



**Regular Meeting
ZONING & PLATTING COMMISSION
Tuesday, December 6, 2022**

**The Zoning & Platting Commission convened in a meeting on Tuesday, December 6, 2022
@ <http://www.austintexas.gov/page/watch-atxn-live>**

Commissioner Smith called the Commission Meeting to order at 6:00 p.m.

Commission Members in Attendance:

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

APPROVAL OF MINUTES

1. Approval of minutes from November 15, 2022.

Motion to approve November 15, 2022 minutes was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

PUBLIC HEARINGS

2. **Rezoning:** [C14-2021-0123 - 7900 South Congress; District 2](#)
Location: 7809 Peaceful Hill Lane; 7713 and 7715 and Byrdhill Lane; 7604, 7900 & 7900 1/2 South Congress Avenue, South Boggy Creek Watershed
Owner/Applicant: Agape Christian Ministries Austin, Inc. (Lawrence A. Wilkerson); RDO Properties, LLC (Rob & Denise Ormand)
Agent: Husch Blackwell LLP (Nikelle Meade)
Request: DR and NO-CO to GR-MU-V-CO for Tract 1; CS-MU-V-CO for Tract 2, as amended
Staff Rec.: **Recommended, with conditions**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of GR-MU-V-CO combining district zoning for Tract 1 and CS-MU-V-CO combining district zoning for Tract 2, with the conditions of the Traffic Impact Analysis, and with the following modifications and additions to the conditional overlay: A 30-foot wide vegetative buffer that maintains the existing trees is required along Peaceful Hill Lane; building heights are required to follow the Applicant's Conceptual Land Use Plan; and the Applicant is required to work with ATD to maximize lighting and safety improvements at the Peaceful Hill Lane and Foremost Drive intersection for C14-2021-0123 - 7900 South Congress located at 7809 Peaceful Hill Lane; 7713 and 7715 and Byrdhill Lane; 7604, 7900 & 7900 1/2 South Congress Avenue was approved on the motion by Commissioner King, seconded by Commissioner Stern on a vote of 11-0.

3. **Rezoning:** [C14-2022-0135 - 5807 Ross Road; District 2](#)
Location: 5807 Ross Road, Dry Creek East Watershed
Owner/Applicant: Radhe Investment Group - RIG 11 Series (Ravi Thakkar)
Request: DR to SF-6
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 SF-6 district zoning for C14-2022-0135 - 5807 Ross Road located at 5807 Ross Road was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

4. **Rezoning:** [C14-2022-0153 - Sungold; District 7](#)
Location: 13704 Ida Ridge Drive, Walnut Creek Watershed
Owner/Applicant: SUNGOLD SM LLC (Arjun Demla)
Agent: Bennett Consulting (Rodney K. Bennett)
Request: IP to GR-MU
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 GR-MU combining district zoning for C14-2022-0153 - Sungold located at 13704 Ida Ridge Drive was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

5. **Site Plan:** [SP-2021-0095C - Park 290 Logistics Center; District 1](#)
Location: 9921 East US 290 Highway Service Road Eastbound, Gilleland Creek / Decker Creek Watersheds
Owner/Applicant: BSREP III Decker Lane
Agent: Pacheco Koch Consulting Engineers (Hollis Scheffler)
Request: Environmental Variance to permit fill over 4 feet up to 28 feet and to permit cut over 4 feet up to 22 feet.
Staff Rec.: **Recommended**
Staff: Enrique Maiz-Torres, 512-974-3035, enrique.maiz-torres@austintexas.gov
Randall Rouda, 512-974-3338, randall.rouda@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff and Environmental Commission recommendation, as amended, for SP-2021-0095C - Park 290 Logistics Center located at 9921 East US 290 Highway Service Road Eastbound was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

Amendment:

~~Encourage~~ Require long-term tree care plan for the new and existing trees.

