



PLANNING COMMISSION

MINUTES

May 24, 2022

The Planning Commission convened in a meeting on May 24, 2022 in the 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
Grayson Cox
Patrick Howard
Carmen Llanes Pulido
Solveij Rosa Praxis
Robert Schneider
Todd Shaw – Chair
Jeffrey Thompson**

Jessica Cohen – Ex-Officio

Absent:

**Yvette Flores
Claire Hempel – Vice-Chair
Jennifer Mushtaler**

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

PUBLIC COMMUNICATIONS

Members of Arrow of Light Den 5 from Pack 81 Aeden Talley, Lucas Brown and Trey Moore provided remarks regarding recess, school lunch, and thanked Commissioners for their service.

A. APPROVAL OF MINUTES

1. Approve the minutes of May 10, 2022.

Motion to approve the minutes of May 10, 2022 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

B. PUBLIC HEARINGS

1. **Plan Amendment:** [**NPA-2021-0005.02 - Montopolis Multifamily; District 3**](#)
Location: 2601 Montopolis Drive, 6700 & 6800 E. Ben White Blvd SVRD
WB, Carson Creek, Country Club Creek Watersheds; Montopolis
NP Area
Owner/Applicant: Montopolis QO2B, LLC
Agent: Thrower Design, LLC (Ron Thrower and Victoria Haase)
Request: Industry to Mixed Use land use
Staff Rec.: **Not recommended.**
Staff: Maureen Meredith, 512-974-2695,
maureen.meredith@austintexas.gov
Housing and Planning Department
Postponement Request **Applicant postponement request to July 12, 2022.**

Motion to grant Applicant's request for postponement of this item to July 12, 2022 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

2. **Rezoning:** [C814-06-0175.03 - East Avenue PUD, Parcel A Amendment; District 9](#)
- Location: 3500-3700 North IH-35, Boggy Creek Watershed; Central Austin Combined (Hancock) NP Area
- Owner/Applicant: Westheimer Retail Center Ltd (David Foor)
- Agent: Drenner Group, PC (Leah M. Bojo)
- Request: PUD-NP to PUD-NP, to change a condition of zoning
- Staff Rec.: **Pending**
- Staff: Joi Harden, 512-974-1617, joi.harden@austintexas.gov
Housing and Planning Department
- Postponement Request **Indefinite Postponement 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 Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

3. **Zoning and Rezoning:** [C814-2021-0099 - Brodie Oaks PUD; District 5](#)
- Location: 4021, 4025, 4107, 4109, 4115, and 4141 S. Capital of Texas Hwy NB; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 S Lamar BLVD SB, Barton Creek Watershed-Barton Springs Zone; South Lamar Combined (Barton Hills) NP Area (Suspended)
- Owner/Applicant: Lionstone Investments (LCFRE Austin Brodie Oaks LLC)
- Agent: Lionheart Places (Rebecca Leonard)
- Request: GR, CS-1, CS and Unzoned (vacated right-of-way) to PUD
- Staff Rec.: **Pending**
- Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department
- Postponement Request **Indefinite Postponement 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 Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

4. **Restrictive Covenant Amendment (RCA):** [C14R-81-033\(RCA\) - Brodie Oaks Restrictive Covenant Amendment; District 5](#)

Location: 4021,4025, 4107, 4109, 4115, and 4141 S. Capital of Texas Hwy NB; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 S Lamar BLVD SB, Barton Creek Watershed-Barton Springs Zone; South Lamar Combined (Barton Hills) NP Area (Suspended)

Owner/Applicant: LCFRE Austin Brodie Oaks LLC

Agent: Armbrust & Brown, PLLC (Jewels Cain)

Request: To amend the existing Restrictive Covenant for Lots A & B of the Barton Creek Plaza Subdivision modifying conditions related to height.

Staff Rec.: **Pending**

Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Postponement Request **Indefinite Postponement 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 Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

5. **Plan Amendment:** [NPA-2022-0017.02 - 7301 Burnet Road; District 7](#)

Location: 7301 Burnet Road, Shoal Creek Watershed; Crestview/Wooten Combined (Crestview) NP Area

Owner/Applicant: 7301 Burnet Road, LLC

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
Housing and Planning Department

Public Hearing closed.

