



PLANNING COMMISSION

MINUTES

January 24, 2023

The Planning Commission convened in a meeting on January 24, 2023, 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 6:05 p.m.

Commission Members in Attendance:

**Greg Anderson
Yvette Flores
Claire Hempel – Vice-Chair
Patrick Howard
Jennifer Mushtaler
Carmen Llanes Pulido
Todd Shaw – Chair
James Shieh
Jeffrey Thompson**

Jessica Cohen – Ex-Officio

Absent:

**Awais Azhar
Robert Schneider**

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

One vacancy on the Commission (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 January 10, 2023.

Approve the minutes of January 10, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

PUBLIC HEARINGS

2. **Plan Amendment:** [NPA-2022-0005.01 - Vargas Mixed Use; District 3](#)
Location: 400 Vargas Road and 6520 Lynch Lane, Country Club East Creek and Colorado River Watersheds; Montopolis NP Area
Owner/Applicant: Vargas Properties I, LTD and Jayco Holdings I, LTD
Agent: Thower Design, LLC (Ron Thower and Victoria Haase)
Request: Commercial to Mixed Use 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 March 14, 2023

Motion to grant Staff's request for postponement of this item to February 28, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

3. **Rezoning:** [C14-2022-0107 - Vargas Mixed Use; District 3](#)
Location: 4300 Vargas Road & 6520 Lynch Lane, Country Club East Creek and Colorado River Watersheds; Montopolis NP Area
Owner/Applicant: Vargas Properties I LTD & Jayco Holdings I LTD (Jay Chernosky)
Agent: Thrower Design, LLC (Victoria Haase)
Request: GR-NP; LR-NP to CS-MU-NP for Tract 1; LR-MU-NP for Tract 2
Staff Rec.: **Pending**
Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
Housing and Planning Department
Postponement Request: Staff Postponement request to March 14, 2023

Motion to grant Staff's request for postponement of this item to February 28, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

4. **Rezoning:** [C14-2022-0076 - 3100 Guadalupe; District 9](#)
Location: 3100 Guadalupe Street, Waller Creek Watershed; Central Austin Combined (West University) NP Area
Owner/Applicant: Leigh Family Trust (Alice G. Kaspar, Trustee)
Agent: Drenner Group, PC (Amanda Swor)
Request: CS-CO-NP to CS-1-CO-NP
Staff Rec.: **Recommended**
Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Cox, seconded by Commissioner Anderson to grant Staff's recommendation of CS-1-CO-NP combining district zoning for C14-2022-0076 - 3100 Guadalupe located at 3100 Guadalupe Street was approved on a vote of 8-2. Commissioners Llanes Pulido and Mushtaler voted nay. Commissioners Azhar and Schneider absent. One vacancy on the dais.

5. **Rezoning:** [C14-2022-0102 - 506 and 508 West Rezoning; District 9](#)
Location: 506, 508 West Avenue, Shoal Creek Watershed; Downtown Austin Plan (Lower Shoal Creek District)
Owner/Applicant: 506 West Avenue, LP (Tyler Grooms)
Agent: Armbrust and Brown, PLLC (Richard T. Suttle, Jr.)
Request: DMU to CBD
Staff Rec.: **Recommendation of CBD-CO**
Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to February 14, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

6. **Rezoning:** [C14-2022-0070 - Springdale Commercial \(Tract 2\) Amended; District 3](#)
Location: 1113 Airport Boulevard, Boggy Creek Watershed; MLK/183 Combined NP Area
Owner/Applicant: 809 Vargas LC
Agent: Alice Glasco Consulting (Alice Glasco)
Request: GR-MU-CO-NP to CS-MU-NP
Staff Rec.: **Not Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Motion by Commissioner Anderson, seconded by Commissioner Cox to postpone this item to March 14, 2023 was approved on a vote of 8-2. Chair Shaw and Commissioner Mushtaler voted nay. Commissioners Azhar and Schneider absent. One vacancy on the dais.

