

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting -- September 6, 1977

The meeting of the Planning Commission was called to order at 5:40 p.m. in the City Council Chambers.

Present

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

Also Present

Tom Knickerbocker, Assistant Director of Planning
Evelyn Butler, Supervising Planner
Brian Schuller, Planner
Duncan Muir, Planner
Bill Lowery, Urban Transportation Department
Ouida W. Glass, Senior Secretary

Absent

Sally Shipman
Bernard Snyder

*Left at 7:25 p.m.
Returned at 9:05 p.m.
**Arrived at 6 p.m.
***Left at 7 p.m.
Returned at 8 p.m.

ZONING

CL4-77-086	Thomas T. Smith, Trustee: Interim (by Wm. Terry Bray) 3400-3418 Spicewood Springs Road also bounded by MoPac Boulevard	"AA" Residence, 1st H & A to "O" Office, 1st H & A (Tract 1) "GR" General Retail, 1st H & A (Tract 2)
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Mr. Duncan Muir of the Planning staff presented the staff report and explained the subject property is located at the intersection of Spicewood Springs Road and Balcones Drive. Spicewood Springs Road is also the extension of Anderson Lane and this intersection is planned to be grade-separated when the planned MoPac expressway absorbs Balcones Drive in this vicinity. Subject tracts are undeveloped. Surrounding zoning and land uses include a single-family neighborhood in "A" on the north and west; undeveloped "O" Office south of Tract 1, and an office building and undeveloped land in "GR" General Retail south of Tract 2. A significant grade differential exists between subject property and the single-family homes on the north, with the residential area being at a higher elevation. In addition to this natural buffer, the Office district and the probable access drive in the corridor leading to MoPac Boulevard will also provide buffering. The requested zoning corresponds with the established zoning pattern on the south side of Spicewood Springs Road. The staff recommends that "O" Office, 1st H & A and "GR" General Retail, 1st H & A be granted on Tracts 1 and 2, respectively.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Terry Bray, representing applicant

PERSONS APPEARING IN OPPOSITION

Thomas Field, Kroger Properties, 7719 Wood Hollow Drive

Nancy and Michael Merens, 3521 Starline Drive

Wallace Pellern, 8806 Mt. Paint Circle

John Glock, Jr., 7903 Northforest

Linda Earnest, 3517 Starline

Jim Landrum, 4102 Rockford Lane

William L. Crawford, 3503 Starline

C14-77-086 Thomas T. Smith, Trustee (continued)COMMISSION ACTION

The Commission heard the testimony as presented. It was pointed out that there was no GR zoning adjacent to this and that MoPac would be a natural barrier and a good place to stop this type development.

COMMISSION VOTE

Mrs. Schechter moved to Grant "O", 1st on Tract 1 and to deny GR but to Grant "O", 1st on Tract 2, subject to restrictive covenant providing for a 10-foot greenbelt along the north and west and a 35-foot building setback along the north boundary which can be reduced by Planning Commission approval of a special permit. Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Gutierrez, Jagger, and Stoll. Mrs. Schechter.

ABSENT: Mrs. Shipman and Mr. Snyder.

OUT OF THE ROOM: Messrs. Dixon and Vier.

THE MOTION PASSED BY A 5-0 VOTE.

C14-77-078 Susie E. Gatliff, et al: Interim AA, 1st to LR, 1st, as Amended
11585 Jollyville Road
5350-5352 Thunder Creek Road

Mr. Duncan Muir of the Planning staff presented the staff report and explained that the subject tract consists of three lots, two containing single-family residences and one with a mobile home, and is located at the intersection of a collector street and a major collector street in far northwest Austin. All surrounding zoning is interim "AA" Residence, the zoning category which all land assumes upon annexation. Since Thunder Creek Road (old Duval Road) is one of the few connector streets, the recommended right-of-way is 65 feet. A five-foot offset exists at the north end of subject tract, with the right-of-way narrowing from 60 to 55 feet along subject tract. An additional 5 feet of right-of-way is needed on the east side of Thunder Creek Road. If the applicant is willing to dedicate one-half of the additional right-of-way, or five feet, necessary to increase Thunder Creek Road from 55 to 65 feet, the staff will recommend approval of "LR" Local Retail, "1st" H & A.

