

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--June 7, 1977

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

Present

Miguel Guerrero, Chairman
Barbara Chance
Gabriel Gutierrez
Sid Jagger
Jean Mather
Bill Stoll
Freddie Dixon*

Absent

Dean Rindy

Also Present

Mary Ethel Schechter, Commissioner Appointer
Bernard Snyder, Commissioner Appointer
Tom Knickerbocker, Assistant Director of Planning
Brian Schuller, Planner II
Evelyn Butler, Supervisor of Current Planning
Bill Bullock, Assistant Director of Urban Transportation Department

*Arrived at 8:30 PM

ZONING

| | | |
|------------|---|--|
| C14-77-055 | E. C. Waagner: 2201 Airport Boulevard, also bounded by Theo Drive | <u>"GR" General Retail, 1st H & A</u> <u>to "C" Commercial, 1st H & A</u> |
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Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation that "C" Commercial, 1st H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Austin Nat'l Bank, Trustee
under Will of Ross D. Terry, Dec'd
P.O. Box 908

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mr. Don Bird, Attorney, representing the applicant appeared and explained the reason for the rezoning request was to permit the outside storage of very large industrial tires. He stated that he agreed with the recommendation by the staff to grant the request and offered to answer any questions. Mr. Guerrero asked if there were any others who wished to speak in favor of the request. There being no one he then asked if anyone opposed the request. There being no one in opposition Mr. Stoll moved the approval of the request on the basis of the staff recommendation which when seconded by Ms. Chance passed unanimously.

COMMISSION VOTE:

Recommended for approval to "C" Commercial, 1st H & A no conditions.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 6-0 VOTE.

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| C14-77-046 | First Ken-Co Properties, Inc.: 8666 Spicewood Springs Road also bounded by Barrington Oaks Drive | <u>Interim "AA" Residence</u> <u>District, 1st H & A to</u> <u>"GR" General Retail, 1st H & A</u> |
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Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation to approve the request for "GR" General Retail, 1st Height and Area.

C14-77-046 First Ken-Co Properties, Inc.--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Avery Murrah (Agent), P.O. Box 40524, Houston

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mr. Murrah stated he agreed with the staff recommendation and would answer any questions. There being no one Mr. Guerrero asked if anyone else wished to speak in favor of the request. There being no one he asked if anyone wished to speak in opposition. There being no one in opposition Mr. Jagger moved approval of the request which when seconded by Mr. Gutierrez passed unanimously.

COMMISSION VOTE:

Recommended for approval, no conditions from Interim "AA" Residence District to "GR" General Retail, 1st H & A.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 6-0 VOTE.

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| <u>C14-77-052</u> | Kenneth W. Pittman: 11637 Research Boulevard (U. S. Highway 183) | <u>Interim "AA" Residence District 1st, H & A to "C-1" Commercial District 1st H & A</u> |
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Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation to DENY "C-1" Commercial on the entire tract, but that "C-1" Commercial, 1st H & A be granted for the area of the building and proposed expansion only, and "GR" General Retail, 1st H & A be granted on the remainder of the site.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Kenneth W. Pittman

PERSONS APPEARING IN OPPOSITION

None

Recommended approval of "C-1" Commercial, 1st H & A with no conditions.

C14-77-059 James K. Eichelberger, Jr., et al--Contd.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 6-0 VOTE.

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| C14-77-060 | Lynn W. Storm: | <u>"A" Residence District, 1st H & A</u> |
| | 3811 South Lamar Boulevard, | <u>to "GR" General Retail, 1st H & A</u> |
| | also bounded by Victor Lane | |

Mr. Brian Schuller delivered the staff report and recommendation that "GR" General Retail, 1st H & A be granted.

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. Mr. Jagger made a motion to grant the request for a zoning change. Mrs. Mather seconded the motion.

COMMISSION VOTE:

To recommend granting the request from "A" Residence District, 1st H & A to "GR" General Retail, 1st H & A.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 6-0 VOTE.

