



**REGULAR MEETING
MINUTES**

**PLANNING COMMISSION
May 10, 2016**

**The Planning Commission convened in a regular meeting on May 10, 2016 @ 301 W. 2nd Street,
Austin, TX 78701**

Chair Stephen Oliver called the Commission Meeting to order at 6:02 p.m.

Commission Members in Attendance:

**Stephen Oliver – Chair
Fayez Kazi – Vice – Chair
Karen McGraw
Tom Nuckols
Angela PineyroDeHoyos
James Schissler
Patricia Seeger
James Shieh
Jeffrey Thompson
Jose Vela
Trinity White
Michael Wilson**

**Howard Lazarus – Ex-Officio
William Burkhardt – Ex-Officio**

Absent

**Nuria Zaragoza
Dr. Jayme Mathias – Ex-Officio**

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 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

A. CITIZEN COMMUNICATION: GENERAL

[Mr. Stuart Hersh](#) – Mr. Hersh conveyed to the Commission that he will ask City Council to disapprove the amendments to the proposed MF-6 Density Bonus Program. He will instead ask the City Council to amend the ordinance relating to development regulation incentives for affordable housing ([ORD. NO 20080131-132](#)) to increase opportunities for entitlements on other Multi-Family zoned properties if the developers provide S.M.A.R.T. Housing for at least 40 years. Mr. Hersh provided an example from his own personal experience of assisting with a development project that was successful in achieving the affordability of 64 new apartments for 40 years west of South Lamar Boulevard.

B. APPROVAL OF MINUTES

1. Approval of minutes from April 26, 2016.

The motion to approve the minutes from April 26, 2016 was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

C. PUBLIC HEARINGS

1. **Plan Amendment:** [NPA-2016-0010.01 - 2406 Hidalgo Street Plan Amendment](#); **District 3**
Location: 2406 and 2406-1/2 Hidalgo Street, Lady Bird Lake Watershed; Holly NP Area
Owner/Applicant: City of Austin, Planning and Zoning Department (Maureen Meredith)
Agent: Thrower Design (A. Ron Thrower)
Request: Industry to Mixed Use land use
Staff Rec.: **Recommended**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of Mixed Use land use for NPA-2016-0010.01 - 2406 Hidalgo Street Plan Amendment located at 2406 and 2406-1/2 Hidalgo Street was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

2. **Rezoning:** [C14-2016-0003 - 2406 Hidalgo Street Rezoning](#); **District 3**
Location: 2406 and 2406-1/2 Hidalgo Street, Lady Bird Lake Watershed; Holly NP Area
Owner/Applicant: 2406 Hidalgo LP (David Kahn)
Agent: Thrower Design (A. Ron Thrower)
Request: LI-CO-NP to CS-MU-NP
Staff Rec.: **Recommendation of CS-MU-CO-NP**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Public hearing closed.

The motion to grant staff's recommendation of CS-MU-CO-NP combining district zoning for C14-2016-0003 - 2406 Hidalgo Street Rezoning located at 2406 and 2406-1/2 Hidalgo Street was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

**3. Final Plat - C8-2015-0227.0A - 1023 Springdale Subdivision; District 3
VARIANCE
ONLY:**

Location: 1023 Springdale Road, Boggy Creek Watershed; MLK NP Area
Owner/Applicant: 1023 Holdings, LLC (Daryl Kunik)
Agent: 1023 Holdings, LLC (Daryl Kunik)
Request: The applicant requests a variance from LDC Section 25-4-151 which requires that streets of a new subdivision shall be aligned with and connect to streets on adjoining property. The applicant proposes to not connect Don Ann Street into the subdivision.

Staff Rec.: **Recommended**
Staff: Don Perryman, 512-974-2786
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2015-0227.0A - 1023 Springdale Subdivision located at 1023 Springdale Road was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

**4. Final Plat with C8-2015-0031.1A - E M Franklin Resubdivision of Lots 8 & 9, Block 2, Crest Haven Addition; District 1
Preliminary Plan -
Resubdivision:**

Location: 2001 E M Franklin, Tannehill Branch Watershed; MLK NP Area
Owner/Applicant: EM Franklin GP, LLC (Ryan Diepenbrock)
Agent: PSW Homes, LLC (Casey Giles)
Request: Approval of the resubdivision of two existing lots into a 16 lot subdivision on 4.647 acres

Staff Rec.: **Recommended**
Staff: Cesar Zavala, 512-974-3404
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2015-0031.1A - E M Franklin Resubdivision of Lots 8 & 9, Block 2, Crest Haven Addition located at 2001 E M Franklin was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

