

CITY PLANNING COMMISSION  
Austin, Texas  
Regular Meeting - February 6, 1979

The Regular Meeting of the City Planning Commission was called to order at 5:50 p.m. in the City Council Chambers.

Present

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

Also Present

Tom Knickerbocker, Assistant Director Planning  
Evelyn Butler, Supervisor Current Planning  
Marie Gaines, Planner  
Betty Baker, Planner  
Sheila Finneran, Legal Department  
Jim Gotcher, Building Inspection Department  
Joe Ternus, Urban Transportation Department  
Ouida Glass, Senior Secretary

Absent

Bernard Snyder

ZONING

The following cases were heard on a consent motion:

Staff Recommendation:

- |            |  |  |
|------------|--|--|
| C14-78-241 | City of Austin Planning Department<br>(Original Zoning)<br>6309-6307 Mesa Drive, bounded<br>generally to the rear of Mesa Drive<br>on the west, rear of Sierra Drive to<br>the north, rear of Mountain Climb Drive<br>to the east  | From Interim "AA", 1st H&A<br>to "AA", 1st H&A<br>RECOMMENDED  |
| C14-78-243 | City of Austin Planning Department<br>(Original Zoning)<br>Generally bounded to the west by<br>Parkfield Drive, rear of Helen Drive to<br>the east, to the north by rear of Doonesbury<br>Drive and Carshalton Drive, and to the south<br>generally by rear of Parkfield Drive | From Interim "AA", 1st H&A<br>to "AA", 1st H&A<br>RECOMMENDED  |
| C14-78-244 | City of Austin Planning Department<br>(Original Zoning)<br>Bounded generally by the rear of Honey<br>Tree Lane, to the south by Eanes Circle,<br>to the east by Eanes Circle Road and<br>Wilderness Drive and to the west by<br>1343-1017 Walsh Tarleton Drive                 | From Interim "AA", 1st H&A<br>to "AA", 1st H&A<br>RECOMMENDED  |
| C14-78-245 | City of Austin Planning Department<br>Located west of the present end<br>of Far West Boulevard   | From Interim "AA", 1st H&A<br>to "A", 1st H&A<br>RECOMMENDED   |
| C14-79-010 | Gail Johnson<br>(by Gary F. Brown)<br>13554-13562 Research Blvd.   | From Interim "AA", 1st H&A<br>to "GR", 1st H&A save &<br>except 10 feet which should<br>remain "A" Residence, 1st H&A<br>RECOMMENDED |
| C14-79-006 | Nash Phillips and Clyde Copus<br>(by Robert Davis)<br>Between 8613-8625 Research Blvd. (Tr 1)<br>Between 8551-8567 Research Blvd. (Tr 2)   | From Interim "A", 1st H&A<br>to "GR", 1st H&A<br>RECOMMENDED   |
| C14-79-016 | Southwestern Bell Telephone Company<br>(by Charles A. Jackson)<br>650 Bastrop Highway  | Interim "A", 1st H&A<br>to "C", 1st H&A<br>RECOMMENDED   |

COMMISSION VOTE

On a consent motion by Mr. Vier, seconded by Mrs. Shipman, the Commission approved the above in accordance with staff recommendations.

THE MOTION PASSED BY A VOTE OF 7-0.



THE MOTION PASSED BY A VOTE OF 5-0.

C14-78-231      John McPhaul: Interim "A", 1st H&A to "A", "O", and "BB",  
                          7903-8003 Manassas Drive      1st H&A (as amended)  
                          8008-7806 Manchaca Road

Marie Gaines explained that the Commission had heard this last month and had requested the applicant and neighborhood to try to resolve some of their differences. The request had now been amended.

