



**Regular Meeting
ZONING & PLATTING COMMISSION
Tuesday, March 1, 2022**

The Zoning & Platting Commission convened in a meeting on Tuesday, March 1, 2022
@ <http://www.austintexas.gov/page/watch-atxn-live>

Chair Barrera-Ramirez called the Commission Meeting to order at 6:06 p.m.

Commission Members in Attendance:

Cesar Acosta
Ann Denkler – Parliamentarian
Betsy Greenberg
David King
Jolene Kiolbassa – Vice-Chair
Nadia Barrera-Ramirez – Chair
Hank Smith
Lonny Stern
Carrie Thompson

Absent
Scott Boone
Roy Woody

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

PUBLIC 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.

1. Ms. Jennifer Mushtaler- Ms. Mushtaler voiced her concern regarding a restrictive covenant associated with rezoning case C14-2018-0124 - River Place, located on Milky Way Drive.

A. APPROVAL OF MINUTES

1. Approval of minutes from February 15, 2022.

Motion to approve the minutes of February 15, 2022, as amended, was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

B. PUBLIC HEARINGS

1. **Rezoning:** [C14-2021-0003 - Sun Auto; District 6](#)
Location: 2610-½ South Lakeline Boulevard, Buttercup Creek Watershed
Owner/Applicant: Ozone Technology Inc. (Thomas J. Wolf, Jr.)
Agent: Pohl Partners (Jennie Braasch), Thrower Design LLC (A. Ron Thrower)
Request: LR to GR-MU-CO
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
Housing and Planning Department

Motion to grant Applicant's request for postponement of this item to April 19, 2022 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

2. **Rezoning:** [C14-2021-0141 - Agave Annex; District 1](#)
Location: 7902 W Rogers Ln & 4708 Rogers Ln, Walnut Creek and Elm Creek Watersheds
Owner/Applicant: Agave Brown, Ltd. (by 1500 Oliver GP, LLC, its General Partner) (David Foor)
Agent: Drenner Group PC (Leah Bojo)
Request: SF-2 to SF-4A
Staff Rec.: **Pending**
Staff: Heather Chaffin, 512-974-2122, hchaffin@austintexas.gov
Housing and Planning Department
Postponement Request **Postponement request by Staff to April 5, 2022**

Motion to grant Staff's request for postponement of this item to April 5, 2022 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

3. **Zoning:** [C14-2021-0159 - Vaught Ranch Rezoning; District 10](#)
Location: 6529 Vaught Ranch Road, West Bull Creek Watershed
Owner/Applicant: Michael Hart
Agent: Dunaway (Meg Greenfield)
Request: I-RR to GO-MU
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Smith, seconded by Commissioner Thompson to grant LO-MU-CO combining district zoning, with the prohibited uses listed in Exhibit A (<https://www.austintexas.gov/edims/document.cfm?id=377679>) for C14-2021-0159 - Vaught Ranch Rezoning, located at 6529 Vaught Ranch Road was approved on a vote of 6-1. Commissioner Stern voted nay. Vice-Chair Kiolbassa and Greenberg abstained. Commissioners Woody and Boone absent.

4. **Rezoning:** [C814-2009-0139.03 - Bull Creek PUD Amendment #3; District 10](#)
Location: 5305, 5400, 5404, 5408, 5505 Paradox Cove; 4909, 4915-1/2, 4929 FM 2222 Road, Bull Creek Watershed; Lake Austin Watershed
Owner/Applicant: David G. Booth, Trustee for the David Booth Revocable Trust
Agent: Armbrust & Brown, PLLC (David Armbrust)
Request: PUD to PUD, to change conditions of zoning
Staff Rec.: **Pending**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department
Postponement Request **Postponement request by Staff to April 5, 2022**

Motion to grant Staff's request for postponement of this item to April 5, 2022 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

5. **Rezoning:** [C14-2021-0161 - West William Cannon Housing; District 5](#)
Location: 3101 West William Cannon Drive, Williamson Creek Watershed - Barton Springs Zone
Owner/Applicant: Jubilee Christian Center (Jimmy R. Seal)
Request: LO-CO to MF-4
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Public Hearing closed

There was a motion by Vice-Chair Kiolbassa, seconded by Commissioner Greenberg to deny MF-4 district zoning for C14-2021-0161 - West William Cannon Housing located at 3101 West William Cannon Drive. Motion failed on a vote of 5-3. Chair Barrera-Ramirez and Commissioners Stern and Smith voted nay. Commissioner Acosta abstained. Commissioners Woody and Boone absent.

There was a motion by Commissioner Smith, seconded by Commissioner Greenberg to approve MF-2 district zoning, with access provided to the Preserve for C14-2021-0161 - West William Cannon

Housing located at 3101 West William Cannon Drive. Motion failed on a vote of 5-2. Vice-Chair Kielbassa and Commissioner Denkler voted nay. Commissioners Thompson and King abstained. Commissioners Woody and Boone absent.

