

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--March 11, 1975

The meeting of the Commission was called to order at 7:00 p.m. in the City Council Chambers.

Present

C. W. Hetherly, Chairman
O. P. "Bob" Bobbitt
Rizer Everett
Jean Mather
Charles Nash
George Ramsey, III
Bennie Washington

Also Present

Richard Lillie, Director of Planning
Evelyn S. Butler, Supervising Planner
Bill Snyder, C. I. P. Administrator
David Earl Holt, Director of Libraries
Pat Settle, Administrative Secretary

Absent

Betty Himmelblau
Philip Juarez

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of March 3 and 4, 1975.

Present

*O. P. "Bob" Bobbitt, Chairman
Rizer Everett
Jean Mather
Charles Nash, Acting Chairman
Bennie Washington

Also Present

*Evelyn S. Butler, Supervising Planner
*Duncan Muir, Planner
**Brian Schuller, Planner
**Bill Snyder, C. I. P. Administrator
**David Earl Holt, Director of Libraries
Pat Settle, Administrative Secretary

*Present only on March 3, 1975

**Present only on March 4, 1975

ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-012	Highland Lakes National Mortgage Company: Intersection of Pleasant Valley Road & Teri Road	<u>Int. "A" Residence,</u> <u>"1st" H & A to "LR" Local Retail,</u> <u>"1st" H & A & "A" Residence, "1st"</u> <u>H & A (as amended). (Orig. Req.:</u> <u>Int. "A" Residence, "1st" H & A to</u> <u>to "GR" General Retail, "1st" H & A)</u>
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STAFF REPORT:

Subject request for retail zoning covers a narrow strip of land containing 1.4 acres fronting a recently platted yet undeveloped major arterial in southeast Austin. The Franklin Park single-family neighborhood is planned to the north and the new Village South neighborhood exists to the south.

Teri Road, which bounds subject tract on the south, is classified as a neighborhood collector and is the major street serving the vicinity presently. A short distance to the south Stassney Lane is planned to intersect I. H. 35. When developed, it will replace Teri Road as the major east-west arterial serving the area. A total of 12 acres of local retail zoning has been established at the intersection of Pleasant Valley Road and Stassney Lane.

The staff cannot support subject request for two reasons. The shape of the tract will encourage the type of strip commercial development which is not appropriate to this newly forming neighborhood. Secondly, sufficient retail zoning has already been established to the south, and to the west at the intersection of Teri Road and Frederick Lane to service the local shopping needs. According to the Community Builders Handbook published by the Urban Land Institute, a neighborhood center providing convenience goods and personal services for day-to-day needs of the immediate neighborhood can be supplied by between 4 to 10 acres. Tarrytown Shopping Center, for example, at the intersection of Windsor Road and Exposition is developed on 3.5 acres (including the post office).

The spacing of neighborhood centers is determined by six minutes driving time, the maximum time which shoppers will normally travel for convenience needs. At an average of 20 miles per hour, this would be a travel distance of two miles. Converting this into a service radius for a neighborhood center, one can safely assume that any resident living within a one-mile radius of a neighborhood center can drive to the center within six minutes.

The 12 acres of retail zoning to the south of subject tract is within 30 seconds driving time at 20 mph. The five acres of retail zoning (pending special permit) to the west on Teri Road is within two minutes driving time of subject tract. Additional local convenience zoning is not needed at this location. In addition, major shopping center zoning has already been established to serve this area at the future intersection of Stassney Lane and I. H. 35 to the west, and at the intersection of Pleasant Valley Road and North Bluff Road (Outer Loop) to the south.

C14-75-012 Highland Lakes National Mortgage Company--Contd.

STAFF RECOMMENDATION:

That any change in zoning be denied as an unnecessary zoning intensification within a developing low-density neighborhood for which sufficient local convenience and major shopping center zoning has already been established.

If zoning is established, sign notification is desirable.

NOTE: A subdivision is required prior to the issuance of building permits.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

None

PERSONS APPEARING

John Selman (representing applicant)
Ted Wendlandt

FOR

COMMITTEE ACTION:

The applicant amended his request to "LR" Local Retail, "1st" H & A to the southern 200 feet of the tract at the intersection of Teri Road and Pleasant Valley Road with the northern 260 feet of the tract to remain "A" Residence, "1st" H & A. Ms. Mather was of the opinion that sufficient "LR" existed in the area and did not see the need for additional retail zoning so close. She felt that if this case were granted, the "LR" adjacent to Stassney could not be rolled back, thus creating strip zoning. She recommended that the request be denied. The motion failed 2-3. Mr. Washington stated that a convenience store is not located on that tract already zoned "LR" and that an application is before the Committee tonight for such a use. He stated he did not feel it would be detrimental to the area. Mr. Nash recommended that the request be granted, as amended, subject to a privacy fence on the eastern and northern boundaries and subject to sign notification.

AYE: Messrs. Bobbitt, Nash and Washington.

NAY: Mr. Everett. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather restated her opposition to granting this request. Mr. Bobbitt stated he was willing to grant the request for the use on the limited amount of the tract as the applicant had amended. A majority was in agreement with the Committee's recommendation to grant the request, as amended, subject to conditions.

C14-75-012 Highland Lakes National Mortgage Company--Contd.

COMMISSION VOTE:

To recommend that the request of Highland Lakes National Mortgage Company for a zoning change from Interim "A" Residence, Interim "1st" H & A to "LR" Local Retail, "1st" H & A, on the southern 200 feet of the tract at the intersection of Teri Road and Pleasant Valley Road and "A" Residence, "1st" H & A on the northern 260 feet of the tract, as amended, be GRANTED, as amended, subject to a privacy fence on the eastern and northern boundaries of the tract, and subject to sign notification.

AYE: Messrs. Hetherly, Bobbitt, Nash, Ramsey and Washington.
NAY: Mr. Everett. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-013 Jackson T. & Mary E. Bayless: "A" Residence, "1st" H & A
6101 Adalee Avenue to "B" Residence, "1st" H & A (as amended)
6112 Manor Road (Orig. Req.: "A" Residence, "1st" H & A
to "O" Office, "1st" H & A)

STAFF REPORT:

Subject tract is located at the intersection of a minor residential street, Adalee Avenue, and a major arterial street, Manor Road. The property is oriented to a single-family neighborhood. A limited amount of locally oriented commercial zoning and uses have been established along Manor Road on land which was not specifically platted for single-family residential uses.

Single-family homes surround subject tract and single-family neighborhoods extend north and south of it. Granting a zoning change at this location could stimulate similar requests from owners of small residential lots developed with single-family homes, and may result in a decline in maintenance of adjacent homes.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into an established single-family neighborhood.

If zoning is granted, one-half the r.o.w. (five feet) necessary to increase Adalee Avenue to 60 feet is needed.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Mary E. Bayless (applicant)

Three zoning violations currently exist on adjacent properties. Warehouses have recently been constructed on "A"-zoned land to the northwest of subject tract. Driveway access to the warehouses exists on the "B"-zoned lot two lots west. An office has been established on an "A"-zoned lot on the south side of Post Road.

CI4-75-014 Dennis Bauerle--Contd.

