

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--June 8, 1976

The meeting of the Commission was called to order at 7:00 P.M. in the Council Chambers.

Present

Miguel Guerrero, Chairman  
Barbara Chance  
Freddie Dixon\*  
Gabriel Gutierrez  
Sid Jagger  
Linda Lewis-McGowan  
Jean Mather  
Dean Rindy  
Bill Stoll

\*Arrived at 8:30 PM

Also Present

Richard Lillie, Director of Planning  
Tom Knickerbocker, Assistant Director  
of Planning  
Homer Reed, Deputy City Manager  
Jorge Carrasco, Capital Budget Officer  
Jack Robinson, Director of Parks and  
Recreation  
Reuben Rountree, Director of Public Works  
Joseph Morahan, Public Property Manager  
Joseph Liro, Assistant City Manager  
Maureen McReynolds, Director of Environmental  
Resource Management  
Stephanie Storms, Office of Environmental  
Resource Management  
Dona Jakubowsky, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of June 1, 1976.

Present

Jean Mather, Chairman  
Barbara Chance  
Miguel Guerrero  
Sid Jagger  
Dean Rindy  
Bill Stoll

Also Present

Tom Knickerbocker, Assistant Director  
of Planning  
Brian Schuller, Planner  
Duncan Muir, Planner  
Bill Lowery, Urban Transportation Department  
Dona Jakubowsky, Administrative Secretary

C14-76-020      Hazel Goodnight Starkey:  
4714-4802 S. Congress Ave.

"C" Commercial, 1st H & A &  
"A" Residence, 1st H & A to  
"DL" Light Industrial, 1st H & A &

Mr. Duncan Muir, representing the Planning staff, told the Commission members that the City Council had referred this request back to the Zoning Committee for reconsideration. He reminded them that their recommendation of April 13, had been to deny the change in zoning.

#### CITIZEN COMMUNICATION

##### WRITTEN COMMENTS IN FAVOR

George L. Sanders, 4800 S. Congress  
Marlton O. Metcalfe, Jr., 4800 S. Congress  
Joe Gilbreth, 2330 S. Lamar

##### WRITTEN COMMENTS IN OPPOSITION

None

##### PERSONS APPEARING IN FAVOR

Will Thurman (Representing Applicant)

##### PERSONS APPEARING IN OPPOSITION

Mrs. Stanley Goff  
Lexie S. Payne, 322 Heartwood  
John W. Payne, 322 Heartwood  
Joe Guilley, 320 Heartwood

#### COMMITTEE ACTION:

Members reviewed the information presented. Mr. Will Thurman, the applicant's representative, said that the applicant would accept the staff's recommendation to "DL" Light Industrial and "A" Residence on the area west of a line 25 feet to the east of the bluff along Williamson Creek and its tributary. Mr. Stoll wondered if there was some other type of zoning that could be granted that did not allow such a wide number of uses behind the residential neighborhood. Mr. Muir responded that this type of zoning had already been established in the area. Ms. Mather suggested requiring a building set-back in addition to the "A" residential buffer area. Mr. Jagger made a motion to deny the request but to grant "DL" Light Industrial and "A" Residence on the area west of a line 30 feet to the east of the bluff along Williamson Creek and its tributary. Mr. Guerrero seconded the motion. Mr. Rindy did not want to put "DL" zoning so close to the residential neighborhood. He felt that if this request was denied something could be worked out when it was resubmitted.

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

#### COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum. A motion was made and seconded to grant the request as amended by the Zoning Committee.

#### COMMISSION VOTE:

To DENY the request of Hazel Goodnight Starkey for a zoning change from "C" Commercial, 1st H & A and "A" Residence, 1st H & A to "DL" Light Industrial

C14-76-020 Hazel Goodnight Starkey--Contd.

but to GRANT "DL" Light Industrial, 1st H & A on the majority of the tract, and "A" Residence, 1st H & A on the area west of a line 30 feet to the east of the bluff along Williamson Creek and its tributary.

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

NAY: Mr. Rindy

C14-76-044 Westenfield Development Co.: "A" Residence, 1st H & A to  
2408-2410 Exposition Blvd. "O" Office, 1st H & A

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "O" Office, 1st H & A be granted.

#### CITIZEN COMMUNICATION

##### WRITTEN COMMENTS IN FAVOR

G. Granger McDonald, 3220 Windsor Rd.

##### WRITTEN COMMENTS IN OPPOSITION

None

##### PERSONS APPEARING IN FAVOR

Thomas A. Graham (Representing Applicant)

Jackie Bloch (West Austin Neighborhood Association)

Hoyle Osborn

##### PERSONS APPEARING IN OPPOSITION

None

#### COMMITTEE ACTION:

Members reviewed the information presented. Mr. Rindy made a motion that the request for a change in zoning be granted and Mr. Guerrero seconded the motion.

