

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--May 3, 1977

The meeting of the Commission was called to order at 5:30 P.M. in the City Council Chamber.

Present

Miguel Guerrero, Chairman
Barbara Chance¹
Freddie Dixon⁴
Gabriel Gutierrez³
Sid Jagger²
Jean Mather
Dean Rindy
Bill Stoll

Also Present

Evelyn Butler, Supervising Planner
Brian Schuller, Planner
Duncan Muir, Planner
Charles Graves, Director of Engineering
Jafus Cavil, Assistant Director of Office
of Environmental Resource Management
Bill Lowery, Urban Transportation Department
Dona Jakubowsky, Administrative Secretary

¹Arrived at 6:00 PM, Left at 9:50 PM

²Arrived at 6:15 PM, Left at 9:40 PM

³Left at 8:00 PM, Returned at 9:45 PM

⁴Arrived at 9:30 PM.

ZONING

C14-72-181	Douglas Duwe:	"A" Residence, 1st H & A to
	8515-8525 N. Lamar	"B" Residence, 1st H & A
	8517-8437 N. Lamar	(Tract 1) and
		"BB" Residence, 1st H & A
		(Tract 2) (as amended)

Mr. Duncan Muir, representing the Planning staff, explained to the members that this is a pending case that has appeared before the Commission in the past. He continued that, at that time, the Commission recommended an additional five feet of "A" Residence on the north and east boundaries, but the Legal Department indicated that the recommendation could not be changed without proper notice. It, therefore, had to be referred back to the Planning Commission so notices could be sent out to property owners and a public hearing could be conducted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Ms. Chance made a motion to grant the requested zoning change as amended, to add five feet of "A" Residence to the northern and eastern boundaries of Tract 2. Mr. Gutierrez seconded the motion.

COMMISSION VOTE:

To DENY the request of Douglas Duwe for a zoning change from "A" Residence, 1st H & A to "B" Residence, 1st H & A (Tract 1) and "BB" Residence, 1st H & A (Tract 2) on the entire areas of Tracts 1 and 2, but GRANT "BB" Residence, 1st H & A on Tract 1; excluding the northernmost 5 feet and "BB" Residence, 1st H & A on Tract 2, excluding the northernmost and easternmost 5 feet, subject to a privacy fence along the north lines of both tracts and east line of Tract 2, and subject to a subdivision providing for the dedication and improvement of Guadalupe Street. (Tract 1 of the original application is not presently pending.)

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

ABSENT: Mr. Jagger

OUT OF ROOM: Ms. Mather and Mr. Stoll

THE MOTION PASSED BY A 5-0 VOTE.

C14-75-006	Joe Gilbreth & Company, Inc.: 1600-1622 Stassney Lane, also bounded by St. George's Green	<u>"A" Residence, 1st H & A to</u> <u>"O" Office, 1st H & A</u> <u>(as amended)</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation the "LR" Local Retail be denied, but if the applicant changes the application to "A" on that portion facing St. George's Green, and "O" Office on the remainder of the tract, the staff will recommend approval.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Carlos D. Smith, 3429 Monte Vista

WRITTEN COMMENTS IN OPPOSITION

Mrs. Otto Oertli, 815 Stark St.

PERSONS APPEARING IN FAVOR

Joe Gilbreth (Applicant)

PERSONS APPEARING IN OPPOSITION

R.M. Edgar, 1701 St. Albans

COMMISSION ACTION:

The members reviewed the information presented. Mr. Rindy expressed concern for the residences located adjacent to the back of the subject property. Mr. Muir told him that there is a drainage ditch between the subject tract and those residences which separates them. He reminded them also that the residential buffering amendment is scheduled for public hearing at their next meeting, which the staff anticipates will provide the type of buffering to protect the neighborhoods. The applicant, Mr. Joe Gilbreth, told the members that he was amending his application to "O" Office as recommended by the staff. The opposition expressed was to the development of the land for anything other than residential, based on traffic problems and intrusion into the neighborhood. Mr. Muir told the members that this tract is practically impossible to develop under "A" Residence, except perhaps for a P.U.D., because of the flooding problems, which are substantial. Ms. Mather agreed that she did not think that the lot could be developed as a standard single-family subdivision. Mr. Stoll stated that from the staff's standpoint this may seem an appropriate thing to do, but from the neighborhood's standpoint, he wondered if this use is appropriate since it is adjacent to so many homes along King's Highway. The members discussed the drainage problems and the plans of the city for installing a culvert in conjunction with the widening of Stassney Lane. Mr. Stoll still felt that the proposed use was not compatible with the neighborhood. Ms. Mather suggested that 20 feet of the tract to the south and parallel to the south line of Lot 26 remain "A" Residential, to further protect the neighborhood. Mr. Gilbreth agreed to amend his application to include that suggestion. Ms. Mather made a motion to grant "O" Office, as amended to exclude the area north of a line 20 feet south of and parallel to the south line of Lot 26, Block F, Deer Park, Section 4. Ms. Chance seconded the motion.

C14-75-006 Joe Gilbreth & Company, Inc.--Contd.

COMMISSION VOTE:

To GRANT the request of Joe Gilbreth & Company, Inc. for a zoning change from "A" Residence, 1st H & A to "O" Office, 1st H & A, as amended to exclude the area north of a line 20 feet south of and parallel to the south line of Lot 26, Block F. Deer Park, Section 4.

AYE: Mr. Guerrero; Mmes. Chance and Mather

NAY: Messrs. Rindy and Stoll

ABSENT: Messrs. Dixon, Gutierrez and Jagger

THE MOTION PASSED BY A 3-2 VOTE.

<p><u>C14-77-011 Texas Star Oil Company:</u> 10611 Research Boulevard (U.S. 183) and also bounded by Celeta Lane</p>	<p><u>"I-AA" Residence, 1st H & A to "GR" General Retail, 1st H & A</u></p>
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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

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Bill Arrington (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Rindy made a motion to grant the request for a zoning change. Mr. Stoll seconded the motion.

