

CITY PLANNING COMMISSION  
Austin, Texas  
Special Called Meeting, November 6, 1978

The Special Called Meeting of the Planning Commission was called to order at 5:50 p.m. in the City Council Chambers, 301 West Second Street.

Present

Miguel Guerrero, Chairman  
Leo Danze  
Freddie Dixon  
Sally Shipman  
Bernard Snyder  
Jim Vier

Also Present

Richard Lillie, Director of Planning  
Tom Knickerbocker, Assistant Director of Planning  
Marie Gaines, Planner  
John Meinrath, Legal Department  
Mac Allen, Public Works  
Ouida Glass, Senior Secretary

Absent

Sid Jagger  
Mary Ethel Schechter  
Bill Stoll

ZONING

The following cases were heard on a consent motion:

Staff Recommendation:

C14-78-181	Leon & Barbara Schmidt Family Trust: Schmidt & Simon Children's Trust Leon A. Schmidt Children's Trust #1-2 thru 5 Great Hills Trail & Old & New Highway 183	Interim "AA", 1st H & A to to "GR", 1st H & A RECOMMENDED
C14-78-185	City of Austin (by Property Management Dept.) 808 Koenig Lane	"A", 1st H & A to "C", 1st H & A RECOMMENDED
C14-78-186	P.M Bryant (by Charles A. Betts) 11693 Research Blvd.	"A", 1st H & A to "GR", 1st H & A RECOMMENDED
C14-78-187	James D. Wood 12687 Research Blvd.	Interim "AA", 1st H & A to "GR", 1st H & A RECOMMENDED
C14-78-195	The Hansen Trust (by Donald G. Moes) 121-38-12148 N. Interregional Hwy.	Interim "AA", 1st H & A to "GR", 1st H & A RECOMMENDED
C14-78-196	City of Austin (by Austin Travis County Health Dept.) 203-217 Comal 1601-1611 East 3rd Street	"B" and "C", 2nd H & A to "O", 1st H & A RECOMMENDED
C14-78-198	Hill's Cafe of Austin, Inc. (by Jim Wodmansee) 5604 South Congress Avenue	Interim "A", 1st H & A to "C", 1st H & A RECOMMENDED to include a sign at access strip to Sandra Street "NO TRUCKS ALLOWED AND NO RIGHT TURN"
C14-78-201	John Gary Johnson (by Gary F. Brown) 13548-13552 U.S. 183	Interim "AA", 1st H & A to "GR", 1st H & A RECOMMENDED save and except for a 10-foot strip on the westernmost boundary to be zoned "A" Residence, 1st H&A
C14-78-174	Clyde Troutman and Forest Troutman (by Chris Crow) 9606-9623 North IH-35	Interim "AA", 1st H & A to "C", 1st H & A RECOMMENDED

## COMMISSION VOTE

Mrs. Shipman moved and Mr. Dixon seconded the motion to approve the requests as listed above in accordance with staff recommendations.

Zoning Cases--continued

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14-78-062	U.S. 183 AREA STUDY: (by City of Austin)	Interim "AA", 1st H & A to "AA", 1st H & A (As amended)
	11700, 11722-11906, 11719-11801, 11901, 11903, 12007-12201 and 12104-12200 Bell Avenue 12100-12202 and 12101-12203 Conrad Road 12100-12106 and 12101-12109 Tweed Court 5900-5906 and 5901-5905 Burlington Court 12202-12204 and 12201-12207 Howlett Court 5801-5913 Arabian Trail 11800-11910 and 11801-11911 Arabian Trail 11800-11910 and 11801-11911 Highland Oaks Trail 11900-11902 and 11901-11905 Hamrich Court 11706-11816 and 11707-11815 Three Oaks Trail 6600-6606 and 6601-6607 Three Oaks Drive 11708-11810 and 11709-11811 Broad Oaks Drive 11708-11808 and 11709-11809 Oak Knoll Drive 6600-6606 and 6601-6607 Wild Oak Drive 6506-6800 Woodcrest Drive 11713 Jollyville Road	

Marie Gaines explained this is the U.S. 183 area study which began originally as a larger area and was amended in September. The staff is recommending and has consistently recommended the areas which are shaded in gray to be zoned permanent AA; they are presently zoned Interim AA. All this area are legally subdivided tracts of land in the Highland Oaks Subdivision, the Summit Oaks Subdivision, and the Oak Forest Subdivision. She discussed the surrounding land uses, pointing out there was some D, Industrial on two sides and to the west Interim AA, which is essentially undeveloped and bounded by 183. She explained that the Summit Oaks Subdivision, the largest of the three, is essentially surrounded by General Retail to the west, to the south by Interim AA, and to the east and north by Interim AA, which is undeveloped. The Oak Forest Subdivision is surrounded basically by Interim AA zoning which is developed as residential to the south, undeveloped land to the north, C.S.I. to the east, and undeveloped land to the west.

PERSONS APPEARING

Marie Moore  
Wanda Prosser  
W.D. Clifford  
Robert Bledsoe, Northwest Homeowners Association  
Judy Walker  
Giles Jackson  
Don Bird

C14-78-062 U.S. 183 Area Study--continued

## COMMISSION ACTION

Marie Moore stated she was in favor of the "AA" permanent zoning and did not want anything less. She discussed the deed restrictions in the area, pointing out there was provision for single family structures. Bob Bledsoe, representing the Northwest Homeowners Association, expressed opposition, stating this is not what was asked for. He pointed out that this would not give petition rights and requested the recommendation be amended and that a more suitable plan be provided to protect all the homeowners in the area as they had asked. Judy Walker stated they do want permanent zoning, but this does not benefit them in any way; they still do not have petitioning rights. She requested the recommendation be sent to the Council with positive action and requested the Planning Department to come back with dates for future hearings on the Northwest Oaks Neighborhood. Giles Jackson requested a piece of property be left out; that it not be covered with this zoning. Don Bird also requested property of lot 5, Block E of the Summit Oaks Subdivision not be included. He cautioned the Commission to delete that portion persons who do not wish to have zoning and to take up those items individually. He pointed out it is more difficult to handle undeveloped property abutting GR uses.

## COMMISSION VOTE

Mrs Shipman moved and Mr. Dixon seconded the motion to recommend properties as designated on the agenda be zoned AA and to request the staff to set a date for future zoning hearings for the Northwest Oaks Homeowners Association. Mr Vier asked if Mrs. Shipman would be willing to exclude the two lots that were requested by Mr. Bird. She replied no.

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

NAY: Vier.

ABSENT: Jagger, Schechter and Stoll.

THE MOTION PASSED BY A VOTE OF 5-1.

