305 S. Congress Avenue, Lady Bird Lake Watershed; Greater South River City

Combined NP Area

Owner/Applicant: Richard T. Suttle Jr. (Trustee)

Agent: Armbrust & Brown PLLC (Richard Suttle)

Request: PUD-NP to PUD-NP, to change conditions of zoning

Staff Rec.: Recommended

Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov

Housing and Planning Department

3. Plan Amendment: NPA-2021-0020.01 - Shelby Lane Residences; District 3

Location: 4700 Weidemar Lane, Williamson Creek Watershed; South Congress Combined

(East Congress) NP Area

Owner/Applicant: Shelby Lane Development, LLC (Cass Brewer)

Agent: Alice Glasco Consulting (Alice Glasco)
Request: Commercial to Multifamily land use

Staff Rec.: Recommended

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov

Housing and Planning Department

Attorney: Steven Maddoux 512-974-6080

4. Rezoning: C14-2021-0015 - Shelby Lane Residences; District 3

Location: 4700 Weidemar Lane, Williamson Creek Watershed; South Congress Combined

(East Congress) NP Area

Owner/Applicant: Shelby Lane Development, LLC (Cass Brewer)

Agent: Alice Glasco Consulting (Alice Glasco)

Request: CS-CO-NP to MF-6-NP

Staff Rec.: Recommendation of MF-6-CO-NP, with conditions

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov

Housing and Planning Department

5. Plan Amendment: NPA-2021-0015.01 - Austin Sports Facility; District 3

Location: 1138 1/2 & 1140 Gunter Street, Boggy Creek Watershed; E. MLK Combined NP

Area

Owner/Applicant: GSTF, LLC (c/o Michael Orsak of 3 MP ENT)
Agent: Brown & Ortiz, PC (c/o Caroline McDonald)

Request: Single Family to Mixed Use land use

Staff Rec.: Recommended

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov

Housing and Planning Department

6. Rezoning: C14-2021-0125 - Austin Sports Facility; District 3

Location: 1138 1/2 & 1140 Gunter Street, Boggy Creek Watershed; E. MLK Combined NP

Area

Owner/Applicant: GSTF, LLC (in care of Michael Orsak of 3 MP ENT)

Agent: Brown & Ortiz, PC (c/o Caroline McDonald)

Request: SF-3-NP to CS-MU-CO-NP

Staff Rec.: Recommended

Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

Housing and Planning Department

7. Plan Amendment: NPA-2021-0016.03 - 3535 East 7th Street; District 3

Location: 3511, 3525, and 3535 East 7th Street, Boggy Creek Watershed; Govalle/Johnston

Terrace NP Area

Owner/Applicant: The Elena Herrera Family Bypass Trust
Agent: Drenner Group, PC (Amanda W. Swor)
Request: Commercial to Mixed Use land use

Staff Rec.: Recommended

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov

Housing and Planning Department

8. Rezoning: C14-2021-0124 - 3535 East 7th Street; District 3

Location: 3511, 3525, and 3535 East 7th Street, Boggy Creek Watershed; Govalle/Johnston

Terrace NP Area

Owner/Applicant: The Elena Herrera Family Bypass Trust Agent: Drenner Group, PC (Amanda W. Swor)

Request: CS-CO-NP, CS-MU-CO-NP, CS-V-CO-NP to CS-MU-V-CO-NP

Staff Rec.: Recommended

Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

Housing and Planning Department

Attorney: Steven Maddoux 512-974-6080

9. Plan Amendment: NPA-2018-0005.02.SH - Mary Vice Estates PUD Lot 27 Amendment #1; District

3

Location: 6301 Circulo de Amistad, Carson Creek and Country Club East Watersheds;

Montopolis NP Area

Owner/Applicant: Austin Habitat for Humanity, Inc. (Andy Alarcon)

Agent: Husch Blackwell LLP (Nikelle Meade)
Request: Commercial to Mixed Use land use

Staff Rec.: **Pending** 

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov

Housing and Planning Department

Postponement Neighborhood Postponement to February 8, 2022; Applicant in agreement.

