



PLANNING COMMISSION

MINUTES

April 26, 2022

The Planning Commission convened in a meeting on April 26, 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>

Vice-Chair Hempel called the Commission Meeting to order at 6:04 p.m.

Commission Members in Attendance:

**Greg Anderson
Awais Azhar
Grayson Cox
Yvette Flores
Claire Hempel – Vice-Chair
Patrick Howard
Carmen Llanes Pulido
Jennifer Mushtaler
Solveij Rosa Praxis
Robert Schneider
Jeffrey Thompson**

Jessica Cohen – Ex-Officio

Absent:

**Todd Shaw – Chair
James Shieh**

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

PUBLIC COMMUNICATIONS

Mr. Joao Paulo Connolly – Mr. Connolly provided remarks related to his service on the Planning Commission.

A. APPROVAL OF MINUTES

1. Approve the minutes of April 12, 2022.

Motion to approve the minutes of April 12, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

B. 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 May 24, 2022.**

Motion to grant Applicant's request for postponement of this item to May 24, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

2. **Plan Amendment:** [NPA-2021-0025.01 - 290 West and Scenic Brook](#)
Location: 8328 1/2, 8352 W. US 290 and 8112 Scenic Brook Dr., Williamson Creek Watershed - Barton Springs Zone; Oak Hill Combined (West Oak Hill) NP Area
Owner/Applicant: Schmidt Investments, LTD (RERS, Inc.) (Robert Schmidt, Pres.)
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: Neighborhood Mixed Use and Single Family to Mixed Use
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov
Housing and Planning Department
Postponement Request: **Applicant Indefinite Postponement Request.**

Motion to grant Applicant's request for indefinite postponement of this item was approved on the

consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

3. **Plan Amendment:** [NPA-2018-0021.02 - Skyline Oltorf Mixed Use; District 3](#)
Location: 5100, 5208 & 5010 E. Oltorf Street and 2424 & 2424 1/2 Riverside Farms Road, Country Club West Watershed; East Riverside/Oltorf Combined (Pleasant Valley) NP Area
Owner/Applicant: ADD Land, Ltd. And Charitable Holdings II
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: Office and Rural Residential to Mixed Use land use
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, Maureen.Meredith@austintexas.gov
Housing and Planning Department
Postponement Request: **Applicant Indefinite Postponement Request.**

Motion to grant Applicant's request for indefinite postponement of this item was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

4. **Plan Amendment:** [NPA-2020-0015.02.SH - 2011 & 2015 E. M. Franklin; District 1](#)
Location: 2011 & 2015 E. M. Franklin Ave., Tannehill Branch Watershed; East MLK Combined (MLK) NP Area; East MLK Combined (MLK) NP Area
Owner/Applicant: 2011 & 2015 E. M. Franklin, LLC (Anmol Mehra)
Agent: Civiltude, LLC (Conor Kenny)
Request: Single Family to Multifamily Residential and Neighborhood Mixed Use land uses
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 Multifamily Residential and Neighborhood Mixed Use land uses for NPA-2020-0015.02.SH - 2011 & 2015 E. M. Franklin located at 2011 & 2015 E. M. Franklin Ave. was approved on the motion by Vice-Chair Hempel, seconded by Commissioner Azhar, approved on a vote of 8-0. Commissioner Anderson recused on this matter due to a conflict of interest, rendered professional services to Applicant. Commissioners Llanes Pulido and Praxis abstained. Chair Shaw and Commissioner Shieh absent.

5. **Rezoning:** [C14-2022-0008.SH - 2011 & 2015 E. M. Franklin; District 1](#)
Location: 2011 & 2015 E. M. Franklin Ave.; East MLK Combined (MLK) NP Area, Tannehill Branch Watershed; East MLK Combined (MLK) NP Area
Owner/Applicant: 2011 & 2015 E. M. Franklin, LLC (Anmol Mehra)
Agent: Civiltude, LLC (Conor Kenny)
Request: SF-3-NP to MF-4-NP and LR-MU-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 MF-4-NP combining district zoning and LR-MU-NP combining district zoning, include applicable conditions, as determined by the Law Department, listed in Franklin Grove letter dated June 18, 2021 (pg. 54, [ZONING CHANGE REVIEW SHEET \(austintexas.gov\)](#)) and the condition of preserving 0.7 acre of open space for C14-2022-0008.SH - 2011 & 2015 E. M. Franklin located at 2011 & 2015 E. M. Franklin Ave. was approved on the motion by Vice-Chair Hempel, seconded by Commissioner Azhar, approved on a vote of 8-0. Commissioner Anderson recused on this matter due to a conflict of interest, rendered professional services to Applicant. Commissioners Llanes Pulido and Praxis abstained. Chair Shaw and Commissioner Shieh absent.