C14-78-160	JOE LUNDELL and DON DEARING	"A" Residence, 1st H & A to
	(by Forest D. Cook)	"O" Office, 1st H & A
	7202 Bennett also bounded	
	by St. Johns Avenue	

Marie Gaines presented the staff report.

Subject tract consists of two lots fronting on Bennett, a residential collector and is also bounded by St. Johns Avenue, also a collector street. One of the subject lots is undeveloped while the other has a house which is probably substandard.

Subject tract is part of the St. Johns neighborhood. This neighborhood is primarily a minority low to moderate income area. It has been identified as a target and redevelopment area by the Community Service Administration and Department of Housing and Urban Development.

C14-78-160      JOE LUNDELL and   DON DEARING--continued

Much of the surrounding land is sparsely developed with very modest homes indicating the tenuous status of this neighborhood. Land use and zoning are as follows: to the north, south, and east are single-family residences in "A" Residence. To the west is a freight line company, St. Johns School, and playground in "D" Industrial.

The requested zoning change is inconsistent with the existing development and redevelopment efforts to the north, south, and east and would set an undesirable precedent for further intensification at this intersection.

The staff recommends to deny "O" Office, 1st H & A.

## PERSONS APPEARING IN FAVOR

Forest Cook, attorney of applicant

## PERSONS APPEARING IN OPPOSITION

Mrs. Sauls, area resident

## COMMISSION ACTION

Forest Cook explained that the Travis County Farm Bureau is to build an office on this tract and discussed their proposed plans. He discussed the housing market in the area and the traffic, stating he felt this would not downgrade the area. Mrs. Sauls stated that the St. Johns Community Association had written a letter in opposition to this requested zoning in that it would take away the family community and environment.

## COMMISSION VOTE

Mr. Dixon moved and Mrs. Shipman seconded the motion to deny "O" Office, 1st H & A.

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

ABSENT:    Jagger, Schechter and Stoll.

THE MOTION PASSED BY A VOTE OF 6-0.

<u>C14-78-180</u>	<u>ALLIED DEVELOPMENT COMPANY</u>	<u>"GR" General Retail, 1st H &amp; A to</u>
	(by Thomas W. Cummins)	<u>"GR" General Retail, 2nd H &amp; A</u>
	13780 U.S. Highway 183	
	10300 Lakecreek Parkway	

Marie Gaines presented the staff report.

This application covers a small 10-foot by 40-foot area for a proposed sign which will exceed the 35-foot height limitation of the 1st H & A District. A shopping center is presently under construction on this tract. The surrounding area is undeveloped to the west, an H.E.B. store is to the north, to the south is undeveloped land and across U.S. 183 is land which is also undeveloped.

C14-78-180      ALLIED DEVELOPMENT COMPANY--continued

Zoning for large advertising devices has generally not been recommended in recent years except under unusual circumstances. This is because intensive and unsightly sign competition can be stimulated.

However, proposed developments requiring increased H & A zoning have been recommended if sufficiently set back from property lines so that adjacent properties are not adversely impacted. In the case of 2nd H & A, 100 feet has been the standard. Because of the parking configuration of the developing site, the maximum setback is viewed as a reasonable distance in lieu of the fact that the parking lot configuration and building have been determined.

The staff recommends to grant 2nd H & A for subject tract.

## PERSONS APPEARING IN FAVOR

Tom Cummins, representing applicant

## COMMISSION ACTION

Mr. Cummins discussed the alternatives in the placement of the sign for this shopping center.

## COMMISSION VOTE

Mrs. Shipman moved and Mr. Dixon seconded the motion to approve "GR" General Retail, 2nd H & A. Mrs. Shipman requested that the record show this action is not to set a precedent in any way for signs along 183, but that in this case all tenants have agreed to place their name on one sign. The Commission would not look favorably to isolated signs of the height.

AYE: Danze, Dixon, Guerrero and Shipman.

ABSENT: Jagger, Schechter, Snyder and Stoll.

ABSTAINED: Vier.

THE MOTION PASSED BY A VOTE OF 4-0-1.

<u>C14-78-182</u>	<u>CRAIG A. WASHINGTON</u>	<u>"A" Residence, 1st H &amp; A to</u>
	(by Geneva B. Johnson)	<u>"B" Residence, 1st H &amp; A</u>
	713 Carolyn also bounded	
	by Woodrow Street	

Marie Gaines presented the staff report.

Subject tract is a duplex located on the southwest corner of the intersection of Carolyn Avenue and Woodrow, both residential collectors. All surrounding zoning and land use is single-family residence with some duplexes in "A" Residence.

C14-78-182      CRAIG A WASHINGTON--continued

Applicant's request for "B" Residence is inconsistent with the surrounding uses and zoning. This request if approved would be an intrusion into a single-family residential neighborhood.

Staff recommends to deny "B" Residence, 1st H & A.

## CITIZEN COMMUNICATION

## PERSONS APPEARING IN FAVOR

Geneva Johnson, representing applicant

## PERSONS APPEARING IN OPPOSITION

Bill Bingham

M.A. Cohn

Larry Schaff

Dr. Tim Lowrey

Shannon Ratliff, North University Citizens Association

WRITTEN COMMENTS IN FAVOR -- None

## WRITTEN COMMENTS IN OPPOSITION

Petition - 150 signatures

## COMMISSION ACTION

Geneva Johnson, representing applicant, stated the owner wishes to construct a garage apartment and intends to occupy it only occasionally. She discussed the land uses in the immediate area, pointing out that there already has been an intrusion into the area. Applicant is willing to do whatever necessary to construct the facility to conform with landscaping in the area and offered a restrictive covenant whereby the garage apartment would not be rented at the same time as the duplex units. Bill Bingham submitted a petition in opposition and explained that this is an inner city neighborhood, a residential area that is enjoying revitalization. Young people are moving in, homes are being renovated, there are children in the area and this would be an intrusion. Mr. Bingham pointed out that the zoning is the intrusion -- not the garage apartment. He felt this precedent would allow other zoning changes and requested denial of the change in zoning. Mr. Cohn expressed opposition to any change, pointed out there are very few duplexes, this is a single-family area long before there were any zoning regulations in the city. Mr. Schaff stated that many of the duplexes have been converted back to single-family dwellings and requested this to remain a single-family residential neighborhood. He felt this to be a case to spot zoning. Shannon Ratliff expressed area pride in the residential character of the neighborhood, stated they did not like the idea of a change in zoning in an area that is doing a great job in continuing to maintain its character and requested the Commission to follow staff recommendations.

## COMMISSION ACTION

Mr. Dixon moved to deny "B", 1st H & A. Mrs. Shipman seconded the motion.

C14-78-182      CRAIG A. WASHINGTON--continued

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

THE MOTION PASSED BY A VOTE OF 5-0.