COMMISSION VOTE:

To GRANT the request of Texas Star Oil Company for a zoning change from "I-AA" Residence, 1st H & A to "GR" General Retail, 1st H & A on property located at 10611 Research Boulevard (U.S. 183) and also bounded by Celeta Lane.

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

ABSENT: Messrs. Dixon, Gutierrez and Jagger

THE MOTION PASSED BY A 5-0 VOTE.

C14-77-017

John O. Raney:
4208 South First Street"A" Residence, 1st H & A to
"C" Commercial, 1st H & A

Mr. Duncan Muir, representing the Planning staff, told the members that this application had been postponed from a previous meeting pending determination of whether or not a contractor's office without storage is permitted under "O" Office zoning. He said that it has been determined that that is not an appropriate use for "O" Office and must be zoned "C" Commercial, regardless of whether there is storage on the property or not. He continued that the staff recommends that "C" Commercial, 1st Height and Area be granted with a five-foot strip of "O" Office at the western end of the tract. He added, however, that considering the proposed residential buffering amendment, "C" Commercial, 1st Height and Area could be granted as requested, and the abutting residential areas would be provided the protection necessary.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Anthony F. Wagner, 611 Clifford Drive

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Harold Coit (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Dixon made a motion to grant the change in zoning as requested. Mr. Gutierrez seconded the motion.

COMMISSION VOTE:

To GRANT the request of John O. Raney for a zoning change from "A" Residence, 1st H & A to "C" Commercial, 1st H & A on property located at 4208 South First Street.

AYE: Messrs. Guerrero, Dixon, Gutierrez and Rindy; Ms. Mather

ABSENT: Ms. Chance and Mr. Jagger

OUT OF ROOM: Mr. Stoll

THE MOTION PASSED BY A 5-0 VOTE.

C14-77-022

Bullard Company:
10602-10702 Middle Fiskville Rd.
604-606 & 605-607 East Grady Dr."I-AA" Residence, 1st H & A to
"C-1" Commercial, 1st H & A

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

C14-77-022 Bullard Company--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

John M. Borho, Sr., 11209 Glaser Dr., Houston, TX

Joe Goergen, P.O. Box 15681

WRITTEN COMMENTS IN OPPOSITION

PETITION OF 22 NAMES

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

Claud G. Hollan, 501 E. Grady Dr.

Charlotte E. Hollan, 501 E. Grady Dr.

Mary Phelps, 506 E. Grady Dr.

Pat Sanderson, 502 Grady Dr.

Rhoda Robinette, 500 E. Grady Dr.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Gutierrez asked Mr. Muir if the applicant had indicated whether or not he would accept "O" Office on the property fronting Middle Fiskville Road. Mr. Muir answered that the matter had never been brought up. Mr. Stoll agreed that "O" Office would be better. Mr. Dixon made a motion to deny the requested zoning change. Mr. Stoll seconded the motion. Mr. Dixon explained that his motion was to deny because of the detrimental impact on the neighborhood.

COMMISSION VOTE:

To DENY the request of Bullard Company for a zoning change from "I-AA" Residence, 1st H & A to "C-1" Commercial, 1st H & A on property located at 10602-10702 Middle Fiskville Road and 604-606 & 605-607 East Grady Drive.

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

ABSENT: Mr. Jagger and Ms. Chance

THE MOTION PASSED BY A.6-0 VOTE.

C14-77-023 Bullard Company:

10605 & 10609-10703 Brownie Dr.

600-602 & 601-603 E. Grady Dr.

"I-AA" Residence, 1st H & A to"BB" Residence, 1st H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that the request for a zoning change be denied. The staff recommended instead that "A" Residence be granted on the tract.

C14-77-023 Bullard Company--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Joe Goergen, 309 E. Grady

John M. Borho, Sr., 11209 Glaser Dr., Houston, TX

Aurel M. Borho, 11209 Glaser Drive, Houston, TX

WRITTEN COMMENTS IN OPPOSITION

Kenneth E. Rogers, 203 Starling Drive E.

PETITION OF 22 NAMES.

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

Claud G. Hollan, 501 E. Grady Dr.

Charlotte E. Hollan, 501 E. Grady Dr.

Mary Phelps, 506 E. Grady Dr.

Pat Sanderson, 502 Grady Dr.

Rhoda Robinette, 500 E. Grady Dr.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Dixon made a motion to deny the application as an intrusion into the neighborhood. Mr. Stoll seconded the motion.

COMMISSION VOTE:

To DENY the request of Bullard Company for a zoning change from "I-AA" Residence, 1st H & A to "BB" Residence, 1st H & A on property located at 10605 & 10609-10703 Brownie Drive and 600-602 & 601-603 East Grady Drive.

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

ABSENT: Mr. Jagger and Ms. Chance

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-026

J.A. Sunday:

6601-6603 E. Riverside Drive

"A" Residence, 1st H & A to"LR" Local Retail, 1st H & A
(Tract 1) and"BB" Residence, 1st H & A
(Tract 2) as amended

Mr. Duncan Muir, 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

Mr. & Mrs. W.W. Burt, 6407 Riverside

Stella Sprouse, 2013 Montopolis Drive

WRITTEN COMMENTS IN OPPOSITION

None

C14-77-026 J.A. Sunday--Contd.

PERSONS APPEARING IN FAVOR

Patricia B. Maxwell, 1703 Woodland
David Hill (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Ms. Mather made a motion to grant the request for a zoning change. Ms. Chance seconded the motion.

COMMISSION VOTE:

To GRANT the request of J.A. Sunday for a zoning change from "A" Residence, 1st H & A to "LR" Local Retail, 1st H & A (Tract 1) and "BB" Residence, 1st H & A (Tract 2), as amended, on property located at 6601-6603 East Riverside Drive.

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

ABSENT: Messrs. Dixon, Gutierrez and Jagger

THE MOTION PASSED BY A 5-0 VOTE.