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

- 6. Rezoning:** [C14-2021-0193 - 7400 South Congress Avenue; District 2](#)
Location: 7400 South Congress Avenue, South Boggy Creek Watershed
Owner/Applicant: SL South Congress, LP (John Kiltz)
Agent: Land Use Solutions (Michele Haussmann)
Request: SF-2; GR to GR-MU-CO
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to March 29, 2022 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

- 7. Rezoning:** [C14-2022-0004 - 1501 Damon Rd; District 5](#)
Location: 1501 Damon Road, Williamson Creek Watershed
Owner/Applicant: Capital River Group, LLC - Series 16 (Stuart Carr)
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 by Commissioner Denkler, seconded by Commissioner Smith to grant Staff's recommendation of SF-3 district zoning for C14-2022-0004 - 1501 Damon Rd, located at 1501 Damon Road was approved on a vote of 9-0. Commissioners Woody and Boone absent.

- 8. Rezoning:** [C14H-2021-0164 - Chrysler Air-Temp House; District 7](#)
Location: 2502 Park View Drive, Shoal Creek Watershed
Owner/Applicant: Historic Landmark Commission
Agent: Coats|Rose (Racy L. Haddad), agent for owner
Request: SF-2 to SF-2-H
Staff Rec.: **Recommended**
Staff: Elizabeth Brummett, 512-974-1264, elizabeth.brummett@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to March 29, 2022 was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

- 9. Site Plan:** [SP-2020-0400D - HEB Austin No 33, ETJ](#)
Location: 12015 West US 290 Highway, Bear Creek Watershed - Barton Springs Zone
Owner/Applicant: HEB Grocery Company
Agent: Jones and Carter (Kyler Felux)
Request: To grant Environmental Variances:
1. Request to vary from LDC 25-8-341 to allow cut to 12 feet.
2. Request to vary from LDC 25-8-342 to allow fill to 21 feet.
3. Request to vary from LDC 25-8-302(A)(2) to allow construction of a parking area on a slope with a gradient of more than 15 percent.
4. Request to vary from LDC 25-8-301 to allow construction of a driveway on a slope with a gradient of more than 15 percent.
- Staff Rec.: **Recommended**
Staff: Renee Johns / Pamela Abee, 512-974-2711, renee.johns@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2020-0400D - HEB Austin No 33, located at 12015 West US 290 Highway was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

- 10. Preliminary Plan:** [C8J-2019-0146 - Thaxton Road Preliminary Plan \(Small Lot\)](#)
Location: East Slaughter Lane and Thaxton Road, Marble Creek Watershed
Owner/Applicant: M/I Homes of Austin, LLC (Royce Rippey)
Agent: LJA Engineering Inc. (John Clark)
Request: Approval of a preliminary plan (small lot) consisting of 287 total lots on 98.692 acres.
- Staff Rec.: **Recommended**
Staff: Joe 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-2019-0146 - Thaxton Road Preliminary Plan (Small Lot) located at East Slaughter Lane and Thaxton Road was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

- 11. Preliminary Plan:** [C8J-2021-0163 - Easton Park 4B East Preliminary Plan](#)
Location: East William Cannon Drive and Finial Drive, North Fork Dry Creek Watershed
Owner/Applicant: Carma Easton, LLC (Matthew McCafferty)
Agent: Carlson, Brigrance and Doering, Inc. (C. Brigrance)
Request: Approval of a preliminary plan consisting of 3 total lots on 21.067 acres.
- Staff Rec.: **Recommended with conditions**
Staff: Sue Welch, 512-854-7637, sue.welch@traviscountytexas.gov
Single Office: Travis County - City of Austin

Public Hearing closed.

Motion to grant Staff's recommendation for C8J-2021-0163 - Easton Park 4B East Preliminary Plan located at East William Cannon Drive and Finial Drive was approved on the consent agenda on the motion by Commissioner Smith, seconded by Commissioner Denkler on a vote of 9-0. Commissioners Boone and Woody absent.

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)

Item disposed without discussion or action.

2. Discussion and possible action establishing a working group tasked with providing Fiscal Year 2022-2023 Budget recommendations for Zoning and Platting Commission consideration to be forwarded to Council. (Sponsors: Chair Barrera-Ramirez and Commissioner Smith)

Motion by Commissioner Smith, seconded by Commissioner Greenberg to establish a working group, made up of Commissioners King and Denkler, tasked with providing Fiscal Year 2022-2023 Budget recommendations for Zoning and Platting Commission consideration to be forwarded to Council was approved on a vote of 9-0. Commissioners Woody and Boone absent.

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 Greenberg and Smith – Restrictive Covenant associated with rezoning case C14-2018-0124 - River Place, located on Milky Way Drive.

E. COMMITTEE REPORTS & WORKING GROUPS

Codes and Ordinances Joint Committee
(Chair Barrera-Ramirez, Vice-Chair Kiolbassa, Commissioner Denkler)

Commissioner Denkler stated the Committee is reviewing permitted land uses in zoning districts.

Comprehensive Plan Joint Committee
(Commissioners: Acosta and Smith)

No report provided.

Small Area Planning Joint Committee
(Commissioners: Acosta, King and Greenberg)

No report provided.

Onion Creek and Localized Flooding Working Group
(Commissioners: King, Denkler and Smith)

No report provided.

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Chair Barrera-Ramirez adjourned the meeting without objection on Tuesday, March 1, 2022 at 7:41 p.m.