



PLANNING COMMISSION

MINUTES

February 22, 2022

The Planning Commission convened in a meeting on February 22, 2022 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas and via videoconference @ <http://www.austintexas.gov/page/watch-atxn-live>

Chair Shaw called the Commission Meeting to order at 6:07 p.m.

Commission Members in Attendance:

**Awais Azhar
Joao Paulo Connolly
Grayson Cox
Yvette Flores
Claire Hempel – Vice-Chair
Patrick Howard
Jennifer Mushtaler
Carmen Llanes Pulido
Solveij Rosa Praxis
Robert Schneider
Todd Shaw – Chair
James Shieh
Jeffrey Thompson**

Jessica Cohen – Ex-Officio

Absent:

**Arati Singh – Ex -Ex-Officio
Richard Mendoza – Ex-Officio
Spencer Cronk – Ex-Officio**

CITIZEN COMMUNICATIONS

1. Ms. Angela Benavides Garza provided remarks regarding a rezoning case on Regiene Road.

B. APPROVAL OF MINUTES

1. Approve the minutes of February 8, 2022.

Motion to approve the minutes of February 8, 2022, as amended, was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

C. PUBLIC HEARINGS

1. Plan Amendment: [NPA-2021-0005.02 - Montopolis Multifamily; District 3](#)

Location: 2601 Montopolis Drive, 6700 & 6800 E. Ben White Blvd SVRD WB, Carson Creek, Country Club Creek Watersheds; Montopolis NP Area

Owner/Applicant: Montopolis QO2B, LLC

Agent: Thrower Design, LLC (Ron Thrower and Victoria Haase)

Request: Industry to Mixed Use land use

Staff Rec.: **Not Recommended**

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

Housing and Planning Department

Postponement Request **Applicant Postponement request to March 22, 2022**

Motion to grant Applicant's request for postponement of this item to March 22, 2022 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

2. 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

Motion by Commissioner Cox, seconded by Commissioner Mushtaler to postpone this item to April 12, 2022 was approved on a vote of 7-5. Vice-Chair Hempel and Commissioners Howard, Connolly, Thompson, and Azhar voting nay. Commissioner Praxis abstained.

3. 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

Motion by Commissioner Cox, seconded by Commissioner Mushtaler to postpone this item to April 12, 2022 was approved on a vote of 7-5. Vice-Chair Hempel and Commissioners Howard, Connolly, Thompson, and Azhar voting nay. Commissioner Praxis abstained.

**4. Restrictive
Covenant
Amendment:**

C14-02-0183(RCA) - 1118 Tillery Street; District 3

Location: 1118 Tillery Street, Boggy Creek Watershed; Govalle-Johnston Terrace NP Area

Owner/Applicant: Theodore and Mary E. Lopez

Agent: Drenner Group, PC (Leah M. Bojo)

Request: To amend a restrictive covenant

Staff Rec.: **Recommended**

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

Public Hearing closed.

Motion by Commissioner Cox, seconded by Commissioner Mushtaler to deny amending a restrictive covenant for C14-02-0183(RCA) - 1118 Tillery Street located at 1118 Tillery Street was approved on a vote of 7-0. Commissioners Thompson, Schneider, Azhar and Connolly abstained.

5. Rezoning:

C14-99-0069.01 - 200 S Congress Avenue; District 9

Location: 220 ½, 210, 208 and 200 South Congress Avenue, Lady Bird Lake Watershed; Bouldin Creek NP Area

Owner/Applicant: Bathaus Management, LLC (Sherry Matthews)

Agent: Drenner Group, PC (Leah M. Bojo)

Request: LI-PDA-NP to LI-PDA-NP, to change conditions of zoning

Staff Rec.: **Recommended**

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Azhar, seconded by Vice-Chair Hempel to approve LI-PDA-NP combining district zoning, to change a condition of zoning and include additional conditions for C14-99-0069.01 - 200 S Congress Avenue located at 220 ½, 210, 208 and 200 South Congress Avenue was approved on a vote of 9-4. Commissioners Cox, Llanes Pulido, Mushtaler, and Praxis voted nay.

