

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--October 12, 1976

The meeting of the Commission was called to order at 7:00 P.M. in the Council Chambers.

Present

Miguel Guerrero, Chairman  
Barbara Chance  
Freddie Dixon\*  
Gabriel Gutierrez  
Sid Jagger  
Jean Mather  
Dean Rindy  
Bill Stoll  
Nellie White

\* Arrived at 7:25 PM

Also Present

Richard Lillie, Director of Planning  
Tom Knickerbocker, Assistant Director  
of Planning  
Charles Graves, Director of Engineering  
Maureen McReynolds, Director, Environmental  
Resource Management  
Bill Bulloch, Assistant Director, Urban  
Transportation  
Bill Lowery, Urban Transportation  
Jim Gotcher, Building Inspection  
Evelyn Butler, Supervisor, Current Planning  
Dona Jakubowsky, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of October 5, 1976.

Present

Jean Mather, Chairman  
Miguel Guerrero  
Bill Stoll  
Nellie White  
Gabriel Gutierrez

Also Present

Tom Knickerbocker, Assistant Director  
of Planning  
Brian Schuller, Planner  
Duncan Muir, Planner  
Bill Lowery, Urban Transportation  
Dona Jakubowsky, Administrative Secretary

Absent

Barbara Chance  
Sid Jagger

C14-76-029	City of Austin: Southwest corner of the intersection of Pleasant Valley Road and South Lakeshore Drive	<u>Revised site plan review of FARMERS MARKET.</u>
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Mr. Brian Schuller, representing the Planning staff, explained that the Planning Commission and City Council reviewed and approved "C" Commercial zoning and a site plan for the proposed Farmers Market in April and May respectively. He said that changes had been made in the site plan that were significant enough to bring it back to the Commission for their review. He added that the staff feels that the revised site plan is an improvement and recommends approval subject to compliance with departmental requirements.

**CITIZEN COMMUNICATION**

**WRITTEN COMMENTS IN FAVOR**

None

**WRITTEN COMMENTS IN OPPOSITION**

None

**PERSONS APPEARING IN FAVOR**

Bill Lewis (Representing Applicant)

**PERSONS APPEARING IN OPPOSITION**

None

**COMMITTEE ACTION:**

Members reviewed the information presented. The applicant's representative, Mr. Bill Lewis, asked that the Urban Transportation Department's requirement #1 asking that all parking be moved to the east to place the entrance/exit driveway on the western end of the tract be deleted. The members were in agreement with this request. Mr. Guerrero made a motion to approve the revised site plan of the Farmers Market subject to ordinance requirements and departmental recommendations, excluding Urban Transportation's requirement number one. Mr. Stoll seconded the motion.

**AYE:** Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll

**ABSENT:** Ms. Chance and Mr. Jagger

**COMMISSION ACTION:**

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

**COMMISSION VOTE:**

To APPROVE the request of the City of Austin for a revised site plan of the Farmers Market, located at the southwest corner of the intersection of Pleasant Valley Road and South Lakeshore Drive, subject to ordinance requirements and departmental recommendations, excluding Urban Transportation's requirement number one.

**AYE:** Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;

Mmes. Chance, Mather and White

<p>C14-76-080</p>	<p>George Franklin: 614 West 32nd Street, also bounded by King Street</p>	<p><u>"BB" Residence, 1st H &amp; A to</u> <u>"B" Residence, 1st H &amp; A</u></p>
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Mr. Duncan Muir, representing the Planning staff, told the members that the applicant was requesting a postponement. He explained that the reason for the postponement was because there was some question about whether or not the proposed use was appropriate under "B" Residence zoning and the application was being brought before the Board of Adjustment for review.

**CITIZEN COMMUNICATION**

**WRITTEN COMMENTS IN FAVOR**

Carey and Georgia Legett, 2904 Swisher

**WRITTEN COMMENTS IN OPPOSITION**

Moselle Adamson Robertson, 613 West 33rd St.

Margaret Moore, 616 West 32nd St.

Mr. W.G. Eyres, 3208 King St.

Texas General Corporation, Box 222

Catherine Hankey, 3300 King St.

Joe R. Long, Box 222

**PERSONS APPEARING IN FAVOR**

George Franklin (Applicant)

Terry L. Belt (Representing Applicant)

**PERSONS APPEARING IN OPPOSITION**

Steve Collins, 3103 West Ave.

Mrs. Mike H. Horvath, 700 W. 32nd St.

Sophie Donn

**COMMITTEE ACTION:**

Members reviewed the information presented. They were in agreement to continue the hearing after review and action by the Board of Adjustment. Mr. Guerrero made a motion to continue the hearing pending review and action by the Board of Adjustment and Mr. Stoll seconded the motion.

**AYE:** Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll

**ABSENT:** Ms. Chance and Mr. Jagger

**COMMISSION ACTION:**

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

**COMMISSION VOTE:**

To CONTINUE the hearing on the request of George Franklin for a zoning change from "BB" Residence, 1st H & A to "B" Residence, 1st H & A on property located at 614 West 32nd Street, also bounded by King Street, pending review and action by the Board of Adjustment.

**AYE:** Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;

Mmes. Chance, Mather and White

C14-76-081 Lewis Hamilton:  
7809-7811 Watson Street

"A" Residence, 1st H & A to  
"O" Office 1st H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to deny the request. He said that, if the Committee should grant the request, the staff suggests that access should be prohibited from Watson Street by a 5-foot strip of "A" Residence along this street.

#### CITIZEN COMMUNICATION

##### WRITTEN COMMENTS IN FAVOR

Carl M. Bailey, 1108 Stobaugh  
Morris K. Gully, Jr., 7803 Watson  
H.L. Moore, 1313 Ridgemont Drive

##### WRITTEN COMMENTS IN OPPOSITION

None

##### PERSONS APPEARING IN FAVOR

Dick Roberts (Representing Applicant)

##### PERSONS APPEARING IN OPPOSITION

None

#### COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather thought this could be an improvement over the house that is presently on the lot and in very bad condition, but felt she would like it better if some landscaping were provided. The applicant's representative, Mr. Dick Roberts, said that he would agree to a restrictive covenant requiring landscaping. Mr. Guerrero made a motion that "O" Office be denied on the entire tract, but that "O" Office be granted with a 5-foot strip of "A" along Watson Street, subject to a restrictive covenant providing for a 6-foot privacy fence along the east line of the "A" strip and along the south property line, and landscaped screening consisting of evergreen shrubs within the "A" strip. Mr. Gutierrez seconded the motion.

