

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting -- January 3, 1978

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

Present

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

Also Present

Richard Lillie, Director of Planning
Duncan Muir, Planner
Charles Graves, Director of Engineering
Chief Petty, Fire Department
John Meinrath, Legal Department
Bill Lowery, Urban Transportation Department
Ouida W. Glass, Senior Secretary

Absent

Sid Jagger
James G. Vier

*Left at 7 p.m.

ZONING

C14-76-093 John A. Parker: Interim AA, 1st to C, 1st
(by P. M. Bryant)
1601-1623 Cameron Road
1600-1610 Future Drive

Mr. Guerrero explained to the Commission members that applicant had requested a 30-day postponement.

COMMISSION VOTE

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

AYE: Messrs. Danze, Guerrero, Snyder, and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION TO POSTPONE FOR 30 DAYS PASSED BY A 6-0 VOTE.

C14p-77-047 O. Sherman Snowden, Executor: A lounge with 125 seats
(by Gary L. Snowden)
1314-4320 South Lamar Boulevard

Mr. Duncan Muir of the Planning staff presented the staff report. He stated this was postponed at the November and December hearings because applicant was not present to testify.

PERSONS APPEARING IN FAVOR

Gary Snowden, applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Mr. Guerrero asked the applicant whether or not he would be willing to reduce the seating capacity to 75 persons. Applicant agreed to do so.

COMMISSION VOTE

Mr. Stoll moved to grant the special permit for the lounge with a seating capacity for 75 persons. Mr. Guerrero seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder, and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14p-77-051 Larry Peel (continued)

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Larry Peel, applicant

PERSONS APPEARING IN OPPOSITION

None

WRITTEN COMMENTS IN FAVOR

Leon Whitney, 3909 Rockledge Drive

Jack C. Robertson, 5804 Westslope Drive

WRITTEN COMMENTS IN OPPOSITION

Ronald N. Goldstein, 3701 Hidden Hollow

COMMISSION VOTE

Mr. Danze moved to approve subject to staff recommendations and ordinance requirements. Mr. Snyder seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14p-77-052 Land Equities, Inc.: A 204-unit apartment project with
(by S. A. Garza) club house, tennis courts and
927-1013 Atkinson Road parking, called
"LaCosta Apartments"

Mr. Duncan Muir of the Planning Staff presented the staff report. He explained this is an application for a special permit to allow a 204-unit apartment dwelling group with amenities including two tennis courts, a swimming pool and a recreation building. The staff recommends approval subject to compliance with ordinance requirements and departmental recommendations.

WRITTEN COMMENTS

Clestina Haywood, 1605 East Tucker Street - Undecided

COMMISSION VOTE

Mrs. Shipman moved to approve the special permit in accordance with ordinance requirements and departmental recommendations. Mr. Stoll seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14p-77-053 J.L.P. Development Corporation: Nightclub with seating capacity
(by Bob Binder) of approximately 225 tentatively
3300 Anderson Lane, also called "APPLES"
bounded by Great Northern
Boulevard

Mr. Duncan Muir of the Planning staff presented the staff report.
The staff recommends approval subject to compliance with ordinance
requirements and departmental recommendations.

PERSONS APPEARING IN FAVOR

Bob Binder, for applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Applicant requested the Commission to delete the sidewalk recommendations.

COMMISSION VOTE

Mrs. Shipman moved to approve the request subject to compliance with
ordinance requirements and departmental recommendations, not recommending
the Urban Transportation requirement regarding sidewalks on Great Northern
Boulevard. Mrs. Schechter seconded the motion.

After discussion regarding the sidewalks in the area, and the proposed
Mo Pac and Anderson intersection, Mrs. Schechter withdrew the second to
the motion.

Mrs. Shipman then moved to approve the request subject to compliance with
ordinance requirements and departmental recommendations. Mrs. Schechter
seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.

Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

There was again discussion regarding the sidewalk requirements and Mrs.
Schechter moved to reconsider the action on the previous motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.

