

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--April 4, 1977

The meeting of the Commission was called to order at 5:30 P.M. in the City 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
Evelyn Butler, Supervisor, Current Planning
Dona Jakubowsky, Administrative Secretary

*Arrived at 6:20 PM

**Left at 6:30 PM

***Left at 9:50 PM

| | | |
|------------|---|---|
| C14-77-024 | Buster T. Capuchino: 2000 East 1st Street, also bounded by Aransas Street | <u>"C" Commercial, 1st H & A to</u> <u>"C-2" Commercial, 1st H & A</u> |
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Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation that the request for a change in zoning be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Earl E. Simms Estate, Harrison-Pearson Assoc., Inc. P.O. Box 1987

WRITTEN COMMENTS IN OPPOSITION

Mrs. Otto H. Buaas, 1800 Witchhill Road

Paul Torres, 1912 Willow Street

PERSONS APPEARING IN FAVOR

Hector Fabela (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented, and discussed the uses that exist around the subject tract. Mr. Gutierrez made a motion to grant the request for a zoning change. Mr. Jagger seconded the motion.

COMMISSION VOTE:

To GRANT the request of Buster T. Capuchino for a zoning change from "C" Commercial, 1st H & A to "C-2" Commercial, 1st H & A on property located at 2000 East 1st Street, also bounded by Aransas Street.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

OUT OF ROOM: Ms. White

THE MOTION PASSED BY A 5-0 VOTE.

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| C14-77-032 | William J. Joseph, et al: 5500 & 5534 North Lamar Blvd. 800-816 Houston Street | <u>"C" Commercial, 1st H & A and</u> <u>"C-2" Commercial, 1st H & A to</u> <u>"C-2" Commercial, 1st H & A</u> <u>(two tracts)</u> |
|------------|--|--|

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation that "C-2" be denied on the entire tracts, but that "C-2" Commercial, 1st Height and Area be granted on the easternmost 150 feet of Tract 1 and easternmost 160 feet of Tract 2.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Carlos D. Smith, 3429 Monte Vista

Joe Gilbreth & Co., 2330 South Lamar

C14-77-032 William J. Joseph, et al--Contd.

WRITTEN COMMENTS IN OPPOSITION

Mrs. Otto Oertli, 815 Stark Street

PERSONS APPEARING IN FAVOR

Arthur Pihlgren (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Arthur Pihlgren, representing the applicant, told the members that the applicant will concur with the staff recommendation. Mr. Jagger made a motion to grant the zoning change as recommended by the staff. Mr. Rindy seconded the motion.

COMMISSION VOTE:

To DENY the request of William J. Joseph, et al for a zoning change from "C" Commercial, 1st H & A and "C-2" Commercial, 1st H & A to "C-2" Commercial, 1st H & A (two tracts) on the entire tracts, but to GRANT "C-2" Commercial, 1st H & A on the easternmost 150 feet of Tract 1 and easternmost 160 feet of Tract 2, on property located at 5500 & 5534 North Lamar Boulevard and 800-816 Houston Street.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

THE MOTION PASSED BY A 6-0 VOTE.

SPECIAL PERMITS

C14p-77-009 Austin Women's Center:
1201 Enfield Road

A temporary shelter for battered women and their children.

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

None

WRITTEN COMMENTS IN OPPOSITION

Marig N. Hale and Cecil H. Hale, 1300 Windsor Rd.

Mrs. R.L. White, 1503 Lorrain St.

Col. J.M. Callicutt, 1509 Windsor Rd.

Mr. & Mrs. David Hustace, 1507 Lorrain St.

Mrs. Victor Fleckler, 1404 Windsor Rd.

Mrs. Jesse Delairds, 1305 Lorrain

CL4p-77-009 Austin Women's Center--Contd.

