

CITY PLANNING COMMISSION
Austin, Texas
SPECIAL CALLED MEETING -- July 6, 1978

The special called meeting of the Planning Commission was called to order at 6:15 PM in the City Council Chambers.

Present

Miguel Guerrero, Chairman
Leo Danze
Freddie Dixon
Mary Ethel Schechter
Sally Shipman
Bernard Snyder
Bill Stoll
Jim Vier

Also Present

Tom Knickerbocker, Asst. Dir., Planning
Elly Malone, Planner
Daron Butler, Research & Budget
John Meinrath, Legal
Charles Graves, Director, Engineering
Ouida Glass, Senior Secretary

Absent

Sid Jagger

C14-78-039	WOODSTONE SQUARE DEVELOPMENT CO., INC.: "C" Commercial and "A" (by Larry Niemann) 3417-3423 Pecos Street also bounded by West 35th Street	<u>Residence, 1st H & A to</u> <u>"BB" Residence, 1st H & A</u>
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Elly Malone presented the staff report.

This tract is oriented to the intersection of a neighborhood collector street, Pecos Street, and West 35th Street, a major arterial. It is undeveloped except for an outdoor nursery at the northwest corner. A creek exists along the south and east boundaries. Surrounding zoning and land uses include an "A" Residential P.U.D. on the east and south, duplexes and undeveloped land in "A" on the west, and Camp Mabry in "C" and "A" on the north. A real estate office also exists in "C" on a narrow tract abutting the nursery on the northwest.

This application includes a rollback of "C" Commercial zoning on the western portion of the tract. Proposed are low-density apartments, 10.19 units per acre, for which a special permit is being processed with this zoning case. The applicant is willing to tie the zoning to the proposed special permit.

The staff recommends this request because it includes the rollback, the proposed multi-family units are low density, and any development of this tract will be well-buffered from the adjoining P.U.D. by a scenic creek.

RECOMMENDATION

The staff recommends that "BB" residence, 1st H & A be granted.

CITIZEN COMMUNICATION

C14-78-039 Woodstone Square (cont'd.)

PERSONS APPEARING IN FAVOR

Larry Niemann, representing the applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Applicant explained that it was proposed to build condominiums and discussed the impervious cover that was to be used. He stated they had been working with the neighborhood and were in agreement, feeling this would enhance the value of the property.

COMMISSION VOTE

Mrs. Schechter moved to grant the roll back and to grant "BB" Residence, 1st H & A. Mrs. Shipman seconded the motion.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Jagger

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-104	FRED W. ADAMS (by Edward Witkowski) 1502 Fortview Road	"GR" General Retail, 1st H & A to "C-2" Commercial, 1st H & A
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Elly Malone explained that subject tract fronts Fort View Road, a residential collector, in south Austin.

Surrounding zoning and land use include single-family residences to the north in Interim "A" Residence; to the south an auto store, car wash and rental shop in "GR" General Retail, and a drivein grocery in "C" Commercial; to the east is a house and trailer park in "GR" General Retail; and to the west is an auto parts repair and vacant lot in "GR" General Retail.

At present this is a site for a billiards parlor with food and alcoholic beverages as an incidental use. The sale of alcoholic beverages has exceeded the allowable maximum of 50% permitted under "GR" General Retail.

The requested zoning is consistent with the existing and surrounding uses. A special permit is being processed concurrently with this zoning application.

RECOMMENDATION

The staff recommends to grant C-2 Commercial, 1st H & A.

C14-78-104 Fred W. Adams, (cont'd.)

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Edward Withkowski, representing applicant

PERSONS APPEARING IN OPPOSITION

Bruce Haws

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Thomas Houchins, Director of Real Estate and Development for White Stores, Inc.
Petition - 16 signatures

COMMISSION ACTION

Applicant explained that the sale of alcoholic beverages has exceeded the allowable permitted under "GR" General Retail zoning, therefore, he is requesting a special permit as well as a change in zoning. Bruce Haws, speaking in opposition, explained that he is unhappy with the business, which is next door, since theft and break-ins have increased. There was discussion of the single-family residences nearby and the affects of the sale of alcoholic beverages in the area.