6. **Rezoning:** [C14-2022-0022 - 1106 S Meadows; District 4](#)
Location: 1106 South Meadows, Little Walnut Creek Watershed; North Austin Civic Association NP Area
Owner/Applicant: TALEM INVESTMENTS LLC
Agent: McNair Consulting, LLC (Jason McNair)
Request: SF-2-NP to SF-3-NP
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of SF-3-NP combining district zoning for C14-2022-0022 - 1106 S Meadows located at 1106 South Meadows was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

7. **Plan Amendment:** [NPA-2021-0021.02 - 1406-1506 Parker Lane: District 9](#)
Location: 1406, 1408, 1504 and 1506 Parker Lane, Lady Bird Lake Watershed; East Riverside/Oltorf Combined (Riverside) NP Area
Owner/Applicant: Gross Land Fund II, LP (Shawn A. J. Gross)
Agent: Drenner Group, PC (Amanda Swor)
Request: Single Family to Multifamily Residential
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, Maureen.Meredith@austintexas.gov
Housing and Planning Department
Postponement Request: **Applicant postponement request to May 24, 2022.**

Motion to grant Applicant's request for postponement of this item to May 24, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

8. **Rezoning:** [C14-2021-0153 - 1406-1506 Parker Lane: District 9](#)
Location: 1406, 1408, 1504 and 1506 Parker Lane, Lady Bird Lake Watershed; East Riverside/Oltorf Combined (Riverside) NP Area
Owner/Applicant: Gross Land Fund II, LP (Shawn A. J. Gross)
Agent: Drenner Group, PC (Amanda Swor)
Request: SF-3-NP to MF-2-NP
Staff Rec.: **Pending**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
Postponement Request: **Applicant postponement request to May 24, 2022.**

Motion to grant Applicant's request for postponement of this item to May 24, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

9. **Rezoning:** [C14-2021-0190 - 3000 E Cesar Chavez, District 3](#)
Location: 3020 East Cesar Chavez Street, Colorado River Watershed
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
Postponement Request: **Applicant Indefinite Postponement Request.**

Motion to grant Applicant's request for indefinite postponement of this item was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 10. Plan Amendment:** [NPA-2021-0015.04 - 6600, 6702, 6704 & 6706 Regiene Road; District 1](#)
Location: 6600, 6702, 6704, & 6706 Regiene Road, Boggy Creek Watershed; East MLK Combined (MLK-183) NP Area
Owner/Applicant: 6600 Regiene Road: Ira E. Regiene, Dorothy M. Regiene, Victoria Mae Gable, William John Regiene, Kathryn Ann Pool, and Laurie Lynn Alkie, 6702 Regiene Road: Victoria Mae Gable, 6704 Regiene Road: Kathryn Ann Pool, 6706 Regiene Road: William John Regiene
Agent: Drenner Group, PC (Leah Bojo)
Request: Industry to Major Planned Development land use
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, Maureen.Meredith@austintexas.gov
Housing and Planning Department
Postponement Request: **Staff postponement request to May 10, 2022.**

Motion to grant Staff's request for postponement of this item to May 10, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 11. Rezoning:** [C14-2021-0157 - 6600, 6702, 6704 & 6706 Regiene Road; District 1](#)
Location: 6600, 6702, 6704, & 6706 Regiene Road, Boggy Creek Watershed; Govalle-Johnston Terrace NP Area
Owner/Applicant: Ira E. Regiene, Dorothy M. Regiene, Victoria Mae Gable, William John Regiene, Kathryn Ann Pool, Laurie Lynn Alkie
Agent: Drenner Group, PC (Leah Bojo)
Request: LI-NP to LI-PDA-NP
Staff Rec.: **Pending**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
Postponement Request: **Staff postponement request to May 10, 2022.**