AYE: Mmes. Mather and White; Messrs. Guerrero and Gutierrez

NAY: Mr. Stoll

ABSENT: Ms. Chance and Mr. Jagger

#### COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather explained that this property fronts on Anderson Lane and sides on Watson and that the existing house is in very bad condition. Because of this, she felt that the proposed use, subject to landscaping and a privacy fence would be better than the existing use. Mr. Stoll was not convinced that this would be the best thing for the neighborhood and also pointed out that the history of the area showed a trend for denial of retail zoning. Mr. Rindy thought that that was a very important point. Ms. Mather made a motion that "O" Office be denied on the entire tract, but that it be granted with a 5-foot strip of "A" along Watson Street, subject to a restrictive covenant providing for a 6-foot privacy fence along the east line of the "A" strip and along the south property line, and landscaped screening within the "A" strip. Ms. Chance seconded the motion.

C14-76-081 Lewis Hamilton--Contd.

COMMISSION VOTE:

To DENY the request of Lewis Hamilton for a zoning change from "A" Residence, 1st H & A to "O" Office 1st H & A as requested on 7809-7811 Watson Street, but to GRANT "O" Office, 1st H & A with a 5-foot strip of "A" Residence along Watson Street, subject to a restrictive covenant providing for a 6-foot privacy fence along the eastern line of the "A" strip and along the southern property line, and landscaped screening within the "A" strip.

AYE: Messrs. Guerrero, Dixon and Jagger; Mmes. Chance, Mather and White  
 NAY: Messrs. Rindy and Stoll  
 ABSENT: Mr. Gutierrez\*

\*Out of room

C14-76-082	City National Bank of Austin: 830 Sagebrush Drive	Int. "AA" Residence, 1st H & A to "DL" Light Industrial, 1st H & A
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that the request for "DL" Light Industrial be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR  
 Barry Gillingwater, 1000 West Avenue  
 WRITTEN COMMENTS IN OPPOSITION  
 None  
 PERSONS APPEARING IN FAVOR  
 Douglas Batson (Representing Applicant)  
 PERSONS APPEARING IN OPPOSITION  
 None

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather asked if the use planned for the area would be noisy or noxious. Mr. Barry Gillingwater, the applicant's representative, answered that there was no use planned at the time. Mr. Gutierrez made a motion that the request be approved and Ms. White seconded the motion.

AYE: Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll  
 ABSENT: Ms. Chance and Mr. Jagger

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To GRANT the request of the City National Bank of Austin for a zoning change from Int. "AA" Residence, 1st H & A to "DL" Light Industrial, 1st H & A on property located at 830 Sagebrush Drive.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
 Mmes. Chance, Mather and White

<p>C14-76-083</p>	<p>City National Bank of Austin: 7007-7109 Ed Bluestein Blvd.</p>	<p><u>"A" Residence, 1st H &amp; A to</u> <u>"GR" General Retail, 1st H &amp; A</u> <u>"A" Residence, 1st H &amp; A</u> <u>(as amended)</u></p>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "GR" General Retail, 1st H & A and "A" Residence, 1st H & A be granted, as amended, on Tracts 1 and 2 respectively.

**CITIZEN COMMUNICATION**

**WRITTEN COMMENTS IN FAVOR**

None

**WRITTEN COMMENTS IN OPPOSITION**

Austin Savings and Loan, 1008 Lavaca

**PERSONS APPEARING IN FAVOR**

C.W. Hetherly (Representing Applicant)

**PERSONS APPEARING IN OPPOSITION**

Jim Alsup, 2600 Austin National Bank Tower

**PERSONS APPEARING WITH NO POSITION**

Joan Bartz (Representing University Hills and LBJ Neighborhood Associations)

**COMMITTEE ACTION:**

Members reviewed the information presented. Ms. Joan Bartz, representing University Hills and LBJ Neighborhood Associations, said that she was not present to oppose the request but to express some concern about granting "GR" zoning without a proposed use. The Committee also felt that concern, but thought that the proposal was such an improvement over the previous one that they would prefer to grant this request. Also, Mr. Guerrero pointed out that, because of the Zoning Ordinance as it is written now, the zoning cannot be tied to a specific use. Mr. Guerrero made a motion to grant the request (as amended) and Mr. Gutierrez seconded the motion.

**AYE:** Ms Mather; Messrs. Guerrero and Gutierrez

**NAY:** Ms. White; Mr. Stoll

**ABSENT:** Ms. Chance and Mr. Jagger

**COMMISSION ACTION:**

Members reviewed the information presented. Mr. C.W. Hetherly, representing the applicant, and Ms. Joan Bartz, representing University Hills and LBJ Neighborhood Associations, told the members that an agreement had been reached between the applicant and the neighborhood organizations. They explained that deed restrictions had been drawn up that were agreeable to both parties, and that any problems would be worked out between them. Ms. Mather made a motion that the request be granted as amended, subject to deed restrictions as agreed upon by the applicant and the neighborhood organizations. Mr. Guerrero seconded the motion.

**COMMISSION VOTE:**

To GRANT the request of the City National Bank of Austin for a zoning change from "A" Residence, 1st H & A to "GR" General Retail, 1st H & A and "A" Residence, 1st H & A (as amended), subject to deed restrictions as agreed upon by the applicant and the neighborhood organizations, on property located at 7007-7109 Ed Bluestein Blvd.

**AYE:** Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

C14-76-084	Von-Boeckman Jones Company: Northwest corner of Huntland Drive and Brenda Drive	<u>"O" Office, 1st H &amp; A and "B" Residence, 1st H &amp; A to "GR" General Retail, 1st H &amp; A</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to deny "GR" General Retail on the entire tract. He added, however, that if the applicant changes the request to provide 25 feet of "A" Residence along Brenda Drive south to within 100 feet of the intersection, the staff will recommend that "GR" General Retail and "A" Residence be granted.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

Ralph H. Daugherty (Representing Dr. Donald E. Hood)

Ronald G. Becker, 6901 Deborah Drive

## PERSONS APPEARING IN FAVOR

Phil Mockford (Representing Applicant)

## PERSONS APPEARING IN OPPOSITION

Hubert M. Fruzia, 6809 Esther Dr.