#### CITIZEN COMMUNICATION

##### PERSONS APPEARING IN FAVOR

John McPaul

##### PERSONS APPEARING IN OPPOSITION

Paul J. Anderson, 2004 Malvern Hill Drive  
 Nann McCoy, 8007 Keneshaw  
 W.G. Norcross, 8006 Keneshaw  
 John Boston, 2113 Malvern Hill  
 Richard Allen Kingsley, 7702 Malvern Hill Court  
 Debbie Lambert, 2202 Fancy Gap Lane  
 Doris Ann Loney, 8102 Caisson Circle  
 Norman A. Loney, 8102 Caisson Circle  
 Gary Everett, 2118 Shiloh Drive  
 Harold Wright, 2104 Malvern Hill Drive  
 Mr. and Mrs. Geri Salyers, 2212 Fancy Gap  
 Gary G. Warren, 2214 Fancy Gap  
 Pat Warren, 2214 Fancy Gap  
 R. Castro, 7826 Manassas Drive  
 Harriet Castro, 7826 Manassas Drive  
 James E. Wolbroeck, 2220 Fancy Gap  
 James McCoy, 8007 Keneshaw  
 Kay Feibelman, 7700 Malvern Hill Court  
 Nancy Feibelman, 7700 Malvern Hill Court  
 Robert K. Hutchings, 7704 Malvern Hill Court  
 Aenie Pederson, 7703 Malvern Court  
 K. Pedersen, 7703 Malvern Hill Court  
 Barbara Lynch, 2209 Fancy Gap  
 Martin Lynch, 2209 Fancy Gap  
 Angela Godsey, 8009 Keneshaw Drive  
 Elwyn A. Godsey, 8009 Keneshaw Drive  
 Alice Simon, 2110 Shiloh Drive  
 Martin H. Simon, Jr., 2110 Shiloh Drive  
 Mark H. Persson, 8008 Keneshaw Drive  
 Ruth Rogers, 7900 Keneshaw Drive  
 Larry Rincones, 8016 Keneshaw  
 Alma Rincones, 8016 Keneshaw  
 James Griffin, 8000 Manassas  
 James Rogers, 7900 Keneshaw  
 Reagan Lambert, 2202 Fancy Gap Lane  
 Wally Kinney, 8110 Manassas  
 Linda Kinney, 8110 Manassas  
 Chris Rostberg, 8108 Manassas  
 Carl and Tracy Wallingford, 2207 Fancy Gap

C14-78-231      John McPhaul -- Continued

Debi Griffin, 8000 Manassas  
 Phyllis Stanley, 2007 Malvern Hill Drive  
 Darrell L. Stanley, 2007 Malvern Hill Drive  
 Larry R. Cunningham, 2101 Malvern Hill Drive  
 Carol Cunningham, 2101 Malvern Hill  
 Douglas A. McGiffin, 7900 Manassas Drive  
 Diane McGiffin, 7900 Manassas Drive  
 Wesley Williams, 2114 Malvern Hill Drive  
 Mrs. Jeannette Anderson, 2004 Malvern Hill Drive  
 Virginia Williams, 2114 Malvern Hill Drive  
 Brant Boozer, 8009 Manassas  
 Sandra Qaul, 8102 Manassas Drive  
 Samuel R. Paul, 8102 Manassas Drive  
 Voydell Haynes, 2008 Malvern Hill Drive  
 Cecil Hayes, 2008 Malvern Hill Drive  
 Mrs. Kitty Norcross, 8006 Keneshaw Drive  
 Nate and Dee Stark, 8109 Manassas  
 Sherry Gay, 8106 Manassas Drive  
 Tom Gay, 8106 Manassas Drive  
 James Hough, 2218 Fancy Gap

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Darrell L. Stanbury, Chairman, Shiloh-Southwestern Oaks Neighborhood Assn.  
 David Hobday, 7701 Malvern Hill Court  
 Douglas A. McGiffin, 7910 Manassas Drive

COMMISSION ACTION

John McPhaul discussed the original request and explained what is now being proposed. John Boston, representing the Southwest Oaks-Shiloh Neighborhood Association, stated they had serious reservations about apartments in the area, that they would prefer single-family units around the tract adjacent to the single-family dwellings. They felt this usage too dense for the property, had no objection to the "O" portion with a restrictive covenant as agreed to by the applicant. Bill Norcross was opposed to the change in zoning. He stated this is an owner-developed single-family area and that the modified plan still contains apartments and duplexes, as well as office buildings. He maintained the desire that this remain a single-family area and requested the Planning Commission to support the staff recommendation to oppose the change. Other area residents speaking in opposition explained this is a single-family area and they wanted it to remain that way.

