



## **PLANNING COMMISSION**

### **MINUTES**

**September 13, 2022**

**The Planning Commission convened in a meeting on September 13, 2022 in 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 6:20 p.m.**

#### **Commission Members in Attendance:**

**Awais Azhar  
Grayson Cox  
Claire Hempel – Vice-Chair  
Patrick Howard  
Carmen Llanes Pulido  
Jennifer Mushtaler  
Todd Shaw – Chair  
Robert Schneider  
Jeffrey Thompson**

**Jessica Cohen – Ex-Officio**

#### **Absent:**

**Greg Anderson  
James Shieh  
Yvette Flores**

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

**One vacancy on the Commissioner (District 2)**

## **PUBLIC 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.

## **APPROVAL OF MINUTES**

1. Approve the minutes of August 23, 2022.

Motion to approve the minutes of August 23, 2022 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

## **PUBLIC HEARINGS**

2. **Plan Amendment:** [NPA-2022-0023.01.SH - 5107-5115 Lancaster; District 4](#)  
Location: 5107, 5109, 5111, 5113 and 5115 Lancaster Ct, Tannehill Branch Watershed; University Hills/Windsor Park NP Area (Windsor Park)  
Owner/Applicant: Plancaster, LLC; SEMIZI, LLC; Lancaster Office Three, LLC and Fayezi Kazi  
Agent: Capital A Housing (Conor Kenny)  
Request: Multifamily Residential and Mixed Use/Office to Mixed Use land use  
Staff Rec.: **Recommended**  
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov  
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff recommendation of Mixed Use land use for NPA-2022-0023.01.SH - 5107-5115 Lancaster located at 5107, 5109, 5111, 5113 and 5115 Lancaster Ct was approved on the motion by Commission Azhar, seconded by Commissioner Thompson on a vote of 8-0. Commissioner Howard off the dais. Commissioners Anderson, Shieh and Flores absent. One vacancy on the dais.

- 3. Rezoning:** [C14-2022-0018.SH - 5107-5115 Lancaster; District 4](#)  
Location: 5107, 5109, 5111, 5113 and 5115 Lancaster Ct, Tannehill Branch Watershed; University Hills/Windsor Park NP Area (Windsor Park)  
Owner/Applicant: Plancaster, LLC; SEMIZI, LLC; Lancaster Office Three, LLC and Fayezi Kazi  
Agent: Capital A Housing (Conor Kenny)  
Request: MF-3-NP and NO-MU-NP to GR-MU-V-CO-NP, as amended  
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 GR-MU-V-CO-NP combining district zoning, as amended for C14-2022-0018.SH - 5107-5115 Lancaster located at 5107, 5109, 5111, 5113 and 5115 Lancaster Ct was approved on the motion by Commissioner Azhar, seconded by Commissioner Thompson on a vote of 8-0. Commissioner Howard off the dais. Commissioners Anderson, Shieh and Flores absent. One vacancy on the dais.

- 4. Rezoning:** [C14-2022-0080 - 607 West 14th Street; District 9](#)  
Location: 607 West 14th Street, Downtown Austin Plan (Northwest District); Shoal Creek Watershed  
Owner/Applicant: HKKN Holdings, LLC (Joe Newberry)  
Agent: Metcalfe Wolff Stuart and Williams, LLP (Michele Rogerson Lynch)  
Request: GO to DMU  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of DMU-CO combining district zoning for C14-2022-0080 - 607 West 14th Street located at 607 West 14th Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

- 5. Rezoning:** [C14-2022-0087 - 8701 and 8627 N MoPac; District 10](#)  
Location: 8701 and 8627 N. MoPac Expressway Service Rd North Bound, Shoal Creek Watershed; Burnet Road, Anderson Lane and the North Shoal Creek NP Area  
Owner/Applicant: 8701 MoPac Atrium LLC  
Agent: Drenner Group, PC (Amanda Swor)  
Request: LO and LR to CS  
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 CS district zoning for C14-2022-0087 - 8701 and 8627 N MoPac located at 8701 and 8627 N. MoPac Expressway Service Rd North Bound was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