COMMISSION VOTE

Mrs. Shipman moved to deny the change in zoning. Mr. Snyder seconded the motion.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Snyder, Stoll and Vier

ABSENT: Jagger

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-118 ELIAS R. FERRIS
(by Richard Ferris)
1720 Lavaca Street

"C" Commercial, 34d H & A to
"C-2" Commercial, 3rd H & A

Elly Malone explained that this site is located on the southwest corner of West 18th Street and Lavaca. Lavaca Street is one-way north and West 18th is one-way west.

The entire area is in the "C" Commercial district. Apartments are to the north and to the south are office-related uses. "C-2" exists to the north at the southeast corner of Guadalupe and M.L.K. Boulevard, at the northwest corner of Guadalupe and West 17th, and at the northwest corner of Lavaca and West 16th.

Applicant has requested "C-2" zoning for this location, which is presently vacant.

The requested zoning is consistent with surrounding zoning and land use.

RECOMMENDATION:

Staff recommends that "C-2" zoning be granted.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Richard Ferris, applicant

PERSONS APPEARING IN OPPOSITION

Wroe Owens
C.C. Bollinger

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Walter W. Leamons, Jr., Partner, M.D. Pharmacy, Inc.
Austin Scottish Rite Bodies, Inc.
J.D. Dixon, President, Capitol Credit Union

COMMISSION ACTION

Applicant explained he desired the change in zoning in order to operate a restaurant-night club. Wroe Owens explained there had been a problem with the club for some time, pointing out the traffic and excessive noise, as well as vulgarity and the fact that obscenities are terrible. He stated no more alcoholic beverages are needed and that there is also a

C14-78-118 Elias R. Ferris (cont'd.)

drug problem. All in all, this is not conducive to apartment living, especially a problem to sleep, and the apartments are heavily populated.

Mr. Bollinger stated the conditions are abominable and that the police had been called on numerous occasions and would do nothing.

COMMISSION VOTE

Mr. Stoll moved to deny the change in zoning. Mr. Danze seconded the motion.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Snyder, Stoll and Vier.

ABSENT: Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

The following cases were heard on a consent motion: Staff Recommendation

ZONING

C14 -78-113 R.E. Pigott
(by David Armbrust)
3817 Dry Creek

Interim "A", 1st H & A to "LR"
1st H & A. RECOMMENDED

SPECIAL PERMIT

C14_p-78-036 R.E. Pigott
(by David Armbrust)
3817 Dry Creek

Veterinary Clinic
RECOMMENDED TO APPROVE AND TO
DELETE ITEM 2 OF THE PLANNING
DEPARTMENT RECOMMENDATIONS.

COMMISSION VOTE

Mr. Vier moved to approve the requests listed above in accordance with staff recommendations. Mrs. Schechter seconded the consent motion.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Snyder and Vier.

ABSENT: Jagger

OUT OF ROOM: Stoll

THE MOTION PASSED BY A VOTE OF 7-0.

C14p-78-008 Woodstone Development Corporation - A 16 unit condominium
project called "PECOS SQUARE"
3015-3103 W. 35th Street
3417-3423 Pecos Street

This is an application for a special permit to allow a 16-unit condominium project on a 1.57 acre tract of land, located at the southeast corner of Pecos Drive and West 35th Street. Currently the subject tract is zoned "A" and "C", 1st H & A. The applicant is requesting a zoning change to "BB" 1st H & A concurrent with this application to allow the special permit (see C14-78-039).

The proposed density is 10.19 units per acre. Woodstone Square P.U.D. is located immediately to the south across Taylor Branch Creek, which runs through the subject tract. The site falls within the boundaries of the Lake Austin Watershed and the subdivision must comply with the provisions of the Lake Austin Growth Management Ordinance. The proposed site plan exceeds the allowable impervious coverage. The applicant is, however, making provisions through alternative methods.