Mrs. Schechter.

NAY: Mrs. Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

Mrs. Schechter then moved to approve the request according to staff
requirements, deleting Urban Transportation's recommendation concerning
sidewalks on Anderson Lane and Great Northern Boulevard.

AYE: Messrs. Danze, Guerrero and Snyder.

Mrs. Schechter.

NAY: Mr. Stoll and Mrs. Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 4-2 VOTE.

Mr. Duncan Muir of the Planning staff presented the staff report. He stated this is an application for a special permit to allow a community recreation area within a proposed housing project. The staff recommends approval subject to compliance with ordinance requirements and departmental recommendations.

Charles H. Wurtzebach, 6404 Skycrest Drive

Mr. Duncan Muir of the Planning staff presented the staff report. He explained that the staff recommends that non-residential zoning be denied on the subject tract. Even if a buffer strip were established adjacent to the neighborhood, the prospect of heavy commercial or industrial activity intruding eastward into the subdivision would have a negative effect on the continued development of the neighborhood. The staff recommends the extension of Motheral Drive along the western edge of subject tract and "A" Residence zoning for the tract. A petition has been filed by owners of property in the adjoining neighborhood. The staff recommends that "DL" Light Industrial be denied but that "A" Residence be granted.

C14-77-138 Mockingbird Hill, Ltd., et al (continued)

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Bert Hooper (representing applicant)

PERSONS APPEARING IN OPPOSITION

Kathleen Hall, 2107 Thames Circle

Ted Davis, 510 South Congress

W. H. Bullard, P. O. Box 1908

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

J. C. Barnett, Jr., Route 1, Box 199, Elgin, Texas

M. D. Eyerley, 300 West Applegate

COMMISSION ACTION

Mr. Hooper explained to the Commissioners that the case had been referred back to the Planning Commission at the request of City Council with the request that applicant and area residents try to reach an agreement. He indicated there had been no agreement with the area residents on any proposal. There was discussion regarding what would be built there and the buffering that would be used. Residents of the area pointed out their concern for the small children in the area, the type of fences, shrubs, as well as buffers that would be used. This tract is in a developing single-family neighborhood and they wished it to remain that way. Applicant agreed to "DL" or "C", surrounded by 100-150 feet of "O" Office then a 60-foot roadway, then a 15-foot "A" buffer strip.

COMMISSION VOTE

Mrs. Shipman moved to deny the request since it would not be compatible with the residential neighborhood. Mrs. Schechter seconded the motion.

Mr. Snyder offered a substitute motion to grant "C" zoning rather than "DL" as shown on applicant's Alternate A, and to downgrade the Lamar Street frontage to "C". Mr. Danze seconded the motion.

There was considerable discussion of alternatives.

Mr. Danze then amended the substitute motion to grant "C" Commercial, including a rollback on the Lamar frontage, surrounded by "O" Office, the road, 15-foot buffer, subject to a site plan showing use of the property (type of building but not necessarily the use of the building), restricted to one-story buildings on the "O" Office; show greenbelt with 15 feet to be developed and maintained; the type of fence. The neighborhood is to be notified when the site plan comes in. If more than one site plan is submitted, the applicant will be charged a fee.

C14-77-138 Mockingbird Hill, Ltd., et al (continued)

AYE: Messrs. Danze, Guerrero and Snyder.
NAY: Mr. Stoll. Mmes. Schechter and Shipman.
ABSENT: Messrs. Dixon, Jagger and Vier.
THE MOTION FAILED BY A 3-3 VOTE. (Application not recommended)

C14-77-167 Medical Parkway Associates: B, 1st to GR, 1st (as amended)
(by Irvin L. Hamilton)
4008 Medical Parkway

Mr. Duncan Muir of the Planning staff presented the staff report. The staff recommends that "GR" General Retail be granted on Tract 1. The applicant requests to withdraw the request.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Irvin Hamilton, representing applicant

