

## CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--December 6, 1977

The meeting was called to order at 5:45 p.m. in the City Council Chambers.

Present:

Miguel Guerrero, Chairman  
Mary Ethel Schechter  
Sally Shipman  
Bill Stoll  
James G. Vier

Absent:

Freddie Dixon  
Sid Jagger  
Bernard Snyder

Also Present:

Richard R. Lillie, Director of Planning  
Duncan Muir, Planner  
Brian Schuller, Planner  
John Meinrath, Assistant City Attorney  
Jim Gotcher, Building Inspection  
Joe Lucas, Water & Wastewater Department  
Betty Baker, Planning Technician (Acting Secretary)

Planning Commission--Austin, Texas

Reg. Mtg. 12/6/77

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## ZONING

C14-77-163	EDGAR S. DAUGHERTY & RAYMOND H. RADE:	"D" Industrial, 6th H & A to 8227-8235 North Lamar Boulevard	"C-2" Commercial, 6th H & A
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The Chairman informed the Commission of the applicant's request to withdraw the zoning application.

COMMISSION VOTE:

Mr. Stoll moved to accept the applicant's request for withdrawal of the zoning application. Mrs. Shipman seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

# SPECIAL PERMIT

CL4p-77-049 EDGAR S. DAUGHERTY & RAYMOND H. RADE: Night Club with 260 seats  
8227-8235 North Lamar Boulevard

The Chairman informed the Commission of the applicant's request to withdraw the special permit application.

COMMISSION VOTE:

Mr. Stoll moved to accept the applicant's request for withdrawal of the special permit application. Mrs. Shipman seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

## WATER APPROACH MAIN

CL2-77-015 PUBLIC SERVICES: Consideration of a water approach main for Wedgewood Subdivision, Section Two.

Mr. Richard Lillie, Director of Planning, reviewed the application and informed the Commission that the request was from Mr. Herndon Bailey for an approach main for water to serve Wedgewood Subdivision, Section Two. He reviewed the costs and the City's costs as to participation under the Outside the City Water Approach Main Charges Ordinance. Mr. Lillie indicated the location had no environmental problems according to the Director of Environmental Resource Management, but a concern was expressed regarding the trees in the vicinity. He reviewed a support memorandum from Curtis Johnson, Director of Water and Wastewater.

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C12-77-015 PUBLIC SERVICES (continued)

## COMMISSION ACTION:

Questions were directed to Joe Lucas from Water and Wastewater regarding the basis or formula for arriving at figures for the water approach main. Commission members inquired whether the area would be annexed within a year. There was concern expressed that the City's costs were so much greater than the developer's, resulting in costs to the City with no benefits.

## CITIZEN COMMUNICATIONS:

## WRITTEN COMMENTS

None

## PERSONS APPEARING IN FAVOR

Dick Rathgeber

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION VOTE:

Mr. Vier moved to recommend approval in accordance with the letter from Mr. Curtis Johnson. Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

## PLANNED UNIT DEVELOPMENT

C814-77-009 VACKAR INTERESTS, INC.: A 28-unit residential planned unit  
Lost Creek Boulevard development called, "THE VALLEY AT  
LOST CREEK"

Mr. Brian Schuller of the Planning Department reviewed the staff report and departmental requirements. He explained that the area is outside the Austin corporate limits and will appear before the City Council as an amendment to the Master Plan. Mr. Schuller stated that the staff recommended approval subject to compliance with ordinance requirements and departmental recommendations. Under these provisions, he explained that Planning Department requirements numbers 5, 6 and 7 needed to be removed. He further stated that a long form subdivision would be used rather than a short form as they would be dedicating a private street to the owners of the P.U.D. Mr. Schuller also called the Commission's attention to the corrected calculations relating to impervious cover.

Mr. Walter Vackar, an architect, reviewed the studies and calculations made by the architectural firm as to optimum number of units for the site and determined that the optimum number of units on the site would be 28 units, and that they had 23 per cent of impervious cover for the entire tract. Mr. Vackar reviewed the ERM comments relating to the 100-year flood plain and explained that the grade was raised to provide for two units rather than remove trees to provide for the units. He requested a waiver of setback requirements for three units along Lost

C814-77-009 VACKAR INTERESTS, INC. (continued)

Creek Boulevard and explained that the distance from the street to the property line was already twenty-five feet. He said that the developer would prefer to provide a bike trail instead of a sidewalk from their property down to the bridge.

## CITIZEN COMMUNICATION:

## WRITTEN COMMENTS

None

## PERSONS APPEARING IN FAVOR

Walter Vackar (applicant)

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

There was discussion concerning the two units which would be on raised sites above the flood plain. It was determined that overland drainage would be preferred by the developer and would depend on the design of the streets. Concern was expressed for the traffic in and to the area which would indicate a need for sidewalks in the area, perhaps on both sides of the street. The Commission then reviewed the request for setback variances on three units.

