

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting--July 8, 1975

The meeting of the Commission was called to order at 6:30 p.m. for an organizational meeting. Ms. Grace Monroe, City Clerk, was present to swear in the new members. The following officers were elected:

C. W. Hetherly, Chairman  
O. P. "Bob" Bobbitt, Vice Chairman  
Jean Mather, Secretary

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

Present

C. W. Hetherly, Chairman  
O. P. "Bob" Bobbitt  
Rizer Everett  
Miguel Guerrero  
Sid Jagger  
Linda Lewis-McGowan  
Jean Mather  
George Ramsey, III \*  
Dean Rindy

Also Present

Tom C. Knickerbocker, Assistant Director  
Evelyn S. Butler, Supervising Planner  
Don Bird, Assistant City Attorney  
H. E. Mecredy, Systems Analyst  
Lee Thomson, Planner  
Ed Kirkham, Fire Chief  
Pat Settle, Administrative Secretary

\*Present through hearing on Case No. C12-75-1

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting July 1, 1975.

Present

O. P. "Bob" Bobbitt, Chairman  
Rizer Everett  
Jean Mather  
Sid Jagger  
George Ramsey, III  
\*Miguel Guerrero  
\*Linda Lewis-McGowan  
\*Dean Rindy

Also Present

Tom C. Knickerbocker, Assistant Director  
Evelyn S. Butler, Supervising Planner  
Bill Bullock, Urban Transportation  
Duncan Muir, Planner  
Brian Schuller, Planner  
Sharon Fisher, Planner  
Pat Settle, Administrative Secretary

\*Present but not voting

C14-75-068      Shirley S. Slaughter: "A" Residence, "1st" H & A to  
1608 West 34th Street, also      "GR" General Retail, "1st" H & A  
bounded by Jefferson Street  
and Glenview Avenue

## STAFF REPORT:

Subject tract is a residential lot developed with a single-family residence fronting a minor residential street in west Austin. This lot also sides to a collector street, West 34th Street, and backs to a residential arterial street, Jefferson Street.

Use of the existing structure is that of a residence and a wedding catering service. This zoning request is made to allow the continued operation of the wedding catering service, the operation of which is in violation of the existing "A" Residence zoning.

Surrounding land use is residential with the exception of a residential structure recently converted to an interior design enterprise to the east. A day care facility has been approved for the lot with four houses to the southwest of subject tract.

The Planning Commission and City Council have set a policy of transitioning the residential uses along Glenview Avenue north of West 34th Street to "O" Office as a maximum appropriate intensity of use for the small lots and for compatibility with the adjacent neighborhood and elementary school.

## STAFF RECOMMENDATION:

To deny "GR" General Retail because the uses permitted in "GR" are too intensive for the adjacent single-family neighborhood to the south and west. Rezoning of this residential lot will permit uses which will generate sufficient increases in traffic densities to create sufficient traffic hazard on the existing streets. For this reason it is recommended that any rezoning be denied unless the applicant wishes to provide one-half the additional r.o.w., five feet, for future widening of Glenview Avenue to 60 feet and Jefferson Street to 70 feet to accommodate this increased traffic, in which case the staff would recommend that "O" Office be granted. "O" Office has been consistently recommended by the Planning Commission as an appropriate use intensity for the small properties on Glenview Avenue between West 34th and 35th Streets.

## CITIZEN COMMUNICATION

## WRITTEN COMMENT

Edgar Newmann: 3405 Glenview Avenue	FOR
Vernon Powers: 3314 Glenview Avenue	FOR
Maybelle B. Ruud: 3406 Kerby Lane	FOR
M. W. W. Realty Corp.: 1709 Deerfield Drive	FOR
Marvin Joseph: 3404 Jefferson Street	FOR
Mrs. William F. Bradley: 3404 Glenview Avenue	FOR
Revell & Co.: 1600 West 34th Street	FOR

C14-75-068 Shirley S. Slaughter--Contd.

Leon Bronson Dorsey, Jr.: 3309 Bryker Drive	AGAINST
Mary S. Morrison: 3311 Glenview Avenue	AGAINST
John Frannea: 2205 Bridle Path	AGAINST

## PERSONS APPEARING

Malcolm Robinson (representing applicant)	
Shirley S. Slaughter (applicant)	
Bronson Dorsey (Pemberton-Brykerwood Neighborhood Association)	AGAINST
Ronald W. Dailey: 3312 Bryker Drive	AGAINST
Mila A. Dailey: 3312 Bryker Drive	AGAINST
John & Phyllis Rothgeb: 1602 Northwood	AGAINST
Robert F. Arler: 1710 West 29th Street	AGAINST
Walter & Ann Demond: 3208 Bryker Drive	AGAINST
Cathryn Seymour Dorsey: 3309 Bryker Drive	AGAINST
John Frannea: 2205 Bridle Path	AGAINST

## COMMITTEE ACTION:

The applicant indicated she would be agreeable to placing a restrictive covenant to limit the use to a wedding catering service or that consideration be given to amending the Zoning Ordinance to allow such a use in "A" Residence. Members reviewed the information presented and heard testimony opposing "GR" or "O" zoning in the residential neighborhood. Mr. Ramsey pointed out the problem of enforcing restrictive covenants and recommended that the action on this case be suspended, pending revision of the Zoning Ordinance to include this use in "A" Residence district. In answer to Mr. Bobbitt's question as to what position such a motion would place the City, the staff indicated they were of the opinion that if re-zoning were pending, enforcement of the zoning regulations would be delayed until a definite action was taken. Mr. Ramsey made a motion to continue this case for nine months.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey. Ms. Mather

## COMMISSION ACTION:

The staff reported that because of erroneous information given the Committee, the Commission needs to reconsider the action to postpone this case for nine months. It was pointed out at the Committee meeting that the applicant could continue operating, pending the revision of the Zoning Ordinance. However, this information was incorrect and the Building Inspection Department is required by Ordinance to enforce that Ordinance. The Commission has the option to refer the case back to the Committee for approval or denial or they can refer it back and instruct the staff to draft an amendment to include the wedding catering service in another district.

C14-75-068 Shirley S. Claughter--Contd.

Ms. Mather was of the opinion that there are many legitimate home-type businesses that would not be incompatible in residential areas if properly controlled with strict performance standards. She made a motion to refer this case to the Zoning Committee and instructed the staff to draft an amendment to the Zoning Ordinance to include wedding catering services in "A" Residence District with performance standards to make the use compatible with the residential neighborhood. Mr. Hetherly stated he had received calls from five citizens this past week requesting an amendment to the Zoning Ordinance to allow their home business to operate in "A" Residence. He was of the opinion that a precedent will be set which will result in bad zoning practices. Mr. Jagger was of the opinion that the entire ordinance should be written to include home business in some type interim zoning classification.