R.O.W. necessary to service commercial service and semi-industrial areas is usually 70 to 80 feet. Upon analysis of Post Road for the zoning case which established the "B" to the west and "DL" to the south, the Commission recommended and the Council required additional r.o.w. to increase Post Road to 60 feet or to existing building walls. The zoning ordinance was finalized without any r.o.w., but a sidewalk and public utilities easement was granted on the south side of Post Road. Even though r.o.w. was not obtained in that zoning case the staff cannot recommend the requested zoning unless Post Road is expanded beyond minor residential status.

STAFF RECOMMENDATION:

That this case be granted as consistent with established zoning at this location, subject to one-half the r.o.w. (5 feet) necessary to increase Post Road from 50 to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

None

PERSONS APPEARING

Sarah Guerra

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather expressed concern about the illegal uses in the area and instructed the staff to notify Building Inspection of the violations and requested that a report be given to the Commission. Mr. Washington recommended that this request be granted, subject to one-half the r.o.w. (five feet) necessary to increase Post Road from 50 to 60 feet.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Dennis Bauerle for a zoning change from "A" Residence, "1st" H & A to "C" Commercial, "1st" H & A on property located at 112-114 Post Road be GRANTED, subject to one-half the r.o.w. (five feet) necessary to increase Post Road from 50 to 60 feet.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-015 Trev Seymour and Laird Palmer: "B" Residence, "2nd" H & A to
901 Baylor Street, also "O" Office, "1st" H & A
bounded by West 9th Street (Historic Request Withdrawn)

STAFF REPORT:

Subject tract is located at the intersection of a minor residential street and a minor collector street in an old neighborhood west of downtown Austin. A large residential structure exists on the tract. Commercial development oriented to Lamar Boulevard exists to the east. Residences surround this tract on the other three sides.

Present access to the tract is from Baylor Street, which is impassable north of this property because of a steep dropoff. A street vacation request for 29 of the 60 feet of the Baylor Street r.o.w. is pending the third reading of the ordinance. The existing structure is located within the present r.o.w. A reversionary clause is being attached to the vacation so that if the structure is removed, the 60 feet of r.o.w. is restored.

Subject tract is situated on the bank of the Shoal Creek Valley. The elevation of the site is higher than that of the commercial development below. Access from West 9th Street is very restricted because of the steepness of the street and the difference in elevations of the street and the tract.

Existing zoning on subject tract and the apartment zoning in the neighborhood was established in the original zoning ordinance of 1931. Recently many owners in the neighborhood requested and were granted a change of zoning to "A" Residence in an attempt to preserve the neighborhood and inhibit deterioration.

The intersection of West 9th Street with North Lamar Boulevard below is hazardous because the steep hill stops at Lamar Boulevard leaving no level holding capacity. Ninth Street is being extended eastward across Shoal Creek and will provide additional access (one-way-east) to the downtown business district. The Urban Transportation Department plans to signalize the intersection of Ninth Street and Lamar Boulevard, which should facilitate turning and crossing movements.

The complete zoning request initially received by the Planning Department was for "O-H" Office-Historic, "1st" H & A. The Landmark Committee heard the request for "H" Historic zoning and voted not to recommend the case to the Landmark Commission because sufficient historic factors did not exist. The request for "H" Historic zoning has been withdrawn.

The request for "1st" H & A is much more compatible with this tract and the neighborhood than the "2nd" H & A District. The "1st" H & A District conforms to the established uses in the neighborhood and decreases the potential of intensification which encourages deterioration of the neighborhood.

C14-75-015 Trev Seymour and Laird Palmer--Contd.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into the neighborhood which is attempting to to preserve its residential vitality.

The present zoning allows the use of the existing structure for residential use as well as professional office use by the resident and three non-residents.

CITIZEN COMMUNICATION (CONCERNED CITIZENS FOR THE DEVELOPMENT OF WEST AUSTIN)

WRITTEN COMMENT

Don J. Jackson: 1110 West 10th Street
Conger Poage: P. O. Box 11088

AGAINST
AGAINST

PERSONS APPEARING

Trev Seymour (applicant)
Laird Palmer (applicant)
Tom Harris
Joe Martinic
Charles Huntly
Sebastian Davis
Kay Hart

FOR
FOR
AGAINST
AGAINST
AGAINST

COMMITTEE ACTION:

The applicant agreed to the reversionary clause (that if the structure were removed, the r.o.w. would revert back to the City) attached to the vacation of Baylor Street and also agreed to a covenant that the zoning would revert back to "B" Residence if a use change were to occur. In answer to Mr. Everett's question regarding adequate parking, the applicant indicated adequate parking is available. Ms. Mather agreed with the area residents in protecting their neighborhood from encroachments but felt in reality the "O" Office, "1st" H & A would be zoning down from "B" Residence, "2nd" H & A. She questioned whether or not the property could economically serve as residential. Mr. Everett agreed that the house is a handsome structure and the owners are proposing a use more desirable than an apartment complex. Mr. Everett recommended that the request be granted, subject to a restrictive covenant that the zoning would revert back to "B" 2nd if not used for the proposed use and subject to the street vacation reversionary clause. Ms. Mather indicated that she would vote against the case so that all Commission members could have an opportunity to review it.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
NAY: Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented. In answer to Ms. Mather's question regarding the staff's feeling about the covenants and zoning changes, the staff indicated they felt a change in zoning would be an encroachment but if the structure is going to be used for offices only, then the objections

C14-75-015 Trev Seymour and Laird Palmer--Contd.

are somewhat softened. The staff pointed out that covenants are difficult to enforce and they would prefer not to place covenants on the property. Ms. Mather pointed out that the neighborhood is apparently split in their opinion concerning the zoning change. Members recommended that the request be granted, subject to conditions.

COMMISSION VOTE:

To recommend that the request of Trev Seymour and Laird Palmer for a zoning change from "B" Residence, "2nd" H & A to "O" Office, "1st" H & A on property located at 901 Baylor Street, also bounded by West 9th Street, be GRANTED, as amended, subject to a restrictive covenant in which the zoning would revert back to "B" Residence, "2nd" H & A if not used for offices, and subject to the street vacation reversionary clause.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-016 H. R. Leigh: "GR" General Retail, "6th" H & A
7545-7575 Burnet Road, also to "C-1" Commercial, "6th" H & A
bounded by St. Joseph Blvd.

STAFF REPORT:

Subject tract is located in northwest Austin at the intersection of a major arterial and a neighborhood collector street. Burnet Road is zoned for and developed with retail and commercial uses. "C" Commercial zoning abuts the subject tract to the south and exists across Burnet Road. A single-family neighborhood exists to the east across the alley; a church is located to the north.

STAFF RECOMMENDATION:

That this case be granted as consistent with existing zoning and use along Burnet Road.

NOTE: The doorway of an establishment selling alcoholic beverages must be located no closer than 300 feet from the doorway to a church.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

H. R. Leigh (applicant)

C14-75-016 H. R. Leigh--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to grant the request.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of H. R. Leigh for a zoning change from "GR" General Retail, "6th" H & A to "C-1" Commercial, "6th" H & A on property located at 7545-7575 Burnet Road, also bounded by St. Joseph Boulevard be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-017 Leona Ryan Graham: "A" Residence, "1st" H & A
 1908 Eva Street to "B" Residence, "1st" H & A

STAFF REPORT:

Subject tract is a residential lot in an older single-family neighborhood located in south Austin between South 1st Street and Congress Avenue. Access is provided by a minor residential street with 60 feet of r.o.w. and an alley to the rear. Single-family residences surround this lot except to the south where a residence has been converted into a boarding house for deaf girls attending the state school.