<u>C14-78-183</u>	<u>JOHN BUSHMAN</u>	<u>Interim "A" Residence, 1st</u>
	(by Donald E. Bird)	<u>H &amp; A to "DL" Light Industrial</u>
	6000 E. Ben White Blvd.	<u>2nd H &amp; A</u>

Marie Gaines presented the staff report.

Subject tract is undeveloped and is bounded to the west by Montopolis Drive and Ben White Boulevard to the south.

Land use and zoning is as follows: a small construction company and undeveloped land in Interim "AA" is located to the north. Also to the north is the Planned Development Area which is the proposed site for Data General in "D" Industrial. To the South is a sparsely developed single-family area in Interim "AA" and undeveloped land outside the city limits. To the east are tractor sales and large undeveloped tracts of land in Interim "AA". To the west are two single-family houses and large undeveloped tracts of land in Interim "AA".

Large tracts of land for which industrial zoning has been sought in this vicinity have filed for zoning in conjunction with a master plan amendment for a Planned Development Area. The P.D.A. assures that the proposed use is compatible with surrounding area land uses. Additional right-of-way is needed and will be obtained through the subdivision process.

The staff recommends to grant "DL" Light Industrial, 2nd H & A save and except for a 100-foot perimeter of subject tract to be zoned "DL", 1st H & A, and subject to an approved Planned Development Area Site Plan.

PERSONS APPEARING IN FAVOR

Don Bird, representing applicant

COMMISSION ACTION

Mr. Bird explained that the owner of the property is involved in the sales and construction of modular homes; the units to be prepared and assembled on this site. He had a problem with the request for amendment to the Planned Development Area and requested that the P.D.A. be a requirement prior to the time any light industrial use on this tract. He explained the immediate use will be one that would not require light industrial zoning and would be temporary in nature, and requested that a portion of the property be used for sales for 6 to 18 months before the light industrial use is needed. He offered a restrictive covenant to cover this request.



C14-78-183      JOHN BUSHMAN--continued

## COMMISSION VOTE

Mr. Dixon moved to grant "DL" Light Industrial, 2nd H & A, save and except for a 100-foot perimeter of subject tract to be zoned "DL", 1st H & A, and subject to a restrictive covenant that a P.D.A. be filed when "DL" Light Industrial uses are sought for the property and until that time only "C" Commercial uses be allowed. Mr. Danze seconded the motion.

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

ABSENT:    Jagger, Schechter, Snyder and Stoll.

THE MOTION PASSED BY A VOTE OF 5-0.

<u>C14-78-188</u>	<u>J.V. WALDEN:</u>	<u>Interim "A" &amp; "BB", 1st H &amp; A</u>
	(by Terry Sasser)	to "GR" and "O", 1st H & A
	Southwest corner of	<u>(as amended)</u>
	Steck Avenue and MoPac	

Mr. Guerrero explained that applicant had requested postponement of this item.

## COMMISSION VOTE

Mrs. Shipman moved to postpone this request until 7 PM the first Tuesday in December and requested applicant to meet with the neighborhood association during that time. Mr. Dixon seconded the motion.

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

ABSENT:    Jagger, Schechter and Stoll.

THE MOTION PASSED BY A VOTE OF 6-0.

<u>C14-78-189</u>	<u>ALLIED BANK OF TEXAS</u>	<u>"L" Lake District and "D"</u>
	(by John Byram)	Industrial 2nd H & A
	Colorado River and Millers Street	to "C" Commercial, 2nd H&A
		<u>(as amended)</u>

Marie Gaines presented the staff report.

This tract consists of 13.98 acres of undeveloped land fronting Town Lake, immediately east of the Congress Avenue Bridge. Access to the site at present is from Miller Lane, a private drive along the south-west side of the tract.

The proposed use for this site is the new Austin American Statesman Building. Surrounding zoning and land use is as follows: to the north is Town Lake; to the south is an auto repair shop, tire company,

C14-78-189      ALLIED BANK OF TEXAS--continued

gasoline station and offices in "C" Commercial; also to the south are state office buildings in "C" Commercial; also to the south are state office buildings in "D" Industrial. To the west across Congress Avenue is a furniture store in "C" Commercial, park land, offices and a restaurant in "L" Lake District. To the east are apartments in the "L" Lake District and Town Lake. At present all of the surrounding adjoining land is 2nd Height and Area allowing a maximum building height of 60 feet.

The proposed newspaper plant requires "C" Commercial zoning. This property will require a subdivision. Applicant has begun the subdivision process. The Urban Transportation Department has recommended review of the site plan in order to assure adequate ingress and egress. Also no access is recommended fronting Riverside Drive. The proposed office use is consistent with the uses to the south, east, and west of subject tract.

The applicant has agreed to submit for review a site plan although none can be required. A site plan is required in the "L" District of which this land is currently zoned. The plan will be reviewed by Engineering, O.E.R.M. and PARD and other appropriate review groups. The zoning, should be granted only if an acceptable site plan has been approved by the City Council.

Staff recommends to grant "C" Commercial 2nd H & A.

**PERSONS APPEARING**

Will Garwood, representing the American-Statesman  
Ralph Anderson, architect  
Sam Perry, representing applicant  
John Stayton  
Jean Mather, South River City Citizens - Concerns  
Mary Lee, South River City Citizens - Concerns

**COMMISSION ACTION**

Mr. Garwood explained the request to change the zoning was necessary for the operation of a newspaper plant and that they were willing to file deed restrictions that the property would not be used for any other purpose other than a newspaper plant or a purpose provided in "L" zoning. He stated they also were willing to give an easement for the Hike and Bike Trail along Town Lake and would build the trail at their expense. He agreed to submit the plans for landscaping to the Parks Department for their review. He did not feel that the 100-foot setback requirement from Town Lake as requested by ERM is compatible with the plan submitted; discussed the access easement to Riverside Drive and informed the Commission that a 60-foot private easement will be provided. He explained the proposed plans and discussed the traffic that would be generated. Mr. Anderson discussed the proposed plans for the building and the landscaping for the entire tract. Mr. Lillie explained that it would be necessary to amend the Expressway and Arterial Plan to delete

