

CITY PLANNING COMMISSION

Austin, Texas

Special Called Meeting -- May 1, 1978

The special called meeting of the Planning Commission was called to order at 5:35 p.m. in the City Council Chambers.

Present

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

Also Present

Tom Knickerbocker, Assistant Director of Planning  
Evelyn Butler, Supervisor Current Planning  
Marie Gaines, Planner  
Betty Baker, Planner  
John Meinrath, Legal Department  
Ouida W. Glass, Senior Secretary

Absent

Sid Jagger

C14-78-060 Southland Corporation: "GR", 1st H & A to "C-1", 1st H & A  
(by Charles Simon)  
1150 Hargrave also bounded by  
Rosewood Avenue

Marie Gaines of the Planning Department presented the staff report. She explained that the requested "C-1" zoning permits the sale of alcoholic beverages for off-site consumption. A previous request for "C-2" zoning on the adjacent tract to the north was denied. "C-1" zoning is incompatible with the surrounding uses and zoning. Proximity of the proposed use to the elementary school is not desirable. The staff recommends to deny "C-1", 1st H & A.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Charles Simon, applicant

Lee Choate, representing applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Applicant explained that he holds a wholesale license and to comply with the provisions of the state law the C-1 zoning is needed. Mr. Guerrero explained that it would be necessary for the Southland Corporation to agree to the roll back or a restriction keeping the use as it is now. There was discussion of the proximity of the elementary school. Mr. Vier felt a postponement was in order to give applicant time to see what could be done in order to comply with the state law and still retain the present use of the property.

COMMISSION VOTE

Mr. Vier moved to continue the hearing May 9, 1978, at 5:30 p.m., in order to give staff and applicant an opportunity to try to work out the situation. Mrs. Schechter seconded the motion. Mrs. Shipman amended the motion to ask the City Attorney's office to provide the Planning Commission with information regarding the C-1 zoning and how it relates to the state law. She felt there was a problem and there might be a need to add another sentence to the zoning ordinance. Mr. Vier accepted the amendment, indicating this could be a precedent setting case.

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

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-061      Startex Petroleum Corporation: "LR", 1st H & A to  
                              (by Charles Simon)                     "C-1", 1st H & A  
                              2907 South First Street

Marie Gaines of the Planning Department presented the staff report. She explained that this zoning request is inconsistent with the established zoning policy in this area and that it would be incompatible with the low-density neighborhood which it adjoins. The staff recommends to deny "C-1", 1st H & A.

## CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Charles Simon, applicant  
Lee Choate, representing applicant  
Glenn Synnott, 3004 South First Street

**PERSONS APPEARING IN OPPOSITION**

None

### COMMISSION ACTION

Applicant explained that he now holds a wholesale liquor license and the change is necessary to comply with provisions of the state law. There would be no change in the operations as now being conducted except to sell hard liquor to go. There was discussion of the elementary school being nearby. Mr. Vier felt a postponement would be in order to allow the applicant and staff ample opportunity to see what could be worked out.

COMMISSION VOTE

Mr. Vier moved to continue the request to 5:30 p.m., May 9, 1978, in order to give staff and the applicant an opportunity to work out the situation. Mrs. Schechter seconded the motion. Mrs. Shipman amended the motion to ask the City Attorney's office to provide the Planning Commission with information regarding the C-1 zoning and how it relates to the state law. She felt there was a problem and there might be a need to add another sentence to the zoning ordinance. Mr. Vier accepted the amendment, indicating this could be a precedent setting case.

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

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-062      Numerous Owners: Interim "AA", 1st H & A to  
(by City of Austin) Proposed Appropriate Zoning  
Generally bounded to the north by Barrington Way,  
to the south by Great Hills Trail, to the east by  
U.S. 183, including Summit Oaks Subdivision and  
west by a 200-foot line west of and parallel to  
Jollyville Road and includes the Planned Industrial  
Area along Woodcrest Drive, up to Broad Oaks Drive,  
and incorporates the 20.74-acre tract of land south  
of Jollyville Road.