7. **Rezoning:** [C14-2022-0015 - Springdale Commercial; District 3](#)
Location: 1005 Springdale Road, Boggy Creek Watershed; MLK/183 Combined NP Area
Owner/Applicant: 809 Vargas LC
Agent: Alice Glasco Consulting (Alice Glasco)
Request: RR-CO-NP and GR-MU-CO-NP to CS-MU-NP
Staff Rec.: **Recommendation of CS-NP**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Motion by Commissioner Anderson, seconded by Commissioner Cox to postpone this item to March 14, 2023 was approved on a vote of 8-2. Chair Shaw and Commissioner Mushtaler voted nay. Commissioners Azhar and Schneider absent. One vacancy on the dais.

8. **Plan Amendment:** [NPA-2022-0029.01 - 7601 Cameron Road; District 1](#)
Location: 7601 and 7601 1/2 Cameron Road, Buttermilk Creek Watershed; St. John / Coronado Hills Combined (Coronado Hills) NP Area
Owner/Applicant: Area 51st, LLC
Agent: Drenner Group, PC (Leah Bojo)
Request: Commercial 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 by Commissioner Cox, seconded by Commissioner Mushtaler to grant Staff's recommendation of Mixed Use land use for NPA-2022-0029.01 - 7601 Cameron Road located at 7601 and 7601 1/2 Cameron Road was approved on a vote of 8-1. Commissioner Thompson voted nay; Commissioner Llanes Pulido abstained. Commissioners Azhar and Schneider absent. One vacancy on the dais.

9. **Rezoning:** [C14-2022-0094 - 7601 Cameron Road; District 1](#)
Location: 7601 and 7601 1/2 Cameron Road, Buttermilk Branch Watershed; St. John / Coronado Hills Combined NP Area
Owner/Applicant: Area 51st, LLC
Agent: Drenner Group (Leah M. Bojo)
Request: GR-CO-NP to GR-MU-V-CO-NP
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 grant Staff's recommendation, with an additional condition overlay, for C14-2022-0094 - 7601 Cameron Road located at 7601 and 7601 1/2 Cameron Road was approved on a vote of 8-1. Commissioner Thompson voted nay; Commissioner Llanes Pulido abstained. Commissioners Azhar and Schneider absent. One vacancy on the dais.

Additional Conditional Overlay:

The owner of the Property, or the owner's successors and assigns, shall work with Austin Transportation Department at the time of site plan to determine the extent grade separation is required along the west property line adjacent to Cameron Road.

10. Plan Amendment: [NPA-2022-0016.03 - 4927 E. 5th Street; District 3](#)

Location: 4927 E. 5th Street, Colorado River Watershed; Govalle/Johnston Terrace Combined (Govalle)
Owner/Applicant: 4927 E. 5th LTD
Agent: Drenner Group, PC (Amanda Swor)
Request: Industry to Commercial 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's recommendation for NPA-2022-0016.03 - 4927 E. 5th Street located at 4927 E. 5th Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

11. Rezoning: [C14-2022-0103 - 4927 E. 5th Street; District 3](#)

Location: 4927 East 5th Street, Colorado River Watershed; Govalle/Johnston Terrace Combined (Govalle)
Owner/Applicant: E.H. Deets et. al. Estate
Agent: Drenner Group, PC (Amanda Swor)
Request: LI-CO-NP to LI-PDA-NP
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

Public Hearing closed.

Motion to grant Staff's recommendation of LI-PDA-NP combining district zoning for C14-2022-0103 - 4927 E. 5th Street located at 4927 East 5th Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

12. Plan Amendment: [NPA-2022-0014.03 - Chapman 71; District 2](#)

Location: 5010 Burlison Road; 3503, 3503 1/2 , 3505, 3507, 3533 Chapman Lane, 4905, 5001, 5005, 5005 ½ , 5109 E. Ben White Blvd SVRD EB, Carson Creek Watershed; Southeast Combined (McKinney) NP Area

Owner/Applicant: PlaceMKR Chapman, LLC

Agent: Armbrust & Brown, PLLC (Michael J. Whellan)