C14-78-189      ALLIED BANK OF TEXAS--continued

reference to the bridge over Town Lake at Trinity Street. Sam Perry representing Mr. Byram explained how the easement would be provided. Mary Lee expressed approval of the proposal, but did express concern about some aspects. She pointed out that Town Lake is such an important recreational and environmental spot for the City, is really the heart of the city, she felt the "C" zoning to be appropriate and should be granted, but requested that it be tied to some special restrictions, particularly that it be brought back to the Planning Commission and Council for final approval of the site plan and landscaping. She expressed concern for the traffic that would be generated on Riverside Drive. She felt this to be a delicate area and very important to the City. Jean Mather read a prepared statement urging the Commission to take every precaution in changing the zoning on this lakefront property, that "C" zoning only be granted contingent upon the applicant submitting a restrictive covenant in which they obligate themselves not to develop the property except in accordance with the final plans which have been approved by the Planning Commission and/or the City Council. In rebuttal, Mr. Garwood explained they would be agreeable to restrict this property so that if it is ever used for any purpose other than those authorized under its current zoning it could only be so used for newspaper plant. He explained it was intended to be developed as shown at this time, pointed out this is not speculation, it is people wanting to develop for their own use, there are contractual deadlines and they cannot purchase without knowing they have the ability to use it for this purpose. There was discussion of the problems with a site plan; how changes could be made and who could grant minor changes. Mr. Snyder asked if they would be willing to build no closer than 50-feet and no higher than three stories in any one building. Mr. Garwood replied they could live with 45-foot height. Mr. Vier felt that the newspaper has a responsibility to the people and felt they needed the right to go ahead and do what they need to do. Mr. Guerrero expressed concern that this should be approved by the City Council. Mr. Garwood stated they would be willing to submit a landscape plan for comment, but not for veto. There was discussion of the growth possibility of the building and the reluctance to limit to a three-story building. Mr. Anderson explained that two-thirds of the building could be limited to 60 feet, but would like to have the right to build the office portion to a greater height at a later time if the need should arise.

## COMMISSION VOTE

Mrs. Shipman moved to grant "C" Commercial, 2nd H & A, noting that the Planning Commission has approved the basic site plan, and applicant has volunteered to submit a landscape plan for comment by the Planning Commission; subject to the plan and large building being limited to three stories, the office structure to be a maximum of 2nd H & A and the entire project to be setback along Town Lake at a minimum of 50 feet. This motion was amended by Mr. Snyder but was not seconded.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-78-191	<u>BILL MILBURN, INC.</u> (by John S. Avery) 2619-2633 Western Trails Boulevard 4612-4618 Sagebrush Trail	<u>"BB" Resident, 1st H &amp; A to</u> <u>"O" Office, 2nd H &amp; A</u>
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Marie Gaines presented the staff report.

This undeveloped 1.1622-acre tract is located in South Austin just east of the intersection of Western Trails Boulevard, which is a collector street, and West Gate Boulevard, a major arterial. Surrounding land use includes West Gate Shopping Mall to the north, duplexes to the south, and a church, offices, duplexes and apartments to the west across West Gate Boulevard. Immediately east and adjacent to the tract is an office building.

Applicant is requesting "O" Office, 2nd H & A. There is no precedent for the 2nd H & A district and this would be an undesirable precedent for the 1st H & A district in which this tract is located.

The staff recommends that "O" Office, 1st H & A, be granted save and except a 15-foot strip of "A" Residence, 1st H & A, on the southernmost boundary, and a density limitation of 15 units to the acre.

#### PERSONS APPEARING IN FAVOR

John Avery, representing applicant

#### COMMISSION ACTION

Mr. Avery expressed agreement with the recommendations of the staff.

#### COMMISSION VOTE

Mr. Dixon moved and Mrs. Shipman seconded the motion to grant "O" Office, 1st H & A, save and except for a 15-foot strip of "A" Residence, 1st H & A on the southernmost boundary and a density limitation of 15 units to the acre.

AYE: Dixon, Guerrero, Shipman and Vier.

ABSENT: Jagger, Schechter, Snyder and Stoll.

ABSTAINED: Danze.

THE MOTION PASSED BY A VOTE OF 4-0-1.

C14-78-192	<u>MRS. EARNEST PRUETT (Geraldine)</u> (by Martin Gonzalez) 10101-10129 North IH-35 10100-10114 Middle Fiskville Road	<u>Interim "AA" Residence,</u> <u>1st H&amp;A to "C"</u> <u>Commercial, 1st</u> <u>H &amp; A</u>
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Marie Gaines presented the staff report.

Subject tract fronts Middle Fiskville Road, a collector street, and Interstate Highway 35 in far northeast Austin.

C14-78-192 MRS. EARNEST PUETT (Geraldine)--continued

Surrounding zoning and land use is as follows: to the north is undeveloped land fronting the Interstate and single family residences in Interim "A"; to the south is undeveloped land and a junk yard in Interim "A"; to the east is recently approved "A" Residence and "C" Commercial.

The staff has consistently recommended more permissive zoning for properties fronting IH-35. Because of the recently approved "A" along the proposed extension of Childress Drive, a buffer, as well as scale down in zoning is appropriate. Middle Fiskville Road presently varies in width. Along the subject tract, up to 10 feet of right-of-way is needed to bring Middle Fiskville up to standard width.

If applicant is willing to dedicate up to 10 feet of right-of-way to accommodate for the increased usage in the proposed zoning change, the staff will recommend: to grant "C" Commercial save and except for 120 feet of "O" Office at the north easternmost boundary of subject tract up to the southern boundary of the "A" Residential lots on the east side of Middle Fiskville Road. The "O" Office provides a scale down as well as a buffer to the recently approved "A" Residence across Middle Fiskville Road to the east.

## PERSONS APPEARING

Martin Gonzalez, representing applicant

## COMMISSION ACTION

Mr. Gonzales discussed the land uses in the immediate area and questioned the need of "O" Office, stating the land is too valuable not to be developed. He explained that the proposed purchaser will build an office building and headquarters that would not create any late or after-hour traffic. He explained applicant would have no objection to limiting the use of the land fronting on Middle Fiskville, beginning on the North boundary for a distance of 175 feet and a depth of 35 feet to be landscaped with no buildings on that portion provided "C" zoning is granted on the balance of the property. Applicant also would be agreeable to "O" in that area with restrictive covenant setting use of the 35 feet fronting the Middle Fiskville Road at the North end to be limited to landscaping and reasonable access to the road; 10 feet to be given to the City for additional right-of-way and the remaining 25 feet landscaped with reasonable driveway access. Mrs. Shipman asked if applicant was volunteering the landscape, setback and right-of-way as a restrictive covenant and applicant replied this would be in exchange for bringing the "O" nearer Middle Fiskville Road. There then was discussion of the need for access to Middle Fiskville Road.

## COMMISSION VOTE

Mr Guerrero moved to grant "C" Commercial save and except for 120 feet of "O" Office at the northeasternmost boundary of subject tract up to the southern boundary of the "A" Residential lots on the east side of Middle Fiskville Road and 10 feet of right-of-way along Middle Fiskville Road. Mrs. Shipman seconded the motion.

C14-78-192      MRS. EARNEST PRUETT--continued

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

THE MOTION PASSED BY A VOTE OF 6-0.