Marie Gaines of the Planning Department presented the staff report. She stated the City Council had instructed the Planning Department to study the subject area and to recommend appropriate permanent zoning. The following guidelines govern the recommendations: (1) to encourage a more comprehensive zoning approach to an area rapidly changing from a rural to an urban setting; (2) to recommend permanent zoning which will encompass previous zoning policies; and (3) to suggest a rational approach for land use which will minimize the number of zoning cases for this area. She discussed the area involved as well as the general land use and zoning. The zoning policies which have been developed for the lands within the study area as a result of a number of zoning cases are as follows: (1) to permit a maximum of "GR" General Retail for the lands fronting U.S. Highway 183, with more limited areas of more intense zoning to the interior of those tracts and to scale down to land fronting Jollyville Road; (2) to scale down to "O" Office for tracts on the east side of Jollyville Road not oriented to a major intersection; (3) to implement the zoning policy within the Summit Oaks Subdivision south of U.S. 183 for a maximum of "AA" Residence; (4) to implement the zoning plan approved by the City Council for the Summit Oaks Subdivision to the North of U.S. 183; and (5) to encourage single-family development in the predominantly undeveloped area west of Jollyville Road. The policy for Jollyville Road has been for "O" Office along the east side of Jollyville Road and "A" Residence is an appropriate scale down and buffer to the more intensive districts to the east.

The City Council and Planning Commission have expressed an interest in regulating the spacing of driveways along higher speed thoroughfares such as U.S. 183. The Urban Transportation Department is developing a proposal for ordinance revisions dealing directly with driveway spacing standards.

The future of existing uses will need to be considered. The Commission has two ways of dealing with them: (1) to allow these uses to continue as legal non-conforming uses; or (2) to recommend appropriate zoning for the existing uses where the identified use is considered consistent with

C14-78-062 Numerous Owners (continued)

the developing land use and existing zoning. In addition numerous owners have identified various undeveloped lots which they feel require more intensive zoning than recommended. The Commission can choose to recommend the various requests based on past policy and reasonable use, or it can choose to exclude those tracts from the study area for further consideration, or grant a permanent zoning district as recommended.

The staff recommends to grant permanent zoning where Interim zoning exists as follows: (1) to grant "GR" General Retail on properties fronting U.S. Highway 183 with the following modifications: (a) "GR" from Barrington Way up to the easternmost boundary line of the "O" Office boundary on the southern side of Old Jollyville Road; (b) "GR" on through tracts except 120 feet of "O" along Jollyville Road; (c) "GR" on the north side of U.S. 183 in the Summit Oaks Subdivision on properties fronting McCoy Road, U.S. 183 and all properties on the south side between McCoy Road and Bell Avenue; (d) "O" on through lots fronting U.S. 183 to Morgan Trail except 25 feet of "A" Residence on the south; (e) "GR" General Retail, 1st H & A on the lot adjoining the southeast section of the Summit Oaks Subdivision except for a 25-foot strip of "A" Residence, beginning at the north of the proposed "AA" Residence boundary; (f) "GR" General Retail, 1st H & A on the two properties at the northwest intersection of Great Hills Trail and Jollyville Road; (g) "GR" General Retail, 1st H & A on the properties fronting only Hamilton Lane and Thunder Creek Road;

(2) To grant "O", 1st H & A on the remaining properties fronting on the east and northeast side only of Jollyville Road except for the Summit Oaks Subdivision;

(3) To grant "A" Residence, 1st H & A along the west and southwest side of Jollyville Road from the county line up to Ladera Vista, a portion of Oak Forest Subdivision from Wood Crest up to the existing "A" Residence and "A" Residence on the 20.74-acre pentagonally shaped tract south of Jollyville Road;

(4) To grant "AA", 1st H & A on the remainder of the Summit Oaks Subdivision north and south of U.S. 183 and Highland Oaks Subdivision northeast of Jollyville Road and "AA" Residence on the south side of Jollyville Road between Ladera Road and Ranch Road;

(5) To grant "D" Industrial for the Planned Industrial Development area; and

(6) To recommend lands adjacent to Thunder Creek and Hamilton Lane remain residential until the right-of-way has been increased to a minimum of 64 feet to provide adequate access to the more intensive uses recommended in Section 1, 1-G, and 2.