Additional Conditions:

Prohibit drive-through services as an accessory use.

Require Americans with Disabilities (ADA) access from South Congress Avenue.

Explore public access through the site to the Butler hike-and-bike trail after business hours.

6. Plan Amendment: [NPA-2021-0010.01 - 2400 E. Cesar Chavez Parking Expansion](#)

Location: 2317 E. 2nd Street, Lady Bird Lake Watershed; Holly NP Area

Owner/Applicant: Stephen Nava

Agent: Armbrust & Brown, PLLC (Ferris Clements)

Request: Single Family to Mixed Use land use

Staff Rec.: **Pending**

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

Housing and Planning Department

Postponement Request **Staff Postponement request to April 12, 2022**

Motion to grant Staff's request for postponement of this item to April 12, 2022 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

7. **Rezoning:** [C14-2021-0121 - 2400 E. Cesar Chavez Parking](#)
- Location: 2317 E. 2nd Street, Lady Bird Lake Watershed; Holly NP Area
- Owner/Applicant: Stephen Nava
- Agent: Armbrust & Brown, PLLC (Ferris Clements)
- Request: SF-3-NP to CS-MU-NP
- Staff Rec.: **Pending**
- Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
- Postponement Request** **Staff Postponement request to April 12, 2022**

Motion to grant Staff's request for postponement of this item to April 12, 2022 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

8. **Rezoning:** [C14-2021-0190 - 3000 E Cesar Chavez, District 3](#)
- Location: 3000 E Cesar Chavez Street, Colorado River Watershed; Govalle-Johnston Terrace NP Area
- Owner/Applicant: Eastside Partners LLC
- Agent: Drenner Group, PC (Leah M. Bojo)
- Request: CS-MU-CO-NP to CS-MU-V-NP
- Staff Rec.: **Recommendation of CS-MU-V-CO-NP**
- Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Motion to grant Applicant's request for postponement of this item to March 8, 2022 was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

9. Plan Amendment: [NPA-2021-0005.01 - ALPHA .95; District 3](#)

Location: 2404 Thrasher Lane, Carson Creek Watershed; Montopolis NP Area
Owner/Applicant: Alpha Builders Group, Inc. (Gino Shvetz)
Agent: Husch Blackwell (Nikelle Meade)
Request: Commercial to Mixed Use land use, as amended
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 512-974-2695,
Maureen.Meredith@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Shieh, seconded by Commissioner Cox to postpone this item to March 8, 2022 was approved on a vote of 7-5. Vice-Chair Hempel, Thompson, Flores, Praxis and Llanes Pulido voted nay. Commissioner Connolly abstained.

10. Rezoning: [C14-2021-0128 - ALPHA .95; District 3](#)

Location: 2404 Thrasher Lane, Carson Creek Watershed; Montopolis NP Area
Owner/Applicant: Alpha Builders Group, Inc. (Gino Shvetz)
Agent: Husch Blackwell (Nikelle Meade)
Request: CS-NP to CS-MU-NP, as amended
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Shieh, seconded by Commissioner Cox to postpone this item to March 8, 2022 was approved on a vote of 7-5. Vice-Chair Hempel, Thompson, Flores, Praxis and Llanes Pulido voted nay. Commissioner Connolly abstained.

11. 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: Drenner Group P.C. (Leah M. Bojo), 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

Public Hearing closed.

Motion by Vice-Chair Hempel, seconded by Commissioner Connolly to deny SF-3-H-NP combining district zoning for C14H-2021-0180 - Casa McMath located 2501 Inwood Place was approved on a vote 9-1. Commissioner Cox voted nay. Commissioners Praxis and Schneider abstained. Commissioner Llanes Pulido was off the dais.