PERSONS APPEARING IN OPPOSITION

Robert Mann, 4108 Lewis Lane

WRITTEN COMMENTS IN FAVOR

Doug Lewis, 1512 Guadalupe

Ronald N. Goldstein, 1403 West 39½ - No Objection

WRITTEN COMMENTS IN OPPOSITION

Richard M. and Nancy Iverson, 4106 Lewis Lane

Robert A. Mann, 4108 Lewis Lane

Mr. and Mrs. Herman E. Haenel, 1618 Westlake Drive

Margaret Pfeiffer, 4103-B Lewis Lane

Rowena T. Looney, 1403-A Lewis Lane

Ann Vessels, 1401 Lewis Lane

COMMISSION ACTION

Applicant stated he would withdraw the request for zoning on Tract 2.

COMMISSION VOTE

Mrs. Shipman moved to grant "GR" General Retail on Tract 1 and to withdraw the request for zoning on Tract 2. Mr. Snyder seconded the motion.

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

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-172 Fairway Estates, Inc.: Interim AA, 1st to GR, 1st
(by M. D. Eyerley)
13176-13192 U.S. Hwy. 183
8500-8504 Balcones Club Drive

Mr. Duncan Muir of the Planning staff presented the staff report. The staff recommends that "GR" General Retail, 1st H & A be granted.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

M. D. Eyerley, agent for seller

PERSONS APPEARING IN OPPOSITION

D. D. Briggs

Tom Watts, representing Spicewood Development Company

Harold Barker, Balcones Homeowners Association

COMMISSION ACTION

The Commission heard testimony as presented. There was discussion regarding what the tract would be used for; the buffering and the curb cuts to U.S. 183, as well as traffic patterns of the entire area.

COMMISSION VOTE

Mr. Schechter moved to grant "GR" General Retail, 1st H & A. Mr. Stoll seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-173 M. E. Johnson, et ux: "A", 1st to "LR" 1st, as amended
905 East 49th Street

Mr. Duncan Muir of the Planning staff presented the staff report. He stated the staff recommends that "C" Commercial be denied but that "O" Office be granted.

PERSONS APPEARING IN FAVOR

Don Byrd, for applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Applicant amended the application to "LR" to permit a service station with a convenience store.

COMMISSION VOTE

Mr. Danze moved to grant "LR" Local Retail as amended by applicant.

Mrs. Schechter seconded the motion.

C14-77-173 M. E. Johnson, et ux (continued)

AYE: Messrs. Danze, Guerrero, Snyder, and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-174 Earl Howard and Jo Sue Howard: B, 2nd, to O, 2nd
(by Richard E. Kammerman)
1715-1721 West Avenue
713-719 West 18th Street

Mr. Guerrero explained that this was a request by the applicant to postpone for one month. It was felt to be in the best interest of applicant and the area residents.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Mark Mitchell, for applicant

PERSONS APPEARING IN OPPOSITION

Betty Phillips

WRITTEN COMMENTS IN FAVOR

A. L. and Vincent Moyer, 1803 West Avenue

WRITTEN COMMENTS IN OPPOSITION

Robert Pettus, 1601 West Avenue

COMMISSION ACTION

Mr. Stoll moved to postpone the request for one month. Mrs. Shipman seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION TO POSTPONE PASSED BY A 6-0 VOTE.

C14-77-175 Superior Dairies, Inc.: "B" Residence, 2nd H & A to
(by M. J. Adamson) "C" Commercial, 2nd H & A
612 Driskill Street
613 East First Street

Mr. Duncan Muir of the Planning Department, presented the staff report. The requested zoning is consistent with the established zoning and uses along East First Street in this area, therefore, the staff recommends that "C" Commercial "2nd" H & A be granted.