The staff recommends approval subject to ordinance requirements, departmental recommendations, pulling back the units from the bluff line by a minimum of 5' and final review by City Departments that alternative methods comply with the Lake Austin Growth Management Ordinance.

Mrs. Schechter moved to approve the special permit in accordance with staff recommendations and ordinance requirements. Mr. Dixon seconded the motion.

ABSENT: Jagger.

C14p-78-027 Cotton Texas, Ltd.: A 456-unit apartment dwelling group called
South of Loop 360 "CHIMMEY CREEK."
at its intersection
with Spicewood Springs Road

C14p-78-027 Cotton Texas, Ltd. (cont'd.)

Elly Malone of the Planning Department presented the staff report. She explained this is an application for a special permit to allow a 456-unit apartment dwelling group on a 31.07 acre tract of land located south of Loop 360 near to its intersection with Spicewood Springs Road.

This tract has been zoned "B", 1st H & A since 1971. The proposed density is 14.68 units per acre and all 26 structures containing the dwelling units are to be three-story. The site, a heavily wooded area, falls within the boundaries of the Lake Austin Watershed and will have to comply with the provisions of the ordinance, as a subdivision is required. Since the impervious cover exceeds the percentage allowed in the ordinance, alternative methods will have to be provided.

As amenities, a pool and recreation building are proposed. Vehicular access is proposed from two driveways off Loop 360. A 100 year flood plain traverses the site from east to west and has a major effect on the site layout.

STAFF RECOMMENDATION:

The staff recommends postponement of this project until the subdivision has been processed and can show that it is in compliance with the Lake Austin Growth Management Ordinance.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Robert Sneed, Attorney Representing Applicant
Jim Frazier, Architect for Project

PERSONS APPEARING IN OPPOSITION

John T. O'Neill, 6812 Thorncliff
Wallace Pellerin, Balcones Civic Association
Allan R. Nilsson, 8304 Appalachian Drive
Beth Nilsson, 8304 Appalachian
Jim and Pat Myers, 8308 Appalachian
Evelyn Parish, 8406 Appalachian
Joyce O. Moeller, 8303 Appalachian
Dick Moeller, 8303 Appalachian
Maria Huth, 8300 Appalachian
Jerry Jo Burkett, 8525 Adirondack
Michael Burkett, 8525 Adirondack
Delmar E. Burkett, 8525 Adirondack
Linda Wittenbrook, 8314 Appalachian
Christa Rabago, 8527 Adirondack Trail
Rogerio I. Rabago, 8527 Adirondack
Judith H. Long, 4504 Argos Lane
Ronald T. Long, 4504 Argos Lane
John Stinson, 8528 Adirondack
Barbara Sue Swift, 8402 Appalachian

C14p-78-027 Cotton Texas, Ltd. (cont'd.)

Angie Grace, 8524 Adirondack
Samuel E. Robertson, 8602 Alverstone Way
J. D. Adams, Jr., 8604 Alverstone Way
Cecil L. Groves, 8506 Alverstone Way
Ida F. Hartwell, 8407 Appalachian Drive
J. E. Matelski, 8503 Andreas Cove
Geri Farman, 8503 Andreas Cove
Anne McClure, 8513 Adirondack
Janice Howell, 8519 Adirondack
Kathleen Grosch, 8512 Alverstone Way
Paul W. Grosch, 8502 Alverstone Way
Sharon Greenwood, 8606 Alverstone Way
Pauline Grosch, 8502 Alverstone Way
Beth Denius, 8604 Altus Cove
Wofford Denius, 8604 Altus Cove
Robert F. Elfant, 8421 Adirondack
Carl Golden, 8506 Appalachian
Cecile Elfant, 8421 Adirondack
Margaret B. Golden, 8504 Appalachian
C. C. Garrett, 8616 Alverstone
Sharon O. McDougall, 8616 Alverston
Robert B. Greenwood, 8606 Alverstone
Leslie Deatruck, 3521 Adirondack
Jim Keaton, 8523 Adirondack
William Deatruck, 8521 Adirondack
Jerry Comegys, 8514 Adirondack
T. C. and Katherine Simon, 8610 Alverstone
Sandy Keaton, 8523 Adirondack
Ron Allen, 8300 Silver Ridge Drive
Cynthia A. McFall, 8600 Alverstone Way
Edward E. McClur, 8513 Adirondack
Grover C. Williams, 8515 Adirondack
Clumbus Hartwell, 8407 Appalachian
Bob Howell, 8519 Adirondack
Ron Allen
Bill Whittenbrook, 8314 Appalachian