<u>C14-77-027</u>	Melvin F. Hees: 11654 Research Boulevard (U.S. 183), also bounded by West Duval Road	<u>"I-AA" Residence, 1st H & A to "GR" General Retail, 1st H & A (as amended)</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that if the applicant is willing to dedicate an additional 5 feet of right-of-way on Duval Road to provide for future widening of this street to accommodate commercial traffic, the staff will recommend that the requested zoning be granted. He added that the existing buildings may be close to or on the property line along Duval road. The staff was unable to ascertain, prior to this hearing, from aerial photographs the exact placement of the buildings, and in any case, it is recommended that right-of-way be dedicated up to the existing buildings up to a maximum of five feet. If there is no opportunity to obtain additional street right-of-way from this tract, additional right-of-way to increase the street to 60 feet will have to come from the opposite side of the street.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Susie E. Gatliff, 9126 Jollyville Road
Ramon W. Smith, 8903 Viking

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

W.W. Dornberger, Jr. (Representing Applicant)

C14-77-027 Melvin F. Hees--Contd.

PERSONS APPEARING IN OPPOSITION
None

COMMISSION ACTION:

The members reviewed the information presented. Mr. W.W. Dornberger, the applicants representative, told the members that the applicant agrees to the conditions of the staff recommendation. Mr. Mather made a motion to grant the requested zoning change as recommended by the staff. Mr. Rindy seconded the motion.

COMMISSION VOTE:

To GRANT the request of Melvin F. Hees for a zoning change from "I-AA" Residence, 1st H & A to "GR" General Retail, 1st H & A, as amended, subject to dedication of street right-of-way on Duval Road of up to five feet or to the existing buildings, whichever is less, to contribute to the expansion of Duval Road from 50 to 60 feet, on property located at 11654 Research Boulevard.

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

THE MOTION PASSED BY A 5-0 VOTE.

C14-77-029	David W. Harrell, et al:	"A" Residence, 1st H & A to
	1012 East 38th Street, also	"O" Office, 1st H & A
	bounded by Harmon Avenue	

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation to deny the requested zoning change.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

John Felter

WRITTEN COMMENTS IN OPPOSITION

Oscar Carl Paul, 1006 E. 38th Street

Mr. & Mrs. A.L. Jacobsen, 1008 East 38th Street

Henry Brown, 1009 East 38 1/2 Street

Carey Jourdan, 3710 Harmon Avenue

PETITION OF 110 NAMES

PERSONS APPEARING IN FAVOR

David W. Harrel (Applicant)

Bill Ervine (Austin Baptist Association)

Walter Matthews, 5702 Sutherlin Road

PERSONS APPEARING IN OPPOSITION

Shannon Ratliff, 3509 Hampton Road

Gay Ratliff, 3509 Hampton Road

Oscar C. Hall

Susan Barry

Mrs. Carey Jourdan, 3710 Harmon Avenue

C14-77-029 David W. Harrell, et al--Contd.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Rindy said that he felt it was a long standing policy to try to preserve this neighborhood by restricting development to the line across the street and made a motion to deny the request. Mr. Dixon seconded the application.

COMMISSION VOTE:

To DENY the request of David W. Harrell, et al for a zoning change from "A" Residence, 1st H & A to "O" Office, 1st H & A on property located at 1012 East 38th Street, also bounded by Harmon Avenue.

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

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-030 Royce R. Myers, et ux:
10701-10715 Research Blvd.
(U.S. 183)

"I-AA" Residence, 1st H & A to
"C-2" Commercial, 1st H & A (Tract
"C" Commercial, 1st H & A (Tract 2)
"GR" General Retail, 1st H & A
(Tract 3) as amended

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

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Charles E. Lambert, Jr. (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Rindy made a motion to grant the requested change in zoning. Ms. Mather seconded the motion.

COMMISSION VOTE:

To GRANT the request of Royce R. Myers, et ux for a zoning change from "I-AA" Residence, 1st H & A to "C-2" Commercial, 1st H & A (Tract 1), "C" Commercial, 1st H & A (Tract 2), "GR" General Retail, 1st H & A (Tract 3), as amended, on property located at 10701-10715 Research Boulevard (U.S. 183).

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

THE MOTION PASSED BY A 5-0 VOTE.

C14-77-031	Philip Presse: 1302 West Avenue, and also bounded by West 13th Street	"A" Residence, 1st H & A to "O" Office, 1st H & A <u>(amended area)</u>
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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

John D. Wooddell, 711 W. 14th Street

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Philip Presse (Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Ms. Chance made a motion to grant the request for a zoning change. Mr. Stoll seconded the motion. Mr. Rindy noted that the subject tract overlooks House Park and suggested that the westernmost 15 feet remain "A" Residence. Mr. Guerrero asked the applicant, Mr. Philip Presse, if he was in agreement with that suggestion. Mr. Presse answered that he did agree to that. Ms. Chance accepted the exclusion of the westernmost 15 feet as an amendment to her motion and Mr. Stoll seconded the amended motion.

COMMISSION VOTE:

To GRANT the request of Philip Presse for a zoning change from "A" Residence, 1st H & A to "O" Office, 1st H & A, as amended to exclude the westernmost 15 feet of the tract located at 1302 West Avenue, and also bounded by West 13th Street.

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

ABSENT: Messrs. Dixon, Gutierrez and Jagger

THE MOTION PASSED BY A 5-0 VOTE.

C14-77-033	Campbell McGinnis, et al: 801-907 Clermont Avenue 800-906 Flores Street, also bounded by East Avenue and San Marcos Street	"GR" General Retail, 2nd H & A to "GR" General Retail, 3rd H & A <u>(as amended)</u>
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Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that any change in the use district be denied, but that 3rd Height and Area be granted.

