

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--December 7, 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
Gabriel Gutierrez
Sid Jagger
Jean Mather
Dean Rindy
Nellie White

Absent

Freddie Dixon
Bill Stoll

Also Present

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

SPECIAL COMMISSION ACTION:

Mr. Jagger asked Mr. Guerrero for the indulgence of the Commission to address two points concerning City ordinances and requirements which effect members of City boards and Commissions. Mr. Guerrero granted him permission to continue. Mr. Jagger said that he had opportunity and reason to study the ethics and financial disclosure act for the past week and had found a section that he thought needed some interpretation. He identified this as Article V, Section 2-33 Paragraph (c) of the City Code which states:

If any city official or employee has a personal interest, direct or indirect, financial or otherwise, in any decision pending before such official or employee, or the body of which the official or employee is a member, the official or employee shall not vote or otherwise participate in the consideration of the matter, but shall publicly disclose the nature and extent of such interest in the official records of the body prior to any determination of the matter.

Mr. Jagger continued that he felt that this definition was too broad and felt that it could be interpreted to include, as an example, members of neighborhood associations. He said that he had discussed the matter with the City Attorney, who had indicated to him that it would be appropriate for the Planning Commission to request some certification for this particular situation, so that there would be some ground rules under which the Commission could operate. For these reasons, he said he would like to make a motion to request an interpretation and, if necessary a clarification of this section of the Code of the City of Austin. Ms. Mather seconded the motion.

COMMISSION VOTE:

To request an interpretation and, if necessary a clarification of Article V, Section 2-33, Paragraph (c) of the Code of the City of Austin.

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

ABSENT: Messrs. Dixon and Stoll

SPECIAL COMMISSION ACTION:

Mr. Jagger asked that in relation to the action just taken, the Commission consider another point. He explained that although the Commission receives informational materials when they are appointed, this material does not contain specific information regarding what ordinances and requirements apply directly to them as members of the Commission. He then made a motion to request that materials be provided to existing and new members of all the City boards and commissions, containing information about the ordinances and requirements that they may come under. Ms. Mather seconded the motion.

COMMISSION VOTE:

To request that materials be provided by the City to new and existing members of all City boards and commissions to designate those ordinances and requirements under which these board and commission members must work.

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

ABSENT: Messrs. Dixon and Stoll

ZONING

C14-76-104	Annco:	"BB" Residence, 1st H & A to
	1800 Rutland Drive	<u>"A" Residence, 1st H & A</u>

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that the request for a zoning change be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Mr. & Mrs. Stewart H. Slimp, 10002 Quail Hutch Drive

WRITTEN COMMENTS IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff recommendation. Mr. Jagger made a motion to grant the request and Ms. Mather seconded the motion.

COMMISSION VOTE:

To GRANT the request of Annco for a zoning change from "BB" Residence, 1st H & A to "A" Residence, 1st H & A on property located at 1800 Rutland Drive.

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

ABSENT: Messrs. Dixon and Stoll

C14-76-105	City of Austin:	"A" Residence, 5th H & A &
	2874 Shoal Crest Ave., also	<u>"O" Office, 1st H & A to</u>
	bounded by West 29th Street	<u>"O" Office, 1st H & A</u>
	and Lamar Boulevard	

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to grant the change in zoning. He then introduced Mr. Benny Hawkins, a representative of the Construction Management Department, who explained the project in detail.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Steen J. Brown, 2710 Cavileer

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Benny Hawkins (Representing Applicant)

Mike Segrest (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Mike McHone, 2104 Pearl

COMMISSION ACTION:

Members reviewed the information presented. Mr. Benny Hawkins of the Construction Management Department, explained that this was to be a recreation center for

C14-76-105 City of Austin--Contd.

