

CITY PLANNING COMMISSION
Austin, Texas
Regular Meeting -- August 1, 1978

The Commission meeting was called to order at 5:45 PM in the Electric Building Auditorium.

Present

Miguel Guerrero, Chairman
Leo Danze
Freddie Dixon
Sid Jagger
Mary Ethel Schechter
Sally Shipman
Bernard SNyder
Jim Vier

Also Present

Tom Knickerbocker, Asst. Dir. Planning
Elly Malone, Planner
Marie Gaines, Planner
John Meinrath, Legal Dept.
Joe Ternus, Dir. Urban Transportation
Jim Gotcher, Building Insp. Dept.
Chief Ed Kirkham, Fire Dept.
John Baylor, Property Management Dept.
Benny Hawkins, Construction Management
Ouida W. Glass, Senior Secretary

Absent

Bill Stoll

ZONING

C814-78-005 Allen R. Rundell - A residential Planned Unit Development
called "The Woodlands."

3901-3913 Steck Avenue
8001-8101 Kerith Dale
4100-4124 Spicewood Springs Road

Elly Malone presented the staff report.

This is an application for a P.U.D. in Northwest Austin, located on a 15.16 acre tract of land bounded by Steck Avenue on the north, Kerith Dale Drive on the west and Spicewood Springs Road on the south.

The tract is adjacent to single-family residences and a 20-unit townhouse development, "The Courtland Oaks" on the east; a church site and the Anderson High School Athletic Field on the north; undeveloped land, for which a special permit for an apartment complex has been released and a water tower to the west, and undeveloped land to the south.

The tract immediately west of the subject tract, just south of Steck Avenue is concurrently being reviewed for a zoning change to "O", 1st H & A. An office park is planned for this property.

The current zoning on subject tract being considered for the P.U.D. is "I-A", 1st H & A. Land use breakdown of the proposed site plan shows a total of 90 units, 27 of them zero lot line homes and the rest townhouses. All left-over areas are to remain common green areas with a tennis court,

C814-78-005 Allen R. Rundell (cont'd.)

clubhouse, and pool as amenities. The proposed density is 5.94 units per acre.

Access to the site is proposed from one driveway off Steck Avenue and four driveways off Kerith Dale Drive. Additional right-of-way might be requested on Spicewood Springs Road.

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

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Bill Carson, representing applicant
Marv Hackert, 8014 Hillrise Drive (with restrictions)
Wallace L. Pellerin, Balcones Civic Assoc.

PERSONS APPEARING IN OPPOSITION: None

WRITTEN COMMENTS IN FAVOR: Harold Silberg, 4101 Spicewood Springs Road

WRITTEN COMMENTS IN OPPOSITION: None

COMMISSION ACTION

Bill Carson, representing applicant, discussed the proposed P.U.D. and explained that development would be in two or three stages.

Applicant agreed to single-story structures adjacent to the single-family homes along the back property line. He also agreed not to have private access drive. There was discussion of the common space between Units 13 and 14 and the common space behind Lots 18 and 19, and the fact that this is intended to be a minimum maintenance development. He discussed one 16-foot one-way drive which would serve more or less as an alley. There was discussion of the streets, sidewalks, and open spaces. Applicant requested an additional 10 feet be added to Lots 10, 15, 17, 22, 24, 25, 37, 44, 50 and 60 for patio or back yard purposes. He stated the P.U.D. would be adapted to comply with the alignment of Spicewood Springs Road. There was discussion and the applicant agreed to the landscaping along Spicewood Springs Road as recommended. Applicant asked that Item 3 of Urban Transportation Department requirements be deleted; they have 24 feet and feel it to be adequate. Marv Hackard stated that all landowners immediately behind the common area would like to see it left as originally submitted.

COMMISSION VOTE

Mrs. Shipman moved to approve the P.U.D. subject to all departmental requirements and staff recommendations as agreed to by the applicant;

C814-78-005 Allen R. Rundell (cont'd.)

deleting No. 4 under Planning Department recommendations and No. 3 under Urban Transportation Department recommendations; including ten feet of additional lot space on Lots 10, 15, 17, 22, 24, 25, 37, 39, 44, 50 and 60. The following restrictions between the applicant and the neighborhood association as agreed upon will be complied with: (1) area to be zoned "O" would conform to performance standards compatible with the proposed P.U.D. and in line with that found in the Timberline Office Park, i.e. no apartments, careful placement of any three-story units, and limiting the impervious cover to not more than 70 percent of the land area involved; (2) minimum building setback of at least 25 feet along the existing single-family neighborhood; (3) the use of existing vegetation, berms, or a six-foot fence to provide additional buffering as needed; (4) restrict the height of Units 8, 9, 10, 18, and 19 to single story; and (5) buffer the area behind units 18 and 19 with a primitive greenbelt to be maintained by the homeowners association. Mrs. Schechter seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 7-0.

