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

<u>Absent</u>

Bernard Snyder

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

ZONING

The following cases were heard on a consent motion:

Staff Recommendation:

City of Austin Planning Department C14-78-241

(Original Zoning) 6309-6307 Mesa Drive, bounded generally to the rear of Mesa Drive on the west, rear of Sierra Drive to the north, rear of Mountain Climb Drive

From Interim "AA", 1st H&A to "AA", 1st H&A RECOMMENDED

From Interim "AA", 1st H&A

to "AA", 1st H&A

to the east

City of Austin Planning Department C14-78-243

(Original Zoning) Generally bounded to the west by

RECOMMENDED Parkfield Drive, rear of Helen Drive to the east, to the north by rear of Doonesbury Drive and Carshalton Drive, and to the south generally by rear of Parkfield Drive

City of Austin Planning Department C14-78-244 (Original Zoning)

to "AA", 1st H&A RECOMMENDED Bounded generally by the rear of Honey Tree Lane, to the south by Eanes Circle, to the east by Eanes Circle Road and

Wilderness Drive and to the west by 1343-1017 Walsh Tarleton Drive

.C14-78-245 City of Austin Planning Department

Located west of the present end of Far West Boulevard

C14-79-010 Gail Johnson

From Interim "AA", 1st H&A to "A", 1st H&A

From Interim "AA", 1st H&A

RECOMMENDED

From Interim "AA", 1st H&A to "GR", 1st H&A save & (by Gary F. Brown) except 10 feet which should 13554-13562 Research Blvd.

remain "A" Residence, 1st H&A RECOMMENDED

Nash Phillips and Clyde Copus C14-79-006

(by Robert Davis) Between 8613-8625 Research Blvd. (Tr 1) RECOMMENDED Between 8551-8567 Research Blvd. (Tr 2)

From Interim "A", 1st H&A to "GR", 1st H&A

Southwestern Bell Telephone Company C14-79-016 (by Charles A. Jackson)

650 Bastrop Highway

Interim "A", 1st H&A to "C", 1st H&A RECOMMENDED

COMMISSION VOTE

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



ZONING CASES -- Continued

AYE:

Danze, Guerrero, Schechter, Shipman, and Vier.

ABSENT:

Dixon, Jagger, Snyder, and Stoll.

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

(The record will show that Mr. Danze abstained on C14-79-006.)

C14-78-009 D.Y. Nichols and Dan Stathos, Jr.: "C", 2nd H&A to "C-1", 2nd H&A (by W. B. Stringer)

1300 South Congress Avenue also bounded by James Street

Marie Gaines discussed the uses surrounding the tract as well as the definition of a church and church-related activities. She explained that the activities taking place within a 300-foot radius do not constitute a church and that the staff would recommend to grant "C-1" for the building only.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR
Bill Stringer, representing applicant
PERSONS APPEARING IN OPPOSITION
Paul McCullough, 406 Inwood Road
WRITTEN COMMENTS IN FAVOR
None
WRITTEN COMMENTS IN OPPOSITION
Joyce Allred, 1313 South Congress

COMMISSION ACTION

Bill Stringer, representing applicant, explained that the front portion of the building would be closed and the rear would be used for a liquor warehouse and wholesale operation and that ingress and egress would be from the rear. He stated they do not intend to increase the size of the building but that it would be improved considerably. Paul McCullough explained the church and its operation in detail, as well as the use of each of the various buildings. He felt they met the definition of a church and explained that the use of the property would be incompatible with surrounding uses, especially that of the church. Mr. Stoll stated it is inappropriate to zone for liquor so close to a church and so moved. Mr. Dixon seconded the motion. Mr. Vier stated the building is now in disrepair, would never be used when the church is being used, and felt it would benefit everyone to have it reconditioned. Mr. Dixon felt this to be a moral question in relationship to the church and to the warehouse. Mr. Stoll again stated he felt it to be an inappropriate use. Mr. Stoll then rescinded the original motion and moved to deny the C-1, 2nd H&A since it is incompatible with the neighborhood. Mr. Dixon seconded the motion.

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

ABSENT: Jagger and Snyder.

THE MOTION PASSED BY A VOTE OF 7-0.