Alma Piland, 1305 Lorrain
Woods B. Smith, 1303 Lorrain
Vivian A. Smith, 1303 Lorrain

PERSONS APPEARING IN FAVOR

Barbara Black-Miller (Representing Applicant)
Rosemary Lehmberg (Representing Ronnie Earle)
Colon Kiersey (Representing Austin Police Department)
Tina Navarro (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Col. J.M. Callicutt, 1509 Windsor Rd.
W.B. Smith, Lt. Col., Ret., 1303 Lorrain
Fred Sackett, 1402 Windsor Rd.
Paul Brown, 1210 W. 13th St.
Phillip Bobbitt

COMMISSION ACTION:

The members reviewed the information presented. Ms. Barbara Miller, representing the applicant, explained that this is to be an eleemosynary institution and has a very low budget. She continued that three sites, all city-owned, had been considered for the project and this one was thought to be the best available. She added that this particular location was not ideal for the project and was temporary. Mr. Rindy asked if the access to the parking was from Windsor Road. Ms. Black-Miller answered that it was off of the east part of the lot. Mr. Guerrero asked about the recommendation from the Planning Department to install a one-way circular driveway. Ms. Miller said that it is very important to the project that the access to the house be limited and also this is a temporary shelter and should not interfere with normal neighborhood activity or appear different from the rest of the homes in the area. Mr. Jagger said that he thought that the permit should be granted for only one year and not require any alteration at all at this time. Ms. White asked if a play yard would be provided for the children. Ms. Miller replied that there is very little yard area, and although there are limited funds, there will probably be a pleasant play area for the children. Ms. Chance said that since this is a temporary location there should be as few permanent alterations as possible. She then made a motion to approve the special permit request for one year only, subject to ordinance requirements and departmental recommendations except number one under Urban Transportation, number two under Engineering, number four under Building Inspection and number one under Planning. Mr. Schuller reminded Ms. Chance and the other members that these were all ordinance requirements and could not be deleted by the Commission. He added, however, that number one under Urban Transportation does not present a problem, since they already have a driveway that can be designated a one-way drive, it will not have to be widened. He continued that for number four under Building Inspection, the Commission can specify the number of off-street parking spaces that must be provided and that could be zero spaces. Mr. Rindy asked Mr. Jim Gotcher of the Building Inspection Department if the Boarding House permit would effectively limit the number of occupants. Mr. Gotcher answered that it would and that it was based on the floor

C14p-77-009 Austin Women's Center--Contd.

area of the building, which in this case, would allow 14 occupants. Mr. Jagger suggested to Ms. Chance that her motion state that a one-way drive be required and that no off-street parking be required, which would take care of any variances on the requirements, and not include any of the departmental recommendations, just the requirements. Ms. Chance restated her motion to approve the request for a special permit subject to ordinance requirements, a one-way driveway and no off-street parking. Mr. Jagger seconded the motion. Ms. White asked the staff recommend to the City Council that this property go back on the tax roll and be sold so that the home can be upgraded and will not remain in a deteriorating situation. Mr. Jagger amended the motion to limit the number of occupants to 14. Ms. Chance accepted the amendment. Mr. Jagger seconded the amended motion.

COMMISSION VOTE:

To APPROVE the request of Austin Women's Center for a temporary shelter for battered women and their children to be located at 1201 Enfield Road, with a maximum number of occupants of 14, subject to ordinance requirements, the driveway being designated one-way and require no off-street parking.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

THE MOTION PASSED BY A 6-0 VOTE.

COMMISSION ACTION:

Ms. White made a motion to recommend that the City sell the subject property at the end of the tenancy of the Austin Women's Center. Mr. Jagger felt that this was not one of the Commission's assignments and if this is going to be done it should be tied to something the Commission is involved in. Mr. Rindy felt it was appropriate to make a recommendation. He then seconded the motion.

COMMISSION VOTE:

To RECOMMEND TO THE CITY COUNCIL that the property located at 1201 Enfield Road be sold at the end of the tenancy of the Austin Women's Center.

AYE: Messrs. Gutierrez and Rindy; Ms. White

ABSTAIN: Messrs. Guerrero and Jagger

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

OUT OF ROOM: Ms. Chance

THE MOTION PASSED BY A 3-0-2 VOTE.

C14p-77-010 David Lee:
2005 Airport Boulevard

Lounge with seating capacity
of 15.