C14-78-124 H.E. and MARY McKINNEY
 (by H. Brown Suffield)
 2702 Enfield also bounded by
 Exposition Boulevard.

"A" Residence, 1st H & A to
"O" Office, 1st H & A

Marie Gaines presented the staff report.

This 12,250 square foot lot is located at the northwest corner of Enfield and Exposition, both major arterials, in northwest Austin.

The requested zoning is for an accounting office. Uses and zoning include to the north single-family residences in "A"; to the south is the Municipal Golf course. To the west are single-family residences in "A" Residence. To the east are apartments in "B" Residence. One lot zoned "BB" Residence in 1955 exists to the west but is developed as a single-family residence.

While this is a major arterial intersection, the boundary for more intense uses begins east of Exposition Boulevard. Subject tract has had five requests for more intense zoning, going as far back as 1953. The Planning Commission recommended denial of any change in zoning for this tract in 1972. The City Council has denied a change in zoning for this tract three times. Approval of this request would be an intrusion into a single-family developed neighborhood. In addition, approval would set an undesirable precedent for further intensification of use districts along both the residentially developed portions of Enfield and Exposition.

C14-78-124 H.E. and Mary McKinney (cont'd)

The staff recommends that this case be denied. This request would be an intrusion into a single-family neighborhood area which shows no meaningful change in character or condition since rezoning was last denied. The apartment zoning on the northeast and southeast corners should not be used as a precedent for change in zoning on this tract. Exposition Boulevard is considered to be an effective buffer between "A" Residence on the west and "B" Residence on the east.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Herman McKinney, applicant
Brown Suffield, agent
Sam Shepherd

PERSONS APPEARING IN OPPOSITION: Mrs. Ben F. Reichert, 2803 Bonnie Rd.
Louise Kirk, 2906 Bridle Path
Barry Bishop, 2705 Bonnie Rd.
George Forgie, 3003 Bonnie Rd.
Nettie Nowlin, 2707 Bonnie Rd.
Mrs. D. C. Morgan, Jr., 2003 Exposition
Mrs. Laurence C. Jackson, 2802 Enfield
Mrs. William E. Berger, 1801 Exposition
Mrs. R.L. Anderson, 2802 Bonnie Rd.
Mrs. Charles M. Ogle, 2708 Bonnie Rd.
Jane Bachner, 4803 Strass
Dudley W. & Patty Houghton, 3219 Bridle Path
Dr. I.R. Manners, 3220 Bridle Path
Joel C. Wooldridge, 1602 Exposition
Cary Jones, 2107 Robin Hood

WRITTEN COMMENTS IN FAVOR: None

WRITTEN COMMENTS IN OPPOSITION: Bob Clark, 3303 Clearview (telephone call)
Helen B. Hulen, 2710 Enfield
Jan R. & Elizabeth A. Manners, 3220 Bridle Path
Bennie Willerman, 1604 Exposition
Frances Alexander, 2708 Enfield

COMMISSION ACTION

Applicant explained that he wished to build a small office on this tract and also to operate a day care center. He felt that Austin is now different and that traffic is a problem, therefore, residential development is not the best and highest use of the property. Area residents expressed opposition in that it would be an intrusion into the residential neighborhood, not compatible with existing land uses. They expressed concern that it would open the door for other uses in the area and violate the integrity of the neighborhood.

C14-78-124 H.E. & Mary McKinney (cont'd)

There was discussion of traffic being a real problem, and it was pointed out that the subdivision had never been changed and that to change the zoning now would have a "domino effect" and would destroy the residential character of the neighborhood.

COMMISSION ACTION

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

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

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-125 WAYNE RUTLAND
(by Sue Sanders)
10805 Jollyville Road

Interim "AA" Residence, 1st
H & A to "C" Commercial, 1st
H & A

Marie Gaines presented the staff report.

Subject tract is an existing construction company and warehouse along Jollyville Road, a major collector in far northwest Austin. This existing structure is a legal non-conforming use. Annexation of this area took place in June, 1976.

The policy for legal non-conforming uses has been to recommend appropriate zoning for the existing use. The requested "C" Commercial zoning is consistent with this policy and is required for a construction company and warehouse.