- 6. Restrictive Covenant Termination:** [C14R-82-016\(RCT\) - 8701 and 8627 N MoPac RCT; District 10](#)  
Location: 8611, 8627 and 8701 N. MoPac Expressway Service Road North Bound, Shoal Creek Watershed; Burnet Road, Anderson Lane and the North Shoal Creek NP Area  
Owner/Applicant: 8611 MoPac LLC, 8701 MoPac Atrium LLC and US REIF Eurus Austin LLC  
Agent: Drenner Group, PC (Amanda Swor)  
Request: To terminate/delete a public restrictive covenant associated with zoning site plan case C14R-82-016.  
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 to terminate/delete a public restrictive covenant associated with zoning site plan case C14R-82-016 for C14R-82-016(RCT) - 8701 and 8627 N MoPac RCT located at 8611, 8627 and 8701 N. MoPac Expressway Service Road North Bound was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**7. Right-of-Way**      [SP-2022-0059C - 2022-033600 LM; District 10](#)

**Vacation (Alley):**

Location: 1301 West 38th Street, Shoal Creek Watershed; Central West Austin Combined (Windsor Road) NP Area

Owner/Applicant: Ascension Seton

Agent: Kat Lauer (Garza EMC)

Request: To relinquish the public rights to the alley right-of-way.

Staff Rec.: **Recommended**

Staff: Jacquelyn Armstrong, (512) 974-7149,  
Jacquelyn.Armstrong@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2022-0059C - 2022-033600 LM located at 1301 West 38th Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**8. Right-of-Way**      [SP-2022-0059C - 2022-033751 LM; District 10](#)

**Vacation (Street):**

Location: 1301 West 38th Street, Shoal Creek Watershed; Central West Austin Combined (Windsor Road) NP Area

Owner/Applicant: Ascension Seton

Agent: Kat Lauer (Garza EMC)

Request: To relinquish the public rights to the street right-of-way.

Staff Rec.: **Recommended**

Staff: Jacquelyn Armstrong, (512) 974-7149,  
Jacquelyn.Armstrong@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2022-0059C - 2022-033751 LM located at 1301 West 38th Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**9. Site Plan  
(Environmental  
Variance):**

**[SP-2021-0084D - Borders Boat Dock 1; District 10](#)**

Location: 2500 Matthews Drive, Lake Austin Watershed; Central West Austin Combined (West Austin Neighborhood Group) NP Area

Owner/Applicant: Thomas and Mary C. Borders

Agent: Jeremy Siltala (Land Strategies Inc.)

Request: To vary from LDC 25-8-281(C)(2)(b) to allow the construction within 150-foot of a rimrock Critical Environmental Feature (CEF)

Staff Rec.: **Recommended**

Staff: Eric Brown, (512) 978-1539, Eric.Brown@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2021-0084D - Borders Boat Dock 1 located at 2500 Matthews Drive was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**10 Downtown  
Density Bonus:**

**[SP-2021-0172C - 307 and 319 E. 2nd Street; District 9](#)**

Location: 307 and 319 E. 2nd Street, Downtown Austin Plan (Rainey Street District)

Owner/Applicant: 2nd Street Development, LLC

Agent: Drenner Group (Dave Anderson)

Request: Increase Floor Area Ratio (FAR) with use of other community benefits under City Code Section 25-2-586(E)(12)(f) (Downtown Density Bonus Program)

Staff Rec.: **Recommended**

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

Public Hearing closed.

Motion to grant Staff's recommendation for SP-2021-0172C - 307 and 319 E. 2nd Street located at 307 and 319 E. 2nd Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**11 Site Plan - [SPC-2021-0310C - 10807 N IH 35; District 1](#)  
Conditional Use Permit:**

Location: 10807 N IH35 NB, Walnut Creek Watershed; Windsor Hills NP Area  
Owner/Applicant: Arturo Hemingway  
Agent: Civilitude (Will Taylor)  
Request: Approval of a conditional use permit to construct a commercial plasma center building.  
Staff Rec.: **Recommended**  
Staff: Rosemary Avila, 512-974-2784, rosemary.avila@austintexas.gov  
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2021-0310C - 10807 N IH 35 located at 10807 N IH35 NB was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**12 Preliminary Plan [C8J-2022-0141 - Gullahorn Phase 1A](#)  
approval:**

Location: 5300 Gregg Lane, Gilleland Creek Watershed  
Owner/Applicant: Blackburn Homes (Rick Hanna)  
Agent: Atwell, LLC (David Fusilier)  
Request: Approval of a preliminary plan consisting of 98 lots on 16.40 acres.  
Staff Rec.: **Approved with conditions per Exhibit C - Comment report**  
Staff: Paul Scoggins, 512-854-7619, paul.scoggins@traviscountytexas.gov  
Travis County TNR - Single Office

Public Hearing closed.