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request for a special

C14p-77-010 David Lee--Contd.

permit subject to compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Thomas H. Pinkard, 2016 Encino Circle

Mrs. E. Banks

PERSONS APPEARING IN FAVOR

David Lee (Applicant)

PERSONS APPEARING IN OPPOSITION

Estelle Banks

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Estelle Banks, a resident of the neighborhood, told the members that she wished to ask the applicant to describe the proposed use. Mr. David Lee, the applicant, in responding to her question revealed that he intended his application to request 15 tables, not a seating capacity of 15. Mr. Schuller explained that if the application was in error, it would require that new notices be sent for a new hearing for an increase in the proposed use. He added also that the increase in capacity would require an increase in parking and additional staff review. Mr. Lee said that he wished to withdraw this application so that he can file another. Mr. Gutierrez made a motion to permit withdrawal of the application. Mr. Jagger seconded the motion.

COMMISSION VOTE:

To PERMIT WITHDRAWAL of the request of David Lee for a special permit for a lounge with seating capacity of 15, to be located at 2005 Airport Boulevard.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

OUT OF ROOM: Ms. White

THE MOTION PASSED BY A 5-0 VOTE.

C14p-77-011 Ching Han Chee:
1903-1905 Anita Drive

Six additional units onto the
existing one-bedroom apartments
called, "Anita Arms".

Mr. Brian Schuller, representing the Planning staff, told the members that a request had been received from the applicant for withdrawal of this application.

C14p-77-011 Ching Han Chee--Contd.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Jagger made a motion to permit withdrawal of the special permit request. Mr. Gutierrez seconded the motion.

COMMISSION VOTE:

To PERMIT WITHDRAWAL of the request of Ching Han Chee for a special permit for six additional units onto the existing one-bedroom apartments called, "Anita Arms", located at 1903-1905 Anita Drive.

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

THE MOTION PASSED BY A 5-0 VOTE.

| | | |
|--------------------|-----------------------------|-------------------------------------|
| <u>C14p-77-012</u> | <u>Robert Capuchino:</u> | <u>Lounge with seating capacity</u> |
| | <u>2000 East 1st Street</u> | <u>of 45.</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 compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Anita Alexander, 2007 E. 2nd Street

WRITTEN COMMENTS IN OPPOSITION

Mrs. Rudie Wright, 2002 Willow

Mrs. Otto H. Buaas, 1800 Witchhill Road

El Leon, 1910 E. 1st Street

PERSONS APPEARING IN FAVOR

Hector Fabela (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented and discussed the existing uses around the subject property. Mr. Gutierrez made a motion to approve the request for a special permit subject to compliance with ordinance requirements and departmental recommendations. Mr. Jagger seconded the motion.

COMMISSION VOTE:

To APPROVE the request of Robert Capuchino for a special permit for a lounge with seating capacity of 45, to be located at 2000 East 1st Street.

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

C14p-77-012 Robert Capuchino--Contd.

OUT OF ROOM: Ms. White

THE MOTION PASSED BY A 5-0 VOTE.

C14p-77-013 Jerry R. & Claudette Stripling: Day Care Center for 102 children.
2710 Metcalfe Road

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request for a special permit for a maximum of 90 children subject to compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Susie Jane Sanders, et al, 2610 Metcalfe Rd.
C.L. Reeves

WRITTEN COMMENTS IN OPPOSITION

Maureen W. Franzetti, East 3507-B Parker Lane

PERSONS APPEARING IN FAVOR

Claudette Stripling (Applicant)

PERSONS APPEARING IN OPPOSITION

Allen White

COMMISSION ACTION:

The members reviewed the information presented. The opposition expressed by Mr. Allen White was to traffic congestion and parking facilities. Mrs. Claudette Stripling, the applicant, showed him the site plan for the center and explained plans for traffic movement and parking. She added that the back of the property does have a six-foot chain link fence and she intends to appear before the school board to request the installation of a gate in that fence, at her expense, so that the school children will not have to walk across or near a street. Mr. White withdrew his objections and asked the Commission to recommend that Mrs. Stripling be allowed to put a gate in the fence at the rear of the subject property. Mr. Guerrero said that that would have to go before the school board and the Commission would have nothing to say in that matter. Ms. Chance made a motion to approve the request for a special permit for a maximum of 90 children, subject to compliance with ordinance requirements and departmental recommendations. Mr. Gutierrez seconded the motion.

COMMISSION VOTE:

To APPROVE the request of Jerry R. & Claudette Stripling for a special permit for a day care center for 90 children, subject to compliance with ordinance requirements and departmental recommendations.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

THE MOTION PASSED BY A 6-0 VOTE.