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

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Sue Sanders, representing applicant
Wayne Rutland, applicant

WRITTEN COMMENTS IN FAVOR: Mel Munsell, 10820 Jollyville Road

WRITTEN COMMENTS IN OPPOSITION: None

COMMISSION ACTION

Applicant explained that he needed the change in zoning in order to expand warehouse facilities for his construction company. Mr. Vier expressed concern for "C" zoning, stating that it would begin a precedent along Jollyville Road. There was discussion of what the applicant needed

C14-78-125 Wayne Rutland (cont'd.)

and how it could be accomplished without changing the zoning on Jollyville Road. Mr. Jagger asked if applicant could show metes and bounds of his proposed rezoning and stated they were trying to accommodate non-conforming existing uses, but did not wish to have "C" zoning on Jollyville Road. He felt this could be accomplished by zoning only the back portion of the lot "C" Commercial.

COMMISSION VOTE:

Mr. Jagger moved to continue the hearing until 5:30 PM on August 8, 1978.
Mr. Vier seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-126 HARRY HIGH
 9941 Research Boulevard

Interim "AA" Residence, 1st
H & A to "GR" General Retail
1st H & A

Marie Gaines presented the staff report.

Subject tract is undeveloped and is located in far northwest Austin on the east side of U.S. Highway 183.

Surrounding zoning and land uses are undeveloped "GR" General Retail and "C" Commercial to the north; to the south is a boat shop, lumber yard and vacated restaurant in Interim "AA" Residence. To the west across the highway is undeveloped acreage for which "GR" and "O" zoning were recently granted.

Future plans for the widening of U.S. 183 are being considered by the State Department of Highways and Public Transportation. The applicant should consult with the State Highway Department for possible right-of-way or building setback consideration prior to development to those tracts.

The zoning policy along U.S. 183 in this vicinity is "GR" for a depth of 150 to 200 feet. This request is consistent with this policy.

The staff recommends "GR" General Retail, 1st H & A be granted.

COMMISSION VOTE

Mr. Dixon moved to grant "GR", 1st H & A. Mr. Danze seconded the motion.

C14-78-126 HARRY HIGH (cont'd.)

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

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-135 THE CAPITAL NATIONAL BANK IN AUSTIN
(by Tom Curtis)
300 Block West 8th Street
700 Block Guadalupe

"C" Commercial, 3rd H & A to
"C" Commercial, 4th H & A

Marie Gaines presented the staff report.

Subject tract is a 125-foot by 140-foot square located at the southeast corner of West 8th and Guadalupe Streets in downtown central Austin. Subject tract is the site for the new Capital National Bank Building. The request is for a height and area change.

Land uses and zoning surrounding subject tract are as follows: to the north is the new Capital National Drive-in Bank in "C" Commercial, 3rd H & A, to the south are offices and a parking lot in "C" Commercial 4th H & A. To the west is the Bremond District with office uses in "C" and "C-H" 3rd H & A. To the east is the Gracy Title Company and a parking lot in "C" Commercial 4th H & A.

The requested zoning change is consistent with the existing 4th height and area district adjoining subject tract to the east and south.

The staff recommends to grant 4th H & A.

PERSONS APPEARING IN FAVOR: Tom Curtis, representing applicant

PERSONS APPEARING IN OPPOSITION: None

COMMISSION VOTE:

Mrs. Schechter moved to grant "C" Commercial, 4th H & A. Mr. Dixon seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 7-0-1.

C14-78-136 ALLEN R. RUNDELL
(by W. T. Carson)
3913-3953 Steck Avenue
8101-8133 Kerith Dale

Interim "A" Residence, 1st
H & A to "O" Office, 1st H & A

Marie Gaines presented the staff report.

This undeveloped tract of land is located on Steck Avenue, a collector street and also bounded on the west by Kerith Dale Drive a collector street, in northwest Austin.

Land use and zoning to the north includes Anderson High School in Interim "A". To the west is undeveloped "LR" Local Retail for which a special permit for a 136 unit apartment complex was approved and a water reservoir. The subject tract is bounded to the east and south by a tract which is under consideration for a planned unit development called "The Woodlands" in Interim "A". Further east is a single-family residential development in Interim "A".

The requested "O" Office zoning represents a reasonable scale down and transition zone to "LR" Local Retail to the west and Interim "A" Residence to the east. To provide for a 25 foot strip of "A" along the easternmost boundary will adequately buffer the proposed planned unit development.