## COMMISSION VOTE:

Mr. Vier moved to recommend approval leaving in the sidewalk requirement as recommended by the staff and granting a setback variance of twenty (20) feet for Lot One, fifteen (15) feet for Lot Twenty-Five, ten (10) feet for Lot Twenty-six, and fifteen (15) feet for Lot Twenty-Seven, and deleting numbers 1, 2 and 3 of ERM requirements and recommendations and also 4 as compliance had been met. Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

## SPECIAL PERMITS

C14p-77-047 O. SHERMAN SNOWDEN, EXECUTOR: A lounge with 125 seats.  
(by Gary L. Snowden)  
1314-1320 South Lamar Boulevard

Mr. Brian Schuller reviewed the history of the Special Permit request and the staff's recommendation for approval if compliance is made with existing ordinances. He pointed out that only 14 parking spaces existed on the lot and a variance for 49 off-street parking spaces would be required from the Board of Adjustment.

## CITIZENS COMMUNICATION

## WRITTEN COMMENTS

None

## PERSONS APPEARING

None

Cl4p-77-047 O. SHERMAN SNOWDEN, EXECUTOR (continued)

## COMMISSION ACTION:

The Commission reviewed the information presented. Since the applicant was not present, they requested the staff to again encourage the applicant to be present at next meeting.

## COMMISSION VOTE:

Mrs. Schechter moved to postpone the request for thirty (30) days. Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

Cl4p-77-048 JAMES T. O'CONNOR: A lounge with 100 seats called, "BACKSTAGE  
101-105 Academy Drive RESTAURANT and BAR"  
1201-1209 South Congress Avenue

Mr. Brian Schuller informed the Commission that the owner had signed the application form, and the application was in order. He reviewed the status of the request and reminded the Commission that eleven more parking spaces would be necessary based on proposed usage.

Mr. Terry Bray, representing the applicant, informed the Commission that they had been conducting operations in the "C-2" zoned area as a restaurant and lounge for approximately four months. He explained that the bar and lounge operation had been successful, however, the applicant felt a special permit should be secured rather than be concerned about the food operation. He indicated that the food operation would be continued. Mr. Bray informed the Commission that Building Inspection had requested audit information which would be provided prior to the end of the year, but would not be required if the special permit was granted. He stated that, concerning parking, the seating capacity would be reduced during which time a variance would be requested; if the variance was not granted, the seating capacity would be reduced to conform with parking availability. Mr. Bray further informed the Commission that they had met with the neighborhood representatives and understood a request for postponement would be made by them. He said that he had no objection to a postponement as long as their position with the City for the Special Permit request was not jeopardized.

Mr. Wayne Gronquist, a neighborhood attorney, informed the Commission that a postponement for sixty (60) days would be desirable in order to continue attempts for an agreement between the owner and neighborhood. He said that if an agreement could be reached, they would support the applicant's request. Mr. Gronquist said that he felt there should be some guarantee that the operation of the business would not destroy the neighborhood. He discussed access to the parking facilities and said that he hoped it could be directed so as to avoid traffic through the neighborhood. Mr. Gronquist stated that some progress had been made between the applicant and neighborhood since the previous postponement, but that additional time was needed by the neighborhood.

Cl4p-77-048 JAMES T. O'CONNOR (continued)

CITIZEN COMMUNICATIONS:

WRITTEN COMMENTS

None

PERSONS APPEARING IN FAVOR

Terry Bray (representing applicant)

PERSONS APPEARING IN OPPOSITION

Wayne Gronquist

COMMISSION ACTION:

The Commission heard the testimony and reviewed the length of time for postponement. The applicant was agreeable to postponement for thirty (30) days but not sixty (60) days. The effect of the audit requested by Building Inspection was reviewed and the possibility of separating the restaurant and bar was discussed.

COMMISSION VOTE:

Mr. Stoll moved to continue the request for sixty (60) days or until February 7, 1978 at 5:30 p.m. Mrs. Shipman seconded the motion.

AYE: Messrs Guerrero and Stoll.  
Mmes. Schechter and Shipman.

NAY: Mr. Vier.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 4-1 VOTE.

ZONING

Cl4-77-156 ALLEN RUNDELL: Interim "A" Residence, 1st H & A to  
(by Travis R. Phillips) "O" Office, 1st H & A (Tract 1) and  
3901-3953 Steck Avenue "BB" Residence, 1st H & A (Tract 2)  
8001-8133 Kerith Dale Drive  
4100-4124 Spicewood Springs Road

Mr. Duncan Muir of the Planning Department staff presented the staff report and reviewed the surrounding land uses and zoning, and past zoning requests. He informed the Commission that the staff would not recommend expansion of non-residential zoning. Mr. Muir reviewed the staff's recommendation and reiterated the possible density which would result if the zoning change were granted. He also advised the Commission that the staff could not legally recommend zoning changes on the basis of restrictive covenants. Mr. Muir stated that a petition in opposition to the zoning change had been filed, and that the rule requiring six (6) votes of the City Council would not apply as the subject property was interim zoned.