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| C14-77-048 | Thomas R. McElhenney: | <u>Interim "AA" Residence District</u> |
| | 11803-11807 and 11716 | <u>1st H & A to "A" Residence</u> |
| | 11720 Bell Avenue | <u>1st H & A</u> |

Mr. Brian Schuller representing the Planning staff presented the staff recommendation to grant the request for a zoning change.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

C14-77-048 Thomas R. McElhenney--Contd.

PERSONS APPEARING IN FAVOR

Phil Mockford (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Paul Kuhar

Celia Kuhar

COMMISSION ACTION:

The members reviewed the information presented. Mr. Phil Mockford, representing the applicant, told the members the owner of these six lots under consideration desires to construct duplexes that are compatible with the existing houses in price range and appearance. Mr. Paul Kuhar and Mrs. Celia Kuhar property owners on Bell Avenue spoke in opposition to the request and read a letter from Mr. David Ashmore, owner of two duplex lots, indicating Mr. Ashmore was not in favor of any zoning change. Mrs. Mather moved that the request be denied as the area was developed with large lots and duplexes would contribute to overcrowding and traffic problems. Mr. Stoll seconded the motion. Mr. Gutierrez made a substitute motion to continue the hearing for one month to allow the applicant to provide a typical duplex site plan for the six lots. Mr. Jagger seconded the motion.

COMMISSION VOTE:

On the substitute motion to continue the hearing one month to allow the applicant to provide a typical site plan for the six lots.

AYE: Messrs. Gutierrez, Jagger, Guerrero

NAY: Mmes. Mather, Chance. and Mr. Stoll

The motion failed by a 3-3 vote. On the original motion to DENY the application for a change from Interim "AA" Residence District, 1st H & A to "A" Residence District, 1st H & A.

AYE: Mmes. Mather, Chance and Messr. Mr. Stoll

NAY: Messrs. Gutierrez, Jagger, Guerrero.

ABSENT: Messrs. Rindy and Dixon

THE MOTION FAILED BY A 3-3 VOTE. (no recommendation)

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|-------------------|--|-----------------------------------|
| <u>C14-77-056</u> | <u>Richard L. Matz & Emile Jamail:</u> | <u>Interim "AA" Residence</u> |
| | 12452-12536 U.S. Highway 183 | <u>District, 1st H & A to</u> |
| | 11936-12020 Oak Knoll Drive | <u>"GR" General Retail, 1st</u> |
| | 12023-12049 Jollyville Road | <u>H & A</u> |

Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation that "GR" General Retail be denied on the entire tract but that "A" Residence, 1st H & A be granted on the southernmost 120 feet abutting Jollyville Road and "GR" General Retail, 1st H & A be granted on the remainder of the tract.

C14-77-056 Richard L. Matz & Emile Jamail--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Jim Ray

Dick Matz

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mr. Jim Ray representing the prospective owner stated they were seeking zoning on the entire tract and had planned to construct a Doctors office on the property the staff recommends be zoned "A" Residence. He said they believe the land use across the street which is being developed for duplexes provides adequate buffering and they would request at least "O" Office be considered for that 120 feet. Mr. Dick Matz stated he felt that "O" Office was more in keeping with a buffer zone concept between the "GR" General Retail along U.S. 183 and the duplexes on Jollyville road then would be "A" Residence. He said he was developing the duplexes across the street and had only recently completed the subdivision process on another section of property which will also be duplexes. Mr. Guerrero then asked if anyone else wished to speak in favor of the request. There being no one he asked if anyone would like to speak in opposition. There being no one Mrs. Mather moved approval of the "GR" General Retail, 1st H & A on all but the southernmost 120 feet along Jollyville road and no change in zoning be considered on the 120 tract. The motion when seconded by Ms. Chance passed unanimously.