senior citizens and that the site and plan had been approved by the Parks and Building Inspection Departments. Also that the City Council had approved the site. He continued that special attention had been applied to providing access for the elderly and mobility impaired and that the Parks Department would be landscaping the area upon completion. Ms. Chance expressed concern for the existing residences behind the proposed parking area. Ms. White shared this concern and said that the Commission had required buffering in other similar situations in the past. She added that she would prefer that the parking lot be moved up on the hill and away from the residences. Mr. Hawkins responded that the parking lot had been located where it is to provide wheelchair access to the center. He said also that a committee of senior citizens and mobility impaired persons had worked with the staff in designing the facility and had agreed that this location was better for the clientele of the center. Mr. Gutierrez said that the City Council had approved this location for this center and he felt that the Commission should approve the zoning. He then made a motion to approve the request for a zoning change. Mr. Guerrero seconded the motion. Ms. Mather still felt concern for the residences adjacent to the subject property and about the access. She asked if the residents had been notified of the proposal and if they had seen the plan. Mr. Muir answered that they had been notified and had seen the plan. He added that he had talked to some of them and had not received any adverse comments from any of them. Mr. Segrest told the Commissioners that it is the intention of the City to do everything to assure that the proposed project is not an intrusion into the neighborhood. Ms. White made a substitute motion to approve the zoning but require the parking be moved to where people had always parked, adjacent to 29th Street. Mr. Rindy seconded the substitute motion. Mr. Guerrero asked the staff if the Commission could require that the parking lot be moved. Mr. Tom Knickerbocker replied that this was not a site plan hearing but just a zoning hearing. He added that the preliminary site plan had been presented to them as a courtesy and for their further information, but that it was not a final plan and the Commission could not review it as such. Mr. Jagger felt that the concerns expressed by the members about parking and access were valid concerns and wished to see them addressed. He made a substitute motion to the substitute motion to postpone action until those two questions are addressed as well as access from the city bus to the center. Ms. Mather seconded the substitute to the substitute motion. Mr. Rindy asked Mr. Jagger to be more specific in his motion. Mr. Jagger clarified his motion, saying that the concerns were for the access on Shoal Crest, the encroachment of the parking lot on the neighboring houses, and access from the city bus on 29th Street to the center. Mr. Hawkins asked the Chairman if he could get clarification on what is expected by the Commission. Mr. Guerrero answered that that would be part of the motion. Mr. Jagger stated that the primary concern was for traffic on Shoal Crest. Mr. Rindy commented that he felt that most of the problems were due to the choice of the site and added that he does not approve of the site.

COMMISSION VOTE:

To POSTPONE TO DECEMBER 21, 1976 the request of the City of Austin for a zoning change from "A" Residence, 5th H & A and "O" Office, 1st H & A to "O" Office, 1st H & A on property located at 2874 Shoal Crest Ave., also bounded by West 29th Street and Lamar Boulevard.

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

C14-76-106 American Bank, Executor:
904 West 23rd Street, also
bounded by West 24th Street

"B" Residence, 1st H & A to
"C" Commercial, 3rd H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "C" Commercial, 3rd H & A be denied, but said that if the applicant is willing to dedicate one-half the additional right-of-way, five (5) feet, necessary to expand West 24th Street from 60 to 70 feet in order to accommodate the increased traffic densities which can accompany uses permitted by more permissive zoning, the staff recommends that "C" Commercial, 2nd H & A be granted on the north half of the tract, and "O" Office, 2nd H & A be granted on the south half.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Miss Lula Bartett, 906 West 23rd Street
Betty Slaughter Dickson, 909 West 23rd
Grace Thiele, 909 West 22 ½ Street
Betty W. Pells, 911 West 23rd Street

PERSONS APPEARING IN FAVOR

Ed Padgett (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

T.J. "Pat" Holman, 901 West 24th Street
Mike McHone, 2104 Pearl
Robert Phillips, 911 West 23rd Street
Betty Pells, 911 West 23rd Street
Daisy Barrett Tanner, 906 W. 23rd Street
Jim Price, 912 West 22nd Street
Steven Deutchman, 2208 Pearl
Mary Yates (Inter-Cooperative Council)

COMMISSION ACTION:

Members reviewed the information presented. Those present in opposition to the application expressed concern for additional traffic, parking problems and noise. The Commission members also felt these concerns. Ms. Mather felt that "B" Residence zoning should be the most intensive zoning in this area. Mr. Rindy made a motion to deny the request and Ms. Chance seconded the motion.