C14-77-175 Superior Dairies, Inc. (continued)

COMMISSION VOTE

Mr. Snyder moved to grant "C" Commercial "2nd" H & A. Mrs. Schechter seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-176 George B. Shepherd: "LR" 1st to GR, 1st, as amended
(by Dred J. Simmons)
5608 Parkcrest Drive bounded
by Highland Crest Drive

Mr. Duncan Muir of the Planning staff presented the staff report. The staff recommends that "C" Commercial be denied, but that "GR" General Retail be granted.

PERSONS APPEARING IN FAVOR

Dred J. Simmons, agent for applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The applicant amended the request to "GR", General Retail.

COMMISSION VOTE

Mr. Stoll moved to grant "GR", General Retail as amended by applicant. Mrs. Shipman seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-177 Bobby R. Holliday: Interim "AA" Residence, 1st H & A to
(by Phil Mockford) "GR" General Retail, (front 200 feet)
"C" Commercial, (remainder of tract
1st H & A

Mr. Duncan Muir of the Planning Department presented the staff report. He explained that the zoning policy in this vicinity is to hold the frontage of U.S. 183 to "GR" and to permit more intensive zoning to the rear. He stated the staff recommends that "GR" General Retail, 1st H & A be granted on the front 200 feet and that "C" Commercial, 1st H & A be granted on the remainder of the tract.

Cl4-77-177 Bobby R. Holliday (continued)

COMMISSION VOTE

Mr. Snyder moved to grant "GR" General Retail, 1st H & A on the front 200 feet and that "C" Commercial, 1st H & A be granted on the remainder of the tract.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

Cl4-77-178 Austin Board of Realtors, Inc.: "A" 1st to O, 1st.
(by Gerald C. Couch)
4015 and 4105 Lewis Lane

Mr. Guerrero explained to the Commission that applicant had requested the case to be withdrawn.

COMMISSION VOTE

Mrs. Shipman moved to withdraw the request as requested by applicant.
Mr. Stoll seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder, and Stoll.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger, and Vier.

THE MOTION TO WITHDRAW PASSED BY A 6-0 VOTE.

Cl4-77-179 Cecil Lee Briggs: "A" Residence, 1s H & A
(by Phil Mockford) "B" Residence, 1st H & A
2011-2015 Cullen Avenue

Mr. Duncan Muir of the Planning Department presented the staff report. The staff recommended, and the applicant agreed, to provide an additional five feet of right-of-way on Cullen Avenue, that "B" Residence be granted.

COMMISSION VOTE

Mr. Snyder moved that "B" residence be granted and that an additional five feet of right-of-way on Cullen Avenue be provided. Mrs. Schechter seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mmes. Schechter and Shipman.

ABSENT; Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-180 NPC Realty Company: B, 1st to O, 1st (Tract 1)
 (by Phil Mockford) and GR, 1st (Tract 2)
 1422 Fairfield Drive
 1507 Peyton Gin Road

Mr. Duncan Muir of the Planning staff presented the staff report. The staff recommends that "O" Office and "GR" General Retail be granted on Tracts 1 and 2, respectively.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Phil Mockford, representing applicant

PERSONS APPEARING IN OPPOSITION

Michael J. Hall, 8604 Colonial

John M. Ritter, 8800 Colonial Drive

Robert J. Taveirne, 8601 Colonial Drive

Lebert H. Thompson, 8513 Remington Lane

Ralph D. Freeman, 1019 Quail Park

David J. Pany, 8603 Colonial

Thomas J. Evans, 8607 Colonial

Francie Breyfogle, 8900 Covey Court

WRITTEN COMMENTS IN FAVOR

Lucille and Theresa Manning, 1111 Valencia, Dallas - No Objection

WRITTEN COMMENTS IN OPPOSITION

Thomas J. Evans, 8607 Colonial Drive

Ross L. Selvaggi, 8608 Colonial Drive

Robert J. Taveirne, 8601 Colonial Drive

David J. Pany, 8603 Colonial Drive

Blair E. Reed, 1419 Fairfield

Loyis E. Campbell, 8804 Clarewood

Ralph D. Freeman, North Austin Civic Association

COMMISSION ACTION

The Commission heard testimony to the effect that a prospective department store plans to locate on approximately 10 acres of the undeveloped ground, including approximately 350 feet of the buffer strip. It was pointed out that this would require good landscaping, sidewalks, and maintenance facilities. It is very important that a residential buffer be provided. Property owners were of the opinion that this would decrease their property values. Traffic is already a problem and this would create more. This is definitely an encroachment into a residential area; do not want any massage parlors or porno shops. Mr. Freeman, representing the North Austin Civic Association, requested postponement until something can be worked out.

