

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting -- September 7, 1977

The meeting of the Planning Commission as called to order at 6:05 p.m. in the City Council Chambers.

Present

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

Also Present

Evelyn Butler, Supervising Planner
Brian Schuller, Planner
Wayne Golden, Planner
Ouida W. Glass, Senior Secretary

* Arrived at 7:25 p.m.

Absent

Gabriel Gutierrez
Sally Shipman
Bernard Snyder

ZONING

CI4-77-096 City National Bank of Austin: A, 1st to O, 1st
 (by C. W. Heatherly, Jr.)
 6313-6415 Balcones Drive, also
 bounded by MoPac Boulevard

Mr. Brian Schuller of the Planning staff presented the staff report. The subject tract is a long, narrow, undeveloped tract of land between Balcones Drive and MoPac Expressway in north Austin. On the north, west and south is undeveloped interim "A" zoned except for a county park under development on the west. The requested "O" Office district is the zoning policy for this area. It was established by a couple of zoning cases for similarly situated tracts on the west side of Balcones Drive to the south. The staff recommends that "O" Office, "1st" H & A be granted as requested.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

C. W. Heatherly, representing City National Bank

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

This is a portion of land left over from a tract that was purchased by the City of Austin for MoPac several years ago.

COMMISSION VOTE

Mr. Dixon moved approval subject to recommendations of the staff to Grant "O", 1st as requested. Mrs. Schechter seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

ABSTAIN AND OUT OF ROOM: Mr. Guerrero.

THE MOTION PASSED BY A 5-0 VOTE.

CI4-77-105 Robert W. Norris, Trustee: GR, 1st to DL, 1st
 8321-8605 Balcones Drive
 (proposed MoPac Boulevard)

Mr. Brian Schuller of the Planning staff presented the staff report. Subject tract is an undeveloped tract presently facing Balcones Drive in northwest Austin. It will face the planned MoPac Expressway. The

C14-77-105 Robert W. Norris, Trustee (continued)

tract falls within an area between the planned expressway and Shoal Creek Boulevard on the east which is designated for manufacturing and related purposes. A railroad track abuts the tract on the east.

Surrounding zoning and land uses include an office park in "DL" Light Industrial on the south, undeveloped apartment zoning across Balcones Drive on the west for which a special permit is pending, a restaurant and parking in "GR" and interim "A" on the north, and various businesses and offices in "D" Industrial on the east. The staff recommends this zoning request, as it conforms with the master plan designation and is consistent with the zoning on the south. When MoPac Expressway is developed, this tract will have direct access to the east frontage road, and will be separated from the property on the west by approximately 300 feet. The staff recommends that "DL" Light Industrial, "1st" H & A be granted as requested.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Robert Norris, applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard testimony as presented.

COMMISSION VOTE

Mr. Jagger moved approval subject to departmental recommendations to Grant DL, 1st, as requested. Mr. Dixon seconded the motion.

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

ABSENT: Messrs Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-110 John Joseph: Interim AA, 1st to C, 1st.

(by Tom Curtis)

9904-10114 North I.H. 35

Mr. Brian Schuller of the Planning staff presented the staff report. He stated this undeveloped tract faces I.H. 35 in north Austin. Surrounding zoning and land uses include a junk yard and undeveloped land.

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C14-77-110 John Joseph (continued)

in interim "AA" across I.H. 35 on the east, used car sales in interim "AA" on the south, undeveloped multi-family and interim residential zoning on the west, and various commercial uses established prior to annexation on the north.

"GR" General Retail zoning was requested of and approved last month by the Planning Commission. A need for "C" Commercial has surfaced recently. The requested "C" Commercial is compatible with the character of existing development in this area, and less intensive than the "DL" Light Industrial zoning approved a short distance to the north. The staff recommends that "C" Commercial, "1st" H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Tom Curtis, representing applicant

PERSONS APPEARING IN OPPOSITION

COMMISSION ACTION

The Commission heard the testimony as presented.

COMMISSION VOTE

Mr. Dixon moved to approve "C", 1st, as requested. Mr. Stoll seconded the motion.