Request:

10. Rezoning: C814-97-0002.01 - Mary Vice Estates PUD Lot 27 Amendment #1; District 3

Location: 6301 Circulo de Amistad, Carson Creek and Country Club East Watersheds;

Montopolis NP Area

Owner/Applicant: Austin Habitat for Humanity, Inc. (Andy Alarcon)

Agent: Husch Blackwell LLP (Stacey L Milazzo)

Request: PUD-NP to PUD-NP, to change a condition of zoning

Staff Rec.: Pending

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov

Housing and Planning Department

Postponement Neighborhood Postponement to February 8, 2022; Applicant in agreement.

Request:

11. Plan Amendment: NPA-2021-0011.01 - MOD 53.5; District 4

Location: 901, 903, 905 East 53rd 1/2 Street, Tannehill Branch Watershed; North Loop NP

Area

Owner/Applicant: Timmermann Properties, North Loop Rentals, LP (Barth Timmermann)

Agent: Land Use Solutions (Michele Haussmann)
Request: Single Family to Mixed Use land use

Staff Rec.: **Pending** 

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov

Housing and Planning Department

Postponement Staff and Applicant Postponement to February 8, 2022

Request:

12. Rezoning: C14-2021-0034 - MOD 53.5; District 4

Location: 901, 903, 905 East 53rd 1/2 Street, Tannehill Branch Watershed; North Loop NP

Area

Owner/Applicant: Timmermann Properties, North Loop Rentals, LP (Barth Timmermann)

Agent: Land Use Solutions (Michele Haussmann)

Request: SF-3-NP to MF-2-NP

Staff Rec.: **Pending** 

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov

Housing and Planning Department

Postponement Staff and Applicant Postponement to February 8, 2022

Request:

Attorney: Steven Maddoux 512-974-6080

13. Plan Amendment: NPA-2019-0013.01 - Copeland South; District 9

Location: 909, 911, 915, 1001, 1003 S. 2nd St. and 604, 606 Copeland St., East Bouldin Creek

Watershed; Bouldin Creek NP Area

Owner/Applicant: SB George, LLC and Thomas Esparza, Jr.

Agent: StoryBuilt (Jarred Corbell)

Request: Single Family to Mixed Use land use

Staff Rec.: **Pending** 

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov

Housing and Planning Department

Postponement Staff and Applicant Postponement to February 8, 2022

Request:

14. Rezoning: C814-2021-0099 - Brodie Oaks PUD; District 5

Location: 4021,4025, 4107, 4109, 4115, and 4141 S. Capital of Texas Hwy NB; 3940, 4006,

4024 - 4040, 4200, 4220, 4236 S Lamar BLVD SB., Barton Creek Watershed-Barton

Springs Zone; Barton Hills NP Area

Owner/Applicant: Lionstone Investments (LCFRE Austin Brodie Oaks LLC)

Agent: Lionheart Places (Rebecca Leonard)

Request: GR, CS-1, CS and Unzoned (vacated right-of-way) to PUD

Staff Rec.: Pending

Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov

Housing and Planning Department

Postponement Request for Indefinite Postponement by Staff

Request:

15. Restrictive Covenant Amendment (RCA):

C14R-81-033(RCA) - Brodie Oaks Restrictive Covenant Amendment; District 5

Location: 4021,4025, 4107, 4109, 4115, and 4141 S. Capital of Texas Hwy NB; 3940, 4006,

4024 - 4040, 4200, 4220, 4236 S Lamar BLVD SB., Barton Creek Watershed-Barton

Springs Zone; Barton Hills NP Area

Owner/Applicant: LCFRE Austin Brodie Oaks LLC

Agent: Armbrust & Brown, PLLC (Jewels Cain)

Request: To amend the existing Restrictive Covenant for Lots A & B of the Barton Creek

Plaza Subdivision modifying conditions related to height.