The proposed use of subject tract which requires a zoning change is expansion of the boarding house facilities which abut to the south. The applicant proposes to combine the residential structure on the subject lot with the boarding house and add parking on the rear of the lot for the boarding house.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a single-family neighborhood.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOOD)

WRITTEN COMMENT

None

PERSONS APPEARING

Leona Ryan Graham (applicant)

Lee Abbott (representing applicant)

C14-75-015 Trev Seymour and Laird Palmer--Contd.

are somewhat softened. The staff pointed out that covenants are difficult to enforce and they would prefer not to place covenants on the property. Ms. Mather pointed out that the neighborhood is apparently split in their opinion concerning the zoning change. Members recommended that the request be granted, subject to conditions.

COMMISSION VOTE:

To recommend that the request of Trev Seymour and Laird Palmer for a zoning change from "B" Residence, "2nd" H & A to "O" Office, "1st" H & A on property located at 901 Baylor Street, also bounded by West 9th Street, be GRANTED, as amended, subject to a restrictive covenant in which the zoning would revert back to "B" Residence, "2nd" H & A if not used for offices, and subject to the street vacation reversionary clause.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-016 H. R. Leigh: "GR" General Retail, "6th" H & A
7545-7575 Burnet Road, also to "C-1" Commercial, "6th" H & A
bounded by St. Joseph Blvd.

STAFF REPORT:

Subject tract is located in northwest Austin at the intersection of a major arterial and a neighborhood collector street. Burnet Road is zoned for and developed with retail and commercial uses. "C" Commercial zoning abuts the subject tract to the south and exists across Burnet Road. A single-family neighborhood exists to the east across the alley; a church is located to the north.

STAFF RECOMMENDATION:

That this case be granted as consistent with existing zoning and use along Burnet Road.

NOTE: The doorway of an establishment selling alcoholic beverages must be located no closer than 300 feet from the doorway to a church.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

H. R. Leigh (applicant)

C14-75-018 James H. Hausenfluke--Contd.

STAFF RECOMMENDATION:

That this case be granted, as the proposed use is appropriate for this commercial district.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

James H. Hausenfluke (applicant)

G. L. Anderson: 3004 Cedarview Drive

Lizzie Hoffmeyer: 1007 West 45th Street

Ernest Lauterbeck: 4401 Marathon Boulevard

N. L. Jim McLeod: 1003 West 44th Street

Lonnie Scott: 4418 Marathon Boulevard

Petition bearing 14 names

privacy fence

FOR

AGAINST

AGAINST

AGAINST

AGAINST

FOR a 10'

PERSONS APPEARING

Gene Palmer (representing applicant)

COMMITTEE ACTION:

Members reviewed the request for a zoning change in conjunction with the special permit request. A petition requesting a 10-foot privacy fence at the rear property line was submitted by area residents. The staff pointed out that the ordinance requires only a four-foot privacy fence where parking is adjacent to residential uses. Ms. Mather was of the opinion that a privacy fence should be required. Mr. Nash pointed out that a 16-foot alley exists to the rear. He stated that to require a fence along the entire property line adjacent to the alley is unnecessary. He was of the opinion that the use is not being changed enough to warrant it and also that the business has been in operation in that location eight to ten years. He stated that a fence would not stop the noise, and that he would be opposed to requiring the fence. Mr. Washington recommended that the request be granted, subject to a 6-foot privacy fence on the western boundary where adjacent to "A" Residence.

AYE: Messrs. Everett and Washington. Ms. Mather

NAY: Mr. Nash

COMMISSION ACTION:

Members reviewed the information presented and a majority recommended that the request be granted, subject to conditions.

C14-75-017 Leona Ryan Graham--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. In response to a question the applicant indicated that the zoning change was necessary to provide parking for the adjacent boarding house. In answer to Mr. Bobbitt's question regarding a variance, the staff pointed out that a parking variance was under the jurisdiction of the Board of Adjustment. It was also pointed out that boarding house is permitted in "A" Residence for a maximum of four boarders. However, "B" Residence is required for five or more boarders. Ms. Mather recommended that the case be postponed to allow the applicant to go before the Board of Adjustment to request a variance, thus eliminating a need for an additional filing fee if the variance was denied. The motion died for lack of a second. Messrs. Nash and Everett were of the opinion that "B" Residence was not inappropriate. Mr. Nash recommended that the request be granted but the motion failed 2-3. Ms. Mather then recommended that the request be postponed so that the applicant could apply for a variance. Mr. Washington seconded the motion but was of the opinion that the case involved more than just the parking situation. The motion carried unanimously.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's action.

COMMISSION VOTE:

To POSTPONE the request of Leona Ryan Graham for a zoning change from "A" Residence, "1st" H & A to "B" Residence, "1st" H & A on property located at 1908 Eva Street for Board of Adjustment variance.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington.
 Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-018 James H. Hausenfluke: "C" Commercial, "5th" H & A
 4412 North Lamar Blvd. to "C-2" Commercial, "5th" H & A

STAFF REPORT:

Subject tract is located in a strip commercial district on a minor commercial access street which parallels a major arterial in central Austin. A non-conforming bar presently exists on this tract. A special permit is being filed in conjunction with this zoning change request.

A single-family neighborhood exists across the alley to the west. Administrative offices for a state school exist to the east of subject tract.

C14-75-019 Fred J. Schnitzer--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation that this request be granted, subject to a five-foot sidewalk and public utility easement by subdivision, subject to five feet of r.o.w. on Avenue F at the time Avenue F is widened, and subject to narrowing the driveway by putting in a curb along part of Avenue F.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
Ms. Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Fred J. Schnitzer for a zoning change from "O" Office, "6th" H & A and "BB" Residence, "1st" H & A to "LR" Local Retail, "6th" H & A and "1st" H & A on property located at 5300 Avenue F and 112 East North Loop Boulevard (rear) be GRANTED, subject to a five-foot sidewalk and public utility easement by subdivision, subject to five feet of r.o.w. on Avenue F at the time Avenue F is widened, and subject to narrowing the driveway by putting in a curb along part of Avenue F.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-020 Growth Corporation and Laura Burns: "LR" Local Retail, "1st" H & A
3401-3443 Greystone Drive to "GR" General Retail, "2nd" H & A
also bounded by Balcones Drive

STAFF REPORT:

After reviewing site plans for the proposed development, the staff recommended that the applicant request approval of a special permit for the subject tract rather than a zoning change. The applicant has submitted a letter requesting a withdrawal of the zoning request which the staff recommends.

CITIZEN COMMUNICATION (NORTHWEST AUSTIN CIVIC ASSN.)