COMMISSION VOTE:

To DENY the request of American Bank, Executor for a zoning change from "B" Residence, 1st H & A to "C" Commercial, 3rd H & A on property located at 904 West 23rd Street, also bounded by West 24th Street.

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

C14-76-107	Mary T. Stumpf Estate: 808 West 11th Street	"B" Residence, 2nd H & A to <u>"O" Office, 2nd H & A</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to grant the request for a zoning change.

CITIZEN COMMUNICATION**WRITTEN COMMENTS IN FAVOR**

None

WRITTEN COMMENTS IN OPPOSITION

J. & B. Rheldon, 821 West 11th Street

PERSONS APPEARING IN FAVOR

Jack Jennings (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff recommendation. Ms. White made a motion to grant the request and Ms. Chance seconded the motion.

COMMISSION VOTE:

To GRANT the request of Mary T. Stumpf Estate for a zoning change from "B" Residence, 2nd H & A to "O" Office, 2nd H & A on property located at 808 West 11th Street.

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

ABSENT: Messrs. Dixon and Stoll

C14-76-108	Wayne Laymon Construction Co.: 12032 Research Boulevard, also bounded by Arabian Trail	Int. "AA" Residence, 1st H & A to <u>"GR" General Retail, 1st H & A</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "GR" be denied on the entire tract. He added that if the applicant changes the request to "A" on the southern half of the lot, and "GR" on the north half with a limitation on driveway access as indicated by the staff, the staff will recommend that "GR" and "A", 1st H & A be granted.

CITIZEN COMMUNICATION**WRITTEN COMMENTS IN FAVOR**

None

WRITTEN COMMENTS IN OPPOSITION

S.C. Spangler, 5909 Arabian Trail

Mr. & Mrs. Chester A. Shaw, Jr.

PETITION of 54 names

PERSONS APPEARING IN FAVOR

Wayne Laymon (Applicant)

Norman Janssen

C14-76-108 Wayne Laymon Construction Co.--Contd.

PERSONS APPEARING IN OPPOSITION

Morris Williamson, 11815 Highland Oak Tr.
Victor Valadez, Jr., 11908 Arabian Tr.
Mrs. S.C. Spangler, 5909 Arabian Tr.
Mrs. C.A. Shaw, 5907 Arabian Tr.

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather was concerned about granting zoning on this lot with driveway access, thus setting a precedent for other zoning along Hwy. 183. She said that she felt that the Commission had a duty to the subdivisions along Hwy. 183 to protect the character of the neighborhoods and should not grant zoning lot by lot. She added that she was opposed to dividing the zoning between two lots and limiting the driveway access because the lot would be too narrow to allow the driveway access recommended by the Urban Transportation Department. She then made a motion to deny the request. Ms. Chance seconded the motion. Mr. Guerrero felt that this would penalize the owner who owned adjacent lots on the highway. Ms. Mather said that this had been done in the past where one lot has one use in the middle of an area and where it was clear that zoning lot by lot would be detrimental to the area. Mr. Jagger suggested that the request be postponed and asked the staff to contact the neighbors to work on a plan for zoning with buffering in addition to the privacy fence and ingress and egress restrictions. He then made a substitute motion to postpone action indefinitely pending a staff report indicating the interest of property owners in a plan for zoning along Hwy. 183 with appropriate driveway controls and buffering along Arabian Trail. Ms. Mather seconded the substitute motion.

COMMISSION VOTE:

To POSTPONE INDEFINITELY action on the request of Wayne Laymon Construction Co. for a zoning change from Int. "AA" Residence, 1st H & A to "GR" General Retail, 1st H & A, on property located at 12032 Research Boulevard, also bounded by Arabian Trail, pending a staff report indicating the interest of property owners in a plan for zoning along Highway 183 with appropriate driveway controls and buffering along Arabian Trail.