CITIZEN COMMUNICATIONWRITTEN COMMENTS IN FAVOR

Petition - 11 names

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Raymond Smith, co-owner

PERSONS APPEARING IN OPPOSITION

None

C14-77-078 Susie E. Gatliff, et al (continued)

COMMISSION ACTION

The Commission heard the testimony as presented. The applicant amended the application to LR and agreed to dedicate the recommended right-of-way.

COMMISSION VOTE

Mr. Jagger moved to Grant "LR, 1st", as amended, subject to dedication of five feet of right-of-way on Thunder Creek Drive. Mrs. Schechter seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

OUT OF THE ROOM: Mr. Dixon.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-081 Meri Rannikko: Interim AA, 1st to "O", 1st, as amended
(by Robert E. Connolly, Jr.)
11573 Jollyville Road

Mr. Duncan Muir of the Planning Staff presented the staff report and explained that the subject tract is a small tract facing Jollyville Road, just off its intersection with Thunder Creek Road in far northwest Austin. A non-conforming commercial building which is being renovated exists on the tract. Since it was built prior to annexation, minor alterations are permitted. The stated purpose of this application is to permit a sign on the building. The staff recommends that "O" Office, "1st" H & A be granted.

CITIZEN COMMUNICATIONS

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Bob Connolly, representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented.

COMMISSION VOTE

Mr. Stoll moved to grant "O", 1st, as amended by applicant. Mrs. Schechter seconded the motion.

C14-77-081 Meri Rannikko (continued)

AYE: Messrs. Guerrero, Gutierrez, Jagger, Stoll and Vier. Mrs. Schechter.
 ABSENT: Mrs. Shipman and Mr. Snyder.
 OUT OF THE ROOM: Mr. Dixon.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-082 Leon Schmidt, Trustee: Interim AA, 1st to C and C-1, and
10623 U.S. Highway 183 GR, 1st, as amended

Mr. Duncan Muir of the Planning staff presented the staff report. He explained that the subject property is a long, narrow tract which faces U.S. 183 in Northwest Austin. Tract 2 is the area of an existing building where auto repair, established to annexation, is being conducted. Tract 1 is the remainder of the property which is predominantly undeveloped. Surrounding zoning and land uses include a convenience store in "GR" on the south, mobile homes in Interim "AA" on the south, undeveloped Interim "AA" on the east, a warehouse complex for which "DL" has been approved on the north, various businesses and outside storage in "GR", "C" and "C-2" on the north, and undeveloped acreage in I-AA on the west. The requested zoning is consistent with the policy except for the request for "C" on the front 150 feet. The staff recommends that "C-1" Commercial be granted on Tract 2, and that "C" be denied on the entire area of Tract 1, but that "GR" General Retail, "1st" H & A be granted on the front 150 feet of Tract 1 and "C" Commercial, "1st" H & A be granted on the remainder.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

none

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Walter Young, acting agent

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The applicant amended his application to conform to staff recommendations.

COMMISSION VOTE

Mr. Stoll moved to grant "C, C-1, and GR, 1st", as amended. (C-1 on area of building, GR on front 150 feet of Tract 1, and "C" on remainder of Tract 1.) Mrs. Schechter seconded the motion.

C14-77-082 Leon Schmidt, Trustee (continued)

Aye: Messrs. Guerrero, Gutierrez, Jagger, Stoll and Vier. Mrs. Schechter.
ABSENT: Mrs. Shipman and Mr. Snyder.
OUT OF THE ROOM: Mr. Dixon.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-101 R. A. Obenhaus: Interim AA, 1st to LR & GR, 1st
12530 U.S. Highway 183, also
bounded by Jollyville Road

Mr. Duncan Muir of the Planning Staff presented the staff report and explained that subject property fronts U.S. 183 and backs to Jollyville Road in far northwest Austin. The request for "GR" on U.S. 183 is consistent with zoning policy for this major arterial street. The Planning Commission and City Council recently approved "O" Office for a similarly situated tract a short distance to the east at the intersection of Oak Knoll Boulevard and Jollyville Road. The staff recommends "O" Office for Tract 2 of subject request in order to provide better buffering than "LR", and in order to maintain consistency in zoning policy. The existing uses in Tract 2 may continue, and changes which would require "LR" zoning can be handled by special permit.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Richard Obenhaus, owner

C. O. Smith, 12530 Research Boulevard

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented. Applicant requested to expand the business operation that has been there for five years and to add greenhouses and additional storage places.