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Petition - 190 Signatures
William R. Stewart, 8601 Appalachian
Steven E. Gavenda, 8902 Viking
Dick and Donna Auby, 8504 Alverstone Way
Cecil L. Groves, 8506 Alverstone Way
Thaddius A. McDonald, 8507 Adirondack Trail

C14p-78-027 Cotton Texas, Ltd. (cont'd)

Mrs. J. Adams, 8604 Alverstone
Bob Howell, 8519 Adirondack
Baylus E. and May S. Bennett, 8510 Appalachian
Sharon D. McDougall, 8616 Alverstone Way
Mr. and Mrs. Bill Burton, 8503 Alverstone Way
Don and Jo Baylor, 8502 Andes Cove
J. G. Crossno, 8607 Appalachian
Carl A. Colden, 8504 Appalachian
William and Leslie Deatruck, 8521 Adirondack
Kenneth and Astrid Jeffries, 8507 Appalachian
Mr. and Mrs. Patric Feagin, 8105 Pommel
Linda Wittenbrook, 8314 Appalachian
F. H. and Joyce O. Moeller
Sharon O. McDougall, 8616 Alverstone Way
Dr. and Mrs. Wayne W. Ingram
Hans J. Huth, 8300 Appalachian
Mary L. Goldsmith, 3902 Amy Circle
Samuel E. Robertson, 8602 Alverstone Way
Dr. and Mrs. C. V. Lyons, 8411 Adirondack
Jim and Sandy Keaton, 8523 Adirondack
Janice Howell, 8519 Adirondack
Theodore L. Miller, 8413 Adirondack
Helen Gary, 8867 Mountain Ridge Circle

COMMISSION ACTION:

Mr. Robert Sneed, Attorney for the applicant, discussed the proposed site plan as amended and the additional changes they would be willing to make. He explained the proposal was for 420 units on 30.39 acres of land with a density of 13.8 units per acre,. Only 11 percent of the land would be covered with impervious cover, 62 percent of the site would be a conservation easement. All utilities would be underground. He discussed ingress and egress into the property, stating that there would be only two outlets and that the traffic would turn to the right on 360. Mr. Wallace Pellerin, President of the Balcones Civic Association, discussed the Master Plan they have for the area and stated that they had met several times with the developer but felt there needed to be more attempts to bring the plan closer to the wishes of the neighborhood. He discussed some of the compromises that already had been reached. Bill Whittenbrook discussed the open space and the need for preservation; the Lake Austin watershed; the Austin Tomorrow Comprehensive Plan. He felt that only that land between the creek and the loop should be developed, or the permit denied completely. Ron Allen discussed the density, explaining that this would make in excess of 2,000 units or 60 percent of living units in the area's multi-family figures. Sandy Keaton pointed out the noise and traffic that would be created, and pointed out the visual and air pollution that would result. Bob Howell felt the homeowners had made an investment in the property and stated they were told that this would be permanent greenscape. He pointed out that an apartment group would reduce the value of their property. Columbus Hartwell stated he had lived in apartments all of his life and that was why he bought in this area. He wanted to live in a house; he was promised bike trails

