



PLANNING COMMISSION

MINUTES

March 14, 2023

The Planning Commission convened in a meeting on March 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 6:07 p.m.

Commission Members in Attendance:

**Greg Anderson
Awais Azhar
João Paulo Connolly
Grayson Cox
Claire Hempel – Vice-Chair
Patrick Howard
Todd Shaw – Chair
Robert Schneider
Alice Woods**

Jessica Cohen – Ex-Officio

Absent:

**Yvette Flores
Jennifer Mushtaler
James Shieh
Jeffrey Thompson**

**Arati Singh – Ex -Ex-Officio
Richard Mendoza – Ex-Officio
Jesús Garza– Ex-Officio**

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 February 28, 2023.

Motion to approve minutes of February 28, 2023 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

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: 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 Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

3. **Rezoning:** [C14-2022-0107 - Vargas Mixed Use; District 3](#)
 Location: 400 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 (Ron Thrower and Victoria Haase)
 Request: GR-NP to CS-MU-NP for Tract 1;
 LR-NP to 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: 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 Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

4. **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.: **Recommendation of CH-V-CO-NP**
 Staff: Joi Harden, 512-974-1617, joi.harden@austintexas.gov
 Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Azhar, seconded by Vice-Chair Hempel to grant LI-PDA-NP, as amended, with additional conditions for C14-2022-0205 - Denny's Condos located at 1601 North IH 35 Service Road Northbound was approved on a vote of 7-1. Commissioner Cox voted nay. Commissioner Schneider abstained. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

Conditions:

Following uses are prohibited:

(1) Agricultural Sales and Services, (2) Automotive Rentals, (3) Automotive Repair Services, (4) Automotive Sales, (5) Automotive Washing (All types) (6) Campground, ((7) Commercial Blood Plasma Center, (8) Pawn Shop, (9) Commercial Off-Street Parking, (10) Construction Sales and Services, (11) Convenience Storage, (12) Drop-Off Recycling Collection Facility, (13) Electronic Prototype Assembly, (14) Equipment Repair Services, (15) Equipment Sales, (6) Exterminating Services, (17) Funeral Services, (18) Communication Services, (19) Off-Site Accessory Parking, (20) Safety Services, , (21) Kennels, (22) Liquor Sales, (23) Laundry

Services, (24) Monument Retail Sales, (25) Outdoor Entertainment, (conditional), (26) Transportation Terminal, (27) Vehicle Storage, (28) Limited Warehousing and Distribution, (29) Pet Services, (30) Restaurant (Drive-in, Fast Food) (32) Service Station, (33) Custom Manufacturing, (34) Hospital Services (general), (35) Local Utility Services, and (36) Maintenance and Service Facilities, (36) Basic Industry, (37) Recycling center, (38) Resource Extraction, (39) General warehousing and distribution, (40) Scrap and Salvage. (41) Railroad Facilities, (42) Bail Bonds, (43) Pedicab Storage and Dispatch, (44) Restaurant (Limited) and (45) Light Manufacturing

Subject property may not exceed 40 feet in height; may not exceed 36 feet in height from the property line along E. 16th Street.

- 5. Plan Amendment:** [NPA-2022-0009.01 - 1007 and 1021 E. 7th Street; District 3](#)
- Location: 1007 and 1021 E. 7th St., Waller Creek Watershed; Central East Austin NP Area and Plaza Saltillo TOD Station Area Plan
- Owner/Applicant: 1007 East 7th Street (Austin) Owner, L.P. and 1021 East 7th Street (Austin) Owner, L.P.
- Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
- Request: To amend the Plaza Saltillo Station Area Plan to allow a base maximum building height of 90 feet on the subject tract. The current future land use map designation is Specific Regulating District. No change is proposed to the future land use map.
- 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 to amend the Plaza Saltillo Station Area Plan to allow a base maximum building height of 90 feet on the subject tract. The current future land use map designation is Specific Regulating District for NPA-2022-0009.01 - 1007 and 1021 E. 7th Street located at 1007 and 1021 E. 7th St. was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

6. **Rezoning:** [C14-2022-0149 - 1007 and 1021 E. 7th Street; District 3](#)
Location: 1007 and 1021 E. 7th Street, Waller Creek Watershed; Central East Austin Neighborhood
Owner/Applicant: 1007 East 7th Street (Austin) Owner, L.P. and 1021 East 7th Street (Austin) Owner, L.P.
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: TOD-NP to TOD-NP, to change a condition of zoning.
Staff Rec.: **Recommended**
Staff: Joi Harden, 512-974-1617, joi.harden@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of TOD-NP, combining district zoning, to change a condition of zoning for C14-2022-0149 - 1007 and 1021 E. 7th Street located at 1007 and 1021 E. 7th Street was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

7. **Plan Amendment:** [NPA-2022-0010.01 - 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 Dororthy E. Aune
Agent: Land Use Solutions (Michele Haussmann)
Request: Industry 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's recommendation of Industry to Mixed Use land use for NPA-2022-0010.01 - 2615-2617 East 6th Street located at 2615 and 2617 East 6th Street was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

- 8. 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 Haussmann)
Request: LI-CO-NP to CS-MU-V-NP
Staff Rec.: **Recommendation of CS-MU-V-CO-NP**
Staff: Jonathan Tomko, 512-974-1057, jonathan.tomko@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of CS-MU-V-CO-NP combining district zoning for C14-2022-0112 - 2615-2617 East 6th Street located at 2615 and 2617 East 6th Street was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

