



PLANNING COMMISSION AGENDA

Tuesday May 9, 2023

The Planning Commission will convene at 6:00 PM on Tuesday, May 9, 2023 at City Hall, Council Chambers 1001 301 W. Second Street, Austin, TX.

Some members of the Planning Commission may be participating by videoconference. The meeting may be viewed online at: <http://www.austintexas.gov/page/watch-atxn-live>

[Greg Anderson](#) - Secretary
[Awais Azhar](#) - Parliamentarian
[Nadia Barrera-Ramirez](#)
[João Paulo Connolly](#)
[Grayson Cox](#)
[Adam Haynes](#)
[Claire Hempel](#) – Vice-Chair

[Patrick Howard](#)
[Felicity Maxwell](#)
[Jennifer Mushtaler](#)
[Todd Shaw](#) – Chair
[Alice Woods](#)

One Vacancy

Ex-Officio Members

[Arati Singh](#) – AISD Board of Trustees
[Jessica Cohen](#) – Chair of Board of Adjustment
[Jesús Garza](#) – Interim City Manager
[Richard Mendoza](#) – Interim Director of Transportation and Public Works

EXECUTIVE SESSION (No public discussion)

The Planning 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 Attorney: Steven Maddoux, 512-974-6080
Commission Liaison: [Andrew Rivera](#), 512-974-6508

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 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 April 25, 2023.

PUBLIC HEARINGS

2. **Plan Amendment:** [NPA-2022-0008.01 - 3117-3121 E. 12th Street; District 1](#)
Location: 3121 E. 12th Street, Boggy Creek Watershed Rosewood NP Area
Owner/Applicant: 3121 E. 12th Horizontal Investors, LP
Agent: Armbrust & Brown, PLLC (Michael J. Whellan)
Request: Commercial to Mixed Use land use
Staff Rec.: **Recommended**
Staff: Maureen Meredith, 512-974-2695, maureen.meredith@austintexas.gov
Planning Department
3. **Rezoning:** [C14-2022-0150 - 3117 and 3121 E. 12th Street; District 1](#)
Location: 3117 and 3121 E. 12th Street, Boggy Creek Watershed; Rosewood NP Area
Owner/Applicant: 3121 E.12th Horizontal Investors, LP
Agent: Armbrust & Brown (Michael J. Whellan)
Request: CS-1-CO-NP, CS-CO-NP, and CS-MU-V-CO-NP to CS-MU-V-CO-NP
Staff Rec.: **Recommended**
Staff: Jonathan Tomko, (512) 974-1057, jonathan.tomko@austintexas.gov
Planning Department
4. **Plan Amendment:** [NPA-2022-0014.05 - Bergstrom Trail; District 2](#)
Location: 6300 and 6410 Burleson Road, Onion Creek Watershed; Southeast Combined (Southeast) NP Area
Owner/Applicant: ZIFS Burleson6300, 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
Planning Department

Attorney: Steven Maddoux, 512-974-6080

Commission Liaison: [Andrew Rivera](#), 512-974-6508

5. **Rezoning:** [C14-2022-0146 - Bergstrom Trail - Western Tract; District 2](#)
 Location: 6300 Burleson Road, Onion Creek Watershed ; Southeast Combined (Southeast) NP Area
 Owner/Applicant: ZIFS Burleson6300, LLC (Zain Fidai)
 Agent: Husch Blackwell LLP (Micah King)
 Request: LI-NP to CS-V-MU-NP
 Staff Rec.: **Not Recommended**
 Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
 Planning Department
6. **Rezoning:** [C14-2022-0148 - Bergstrom Trail - Eastern Tract; District 2](#)
 Location: 6410 Burleson Road, Onion Creek Watershed Southeast Combined (Southeast) NP Area
 Owner/Applicant: ZIFS Burleson6300, LLC (Zain Fidai)
 Agent: Husch Blackwell LLP (Micah King)
 Request: LI-NP to CS-V-MU-NP
 Staff Rec.: **Not Recommended**
 Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
 Planning Department
7. **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
 Planning Department
Postponement Request: Staff and Applicant postponement request to May 23, 2023