COMMISSION VOTE:

To recommend approval of "GR" General Retail, 1st H & A on all but the southernmost 120 feet abutting Jollyville Road and that no zoning change be recommended for that 120 foot tract, which was withdrawn from consideration.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 7-0 VOTE.

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|------------|----------------------|---------------------------------|
| C14-77-057 | Buford L. McMahan: | Interim "AA" Residence District |
| | 5334-5338 Duval Road | 1st H & A to "C" Commercial, |
| | | <u>1st H & A</u> |

Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation that "C" Commercial be denied due to the inadequacy of the street to handle projected traffic increases if the rezoning were granted. However, if the applicant is willing to provide for the improvement of the street by the dedication of five feet of additional right of way the staff recommends approval of "GR" General Retail, 1st H & A.

C14-77-057 Buford L. McMahan--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Mrs. Susie Gatliff (F.E. Gatliff), 9126 Jollyville Rd.

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

There being no one wishing to speak either in favor or in opposition. Mr. Guerrero asked for a motion. Mr. Gutierrez moved for recommending "GR" General Retail based on the staff recommendation which when seconded by Mr. Stoll passed unanimously.

COMMISSION VOTE:

To recommend approval of "GR" General Retail zoning on the entire tract, as recommended by the staff.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 6-0 VOTE.

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| C14-77-058 | Nell Wallace Irwin | Interim "AA" Residence District |
| | 11835-11837 Old | 1st H & A to "GR" General Retail, |
| | U.S. Highway 183 | 1st H & A |

Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation to deny any change in zoning on the tract.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Nell W. Irwin, 11835 Jollyville Rd.

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Nell Wallace Irwin

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mrs. Irwin stated that she has owned the property which is developed as a restaurant for three years and was recently annexed into the City. She is seeking zoning to make her restaurant conform to the code and also to allow expansion of the building and the sale of mixed drinks in conjunction with her food service. She said she needs additional space and has had no opposition to her request and feels the zoning is appropriate since she has

C14-77-058 Nell Wallace Irwin--Contd.

been in operation for several years, is next door to a tavern and across the street from a planned industrial site. Mr. Guerrero asked if anyone else wished to speak in favor of the request. There being no one he asked if anyone wished to speak in opposition. There being no one he declared the hearing closed. Mrs. Mather moved approval of "GR" General Retail zoning on the area of the existing building and the area where expansion will occur; "GR" General Retail on the area where the sign will be located; and "O" Office for the parking area and remainder of the tract. Mr. Gutierrez seconded the motion.

COMMISSION VOTE:

To recommend approval of "GR" General Retail on the area of the existing building and the expansion and sign and "O" Office on the remainder, as amended.

AYE: Messrs. Gutierrez, Jagger, Dixon, Mmes. Chance

NAY: Messrs. Guerrero, Stoll; Mmes. Mather

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 4-3 VOTE.

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| <u>C14-77-050</u> | <u>CLR Development, Inc.:</u> 2508-2604 Burleson Road 2603-2621 Metcalfe Road | <u>"BB" Residence District, 1st H & A</u> <u>to "A" Residence District, 1st H & A</u> |
|-------------------|---|--|

Mr. Brian Schuller representing the Planning staff delivered the staff report and the staff recommendation to grant the request for a zoning change.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

C.L. Reeves, (Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend approval of granting the request of CLR Development, Inc. for a Zoning change from "BB" Residence, 1st H & A to "A" Residence, 1st H & A at 2508-2604 Burleson Road and 2603-2621 Metcalfe Road.

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

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-051 Anne Veach: "B" Residence District, 2nd H & A
 901-905 Rio Grande Street, also to "O" Office, 2nd H & A (amended)
 bounded by West 9th Street

Mr. Brian Schuller representing the Planning staff delivered the staff report and recommendation that the request for a zoning change be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Edward Joseph, P.O. Box 7, 78767

Doug Nichols, 800 Rio Grande

Howard R. Barr, 705 West 10th St.