COMMISSION VOTE

Mr. Jagger moved to Grant "GR" on Tract 1, to Deny "LR" but grant "O" Office on Tract 2. Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Gutierrez, Jagger, Stoll and Vier. Mrs. Schechter.
ABSENT: Mrs. Shipman and Mr. Snyder.
OUT OF THE ROOM: Mr. Dixon.

THE MOTION PASSED BY A 6-0 VOTE.

Mr. Duncan Muir of the Planning staff presented the staff report. He explained that subject property is an undeveloped tract which faces Ed Bluestein Boulevard and sides an industrial collector street, Blom Road, in East Austin. The area requested for a zoning change excludes the westernmost 125 feet, a 10-acre strip of land between the subject tract and other land uses to the west and north. The neighborhood is at a generally higher elevation than subject tract. Surrounding zoning and land uses are as follows: undeveloped Local Retail zoning at the very north end of the tract at the intersection of Thurgood Avenue and Ed Bluestein Boulevard; a single-family neighborhood with Johnston High School in "A" on the north and west, single-family residences in "BB" on the west toward the south end of the tract, undeveloped "GR" on the west at the far south end, undeveloped "B" Residence and Interim "A" across Blom Road on the south; and an excavating company and undeveloped land in Interim "AA" across Ed Bluestein Boulevard on the east. The land use plan designates the land on the south side of Blom Road and East of Ed Bluestein Boulevard for manufacturing and related uses. "D" Industrial zoning has been granted by the City Council on both the "B"-zoned and Interim "A"-zoned tracts to the south, subject to dedication of street right-of-way to increase the right-of-way to 80-foot industrial standard. Both those zoning cases are pending. The industrial land east of Ed Bluestein was annexed into the city in 1976. The staff recommends the request for the less intensive "DL" Light Industrial district, as it provides a wide, 125-foot greenbelt to buffer and protect the adjoining neighborhood. The staff can also recommend the requested 5th H & A district for the majority of the tract. The zoning policy which has been applied to requests for more intensive height and area is to set back from property boundaries and roadways the more intensive developments at least 100 feet. The 125-foot greenbelt satisfies this recommendation on the west. As "5th" H & A permits structure heights of 60 feet, this greenbelt width is four times the setback which would be required by the "residential buffering" amendment to the zoning ordinance recently approved by the Planning Commission. That setback requirement is one foot for each two feet of height. The staff recommends setting back the "5th" H & A district 100 feet from Ed Bluestein Boulevard and Blom Road. The proposed 80-foot right-of-way alignment on Blom Road requires an additional five feet from subject tract. If the applicant is willing to dedicate an additional 5 feet of right-of-way to increase Blom Road to the 80-foot industrial standard, the staff will recommend that "DL" Light Industrial be granted, and that "5th" H & A be denied on the entire tract but that it be granted on that area 100 feet west of Ed Bluestein Boulevard and north of Blom Road.

C14-77-075 Community Savings and Loan Association (continued)

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

James Woodworth, Austin Savings Association, owner of property

PERSONS APPEARING IN OPPOSITION

Mrs. Dora Eberhardt, 1105-A Arthur Stiles Road

Mrs. Larnel Cummings, 1117 Arthur Stiles Road

Bertha Clark, 1115-B Arthur Stiles Road

COMMISSION ACTION

The Commission heard testimony to the effect that this is a residential area; cannot tolerate any more noise and that the traffic is very hazardous, especially to the children of the neighborhood. Mr. Gutierrez felt the request should be denied in order to protect the neighborhood, especially since there was no indication of what the property would be used for.

COMMISSION VOTE

Mr. Gutierrez moved to Deny "DL, 5th". Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Gutierrez, and Stoll. Mrs. Schechter.

NAY: Messrs. Jagger and Vier.

ABSENT: Mrs. Shipman and Mr. Snyder.

OUT OF THE ROOM: Mr. Dixon.