COMMISSION VOTE

Mrs. Shipman moved that Tract 1 be designated permanent "AA" and that Tracts 2 and 3 be zoned "A". Mr. Stoll seconded the motion. Mr. Vier stated he agreed with the "AA" on Manassas if the street does not go through and moved to grant "AA" on a strip on Manassas, "A" on the perimeter as shown in black,

C14-78-231      John McPhaul -- Continued

and the special permit arrangement on the center portion. Mr. Danze seconded this motion. Mr. Jagger felt applicant had done a good job buffering the area. Mrs. Shipman felt it to be speculative and premature to enter into a single-family area. After considerable discussion, the motions were withdrawn and Mr. Danze moved to grant "AA" Residence, 1st H&A on the eight lots on Manassas (Tr. 1), to grant "A" Residence, 1st H&A along the inner street (Tr. 2, Beauregard Drive), and to grant "O" Office, 1st H&A on the remainder (Tr. 3, the inner area facing Manchaca) with the density to be no greater than duplexes and no apartments allowed. Mr. Vier seconded this motion.

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

NAY:            Shipman and Stoll.

ABSENT:        Dixon and Snyder.

THE MOTION PASSED BY A VOTE OF 5-2.

C14-78-246      Liberty Insurance Agency, Inc.:      "A", 1st H&A to "O", 1st H&A  
201 East Rundberg Lane

Marie Gaines explained the staff would recommend to deny since there has been no change to warrant rezoning and this would be inconsistent with residential land uses in the area.

CITIZEN COMMUNICATION

## PERSONS APPEARING IN FAVOR

Richard P. Crawford, 11711 Broad Oaks  
Mike Kellam, 303 Cedarbrook Court  
Carl C. Lambert, 1810 Ridgemont

## PERSONS APPEARING IN OPPOSITION

Homer Johnson, 9010 Georgian Drive  
Allen Orfs, 105 East Rundberg Lane  
Mrs. A. Matay, 8817 Laverty Place  
Linda S. Pelt, 305 East Home Place  
Ronald K. Borg, 208 Florence Drive  
Phyllis Battles, 304 Hackberry Lane  
J.L. Hortman, 8815 Georgian Drive  
John Battles, 303 East Home Place  
Margaret Battles, 303 East Home Place  
Margie Kleinert, 9209 North Drive  
Myrtle Wofford, 9103 Georgian Drive  
R.C. Sanders, 8909 Georgian Drive  
Julius Kutach, 9005 Georgian Drive  
Mildred Cook, 305 Fawnridge  
Mrs. Pauline Johnson, 9010 Georgian Drive  
Tom Cook, 305 Fawnridge

## WRITTEN COMMENTS IN FAVOR

Buford Jones, 808 Floradale  
Elmer Carter, 301-305 Rundberg  
Harvey Sab, Jr., 101 East Rundberg  
Theo F. Johnson, 9310 Georgian Drive  
Carl S. Rundberg, 3617 Quiette Drive  
Mr. and Mrs. L.J. Chadima, 302 East Rundberg Lane

## WRITTEN COMMENTS IN OPPOSITION

None



C14-78-246 Liberty Insurance Agency, Inc. - continuedCOMMISSION ACTION

Richard Crawford explained they had purchased the property with the intention of moving their insurance agency to that location. He discussed the general area, pointing out that some of the property is now being used for rental, and some remains vacant. He stated they do not need a large amount of parking and that the property is now zoned "GR". He discussed the traffic along Rundberg Lane and stated that FHA has determined this property unfit for residential use and he felt this to be the best use for an office along a major arterial. Tom Cooke, president of the Georgian Acres Neighborhood Association, expressed opposition and stated they are working hard to improve the conditions of the neighborhood. He discussed traffic congestion now and felt this would bring in even more. He asked the Commission to help them maintain the neighborhood, they do not wish to be forced out with undesirable uses.

COMMISSION VOTE

Mr. Shipman felt this to be spot zoning and moved to deny the request. Mr. Danze seconded the motion. Mr. Vier felt it would be unrealistic to live in a single-family home or duplex on Rundberg Lane. He did not think this would damage the neighborhood and offered a substitute motion to approve with the restrictions offered by applicant to use as an insurance agency only. The substitute motion died for the lack of a second and the Commission then voted on the original motion to deny "O" Office, 1st H&A.