## COMMISSION VOTE:

To REFER to the Zoning Committee the request of Shirley Slaughter for a zoning change from "A" Residence, "1st" H & A to "GR" General Retail, "1st" H & A on property located at 1608 West 34th Street, also bounded by Jefferson Street and Glenview Avenue.

AYE: Messrs. Bobbitt, Everett, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather  
NAY: Messrs. Hetherly and Guerrero  
ABSENT: Mr. Ramsey

C14-75-070 Lone Star Company: Int. "A" Residence, "1st" H & A to  
8990 Research Blvd. (U.S. Hwy. 183) "DL" Light Industrial,  
"1st" H & A

## STAFF REPORT:

This tract is located in northwest Austin within an area designated under the master plan for commercial service and light industrial uses. Surrounding uses and zoning have been established in conformance with the master plan. Arterial street access is provided by Research Boulevard (U.S. 183) and rail access by Missouri-Pacific Railroad. Additional r.o.w. will be necessary in the future to convert Research Boulevard to a limited access expressway.

## STAFF RECOMMENDATION:

That this case be granted, as it is consistent with surrounding land use, access and zoning.

Notice to applicant: An approved subdivision will be required prior to the issuance of building permits.

C14-75-070 Lone Star Company--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey. 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 Lone Star Company for a zoning change from Interim "A" Residence, Interim "1st" H & A to "DL" Light Industrial, "1st" H & A on property located at 8990 Research Boulevard (U.S. Hwy. 183) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather

ABSENT: Mr. Ramsey

C14-75-071 Cold, Inc.: Int. "A" Residence, "1st" H & A and "D"  
704-706 West Powell Lane Industrial, "1st" H & A to  
"D" Industrial, "1st" H & A

STAFF REPORT:

This property, a vacant tract of land, is located on a neighborhood collector street with inadequate r.o.w. and narrow surfacing in north Austin. Subject property is partly zoned Interim "A" Residence, partly "D" Industrial. Industrial and Commercial Service zoning adjoins subject tract on three sides; low-density residential use remains to the east. The industrial district is presently oriented to Lamar Boulevard, a major arterial street. Apartment and heavy commercial uses have been established to the south.

C14-75-071 Cold, Inc.--Contd.

The area surrounding subject tract is currently developing with intensive commercial and semi-industrial activity, although most of it is still oriented to Lamar Boulevard to the west and Anderson Lane to the south, two major arterial streets. Subject tract is part of a narrow strip of older residential properties sandwiched between intensive zoning. Continued residential amenity of these properties is unlikely, and rezoning as requested is recommended. West Powell Lane must be expanded and improved in order to adequately handle intensified commercial activity.

## STAFF RECOMMENDATION:

The requested zoning is compatible with existing zoning and uses on adjacent tracts. However, this rezoning will permit uses which will generate sufficient increases in traffic densities to create a significant traffic hazard on the existing street, West Powell Lane. For this reason it is recommended the application be denied unless the applicant wishes to provide 10 feet of additional r.o.w. (35 feet from centerline) for future widening of the street to accommodate this increased traffic in which case the staff would recommend the request be granted.

## CITIZEN COMMUNICATION

## WRITTEN COMMENT

Sam G. McDonald: 811 Capital National Bank Bldg.	FOR
Leonard J. Mestas: 619 West Powell Lane	FOR
Luedecke Investment Company: 107 West 34th Street	AGAINST

## PERSONS APPEARING

Eugene Jarman (representing applicant)	
N. H. Emmrich: 1118 Reagan Terrace	FOR

## COMMITTEE ACTION:

The applicant indicated he would be agreeable to providing the required r.o.w. Mr. Jagger and Ms. Mather were in agreement that "DL" Light Industrial would be more compatible to the area. Mr. Everett pointed out that a portion of the tract is already zoned "D", thus the reason for requesting "D" on the remaining portion. Ms. Mather stated that she would like to see the applicant provide a privacy fence out of courtesy to the neighbors on the east. Mr. Everett recommended that "D" Industrial be denied but that "DL" Light Industrial be granted, subject to ten feet of r.o.w. (35 feet from the centerline) on West Powell Lane. Mr. Jagger seconded the motion. Mr. Ramsey question the advisability of bifurcating the property and offered a substitute motion to grant "D" Industrial, subject to r.o.w. Ms. Mather pointed out that if "DL" is sufficient, this is one step toward zoning down to less intensive uses. Mr. Jagger was of the opinion that very offensive uses could be placed in the "D" district. The substitute motion died for lack of a second. The vote was then taken on the original motion to deny "D" Industrial, but to grant "DL" Light Industrial, subject to 10 feet of r.o.w. on West Powell Lane.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey. Ms. Mather

C14-75-071 Cold, Inc.--Contd.

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 Cold, Inc. for a zoning change from Interim "A" Residence, Interim "1st" H & A and "D" Industrial, "1st" H & A to "D" Industrial, "1st" H & A on property located at 704-706 West Powell Lane be DENIED but that "DL" Light Industrial, "1st" H & A be GRANTED, subject to 10 feet of r.o.w. (35 feet from the centerline) on West Powell Lane.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather

ABSENT: Mr. Ramsey

C14-75-072 Otto Hofmann: Int. "A" Residence, "1st" H & A to  
610 Cardinal Lane "GR" General Retail, "1st" H & A

STAFF REPORT:

This .9-acre tract, part of a larger 1.5-acre tract, is located to the south of St. Judes Hospital in south Austin. Present access is provided by a minor residential street with a varying r.o.w. from 40-50 feet. Structures on subject tract include a residence, workshop, and two storage sheds. Within the workshop pipe organ assembly has been conducted by the resident-owner for in excess of 20 years. According to the owner, approximately three to four organs are assembled per year. Because this use is not permitted in "A" Residence, a long-standing zoning violation has existed. Subject zoning request is being made to allow the continuation of the stated home occupation.

To the east and west of subject tract is land owned by applicant and used for yard and garden. Adjacent to that are single-family residences. An older residence surrounded by undeveloped land within a "C" Commercial district exists to the south. Further east in the "C"-zoned area is another residence and what appears to be some outside storage.

Organ assembly is first permitted in "C" Commercial. Due to the intensity of uses allowed by "C", the applicant was encouraged by the staff to request "GR" General Retail and a special permit. This method is possible because "C" Commercial exists across the street. The only "C" Commercial use which would be allowed would be that stated on the special permit, if approved.