- 8. Restrictive Covenant Termination:** [C14-77-138\(RCT\) - 10601 N Lamar Blvd. RCT; District 4](#)
- Location: 10601 and 10601 1/2 N. Lamar Boulevard, Little Walnut Creek Watershed; North Austin Civic Association NP
- Owner/Applicant: CSW 10601 N Lamar, LP
- Agent: Drenner Group, PC (Amanda Swor)
- Request: To terminate the restrictive covenant that was recorded in association with the 1977 zoning case no. C14-77-138, and as amended in 1983, to removed restrictions requiring a 10-foot pedestrian easement across the Property, a 15-foot no-build setback along rear adjacent property lines, and a 60-foot setback adjacent to the 15-foot setback that allows only a street or open space.
- Staff Rec.: **Pending**
- Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
- Postponement Request: Indefinite Postponement request by Staff**
- 9. Rezoning:** [C14-2022-0162 - 10601 N Lamar Blvd.; District 4](#)
- Location: 10601 and 10601 1/2 N Lamar Boulevard, Little Walnut Creek Watershed; North Austin Civic Association NP
- Owner/Applicant: CSW 10601 N Lamar, LP
- Agent: Drenner Group, PC (Amanda Swor)
- Request: CS-NP, LO-NP and SF-3-NP to CS-V-CO-NP
- Staff Rec.: **Pending**
- Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
- Postponement Request: Indefinite Postponement request by Staff**
- 10. Rezoning:** [C14-2022-0163 - 10001 N. Capital of Texas Highway](#)
- Location: 10001 N. Capital of Texas Highway, Shoal Creek Watershed; North Burnet/Gateway NP
- Owner/Applicant: Austin H. Arboretum Propco, LP
- Agent: DuBois, Bryant & Campbell, L.L.P. (David Hartman)
- Request: NBG-CMU-NP to NBG-CMU (Gateway Zone)-NP
- Staff Rec.: **Pending**
- Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
- Postponement Request: Staff Postponement request to June 27, 2023**

- 11. Rezoning:** [C14-2022-0164 - 504 Oakland Ave.; District 9](#)
 Location: 504 Oakland Ave., Lady Bird Lake; Old West Austin Neighborhood Planning Area
 Owner/Applicant: Reg ATX 504 Oakland, Ltd.
 Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
 Request: LO-MU-NP to CS-MU-NP
 Staff Rec.: **Recommended**
 Staff: Jonathan Tomko, (512) 974-1057, jonathan.tomko@austintexas.gov
 Planning Department
- 12. Rezoning:** [C814-06-0175.04 - East Avenue PUD Amendment Parcel H; District 9](#)
 Location: 3300 North IH 35 Service Road Southbound, Waller Creek Watershed; Central Austin Combined (Hancock) NP Area
 Owner/Applicant: LHREV Austin University Park LP (Aaron Russell)
 Agent: Drenner Group (Amanda Swor)
 Request: PUD-NP to PUD-NP, to allow administrative and business office use to exceed 75% of the ground floor area as depicted on Exhibit C-3 of the ordinance.
 Staff Rec.: **Pending**
 Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
 Planning Department
Postponement Request: Staff postponement request to May 23, 2023
- 13. Rezoning:** [C14-2022-0160 - Greystar 290; District 8](#)
 Location: 8112 Scenic Brook Drive and 8352 West US 290 Hwy, Williamson Creek Watershed; Oak Hill Combined (West Oak Hill) NP Area
 Owner/Applicant: Schmidt Investments LTD (Robert Schmidt)
 Agent: Armbrust & Brown, PLLC (Richard Suttle)
 Request: LO-NP, LR-NP, SF-1, LR-MU-NP to MF-5-NP, LO-MU-NP, LR-MU-NP
 Staff Rec.: **Pending**
 Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
 Planning Department
Postponement Request: Indefinite Postponement request by Applicant