WRITTEN COMMENT

Pierrepoint F. Barton: 7406 Shadow Hill Drive	AGAINST
Agnes R. Long: 7406 Shadow Hill Drive	AGAINST
Jacquelyn Worden: 3505 Greystone Drive	AGAINST
David W. Pace: 3447 Greystone Drive	AGAINST
Mrs. William P. Tryon: 3515 Greystone Drive	AGAINST
Mary M. Votaw: 3511 Greystone Drive	AGAINST
Mrs. Barbara J. Burns: 3517 Greystone Drive	AGAINST

PERSONS APPEARING

None

C14-75-020 Growth Corporation and Laura Burns--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be withdrawn.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
Ms. Mather

C14-75-021 Dunning C. Bright and Rosemary Bright Hanover: Int. "A" Residence,
9312-9318 Cameron Road "1st" H & A to "GR" General Retail,
1417-1427 Rundberg Lane "1st" H & A

STAFF REPORT:

This property is located in northeast Austin at the intersection of two major arterials. Rundberg Lane is currently being expanded between I. H. 35 and Cameron Road. General Retail zoning exists north of subject property. A mobile home park exists to the west, vacant land to the south and rural residential to the east outside the city limits.

STAFF RECOMMENDATION:

That this case be granted as appropriate for the intersection of major arterials, subject to one-half the r.o.w. (35 feet) necessary to increase Cameron Road from 50 feet to 120 feet.

NOTE: A subdivision is required prior to the issuance of a building permit.

CITIZEN COMMUNICATION (NORTHEAST AUSTIN RESIDENTS ASSN.)

WRITTEN COMMENT

None

PERSONS APPEARING

Tom Curtis (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to grant the request, subject to one-half the r.o.w. (35 feet) necessary to increase Cameron Road from 50 feet to 120 feet.

AYE: Messrs. Nash, Everett and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather
 ABSENT: Mr. Juarez. Ms. Himmelblau

STAFF REPORT:

The staff cannot support the additional retail zoning requested on Tract 1. Retail zoning has been terminated to the west and the zoning grades down to "O" Office and "BB" Residence on the south side of Riverside Drive. The retail zoning to the north is integrated into the total plan for The Crossing. "BB" apartment zoning is the least restrictive zoning which will be compatible with surrounding zoning. The "BB" zoning should be terminated on the east to conform to the eastern edges of the apartment zoning to the south. "A" Residence should be preserved east of that point.

C14-75-022 Land Equities, Inc.--Contd.

STAFF RECOMMENDATION:

That the requested zoning be denied, but that "BB" Residence be granted on Tract 2 and Tract 1, excluding the easternmost extension (160 x 150 feet approximately), subject to the vacation of Kirksey Drive and Kenneth Avenue and resubdivision. This recommendation recognizes the sufficiency of retail zoning in this area, emphasizes compatibility with established zoning, and seeks to establish a boundary for the apartment district zoning.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

None

PERSONS APPEARING

Doran Eskew (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather was of the opinion that the creek is the logical stopping point. In answer to Mr. Everett's question regarding their feeling about the staff's recommendation, the applicant indicated he would prefer to have "LR" to the same extent as the property across Riverside Drive. Ms. Mather was of the opinion that too much traffic would be generated on Riverside Drive as well as a burden on other existing facilities. She indicated she could possibly accept "B" on Tract 1 to the creek but would prefer "BB" on the entire tract. She then recommended that the request be denied but that "BB" Residence, "1st" H & A be granted on Tracts 1 and 2, excluding the easternmost extension (160' x 150' approximately) of Tract 1, subject to the vacation of Kirksey Drive and Kenneth Avenue, and subject to resubdivision.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Land Equities, Inc. for a zoning change from Interim "A" Residence, Interim "1st" H & A to "LR" Local Retail (Tract 1) and "B" Residence, "1st" H & A (Tract 2) on property located at 4825-5009 Riverside Drive, also bounded by Kirksey Drive and Kenneth Avenue be DENIED but GRANT "BB" Residence, "1st" H & A on Tracts 1 and 2, excluding the easternmost extension (160' x 150' approximately) of Tract 1, subject to vacation of Kirksey Drive and Kenneth Avenue and subject to resubdivision.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-023 George W. North, et al: "A" Residence, "1st" H & A
4405-4411 Packsaddle Pass to "O" Office, "1st" H & A

STAFF REPORT:

Subject tract consisting of four single-family lots developed with residences, is located in south Austin along a collector street, Pack Saddle Pass, just south of a major arterial street, Ben White Boulevard.

Office, retail and commercial zoning surrounds subject tract on three sides. One "A" Residence-zoned lot remains to the south. That lot should be rezoned in the future to "B" Residence to be consistent with zoning to the east and to protect the single-family neighborhood to the south.

STAFF RECOMMENDATION:

That this case be granted as consistent with the established zoning pattern in this area.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Buford Stewart (representing applicant)

COMMITTEE ACTION:

The applicant indicated some concern with the possible flooding from the adjacent property. The members suggested that each property owner notify the Engineering department of any problem they might have with potential flooding. Members were in agreement with the staff's recommendation to grant the request.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of George W. North, et al, for a zoning change from "A" Residence, "1st" H & A to "O" Office, "1st" H & A on property located at 4405-4411 Packsaddle Pass be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington.
 Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14-75-024 City of Austin: "O" Office, "2nd" H & A to
410-416 West 8th Street, also "C" Commercial, "3rd" H & A
bounded by San Antonio Street

STAFF REPORT:

Subject tract is located in west downtown Austin. It is one-half of the new central library site for which the zoning has been requested. A meeting of the City Manager and the Libraries staff has been scheduled for Friday, February 28. A determination of the City's position regarding this zoning case will emerge from that meeting.

CITIZEN COMMUNICATION (OLD AUSTIN NEIGHBORHOOD)

WRITTEN COMMUNICATION

None

PERSONS APPEARING

David Earl Holt (representing applicant)

Fred Day (representing applicant)

Phil Shaw: 1608 West Avenue

FOR

Fred Sackett: 1402 Windsor Road

FOR

COMMITTEE ACTION:

Mr. David Earl Holt, Director of Libraries, and Mr. Fred Day, architect, reviewed the plans for the new central library facility. Members reviewed the request for the zoning change in connection with the special permit request. Ms. Mather was of the opinion that a central facility should be located in the downtown area where it would be more accessible to those people who are commuting by bus or are walking. She felt the original proposed site at 5th Street and Colorado Avenue would be a better site. Mr. Holt pointed out that economics have ruled out other sites. Mr. Nash pointed out that the site has already been approved by Council and that the action tonight is on the zoning change and special permit. Ms. Mather reasoned that denying the zoning would indicate to the Council that they would need to find another site. Messrs. Nash and Everett stated that they were in favor of the proposed site. Mr. Washington recommended that the request for a zoning change be granted.

AYE: Messrs. Nash, Everett and Washington.

NAY: Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather restated her opposition to the location of the site. Mr. David Earl Holt, Director of Libraries, reported the proposed site comes closest to meeting all the criteria for a central library than any other site considered. Ms. Mather pointed out that in the past C.I.P. meetings the proposed site was highly opposed by Mr. Holt and this is what she was basing her opinion on. A majority of the members recommended the request be granted.

Members reviewed the information presented and were in agreement with the Committee's recommendation to grant the request.

C14-75-025 J. T. Hewlett and Mace B. Thurman, Jr.--Contd.