C14-75-072      Otto Hofmann--Contd.

"O" Office zoning exists on the hospital tract to the north. The residential uses on the "C"-zoned tract to the south could be converted to a higher intensity use consistent with the zoning. Lightsey Road, a major arterial, is tentatively planned to be extended westward through land owned by the applicant. In view of these factors the requested intermediate zoning and special use permit indicating a low-intensity home occupation on a large residential tract is appropriate.

The original r.o.w. of Cardinal Lane was 40 feet, ten feet less than standard for "A" Residence use. An additional ten feet was dedicated from the "C"-zoned tract to the south when it was rezoned. This is consistent with the City's policy of not rezoning unless r.o.w. is expanded to provide for future street widening necessitated by increased traffic densities generated by intensified land uses. One-half the additional r.o.w. is provided on either side of a street. A minimum r.o.w. of 60 feet and paving width of 40-44 feet is required to handle increased traffic generation.

**STAFF RECOMMENDATION:**

That "GR" General Retail, "1st" H & A restricted to the uses as shown on the pending special permit be granted if additional r.o.w. for the expansion of Cardinal Lane is provided. The established home occupation on a large residential tract at subject location is compatible with adjacent zoning and land use.

Street r.o.w. policy as related to rezoning requires provision of 10 feet of r.o.w. from subject tract if rezoned. Because the existing low-intensity commercial use will be the only non-"A" Residence use permitted by the above recommendation, the Planning Commission may wish to reduce the requirement. However, a minimum of one-half the additional r.o.w., five feet, should be provided on Cardinal Lane to contribute to a minimum street access, 50 feet, for the "A"-Residence neighborhood to the west.

**CITIZEN COMMUNICATION****WRITTEN COMMENT**

None

**PERSONS APPEARING**

Mr. & Mrs. Otto Hofmann (applicants)

**COMMITTEE ACTION:**

Members reviewed the information presented in conjunction with a special permit request. Members were in agreement with the staff's recommendation that "GR" General Retail be granted, restricted to the uses as shown on the special permit and subject to five feet of r.o.w. on Cardinal Lane.

AYE:            Messrs. Bobbitt, Everett, Jagger and Ramsey. Ms. Mather



C14-75-072 Otto Hofmann--Contd.

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 Otto Hofmann for a zoning change from Interim "A" Residence, Interim "1st" H & A to "GR" General Retail, "1st" H & A on property located at 610 Cardinal Lane be GRANTED, subject to five feet of r.o.w. on Cardinal Lane and restricted to uses as shown on the special permit.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather  
ABSENT: Mr. Ramsey

C14-75-073 Joseph E. Segovia: "A" Residence, "1st" H & A to  
2100 Garden Street, also "C" Commercial, "1st" H & A  
bounded by Anthony Street

STAFF REPORT:

This property, located at the intersection of a minor residential street and a residential collector street in east Austin, is a part of the Model Cities area. A single-family residence and a small produce storage warehouse exist on subject property. The "C" Commercial zoning is requested to permit the continued operation of the produce storage and supply business, the operation of which, in this location, is in violation of the existing zoning. The surrounding neighborhood is primarily zoned "A" Residence with several commercially-zoned residential lots interspersed within the area. The establishment of these spots of "C" zoning date back to the 1930's and 1940's. In spite of this, the area has maintained the original single-family neighborhood, part of which is Metz Elementary School located one block north of subject tract.

Since the creation of the Model Cities Program, the Planning Commission and City Council have indicated their desire to protect and encourage the existing neighborhood development in the Model Cities Area. Beginning in 1968, several zoning requests have been made in this area for less restrictive zoning. Each time the Planning Commission denied these requests as being intrusions into this neighborhood, and as being inconsistent with the neighborhood improvements made through the Model Cities Program.

C14-75-073      Joseph E. Segovia--Contd.

STAFF RECOMMENDATION:

That this case be denied as a commercial intrusion into a solidly established single-family neighborhood worthy of protection and as inconsistent with the Model Cities Plan.

CITIZEN COMMUNICATION

WRITTEN COMMENT

Joe E. Segovia (applicant)

Tony Alba: 15001 Dela Hunty Lane

Joe B. Torres: 2204 Santa Rosa Street

Florentino G. Cruz, Sr.: 2106 Holly Street

William Pittman: 2113 Garden Street

Joe R. Del Rio: 2006 Canterbury Street

C. B. Yarling: P. O. Box 13511

Petition bearing 22 names

FOR

FOR

FOR

AGAINST

AGAINST

AGAINST

AGAINST

PERSONS APPEARING

Phillip Spies (representing applicant)

Joe E. Segovia (applicant)

Carl Shorter

Mr. Wallace

Mr. Reyes

AGAINST

AGAINST

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement that rezoning this tract would be an intrusion into a residential neighborhood. Mr. Everett recommended that the request be denied.

AYE:          Messrs. Bobbitt, Everett, Jagger and Ramsey.    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 Joseph E. Segovia for a zoning change from "A" Residence, "1st" H & A to "C" Commercial, "1st" H & A on property located at 2100 Garden Street, also bounded by Anthony Street be DENIED.

AYE:          Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy.  
              Mmes. Lewis-McGowan and Mather

ABSENT:      Mr. Ramsey

SPECIAL PERMITS

C14p-75-022      Louis Bonugli: A Neighborhood Convenience Drive-In Grocery Store  
2500 South Lamar Boulevard  
2001 Montclair Street

STAFF REPORT:

This case appeared before the Committee last month and was postponed to allow the applicant to revise his plan in order to save more trees and provide a better buffer for the homes to the north.

STAFF RECOMMENDATION:

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

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Buford Stewart (representing applicant)

Louis Bonugli (applicant)

COMMITTEE ACTION:

Members reviewed the revised site plan. Ms. Mather was of the opinion that the design of the proposed site plan would not be compatible with the residential neighborhood. She was of the opinion that since the zoning was granted on both tracts, it would be appropriate for the building to be developed on both tracts. She commended the applicant in his efforts to preserve the trees. Ms. Mather made a motion to deny the request, but the motion died for lack of a second. Mr. Everett then recommended that the request be approved, subject to compliance with departmental requirements.

AYE:            Messrs. Bobbitt, Everett, Jagger and Ramsey

NAY:           Ms. Mather

COMMISSION ACTION:

Mr. Bobbitt recommended that the Committee's recommendation be approved. Ms. Mather stated that while she would prefer to see the tract subdivided and the grocery store placed in the middle of the tract to allow a greater setback from the property line, she was withdrawing her opposition after having heard from the staff that the neighbors might rather have the building closer than having trash receptacles so close. Members were in agreement with the Committee's recommendation.