THE MOTION PASSED BY A 4-2 VOTE.

C14-77-092 E. D. Bohls: B, 1st to O, 1st (on amended area)
(by Robert L. Davis)
2810-2818 Manor Road
3301-3411 Randolph Road

Mr. Duncan Muir of the Planning staff presented the staff report and explained that this undeveloped tract is located at the intersection of a minor residential street, Randolph Road, and Manor Road which is a major arterial street in east Austin. The tract is part of a larger undeveloped tract, the eastern portion of which has "D" Industrial zoning. Subject tract presently carries "B" zoning, the most permissive use being apartments. The north end of subject tract abuts a railroad tract and is within a flood-prone area of Boggy Creek. A single-family neighborhood exists on the west in "A" and "GR." Commercial and residential uses exist in "C" and "LR" across Manor Road on the south. An increase to "O" Office zoning will permit, in addition to offices,

C14-77-092 E. D. Bohls (continued)

parking and driveway access to uses permitted by "D" industrial zoning. The staff recommends that the neighborhood on the west receive protection by leaving a 5-foot strip of "B" zoning along Randolph Road to within 120 feet of Manor Road, and requiring a 5-foot strip of additional right-of-way from Manor Road north 120 feet. This would prevent vehicular access to any uses permitted by less restrictive zoning than "B". If the residential strip is not left along Randolph Street, a right-of-way dedication of 10 feet should be required to increase it to at least the 60-foot standard for such developments. Manor Road is planned to be expanded to 80 feet in the Council-approved major arterial and expressway plan. This requires one-half the additional right-of-way, 10 feet, from subject tract. The staff recommends that the requested zoning be denied unless the applicant is willing to dedicate an additional 10 feet of right-of-way on Manor Road, a 5-foot strip of additional right-of-way from Manor Road north 120 feet, and amends the application to leave a 5-foot strip of "B" along Randolph Road to within 120 feet of Manor Road for the purpose of prohibiting vehicular access to heavy commercial-industrial development opposite single-family residences, in which case the staff will recommend approval of "O" Office zoning.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Robert L. Davis, representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The applicant indicated he would be willing to amend his application and provide the five foot strip of "B" residential zoning along Randolph Road to within 120 feet of Manor Road. He felt that the "O" zoning would be more compatible with the industrial zoning adjoining this, and also would be more compatible with the existing single-family residential. He did disagree with the staff with respect to the right-of-way requirements; stating he felt the City uses zoning cases to get free right-of-way. He went on to say that if it meant the difference between getting a favorable recommendation or not, the right-of-way would be given.

COMMISSION VOTE

Mr. Stoll moved to grant "O" on the amended area (excludes a 5-foot strip of land along Randolph Road beginning 120 feet North of Manor Road and extending to the Railroad track) subject to dedication of

C14-77-092 E. D. Bohls (continued)

5 feet of right-of-way on Randolph Road on the southern 120 feet and 10 feet of right-of-way on Manor Road. Mr. Vier seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

OUT OF THE ROOM: Mr. Dixon.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-097 Don Becker: A, 1st to BB, 1st
401 West 55½ Street

Mr. Duncan Muir of the Planning staff presented the staff report and explained that the subject tract fronts a minor residential street and sides Waller Creek on the east. This undeveloped tract falls within the 100-year flood plain of Waller Creek, which means that the finished floor elevation has to be above a certain level. Surrounding land uses are single-family residences in "A" Residence. This zoning request is contrary to the firmly established policy of preserving low-density neighborhoods. The staff recommends that "BB" Residence, "1st" H & A be denied.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

COMMISSION ACTION

The Commission heard the testimony as presented.