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

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-111 R. H. Johnson, et al: O & A, 1st to GR, 1st
(by Tom Curtis)
1508 West 35th Street (cut-off)
3704 Crawford Avenue
1509 Old West 38th Street

Mr. Brian Schuller of the Planning staff presented the staff report. The subject tract falls within a developing commercial area in west Austin. Tract 1 faces the West 35th Street cut-off, a connector between West 35th and West 38th Streets. Side access is provided by Crawford Avenue, a commercial collector, and an alley. Tract 2 faces another commercial collector on the north and sides to an alley. Surrounding uses and zoning include

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various commercial uses in a mixture of "GR", "LR" and "O". "C-2" zoning exists in the center of Tract 1. This general area has been transitioning to the "GR" zoning and uses. Subject request is consistent with the trend in this area. The staff recommends that "GR" General Retail, "1st" H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Tom Curtis, representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented. EMS is presently using this property and this zoning is needed to bring it up to proper zoning.

COMMISSION VOTE

Mr. Dixon moved to Grant GR, 1st as requested. Mr. Stoll seconded the motion.

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

THE MOTION PASSED BY A 6-0 VOTE..

C14-77-102 Norman L. Smith, III: D, 3rd to C-1, 3rd
1417 West 3rd Street

Mr. Brian Schuller of the Planning staff presented the staff report. Subject tract has access to a narrow industrial street in an old industrial area directly west of downtown Austin. A warehouse exists on the tract. Due to an oddity of the zoning ordinance, a warehouse which includes storage of "spiritous liquors" requires the more restrictive "C-1" district. Surrounding zoning and land uses include railroad tracks and heavy commercial uses in "D" on the north, single-family residences in "D" on the west, unzoned parkland on the south and undeveloped "D" zoned land on the east. The staff recommends this request, as it is a rollback to a more restrictive and less intensive zoning district. The staff recommends that "C-1" Commercial, "3rd" H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

C14-77-102 Norman L. Smith, III (continued)

PERSONS APPEARING IN FAVOR

Norman L. Smith, owner of the property

Dick Mathis, lessee

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented.

COMMISSION VOTE

Mrs. Schechter moved to Grant the request for C-1, 3rd. Mr. Vier seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-103 Anderson Mill Joint Venture: Interim AA, 1st to GR, 1st

(by David Armbrust)

13768-13790 and 13806-13818 U.S. Highway 183

also bounded by Lake Creek Parkway

Mr. Brian Schuller of the Planning staff presented the staff report and stated that subject tract falls within a 600-foot corridor recently annexed along U.S. 183 in far northwest Austin. These undeveloped tracts are within the Anderson Mill M.U.D. and are separated by a grocery store. They are surrounded by an office on the south, agricultural uses on the east, a single-family neighborhood on the east, and undeveloped ground on the west. The requested "GR" General Retail district is consistent with the corridor zoning policy for this street. On August 25, 1977, the City Council instructed the staff to study ways to reduce the undesirable effects of strip commercial development along this major street. The staff recommends that "GR" General Retail, "1st" H & A be granted as requested.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

David Armbrust, representing applicant

PERSONS APPEARING IN OPPOSITION

None

CI4-77-103 Anderson Mill Joint Venture (continued)

COMMISSION ACTION

Applicant explained there is proposed a regional shopping center here and the zoning is necessary due to recent annexation of the area.

COMMISSION VOTE

Mr. Dixon moved to approve subject to staff recommendations and to grant GR, 1st, as requested. Mrs. Schechter seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

ABSTAIN AND OUT OF ROOM: Mr. Vier.

THE MOTION PASSED BY A 5-0 VOTE.