C14p-75-022 Louis Bonugli--Contd.

COMMISSION VOTE:

To APPROVE the request of Louis Bonugli for a special permit for the construction of a neighborhood convenience drive-in grocery store on property located at 2500 South Lamar Boulevard and 2001 Montclair 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, Guerrero, Jagger and Rindy.

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-75-027 Otto Hofmann: Organ Assembly and Related Activities  
610 Cardinal Lane

STAFF REPORT:

This application has been filed as required under Section 45, Sub-Section (22); Paragraph (39) (a), 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 to bring an existing pipe organ assembly operation into compliance with city ordinances. This type of activity is allowed under two conditions:

- a. the tract must be zoned "C" Commercial, or
- b. a "C" Commercial use by Special Permit on "GR" General Retail site where "C" Commercial exists across the street to the south.

It is the opinion of the staff, after site evaluation, that "C" Commercial zoning is not appropriate at this location; however, "GR" General Retail with a Special Permit to specify the activity and its location would be appropriate.

The storage and assembly area is located in the areas shown at the northwestern corner of the lot. The office is located in the residence. Mr. Hofmann indicates that three to five organs are assembled here per year. The type power tools used in the operation are similar to those found in a home workshop and would not create a noise nuisance.

The extension of Lightsey Road from South First Street to South Fifth Street is in the approved thoroughfare plan but is not included in the current Capital Improvements Plan. Exact r.o.w. location has not been determined at this time; however, it appears a portion of the northeast corner of the tract would be required for r.o.w. when alignment is determined.

C14p-75-027 Otto Hofmann--Contd.

The City is not prepared to request r.o.w for the extension of Lightsey Road at this time, but requests the cooperation of the applicant for future r.o.w. acquisition. Five feet of r.o.w. is required at this time for the widening of Cardinal Lane. The applicant requests the easternmost 70 feet be excluded from the special permit approval because it is lawn and is not used in connection with the organ assembly operation.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to departmental requirements.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Mr. & Mrs. Otto Hofmann (applicants)

COMMITTEE ACTION:

Members reviewed the information presented in conjunction with the request for zoning change and recommended that the special permit request be approved, subject to departmental requirements.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey. 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 APPROVE the request of Otto Hofmann for a special permit to allow an organ assembly operation and related activities on property located at 610 Cardinal Lane, 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, Guerrero, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather

ABSENT: Mr. Ramsey

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-75-028      Thomas F. Maceo: Night Club for 100 People  
304 West 4th Street

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 100 people at 304 West 4th Street between Guadalupe and Lavaca Streets. The applicant proposes to remodel the interior of the existing brick structure and add an open courtyard to the rear.

Adjoining the subject tract to the west is the Bradford Paint Company and to the east is an automobile tire dealer. Zoning on subject tract and surrounding properties is "C-2" Commercial.

STAFF RECOMMENDATION:

The staff recommends approval, subject to compliance with departmental requirements.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMITTEE ACTION:

The applicant requested that this case be postponed for 30 days. Members reviewed the information presented and recommended 30-day postponement.

AYE:            Messrs. Bobbitt, Everett, Jagger and Ramsey. Ms. Mather

CL4p-75-029      Gary Bradley: A Mixed Beverage Bar and Theater With  
403-405 East 6th Street    seating capacity for 220 people  
called, "Magic Theater and Bar"

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 theater and bar for a maximum of 220 people at 403-405 East 6th Street which is zoned "C-2" Commercial. The applicant proposes to remodel the interior of the existing brick structure with little exterior changes. This is one of the many vacant structures along 6th Street that is being renovated and put to use. This structure occupies the entire tract; therefore, provision must be made for required customer parking.

C14p-75-029 Gary Bradley--Contd.

STAFF RECOMMENDATION:

The staff recommends approval, subject to compliance with departmental requirements.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Gary Bradley (applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey. 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 APPROVE the request of Gary Bradley for a special permit for a mixed beverage bar and theater with seating capacity for 220 people called, "Magic Theater and Bar", 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, Guerrero, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather

ABSENT: Mr. Ramsey

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-75-030 Mrs. T. J. Hemphill: Garden Cafe and Restaurant #2  
2902-2904 Red River Street

STAFF REPORT:

This application has been filed as required under Section 45-22, Sub-Section (v), 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 restaurant at 2902-2904 Red River Street as allowed in "GR" General Retail which allows on-site consumption of alcoholic beverages in conjunction with food. The zoning on the tract is "LR" Local Retail. "C" Commercial zoning exists across Red River Street to the east. Existing uses surrounding subject tract are: office use to the north, Medical Arts Square across Red River Street to the east, Hemphill's Book Store to the south and a parking lot to the west.

C14p-75-030 Mrs. T. J. Hemphill--Contd.

The applicant proposes to use the existing house on the north lot and demolish the structure on the south lot where a new structure will be built as shown on the site plan.

One off-street parking space is required for each four seats; therefore, based on the proposed 125 seats, 32 parking spaces are required. Four spaces are shown on the site plan which conform to ordinance requirements. Board of Adjustment approval of 28 additional spaces is required.

**STAFF RECOMMENDATION:**

The staff recommends approval, subject to compliance with departmental requirements.

**CITIZEN COMMUNICATION**

**WRITTEN COMMENT**

Lloyd Cates: 604 West 12th Street	FOR
Roger Pirckney: 3101 Harris Park Avenue	FOR
P. W. Barrett: 606 East 41st Street	FOR
Charles Robinson: 1007 West Avenue	FOR

**PERSONS APPEARING**

W. A. McCormack (representing applicant)

**COMMITTEE ACTION:**

Members reviewed the information presented. In answer to a question regarding access to the parking lot, the staff indicated they had no objection to access from 26th Street or Red River Street. Ms. Mather recommended that the special permit be approved, subject to departmental requirements and allowing the applicant to work out the driveway access problems with the City departments.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey. 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 APPROVE the request of Mrs. T. J. Hemphill for a special permit for a garden cafe and restaurant on property located at 2902-2904 Red River Street, subject to departmental requirements as on file with the City of Austin Planning Department and subject to working out driveway access problems with City departments, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather

ABSENT: Mr. Ramsey



C14p-75-030 Mrs. T. J. Hemphill--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.

#### PLANNED UNIT DEVELOPMENTS

C814-75-002 Westover Hills, Inc.: 361 Single-family Dwelling Units With  
Southeast corner of common open space and recreation  
F.M. 2222 and Loop 360 area called, "The Courtyard"

#### STAFF REPORT:

This is an application for a Planned Unit Development on 124.642 acres of land located at the bend of Bull Creek, north of Lake Austin between Loop 360 and F.M. Road 2222.

