

## CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--July 5, 1977

The meeting of the Commission was called to order at 5:30 p.m. in the City Council Chambers.

Present

Miguel Guerrero, Chairman  
Barbara Chance  
Freddie Dixon\*  
Gabriel Gutierrez  
Sid Jagger  
Mary Ethel Schechter  
Bill Stoll  
James G. Vier

Also Present

Richard Lillie, Director of Planning  
Evelyn Butler, Supervisor, Current Planning  
Brian Schuller, Planner  
Duncan Muir, Planner  
Betty Baker, Planning Technician  
Bill Lowery, Urban Transportation Department  
Ouida W. Glass, Senior Secretary

Absent

Bernard Snyder

\*Left meeting at 7:15 p.m. and  
Returned at 9:35 p.m.

## ZONING

C14-77-022 Bullard Company: Int. AA, 1st to "LR" Local Retail, 1st, as Amended.  
(by W. H. Bullard)  
10602-10702 Middle Fiskville Road  
604-606 & 605-607 East Grady Drive

This case was originally heard by the Planning Commission on May 3, 1977, and by the City Council on May 26, 1977, at which time the City Council referred it back to the Planning Commission to give the applicant an opportunity to present his case. The requested zoning would permit the applicant to put the land through all uses through "C" Commercial, 1st H & A, plus a liquor store, if the choice of the owner were to build one. The surrounding land is zoned interim residential.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

W. H. Bullard (applicant)

## PERSONS APPEARING IN OPPOSITION

Patricia Sanderson, 502 Grady Drive

Mary Phelps, 506 East Grady

Claud Hollan, 501 East Grady

Charlotte E. Hollan, 501 East Grady

Forrest Sanderson, 502 Grady Drive

Louis C. Phelps, 506 East Grady

## COMMISSION ACTION:

Residents in the area were very concerned about what would happen to their neighborhood; indicated the application had been denied once by the Planning Commission and requested that it be denied again. Discussion followed as to the necessity of "C-1" zoning. The applicant then amended his request to "LR" Local Retail, "1st" H & A.

## COMMISSION VOTE:

Mr. Stoll moved the Commission deny "LR, 1st", as amended, but grant "A", 1st on the westernmost 20 feet and "LR, 1st" on the remainder of the tract.

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

ABSENT: Messrs. Snyder and Dixon.

## THE MOTION PASSED BY A 7-0 VOTE.

C14-77-062 Mecon Properties: A, 1st to B, 1st  
(by Dr. Walter Meyer)  
908 Romeria Drive

Mr. Duncan Muir represented the Planning staff, stated this tract fronts a minor residential street with a substandard street right-of-way within a low density residential neighborhood in north Austin. It is presently

C14-77-062 Mecon Properties Contd.

developed with a single-family residence. Surrounding land uses and zoning are single-family residences in "A" with the exception of apartments in "B" Residence on the east. The staff recommended denial of this application because (1) it would be a clear intrusion into the interior of a low-density neighborhood, and (2) the street right-of-way width is sub-standard for low-density residential and any uses more intensive. The existing "A" zoning offers sufficient flexibility for redevelopment to higher density which would be significantly more compatible with this low-density neighborhood. The staff recommends that any change in zoning be denied.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

Allan Smith, 1003 Alegria Road

Jeryl D. Hart, Jr. and Linda B. Hart, 1002 Alegria

## PERSONS APPEARING IN FAVOR

Walter Meyer, applicant

## PERSONS APPEARING IN OPPOSITION

Allan Smith, 1003 Alegria

Stephen Hirsch

## COMMISSION ACTION:

The Commission heard discussion regarding the noise level, traffic., etc., since the zoning had been changed and apartments built in the area. More apartments would bring in more and more people, traffic and noise into a neighborhood which is 90% home owners and would eliminate privacy completely in some back yards. Dr. Meyer reminded the Commission that the present zoning permits six units to be constructed on this tract and he is requesting 31 efficiency apartment units.

Mr. Jagger

indicated it seemed a logical use of the property and that he was sympathetic to the families involved; they do need privacy from a two-story building, and suggested construction of one-story buildings on the back side.

## COMMISSION VOTE:

Mr. Jagger moved postponement for one month to permit the applicant opportunity to present a site plan that shows one-story buildings along the back property line and showing fences. Bill Stoll seconded the motion.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Stoll and Vier.  
Mmes. Chance and Schechter.