Mr. Muir stated that the staff recommended the subject tract be developed residentially with twelve (12) or less units per acre which would result in approximately 230 units. In order to achieve this under the existing zoning ordinance, the staff recommended approximately five (5) acres of "BB" along Kerith Dale Drive

C14-77-156 ALLEN RUNDELL (continued)

and "A" on the remaining portion. Mr. Muir said that the staff recommended that "O" and "BB" be denied on the entire tracts but that approximately five (5) acres of "BB" Residence be granted along Kerith Dale Drive, subject to dedication of additional right-of-way to increase that street to 60 feet and "A" Residence be granted on the remainder of the site.

Lynn Turlington, representing the owner, presented a review of the zoning request and proposed various alternatives for use of the property. He emphasized that there were no developments proposed or site plans available for the property. Mr. Turlington said that efforts to work with the neighborhood had been unsuccessful.

## CITIZEN COMMUNICATION:

## WRITTEN COMMENTS IN FAVOR

I. Harold Silberberg, 4101 Spicewood Springs Road

## WRITTEN COMMENTS IN OPPOSITION

Mrs. C. E. Alvis, Jr., 8128 Greenslope

C. B. Carpenter, 4017 Far West Boulevard

David E. Daniel, 8003 Hillrise

Everett H. LaRue, 1005 Biscayne Cove, Lakeway

Sidney E. McKinney, 8122 Greenslope

David R. Passarella, 8004 Hillrise

Richard H. Sterling, 3804 Greenview

Peggy Newcomb, 8005 Hillrise

Walter R. Newcomb, Jr., 8005 Hillrise

Donald P. Herzog, 8002 Hillrise

Genevieve W. Herzog, 8002 Hillrise

Edwin F. Fisher, 3802 Crowncrest Cove

Mr. & Mrs. Eduardo Morales, 8107 Hillrise

Betty M. Kanable, 8000 Hillrise

Thomas P. & Lois M. Leffingwell, 8102 Hillrise

Petition bearing 152 signatures

## PERSONS APPEARING IN FAVOR

Travis Phillips (representing applicant)

Lynn Turlington (representing applicant)

I. Harold Silberberg, 4101 Spicewood Springs Road

## PERSONS APPEARING IN OPPOSITION

Dan Herzog, 8002 Hillrise

Wallace L. Pellerin, 8806 Mountain Path Circle

Gen. Christian H. Clarke, 8124 Greenslope

Gail Sobczak, 3808 Greenview

Marvin L. Hackert, 8014 Hillrise

R. H. Sterling, 3804 Greenview

Mrs. Paul Gamel, 8108 Hillrise

Paul Gamel, 8108 Hillrise

Genny Herzog, 8002 Hillrise

Walter R. Newcomb, Jr., 8005 Hillrise

Peggy Newcomb, 8005 Hillrise

Robert E. Lane, 3806 Crowncrest Cove

Minnie Flusche, 8103 Greenslope

C14-77-156 ALLEN RUNDELL (continued)

## CITIZEN COMMUNICATION

## PERSONS APPEARING IN OPPOSITION (continued)

Betty M. Kanable, 8000 Hillrise  
 Joan Morales, 8107 Hillrise  
 Carol Mizner, 8113 Greenslope  
 Thomas H. Hill, 7908 Ceberry Drive  
 Joe A. Quintana, 8106 Hillrise  
 Debbie Carlson, 8001 Hillrise  
 Bill Carlson, 8001 Hillrise  
 Mrs. Sherry Ellison, 8007 Hillrise  
 John R. Ellison, 8007 Hillrise  
 Ronald L. Allen, 8300 Silver Ridge Drive  
 Beverly A. Fowler, 3805 Crowncrest Cove  
 Louis H. Fowler, 3805 Crowncrest Cove  
 David R. Passarella, 8004 Hillrise

## COMMISSION ACTION:

The Commission reviewed the request and various proposals. When asked by the Commission, the applicant's representative indicated that the applicant would be willing to submit a site plan prior to development, if "O" would be approved for the corners of Kerith Dale Drive and Spicewood Springs Road and Steck Avenue, and "BB" on the remainder. Numerous other alternatives were discussed concerning the use of the property.

## COMMISSION VOTE:

Mr. Vier moved to recommend "O" at the intersections of Kerith Dale Drive with Spicewood Springs Road and Steck Avenue with "BB" between the "O" and on the remainder of the property, except for a 50-foot strip of "A" along the eastern boundary to remain a green belt, subject to a restrictive covenant requiring a site plan to be reviewed by the Planning Commission prior to development and limiting the residential density to twelve (12) units per acre if developed residentially. Mrs. Schechter seconded the motion.