The applicant proposes 230 detached dwelling units and 130 townhouse units on approximately 103 acres for a net density of approximately 3.5 units per acre. Land use break-down shows that approximately 16 acres are covered by water in Bull Creek, approximately 6 acres are proposed for commercial uses and approximately 103 acres proposed for residential uses. "The Courtyard" tennis complex on approximately 8 acres is surrounded by this P.U.D. and will not become part of this project. Development is proposed in phases as indicated on the preliminary subdivision plat.

#### STAFF RECOMMENDATION:

The staff recommends approval, subject to compliance with departmental requirements.

#### CITIZEN COMMUNICATION

##### WRITTEN COMMENT

None

##### PERSONS APPEARING

Roy Bechtol (representing applicant)	
Larry Morris: 6527 Valleyside Road	FOR
David B. Barrow: 4101 Edgemont Drive	FOR
Tom Whitley: 4206 Steck Avenue	FOR
Robert J. Becker: 2951 West Lake Drive	AGAINST
Judy L. Becker: 2951 West Lake Drive	AGAINST
Mrs. A. J. Ollenbusch: Rt. 7, Box 986	AGAINST
Frances Mueller Danforth: 1400 West Avenue	AGAINST
Mr. & Mrs. Richard N. Goeth: 3707 West Lake Drive	AGAINST
Bill Danforth, Jr.: 1400 West Avenue	AGAINST
Margaret L. Danforth: 3307 Cherry Lane	AGAINST
Douglas M. Danforth: 3307 Cherry Lane	AGAINST
William P. Danforth: 1400 West Avenue	AGAINST
Mrs. R. G. Mueller, Jr.: 1402 Wooldridge Drive	AGAINST

C814-75-002 Westover Hills, Inc.--Contd.

R. G. Mueller: 3511 Jefferson	AGAINST
Martin L. Gibson: 5503 Lakemoore Drive	AGAINST
Nancy W. Gibson: 5603 Lakemoore Drive	AGAINST
Charles C. Cleland: 3427 Monte Vista Drive	AGAINST
Mrs. Charles C. Cleland: 3427 Monte Vista Drive	AGAINST
Sally Shipman	AGAINST
Al Ollenbusch	AGAINST

## COMMITTEE ACTION:

The applicant stated opposition to Urban Transportation requirements for 60-foot r.o.w. and 44-foot paving on Scout Island Circle and Club Drive and requested a variance be granted to allow 50-foot r.o.w. and 30-foot paving width on these two streets. Members reviewed the information presented. Mr. Jagger raised the question of problems created by the 25-foot building setback requirement and was of the opinion that because of the terrain it would be better to require less setback. In answer to Mr. Jagger's question regarding Urban Transportation's objection to lessening the width of the streets, Bill Bullock of Urban Transportation stated that there is a need to provide adequate street width to accommodate the number of residential units that will be using the streets. Ms. Mather expressed concern about developing this area so intensely. She stated that most of the area is outside the city limits and the City has very little power to control the area. She also stated that extending utilities to these outlying areas only encourages such dense development. She was of the opinion that if the developer is saved a rather large expense by the reduction of the 25-foot building setback, he should be willing to provide more land for open space. She suggested that action be postponed until the Lake Austin Development Plan is available. Mr. Jagger pointed out that if the density is not increased, the green area will automatically increase if the width of the streets are lessened. Ms. Mather stated she would prefer to have narrower streets and no curbs if the density were lowered. She made a motion that the request be referred to the full Commission for action. The motion died for lack of a second. Mr. Jagger then recommended that the site plan be approved, subject to departmental requirements and granted a variance to allow 15-foot building setbacks from the streets; to reduce the r.o.w. to 50 feet with 30-foot paving widths on Scout Island Circle and Club Drive; and to allow no cutting or filling on slopes greater than 30%.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey.  
NAY: Ms. Mather

The Committee then recommended to approve the preliminary subdivision.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey  
NAY: Ms. Mather

C814-75-002      Westover Hills, Inc.--Contd.

## COMMISSION ACTION:

Mr. Bobbitt read the Committee's recommendation to approve the plan, subject to conditions. Mr. Rindy was of the opinion that the proposed development was approved without adequate consideration of the impact to the area as an individual development. He stated that the development should not be considered as an isolated project, as there are a large number of developments in the planning stages along the lake that will have a very profound impact on the entire area. He stated opposition to piecemeal development when the City is in the process of preparing the Lake Austin Development Plan and revising the master plan and subdivision ordinances. He expressed concern about the cost to the City to provide water and wastewater facilities and other city services if the area were annexed. Mr. Hetherly pointed out that the Planning Commission has only jurisdiction under the subdivision ordinances since the lake area is outside the city limits. He stated that if a development meets all the subdivision requirements, the Planning Commission must approve the plan. In answer to Mr. Rindy's question regarding the effects of denying the zoning change on that portion within the city limits, the staff pointed out that that portion would remain Interim "A" Residence. The staff also pointed out that if the PUD is denied, the project could be redesigned as a subdivision and be approved if it met all requirements. Ms. Mather expressed concern with the plan for the development of the townhouses so close to the creek and also the density of the project. Mr. Rindy expressed a desire to see some type interim protection for the area. He offered a substitute motion to postpone action, pending receipt of a report by the city staff on interim measures to gain more influence or control of development in the area. The motion, seconded by Ms. Mather, failed 3-5. Mr. Rindy offered another substitute motion to approve the PUD, deleting the commercial tracts. The motion failed 3-5. Mr. Rindy directed the staff to provide the City Council with adequate information regarding the costs involved in annexation of the area. The vote was then taken on the original motion and carried 5-3.

## COMMISSION VOTE:

To APPROVE the preliminary subdivision and special permit of Westover Hills, Inc., for 361 single-family dwelling units with common open space and recreation area called "The Courtyard" located at the southeast corner of F.M. 2222 and Loop 360, subject to compliance with departmental requirements as on file with the City of Austin Planning Department and grant a variance to allow 15-foot building setbacks from the streets; to reduce the r.o.w. to 50 feet with 30-foot paving widths on Scout Island Circle and Club Drive; and to allow no cutting or filling on slopes greater than 30%.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero and Jagger

NAY: Mr. Rindy. Mmes. Lewis-McGowan and Mather

ABSENT: Mr. Ramsey

C814-74-007     Carl Wootten: 92 Condominium Units and 35 Detached Single-  
                  Lakeshore Drive, Westlake     family dwelling units called,  
                  Drive and Lake Austin     "Harbor Village", a revised  
                  (Colorado River)     planned unit development

## STAFF REPORT:

This is an application for a planned unit development on 21.28 acres of land on West Lake Drive which includes 92 condominium units and 35 detached single-family units for a density of approximately 6 units per acre. All the tract is in Travis County with the exception of that portion lying below the 504.9 contour elevation (Austin city limit line.)