6. **Environmental Variance:** [C8J-2021-0141.0A / SP-2021-0446D - 8020 Parmer Lane SH 130 NW](#)
- Location: 8106 East Parmer Lane, Gilleland Creek and Harris Branch Creek Watersheds
- Owner/Applicant: Pape-Dawson Engineers, Travis Moltz
- Request: Two Environmental variances: 1) Request to vary from LDC 30-5-342 to allow fill over 4 feet to 15 feet. 2) Request to vary from 30-5-261(G) to allow floodplain modification in a critical water quality zone buffer.
- Staff Rec.: **Recommended**
- Staff: Pamela Abee-Taulli, Miranda Reinhard, 512-974-1879 (Abee-Taulli); 512-978-1537 (Reinhard), pamela.abee-taulli@austintexas.gov; miranda.reinhard@austintexas.gov
Jennifer Bennett, 512-974-5002, jennifer.bennett@austintexas.gov
Development Services Department (Abee-Taulli); Watershed Protection Department (Reinhard)

Public Hearing closed.

Motion to grant Staff recommendation for C8J-2021-0141.0A / SP-2021-0446D - 8020 Parmer Lane SH 130 NW located at 8106 East Parmer Lane was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

7. **Preliminary Plan:** [C8J-2021-0112 - Easton Park Section 5A Preliminary Plan; District 2](#)
- Location: William Cannon and Cota Vista, North Fork Dry Creek Watershed
- Owner/Applicant: Carma Easton, LLC (Matthew McCafferty)
- Agent: Carlson, Brigance and Doering, Inc. (C. Brigance)
- Request: Approval of a preliminary plan consisting of 9 total lots on 58.63 acres.
- Staff Rec.: **Approve with conditions as listed in Exhibit C**
- 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-2021-0112 - Easton Park Section 5A Preliminary Plan located on William Cannon and Cota Vista was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

8. **Final Plat out of an approved Preliminary Plan:** [C8J-2021-0048.1A - Quad Park 3B-3a Easton Park Final Plat; District 2](#)
- Location: Apogee & Skytex, North and South Fork Dry Creek Watersheds
Owner/Applicant: Carma Easton, LLC (Matthew McCafferty)
Agent: Carlson, Brigance and Doering, Inc. (C. Brigance)
Request: Approval of a final plat out of an approved preliminary plan consisting of 63 total lots on 26.52 acres.
- Staff Rec.: **Approve with conditions as listed in Exhibit C**
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-2021-0048.1A - Quad Park 3B-3a Easton Park Final Plat located at Apogee & Skytex was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

9. **Preliminary Plan:** [C8-2022-0252.SH - Goodnight Town Center, Phase 1 Section 1; District 2](#)
- Location: 8901 Vertex Boulevard, Onion Creek Watershed
Owner/Applicant: Austin Goodnight Ranch, LP (Myra Goepf)
Agent: Greg Fortman (HR Green)
Request: Approval of Goodnight Town Center, Phase 1, Section 1 Preliminary Plan, consisting of one lot dedicated for ROW purposes on 1.65 acres of land.
- 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 C8-2022-0252.SH - Goodnight Town Center, Phase 1 Section 1 located at 8901 Vertex Boulevard was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

10. **Resubdivision:** [C8-2022-0254.0A - 1191 Ridge Drive Subdivision; District 1](#)
- Location: 1191 Ridge Drive, Boggy Creek Watershed
Owner/Applicant: Tejas 1 QOZB, LP (Gary G. Gill)
Agent: Southwest Engineers, Inc. (Kody Schouten)
Request: Approve the resubdivision of portions of lots into a 6 lot subdivision on 0.52 acres.
- Staff Rec.: **Disapprove for Reasons as listed in Exhibit C**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to Disapprove for Reasons as listed in Exhibit C, for C8-2022-0254.0A - 1191 Ridge Drive Subdivision located at 1191 Ridge Drive was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

11. Final Plat out of an approved [C8J-2020-0057.1A - Slaughter Lane 90 Acre Tract, Phase 1 Small Lot Final Plat](#)

Preliminary Plan:

Location: East Slaughter Lane, Marble Creek Watershed
Owner/Applicant: M/I Homes of Austin, LLC (William Peckman)
Agent: LJA Engineering, LLC (Russell Kotara)
Request: Approval of a final plat out of an approved preliminary plan consisting of 127 total lots on 64.8855 acres.
Staff Rec.: **Approve with conditions as listed in Exhibit C**
Staff: Paul Scoggins, 512-854-7619, paul.scoggins@traviscountytexas.gov
Single Office: Travis County-City of Austin

Public Hearing closed.