Mrs. John Edwards Prewett, 407 Almarion, 1000 Rio Grande

WRITTEN COMMENTS IN OPPOSITION

Robert Gage, 1304 Rio Grande

PERSONS APPEARING IN FAVOR

Dan Chandler (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

Mildred Webb Bugg, 604 West 9th St.

Suzanne Cannon, 906 Rio Grande

COMMISSION ACTION:

The members received the information presented. Mr. Dan Chandler, representing the applicant, told the members the application was originally requesting a change to "LR" Local Retail however, the application was amended to "O" Office and was advertized accordingly, and that office use is intended for the property. Ms. Mildred Webb Bugg spoke in opposition stating she had concern for the parking problems in the area, congestion in the neighborhood as a result of further rezoning. Ms. Suzanne Cannon spoke in opposition indicating she had the same concerns as expressed by Ms. Bugg. Mr. Jagger asked Mr. Chandler if he would be willing to restrict the property so that if the house were removed, the zoning would be rolled back to "B" Residence, 2nd H & A. Mr. Chandler replied he would be willing to submit such restrictive covenant. Mr. Jagger moved to recommend granting the requested zoning change with a covenant providing that if the existing building were removed, the zoning would be rolled back to "B" Residence, 2nd H & A. Ms. Mather seconded the motion. Mr. Gutierrez made a substitute motion to grant "O" Office, 2nd H & A. The substitute motion died for a lack of second.

COMMISSION VOTE:

To recommend approval to grant "O" Office, 2nd H & A as amended with a restrictive covenant providing that the zoning will be rolled back to "B" Residence, 2nd H & A if the existing building is removed.

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

NAY: Messrs. Gutierrez, Stoll and Dixon

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 4-3 VOTE.

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| C14-77-053 | State National Bank of El Paso: | "A" Residence District, 1st H & A |
| | 600-604 Davis Street, also | to "C" Commercial District, 1st |
| | bounded by El Paso Street | <u>H & A</u> |

Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation to deny "C" Commercial, 2nd H & A but grant "GR" General Retail, 1st H & A on the tract.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Jerry Saegert, State Nat'l Bank of El Paso

Leo Danze, Architect

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mr. Saegert said he was representing the trustee in the sale of the property to the Texas mailing and Printing Company who were attempting to relocate their business. He stated they did not feel they could agree with the staff since they were informed by the Building Department that "C" Commercial was necessary for the printing business. He said they asked for 2nd Height and Area because they were going to be constructing the building on sloping land and feared the rear walls would exceed the limitation of 1st H & A. Mr. Jagger said the height is measured from the curb line and not the wall face and asked if that would allow his use within 1st H & A if measured from the curb line. Mr. Danze then presented a site plan and pictures of the area to show what was intended. Mr. Guerrero asked if there was anyone else who wished to speak in favor. There being no one he asked if anyone wished to speak in opposition. There being no one he closed the hearing. Mr. Jagger moved approval of "C" Commercial, 1st Height and Area and accepted the applicants offer of a restrictive covenant limiting construction to the site plan presented to the Commission (no limitation on use of the building was made). When seconded by Mrs. Mather the motion passed unanimously.

COMMISSION VOTE:

To recommend approval of "C" Commercial, 1st Height and Area subject to the offered restrictive covenant limiting construction on the property to that shown on the site plan.

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

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 7-0 VOTE.

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| C14-77-047 | Trudie V. Davis: 2901-2905 S. 1st Street, also bounded by El Paso Street | <u>"LR" Local Retail, 1st H & A</u> <u>to "C" Commercial 1st H & A</u> |
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Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation to deny any change in zoning on the tract.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Petition (13 names)

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Mr. Steve Deutchman, (Purchaser)

Mr. David Gray, (Realtor)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mr. Steve Deutchman stated he was seeking to buy the property for use as a neighborhood plumbing store and as a place for him to office his existing plumbing business. He stated he is a licensed Master Plumber and had approached the neighbors to gain their approval. He presented a petition containing thirteen signatures in favor of his request. He said the zoning was necessary for him to operate his business. Mr. Gray said he was a realtor trying to assist Mr. Deutchman and felt the use was proper because of nearby commercial uses and the very heavy traffic on South 1st street. Mr. Guerrero then asked if anyone else wished to speak in favor of the request. There being no one he then asked if anyone wished to oppose the request. There being no one he closed the hearing. Mr Gutierrez moved denial of the request based on the staff report and that the requested "C" Commercial is too intense for the location. When seconded by Ms. Chance the motion carried 7-0.