Request: Industry to Mixed Use land use

Staff Rec.: **Not recommended**

Staff: Jesse Gutierrez, 512-974-1606, jesse.gutierrez@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to February 14, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

13. Plan Amendment: [NPA-2022-0010.03 - Holly Mixed Use; District 3](#)

Location: 2309 E. 2nd St.; 2320 E. Cesar Chavez S.t; 2315 E. 2nd S.t; 2403 E. 2nd St.; 2405 E. 2nd St.; 2409 E. 2nd St; 2411 E. 2nd St., Lady Bird Lake; Holly NP Area

Owner/Applicant: 2309 2nd St./2320 E. Cesar Chavez St.: 2324 ECC-Arc LLC, a Delaware limited liability company; 2315 E. 2nd St.: 2400 ECC-Arc LLC, a Delaware limited liability company; 2403 E. 2nd Street: Steven Yarak, Larry Yarak, Brenda Blair; 2405 E. 2nd Street: Danielle Murray; 2409 E. 2nd Street: Eleanore Bacon; 2411 E. 2nd Street: Ricardo David Rojo

Agent: Armbrust & Brown, PLLC (Ferris Clements)

Request: Single Family and Civic 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 by Commissioner Anderson, seconded by Vice-Chair Hempel to grant Staff's recommendation of Mixed Use land use for NPA-2022-0010.03 - Holly Mixed Use located at 2309 E. 2nd St.; 2320 E. Cesar Chavez S.t; 2315 E. 2nd S.t; 2403 E. 2nd St.; 2405 E. 2nd St.; 2409 E. 2nd St; 2411 E. 2nd St., was approved on a vote of 8-1. Commissioner Llanes Pulido voted nay; Commissioner Mushtaler abstained. One vacancy on the dais.

- 14. Rezoning:** [C14-2022-0205 - Denny's Condos; District 1](#)
Location: 1601 North IH 35 Service Road Northbound, Waller Creek Watershed; Central East Austin NP Area
Owner/Applicant: McGrane Living Trust
Agent: Alice Glasco Consulting (Alice Glasco)
Request: CH-CO-NP to LI-PDA-NP, as amended
Staff Rec.: **Pending**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
Postponement Request: Staff postponement request to February 14, 2023

Motion to grant Staff's request for postponement of this item to February 14, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

- 15. Rezoning:** [C14-2022-0106 - Hudson #3; District 1](#)
Location: 6115, 6117, 6201 and 6305 Hudson Street, Fort Branch and Boggy Creek Watersheds; East MLK Combined NP Area
Owner/Applicant: James T. Stewart; Saul and Arnold Sanchez; Hudson MF3 Holdings, LLC; Frank Young; Graper, LLC
Agent: Alice Glasco Consulting (Alice Glasco)
Request: GR-MU-NP and CS-NP to MF-6-NP
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
Postponement Request: Staff postponement request to February 14, 2023

Motion to grant Staff's request for postponement of this item to February 14, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

- 16. Rezoning:** [C14-2022-0105 - Darby Yard 700; District 1](#)
Location: 3506 and 3512 Darby Street; 6401, 6417-1/2, 6409 and 6505 Willcab Road, 3506 and 3512 Darby Street; 6401, 6417-1/2, 6409 and 6505 Willcab Road Fort Branch and Boggy Creek Watersheds; East MLK Combined NP Area
Agent: Alice Glasco Consulting (Alice Glasco)
Request: LI-NP and CS-NP to LI-PDA-NP
Staff Rec.: **Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
Postponement Request: Staff postponement request to February 14, 2023

Motion to grant Staff's request for postponement of this item to February 14, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

- 17. Site Plan:** [SPC-2022-0141A - Republic Square Conditional Use; District 9](#)
Location: 422 Guadalupe Street, Shoal Creek Watershed, Lady Bird Lake Watershed; Downtown Austin Plan (Core / Waterfront District)
Owner/Applicant: City of Austin Parks and Recreation Department
Agent: City of Austin Parks and Recreation Department (Reynaldo Hernandez)
Request: Conditional Use Permit to allow alcohol sales in Republic Square Park
Staff Rec.: **Recommended**
Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation for SPC-2022-0141A - Republic Square Conditional Use located at 422 Guadalupe Street was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