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-001 Ben B. Garza: "A", 1st H&A to "B", 1st H&A  
 (by Greater Austin Apartment Maintenance)  
 1707-1717 Unnamed Street

Marie Gaines discussed the land uses in the immediate area and stated that a petition had been submitted by residents of the surrounding neighborhood in opposition to the request. No change of condition had taken place to warrant rezoning, therefore, the staff recommends to deny "B", but would recommend that the property be maintained as "A" Residence, 1st H&A.

CITIZEN COMMUNICATION

## PERSONS APPEARING IN FAVOR

Ben Garza  
 Jack Sprague  
 Han Chee

## PERSONS APPEARING IN OPPOSITION

Pat LaTauf, 2502 Kinney Road

## WRITTEN COMMENTS IN FAVOR

None

## WRITTEN COMMENTS IN OPPOSITION

Petition  
 Mildred Ferguson, 2411 Kinney Road  
 H.K. Burdine, Vice President, Earl Haryes Enterprises, Inc., Dallas

C14-79-001 Ben N. Garza -- Continued

COMMISSION ACTION

Ben Garza explained they were trying to sell the tract so that it could be developed into apartment houses. He discussed the layout of the tract, the railroad, as well as the traffic in the area and stated he did not see how it could be residential. Jack Sprague discussed the area and the current trends, pointing out that the area has grown past the vacant land and that developers cannot build single-family residences in an area such as this and felt that the other tracts of vacant land in the area also probably would be developed as apartments. He felt that multi-plex units would be better than vacant land and the possibility of commercial uses at a later time. Speaking in opposition, Pat LaTauf explained that the neighborhood is against apartments, pointed out that the apartments that are there now are a problem and they do not want to be an "apartment" neighborhood. She discussed the hardship that would be created if the residents were forced to pay for curbs, gutters, and paving should new streets be built. Speaking in rebuttal, Mr. Garza was of the opinion that Thornton Road eventually would be commercial and discussed the small pieces in the area that are hard to work with. He felt the only thing to do would be to develop apartments.

COMMISSION VOTE

Mrs. Shipman moved to deny "B" Residence, 1st H&A in accordance with the recommendation of the Planning staff and the memorandum from the Urban Transportation Department. Mr. Dixon seconded the motion.

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

ABSENT: Snyder.

THE MOTION PASSED BY A VOTE OF 8-0.

C14-79-002	Hyde Park Baptist Church:	"B" and "A", 1st H&A (Tract 1),
	3901-3925 Speedway	"C", 1st H&A (Tract 2), and
	3900-3912 Avenue F	"B", 2nd H&A (Tract 3) to
	3900-3912 Speedway	"C", 2nd H&A

Marie Gaines explained the tracts and the zoning thereof, as well as surrounding zoning and land uses in the area. She explained the Hyde Park Neighborhood has made a strong commitment to neighborhood revitalization and that the Planning Commission and City Council have also encouraged revitalization through historic zoning and Capital Improvements Projects in the neighborhood. The request of this church is also providing a means to improve the neighborhood by alleviating traffic and off-site parking congestion. This will allow the church to concentrate their facilities as opposed to random location of church activities within the neighborhood. The Planning Commission should consider conditioning the zoning by including the following: (1) should this property not be used by the owner as a church and church related facilities the City of Austin could initiate a rollback in zoning; (2) a height limitation on one or all of the tracts to that planned; and (3) a site plan to be reviewed by the Planning Commission prior to development. Because this application will provide a concentration of church facilities, the staff can recommend to grant "C"

C14-79-002      Hyde Park Baptist Church -- Continued

Commercial, 2nd H&A. Jim Gotcher of the Building Inspection Department explained that C, 2nd H&A is the minimum and most restrictive zoning that would allow the church to accomplish what it wishes to do since this is necessary in order to allow more than 74 percent lot coverage and construction to the property line.