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

MOTION FAILED BY A 2-3 VOTE.

## PLANNED UNIT DEVELOPMENT

C814-77-008 ROBERT H. NUTTER: "A" Residence, 1st H & A to a 23-unit residential  
 (by Jose Mercado) planned unit development called, "ALTA VISTA"  
 4206 Steck Avenue

Mr. Brian Schuller presented the staff report. He stated that the staff recommended approval subject to compliance with ordinance requirements and departmental recommendations.



C814-77-008 ROBERT H. NUTTER (continued)

Mr. Jose Mercado, designer and planner of the project for the applicant, explained that they had attempted to use the slope of the land to the advantage of everyone by placing the units in an arrangement to protect the view. He reviewed the recommendation concerning impervious cover, grading and setback requirements and stated that he had no objection to reducing the width for driveways, using wooden decks and complying with impervious cover standards. Mr. Mercado stated that he preferred not to install fire extinguishers in each unit as requested by the Fire Department and questioned whether it was an ordinance requirement.

## CITIZEN COMMUNICATION:

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

Hubert McReynolds, 8408 Hayes Lane  
 K. H. Williams, 8400 Ardash Lane  
 William T. Eaton, 8408 Silver Ridge Drive  
 W. R. Lewis, 8402 Emerald Hill Drive  
 Ralph Erchinger, 8202 Silver Ridge Drive  
 Eleanor Erchinger, 8202 Silver Ridge Drive

## PERSONS APPEARING IN FAVOR

Bob Nutter (applicant)  
 Jose Mercado (representing applicant)  
 Ron Allen, 8300 Silver Ridge Drive

## PERSONS APPEARING IN OPPOSITION

C. Robert Wilson, 8400 Emerald Hill Drive  
 Max Shields, 8404 Emerald Hill Drive  
 Warren R. Lewis, 8402 Emerald Hill Drive  
 Mrs. Max Shields, 8404 Emerald Hill Drive  
 Jean Bell, 8402 Silver Ridge Drive  
 Mary Jo Stilp, 8408 Emerald Hill Drive

## COMMISSION ACTION:

The Commission reviewed the information presented and discussed alternatives concerning impervious cover, proposed driveways and setbacks requested on Hayes Drive. The Commission expressed concern for traffic through the PUD and considered the possibility of "speed bumps". There was also discussion regarding a fence around the swimming pool and a buffer along Silver Ridge Drive.

## COMMISSION VOTE:

Mrs. Shipman moved to recommend approval subject to departmental recommendations and ordinance requirements but deleting recommendation for fire extinguishers, ERM requirement number one, Planning Department recommendation number one with the encouragement to consider the single-family residences adjoining the lot, reduce driveway minimums to a width of 24 feet, provide a 10-foot landscape buffer along the private drive parallel to Silver Ridge Drive, add to Planning Department item three, "and wooden decks in lieu of concrete patios", waive setback requirements to 15 feet on Lots 17 and 20 on Hayes Lane, waive setback requirements to 15 feet on Lot 8 off Steck Avenue, waive pier and beam requirements on Lot 17, and install "speed bumps". Mrs. Schechter seconded the motion.

C814-77-008 ROBERT H. NUTTER (continued)

COMMISSION VOTE (continued):

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

MOTION PASSED BY A 5-0 VOTE.

ZONING

C14-77-157	DOYLE CHAPMAN:	"A" Residence, 1st H & A to
	7313 North Lamar Boulevard	"C" Commercial, 1st H & A

Mr. Duncan Muir of the Planning Department presented the staff report and informed the Commission that the staff recommended approval of Commercial zoning to within 25 feet on the east where adjacent to the residential area.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR

Mrs. Lewis Hamilton, 803 Walnut Creek Drive

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Lucille Chapman (applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The Commission heard the staff presentation and testimony from the applicant. Mrs. Lucille Chapman, applicant, objected to the recommended "A" on the east, and suggested that 25 feet of "O" would be better. The Commission was in agreement since the "O" Office district required a privacy fence.

COMMISSION VOTE:

Mr. Vier moved to recommend "C" Commercial be granted on all but the eastern (rear) 25 feet and "O" Office be granted on the back 25 feet. Mrs. Shipman seconded the motion.

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

MOTION PASSED BY A 5-0 VOTE.

C14-77-158 CITY OF AUSTIN: Interim "AA" Residence, 1st H & A to  
(by Planning Department) "A" Residence, 1st H & A  
12022-12070 Jollyville Road  
11900-11927 Broadoaks Drive  
11900-11926 Oak Knoll Drive

Mr. Duncan Muir explained that this application was initiated by the City in order to conform the zoning with the existing and proposed development of duplexes on subject tract. He stated that the the staff's recommendation was to grant "A" Residence, 1st H & A.