C14-77-033 Campbell McGinnis, et al--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Esther Ganem, 7507 St. Cecilia

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Campbell McGinnis (Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. The applicant, Mr. Campbell McGinnis, told the members that he wished to amend the application to request only a change in height and area and not a change in the use district. He added that the anticipated use is for a hotel, but that negotiations have not been completed. Mr. Gutierrez thought it may be best to deny this request and have the applicants return with a special permit application showing specifically what portion of the hotel will be a bar, etc., after negotiations are completed. Ms. Mather pointed out that the property is designated 2nd Height and Area now, which will allow a hotel to be built there, but 3rd Height and Area will make it more possible to build a hotel on this site and she feels that a hotel may be more desirable at this location than some of the other uses allowed under "GR" zoning. Mr. Rindy stated that, although the staff did not have much choice in their recommendation because of past decisions, it was time for the Commission to break away from this trend and not allow the building of multi-story high rises adjacent to Town Lake Park. He continued that all this does is screen the view of the lake from the rest of the city and for that reason, he felt that the Commission should set a policy in the future that 3rd Height and Area should not be allowed in that area. Mr. Gutierrez made a motion to deny the request because the use of the land can best be controlled by considering either a raising of the height of General Retail or by considering the specific use by special permit, making it compatible with the park area around Town Lake. Mr. Dixon seconded the motion.

COMMISSION VOTE:

To DENY the request of Campbell McGinnis, et al for a zoning change from "GR" General Retail, 2nd H & A to "GR" General Retail, 3rd H & A (as amended) on property located at 801-907 Clermont Avenue, 800-906 Flores Street, also bounded by East Avenue and San Marcos Street.

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

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-036	Carl T. Norwood, et al: 9910-10010 North Lamar Blvd., also bounded by Ken Street	<u>"I-AA" Residence, 1st H & A to</u> <u>"GR" General Retail, 1st H & A</u> <u>(Tract 1) and</u> <u>"A" Residence, 1st H & 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 that the request for a zoning change be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

HiCap, 808 Ken Street

Hill Electric, 10100 North Lamar

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Roy Smith (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Stoll asked Mr. Muir if any buffering would be required if this zoning change is granted. Mr. Muir answered that the only buffering that would be required would be by the proposed residential buffering amendment which will be appearing before the Commission in one week. Mr. Stoll made a motion to grant the requested zoning change. Ms. Mather seconded the motion.

COMMISSION VOTE:

To GRANT the request of Carl T. Norwood, et al for a zoning change from "I-AA" Residence, 1st H & A to "GR" General Retail, 1st H & A (Tract 1) and "A" Residence, 1st H & A (Tract 2), as amended, on property located at 9910-10010 North Lamar Boulevard, also bounded by Ken Street.

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

ABSENT: Ms. Chance and Mr. Jagger

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-037	John A. Flache, et al: 1509-1903 Montopolis Drive 1508-1902 Vargas Road Rear of 6300-6506 East Riverside Drive	<u>"I-A" Residence, 1st H & A and</u> <u>"LR" Local Retail, 1st H & A to</u> <u>"GR" General Retail, 1st H & A</u> <u>(Tract 1) and</u> <u>"A" Residence, 1st H & 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 that the request for a zoning change

C14-77-037 John A. Flache, et al--Contd.

be granted. He added that the applicant had just informed him that some drive-in related facilities still exist in that 40-foot strip of land (Tract 2) and he was therefore amending his application to a 30-foot buffer strip between the drive-in theater and the neighborhood on the north.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

John Flache (Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Dixon made a motion to grant the zoning change, as amended. Mr. Stoll seconded the motion.

COMMISSION VOTE:

To GRANT the request of John A. Flache, et al for a zoning change from "I-A" Residence, 1st H & A and "LR" Local Retail, 1st H & A to "GR" General Retail, 1st H & A (Tract 1) and "A" Residence, 1st H & A (Tract 2), as amended, on property located at 1509-1903 Montopolis Drive, 1508-1902 Vargas Road and the rear of 6300-6506 East Riverside Drive.

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

ABSENT: Ms. Chance and Mr. Jagger

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-038

William J. Joseph:

"LR" Local Retail, 1st H & A to

2701 Martin Luther King, Jr.

"C" Commercial, 1st H & A

Boulevard, also bounded by

Walnut Avenue

Mr. Duncan Muir, representing the Planning staff delivered the staff report and the staff recommendation that any change in zoning be denied. He explained that if a change in zoning is recommended, dedication of approximately 30 feet of street right-of-way on M.L.K. Boulevard to increase it to the planned 90 feet, and one-half the right-of-way, 7.5 feet, necessary to increase Walnut Avenue from 45 to 60 feet, should be required.

C14-77-038 William J. Joseph--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Mrs. Elnora M. Ake, 1706 Poquito Street

PERSONS APPEARING IN FAVOR

Arthur Pihlgren (Representing Applicant)

Lawrence A. Marshall (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Mabel Carr, 1808 Walnut Avenue

Vern L. Easley, 1809 Walnut Avenue

Mrs. Claude W. White, 1808 Ulit Avenue

Ima Carter

Ella Hansborough

COMMISSION ACTION:

The members reviewed the information presented. Mr. Arthur Pihlgren, the applicant's representative, told the members that the applicant cannot concur with the staff recommendation on the 30 feet of right-of-way. Mr. Dixon made a motion to deny the requested zoning change on the basis that the proposed zoning is detrimental to the welfare of the residents of the abutting neighborhood. Ms. Mather seconded the motion.

COMMISSION VOTE:

To DENY the request of William J. Joseph for a zoning change from "LR" Local Retail, 1st H & A to "C" Commercial, 1st H & A on property located at 2701 Martin Luther King, Jr. Boulevard, also bounded by Walnut Avenue.

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

ABSENT: Ms. Chance and Mr. Jagger

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-039 Roy L. Wyatt, Jr., et ux:
1401-1407 East Riverside
Drive (at I.H. 35)

"A" Residence, 1st H & A to
"GR" General Retail, 1st H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "GR" General Retail be denied, but if the applicant is willing to dedicate an additional 20 feet to expand Riverside Drive to 90 feet in order to accommodate the increases in traffic generation which can accompany uses permitted by a zoning change, the staff will recommend that "O" Office, 1st H & A be granted, with the exception of a five-foot strip along Manlove Street to prohibit access to the residential street.