COMMISSION VOTE:

To recommend that the request of J. T. Hewlett and Mace B. Thurman, Jr. for a zoning change from "C" Commercial, "6th" H & A to "C-2" Commercial, "6th" H & A on property located at 5725 North I. H. 35 and 1011 Reinli Street be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

PLANNED UNIT DEVELOPMENT

C814-74-007 Carl Wooten: 62 Condominium Units and 96 Single-Family
Lakeshore Drive, Westlake Drive dwelling units called,
and Lake Austin (Colorado River) "Harbor Village"

STAFF REPORT:

This is an application for approval of a Planned Unit Development on 21.12 acres of land to include 62 condominium units and 96 single-family detached dwelling units. Only that portion of the tract in the draws below the 504.9 contour elevation is in the City of Austin. The balance of the tract is in Travis County.

The proposed density is 7.5 units per acre and the site is served by West Lake Drive. Lakeshore Drive, an unimproved public street exists through the tract. The applicant proposes to vacate all but the southern 300 feet of this street, and provide access by private streets. The dwelling units on the western half of the tract will have one point of access to West Lake Drive, 38 condominium units have access to West Lake Drive, and six units on Lakeshore Cove will have access to Lakeshore Drive.

STAFF RECOMMENDATION:

The staff does not recommend approval of this PUD as submitted but would recommend the plan be revised in accordance with departmental requirements and be resubmitted for approval by the Planning Commission. There is a question before the Legal Department to determine whether or not the entire PUD is to go to the City Council since a portion of the PUD is outside the city limits.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENTS

Orleans Harbour, Inc.: 2025 West Lake Drive

FOR

PERSONS APPEARING

Steve Harris (representing applicant)

Chris Acreman (representing applicant)

Carl Wooten (applicant)

C814-74-007 Carl Wooten--Contd.

Marianne Villasana: 2313-A Lake Austin Boulevard	AGAINST
Ray Austin: 2313-A Lake Austin Boulevard	AGAINST
Charles Cleland (Save Our Lake Association)	AGAINST
Mrs. David Young: 3406 Monte Vista Drive	AGAINST
C. D. Smith: 3429 Monte Vista Drive	AGAINST
Mrs. C. D. Smith: 3429 Monte Vista Drive	AGAINST
H. H. Coffield: 1120 American Bank Tower	AGAINST
Betty Cleland: 3427 Monte Vista Drive	AGAINST
Evelyn Johnson: 3425 Monte Vista Drive	AGAINST
Donald Wright: 3411 Mt. Barker Drive	AGAINST
Jack Taylor: 3421 Monte Vista Drive	AGAINST
Mrs. Richard Goeth: 3707 Westlake Drive	AGAINST
Jack Halford: 3403 West Lake Drive	AGAINST
Joseph Hart: 904 Brown Building	AGAINST
Will Wilson: 3509 Mt. Barker Drive	AGAINST
Stanley Depew: 2508 Westlake Drive	AGAINST
C. N. Avery, Jr.	AGAINST

COMMITTEE ACTION:

The applicant indicated he would like to present his plan and hear from those citizens present so that he can revise his plan and work out any objections they might have concerning the PUD. He asked that the Committee postpone their action and continue the public hearing at a later date. Members were in agreement to hear the presentation at this time and to continue the hearing at such time as the applicant can revise his plan.

AYE: Messrs. Nash, Everett and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To CONTINUE the hearing to an indefinite date the request of Carl Wooten for 62 condominium units and 96 single-family dwelling units called, "Harbor Village" on property located at Lakeshore Drive, Westlake Drive and Lake Austin (Colorado River).

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

SPECIAL PERMITS

C14p-75-003 James H. Hausenfluke: A Lounge for 80 Patrons
 4412 North Lamar Boulevard

STAFF REPORT:

This application has been filed as required under Section 45-24.1, Sub-Section (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application to allow a lounge for 80 patrons to be located at 4412 North Lamar Boulevard. The lounge is to be located in the existing building on Lot 16. Lots 17 and 18 are to be used for the required parking.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

James H. Hausenfluke (applicant)	
G. L. Anderson: 3004 Cedarview Drive	FOR
Lizzie Hoffmeyer: 1007 West 45th Street	AGAINST
Ernest Louterbech: 4401 Marathon Boulevard	AGAINST
N. L. Tim McLeod: 1003 West 44th Street	AGAINST
Lonnie Scott: 4418 Marathon Boulevard	AGAINST
Petition bearing 14 names	FOR a 10-foot fence

PERSONS APPEARING

Gene Palmer (representing applicant)

COMMITTEE ACTION:

Members reviewed the request for the special permit in conjunction with the zoning request. Ms. Mather expressed concern about Urban Transportation's comments regarding the parking layout. Members were in agreement with the staff's recommendation to approve the request, allowing the applicant to work with Urban Transportation in relation to their requirement; subject to departmental requirements.

AYE: Messrs. Nash, Everett and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of James H. Hausenfluke for a special permit for a lounge for 80 patrons on property located at 4412 North Lamar Boulevard, subject to departmental requirements as on file with the City of Austin Planning Department and subject to allowing the applicant to work with Urban Transportation in relation to their requirements.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14p-75-003 James H. Hausenfluke--Contd.

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-75-004 City of Austin: Radio Tower (140 feet) for
1000 Forest View general City use

STAFF REPORT:

This application has been filed as required under Section 45-28, Sub-Section (e), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is a special permit application by the City of Austin for a 140-foot radio communication tower at the Ullrich Water Treatment Plant on Forest View Drive at Red Bud Trail. The proposed tower would replace the old existing tower presently in use at that location.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)
WRITTEN COMMENT

None

PERSONS APPEARING

Thomas Gibbs: 900 Forest View Drive

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to approve the request, subject to departmental requirements and subject to removal of the existing equipment.

AYE: Messrs. Nash, Everett and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of the City of Austin for a special permit for a radio tower (140 feet) for general City use on property located at 1000 Forest View Drive, subject to departmental requirements and subject to the removal of the existing equipment, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14p-75-003 James H. Hausenfluke: A Lounge for 80 Patrons
4412 North Lamar Boulevard

STAFF REPORT:

This application has been filed as required under Section 45-24.1, Sub-Section (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application to allow a lounge for 80 patrons to be located at 4412 North Lamar Boulevard. The lounge is to be located in the existing building on Lot 16. Lots 17 and 18 are to be used for the required parking.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

James H. Hausenfluke (applicant)	
G. L. Anderson: 3004 Cedarview Drive	FOR
Lizzie Hoffmeyer: 1007 West 45th Street	AGAINST
Ernest Louterbech: 4401 Marathon Boulevard	AGAINST
N. L. Tim McLeod: 1003 West 44th Street	AGAINST
Lonnie Scott: 4418 Marathon Boulevard	AGAINST
Petition bearing 14 names	FOR a 10-foot fence

PERSONS APPEARING

Gene Palmer (representing applicant)

COMMITTEE ACTION:

Members reviewed the request for the special permit in conjunction with the zoning request. Ms. Mather expressed concern about Urban Transportation's comments regarding the parking layout. Members were in agreement with the staff's recommendation to approve the request, allowing the applicant to work with Urban Transportation in relation to their requirement; subject to departmental requirements.