CITIZEN COMMUNICATIONPERSONS APPEARING IN FAVOR

Ralph M. Smith, 6804 Glen Ridge  
Robert Gunn, 6102 Spicewood Springs Road  
W.T. Guy, Jr., 4602 Madrona Drive  
Don & Barbara Tew, 9400 Spring Hollow  
Clyde Lee, 4604 Greystone Drive  
Don Bebee, 5900 Shoalwood  
Mr. & Mrs W.E. Bebee, 4102 Northhills Drive  
Mrs. Pat Mustoe, 2000 East Second  
K.O. Bradley, 4603 Strass Drive  
Bob Shotwell, 11015 Alhambra  
Alphonse J. Brown, Jr., 7010 Danwood Drive  
E.G. Ready 2010 Sunny Brook  
Bob Lumpkin, 3904 Avenue H  
Roy Lutz, 8803 Honeysuckle Trail  
Eulon Brown  
Jim Duncan, 4700 Merion Cricket  
Dan N. Gardner, 5707 Marilyn Drive  
Eula Von Rosenberg, 3806 Speedway  
Mark Gonzales, 11803 Gateway  
David Procter, 4320 Bull Creek  
Dennis Fassetta, 1505 Roundup Trail, Round Rock  
Dan E. Barkley, 1707 Kenwood Cove  
James E. Mullens, 8700 Balcones Club Drive  
Bill Williams, 3824 Avenue F  
Charles I. Wright, Texas Baptist Children's Home, Round Rock  
Horace E. Hoy, 1208 Rich Creek Road  
Reverend L.M. Roberts, 1706 East 32nd  
George Boutwell, 3913 Avenue C  
H.C. Byler, 5804 Trail Ridge Drive  
Baxter F. Womack  
John & Carol Batterton, 707 Emerald Wood  
Jack D. Brown, 5107 Lucas Lane  
Clayton H. Northup, 5703 Burrough Drive  
Charles Dunlap, 7633 Parkview Circle  
Mrs. Frank Bird, 502 Bellemeade, Pflugerville  
Karl F. & Dorothy Zimmermann, 8820 Silverarrow Circle  
Robert A. Logan, 3301 Catalina  
Helen L. Hoy, 1208 Richcreek Road  
Kathleen Oliver, 2901 Barton Skyway, No. 3107  
Howard, Vernon & Rosanne Root, 12315 Bluewater Drive  
H.B. & Barbara Moreland, Jr., 326 Monaco Drive  
Clyde R. Danks, 7200 West Rim

C14-79-002      Hyde Park Baptist Church -- Continued

## PERSONS APPEARING IN FAVOR -- cont'd

Fred J. & Marilyn O'Connor, 4212 Endcliffe Drive  
Arthur & Mary Boone, 2401 Rockmoor  
Edgar Parker, 1217 Algeria  
Mr. & Mrs. Joe Bailey, 14610 Agarita Road  
Mary Allen, 1002 Rebecca  
Kent W. Roberts, 3016 Crosscreek  
Clara Main, 6009 Cary Drive  
Clyde & Estelle Barber, 5804 Wynona  
Gene Hill, 8002 Laundale  
Mr. & Mrs. C.B. Overby, 1718-0 Barton Springs Road  
Mr. & Mrs. Louis Steinbach, 7054 Comanche Trail  
Milton Tucker, 2001 Oak Leaf Circle  
R.L. & Alma Smith, 1703 Belford Drive  
John T. Dawes, 4212 Burney  
Evelyn Davison, 11906 Tedford  
Mrs. W. T. Guy, Jr., 4602 Madrona Drive  
Mr. & Mrs. Avery W. Smith 7204 Waterline Road  
James S. & William L. Russell, III, 9802 Richelieu  
Michael & Delores Brandes, 2617 Bridle Path  
Charles R. Peck, 5805 Marilyn Drive  
Jack Izard, 11400 Research Boulevard  
Mr. & Mrs. John C. Middleton, 1105 Reagan Terrace  
Mr. & Mrs. C.E. Christianson, 1016 Harwood Place  
David B. & Beatrice F. Lewis, Jr., 601 East 50th  
Mr. & Mrs. R.M. Tumey, 2801 West Fresco Drive  
Mr. & Mrs. J.H. Arnette, 2401 Spring Creek Drive  
Selena Procter, 4320 Bull Creek Road, No. 211  
Frank E. Block, 1908 Running Brook Drive  
Jack Myers, 615 East Wonsley Drive  
J.B. Sweet, 5700 Wynona  
E. Burton & Camilla Eubanks, 8400 Silver Ridge Drive  
Frank L. Bird, 502 Pflugerville  
Carmel Northup, 5703 Burrough Drive  
Dona Cunningham, 615 East Wonsley, Apt. 125  
Mrs. Jack Myers, 615 East Wonsldy  
Charles Perkins, 1411 Northridge  
Mrs. Clyde R. Danks, 7200 West Rim