Motion to grant Staff's recommendation for C8J-2020-0057.1A - Slaughter Lane 90 Acre Tract, Phase 1 Small Lot Final Plat located at East Slaughter Lane was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

12. Final Plat from approved preliminary plan: [C8-2019-0146.1A - Thaxton Subdivision, Small Lot Subdivision, Phase One; District 2](#)

Location: Slaughter Lane & Thaxton Rd., Marble Watershed
Owner/Applicant: M/I Homes of Austin, LLC (Royce Rippy)
Agent: LJA Engineering, LLC (Russell Kotara)
Request: Approval of the final plat consisting of 152 total lots on 56.20 acres.
Staff Rec.: **Disapprove for Reasons listed in Exhibit C**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to Disapprove for Reasons as listed in Exhibit C, for C8-2019-0146.1A - Thaxton Subdivision, Small Lot Subdivision, Phase One located at Slaughter Lane & Thaxton Rd was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

- 13. Preliminary Plan with a variance:** [C8-2022-0287 - Three Hills Apartments: District 5](#)
Location: 12234 Heatherly Drive, Onion Creek Watershed
Owner/Applicant: Three Hills Land, LLC (Ross Hamilton)
Agent: Quiddity Engineering (Gemsong N. Ryan)
Request: Approval the preliminary plan comprised of 8 lots on 58.39 acres with a variance to LDC 25-4-171 to allow lots to not front a dedicated public street and allow lots to front a private street.
Staff Rec.: **Approve variance as recommended by staff and approve the preliminary plan with the conditions listed in Exhibit C**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for C8-2022-0287 - Three Hills Apartments located at 12234 Heatherly Drive was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

- 14. Resubdivision:** [C8-2022-0267.0A – Research Park Resubdivision of Lot 1-A](#)
Location: 11801-1/2 Research Blvd Service Road, Walnut Creek Watershed
Owner/Applicant: Karlin Duval, LLC (Matthew Schwab)
Agent: HRGreen Development TX (Joe Isaja)
Request: Approval of a resubdivision of a 35.207 acre portion of Lot 1, Research Park, Lot 2 and a portion of Lot 3, Research Park into 8 lots for commercial development.
Staff Rec.: **Disapprove for Reasons listed in Exhibit C**
Staff: Nick Coussoulis, 512-978-1769, nicholas.coussoulis@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to Disapprove for Reasons as listed in Exhibit C, for C8-2022-0267.0A - Research Park Resubdivision of Lot 1-A located at 11801-1/2 Research Blvd Service Road, was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody off the dais.

ITEMS DISCUSSION AND ACTION

- 15.** Discussion and possible action to amend adopted Zoning and Platting Commission 2023 meeting schedule.

Motion to amend 2023 meeting schedule by striking November 7, 2023 meeting and replacing it with November 14, 2023, 5:00 PM, consent agenda meeting was approved on the consent agenda on the motion by Commissioner Greenberg, seconded by Vice-Chair Kiolbassa on a vote of 10-0. Commissioner Woody of the dais.

ITEMS FROM THE COMMISSION

16. 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)
- A) Residential in Commercial Zoned Properties Code Amendment
 - B) Vertical Mixed Use 2 Code Amendment
 - C) Equitable Transit-Oriented Development Policy Plan

Presentations provided by Greg Dutton, Housing and Planning Department, Rachel Tepper, William Swinton-Ginsberg, Warner Cooke and Erika Leak, Housing and Planning Department.

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.

COMMITTEE REPORTS & WORKING GROUPS

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

No report provided.

Comprehensive Plan Joint Committee
(Commissioners: Thompson, Boone 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.

Commissioner Smith adjourned the meeting without objection on Tuesday, November 15, 2022 at 8:15 p.m.

Minutes approved on December 20, 2022 on the consent agenda on the motion by Vice-Chair Kiolbassa, seconded by Commissioner Smith on a vote of 10-0. Commissioner Acosta absent.

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 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.