ABSENT: Mr. Snyder.

THE MOTION PASSED BY A 8-0 VOTE.

C14-77-063 Ira F. and Evelyn W. Collins: A, 1st to LR, 1st  
(by Florence A. Cecil)  
1014-1018 Justin Lane

C14-77-063 Ira F. and Evelyn W. Collins Contd.

Mr. Duncan Muir represented the Planning Staff and indicated this is a pie-shaped residential lot fronting Justin Lane, a major arterial street which traverses a low-density residential neighborhood in north Austin. It is the feeling of the staff that a zoning change on the subject lot would be an intrusion into the neighborhood, stimulating other rezoning requests, and, therefore, recommended that any change in zoning be denied.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

Mr. and Mrs. Ira F. Collins (applicant)

## WRITTEN COMMENTS IN OPPOSITION

Wesley E. Diver, Route 3, Bos 216G, Leander, Texas

## PERSONS APPEARING IN FAVOR

Charles W. White, Jr.

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION

The Commission heard the testimony presented and were of the opinion that any change would be an intrusion of the privacy of the neighborhood.

## COMMISSION VOTE:

Mr. Stoll moved that the staff recommendations be upheld and that any changes be denied. Mr. Jagger seconded the motion.

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

ABSENT: Messrs. Snyder and Dixon.

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-064 BALCONES ASSOCIATES: A, 1st to LR, 2nd (as amended)  
(by Hoyle M. Osborne)  
3301-3309 Northland Drive  
5400-5618 MoPac Boulevard

Mr. Duncan Muir represented the Planning Staff and indicated that these tracts are located at the intersection of MoPac Expressway and Northland Drive. A bank building exists on the north end of Tract 1. The remainder of the tract is undeveloped. The requested zoning will permit a wider range of retailing and is consistent with more intensive zoning and uses which have been established in this commercial area. The staff recommends that "GR" General Retail, "2nd" H & A be granted on both Tracts 1 and 2.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

C14-77-064 BALCONES ASSOCIATES Contd.

## PERSONS APPEARING IN FAVOR

Hoyle Osborne, 824 West Tenth (applicant)

Jim Moritz, 8011 Hillrise

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

The Commission felt the majority of the zoning in this general area is local retail. The applicant was asked if there was a specific need for "GR". He responded that there was not at the present time, but that the requested zoning would permit better use of the property. Ms. Chance moved to deny the general retail zoning. Mr. Stoll seconded the motion. The applicant then agreed to withdraw the application on Tract and amend the application to LR, 2nd H & A on Tract 2.

## COMMISSION VOTE:

Ms. Chance moved that the application on Tract 1 be withdrawn and that LR, 2nd H & A, as amended be granted on Tract 2.

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

ABSENT: Messrs. Snyder and Dixon

## THE MOTION PASSED BY A 7-0 VOTE.

C14-077-065 William S. Winn & Joseph C. Zern: Int. A, 1st to GR, 1st  
(by Hoyle M. Osborne)  
1530-1544 East Anderson Lane  
7801-7813 Old Cameron Road

Mr. Duncan Muir, representing the Planning Staff, explained that the subject tract has double frontage on U. S. 183 and Old Cameron Road and that an office building developed prior to annexation exists on the tract. The staff recommends that "GR" General Retail, "1st" H & A be granted, as it conforms with zoning policy in this area.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Hoyle Osborne, applicant (representing Balcones Associates).

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

Testimony was presented to the effect that the zoning be changed as requested to be in conformity with the general area.

## COMMISSION VOTE

Mr. Jagger moved that the staff recommendation be approved and that GR, 1st H & A be approved. Mr. Gutierrez seconded the motion.

C14-77-065 William S. Winn & Joseph C. Zern Contd.

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

ABSENT: Messrs. Snyder and Dixon.

THE MOTION PASSED BY A 7-0 VOTE.

C14- 77-066 NPC REALTY COMPANY: Int. AA, 1st to A, 1st.

(By Phil Mockford)

1316-1408 Kramer Lane

10906-11200 Pecusa Drive

Mr. Duncan Muir, representing the Planning Staff, explained that the subject tracts are part of the proposed Quail Hollow neighborhood which fronts the proposed extension of Braker Lane, Pecusa Drive and Kramer Lane in North Austin. The staff recommends that "A" Residence, 1st H & A be granted.

#### CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Denise C. Ramirez, 1317 Meadgreen Circle

PERSONS APPEARING IN FAVOR

Phil Mockford, representing applicant

PERSONS APPEARING IN OPPOSITION

Ralph Freeman, representing North Austin Civic Association

#### COMMISSION ACTION:

Mr. Freeman indicated the change in zoning would increase residential density as well as increase traffic in the area and indicated that the schools in the immediate area are overcrowded now. Discussion was held regarding the proposed density and the necessity of privacy fences between the rear driveways for the proposed duplexes and the single-family lots.

#### COMMISSION VOTE:

Mr. Vier moved that "A" Residence, 1st H & A be granted, subject to a restrictive covenant providing for a privacy fence between the rear driveways for the proposed duplexes and the single-family lots. Ms. Chance seconded the motion. Mr. Gutierrez did not agree with the necessity of the privacy fence.

AYE: Messrs. Jagger, Stoll and Vier. Ms. Chance.

NAY: Mr. Gutierrez

OUT OF ROOM: Ms. Schechter, and Mr. Guerrero

ABSENT: Mr. Snyder and Mr. Dixon

THE MOTION PASSED BY A 4-1 VOTE.

C14-77-067 E. L. Sheppard, et al: Int. AA, 1st to GR, 1st  
 (by Donald E. Bird)  
 12003-12005 Bell Avenue  
 12001 U.S. Highway 183

Mr. Duncan Muir, representing the Planning Staff, explained that the subject tract covers approximately two acres of undeveloped land with primary access to U.S. 183 and secondary access to Bell Avenue, which is primarily a residential collector street in Northwest Austin. The staff recommended that "GR" General Retail be denied on the entire tract, but that "O" Office, "1st" be granted on the northernmost 50 feet as a buffer for the neighborhood and "GR" General Retail, 1st H & A be granted on the remainder.

#### CITIZEN COMMUNICATION

##### WRITTEN COMMENTS IN FAVOR

None

##### WRITTEN COMMENTS IN OPPOSITION

Mrs. Wanda L. Prosser, 12107 Tweed Court  
 Louis A. Zurcher, 12102 Conrad Road  
 Mr. and Mrs. Douglas D. Moore, 12202 Conrad Road  
 H. D. Walker, 2801 Mt. Laurel Drive

##### PERSONS APPEARING IN FAVOR

Donald E. Bird representing applicant

##### PERSONS APPEARING IN OPPOSITION

Charles Prosser, 12107 Tweed Court  
 Bob J. Pulley, 12106 Conrad Road  
 Shirley A. Pavliska, 12200 Conrad Road  
 H. Lane Coffey, Jr., 12108 Conrad Road  
 Betty J. Cluck, 12201 Bell Avenue  
 Doyle Butler, 12107 Bell Avenue  
 William D. Clifford, 12106 Tweed Court  
 Pamela Scott, 12108 Bell Avenue  
 Patti H. Clifford, 12106 Tweed Court  
 Marie Moore, 12202 Conrad Road  
 Douglas D. Moore, 12202 Conrad Road  
 Wanda L. Prosser, 12107 Tweed Court  
 Homer D. Walker, 2801 Mt. Laurel Drive  
 Mrs. Homer D. Walker, 2801 Mt. Laurel Drive  
 Lawrence Lacy, 12103 Conrad Road  
 Ralph Don Freeman, 1019 Quail Park

#### COMMISSION ACTION:

The members reviewed the information as presented; looked at a site plan and questioned what would be done with the remainder of the property; where the driveways would be installed; and what type of buffering would be used. Mr. Jagger moved for the installation of 25' environmental easement on three sides and no access on Bell Avenue. It was pointed out that a strip of "A" could accomplish essentially the same purpose.

#### COMMISSION VOTE:

Mr. Jagger moved to deny "GR" on the entire site, but to grant 25 feet of "A", 1st" along the northern, western, and southern boundaries excluding the areas for driveway access to U.S. 183 only, and Grant "GR" General Retail "1st" H & A on the remainder of the tract. Mr. Dixon seconded the motion.

C14-77-067 E. L. Sheppard, et al Contd.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Stoll and Vier.  
Mmes. Chance and Schechter.  
ABSENT: Mr. Snyder.

THE MOTION PASSED BY A 8-0 VOTE.