AYE: Messrs. Guerrero, Jagger and Rindy; Ms. Mather

NAY: Mr. Stoll and Ms. Chance

#### COMMISSION ACTION:

Members reviewed the information presented and Ms. Mather read the minutes of the Zoning Committee. A motion was made and seconded to grant the request for a zoning change.

#### COMMISSION VOTE:

To GRANT the request of Westenfield Development Co. for a zoning change from "A" Residence, 1st H & A to "O" Office, 1st H & A on property located at 2408-2410 Exposition Blvd.

AYE: Mmes. Lewis-McGowan and Mather; Messrs. Gutierrez, Guerrero, Jagger and Rindy

NAY: Ms. Chance; Messrs. Dixon and Stoll

C14-76-045	The Austin National Bank, Trustee:	"B" Residence, 2nd H & A to
	1907 Whitis Avenue	<u>"C" Commercial, 2nd H &amp; A</u>

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "C" Commercial, 2nd H & A be granted.

#### CITIZEN COMMUNICATION

##### WRITTEN COMMENTS IN FAVOR

Mrs. Kyong H. Thuey, 1910 Whitis Ave.

##### WRITTEN COMMENTS IN OPPOSITION

None

##### PERSONS APPEARING IN FAVOR

Paul Wendler (Representing Applicant)

##### PERSONS APPEARING IN OPPOSITION

Catheryn Woolsey

#### COMMITTEE ACTION:

Members reviewed the information presented. Mr. Rindy said that he was opposed to the zoning change because this was a heavily populated neighborhood and he felt that apartment and residential uses should be encouraged because it was important to have people living in the inner-city. Ms. Mather asked Mr. Muir if "GR" General Retail zoning would allow the use that the owner intended for the property and Mr. Muir replied that it would. Mr. Jagger suggested that the property be zoned "GR" for the present needs of the owner and if the owner's needs changed in the future, he could apply for another zoning change. He then made a motion to deny "C" Commercial, 2nd H & A, but to grant "GR" General Retail, 1st H & A. Mr. Stoll seconded the motion.

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

NAY: Mr. Rindy

#### COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum. Mr. Rindy still preferred that the property remain "B" Residence. The other members were in agreement with the recommendation of the Committee.

#### COMMISSION VOTE:

To DENY the request of The Austin National Bank for a zoning change from "B" Residence, 2nd H & A to "C" Commercial, 2nd H & A on property located at 1907 Whitis Avenue, but to GRANT "GR" General Retail, 1st H & A on that property.

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

NAY: Mr. Rindy

C14-76-046	H.C. Byler:	"A" Residence, 1st H & A
	5505 Jeff Davis Street	<u>"BB" Residence, 1st H &amp; A</u>

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "BB" Residence, 1st H & A be denied.

C14-76-046 H.C. Byler--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Richard Daywood, Jr., 1600 Houston

Bob Kent, 1602 Houston

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Don Bird (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Don Bird, the applicant's representative, asked the Committee to consider continuing the request for 90 days instead of denying it. The members were in agreement with this request.

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

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To CONTINUE THE PUBLIC HEARING on the request of H.C. Byler for a zoning change from "A" Residence, 1st H & A to "BB" Residence, 1st H & A on property located at 5505 Jeff Davis Street for 90 days.

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

C14-76-047 Wayne Dayton & George Weems:  
9200 F.M. Road 1325

"D" Industrial, 1st H & A to  
"C-2" Commercial, 1st H & A

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

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Wayne Dayton (Applicant)

PERSONS APPEARING IN OPPOSITION

Mrs. Milton T. (Helen) Smith, P.O. Box 9788

C14-76-047 Wayne Dayton & George Weems--Contd.

## COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the recommendation of the staff to grant the request for a zoning change.

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

ABSTAIN: Ms. Chance

## COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and without discussion, agreed with the recommendation of the Committee..

## COMMISSION VOTE:

To GRANT the request of Wayne Dayton & George Weems for a zoning change from "D" Industrial, 1st H & A to "C-2" Commercial, 1st H & A on property located at 9200 F.M. Road 1325.