## PERSONS APPEARING IN OPPOSITION

Jack Evins, 4104 Avenue F  
Steve Anderson, 3811 Avenue D  
Dorothy Richter, 3901 Avenue G  
Cathey Thomas, 3909 Avenue B  
Kim Williams, 4103 Avenue C  
Betsy Piercy, 1003 East 44  
Lee Morrison, 1003 East 44

C14-79-002      Hyde Park Baptist Church -- ContinuedCOMMISSION ACTION

Robert Gunn explained that the church is in unanimous agreement with the proposed zoning change. Dr. Bill Guy discussed the need for a larger Sanctuary as well as additional parking. He explained that in its expansion plans the church is faced with the alternative of spreading out or consolidating and going up. He stressed that the church would like to consolidate its facilities and feels that this was also the consensus of the neighborhood. Don Tew reviewed the history of the area up and down Speedway showing on slides that much of the property is commercial already. He indicated that the proposed zoning would not change the character of Speedway. Mr. Tew also showed a proposed site plan. Eldon Bebee stated the church has no plans for several years for future expansion after the proposed buildings are constructed. Ralph Smith explained that the church has been at its present location or across the street for 85 years. He named six Baptist churches that have moved from the inner city in the last 15 years and indicated that this was one reason why Hyde Park Baptist Church had grown. The church feels that the proposed zoning change will solve problems and not create new problems and will be a solution for the church, the neighborhood and the city. H.C. Bylar and Bill Williamson who own property adjoining church property indicated they supported the zoning change. George Boutwell, Vice President of the Hyde Park Neighborhood Association, spoke in favor of the proposed zoning change indicating he felt it would solve problems. Mark Gonzales, University student, indicated his support for the zoning because of the church's work with college students. Rev. Eulon Brown and Rev. L.M. Roberts spoke regarding the church's support of their two churches, Loyalty and Greater Union Baptist. Mrs. Pat Mustoe spoke telling of the work of Hyde Park church in East Austin through the Community Center.

Speaking in opposition, Dorothy Richter expressed approval with conditions. She pointed out what could be placed in "C" zoning and what the church is asking the neighborhood to give up. She felt they needed to know the present and future plans and that the decision at this time is premature. She felt this should be handled like any other application and reviewed by all City departments. Area residents expressed concern that this would pave the way for future expansion, pointing out that this is a very large church in a small residential neighborhood. They requested the site plan to be reviewed before the building permit is granted and that they have an opportunity for input.

COMMISSION ACTION

There was discussion of handling this through the special permit process. There also was discussion of the requirements for building a parking garage, pointing out there is more to it than the height. It is impossible to build a parking garage on Tract 3 without the C-2 zoning because of setback requirements. The church indicated they would prefer to go with the recommendation of the staff rather than the special permit process.

C14-79-002      Hyde Park Baptist Church -- Continued

COMMISSION VOTE

Mr. Jagger moved to approve the 2nd H&A zoning as request by the applicant with the requirement that there would be a special permit required and as a portion of that special permit that there would be submitted elevations of the buildings and that if the property ceases to be used or owned by the church that the City of Austin initiate a rollback. Mrs. Schechter seconded the motion.

Mr. Stoll offered a substitute motion to accept staff recommendation; that Tract 3 be 1st H&A instead of 2nd H&A. Mr. Stoll then withdrew his motion. Jim Gotcher of the Building Inspection Department discussed the matter of lot coverage and explained the church needed the 2nd H&A in order to be able to waive the lot coverage.

The Commission then voted on the original motion to accept the "C" Commercial, 2nd H&A as requested by the applicant with the provision that a special permit be required and the portions be submitted concerning elevations of the building and staff recommendations as herein stated.

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

THE MOTION PASSED BY A VOTE OF 7-0.

C14-79-003      Jagger Associates, Inc.:      Interim "A", 1st H&A to "O", 1st H&A  
                  (by Ron Spencer)  
                  2527-2501 Wallingwood Drive  
                  1209-1101 Spyglass Drive

Marie Gaines explained this is a non-conforming use and applicant is requesting the zoning be compatible with the use. A change of condition had taken place and the staff would recommend to grant "O" Office, 1st H&A subject to 15 units to the acre and a special permit.