Cl4p-77-014(L) Harold V. Simpson, et al: Office Building on Town Lake.
135 South 1st Street

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

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Walter Vacker (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. The applicant's representative, Mr. Walter Vacker, explained the proposed project to the members and showed them a model of it. Mr. Jagger made a motion to approve the request subject to compliance with ordinance requirements and departmental recommendations. Ms. Chance seconded the motion.

COMMISSION VOTE:

To APPROVE the request of Harold V. Simpson, et al for a special permit for an office building on Town Lake at 135 South 1st Street, subject to compliance with ordinance requirements and departmental recommendations.

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

NAY: Mr. Rindy

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

THE MOTION PASSED BY A 5-1 VOTE.

Cl4p-77-015 Stephen A. Pyhrr: A 30-unit apartment complex
8900-9000 North Plaza called "Courtlandt Place
Condominium Apartments",
Phase B.

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 departmental recommendations and ordinance requirements.

C14p-77-015 Stephen A. Pyhrr--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Stephen Pyhrr (Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Rindy asked the applicant, Mr. Stephen Pyhrr, how this application differed from the previous special permit application. Mr. Pyhrr answered that the original plan had a different site plan with about 400 condominium units and this has been changed to 48 condominiums and about 300 apartments. Ms. Mather made a motion to approve the request for a special permit subject to compliance with ordinance requirements and departmental recommendations. Mr. Gutierrez seconded the motion.

COMMISSION VOTE:

To APPROVE the request of Stephen A. Pyhrr for a special permit for a 30-unit apartment complex called "Courtlandt Place Condominium Apartments", Phase B to be located at 8900-9000 North Plaza, subject to compliance with ordinance requirements and departmental recommendations.

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

ABSENT: Messrs. Dixon, Jagger and Stoll

THE MOTION PASSED BY A 6-0 VOTE.

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| <u>C14p-77-016</u> | <u>William J. Joseph:</u> | <u>Lounge with seating capacity</u> |
| | 5500 North Lamar Blvd. | <u>of 140 and lounge with seating</u> |
| | 5534 North Lamar Blvd. | <u>capacity of 350 (Stallion</u> |
| | 800-816 Houston Street | <u>Drive-In Cafe.)</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 compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Joe Gilbreth, 2330 S. Lamar Blvd.

WRITTEN COMMENTS IN OPPOSITION

Johnnie E. Mogonye, 905 Stark Street

C14p-77-016 William J. Joseph--Contd.

PERSONS APPEARING IN FAVOR

Arthur Pihlgren (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Jagger made a motion to approve the special permit subject to compliance with ordinance requirements and departmental recommendations. Mr. Rindy seconded the motion.

COMMISSION VOTE:

To APPROVE the request of William J. Joseph for a special permit for a lounge with seating capacity of 140 and lounge with seating capacity of 350 (Stallion Drive-In Cafe), located at 5500 North Lamar Boulevard, 5534 North Lamar Boulevard, and 800-816 Houston Street.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

THE MOTION PASSED BY A 6-0 VOTE.

PLANNED UNIT DEVELOPMENTS

| | | |
|-------------|------------------------------|--|
| C814-77-002 | JLP Development Corporation: | 74 single-family townhouse units |
| | 3731 Steck Avenue | and 120 apartment units called, |
| | | <u>"Summerwood II", a planned unit</u> |
| | | <u>development.</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 compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATIONS

WRITTEN COMMENTS IN FAVOR

PETITION of 85 names

Walter H. Burke, 8346 Summerwood

Mr. & Mrs. Ralph McGuire

Mrs. Donald Van Metes, 8309 Summerwood Drive

Marguriet W. Cume

Gordon Smith

Nelabeth Santirre, 3810 Steck Avenue

Mrs. C.E. Wilson

Mrs. L.O. Mead, 8301 Summerwood

C.W. Cunningham

C814-77-002 JLP Development Corporation--Contd.