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

C14-76-048 Kenneth McGary:  
4502 Avenue D

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

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "B" Residence, 1st H & A be denied.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

Dr. U.J. Harrill, 4500 Avenue D  
Pedro E. Gutierrez, 4518 Avenue C

## WRITTEN COMMENTS IN OPPOSITION

Cary G. Coover, 4409 Avenue D  
Thomas & Robert Bacon, 4410 Speedway  
Della Gerloff, 4509 Avenue C  
Mrs. Floyd M. Sowers, 4503 Avenue C  
Richard & Eileen Shocket, 4504 Avenue C

## PERSONS APPEARING IN FAVOR

Kenneth McGary (Applicant)

## PERSONS APPEARING IN OPPOSITION

Eileen Shocket, 4504 Avenue C

## COMMITTEE ACTION:

Members reviewed the information presented. The applicant, Mr. Kenneth McGary, explained that he is selling the property and the future owner wishes this change to allow more parking area for his office. The Committee referred to a letter from Dr. U.J. Harrill, the prospective buyer of the property, in which he stated he was requesting three additional parking spaces or one single

C14-76-048 Kenneth McGary--Contd.

driveway and one double driveway. Ms. Mather thought he may be able to put in the driveways without a change in zoning. Mr. Jagger agreed and added that he opposed a change to "B" Residence in that area. He then made a motion to postpone the request for a zoning change to the Planning Commission meeting on June 8 to allow time to review the request and arrive at a solution that would allow more parking spaces, but would not harm the neighborhood.

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

## COMMISSION ACTION:

Members reviewed the information presented and Ms. Mather read the minutes of the Zoning Committee. The applicant presented a sketch of the proposed parking plan, but the members felt that it did not offer a solution to the problem. They still felt that "B" Residence zoning was bad for the neighborhood. Ms. Lewis-McGowan said that the proposed business was not a busy one that would create a lot of traffic. She made a motion to grant the request subject to a deed restriction. Mr. Jagger offered a substitute motion that the request be denied. It was seconded by Ms. Chance.

## COMMISSION VOTE:

To DENY the request of Kenneth McGary for a zoning change from "A" Residence, 1st H & A to "B" Residence, 1st H & A on property located at 4502 Avenue D.

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

NAY: Ms. Lewis-McGowan

C14-76-049 Carroll P. Young:  
1403 Collier Street

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

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "GR" General Retail be denied.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Ward Robertson (Representing Applicant)

## PERSONS APPEARING IN OPPOSITION

None

## COMMITTEE ACTION:

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

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

ABSTAIN: Ms. Mather

C14-76-049      Carroll P. Young--Contd.

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To DENY the request of Carroll P. Young for a zoning change from "A" Residence, 1st H & A to "GR" General Retail, 1st H & A on property located at 1403 Collier Street.

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

<u>C14-76-050</u>	<u>Emerald T. Wray, et al:</u>	<u>"A" Residence, 1st H &amp; A to</u>
	<u>4603-4609 Interstate Highway 35</u>	<u>"O" Office, 6th H &amp; A (as amended)</u>
	<u>1100 Bentwood Road</u>	

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and the staff recommendation that "GR" General Retail, 6th H & A be denied. He added that if the applicant amends the application to "O" Office, 6th H & A, the staff will recommend approval.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Austin National Bank  
A.H. Nagy, Star Route Box 413, Bennet, Texas  
Cecil H. Meir, 1810 East 39th Street

WRITTEN COMMENTS IN OPPOSITION

Daniel Sparks McKay, Jr., 4511 Elwood Rd.  
Irene B. Turner, 4613 I.H. 35  
Bruce K. Hallock, 4001 Cherrywood Rd.  
D.H. Killen, 4505 Elwood Rd.  
Mason & Martha V. Terry, 1103 Bentwood Rd.  
Lilyan Allen, 1201 Bentwood Rd.  
Mrs. Carl Levander, 1105 Bentwood Rd.  
Wallace Estate Lay, et ux, 4509 Elwood Rd.  
A.E. Garrison, 4603 Elwood Rd.

PERSONS APPEARING IN FAVOR

Robert Davis (Representing Applicants)

PERSONS APPEARING IN OPPOSITION

Mason Terry, 1103 Bentwood Rd.  
Keith Kistner (Representing Mr. & Mrs. Dan Killen)  
Doug Lawson

COMMITTEE ACTION:

Members reviewed the information presented. The applicant's representative, Mr. Robert Davis, told the Committee that the applicant was amending his application to "O" Office, 6th H & A. Mr. Jagger suggested that if the requested zoning change was granted, a buffer area should be provided adjacent to the single family residences to the rear of the subject property. Ms. Mather agreed that the property should not be rezoned without providing a buffer. Mr.