18. Resubdivision: **C8-2022-0007.0A - Replat of Lot 2, Drew Lane Addition; District 5**

Location: 2414 Drew Lane, Slaughter Creek Watershed
Owner/Applicant: Fortunate Foundations (Laurence Ramirez)
Agent: Southwest Engineers(Campbell Key)
Request: Approval of Resubdivision Application
Staff Rec.: **Pending**
Staff: Amy Combs, 512-974-2787, amy.combs@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation, with conditions per Exhibit C, for C8-2022-0007.0A - Replat of Lot 2, Drew Lane Addition located at 2414 Drew Lane was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

19. Resubdivision: **C8-2022-0254.0A - 1191 Ridge Drive Subdivision; District 1**

Location: 1191 Ridge Drive, Boggy Creek Watershed; MLK NP Area
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.: **Approval with conditions per Exhibit C**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation, with conditions per 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 Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

- 20. 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 Creek Watershed
- Owner/Applicant: M/I Homes of Austin, LLC (Royce Rippey)
- Agent: LJA Engineering, LLC (Russell Kotara)
- Request: Approval of the final plat consisting of 152 total lots on 56.20 acres.
- Staff Rec.: **Approval with conditions per Exhibit C**
- Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to grant Staff's recommendation, with conditions per 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 Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

- 21. Code Amendment:** [C20-2022-015 - North Burnet/Gateway Regulating Plan TOD Subdistrict; District 7](#)
- Request: Consider an ordinance amending City Code Title 25 to amend the North Burnet/Gateway Regulating Plan to modify the Gateway and Midway Zones, within the Transit Oriented Development Subdistrict, to increase the maximum floor-to-area ratio and building height when using a development bonus.
- Staff Rec.: **Recommended**
- Staff: Jorge E. Rousselin, 512-974-2975, jorge.rousselin@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to approve C20-2022-015 - North Burnet/Gateway Regulating Plan TOD Subdistrict as recommended by the Codes and Ordinances Joint Committee was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

- 22. Rezoning:** [C14-2022-0112- 2615-2617 East 6th Street; District 3](#)
 Location: 2615 and 2617 East 6th Street, Lady Bird Lake Watershed; Holly NP Area
 Owner/Applicant: Kenneth J. Aune and Dorothy E. Aune
 Agent: Land Use Solutions (Michele Hausmann)
 Request: LI-CO-NP to CS-MU-V-NP
 Staff Rec.: **Pending**
 Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
 Housing and Planning Department
Postponement Request: Staff postponement request to February 28, 2023

Motion to grant Staff’s request for postponement of this item to February 28, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Shieh on a vote of 10-0. Commissioners Azhar and Schneider absent. One vacancy on the dais.

NOMINATION

- 23.** Nominate a member of the Planning Commission to be considered by Council for the purpose of serving on the Joint Sustainability Committee as the primary member.

Commission Anderson nominated by unanimous consent to be considered by Council for the purpose of serving on the Joint Sustainability Committee as the primary member. Vote of 10-0. Commissioners Azhar and Schneider absent. 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)

No report provided.

[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)

[South Central Waterfront](#)

[Advisory Board](#)

(Commissioner Thompson)

Commissioner Thompson

provided an update.

Design Guidelines Update Working
Group

(Vice-Chair Hempel and
Commissioner Cohen)

Vice-Chair Hempel and

Commissioner Cohen

provided an update.

Housing Working Group

(Commissioners Anderson, Azhar, Cohen, Howard, Llanes Pulido, and Shieh)

Commissioner Shieh provided an update

Palm District Working Group

(Chair Shaw, Vice-Chair Hempel and Commissioners Anderson, Cohen and Howard)

Commissioner Cohen provided an update.

Chair Shaw adjourned the meeting without objection on Tuesday, January 10, 2023 at 9:59 p.m.

Minutes approved on February 14, 2023 on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

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.