COMMISSION VOTE:

To recommend denial of "C" Commercial on the tract.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger and Stoll; Memes.
Chance and Mather

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 7-0 VOTE.

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| C14-77-049 | Hurschel B. Morgan, ET UX: 6301 Manchaca Road | <u>"A" Residence District, 1st H & A</u> <u>to "O" Office, 1st H & A</u> |
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Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation to deny any change in zoning on the property.

C14-77-049 Hurschel B. Morgan, ET UX--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Joseph G. Mitchell, 1927 Berkeley Ave.

PERSONS APPEARING IN FAVOR

Mr. Hurschel Morgan, (Owner)

Mr. Dick Rotkosky, (J.B. Goodwin Realtors)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mr. Rotkosky representing the prospective buyer and seller said the request was being made so that the Morgans, who are retired, could move to a quieter place. He stated their home is located between a church which operates a day care center for 200 children and a residence which operates a day care center for 66 children. The location which is on Manchaca road across from property zoned for a shopping center and surrounded by 266 children with all the traffic and noise, is no longer acceptable for residential purposes and in fact he was unable to sell the property as such. Mr. Morgan said he was not attempting to make a great deal of money or take advantage of commercial values but was only selling because he and his wife could no longer tolerate the noise and disruption. Mr. Rotkosky said the price in the pending sale contract was far below commercial value for office land anywhere in the vicinity. The property would be used as a dance studio if approved, and Mr. Rotkosky offered a covenant restricting the use to a dance studio. Mr. Guerrero asked if there was anyone else who wished to speak in favor. There being no one he asked if anyone wished to speak in opposition. There being no one he closed the hearing.

COMMISSION VOTE:

Mr. Jagger moved for denial of the request which when seconded by Mr. Stoll failed by a vote of 4-3.

AYE: Messrs. Jagger, Stoll, and Dixon

NAY: Messrs. Guerrero, Gutierrez; Mmes. Mather and Chance

Mr. Guerrero then moved approval of "O" Office on the property with the exception of 20 feet of property on each side of the lot which would remain "A" Residence as a buffer and accepted the offer of a restrictive covenant limiting the use to a dance studio, as amended. The motion when seconded by Mrs. Mather passed 4-3.

AYE: Messrs. Guerrero, Gutierrez, Mmes. Mather and Chance

NAY: Messrs. Jagger, Stoll and Dixon

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 4-3 VOTE.

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|------------|---|---|
| C14-77-054 | Frances A. Hall: 4413 Pack Saddle Pass, also bounded by Redd Street | <u>"A" Residence District, 1st H & A</u> <u>& 6th to "O" Office, 1st and 6th</u> <u>H & A</u> |
|------------|---|---|

Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation that "O" Office be denied due to the inability of the existing street to handle projected increases in traffic if this use is established. However, if the applicant is willing to provide for improvement of the street by the dedication of 10 feet of additional right of way for Redd Street the staff would recommend the request be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Walter and Frances Butler, 4411 Pack Saddle Pass

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Le Vaun Hall

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Le Vaun Hall said the applicant agreed with the staff report and recommendation and would be willing to provide additional right of way. Mr. Guerrero then asked if anyone else wished to speak in favor of the request. There being no one he asked if anyone wished to speak in opposition. There being no one he closed the hearing. Mr. Dixon then moved approval of the zoning as presented by the staff and accepted by the applicant with the additional 10 feet of right of way for Redd Street. The motion when seconded by Mr. Jagger passed unanimously.