<u>C14-78-193</u>	<u>MR. &amp; MRS. H. B. SIMONS, FERNANO A.</u>	<u>Interim "AA" and "A" Residence</u>
	<u>CANTU, JR., GEORGIA B. LUCAS AND OTHERS</u>	<u>1st H &amp; A to "GR" General</u>
	<u>(by Jack T. Hill)</u>	<u>Retail, to "C" Commercial</u>
	806, 810, 813, 815 and 817 Ken	<u>"O" Office and "A" Residence</u>
	10012 and 10100 N. Lamar	<u>1st H &amp; A</u>

Marie Gaines presented the staff report.

This application covers 3.65 acres in North Austin. Subject tracts front Ken Street, a residential collector. Tracts 1 and 2 are bounded to the east by Lamar Blvd., a major arterial.

Part of this application came before this Commission as case C14-78-142, a single tract of land fronting Ken Street. In this previous case, the applicant sought "C" Commercial zoning. The staff had recommended denial of this case. The Commission then voted to postpone consideration pending further discussion of possible zoning alternatives with the staff. In October applicant met with staff and the zoning pattern as applied by the applicant today is here for your consideration.

Land use and zoning is as follows: to the north is undeveloped land in Interim "AA". To the northwest are single family residences also in Interim "AA". To the south is undeveloped land in "GR" General Retail. To the east is undeveloped land in "GR" General Retail.

The requested zoning pattern provides a scale down in zoning as well as a buffer to the single family residences to the east. Tract 2, which is requested for "A" Residence and the creek will set a strong precedent as well as a buffer for further intensification of zoning to the west of Ken Street. Applicants have indicated that they will be willing to dedicate up to 14 feet of right-of-way to bring Ken Street up to a standard street width.

The staff recommends to grant "GR" General Retail, 1st H & A on Tracts 1 and 2, "O" Office, 1st H & A on Tracts 3 & 4, "A" Residence 1st H & A on Tract 5, and "C" Commercial on Tract 6, including up to 14 feet of right-of-way for Ken Street.

PERSON APPEARING IN FAVOR

Jack Hill, representing applicant

C14-78-193      MR. & MRS. H.B. SIMONS, FERNANDO A CANTU, JR., GEORGIA  
B. LUCAS AND OTHERS--continued

## COMMISSION VOTE

Mr. Dixon moved and Mr. Danze seconded the motion to grant "GR" General Retail, 1st H & A on Tracts 1 and 2; "O" Office, 1st H & A on Tracts 3 and 4; "A" Residence, 1st H & A on Tract 5; and "C" Commercial on Tract 6; including up to 14 feet of right-of-way for Ken Street.

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

ABSENT:        Jagger, Schechter, Snyder and Stoll.

THE MOTION PASSED BY A VOTE OF 5-0.

<u>C14-78-194</u>	<u>BRENTWOOD CHURCH OF CHRIST</u>	<u>"C" Commercial, 1st H &amp; A to</u>
	(by Tom Curtis)	<u>"C-2" Commercial, 1st H &amp; A</u>
	700 West Anderson Lane	
	7800 North Lamar Blvd.	

Marie Gaines presented the staff report.

Subject tract consists of a 624 foot by 300 foot rectangle of undeveloped land in northwest Austin. Subject tract is located at the southwest corner of Anderson Lane and North Lamar.

To the south are offices in "C" Commercial. To the west are commercial uses in "C" Commercial. To the east is the T.A. Brown Elementary School in "A" Residence. To the north are apartments in "C" Commercial.

The staff has encouraged and would prefer that the applicant identify the areas of the proposed shopping center building requiring the "C-2" zoning. Rather than zoning the entire subject tract the creation of smaller sections within the building requiring the "C-2" zoning is much more desirable. Applicant should also be advised that a special permit is required in conjunction with the "C-2" zoning prior to issuance of a building permit. In addition, should the Planning Commission recommend specific areas within the subject tract, revised field notes will be required to be submitted by the applicant.

Staff recommends to grant "C-2", 1st H & A.

## CITIZEN COMMUNICATION

## PERSONS APPEARING IN FAVOR

Tom Curtis, representing applicant

## PERSONS APPEARING IN OPPOSITION

Woodrow Sledge, representing Austin Independent School District

C14-78-194 BRENTWOOD CHURCH OF CHRIST--continued

## COMMISSION ACTION

Mr. Tom Curtis discussed the proposed use, stating this would be an enclosed mall with eating, entertainment, and movie facilities. Applicant would be willing to roll back the zoning after uses have been established. Mr. Sledge discussed the zoning policies of the Austin Independent School District and pointed out that this is excessive zoning, as well as being near an elementary school. He emphasized this would allow liquor sales next to an elementary school and expressed concern also for the traffic that would be generated, as well as the placement of curb cuts. He felt there was some way of separating bars from restaurants in the C-2 zoning.

Mrs. Shipman moved to deny the zoning request. She stated this to be clearly a case of overzoning and that even contained C-2 zoning within the proximity of a school should be very specific and carefully scrutinized. Mr. Guerrero felt the zoning request and the special permit should have come in at the same time. Mr. Curtis asked if the Commission would prefer the requests come in at the same time since over 80 percent of it will never be requested, and requested indefinite postponement rather than to have the zoning request denied. Mrs. Shipman then withdrew her motion.

## COMMISSION VOTE

Mr. Vier moved to postpone the request indefinitely. Mr. Danze seconded this motion.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-78-197	GEORGE W. ALLEN	Interim "A" Residence,
	(by Jeryl Hart)	1st H&A to "A" Residence
	5800 Block of Balcones Drive	(Tract 2) 1st H&A and "O"
		Office, (Tract 2) 1st H&A

Marie Gaines gave the staff report.

This application covers a total of 18.84 acres of undeveloped land in northwest Austin fronting on Balcones, a major collector street. Both tracts are presently zoned Interim "A". Applicant is requesting permanent "A" Residence on Tract 2 (14.11 acres) and "O" Office on Tract 1 (4.73 acres).

Land use and zoning is as follows: to the north is undeveloped park land and a church in Interim "A" Residence. To the south and west are single family residences in Interim "A". To the southeast and east along Balcones is undeveloped land zoned Interim "A" and "O" Office. The existing "O" Office zoning along Balcones is at a maximum of 200 feet in depth.



C14-78-197      GEORGE W. ALLEN--continued

The staff recommends to realign subject tracts by decreasing Tract 1 to a maximum of 200 feet of depth along Balcones and increasing Tract 2 by the difference. The staff will then recommend to Grant "O" Office 1st H & A on Tract 1 and permanent "A" Residence 1st H & A on Tract 2.