AYE: Messrs. Nash, Everett and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of James H. Hausenfluke for a special permit for a lounge for 80 patrons on property located at 4412 North Lamar Boulevard, subject to departmental requirements as on file with the City of Austin Planning Department and subject to allowing the applicant to work with Urban Transportation in relation to their requirements.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14p-75-005 City of Austin--Contd.

reasoned that denying the zoning would indicate to the Council that they would need to find another site. Messrs. Nash and Everett stated they were in favor of the proposed site. Mr. Washington recommended that the request for special permit be approved, subject to departmental requirements.

AYE: Messrs. Nash, Everett and Washington.

NAY: Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather restated her opposition to the location of the site. Mr. David Earl Holt, Director of Libraries, reported the proposed site comes closest to meeting all the criteria for a central library than any other site considered. Ms. Mather pointed out that in the past C.I.P. meetings the proposed site was highly opposed by Mr. Holt, and she was basing her opinion on that. A majority of the members recommended that the request be approved.

COMMISSION VOTE:

To APPROVE the request of the City of Austin for a special permit for the construction of the new central library - C.I.P. #8512 1, on property located at 400-416 West 8th Street, also bounded by San Antonio Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington.

NAY: Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-75-006 Ronald H. Reynolds: A Day Care School and Kindergarten
3308-3310 Jefferson Street for 45 children called,
1701-1703 West 34th Street "Double R Day School"

STAFF REPORT:

This application has been filed as required under Section 45-17, Sub-Section (h), Paragraph (2), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a day care center for 45 children to be located in the four existing houses at the southwest corner of Jefferson Street and West 34th Street. This property is zoned "A" Residence. The area north is zoned "O" Office, "LR" Local Retail, "GR" General Retail and "C" Commercial.

CL4p-75-006 Ronald H. Reynolds--Contd.

STAFF RECOMMENDATION:

Since the area is located on a 60-foot street and is adjacent to an office and commercial area, the staff recommends approval of the request, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (WEST CENTRAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Ronald Reynolds (applicant)

Mrs. Beth Brady

R. J. Mueller

AGAINST

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather was concerned that the area is inadequate to accommodate 45 children. Also, she felt that the driveway and parking areas were insufficient. The traffic on Jefferson Street was also of concern to her. Ms. Mather recommended that the request be denied. The motion died for lack of a second. Mr. Everett recommended that the request be approved, subject to departmental requirements.

AYE: Messrs. Nash, Everett and Washington.

NAY: Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and a majority was in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of Ronald H. Reynolds for a special permit for a day care school and kindergarten for 45 children called, "Double R. Day School" on property located at 3308-3310 Jefferson Street and 1701-1703 West 34th Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Everett, Nash, Ramsey and Washington.

NAY: Messrs. Hetherly and Bobbitt. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

CL4p-75-007 St. Andrew's Presbyterian Church: Day Care Center for
2009-2017 Koenig Lane 60 children
1909 Ullrich Avenue
5800-5808 Laird Drive

STAFF REPORT:

This application has been filed as required under Section 45-17, Sub-Section (h), Paragraph (2), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a day care facility to be located in the existing St. Andrews Presbyterian Church facility at Koenig Lane and Laird Drive.

A day care center has been in operation here for a number of years; however, it was discovered a special permit had not been approved for this operation. The applicant is requesting approval for 60 children. The site has an ample off-street loading and unloading area.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Northwest Center: P.O. Box 1987	FOR
James Vaughan: 3051 Shipway Ave., Long Beach, Calif.	FOR
James Brady: 1906 Ullrich Avenue	FOR
Mrs. M. D. Webb: 1904 Ullrich Avenue	AGAINST
Mrs. Fannie Porter: 5906 Laird Drive	AGAINST

PERSONS APPEARING

Rev. Harwell Norriss (representing Applicant)	
Sidney Jones: 2011 Koenig Lane	FOR
Nancy Rowley: 2011 Koenig Lane	FOR

COMMITTEE ACTION:

The applicant indicated he was in agreement with the staff's recommendation and could comply with the departmental requirements. Members reviewed the information presented and recommended the special permit be approved, subject to departmental requirements.

AYE: Messrs. Nash, Everett and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

C14p-75-007 St. Andrew's Presbyterian Church--Contd.

COMMISSION VOTE:

To APPROVE the request of St. Andrew's Presbyterian Church for a special permit for a day care center for 60 children on property located at 2009-2017 Koenig Lane, 1909 Ullrich Avenue and 5800-5808 Laird Drive, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-75-008 J. T. Hewlett: A Lounge for 66 Patrons Called
5725 North I.H. 35 "The Buckhorn Saloon"

STAFF REPORT:

This application has been filed as required under Section 45-24.1, Sub-Section (2), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a lounge for 66 patrons on the property located at the southeast corner of Reinli Street and I. H. 35. The tract has been occupied by three fast-food restaurants for a number of years. At this time the applicant wishes to convert the southernmost building to a lounge. Access to the tract is from Reinli Street and the east I.H. 35 frontage road.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department and limiting the special permit to the structure for the Buckhorn Saloon only.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

J. T. Hewlett (Applicant)

Watt Schieffer: 1011 East 40th Street

FOR

PERSONS APPEARING

Ed Padgett (representing applicant)

C14p-75-008 J. T. Hewlett--Contd.

COMMITTEE ACTION:

Members reviewed the special permit request in conjunction with the zoning request. In answer to Ms. Mather's question regarding Urban Transportation's comment on insufficient maneuvering space, the staff pointed out that Urban Transportation has indicated they would waive the requirements since the layout is existing and was approved for a prior use. Members were in agreement to approve the request, subject to limiting the special permit to the structure for the Buckhorn Saloon only; subject to confirmation of Urban Transportation's requirements; and subject to departmental requirements.

AYE: Messrs. Nash, Everett and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of J. T. Hewlett for a special permit for a lounge for 66 patrons called, "The Buckhorn Saloon" on property located at 5725 North I.H. 35, subject to limiting the special permit to the structure for the Buckhorn Saloon only, subject to confirmation of Urban Transportation's requirements; and subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

STREET VACATIONS

C10v-75-003 Victory Court

Victory Court, a cul-de-sac street, from west line of Victory Drive westerly 260 feet, more or less

This is a request by S. A. Garza, engineer for the Barton Market Square subdivision, for the vacation of Victory Court, a cul-de-sac street, from the west line of Victory Drive westerly 260 feet, more or less. The staff recommends the request be approved, subject to departmental requirements and subject to retention of easements.

C10v-75-003 Victory Court--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation.

COMMISSION VOTE:

To APPROVE the vacation of Victory Court, a cul-de-sac street, from the west line of Victory Drive westerly 260 feet, more or less, subject to departmental requirements and subject to retention of easements.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

PUBLIC HEARINGS

C14h-74-014 St. Charles House: "C-2" Commercial, "4th" H & A to
(Emma L. Linn and Gretchen E. Raatz, owners) "C-2-H" Historic
316 East 6th Street "4th" H & A

The staff reported that this case has appeared before the Landmark Commission in the past and is recommending the request be granted. Notices were sent and the owners are in agreement with the requested zoning.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the recommendation to grant the request.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "C-2" Commercial, "4th" H & A to "C-2-H" Historic, "4th" H & A on property located at 366 East 6th Street (St. Charles House) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14h-74-020 Family Home of Dr. R. K. Smoot: "A" Residence, "1st" H & A to
(Heritage Society of Austin, Inc., owner) "A-H" Historic, "1st" H & A
1316 West 6th Street

The staff reported that this case has appeared before the Landmark Commission in the past and is recommending that this request be granted. Notices were sent and the owner is in agreement with the requested zoning.