The applicant submitted a P.U.D. for Planning Commission review in March of this year. At that time the Planning Commission postponed review of the plan to allow the applicant time to resolve the problems the staff had with the plan and to allow him to provide the neighbors the opportunity of review.

The western portion of the site is bounded by undeveloped land in Travis County while the eastern portion which fronts on West Lake Drive abuts large single-family residential lots on the north and south with multi-family and commercially-zoned property to the east.

Thirty-eight condominium units will have access to West Lake Drive at the south corner of the tract. The remaining units will have access through Lakeshore Drive, an unimproved dedicated public street. The remaining streets in the P.U.D. are private streets.

## STAFF RECOMMENDATION:

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

## CITIZEN COMMUNICATION:

## WRITTEN COMMENT

Lela H. Thomas

Mrs. Daniel M. McRea

Barbara Polkinghorn

FOR

AGAINST

AGAINST

## PERSONS APPEARING

Steve Harris (representing applicant)

Chris Acreman (representing applicant)

S. A. Garza (representing applicant)

Carl Wooten (applicant)

Mike Womacic: 703 Grey Fox Trail

Robert J. & Judy L. Becker: 2951 West Lake Drive

Barbara Polkinghorn (NOW OR NEVER)

Mr. & Mrs. Richard N. Goeth: 3707 West Lake Drive

Charles R. Schupp: 1831 West Lake Drive

Mr. & Mrs. Carl Schupp: 2961 West Lake Drive

Charles C. Cleland (Save Our Lake Association)

Evelyn Johnson: 3425 Monte Vista

FOR

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

C814-74-007 Carl Wootten--Contd.

Craig Wallace  
Tay Bond (representing H. H. Pete Coffield)  
Don Rogers: 3100 Gentry

AGAINST  
AGAINST  
NO OPINION

## COMMITTEE ACTION:

Ms. Mather inquired if the development of the units near the water would come under the creek ordinance. John Sandlin of the Office of Environmental Resource Management indicated they would. Ms. Mather was of the opinion that the applicant has made an improvement in the design, however, she felt the traffic problem was a serious one and also that putting these units and paving in the area would destroy the landscaping. She stated it seemed more desirable to stay away from the slough and place the denser development at the top of the plateau. Mr. Everett stated his greatest concern is the traffic problem that will be created, since there are no plans for widening the low-water bridge nor any changes on West Lake Drive. Mr. Jagger was of the opinion that the project would be denied under the creek permit and that the applicant will have to address himself to the requirements of Environmental Resource Management. Ms. Mather recommended the request be denied. Mr. Everett seconded the motion. Mr. Jagger offered a substitute motion to postpone action and refer the case back to the staff for further study with Environmental Resource Management and the applicant.

AYE: Messrs. Bobbitt, Everett, Jagger and Ramsey. Ms. Mather

## STREET VACATIONS

C10v-75-012 Vacation of a portion of Mt. Bonnell Road, north  
of Small Drive

This is a request by Bryant-Curington, Inc., agent for D. B. Barrow, to vacate a portion of Mt. Bonnell Road, north of Small Drive. The applicant has indicated that he is in the process of resubdiving Lots 14 & 15, which includes provision for r.o.w. for Mt. Bonnell Road. The staff recommends approval of this street vacation, subject to departmental requirements and retention of easements.

## COMMISSION ACTION:

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

## COMMISSION VOTE:

To APPROVE the request of Bryant-Curington, Inc. to vacate a portion of Mt. Bonnell Road, north of Small Drive, subject to departmental requirements as on file with the City of Austin Planning Department and subject to retention of easements.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy.  
Mmes. Lewis-McGowan and Mather  
ABSENT: Mr. Ramsey

## PUBLIC HEARINGS

C20-75-005      Ordinance

Consider amendment to the text of the Zoning Ordinance under Section 45-14 (d) to annex territory approved as a Planned Development Area (P.D.A.) by the City Council as Interim "D" Industrial District subject to all conditions placed on the P.D.A. by the City Council and to annex territory approved as a Planned Unit Development (P.U.D.) by the Planning Commission as Interim "AA" Residence District, subject to all conditions placed on the P.U.D. by the Planning Commission.

This proposed amendment is in response to a policy decision of the City Council. Under the present ordinance, when a development is requested for annexation the annexation proceedings must be completed prior to any discussion of permanent zoning even though it is known through the subdivision process and through the developmental process what is going to occur. State statutes require approximately 90 days to complete the annexation process. Since Planned Development Areas and Planned Unit Developments have been reviewed previously, it seems ultimately fairer and more responsive to change the zoning ordinance to allow Planned Unit Developments and Planned Development Areas which are presented to you as such to go hand in hand so that at the time the annexation is completed the permanent zoning is also completed. This amendment would save developers approximately ten to twelve weeks of processing and the uncertainty of further hearings and problems of this nature. Rulings would be made simultaneously on the use, the subdivision and zoning. The staff is recommending approval of this amendment.

## CITIZEN COMMUNICATION

## WRITTEN COMMENT

None

## PERSONS APPEARING

None

## COMMISSION ACTION:

Members reviewed the information presented. In answer to Mr. Jagger's question regarding limiting the amendment to only Planned Unit Developments and Planned Development Areas, the staff indicated that these cases are the only kinds of development in which the City has complete developmental control. Mr. Hetherly pointed out that another reason is the notification procedure for zoning. Property has to be annexed so that City tax records are available to notify citizens. Mr. Everett recommended that the amendment be approved.

C20-75-005 Ordinance--Contd.

COMMISSION VOTE:

To APPROVE the amendment to the Zoning Ordinance as follows:

Sec. 45-14 (d)

...; provided, that where the territory annexed is a planned development area (PDA), subject to a planned development area agreement, the territory shall assume an interim classification as a "D" Industrial District and first height and area district and shall continue to be subject to all conditions of the planned development area agreement covering said territory.

and

Sec. 45-14 (d)

...; provided...(see above)...; and provided, that any territory annexed which has been previously approved by the planning commission of the city of Austin as a planned unit development subdivision shall assume an interim classification of an "AA" residence district and first height and area district with a valid interim planned unit development special permit which permit shall be subject to expiration, subject to the conditions in section 45-29 (e), two years from the effective date of annexation.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy.