12. Site Plan: [SPC-2021-0129C - Rainey Tower; District 9](#)

Location: 80 Rainey Street, Waller Creek / Lady Bird Lake Watersheds; Downtown Austin Plan

Owner/Applicant: Ashland Rainey, LLC; EW Renovating Rainey LLC (C Sackman)

Agent: Drenner Group

Request: FAR request of 20:1 and Tree Variance

Staff Rec.: **Recommended**

Staff: Jorge Rousselin, 512-974-2975, jorge.rousselin@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion by Chair Shaw, seconded by Commissioner Cox to grant Staff's recommendation for SPC-2021-0129C - Rainey Tower located at 80 Rainey Street was approved on a vote of 11-0. Commissioner Praxis abstained. Commissioner Llanes Pulido was off the dais.

13. Total Plat Vacation: [C8S-87-008\(VAC\) - Atwell Tract No. 2 Subdivision; District 3](#)

Location: 760 Airport Blvd, Colorado River Watershed; Govalle NP Area
Owner/Applicant: OH Airport, LP (Ben Browder)
Agent: Hannah Riemer-Rapesak (LJA Engineering, Inc.)
Request: Total plat vacation of Atwell Tract No. 2 Subdivision (C8S-87-008)
Staff Rec.: **Recommended**
Staff: Joey de la Garza, 512-974-2664, joey.delagarza@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8S-87-008(VAC) - Atwell Tract No. 2 Subdivision located at 760 Airport Blvd was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

14. Total Plat Vacation: [C8S-84-065\(VAC\) - Atwell Tract Subdivision; District 3](#)

Location: 760 Airport Blvd, Colorado River Watershed; Govalle NP Area
Owner/Applicant: OH Airport, LP (Ben Browder)
Agent: Hannah Riemer-Rapesak (LJA Engineering, Inc.)
Request: Total plat vacation of Atwell Subdivision (C8S-84-065)
Staff Rec.: **Recommended**
Staff: Joey de la Garza, 512-974-2664, joey.delagarza@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8S-84-065(VAC) - Atwell Tract Subdivision located at 760 Airport Blvd was approved on the consent agenda on the motion by Commissioner Azhar, seconded by Commissioner Shieh on a vote of 13-0.

D. BRIEFING

1. Briefing regarding Vertical Mixed Use and possible code amendments.
Staff: Sam Tedford, 512 -974-2613, Planner Principal, Housing and Planning Department.
Briefing postponed by unanimous consent to March 8, 2022.

E. ITEMS FROM THE COMMISSION

1. Discussion and possible action establishing a working group tasked with providing Fiscal Year 2022-2023 Budget recommendations for Planning Commission consideration to be forwarded to Council. (Sponsors Chair Shaw and Vice-Chair Hempel)
Motion by Chair Shaw, seconded by Commissioner Azhar to establish a working group tasked with providing Fiscal Year 2022-2023 Budget recommendations for Planning Commission consideration to be forwarded to Council, and appoint Chair Shaw and Commissioners Azhar, Thompson and Ex-Officio Cohen was approved on a vote of 12-0. Commissioner Llanes Pulido off the dais.

F. 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.

G. BOARDS, COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

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

Commissioner Azhar stated the Committee reviewed a zoning use classification in relation to plant nursery and may propose a future code amendment.

[Comprehensive Plan Joint Committee](#)

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

No report provided.

Joint Sustainability Committee

(Commissioners Praxis and Schneider *alternate*)

Commissioner Praxis stated a working group was created to implement the Climate Equity plan.

Small Area Planning Joint Committee

(Commissioners: Howard, Mushtaler, Thompson and Shieh)

Commissioner Shieh stated the Committee reviewed and approved C14-99-0069.01 - 200 S Congress Avenue.

South Central Waterfront Advisory Board

(Commissioner Thompson)

No report provided.

Mobility and Transportation Working Group

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

No report provided.

VMU Code Amendments Working Group

(Vice-Chair Hempel and Commissioners Azhar, Howard and Schneider)

Commissioner Azhar stated the Committee continues to work on amendments.

Chair Shaw adjourned the meeting without objection on Tuesday, February 22, 2022 at 10:41 p.m.

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