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

ABSENT: Messrs. Dixon and Stoll

<u>C14-76-109</u>	<u>Jim Glendening:</u>	<u>"A" Residence, 1st H & A to</u>
	4107 South 1st Street, also	<u>"O" Office, 1st H & A</u>
	bounded by Normandy Street	

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to grant the request for a zoning change.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

C14-76-109 Jim Glendening--Contd.

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff recommendation. Ms. Mather made a motion to grant the request. Ms. White seconded the motion.

COMMISSION VOTE:

To GRANT the request of Jim Glendening for a zoning change from "A" Residence, 1st H & A to "O" Office, 1st H & A on property located at 4107 South 1st Street, also bounded by Normandy Street.

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

ABSENT: Messrs. Dixon and Stoll

C14-76-110 Romami Company:
515-519 Radam Lane

"A" Residence, 1st H & A to
"B" Residence, 1st H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "B" Residence be denied. He added that if the applicant changes the request to "BB" and twenty-five (25) feet of "A" along the street allowing for a 25-foot driveway, and offers ten (10) feet of additional right-of-way to expand Radam Lane, the staff will recommend that "BB" and "A" Residence be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Mrs. J.W. Young, 510 Normandy
Mr. & Mrs. Roy Eanes, 503 Normandy
Douglas R. Mills, 502 Radam Lane
Mrs. Rudolph Jalger, 408 Radam Lane
Mr. & Mrs. Glen Schwabe, 500 Radam Lane
Anna Martin, 502 Normandy
Mr. & Mrs. Pedro Torres, 504 Normandy
Mr. & Mrs. Donald Sconci, 506 Radam Lane
Mr. & Mrs. R.E. Harsch, 504 Radam Lane
Mrs. James D. Seals, P.O. Box 497, Cedar Park, TX
Collie May Cromeane, 507 Normandy
Mrs. Frances Butler, 406 Radam Lane

PERSONS APPEARING IN FAVOR

George Butler (Representing Applicant)

C14-76-110 Romami Company--Contd.

PERSONS APPEARING IN OPPOSITION

Scott E. Johnson, 505 Normandy
Mrs. R.E. Harsch, Jr., 504 Radam Lane
R.E. Harsch, Jr., 504 Radam Lane
Mrs. Donald Sconci, 506 Radam Lane
Mrs. Steve Snyder, 505 Radam Lane
Mrs. F.D. Rutter, 406 Radam Lane
Mrs. Rueben Portugal, 503 Radam Lane
Evelyn Sankey, 310 Radam Lane
Walter Sankey
Donald P. Sconci, 506 Radam Lane
John M. Joseph (Representing residents in opposition)
Jose Louis Acosta, 511 Normandy

COMMISSION ACTION:

Members reviewed the information presented. All the members were concerned about the effect of the proposed zoning change on the neighborhood. The applicant's representative, Mr. George Butler, told the Commissioners that the same owner owned the property behind the subject property and suggested that, perhaps all traffic could be directed through that property and onto South First Street instead of Radam Lane. Mr. Muir said that this was a possibility which would relieve the neighborhood of the increase in traffic. Mr. Jagger suggested that the request be postponed so that the applicant could work with the Planning staff. Mr. Mather thought it would be best to meet with the neighborhood representatives also. Mr. Jagger made a motion to postpone action indefinitely. Ms. Mather seconded the motion.

COMMISSION VOTE:

To POSTPONE INDEFINITELY the request of Romami Company for a zoning change from "A" Residence, 1st H & A to "B" Residence, 1st H & A on property located at 515-519 Radam Lane.

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

C14-76-111 Junior Helping Hand Home for Children: "A" Residence, 1st H & A to 406 West 38th Street, also bounded by Avenue B and West 38½ Street "B" Residence, 1st H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to grant the request for a zoning change if the applicant will provide fifteen (15) feet of right-of-way on West 38th Street and ten (10) feet of right-of-way on Avenue B to provide for future expansion of these streets to accommodate increased traffic densities which can accompany the uses permitted by the requested zoning.