Mmes. Lewis-McGowan and Mather

ABSENT: Mr. Ramsey

C12-75-1 Fire Protection Plan, 1976-82

Consider the proposed Fire Protection Plan

Mr. Tom Knickerbocker, Assistant Director of Planning, reported that this plan, which is a continuation and modification of an earlier plan, was prepared by the Planning Department and Fire Department with input from the City Manager's office. Efforts have been made to publicize this plan to assure that citizens have been made aware of the contents. Mr. Knickerbocker recommended that action be taken on the plan and that it be forwarded to the City Council for their review prior to their consideration of the C. I. P. and General Operating budgets.

Mr. Knickerbocker introduced Mr. Henry Mecredy and Ms. Lee Thomson, members of the Planning Department staff, who gave a slide show presentation of the proposed plan. Fire Chief Ed Kirkham was also introduced. He recommended that the plan be approved.

C12-75-1      Fire Protection Plan--Contd.

## CITIZEN COMMUNICATION

## WRITTEN COMMENT

None

## PERSONS APPEARING

Jackie Gannaway (Brodie Lane Homeowner's Association)	FOR
Mrs. Walter Richter (Hyde Park Neighborhood Assn.)	AGAINST
Dr. Agnes Edwards (Hyde Park Neighborhood Assn.)	AGAINST
Tom Zalenka (Hyde Park Neighborhood Association)	AGAINST
Mrs. Ira Houston (Hyde Park Neighborhood Association)	AGAINST
Ms. Schudde Fath	AGAINST
John Jones	AGAINST
Gertrude McMann	AGAINST
Robert Barnstone	AGAINST
Mrs. Charles Huntley	AGAINST

## COMMISSION ACTION:

Members heard testimony opposing the closing of Station 9 (Hyde Park), Station 11 (Kinney Avenue) and Station 4 (Blanco Street). Fire Chief Ed Kirkham, along with Mr. Mecredy and Ms. Thomson, explained the methods of arriving at the proposed plan and discussed the required fire flow and key rate evaluation. In answer to Mr. Hetherly's question regarding the reasons for closing or relocating the five stations, Chief Kirkham explained that the buildings are outdated and do not have central heat or air. Relocation and construction of larger facilities to house at least two companies will eliminate the overlap now existing yet still provide adequate service. The size of the new stations would permit the shifting of companies based on population density and shifts in development or land use change.

Ms. Lewis-McGowan expressed concern that population density was not given higher priority in preparing the plan. Mr. Rindy suggested that perhaps the new Station 9 could be built and that old Station 9 be retained until such time as data is available to actually determine if the population is shifting from the Hyde Park area. Ms. Mather was of the opinion that the staff has been forced to provide a plan in an effort to cover the current growth while at the same time they are forced to eliminate some of the inner city's protection in order to balance the budget. In answer to Mr. Jagger's question regarding the plan's effect on the City's fire rates, Chief Kirkham stated that the plan has been approved by the State Board of Insurance which is the rating agency in Texas. He pointed out that the State Board approves the plan as a package and if changes are made, there is a possibility that they may not approve it. Ms. Mather expressed concern that the City's current record of safety is built on the fact that these stations are close to the inner city and that the City will not know the result of the relocation of these stations until after they are moved or closed. She suggested that further study be given by the Commission and the staffs prior to recommendation of the plan to Council. Members



C12-75-1 Fire Protection Plan--Contd.

were advised that the staffs' opinions would not change, however, additional detailed information could be provided if the Commission so desired. Mr. Everett recommended that action be postponed for two weeks to allow the staff time to furnish the additional information.

## COMMISSION VOTE:

To POSTPONE action on the Fire Protection Plan to the July 22, 1975 Planning Commission meeting.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan and Mather

## OTHER BUSINESS

R141 Planning Commission Rules and Procedures  
Amendment to Section XVII (d) of the Planning Commission Rules and Regulations to extend refiling time following withdrawal of a zoning case from six months to 12 months prior to Planning Commission action.

This to consider an amendment to Section XVII (d) of the Planning Commission Rules and Regulations to extend the refiling time following withdrawal of a zoning case from six months to 12 months prior to Planning Commission Action.

## CITIZEN COMMUNICATION

## PERSONS APPEARING

Mrs. Jackie Block (West Austin Neighborhood Group)

FOR

## COMMISSION ACTION:

Members reviewed the information presented. In answer to Ms. Mather's question regarding notification procedures following a request for withdrawal, the staff pointed out that the case would have already been advertised but that every effort would be made to notify the concerned neighborhood group that a withdrawal request had been received. Mr. Bobbitt stated he was in favor of granting the withdrawal if the request complied with the 72-hour requirement. Mr. Hetherly was of the opinion that the Commission should grant all requests for withdrawal if they met the 72-hour requirement. This would prevent the concerned citizens from having to appear at the meetings only to have the withdrawal request granted. Members recommended that the amendment be adopted.

R141 Planning Commission Rules and Procedures

## COMMISSION VOTE:

To AMEND Section XVII (d) of the Planning Commission Rules and Regulations to extend the refiling time following withdrawal of a zoning case from six months to 12 months prior to Planning Commission action and to grant withdrawal requests provided they are received at least 72 hours prior to the hearing.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, and Rindy. Mmes. Lewis-McGowan and Mather  
ABSENT: Mr. Ramsey

C1-75 Minutes

The Commission then

VOTED: To APPROVE the February 11, 1975 and April 22, 1975 Planning Commission minutes.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger and Rindy. Mmes. Lewis-McGowan and Mather  
ABSENT: Mr. Ramsey

## SUBDIVISIONS

C8-75-20 Woodcliff  
Cameron Road and Braker Lane  
Postponed from June 24, 1975.

## STAFF REPORT:

This is a preliminary subdivision called, Woodcliff, owned by Glen Neans. The surveyor is Ralph Harris. This tract, located at Braker Lane and Cameron Road, totals 65.67 acres with 150 lots with an average lot size of 80' x 115' and is classified as urban and the proposed uses are residential. This plan is a modification of the original plan considered and postponed from the June 24th Planning Commission meeting. The owner and departmental staff representatives have met and have agreed on the revised layout as submitted. The Office of Environmental Resource Management has reviewed the revised plan and are in agreement. The staff recommends approval of this preliminary subdivision, subject to compliance with departmental requirements as on file with the City of Austin Planning Department and recommends that a variance be granted on the length of Braker's Branch and Creek Hollow cul-de-sacs, a variance on the length of the most northern, eastern and southwestern blocks, a variance on Cameron Ridge Cove cul-de-sac because of topography and grant a variance on the radius of Braker's Branch cul-de-sac because of the topography.