Staff Rec.: **Pending** 

Staff: Kate Clark, 512-974-1237, kate.clark@austintexas.gov

Housing and Planning Department

Postponement Request for Indefinite Postponement by Staff

Request:

16. Rezoning: C14-2021-0083 - 3001 East Cesar Chavez; District 3

Location: 3001, 2913, 2915, and 3013 East Cesar Chavez Street, Colorado River Watershed;

Govalle/Johnston Terrace NP Area

Owner/Applicant: Ram Ventures LLC

Agent: Drenner Group PC (Amanda Swor)

Request: CS-MU-CO-NP, GR-MU-CO-NP, SF-3-NP and RR-NP to CS-MU-V-CO-NP

Staff Rec.: **Pending** 

Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

Housing and Planning Department

Postponement Request for Indefinite Postponement by Staff and Applicant

Request:

Attorney: Steven Maddoux 512-974-6080

17. Rezoning: C814-06-0175.03 - East Avenue PUD, Parcel A Amendment; District 9

Location: 3500-3700 N. IH-35, Boggy Creek Watershed; Hancock NP Area

Owner/Applicant: Westheimer Retail Center Ltd Agent: Drenner Group (Leah M. Bojo)

Request: PUD-NP to PUD-NP, to change a condition of zoning

Staff Rec.: Recommendation Pending

Staff: Joi Harden, 512-974-1617, joi.harden@austintexas.gov

Housing and Planning Department

Postponement Request for Indefinite Postponement by Staff

Request:

18. Rezoning: C14-2021-0160 - 8440 Burnet Multifamily; District 7

Location: 8440 Burnet Road, Shoal Creek Watershed; Burnet Road, Anderson Lane and the

North Shoal Creek NP Area

Owner/Applicant: OP II ATX 844 0 BURNET ROAD LTD. (Jamil Alam, Executive Vice-President)

Agent: Armbrust & Brown PLLC (Walter W. Cardwell IV)

Request: CS, CS-1, CS-1-CO to MF-6 Staff Rec.: Recommendation of MF-6-CO

Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov

Housing and Planning Department

19. Rezoning: C14H-2021-0181 - John Bremond Company Warehouse; District 9

Location: 301 San Jacinto Boulevard, Lady Bird Lake Watershed; Downtown Austin Plan Owner/Applicant: Historic Landmark Commission, applicant; 301 San Jacinto Manager, LLC (Will

Houston), owner

Agent: Richard Suttle, agent for owner

Request: CBD to CBD-H. Historic Landmark Commission recommended designation with a

supermajority.

Staff Rec.: Recommended

Staff: Steve Sadowsky, 512-974-6454, steve.sadowsky@austintexas.gov

Housing and Planning Department

20. Rezoning: C14H-2021-0180 - Casa McMath; District 10

Location: 2501 Inwood Place, Johnson Creek Watershed; Central West Austin Combined NP

Area

Owner/Applicant: Historic Landmark Commission, applicant; Inwood Forest, LLC, owner Agent: Vincent Gerard Associates, Inc. (Vincent G Huebinger), agent for owner

Request: SF-3-NP to SF-3-H-NP. Historic Landmark Commission recommended designation

with a supermajority.

Staff Rec.: Recommended

Staff: Elizabeth Brummett, 512-974-1264, elizabeth.brummett@austintexas.gov

Housing and Planning Department

Attorney: Steven Maddoux 512-974-6080

21. Rezoning: C14-2021-0166 - South Congress Avenue Residences; District 2

Location: 6424 South Congress Avenue, Williamson Creek Watershed; South Congress

Combined (Sweetbriar) NP Area

Owner/Applicant: Calixto Jesus Cobos

Agent: Alice Glasco Consulting (Alice Glasco)
Request: GR-MU-CO-NP to GR-MU-V-NP
Staff Rec.: Recommendation of GR-MU-V-CO-NP

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov

Housing and Planning Department

22. Site Plan: SPC-2012-0104D(R5) - Violet Crown Trailhead, District 8

Location: 2201 Barton Springs Road, Barton Creek Watershed-Barton Springs Zone; Barton

Hills NP Area

Owner/Applicant: COA Parks and Recreation Department (D'Anne Williams)

Agent: Dunaway Associates (Vanessa Mendez)

Request: Site zoned P and is greater than one acre, therefore a Conditional Use Permit is

required.