C14-76-111 Junior Helping Hand Home for Children--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Robert J. Poth, 410-408 West 37th Street

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Dick Baker (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented. Mr. Guerrero asked the applicant's representative, Mr. Dick Baker, if the applicant could agree to the request for right-of-way dedication. Mr. Baker replied that dedication at the present time would interfere with current redevelopment plans. He said that he had been in contact with the City Attorney regarding giving the City the option to purchase the right-of-way for \$1.00 when it is needed. Ms. White encouraged the applicant to discourage the widening of the street. Mr. Jagger made a motion to grant the request subject to giving the City an option to buy the right-of-way in lieu of dedication at the present time. Ms. Chance seconded the motion.

COMMISSION ACTION:

To GRANT the request of the Junior Helping Hand Home for Children for a zoning change from "A" Residence, 1st H & A to "B" Residence, 1st H & A on property located at 406 West 38th Street, also bounded by Avenue B and West 38½ Street, subject to the applicant granting the City an option to purchase fifteen (15) feet of right-of-way on West 38th Street and ten (10) feet of right-of-way on Avenue B.

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

ABSENT: Messrs. Dixon and Stoll

SPECIAL PERMITS

C14p-76-044	The Cross Creek Properties, Ltd.:	A 250-unit apartment complex
	Quail Blvd. and Mearns Meadow Blvd.	called, "Country Place Apartments".

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

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

J.C. Evans, et al, 5201 Ridge Oak

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Tom Curtis (Representing Applicant)

Jerry Meek (Representing Applicant)

C14p-76-044 The Cross Creek Properties, Ltd.--Contd.

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather asked if there was a flooding problem in the area. Mr. Jagger said that one of the requirements was that water be retained on site. Mr. Jerry Meek, representing the applicant, said that there was no flooding problem and that they were retaining the water on site. Ms. Mather made a motion to approve the request subject to compliance with ordinance requirements and departmental recommendations. Mr. Guerrero seconded the motion.

COMMISSION VOTE:

To APPROVE the request of The Cross Creek Properties, Ltd. for a 250-unit apartment complex called, "Country Place Apartments", located at Quail Boulevard and Mearns Meadow Boulevard, subject to compliance with ordinance requirements and departmental recommendations.

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

ABSENT: Messrs. Dixon and Stoll

<u>C14p-76-045</u>	<u>Southwestern Bell Telephone Co.:</u>	<u>Austin South District Combined</u>
	3701-3719 South 2nd Street	<u>Order Center Building, a single-</u>
	701-717 South Center Street	<u>story administrative building.</u>

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request for a special permit, subject to departmental recommendations and ordinance requirements.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

James D. & Eunice H. Jennings, 805 South Center

Joe R. Long (Texas General Corporation)

John C. Horton, 904 San Antonio Street

Madalyn B. Reeves, 811 South Center

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Charles Jackson (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented. Mr. Rindy asked the applicant's representative, Mr. Charles Jackson, if there would be any opposition to adding a provision for landscaping the property. Mr. Jackson replied that the applicant would have no objection and already had some schematics for landscaping. Mr. Rindy made a motion to approve the request for a special permit subject to a

C14p-76-045 Southwestern Bell Telephone Co.--Contd.

landscaped buffer on the site to be reviewed by the Planning and Parks Departments on sides adjacent to South Center and South 2nd Streets and the east side of the property where it abuts the residential area. Ms. Mather seconded the motion. Mr. Gutierrez felt that the proposal would intrude into the neighborhood and made a motion to deny for that reason. The motion died for lack of a second.

COMMISSION VOTE:

To APPROVE the request of Southwestern Bell Telephone Company for an Austin South District Combined Order Center Building, a single-story administrative building, located at 3701-3719 South 2nd Street and 701-717 South Center Street, subject to a landscaped buffer to be reviewed by the Planning and Parks Departments adjacent to South Center and South 2nd Street and on the east side of the property abutting the "A" Residential area and compliance with ordinance requirements and departmental recommendations.