Motion to grant Staff's request for postponement of this item to May 10, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 12. Plan Amendment:** [NPA-2021-0015.03 - 6603 Regiene Road; District 1](#)
Location: 6603 Regiene Road, Boggy Creek Watershed; East MLK Combined (MLK-183) NP Area
Owner/Applicant: Laurie Lynn Alkie
Agent: Drenner Group, PC (Leah Bojo)
Request: Industry to Major Planned Development land use
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, Maureen.Meredith@austintexas.gov
Housing and Planning Department
Postponement Request: **Staff postponement request to May 10, 2022.**

Motion to grant Staff's request for postponement of this item to May 10, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider

on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 13. Rezoning:** [C14-2021-0158 - 6603 Regiene Road; District 1](#)
Location: 6603 Regiene Road, Boggy Creek Watershed; East MLK Combined (MLK-183) NP Area
Owner/Applicant: Laurie Lynn Alkier
Agent: Drenner Group, PC (Leah Bojo)
Request: LI-NP to LI-PDA-NP
Staff Rec.: **Pending**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
Postponement Request: **Staff postponement request to May 10, 2022.**

Motion to grant Staff's request for postponement of this item to May 10, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 14. Plan Amendment:** [NPA-2021-0025.02 - 7715 1/2 West State Highway 71; District 8](#)
Location: 7715 1/2 West SH 71 Hwy, Williamson Creek Watershed - Barton Springs Zone; Oak Hill Combined (West Oak Hill) NP Area
Owner/Applicant: Stephen Simon, John Simon, and Barbara Simon Bierner
Agent: Drenner Group, PC (Amanda Swor)
Request: Single Family to Mixed Use/Office land uses
Staff Rec.: **Recommended**
Staff: Maureen Maureen, 512-974-2695, Maureen.Meredith@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of Mixed Use/Office land uses for NPA-2021-0025.02 - 7715 1/2 West State Highway 71 located at 7715 1/2 West SH 71 Hwy was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 15. Rezoning:** [C14-2021-0130 - 7715 1/2 West State Highway 71; District 8](#)
Location: 7715 1/2 and 7817 West State Highway 71, Williamson Creek Watershed - Barton Springs Zone; Oak Hill Combined (West Oak Hill) NP Area
Owner/Applicant: Stephen Simon, John Simon, and Barbara Simon Bierner; Marvin H. Kretschmar
Agent: Drenner Group, PC (Amanda Swor)
Request: RR-NP (Tract 1) and LO-NP (Tract 2) to GO-MU-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 GO-MU-NP combining district zoning for C14-2021-0130 - 7715 1/2 West State Highway 71 located at 7715 1/2 and 7817 West State Highway 71 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 16. Restrictive Covenant Amendment:** [C14-85-288.23\(RCA\) - 7715 1/2 West State Highway 71; District 8](#)
- Location: 7715 1/2 West State Highway 71, Williamson Creek Watershed - Barton Springs Zone; Oak Hill Combined (West Oak Hill) NP Area
- Owner/Applicant: Stephen Simon, John Simon, and Barbara Simon Bierner
- Agent: Drenner Group, PC (Amanda Swor)
- Request: To amend a Restrictive Covenant
- 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 to amend a Restrictive Covenant and include Environmental Commission's recommendation for C14-85-288.23(RCA) - 7715 1/2 West State Highway 71 located at C14-85-288.23(RCA) - 7715 1/2 West State Highway 71 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 17. Site Plan - Compatibility Waiver Request:** [SP-2021-0102C - 1400 Cedar Ave; District 1](#)
- Location: 1400 Cedar Avenue, Boggy Creek Watershed- Urban; Chestnut NP Area
- Owner/Applicant: Urban Gravity
- Agent: Civiltude LLC (Alejandra Flores)
- Request: Request for compatibility waiver from LDC 25-2-1063.
- Staff Rec.: **Recommended**
- Staff: Zack Lofton, 512-978-1735, zack.lofton@austintexas.gov
Development Services Department