CI4-77-109 John P. Nieman: Interim AA, 1st to GR, 1st
(by Edmund J. Fleming, Jr.)
12829-12883 U.S. Highway 183
12840 Jollyville Road

Mr. Brian Schuller of the Planning staff presented the staff report. He stated this subject tract is the part of a larger tract which is inside the city limits along U.S. 183 in northwest Austin. This undeveloped tract backs to Jollyville Road, a major collector street. Adjacent zoning for land inside the city limits is interim "AA". Surrounding uses include a restaurant on the east, undeveloped land on the south, an auto service store and lounge on the west, and generally undeveloped land across Jollyville Road on the north. The requested "GR" zoning is consistent with zoning policy for this arterial. On August 25, 1977, the City Council instructed the staff to study ways to reduce the undesirable effects of strip commercial development along this major street. The staff recommends that "GR" General Retail, "1st" H & A be granted as requested.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Ed Fleming, representing Mr. and Mrs. Nieman

PERSONS APPEARING IN OPPOSITION

None

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C14-77-109 John P. Nieman (continued)

COMMISSION ACTION

The Commission heard testimony as presented.

COMMISSION VOTE

Mr. Dixon moved to approve staff recommendations and to grant GR, 1st, as requested. Mr. Stoll seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-113 Alice Colonna: C, 1st C-2, 1st
(by Victor Colonna)
2710-2712 South Lamar Boulevard

Mr. Brian Schuller of the Planning staff presented the staff report. Subject tract fronts South Lamar Boulevard within a strip-commercial district in south Austin. A commercial structure housing a pool hall and a boot shop exists on the tract. Surrounding zoning is either "GR" or "C". Undeveloped land exists between subject tract and the apartments facing Skyway Circle on the north. A special permit is required to show the detail of any use permitted in the "C-2" Commercial district. The requested zoning and use are compatible with this commercial area. The staff recommends that "C-2" Commercial be granted as requested.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

M Mr. Martinez, representing Mr. and Mrs. Colonna

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented.

COMMISSION VOTE

Mr. Dixon moved approval to Grant C-2, 1st, as requested. Mr. Stoll seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 6-0 VOTE.

C14-73-011 Buckingham Ridge Developers: Request revision to
 (by C. W. Hetherly, Jr.) restrictive covenant
 101-131 Eberhart Lane Removing curb cut
 6400-6458 South Congress limitations.
 Avenue, also bounded by
 William Cannon Drive

Mr. Brian Schuller of the Planning staff presented the staff report. He stated this request is for removal of a driveway limitation restrictive covenant. This limitation was recommended prior to enactment of the driveway ordinance in August of 1976. The Urban Transportation Department does not object to the elimination of this zoning restriction, as the Director of Urban Transportation has authority under the ordinance to deny any driveway location which is considered hazardous or which will interfere with the efficient flow of vehicular traffic. The staff recommends that this restrictive covenant condition be eliminated.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

C. W. Hetherly, Jr., representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented and the request from applicant that the restrictions be removed regarding curb cuts.

COMMISSION VOTE

Mr. Dixon moved to approve the request to delete curb cut limitations in the restrictive covenant. Mrs. Schechter seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

ABSTAIN AND OUT OF ROOM: Mr. Guerrero.

THE MOTION PASSED BY A 5-0 VOTE.

PLANNED UNIT DEVELOPMENT

C814-77-005 Mark D. Estes: BB & LR, 1st to 36 townhome units, church
1600 East 51st Street, also and recreational facilities
bounded by Broadmoor Drive called, "The World of Pente-
and Berkman Drive cost," a planned unit devel-
opment.

Mr. Brian Schuller of the Planning staff presented the staff report and stated this is an application for approval of a Planned Unit Development on approximately 22 acres of land located north of East 51st Street and West of Berkman Drive. The site includes "A", "B-B" and "LR" zoning. Existing uses on the tract include the sanctuary-educational building, another educational building, and the parsonage. Proposed improvements include 36 townhouse units, a large sanctuary building and family center along with two tennis courts, a baseball-football field, a shotput and discus area and an archery, pole vault and broad jump area. The area along Tannehill Branch on the north boundary of the site is to be left primarily in its natural state with the addition of walkways along the creek and foot bridges at four points across the creek. Vehicular access to the townhouse area is from Berkman Drive and East 51st Street. Access to the balance of the site is from East 51st Street. A pedestrian bridge is proposed from Broadmoor Drive to provide access to the northern portion of the site. The staff 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

Mark Estes, applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard testimony as presented.