C14-77-068 Austin National Bank, Executor & Trustee: GR, 1st to C, 1st  
(by Donald E. Bird)  
2200 Theo Drive

Mr. Duncan Muir, representing the Planning staff, delivered the staff report and recommended that "C" Commercial, "1st" H & A be granted.

## CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Donald E. Bird for applicant

PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

The commission reviewed the request as presented.

## COMMISSION VOTE:

Mr. Dixon moved and Ms. Chance seconded the motion to approve the staff recommendation as presented that "C" Commercial, 1st H & A be granted.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Stoll and Vier.  
Mmes. Chance and Schechter.

ABSENT: Mr. Snyder.

THE MOTION PASSED BY A 8-0 VOTE.

C14-77-069 Irwin R. Salmanson, et al: A, 1st to O, 1st  
(by Robert O. Smith)  
812 East 32nd Street

Mr. Duncan Muir represented the Planning Staff and stated that this lot fronts a neighborhood collector street, with a single-family residence existing thereon. It is the feeling of the staff that the "O" district could be extended west to Hampton Road without unduly intruding into the neighborhood and recommended that "O" Office, "1st" H & A be granted.

## CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR

Carl M. Smith, 511 Rio Grande

WRITTEN COMMENTS IN OPPOSITION

Northwood Terrace, 907-A East 32nd Street



C14-77-069 Irwin R. Salmanson, et al Contd..

## PERSONS APPEARING IN FAVOR

None

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

The Commission heard the testimony as presented.

## COMMISSION VOTE:

Ms. Schechter moved to grant "O" Office, "1st" as recommended by the Planning staff. Mr. Gutierrez seconded the motion.

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

ABSENT: Messrs. Snyder and Dixon.

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-070 Adon Sitra: Int. A, 1st to O, 1st (on amended area)  
3859 Dry Creek Drive

Mr. Duncan Muir, representing the Planning Staff, stated that this is an undeveloped 8.8-acre tract fronting on a neighborhood collector street, Dry Creek Drive, and a major arterial street, Bull Creek Road. A creek ravine follows the west boundary and crosses the tract toward the north end. Due to the strong precedent set by the "LR" and "O" Office zoning on the north and the existence of non-conforming businesses along the south side of Dry Creek Drive, the staff recommends "O" Office zoning for the area north of the creek ravine, approximately 2.5 acres. The staff, however, cannot recommend a zoning change on the remainder of the tract. The traffic densities which can accompany the residential densities permitted by less restrictive zoning would create a significant traffic hazard at points of ingress/egress on Bull Creek Road. An "A" residential P.U.D. has been discussed with the applicant. The staff recommends "O" Office, 1st H & A be granted on that portion of the tract north of the ravine only.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

Lamar Savings Association, Box 1566

Petition - 21 names

## WRITTEN COMMENTS IN OPPOSITION

T.E. Deyo, II

Carol Jean Deyo

Petition - 21 names

## PERSONS APPEARING IN FAVOR

Adon Sitra, applicant

## PERSONS APPEARING IN OPPOSITION

Larry N. Greehawm, 3606 Hillbrook

Tom Gebhard, 3819 Westmont Drive

C14-77-070 Adon Sitra Contd.

## COMMISSION ACTION:

Applicant amended the application to the staff recommendation. The petition submitted by residents of the area protested the "C" Zoning for the entire tract and supported the recommendation of the Planning staff for "O" Office designation on Tract 1. The neighbors requested a special permit prior to development, and the applicant agreed to this condition.

## COMMISSION VOTE:

Ms. Chance moved to grant "O" Office, "1st" H & A, as amended to the area north of the ravine, subject to a restrictive covenant providing for a special permit.

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

ABSENT: Messrs. Snyder and Dixon

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-071 J. M. Richard: A, 1st to BB, 1st  
 (by James C. City)  
 1704 Redwood Avenue

Mr. Duncan Muir represented the Planning staff and stated that this undeveloped tract fronts a minor residential street within a low-density neighborhood in east Austin. Surrounding uses include single-family residences, a duplex, undeveloped land, and a church in "A" Residence. The staff recommends that any change in zoning be denied as an intrusion into a low-density neighborhood.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

Petition

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

James J. City (applicant)

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

The Commission heard testimony indicating that applicant desired to move a tri-plex instead of a four-apartment building to this location and requested that the Planning Commission reconsider and allow "BB" zoning rather than "A" zoning. He agreed to a restrictive covenant limiting the development to a tri-plex.