C14-78-062 Numerous Owners (continued)

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Judy Walker, 11814 Highland Oaks Trail  
Janet Bledsoe, 11607 Bell Avenue  
Marie O. Moore, 12202 Conrad Road  
Sam Spangler, 5909 Arabian Road  
H. C. Buhler, 12107 Bell Avenue  
Mel Munsell, 10820 Jollyville Road - No Opinion  
Joanne Folta, 5804 Sierra Madre  
Britton Joy, 11900 Hamrich Court  
Jane Schrader, 11602 Bell Avenue  
Trudy Lynn, 5804 Sierra Leon  
Carl W. Gaylord, 5802 Sierra Madre  
Al Seiter, 11903 Hamrich Court  
Rosina R. Gaylord, 5802 Sierra Madre  
Clude Folta, 5804 Sierra Madre  
Mary Margaret Quadlanda, 602 Harris Avenue - No Opinion

PERSONS APPEARING IN OPPOSITION

Craig Cregar, 909 Daniel Drive  
Charles DeGress, 11510 Jollyville Road  
Wilma Falk, 5904 Sierra  
Daisy Thurman, 10608 Jollyville Road  
C. A. Shaw, 11919 Arabian Trail

WRITTEN COMMENTS IN FAVOR

Chester C. Buratti, P. O. Box 702  
Susie E. Gatliff, 9126 Jollyville Road  
David E. Hart, 2900 Guadalupe

WRITTEN COMMENTS IN OPPOSITION

Garland H. and Betti R. Close, 4917 Strass Drive  
C. A. Shaw, 11919 Arabian Trail  
Robert Schmidt, Yaring's, P. O. Box 2027

COMMISSION ACTION

Mr. Dixon felt this should be taken under advisement and suggested the entire study be broken into sections for careful consideration. Mr. Guerrero explained that the City Council has asked the staff to come up with a comprehensive analysis and this is the result of it. If the study is to be broken down, Marie Gaines of the Planning Department staff, suggested that it be broken into three areas. There was discussion and Mr. Stoll moved to break the study into segments for consideration. Mrs. Shipman seconded the motion. Mrs. Schechter moved to table the study at this time and that it be broken into areas for consideration. Mr. Dixon seconded the motion. Mrs. Shipman moved that the Commission proceed. Mr. Guerrero stated that the people are here, a public hearing had been called, and there was a need to proceed. Mr. Snyder ruled that as a point of order, the Commission did not have the right to deny the public the opportunity to speak. The study was then broken into four areas and the hearing proceeded.

C14-78-062 Numerous Owners (continued)

Area 4 began at Barrington Way to Summit Oaks. Area residents expressed concern for Barrington Way being an entrance to Oak Forest along Jollyville Road and requested certain portions be zoned "O" Office. Some area residents requested permanent "AA" zoning. Don Byrd suggested consideration of the possibility of removing problem areas, act on what everyone agrees with. He felt that probably 90 percent of the area would be zoned in this manner, thereby setting a pattern.

Section 2 was then discussed with area residents referring to the Master Plan, deed restrictions, traffic problems, and the need for buffering. They requested a study for the residential traffic pattern, especially the traffic off Bell Avenue. It was pointed out that this would be a bad precedent to change the zoning since this area was deed restricted for single-family residences.

Section 1-A was then discussed. Judy Walker, representing the Northwest Neighborhood Association, spoke of the desire of residents to have the right to petition, and stated there was no request for roll back or that the present land use be altered. She felt that permanent zoning of the entire area would save a lot of zoning requests. She stated that the land-owners and developers should not make profits at the expense of homeowners. There was discussion of permanent zoning and the restriction of ingress and egress into the neighborhood area from the businesses. Carl Gaylord requested rezoning in an effort to stop indiscriminate building.