COMMISSION VOTE

Mr. Stoll moved to deny "BB, 1st". Mr. Jagger seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

OUT OF THE ROOM: Mr. Dixon.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-099 Frances Pfluger Dikeman: A, 1st to LR, 1st, as amended
 (by Steven Calder Ewing)
 1308 Anderson Lane, also
 bounded by Tisdale Drive

Mr. Duncan Muir of the Planning staff presented the staff report. Subject tract consists of two lots which face Anderson Lane and side Tisdale Drive in north Austin. Due to the traffic densities on Anderson Lane, the fact that this tract faces the arterial street, and that zoning changes have been granted to tracts on either side of this tract facing Anderson Lane, the staff feels that a zoning change is in order. The requested "GR, 2nd" zoning district is too intensive for this location because: (1) there is no "2nd" H & A zoning or development in this area; (2) the "GR" is more intensive than zoning established on either side; and (3) the single-family homes in this vicinity should not be subjected to the intensity of uses permitted by retail zoning. The staff suggests that the "O" Office zoning district would provide a range of uses which would be compatible with the neighborhood and which would be consistent with the zoning pattern of scaling down the zoning; i.e., GR, LR, O, B. Anderson Lane is planned to be expanded to 90 feet in the Council-approved major arterial and expressway plan. This requires an additional 10 feet of right-of-way from subject tract. Tisdale Drive needs to be expanded to 60 feet where it intersects Anderson Lane to facilitate turning movements as uses on subject tract intensify. An additional 5 feet is required from subject tract. The staff recommends that "GR, 2nd" be denied. If the applicant is willing to dedicate an additional 10 feet of right-of-way on Anderson Lane, and an additional 5 feet of right-of-way on Tisdale Drive to accommodate intensification of land uses which will be permitted by a zoning change, the staff will recommend that "O" Office, "1st" H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Steven Ewing, 508 Oakland, representing applicant
 Dona Gaver, 3215 Exposition, representing applicant
 Nancy Gaver, 3215 Exposition, representing applicant
 Frances Dikeman, 8350 Summer Wood Drive, applicant

PERSONS APPEARING IN OPPOSITION

None

C14-77-099 Frances Pfluger Dikeman (continued)

COMMISSION ACTION

The applicant stated they wished the request to remain for GR zoning but would like to change to 1st Height and that they agreed to the right-of-way. Applicant amended the request to "LR", 1st H & A and agreed to the dedication of the right-of-way.

COMMISSION VOTE

Mr. Jagger moved to Grant "LR, 1st", as amended, subject to dedication of five feet of right-of-way on Tisdale Drive, and 10 feet of right-of-way on Anderson Lane. Mrs. Schechter seconded the motion.

AYE: Messrs. Guerrero, Gutierrez, Jagger and Vier. Mrs. Schechter.
 NAY: Mr. Stoll.
 ABSTAIN: Mr. Dixon.
 ABSENT: Mrs. Shipman and Mr. Snyder.

THE MOTION PASSED BY A 5-1 VOTE.

C14-77-100 William J. Joseph: A, 1st to GR, 1st
 (by Arthur E. Philgren)
 701-707 Delmar Avenue
 7407-7411 Martin Avenue

Mr. Duncan Muir of the Planning staff presented the staff report and explained that this undeveloped tract consists of four lots within an old neighborhood facing a residential collector street, Delmar Avenue, and siding a minor residential street, Martin Avenue, just west of I.H. 35 in north Austin. A zoning change for "GR" on the westernmost two lots of subject tract was recommended by the Planning Commission but denied in 1974, as a neighborhood intrusion. "C" Commercial zoning was shortly thereafter approved for the auto dealership across the street. When the "GR" was approved on the south, the Planning Commission indicated that it would look favorably upon zoning changes east of Martin Avenue. The requested zoning is consistent with the zoning policy for properties east of Martin Avenue. The adjacent streets, Martin and Delmar Avenues, need to be brought up to 60 feet to accommodate traffic attendant to uses permitted by a zoning change. If the applicant is willing to dedicate one-half the additional right-of-way, 5 feet, necessary to increase the adjacent streets to 60 feet, the staff will recommend that "GR" General Retail, 1st H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Joe Crow, 959 Reinli Street

WRITTEN COMMENTS IN OPPOSITION

Jamie E. Scott, 707 Blackson

C14-77-104 Snyder of Red River Presbyterian Church (continued)

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Robert Ratliff, representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Applicant stated the request was to enable them to build on the adjoining tract.