## COMMITTEE ACTION:

Members reviewed the information presented. Mr. Phil Mockford, representing the applicant, told the Committee members that the applicant intended to install a privacy fence but that he did not agree to the 25 feet of "A" Residence recommended by the staff. The neighbors appearing in opposition were concerned about cars being parked adjacent to the residential area and indicated that this was already a problem. The Committee members noticed a discrepancy in the wording of the ordinance and the City Council action establishing the "B" buffer on the north. The difference is in the amount of buffer required adjacent to the residential properties. The City Council granted 25 feet and the ordinance states 50 feet. Mr. Guerrero asked Mr. Muir if the Committee's recommendation should be consistent with the ordinance or the City Council's action. Mr. Muir answered that the staff's recommendation would be consistent with the Council granting. He added that there was no way of dealing with the error in the ordinance at this time. Ms. Mather felt that a 10-foot strip of "A" Residence would be adequate protection for the neighbors. She added that this would give the applicant 15 more feet to work with and asked Mr. Mockford if he would agree to that. He answered that he would agree to the 10 feet of "A". Mr. Gutierrez made a motion that "GR" General Retail be denied on the entire tract, but that "GR", 1st H & A and a 10-foot strip of "A" Residence along Brenda Drive south to within 100 feet of the intersection be granted, subject to a restrictive covenant providing for a 6-foot privacy fence along the west line of the "A", and landscaped screening within the "A" strip consisting of evergreen shrubs. Mr. Stoll seconded the motion.

AYE: Mmes. Mather and White; Messrs. Gutierrez and Stoll

NAY: Mr. Guerrero

ABSENT: Ms. Chance and Mr. Jagger

C14-76-084 Von-Boeckman Jones Company--Contd.

COMMISSION ACTION:

Members reviewed the information presented. Mr. Jim Gotcher, representing the Building Inspection Department, told the Commissioners that his Department had investigated the complaint from the neighbors that cars were being parked in the area adjacent to the residential area and had found approximately 20 cars were parked in this area. He said that, at the last report, about 10 of these had been removed. Ms. Mather made a motion to deny "GR" General Retail on the entire tract, but to grant "GR" 1st H & A and a 10-foot strip of "A" along Brenda Drive south to within 100 feet of the intersection, subject to a restrictive covenant providing for a 6-foot privacy fence along the western line of the "A", and landscaped screening within the "A" strip consisting of evergreen shrubs. Mr. Stoll seconded the motion.

COMMISSION VOTE:

To DENY the request of Von-Boeckman Jones Company for a zoning change from "O" Office, 1st H & A and "B" Residence, 1st H & A to "GR" General Retail, 1st H & A on property located at the northwest corner of Huntland Drive and Brenda Drive, but to GRANT "GR" General Retail, 1st H & A with a 10-foot strip of "A" Residence along Brenda Drive south to within 100 feet of the intersection, subject to a restrictive covenant providing for a 6-foot privacy fence along the western line of the "A" Residence area and landscaped screening within the "A" Residence strip consisting of evergreen shrubs.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

<u>C14-76-085</u>	<u>Theron S. Bradford, Trustee:</u> U.S. Highway 183	<u>Int. "AA" Residence, 1st H &amp; A to</u> <u>"GR" General Retail, 1st H &amp; A &amp;</u> <u>"A" Residence, 1st H &amp; A (Tract 1) &amp;</u> <u>"C" Commercial, 1st H &amp; A (Tract 2)</u> <u>(as amended)</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to grant the request as amended.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Phil Mockford (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

C14-76-085 Theron S. Bradford, Trustee--Contd.

**COMMITTEE ACTION:**

Members reviewed the information presented. Mr. Muir read a letter from the applicant which amended his request to include a 5-foot strip of "A" Residence on Tract 1 along U.S. 183, in accordance with the staff recommendation. Ms. Mather reminded the other members that other requests for zoning changes along U.S. 183 had been postponed until a decision could be made on the Commission's proposal for a 25-foot landscape buffer along all major arterials, and she felt that this request should also be postponed for that reason. Mr. Stoll made a motion that the request be postponed indefinitely pending resolution of landscaping provisions. Mr. Guerrero seconded the motion.

- AYE: Mmes. Mather and White; Messrs. Guerrero and Stoll
- ABSTAIN: Mr. Gutierrez
- ABSENT: Ms. Chance and Mr. Jagger

**COMMISSION ACTION:**

Members reviewed the information presented. Mr. Knickerbocker, of the Planning staff, told the members that the applicant had been in contact with the Department and had agreed to the 25 feet of "A" Residence requested by the Planning Commission and requested that his application be referred back to the Zoning Committee. Ms. Chance made a motion that the request for a zoning change be referred to the Zoning Committee meeting on November 2. The motion was seconded by Ms. Mather.

**COMMISSION VOTE:**

To REFER TO THE ZONING COMMITTEE MEETING ON NOVEMBER 2, 1976 the request of Theron S. Bradford for a zoning change from Int. "A" Residence, 1st H & A to "GR" General Retail, 1st H & A and "A" Residence, 1st H & A (Tract 1) and "C" Commercial, 1st H & A (Tract 2) (as amended) on property located on U.S. Highway 183.

- AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

<u>C14-76-086</u>	<u>Texas First Mortgage Reit:</u>	<u>Int. "AA" Residence, 1st H &amp; A to</u>
	U.S. Highway 183, Loop 360 and Old Burnet Highway	<u>"GR" General Retail, 1st H &amp; A</u>

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "GR" General Retail, 1st H & A be granted subject to a recorded subdivision restricting the driveway spacing to a minimum of 300 feet.

**CITIZEN COMMUNICATION**

WRITTEN COMMENTS IN FAVOR

Mrs. F.E. Gatliff, 9126 Jollyville Road

WRITTEN COMMENTS IN OPPOSITION

J.D. Rich, 12003 West Cow Path

C14-76-086 Texas First Mortgage Reit--Contd.

PERSONS APPEARING IN FAVOR

Robert Davis (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Robert Davis, representing the applicant, told the Committee members that although this request was located on U.S. 183 and Loop 360 and therefore subject to the proposed landscaping requirements, he felt that it was a special case since it is located on a bluff. He added that he could not agree to the 25-foot landscaping requirement. The members felt that, to be consistent, this request should be postponed. Mr. Guerrero made a motion that the request be postponed pending resolution of landscaping provisions. Mr. Stoll seconded the motion.

AYE: Mmes. Mather and White; Messrs. Guerrero and Stoll

ABSTAIN: Mr. Gutierrez

ABSENT: Ms. Chance and Mr. Jagger

COMMISSION ACTION:

Members reviewed the information presented. Mr. Rindy made a motion that the request be postponed pending resolution of landscaping provisions. Ms. Chance seconded the motion.

COMMISSION VOTE:

To POSTPONE INDEFINITELY the request of Texas First Mortgage Reit for a zoning change from Int. "AA" Residence, 1st H & A to "GR" General Retail, 1st H & A on property located on U.S. Highway 183, Loop 360 and Old Burnet Road, pending resolution of landscaping provisions.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

C14-76-087 Rose Fox and Marie Fox Bell: Int. "A" Residence, 1st H & A to  
8950 Research Boulevard "C" Commercial, 1st H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that the request for "C" Commercial be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

C14-76-087      Rose Fox and Marie Fox Bell--Contd.