The staff recommends to grant "O" Office, 1st H & A, save and except for a 25 foot strip of "A" Residence, 1st H & A, on the easternmost boundary of subject tract.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Bill Carson, representing owner
Marv Hackert, 8014 Hillrise Drive (with
reservation)
Wallace Pellerin, Balcones Civic Assoc.

PERSONS APPEARING IN OPPOSITION: None

WRITTEN COMMENTS IN FAVOR: None

WRITTEN COMMENTS IN OPPOSITION: Tom Bullington, 3829 Steck

COMMISSION ACTION

Bill Carson, representing the owner, stated they had worked with the Balcones Civic Association, and discussed the proposals for this property. There was discussion of no automobiles being parked between the apartments and the single-family residences and that there would be no windows facing the residences. There also was discussion of restricting the office building to two-story height.

C14-78-136 ALLEN R. RUNDELL (cont'd.)

COMMISSION VOTE:

Mr. Jagger moved to grant "O" Office, 1st H & A, save and except for a 25-foot strip of "A" Residence, 1st H & A, on the easternmost boundary of subject tract, and restrictive covenant which includes that said "O" would conform to performance standards compatible with the proposed P.U.D. C814-78-005, i.e. no apartments, careful placement of any three-story units, and limiting the impervious cover to not more than 70 percent of the land area involved. No threestory office building within 25 feet of southernmost property line; no paving along a 25' strip of southernmost boundary; no two-story buildings within 25 feet have no windows on that side facing P.U.D. C814-78-005; no access for automobiles in the 25-foot area. Mrs. Schechter seconded the motion.

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

ABSENT: Dixon and Stoll

THE MOTION PASSED BY A VOTE OF 7-0.

C14-78-137 UNIQUE CABINETS
(by Terra Firma Planning
11619 Jollyville Road

Interim "AA" Residence, 1st H & A to
"C" Commercial and "O" Office, 1st H & A

Marie Gaines explained that the subject tracts are located on Jollyville Road, a major arterial, in far northwest Austin. Surrounding zoning and land use include to the north, south and east undeveloped Interim "AA" Residence. To the west are single-family residences in Interim "AA" and craft shop in "O" Office.

The requested "O" Office on Tract 2 is consistent with the general zoning policy for Jollyville Road which has developed as a result of numerous zoning cases. The requested "C" Commercial is inconsistent with the zoning policy along the western portion of Jollyville Road. More intense zoning has been recommended for sites set back from U.S. Highway 183, "C" Commercial zoning would set an undesirable precedent on the undeveloped tracts adjoining subject tract as well as on the single-family residences to the southwest.

The staff recommends to deny "C" Commercaill, 1st H & A on Tract 1, but to grant "O" Office, 1st H & A on both Tract 1 and 2.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Ralph Harris, representing applicants
Charles Robertson, 603-B Hammack

PERSONS APPEARING IN OPPOSITION: Clive Lynn, 5804 Sierra Leon

WRITTEN COMMENTS IN FAVOR: Charles E. Aubrey, P.O. Box 9588

WRITTEN COMMENTS IN OPPOSITION: None

COMMISSION ACTION

Ralph Harris, representing the applicant, explained the property was purchased prior to annexation by the city for the purpose of building a shop for his cabinet making business and he requested the right to use the property for the purpose it was intended. He explained he was agreeable with the recommendation of the staff and amended the request to "O", 1st H & A. Charles Robertson, a property owner in the immediate vicinity, expressed favor with the change in zoning. Speaking in opposition, Clive Lynn, representing the Northwest Oaks Neighborhood Organization, was opposed to the "C" zoning; was opposed to having a cabinet shop in the immediate vicinity. He felt this to be incompatible with the uses of the neighborhood which was single-family and some duplexes. He stated consideration should be given to the area study before additional zoning is made, however, did agree to "O" zoning.

COMMISSION VOTE

Mr. Jagger moved to grant "O" Office, 1st H & A as amended by applicant.
Mrs. Shipman seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-140 M. V. & VIVIAN LESTER
 (by Joe E. Davis, Realtor)
 11222 Jollyville Road

Interim "AA" Residence, 1st
H & A "O" Office to 1st H & A

Marie Gaines presented the staff report.

Subject tract is located in far northwest Austin on Jollyville Road, a major arterial, and also bounded by an undedicated undeveloped road known locally as Taylor Draper Lane.

Land uses and zoning are as follows: to the north and south are single-family residences in Interim "A". Adjacent to subject tract is "BB" Residence which is undeveloped. To the east is undeveloped "O" Office. To the west is undeveloped land which is outside the city limits.