WRITTEN COMMENTS IN OPPOSITION

J. Blond Pope, 8107 East Court (Villa Serena)

L.W. McConachie, 8101 Club Court

PERSONS APPEARING IN FAVOR

Dr. W.A. Cunningham

Walter Burke

W.A. "Doc" Ruhmann

Mark Gentile

Jim Landrum (Balcones Civic Association)

Jerald Estep

Frank Fisher

PERSONS APPEARING IN OPPOSITION

Jan McWilliams

Becky Sheen

COMMISSION ACTION:

The members reviewed the information presented. Mr. Guerrero announced that a request had been received from some of the neighborhood residents for a postponement of 30 days and asked the applicant's representative Mr. Mike Pruett, if he would agree to that. Mr. Pruett responded that he preferred to go on with the hearing as scheduled. Mr. Pruett explained that the proposal is for 48 Planned Unit Development townhomes like the existing townhomes in the project called Summerwood, 26 townhomes of lesser price across the street from the proposed PUD townhomes and 120 apartment units. The opposition expressed was to using the name "Summerwood" for other development and to more units being built identical to existing units. Mr. Pruett told the members that the name of this new development would be Summerwood II but that he had agreed in writing not to use that name on any other developments. Ms. Chance asked Mr. Pruett if he would consider not using that name for these proposed 48 units. Mr. Pruett answered that he preferred to use the name for these units. Mr. Jagger asked if there would be a separate homeowners association for the new development. Mr. Pruett said that there would be, but they had told the residents of the existing project that they could have the option of allowing the residents of the new development to join the existing homeowners association. He added that if the existing homeowners elected not to allow the new residents to join the present association, he would physically separate the two developments with a fence, no access, etc. Mr. Rindy asked Mr. Schuller if the Commission would approve the specific site plan for the apartment development at a later date. Mr. Schuller responded that it would be presented to the Commission at a later date for specific approval. He continued that one of the requirements is that the townhouses and the apartments be submitted and approved and that a commitment be made to staging the development so that the apartments could not be built first and the rest of the project abandoned. Mr. Gutierrez made a motion to approve the request for a planned unit development subject to compliance with ordinance requirements and departmental recommendations. Mr. Jagger seconded the motion. Mr. Jagger told the members of the neighborhood organization that this would not be their last opportunity to speak to the application since it must come back for

C814-77-002 JLP Development Corporation--Contd.

a subdivision and will also appear before the City Council on the 28th of the month. He then requested that the developer make a special point to notify the residents of this area when the subdivision is to appear before the Commission. Mr. Pruett agreed to do that.

COMMISSION VOTE:

To APPROVE the request of the JLP Development Corporation for a zoning change from "BB" 1st H & A to 48 single-family townhouse units called "Summerwood II", a planned unit development, as amended, to be located at 3731 Steck Avenue, subject to compliance with ordinance requirements and departmental Recommendations.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

THE MOTION PASSED BY A 6-0 VOTE.

COMMISSION ACTION:

Mr. Schuller asked the members to clarify if the previous motion was just to approve the 48-unit planned unit development. The members responded that it was. Mr. Schuller then told them that the applicant was requesting that the Commission review the townhouse and the apartment units as far as land use and density to give him an indication as to their appropriateness. Ms. White said that her feeling was that more density should not be allowed. Mr. Schuller explained that the area was zoned "BB" Residence, subject to a 12-unit per acre maximum and the staff felt that since this was all under one ownership, and if the developer will make a commitment to insure that the apartments will not be built first, and since the average density is under 12 units per acre, it should be recommended. He added that the apartment area alone would exceed the density limitation, but the staff is recommending that any development proposal on the remaining land must contain enough area to remain within the 12-unit per acre density limitation. Mr. Jagger made a motion to approve the density and conception of the townhouses and apartments, subject to submission of a detailed special permit site plan for Planning Commission review, as required by the Zoning Ordinance. Mr. Gutierrez seconded the motion. Ms. White felt that the area of the apartments should stand alone and meet the density of 12 units per acre. Mr. Jagger said that the proposal was a desirable land use plan, building townhouse units similar to existing units, a street, some less expensive townhouses, then apartments, which makes a good transitional use. Mr. Jagger amended his motion to add that a notation be put on the special permit indicating that all the land in the development was considered when this density was allowed. Mr. Gutierrez seconded the amended motion.

COMMISSION VOTE:

To APPROVE the density and conception of the 26 single-family townhouse units and 120 apartment units proposed by JLP Development Corporation, located at 3731 Steck Avenue, subject to submission of a detailed special permit site plan for Planning Commission review, as required by the Zoning

C814-77-002 JLP Development Corporation--Contd.