## PERSONS APPEARING IN FAVOR

Jeryl Hart, representing applicant

## PERSONS APPEARING IN OPPOSITION

Julian Martin, Northwest Civic Association  
Irwin Salmanson, 4207 Cat Mountain Drive  
Bob Honts, 4603 Greystone  
Julian Martin, 5902 Highland Hills Terrace  
Mrs. W.R. King, 5926 Highland Hills Drive  
Robert D. Clark, 5932 Highland Hills Drive  
Mrs. Robert D. Clark, 5932 Highland Hills Drive  
Roy Craig, 5826 Trailridge Drive  
Mrs. Jack W. Ledbetter, 5807 Timber Trail  
Mrs. D.A. Schofield, 5811 Timber Trail  
Alice Disch, 5804 Overlook Drive  
Billy J. Disch, III, 5804 Overlook Drive  
B.J. Crafton, 5801 Trailridge Circle  
David Warner, 5701 Trailridge  
Thomas K. Chisholm, 5709 Trailridge Drive  
Alberta M. Castaneda, 5811 Trailridge Circle  
Phyllis Warner, 5701 Trailridge Drive  
Ronald L. Panton, 5901 Overlook Drive  
Wadene C. Harrison, 5802 Trailridge Drive  
Hubert J. Harrison, 5802 Trailridge Drive  
Frances M. Henson, 5801 Overlook Drive  
Lea M. Rodgers, 5803 Overlook Drive  
Michael R. Levy, 5929 Highland Hills Drive  
Emory Gose, 5931 Highland Hills Drive  
Patricia Gose, 5931 Highland Hills Drive  
William F. Bateman, 5937 Highland Hills Drive  
Anthony J. Novak, 5927 Highland Hills Drive  
Dorothy R. Novak, 5927 Highland Hills Drive  
Wayne Winkelman, 5933 Highland Hills Drive  
Rebecca Levy, 5929 Highland Hills Drive  
Charles Lehne, 5935 Highland Hills Drive  
Mrs. Charles Lehne, 5935 Highland Hills Drive  
Ruth Panton, 5901 Overlook Drive  
Edward Walsh, 5312 Highland View Drive  
Jack W. Lyle, 3515 Highland View Drive  
Robin King, 5926 Highland Hills Drive

## COMMISSION ACTION

Mr. Hart discussed the area, the topography, the water line the buffers to be used. He discussed the imperative need for the owner to dispose of some of this property. Mrs. Shipman asked if applicant would be willing to support the staff recommendation on "O" Office and to amend the request for "AA" on Tract 2.

C14-78-197      GEORGE W. ALLEN--continued

Applicant replied that he would not be willing to do this. He explained they had donated ten acres of land for park purposes. He explained there would be a 30-foot conservation easement along the creek and pointed out the Lake Austin watershed restrictions, stating that if restricted to "AA" it might require development that would require crowding each property line in order to get the maximum yield. He felt this could be handled as a subdivision matter. He stated this was an appropriate zoning request. Julian Martin, representing the Northwest Civic Association, expressed concern for specific development. Irwin Salmanson explained there are approximately three homes to the acre in this area and would like a setback of no more than 200 feet from Balcones for Tract 1, no reflective glass or roofs that would reflect light, that lights not come into the neighborhood. He expressed concern for signs, and requested that Tract 1 be cut back, that Tract 2 be zoned "AA" or density very similar to the existing neighborhood. He felt this development should be no different. There was concern for the greenbelt, 40 feet with something on it that is green and that the area be useful. There also was concern for possible street connections. He stated there cannot be any more traffic going through the area, there must be cul-de-sacs, pointing out that this is a very fragile area. He requested "AA" or density that would control the development in the area, that Tract 1 be cut back 200 feet from Balcones and restrictive covenants as in other parts of the area. He was very concerned that this was not for a specific use. Bob Honts discussed the park and expressed concern for higher density development. He stated that multi-family units threaten the balance in the area and hoped some balance could be achieved. Mr. Hart felt the property owners should have more confidence in the subdivision procedure to assure adequate protection. He stated City regulations are adequate to cover further development of this property and would like to leave the option for P.U.D. or a special permit situation.

## COMMISSION VOTE

Mrs. Shipman moved to grant "O" Office to a depth of 200 feet with a 25-foot buffer on the Northern and Western boundary the balance of Tract 1 be included in Tract 2, and that Tract 2 be zoned "AA". Mr. Dixon seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14-78-199	TRUMAN H. MONTANDON: (by Robert L. Davis) 11201 U.S. 183	<u>Interim "A" Residence, 1st H &amp; A</u> <u>to "GR" General Retail, 1st H &amp; A</u> <u>and "BB" Residence, 1st H &amp; A</u>
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Mr. Guerrero explained that there had been a request to suspend the rules in order to change the time for speakers. Mr. Dixon then moved to suspend the rules for the hearing, to grant the applicant a total time of 30 minutes and those opposing the request a total time of 30 minutes to be divided as they see fit. This motion carried by a unanimous vote of those present.

Marie Gaines then presented the staff report.

Applicant has indicated that Tract 2 which is requested for "BB" Residence be postponed. Land use and zoning is as follows: to the north is undeveloped "GR" General Retail. To the south is undeveloped land and real estate offices in "GR" General Retail. To the east is new and used car sales in "C" and "GR". To the west is Tract 2 which is undeveloped and which applicant has requested not be considered at this time. Also to the west are single family residences in Interim "A".

The policy along U.S. 183 has been to recommend "GR" General Retail.

Staff recommends to grant "GR" General Retail on Tract 1 and P.U.D. on Tract 2.

#### PERSONS APPEARING IN FAVOR

Bert Pence, 3800 Steck Avenue  
Jim Siepiela, P.O. Box 14508  
Robert L. Davis, 1300 American Bank Tower  
Bob Barnes, 400 East Anderson Lane

#### PERSONS APPEARING IN OPPOSITION

Bill Redden, 11500 Big Trail Cove  
Roby Dollar, 11408 Pyreneese Drive  
Patricia M. Dollar, 11408 Pyrenees  
Cynthia J. Dollar, 11408 Pyrenees  
Janice L. Abel, 11404 Toledo Drive  
Joyce Odem, 11407 Santa Cruz  
Diane D. Sparks, 11406 Santa Cruz  
Don E. Vierling, 11309 Toledo Drive  
Marilyn DeCoursin, 11409 Santa Cruz Drive  
Eleanor Vierling, 11309 Toledo  
Leo Y. Yeung, 4829 Gerona Drive  
Alison Yeung, 4829 Gerona  
James H. Willmann, 11417 Pyreneese  
Robert P. Scherer, 11415 Toledo  
Nancy Scherer, 11415 Toledo  
James H. Sparks, 11406 Santa Cruz  
William T. Odem, 11407 Santa Cruz  
Sharon Butler, 11408 Santa Cruz Drive  
Helen Tew Eyck, 11710 Santa Cruz  
Elizabeth Traiano, 11502 Toledo Drive  
Victor Lucas, 11702 Spotted Horse