**COMMITTEE ACTION:**

Members reviewed the information presented. Mr. Guerrero made a motion to grant the request for "C" Commercial zoning. Mr. Stoll seconded the motion.

AYE:            Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll  
 ABSENT:       Ms. Chance and Mr. Jagger

**COMMISSION ACTION:**

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

**COMMISSION VOTE:**

To GRANT the request of Rose Fox and Marie Fox Bell for a zoning change from Int. "A" Residence, 1st H & A to "C" Commercial, 1st H & A on property located at 8950 Research Boulevard.

AYE:            Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
                  Mmes. Chance, Mather and White

C14-76-089	Anna B. Albright: 100 E. Wonsley Drive, also bounded by Georgian Drive	"A" Residence, 1st H & A to "O" Office, 1st H & A
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that the request for "O" Office be denied.

**CITIZEN COMMUNICATION**

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Anna Albright (Applicant)  
 Virginia Madden, 100 E. Wonsley Drive

PERSONS APPEARING IN OPPOSITION

None

**COMMITTEE ACTION:**

Members reviewed the information presented and agreed that the request should be denied as an encroachment into the neighborhood. They all felt that if this zoning change was granted, several other requests would result. Mr. Stoll made a motion that the request be denied. Mr. Guerrero seconded the motion.

AYE:            Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll  
 ABSENT:       Ms. Chance and Mr. Jagger

C14-76-089 Anna B. Albright--Contd.

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To DENY the request of Anna B. Albright for a zoning change from "A" Residence, 1st H & A to "O" Office, 1st H & A on property located at 100 E. Wonsley Drive, also bounded by Georgian Drive.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

<u>C14-76-090</u>	<u>Pilot Life Insurance Company:</u>	<u>"LR" Local Retail, 1st H &amp; A</u>
	901-903 West 38th Street	<u>(Tract 1) and</u>
	802-806 West 37th Street	<u>"O" Office, 1st H &amp; A and</u>
		<u>"A" Residence, 1st H &amp; A (Tract 2) t</u>
		<u>"C" Commercial, 5th H &amp; A (Tract 1)</u>
		<u>"GR" General Retail, 1st H &amp; A</u>
		<u>(Tract 2)</u>

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "C" Commercial, 5th H & A and "GR" General Retail, 1st H & A be granted on Tracts 1 and 2 respectively.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

F.L. and Josephine Baldeschurler, 6615 Angenta Road

WRITTEN COMMENTS WITH NO OPINION

Hulda Roester, 3513 West Avenue

PERSONS APPEARING IN FAVOR

Richard Kammerman (Representing Applicant)

Robert Wilson (Representing Applicant)

Kirby Perry (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Mrs. Althea Smith

Mrs. Latorre, 3506 West Avenue

COMMITTEE ACTION:

Members reviewed the information presented. The neighbors who expressed opposition were concerned about the traffic that may be created by the proposed use. They said that they had requested the vacation of a portion of Gaffney Street two years ago but that had not yet been done. Ms. Mather suggested that the applicant meet with the neighbors so that each could better understand the others problems and intentions. Mr. Guerrero suggested that the hearing be continued one month to allow time for this meeting. The applicant's representatives said that one

C14-76-090 Pilot Life Insurance Company--Contd.

month was too long a time for them to wait. Mr. Guerrero then made a motion to continue the hearing to the full Planning Commission meeting on October 12, 1976. Mr. Stoll seconded the motion.

AYE: Ms. Mather; Messrs. Guerrero, Gutierrez and Stoll  
 ABSTAIN: Ms. White  
 ABSENT: Ms. Chance and Mr. Jagger

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Roy Hudson (Representing Applicant)  
 Kirby Perry (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather read a letter from the neighborhood representatives which said that they had met with the applicants and had come to an agreement with them and, therefore, no longer opposed the zoning change. They asked that the revised site plan be implemented as it was presented and that the hours of operation be limited to daytime hours. Ms. Mather suggested that the zoning change be approved subject to the site plan and the other members were in agreement. They also agreed that the hours of operation could be limited to daytime hours, and the applicants had no objection to this. Mr. Rindy asked if there would be a traffic problem with this use. Ms. Mather said that the Committee felt that there would be a problem of left-hand turns, but the neighborhood had agreed to the proposal and the applicants were working with the Urban Transportation Department on traffic problems. Mr. Rindy felt that a drive-in banking facility caused real traffic hazards, especially during rush hours and cited one of the banks on Guadalupe Street as an example. Mr. Stoll made a motion to grant the request for a zoning change. Ms. Mather amended the motion to include a restrictive covenant, tying the zoning change to the site plan presented and limiting the hours of operation to less than 24. Mr. Dixon seconded the motion.

COMMISSION VOTE:

To GRANT the request of Pilot Life Insurance Company for a zoning change from "LR" Local Retail, 1st H & A (Tract 1) and "O" Office, 1st H & A and "A" Residence 1st H & A (Tract 2) to "C" Commercial, 5th H & A (Tract 1) and "GR" General Retail, 1st H & A (Tract 2) on property located at 901-903 West 38th Street and 802-806 West 37th Street, subject to the site plan presented and limiting the hours of operation to less than 24.

AYE: Messrs. Guerrero, Dixon, Gutierrez and Stoll; Mmes. Chance and Mather  
 NAY: Mr. Rindy  
 ABSTAIN: Ms. White and Mr. Jagger

C14-76-091	Tom F. Marsh: 1025 Stassney Lane, also bounded by Emerald Forest Drive	<u>"GR" General Retail, 1st H &amp; A to</u> <u>"C" Commercial, 1st H &amp; A</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that the request for "C" Commercial be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Dale Hill (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMITTEE ACTION:

Members reviewed the information presented. The objection expressed was to allowing "C" Commercial zoning so close to a residential area. The members felt, however, that it would not be an encroachment on the neighborhood because there was already a lot of retail zoning surrounding the subject tract. Mr. Gutierrez made a motion to approve the request for "C" Commercial zoning. Ms. White seconded the motion.

AYE: Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll

ABSENT: Ms. Chance and Mr. Jagger

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To GRANT the request of Tom F. Marsh for a zoning change from "GR" General Retail, 1st H & A to "C" Commercial, 1st H & A on property located at 1025 Stassney Lane, also bounded by Emerald Forest Drive.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;

Mmes. Chance, Mather and White

SPECIAL PERMITS

C14p-76-031	Maury Hood: 9001-9014 Mountain Ridge Drive, also bounded by Loop 360	<u>A 77-unit apartment project called,</u> <u>"Summerset".</u>
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Mr. Brian Schuller, representing the Planning staff, introduced Mr. Maury Hood, the applicant, who requested an indefinite postponement for the purpose of working with the neighborhood group to come to an agreement.