C14-77-039 Roy L. Wyatt, Jr., et ux--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Letter from South River City Citizens with 5 signatures

Mr. & Mrs. Ruel E. Snow, 1506 Lupine Lane

PERSONS APPEARING IN FAVOR

Roy L. Wyatt, Jr. (Applicant)

PERSONS APPEARING IN OPPOSITION

Ruel E. Snow, 1506 Lupine Lane (South River City Citizens)

COMMISSION ACTION:

The members reviewed the information presented. Mr. Roy Wyatt, the applicant, asked the Commission to grant a 30 day postponement. No motion was made for the postponement and Mr. Guerrero opened the public hearing. Mr. Wyatt told the members that he could not agree to the recommendations of the staff, but still preferred to request "GR" General Retail. Mr. Ruel E. Snow, representing the South River City Citizens, read a letter from that organization suggesting a buffer zone, with a permanent type structure at least five feet high constructed in it, and assurance of maintenance of the property. Mr. Rindy said that since Mr. Wyatt will not accept the staff recommendation, which he felt is a good one, the application should be denied and made a motion to that effect. Mr. Dixon seconded the motion.

COMMISSION VOTE:

To DENY the request of Roy L. Wyatt, Jr., et ux for a zoning change from "A" Residence, 1st H & A to "GR" General Retail, 1st H & A on property located at 1401-1407 East Riverside Drive (at I.H. 35).

AYE: Messrs. Guerrero, Dixon, Rindy and Stoll; Ms. Chance

ABSTAIN: Mr. Gutierrez and Ms. Mather

ABSENT: Mr. Jagger

THE MOTION PASSED BY A 5-0-2 VOTE.

C14-77-040	Jack Ritter, Jr.:	"LR" Local Retail, 1st H & A to
	4611 Martin Luther King, Jr.	"GR" General Retail, 1st H & A
	Boulevard, also bounded by	(as amended)
	Heflin Lane	

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

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

C14-77-040 Jack Ritter, Jr.--Contd.

PERSONS APPEARING IN FAVOR

Reg Williams (Representing Applicant)
 Aaron Johnson (Representing Applicant)
 Dana Hollien (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mr. Reg Williams, representing the applicant, explained that a service station presently exists on the subject site, but only minor repair work can be done there because of the zoning, and the applicant is requesting the zoning change to allow major repair work. He continued that the applicant is only interested in rezoning the area of the building, not the entire tract. After discussion about the surrounding zoning and uses, Mr. Rindy made a motion to grant "GR" General Retail, 1st H & A on the area of the building only, as amended. Mr. Dixon seconded the motion.

COMMISSION VOTE:

To GRANT the request of Jack Ritter, Jr. for a zoning change from "LR" Local Retail, 1st H & A to "GR" General Retail, 1st H & A on the area of the building only, as amended, on property located at 4611 Martin Luther King, Jr. Boulevard, also bounded by Heflin Lane.

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

THE MOTION PASSED BY A 6-0 VOTE.

<u>C14-77-041</u>	<u>Thomas W. Malone:</u>	<u>"A" Residence, 1st H & A to</u>
	823-835 Patton Avenue	<u>"B" Residence, 2nd H & A</u>
	901-905 State Highway 71 East	

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that the zoning change be denied as requested, but if the applicant changes the request to "DL" Light Industrial, 1st Height and Area and adds the remainder of the tract, the portion zoned "C" on the west, and is willing to dedicate one-half the additional right-of-way, 10 feet, necessary to increase Patton Lane from 50 to 70 feet, the staff will recommend approval. He added that this recommendation will necessitate postponement for at least one month so that renotification for a more intensive zoning district can be accomplished.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

C14-77-041 Thomas W. Malone--Contd.

PERSONS APPEARING IN OPPOSITION

Kenneth C. Hecker, 734 Patton Ave.
 Claretta Zapalac, 801 Patton Ave.
 Norman P. Wilson, 735 Patton Ave.
 Johnny Zapalac, 801 Patton Ave.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Gutierrez made a motion to deny the application. Mr. Stoll seconded the motion.

COMMISSION VOTE:

To DENY the request of Thomas W. Malone for a zoning change from "A" Residence, 1st H & A to "B" Residence, 2nd H & A on property located at 823-835 Patton Avenue and 901-905 State Highway 71 East.

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

THE MOTION PASSED BY A 6-0 VOTE.

<u>C14-77-045</u>	Meta Avera:	"BB" Residence, 1st H & A to
	2908 Rio Grande Street	<u>"O" Office, 1st H & A</u>
	2913 Salado Street	

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that any change in zoning be denied.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

John B. Howell, 604 West 29 1/2 St.

WRITTEN COMMENTS IN OPPOSITION

William N. Berezovytych, 2911 Rio Grande
 Richard H. Chetham, 2906 Rio Grande
 Whit Hanks, 2916 Salado
 Georgia and Carey Legett, 2914 Rio Grande
 F.R. Moerke, 605 West 29 1/2 St.

PERSONS APPEARING IN FAVOR

Bob Grisham (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Mrs. Winnie Bell Sobeck, 2918 Salado St.
 William N. Berezovytych, 2911 Rio Grande

COMMISSION ACTION:

The members reviewed the information presented. Mr. Rindy made a motion to deny the requested zoning change. Mr. Gutierrez seconded the motion.

C14-77-045 Meta Avera--Contd.

COMMISSION VOTE:

To DENY the request of Meta Avera for a zoning change from "BB" Residence, 1st H & A to "O" Office, 1st H & A on property located at 2908 Rio Grande Street and 2913 Salado Street.

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

THE MOTION PASSED BY A 6-0 VOTE.