The policy along Jollyville Road on the west side has been to maintain residential zoning and encourage more intense zoning along U.S. 183, with a transition zone, along the east side of Jollyville Road.

C14-78-140 M.V. & VIVIAN LESTER (cont'd.)

The staff recommends to deny "O" Office, 1st H & A but to grant "BB" Residence, 1st H & A.

PERSONS APPEARING IN FAVOR

Joe E. Davis, representing applicant.
Harry Mayes

COMMISSION ACTION:

Applicant stated the property had been listed as commercial and that he had sold it as commercial property. Harry Mayes stated he did not think it practical to develop the entire strip along Jollyville Road as apartments and felt the Commission should take into consideration the desires of the property owner.

COMMISSION VOTE

Mr. Vier moved to grant "O" Office, 1st H & A. Mr. Danze seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 8-0.

SPECIAL PERMITS

C14p-78-041 N.P.C. Realty Co. A 66 Unit Apartment Dwelling Group
Cameron Road, Rundberg called "Windsor Hills Patio Apartments."
Lane & Marlborough Drive

Elly Malone presented the staff report.

This is an application for a special permit to allow a 66 unit apartment dwelling group on a 6.88 acre site, located in the northwest corner of the intersection of Cameron Road and Rundberg Lane.

The tract is currently zoned "GR", 1st Height & Area. The proposed density is 9.6 units/acre and of the 33 buildings 16 are one-story and the rest two-story.

Access is proposed from 3 driveways off Marlborough Drive.

The staff recommends approval subject to ordinance requirements, departmental recommendations and requesting the applicant for a rollback to "BB" on subject-tract.

CITIZEN COMMUNICATION

PERSONS APPEARING IN OPPOSITION: Robert Kroll, 1407 Brighton Lane
Thomas Houston, 1401 Brighton Circle
Charles Cain, 1409 Brighton Lane

WRITTEN COMMENTS IN OPPOSITION: None

Applicant indicated disagreement with the fire plug requirement and stated he felt it could be worked out administratively. He was opposed to rolling back the zoning to "BB" until beginning of construction. Robert Kroll felt that two-story buildings would dominate the area and that this was an inappropriate use. It would congest the area and would cause more commercial development. He was of the opinion that duplexes would be more in keeping with the neighborhood. Tom Houston stated increased density would increase population and this in turn would increase vandalism, traffic, etc. He would prefer less intensive use.

Mr. Jagger moved to approve the request subject to ordinance requirements and staff recommendations and subject to a letter from the applicant volunteering to apply for "BB" zoning when the building permit is obtained. Mr. Snyder seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 5-0-2.

C14p-78-042 City of Austin-Fire Department - Northwest Fire Station
West Duval Road C.I.P Project No. 8310 0

Elly Malone prestented the staff report:

This is an application for a special permit to allow a fire station on a 0.58 tract of land, located on the northside of Duval Road, west of its intersection with Angus Road and east of U.S. Highway 183 in northwest

C14p-78-042 City of Austin Fire Dept. (cont'd.)

Austin. A previous application for this fire station on a site further east on Duval was denied by the Planning Commission and City Council.

This new site is located further west on Duval past the intersection with Angus Road and is a result of complying with neighborhood wishes, growth trends, annexation requirements and State Fire Insurance Commission requirements. All these factors support the need for a facility in this area.

A one-story double-unit fire station to house one engine and one ladder company is proposed. Part of the facility is to house the apparatus room and the rest is to be for living quarters. Access to the site is proposed from two driveways off Duval Road.

The tract is currently zoned "I-AA", 1st H & A.

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

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Chief Kirkham, Fire Dept.
John Baylor, Construction Management
Edgar James, Architect

PERSONS APPEARING IN OPPOSITION: Ed Stringer, 5006 Duval Road
Allan D. Schuster, 11804 Mustang Chase
Larry Deuser, 11800 Mustang Chase (mixed
opinion)

COMMISSION ACTION

Chief Kirkham stated this location would have operational advantages and stressed the need for fire protection in the neighborhood. John Baylor stated the site had been moved further west along Duval Road and that the Retirement Center is in agreement. Edgar James discussed the location of the trees on the tract and how the site plan had been adapted to them. There was discussion of obtaining more property and of a buffer zone along the property line. Allan Schuster asked the decision be deferred pending completion of the area study. He also felt that the Property Management Department should renegotiate the price more in line with property values in the area. Larry Deuser expressed disappointment that the site was not nearer 183 as well as concern for the residents of the retirement home across the street. He felt it to be an excessive expenditure of tax dollars.