Section I was then discussed. Margaret Quadlander requested postponement, stating there was not sufficient notification to prepare. There was discussion of the businesses in the area and their intrusion into the residential neighborhood. Mr. Muncell requested the area be rezoned "GR" or "O" since it was not suitable for residential development.

Section 1-B was then discussed with involved persons expressing the feeling that there should be a strip of "O" or "GR" on Jollyville Road and that "A" Residential is all right on the back portion.

Area 3 - Stan Johnson requested "C" Commercial or "GR" ; with the area South of Summit Oaks considered for "A" or "AA".

## COMMISSION VOTE

Mrs. Schechter moved to close the public hearing. Mr. Snyder seconded the motion.

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

THIS MOTION PASSED BY A VOTE OF 7-0.

C14-78-062 Numerous Owners (continued)

Mrs. Schechter stated that since the Planning Commission is charged with the health, safety, and welfare of all citizens, she felt very strongly that the zoning decision should not be made at this time, therefore, she moved that decision be postponed for at least 30 days, and possibly 60, with no further public hearing; that the staff be instructed to obtain more information for the Commission; that the Commission hold a study session at which time more detailed maps be made available; that all individual requests for zoning be considered separately from the neighborhood associations but put into their proper perspective as to the area in which they belong and that any correspondence received from any group or individual be added to the packet for each and every member of the Commission. If possible, request aerial photographs and maintained that a moratorium be extended on all zoning cases in this area until the Commission acts on some sort of permanent zoning. Mrs. Shipman seconded the motion.

Mr. Stoll offered a substitute motion to endorse the staff presentation, the zoning plan in principle is very logical policy for this area; that permanent zoning be granted to Area 1-A; that the other areas (4, 2, 1-B, and 3), that the Planning Commission schedule hearings over the next four months, taking at least one area per month, which will allow plenty of time for notification and staff analysis to be made. Mr. Danze seconded this motion.

AYE: Messrs. Danze, Snyder, and Stoll.

NAY: Messrs. Dixon and Guerrero.

Mmes. Schechter and Shipman.

ABSENT: Messrs. Jagger and Vier.

THE SUBSTITUTE MOTION FAILED BY A VOTE OF 3-4.

There was again discussion on the original motion. Mr. Guerrero pointed out that only the City Council can set moratoriums; more permissive zoning would require public hearings.

Mr. Danze then offered a substitute motion that the case be resolved as quickly as possible and moved that Section 1-A be accepted as presented by the staff in its entirety; that Section 1-B south of Summit Oaks be zoned "O" Office for a 200-foot strip, having "O" facing "O"; Section 3 to be zoned "O"; Section 2 as per staff recommendations and that Lot 5 be zoned "A"; that Section 4 be zoned as per staff recommendations. This motion died for the lack of a second.

Mr. Dixon then offered another substitute motion to accept staff recommendations and to refer the request to the City Council. Mr. Guerrero seconded this motion.

AYE: Messrs. Dixon and Guerrero.

NAY: Messrs. Danze, Snyder, and Stoll.

Mmes. Schechter and Shipman.

ABSENT: Messrs. Jagger and Vier.

THIS SUBSTITUTE MOTION FAILED BY A VOTE OF 5-2.



C14-78-062 Numerous Owners (continued)

The Commission then voted on the original motion to postpone decision for 30 to 60 days, with no further public hearing, and provision for further study.

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

THE MOTION PASSED BY A VOTE of 6-1.

C14-78-063 Woodrow R. Lee: Interim "AA", 1st H & A to  
13759-13771 U.S. 183 "GR", 1st H & A

Marie Gaines of the Planning Department presented the staff report. She explained this request is consistent with existing and pending zoning and the staff recommends that "GR", General Retail, first height and area be granted.

COMMISSION VOTE

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

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

ABSENT: Messrs. Dixon, Jagger.  
ABSTAINED: Mr. Vier.