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

<u>C14p-76-046</u>	<u>City Vending Company:</u>	<u>Addition of game room to existing</u>
	<u>1308 East 6th Street</u>	<u>lounge.</u>

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request for a special permit subject to ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Queen E. Johnson, 1306 East 6th Street
Consuelo Morales, 1303 East 7th Street
Ruben Morales, 1303 East 7th Street
Eunice Michales, Box 293, Rochester, Texas

PERSONS APPEARING IN FAVOR

Jack Dempsey (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented. Mr. Jack Dempsey, representing the applicant, told the Commission members that he was going to provide 12 parking spaces, but that he had some concern about the Urban Transportation Department's requirement that if the alley to the rear of the building was to be used, it would have to be paved. Mr. Jagger asked if he would agree to paving the alley from Navasota Street to his (the applicant's) property. Mr. Dempsey replied that that would be more feasible than paving the entire alley. Mr. Gutierrez felt that most of the patrons would park on East 6th Street instead of going

Cl4p-76-046 City Vending Company--Contd.

around to the parking area in the back of the building and was concerned that this would add too much to the traffic and congestion along East 6th Street. Mr. Guerrero disagreed and thought that the patrons would park in the parking lot, taking 10 to 12 cars off of 6th Street. All the members expressed concern for the residences adjacent to the proposed parking area. Mr. Jagger felt that the Commission needed to know more about the character of the neighborhood behind the subject property and suggested that they all go there and investigate it. He then made a motion to continue the request to December 14. Ms. White seconded the motion.

COMMISSION VOTE:

To CONTINUE THE HEARING TO DECEMBER 14, 1976 to consider the request of City Vending Company for an addition of a game room to an existing lounge located at 1308 East 6th Street.

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

ABSENT: Messrs. Dixon and Stoll

Cl4p-76-047 Larry Peel:2621-2635 Bee Caves Rd.A 144-unit garden apartment complex called, "The Bee Cave".

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request for a special permit subject to ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Larry Peel (Applicant)

PERSONS APPEARING IN OPPOSITION

Joe Riddell

COMMISSION ACTION:

Members reviewed the information presented. Ms. White expressed concern for the noise coming from MoPac. She suggested to the applicant that he turn the units adjacent to MoPac around to serve as a buffer. Mr. Peel, the applicant, responded that it would be impossible to soundproof those units adjacent to MoPac if they were turned the other way but he would comply with any restrictions set by the Commission. Ms. Mather felt that the density should be reduced. She was concerned about controlling the run-off with this many units. Ms. Mather made a motion that the request be denied. Ms. White seconded the motion. Mr. Rindy said that the total number of units on 5 1/2 acres is too high for the area. Members voted on the motion to deny and the vote resulted in a tie. Mr. Gutierrez then made a motion to approve the request subject to departmental recommendations and ordinance requirements. Mr. Guerrero seconded the motion.

C14p-76-047 Larry Peel--Contd.

COMMISSION VOTE:

To DENY the request of Larry Peel for a 144-unit garden apartment complex called, "The Been Cave" located at 2621-2635 Bee Caves Road.

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

MOTION FAILED

To APPROVE the request of Larry Peel for a 144-unit garden apartment complex called, "The Bee Cave" located at 2621-2635 Bee Caves Road, subject to ordinance requirements and departmental recommendations.

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

MOTION FAILED

*Out of Room

<u>C14p-76-048</u>	Community Properties, Inc.: 4100 Steck Avenue, also bounded by Spicewood Springs Road and Neely Drive	A 178-unit apartment complex called, "Mesa Village Garden Apartments".
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Mr. Brian Schuller, representing the Planning staff, delivered the staff report and staff recommendation to approve the request for a special permit subject to compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Dr. James C. Hughes, 4606 Spicewood Springs Rd.
 Le Roy Neely, 9106 Capital Drive

WRITTEN COMMENTS IN OPPOSITION

Patricia T. Smith, 8406 Antero Drive
 Mrs. Velma Gage, 8304 Silver Ridge
 Max O. Taylor, 8307 Silver Ridge
 PETITION of 21 names

PERSONS APPEARING IN FAVOR

Bill Smyrl (Representing Applicant)
 Maury Hood

PERSONS APPEARING IN OPPOSITION

Mr. J.K. Woodyard, 8402 High Oak (Representing homeowners on High Oak Dr.)
 Mrs. Henry Adams
 Mr. Allen Brecher

C14p-76-048 Community Properties, Inc.--Contd.