C14p-78-027 Cotton Texas, Ltd. (cont'd.)

and parks, as well as open green space, and it has not been provided. He was of the opinion that the beauty of the city was threatened by high density apartment complexes. Cynthia McFall discussed the safety factor, explaining that there were no back yards and that the children had to play in the front yard or in the streets. She also expressed concern for fire, pointing out that the valley is a "timber box." They requested the Commission to hold up on the special permit at this time, or at least for a traffic report on 360 and MoPac or until Spicewood Springs Road could be completed. They expressed concern over the destruction of a beautiful valley. Mrs. Shipman expressed concern over the landowners having been grossly misled by developers. There was discussion of the code of ethics for real estate persons as well as the fact that the tract is zoned for apartments and that the zoning has been the same on this tract for quite some time. Mr. Snyder was of the opinion that more concessions could still be made, but emphasized that the land is zoned for apartments.

COMMISSION VOTE:

Mrs. Shipman moved to take no action on the special permit until after the subdivision has been processed, requested a traffic impact study be conducted by the Urban Transportation Department with reference to this plot of land on 360; that the neighborhood group be informed or be a party to deed restrictions relevant to the conservation easement; that comments be available from the Engineering Department when the subdivision comes up regarding proposals to meet the Lake Austin Standards. Mrs. Schechter seconded the motion. Mr. Stoll offered a substitute motion to postpone the request to 5:30 p.m., July 25, 1978, to see if a compromise can be reached that would be acceptable. Mr. Vier seconded the motion. There was a tie vote on the substitute motion. The Commission then voted on the original motion to make no action on the request until the subdivision has been processed.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman and Stoll

NAY: Snyder and Vier

ABSENT: Jagger

THE MOTION PASSED BY A VOTE OF 6-2

C14p-78-033 Edward Witkowski: A lounge and gameroom
1502 Fortview Road

COMMISSION VOTE

Mr. Snyder moved to postpone the request for a special permit pending City Council action on the request for change in zoning. Mrs. Shipman seconded the motion.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Snyder, Stoll and Vier.

C14p-78-033 Edward Witkowski (cont'd.)

ABSENT: Jagger

THE MOTION PASSED BY A VOTE OF 8-0.

C14p-78-034 Charles Key: 120-unit apartment dwelling group called
2201 Willow Creek and Anken Dr. "CHIMNEY HILL."

Elly Malone presented the staff report and explained that this is an application for a revision of a special permit to allow a 120 unit apartment dwelling group on a 3.16 acre tract of land located south of Anken Drive close to its intersection with Willow Creek Drive.

This 3.16 acre tract currently zoned "B", 1st H & A is part of a 7.08 acre tract, for which a special permit was originally approved and the site plan released in 1973 (C14-72-066). The original proposal showed 212 dwelling units with a density of 29.94 units per acre. The proposed density on the current site-plan shows an increase to 37.97 units per acre. The original proposal showed a mix of two and three story structures, while all 13 structures in the new proposal are to be three story.

Amenities are provided by two existing tennis courts. Vehicular access is provided by three driveways off Anken Drive and one driveway extending through the already existing portion of the project to Willow Creek Drive.

RECOMMENDATION:

The staff recommends approval subject to ordinance requirements, departmental recommendations and to reduction in the number of units from 120 to 96.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Robert Davis, Attorney for applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Robert Davis, speaking for applicant, explained the proposed changes in the original site plan and stated they could delete 24 parking spaces rather than Buildings Nos. 4 and 6; Buildings Nos. 5 and 7 could be

C14p-78-034 Charles Key (cont'd.)

converted from one bedroom to two-bedroom units. Mrs. Shipman felt this to be a breach of contract since the original site plan was not followed. Mr. Davis also stated that since the buildings are connected, it is permissible to have them only seven feet apart. They did request the recommendation for sidewalks be deleted.