Ordinance and a notation on the special permit indicating that all the land in the development was considered when this density was allowed.

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

THE MOTION PASSED BY A 6-1 VOTE.

C814-77-003 Environmental Communities Corp.: Thirty detached single-family dwelling units called, "Meadow Mountain", a proposed planned unit development.
 4323 Far West Boulevard

Mr. Brian Schuller, representing the Planning staff, told the members that the staff had received a request from the applicant in conjunction with the neighborhood organization, for a postponement of 30 days, and since the request was not received in time for renotification, the Commission would have to take action to either grant or deny the request for postponement.

COMMISSION ACTION:

Mr. Guerrero asked if the applicant and the neighborhood representatives were present and received a positive response. He then asked if they were all in agreement with the request to postpone action. They said that they were. Mr. Rindy made a motion to continue the hearing to May 3 at 5:30 PM. Ms. Mather seconded the motion.

COMMISSION VOTE:

The CONTINUE THE HEARING TO MAY 3, 1977 AT 5:30 PM on the request of Environmental Communities Corporation for thirty detached single-family dwelling units called, "Meadow Mountain", a proposed planned unit development to be located at 4323 Far West Boulevard.

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

THE MOTION PASSED BY A 6-0 VOTE.

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| C814-76-004 | Austin Country Club Estates: 5200 East Riverside Drive | Request to amend the approved planned unit development called <u>"The Crossing"</u> and amend <u>"Guidelines for P.U.D. Develop- ments"</u> to allow dedication of <u>private streets to the public</u> <u>with maintenance by the City</u> <u>of Austin.</u> |
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Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the following staff recommendation:

The staff has no problems with the housing concept proposed by the developer, however the project is not a Planned Unit Development as defined in the staff report, but rather a nonstandard development as outlined in the staff report in the review of the proposed project. Any argument in favor of the request must therefore be applied to any similar nonstandard subdivision and cannot be supported by the staff.

Therefore the staff feels granting the request would set an undesirable precedent for further approvals of nonstandard subdivisions and recommends denial.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Jon Washam (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Schuller pointed out that the Engineering, Urban Transportation and Public Works Departments had reviewed the request and their comments were included in the packets. Mr. Rindy asked Mr. Jon Washam, the applicant's representative, why he was requesting that these streets be dedicated to public streets. Mr. Washam replied the streets in the P.U.D. meet the minimum public street width requirement of 30 feet and that the only difference in these streets and public streets is the difference in the 10 feet of right-of-way. He added that the homeowners will be paying city taxes and if the streets meet city design criteria, they should be accepted for city maintenance. Mr. Jagger said that he felt that the developer should either comply with the right-of-way requirements for public streets or have private streets, because to do anything else would be establishing a bad precedent. Ms. White said she felt that the concept should be encouraged and would like this request approved.

C814-76-004 Austin Country Club Estates--Contd.

Mr. Bill Lowery, representing the Urban Transportation Department, told the members that he wanted to make clear that although it is being implied that the proposed development meets city sidewalk standards, that it not really the case. He explained that these sidewalks are constructed adjacent to the street and it is the policy of the Urban Transportation Department to build sidewalks as far away from the street as possible. Mr. Schuller added that there are a number of other standards that have been waived also, in terms of verticle curves, horizontal curves, radii, because the Departments do not review them under the same strict details that they would review public streets. Ms. White made a motion to allow the dedication of the private streets in "The Crossing" to public streets with maintenance by the City of Austin. Mr. Jagger asked Mr. Washam how much right-of-way he could provide. Mr. Washam answered that he could provide two and one-half feet on each side of the roadway. Mr. Jagger felt that that would provide room for the sidewalk to be moved away from the street and more space for easements and would be satisfactory. He then offered an amendment to the motion to require 45 feet of street right-of-way. Ms. White accepted the amendment. Mr. Jagger seconded the amended motion. Mr. Rindy further amended the motion to require that the remaining sections would be built with the minimum public street right-of-way of 50 feet. Mr. Jagger seconded the amended motion. Mr. Lowery reminded the members that there are some streets in the P.U.D. that clearly should not be public streets and requested that the developer be asked to come back and show which streets would be public and which streets would not. Mr. Jagger asked Mr. Lowery if he would define those areas which should not be public so that the Commission could dispense with this application and not have to ask the applicant to come back. Mr. Lowery indicated those areas on the map. Ms. White and Mr. Jagger accepted that as part of the motion.