**CITIZEN COMMUNICATION:**

None

COMMISSION ACTION:

The Commission heard the presentation and was in agreement with the staff's recommendation.

COMMISSION VOTE:

Mr. Stoll moved to recommend "A, 1st" be granted. Mrs. Shipman seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

C14-77-160	DORIS WILEY:	"A" Residence, 1st H & A to
	(by Joe Bowles)	<u>"O" Office, 1st H &amp; A</u>
	6303 Manchaca Road	

Mr. Duncan Muir presented the staff report and provided history of past zoning cases in the area. He explained that the staff recommended denial of the change in zoning as any zoning more intense than "A" Residence would be an intrusion into the residential neighborhood and contribute to strip zoning along Manchaca Road.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR

Jerry Patroplis, 2906 Dancy Street

Thomas C. Wommack, 702 Scarbrough Building

Frank Miller, City National Bank Trust Department

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Joe Bowles (representing applicant)

PERSONS APPEARING IN OPPOSITION

None

C14-77-160 DORIS WILEY (continued)

COMMISSION ACTION:

The Commission reviewed the information presented, discussed the use of the property and considered zoning a portion of the property "A" to provide buffers for adjacent properties. The Commission also reviewed comments favoring the request and noted that those owners favoring the request did not reside in the area.

COMMISSION VOTE:

Mr. Stoll moved to recommend "O" Office be denied. Mr. Guerrero seconded the motion.

Mrs. Schechter made a substitute motion to recommend "O" Office be granted as requested. Mr. Vier seconded the substitute motion.

AYE: Mrs. Schechter and Mr. Vier.

NAY: Messrs. Guerrero and Stoll.  
Mrs. Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION FAILED BY A 2-3 VOTE.

Vote on the original motion:

AYE: Messrs. Guerrero and Stoll.  
Mrs. Shipman.

NAY: Mrs. Schechter and Mr. Vier.

ABSENT: Messrs. Dixon, Jagger and Snyder.

ORIGINAL MOTION PASSED BY A 3-2 VOTE.

C14-77-049 HURSCHEL B. MORGAN, ET UX: Interim "A" Residence, 1st H & A to  
(by Tina Trochta) "O" Office, 1st H & A  
6301 Manchaca Road (without limitations)

Mr. Duncan Muir presented the staff report and explained that the applicant was requesting removal of the restrictive covenant limiting the use of the property to a dance studio and elimination of the buffers. He reviewed the existing zoning in the area and history of past zoning requests, and stated that the staff recommended denial of the zoning request, as it would be an intrusion into a residential area and contribute to strip zoning along south Manchaca Road.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR

Robert L. Stephenson, 1934 Berkeley Avenue  
Richard Aubrey, 3798 Forest Lane, Dallas, Texas  
Thomas C. Wommack, 102 Scarbrough Building  
Frank Mitchell, City National Bank Trust Department

WRITTEN COMMENTS IN OPPOSITION

Joseph G. Mitchell, 1927 Berkeley Avenue

PERSONS APPEARING IN FAVOR

Tina Trochta (representing applicant)

PERSONS APPEARING IN OPPOSITION

None

Cl4-77-049 HURSCHEL B. MORGAN, ET UX (continued)

COMMISSION ACTION:

The Commission reviewed the request and made inquiries related to present zoning and existing buffers on either side of the tract.

COMMISSION VOTE:

Mrs. Schechter moved to recommend "O" Office, "1st" H & A be granted, subject to a restrictive covenant prohibiting a massage parlor and providing for a privacy fence along the rear property line. Mr. Vier seconded the motion.

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

MOTION PASSED BY A 3-2 VOTE.

<u>Cl4-77-161</u>	<u>JOHN PATTON:</u>	<u>"A" Residence, 1st H &amp; A to</u>
	<u>3404 Kerbey Lane</u>	<u>"O" Office, 1st H &amp; A</u>

Mr. Brian Schuller presented the staff report and reviewed history of past zoning requests in the area. He explained the use trend in the neighborhood and stated that the staff recommended granting "O" Office as it was compatible with uses and zoning in the area.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR:

MWW Realty Corporation, 3400 Kerbey Lane  
Edgar Neumann, 3405 Glenview Avenue

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

John Patton (applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The Commission heard the presentation and testimony and was in agreement with the staff recommendation.

COMMISSION VOTE:

Mr. Guerrero moved to recommend "O" Office be granted as requested. Mr. Stoll seconded the motion.

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

MOTION PASSED BY A 5-0 VOTE.

C14-77-162 C. R. SIMONSON Interim "AA" Residence, 1st H & A to  
 (by Robert L. Davis) "O" Office, 1st H & A  
 11604 Jollyville Road

Mr. Duncan Muir presented the staff report and reviewed the history of zoning in the area. He explained that the staff's recommendation was to grant the zoning as requested.