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

C14-78-066 J. Marvin Basey & Janell Basey: Interim "A A", 1st H & A  
8718 Leisure Drive to "A", 1st H & A

Marie Gaines of the Planning Department presented the staff report. She explained that applicant is requesting this zoning in order to construct a duplex on the lot. The staff recommends that "A", Residential, first H & A be granted.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

None

PERSONS APPEARING IN OPPOSITION

Glenn Van Shellenbeck, 8705 Leisure Drive

Bruce Miroff, 607 Upson

C14-78-066 J. Marvin Basey & Janell Basey (continued)

COMMISSION VOTE

Mr. Stoll moved to grant "A", Residential, 1st H & A. Mrs. Shipman seconded the motion.

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

Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon and Jagger.

ABSTAINED: Mr. Vier.

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

C14-78-067 Parker Heights, Incorporated: "GR", 1st H & A  
(by C. L. Reeves) to "A", 1st H & A  
2311-2413 Burleson Road

Marie Gaines of the Planning Department presented the staff report. She stated the applicant is requesting a roll back from "GR", General Retail, 1st H & A to "A", Residential to develop duplexes. The staff recommends that the request for roll back from "GR", 1st H & A to "A", Residential, 1st H & A be granted.

WRITTEN COMMENTS IN OPPOSITION

Roger D. and Patrice S. Thompson, 1805 Crooked Lane

COMMISSION VOTE

Mr. Stoll moved to grant "A", Residential, 1st H & A. Mrs. Shipman seconded the motion.

AYE: Messrs. Guerrero, Snyder, and Stoll.

Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon and Jagger.

ABSTAINED: Messrs. Danze and Vier.

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

C14-78-068 C. Dotson Smith: Interim "AA", 1st H & A to "C", 1st H & A  
3906 Spicewood Springs Road

Marie Gaines of the Planning Department presented the staff report. She explained that subject tract is developed as a swimming instruction site and access is via a private road. The proposed use would be for expansion and renovation of physical education facilities. The requested zoning is inconsistent with the zoning and developing uses and would be spot zoning in an area surrounded by single-family residences in Interim "A". The staff recommends to deny "C" Commercial.

C14-78-068 C. Dotson Smith (continued)

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Dotson Smith, applicant

Phil Mockford, representing applicant

Garland O'Quinn

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Applicant explained that a deed restriction would be submitted and that he would like to expand the greenbelt type area to provide a spot for children. He stated that the Austin Independent School System trains there, the Parks and Recreation Department uses the pool in the winter months, there are adult rehabilitation classes held there, as well as special education classes for AISD. Mr. Vier pointed out that this is a real asset to the neighborhood, that applicant has tried to be compatible, has been in business for years and that the area has built around him. Mr. Snyder discussed the possibility of "C" Commercial zoning for the period of time it would take to complete the project and then to roll back the zoning.

COMMISSION VOTE

Mrs. Shipman moved to accept the site plan as presented, to accept the deed restriction as submitted by applicant, and to grant "C" Commercial 1st H & A as requested by applicant. Mrs. Schechter seconded the motion.

Mr. Stoll offered a substitute motion to continue the hearing for one week so that staff and applicant could review the site plan, make sure it is compatible with the neighborhood as it will be developed, and that the site plan be tied to the deed restrictions as offered by the applicant. Mr. Danze seconded the motion.

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

NAY: Mmes. Schechter and Shipman.

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 6-2.

C14-78-069 Murl L. Reynolds & Gloria Reynolds: "O" Office & Interim "A",  
(by William M. Brooks) 1st H & A to "A", 1st H & A

Marie Gaines of the Planning Department presented the staff report. She stated this request is consistent with the existing zoning fronting Valley View Road, therefore, the staff recommends that "A" Residence, 1st H & A, subject to short form subdivision, be granted.

C14-78-069 Murl L. Reynolds & Gloria Reynolds (continued)

COMMISSION VOTE

Mr. Stoll moved to grant "A" Residence, 1st H & A, subject to short form subdivision. Mrs. Shipman seconded the motion.

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

ABSENT: Messrs. Dixon and Jagger.

ABSTAINED: Mr. Vier.