## COMMISSION VOTE:

Ms. Chance moved that the Commission disapprove the request; that it remain "A"; and a duplex be put in. Mr. Vier seconded the motion. Mr. Gutierrez offered a substitute motion to Grant "BB, 1st" subject to a restrictive covenant providing for a limitation to a tri-plex. Mr. Jagger seconded the motion.

C14-77-071 J. M. Richard Contd.

AYE: Messrs. Guerrero, Gutierrez, Jagger and Vier. Mmes. Schechter  
 NAY: Ms. Chance and Mr. Stoll.  
 ABSENT: Messrs. Snyder and Dixon.

THE MOTION PASSED BY A 5-2 VOTE.

C14-77-073 City of Austin: Interim "A", 1st to "A" 1st H & A  
 (by Planning Department)  
 Area generally bounded by Manchaca Road  
 William Cannon Drive, Cherry Creek Sub-  
 Division, and Whispering Oaks Subdivision.

Mr. Duncan Muir represented the Planning staff and stated the Whispering Oaks Neighborhood Association had requested a change from Interim "A" Residence to permanent "A" Residence for their neighborhood.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

Phillip Anthony Richardson, 7500 Whispering Oaks Drive  
 Roy E. and Helen Pfoefflin, 6906 Whispering Oaks Drive  
 John Fisher, 2710 Alderwood  
 Deege Suarez, 7406 Eganhill Drive

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Marilyn Simpson, Secretary-Treasures of Whispering Oaks Association  
 Susan T. Geller, 2419 Campden Drive  
 Chester D. Geller, 2419 Campden Drive

## PERSONS APPEARING IN OPPOSITION

Mrs. Milton Bible

## COMMISSION ACTION:

The Commission heard testimony to the effect that this zoning request, if granted, would not change the land uses which are permitted, as the uses which are permitted in Interim "A" are the same as in permanent "A". Any uses established prior to annexation can continue legally. The benefit of permanent "A" zoning is that it gives property owners the right to petition against zoning changes in their area and interim zoning does not. Mrs. Milton Bible stated she was opposed to all of Manchaca Road being "A" Residential. She was informed that this zoning would not preclude subsequent zoning changes.

## COMMISSION VOTE:

Ms. Schechter moved that the staff recommendation of "A" Residence, 1st H & A be granted. Mr. Gutierrez seconded the motion.

AYE: Messrs. Guerrero, Gutierrez, Stoll, Jagger, Vier and Dixon.  
 Mmes. Chance and Schechter.

ABSENT: Mr. Snyder.

THE MOTION PASSED BY A 8-0 VOTE.

## SPECIAL PERMITS

C14p-77-023 Pioneer Trust & Savings: A 30-seat lounge and a 150-seat  
 (by Garrett Goldwater lounge in Rivertowne Mall called,  
 and Terry Belt) "THE BACK ROOM" and "THE COPPER  
 1536-1606 Burton Drive DOLLAR".

Mr. Brian Schuller of the Planning staff explained that this was a request for a 30-seat lounge and a 150-seat lounge in the existing Rivertowne Mall Shopping Center on East Riverside Drive between Burton Drive and Royal Crest Drive. The staff recommended approval 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

Terry Belt (for applicant)

PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION

Mr. Belt, representing the applicant, explained that the "C-2" zoning was heard by the Planning Commission and the City Council in May and granted on that area of buildings to be used for the lounges.

## COMMISSION VOTE

Mr. Stoll moved the application be approved subject to ordinance requirements and departmental recommendations. Mr. Vier seconded the motion.

AYE: Messrs. Guerrero, Gutierrez, Jagger, Vier, Stoll and Dixon.  
 Ms. Schechter.

ABSENT: Mr. Snyder

OUT OF THE ROOM: Ms. Chance.

THE MOTION PASSED BY A 7-0 VOTE.

C14p-77-024 JLP DEVELOPMENT CORPORATION: A 120-unit apartment  
 (by Mike Prewitt) and 26 townhouses called,  
 3731 Steck Avenue "SUMMER WOOD", Phase Two,  
Section Two.

Mr. Brian Schuller, representing the Planning Staff, delivered the staff report and explained that this is an application for a Special Permit for 120 apartments and 26 townhouses on a 9.4-acre tract zoned "B-B" 1st, H & A. The detailed site plan proposes 26 townhouse units fronting on Summer Side Drive, with automobile access along a common drive at the rear of the lots. The apartments are in clusters of two-story buildings with access to Summer Morn Drive and Steck Avenue. The staff recommends approval subject to compliance with ordinance requirements and departmental recommendations.