Staff Rec.: Recommended

Staff: Renee Johns, 512-974-2711, renee.johns@austintexas.gov

Development Services Department

23. Site Plan (Conditional SPC-2019-0224C - H-E-B Austin #8; District 3

Use):

Location: 2400 South Congress Avenue, East Bouldin Watershed; Dawson NP Area

Owner/Applicant: HEB Grocery Company, LP
Agent: Will McAshan (Jones and Carter)

Request: The approval of a Conditional Use to construct a 100,000+ sq. ft. Food Sales use.

Staff Rec.: Recommended

Staff: Clarissa Davis, 512-974-1423, Clarissa.Davis@austintexas.gov

Development Services Department

24. Partial Subdivision C8-2018-0146.1A(VAC) - Fort Dessau West Subdivision Partial Vacation;

Vacation: District 7

Location: 1208 East Howard Lane, Harris Branch Watershed Owner/Applicant: Continental Homes of Austin (John Sparrow)
Agent: LandDev Consulting, LLC (Keith E. Parkan, P.E.)

Request: Approve partial subdivision vacation to remove 2 lots from the Fort Dessau West

plat.

Staff Rec.: Recommended

Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov

**Development Services Department** 

25. Code Amendment: C20-2021-006 - Vertical Mixed Use Affordability Requirements

Request: Consider an ordinance amending Title 25 of the City Code related to vertical mixed

use (VMU) affordability requirements.

Staff Rec.: Recommended

Staff: Sam Tedford, 512-974-2613, sam.tedford@austintexas.gov

Housing and Planning Department

Postponement Staff Postponement Request to January 25, 2022

Request:

Attorney: Steven Maddoux 512-974-6080

26. Code Amendment - Floodplain Regulations

**Initiation:** 

Request: Discuss and consider initiation of amendments to Title 25 of the City Code related to

floodplain regulations.

Staff: Kevin Shunk, 512-974-9176, kevin.shunk@austintexas.gov

Watershed Protection Department

#### C. ITEMS FROM THE COMMISSION

### 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

(Chair Shaw, Vice-Chair Hempel and Commissioners: Azhar and Connolly)

Comprehensive Plan Joint Committee

(Commissioners: Cox, Flores, Llanes Pulido and Schneider)

Joint Sustainability Committee

(Commissioner Praxis and Schneider alternate)

Small Area Planning Joint Committee

(Commissioners: Howard, Mushtaler, Thompson and Shieh)

South Central Waterfront Advisory Board

(Commissioner Thompson)

Mobility and Transportation Working Group

(Commissioners: Azhar, Cox, Thompson, Schneider, Shieh, Llanes Pulido)

## **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 (48 hours) 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.

Attorney: Steven Maddoux 512-974-6080

# **SPEAKER REGISTRATION**

Click on link below or scan the QR code and submit the form to register to speak. Speakers should submit a separate registration form for each item of interest (Neighborhood Plan Amendment cases and associated Zoning cases are combined as they will be heard in tandem). Only one primary speaker for and against a case. If multiple register, primary speakers will be determined by the speaker who registered first.

https://forms.office.com/Pages/ResponsePage.aspx?id=9hleXKumRUux0L5GCKmmf-rCcM0VJ45NoBmTPGEWfEdUODBJNzhaMVhNMlpPRU0yUENVRTBYWDJLRC4u



Participants are encouraged to register in advance of the meeting however, speaker registration will be available at the meeting by utilizing a mobile device to scan the above QR code which will be displayed in chambers. Mobile devices will also be available at the meeting for public use for the purpose of speaker registration.

Presentations and handouts are requested to be e-mailed to Commission Liaison Andrew Rivera at Andrew.rivera@austintexas.gov by 1:00 PM day of the meeting.

## Speaker Testimony Time Allocation

#### **PUBLIC HEARING**

Speaker	Number	Minutes	Maximum Speaking Time (w/ donated time)	
Applicant / Agent	1	5 min.	10 min. (Additional 3 minute rebuttal)	
Speakers For	Up to 3	3 min.	10 min.	
Speakers For	Unlimited	1 min.	5 min.	
Speaker	Number	Minutes	Maximum Speaking Time (w/ donated time)	
Primary Speaker Against	1	5 min.	10 min.	
Speakers Against	Up to 3	3 min.	10 min.	