COMMISSION VOTE:

To recommend approval of "O" Office 1st and 6th E & A subject to dedication of 10 feet of right of way for Redd street which was offered by the applicant.

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

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 7-0 VOTE.

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|------------|---|--|
| C14-77-061 | Provident Development Co., et al: McCarty Lane | Int. "AA", 1st to "BB", 1st (Tracts 1, 2, 3, & 9) "GR" 6th (Tract 4) "GR" 1st (Tract 6) "B" 1st (tract 5) "LR" 1st (Tracts 7 & 8) |
|------------|---|--|

Mr. Guerrero told the members of the Commission that the applicant had requested that this item be postponed and that no notices had been sent, therefore, no actions on the zoning change is required at this time and the request will be before the Commission at a later date. The Commission passed over this item to a later date.

Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation that "O" Office be granted on the tract with a covenant to limit the use of the property to parking; provide a privacy fence and no curb cuts or access to Beech Drive.

C14-74-137 City of Austin--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Charles Maund, 8400 Research Blvd.

WRITTEN COMMENTS IN OPPOSITION

Len Layne, 8502 Dryfield

Frances F. Willson Chambliss, 8006 Burrell Drive

PERSONS APPEARING FOR FAVOR

Brian Schuller, City of Austin

Hardy Hollers, 1910 American Nat'l Bank Tower

Vernon Root, (Owner)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Mr. Schuller explained the zoning case was being initiated by the city due to a change in the zoning ordinance which no longer allows parking in "B" residence districts. At the time the property was rezoned the staff had recommended "B" residence to allow parking subject to condition that a privacy fence be constructed; that no access be permitted to Beech Drive; and that the property be limited to parking. These conditions were accepted by the applicant and zoning changed. The staff feels the change to "O" Office at this time should include these original conditions. Mr. Hollers said he desired, in behalf of the owner, to have access to Beech Drive so he could avoid the traffic problems associated with making U-Turns on U.S. 183. He said they must travel a great distance westward before they were allowed to make a turn which allows them to travel east. Mr. Bill Bullock, Assistant Director of Urban Transportation, said the City was currently reviewing ordinances prohibiting U-Turns on certain classes of streets and that the applicants problem would be solved in revisions that were being considered. Mr. Guerrero then asked if anyone else desired to speak in favor of the request. There being no one he asked if anyone wished to speak in opposition. There being no one he declared the hearing closed. Ms. Chance then moved approval of the case in accordance with the staff recommendation. When seconded by Mrs. Mather the motion was approved unanimously.

COMMISSION VOTE:

To recommend approval of "O" Office, 1st H & A with no change in the existing restrictive covenants which (1) limits the use to parking; (2) requires a privacy fence; and (3) prohibits access from the property to Beech Drive.

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

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 7-0 VOTE.

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|------------|---------------------------------|--|
| C14-77-018 | City of Austin: | Int. "AA" Residence District, |
| | Property bounded by Ben White | <u>1st H & A to "D" Industrial</u> |
| | Boulevard, Todd Lane, Burleson | <u>and "A" Residence District,</u> |
| | Road and a line approximately | <u>1st H & A</u> |
| | 2,500 feet west of and parallel | |
| | to Montopolis Drive | |

Mr. Brian Schuller representing the Planning staff presented the staff report and staff recommendation. That either "DL" Light Industrial or "D" Industrial, 1st H & A be granted. Mr. Schuller further indicated that the staff has reviewed the zoning proposal in relation to adequacy of the existing street right-of-way and that the owners with the exception of Air Conditioning Inc. are in agreement that the streets which serve this industrial area need to be expanded to accomodate traffic generated by intensive activities, and agree to subdivide where necessary to increase the street widths where necessary.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Petition (20 names)