C14p-77-024 JLP DEVELOPMENT CORPORATION Contd.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Mike Prewitt, applicant

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

The members heard testimony regarding this application and Mr. Prewitt indicated he had no problems meeting the departmental recommendations and ordinance requirements.

## COMMISSION VOTE

Mr. Jagger moved approval subject to ordinance requirements and departmental recommendations. Ms. Chance seconded the motion.

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

ABSENT: Messrs. Snyder and Dixon.

## THE MOTION PASSED BY A 7-0 VOTE.

C14p-77-025 Philip C. Bobbitt: An addition of two units within the  
1505 Windsor Road, also existing structure.  
bounded by Enfield Road  
and Harrell Lane

Mr. Brian Schuller of the Planning staff explained that this is an application by the owner of the "Batts House" at 1505 Windsor Road for a Special Permit to allow the construction of two apartment units within the existing residence. The staff feels this is an appropriate use of the property and recommends approval 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

Philip C. Bobbitt

Fred Sackett, 1402 Windsor Road

Katherine Burkhart

Peggy Sackett

## PERSONS APPEARING IN OPPOSITION

None

C14p-77-025 Philip C. Bobbitt Contd.

## COMMISSION ACTION

Mr. Bobbitt explained to the Commission that he would like to add two apartment units within the existing structure whereby he could provide law students with a convenient, inexpensive place to live, and at the same time they could have the use of his law library, as well as being on the shuttle bus route.

## COMMISSION VOTE:

Mr. Vier moved the Commission approve the request subject to ordinance requirements and departmental recommendations. Mr. Dixon seconded the motion.

AYE: Messrs. Guerrero, Gutierrez, Jagger, Vier, Stoll and Dixon.  
Mmes. Schechter and Chance.

ABSENT: Mr. Snyder

THE MOTION PASSED BY A 8-0 VOTE.

C14p-77-026 Dorothy A. Johnson: Day Care Center for 59 Children  
5305 Grover Avenue, also bounded  
By North Loop Boulevard

The applicant requested postponement for 30 days to enable her to reapply in order to increase the number of children from 59 to 63.

## COMMISSION ACTION:

The Commission heard the request for postponement.

## COMMISSION VOTE:

Ms. Chance moved that the hearing for the Day Care Center to increase the number of children from 59 to 63 be postponed as requested. Mr. Vier seconded the motion.

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

ABSENT: Messrs. Snyder and Dixon.

THE MOTION PASSED BY A 7-0 VOTE.

C14p-77-027 Neal Johnson: Health Spa within existing shopping center  
(by Larry Bane) called, "TOTAL FITNESS CENTERS"  
5736 Manchaca Road, also  
bounded by Stassney Lane

Mr. Brian Schuller of the Planning staff reported that this is an application for a health spa to be located in a 28 foot by 140 foot area within the existing Cherry Creek Plaza Shopping Center at the southwest corner of Manchaca Road and Stassney Lane. The staff is of the opinion that the proposed use is not incompatible with other uses generally found in shopping centers and recommends approval subject to compliance with ordinance requirements and departmental recommendations.

C14p-77-027 Neal Johnson Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Neal Johnson (applicant)

PERSONS APPEARING IN OPPOSITION

Walter Arreano, Southwest Austin Neighborhood Association

Chet Gilmer

COMMISSION ACTION:

Mr. Neal Johnson, applicant, explained to the Commission that this facility would provide therapeutic massage, with facilities for sunbathing and a jogging track on the roof top, which is to be fenced in for privacy purposes. Mr. Arreano expressed concern about the massage part of the application. Mr. Johnson explained that he would be completely in charge of the endeavor at all times and no activities would be going on in the area that he was not aware of.

COMMISSION VOTE:

Mr. Jagger moved approval of the application subject to ordinance requirements and departmental recommendations, requiring a seven-foot high privacy fence on the roof top to shield joggers and sunbathers, and prohibiting any kind of sign advertising "massage." Mr. Vier seconded the motion.

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

ABSENT: Mr. Snyder

THE MOTION PASSED BY A 8-0 VOTE.