C14-78-199      TRUMAN H. MONTANDON--continued

Richard Troiano, 11502 Toledo Drive  
Larry Deuser, 11800 Mustang Chase  
David A. Snow, 4827 Gerona Drive  
Ping-Huang Lin, 11314 Santa Cruz Drive  
Judy Snow, 4827 Gerona Drive  
M.H. McNeil, 4819 Gerona  
Frances K. Lucas, 11702 Spotted Horse Drive  
Edward T. Lynch, Jr., 11411 Toledo Drive  
John F. Stasik, 4825 Gerona  
Ann L. Saxer, 11413 Toledo Drive  
Mrs. Glenn A. Phipps, 11200 Balcones Woods Cove  
James W. Brock, 11406 Pyreneese Drive  
Golda M. Brock, 11406 Pyreneese Drive  
James W. McGinity 4817 Gerona Drive  
Kitty McGinity, 4817 Gerona Drive  
Linda Holliday, 11411 Santa Cruz Drive  
Larry A. Holliday, 11411 Santa Cruz Drive  
Michael G. Maloney, 11500 Pyreneese  
Mrs. C.N. Neunhaffer, 11203 Toledo Drive  
V. Bruce Evans, 11406 Toledo Drive  
Robert Bautista, 4809 Gerona Drive  
Jo Schiewe, 4811 Gerona Drive  
R.L. Schiewe, 4811 Gerona Drive  
Norman Saxer, 11413 Toledo Drive  
Erv Conrad, 11409 Toledo Drive  
Luis F. Rey, 11420 Pyreneese Drive  
Norma Rey, 11420 Pyreneese  
Dennis Kazar, 11502 Pyreneese Drive  
Edna Menken, 11421 Pyreneese Drive  
Eudie M. Henbrough, 11418 Pyreneese  
John D. Hembrough, 11418 Pyreneese Drive  
W.L. Born, 11507 Natrona Cove  
Margaret J. Born, 11507 Natrona Cove  
Robert Hunter, 11704 Santa Cruz Drive  
Bob Thomas, 11412 Pyreneese Drive  
Rajan Krishnamurty, 11414 Pyreneese  
Mrs. Dianne Thomas, 11412 Pyreneese  
Charles Neunhoffer, 11203 Toledo  
Glenn Phipps, 11200 Balcones Woods Cove  
Mrs. Roy S. Rodman, 5925 Highland Hills Drive  
Roy S. Rodman, 5925 Highland Hills Drive  
Bud Boucher, 5309 Welland

**COMMISSION ACTION**

Bert Pence discussed the nature of the request, the proposed use of the property, the land uses in the area and explained they had been working for some time with the homeowners association. He stated this is not speculative zoning; the developers are capable and responsible persons. This will be single land use on 35 acres of land, not small tracts of undesirable strip development.

C14-78-199 TRUMAN H. MONTANDON--continued

Mr. Siepiela explained the reasons for requesting BB zoning on Tract 2, in that it would give flexibility of moving the buildings since this is a filled-in gravel pit. He agreed to a restrictive covenant to limit to 10 units per acre, which is that of A Residential, and that a special permit would be required. It would, in essence, be a P.U.D. of duplex configuration. The proposed commercial development was discussed, and it was pointed out that the traffic could be controlled. There was discussion of where the curb cuts would be placed.

Speaking in opposition, Phil Reddin stated that what the developer sees as an advantage, he sees as a detriment to the neighborhood. There was much discussion of the traffic problems, the safety for the area residents is being jeopardized. It also was pointed out that the integrity and quality of the area needed to be maintained. They felt this would result in property deterioration, and the probability that some could be rental property rather than that of home ownership. This would increase the noise in the neighborhood, and the fast-food outlet would attract undesirable individuals. There was discussion of the original developer and an advertisement out of the local newspaper presented with the request that the developer keep his promises; the area be maintained residential. The possibility of apartments is totally unacceptable to the homeowners. This is clearly encroachment of commercial into a residential neighborhood. There also was discussion of the protection for trees and green space and the need for the commercial to provide parking spaces. Area residents felt this not to be in the best interest of the area and pointed out there were other large malls nearby. Bill Reddin pointed out this would be inconsistent with the character of the neighborhood, discussed the noise and lights having a negative impact, property values would be decreased. He felt this to be totally inconsistent with and contrary to the purposes of the zoning ordinance. He discussed a proposed alternative, and requested "O" zoning for the area extending from 183 back 200 feet; BB for the next 200 feet; BB on remainder; Permanent A on all of Tract 2 with a buffer of 40 feet heavily planted, including a privacy fence.

In rebuttal Bert Pence stated that the homeowners do not want any development and pointed out that the GR zoning has been there for at least seven or eight years. He emphasized that anyone must assume that when a house is bought on a major arterial that development will follow. He stated this town is growing; this is demographics; this is continuing the zoning trend. He explained again they were willing to provide a buffer, there would be ten units per acre which is consistent with the area; and that they would agree to leave as many trees as possible. He stated that this real estate will be developed in some manner. Mr. Snyder asked if they would be willing to close the first access and leave the second, making it possible to enter from 183 only. Mr. Pence discussed why this could not be feasible. There was discussion of reducing the size on Tract 1.

#### COMMISSION VOTE

Mr. Snyder moved to grant "GR" General Retail subject to the following restrictions: The center have no access on to Balcones Woods, the only curb cut between 183 and the subject property be for the availability of the "BB" zoning subject to a special permit with a maximum of ten units to the acre; that

C14-78-199      TRUMAN H. MONTANDON--continued

there be a 25-foot "AA" buffer around north side of the subject property, either Tract 1 or 2, and the east side of this Tract 2; that the entry way which has been presented by the developer still be developed and that the sign that has been volunteered by the developer still be built. Seconded by Mr. Guerrero.

Mr. Meinrath then explained that the Commission does not have the authority to restrict access as proposed by Mr. Snyder unless the applicant offers a restrictive covenant, which would be to deny access to Balcones Woods on the southwestern portion of the tract. He pointed out that the access is there legally through the GR tract. There then was discussion of the subdivision that would be necessary and how it might be handled in that manner. Mrs. Shipman suggested that it would be appropriate to request a traffic impact analysis before granting any type of zoning. She felt this area very hazardous and that it would be irresponsible of the Commission to encourage a large shopping center without some sort of traffic impact analysis along with it. There was discussion of how the applicant could be asked for a restrictive covenant to provide no access to Balcones Woods and the amount of time needed for the Legal Department to consider this matter. Mr. Snyder at this point withdrew this motion and then moved to table action on this request; that the hearing be closed; and that action on the zoning be postponed for one week, 7 p.m., November 14th subject to a legal opinion to control the access through zoning or subdivision process. Mr. Dixon seconded this motion.