C14-79-014 Holt, Fatter, Scott, Inc.: "A", 1st H&A to "O", 1st H&A

(by Martin Bernard) 1611 West Avenue also bounded by West 17th Street

Marie Gaines discussed the change of condition along West Avenue and pointed out that the combination of "O-H" has been recommended to assure the large older houses can be preserved as well as utilized in an economical manner. The staff recommends to grant "O" Office. Applicant has been advised that because this is a 20th century house "H" zoning would not be recommended to the Landmark Commission and to the Planning Commission. The applicant has indicated a willingness to offer a restrictive covenant not to materially alter or destroy the structure.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR
Joe Holt, applicant
PERSONS APPEARING IN OPPOSITION
Dr. Peggy Kruger, 1608 West Avenue
Gayle Brown, 1615 Pearl
WRITTEN COMMENTS IN FAVOR
Robert M. Pettus, 1610 West Avenue
WRITTEN COMMENTS IN OPPOSITION
None

COMMISSION ACTION

Joe Holt showed slides of what they intended to do with the property, stating they did not intend to alter the structure in any major way and offered a restrictive covenant to that effect. Speaking in opposition, Gayle Brown stated it was pleasant to see the old houses restored. She had no objection to what the firm is trying to do but did have reservations because of West Avenue and Rio Grande going to office uses and their desire to maintain the neighborhoods. She felt it to be a shame that the only way these old buildings can be maintained is to be used for offices and expressed concern that many of the large houses on Pearl Street also would be used in the same way. Peggy Kruger stated this is a flop house and expressed concern for the inner-city residents, and did not want to see these old houses go to office uses.

COMMISSION VOTE

Mr. Danze moved to grant "O" Office, 1st H&A with a restrictive covenant as agreed to by the applicant that the structure will not be altered in any major way or destroyed. Mr. Vier seconded the motion.

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

ABSE: Snyder.

THE MOTION PASSED BY A VOTE OF 8-0.

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C14-78-147

Northwood Development Corporation:
(by Phil Mockford)

Interim "AA", 1st H&A
to "A" and "GR", 1st H&A

3100-3616 Oak Creek Drive also

bounded by Farm Road 1423

Marie Gaines explained that this case had been heard previously, the hearing had been closed, and the Commission had postponed action until Urban Transportation Department responded to the traffic problems. Mr. Ternus was present and explained no major problems were anticipated by this development.

COMMISSION VOTE

Mr. Vier moved to approve staff recommendations to grant "A", 1st H&A on Tract 2, "GR" General Retail, 1st H&A on Tract 1. Mr. Stoll seconded the motion.

AYE:

Guerrero, Jagger, Schechter, Shipman, Stoll and Vier.

ABSENT: Dixon and Snyder.

ABSTAINED:

Danze.

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

C14-78-209 Lenora R. & Alondrea Kirkpatrick: "A", 1st H&A to "O", 1st H&A (by Ida Williams) (as amended)
4607 Ledesma Road

Marie Gaines explained this had been heard by the Planning Commission on two separate occasions and had been postponed in order for staff and applicant to work together. The application now has been amended to "O" Office, 1st H&A. The staff cannot recommend this request for the same reasons as previously given since no change of condition has taken place to warrant the rezoning, to rezone this property will set a precedent for further intensification, and any rezoning other than "A" Residential would be an encroachment into a single-family residential neighborhood.

COMMISSION VOTE

Mrs. Shipman moved and Mrs. Schechter seconded the motion to deny "0" Office, 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.

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 Fang 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 Srive 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 oppostion 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. - continued

COMMISSION 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"



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 accomphish 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 COMMUNICATION

PERSONS 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 Northills Drive Mrs. Pat Mustoe, 2000 East Second K.O. Bradley, 4603 Strass Drive Bob Shotwell, 11015 Alhambra Alphonce 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

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

COMMISSION 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 oppostion, 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.

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.

C14-79-004 O.G. Anderson: "BB", 1st H&A to "C", 1st H&A (by Ken Harris)
Rear of 1901-1905 Kinney Avenue

Marie Gaines explained that access would be blocked off by a privacy fence on Kinney and that access to the tract would be from Lamar. The staff would recommend to grant "C", 1st H&A.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR
Ken Harris, representing applicant
PERSONS APPEARING IN OPPOSITION
Mike Bell, 610 Cliff
Walita Becker, 1506 Hether
George Carver, 908 Kinney Avenue
Mr. Dyfce 1908 Kinney Avenue
Tom Eisenhour, 2012 Kinney Avenue
Laura Eisenhour, 2012 Kinney Avenue
WRITTEN COMMENTS IN OPPOSITION
Petition - 28 signatures

COMMISSION ACTION

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 Eisenhour discussed the commercial zoning and uses between Lamar and Kinney Avenue and requested the residential character of the neighborhhod 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. Dyfce 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.