- 14. Restrictive Covenant Amendment:** [C14-85-288.79\(RCA\) - Greystar 290; District 8](#)
- Location: 8112 Scenic Brook Drive, Williamson Creek Watershed; Oak Hill Combined (West Oak Hill) NP Area
- Owner/Applicant: Schmidt Investments LTD (Robert Schmidt)
- Agent: Armbrust & Brown, PLLC (Richard Suttle)
- Request: Amend Restrictive Covenant (C14-85-288.79) to remove maximum FAR limitations and replace language related to the Comprehensive Watershed Ordinance with current standards as defined in the Save Our Springs Initiative.
- Staff Rec.: **Pending**
- Staff: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov
Planning Department
- Postponement Request:** **Indefinite Postponement request by Applicant**
- 15. Final Plat from approved Preliminary Plan:** [C8J-2020-0091.1A - Gragg Manor Subdivision, Phase 1](#)
- Location: 13300 – 13551 Gregg Manor Rd, Wilbarger Creek Watershed
- Owner/Applicant: Lennar Homes of Texas Land and Construction, LTD (Kevin Pape)
- Agent: Carlson, Brigance, and Doering, Inc. (Geoff Guerrero)
- Request: Approval of a final plat consisting of 353 total lots on 114.461 acres.
- Staff Rec.: **Approve with conditions, per Exhibit C.**
- Staff: Paul Scoggins, 512-854-7619, paul.scoggins@traviscountytexas.gov
Travis County Development Services - Single Office
- 16. Site Plan - Appeal:** [SP-2021-028C - 2428 W Ben White Mixed Use Development; District 5](#)
- Location: 2428 W Ben White Blvd, Barton Creek & Williamson Creek
- Owner/Applicant: Strait Lakehills, Ltd (Robert Strait)
- Agent: Jones & Carter, Inc (Justin Cadieux)
- Request: Appeal of Director's Interpretation
- Staff Rec.: **Denial**
- Staff: Christine Barton-Holmes, 512-974-2788, christine.barton-holmes@austintexas.gov
Development Services Department

- 17. ILA Amendment:** [AISD Interlocal Agreement Amendment](#)
Owner/Applicant: AISD (Jeremy Stiffler, Director of Real Estate)
Request: Discuss and consider a recommendatoin to amend the Austin Independent School District interlocal agreement, to support the District's efforts to improve telecommunication services on and around all school campuses, including providing for site development standards associated with telecommunication towers, as initiated by Council Resolution No. 20220616-090.
Staff Rec.: **Recommended**
Staff: Christopher Johnson, 512-974-2769, christopher.johnson@austintexas.gov
Development Services Department
- 18. Code Amendment:** [C20-2022-0019 - Slaughter Lane SOS Site Specific Amendment](#)
Owner/Applicant: City of Austin (Corridor Program Office, Watershed Protection Department)
Request: Discuss and consider a code amendment granting a site-specific amendment to City Code Section 25-8-514 (Pollution Prevention Required) of the Save Our Springs Initiative, granting a variance to City Code Section 25-8-364 (Floodplain Modification) and Section 25-8-641 (Removal Prohibited) relating to the removal of a heritage tree, and waiving requirements of City Code Section 25-8-41 (Land Use Commission Variances) to allow construction of the Slaughter Lane Improvement Project from Loop 1 (MoPac) to 650 feet east of Brodie Lane, located at 5015 ½ West Slaughter Lane (C20-2022-019).
Staff Rec.: **Recommended**
Staff: Randy Harvey, 512-964-3040, randy.harvey@austintexas.gov
Leslie Lilly, leslie.lilly@austintexas.gov
Corridor Program Office

ITEMS FROM THE COMMISSION

19. Discussion and possible action initiating code amendments to City Code Chapter 25-2 relating to dwelling occupancy limits. (Sponsors: Commissioners Maxwell and Anderson)

NOMINATIONS AND ELECTIONS

20. Nomination of members to be considered by Council to serve on Joint Committees.

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.

Attorney: Steven Maddoux, 512-974-6080
Commission Liaison: [Andrew Rivera](#), 512-974-6508

BOARDS, COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

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

[Comprehensive Plan Joint Committee](#)

(Commissioners: Connolly, Cox and Haynes)

[Joint Sustainability Committee](#)

(Commissioner Woods; alternate seat vacant)

[Small Area Planning Joint Committee](#)

(Commissioners: Barrera-Ramirez, Howard, Mushtaler and Shaw)

[South Central Waterfront Advisory Board](#)

(Commissioner Maxwell)

Accessory Dwelling Units and Duplexes Working Group

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

Austin Strategic Mobility Plan Working Group

(Commissioners Azhar, Connolly, Cox and Maxwell)

Design Guidelines Update Working Group

(Vice-Chair Hempel and Commissioner Cohen)

Palm District Working Group

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

ADJOURNMENT

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 (48 hours) 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.

Attorney: Steven Maddoux, 512-974-6080

Commission Liaison: [Andrew Rivera](#), 512-974-6508

SPEAKER REGISTRATION

All participants wishing to address the commission must register to speak. Public participation is available by teleconference or in-person.