C14p-78-042 City of Austin Fire Dept. (cont'd.)

COMMISSION VOTE

Mr. Snyder moved to approve the request subject to departmental recommendations and ordinance requirements. Mr. Vier seconded the motion.

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

ABSENT: Dixon and Stoll

THE MOTION PASSED BY A VOTE OF 7-0.

C14p-78-043 Mariane Schneider
5107 Brassiewood

A Day Care Center called "Nuckols
Crossing Day Care Center

Elly Malone presented the staff report.

This is an application for a special permit to allow a day care center for 30 children on a 12,450 sq. ft. tract of land, located in the southwest corner of the intersection of Nuckols Crossing and Brassiewood Drive. Nuckols Crossing is a major arterial and the extension of Pleasant Valley Road.

The day care facility is to be located in an existing residential structure, on a corner lot of a residential subdivision.

Current zoning on the property is "I-A", 1st H & A. An existing driveway provides access to Brassiewood Drive and a circular drive with access to Nuckols Crossing is proposed.

The staff recommends approval subject to ordinance requirements, departmental recommendations and limiting the maximum number of children to 25 for the present facility and to 28 children for the proposed expanded facility.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Mike Schneider, applicant

PERSONS APPEARING IN OPPOSITION: None

WRITTEN COMMENTS IN FAVOR: James W. Hairston, 5008 Brassiewood Dr.
Valton Allen, Jr., 6401 Nuckols Crossing Rd.
Jarrel D. Russell, 5102 Brassiewood Drive

WRITTEN COMMENTS IN OPPOSITION: None

C14p-78-043 Marianne Schneider (cont'd.)

COMMISSION ACTION

Max Schneider, applicant, explained the proposed use, stating that the home would be used for a day-care center. He discussed the requirement of the Building Inspection Department that a four-foot fence be required between the driveway and the property and explained neither he nor the neighbor wished to see the fence installed. Jim Gotcher of the Building Inspection Department explained this could be brought before the Board of Adjustment to request a variance. He requested the requirement for sidewalks be waived and that they be put in when the City puts them in along the street. He agreed to amend his request to 34 children and stated the ages would range from 18 months through 12 years, with 18 months through five years to be the most likely age. The next-door neighbor indicated agreement with the request and stated this would be an asset to the neighborhood, but did not wish to see the fence built.

COMMISSION VOTE

Mrs. Shipman moved to approve the request, as amended to 34 children, subject to departmental recommendations and ordinance requirements and that Recommendation No. 4 of the Transportation Department requiring sidewalks be deleted. She also requested the Planning staff to provide the Commission with data from the appropriate state agencies regarding adult/child ratio that is permitted; floor area ratio requirements, etc. Mr. Vier seconded the motion.

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

ABSENT: Dixon, Jagger, and Stoll.

THE MOTION PASSED BY A VOTE OF 7-0.

C14p-78-044 HARRY PETERSON & FAMILY SPORTS, INC.: A bar and lounge area
(by Phil Mockford)
2701 William Cannon Drive

Elly Malone explained the applicant had withdrawn this request since the zoning had not been approved by the City Council.

NO ACTION WAS TAKEN.

C14p-78-045 Gerald M. Perlitz A 8-unit Townhouse project
2600-2606 W. 35th Street

Elly Malone presented the staff report.

C14p-78-045 Gerald M. Perlitz (cont'd.)

This is an application for a special permit to allow an 8-unit townhouse project on a 1.2 acre tract of land located in the northeast corner of the intersection of W. 35th Street and Exposition Boulevard. Exposition Boulevard adjacent to subject tract is not dedicated.

The property is currently zoned "A", 1st Height and Area and is within the boundaries of the Lake Austin Watershed. Since a subdivision is required the site will have to comply with the provisions of the Lake Austin Growth Management Ordinance.

The proposed density is 6.67 units/acre. The townhouse ordinance requires a minimum of 3,500 sq. ft. of total project area per unit. Under this provision the allowable density is 12.44 units/acre.

Duplex lots need a minimum of 7000 sq. ft. per lot or 3,500 sq. ft. per unit. Each duplex lot, however, must be 50 feet wide on interior and 60 feet wide on corner lots.

Five duplex lots, or 10-units could be developed on this lot. A subdivision for 5 duplex lots and one single family lot is recorded for subject tract, encompassing an area larger than the 1.2 acre tract of land of this application (see C8s-78-099). The current Perlitz townhouse subdivision consist of lots 1-5 of the previously recorded subdivision.