COMMISSION VOTE:

To APPROVE the request of Austin Country Club Estates to amend the approved planned unit development called "The Crossing" and amend "Guidelines for P.U.D. Developments" to allow dedication of private streets to the public with maintenance by the City of Austin, subject to 45 feet of street right-of-way on existing streets, 50 feet of street right-of-way on proposed streets and designation of some prtion of subject streets as indicated by the Urban Transportation Department to remain private streets.

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

THE MOTION PASSED BY A 5-0 VOTE.

| | | |
|-------------|---|---|
| C814-73-008 | Jones-Lake Company, et al: Steck Avenue, Greenslope Drive and Cima Serena Drive | <u>A revision to "Summerwood", a previously approved planned unit development adding two residential units.</u> |
|-------------|---|---|

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

Helen C. Reeves, 8338 Summerwood Drive

John Reeves, 8338 Summerwood Drive

James Lepper, 8203 Summerwood

Margaret Mead

Albert F. Fisher, 3768 Steck Avenue

WRITTEN COMMENTS IN OPPOSITION

W.A. Runmann, 8306 Summerwood

James Howell, 8111 Middle Court

L.W. McConachie, 8101 Club Court

PERSONS APPEARING IN FAVOR

Mike Pruett (Representing Applicant)

Margaret Meade

Bert Pence

Mrs. W.A. Runmann

PERSONS APPEARING IN OPPOSITION

Jan McWilliams

COMMISSION ACTION:

The members reviewed the information presented. Ms. Chance asked the applicant's representative, Mr. Mike Pruett, what kind of parking was available. Mr. Pruett replied that it was very similar to that of the old plan, providing a two-car garage for each home and two off-street parking spaces. Ms. Chance felt that this affected the existing homeowners more than the proposed new development adjacent to it that was just approved, since this was adding to the existing development. Mr. Rindy agreed with her. Ms. Chance made a motion to continue the hearing to May 3. Mr. Jagger felt that it could be approved now and the residents could meet with the developers prior to subdivision. Ms. Chance thought this should be done before the change is made. Mr. Guerrero said that he agreed with Ms. Chance since this was an alteration to the existing development and the residents had had very little time to study it. He seconded Ms. Chance's motion.

COMMISSION VOTE:

To CONTINUE TO MAY 3, 1977 BETWEEN 5:30 PM and 6:30 PM, the request of Jones-Lake Company, et al for a revision to "Summerwood", a previously approved planned unit development adding two residential units.

C814-73-008 Jones Lake Company, et al--Contd.

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

ABSENT: Messrs. Dixon and Stoll; Ms. Mather

THE MOTION PASSED BY A 6-0 VOTE.

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| C814-7 X -012 | Omega Investment Company: 2330 Bergstrom Highway | A 640-unit residential planned unit development called, " <u>River Hills</u> ". |
|--------------------------|---|--|

Mr. Brian Schuller, representing the Planning staff, explained that the Commission had granted an indefinite postponement for this application and the applicant now indicates that he has resolved the problem Travis County had with the street in the county, has revised the plan to provide a greater buffer along the Colorado River bank and is prepared to show the Planning Commission there is a demonstrable community need for housing in this area, as suggested in the Bergstrom AICUZ study, and is therefore requesting a Planning Commission hearing at this time. He added that the applicant has recently been in contact with the Texas Highway Department and the staff has received a letter from the Highway Department indicating that they have problems with the design of the project as it is proposed.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Virginia Trussell, Bergstrom A.F.B. Federal Credit Union

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Roy Bechtol (Representing Applicant)

William Connor (Representing Applicant)

Ronald Zent (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Roy Bechtol, representing the applicant, explained the changes that had been made to the plan and told the members that they plan to apply for annexation into the City of Austin. Ms. White asked about accident potential, which is addressed in the AICUZ study. Mr. William Connor, representing the applicant and Tracor, answered that the noise zones are entirely separate from the accident potential zones and the proposed project is not in or anywhere near any of the accident potential zones. Mr. Rindy told Mr. Bechtol that the representative from the HUD office in San Antonio, Mr. Eugene Kaschtik, had not seemed to favor this project. Mr. Bechtol said that he had spoken with Mr. Kaschtik and Mr. Rindy was correct and that the HUD/FHA office had not been receptive to the project. He added, however, that the VA office had been very receptive to it. Mr. Ronald Zent,