C14-76-050 Emerald T. Wray, et al--Contd.

Stoll felt that a zoning change would cause a domino effect of more zoning into the residential area. Mr. Jagger said that it would cause more zoning changes along I.H. 35, but that the buffer of "A" Residential would preclude any rezoning in the residential area. Mr. Jagger thought that a 14-foot buffer along the rear of the property would protect the residential neighborhood and the applicant's representative amended his application to include that 14-foot buffer. Mr. Jagger then made a motion to grant "O" Office, 6th H & A, subject to 14 feet of "A" Residence at the rear of the property adjacent to the "A" Residence use. Mr. Guerrero seconded the motion.

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

## COMMISSION ACTION:

Members reviewed the information presented. Mr. Stoll again expressed his concern for the residents in the single family neighborhood adjacent to the subject property. Mr. Rindy wondered if the "O" Office zoning would be worse than leaving it "A" Residence, causing the owners to move out and rent it. Ms. Mather felt that if it was decided that the zoning change was not proper for the area, the property should be purchased by the City. She thought it was unfair that so much right-of-way had been dedicated by the owners of this land to allow I.H. 35 to be built, that they now had to sell the entire property. Mr. Dixon made a motion to refer this application back to the Zoning Committee and Mr. Stoll seconded the motion.

## COMMISSION VOTE:

To REFER BACK TO THE ZONING COMMITTEE of July 6, 1976 the request of Emerald T. Wray, et al for a zoning change from "A" Residence, 1st H & A to "O" Office, 1st H & A and "A" Residence, 1st H & A (as amended) on property located at 4603-4609 Interstate Highway 35 and 1100 Bentwood Road.

AYE: Mmes. Chance and Lewis-McGowan; Messrs. Dixon, Gutierrez and Stoll  
NAY: Ms. Mather; Messrs. Jagger and Guerrero  
ABSTAIN: Mr. Rindy

## SPECIAL PERMITS

<u>C14p-76-020</u>	<u>Frieda R. McElhaney:</u>	<u>A day care center for</u>
	<u>9201 Slayton Drive</u>	<u>22 children.</u>

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation that the request for a special permit be denied.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

John W. Helge, 102 Fawnridge Dr.  
J.E. Frenzel, 404 Gordon Ct.  
Mrs. W.H. Cowherd, 9203 Slayton Dr.  
Mrs. Richard Balderrama, 9106 Slayton Dr.

C14p-76-020 Frieda R. McElhaney--Contd.

Myrtle Wofford, 9103 Georgian Dr.  
I.L. Allison, Sr., 1500 Murray Lane  
PERSONS APPEARING IN FAVOR  
Frieda R. McElhaney (Applicant)  
PERSONS APPEARING IN OPPOSITION  
William Cowherd, 9203 Slayton Dr.  
Barbara Cowherd, 9203 Slayton Dr.  
Jean Balderrama, 9106 Slayton Dr.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement to deny the request for a special permit.

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

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To DENY the request of Frieda R. McElhaney for a day care center for 22 children to be located at 9201 Slayton Drive.

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

<u>C14p-76-021</u>	<u>Wayne Dayton and George Weems:</u>	<u>A lounge and entertainment center</u>
	<u>9200 F.M. Road 1325</u>	<u>with 240 seats called, "Sliver</u>
		<u>Mine and Silver Mint".</u>

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve this application subject to compliance with departmental recommendations and ordinance requirements.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Wayne Dayton (Applicant)

PERSONS APPEARING IN OPPOSITION

Mrs. Milton T. (Helen) Smith, P.O. 9788

COMMITTEE ACTION:

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

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

C14p-76-021 Wayne Dayton and George Weems--Contd.

COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and without discussion, agreed with the recommendation of the Committee.

COMMISSION VOTE:

To APPROVE the request of Wayne Dayton and George Weems for a lounge and entertainment center with 240 seats called, "Silver Mine and Silver Mint, to be located at 9200 F.M. Road 1325, subject to departmental recommendations and ordinance requirements.