Access to the property is proposed from two driveways off W. 35th Street.

The staff recommends approval subject to ordinance requirements, departmental recommendations and final approval of the alternative methods by City Engineering.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: John Van Winkle, architect for project

PERSONS APPEARING IN OPPOSITION: None

WRITTEN COMMENTS IN FAVOR: L. A. Schraer, Jr., 3404 Exposition
Mrs. Hazel R. Thompson, 2506 W. 35th St.
J. Thompson, 2506 W. 35th St.

COMMISSION ACTION

There was discussion of the Lake Austin Growth Management Plan and how it would affect this request, also of the alternate methods. It was pointed out that alignment of the sidewalks would be a problem since Exposition North of 35th Street belongs to Camp Mabry.

C14p-78-045 Gerald M. Perlitz (cont'd)

COMMISSION VOTE

Mrs. Shipman moved to approve the request in accordance with departmental recommendations and ordinance requirements. Mr. Snyder seconded the motion.

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

ABSENT: Dixon, Jagger and Stoll.

THE MOTION PASSED BY A VOTE OF 6-0.

C14p-78-046 Kenneth M. Brown - A 26-unit Apartment House
2301-2307 Lawnmont Ave.

Elly Malone explained this is an application for a special permit to allow a 26-unit apartment house on a 1.28 acre tract of land located on the south side of Lawnmont Avenue, east of its intersection with Woodview Avenue.

The tract is currently zoned "A", 1st H & A. Since this site of more than one acre is located adjoining a "B" district of more than two acres, this special permit allows the "BB" use, which does not require a special permit. The apartment house falls under this category. The proposed density is 20.31 units/acre. The density of the adjacent apartments to the east is 28.5 units/acre. Adjacent tracts to the west are developed as single family residences with an average density of 4 to 6 units/acre.

Although the proposed density of 20.31 units/acre complies with ordinance requirements, the staff feels it is excessive for this particular location and would like to see a decrease in density. Lesser density would be more compatible with adjacent single-family tracts to the north and west, and would also meet the intent of the ordinance of allowing this kind of use as a transition without a zoning change.

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

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: Bill Garwood, for applicant
H. R. Gibson
George Zapalac, architect
Phil Sterzing - concerned.

PERSONS APPEARING IN OPPOSITION: Tim High, 2308 Lawnmont
Charles Watkins
J.R. Davis
Monte Kroemer
Cynthia High
Richard Davis

C14p-78-046 Kenneth M. Brown (cont'd.)

WRITTEN COMMENTS IN FAVOR: Mary J. Tisinger, Executive Director, Adult Ser. Council

WRITTEN COMMENTS IN OPPOSITION: Mrs. Mary Feimster, 5303-05 Woodview
D. B. Ware, 5400 Shoalwood
Bertha V. Zumwalt, 5212 Woodview Ave.
Mrs. W.F. Gaches, 5207 Woodview
Mrs. Stanley Pittman, 2306 Lawnmont
Mrs. Clara Hebbe, 5206 Woodview
Mr. & Mrs. Joe W. Thornhill, 5208 Woodview
Ernest Helf, 5405 Woodview

COMMISSION ACTION

There was discussion of the density and the relationship of this project to the single-family neighborhood. Bill Garwood, representing applicant, explained that this is within the requirements of the zoning ordinance, it is a proposed housing project for the elderly. He pointed out that the density is less than what is allowed for this tract. He discussed a privacy fence along the western boundary, landscaping, and stated they would do whatever must be done to take care of the drainage problem. Phil Sterzing explained that the neighbors are not against the project, but are concerned with the drainage problem. Speaking in opposition, Tim High discussed the drainage problems, the devaluation of property, stating that he hated to see another apartment complex. Charles Watkins, who lives next to the proposed complex, pointed out that Lawnmont is a quiet street, a good place to live and raise children. He discussed the traffic problems and the deterioration of property values. J.R. Davis stated the area does not need any more apartments; it is a quiet neighborhood, too much traffic now for the narrow streets, and also discussed the drainage problem. Monte Kroemer felt the traffic should feed into the major street and not into the residential area. Cynthia High explained that younger people are moving into the neighborhood, refurbishing older homes. She felt this would destroy the residential character of the neighborhood and asked that it be maintained as a nice place in which to live and to raise a family. In rebuttal, Mr. Garwood explained that this was designed for the elderly and was intended to take care of their needs. There was discussion of the density and it was pointed out that if the density should be reduced, the rental would have to be increased. Mrs. Shipman felt this to be an established residential neighborhood, and technically this could be a request for "BB" zoning, pointed out she felt the density should be more in line with the "A" residential area.