C8-75-20      Woodcliff--Contd.

CITIZEN COMMUNICATION

PERSONS APPEARING

Ralph Harris (representing applicant)

COMMISSION ACTION:

Mr. Hetherly commended the applicant for his work and cooperation with the staff in their efforts to resolve the problems. Mr. Rindy expressed concern about the impact of this development in the context of other developments in the Walnut Creek watershed. Mr. Hetherly pointed out that a creek permit will be necessary and at that time the plan will be looked at from an engineering standpoint. Ms. Mather was of the opinion that this plan is a great improvement over the original plan. Mr. Everett recommended that the request be approved, subject to conditions.

COMMISSION VOTE:

To APPROVE the following preliminary subdivision, subject to compliance with departmental requirements as on file with the City of Austin Planning Department and granted a variance on the length of Braker's Branch and Creek Hollow cul-de-sacs; granted a variance on the length of the most northern, eastern and southwestern blocks; granted a variance on Cameron Ridge Cove cul-de-sac; and granted a variance on the radius of Braker's Branch cul-de-sac:

C8-75-20      Woodcliff  
Cameron Road and Braker Lane

AYE:      Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan and Mather

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 now has complied with all departmental requirements. The Commission then

VOTED:      To APPROVE the following final subdivision under the amended Planning Commission Rules and Regulations:

C8-75-01      Gracywoods, Section One  
Austin Park Lane & North Bend Drive

AYE:      Messrs. Hetherly, Bobbitt, Everett, Guerrero, Ramsey and Rindy.  
Mmes. Lewis-McGowan and Mather

Final Subdivisions--Contd.

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following subdivision, pending compliance with departmental requirements as on file with the City of Austin Planning Department; pending fiscal arrangements required and pending easements required:

C8-75-17            South Highlands  
Pleasant Valley Road & Palo Blanco Lane

AYE:        Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey  
             and Rindy.    Mmes. Lewis-McGowan and Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following subdivision, pending compliance with departmental requirements as on file with the City of Austin Planning Department; fiscal arrangements required; easements required; show 100-year flood plain; channelization required for half cul-de-sac onto Tarry Hollow; show design of Pecos Street and Hillview Road; see Planning Department memo; and delete sidewalks as required on Preliminary Plan as recommended by Urban Transportation:

C814-73-05        West Park Place  
Pecos Street and Hillview Road

AYE:        Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey  
             and Rindy.    Mmes. Lewis-McGowan and Mather

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 under the Planning Commission Rules and Regulations. The Commission then

VOTED: To APPROVE the following short form subdivisions:

C8s-75-67        James E. Olson Resubdivision  
Blue Bonnet Lane  
C8s-75-77        Resub. Lot 3, Crockett Commercial Area #2  
Stassney Lane & Manchaca Road  
C8s-75-85        Resub. Blk. "A", Anderson Lane Office Park  
Shoal Creek Blvd.  
C8s-75-97        Julia Joseph Sawyers Subdivision  
S. Congress & Cumberland Road

Short Form Subdivisions--Contd.

C8s-74-158      1st Resub. of South Meadows  
                    S. Meadows Blvd. & Bill Hughes Road

AYE:            Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey  
                    and Rindy.    Mmes. Lewis-McGowan and Mather

The Commission then

VOTED:        To APPROVE the following short form subdivision:

C8s-75-64      Buckingham Ridge, Sec. 2, Resub.  
                    Lot 28, Blk. "E"  
                    Skycrest Drive

AYE:            Messrs. Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy  
                    Mmes. Lewis-McGowan and Mather

ABSTAIN:      Mr. Hetherly

The Commission then

VOTED:        To ACCEPT FOR FILING AND DISAPPROVE the following short form  
                    subdivision, pending fiscal arrangements required:

C8s-75-107      H & M Subdivision, Resub. Lots 2 & 3  
                    Anchor Lane & Manor Road

AYE:            Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey  
                    and Rindy.    Mmes. Lewis-McGowan and Mather

The Commission then

VOTED:        To ACCEPT FOR FILING AND APPROVE the following short form  
                    subdivisions, pending connection to MUD water and sewer  
                    systems (need note on plat) and plat must be recorded in  
                    Williamson County prior to release of utility service:

C8s-75-105      Village I @ Anderson Mill, Resub.  
                    Lots 25-27, Blk. J.  
                    Broken Shoe Trail

C8s-75-106      Village II @ Anderson Mill, Resub.  
                    Lots 10 & 11, Blk. K  
                    Whipple Tree Cove

AYE:            Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey  
                    and Rindy.    Mmes. Lewis-McGowan and Mather

The Commission then

Short Form Subdivisions--Contd.

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:

C8s-75-110      Radian Subdivision No. 2  
                 Shoal Creek Boulevard  
C8s-75-111      Delwood Terrace Comm. Area, 4th Resub.  
                 Lot 2, Blk. E  
                 Gaston Place Drive

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan and Mather

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 pending fiscal arrangements required:

C8s-75-109      Manchaca Commercial Corner  
                 Manchaca Road & Stassney Lane

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan and Mather

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 granted a variance on the signature of the adjacent owner:

C8s-75-112      Cameron Park, Sec. 1, Resub. Lot 1, Blk. "C"  
                 Westheimer Drive & Cameron Road

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan

The Commission then

Short Form Subdivisions--Contd.

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; pending easements required; sidewalks required on South 1st; radius on curve 2 required to be 25 feet; drainage study and development permit required; and granted a variance on the signature of adjacent owner:

C8s-75-108      W. H. Bullard Addition  
South 1st Street & Ben White Blvd.

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan and Mather

The Commission then

VOTED: To APPROVE the following short form subdivision and required verification of William Cannon Drive alignment:

C8s-74-159      Buckingham East, Section One  
William Cannon Drive & South 1st Street

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan and Mather

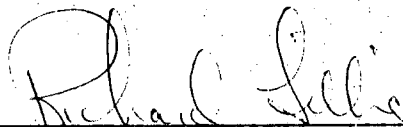
The Commission then

VOTED: To GRANT the request to WITHDRAW the following short form subdivision:

C8s-75-09      Saldana Addition  
East 5th Street & Pace Street

AYE: Messrs. Hetherly, Bobbitt, Everett, Guerrero, Jagger, Ramsey and Rindy. Mmes. Lewis-McGowan and Mather

The meeting was adjourned at 11:45 p.m.

  
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Richard Lillie  
Executive Secretary