Motion to grant Staff's request for postponement of this item to May 10, 2022 was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 18. Site Plan:** [SPC-2020-0121C - 90 Rainey, District 9](#)
- Location: 612 Davis and 90 Rainey St, Waller Creek and Lady Bird Watershed
- Owner/Applicant: 90 Rainey St LP / 92 Rainey Street LP
- Agent: Drenner Group, PC (Amanda Swor)
- Request: Variance request from 25-2-731 E 1 to allow reflectivity index of 25%
- Staff Rec.: **Recommended**
- Staff: Renee Johns, 512-974-2711, renee.johns@austintexas.gov
Development services department

21. Final Plat from an approved [C8J-2019-0143.2A - Howard Lane Phase 2](#)

Preliminary Plan:

Location: 2906 E. Howard Lane, Harris Branch and Gilleland Creek
Owner/Applicant: Clayton Properties Group (Tyler Gatewood) and 2906 East Howard Lane LLC (Saheed Minhas)
Agent: BGE, Inc. (J. Adam Berry)
Request: Approval with Conditions of Howard Lane Phase 2 Final Plat, consisting of 122 lots on 18.29 acres. Water and wastewater will be provided by the City of Austin
Staff Rec.: **Recommended**
Staff: Sarah Sumner, 512-854-7687, sarah.sumner@traviscountytx.gov
Single office

Public Hearing closed.

Motion to grant Staff's recommendation for C8J-2019-0143.2A - Howard Lane Phase 2 located at 2906 E. Howard Lane was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

22. Final Plat from an approved [C8J-2020-0013.3A - West Bella Fortuna Phase 3](#)

Preliminary Plan:

Location: Bella Fortuna Drive, Onion Creek
Owner/Applicant: Clayton Properties Group (Tyler Gatewood)
Agent: Doucet & Associated (Sumita Kadariya)
Request: Approval with Conditions of West Bella Fortuna Ph 3 Final Plat, consisting of 131 lots on 27.795 acres. Water and wastewater will be provided by the City of Austin.
Staff Rec.: **Recommended**
Staff: Sarah Sumner, 512-854-7687, sarah.sumner@traviscountytx.gov
Single office

Public Hearing closed.

Motion to grant Staff's recommendation for C8J-2020-0013.3A - West Bella Fortuna Phase 3 located at Bella Fortuna Drive was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

- 23. Preliminary Plan:** [C8J-2021-0066 - Whisper Valley Multifamily Parcel 65](#)
Location: 17001 E Braker Lane, Gilleland Creek
Owner/Applicant: Club Deal 120 Whisper Valley, L.P.
Agent: Land Dev Consulting (Michael Giannetta)
Request: Approval of the Whisper Valley Multifamily Parcel 65 Preliminary Plan, consisting of 1 lot and right-of-way on 16.2 acres.
Staff Rec.: **Disapproval for Reasons**
Staff: Jennifer Bennett, 512-974-9002, jennifer.bennett@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to Dissapprove for Reasons per Exhibit C for C8J-2021-0066 - Whisper Valley Multifamily Parcel 65 located at 17001 E Braker Lane was approved on the consent agenda on the motion by Commissioner Thompson, seconded by Commissioner Schneider on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

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.

Commissioners Cox and Mushtaler – Briefing request, allowable conditions and overview of public and private restrictive covenants.

E. NOMINATIONS

- 1.** Nomination of member to Code and Ordinances Joint Committee.

After closing of nominations, Commissioner Anderson nominated to serve on Code and Ordinances Joint Committee on a vote of 9-0. Commissioners Llanes Pulido and Praxis abstained. Chair Shaw and Commissioner Shieh absent.

- 2.** Nomination of member to Small Area Planning Joint Committee.

After closing of nominations, Commissioner Thompson nominated to serve on Small Area Planning Joint Committee on a vote of 11-0. Chair Shaw and Commissioner Shieh absent.

F. BOARDS, COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

(Chair Shaw, Vice-Chair Hempel and Commissioner: Azhar)

No report provided.

[Comprehensive Plan Joint Committee](#)

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

No report provided.

[Joint Sustainability Committee](#)

(Commissioners Praxis and Schneider *alternate*)

No report provided.

[Small Area Planning Joint Committee](#)

(Commissioners: Howard, Mushtaler, Thompson and Shieh)

Commissioner Thompson stated the Committee reviewed a variance and received a briefing on the South Central Waterfront Overlay.

[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.

Vice-Chair Hempel adjourned the meeting without objection on Tuesday, April 26, 2022 at 8:28 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.