COMMISSION VOTE

Mr. Jagger moved to grant "C" and "O, 1st", as requested. Mr. Vier seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-106 Mrs. Raymond Matocha: A, 1st to C, 1st
(by Paul D. Jones)
806 Willow Street, also
bounded by I.H. 35

Mr. Duncan Muir of the Planning staff presented the staff report. The subject tract is an undeveloped residential lot facing a minor residential street and siding I.H. 35 in east central Austin. Surrounding zoning and land uses include single-family homes in "A" on the east and south, mixed commercial and residential uses in "LR" through "C-2" on the west side of I.H. 35 where properties face the expressway, and an old service station converted to a produce market facing the intersection of East First Street and I.H. 35 across an alley on the north. No zoning changes have been made along I.H. 35 south of the alley in this vicinity. Intensive "C" zoning and the uses permitted would be, in the staff's opinion, a definite intrusion into the neighborhood. On the other hand, the desire of an owner to convert the use of the property to a non-residential use is reasonable. The staff suggests that the "O" Office district would provide a range of uses which would be compatible with the neighborhood. The staff recommends that "C" Commercial be denied, but that "O" Office be granted.

C14-77-106 Mrs. Raymond Matocha (continued)

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

William E. Reckels, 905 East First

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Paul Jones, representing applicant

PERSONS APPEARING IN OPPOSITION

Charles Nafus, 911 Willow

Angelina Torres Mendez, 1501-A Canterbury

Ernesto Farga, 1210½ Willow Street

COMMISSION ACTION

Applicant stated the property was vandalized after it was vacated and is no longer usable as "A" Residence; "C" commercial seemed to be a logical zoning, but "LR" would be acceptable. Persons living in the neighborhood expressed concern for the property being zoned commercial, requested the area for a children's playground or build another home -- anything except commercial.

COMMISSION VOTE

Due to the fact that this would mean encroachment on the residents of the area and the fact that there is a question of what would be done with the property, Mr. Dixon moved to Deny "C, 1st". Mr. Guerrero seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-107 North Austin Lions Club, et al: O, 1st to LR, 1st
(by Richard E. Kammerman)
3514-3526 King Street
Rear of 700-714 Maiden Lane

Mr. Duncan Muir of the Planning staff presented the staff report and stated this tract is a rear portion of two tracts which front West 38th Street, a major arterial street, between West Avenue, a collector street, and King Street, a narrow collector street, in north central Austin. The southernmost 40 feet of the larger tracts abutting an unpaved alley is not included in the application. The 40-foot strip is zoned "O" Office. The area north of subject tract is zoned "LR", Local Retail, "2nd" H & A and contains a small bank, parking and the Lions Club clubhouse and recreational facilities. Surrounding zoning and land uses include a mixture of single-family and apartment units in "A" and "B" Residence on the east, a single-family neighborhood

C14-77-107 North Austin Lions Club, et al (continued)

on the south, and undeveloped "O" and single-family units in an area of transition to more intensive uses along West Avenue on the West. In general, the entire area bounded by West 38th Street, Guadalupe Street, West 34th Street and Lamar Boulevard is experiencing considerable redevelopment pressures, with the exception of the enclave of single-family housing oriented to West 35th Street. As subject tract intensifies under uses permitted under "office and retail zoning, considerable increases in vehicular traffic will be generated on adjacent streets. Due to the narrowness of the original street right-of-way on King Street, the Planning Commission and City Council have decided to pursue a minimum right-of-way of 50 feet for King Street and other streets in this area. A hazardous offset exists in the paving where Maiden Lane intersects King Street. Attaining 50 feet of right-of-way may be impractical south of Maiden Lane because the additional 23 feet needs to come from the west side of the street so that there will not be an offset at its intersection with West 34th Street on the south.

In any event, intensification of zoning and uses on the subject tract is not recommended unless additional widening of the street can be accomplished. The staff recommends that the applicant provide a fair share of the additional street right-of-way and expansion of the paving from Maiden Lane to West 38th Street to accommodate the traffic densities which can be created by the existing and requested intensification of zoning. At this time the staff recommends dedication of from 4.5 feet at the north end to 8 feet at the south end to facilitate widening to a maximum of 50 feet. The requested zoning is generally compatible with surrounding zoning and land uses; however, this rezoning will permit an intensification of land uses which will generate sufficient increases in traffic densities to create a significant traffic hazard on the existing street (King Street). For this reason, it is recommended the application be denied unless the applicant wishes to provide additional right-of-way from Maiden Lane to West 38th Street for future widening of the street to accommodate this increased traffic, in which case, the staff would recommend that "LR" Local Retail, "1st" H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Forest S. Pearson, P. O. Box 1987

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Richard Kammerman, representing applicant

Richard Maatz, representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented. There was discussion regarding King Street being made one way north of Maiden Lane and recommendations of the Urban Transportation Dept. Applicant stated he would be agreeable

C14-77-107 North Austin Lions Club, et al (continued)

to providing the recommended right-of-way. Mr. Vier indicated he would like to see a lay-out on this property and suggested approval subject to a site plan being submitted and approved.