C14h-74-020 Family Home of Dr. R. K. Smoot--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the recommendation to grant the request.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "A" Residence, "1st" H & A to "A-H" Historic, "1st" H & A on property located at 1316 West 6th Street (Family Home of Dr. R. K. Smoot) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14h-74-042 E. H. Carrington Store: "C-2" Commercial, "4th" H & A to
 (Jr. League of Austin and "C-2-H" Historic, "4th" H & A
 Mrs. Judd McRee, owners)
 522 East 6th Street

The staff reported that this case has appeared before the Landmark Commission in the past and is recommending that the request be granted. Notices were sent and the owners are in agreement with the request.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the recommendation that this case be granted.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "C-2" Commercial, "4th" H & A to "C-2-H" Historic, "4th" H & A on property located at 522 East 6th Street (E. H. Carrington Store) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14h-74-043 Driskill, Day & Ford Building: "C-2" Commercial, "4th" H & A to
 (Thomas M. Leach & Associates, owners) "C-2-H" Historic, "4th" H & A
 403 East 6th Street

The staff reported that this request has appeared before the Landmark Commission in the past and is recommending that the request be granted. Notices were sent and the owner is in agreement with the request.

C14h-74-043 Driskill, Day & Ford Building--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the recommendation to grant the request.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "C-2" Commercial, "4th" H & A to "C-2-H" Historic, "4th" H & A on property located at 403 East 6th Street (Driskill, Day & Ford Building) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14h-74-044 Dos Banderos: "C-2" Commercial, "4th" H & A to
(David C. Graber, owner) "C-2-H" Historic, "4th" H & A
410 East 6th Street

The owner has requested that this case be postponed.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement to postpone this request.

COMMISSION VOTE:

To POSTPONE the request of the Landmark Commission for a zoning change from "C-2" Commercial, "4th" H & A to "C-2-H" Historic, "4th" H & A on property located at 410 East 6th Street (Dos Banderos).

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C14h-74-046 The San Antonian: "O" Office, "2nd" H & A to
(Mrs. Dianne Harris, owner) "O-H" Historic, "2nd" H & A
702 San Antonio Street

The staff reported that this request has appeared before the Landmark Commission in the past and is recommending that the request be granted. Notices were sent and the owner is in agreement with the recommendation.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the recommendation.

C14h-74-046 The San Antonian--Contd.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "O" Office, "2nd" H & A to "O-H" Historic, "2nd" H & A on property located at 702 San Antonio Street (The San Antonian) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C8c-75-001 Capital National Bank Trust Department
 (by Scudder, Wadsworth and Carson)
 Conceptual Plan on 168.9 acres located at the
 south side of Loop 360 at Walsh Tarleton Lane

The applicant has requested that this case be postponed.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Bill Carson (representing applicant)

COMMISSION ACTION:

Members reviewed the request and recommended that the case be postponed.

COMMISSION VOTE:

To POSTPONE the request of Capital National Bank Trust Department for consideration of a conceptual plan on 168.9 acres located at the south side of Loop 360 at Walsh Tarleton Lane.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

OTHER BUSINESS

C8-72-167 Buckingham Place Commercial Center
William Cannon Drive & South 1st Street
Request to submit amended plat and request
solution to sidewalk fiscal requirements.

The staff reported that this is a request by the developers of Buckingham Commercial Center to submit an amended plat and request release of sidewalk fiscal requirements. A recorded subdivision, with all fiscal arrangements for the full development is on file. Since that time, the City has planned William Cannon Drive as one complete project. Utilities have been installed and separate fiscal arrangements have been made for the paving of William Cannon Drive. For this reason the applicant would like to be released from the letter on file covering the subdivision. Normally the staff does not require that sidewalks be constructed until the land is developed. The staff recommends that this request be granted on the basis that the City proposes to amend the Subdivision Ordinance requiring that sidewalks be constructed in conjunction with driveways which require permits. The following note will be placed on the plat: "Sidewalks will be required along the west side of South First Street, east side of Cooper Lane and south side of William Cannon Drive in conjunction with construction of driveways to serve the tract."

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation.

COMMISSION VOTE:

To GRANT the request of Buckingham Place Commercial Center located at William Cannon Drive and South First Street, to submit an amended plat and permit the City to release the letter of credit on the fiscal requirements for sidewalks with the following note to be placed on the plat: "Sidewalks will be required along the west side of South First Street, east side of Cooper Lane and south side of William Cannon Drive in conjunction with construction of driveways to serve the tract."

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C8s-74-159 Buckingham East, Section 1
William Cannon Drive and South First Street
Request to submit amended plat and request solution
to widewalk fiscal arrangements.

This is a request by the developers of Buckingham East, Section 1, on property located on William Cannon Drive and South First Street, for a variance to be relieved of making fiscal arrangements for sidewalks. A note will be placed on the plat as follows: "Sidewalks will be required

C8s-74-159 Buckingham East, Section 1--Contd.

along the north side of William Cannon Drive and along the east side of South First Street in conjunction with the construction of driveways to serve the tract." The staff recommends that this request for a variance be granted.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to grant the variance.

COMMISSION VOTE:

To GRANT the request of the owners of Buckingham East, Section 1, on property located at William Cannon Drive and South First Street, for a variance to delete the requirements for fiscal arrangements for sidewalks with the following note to be placed on the plat: "Sidewalks will be required along the north side of William Cannon Drive and along the east side of South First Street in conjunction with the construction of driveways to serve the tract."

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

C8s-74-256 Browning-Ferris Corner

F. M. 973 and U. S. Highway 71

Request a variance on the septic tank requirements and fiscal arrangements for sewer.

This is a request by the owners of Browning-Ferris Corner Subdivision, located at F. M. 973, south of U. S. Highway 71, east of Bergstrom Field, to be allowed to use holding tanks for sanitary sewer disposal until such service is available. This subdivision is located well outside the city limits and cannot now be served by sanitary sewer facilities. The owners are also requesting that fiscal arrangements for sanitary sewer lines be waived. At the present time it is economically unfeasible to extend the lines to this one four-acre tract. The staff feels that fiscal arrangements for a proportionate share would be fair. The applicant has indicated he is willing to work with the staff in determining this share for which they would provide a fiscal letter. If the applicant does not agree with the proportionate share, he will be able to appear before the Commission for reconsideration.

The staff pointed out that they have been working with area residents to provide sanitary sewer lines in the area and feel that this can be accomplished within a reasonable time.

The staff recommends that a variance be granted to allow holding tanks rather than septic tanks and that a variance be granted on the fiscal require-

C8s-74-256 Browning-Ferris Corner

ment to allow the staff and applicant to determine a proportionate share for fiscal arrangements for sanitary sewer lines.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation.

