



PLANNING COMMISSION

MINUTES

February 14, 2023

The Planning Commission convened in a meeting on February 14, 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 6:03 p.m.

Commission Members in Attendance:

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

Jessica Cohen – Ex-Officio

Absent:

**Arati Singh – 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 24, 2023.

Motion to approve minutes of January 24, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

PUBLIC HEARINGS

2. **Rezoning:** [C814-97-0001.15 - Leander Rehabilitation PUD Amendment #16; District 6](#)
Location: 13430 1/2 through 13450 1/2 Lyndhurst Drive, Lake Creek Watershed; Northwest Park and Ride Town Center TOD
Owner/Applicant: Austin 129, LLC
Agent: Drenner Group, PC (Leah M. Bojo)
Request: PUD to PUD, to change a condition of zoning
Staff Rec.: **Pending**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
Housing and Planning Department
Postponement Request: Postponement request by Staff to March 28, 2023

Motion to grant Staff's request for postponement of this item to March 28, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

3. **Plan Amendment:** [NPA-2022-0017.01 - Crestview Village; District 7](#)

Location: 6916, 6926, 6928 N. Lamar Blvd and 808, 810, 812, 906 Justin Ln, Waller Creek Watershed; Crestview/Wooten Combined NP Area and Lamar/Justin Station Area Plan

Owner/Applicant: 3423 HOLDINGS LLC (Peter Barlin, Manager)

Agent: Armbrust & Brown, PLLC (Michael Gaudini)

Request: To amend the Lamar/Justin Station Area Plan to allow a maximum building height of 160 feet on the subject tract. The existing land use on the future land use map is Specific Regulating District. There is no proposed change to the future land use map.

Staff Rec.: **Pending**

Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov Housing and Planning Department

Postponement Request: Postponement request by Staff to March 28, 2023

Motion to grant Staff’s request for postponement of this item to March 28, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

4. Plan Amendment: [NPA-2022-0014.05 - Bergstrom Spur Trail Mixed Use; District 2](#)

Location: 6300 and 6410 Burleson Road, Onion Creek Watershed; Southeast Combined (Southeast) NP Area

Owner/Applicant: ZIFS Burleson300, LLC

Agent: Husch Blackwell (Micah King)

Request: Industry and Transportation to Mixed Use land use

Staff Rec.: **Not recommended**

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

Postponement Request: Postponement request by Staff 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 Thompson on a vote of 12-0. One vacancy on the dais.

5. Plan Amendment: [NPA-2022-0015.03 - Darby Yard 700; District 1](#)

Location: 3506, 3512 Darby Street; 6315, 6401, 6409, 6417 ½, 6505 Wilcab Road; and 6414, 6204, 6118 Hudson Street, Fort Branch and Walnut Creek Watersheds; E. MLK Combined (MLK-183) NP Area

Owner/Applicant: Darby Yard, LLC (Franklin Sapp); Triple L, Group, LLC (Frank Roberts); Stay Taylor, LP (Jason Martin); Brenda Kay (formally known as Brenda Kay Winn) and James Jackson; Rehoboth Baptist Church (Rev. Ray Hendricks)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: Commercial, Transportation and Industry to Mixed Use land use
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov Housing and Planning Department
Postponement Request: Postponement request by Staff 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 Thompson on a vote of 12-0. One vacancy on the dais.

6. **Plan Amendment:** [NPA-2022-0015.06 - Gloucester Dwellings; District 1](#)
Location: 5803 Gloucester Lane, Fort Branch Watershed; E. MLK Combined (Pecan Springs-Springdale) NP Area
Owner/Applicant: Denise Shannon & Shannon Batson
Agent: Thower Design, LLC (Ron Thower and Victoria Haase)
Request: Single Family to Higher Density Single Family land use
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov Housing and Planning Department
Postponement Request: Postponement request by Staff 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 Thompson on a vote of 12-0. One vacancy on the dais.

7. **Plan Amendment:** [NPA-2022-0015.04 - Hudson #3; District 1](#)
Location: 6115, 6117, 6201, 6305 Hudson St and 6300, 6308 Harold Ct, Fort Branch and Boggy Creek Watershed; E. MLK Combined (MLK-183) NP Area
Owner/Applicant: James T. Stewart; Saul Sanchez and Arnold Sanchez; Hudson MF3 Holdings, LLC; Graper, LLC (Pablo Gracia); and Frank Young
Agent: Alice Glasco Consulting (Alice Glasco)
Request: Mixed Use, Transportation and Commercial to Multifamily Residential land use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov Housing and Planning Department
Postponement Request: Postponement request by Staff 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 Thompson on a vote of 12-0. One vacancy on the dais.

- 8. 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: Postponement request by Staff 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 Thompson on a vote of 12-0. One vacancy on the dais.