PERSONS APPEARING WITH NO POSITION

Mr. Jim Landrum (Balcones Civic Association)

COMMISSION ACTION:

Members reviewed the information presented. Ms. White said that she was concerned about the number of cars that would be passing through the area and the two exits. Ms. Mather and Mr. Guerrero were both concerned about the building setback area, which they felt was not enough. Mr. Smyrl, the applicant's representative, told them that there was a grove of trees that would have to be cut down if the setback was wider. Mr. Rindy thought that the density of the plan was too high and asked Mr. Smyrl if building number 19 could be eliminated. Mr. Smyrl replied that the developer felt that 12 units per acre was the best he could do to make the project profitable. Mr. Smyrl told the Commission members that the applicant is willing to move the driveway 150 feet to the east. Mr. Rindy felt that a landscaping plan was needed as well as buffering. He then made a motion to approve the request subject to ordinance requirements and departmental recommendations and to moving the entrance 130 to 150 feet toward Mesa Drive, that the site plan include a provision for planting on the periphery of the project on Great Hills and Spicewood and a 35-foot setback adjacent to Spicewood Springs Road. Ms. Mather seconded the motion.

COMMISSION VOTE:

To APPROVE the request of Community Properties, Inc. for a 178-unit apartment complex called, "Mesa Village Garden Apartments", located at 4100 Steck Avenue, also bounded by Spicewood Springs Road and Neely Drive, subject to moving the entrance to the east toward Mesa Drive 130 to 150 feet, a landscaping plan included in the site plan along Great Hills and Spicewood Springs Road, a 35-foot setback adjacent to Spicewood Springs Road and compliance with departmental recommendations and ordinance requirements.

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

ABSENT: Messrs. Dixon and Stoll

PLANNED UNIT DEVELOPMENTS

C814-76-012	Omega Investment Company:	A 640-unit residential planned
	2330 Bergstrom Highway	<u>unit development called, "River Hills".</u>

Mr. Brian Schuller, representing the Planning staff, told the Commission members that the staff was recommending that this request be continued to January 4, 1977 to allow time for a noise study. He added that the applicant had indicated agreement to the continuance.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff recommendation to continue the hearing. Mr. Jagger made a motion to continue the public hearing on the request for a planned unit development to January 4, 1977 at 7:00 PM. Mr. Rindy seconded the motion.

C814-76-012 Omega Investment Company--Contd.

COMMISSION VOTE:

To CONTINUE TO JANUARY 4, 1977 AT 7:00 PM the public hearing on the request of Omega Investment Company for a 640-unit residential planned unit development called, "River Hills", located at 2330 Bergstrom Highway.

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

ABSENT: Messrs. Dixon and Stoll

OTHER BUSINESS

C20-76-006 Zoning Ordinance

Consider amending Chapter 45 of the City Code on requirements for landscaping on major arterial streets and highways

COMMISSION ACTION:

Mr. Gutierrez, as chairman of the Planning Commission Subcommittee appointed to study the proposed ordinance amendment, explained that the Subcommittee had met several times and were studying the Dallas law concerning landscaping on major arterial streets and highways. He said that this law did not seem progressive enough to authorize the amendment for Austin at the present time. He added that it must be tied to traffic, drainage, pollution, etc. He continued that the Subcommittee hoped to come up with standards for the proposal soon, but they still needed time to work on them. Mr. Lillie said that he had asked City departments to prepare reports to submit to the Commission. Mr. Jagger felt that a public hearing was needed to get citizen input. Mr. Gutierrez agreed that a public hearing was needed and said that one would be conducted, but he felt that the full Commission needed more information before that occurred. Ms. White agreed with Mr. Gutierrez. Mr. Gutierrez suggested that the Commission wait until the Subcommittee could meet again and gather more information before a public hearing was held or any action was taken. The other members agreed.