Speakers Against	Unlimited	1 min.	5 min.

### **POSTPONEMENT**

Speaker	Number	Time Allocated
Primary Speaker Favoring		
Postponement	1	3 min.
Secondary Speaker Favoring		
Postponement	1	2 min.
Primary Speaker Opposing		
Postponement	1	3 min.
Secondary Speaker		
Opposing Postponement	1	2 min.

### **COVID 19 PROTOCOLS & REQUIREMENTS**

Participants are required to wear masks while on City property and should observe social distancing. Disposable masks will be provided to anyone who is not wearing proper face coverings. While the public is always welcome in chambers during the meeting, to allow for social distancing, participants are encouraged to only be in chambers during the item they are addressing. In between cases an announcement will be made to inform participants in the atrium that the next item is ready to be heard. Participants who have chosen to provide an e-mail address will also receive notification when the Commission is about 15 minutes from taking up the item of interest.

## **PARKING & VALIDATION**

Parking is available at the City Hall parking garage and is free with validation.

A stamp machine will be available to manually stamp the parking ticket.

### **ORDER OF MEETING**

Determination of Quorum / Meeting Called to Order

Reading of Proposed Consent Agenda

- \*Vote and Disposal of Consent Agenda
- \*\*Determination of Discussion Postponement Items

Discussion Cases (Including public comment, staff and applicant / representative presentations)

Other Business

Adjournment

\* The consent agenda may be acted upon by one vote without separate discussion.

Speakers are allowed to provide testimony on an item proposed for the consent agenda. At the discretion of the Commission the item may remain on the consent agenda.

\*\* Discussion postponement consists of public comment by 2 individuals for the postponement and 2 individuals against the postponement. Testimony should not delve into the merits of the case. The granting of a postponement must be approved by affirmative vote of the Commission.

## **Future Meetings**

September 28, 2021

October 12, 2021

October 26, 2021

November 9, 2021

November 17, 2021

December 14, 2021

December 22, 2021

# **Planning Commission 2022 Meeting Schedule**

Per City Code Title 2 § 2-1-43 (A), approved on November 9, 2021

Except as otherwise provided by commission action, the commission will meet per the adopted schedule.

Tues. January 11, 2022 @ Austin City Hall, 6PM Tues. January 25, 2022 @ Austin City Hall, 6PM Tues. February 8, 2022 @ Austin City Hall, 6PM Tues. February 22, 2022 @ Austin City Hall, 6PM Tues. March 8, 2022 @ Austin City Hall, 6PM Tues. March 22, 2022 @ Austin City Hall, 6PM Tues. April 12, 2022 @ Austin City Hall, 6PM Tues. April 26, 2022 @ Austin City Hall, 6PM Tues. May 10, 2022 @ Austin City Hall, 6PM Tues. May 24, 2022 @ Austin City Hall, 6PM Tues. June 14, 2022 @ Austin City Hall, 6PM Tues. June 28, 2022 @ Austin City Hall, 6PM Tues. June 28, 2022 @ Austin City Hall, 6PM

Tues. July 12, 2022 @ Austin City Hall, 6PM
Tues. July 26, 2022 @ Austin City Hall, 6PM
Tues. August 9, 2022 @ Austin City Hall, 6PM
Tues. August 23, 2022 @ Austin City Hall, 6PM
Tues. September 13, 2022 @ Austin City Hall, 6PM
Tues. September 27, 2022 @ Austin City Hall, 6PM
Tues. October 11, 2022 @ Austin City Hall, 6PM
Tues. October 25, 2022 @ Austin City Hall, 6PM
Tues. November 8, 2022 @ Austin City Hall, 6PM
Wed. November 16, 2022 @ Austin City Hall, 6PM
Tues. December 13, 2022 @ Austin City Hall, 6PM
Wed. December 21, 2022 @ Austin City Hall, 6PM