C14p-76-031 Maury Hood--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Maury Hood (Applicant)

Don Beyer (Balcones Civic Association)

PERSONS APPEARING IN OPPOSITION

Jerry B. Griffin, 5101 Wayborne Hill Drive

Sally Griffin, 5101 Wayborne Hill Drive

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement to recommend that the request be postponed indefinitely.

AYE: Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll

ABSENT: Ms. Chance and Mr. Jagger

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To POSTPONE INDEFINITELY the request of Maury Hood for a 77-unit apartment project called "Summerset", located at 9001-9014 Mountain Ridge Drive and also bounded by Loop 360.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;

Mmes. Chance, Mather and White

C14p-76-037 Johnny M. Lopez:  
515 Pedernales Street

Addition of covered patio with  
30 seats to existing lounge.

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request subject to compliance with departmental recommendations and ordinance requirements.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Jose Mercado (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

C14p-76-037 Johnny M. Lopez--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Gutierrez made a motion that the request for a special permit be approved subject to compliance with departmental recommendations and ordinance requirements. Ms. White seconded the motion.

AYE: Mmes. Mather and White; Messrs. Guerrero, Gutierrez, and Stoll  
ABSENT: Ms. Chance and Mr. Jagger

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To APPROVE the request of Johnny M. Lopez for an addition of a covered patio with 30 seats to an existing lounge, located at 515 Pedernales Street, subject to compliance with ordinance requirements and departmental recommendations.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll  
Mmes. Chance, Mather and White

C14p-76-038 Child, Incorporated: Lanier Infant Development Center  
1204 Peyton Gin Road for 30 children.

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request subject to compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Benigno Meneses L. (Representing Applicant)

Candace Logan (Representing Austin Independent School District)

PERSONS APPEARING IN OPPOSITION

None

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Benigno Meneses L., representing the applicant, and Ms. Candace Logan, representing the Austin Independent School District, explained to the members that this was a joint project of Child, Inc. and the Texas Education Association and is designed to care for the children of high school students. Ms. Mather wondered about the parking, which is already a concern of the neighbors around Lanier High School. Mr. Guerrero admitted that there is a problem with the parking in that area, but that this would not add to it, as it would be a drop-off, pick-up situation. Ms. White suggested that the

C14p-76-038 Child, Incorporated--Contd.

Urban Transportation Department be asked to install two-hour parking signs along the streets adjacent to the high school. Mr. Guerrero reminded the members that the parking was another matter and did not have any bearing on the question before them. He asked Mr. Schuller if the Planning Department could write to the residents of the area informing them of the alternatives available to them and Mr. Schuller replied that that could be done. Mr. Stoll made a motion that the request for a special permit be approved subject to compliance with ordinance requirements and departmental recommendations. Mr. Guerrero seconded the motion.

AYE: Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll  
 ABSENT: Ms. Chance and Mr. Jagger

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To APPROVE the request of Child, Incorporated for the Lanier Infant Development Center for 30 children, located at 1204 Peyton Gin Road, subject to ordinance requirements and departmental recommendations.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
 Mmes. Chance, Mather and White

C14p-76-39 W & D Enterprises Co.: Night club with 400 seats.  
 5308 Burnet Road and 2100 North Loop

Mr. Tom Knickerbocker, representing the Planning staff, told the Commission members that the applicant was requesting that his application be withdrawn.

COMMISSION ACTION:

Members reviewed the information presented. Ms. Chance made a motion that the request for a special permit be withdrawn. Ms. Mather seconded the motion.

COMMISSION VOTE:

To WITHDRAW the request of W & D Enterprises Co. for a special permit for a night club with 400 seats at 5308 Burnet Road and 2100 North Loop.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
 Mmes. Chance, Mather and White

C14p-74-040 Robert Pospisil: Revision of previously approved  
 7115 Burnet Road special permit for a lounge  
increasing number of seats  
from 40 to 140.

Mr. Brian Schuller, representing the Planning staff, delivered the staff report

C14p-74-040 Robert Pospisil--Contd.

and the staff recommendation to approve the request subject to compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Dale Hill (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Yolanda Ruiz, 2016 Hardy Circle

Esther Martin, 2013 Hardy Circle

Mr. Chadwick, 2011 Hardy Circle

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Schuller told the members that the applicant could not provide the required amount of parking spaces for the additional seating and would have to appear before the Board of Adjustment and request a variance on the parking. The neighborhood representatives who were in attendance, expressed concern over the noise in the parking area during late evening hours and felt that to increase the seating capacity of the lounge would increase their problem with the noise. All the members shared the concerns of the neighbors and agreed that to increase the seating capacity of a lounge which stays open until 2:00 AM would make the situation even more undesirable for the neighbors. Mr. Guerrero made a motion to deny the request for a revision to a special permit and Mr. Stoll seconded the motion.

AYE: Mmes. Mather and White; Messrs. Guerrero, Gutierrez and Stoll

ABSENT: Ms. Chance and Mr. Jagger

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and, without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To DENY the request of Robert Pospisil for a revision of a previously approved special permit for a lounge, increasing the number of seats from 40 to 140, on property located at 7115 Burnet Road.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

STREET VACATIONS

C10v-76-011 Street Vacation

Vacation of Valdez Street from Ponca Street northerly, 750 feet.

Mr. Tom Knickerbocker, representing the Planning staff, explained that the purpose for vacating this portion of Valdez Street is that the Austin Inde-

C10v-76-011 Street Vacation--Contd.

pendent School District desires to acquire additional land for Allison Elementary School to provide more area for play space. The street is located between the school site and the land proposed for acquisition. He added that the street has not been developed or used since the original dedication in February, 1953.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Woodrow Sledge (Representing Austin Independent School District)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented. Mr. Rindy made a motion that the request for a street vacation be approved. Ms. Mather seconded the motion.

COMMISSION VOTE:

To APPROVE the request to vacate Valdez Street from Ponca Street northerly, 750 feet.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

C10v-76-012 Street Vacation

Vacation of the West 1st Street Alley from Colorado Street to Lavaca Street and from Guadalupe Street to San Antonio Street.

Mr. Tom Knickerbocker, representing the Planning staff, explained that the City of Austin vacated West 1st Street Alley from Lavaca Street to Guadalupe Street on January 4, 1962, and is requesting further vacation since the City now owns the property on both sides of the alley between Colorado Street and Lavaca Street and Guadalupe Street to San Antonio Street.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

C10v-76-012 Street Vacation--Contd.

COMMISSION ACTION:

Members reviewed the information presented. Mr. Rindy made a motion to approve the request for a street vacation. Ms. Chance seconded the motion.