NO ACTION REQUIRED.

C11-76-004 Transit and Transportation

Determination of the number of parking spaces which are adequate for the proposed Cliff Peck Chevrolet Sales and Service to be located at 11158-11512 U.S. Highway 183, as required by Section 45-30 of the Code of the City of Austin.

Mr. Brian Schuller, representing the Planning staff, told the Commission members the the staff has reviewed this application with the Urban Transportation Department and recommends approval of the parking as submitted by the applicant.

C11-76-004 Transit and Transportation--Contd.

COMMISSION ACTION:

Members reviewed the information presented. The members were concerned about the plan in relation to their pending proposal for landscaped setbacks along major thoroughfares. The applicant's representative, Mr. Tom Waggoner, told the members that he would agree to put the parking no closer than 20 feet from the property line. Mr. Jagger made a motion to approve the parking plan subject to the provision that parking will be no closer than 20 feet from the property line unless the proposed ordinance amendment concerning landscaping along major arterials establishes a setback of less than 20 feet, in which case the applicant can comply with the minimum setback. Ms. Chance seconded the motion.

COMMISSION VOTE:

To APPROVE the number of parking spaces proposed for the Cliff Peck Chevrolet Sales and Service to be located at 11158-11512 U.S. Highway 183, as required by Section 45-30 of the Code of the City of Austin, subject to a 20-foot setback on parking along 183 until the final ordinance amendment is approved on landscaping along major arterials, at which time the setback requirement may comply with that recommended in the ordinance.

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

ABSENT: Messrs. Dixon and Stoll

COMMISSION ACTION:

Mr. Stoll told the Commission members that it had been brought to his attention that the applicant did not intend to pave the whole area of the parking lot, which was 599 spaces. He said that the applicant wished to pave an area for 199 parking spaces for customers and employees. Mr. Stoll then suggested that perhaps the Commission would want to reconsider their motion to approve 599 spaces. The other members agreed. Ms. Mather made a motion to reconsider their previous action and Mr. Jagger seconded the motion. After the vote was taken, Ms. Mather made a motion to approve the parking plan for 199 parking spaces and Ms. Chance seconded the motion.

COMMISSION VOTE:

To RECONSIDER the previous action on the request of Cliff Peck Chevrolet Sales and Service for a parking plan with 599 spaces, located at 11158-11512 U.S. Highway 183.

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

ABSENT: Messrs. Dixon and Stoll

MOTION TO RECONSIDER PASSED, 7-0

To APPROVE the request for 199 parking spaces for Cliff Peck Chevrolet Sales and Service, located at 11158-11512 U.S. Highway 183, subject to a 20-foot setback on parking along 183 until the final ordinance amendment is approved on landscaping along major arterials, at which time the setback requirement may comply with that recommended in the ordinance.

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

ABSENT: Messrs. Dixon and Stoll

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 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 plats:

C8-74-26 Buckingham Estates, Ph. 2, Sec. 1
Cooper Lane

C8-76-22 Buckingham Estates, Ph. 2, Sec. 2
South 1st Street & Prince Valiant

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

ABSENT: Messrs. Dixon and Stoll

The Commission then

VOTED: To APPROVE the following final subdivision plat:

C8-75-07 Lakecliff
Rockcliff Road

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

ABSTAIN: Ms. White

ABSENT: Messrs. Dixon and Stoll

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that the following short form plat has complied with all departmental requirements and recommended that it be approved. The Commission then

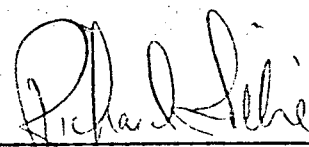
VOTED: To APPROVE the following short form plat:

C8s-76-204 Vista West II, Resubdivision Lots 2 and 12, Block K
Step Down Cove

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

ABSENT: Messrs. Dixon and Stoll

The meeting adjourned at 2:10 A.M.


Richard R. Lillie
Executive Secretary