

**MINUTES OF A SPECIAL MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF COTTONWOOD SHORES, TEXAS  
4111 COTTONWOOD DRIVE – CIVIC CENTER  
THURSDAY, APRIL 24, 2003 AT 6:00 P.M.**

- 1. CALL TO ORDER AND ROLL CALL:** Mayor Pickens called this Regular Meeting to Order with both Commissioner Phipps and Commissioner Pfeifer in attendance a Quorum was present at 6:01 p.m.
- 2. PUBLIC HEARING: PUBLIC HEARING HELD FOR THE PURPOSE OF RECEIVING PUBLIC COMMENTS REGARDING THE PROPOSED REZONING OF PROPERTY LOCATED ALONG AND BETWEEN COTTONWOOD DRIVE AND RANCH ROAD 2147 KNOWN AS LOTS 42 THROUGH 50, 53, 56 AND 59 THROUGH 72 IN THE BLUFF VIEW SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS AND A 5.131 ACRE TRACT OF LAND OUT OF THE F. ENGLEKING SURVEY NO. 611, BEING A PORTION OF BLUFF VIEW SECTION ALSO KNOWN AS THE CASTLE MOUNTIAN SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS, FROM THE CURRENT ZONING CATEGORY R-1, SINGLE FAMILY RESIDENTIAL TO C-1, LIGHT COMMERCIAL WITHIN THE CITY LIMITS OF COTTONWOOD SHORES, TEXAS:** Mayor Pickens called the Public Hearing to Order at 6:01 p.m. Mr. Ron Greiser asked what all was included in C-1, Light Commercial. City Secretary, Tena Collier distributed copies of Section 43 of the Zoning Ordinance, No. 022602, which regulates C-1, Light Commercial. Mr. Adrian Gawlik asked the Mayor to read what was allowed out loud. Mayor Pickens read Section 43 of the Zoning Ordinance, No. 022602, which defines C-1, Light Commercial regulations. Mr. Gawlik was concerned about a bar coming in across the street from his residence. Mr. Richard Griffin presented the Council with a map, which showed where his home was located in relation to the area being rezoned. He noted that they moved here twelve years ago primarily for the nice view of the lake. He added he was assured that the property around his was residential and had been for many years. He was upset about what this would do to his property not only aesthetically but financial as well. He presented the Council with photos of the existing business along Cottonwood Drive. He noted that with the proposed property we could only speculate as to what would be there, but you didn't need to speculate at what currently exists. He felt this move would seriously effect the tone and atmosphere of Cottonwood Shores. Mrs. Richard Griffin stated that it was the peace and natural beauty that she enjoyed from her home as well as when she walked. She noted that if this land does become commercial her house would be totally invaluable. She added no one would by a home with a business setting in the front yard and a restaurant on the side. She stated that a restaurant on the hill would create so much traffic that she would not be able to get out of her driveway. She stated that if you don't think that the noise would be a problem you should try living next door to Marty McFly's. She noted that on Saturday nights she couldn't have her windows open now because of the bass playing. She added that having a restaurant next door would be unbearable. Mr. Keith Patschke stated that he owned the lots below Mr. Griffin's. He stated that he or someone else could build a three-story house there and effect the view and value of Mr. Griffin's property. He stated that sometimes rezoning property to commercial increases the value. He didn't see how the Griffin's felt their property would become invaluable. He noted he was in favor of the rezoning. He added that the City needed the revenue from the sales tax. He felt the ordinance was strong and would prohibit any undesirable businesses and they would have to be closed by 10:00. Mrs. Griffin asked where Mr. Patschke's home was. Mr. Patschke replied he lived on Lakeview Drive. Ms. Joyce Everett stated that she lived on Dogwood. She noted that whatever business it was that did the body repair at night with the welding and loud music shook her windows. She would be opposed to any other business like that coming in. Mayor Pickens stated that if she would give the Police Department a call whenever that was going on they could do something about their disturbing the peace. Mr. Gawlik expressed his concern at comments that property across from his was not worth nothing because of road noise. He stated that he hears the road noise all the time, but it was nothing compared to when the Crews Inn was open. Ms. Everett stated she would also be opposed to anything that sold alcohol on premises since there were children in her