COMMISSION VOTE:

To APPROVE the request for vacating the West 1st Street Alley from Colorado Street to Lavaca Street and from Guadalupe Street to San Antonio Street.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

PUBLIC HEARINGS

C2a-76-001 Amendment to Austin Development Plan: Expressway and Major Arterial Plan

Consideration of alternative locations for extension of William Cannon Drive west of Brodie Lane.

Mr. Lillie told the Commission members that the purpose of this hearing was to review the five alternatives proposed for William Cannon Drive, which is to serve as the southern link of the outer loop proposed in the Expressway and Major Arterial Plan. He added that the proposed roadway will also serve as a major east/west arterial for far south Austin. Mr. Lillie then introduced Mr. Bill Bulloch, Assistant Director of Urban Transportation. Mr. Bulloch explained that, after intensive study, it was determined that an outer loop around the city was no longer needed, but because of the trend of development, the need is for movement for the people of south Austin. He said that the five alternatives had been reviewed by the Urban Transportation Commission and they recommended that Alternative "D" be adopted as the route which would best serve the needs of the area with a minimum of disruption to residential properties, and with minimum environmental and traffic safety impact.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

\*See Below

PERSONS APPEARING IN OPPOSITION

Tom Codrington

\*Several persons appeared voicing a preference and/or opposition to one or more of the alternatives. A list of the names of these people and their preferences follows.

Ray Brown, 7330 Laver Drive - Against Alternative "E"

Fred Stockfire - Against Alternative "E"

Jerry Lobdill - For Alternative "A"

C2a-76-001 Amendment to Austin Development Plan--Contd.

Woodrow Sledge (Austin Independent School District) - For Alternative "C"  
 Bruce Shumake - Against Alternative "C"; For Alternative "D"  
 Ralph Mott - Against Alternative "C"; For Alternative "A"  
 Lynn Storm - For Alternative "A"  
 Jarryl Hart - Suggested a variation of Alternative "C"  
 J.W. Smith - For Alternative "D"  
 Clyde Graham - Against Alternative "D"

**COMMISSION ACTION:**

Members reviewed the information presented. Ms. Mather asked if Brodie Lane was going to be widened. Mr. Lillie answered that plans call for 70 feet of right-of-way with 40 feet of pavement. Ms. White asked if there was some way to control commercialization along William Cannon. In answer to her question, Mr. Lillie reminded her that the most effective way to control commercialization is through zoning and the city has no zoning jurisdiction outside the city limits. Mr. Jagger felt that he did not have enough information to make a decision. He added that many people build or buy their homes according to the roadways proposed in the Expressway and Major Arterial Plan and since this is a proposal to change the Plan and alter a major roadway, he felt that more information was needed. Mr. Lillie responded that aerial photographs were available and agreed with Mr. Jagger that perhaps action should be postponed until these and other information are brought to the Commission. Ms. Mather asked why a decision was being asked for at this time when plans for MoPac are still undecided and development of the area is still in the planning stages. Mr. Lillie replied that it involved a waterline easement that extends from the west boundary of the Motorola tract, westerly to Western Oaks subdivision. He said that it is preferable to locate that waterline easement within the right-of-way of the major arterial street. Mr. Jagger made a motion to postpone action to October 26, 1976 when an aerial photograph will be presented of the area. Mr. Gutierrez seconded the motion.

**COMMISSION VOTE:**

To POSTPONE TO OCTOBER 26, 1976 the amendment to the Austin Development Plan: Expressway and Major Arterial Plan concerning alternative roadway alignments of William Cannon Drive.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
 Mmes. Chance, Mather and White

C2o-76-008 Subdivision Ordinance

To consider amending Chapter 41, Articles II and III of the City Code to provide for standards recommended in the Lake Austin Growth Management Plan.

Mr. Lillie delivered the following statement to the Commission members and others present.

*The City's study to determine appropriate development standards for the Colorado River Watershed from Tom Miller Dam to Mansfield*

C2o-76-008      Subdivision Ordinance--Contd.

Dam has been completed as submitted to the City Council. The standards have been developed to preserve the quality of the City's water supply in Lake Austin and the quality of Austin's unique environment in the hill country. During past months both the Environment Board and Planning Commission have been concerned about the rate and type of development occurring in the study area. Without the results of the study, however, the amendment of ordinance requirements was premature. A draft of the recommendations has been available to the staff and Commission and interested developers for the past several months. During this time the proposed recommendations have been tested against several proposed projects in the watershed. While the standards had not been officially adopted several developers agreed to work with the staff and Commission and comply with the proposed standards. I would like to express my appreciation to Maury Hood, Roy Bechtol and Glen Schmidt. Two of the most recent actions taken by the Planning Commission released Section 1 of Lakewood PUD on Lakewood Drive and Great Hills PUD on Loop 360 and Spicewood Springs Road.

It will take some time for the Planning Commission to study and make its recommendations to the City Council on the Lake Austin Study. Other City boards and Commissions will want to participate as will citizens, property owners and developers.

During this time of study and action by the Planning Commission and City Council it is desirable that consideration be given to the adoption of several of the more significant recommendations of the report in order to provide the legal base for the review and action by the Commission on subdivision activity in the watershed. If adopted by the Council these proposed interim standards would stay in force until the plan is acted on by the Council.

The proposed amendments to the Subdivision Ordinance were mailed about 2 weeks ago to surveyors, engineers and developers whose names appear on the department's mailing list in order to inform them of the possible changes in ordinance requirements.

It's important to note before proceeding that the standards subject to this hearing relate to the process of land subdivision and not to an individual who owns a lot, or acreage, and wants to build on it. The individual not subdividing land and within the city limits will continue to meet city building code standards, city utility or city-county septic tank standards and federal flood insurance and city standards for flood prone areas. The individual not subdividing land and outside the city limits will continue to meet city utility or city-county septic tank standards, and federal flood insurance and county standards for flood prone areas.

C2o-76-008 Subdivision Ordinance--Contd.

The proposed amendments relate to two parts of the subdivision ordinance. The first is an amendment adding a new section 11.1 to require additional information with the filing of a preliminary plan in the Lake Austin Watershed. This information will be used to evaluate a proposed subdivision.

The second proposed amendment adds a new Section 35.3 and new development standards in the Lake Austin Watershed related to site disturbance, construction of impervious cover, construction of roads and parking areas, construction in flood prone areas, lot size requirements for septic tank use, and provisions for variance.

The purpose of this hearing is to receive comment on the proposed amendments from interested citizens, property owners and developers. Mr. Graves is here to answer questions concerning engineering requirements and comment on the difference between current and proposed standards on construction in flood prone areas. Lee Shellberg is here from City-County Health Department to answer questions concerning septic tank standards and comment on the difference between current and proposed standards. John Meinrath is here to answer questions regarding the ordinance language itself. Recommendations have been submitted by Environmental Planning Committee of the Environmental Board.