COMMISSION VOTE

Mrs. Schechter moved to postpone the request until January 10, giving the neighborhood association, the residents of the area, and the applicant an opportunity to reach an agreement. Mr. Guerrero seconded the motion.

C14-77-180 NPC Realty Company (continued)

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

THE MOTION TO POSTPONE UNTIL JANUARY 10 PASSED BY A 4-0-2 VOTE.

C14-77-181 Patricia Howard Harris: Interim AA, 1st to GR, 1st
(by Michael L. Schoenfeld)
7101-7125 Springdale Road
7030-7124 Ed Bluestein Boulevard

Mr. Duncan Muir of the Planning staff, presented the staff report. The staff recommends that if the owner is willing to dedicate an additional ten feet of right-of-way on Springdale Road that "GR" General Retail, 1st H & A be granted.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Mike Schoenfeld, for applicant

PERSONS APPEARING IN OPPOSITION

Joan Bartz, University Hills Homeowners Association

Mary Alice Brown, University Hills Neighborhood Association

WRITTEN COMMENTS IN FAVOR

Property Management Department of the City of Austin

WRITTEN COMMENTS IN OPPOSITION

None

COMMISSION ACTION

Applicant indicated he had met with persons in the neighborhood and was willing to agree to restrictions against massage parlors, pornographic book stores and/or theatres, curb cuts and placements on Springdale Road could be worked out with the neighborhood. He also indicated that he had no comment to make on the 10 feet of right-of-way requested on Springdale Road. It was pointed out that there was an error in the zoning of the adjacent lot and that needed to be corrected. The neighborhood associations had no objections if the restrictive covenants are included and the curb cuts monitored inasmuch as Winn Elementary School is across the street.

COMMISSION VOTE

Mrs. Shipman moved to postpone the request for 30 days; that the Austin Independent School District be notified, and the neighborhood group notified of the error in the zoning. Mr. Danze seconded the motion.

C14-77-181 Patricia Howard Harris (continued)

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

THE MOTION TO POSTPONE PASSED BY A 6-0 VOTE.

C14-77-182 North Oaks Village Venture: "AA" Residence, 1st H & A to
(by Michael L. Schoenfeld) "A" Residence, 1st H & A
11806-11914 Barrington Way, also
bounded by Parliament Place

Mr. Duncan Muir of the Planning staff presented the staff report. He stated the staff recommends that "A" Residence, 1st H & A be granted.

COMMISSION VOTE

Mrs. Schechter moved to grant "A" Residence, 1st H & A. Mr. Danze seconded the motion.

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

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-183 Adon Sitra, Trustee: 0, 1st to A, 1st
2000-2020 Matagorda Street

Mr. Guerrero explained to the Commission that applicant had requested this to be postponed indefinitely.

COMMISSION VOTE

Mrs. Schechter moved to postpone indefinitely in accordance with the request of applicant. Mr. Stoll seconded the motion.

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

THE MOTION TO POSTPONE INDEFINITELY PASSED BY A 6-0 VOTE.

Cl4-77-184 John J. Mitchell: "A" Residence, 1st H & A to
(by R. W. Shortes) "MH" Mobile Home, 1st H & A
609 Thrasher Street

Mr. Duncan Muir of the Planning Staff presented the staff report.
The staff recommends that "MH" Residence be granted.