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

C14-78-070 Walter Wendlandt and Charles Wendlandt: "GR", 1st H & A to  
1621 West Ben White Blvd. "C", 1st H & A

Marie Gaines of the Planning Department presented the staff report. She explained that applicant has requested "C", Commercial zoning to sell alcoholic beverages to go from the Sommers Drug Store. This change would affect only this location. The staff recommends that "C" Commercial, 1st H & A be granted.

COMMISSION VOTE

Mr. Stoll moved to grant "C" Commercial, 1st H & A. Mrs. Shipman seconded the motion.

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

ABSENT: Messrs. Dixon and Jagger.

ABSTAINED: Mr. Vier.

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

C14-78-072 Discovery Properties, Ltd.: "LR", 1st H & A to  
5501 Balcones "C", 1st H & A

Marie Gaines of the Planning Department presented the staff report. She stated that applicant has requested "C", Commercial zoning to allow the sale of alcoholic beverages to go from the Sommers Drug Store. This change would only affect the drug store, the shopping center would remain "LR", Local Retail. The staff recommends that "C" Commercial, 1st H & A be granted.

COMMISSION VOTE

Mr. Stoll moved to grant "C" Commercial, 1st H & A. Mrs. Shipman seconded the motion.

C14-78-072 Discovery Properties, Ltd. (continued)

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

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

C14-78-074 Lyndon Crider: Interim "AA", 1st H & A to "GR", 1st H & A  
12705 Research Boulevard

Marie Gaines of the Planning Department presented the staff report. She explained that this request is compatible with existing zoning in the area. The staff recommends that "GR", General Retail, first height and area be granted.

COMMISSION VOTE

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

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

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

C14-78-075 Ronald Driver: "A", 1st H & A to "BB", 1st H & A  
(by John Patton)  
612 and 614 Upson also bounded  
by West 7th Street

Marie Gaines of the Planning Department presented the staff report. She explained this is an older neighborhood and is predominantly single-family residential. The area is undergoing a redevelopment phase and the trend has been to maintain its character of single family residences as encouraged by younger residents moving into the area. The requested "BB" zoning would be an intrusion into a single-family residential neighborhood and would discourage continued redevelopment. Apartments also would increase traffic on minor residential collector streets. The staff recommends that "BB" Residence, 1st H & A be denied.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR  
None

C14-78-075 Ronald Driver (continued)

PERSONS APPEARING IN OPPOSITION

Jim Fogle, 514 Upson  
Mrs. Roland Quick, Corner 7th and Upson  
Roy Nuness, 615 Deep Eddy Avenue  
Resident, 607 Upson  
Jeff Secovia

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Clarence and Lydia Hannon, 1143 East 20th  
Mrs. Robert T. Ozden, no address  
Brad Doherty, 608 Deep Eddy Avenue  
Shaimyn Tumeden, 608 Deep Eddy Avenue  
Robert Delph, Jr., 607 Deep Eddy Avenue  
Linda Boardman, 611 Upson Street  
John Fofee, 603 Deep Eddy  
Donna Dale, 607 Deep Eddy  
Floyd Delemater, 608 Upson  
Becky Stolcup, 600 Deep Eddy  
Mr. and Mrs. Jesse A. Gartman, 601 Deep Eddy  
James M. Foyd, 514 Upson  
E. P. Gaines, 605 Deep Eddy Avenue  
Craig Warner, 508-B Upson  
Jeff Sikes, 612 Deep Eddy  
Roy Nuness, 516 Deep Eddy Avenue  
Mrs. A. G. Garza, 609 Deep Eddy Avenue

COMMISSION ACTION

Speaking in opposition, Bruce Meiroff felt this to be one of the nicer remaining older areas in Austin, with character and charm, the apartment use would have a disastrous affect on the neighborhood, both physically and aesthetically. He also pointed out the traffic problem, as well as the noise that would be generated by the proposed use. Area residents joined in his concern and expressed the desire to leave the area single-family residential and not to allow apartments to be built.

COMMISSION VOTE

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

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

Mmes. Schechter and Shipman.