If after the public hearing the Commission feels their questions have been answered satisfactorily it is recommended you act to submit the amendments to the Council. If you need further information or clarification it is recommended you continue this hearing to your next regular meeting on November 9.

**CITIZEN COMMUNICATION****WRITTEN COMMENTS IN FAVOR**

None

**WRITTEN COMMENTS IN OPPOSITION**

None

**PERSONS APPEARING IN FAVOR**

David Block (Environmental Board)

Gus Fruth (Environmental Board)

**PERSONS APPEARING IN OPPOSITION**

Maury Hood

Glen Schmidt

Tom Wolf

Chuck Stahl

David Barrow, Jr.

John Keltner

Mrs. Ferguson

Charles Clelland

Fred Workington

Dudley Fowler

C2o-76-008      Subdivision Ordinance--Contd.

Oscar Holmes  
Chris Akerman  
Emmett Shelton, Sr.  
Joan Bartz  
Jarryl Hart  
Betty Clelland  
Roy Bechtol  
Joe Beal (Espey, Huston & Associates, Inc.)

## COMMISSION ACTION:

Members reviewed the information presented. The concerns most often expressed by the opposition were for cut and fill standards, variance language, and application to the preliminary plan. Those citizens present also felt that the persons most involved in the area had not had sufficient time to study the proposals and asked that no action be taken at this meeting. Mr. Jagger asked Mr. John Meinrath, representing the City's Legal Department, what was meant by the term "similarly situated property". Mr. Meinrath replied that he felt a reasonable interpretation would be property with similar characteristics and in the same stage of development. Ms. Chance asked him if the time sequence could be clarified and Mr. Meinrath answered that it could be. Mr. Gutierrez asked Mr. Charles Graves, Director of Engineering, to what these standards would apply. Mr. Graves said that they would apply only to subdivisions and would not change building permit requirements. He added that they would suggest that a program be instituted whereby a geotechnical engineer would study the site and determine whether or not it is acceptable. He said that, should this kind of program be developed, certification from the geotechnical engineer would be required prior to approval. Ms. Mather said that she felt that the City staff should be involved in the study of these areas. Mr. Graves replied that the City staff would be involved, but that the studies conducted by the engineer would be more complete. Mr. Dixon proposed that no action be taken at this time and asked that the Commission be provided with input from interested persons, such as they had heard tonight. Mr. Jagger suggested that perhaps a subcommittee be appointed to hold worksessions and receive input. Ms. Chance suggested that anyone having a concern express it in writing so that the subcommittee could study it prior to their meetings. Mr. Jagger made a motion to appoint a subcommittee of the Planning Commission for the purpose of holding public work sessions to discuss interim subdivision standards for the Lake Austin area, to be held prior to November 9, at which time this public hearing would be continued. Mr. Dixon seconded the motion.

## COMMISSION VOTE:

To CONTINUE THE HEARING ON NOVEMBER 9, 1976 on the consideration of amendments to Chapter 41, Articles II and III of the City Code to provide for standards recommended in the Lake Austin Growth Management Plan and to appoint a subcommittee of the Planning Commission to hold public work sessions prior to the public hearing.

AYE:            Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
                 Mmes. Chance, Mather and White

Mr. Guerrero then appointed Sid Jagger, Jean Mather, Dean Rindy and Barabara Chance to serve on the subcommittee, with Mr. Jagger acting as chairman.

C12-76-010      Public Services

Consideration of a water and wastewater approach main for the Courtyard P.U.D.

Mr. Lillie informed the Commissioners that the Courtyard P.U.D. would require both a 12-inch water approach main and a 12-inch wastewater approach main, to serve approximately 361 equivalent living units. He continued that the line is capable of serving approximately 708 equivalent living units and the City's cost will be approximately \$8,625.00. Mr. Lillie added that he had asked the Water and Wastewater Department if an 8-inch approach main would be adequate for this development and was told that it would not be able to serve the number of living units.

COMMISSION ACTION:

Members reviewed the information presented. Ms. White wondered if the proposal was in compliance with the Lake Austin Plan. Mr. Maury Hood, the applicant, answered that the Commission would have an opportunity to review the application for compliance to the Lake Austin Plan. Ms. Mather mentioned that it may be possible that the number of units will change requiring a smaller approach main. Mr. Rindy agreed that this was a relevant point and thought it should be considered. Mr. Jagger made a motion that the approach main be approved with the condition that the applicant will return to the Commission if the density is made low enough to require a smaller line. Mr. Rindy commented that he felt that there should not be any development in the area at all.

COMMISSION VOTE:

To APPROVE the request for a water and wastewater approach main for the Courtyard P.U.D., subject to reconsideration by the Planning Commission should the density be lowered sufficiently to require a smaller line.

- AYE:            Messrs. Guerrero, Dixon, Gutierrez, Jagger and Stoll; Mmes. Chance and Mather
- NAY:           Mr. Rindy
- ABSTAIN:      Ms. White

C12-76-011      Public Services

Consideration of a wastewater approach main for Buckingham Estates, Phase Two, Sections One and Two.

Mr. Lillie informed the Commissioners that an 8-inch approach main for wastewater service will be required for this subdivision. Approximately 112 equivalent living units are planned for the 27 acre site and the proposed line is capable of serving approximately 450 equivalent units. The City's cost in the project will be approximately \$6,515.00.

COMMISSION ACTION:

Members reviewed the information presented. The applicant, Mr. Dick Rathgeber, told the members that this line will also serve the approximately 200 units of Beacon Ridge. Mr. Jagger made a motion that the request for an approach main be approved. Mr. Rindy seconded the motion.

C12-76-011 Public Services--Contd.

COMMISSION VOTE:

To APPROVE a wastewater approach main for Buckingham Estates, Phase Two, Sections One and Two.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

C7p-76-001 Sale of City Property

Consideration of the sale of city property located at 1505 Windsor Road, known as the Batts House.

Mr. Tom Knickerbocker, representing the Planning staff, told the members that the Review Committee of the Historic Landmark Commission had met the previous evening and concurred in the opinion that the Batts House is not historically or architecturally significant.

COMMISSION ACTION:

Members reviewed the information presented. Ms. Chance and Ms. Mather both wished that the neighborhood group was represented. Ms. White said that this was her neighborhood group and she felt she could speak for them, that they would be delighted to see the house sold to private ownership. Ms. Mather asked her what kind of zoning the neighbors would prefer on the property. Ms. White responded that the area was being rolled back to "A" Residence whenever there was an opportunity. Mr. Rindy made a motion to approve the sale of the property, noting the proposal by Mr. Morahan, Director of Property Management, of a short-term right to repurchase in case the sale is completed prior to final approval of the Austin Transportation Study. Mr. Dixon seconded the motion. Ms. Mather amended the motion to roll the zoning on the property back to "A" Residence prior to the sale.