COMMISSION VOTE

Mr. Stoll moved approval subject to compliance with ordinance requirements and departmental recommendations. Mr. Vier seconded the motion.

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

ABSENT: Messrs. Gutierrez, Jagger and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 5-0 VOTE.

Applicant indicated that the owner of the property had agreed to install the fire escape as requested. He also indicated that there were two parking spaces at the rear of the building and only two vehicles would be used by the staff and have free access to the alley. The patients would have a minimal impact on the neighborhood; they are very passive; no record or history of being aggressive. They have had problems adjusting to the neighborhood individually, but can live as a group after some training and under proper supervision. Betty Phillips stated her group does not feel these persons can be discriminated against solely on the basis of their handicap. If the staff and the clients of this institution are prepared to be good neighbors, they would be given conditional support. They requested a neighborhood advisory board to meet with the clients and the staff on a regular basis; that any and all neighbors who are opposed to this will serve on the advisory board and that their input be recognized and accepted; also some representatives from SUN, at least one client and staff member; that they maintain the outside of the house in a neat and attractive condition; that the noise level be monitored; that the individual clients be supervised; and that there be no disruption in the neighborhood.

C14p-77-035 Austin-Travis County MHMR (continued)

COMMISSION VOTE

Mrs. Schechter moved the permit be granted subject to staff recommendations and the recommendations as outlined by the Save Neighborhood Association. Mr. Stoll seconded the motion.

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

THE MOTION PASSED BY A 5-0 VOTE.

C14p-77-036 H. C. Carter, Jr.: A 253-unit apartment project called,
 (by Edgar James) "Oak Ridge Apartments."
 North Hills Drive
 and Hart Lane

Mr. Brian Schuller of the Planning staff presented the staff report and explained this is an application for a special permit to allow a 253-unit apartment project on a 9.3-acre tract zoned "B" residence 1st Height and Area. This tract along with other adjacent properties was zoned in 1968. The proposed density is approximately 27 units per acre. Access is proposed through two driveways to North Hills Drive on the north and one driveway to Hart Lane on the south. All buildings west of the central driveway are three-story with the remaining buildings to the east being two story. This project occupies the top of the existing hill with the adjoining strips of land on the east and west being approximately 15 feet to 20 feet lower. The existing natural vegetation on the site is limited to the areas generally along the top of the bluff. The staff recommends approval subject to compliance with ordinance requirements and departmental recommendations. Mr. Schuller explained that a letter had been received from Mr. Tye Collins, President of the Northwest Austin Civic Association, requesting postponement of action in order to allow them time to review the application with the applicant.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Edgar James, representing owner

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented. There was discussion regarding the fact that the neighborhood associations had been notified in plenty of time and they should have been present.

Cl4p-77-036 H. C. Carter, Jr. (Continued)

COMMISSION VOTE

Mr. Stoll moved to continue the hearing until 5:30 p.m., September 27. In the meantime the developer should get together with the neighborhood group. Mr. Dixon seconded the motion.

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

NAY: Mr. Vier.

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 5-1 VOTE.

Cl4p-77-037 Couch Mortgage Company: A 370-unit apartment project
 (by George A. McCanse) called, "Courtlandt
 Northeast corner of Park Place Apartments."
 Plaza and North Plaza

Mr. Brian Schuller of the Planning staff presented the staff report and stated this is an application for a special permit to allow a 370-unit apartment complex at the northeast corner of Park plaza and North Plaza east of I.H. 35 and south of Rundberg Lane. This 14.4 acre site is zoned "GR" General Retail with a proposed density of 25.7 units per acre. Access to the site is through one driveway to Park Plaza on the south and four driveways to North Plaza on the west. All buildings are to be two story structures with a combination of efficiency and one or two bedroom units. The staff 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

George A. McCanse, applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Applicant agreed to comply with departmental recommendations and ordinance requirements. Their only request, however, was regarding the movement of the entrance along Park Plaza. There is no intersection there and they see no need of moving the driveway. Applicant has agreed to a temporary permit for the driveway location.