COMMISSION VOTE

Mr. Vier moved to grant "LR, 1st" subject to dedication of varying right-of-way to contribute to the expansion of King Street to a proposed 50-foot right-of-way from Maiden Lane north to West 38th Street (approximately 8 feet at Maiden Lane, flairing to 13.5 feet at West 37th Street and decreasing to 4.5 feet at West 38th Street), and a restrictive covenant requiring a special permit prior to development. Mr. Stoll seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-108 Cater & Nora Joseph Properties, Inc.: LR, B & A, 1st
(by Richard Kammerman) to C, 1st
6800 Block of Grover Avenue
1103 Justin Lane

Mr. Duncan Muir of the Planning staff presented the staff report and stated the subject tract is the western portion of a larger tract which faces North Lamar Boulevard on the east, backs to Grover Avenue on the West, and sides Justin Lane on the North. Surrounding development is a low-density neighborhood. The existing zoning was established in 1962. Instead of the requested "C", the Council granted "LR" with a buffer of "B" "B" along the perimeter to protect the neighborhood. This request is for youth activities sponsored by the North Austin Lions Club. Under the existing zoning ordinance, the planned ball diamonds require the "C" Commercial district. An amendment to the zoning ordinance has been approved by the Planning Commission which would permit the proposed use by a non-profit organization in any zoning district short of "C" by special permit. The staff recommends denial of the requested zoning as it is too intensive for the location and is inconsistent with zoning precedents for this area. A postponement of a recommendation may be advisable until after the City Council has considered the proposed amendment. The staff recommends that "C" Commercial be denied, and that the ordinance amendment allowing the proposed use by special permit be approved.

C14-77-108 Cater & Nora Joseph Properties, Inc. (continued)

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Wesley E. Diver, Route 3, Box 216, Leander

Petition - 28 names

PERSONS APPEARING IN FAVOR

Richard Kammerman, for applicant

Doug Snyder, President of the North Austin Lions Club

PERSONS APPEARING IN OPPOSITION

Jay Hodson

Mae Stephens

George eschberger

Criss Greer

COMMISSION ACTION

The Commission heard the testimony as presented. Applicant stated the request for the zoning change was for youth activities of the North Austin Lions Club, which is a non-profit organization and expressed willingness to deed restrict the property. Citizens of the neighborhood testified to the effect that they were not opposed to the ballfield, but were opposed to any change of zoning. Applicant requested the application be postponed until the Council had an opportunity to act on the ordinance at their September 15 hearing. Mr. Jagger suggested that a site plan be presented.

COMMISSION VOTE

Mr. Jagger moved to postpone the request to October 4 at 6:30 p.m.

Mr. Stoll seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

THE MOTION PASSED BY A 7-0 VOTE.

C14-77-112 Richard L. Matz and Adon Sitra: B, 1st to O, 1st (amended area)
(by Richard Kammerman)
123-129 Woodward Street
3402-3414 Woodleigh Street
201-203 Braeswood Road

Mr. Duncan Muir of the Planning staff presented the staff report and stated the subject tract is located in south Austin at the intersection of a collector street, Woodleigh Street, and a major arterial, Woodward Street, which is presently being widened. The tract is the eastern

C14-77-112 Richard L. Matz and Adon Sitra (continued)

portion of two lots, one of which fronts South Congress Avenue on the west. The western portions of these lots are zoned "D" Industrial and are undeveloped. The existing "B" zoning permits high-density apartments. The requested "O" Office will, in addition to apartments, permit offices and parking or driveways for uses permitted by the "D" to the west. To prevent ingress/egress of commercial/industrial traffic to Woodleigh Street, the applicant has amended the application to leave a 5-foot strip of "B" along Woodleigh Street. Driveways are not permitted through residential zoning districts to uses permitted in "O" Office or less restrictive zoning districts. Hopefully, a landscape screen can be maintained so that the residential and commercial development will coexist in harmony. The staff recommends that "O" Office, "1st" H & A be granted on the amended area which excludes a 5-foot strip along Woodleigh Street.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Charlie Goodnight, 4700 South Congress

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Adon Sitra, applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented. Mr. Sitra agreed with the staff recommendation.