HISTORIC ZONING

<u>C14h-76-001</u>	<u>Sheeks-Robertson House:</u>	<u>"B" Residence, 2nd H & A to</u>
	<u>610 West Lynn</u>	<u>"B-H" Residence-Historic,</u>
		<u>2nd H & A</u>

The Sheeks-Robertson House was built in 1876. It was remodeled and exterior bricked in 1897. The research indicates the house historically and architecturally significant. This structure meets items: a, b, c, d, i, k, l and m of the Preservation Ordinance, and was recommended for historic zoning by the Landmark Commission. The owner is in agreement with this zoning.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Sheeks-Robertson House at 610 West Lynn.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger
 Mmes. Chance, Mather
NAY: None
ABSENT: Messrs. Rindy, Stoll

THE MOTION PASSED BY A 5-0 VOTE.

C14h-76-018 Land Office Building: Undesignated to "H" Historic
108 East 11th Street

Texas is the only state with a General Land Office Building which reminds us of our being a republic. The building was completed in 1857. This structure is historically and architecturally significant. It meets items: a, b, c, d, e, f, i, j, k, l and m of the Ordinance. The recommendation of the Landmark Commission was that it be zoned historic, and the State of Texas has no objections.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Land Office Building at 108 East 11th Street.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger

Mmes. Chance, Mather

NAY: None

ABSENT: Messrs. Rindy, Stoll

THE MOTION PASSED BY A 5-0 VOTE.

C14h-76-019 Carrington-Covert House: "O" Office, 3rd H & A to
1511 Colorado Street "O-H" Office-Historic,
3rd H & A

The Carrington-Covert House was built around 1855 and is recognized for its superb stonework. The Carrington-Covert House meets items: a, b, c, d, i, k, l and m of the Preservation Ordinance and is recommended for historic zoning by the Landmark Commission. The State of Texas has no objections.

CITIZEN COMMUNICATIONS

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

C14h-76-019 Carrington-Covert House--Contd.

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Carrington-Covert House at 1511 Colorado Street.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger
Mmes. Chance, Mather

NAY: None

ABSENT: Messrs. Rindy, Stoll

THE MOTION PASSED BY A 6-0 VOTE.

<u>C14h-76-020</u>	<u>Gethsemane Lutheran Church:</u>	<u>"B" Residence, 3rd H & A to</u>
	<u>West 16th & Congress Avenue</u>	<u>"B-H" Residence-Historic,</u>
		<u>3rd H & A</u>

The Gethsemane Lutheran Church was completed in 1883, and the bricks were used from the capitol building which burned in 1881. Its Authentic style is gothic revival. This building meets items: a, b, c, d, e, f, g, i, k, l and m of the Preservation Ordinance. It is recommended for historic zoning by the Landmark Commission, and the State of Texas has no objections.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Gethsemane Lutheran Church at West 16th Street and Congress Avenue.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger
Mmes. Chance, Mather

C14h-76-020 Gethsemane Lutheran Church--Contd.

NAY: None
 ABSENT: Messrs. Rindy, Stoll

THE MOTION PASSED BY A 6-0 VOTE.

C14h-76-024	Old Bakery: 1006 Congress Avenue	"C" Commercial, 4th H & A to "C-H" Commercial-Historic, <u>4th H & A</u>
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The Old Bakery at 1006 Congress Avenue was built by Charles Lundberg in 1876. This structure meets items: a, b, c, e, f, i, j, k, l and m of the Preservation Ordinance. It is recommended for historic zoning by the Landmark Commission, and the State of Texas has no objections.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Old Bakery at 1006 Congress Avenue.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger
 Mmes. Chance, Mather

NAY: None

ABSENT: Messrs. Rindy, Stoll

THE MOTION PASSED BY A 6-0 VOTE.

C14h-76-021	Madison Log Cabin: Rosewood Park	"A" Residence, 1st H & A to "A-H" Residence-Historic, <u>1st H & A</u>
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The Madison Log Cabin was built around 1863 by Henry G. Madison. Eight of his children were born in this small house. The cabin was originally located at the northwest corner of East 11th Street and East Avenue. It is now located in Rosewood Park. The Madison Log Cabin meets items a, b, c, f, g, i, k, l and m of the Preservation Ordinance, and is recommended for historic zoning by

C14h-76-021 Madison Log Cabin--Contd.

the Landmark Commission. Betty Baker informed the Commission that Mr. Jack Robinson, Director of Parks and Recreation Department, requested that only the structure be zoned historic and not the land. This is not possible. The land on which the cabin sits and fifteen feet from the four sides, or 1,396 square feet are included in the Landmark Commission's recommendation.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Madison Log Cabin in Rosewood Park.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger
Mmes. Chance, Mather

NAY: None

ABSENT: Messrs. Rindy, Stoll

THIS MOTION PASSED BY A 6-0 VOTE.

C14h-76-002 Smith-Marcuse-Lowry House:
3913 Avenue C

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

The Commission viewed slides of the house before it was restored and after it was restored. The owner, Mr. George Boutwell, has restored the home. Betty Baker stated that the house is named the Smith-Marcuse-Lowry House for its builder and two owners who occupied the home for long periods of time. The home was built in 1894 and reflects for the Hyde Park neighborhood a structure in wood comparable to the more expensive structures in stone. This house meets items a, c, f, i, l and m of the Preservation Ordinance, and is recommended by the Landmark Commission for historic zoning. The owner is in favor of the zoning.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Murray Wykes

WRITTEN COMMENTS IN OPPOSITION

None

C14h-76-002 Smith-Marcuse-Lowry House--Contd.

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Smith-Marcuse-Lowry House at 3913 Avenue C.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger
Mmes. Chance, Mather

NAY: None

ABSENT: Messrs. Rindy, Stoll

THIS MOTION PASSED BY A 6-0 VOTE.

C14h-77-008 Old Depot Hotel:
504 East 5th Street

"C-2" Commercial, 4th H & A to
"C-2-H" Commercial-Historic,
4th H & A

This structure was utilized as a hotel for many years and is named the Old Depot Hotel, because of its proximity to the old depot. It was built in 1875 and meets items a, b, c, f, h, i, k, l and m of the Preservation Ordinance. The owners approve of the zoning and it is recommended by the Landmark Commission.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented. Mrs. Chance made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Old Depot Hotel at 504 East 5th Street.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger
Mmes. Chance, Mather

NAY: None

ABSENT: Messrs. Rindy, Stoll

THIS MOTION PASSED BY A 6-0 VOTE.