C14p-77-037 Couch Mortgage Company (continued)

COMMISSION VOTE

Mr. Jagger moved the approval of the special permit subject to departmental requirements and recommendations with the change as outlined by Mr. Schuller on Item 3 of the Urban Transportation Departments departmental requirements. Mr. Dixon seconded the motion.

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

THE MOTION PASSED BY A 6-0 VOTE.

C14p-77-038 Judy Gayle Gray: Eleemosynary Institution for 25 children
 2320 Riverside Farms Rd. called, "Riverside Farms School."

Mr. Brian Schuller of the Planning staff presented the staff report and stated this is an application for a special permit to allow an eleemosynary institution on "A" Residence property at 2320 Riverside Farms Road. The applicant is proposing a private non-profit school to be located in the existing structure at the rear of the tract. A maximum of 25 students ranging in age from four to nine years is proposed with two teachers. The hours of operation are from 7:30 a.m. to 5:45 p.m. with school in session from 9 a.m. to 2 p.m. Day care service for the students is proposed between 7:30 and 9 a.m. and between 2 and 5:45 p.m. The staff 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

Judy Gray

Bill Parsons, President Board of Directors, Austin Civic Ballet

PERSONS APPEARING IN OPPOSITION

Lois Stollm

COMMISSION ACTION

Mr. Schuller explained there are two requirements that need to be removed; (1) The Building Inspection Department's request for "A" Zoning -- it is zoned "A"; and the Public Works request relative to the 50' roadway easement being vacated or constructed to full urban standards. This is a private easement and the comment does not apply. Applicant was concerned about the request for a fire hydrant as requested by the Water and Wastewater Department. It was stated that the goals of the school are admirable and the location is compatible and should improve the neighborhood. There

014p-77-038 Judy Gayle Gray (continued)

was discussion of accreditation for the school. Applicant replied that it had been applied for, but was not necessary for less than six grades. There was also discussion regarding the drainage in the area and how it would be taken care of; whether or not the lake across the street would be fenced. Septic tanks are acceptable in the area. There was discussion regarding fire protection and the route trucks would be required to take.

COMMISSION VOTE

Mr. Dixon moved to a prove subject to compliance with the requirements excluding the departmental recommendation for the fire hydrant. Mr. Jagger seconded the motion.

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

THE MOTION PASSED BY A 6-0 VOTE.

014p-77-039 The Center for Community Alternatives: Eleemosynary
 (by William C. Parr) Institution providing
 2706 Salado Street, also 24-hour residential
 bounded by San Pedro Street child care.

Mr. Brian Schuller of the Planning staff presented the staff report and stated this is an application for a special permit to allow an eleemosynary institution at 2706 Salado Street zoned "B" residence, 2nd Height and Area. The applicant is proposing a 24-hour residential child care facility for a maximum of 20 children between the ages of 13 and 16 who have a history of difficulty at school and at home. The staff recommends approval subject to compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATIONS

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Elaine Wilson, 5603 Bull Creek

J. R. Willcockson, 2810 Salado

Betty Phillips, Save University Neighborhood Association (with conditions)

Lila Oshatz, P. O. Box 6273

Doug McCrum, 1124-A Valley Hill

Paul Ali, 1706 Waterston

Lori Ali, 1706 Waterston Avenue

PERSONS APPEARING IN OPPOSITION

B. N. Holman

Mrs. Ed B. Price, 1606 Pearl

Mary C. Rice, 2800 Salado

C14p-77-039 The Center for Community Alternatives (continued)