neighborhood. Mayor Pickens stated the City Council does have some control of what goes in. He added with out the conditional use permit that would not be allowed. Ms. Connie Audino asked if the City could oppose issuing a permit. She added do the citizens get a vote, or do they just apply for a permit and get one. Mayor Pickens stated that he thought you would have wanted to have voted for someone to be on the City Council that would hold your best interest in their hearts and be choosy about what permits would be issued. He added he could not tell her she would have a voice in the permitting process. Mr. Gawlik stated that if the current Council was gone anyone could be there to grant the approval. Mayor Pickens stated that you better watch who you have in office. Mr. Gawlik stated that he had done a lot for the City and he liked it here, but the City was not going to get rich on this rezoning. Mr. Ron Greiser stated that he drove down Cottonwood Drive going to his home and he saw a lot of disturbing sights. He noted that he owned a house across the street from the Gumm yard and it definitely had not help his property value there. He hoped to see something done with the existing eyesores we have now, instead of adding to the burden. He noted he felt that this was way too much property to change at this time, especially the stuff up on the hill. He added he felt sorry for the Griffins because their property will be surrounded by commercial. Mayor Pickens stated that there were provisions for landscaping and screening in the new ordinance and he would look into whether it was enforceable on existing businesses. Mr. Gawlik stated that he had been told that the property across from him was only good for one thing and that was commercial. He didn't agree. He thought the City should enforce ordinances on cleaning up the brush and existing businesses to increase property values. Ms. Jo Anne Austin stated that if the property facing RR 2147 was not zoned commercial it was useless because no one wants to build a residence on that highway. She added we know that or they would have in the past thirty years. She asked if the City could afford the luxury of having the property just set there when the City needs to produce revenue to provide services. She stated that she knew how the City operated on nickels and dimes, and they needed the additional revenue. Mayor Pickens stated that the City was growing and the citizens expected services. He stated that our sales tax revenue is \$20,000.00 a year, which is not a lot compared to Marble Falls, which receives \$300,000.00 a month. He noted that the City had not aggressively raised ad valorem taxes. He added that the City needs additional income to provide services that citizens expect. Commissioner Phipps stated that the property should have been rezoned along time ago and would have been if not for the few people who lived up there. She added the City had to grow. Mr. Griffin stated that twelve years ago when he moved here Cottonwood was a sleepy, slow paced residential community. He added it seemed reasonable that it would stay that way, however, he understood things changed. He stated that the property on the highway he could see why no one would want to build a house there. He added that when it gets next door to him it gets personal and he doesn't come up with the same rational for the change. Mr. Mike Butler stated that when he bought property they had deed restrictions and he thought that Bluff View was zoned residential when the City made it's first zoning ordinance. He added he could see changes to ordinances, but he did have an issue with the reason for rezoning without a real plan. He stated that a restaurant meant a beer joint to him. He stated he didn't know of any restaurant in this area that didn't turn into a bar after 9:00 p.m., not to mention the traffic. Mrs. Austin stated that there was an alternative, the City could maintain this as an exclusive community and keep it in it's natural state and not progress and then raise our property taxes so high they could afford to provide services needed. Mr. Butler stated he saw that it was a hard issue to balance between having a nice place to live and revenue. Mayor Pickens stated that the property owners involved had made a request to rezone this property. He added the City didn't initiate this action, without their request. He noted that some of this property didn't just come up yesterday, this had been discussed and talked about for as long as he has been here. He added that it should have been done long ago. He stated that the time has come to at least get the highway frontage into retail area. Mr. Gawlik stated that if it is rezoned what will happen. Mayor Pickens stated the City has an ordinance against vehicles with more than two axles in a residential area. He added there was no place to turn around down on this end of Cottonwood Drive. He stated he would like to see all commercial traffic limited to RR 2147. Commissioner Pfeifer stated that with the screening and fencing would prohibit traffic on Cottonwood Drive, it would have to have access on RR 2147. Mr. Black stated that to run the City you have to have revenue. He noted that commercial businesses bring in revenue and without it the City can't make it. He added more money means more services. Mrs. Christie Grogan stated that she had small children and did not want a bar next door to her house. Mrs. Dorothy Butler stated what about her money that she had invested in her house. She