C814-77-012 Omega Investment Company--Contd.

also representing the applicant, told the members that he had conducted an independent survey of the surrounding area and had determined that there was very little housing available, very few houses are listed for sale, there are few apartment vacancies and mobile homes have 85% to 90% occupancy. He continued that the Bergstrom Housing Authority told him that there is an extreme demand for housing in the immediate area of Bergstrom. Mr. Schuller reminded the Commission members and the applicant's representatives that some of the changes that have been proposed, such as the street extension, will expand the boundaries of the project and, therefore, notice will have to be sent to property owners who have not previously received them. He said also that the kinds of changes that have been proposed may require extensive staff review and a new report to the Commission. Mr. Jagger said that he would like to give the applicant some indication whether or not the Commission approves of the concept of the project. Mr. Schuller said that the Commission needs to determine whether or not the project is appropriate at this site and if there is a demonstrable need for housing in this area. Mr. Jagger made a motion that the Commission declare that there is a demonstrable need for low-cost housing and that if the project can be built with VA approval, it be approved in principal subject to review of the revised site plan. Mr. Rindy felt that the language of the AICUZ study, which says " . . . discourage unless there is a demonstrable community need for the particular development" should be used in the motion. Mr. Jagger accepted that amendment. Ms. Chance seconded the amended motion. Ms. White said that some really important institutions have questioned the appropriateness of high intensity development in this area and for that reason and because of the encroachment of the Air Force Base, she cannot agree to the concept of having high density development there at all. Mr. Guerrero said that there is a need for low-cost housing in this area and, as yet, no one other than the city or the federal government has been concerned about it. Ms. White agreed and said that she would go on record as saying there is a definite need for low-income housing, but these people should not have to live in the most polluted area of town. Ms. Chance agreed with Mr. Guerrero and added that this is the first time she has seen a low-cost housing project that was well designed. She continued that she felt it was time that someone in private industry began developing projects like this and if this project is successful, it may set a trend for other developers.

COMMISSION VOTE:

To DECLARE that there is a demonstrable community need for this project in this area and to APPROVE IN CONCEPT ONLY the 640-unit residential planned unit development called, River Hills, located at 2330 Bergstrom Highway, subject to review of the revised site plan.

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

THE MOTION PASSED BY A 4-2 VOTE.

C11-77-005 Traffic and Transportation

Determination of the number of parking spaces required for an automobile sales establishment to be located at 2800 East 2nd Street as required by Section 45-30(12) of the Code of the City of Austin.

Mr. Brian Schuller, representing the Planning staff, told the members that this is a request from Mr. Billy Pannell for four parking spaces for employees and customers. He said that the site plan had been reviewed by the Urban Transportation, Engineering and Planning Departments and all agree that four parking spaces are adequate.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Guerrero asked Mr. Schuller if the Commission could request that the zoning be rolled back from "D" Industrial to a zoning category of less intensity that would still allow the use. Mr. Schuller answered that the Commission could request that but he was not sure that the applicant would want to go to the expense. Mr. Guerrero asked if the City could file the application if the owner agrees to it. Mr. Schuller replied that the policy has always been that the City not initiate zoning requests on private property except in large study areas and not on a lot by lot basis. Mr. Schuller suggested that the Commission indicate that this is one of the areas that should be studied in terms of a roll-back. Mr. Guerrero agreed to that. Ms. Chance made a motion to recommend four parking spaces. Mr. Jagger seconded the motion.

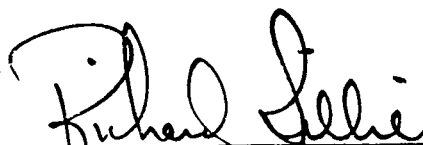
COMMISSION VOTE:

To RECOMMEND four parking spaces for an automobile sales establishment to be located at 2800 East 2nd Street, as required by Section 45-30(12) of the Code of the City of Austin.

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

THE MOTION PASSED BY A 5-0 VOTE.

THE MEETING ADJOURNED AT 11:35 PM.



Richard R. Lillie
Executive Secretary