Motion to approve staff's recommendation with conditions per Exhibit C - Comment Report for C8J-2022-0141 - Gullahorn Phase 1A located at 5300 Gregg Lane was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**13. Final Plat out of an approved Preliminary Plan:** [C8J-2016-0188.01.1A - Easton Park Section 2C Phase 4](#)

Location: Ausblick Avenue & Skytex Street, Cottonmouth Creek Watershed;  
Pilot Knob MUD  
Owner/Applicant: Carma Easton LLC (AJ Zorn)  
Agent: Carlson, Brigance, and Doering, Inc. (Charles Brigance)  
**Request: Approval of a final plat consisting of 2 lots on 23.376 acres.**  
Staff Rec.: **Approved with conditions per Exhibit C - Comment report**  
Staff: Sue Welch, 512-854-7637, sue.welch@traviscountytexas.gov  
Travis County TNR - Single Office

Public Hearing closed.

Motion to approve staff's recommendation with conditions per Exhibit C - Comment Report for C8J-2016-0188.01.1A - Easton Park Section 2C Phase 4 located at Ausblick Avenue & Skytex Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

**14 Final Plat out of an approved Preliminary Plan:** [C8J-2018-0213.2A - Longview Phase 2](#)

Location: Axel Johanson Drive, Dry Creek Watershed  
Owner/Applicant: WLH Communities, Texas LLC (Michael Slack)  
Agent: Peloton Land Solutions (Justin Lange)  
Request: Approval of a final plat consisting of 155 lots on 55.891 acres.  
Staff Rec.: **Approved with conditions per Exhibit C - Comment report**  
Staff: Joe Arriaga, 512-854-7562, joe.arriaga@traviscountytexas.gov  
Travis County TNR - Single Office

Public Hearing closed.

Motion to approve staff's recommendation with conditions per Exhibit C - Comment Report for C8J-2018-0213.2A - Longview Phase 2 located at Axel Johanson Drive was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.



- 15 Code**                                    [Environmental Protection, Landscape Requirements, and Site Plan Requirements](#)  
**Amendment:**  
Request:                                    Consider an ordinance regarding amendments to Title 25 related to environmental protection, landscape requirements, and site plan requirements.  
  
Staff Rec:                                   **Recommended**  
Staff:                                        Liz Johnston, 512-974-2619, Deputy Environmental Officer, Watershed Protection Department

Item postponed by Planning Commission to September 27, 2022 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 8-0. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

### **NOMINATIONS & APPOINTMENTS**

- 16.** Discuss and consider establishing a working group tasked to collaborate with stakeholders and members of the Design Commission to review and provide input regarding the Urban Design Guidelines Update.

Motion by Chair Shaw, seconded by Commissioner Azhar to approve establishing a working group tasked to collaborate with stakeholders and members of the Design Commission to review and provide input regarding the Urban Design Guidelines Update and appoint Vice-Chair Hempel and Commissioner Cohen to the working group was approved on a vote of 9-0. Commissioners Anderson, Shieh and Flores absent. One vacancy on the dais.

- 17.** Nominate a member of Planning Commission to be considered by Council to serve on the Joint Sustainability Committee.

Item tabled by unanimous consent. Commissioners Anderson, Shieh and Flores absent. Commissioner Mushtaler off the dais. One vacancy on the dais.

### **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.*

### **BOARDS, COMMITTEES & WORKING GROUPS UPDATES**

#### [Codes and Ordinances Joint Committee](#)

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

Meeting summary provided by Vice-Chair Hempel.

#### [Comprehensive Plan Joint Committee](#)

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

No report provided.

[Joint Sustainability Committee](#)

(Commissioner Schneider *alternate*)

No report provided.

[Small Area Planning Joint Committee](#)

(Commissioners: Howard, Mushtaler, Shieh and Thompson)

No report provided.

[South Central Waterfront Advisory Board](#)

(Commissioner Thompson)

No report provided.

Housing Working Group – Site Development

(Commissioners Cohen, Cox, Llanes Pulido, Schneider and Thompson)

Summary provided by Commissioner Cohen.

Housing Working Group – Vertical Development

(Commissioners Anderson, Azhar, Cohen, Flores, Howard and Shieh)

Summary provided by Commissioner Cohen.

Environmental Protection, Landscape Requirements, and Site Plan Requirements Working Group

(Vice-Chair Hempel and Commissioners Anderson, Azhar, Cohen, Cox, Shieh and Thompson)

Summary provided by Commissioner Thompson.

**Chair Shaw adjourned the meeting without objection on Tuesday, September 13, 2022 at 8:44 p.m.**

Minutes approved on September 27, 2022 the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Cox on a vote of 9-0. Commissioners Mushtaler, Thompson and Schneider absent. One vacancy on the dais.

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