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

<u>C14p-76-022</u>	<u>Manuel Garcia:</u>	<u>A day care center for 40</u>
	204-206 W. North Loop Blvd.	<u>children.</u>

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation that the special permit be approved for a maximum of 30 children.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Herman Neusch, 5219 Leralynn  
Clarence K. Jackson, 8912 Slayton Dr.  
Mrs. Alma S. Swenson, 208 W. North Loop

WRITTEN COMMENTS IN OPPOSITION

Leroy Piper, 212 W. North Loop

PERSONS APPEARING IN FAVOR

B. Neal Stokey (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Neal Stokey, the applicant's representative, told the Committee that 30 children were not enough to make the day care center economically feasible and that the applicant feels that the lots are large enough to accommodate 40 children. Mr. Guerrero reminded the members that 24 children would be allowed on the two lots without a special permit. Mr. Rindy added that he felt it better to allow 30 children, requiring a special permit than to deny the request for a special permit if they could have 24 children anyway. He then made a motion to approve the request for a special permit for a maximum of 30 children and subject to landscape buffering along the northern and eastern borders of the property. The motion died for lack of a second. Mr. Jagger felt that there was no point in approving the special permit for only 30 children if the applicant did not think it was enough. He added that he thought it should be approved for a maximum of 40 children as requested or not approved at all. Mr. Guerrero moved that the request for a special permit for a day care center for 40 children be approved

Cl4p-76-022 Manuel Garcia--Contd.

subject to landscape buffering along the northern and eastern borders and ordinance requirements and departmental recommendations. Mr. Jagger seconded the motion.

AYE: Messrs. Guerrero, Jagger and Stoll; Ms. Chance

NAY: Ms. Mather and Mr. Rindy

## COMMISSION ACTION:

Members reviewed the information presented. A motion was made and seconded to approve the request for a special permit subject to the conditions as required by the Zoning Committee.

## COMMISSION VOTE:

To APPROVE the request of Manuel Garcia for a day care center for 40 children, to be located at 240-206 W. North Loop Blvd., subject to landscape buffering along the northern and eastern borders, ordinance requirements and departmental recommendations.

AYE: Mmes. Chance and Lewis-McGowan; Messrs. Dixon, Gutierrez, Guerrero, Jagger and Stoll

NAY: Ms. Mather and Mr. Rindy

Cl4p-76-023 Teri Road Baptist Church:  
1844 Teri RoadA day care center for  
73 children.

Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation to approve the request for a special permit subject to compliance with ordinance requirements and departmental recommendations.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

Farm & Home Savings, P.O. Box 2083

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Rowin W. Lawrence (Representing Applicant)

## PERSONS APPEARING IN OPPOSITION

None

## COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the recommendation of the staff to approve the request subject to compliance with ordinance requirements and departmental recommendations.

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

C14p-76-023 Teri Road Baptist Church--Contd.

## COMMISSION ACTION:

Members reviewed the information as it appeared in the memorandum and without discussion, agreed with the recommendation of the Committee.

## COMMISSION VOTE:

To APPROVE the request of the Teri Road Baptist Church for a day care center for 73 children to be located at 1844 Teri Road, subject to compliance with ordinance requirements and departmental recommendations.

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

## PLANNED UNIT DEVELOPMENTS

C814-76-004	Austin Country Club Estates: 5200 E. Riverside Drive	A 96-unit single-family planned unit development with common open space called, "The Crossing Gardenhomes".
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Mr. Brian Schuller, representing the Planning staff, delivered the staff report and the staff recommendation that this development could set a precedent in relation to future Planned Unit Development and standard subdivision development and the staff has reservations in recommending approval of this application, however approval should be subject to compliance with ordinance requirements and departmental recommendations.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Jon Washam (Representing Applicant)

Jeryl Hart (Representing Applicant)

## PERSONS APPEARING IN OPPOSITION

H.C. Bell, 127 E. Riverside Dr.

## COMMITTEE ACTION:

Members reviewed the information presented. Mr. Jagger explained the concept as offering an alternative to single family residences and town-houses. Mr. Rindy thought he agreed with the concept but felt that the plan could be modified, perhaps to offer smaller lots. Ms. Chance did not feel that this request should be approved as a PUD. Mr. Rindy suggested that the developer be allowed a week to work with Environmental Resource Management and to try to increase the open green areas in his development. The members were in agreement to continue this request to the Planning Commission on June 8 to consider any modifications from the developer and to receive comments from the Office of Environmental Resource Management.

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

C814-76-004 Austin Country Club Estates--Contd.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Jon Washam (Representing Applicant)

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

Members reviewed the information presented. Dr. Maureen McReynolds, Director of the Office of Environmental Resource Management, told the Commission that the Environmental Board had not had time to review this application and asked that it be postponed until after their next meeting on July 6. The members were in agreement with the request to postpone the application.

## COMMISSION VOTE:

To POSTPONE the request of Austin Country Club Estates for a 96-unit single-family planned unit development with common open space called, "The Crossing Gardenhomes" to be located at 5200 E. Riverside Drive, to the Planning Commission meeting of July 12, 1976.