COMMISSION VOTE

Mrs. Schechter moved to deny 26 units, but to approve the request for 20 units. Mrs. Shipman seconded the motion. Mr. Vier pointed out that the Planning Commission was getting arbitrary regarding density.

C14p-78-046 Kenneth M. Brown (cont'd.)

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

THE MOTION PASSED BY A 4-2 VOTE.

C14-78-047 North Austin Lion's Club: Lion's Club Baseball Park
1103 Justin Lane and
6800 Block of Grover Avenue

Elly Malone presented the staff report.

This is an application to allow a baseball park on a 4.47 acre tract of land, located on the eastside of Grover Avenue south of its intersection with Justin Lane. This organized, recreational activity is to be conducted by a private non-profit organization, the North Austin Lion's Club.

Currently the site is zoned "A", "B" and "LR", 1st Height and Area. City Council passed an ordinance in October of 1977 allowing organized recreational uses by non-profit organizations with special permit in "SR" or less restrictive districts.

An application on this tract was submitted and approved in 1977. Since the site-layout has been changed this revision is being submitted for review.

Two baseball fields are being proposed for this site, with a concession stand, field houses and clubhouse. Sixty-four parking spaces are proposed with access to Justin Lane.

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

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR: M. K. Parsons, for applicant

PERSONS APPEARING IN OPPOSITION: George Eshberger

WRITTEN COMMENTS IN FAVOR: John C. Alexander, Jr., 1813 Cullen Ave.

WRITTEN COMMENTS IN OPPOSITION: Wesley E. Diver, Rt. 3, Box 216-G, Leander

C14p-78-047 North Austin Lion's Club (cont'd)

COMMISSION ACTION

Mr. Parsons stated that the redesign is in the best interest of the ball-players. They were in agreement with the fence requirements, but did not see any need for sidewalks on Grover Street. There was discussion of driveway requirements and it was explained that a variance could be requested of the Board of Adjustments. George Eshberger requested trees or hedges be placed along the fence to help the neighborhood. Applicant indicated they would be willing to do some landscaping.

COMMISSION VOTE

Mr. Jagger moved to approve the request subject to departmental recommendations and ordinance requirements; to delete item 2 of Urban Transportation requirements; and applicant to provide buffering and landscaping along Grover Street. Mrs. Schechter seconded the motion.

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

ABSENT: Dixon, Stoll.

THE MOTION PASSED BY A VOTE OF 7-0.

C1-78 Minutes

Approve Planning Commission Minutes: April 11, 1978
April 25, 1978
May 23, 1978
June 13, 1978
June 27, 1978
July 11, 1978

Motion was made by Mrs. Schechter and seconded to approve the above minutes as corrected.

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

ABSENT: Dixon, Jagger and Stoll.

THE MOTION PASSED BY A VOTE OF 6-0.

SUBDIVISIONS

R105-78 Subdivision Memorandum

Short form and final plats as listed on the Subdivision Memorandum.
Action taken at meeting.

FINAL SUBDIVISION PLATS -- FILED AND CONSIDERED

The staff reported that the following final plat has appeared before the Commission in the past and all departmental requirements have been complied with. The staff recommends approval of this plat. The Commission then

VOTED: To APPROVE the following final plat.

C8-77-116 The Meadow
Mt. Ridge Dr. & Loop 360

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

SHORT FORM SUBDIVISION PLATS -- FILED AND CONSIDERED

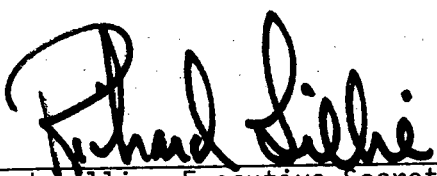
The staff reported that the following short form plats have appeared before the Commission in the past and all departmental requirements have been complied with. The staff recommends approval of these plats. The Commission then

VOTED: To APPROVE the following short form plats.

<u>C8s-77-263</u>	<u>Warren-Holmans Subdivision</u>
	Burnet Rd. N. of T & NO RR
<u>C8s-78-127</u>	<u>M & G Estates, Section II</u>
	Ed Bluestein Blvd.
<u>C8s-78-179</u>	<u>Brooks Place</u>
	R.M. 2244 & Kings Row

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

The meeting adjourned at 10 PM



Richard Lillie, Executive Secretary