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-076

Constance E. Wollman: "A", 1st H & A to "GR, 1st H & A  
4611 North I.H. 35

Marie Gaines of the Planning department presented the staff report. She explained that surrounding land uses and zoning include single-family homes in "A" Residence and undeveloped land owned by the Municipal Airport to the north. To the south are single-family houses used and zoned "O" Office. Business uses in "C" Commercial are on the west across I.H. 35 and directly to the east are single-family residences in "A" Residence. Previous requests for "GR" General Retail have been consistently denied and "O" recommended along this portion of the access road. The staff recommends to deny "GR", 1st H & A but to grant "O" Office, 1st H & A.

## CITIZEN COMMUNICATION

## PERSONS APPEARING IN FAVOR

Constance E. Wollman, applicant  
Ken Radar, 4604 Elwood

## PERSONS APPEARING IN OPPOSITION

Sam Griswold

## WRITTEN COMMENTS IN FAVOR

George H. Wern, 4603 N. I.H. 35

## WRITTEN COMMENTS IN OPPOSITION

Irene B. Turner, 4613 East Avenue

## COMMISSION ACTION

There was a discussion of the zoning and the land uses in the immediate area. Applicant stated that because of the noise, traffic, etc., she wished to have the zoning changed in order to sell her property and be able to live elsewhere. She stated that everybody has already moved out, offices and rent houses is all that is left. Sam Griswold, speaking in opposition, pointed out the increased traffic if zoned "LR", parking and noise also would be a problem, the rezoning should be for "O" if changed at all. Applicant felt that since there was Commercial zoning on the opposite side of the highway, there should be no difference in the traffic, "GR" zoning was preferred.

## COMMISSION VOTE

Mrs. Shipman moved to deny "GR", 1st H & A, but to grant "O" Office, 1st H & A. Mr. Stoll seconded the motion.

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

Mmes. Schechter and Shipman.

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

Marie Gaines of the Planning Department presented the staff report. She explained that this request is consistent with zoning in the area and the staff, therefore, recommended that "GR", General Retail, first height and area be granted.

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



C14-78-080      Joe R. Arellano and Dora G. Arellano: "A", 1st H & A to  
1407 Montopolis Drive      "GR", 1st H & A

Marie Gaines of the Planning Department presented the staff report. She explained that applicant proposes to construct a building on this site for his upholstery business and that "GR" would be required for this use. The staff recommends that "GR", on this tract be denied but recommends that "GR" General Retail, 1st H & A be granted only on the westernmost 200 feet fronting Montopolis Drive.

**COMMISSION VOTE**

Mrs. Shipman moved to deny "GR" on the tract, but to grant "GR" General Retail, 1st H & A on the west 200 feet fronting Montopolis Drive. Mr. Stoll seconded the motion.

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

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-081 Richard Mathys and Janet Mathys: Interim "A", 1st H & A to  
(by Robert L. Crider) "C-1", 1st H & A

Marie Gaines of the Planning Department presented the staff report. The staff recommends that "C" Commercial, 1st H & A be granted as it is compatible with existing zoning in the area, subject to approval of pending subdivision.

## CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

Carl W. Cole, 5501 South Congress

WRITTEN COMMENTS IN OPPOSITION

None

**COMMISSION VOTE**

Mr. Stoll moved to grant "C" Commercial, 1st H & A. Subject to approval of pending subdivision. Mrs Shipman seconded the motion.

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

**ABSENT:** Messrs. Dixon and Jagger.

ABSTAINED: Mr. Vier.

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

C14-78-083      Ed London: Interim "AA", 1st H & A to "GR", "C", and "B", 1st H & A  
                  (by Bill M. Smyrl)  
                  11047-11109 U.S. Hwy. 183

Marie Gaines of the Planning Department presented the staff report. She explained this request consists of four undeveloped tracts containing a total of 25.671 acres fronting on U.S. Highway 183 in the northwest section of Austin. The requested zoning poses significant traffic generation and movement concerns. The staff recommends to grant "GR", 1st H & A on Tract 1 and 2 except for a 25-foot strip of "A" Residence, 1st H & A on the northern border to begin at the easternmost boundary of the adjacent "GR" line on Tract 1; to grant "C" Commercial on Tract 3; to deny "B", but to grant "BB" Residence, 1st H & A on Tract 4, except for a 25-foot strip of "A" on the northern border, and a tier of lots in "A" Residence, 1st H & A on the west side of the proposed extension of Santa Cruz and "A" on the east side.