## CITIZEN COMMUNICATION:

## WRITTEN COMMENTS

None

## PERSONS APPEARING IN FAVOR

Robert L. Davis (representing applicant)

## PERSONS APPEARING IN OPPOSITION

None

## COMMISSION ACTION:

The Commission heard the information presented and was in agreement with the staff's recommendation.

## COMMISSION VOTE:

Mr. Stoll moved to recommend "O" Office, "1st" H & A be granted as requested.  
 Mrs. Shipman seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
 Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

C14-77-164 J. ALTON BAUERLE, ET AL: "A" Residence, 1st H & A to:  
 Rear of 2100-2124 South Lamar Blvd. "O" Office, 1st H & A  
 2119-2121 Oxford Avenue  
 2110 Kinney Avenue

Mr. Duncan Muir presented the staff report and explained that the staff recommended denial of a change in zoning for most of the area on Oxford Avenue as it would be an intrusion into a residential neighborhood. He stated that the portion which has already been used for parking and driveway could be rezoned leaving enough lot area for a duplex adjacent to the residence. Mr. Muir further stated that the staff felt "O" Office on that portion which fronts Kinney Avenue would be appropriate as it faced existing commercial zoning on Lamar Boulevard.

## CITIZEN COMMUNICATION:

## WRITTEN COMMENTS IN FAVOR

Jack Dobie, 4401 Avenue A

## WRITTEN COMMENTS IN OPPOSITION

Mr. &amp; Mrs. W. A. Bonner, 2017 Oxford Avenue

## PERSONS APPEARING IN FAVOR

J. Alton Bauerle (applicant)

## PERSONS APPEARING IN OPPOSITION

None

C14-77-164 J. ALTON BAUERLE, ET AL (continued)

COMMISSION ACTION:

The Commission reviewed the information presented and the possible effects the zoning would have on property located on Oxford Avenue.

COMMISSION VOTE:

Mr. Stoll moved to recommend denial of "O" Office. (Motion died for lack of a second.)

Mr. Stoll then moved to recommend "O" Office be denied on Tract 2, but granted on Tract 1 (property fronting on Kinney Avenue plus the portion on Oxford Avenue which is paved). Mrs. Shipman seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

<u>C14-77-166</u>	<u>HULDA KOESTER &amp; RAY J. ROGERS:</u>	<u>"A" Residence, 1st H &amp; A to</u>
	(by Adon Sitra)	<u>"LR" Local Retail, 1st H &amp; A</u>
	3513-3701 West Avenue	

Mr. Duncan Muir presented the staff report and described the surrounding zoning and uses in the area. He stated that the staff recommended "LR" Local Retail be granted as requested as it was compatible with existing zoning and uses.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR

Hulda Koester (applicant)

WRITTEN COMMENTS IN OPPOSITION

Mr. & Mrs. Francis Baldeschurler, 6615 Angelina Road

PERSONS APPEARING IN FAVOR

Adon Sitra (representing applicants)

PERSONS APPEARING OPPOSITION

None

COMMISSION ACTION:

The Commission reviewed the information presented and was in agreement with the staff's recommendation.

COMMISSION VOTE:

Mr. Stoll moved to recommend "LR" Local Retail be granted as requested. Mrs. Schechter seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

C14-77-168 VES INVESTMENTS, LTD.: "A" Residence, 1st H & A to  
 (by Irvin L. Hamilton) "C" Commercial, 1st H & A  
 Rear of 2300 Pasadena Drive

Mr. Duncan Muir presented the staff report and reviewed the zoning uses in the area as well as the possible use of the lot. He explained that the staff's recommendation was to deny "C" Commercial but grant "O" Office as the uses permitted in this district were more compatible with the adjacent residential neighborhood.

Mr. Irvin L. Hamilton, representing the applicant, explained to the Commission that a commercial use existed at this location prior to acquisition by the present owner. He also stated that he had received conflicting information related to the present zoning of the lot from different city departments.

#### CITIZEN COMMUNICATION

##### WRITTEN COMMENTS IN FAVOR

Earl Eastburn, Richcreek Plaza

##### WRITTEN COMMENTS IN OPPOSITION

Leon Whitney, 2211 Richcreek Drive

##### PERSONS APPEARING IN FAVOR

Irvin L. Hamilton (representing applicant)

##### PERSONS APPEARING IN OPPOSITION

None

#### COMMISSION ACTION:

The Commission reviewed the information presented and discussed the effect of a zoning change on the residential neighborhood.

#### COMMISSION VOTE:

Mrs. Schechter moved to recommend "C" Commercial be granted, subject to a restrictive covenant providing for a privacy fence along the east and south property lines. Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
 Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

C14-77-169 BEECAVE DEVELOPMENT CO., INC.: Interim "AA" Residence, 1st H & A to  
 (by James M. Grant) "A" Residence, 1st H & A  
 1505 Walsh-Tarleton Lane

Mr. Duncan Muir presented the staff report and explained that the proposed use of the property was a duplex subdivision. He described existing and proposed uses for the surrounding land.