Teleconference Registration

Registration for participation by teleconference closes on **Tuesday, May 9, 2023 at 2:00 PM**. Teleconference code and additional information to be provided after the closing of the teleconference registration period.

In-Person Registration

While in-person registrants are encouraged to register in advance of the meeting, in-person registration closes at **6:00 p.m.** the day of the meeting utilizing a mobile device to scan the below QR code which will be displayed in Council chambers. Mobile devices will also be available at the meeting for public use for the purpose of speaker registration.

Click on link below or scan the QR code and submit the form to register to speak. Speakers should submit a separate registration form for each item of interest.

<https://forms.office.com/g/irmTaGAqPp>



Please contact Andrew Rivera, Commission Liaison, for questions regarding speaker registration at Andrew.rivera@austintexas.gov or by phone 512-974-6508.

Presentations and handouts are requested to be e-mailed to Commission Liaison Andrew Rivera at Andrew.rivera@austintexas.gov by 1:00 PM day of the meeting.

PARKING & VALIDATION

Parking is available at the City Hall parking garage and is free with validation. A stamp machine will be available to manually stamp the parking ticket.

Speaker Testimony Time Allocation

PUBLIC HEARING

Speaker	Number	Minutes
Applicant /Agent	1	5 min. and 3 min rebuttal
Speakers For	Up to 3	3 min.
Speakers For	Unlimited	1 min.
Speaker	Number	Minutes
Primary Speaker Against	1	5 min.
Speakers Against	Up to 3	3 min.
Speakers Against	Unlimited	1 min.

No donation of time allowed.

DISCUSSION POSTPONEMENT

Speaker	Number	Time Allocated
Primary Speaker Favoring Postponement	1	3 min.
Secondary Speaker Favoring Postponement	1	2 min.
Primary Speaker Opposing Postponement	1	3 min.
Secondary Speaker Opposing Postponement	1	2 min.

PARKING & VALIDATION

Parking is available at the City Hall parking garage and is free with validation.

A stamp machine will be available to manually stamp the parking ticket.

ORDER OF MEETING

Determination of Quorum / Meeting Called to Order

Reading of Proposed Consent Agenda

*Vote and Disposal of Consent Agenda

**Determination of Discussion Postponement Items

Discussion Cases (Including public comment, staff and applicant / representative presentations)

Other Business

Adjournment

* The consent agenda may be acted upon by one vote without separate discussion.

Speakers are allowed to provide testimony on an item proposed for the consent agenda. At the discretion of the Commission the item may remain on the consent agenda.

** Discussion postponement consists of public comment by 2 individuals for the postponement and 2 individuals against the postponement. Testimony should not delve into the merits of the case. The granting of a postponement must be approved by affirmative vote of the Commission.

Planning Commission 2023 Meeting Dates

Unless otherwise noted, meetings will convene at 6:00 PM at Austin City Hall

Tuesday, January 10th, 2023 (1/10/23)	Tuesday, May 9th, 2023 (5/9/23)	Tuesday, September 12th, 2023 (9/12/23)
Tuesday, January 24th, 2023 (1/24/23)	Tuesday, May 23rd, 2023 (5/23/23)	Tuesday, September 26th, 2023 (9/26/23)
Tuesday, February 14th, 2023 (2/14/23)	Tuesday, June 13th, 2023 (6/13/23)	Tuesday, October 10th, 2023 (10/10/23)
Tuesday, February 28th, 2023 (2/28/23)	Tuesday, June 27th, 2023 (6/27/23)	Tuesday, October 24th, 2023 (10/24/23)
Tuesday, March 14th, 2023 (3/14/23)	Tuesday, July 11th, 2023 (7/11/23)	Tuesday, November 14th, 2023 (11/14/23)
Tuesday, March 28th, 2023 (3/28/23)	Tuesday, July 25th, 2023 (7/25/23)	Tuesday, November 28th, 2023 (11/28/23)
Tuesday, April 11th, 2023 (4/11/23)	Tuesday, August 8th, 2023 (8/8/23)	Tuesday, December 12th, 2023 (12/12/23)
Tuesday, April 25th, 2023 (4/25/23)	Tuesday, August 22nd, 2023 (8/22/23)	Tuesday, December 19th, 2023 (12/19/23); 5:00 PM