5. **Site Plan - Conditional Use Permit:** [SPC-2015-0541A - Hops & Grains Tap Room; District 3](#)
Location: 507 Calles Street, Colorado River Watershed; Holly NP Area
Owner/Applicant: Josh Hare
Agent: Moya Khabele
Request: Approval of a Conditional Use Permit to convert a section of an existing brewery to a taproom for on-site consumption.
Staff Rec.: **Recommended**
Staff: [Donna Galati](#), 512-974-2733
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for SPC-2015-0541A - Hops & Grains Tap Room located at 507 Calles Street was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

[Comment Cards FOR](#)

6. **Final Plat - Resubdivision:** [C8-2015-0154.0A - Freeport Tech South; District 2](#)
Location: 6001-1/2 Burleson Road, Carson Creek and Onion Creek Watersheds; McKinney NP Area
Owner/Applicant: Burleson RD-HP, LP (Richard Anderson)
Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero)
Request: Approval of Freeport Tech South, a Resubdivision of Lot 1, Block A and Lot 1, Block B of the Expo Center Section II, comprised of 4 lots on 33.35 acres.
Staff Rec.: **Recommended**
Staff: [Steve Hopkins](#), 512-974-3175
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for C8-2015-0154.0A - Freeport Tech South located at 6001-1/2 Burleson Road was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

7. **Code Amendment:** [C20-2015-003 - Eliza Springs SOS](#)
Request: Consider a site-specific amendment to City Code Chapter 25-8, Article 13 (Save Our Springs Initiative), including variances from City Code chapters 25-8-281 and 25-8-341 for the Eliza Springs outlet daylighting project located generally within Zilker Park.
Staff Rec.: **Recommended**
Staff: [Chris Herrington](#), 512-974-2840
Watershed Protection Department

Public hearing closed.

Motion by Commissioner Angela PineyroDeHoyos, seconded by Commissioner James Schissler to grant staff's recommendation for a site-specific amendment to City Code Chapter 25-8, Article 13 (Save Our Springs Initiative), including variances from City Code chapters 25-8-281 and 25-8-341 for the Eliza Springs outlet daylighting project located generally within Zilker Park was approved on a vote of 12-0; Commissioner Nuria Zaragoza absent.

[Comment Card NEUTRAL](#)

8. **Code Amendment:** [C20-2016-001 - Board of Adjustment Special Exception Extension](#)
Request: Consider an amendment to Title 25 of the Land Development Code to extend the period for which the Board of Adjustment may grant special exceptions and associated fee waivers.
Staff Rec.: **Recommended**
Staff: [Leane Heldenfels](#), 512-974-2202
Development Services Department

Public hearing closed.

The motion to grant staff's recommendation for an amendment to Title 25 of the Land Development Code to extend the period for which the Board of Adjustment may grant special exceptions and associated fee waivers was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

9. **Final Plat:** [C8-2016-0079.0A - Eastover; Resubdivision of a portion of Lot 8 Block A; District 1](#)
Location: 3609 Munson Street, Boggy Creek Watershed; MLK NP Area
Owner/Applicant: MX3 Homes, LLC (Sal Martinez)
Agent: Southwest Engineers (Miguel Gonzalez)
Request: Approval of Eastover; Resubdivision of a portion of Lot 8 Block A composed of 2 lots on 0.25 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

10. **Final Plat:** [C8-2016-0083.0A - Janzow Addition; District 3](#)
Location: 6123 Richardson Lane, Country Club East Watershed; Montopolis NP Area
Owner/Applicant: Gretchen Janzow
Agent: Hector Avila
Request: Approval of Janzow Addition composed of 2 lots on 0.995 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
11. **Final Plat - Amended Plat:** [C8-2016-0085.0A - 2906 Greenlee Dr.; District 10](#)
Location: 2906 Greenlee Drive, Taylor Slough South Watershed; West Austin NP Area
Owner/Applicant: Idnani Lisa & Rajesh
Agent: Perales Engineering (Jerry Perales)
Request: Approval of 2906 Greenlee Dr composed of 2 lots on 1.04 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department
12. **Final Plat - Resubdivision:** [C8-2016-0081.0A - Parkinson Place Resubdivision No. 1 Resubdivision of Lot 18-A; District 9](#)
Location: 1411 Parkinson Drive, Harper's Branch Watershed; South River City NP Area
Owner/Applicant: Lisa Schiller
Agent: Hector Avila
Request: Approval of the Parkinson Place Resubdivision No. 1 Resubdivision of Lot 18-A composed of 2 lots on 0.39 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department
13. **Final Plat - Amended Plat:** [C8-2016-0080.0A - Amended Plat for Lot A and B Windsor Park III, Section 2; District 1](#)
Location: 5302 Old Manor Road, Fort Branch Watershed; Windsor Park NP Area
Owner/Applicant: Gentrified Investments (Nathan Lange)
Agent: Site Specifics (John Hussey)
Request: Approval of the Amended Plat for Lot A and B Windsor Park III, Section 2 composed of 2 lots on a 0.36 acres.
Staff Rec.: **Disapproval**
Staff: Development Services Department

Public hearing closed.