Opponents of the zoning request related their concern for the integrity of the area, traffic problems, additional burden to the Eanes Independent School District, safety of school children, rental property, flood plains and environmental impact.



C14-77-169 BEECAVE DEVELOPMENT CO., INC. (continued)

## CITIZEN COMMUNICATION:

## WRITTEN COMMENTS

None

## PERSONS APPEARING IN FAVOR

Ralph Harris (representing applicant)

## PERSONS APPEARING IN OPPOSITION

Frank C. Milstead, 1402 Pinnacle Road

Dick Stanford, 405 Skyline Drive

Sylvia Guyton, 3605 Stoneridge Road

Peter Hains, 2807 Hatley Drive

Martha Hudson, 2805 Hatley Drive

Nettie D. Moore, 304 Westwood Terrace

Robert T. Davis, 1509 Flintridge

Edward Kirk, 418 Brady Lane

Albert C. Geis, III, 318 Ridgewood Road

Mary Goeth, 1208 Walsh-Tarleton Lane

Dolores L. Repass, 2405 Camino Alta

Ann Talbot, 2400 Trail of the Madrones

## COMMISSION ACTION:

The Commission heard the staff presentation and testimony from the applicant's representative and opponents of the zoning change. The Commission felt that the density under "A" was compatible with the area.

## COMMISSION VOTE:

Mr. Vier moved to recommend "A" Residence, "1st" H & A be granted as requested.

Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.

Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

## MOTION PASSED BY A 5-0 VOTE.

The Commission then requested that Urban Transportation Department provide a status report of Walsh-Tarleton Lane at its next regular meeting.

C14-77-170 PIKE H. DOBBINS, ET AL: Interim "AA" Residence, 1st H & A to  
(by Nelson Johnson) "GR" General Retail, 1st H & A  
5002-5010 East Ben White Boulevard

Mr. Duncan Muir presented the staff report and informed the Commission that the staff recommended "C" Commercial be denied but "GR" General Retail, 1st H & A be granted as that district would be more compatible with the residential development expected toward the north in that vicinity. He also stated that heavy commercial and industrial uses were recommended to locate in the industrial district south of Ben White Boulevard.

Mr. Nelson Johnson, representing the applicant, advised the Commission of the applicant's preference for "C" Commercial zoning.

C14-77-170 PIKE H. DOBBINS, ET AL (continued)

CITIZEN COMMUNICATION

WRITTEN COMMENTS

None

PERSONS APPEARING IN FAVOR

Nelson Johnson (representing applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The Commission heard the staff presentation and testimony from the applicant's representative, and discussed adjacent zoning and uses. It was pointed out that with "GR" zoning, "C" uses could be authorized by the Commission by special permit.

COMMISSION VOTE:

Mr. Vier moved to recommend "C" Commercial be denied but "GR" General Retail, 1st H & A be granted. Mrs. Shipman seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.

Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

C14-77-171 JOE GILBRETH & CO., INC., ET AL: Interim "AA" Residence, 1st H & A to  
 (by Phil Mockford) "GR" General Retail, 1st H & A  
 12938-12952 U. S. Highway 183  
 8301-8326 Fathom Circle

Mr. Duncan Muir presented the staff report and reviewed the existing zoning and land uses in the area. He stated that the staff recommended "GR" General Retail, 1st H & A be granted as it was consistent with existing zoning and Planning Commission and City Council policy for the area.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS

None

PERSONS APPEARING IN FAVOR

Phil Mockford (representing applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The Commission heard the staff presentation and was in agreement with its recommendation.

COMMISSION VOTE:

Mr. Stoll moved to recommend "GR" General Retail, 1st H & A be granted. Mrs.

Shipman seconded the motion.

C14-77-171 JOE GILBRETH & CO., INC., ET AL (continued)

COMMISSION VOTE (continued)

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

MOTION PASSED BY A 5-0 VOTE.

C14-77-138 MOCKINGBIRD HILL LTD., ET AL: Interim "AA" Residence, 1st H & A to  
(by Morris Olguin) "DL" Light Industrial, 1st H & A and  
Rear of 10511-10621 "A" Residence, 1st H & A (as amended)  
North Lamar Boulevard

The Chairman informed the Commission that Mr. Bill Hooper, representing the applicant desired a postponement.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Jim Nations, 350 Canyon Rim Drive

PERSONS APPEARING IN FAVOR

Bill Hooper (representing applicant)

PERSONS APPEARING IN OPPOSITION

Kathleen Hall (no address given)

COMMISSION ACTION:

The Commission expressed concern that this case had been repeatedly delayed. They felt that the neighborhood residents should be considered and given re-notification upon rehearing.