Austin Catering Service Inc., 4720 S. Congress

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The commission reviewed the information presented. Mr. Bob Coon representing Air Conditioning, Inc. told the Commission they would be willing to dedicate ten feet on Burleson Road and five feet on Chapman Road. Mr. Bill Stringer, told the Commission that he has been working with most of the property owners within this area and that the staff recommendation was reasonable and urged the Commission to recommend granting the zoning as presented by the staff. Mr. Gutierrez moved to grant "D" Industrial, 1st H & A on the bulk oil company tract and "DL" Light Industrial, 1st H & A on the balance of the area east side of Pleasant Valley Road, five feet of right-of-way on the east side of Chapman Road, and twenty feet on the north side of Burleson Road as offered by the property owners. Mr. Jagger seconded the motion.

COMMISSION VOTE:

To recommend approval of granting "D" Industrial, 1st H & A on the bulk oil company tract and "DL" Light Industrial, 1st H & A on the balance of the area subject to subdivision and right-of-way of 30 feet on the east side of Pleasant Valley Road, five feet of right-of-way on the east side of Chapman Road, and twenty feet on the north side of Burleson Road as offered by the property owners.

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

ABSENT: Mr. Rindy

THE MOTION PASSED BY A 7-0 VOTE.

| | | |
|-------------|--|---|
| C14h-77-016 | Bertran Store Building: Taylor Gaines, owner 1601 Guadalupe Street | <u>"C" Commercial to C-H, 3rd</u> <u>H & A</u> |
|-------------|--|---|

Mr. Guerrero announced that this case had not been advertised, no notices had been sent and that no action was appropriate.
Passed over till a later date.

SPECIAL PERMITS

| | | |
|-------------|--|---|
| C14p-77-021 | Lee, Jackson & Turner, Inc.: 1907-1919 Rundberg Lane 9106-9202 Northgate Boulevard | <u>A 50-unit housing project</u> <u>for the Austin Housing</u> <u>Authority</u> |
|-------------|--|---|

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

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

William Jackson

Bob Brooking, Austin Housing Authority

PERSONS APPERARING IN OPPOSITION

David Livingston, North Austin Civic Assoc.

Nancy Holloman, North Austin Civic Assoc.

COMMISSION ACTION:

Mr. Jackson appeared to request approval of the special permit to allow the construction of a 50 unit dwelling complex that would be owned and operated by the Austin Housing Authority. He presented a site plan and renderings to show the style and location of structures. Mr. Brooking explained that the project was being founded by the U.S. Department of Housing and Urban Development under the Public Housing Program. Mr. Guerrero asked if there were any others who wished to speak in favor of the request. There being none he asked if anyone wished to speak in opposition. Mr. David Livingston representing the North Austin Civic Association stated that they do not oppose the use of the property for public housing so long as they could recieve guarantees that maintenance and design would be at least equal to the privately owned property in the area. He further stated that they had been told that a portion of the property was in the 100 year flood plain. He asked that the association be allowed to consult and approve all plans for landscaping, fencing and maintenance before the final approval was given. He asked that the association be notified in writing by the city departments when plans and permits were applied for and further requested that these be made conditions of the permit if granted. Mrs Nancy Holloman said she agreed with Mr. Livingston and had no other comments.

C14p-77-021 Lee, Jackson & Turner, Inc.--Contd.

COMMISSION VOTE:

Mr. Jagger moved approval of the Special Permit subject to the following requirements:

1. The staff is to work with the applicant to allow the four single family structures to remain separate if desired by the applicant;
2. No Certificate of Occupancy is to be issued until the landscaping is constructed according to a plan which must be approved by the Commission.
3. The public hearing is continued until July 5 at which time the applicant shall present a comprehensive landscaping Plan for Commission approval;
4. The North Austin Civic Association is to review the landscape plan prior to presentation of the plan to the Planning Commission.
5. The staff is to request the City Engineering Department to notify North Austin Civic Association in order that the Association can review the required Creek Permit Plans.
6. Compliance with ordinance requirements and departmental recommendation not in conflict with the preceding portion of this motion.