- 9. Plan Amendment:** [NPA-2022-0014.03 - Chapman 71; District 2](#)
Location: 5010 Burselson 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
Postponement Request: Postponement request by Staff 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 Thompson on a vote of 12-0. One vacancy on the dais.

- 10. Rezoning:** [C14-2022-0093 - SDC-MLK; District 9](#)
Location: 607, 611, 615 W. Martin Luther King Jr. Boulevard & 1809 Rio Grande Street, Shoal Creek Watershed; Downtown Austin Plan (Northwest District)
Owner/Applicant: Jack Brown Family II Limited Partnership (Paul Brown)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: CS to DMU-V
Staff Rec.: **Recommended**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov Housing and Planning Department
Postponement Request: **Postponement request by Applicant to April 11, 2023**

Motion to grant Applicant's request for postponement of this item to April 11, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

- 11. Rezoning:** [C14-2022-0203 - Riverside and Vargas; District 3](#)
Location: 6610 East Riverside Drive, Carson Creek Watershed; East Riverside Corridor (Montopolis NP Area)
Owner/Applicant: East Riverside Drive Up (Shawn A.J. Gross)
Agent: Drenner Group, PC (Amanda Swor)
Request: East Riverside Corridor (ERC-Corridor Mixed Use Subdistrict) and East Riverside Corridor (ERC-Neighborhood Mixed Use Subdistrict) to East Riverside Corridor (ERC-Corridor Mixed Use Subdistrict), and to amend Figure 1-6 (East Riverside Corridor Hub Map) to include the entire lot in the Hub boundary, to Figure 1-7 (East Riverside Corridor Height Map) to designate the entire lot as 60 feet for an allowable height, and to Figure 1-8 (East Riverside Corridor Development Bonus Height Map), to increase the maximum building height up to 120 feet through participation in a density bonus program.
Staff Rec.: **Posted in Error**
Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov Housing and Planning Department

Item posted in error.

- 12. 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 28, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

- 13. 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: Postponement request by Staff 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 Thompson on a vote of 12-0. One vacancy on the dais.

- 14. Variance:** [SP-2021-0091C - Oltorf Site Plan; District 3](#)
Location: 4544 E Oltorf, Country Club West Watershed; East Riverside / Oltorf
Combined NPA
Owner/Applicant: 2440 Wickersham LLC
Agent: Jim Witliff / Land Answers
Request: Request to vary from LDC 25-8-301 to allow driveways on slopes over 15%.
Request to vary from LDC 25-8-341 to allow cut over 4 feet up to 8 feet.
Request to vary from LDC 25-8-342 to allow fill over 4 feet up to 20.5 feet.
Staff Rec.: **Recommended with Conditions**
Staff: Mike McDougal, 512-974-6380, mike.mcdougal@austintexas.gov
Rosemary Avila, 512-974-2784, rosemary.avila@austintexas.gov Development
Services Department
Postponement Request: Postponement request by Applicant to April 11, 2023

Motion to grant Applicant's request for postponement of this item to April 11, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

15. Imagine Austin **[CPA-2022-0001 - Palm District Plan](#)**

Amendment:

Request: Discussion and possible action recommending approval of the Palm District Plan.

Staff Rec.: **Recommended**

Staff: Stevie Greathouse, 512-974-7226, stevie.greathouse@austintexas.gov Mark Walters, 512-974-7695, mark.walters@austintexas.gov Housing and Planning Department

Motion to postpone this item by the Planning Commission to April 25, 2023 was approved on the consent agenda on the motion by Vice-Chair Hempel, seconded by Commissioner Thompson on a vote of 12-0. One vacancy on the dais.

ITEMS FROM THE COMMISSION

16. Discuss and consider establishing a working group tasked to review matters related to Accessory Dwelling Units. (Sponsors: Commissioners Mushtaler and Anderson)

Motion by Commissioner Shieh, seconded by Vice-Chair Hempel establishing a working group tasked to review matters related to accessory dwelling units and duplexes consisting of the following members, Commissioners Anderson, Azhar, Mushtaler, Shieh, Schneider, and Cohen was approved on a vote of 12-0. 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.

Commissioners Cox and Mushtaler – Short Term Rentals

BOARDS, COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

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

Vice-Chair Hempel provided an update.

[Comprehensive Plan Joint Committee](#)

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

No report provided.

[Joint Sustainability Committee](#)

(Commissioner Anderson, 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.

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)

Update provided Commissioner Shieh.

Palm District Working Group

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

Update provided by Commissioner Cohen.

Chair Shaw adjourned the meeting without objection on Tuesday, February 14, 2023 at 6:58 p.m.

Minutes approved on February 28, 2023 on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Howard on a vote of 11-0, Commissioner Flores absent. 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.