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

ABSENT: Jagger, Schechter and Stoll.

ABSTAINED: Vier.

THE MOTION PASSED BY A VOTE OF 5-0-1.

<u>C14-78-200</u>	<u>NPC REALTY COMPANY</u> (by Robert L. Davis) 2701-2801 Deatonhill 2624 William Cannon Drive 2620 Lazy Oaks Drive 7001 Deatonhill Drive 7000 Deatonhill Drive 2804 Willaim Cannon Drive	<u>Interim "A" Residence,</u> <u>"BB" Residence, "O" Office,</u> <u>and "GR" General Retail,</u> <u>1st H&amp;A to "O" Office,</u> <u>"GR" General Retail, and</u> <u>"A" Residence, 1st H&amp;A</u>
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Marie Gaines presented the staff report and explained that applicant had withdrawn the request on Tract 8.

This application covers eight individual tracts of land in far south Austin. Tracts 2, 4 and 5 have frontage on West Gate Blvd., a major collector street. Tracts 1, 6, 7 and 8 front Deatonhill Drive which at present is unpaved. Tracts 3, 4 and 8 have frontage on William Cannon Drive, a major arterial street. Subject tracts are undeveloped.

Land use and zoning is as follows: to the north and south are single family residences in Interim "A". Undeveloped land at the northwest corner of William Cannon and Westgate Blvd. is zoned "GR" General

C14-78-200 NPC REALTY COMPANY--continued

Retail. A bowling alley is in "GR" General Retail at the southwest corner of William Cannon and West Gate Blvd. west of William Cannon and Deatonhill is undeveloped land zoned "O" Office, "B" and Interim "AA". East of William Cannon and Westgate Blvd. is undeveloped and in "O" Office, "BB" and "A" Residence. Applicant has requested "O" Office on Tracts 1, 4, and 8, "A" Residence on Tracts 3, 5, 6, and 7, and "GR" General Retail on Tract 2.

Less restrictive zoning allowing various commercial uses on Tracts 4 and 8 would set an undesirable precedent for further intensification to the east and west along William Cannon. An "A" Residential strip along Deatonhill should remain and continue to serve as a buffer to the more intense zoning to the south.

Tract One and Two are part of a 120-foot strip of land left by the City Council as a buffer between "GR" zoning and "A" zoning. Staff recommends to deny "O" Office on Tract 1, but recommends that 25 feet remain "A" Residence, and recommends to grant "O" Office on the balance of the 120 foot strip. The staff could support a change for "GR" on the balance of this buffer strip but would prefer "O" Office, as a reasonable scale down. The staff recommends to grant "A" Residence, 1st H&A on Tracts 3, 5, 6 and 7. On Tract 4 and 8 the staff recommends to deny "O" Office but would support a change to "B" Residence because of the rollback on Tracts 3, 6, and 7. Through the special permit process office uses could be established on Tracts 4 and 8.

## PERSONS APPEARING IN FAVOR

Bob Barnes, 400 E. Anderson Lane  
Bert Pence, 3800 Steck Avenue  
Robert Davis, 1300 American Bank Tower

## PERSONS SUPPORTING THE NEIGHBORHOOD ASSOCIATION

Lin Murray, 2309 Mimosa  
Ray Fisher, 2804 Sissinghurst  
Ann Kostas Davis, 2605 Edenwood Drive  
Barton Bolling Davis, 2605 Edenwood Drive  
Henry Bockelman, 2504 Lazy Oaks  
Clell "C" Clark, 2602 Grennock Drive  
Mrs. William J. Shaw, 6301 Cannes Circle  
William J. Shaw, 6301 Cannes Circle  
Cilbento Torres, 2507 Lazy Oaks Drive  
James D. Hatton, 7113 Watchwood Drive  
Darwin Thomas, 2715 Alderwood Drive  
Claudia Wenzel, 6709 Blarwood  
John S. Pickwell, 6907 Whispering Oaks  
Judy Pokorski, 7208 Eganhill Drive  
Josh Leppa, 6706 Blarwood Drive  
Vicki Pilney, 2600 Grennock Drive  
Marilyn Simpson, 2307 Mimosa Drive  
Mrs. Anne Peed, 2602 Carlow Drive  
Mrs. T. Tsukano, 2609 Carlow Drive

C14-78-200      NPC REALTY COMPANY--continued

Andrew Robinson, 2913 Headly Drive  
Tom Larkin, 2503 Lazy Oaks Drive  
Tricia Slovacek, 7324 Scenic Oaks Circle  
Jane Gunderson, 2709 Charlesworth Drive  
Virginia Crowe, 6506 Blarwood Drive  
Bernard B. Baker, 2602 Aldford Drive  
Betty Baker 2602 Aldford Drive  
Joyce Esparza, 2513 Campden  
Joseph E. Hora, 2706 Alderwood Drive  
Susan L. Geller, 2419 Compden Drive  
Chester D. Geller, 2419 Campden  
C.D. Glenn, 7100 Whispering Winds  
Candace Collins, 2811 Sissinghurst  
Pam Gray, 2806 Sissinghurst  
Con Gray, 2806 Sissinghurst  
Jim Rankin, 2601 Campden Drive  
Lynda F. Rankin, 2601 Campden Drive

## COMMISSION ACTION

Robert Davis, representing applicant, explained they have met with the neighborhood association and basically are in agreement except for a few minor changes in the restrictive covenant. He explained they would provide 25 feet of "A" with a six-foot privacy fence; 35 feet of "O" with 25 feet planted buffer area, that 26 six-foot trees would be planted and maintained as a greenbelt area, no curb cuts, 35 foot strip of "O" for parking with no buildings, a 60-foot strip of GR zoning; "B" for 200 feet on Tract 4, that Tracts 3, 6, and 7 would be zoned "A" Residential, Tract 5 to be zoned "A"; that the tracts presently zoned Interim A would be requested for permanent A Zoning. Mr. Pence stated they would come back later with a special permit to construct a regional sales office, limited to one story in height. Lynn Murray, speaking in behalf of the Neighborhood Association of Whispering Oaks and Cherry Creek, stated the houses adjacent to commercial are being put up for rent. He stated approval of the zoning should be contingent on deed restrictions. He explained that these should be agreed on in a short time, and requested the Commission to postpone action until this had been accomplished.

## COMMISSION VOTE

Mr. Guerrero moved to postpone action for one week and that a map be prepared of applicants request and the deed restrictions agreed to and submitted to the Commission in writing before action is taken. Mr. Dixon seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 5-0.

The meeting adjourned at 11:20 PM.

  
Richard K. Little, Executive Secretary