C14p-77-021 Lee, Jackson & Turner, Inc.: Consider Landscape Plan  
(by Dan N. Gardner) (Hearing continued from  
1907-1919 Rundberg Lane June 7, 1977)  
9106-9202 Northgate Boulevard

This is a request for Special Permit approval of a 50-unit Housing Authority Project. The public hearing was continued to July 5, 1977, in order to allow the applicant time to prepare and submit a landscape plan for approval.

COMMISSION ACTION:

Applicant requested a 30-day continuance to allow staff review of the landscape plan prior to Commission review.

COMMISSION VOTE:

Ms. Chance moved that the hearing be continued to August 2, 1977. Mr. Vier seconded the motion.

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

ABSENT: Messrs. Snyder and Dixon.

THE MOTION PASSED BY A 7-0 VOTE.





## HISTORIC ZONING

C14h-77-010 I.V. Davis Homestead: A, 1st to A-H, 1st  
Mr. and Mrs. Cater Joseph, owners  
1610 Virginia Avenue

Betty Baker of the Planning staff stated that this structure was completed in 1875 by a carpenter named A. W. Bunson for the owner for which it is named, Isaac Van Zandt Davis. Its exterior walls are 22 inches thick and the structure is built of limestone, quarried at Oak Hill. Isaac Van Zandt Davis came to Austin with his father in 1936 and served in the Confederate Army and attained the rank of captain. He worked for many years at the General Land Office allegedly with William Sidney Porter. The property was purchased in 1966 by its present owners, Mr. and Mrs. Harry Cater Joseph, and authentically restored. The structure meets items a, e, g, h, i, k, l, and m of the criteria and the owners are in favor of the zoning.

## WRITTEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION

The Commission heard the report as presented. Ms. Chance moved this request be approved. Ms. Schechter seconded the motion.

## COMMISSION VOTE

To APPROVE the historic zoning.

AYE: Messrs. Jagger, Guerrero, Vier and Gutierrez. Mmes. Schechter and Chance.

OUT OF THE ROOM: Messrs. Dixon and Stoll.

ABSENT: Mr. Snyder.

THE MOTION PASSED BY A 6-0 VOTE.

C14h-77-012      Walter Tips Building: C-2, 4th to C-2-H, 4th  
 Heritage Society, owner  
 710-712 Congress Avenue

The Walter Tips Building was built in 1876 and its architect was J. N. Preston, the architect for the Driskill Hotel. Its present owners, the Heritage Society, plan to restore the Building. The principal owner, Walter Tips, was a German immigrant. His reputation locally is well known. He was involved in education, social functions in Austin, and in political activities. The building in its original style was a commanding architectural landmark for Congress Avenue. The iron used for the interior support girders was recast from exploded Confederate shells. The two upper stories of this, as in many buildings on Congress Avenue, are in tact. The structure meets items a, b, d, e, f, g, h, l, m and n of the criteria.

#### WRITTEN COMMUNICATION

##### WRITTEN COMMENTS IN FAVOR

None

##### WRITTEN COMMENTS IN OPPOSITION

Robert Karotkin

##### PERSONS APPEARING IN FAVOR

None

##### PERSONS APPEARING IN OPPOSITION

None

#### COMMISSION ACTION

The Commission heard the report as presented. Ms. Chance moved this request be approved. Ms. Schechter seconded the motion.

#### COMMISSION VOTE

To APPROVE the historic zoning.

AYE: Messrs. Jagger, Guerrero, Vier and Gutierrez. Mmes. Schechter and Chance.

OUT OF THE ROOM: Messrs. Dixon and Stoll.

ABSENT: Mr. Snyder

THE MOTION PASSED BY A 6-0 VOTE.

C14h-77-015      Franzetti Store Building of Wheatville: C, 1st to C-H, 1st  
 Emma Franzetti, Louis Franzetti,  
 Mary Franzetti and Josephine  
 Franzetti Powers, owners  
 2402 San Gabriel Street

C14h-77-015 Franzetti Store Building of Wheatville (continued)

Betty Baker of the Planning Staff stated this structure was originally owned by George Franklin, a carpenter. Until its acquisition in 1905 its owners, occupants and use reflected the black community historically known as Wheatville. The boundaries were from 24th to 26th, from Rio Grande to Sioal Creek. In this building a black Baptist church had its beginning services and among its ministers were Jacob Fontaine. Additionally, Jacob Fontaine published a black newspaper from this location known as the GOLD DOLLAR. This structure is the only viable reminder of Wheatville and it has been owned by Joseph Franzetti and his heirs for almost 60 years. It has been used as a neighborhood grocery store and as a residence. It is presently occupied by two of Joe Franzetti's children. The Landmark Commission found that the Franzetti Store Building of Wheatville meets criteria items a, f, h, i, k, and l.