COMMISSION VOTE:

Mrs. Shipman moved to postpone the request until January 3, 1978 at 5:30 p.m.  
Mr. Vier seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

C14-77-165 USABLE SPACE ASSOCIATES, LTD., ET AL: Interim "A" Residence, 1st H & A  
(by John Joseph) to "C" Commercial, 1st H & A  
3200-3214 Ed Bluestein Boulevard  
6310-6404 Harold Court  
Rear of 6301-6313 Hudson Street

Mr. Duncan Muir presented the staff report and reviewed the surrounding zoning and land uses in the area. He stated that "C" Commercial had been approved on property a short distance to the north, subject to right-of-way requirements and this request

C14-77-165 USABLE SPACE ASSOCIATES, LTD., ET AL (continued)

was compatible with established zoning and uses in the vicinity. Mr. Muir said that the staff recommended "C" Commercial, "1st" H & A be granted as requested.

CITIZEN COMMUNICATION:

WRITTEN COMMENTS IN FAVOR

Harry E. Montandon, Highway 620 at Highway 2222

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

John Joseph (representing applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

The Commission heard the staff presentation and testimony from the applicant's representative.

COMMISSION VOTE:

Mrs. Schechter moved to recommend "C" Commercial, "1st" H & A be granted as requested. Mr. Stoll seconded the motion.

AYE: Messrs. Guerrero, Stoll and Vier.

Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

MOTION PASSED BY A 5-0 VOTE.

SUBDIVISIONS

RL05-77 SUBDIVISION MEMORANDUM

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

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

Mr. Brian Schuller of the Planning Department staff reported that the following short form plats had appeared before the Commission in the past and had complied with all departmental requirements, and recommended that they be approved. The Commission then

VOTED: To APPROVE the following short form plats:

C8s-77-163 Cherry Creek, Phase VII, Section 1-A

Westgate Boulevard (south of William Cannon Drive)

C8s-77-184 O'Quinn Holweger Addition

F. M. 969 (east of Decker Lake Road)

C8s-77-221 The Availa Addition

F. M. 812 (east of Clinger Road)

SHORT FORM SUBDIVISION (continued)

C8s-77-236 Garcia Subdivision  
Guadalupe Street & West 46th Street

C8s-77-252 Second Resub. of Tract A, Allen Subdivision  
Rutland Drive & McKalla Place

C8s-77-248 Angus Valley No. 2-A  
Duval Road and Angus Road

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

Mr. Brian Schuller reported that the following short form plat had appeared before the Commission in the past. He pointed out that the Urban Transportation Department had requested a sidewalk along Shoal Creek Boulevard but the Planning Department did not make such recommendation. Mr. Schuller stated that Urban Transportation had no particular problems with Planning Department recommendations. He said that except for this request, the subdivision was ready for approval as it complied with all departmental requirements and recommended that it be approved.

The Commission reviewed the information presented and determined that the sidewalk recommendation was not an ordinance requirement. The Commission then

VOTED: To APPROVE the following short form plat and to delete the recommendation for the sidewalk.

C8s-77-243 Resub. of Lot B, Crow-Brown Subdivision  
U. S. 183 and Shoal Creek Boulevard

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

FINAL SUBDIVISION--FILED AND CONSIDERED

Mr. Brian Schuller of the Planning Department staff reported that the following final subdivision had appeared before the Commission in the past and had complied with all departmental requirements, and recommended that it be approved. The Commission then

VOTED: To APPROVE the following final subdivision plat:

C8-77-053 Northwood III  
Tamarak Trail & Tumbleweed Trail

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

PLANNED UNIT DEVELOPMENT--FILED AND CONSIDERED

Mr. Brian Schuller of the Planning Department staff reported that the following planned unit development had appeared before the Commission in the past and had complied with all departmental requirements, and recommended that it be approved. The Commission then

VOTED: To APPROVE the following planned unit development plat:

C814-77-006 Cat Mountain Villa, Section 2  
Mt. Bonnell Drive

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

SUBDIVISIONS LOCATED IN THE LAKE AUSTIN WATERSHED--FILED AND CONSIDERED

Mr. Brian Schuller of the Planning Department staff reported that the following subdivisions located in the Lake Austin Watershed had appeared before the Commission in the past and had complied with all departmental requirements, and recommended that they be approved. The Commission then

VOTED: To APPROVE the following subdivision plats located in the Lake Austin Watershed:

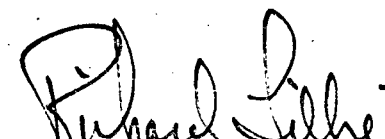
C8-77-082 Oak Forest School Subdivision  
Morrow Oak Trail & Oak View Drive

C8-77-092 Oak Forest, Section 5  
Fireoak Drive & Piney Point

AYE: Messrs. Guerrero, Stoll and Vier.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Snyder.

The meeting adjourned at 11:10 p.m.

  
\_\_\_\_\_  
Richard R. Lillie  
Executive Secretary