Mr. Chance seconded the motion.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 6-0 VOTE.

C14p-77-022 El Buen Pastor Day Care Center: Day Care Center for 42
1206 Willow Street 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 recommendation.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Abram Torres (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

C14p-77-022

El Buen Pastor Day Care Center--Contd.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Gutierrez questioned the need for the circle driveway as requested by the Urban Transportation Department. Mr. Bill Bullock representing the Urban Transportation Department answered that for traffic safety on the public street and safety for the children loading and unloading at the facility, the Transportation Department recommends off-street loading and unloading facilities be provided. Mr. Torres stated that a large tree in the front yard would prohibit the installation of a circle driveway. Mrs. Mather indicated the proposed play area should not occur east of the Manse. Mrs. Mather made a motion to approve the Special Permit subject to ordinance requirements and departmental recommendations except Urban Transportation recommendation number one and no playground area will be provided east of the Manse. Ms. Chance seconded the motion.

COMMISSION VOTE:

To approve the request for a Special Permit subject to ordinance requirements and departmental recommendations except Urban Transportation recommendation number one and that no playground area is to be provided east of the Manse.

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

ABSENT: Messrs. Rindy and Dixon

THE MOTION PASSED BY A 6-0 VOTE.

SUBDIVISIONS

R105-77 SUBDIVISION MEMORANDUM

Short form and Final Plats as listed on the Subdivision Memorandum. Action taken at meeting.

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

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

The Commission then

VOTED: To APPROVE the following final plat.

C8-76-58 Western Oak II-A
Beckett Lane & Wheeler Branch

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

ABSENT: Messrs. Dixon and Rindy.

The staff reported that the following planned unit developments have complied with all departmental requirements and recommended that they be approved.

The Commission then

VOTED: To APPROVE the following planned unit developments.

C84
C8-76-04 The Crossing Gardenhomes II
Riverside Drive
C8-76-01 Great Hills, Section 7
Loop 360 and Great Hills Tr.

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

ABSENT: Messrs. Dixon and Rindy.

SHORT FORM SUBDIVISION PLATS--FILED AND CONSIDERED

The staff reported that the following short form plats have appeared before the Commission in the past and all requirements have been complied with. The staff recommends approval of these plats.

The Commission then

SHORT FORM SUBDIVISION PLATS--FILED AND CONSIDERED (continued)

VOTED: To APPROVE the following short form plats.

C8²-77-56 Resub. Tr. "B" Cherry Creek East
Emerald Forest Dr. & Gobi Dr.
C8²-75-188 Boggy Creek Addition (Amended)
Bluff Springs road
C8²-77-91 Resub. Lots 1, 2 & 3, Block A, Longhorn Business Park #2
Brockton Drive & F.M. 1325
C8²-77-77 Willie M. Griffin Subdivision
Cullen Lane

AYE: Messrs. Guerrero, Gutierrez, Jagger and Stoll.

Mmes. Chance and Mather.

ABSENT: Messrs. Dixon and Rindy.

PRELIMINARY SUBDIVISION

The staff reported that the following preliminary subdivision has appeared before the Commission in the past and had been approved.

The staff recommends re-approval of this plat. The Commission then

VOTED: To APPROVE the following preliminary subdivision as originally approved.

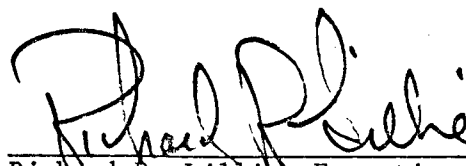
C8-76-33 Mesa Park, Phase 3
Duval Road

AYE: Messrs. Guerrero, Gutierrez, Jagger and Stoll.

Mmes. Chance and Mather.

ABSENT: Messrs. Dixon and Rindy.

The meeting adjourned at 12:30 a.m.



Richard R. Lillie, Executive Secretary