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

## PUBLIC HEARINGS

C14h-74-023 The French Legation:  
802 San Marcos

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

Betty Baker, representing the Planning staff, delivered the staff report and the recommendation of the Historic Landmark Commission that the request for historic designation be granted.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

None

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the recommendation of the Historic Landmark Commission to grant the request for historic designation.

C14h-74-023      The French Legation--Contd.

## COMMISSION VOTE:

To GRANT a change in zoning from "A" Residence, 1st H & A to "A-H" Residence-Historic, 1st H & A on property located at 802 San Marcos, known as The French Legation.

AYE:            Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Guetierrez, Jagger, Rindy and Stoll

ABSENT:        Mr. Dixon

C6-76-001            Capital Improvements Program

Public hearing to consider the 1976-1981 Capital Improvements Program.

Mr. Lillie introduced Mr. Jorge Carrasco, Capital Budget Officer, who gave a brief presentation of the Capital Improvements Program. The meeting was then opened for a public hearing.

## CITIZEN COMMUNICATION

Ms. Edith Buss, representing the Community Development Commission, told the Commission that the following three concerns had been expressed by the Community Development Commission.

1. That all target area projects proposed in the 1976-1981 CIP be completed during the fiscal years 1976-77 and 1977-78. Further, that projects currently proposed for the first two years be implemented as scheduled and that projects proposed during the last three years of the CIP be given new priorities and scheduled for fiscal years 1976-77 and 1977-78.
2. That all target area projects proposed in the 1976-1981 CIP be retained and not postponed until a later date.
3. That the Commission adopt the concept of Human Services Multi-purpose Municipal Service Sites. That the human service, maintenance and storage facilities now proposed in the CIP be combined into multi-purpose facilities to serve more than one City department.

Mr. Joe Pinnelli, a representative of the American Federation of State and County Municipal Employees, asked that top priority be given to the construction of the Parks Division central maintenance complex to replace the Deep Eddy maintenance shop.

Mary Alice Brown of the University Hills Homeowners Association, wanted to assign the following priorities to the proposed improvements to Jordan Park.

C6-76-001 Capital Improvements Program--Contd.

1. Parking lots
2. Hike and bike trail
3. Increase security and maintenance
4. Erosion control along Little Walnut Creek
5. Little Walnut Creek clean-up
6. Construction of a water fountain, additional picnic tables, trash receptacles, and bike racks
7. Irrigation system
8. Play slab
9. Addition to the recreation center

She also wanted to express the neighborhood's support of the Northeast District Park, which is scheduled in the CIP for 1978-79. She added that it was hoped that that schedule could be changed to 1977-78. The third concern that the Homeowners Association wished to bring to the Commission's attention was the Springdale/Manor Road paving, which they felt should not be delayed any further but completed as soon as possible.

Mr. Jesse Eckelkamp represented the University Hills Optimist Club, which operates a sports complex at the intersection of St. Johns and Northcrest. He told the Commission that the Optimist Club had two recommendations:

(1) to fill in the drainage ditches, and (2) to recommend to the City Council that this property be declared public park land.

Mr. Don Beyer, President of the Balcones Civic Assotiation, expressed a need for the following projects in the Balcones area.

1. Support of recommendation of Urban Transportation Commission to approve a divided roadway between MOPAC and Mesa Drive and to move this phase of the project into the 1977-78 funded year.
2. Acquisition of land to establish a neighborhood park.
3. Support of the following programs:
  - a. MOPAC Impact Study
  - b. development of parks, playgrounds and greenbelts adjacent to the Balcones area
  - c. proposed branch library in the vicinity of Loop 360 and Highway 183

Don Walden, representing the Environmental Board, told the Commissioners that the Board had made the following recommendations.

1. Support and endorse the staff report of the Office of Environmental Resource Management, which speaks to environmental impacts of several projects in the CIP.
2. Central Service Center Improvements



C6-76-001 Capital Improvements Program--Contd.

3. Johnson Creek Drainage Improvements - need a study of alternatives
4. Barton Skyway Extension - Remove any monies for engineering and construction in the fourth and fifth years and provide sufficient funding in the fifth year for a conceptual design study and a major environmental impact study.
5. Decker and Holly Power Plants - postpone any conversion to oil-fired boilers at Decker and include monies in the 76-77 year to fund studies for environmental impact and installation of air pollution control equipment.
6. Walnut Creek Golf Course - consider relocating the project.
7. Major parkland and greenbelt acquisition - increase funding.
8. Park Irrigation Projects - priority of irrigation cost allocations should be given to the construction of basketball slabs in the parks located in zones 8 and 5.
9. Parkland/Greenbelt acquisition - provide funds to purchase Taylor Slough from Reed Park to Lake Austin and to develop sufficient land abutting this slough west of Scenic Drive in order to provide access to the lake.