Motion by Commissioner Azhar, seconded by Commissioner Anderson to grant Staff's recommendation of Mixed Use land use for NPA-2022-0017.02 - 7301 Burnet Road located at 7301 Burnet Road was approved on a vote of 8-0. Commissioner Praxis abstained. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

6. **Plan Amendment:** [NPA-2022-0019.01.SH - Cady Lofts; District 9](#)
Location: 1004, 1006 & 1008 E. 39th Street, Boggy Creek Watershed; Central Austin Combined NP Area (Hancock)
Owner/Applicant: Cady Lofts, LLC
Agent: SGI Ventures, Inc. (Sally Gaskin)
Request: Single Family and Mixed Use/Office to Multifamily Residential 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 Multifamily Residential land use for NPA-2022-0019.01.SH - Cady Lofts located at 1004 -1008 East 39th Street was approved on the motion by Commissioner Llanes Pulido, seconded by Commissioner Schneider on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

7. **Rezoning:** [C14-2022-0019.SH - Cady Lofts; District 9](#)
Location: 1004 -1008 East 39th Street, Boggy Creek Watershed; Central Austin Combined NP Area (Hancock)
Owner/Applicant: Cady Lofts, LLC (Nathan H. Leistico)
Agent: SGI Ventures, Inc. (Sally Gaskin)
Request: SF-3-CO-NP, LO-MU-NP to MF-6-NP
Staff Rec.: **Recommendation of MF-4-NP**
Staff: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov
Housing and Planning Department

Motion to grant Staff's recommendation of MF-4-NP combining district zoning for C14-2022-0019.SH - Cady Lofts located at 1004 -1008 East 39th Street was approved on the motion by Commissioner Llanes Pulido, seconded by Commissioner Schneider on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

8. **Plan Amendment:** [NPA-2021-0021.02 - 1406-1506 Parker Lane; District 9](#)
Location: 1406, 1408, 1504 and 1506 Parker Lane, Lady Bird Lake Watershed; East Riverside/Oltorf Combined (Riverside) NP Area
Owner/Applicant: Gross Land Fund II, LP (Shawn A. J. Gross)
Agent: Drenner Group, PC (Amanda Swor)
Request: Single Family to Multifamily Residential land use
Staff Rec.: **Pending**
Staff: Maureen Meredith, 512-974-2695, Maureen.Meredith@austintexas.gov
Housing and Planning Department
Postponement Request **Staff Postponement to July 12, 2022.**

Motion to grant Applicant's request for postponement of this item to July 12, 2022 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

9. **Rezoning:** [C14-2021-0139 - 1406-1506 Parker Lane; District 9](#)
Location: 1406, 1408, 1504 and 1506 Parker Lane, Lady Bird Lake Watershed; East Riverside/Oltorf Combined (Riverside) NP Area
Owner/Applicant: Gross Land Fund II, LP (Shawn A. J. Gross)
Agent: Drenner Group, PC (Amanda Swor)
Request: SF-3-NP to MF-2-NP
Staff Rec.: **Pending**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department
Postponement Request **Staff Postponement to July 12, 2022.**

Motion to grant Applicant's request for postponement of this item to July 12, 2022 was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

10. Rezoning: [**C14-2022-0038 - 2320 E Riverside Dr; District 3**](#)
Location: 2320 East Riverside Drive, Lady Bird Lake / Country Club West Watersheds; East Riverside/Oltorf Combined (Riverside) NP Area
Owner/Applicant: 2410 East Riverside Ltd. (David L. Roberts)
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: From / To: ERC (Corridor Mixed Use Subdistrict), to increase the maximum building height through participation in the density bonus program
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 512-974-7719, wendy.rhoades@austintexas.gov
Housing and Planning Department

Public Hearing closed.

After discussion and debate, item forwarded to Council without a recommendation due to lack of an affirmative vote.

11. Rezoning: [**C14-2022-0011 - W 16th-Lam; District 9**](#)
Location: 508 West 16th Street, Shoal Creek Watershed; Downtown Austin Plan (Northwest District)
Owner/Applicant: Pauline Lam
Agent: Land Answers, Inc. (Jim Wittliff)
Request: GO to DMU
Staff Rec.: **Recommendation of DMU-CO**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of DMU-CO combining district zoning for C14-2022-0011 - W 16th-Lam located at 508 West 16th Street was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

12. Rezoning: [**C14-2022-0009 - Fifty First Street Residences; District 1**](#)
Location: 5525 East 51st Street, Walnut Creek Watershed; East MLK Combined NP Area
Owner/Applicant: Therese M. Baer
Agent: Alice Glasco Consulting (Alice Glasco)
Request: CS-MU-CO-NP to CS-MU-V-NP
Staff Rec.: **Not Recommended**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Applicant's recommendation of CS-MU-V-NP combining district zoning, with conditions for C14-2022-0009 - Fifty First Street Residences located at 5525 East 51st Street was approved on the motion by Commissioner Thompson, seconded by Commissioner Howard on a vote of 8-0. Commissioner Azhar abstained. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

- 13. Rezoning:** **C14-2022-0017 - Hudson Place; District 1**
Location: 5711, 5801, 5805, 5809, 5813, 5817, 5901, and 5909 Hudson Street, Fort Branch Watershed; East MLK Combined NP Area
Owner/Applicant: Hudson Development, LLC (Philip Jalufka)
Agent: Alice Glasco Consulting (Alice Glasco)
Request: SF-3-NP to MF-4-NP
Staff Rec.: **Recommendation of MF-3-NP**
Staff: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov
Housing and Planning Department

Public Hearing closed.