PERSONS APPEARING IN FAVOR

Ron Shortes, representing applicant
Edna Santos

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

The Commission heard testimony to the effect that there was no
opposition from the people living in the area; that it would be
compatible with the neighborhood and would help to upgrade it.

COMMISSION VOTE

Mrs. Schechter moved to grant "MH" Residence. Mrs. Shipman seconded
the motion.

AYE: Messrs. Danze, Guerrero and Snyder.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

OUT OF THE ROOM: Mr. Stoll.

THE MOTION PASSED BY A 5-0 VOTE.

Cl4-77-187 J.L.P. Development Corporation: GR, 1st to C-2, 1st
(by Bob Binder)
3300 Anderson Lane, also
bounded by Great Northern Boulevard

Mr. Duncan Muir of the Planning staff presented the staff report.
The staff recommends that "C-2" Commercial be granted.

COMMISSION VOTE

Mrs. Shipman moved to grant "C-2" Commercial. Mr. Stoll seconded the
motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll.
Mrs. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-188 Robert L. Williams: "A" Residence, 1st H & A to
(By City of Austin) "AA" Residence, 1st H & A

Mr. Duncan Muir of the Planning Department presented the staff report. He stated that the City Council recently authorized the rollback of this zoning as a courtesy to the owner and that the staff recommends that "AA" Residence be granted.

COMMISSION VOTE

Mr. Snyder moved to grant "AA" Residence, 1st H & A.
Mrs. Schechter seconded the motion.

AYE: Messrs. Danze, Guerrero, Snyder and Stoll
Mmes. Schechter and Shipman

ABSENT: Messrs. Dixon, Jagger and Vier.

THE MOTION PASSED BY A 6-0 VOTE.

C14-77-189 Malcolm H. Flournoy: Interim "A" Residence, 1st H & A to
(by Don Emerson) "O" Office, 1st H & A
Rear of 214 Eberhart Lane,
also bounded by proposed Shallow Bend Street

Mr. Duncan Muir of the Planning staff presented the staff report. This tract is undeveloped and is a part of a lot in a proposed subdivision for the Austin Housing Authority in south Austin. The proposed use of subject tract is an office and community building for the residents of this subdivision. The zoning is completely buffered from adjoining lands, therefore, no adverse zoning precedent would be set. The staff recommends that "O" Office, 1st H & A be granted.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

M. M. Berens, 202 Skyloop Drive

PERSONS APPEARING IN FAVOR

Don Emerson, applicant

PERSONS APPEARING IN OPPOSITION

Charley L. Smith, 6503 Skycrest

Charles A. Wurtzebach, 6404 Skycrest Drive

COMMISSION ACTION

The Commission heard discussion regarding the proposed use for this tract. The Pleasant Hill Neighborhood Association, represented by Charles Wurtzebach, indicated they wished to see a site plan; were

C14-77-189 Malcolm H. Flourney (continued)

of the opinion that this would set a precedent in the neighborhood for spot zoning and that if the request is approved, that the zoning apply only so long as it is owned and operated by the Austin Housing Authority. Charley Smith requested it be postponed until a site plan could be reviewed and a determination made regarding the landscaping, fencing, and safety needs of the children are appropriate.

COMMISSION VOTE

Mrs. Shipman moved to postpone action until a site plan is presented which would include the relationship of this to the entire subdivision, and also to include landscaping provisions. Mrs. Schechter seconded the motion.

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

Mrs. Shipman then moved to reconsider the action taken. Mrs. Schechter seconded the motion. Mrs. Shipman moved to grant "O" Office, 1st H & A subject to being owned and operated by the Austin Housing Authority. Mr. Guerrero seconded the motion.

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

THE MOTION PASSED BY A 4-0-2 VOTE.

R1200 Waterway Development Permit

Request for Planning Commission approval of the enclosure of an open drainage ditch with a peak flow rate exceeding 300 cfs for the Drapela Subdivision.
Waterway Development Permit Application No. 77-10-3319.