COMMISSION VOTE:

To GRANT the request of the owners of Browning-Ferris Corner Subdivision located at F. M. 973 and U. S. Highway 71, for a variance to allow a holding tank system in lieu of septic tanks and to GRANT a variance on fiscal requirements to allow the applicant and staff to determine a proportionate share for fiscal requirements.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather

ABSENT: Mr. Juárez. Ms. Himmelblau

C8s-75-015 Resub. of Riverside Divide
 East Riverside Drive and Upland Drive.
 Request a variance to exclude the signature
 of the adjoining owner

This is a request by the owners to grant a variance to exclude the signature of the adjoining owner. This subdivision has appeared before the Commission in the past and at that time, indications were that the adjoining owner would be willing to sign the plat. Since that time, the adjacent owner has refused to sign, as it would jeopardize his lease. Under the circumstances and based on Section 41-5 of the Subdivision Ordinance, the staff recommends that the variance be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Kenneth Carr (applicant)
Scott Thompson (applicant)
Keith Kisner (applicant)

COMMISSION ACTION:

Mr. Hetherly pointed out that the Commission heard this case last month and required the r.o.w. Now the case is appearing to consider taking the r.o.w. only from the tract that is being subdivided. In either case, the City buys the r.o.w. because it is over 90 feet. Ms. Mather stated opposition in that the variance would be contrary to the spirit in which the zoning was granted. Mr. Everett recommended that the variance be granted.

C8s-75-015 Resub. of Riverside Divide--Contd.

COMMISSION VOTE:

To GRANT A VARIANCE to exclude the signature of the adjoining owner for the following short form subdivision:

C8s-75-015 Resub. of Riverside Divide
East Riverside Drive and Upland Drive

AYE: Messrs. Hetherly, Everett, Nash, Ramsey and Washington.
NAY: Mr. Bobbitt. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C2a-74-4 Buford Stewart

Brodie Lane and William Cannon Drive
Set a public hearing to amend the Austin Development Plan from Low-Density Residential to Planned Development Area for Industry

Members were in agreement to set a public hearing to amend the Austin Development Plan for the April Planning Commission meeting. Since a number of the members were planning to be out of town on the regular date on April 8, the Chairman suggested that the meeting date be changed to April 14. Because of a conflict in scheduling the Council Chambers the date was changed to April 16, 1975.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C2a-74-5 City of Austin, Department of Public Works

Decker Lane at Decker Lake Road at the Southwest Corner of Walter E. Long Park. Set a public hearing to amend the Austin Development Plan from Low-Density Residential to a Planned Development Area for a Sanitary Land Fill

Members were in agreement to set a public hearing to amend the Austin Development Plan from Low-Density Residential to a Planned Development Area for a Sanitary Land Fill for the April Planning Commission meeting. Since a number of members were planning to be out of town on the regular date of April 8, the Chairman suggested that the meeting date be changed to April 14. Because of a conflict in scheduling the Council Chambers the date was changed to April 16, 1975.

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

C1-75 Minutes

The Commission then

VOTED: To APPROVE the October 22, 1974 Planning Commission minutes and the November 12, 1974 Planning Commission Minutes

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

SUBDIVISIONS

R105-75 Subdivision Memorandum

Preliminary, Short Form and Final Subdivisions as listed on the Subdivision Memorandum. Action to be taken at meeting.

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivision has appeared before the Commission in the past and has now met all departmental requirements. The staff recommends that this be approved. The Commission then

VOTED: To APPROVE the following final subdivision:

C8-74-66 Rutland Drive Business Park, Sec. 2
Rutland Drive, Running Bird Lane
and Metropolitan

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and Washington. Ms. Mather

ABSENT: Mr. Juarez. Ms. Himmelblau

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that the following short form plats have complied with all departmental requirements and recommended that they be approved. The Commission then

VOTED: To APPROVE the following short form subdivisions:

<u>C8s-73-107</u>	<u>L & H Addition</u> Wonsley Drive & I. H. 35
<u>C8s-74-248</u>	<u>Lots 21 & 22, Blk. "K", Windsor Hills, Sec. 7</u> Pond View Circle
<u>C8s-74-254</u>	<u>Lots 18, 19, 21 & 22, Blk. "E", Meadowcreek, Sec. 1</u> Lunar Drive & Blackberry Drive

Short Form Subdivisions--Contd.

C8s-74-263	<u>Jung's Woodruff Blvd. Addn., Resub. #1</u> Ben White & Payload Pass
C8s-75-07	<u>Georgian Acres Resub., Lots 2, 3, 4, 5, 6</u> <u>& 7, Blk. "N"</u> Middle Lane
C8s-75-11	<u>Lots 23 & 24, Blk. "B", Rosewood Village,</u> <u>Section 8, Amended</u> Walter Street
C8s-75-12	<u>Lots 19-23, Blk. "D", Rosewood Village,</u> <u>Section 8, Amended</u> Walter Street
C8s-75-13	<u>Lots 1-4 & 29-33, Blk. "A", Rosewood Village</u> <u>Section 8, Amended</u> Walter Street
C8s-75-17	<u>Lots 3, 4 & 5, Lea Subdivision</u> Old U. S. Highway 183
C8s-75-18	<u>Lots 5 & 6, Blk. "O", Northwest Hills,</u> <u>Mesa Oaks, Phase 2</u> Northhills Drive
C8s-75-22	<u>Brewer & Grandinetti Resub.</u> Cypress Point East & Mauna Kea Drive

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivisions, pending compliance with departmental requirements as on file with the City of Austin Planning Department:

C8s-75-25	<u>Gumfory & Johnson Subdivision</u> Montopolis Drive
C8s-75-28	<u>Resub. Lot 2, Gray & Becker Addn.</u> I. H. 35 & East Live Oak
C8s-75-30	<u>Lots 6, 7, 8 & 9, North Lamar Park Annex</u> North Lamar & Cooper Drive
C8s-75-31	<u>Resub. Lots 17 & 18, Walnut Hills</u> Breezeway & Adalee Avenue
C8s-75-32	<u>C. Ben Hibbetts Realty Inc. Subd.</u> E. 38-1/2 Street & Airport Blvd.
C8s-75-33	<u>Oak Pen Subdivision</u> Upson Street & West 7th Street
C8s-75-34	<u>Lots 6 & 7, Blk. B, Spicewood at</u> <u>Balcones Village, Sec. 1</u> Spicewood Parkway

Short Form Subdivisions--Contd.

C8s-75-36 Peppertree Park Commercial Addn.
Teri Road & Pepper Lane

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form
 subdivision, pending compliance with departmental requirements
 as on file with the City of Austin Planning Department and pend-
 ing required development permit:

C8s-75-29 Neal Street Addition
Neal Street

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

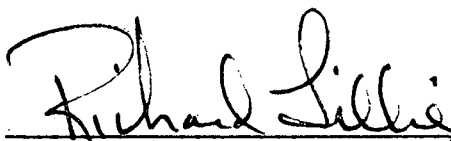
The Commission then

VOTED: To POSTPONE the following short form subdivision, pending
 receipt of a letter of variance on the signature of the
 adjoining owner:

C8s-75-35 Esco Subdivision
E. St. Elmo

AYE: Messrs. Hetherly, Bobbitt, Everett, Nash, Ramsey and
 Washington. Ms. Mather
ABSENT: Mr. Juarez. Ms. Himmelblau

The meeting was adjourned at 8:20 p.m.



Richard Lillie
Executive Secretary