Further recommendations included the following:

1. Study the water quality in Austin's waterways
2. Purchase areas for use as holding ponds for floodwater detention.
3. Establish recycling centers on city property.
4. Study design of roadways in order to reduce traffic noise.

David Bloch asked for the purchase of lake front land, specifically the shore of the lake where Taylor Slough meets Lake Austin, to gain public access to the lake.

Jim Robertson was present representing Travis Autobon Society to voice their support to the establishment of recycling centers.

Terry LaFieste spoke for the Allandale Neighborhood Association and cited such concerns as erosion along Shoal Creek; expansion of Spicewood Springs Road (two lanes with median); support of retention method of flood control as opposed to channelization; proposed recreation center for northwest Austin (prefer Northland location).

John Henneberger spoke to the geographical distribution of funds through the CIP. He told the Commission that he was preparing a study of the funding distribution, geographically, in the city over the past five years. Expressed concern for what he considered inadequate distribution of funds to certain minority target areas. Compiled figures concerning the budgets of Public Works and Parks and Recreation Departments and would work with the Research and Budget Department and other departments to establish a format to present to the Commission.

C6-76-001 Capital Improvements Program--Contd.

Bill Carson expressed concern for, what he termed, broad range policies that will expand the city's capacity to absorb new development and new growth within the city limits and the abutting fringes. Cited city control over the extraterritorial jurisdiction and the city-owned utilities and urged consideration be given to these items (in favor of them), so that growth in the city could be controlled.

NO ACTION TAKEN.

OTHER BUSINESS

C12-76-001 Approach Main

Final report from the Approach Main Committee.

Mr. Don Walden, representing the Approach Main Committee, explained the proposals to the Commissioners.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement to recommend approval of the final report on the Approach Main.

COMMISSION VOTE:

To APPROVE the final report from the Approach Main Committee.

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

C14-71-71 Frank Leggett

1104-1114 Clayton Lane

Request by applicant for clarification of the definition of privacy fence required by restrictive covenant.

Mr. Lillie explained to the Commission that the applicant wished to install a chain link fence with aluminum slats instead of a wooden fence and was asking the Commission to approve that change to this restrictive covenant.

COMMISSION ACTION:

Members reviewed the information presented. They felt that the chain link fence with aluminum slats was not as desirable as a wooden fence but agreed to approve the request to amend this restrictive covenant.

COMMISSION VOTE:

To APPROVE the request of Frank Leggett to change the restrictive covenant on the property located at 1104-1114 Clayton Lane, to require a chain link fence with aluminum slats instead of a wooden fence.

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

## SUBDIVISIONS

R105-76

SUBDIVISION MEMORANDUM

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

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivisions are appearing before the Commission for the first time and all departmental requirements have not been complied with. The staff recommends disapproval of these plats. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat pending compliance with departmental requirements, street name changes as required and provision of tax certificates.

C8-76-10      Green Trails Estates  
Hart Lane & Green Trails Pkwy.

AYE: Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT: Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat pending compliance with departmental requirements and street name changes as required.

C8-76-30      Sweetbriar Village  
Merriwood & Blueberry Hill

AYE: Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT: Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat pending compliance with departmental requirements.

C8-76-27      Cooper Oaks, Section 2-A  
Woodhue Drive

AYE: Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT: Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat pending compliance with departmental requirements and recommendations from Urban Transportation and Planning Departments as stated on subdivision memoranda, street name changes as required and provision of tax certificates.

C8-76-12      The Homestead  
The Great Divide Drive

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

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 plats:

C8s-75-198      Duplex Addition  
Industrial Blvd. & Tarry-O-Lane

C8s-76-62      Shia Addition No. 2  
Sunshine Drive

C8s-76-60      Wood Hollow Village  
Greystone Drive and Hart Lane

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

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form plat:

C8s-76-80      Resub. of Lot 5, Blk. D, Spring Hill Village  
Delahunty Lane

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

The staff reported that the following short form plats have not complied with all departmental requirements and recommended that they be disapproved. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plats pending compliance with departmental requirements and granting a variance on signature of the adjoining owner.

C8s-76-83      Northwest Savings #2  
Mesa Drive & Spicewood Springs Rd.

C8s-76-84      Casa Avila Subdivision  
Lot Avenue & Ledesma Road

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

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plats pending compliance with departmental requirements.