Mr. Richard Lillie, Director of Planning, explained to the Commissioners that waterway development permits were handled by the Engineering Department, at which time Mr. Charles Graves, Director of the Engineering Department, explained the process to the Commissioners.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

W. C. Cotten, Jr., P.E., for applicant

PERSONS APPEARING IN OPPOSITION

None

R1200 Waterway Development Permit (continued)

COMMISSION VOTE

Mr. Stoll moved to approve the enclosure of the open drainage ditch and recommended that the Engineering Department proceed with the subdivider below this property to correct any problems that might arise therefrom. Mr. Dixon seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 7-0.

R1200 Waterway Development Permit

To consider an appeal of Waterway Development Permit
No. 77-08-3307 for property at 820 Stassney Lane

Mr. Richard Lillie, Director of the Planning Department, explained that Terry J. Sasser had filed an appeal regarding this permit.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Don Davis, engineer for applicant
Denny Sherman, construction manager for applicant

PERSONS APPEARING IN OPPOSITION

Terry Sasser
Dr. C. C. Allison

COMMISSION ACTION

Mr. Graves, Director of the Engineering Department, explained to the Commissioners that this particular area is in one of the most sensitive areas of the City when flooding is concerned. Drainage work is being planned to help correct the situation. A lot of this occurred before the City had control of the problem. There was discussion regarding the amount of water that would go through the area and how it would erode adjacent property. Dr. Allison requested the request to be tabled until such time as it could be studied more deeply; some corrections need to be made; it is not good the way it is now. Mr. Snyder moved to postpone the request for one week. Mrs. Schechter seconded the motion. Mr. Snyder requested Mr. Graves to provide answers to questions Dr. Allison was to submit to him in writing in time for the Commissioners to study before the next hearing. There was discussion regarding whether or not to allow other persons to speak at this time, whereupon Mrs. Schechter withdrew the second and Mr. Guerrero then seconded the motion for postponement. Mr. Stoll felt that the persons arriving late should be given an opportunity to be heard.

R1200 Waterway Development Permit (continued)

The Commission then heard testimony from Don Davis, engineer for applicant, to the effect that when property is developed is the proper time to spend money on it. Denny Sherman, construction manager for the Skaggs-Albertson project stated they have done everything the City had asked them to do; any delays are costly, and requested they be allowed to proceed.

COMMISSION ACTION

Mr. Dixon moved the postpone the hearing until 5:30 p.m., Tuesday, January 10; that this not again be an open hearing; that Dr. Allison address any comments or objections he might have, in writing, to Mr. Charles Graves of the Engineering Department, in time for Mr. Graves to have an answer to them and to the Commissioners in time for study before the meeting on January 10. Mr. Guerrero seconded the motion.

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

THE MOTION TO POSTPONE PASSED BY A 7-0 VOTE.

SUBDIVISIONS

R105-77 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 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 final plats:

C8-77-36 Springwoods, Section One
Anderson Mill Road and Jollyville Road

C8-77-87 Milwood, Sec. 1, Ph. 2
Duval Road

AYE: Messrs. Danze, Guerrero and Snyder.
Mmes. Schechter and Shipman.
ABSENT: Messrs. Dixon, Jagger and Vier.
OUT OF THE ROOM: Mr. Stoll.

SHORT FORM SUBDIVISION PLATS--FILED AND CONSIDERED

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

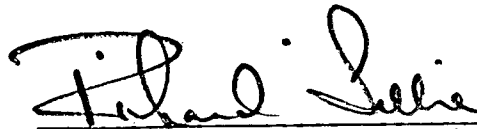
VOTED: To APPROVE the following short form plat:

C8-77-279 Kathy Cove Addition
Kassarine Pass & Kathy Cove

AYE: Messrs. Danze, Guerrero and Snyder.
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon, Jagger and Vier.
OUT OF THE ROOM: Mr. Stoll.

The meeting adjourned at 11:45 p.m.



Richard R. Lillie, Executive Secretary