COMMISSION VOTE

Mrs. Shipman moved approval of the special permit and to accept the staff recommendation that the sidewalks be retained; to delete Items 2 and 3 of the Planning Department recommendations. Mr. Vier offered a friendly amendment to add that the total number of units be reduced from 120 to 108 and that the 16 parking spaces be reduced to provide more green space. Mrs. Shipman did not wish to accept the friendly amendment, therefore, Mr. Vier offered a substitute motion to reduce eight parking spaces on the bottom, reduce six parking spaces on the right, two on the left, to provide more green space; that the applicant submit an application to reflect 108 units based on the two-bedroom concept and that the parking spaces be reduced by 16; retain the sidewalks and to delete Items 2 and 3 of the Planning Department recommendations. Substitute motion died for the lack of a second. The Commission then voted on the original motion.

AYE: Dixon, Guerrero, Schechter, Shipman and Stoll.

NAY: Snyder and Vier.

OUT OF THE ROOM: Danze.

ABSENT: Jagger.

THE MOTION PASSED BY A VOTE OF 5-2.

C14p-78-035 N.P.C. Realty Company: a 26-unit apartment dwelling group called
8332-8328 Fathom Circle "SONESTA WEST II"

Elly Malone presented the staff report and explained that this is an application for a special permit to allow a 26-unit apartment dwelling group on a 1.836 acre tract of land located on Fathom Circle in far northwest Austin in Williamson County. The subject tract is currently zoned "BB", 1st H & A. The proposed density is 14.16 units per acre and all 7 structures are to be two-story.

C14p-78-035 N.P.C. Realty Co. (cont'd.)

A 7.5 foot wide public utilities easement, extending along the eastern and northern property boundaries and the detailed tree survey have affect on the site layout. Vehicular access is proposed from two driveways off Fathom Circle.

RECOMMENDATION

The staff recommends approval subject to ordinance requirements and staff recommendations.

COMMISSION VOTE

Mr. Dixon moved to approve the special permit in accordance with staff recommendations and ordinance requirements. Mrs. Schechter seconded the motion.

AYE: Dixon, Schechter, Shipman, Snyder, Stoll and Vier.

ABSENT: Danze and Jagger.

ABSTAINED: Guerrero

THE MOTION PASSED BY A VOTE OF 6-0-1.

C14p-78-037 Texas Youth Council: Eleemosynary Institution: A half-way house
(by Jack Pike) for 24-28 boys

Elly Malone presented the staff report explaining that this is a revision of an application for a special permit to allow an eleemosynary institution at 2706 Salado Street. The original application was submitted in 1977 by the Center for Community Alternatives as a home for runaway children and was approved by Planning Commission and City Council.

The Texas Youth Council is the current applicant and they are proposing a 24-hour residential facility to act as a halfway house for 24-28 boys between the ages of fourteen to seventeen. The original maximum occupancy load was limited to 20 children between the ages thirteen to sixteen.

The site is currently zoned "B", 2nd H & A. Access to the property exists from Salado Street and one driveway off San Pedro Street.

C14p-78-037 Texas Youth Council (cont'd.)

RECOMMENDATION

The staff recommends approval subject to ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Steve Robinson, applicant
Betty Phillips, Save University Neighborhood Assn. - conditional
Tom White, Citizens Neighborhood Advisory Council for Travis House

PERSONS APPEARING IN OPPOSITION

George McCanse, 2704 San Pedro
Jeanne Baker, 2609 Salado
Noel R. Amstead, 2818 Salado
Mr. E. E. Pittman, 2821 Salado
Lee E. Baker, 2609 Salado

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Rio Grande Medical Center, 811 Middle Court
Bert Burns, 2608 Salado
O.W. Reinmuth, 2808 San Pedro
Dave H. Novy and Elaine Novy Shapiro Trs, 2903 Wade Avenue
Novy-Shapiro Rental, 2610 Salado