COMMISSION VOTE:

To APPROVE the sale of city property located at 1404 Windsor Road, known as the Batts House, subject to a zoning change to "A" Residence prior to the sale.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

C7p-76-002 Sale of City Property

Consideration of the sale of city property located at 1300 South 5th Street and 1001-1003 West Gibson Street.

Mr. Tom Knickerbocker, representing the Planning staff, explained that the owner of the adjoining property wanted to by the City's property.

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather made a motion to approve the sale of the property and Mr. Jagger seconded the motion.

C7p-76-002 Sale of City Property--Contd.

COMMISSION VOTE:

To APPROVE the sale of city property located at 1300 South 5th Street and 1001-1003 West Gibson Street.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll;  
Mmes. Chance, Mather and White

R141 Planning Commission Rules and Regulations

To consider amending the Planning Commission Rules and Regulations.

Mr. Lillie explained that, due to the Commission's decision to hold three full Planning Commission meetings per month and abolish the Zoning Committee, Articles V (Meetings), X (Committees) and XI (Order of Business) must be amended.

COMMISSION ACTION:

Members reviewed the information presented. Mr. Jagger made a motion to amend Articles V, X, and XI of the Planning Commission Rules and Regulations as presented by the staff. Mr. Dixon seconded the motion.

COMMISSION VOTE:

To APPROVE the proposed amendments to Articles V (Meetings), X (Committees), and XI (Order of Business) of the Planning Commission Rules and Regulations.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Rindy and Stoll  
Mmes. Chance, Mather and White

SUBDIVISIONS

R105-76 SUBDIVISION MEMORANDUM

Short Form and Final Subdivisions as listed on the Subdivision Memorandum. Action taken at meeting.

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivision is appearing before the Commission for the first time and all departmental requirements have been complied with. The staff recommends approval of this plat. The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following final subdivision plat:

C8-76-42 Resub. Lot 30, Blk. K, Valley View Acres, Revised  
Raccoon Run and Silvermine Drive

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White  
ABSENT: Mr. Dixon

Final Subdivision Plats--Contd.

The following final subdivision is appearing before the Commission for the first time and all departmental requirements have not been complied with. The staff recommends disapproval of this plat. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat pending required fiscal arrangements and compliance with departmental requirements:

C8-76-36 Rutland Village, Section One  
Rutland Village Drive

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White

ABSENT: Mr. Dixon

The following final subdivisions have appeared before the Commission in the past and all departmental requirements have been complied with. The staff recommends approval of these plats. The Commission then

VOTED: To APPROVE the following final subdivision plat:

C8-76-40 Wagon Crossing, Section 5  
Dove Springs Drive

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White

ABSENT: Mr. Dixon

The Commission then

VOTED: To APPROVE the following final subdivision plat with conditional water taps:

C8-76-34 Gracywoods, Section Two  
Eubank Drive

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White

ABSENT: Mr. Dixon

The following final subdivision has appeared before the Commission in the past and all departmental requirements have not been complied with. The staff recommends disapproval of this plat. The Commission then

VOTED: To DISAPPROVE the following final subdivision plat pending compliance with departmental requirements:

C8-76-47 Horseshoe Bend, Sec. 3, Ph. 1  
Matterhorn Drive and Buckingham Drive

Final Subdivision Plats--Contd.

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White  
ABSENT: Mr. Dixon

The following final subdivision has appeared before the Commission in the past and all departmental requirements have been complied with. The staff recommends approval of this plat. The Commission then

VOTED: To DISAPPROVE the following final subdivision plat pending analyzing by the Planning Department of the Lake Austin Growth Management Study and presenting a report on the results at the meeting of October 26:

C8-76-26                    Spicewood at Balcones Village, Sec. 6-A  
U.S. 183

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White  
ABSENT: Mr. Dixon

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that the following short form plats have complied with all departmental requirements and recommended that they be approved. The Commission then

VOTED: To APPROVE the following short form plat:

C8s-72-339                    Bo's Subdivision  
Knollwood Drive

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White  
ABSENT: Mr. Dixon

The Commission then

VOTED: To Approve the following short form plat with Water district #14 approval and septic tank approval by the Health Department:

C8s-76-69                    1st Resub. of Blue Hills Estates Travis County Texas  
Distant View Drive

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White  
ABSENT: Mr. Dixon

The Commission then

VOTED: To APPROVE the following short form plat, granting a variance to delete wastewater requirements, with alternate water service and septic tank approval by the Health Department:



Short Form Subdivisions--Contd.

C8s-76-175 Resub. of Lot A, Blk. F, Lamplight Village, Section 1  
Limerick Avenue & Parmer Lane

C8s-76-179 Cal Marshall Tract  
Pecan Springs Rd. & Springdale

C8s-76-180 Resub. Lots 12, 13, 14 Blk. G, Valley View Acres, Revised  
Pinto Path and Chinook

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance,  
Mather and White

ABSENT: Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plat  
pending a variance on signature of adjoining owner and compliance  
with departmental requirements:

C8s-76-168 Resub. of a portion of Lot 8, Blockers Addition to Fortview  
Shelby Lane

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance,  
Mather and White

ABSENT: Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plat  
pending Board of Adjustment action on zoning ordinance variance,  
two residences on one lot and compliance with departmental  
requirements:

C8s-76-169 Resub. of Lots 11 & 12, Blk. 2, Resub. of Riverside Addition  
Willow Street & Chicon Road

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance,  
Mather and White

ABSENT: Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plat  
pending a variance to exclude balance of tract and compliance with  
departmental requirements:

C8s-76-187 Manana Annex  
Pearce Road

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance,  
Mather and White

ABSENT: Mr. Dixon

Short Form Subdivisions--Contd.

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plat pending variance on signature of adjoining owner, letter of acceptance for maintenance from County for County road, subdivision name change and name for county road:

C8s-76-177      Green Oaks Addition  
Prim Rose & McAngus Road

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White

ABSENT: Mr. Dixon

The Commission then

VOTED: To DISAPPROVE the following short form plats pending determination of city's ability to serve with water and wastewater:

C8s-76-171      M.S. & B. Addition  
Emerald Wood Drive & S. 1st St.

C8s-76-176      The Resub. Lt. 1-B, Blk. A, Cherry Creek Commercial  
Stassney Lane

AYE: Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll; Mmes. Chance, Mather and White

ABSENT: Mr. Dixon

The meeting adjourned at 1:30 AM.



Richard R. Lillie  
Executive Secretary