COMMISSION ACTION

The staff indicated two ordinance requirements are to be amended: Urban Transportation request for parallel parking on Salado Street should be removed; and the request of Building Inspection concerning not keeping a child in a day care facility above the first story, because of the ages of the persons in this particular facility, that requirement would not apply. There was much discussion regarding the facility, its location, and what it would do to the neighborhood. The Save University Neighborhood Association requested a neighborhood advisory board to meet with the clients and staff on a regular basis; that any and all neighbors who are opposed to this will serve on the advisory board and that their input be recognized and accepted; also some representation from SUN, at least one client and staff member; that they maintain the outside of the house in a neat and attractive condition; that the noise level be monitored; that the individual clients be supervised; and that there be no disruption in the neighborhood. There was discussion regarding the security and safety of residents of the area; whether or not they would be subjected to theft and vandalism; the temptation of young boys in the university neighborhood, especially with the sorority houses located nearby. Mr. Dixon felt this would be a disadvantage to the neighborhood and indicated it should be denied. Mr. Guerrero disagreed in that these people need help and it needs the support of the neighborhood. Mr. Jagger stated he was of the opinion there was more concern of fear than the actual reality of the situation.

COMMISSION ACTION

Mr. Guerrero moved the application be granted subject to departmental recommendations and ordinance requirements subject to the recommendation outlined by the Save University Neighborhood Association.

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

NAY: Messrs. Dixon and Stoll.

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 4-2 VOTE.

C14p-76-030 Big Daddy's Lounges, Incorporated: Request to increase capacity
 (rev.) (by Larry Niemann) from 100 to 400 seats.
 2003 and 2011 East Riverside Drive

Mr. Brian Schuller of the Planning staff presented the staff report and stated this is an application for a revision to a special permit approved in 1976 for a lounge with 100 seats in the Rivertowne Mall Shopping Center on Riverside Drive at Royal Crest Drive. At this time the applicant, Big

C14p-76-030 Big Daddy's Lounges, Incorporated (continued)

Daddy's Lounges, Incorporated is requesting approval of an increase in the seating from 100 to 400 seats. In July of 1977 the Planning Commission approved a special permit for two lounges at the eastern end of this shopping center for 30 seats and 150 seats. The staff 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

Larry Neiman, representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard testimony to the effect that this is an amendment to a special permit and that the facility has space to accommodate more than 500 seating capacity under the existing ordinance. It was pointed out that the building is large enough and there is adequate parking to accommodate this request.

COMMISSION ACTION

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

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 6-0 VOTE.

HISTORIC

C14h-77-020 Miller House: A, 1st to A-H, 1st
 Henry Winston Ault, owner
 3908 Avenue D

Ms. Betty Baker of the Planning staff presented the staff report. She explained this structure was built in 1900 by its original owner, E. O. Miller, who at that time was road master of A and NW Railroad. Mr. Miller resided in Austin until 1915 in this house and worked as a builder, contractor and carpenter. One of the subsequent owners was W. J. Morley, however, he never resided in this structure and apparently owned only the mortgage. This home was occupied by carpenters, bookkeepers, salesmen, retired individuals, etc. In keeping with the sales approach as to Hyde Park being a workingman's neighborhood, the occupancy of the early owners would so indicate. The interior of the house has many features of the craftsmanship style and hand carved trim over doorways and materials used reflect the quality of the construction. The owner requested that this structure be zoned historic, however, it was the recommendation of the Landmark Commission that the structure not be zoned historic.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

H. C. Byler

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

Lester Bearden

COMMISSION ACTION

The Commission heard testimony to the effect that the only concern of Mr. Bearden is what affect this historical zoning would have on the adjoining property. Staff had determined that it met criteria L or M. The Commission did not review the criteria. Mrs. Baker stated that the tax abatement provision that will be coming before the voters this year might, perhaps, be applicable, when questioned by Mrs. Schechter as to why the owners wished the historical zoning. The staff made no recommendation, but did state they could find nothing of historical or architectural significance. The Hyde Park Neighborhood Association is opposed to it.

COMMISSION VOTE

Mr. Jagger moved to deny the request to zone the property "A" Residential - "H" Historic, First Height and Area. Mr. Stoll seconded the motion.

C14h-77-020 Miller House (continued)

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

THE MOTION PASSED BY A 6-0 VOTE.