COMMISSION ACTION

Steve Robinson discussed the proposed use of the facility and explained that the Center for Alternatives was never funded. The Texas Youth Council is a state agency and is responsible for juvenile corrections throughout the state. He explained this facility would take the lesser delinquent children who have been committed to the Texas Youth Council and involve them in one of four programs which are either public school, vocational training, full time employment, or pre-vocational training. He discussed the operation of Travis House, one of their facilities here, and pointed out there has been no serious problem with this operation. He felt the program could be operated at this location without any problems. Betty Phillips, speaking for the Save University Neighborhood Association, felt

C14p-78-037 Texas Youth Council (cont'd.)

it very hard to turn down a place for children because of past problems. These are older children and could possibly mingle with college students. They realize there will be problems and felt that this neighborhood gets a disproportionate amount of eleemosynary institutions and would not like for this to set a precedent, and would ask that if granted:

- (1) That a neighborhood advisory board be formed to work with the center and that its membership be composed of representatives from the adjacent neighbors (including any who were in opposition to the permit), the Save University Neighborhoods Association, and staff of the Center;
- (2) That the appearance of the building and yard be maintained in a neat and orderly fashion;
- (3) That the noise level of the residents be maintained at a level which will not be disturbing to the neighbors;
- (4) That the clients of the Center receive staff supervision necessary to prevent any disturbances or disruptions in the neighborhood; and
- (5) That the staff of the Center make a special attempt to contact a representative from each household or domicile on Salado and San Pedro Streets between West 26th and West 28th Street. This contact should include the distribution of written information about the program and methods of contacting the staff.

They also requested the City Planning Commission to recognize and sanction the right of the Save University Neighborhood Association to request that the permit be withdrawn if the above conditions are violated, especially points (3) and (4).

Tom White discussed some of the experiences with the Travis House, explaining their operation. He felt it to be very successful and that the children were helping the neighborhood, doing many chores for the elderly and the homeowners in the neighborhood. Speaking in opposition, George McCanse pointed out that the neighborhood is going through transition from apartments to residences and to homeowner type situations and requested that the area be maintained as it is now. There was a discussion of the parking and the increased need for off-street parking that would be created. Jean Baker felt that it was time to stop being so permissive and to preserve the beauty and dignity of older home ownership. Steve Robinson stated he was in agreement with the recommendations of the Save University Neighborhood Association. Mr. Stoll asked about the process for revoking special permits and there was discussion regarding this.

COMMISSION VOTE

Mr. Dixon moved to approve the special permit in accordance with departmental recommendations and ordinance requirements. Mr. Danze seconded the motion.

C14p-78-037 Texas Youth Council (cont'd.)

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Stoll and Vier.

NAY: Snyder

ABSENT: Jagger.

THE MOTION PASSED BY A VOTE OF 7-1.

C14p-78-038 James W. Person: A 9-unit townhouse project
(by Charles Harker)
801-809 Patterson Avenue

Elly Malone presented the staff report stating that this is an application for a 9-unit townhouse project on a 0.79-acre tract of land located on the east side of Patterson Avenue close to its intersection with West 8th Street. Subject tract is just south of the boundaries of the Clarksville National Register District.

The property is currently zoned "A", 1st H & A. The proposed density is 11.39 units per acre. Ordinance limitations allow a density of approximately 12.44 units per acre based on the requirement of a minimum of 3,500 sq. ft. of total project area per unit. This density compares to duplex development which requires a minimum lot area of 7,000 sq. ft. per duplex lot, or 3,500 sq. ft. of lot area per living unit. Each duplex lot, however, must be at least 50 feet wide on interior and 60 feet wide on corner lots. Four duplex lots or 8 units could be developed on this tract.

All nine structures are to be three story. Access to the property is proposed from one driveway off Patterson Avenue, with all of the required parking below and behind the units.