## CITIZEN COMMUNICATION

## WRITTEN COMMENTS IN FAVOR

Elizabeth Hamilton

## WRITTEN COMMENTS IN OPPOSITION

None

## PERSONS APPEARING IN FAVOR

Mr. Creer, Chairman of Landmark Commission

Steve Deutchman, Save University Neighborhoods

## PERSONS APPEARING IN OPPOSITION

Joe Powers, representing the owners

## COMMISSION ACTION

Mr. Creer wanted the Commission and the owners to be assured that the "H" designation would in no way affect their present occupancy; but that also if at any time in the future a hardship is created by the "H" designation that an appeal to the City Council could remove such designation if a hardship was shown to exist. This was a unique community and is unique to the city and should be preserved. Mr. Deutchman read a letter representing homeowners in the area and on behalf of the Save University Association urging serious consideration in designating this as a historic landmark. Mr. Powers stated that the property in question was owned by his mother, two aunts and an uncle. He did not think it was right for anyone to tell them what to do with their property.

## COMMISSION VOTE

Ms. Chance moved the application be zoned to "H". Mr. Dixon seconded the motion.

AYE: Messrs. Stoll, Guerrero and Dixon. Ms. Chance.

NAY: Messrs. Jagger, Vier and Gutierrez. Ms. Schechter.

NO RECOMMENDATION. VOTE 4-4.

C14h-77-016      Bertram Store Building: C, 3rd to C-H, 3rd  
Taylor Gaines, owner  
1601 Guadalupe Street

Betty Baker of the Planning staff stated that she had received a request from the attorney representing the owner that this be postponed. The staff has no opposition.

COMMISSION ACTION

The Commission heard the request. Mr. Dixon moved it be postponed. Ms. Chance seconded the motion.

COMMISSION VOTE

To POSTPONE the request.

AYE:        Messrs. Guerrero, Gutierrez, Jagger, Dixon, Stoll and Vier.  
             Mmes. Chance and Schechter.

ABSENT:    Mr. Snyder.

THE MOTION PASSED BY A 8-0 VOTE.

SUBDIVISIONS

R105-77 SUBDIVISION MEMORANDUM

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

FINAL SUBDIVISION PLAT---FILED AND CONSIDERED

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

VOTED: To APPROVE the following final subdivision plat:

C8-76-16 Balcones Oaks, Section 2  
Tanbark Trail and Longleaf Drive

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Stoll and Vier  
Mmes. Chance and Schechter

ABSENT: Mr. Snyder

SHORT FORM SUBDIVISIONS---FILED AND CONSIDERED

The following four (4) short form subdivisions have appeared before the Commission in the past and all departmental requirements have been complied with. The staff recommends approval of these plats. The Commission then

VOTED: To APPROVE the following short form subdivisions:

C8s-77-26 Resub. of Lots 33 & 34, Block BI, Spicewood  
at Balcones Village, Section 6  
Vista View Drive and Talleran Drive

C8s-77-43 Victor Marshall Subdivision  
State Highway 71

C8s-77-135 Resub. of Buckingham Ridge, Section 3  
South Congress and William Cannon Drive

C8s-77-144 Resub. of Lots 10, 11 & 12, Block F,  
Spicewood at Balcones Village, Section 5  
Spicewood Parkway and Olson Drive

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Stoll and Vier  
Mmes. Chance and Schechter

ABSENT: Mr. Snyder

## SHORT FORM SUBDIVISIONS---FILED AND CONSIDERED---continued

The Commission then


VOTED: To APPROVE the following short form subdivision:

C8s-77-133 Hyde Park Baptist Church, Block 35  
Speedway and E. 40th Street

The Planning Commission instructed the staff to give careful review to all future zoning cases in this particular neighborhood as related to parking requirements.

AYE: Messrs. Guerrero, Dixon, Gutierrez, Jagger, Stoll and Vier  
Ms. Schechter  
NAY: Ms. Chance  
ABSENT: Mr. Snyder

The meeting adjourned at 11 p.m.

  
Richard R. Lillie  
Executive Secretary