C14-79-008 Richard G. Berman: Interim "A", 1st H&A to "GR", 1st H&A (by Terry J. Sasser) 12707 Research Blvd.

Marie Gaines explained that a change of condition had taken place along U.S. 183 and the staff would recommend to grant "GR", but to deny the request for 2nd H&A. Second height and area has been granted on occasion only when it is for a sign which is set back one foot for every foot in height and only when concentrating a number of signs to discourage sign proliferation. Second height and area would be considered if it were for the proposed office building only.

PERSONS APPEARING IN FAVOR
Terry Sasser, representing applicant
PERSONS APPERING IN OPPOSITION
None

COMMISSION ACTION

Terry Sasser explained this has been amended for an office building and mixed use. He stated he needed the sign for the multi-tenants and that the office building would be above. Mrs. Shipman discussed that second H&A is granted only with specific plans and only for signs.

COMMISSION VOTE

Mrs. Shipman felt this to be inconsistent and moved to recommend "GR" General Retail, to deny 2nd H&A, but to grant 1st H&A. Mr. Danze seconded the motion. Mr. Vier offered a substitute motion to go the special permit route, to grant "GR" for uses on the first floor and offices above. Substitute motion failed.

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-012 The Wesleyan Church: "A", 1st H&A to "O", 1st H&A (by Gary J. Sawyer)
6012-6106 South First

Marie Gaines explained no change of condition in land use or zoning had taken place to warrant rezoning of this property. Office zoning would be inconsistent with the land use as well as set a precedent for more intense zoning, therefore, the staff would recommend to deny "O" Office, 1st H&A but to grant "A" Residence, 1st H&A.

PERSONS APPEARING IN FAVOR

Dr. Harold D. Lewis, 4707 Pinehurst Drive South Linda Hoerling, 6305 Middleham C.F. Hoerling, 6305 Middleham Errol Hada, 7314 Lunar Drive PERSONS APPEARING IN OPPOSITION None

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C14-79-012 The Wesleyan Church -- Continued

COMMISSION ACTION

Errol Hada explained he had an offer to sell to a doctor if the tract is rezoned. He discussed the need for the church to build a sanctuary and that this would provide some income to begin the project. The parking would be provided and shared. Dr. Lewis stated he would use this for a family practice and felt it would be beneficial to both facilities. Mr. Jagger discussed the possibility of waiving the 5-acre requirement for a medical facility in "A" Zoning.

COMMISSION VOTE

Mr. Jagger moved to postpone action on this request and to urge the Broad of Adjustment to grant a waiver to allow them to build a medical facility on this tract. He felt it would be a mistake to continue intense zoning. Mr. Vier seconded the motion and disagreed with the staff. He felt it $\check{\mathsf{w}}\mathsf{ould}$ be a mistake to let single-family homes face a major street and did not see where this would be detrimental. There was discussion of the problems with obtaining a waiver from the Board of Adjustment and Mr. Jagger withdrew his motion, but felt this to be an appropriate use of the land.

Mr. Vier then moved to grant "O" Office, 1st H&A with a special permit as agreed to by the applicant. Mrs. Schechter seconded the motion.

AYE:

Danze, Guerrero, Jagger, Schechter, Shipman and Vier.

NAY:

Stoll.

ABSENT:

Dixon and Snyder.

THE MOTION PASSED BY A VOTE OF 6-1.

<u>C14-79-015</u>	Ross D. Terry Estate:	"0", 1st H&A (Front 140') and
	(by Terry Sasser)	"A", 1st H&A (Remainder of Tract)
	4507-4509 North I.H. 35	to "0", 2nd H&A
	4506-4508 Elwood	

Marie Gaines explained that no change in condition has taken place to warrant a rezoning, that this would be an intrusion into a single-family residential neighborhood and would be inconsistent with the land uses, therefore, the staff would recommend to deny.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Terry Sasser, representing applicant PERSONS APPEARING IN OPPOSITION

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

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C14-79-015 Ross D. Terry Estate -- Continued

PERSONS 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 Lav Estate, 4509 Elwood

COMMISSION ACTION

Petition - 55 signatures

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 "0", 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.

R105-79 Sul

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

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78 101	Woodbridge, Section Three Rutherford Lane & Furness Cove	-	-		x	x	x	NR	x	X	NR	X	x	X	X	x	х	X/	APPROVE	
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*Telephone, Electric and Drainage requirements are cleared upon receipt of this report.																				