C14h-77-030 Ben Pillow House: A, 1st to A-H, 1st
Mr. and Mrs. Joseph H. Hart, owners
1403 West 9th Street

Ms. Betty Baker of the Planning Staff presented the staff report. She stated this house, along with the structure adjacent to the west was built for the Pillow Brothers, William and Ben. The builder is unknown. Ben Pillow was a reknown telegrapher for the Confederacy and his ability to transmit information resulted in his being considered one of the best telegraphers in the United States. He came to Austin with his family in 1875 and continued his work as a telegraph operator until installation of the telephones. In that regard, William and Ben Pillow were instrumental in establishing the telephone system for the City of Austin. This home was occupied by the Pillow family for 75 years. The Landmark Commission recommended that this structure be zoned historic as it meets items A, C, H, I, K. L, and M of the criteria and the owner has requested the zoning.

CITIZEN COMMUNICATION

WRITTEN COMMUNICATION

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Mr. Jagger moved to grant "A" Residential - "H" Historic, First Height and Area. Mr. Stoll seconded the motion.

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

THE MOTION PASSED BY A 6-0 VOTE.

Cl4h-77-031 Carlestone House: A, 1st to A-H, 1st
 Linalice Carey, owner
 4007 Avenue B

Ms. Betty Baker of the Planning staff presented the staff report. She stated this structure was built by a contractor by the name of John R. Carlestone and remained in the Carlestone family for 68 years. The staff was unable to locate any data relative to the Carlestone family from public records other than employment, vital statistics as to birth, marriages, and deaths. There have been additions to the structure and the front porch has been enclosed. The owner is presently altering the entrance. The owner requested that this structure be considered for historic zoning and the Landmark Commission recommended that the structure not be zoned historic.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Katheryn S. Clark, 4308 Avenue D

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard the testimony as presented.

COMMISSION VOTE

Mr. Stoll moved denial of the historic zoning in accordance with the recommendations of the Landmark Commission. Mr. Jagger seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 6-0 VOTE.

Cl4h-77-032 Walton-Joseph Building: C-2, 4th to C-2-H, 4th
 Harry D. Grief and Sidney B. Grief, owners
 706-708 East 6th Street

Ms. Betty Baker of the Planning staff presented the staff report. She stated there was some type of structure at this location as early as 1877 but the staff was unable to identify the existence of this particular structure until prior to 1887, but after 1873. The Still brothers operated a saddle tree manufacturing firm at this location and the saddle trees were much in demand and used by the Texas Rangers. It is difficult to set an

Cl4h-77-032 Walton-Joseph Building (continued)

exact date as to the beginning of the Texas Rangers, but as early as 1823 Stephen F. Austin commissioned ten men as rangers. When the Texas Revolution began in 1835, they were legally recognized. The Texas Rangers exclusively used the saddle trees made by the Still brothers. Newton Walton apparently was the first owner of this structure and was the son of one of Austin's attorneys. He wrote a lot of our recorded history relative to our outlaws and also defended criminal clients, one of whom later became one of our city marshalls. Isaac Cater Joseph came to Austin in 1891 and was one of the first Lebanese immigrants to this area. His family resided in the structure until his death. They operated a fruit and vegetable business on the first floor. Subsequent uses have been many through leases and it remained in the ownership of the Joseph family from 1905 through 1976. The style of this building reflects the residence and business use of early downtown buildings. The Landmark Commission recommended that this structure be zoned historic as it meets Items A, F, G, H, I, K, L, and M of the criteria. The owners have no objection to the zoning.

CITIZEN 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 testimony as presented.

COMMISSION VOTE

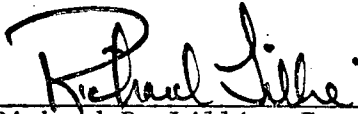
Mr. Dixon moved the historic zoning be approved. Mr. Stoll seconded the motion.

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

ABSENT: Messrs. Gutierrez and Snyder. Mrs. Shipman.

THE MOTION PASSED BY A 6-0 VOTE.

The meeting adjourned at 9:20 p.m.


Richard R. Lillie, Executive Secretary