The motion to disapprove Items #9-13 was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

D. NEW BUSINESS

1. Butler Family Property; District 1

Discussion and possible initiation of rezoning for properties located at 1120 E. 12th Street; 1322, 1324, 1326, 1328, 1330, 1332, 1334, and 1336 E. 12th Street. (Butler Family Property)

Staff: [Jerry Rusthoven](#), 512-974-3207; [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion by Vice-Chair Faye Kazi, Commissioner James Schissler seconded to direct staff to initiate rezoning for properties located at 1120 E. 12th Street; 1322, 1324, 1326, 1328, 1330, 1332, 1334, and 1336 E. 12th Street. (Butler Family Property).

There was a substitute motion Angela PineyroDeHoyos, Commissioner Karen McGraw seconded to postpone this item to June 14, 2016. The motion failed on a vote of 4-8. Those voting aye were: Commissioner Angela PineyroDeHoyos, Commissioner Karen McGraw, Commissioner Patricia Seeger and Commissioner Trinity White. Those voting nay were: Chair Stephen Oliver, Vice-Chair Faye Kazi, Commissioner Tom Nuckols, Commissioner James Schissler, Commissioner James Shieh, Commissioner Jeffrey Thompson, Commissioner Jose Vela, and Commissioner Michael Wilson. Commissioner Nuria Zaragoza absent.

The motion by Vice-Chair Faye Kazi, Commissioner James Schissler seconded to direct staff to initiate rezoning for properties located at 1120 E. 12th Street; 1322, 1324, 1326, 1328, 1330, 1332, 1334, and 1336 E. 12th Street. (Butler Family Property) was approved on a vote 10-2. Those voting aye were: Chair Stephen Oliver, Vice-Chair Faye Kazi, Commissioner James Schissler, Commissioner Patricia Seeger, Commissioner James Shieh, Commissioner Tom Nuckols, Commissioner Patricia Seeger, Commissioner Jeffrey Thompson, Commissioner Jose Vela, and Commissioner Michael Wilson. Those voting nay were: Angela PineyroDeHoyos and Karen McGraw. Commissioner Nuria Zaragoza absent.

Comment Cards AGAINST

2. Review of Austin Water Capital Improvement Projects

Review of Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone to boards and commissions for review and recommendation for approval to include in Austin Water 5-year capital spending plan.

Staff: [Kristi Fenton](#), Utility Finance Manager, 972-0178
Austin Water Utility

The motion to recommend Austin Water Capital Improvement Projects located in the Drinking Water Protection Zone for approval to include in Austin Water 5-year capital spending plan was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

3. Discussion and possible action on amending the Planning Commission Bylaws and forward to Audit and Finance for approval.

The motion to postpone this item to June 14, 2016 was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

4. Discussion and possible action on amending the Planning Commission Rules of Procedure.

The motion to postpone this item to June 14, 2016 was approved on the consent agenda by Commissioner James Shieh, Commissioner James Schissler seconded the motion on a unanimous vote; Commissioner Nuria Zaragoza absent.

E. ITEMS FROM COMMISSION

1. Discussion and possible recommendation of a resolution to forward to Mayor and Council in support of Mobility Priorities (Commissioner Jose Vela/ Planning Commission)

The motion by Commissioner Tom Nuckols, Commissioner Patricia Seeger seconded to refer this item to the Committee on the Comprehensive Plan for review and bring back to the Planning Commission on June 14, 2016 was approved on a vote of 11-1; Commissioner James Schissler voted nay; Commissioner Nuria Zaragoza absent.

[Comment Cards FOR](#)

F. COMMITTEE REPORTS

Committee on Codes and Ordinances – No report given.

Committee on the Comprehensive Plan – Schedule is pending.

Land Development Code Advisory Group – No report given. CodeNEXT update provided by staff (Addendum - Briefing).

Small Area Planning Joint Committee – Have not met since previous report.

G. ADJOURNMENT

Chair Stephen Oliver adjourned the meeting without objection on Tuesday, May 10, 2016 at 9:05 p.m.

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 before the meeting date. Please call Jerry Rusthoven at Planning & Zoning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.