C14h-74-026	Trask House: 105 Neches Street	"C-2" Commercial, 4th H & A to "C-2-H" Commercial-Historic, <u>4th H & A</u>
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Betty Baker told the Commission that this home was built in the 1850's. The most prominent owner and occupant was Frances Judith Somes (Trask) Thompson. She married William Thompson in 1851, but only used the name in legal transactions. In fact, local sources of information fail to mention her ever having married. Frances Trask was probably the first female school teacher in Austin and possibly one of the first in Texas. Frances Trask was in Texas as early as 1834 operating a girls boarding school at Cole's Settlement. She owned this property from 1855 until 1871. Its style is Greek Revival and it was restored in 1970. It meets items a, b, c, f, h, i, k, l and m of the Preservation Ordinance. It is recommended by the Landmark Commission for historic zoning. The owners have made no contact with the staff, and their position on this is not known.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The members reviewed the information presented Mrs. Mather made a motion to recommend historic zoning. Reverend Dixon seconded the notion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Trask House at 105 Neches Street.

AYE: Messrs. Guerrero, Rev. Dixon, Gutierrez, Jagger

Mmes. Chance, Mather

NAY: None

ABSENT: Messrs. Rindy, Stoll

THIS MOTION PASSED BY A 6-0 VOTE.

C14h-76-023	Residence of B.J. Smith: 700 West 6th Street	"C-2" Commercial, 4th H & A to "C-2-H" Commercial-Historic, <u>4th H & A</u>
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Betty Baker told the Commission that the Residence of B.J. Smith was built in 1875. B.J. Smith was a Presbyterian minister, but devoted himself to the field of education primarily. Within his lifetime B.J. Smith was described as a great educator. He operated the Austin Female Collegiate Institute at the Northwest corner of Pecan and Guadalupe. It was the only school continuously in

C14h-76-023 Residence of B.J. Smith--Contd.

operation during the Civil War. This structure remained in his family for 80 years. Forest Pearson, speaking for himself and John Harrison, objects to this zoning. Mr. Pearson feels this zoning would create an economic hardship. The Landmark Commission feels this structure should be zoned historic as it meets items a, c, h, i, k, l and m of the Preservation Ordinance.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Austin National Bank for

Paul O. Simms, Trust

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mrs. Chance asked about the economic hardship. Betty Baker informed her that he did not submit any proof of economic hardship other than stating it would cause economic hardship. Jean Mather made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Residence of B.J. Smith at 700 East 6th Street.

AYE: Mr. Guerrero

Mmes. Chance, Mather

NAY: Messrs. Rev. Dixon, Gutierrez, Jagger

ABSENT: Messrs. Rindy, Stoll

THIS MOTION FAILED TO CARRY BY A 3-3 VOTE.

<u>C14h-77-009</u>	<u>Horton-Duval House:</u>	<u>"I-A" Residence, 1st H & A to</u>
	North Bluff Dr. & Old Lockhart	<u>"I-A-H" Residence-Historic,</u>
	Highway	<u>1st H & A</u>

Betty Baker informed the Commission that Albert C. Horton acquired this property in 1842. The structure was built around 1850. Horton was involved in the Mexican War for three months. His military career was short and severely criticized as he failed to join Fannin's troupes, and they were all killed at the Goliad Massacre. He was elected Vice-President of the Republic of Texas in 1838. Horton was elected Lieutenant Governor and was acting Governor for 18 months. Thomas Duval purchased this property in 1846. Thomas Duval was Secretary of State, Judge for the Second Judicial District and appointed Judge for the United States Court for the Western District of Texas. The Horton-Duval House meets items a, b, c, h, i, k and m of the Preservation Ordinance.

C14h-77-009 Horton-Duval House--Contd.

Mrs. Baker told the Commission that the Landmark Commission received a letter from Mr. and Mrs. Karcher, owners, stating that they were strongly opposed to this zoning. The Landmark Commission recommended that this structure be zoned historic.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Mr. William O. Karcher, owner

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The Commission reviewed the information presented. Mrs. Mather made a motion to recommend historic zoning. Reverend Dixon seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Horton-Duval House at North Bluff Drive and Old Lockhart Highway.

AYE: Messrs. Guerrero, Rev. Dixon

Mmes. Chance, Mather

NAY: Mr. Gutierrez

ABSTAIN: Mr. Jagger

ABSENT: Messrs. Rindy, Stoll

THIS MOTION PASSED BY A 4-1 VOTE.

C14h-77-001 Kuehne-Moore House:
904 West 23rd Street

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

Betty Baker gave a staff report which follows:

Robert Lee Moore enrolled in the University of Texas in 1898. He graduated in 1902. He received his PhD. from Chicago in 1909. His first teaching assignment was at the University of Tennessee. On August 19, 1910 he married Margaret McClellan Key, they had no children. In 1920 he moved to Texas to accept an associate professorship. He became a leader in Math developments and teaching techniques, and published his point-set theory. In 1929 he was chosen to be a University Research Lecturer by the Graduate Council of the University of Texas. In 1930 four of the faculty members studied for their PhD's under Moore. In 1931 Moore was chosen as the first native American mathematician to tour on

the American Mathematical Society visiting lecturer. He was also selected for membership of the National Academy of Sciences. He served as president of the American Mathematical Society from 1937-1939. Dr. Moore taught at the University of Texas for 49 consecutive years. He lived at this location for over 50 years. The staff feels that since Dr. Moore died in 1974, his contributions and education reflect currently rather than historically. The Landmark Commission concluded that this structure has no architectural significance. The Landmark Commission voted not to recommend this structure for historic zoning. Betty Baker read a letter from members of adjoining property requesting that this case be taken off the agenda. This cannot be done as these people were not the applicants.