RECOMMENDATION

The staff recommends approval subject to ordinance requirements, departmental recommendations and reduction of the number of units from 9 to 8.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

James Person, applicant
Charles Harker, project architect

C14p-78-038 James W. Person (cont'd.)

PERSONS APPEARING IN OPPOSITION

Pauline Brown, Clarksville Advisory Board
Mary Baylor
Malcolm Greenstein
Nancy Collins
Meredith Morningstar
Tony and Susan Kramer
Julia Boffa

WRITTEN COMMENTS IN FAVOR

Emil H. Spillmann

WRITTEN COMMENTS IN OPPOSITION

Julie Howell, 707 Theresa
Gladys Nichols, 716 Patterson
Malcolm Greenstein, 100 E. 9th Street

COMMISSION ACTION

James Person discussed the proposed plan and what he intended to do. Mr. Dixon asked if he had worked with the neighborhood, pointing out that this would raise the tax base and possibly run persons out of an already disturbed neighborhood. He also asked if applicant was aware that he would not have the city services that would be needed. Applicant stated he felt he would be adding an economic and political force to help these people. Speaking in opposition, Pauline Brown stated they have been struggling over 100 years to get something and now this will be \$50,000 plus homes without paved streets and curbs. She stated that progress must come, but there are other ways and means than townhouses. She felt this would increase taxes, pointing out "we are barely making it now." There was considerable discussion of the very narrow streets, the traffic and the danger for children since there are no sidewalks. This is a bluff lot, a beautiful, natural place and the trees should be preserved. It was pointed out that low cost is as important as high cost in housing. This is a naturally integrated neighborhood in the middle of the city and a project of this type would destroy that. It would drive the poor persons out and there is no place for them to go; Clarksville belongs to the black people and it would be absurd to put something like this in there, in their city, which they cannot afford. Malcolm Greenstein presented a petition and stated this "looks like the Oklahoma gold rush"; persons are coming in, knocking on doors, making offers that cannot be refused. He would like to see Clarksville preserved as it was known, felt this project was purely speculation.

C14p-78-038 James Person (cont'd.)

Mrs. Shipman moved to deny the special permit, citing Item 6 of the finding of fact checklist regarding street size and adequacy of pavement width; Item 9 in that the project would be detrimental for safety and general welfare of the area. Mr. Danze seconded the motion. John Meinrath of the Legal Department explained to the Commissioners that the special permit could not be denied on this basis. Mr. Vier felt they should not make up excuses because they objected to a particular project.

AYE: Danze, Guerrero, Schechter, Shipman and Stoll.

NAY: Snyder and Vier.

ABSENT: Dixon and Jagger.

THE MOTION PASSED BY A VOTE OF 5-2.

C14p-78-039 Elias Ferris: Lounge
(by Richard Ferris)
1720 Lavaca Street
301-309 W. 18th Street

COMMISSION VOTE

Mr. Dixon moved to postpone action on the special permit pending action by the City Council on the request for zoning. Mrs. Schechter seconded the motion.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Snyder, Stoll and Vier.

ABSENT: Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

PLANNED UNIT DEVELOPMENT

C814-74-007 Carl Wooten: A 125-unit townhouse and one single-family unit
(by James A. Brady) called "HARBOR VILLAGE"
Westlake Drive and
Lake Austin Boulevard

Mr. Guerrero explained to the Commissioners that applicant's representative had requested postponement.

C814-74-007 Carl Wooten (cont'd.)

COMMISSION VOTE

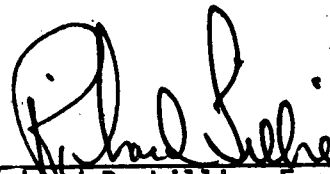
Mr. Dixon moved this request be postponed indefinitely. Mrs. Schechter seconded the motion.

AYE: Danze, Dixon, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Jagger

THE MOTION PASSED BY A VOTE OF 8-0.

The meeting adjourned at 11:10 p.m.



Richard R. Lillie, Executive Secretary