PERSONS APPEARING  
    Ron Spencer, representing applicant

COMMISSION ACTION

Ron Spencer explained they wished to make this zoning compatible with the use and did not wish to have the special permit requirements included.

COMMISSION VOTE

Mr. Vier moved to grant "O" Office, 1st H&A with a maximum density of 15 units to the acre. Mrs. Shipman seconded the motion

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

THE MOTION PASSED BY A VOTE OF 5-0.

Ken Harris, representing applicant, explained this is proposed to be paved for a parking lot for the adjoining business. There will be no access on Kinney. Mrs. Shipman asked and applicant agreed to a row of shrubbery adjacent to the fence along the west property line adjacent to the vacant property on the Kinney Avenue side. Walita Becker expressed opposition to the board fence since water and drainage was a problem. Laura Eisenhower discussed the commercial zoning and uses between Lamar and Kinney Avenue and requested the residential character of the neighborhood be maintained. She pointed out that the use is unsightly and stated there are rodents in the parked cars. She submitted a petition containing 28 signatures against the requested change of zoning. There was discussion of the traffic problem, the commercial property encroaching into a residential neighborhood. Mr. Dyfke explained this is a problem piece of property and felt this would be an ideal use. He discussed the problem of drainage in the area and felt it could be handled if the fence were raised so that water could flow beneath it. Mike Bell, speaking in behalf of the Barton Heights Neighborhood Association, explained they were opposed to having Kinney Avenue zoned commercial. He felt this is a neighborhood street, property values will decrease, as well as the pleasure of living in the area, pointing out this is incompatible with the residential character of the neighborhood. Claudia Golds discussed the need to retain the balance between the City and the suburb and requested that a commercial detriment not be created for the community. Ken Harris stated there would be no problem to raise the fence to help control the flow of water. He shared the concern for the neighborhood integrity and recognized the need for making this expansion in a manner that this is not destroyed. He stated an apartment complex would be placed there if this request is not granted. They would intend to use the remainder for two duplexes. Mr. Guerrero asked if the zoning could be rolled back to "A" and one duplex constructed. Applicant agreed to roll back 210 feet to "A" and stated that two duplexes could be constructed. Mr. Vier felt this to be a suitable compromise.

C14-79-004      O.G. Anderson -- Continued

COMMISSION VOTE

Mr. Vier moved to grant "C" Commercial, 1st H&A on the portion requested contingent on roll back to "A" residential on the rear. Tom Knickerbocker and Shelia Finneran discussed the problems that might be encountered. Mr. Vier then withdrew his motion and Mrs. Shipman moved to delay the recommendation for 30 days in order to accommodate the wishes of the applicant. Mr. Dixon seconded the motion.

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

ABSENT:     Jagger and Snyder.

THE MOTION PASSED BY A VOTE OF 7-0.

C14-79-007      Mary E. Bayless:    "B", 1st H&A to "O", 1st H&A  
                          901-903 Taulbee Lane

Mare Gaines explained that no change of condition has taken place to warrant rezoning. Rezoning would set an undesirable precedent and the staff would therefore, recommend to deny the request.

PERSONS APPEARING IN FAVOR

Mary E. Bayless, applicant

PERSONS APPEARING IN OPPOSITION

Mildred Brooks, 906 Josephine Street

COMMISSION ACTION

Mary Bayless, the applicant, discussed the land uses in the area and explained she felt the "O" to be the most compatible use with the area.

COMMISSION VOTE

Mrs. Shipman moved and Mr. Stoll seconded the motion to support the recommendation of the staff and to deny "O" Office, 1st H&A.

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

ABSENT:     Snyder.

THE MOTION PASSED BY VOTE OF 8-0.



None

Chuck & Kathie Elkins, 1308 Norwood Road  
Sam & Patricia Griswold, 1200 Bentwood Road  
Bruce C. Davis, 4610 Elwood Road  
Karl D. Shaw, 1201 Bentwood Road

C14-79-015      Ross D. Terry Estate -- ContinuedPERSONS APPEARING IN OPPOSITION -- cont'd