Anna Drayer, member of the Historic Landmark Commission gave a brief minority report as it was the recommendation of the Landmark Commission.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Lula Barrett

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Anna Drayer

Lucille Wyburn

PERSONS APPEARING IN OPPOSITION

Ralph Daugherty, Owner Representative

COMMISSION ACTION:

The Commission reviewed the information presented. Reverend Dixon made a motion to recommend historic zoning. Mrs. Mather seconded the motion.

COMMISSION VOTE:

To RECOMMEND historic zoning for the Kuehne-Moore House at 904 West 23rd Street.

AYE: Rev. Dixon

Mmes. Chance, Mather

NAY: Messrs. Guerrero, Gutierrez, Jagger

ABSENT: Messrs. Rindy, Stoll

THIS MOTION FAILED TO CARRY BY A 3-3 VOTE.

The members reviewed the information presented. The members asked the applicant's representative, Mr. Tom Wolfe, about the recommendation of the Fire Department and Urban Transportation Department regarding the width of Meadow Lake Drive. Mr. Wolfe replied that the Urban Transportation Department had indicated that they were willing to work with the

C814-77-003 Environmental Communities Corp.--Contd.

applicant on that subject and that the applicants had met with Chief Erickson of the Fire Department and they are willing to widen the road in accordance with their recommendation. Mr. Jagger felt that the amount of impervious cover in the project should be reduced. Ms. Mather pointed out that the impervious cover was about equal to that of Northwest Hills and she felt there was no point in having a Lake Austin Study if the same kind of development is going to continue anyway. She continued that if existing conditions had not had an effect on the quality of run-off that may be all right, but reports have shown that there has been an effect on the water quality. Mr. Rindy made a motion to continue the hearing for one month and consider this application with the conceptual plan of this area that will be considered at that time. Ms. Mather seconded the motion.

COMMISSION VOTE:

To CONTINUE the hearing for 30 days on the request of Environmental Communities Corp. for 27 detached single-family dwelling units called, "Meadow Mountain", a proposed planned unit development, to be located at 4323 Far West Boulevard.

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

THE MOTION. FAILED BY A 3-4 VOTE.

COMMISSION ACTION:

Mr. Jagger stated that if this were a standard P.U.D. or a standard subdivision without all of the other things that they are doing, which are somewhat unusual and will provide valuable information for future development. He added that these things should not be that damaging on this small a tract at this location, so he felt that the applicant should be allowed to move ahead with the project. He then made a motion to approve the application subject to compliance with departmental recommendations and ordinance requirements and an agreement from the applicant that if Phase II is not approved, the road which cuts off to the right will be cul-de-saced. Mr. Stoll seconded the motion. Mr. Guerrero amended the motion to include that Phase II will not begin for at least one year after development. Mr. Jagger amended the motion to say that Phase II will not begin until there has been ample opportunity to analyze the results of Phase I. Mr. Rindy said that this was a P.U.D. request and essentially the developer is asking the City for flexibility and various favors in an effort to make his development more attractive, by exempting and varying certain City requirements and, therefore, the City has the right to request certain things of the developer. He continued that he felt Ms. Mather made a very good point when she said that this is not very much different from a regular subdivision and since the developer is not going to be building on the lots himself, but selling them prior to development, he cannot see how the developer can control the timing of construction. He added that he thought it would be best to wait

C814-77-003 Environmental Communities Corp.--Contd.

until the conceptual plan of the entire area is submitted before making a decision on the P.U.D.

COMMISSION VOTE:

To APPROVE the request of Environmental Communities Corp. for a 27-unit detached single-family dwelling units called "Meadow Mountain", a proposed planned unit development to be located at 4323 Far West Boulevard, subject to compliance with ordinance requirements and departmental recommendations, an agreement from the applicant that if Phase II is not approved, the road which cuts off to the right will be built into a cul-de-sac, and that construction on Phase II will not begin until there has been ample opportunity to analyze the results of Phase I.

AYE: Messrs. Guerrero, Gutierrez, Jagger and Stoll; Ms. Mather

NAY: Mr. Rindy

ABSTAIN: Ms. Chance

ABSENT: Mr. Dixon

THE MOTION PASSED BY A 5-1-1 VOTE.

SUBDIVISIONS

R105-77

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:

<u>C8-75-44</u>	<u>Castlewood Annex</u> Davis Lane
<u>C8-75-36</u>	<u>The Woodland Village of Anderson Mill,</u> Section Three Anderson Mill & Morning Dove
<u>C8-76-77</u>	<u>Woodland Village, Section IV</u> Anderson Mill Road
<u>C8-77-03</u>	<u>Parker Heights, Section Four</u> Burleson Road & E. Oltorf

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

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The following short form 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 short form subdivisions:

<u>C8s-72-356</u>	<u>Resub. of Lots 1 & 2 of the John M. Edwards</u> <u>Estate Subdivision</u> Montopolis Drive & Clovis Street
<u>C8s-77-05</u>	<u>Parker Heights, Section 1-B</u> Burleson Road & Metcalfe Road
<u>C8s-77-64</u>	<u>Summit Oaks Annex, Sec. 2</u> Old U.S. 183 & Bell Avenue
<u>C8s-77-86</u>	<u>2nd Resub. of Blk. M, Lots 26 & 27, Northwest</u> <u>Hills, Northwest Oaks</u> Hidden Hollow

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

PRELIMINARY SUBDIVISION

Ms. Evelyn Butler, representing the Planning staff, explained that this subdivision was heard and approved at the April 26 Planning Commission meeting. Later in the meeting the Commission voted to reconsider the plan at the May 3, 1977 meeting because the applicant felt that he was not given an opportunity to answer certain issues brought out by the staff. She continued that the staff recommends approval of this preliminary subdivision subject to conditions after a statement by the applicant. The Commission then.

VOTED: To APPROVE the following preliminary subdivision and grant a variance on the length of South El Dorado and block length around it, subject to departmental requirements and recommendations:

C8-77-20 Lakeway, Section 26-B
Lakeway Boulevard & South El Dorado

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

The meeting was adjourned at 10:50 P.M.

Richard R. Little

Richard R. Little
Executive Secretary