C8s-76-85      Resub. Lot 2, Metro Park  
                     U.S. 290 and I.H. 35

C8s-76-86      McCann Annex #2, 2nd Resub. Lots 2 & 3  
                     U.S. 183 and McCann Road

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

The Commission then

VOTED:        To ACCEPT FOR FILING AND DISAPPROVE the following short form plat  
                     pending compliance with departmental requirements and granting a  
                     variance to exclude the balance of the tract.

C8s-76-87      Mary-Oaks Subdivision  
                     Davis Lane

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

The Commission then

VOTED:        To ACCEPT FOR FILING AND DISAPPROVE the following short form plat  
                     pending compliance with departmental requirements, provision of  
                     fiscal arrangements, and compliance with recommendations of Office  
                     of Environmental Resource Management as stated on subdivision  
                     memorandum, and granting a variance on signature of the adjoining  
                     owner.

C8s-76-73      Treadwell Addition, Sec. 5  
                     Burnet Road

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

The Commission then

VOTED:        To ACCEPT FOR FILING AND DISAPPROVE the following short form plat  
                     pending compliance with departmental requirements and recommendations  
                     of Environmental Resource Management, Planning and Urban Transportation  
                     Departments as stated on subdivision memoranda, and granting a variance  
                     to exclude the balance of the tract.

C8s-76-75      Great Hills VI  
                     Mt. Ridge Drive

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

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plat pending compliance with departmental requirements and recommendations of Environmental Resource Management, Planning and Urban Transportation Departments as stated on subdivision memoranda.

C8s-76-76      Toro Canyon Subdivision #1  
Toro Canyon - West Lake Drive

AYE: Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT: Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form plat pending compliance with departmental requirements and recommendations from Environmental Resource Management as stated on subdivision memorandum.

C8s-76-81      Resub. of a portion of Lot 20, Block 9, Westfield "A"  
Bridle Path

AYE: Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT: Mr. Dixon

The Commission then

VOTED: To DISAPPROVE the following short form plat pending dedication of right-of-way.

C8s-75-117      J.C.E. Addition  
Steck Avenue & Shoal Creek Blvd.

AYE: Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT: Mr. Dixon

The staff reported that a request for withdrawal had been received for the following short form plat and recommended that it be granted. The Commission then

VOTED: To GRANT the request for withdrawal of the following short form plat.

C8s-73-168      Wood Hollow Village  
Greystone Drive and Hart Lane

AYE: Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT: Mr. Dixon

PRELIMINARY SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that a request for a six month extension had been received for the following preliminary subdivision and recommended that the extension be granted. The Commission then

VOTED: To GRANT a six month extension for the following preliminary subdivisions.

C8-70-22                      Southcrest Park No. 3  
F.M. 812 and Clinger Road

C8-75-33                      Spring Business Park  
Springdale Road, U.S. 290

AYE:            Mmes. Chance, Lewis-McGowan and Mather; Messrs. Guerrero, Gutierrez, Jagger, Rindy and Stoll

ABSENT:        Mr. Dixon

The meeting adjourned at 1:30 AM

## SUBDIVISIONS

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

A telephone poll was taken on June 10, 1976 for consideration of the following final subdivision plats. The staff recommended approval. The Commission then

VOTED: To APPROVE the following final subdivision plats:

C8-76-11                      Buckingham Ridge, Sec. 5  
South Congress & William Cannon Drive

C8-75-30                      Beaconridge III  
South 1st St. and Mario Street

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

NOT POLLED:    Ms. Lewis-McGowan and Mr. Dixon

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following final subdivision plat:

C8-76-13                      Bee Caves West  
U.S. Hwy. 71 & Hamilton Pool Rd.

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

NAY:            Mr. Rindy

NOT POLLED:    Ms. Lewis-McGowan and Mr. Dixon

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

A telephone poll was taken on June 15, 1976 for consideration of the following short form plat. The staff recommended approval. The Commission then

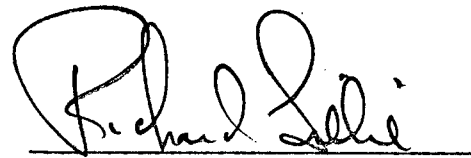
VOTED: To ACCEPT FOR FILING AND APPROVE the following short form plat, granting a variance on signature of the adjoining owner and on scale of plat.

C8s-76-82            Austin World of Archery  
Highway 71

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

NOT POLLED: Ms. Lewis-McGowan; Messrs. Dixon, Gutierrez, and Stoll

The meeting adjourned at 1:30 AM

  
Richard R. Lillie  
Executive Secretary