- 9. 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 March 28, 2023 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

- 10. Plan Amendment:** [NPA-2022-0016.02 - Borden Tract; District 3](#)
Location: 21, 21 ½, 41, 71 Strandman Cv and 11, 21, 41, 41 ½ Julieanna Cove, Colorado River Watershed; Govalle/Johnston Terrace Combined (Govalle) NP Area
Owner/Applicant: New Dairy Texas, LLC
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: Industry to Mixed Use land use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to March 28, 2023 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

11. Rezoning: [C14-2022-0121 - Borden Tract; District 3](#)
Location: 21, 21 ½, 41, 71 Strandtman Cove and 11, 21, 41, 41 ½ Julieanna Cove, Colorado River Watershed; Govalle/Johnston Terrace Combined (Govalle) NP Area
Owner/Applicant: New Dairy Texas, LLC
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: LI-CO-NP to LI-PDA-NP
Staff Rec.: **Recommendation of LI-PDA-CO-NP**
Staff: Joi Harden, 512-974-1617, joi.harden@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to March 28, 2023 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

12. Rezoning: [C814-2021-0175 - 614 S. 1st Street PUD; District 9](#)
Location: 614 South 1st Street, East Bouldin Creek Watershed
Owner/Applicant: H & H Texas Partners LTD
Agent: Drenner Group, PC (Leah M. Bojo)
Request: MF-3-NP to PUD-NP
Staff Rec.: **Pending**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
Housing and Planning Department
Postponement Request: Indefinite Postponement Request by Staff

Motion to grant Staff's request for Indefinite Postponement of this item was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

13. Rezoning: [C14-2022-0132 - The Charlotte; District 1](#)
Location: 3417 East Martin Luther King Jr Boulevard, Tannehill Branch Watershed; East MLK Combined (MLK) NP Area
Owner/Applicant: St. James Missionary Baptist Church (Thomas Owens)
Agent: Alice Glasco Consulting, Alice Glasco
Request: SF-3-NP to MF-3-NP
Staff Rec.: **Recommended**
Staff: Michael Watson, , michael.watson@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of MF-3-NP combining district zoning for C14-2022-0132 - The Charlotte located at 3417 East Martin Luther King Jr Boulevard was approved on the

consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

14. ETJ RELEASE: [CETJ-2022-0002 - Release of 48 acres of ETJ to City of Manor / ETJ](#)

Location: Near 15416 Littig Road, Wilbarger Creek
Owner/Applicant: Austin 27, LLC, and Littig Road Investments, LLC
Agent: Metcalf Wolff Stuart & Williams, LLP
Request: Request from the City of Manor to the City of Austin to release approximately 48 acres of Austin extraterritorial jurisdiction near 15416 Littig Road.
Staff Rec.: **Recommended**
Staff: Andrei Lubomudrov, 512-974-7659,
 andrei.lubomudrov@austintexas.gov
 Housing and Planning Department

Motion to by Commissioner Cox, seconded by Commissioner Anderson to grant Staff's recommendation for CETJ-2022-0002 - Release of 48 acres of ETJ to City of Manor located at Near 15416 Littig Road was approved on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

15. Site Plan (Late Hours Permit): [SP-2022-0569C - Mariscos Tampico Restaurant; District 4](#)

Location: 10601 N Lamar Blvd., Little Walnut Creek
Owner/Applicant: Kate Hunter
Agent: Masterplan (Karen Wunsch)
Request: To grant late hours permit.
Staff Rec.: **Recommended**
Staff: Clarissa Davis, 512-374-1423, Clarissa.davis@austintexas.gov
 Development Services Department

Public Hearing closed.

Motion by Vice-Chair Hempel, seconded by Commissioner Azhar to grant Staff's recommendation for SP-2022-0569C - Mariscos Tampico Restaurant located at 10601 N Lamar Blvd. was approved on a vote of 8-0. Commissioner Connolly abstained on this item. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

16. 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.: **Recommendation of CS-NP**
Staff: Joi Harden, 512-974-1617, joi.harden@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to March 28, 2023 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

17. 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: Joi Harden, 512-974-1617, joi.harden@austintexas.gov
Housing and Planning Department

Motion to grant Neighborhood's request for postponement of this item to March 28, 2023 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent.

ITEMS FROM THE COMMISSION

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)

Update provided by Vice-Chair Hempel.

[Comprehensive Plan Joint Committee](#)

(Commissioners: Cox, Flores, and Schneider)

Update provided by Commissioner Cox.

[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.

Accessory Dwelling Units and Duplexes
Working Group

(Commissioners Anderson, Azhar, Cox, Howard, Mushtaler and
Cohen)

No report provided.

Design Guidelines Update Working
Group

(Vice-Chair Hempel and
Commissioner Cohen)

Update provided by Vice-Chair
Hempel

Palm District Working Group

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

No report provided.

Chair Shaw adjourned the meeting without objection on Tuesday, March 14, 2023 at 7:50 p.m.

Minutes approved on March 28, 2023 on the motion by Commissioner Thompson, seconded by Commissioner Hempel on a vote of 13-0.

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.