COMMISSION VOTE

Mr. Gutierrez moved to Grant "O" Office, "1st" on the amended area (which excludes a 5-foot strip of land along Woodleigh Street). Mr. Vier seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

OUT OF THE ROOM: Mr. Dixon

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-114 Adon Sitra: A, 1st to BB, 1st
Rear of 3859 Dry Creek Drive,
also bounded by F.M. 2222
(Bull Creek Road)

Mr. Duncan Muir of the Planning Department presented the staff report and explained that subject tract is the southern portion of a larger tract in northwest Austin for which "O" Office zoning was requested

C14-77-114 Adon Sitra (continued)

The portion of the larger tract north of the ravine was approved "O" Office contingent upon a restrictive covenant authorizing a special permit prior to development. Subject tract was withdrawn from consideration because the applicant thought that he would be able to submit a 12 unit-per-acre P.U.D. under existing residential zoning. Subsequent review of the proposed development revealed that the design was not appropriate under the P.U.D. guidelines. The applicant has resubmitted his request for zoning which will accommodate his design proposal. Surrounding zoning and land uses include undeveloped "BB" and interim "A" Residence zoning across Bull Creek Road, and a single-family neighborhood on the west across a deep ravine. The applicant has submitted a request to limit the residential density to 12 units per acre, submit to special permit review, and limit access to Dry Creek Drive. A density limitation would necessitate a restrictive covenant. If the units were placed in separate structures, a special permit would be required under the zoning ordinance. Placement of 50 or less units in one structure would not require a special permit; 51 or more would. To cover both cases, a covenant would be required. Although the staff is not at liberty to recommend restrictive covenants, a recommendation for a zoning change with a covenant would be consistent with Planning Commission and City Council action on the north end of the larger tract. The staff recommends that the applicant develop this tract under the options available under the existing zoning, especially the P.U.D. The staff recommends that "BB" be denied.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING - NO OPINION

Tom Gebbard, 5819 Westmont

Stonewall Jackson, 5821 Westmont Drive

Terry G. Ward, 5817 Westmont

COMMISSION ACTION

Applicant stated he felt this is consistent with the area and agreed to the restrictive covenants. Residents of the area expressed concern regarding drainage easements and proper fencing to keep children out of the creek.

COMMISSION VOTE

Mr. Jagger moved to grant "BB, 1st", subject to a restrictive covenant providing for a special permit; a limitation to 12 units per acre, and access prohibition to Bull Creek Road. Mr. Dixon seconded the motion.

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

ABSENT: Mrs. Shipman and Mr. Snyder.

THE MOTION PASSED BY A 7-0 VOTE.

SUBDIVISIONS

R105-76 SUBDIVISION MEMORANDUM

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

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

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

VOTED: To APPROVE the following short form plats:

C8s-74-157 Teague-Buda Subdivision No. 1
I.H. 35 and Reagan Terrace

C8s-75-217 Greystone Center
Greystone Drive and MoPac Boulevard

C8s-77-099 St. Peter's Methodist Church Subdivision
Springdale Road north of Webberville

C8s-77-122 Wildersville Addition
Stratford Drive

C8s-77-150 Resub. of Lots 12 and 13, Block B, The Homestead
Round Top Circle and Great Divide Drive

C8s-77-195 Resub. of Lots 13 and 14, Block F, Vista West II
Valley Dale Drive west of Long Point Drive

C8s-77-179 D & M 77
Koenig Lane and Aurora Drive

AYE Messrs. Dixon, Guerrero, Jagger, Stoll and Vier. Mrs. Schechter.
ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

The meeting adjourned at 11:15 p.m.


Richard R. Lillie, Executive Secretary