Motion to grant Staff's recommendation of MF-3-NP combining district zoning for C14-2022-0017 - Hudson Place located at 5711, 5801, 5805, 5809, 5813, 5817, 5901, and 5909 Hudson Street, was approved on the motion by Commissioner Anderson, seconded by Commissioner Cox on a vote of 7-0. Commissioner Llanes Pulido and Commissioner Praxis abstained. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

- 14. Rezoning:** **C14-2022-0031 - Remove Vehicular Access Restriction to Morrow Street; District 7**
Location: Intersection of Easy Wind Drive and Morrow Street, Waller Creek Watershed; Lamar Blvd / Justin Lane TOD District
Owner/Applicant: City of Austin – Housing and Planning Department
Request: TOD-NP to TOD-NP, to remove the condition prohibiting vehicular access to Morrow Street other than emergency access
Staff Rec.: **Recommended**
Staff: Andrei Lubomudrov, 512-974-7719, andrei.lubomudrov@austintexas.gov
Housing and Planning Department

Public Hearing closed.

After discussion and debate, item forwarded to Council without a recommendation due to lack of an affirmative vote.

15. Site Plan - [SP-2021-0102C - 1400 Cedar Ave; District 1](#)

**Compatibility
Waiver Request:**

Location: 1400 Cedar Avenue, Boggy Creek Watershed; Chestnut NP Area
Owner/Applicant: Urban Gravity
Agent: Civiltude LLC (Alejandra Flores)
Request: Request for compatibility waiver from LDC 25-2-1063.
Staff Rec.: **Recommended**
Staff: Zack Lofton, 512-978-1735, zack.lofton@austintexas.gov
Development Services Department

Motion by Commissioner Azhar, seconded by Commissioner Anderson to postpone this item to June 14, 2022 was approved on a vote of 8-0. Commissioner Praxis off the dais. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

16. Preliminary Plan: [C8J-2021-0066 - Whisper Valley Multifamily Parcel 65; District 1](#)

Location: 17001 East Braker Lane, Gilleland Creek Watershed
Owner/Applicant: Club Deal 120 Whisper Valley, L.P.
Agent: Land Dev Consulting (Michael Giannetta)
Request: Approval of the Whisper Valley Multifamily Parcel 65 Preliminary Plan, consisting of 1 lot and right-of-way on 16.2 acres.
Staff Rec.: **Disapprove for Reasons**
Staff: Jennifer Bennett, 512-974-9002, jennifer.bennett@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to Disapprove for Reasons, per Exhibit C, for C8J-2021-0066 - Whisper Valley Multifamily Parcel 65 located at 17001 East Braker Lane was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

17. Final Plat: [C8-2020-0191.0A - Walton Woods Section 2 Final Plat; District 3](#)

Location: 1135 Walton Lane, Boggy Creek Watershed; Johnston Terrace NP Area
Owner/Applicant: Austin QOZB One, LLC (Frank Gordon)
Agent: Malone/Wheeler, Inc. (Jesse B. Malone, P.E)
Request: Approval of the final consisting of six lots on 1.609 acres
Staff Rec.: **Pending**
Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
Development Services Department

Public Hearing closed.

Motion to approve with conditions, per Exhibit C, for C8-2020-0191.0A - Walton Woods Section 2 Final Plat located at 1135 Walton Lane was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

18. Long-Range CIP [2021-2023 Long-Range CIP Planning Memo](#)

Planning:

Request: Approve re-transmittal of the 2021-2023 Long-Range Capital Improvement Program Planning Memo of Recommendations from Planning Commission to City Manager.

Staff Rec.: **Recommended**

Staff: Dee Dee Quinnelly, 512-974-2036,
 deedee.quinnelly@austintexas.gov
 Housing and Planning Department

Public Hearing closed.

Motion to approve re-transmittal of the 2021-2023 Long-Range Capital Improvement Program Planning Memo of Recommendations from Planning Commission to City Manager was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Commissioner Thompson on a vote of 9-0. Vice-Chair Hempel and Commissioners Flores, Mushtaler and Shieh absent.

C. 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.

D. 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](#)

(Commissioners Praxis and 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.

Chair Shaw adjourned the meeting without objection on Tuesday, May 24, 2022 at 11:45 p.m.

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