noted that you would be taking away from the value of her home and she didn't want a paved road if it was going to take away from her property value. Mr. Black stated that the value of her property would have to go up if they paved the roads. Ms. Sandi Kirk stated that she lived across the street from Marty McFly's and she didn't hear a thing. Mr. Griffin wanted to show appreciation for things that the Council had done in the past and thanked them for the opportunity to voice his concerns. Mayor Pickens then closed the Public Hearing at 6:58 p.m.

3. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. TOM ROBERTS AND MR. BILL RAINEY TO REZONE LOTS 42 THROUGH 50 AND 59 THROUGH 67, BLUFFVIEW SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS FROM R-1, SINGLE-FAMILY RESIDENTIAL TO C-1, LIGHT COMMERCIAL:** Mayor Pickens stated that this property has highway frontage. Mr. Roberts is the realtor who has an office in our City and Mr. Bill Rainey was one of the original developers of Cottonwood Shores. Commissioner Pfeifer stated that he felt the highway frontage should be zoned commercial. Commissioner Phipps then made a motion to approve the request for rezoning on Item 3. Commissioner Pfeifer seconded her motion, which carried.
4. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. DION PEREZ AND MR. GRACIANO PEROZZI TO REZONE LOTS 68 THROUGH 72 IN THE BLUFF VIEW SECTION, COTTONWOOD SHORES, BURENT COUNTY, TEXAS AND A 5.131 ACRE TRACT OF LAND OUT OF THE F. ENGLEKING SURVEY NO. 611, BEING A PORTION OF BLUFFVIEW SECTION, KNOWN AS CASTLE MOUNTAIN SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS FROM R-1, SINGLE-FAMILY RESIDENTIAL TO C-1, LIGHT COMMERCIAL:** Mayor Pickens stated that he could see the potential for a nice restaurant up on the hill, but the problem he had with this property was with the access on a residential street. He recommended denying the request. Commissioner Pfeifer stated that he too had a problem with the access. He didn't want delivery trucks on Cottonwood Drive. He then made a motion to deny the request on Item 4. Commissioner Phipps seconded his motion, which carried.
5. **CONSIDER AND POSSIBLY TAKE ACTION ON A REQUEST BY MR. LARRY FLOYD TO REZONE LOTS 53 AND 56, BLUFFVIEW SECTION, COTTONWOOD SHORES, BURNET COUNTY, TEXAS FROM R-1, SINGLE-FAMILY RESIDENTIAL TO C-1, LIGHT COMMERCIAL:** Mayor Pickens stated that this property was on highway 2147. He recommended this request be approved. Commissioner Pfeifer agreed. Commissioner Phipps then made a motion to approve the request for rezoning on Item 5. Commissioner Pfeifer seconded her motion, which carried.
6. **CITIZENS' COMMENTS:** Mrs. Grogan stated that basically the highway had been rezoned, but that the mountain did not change. Mayor Pickens stated that was correct.
7. **ADJOURNMENT:** Mayor Pickens adjourned this Special Meeting at 7:05 p.m.

ATTEST:

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DALE PICKENS, MAYOR

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TENA COLLIER, CITY SECRETARY

  
*Laurel Kant*  
\_\_\_\_\_  
Laurel Kant, City Secretary  
Replaces Original Minutes  
Dec. 21, 2005



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OF THE CITY COUNCIL  
OF THE CITY OF COTTONWOOD SHORES, TEXAS  
4111 COTTONWOOD DRIVE – CIVIC CENTER  
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**AGENDA**

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6. CITIZENS COMMENTS.
7. ADJOURNMENT.

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3808 COTTONWOOD DRIVE, COTTONWOOD SHORES, TEXAS ON THIS 17<sup>TH</sup> DAY OF APRIL, 2003 AT 5:00 P.M.

  
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DALE PICKENS, MAYOR

ATTEST:

  
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TENA COLLIER, CITY SECRETARY