Vivian Louise Bettis, 1208 Bentwood Road  
Rebecca Howard, 4602 Elwood Road  
Lilyan Allen, 1201 Bentwood Road  
M. Harris Young, 1303 Fairwood Road  
Frank S. & Yvonne Rivera, 4511 Elwood Road  
Evelyn Stinson, 4607 Elwood Road  
Eulogio & Irene Sifuentez, 1310 Bentwood Road  
Niki Genusa, 1103 Bentwood Road  
Jack A. Crawford, 1103 Bentwood  
Robert N. & Kim Sitterle, 1206 Fernwood Road  
Emilie B. Young, 1303 Fairwood Road  
Kay L. Killen, 4503 Elwood Road

WRITTEN COMMENTS IN FAVOR

Enid and Bruce Hallock, 1101 Bentwood Road

WRITTEN COMMENTS IN OPPOSITION

Eunice James, 4507 Elwood  
Larry Lay, 1204 Garwood  
Lay Estate, 4509 Elwood  
Petition - 55 signatures

COMMISSION ACTION

Terry Sasser explained the tract is one legal lot and he would like to develop as an office complex. He amended the request to 1st height and area and stated he would be willing to dedicate a buffer along the east property line, a six foot privacy fence and five-foot buffer along the north and south property line, no opening on Elwood Drive and strip of "A" to remain on the eastern border. He explained that ingress and egress would be from IH-35. Area residents expressed opposition to any change in zoning, pointing out that small things work wedges into a neighborhood. This is home owners and they do not want any intrusion by economic interests. Sam Griswold submitted a petition containing 55 signatures in opposition and discussed the traffic problem, stating that this is a residential area and an office building would be an encroachment, causing property values to deteriorate. Speaking in rebuttal, Mr. Sasser pointed out that there are already seven lots with "O" zoning and this would be a denial of the use of the property. He stated use would be focused to IH-35 and questioned the validity of the petition.

COMMISSION VOTE

Mr. Danze moved and Mrs. Schechter seconded the motion to deny "O", 1st H&A, as amended.

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

THE MOTION PASSED BY A VOTE OF 5-0.

Planning Commission--Austin, Texas

February 6, 1979

19

R105-79 Subdivision Memorandum

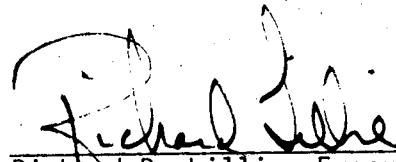
Short Form and Final Subdivisions as listed  
on the Subdivision Memorandum. Action taken  
at the meeting.

The Planning Commission considered items listed on the Subdivision  
Memorandum and took the action as indicated.

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

ABSENT: Dixon, Jagger, Snyder, and Stoll.

The meeting adjourned at 12:15 a.m.



Richard R. Lillie, Executive Secretary

February 6, 1979

20

FILE	SUBDIVISION NAME LOCATION	Filed With P.C.	30 Days Expired	REPORTS RECEIVED -- "X" if OK Footnotes if not OK; explain below															PLANNING RECOMMENDATION	ACTION
				County Engr.	St. Name Approval	Tax Cert	E.R.M. Bldg. Insp.	Water	San. Sewer	Health	Planning	Eng.*	Dir. P.W.	Parks & Rec.	Urban Trans.	Gas	Fiscal Eng.			
C8-	OLD FINAL SUBDIVISION PLATS																			
77 85	Southampton, Section Two Minnie Street	-	-		X	X	X	NR	X	X	X	X	X	X	X	X	X	X	X	APPROVE
77 171	Lamplight Village, Section 4 Parmer Lane	-	-		X	X	X	NR	X	X	X	X	X	X	X	X	X	X	X	APPROVE
78 101	Woodbridge, Section Three Rutherford Lane & Furness Cove	-	-		X	X	X	NR	X	X	NR	X	X	X	X	X	X	X	X	APPROVE
	OLD SHORT FORM SUBDIVISIONS																			
5 77 175	Ellison Knight Addition U.S. 290 East of Travis Country Blvd.	-	-					R	E	C	O	R	D	E	D					REQUEST TO VACATE - RECOMMEND TO GRANT
79 02	Gaines Subdivision, Section 1 U.S. 290 West	-	-	X	X	X	X	X	NA	X	X	X	NR	NR	X	X	NR	X	NR	APPROVE
78 333	John A. Spillar Subdivision Cumberland Rd. West of South Congress	-	-	NR	X	X	X	X	X	NR	X	X	NR	NR	X	X	NR	X	NR	APPROVE

\*Telephone, Electric and Drainage requirements are cleared upon receipt of this report.