#### CITIZEN COMMUNICATION

##### PERSONS APPEARING IN FAVOR

Bill Smyrl

##### PERSONS APPEARING IN OPPOSITION

Bud Boucher, Balcones Woods Homeowners Association

##### WRITTEN COMMENTS IN FAVOR

None

##### WRITTEN COMMENTS IN OPPOSITION

None

#### COMMISSION ACTION

There was discussion regarding the proposed road configuration and the easements. Applicant agreed with the staff recommendations except for the tier of lots on the west, and suggested 25-foot buffer be granted between the IA and BB zoning and proposed a maximum of 250 units. Mr. Snyder felt the applicant should come back with a special permit and a site plan. Mr. Boucher, representing the Balcones Woods Homeowners Association, discussed the residential nature of the adjoining property, stating this to be an area of single-family homes. He also pointed out the heavy traffic on U.S. 183 and the resulting noise. He stated there was no basic disagreement with the proposed development as outlined and expressed approval of the developer's concept of 25 feet of buffer along the proposed extension of Santa Cruz with no access. He indicated the proposal was reasonable, but was concerned of the safety aspect; felt there should be a traffic impact study made before action taken on this request, and requested consideration be given to the making of Hamilton Road an outlet for the North-South traffic. Applicant explained that the Highway Department had plans to make this an expressway with limited ingress and egress.

C14-78-083 Ed London (continued)

COMMISSION VOTE

Mr. Vier moved to grant "GR" on Tract 1, "BB" on Tract 4, "GR" on Tract 2 and "C" on Tract 3 with a 25-foot buffer of "A" adjacent to all single-family lots adjoining Tracts 1 and 4, a 25-foot buffer for Santa Cruz Drive with no access on to Santa Cruz Drive. Mr. Dixon seconded the motion.

Mrs. Shipman offered an amendment to the motion that the green belt buffer be maintained by the owner.

Mr. Snyder offered an amendment to the motion that Urban Transportation study the feasibility of not continuing Santa Cruz into the neighborhood.

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

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

Mr. Vier moved to reconsider the vote on the above motion. Mr. Snyder seconded the motion.

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

ABSENT: Mr. Jagger.

Mr. Vier then moved to amend the motion to add that triangular portion immediately to the East off Santa Cruz Drive and backed up to the single family lots be left "A" Residential. Mr. Snyder seconded the motion.

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

ABSENT: Mr. Jagger.

THE MOTION PASSED BY A VOTE OF 8-0.

C14-78-085 American National Bank: Interim "A" to "DL", 1st H & A  
(by W. B. Houston)  
2020-2318 Donley Drive  
2011-2213 Kramer Lane  
10812-10816 Metric Blvd. (Running Bird Lane)

Marie Gaines of the Planning Department presented the staff report. She stated this request is consistent with the Austin Development Plan and the staff recommends to grant "DL" Light Industrial, 1st H & A.

C14-78-085 American National Bank (continued)

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

D. L. Bostrom, Box 3552, Quincy, Illinois

WRITTEN COMMENTS IN OPPOSITION

None

COMMISSION VOTE

Mr. Stoll moved to grant "DL", Light Industrial, 1st H & A. Mrs. Shipman seconded the motion.

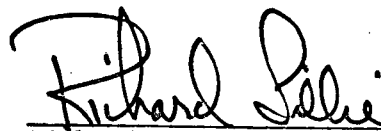
AYE: Messrs. Danze, Guerrero, Snyder, and Stoll.  
Mmes. Schechter and Shipman.

ABSENT: Messrs. Dixon and Jagger.

ABSTAINED: Mr. Vier.

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

The meeting adjourned at 10 p.m.



Richard R. Lillie, Executive Secretary