

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

The Regular Meeting of the City Planning Commission was called to order at 5:45 p.m. on March 6, 1979, in the City Council Chambers, 301 West Second Street.

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 of Planning
Marie Gaines, Planner
Betty Baker, Planner
Sheila Finneran, Legal Department
Charles Graves, Engineering
Jim Gotcher, Building Inspection
Ouida Glass, Senior Secretary

Absent

Bernard Snyder

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ZONING

The following cases were heard on a consent motion: Staff Recommendation:

| | | |
|------------|---|--|
| C14-79-039 | Doyle Chapman (by C. L. Reeves) Rear of 10611-10701 Plains Trail | From: Interim "AA", 1st H&A To: "A", 1st H&A RECOMMENDED |
| C14-79-043 | Austin Commercial Properties (by C. L. Reeves) Rear of 907-1001 Wagon Trail | From: Interim "AA", 1st H&A To: "A", 1st H&A RECOMMENDED |

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

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

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

C14-79-038 Mrs. W. C. Schulle: "BB", 1st H&A to "B", 2nd H&A
(by Terry Sasser)
2905-2907 Rio Grande
607 West 29½ Street

Mr. Guerrero explained that the applicant had requested this item to be withdrawn from the agenda.

COMMISSION VOTE

Mr. Danze moved and Mrs. Schechter seconded the motion to withdraw this item in accordance with request of applicant.

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

THE MOTION PASSED BY A VOTE OF 7-0.

C14-78-190 Bill Milburn: Interim "AA", 1st H&A to "A", 1st H&A (as amended)
(by John S. Avery)
3003-3205 Duval Road

Marie Gaines gave the staff report and explained that subdivision will be required and that the right-of-way will be obtained at that time. The staff would recommend to grant "A" Residence, 1st H&A.

C14-78-190 Bill Milburn (cont'd.)

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR:

John Avery, attorney representing applicant

PERSONS APPEARING IN OPPOSITION:

Ron Shortes, Box 7848
 Phillip Solomon, 12325 Danny Drive
 Sally Young, 12331 Danny Drive
 Betty Ann Nardecchia, 12316 Danny Drive
 Darrell Thomas, 5708 Chesterfield
 Henry Chang, 12327 Danny Drive
 Amy Cass, 12323 Danny Drive
 Robert Zuntag, 12309 Danny Drive
 Jonathan L. Young, 12331 Danny Drive
 Wayne C. Micheletti, 3300 Spaniel Drive
 Graham E. Harris, 12316 Scribe
 Patsy Woods Treple, 12313 Danny Drive
 Lynn L. Zimmerman, 12319 Scribe Drive
 Mrs. Patty Beecroft, 12301 Danny Drive
 Irma Patrice, 3301 Peddle Path
 Wayne Galella, 12329 Danny Drive
 Ronald B. Cass, 12323 Danny Drive
 Mark Taylor, 3301 Spaniel
 Deborah Calvert, 3301 Spaniel
 Lydia Hager, 12300 Danny Drive
 Mary Hellman, 12307 Danny Drive
 David Hellman, 12307 Danny Drive
 S. Chris Caran, 3202 Spaniel Drive
 Harold Beecroft, 12301 Danny Drive

WRITTEN COMMENTS IN OPPOSITION

Petition

COMMISSION ACTION

John Avery, attorney representing applicant, discussed the area and pointed out that the creek creates a natural buffer and that half of the tract is taken up with flood plain. He explained that applicant would build duplexes to serve as a buffer between the single-family residences and the railroad track. Ron Shortes, attorney representing area residents, expressed opposition to any zoning change, explaining they do not feel the area fit for housing at all and expressed disagreement with the recommendation of the staff. They were of the opinion this would damage the neighborhood as well as the residents of the neighborhood. There was discussion of traffic problems as well as flood and runoff problems. They would prefer the area to remain a greenbelt or wooded area and requested the application be denied or postponed at least 60 days so they could work with applicant's attorney to try to resolve some of their differences, as well as to present more evidence regarding flood and environmental problems. Mr. Vier stated he could not imagine a better buffer between a railroad tract and single-family residences. Philip Solomon, representing the

C14-78-190 Bill Milburn (cont'd)

Walnut Crossing Homeowners Association, expressed agreement with the remarks of Mr. Shortes and submitted a petition in opposition and stated they were told this would remain a wooded area. Speaking in rebuttal, Mr. Avery explained it always had been their intention to develop and that it would be developed as one and two-family units or a mix of both. Mr. Guerrero felt the request should be postponed for 30 or 60 days and applicant work with the neighborhood in an attempt to resolve some problems. Mr. Avery felt that this could all be handled through the subdivision process.

COMMISSION VOTE

Mr. Jagger moved to grant the request as submitted. Mr. Vier seconded the motion. Mr. Stoll offer a substitute motion to grant a 30-day postponement in order to allow the neighborhood and the applicant to get together and discuss the issue. Mrs. Shipman seconded this motion. There then was discussion on the substitute motion. Mr. Vier stated he felt this to be decent land use and a reasonable request. Mr. Jagger was not opposed to the postponement but did not see what could be accomplished. This motion passed and there then was discussion of the notification required and the expenses involved, whereupon Mrs. Schechter moved and Mr. Stoll seconded the motion to reconsider their action. This motion passed.

Mr. Stoll then moved to continue this hearing until 7 p.m., April 3, and Mrs. Shipman seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 4-2-1.

| | |
|-------------------|---|
| <u>C14-78-242</u> | City of Austin Planning Department: Interim "AA", 1st H&A (Original zoning) <u>to "AA", 1st H&A</u> 6902-2704 and 6811-6701 Lost Valley 6814-6700 and 6815-6701 Side Saddle Street 6812-6700 and 6813-6703 Stage Coach Trail 3300-3311 Gallop Cove 3317-3201 and 3316-3200 Western Drive 3108-2900 William Cannon Drive 7009-6809 Brodie Lane 6812-6700 and 6813-6701 Rearden Road |
|-------------------|---|

Marie Gaines explained this area has recently been annexed. The City Council has established a policy whereby all property which has been annexed should have permanent zoning; therefore, this is the staff recommendation in an attempt to accomplish permanent zoning for this area.

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C14-78-242 City of Austin (cont'd.)

COMMISSION VOTE

Mr. Stoll moved to grant "AA", 1st H&A in accordance with staff recommendations.
Mr. Dixon seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 8-0.

C14-79-017 Allied Development Company: "GR", 1st H&A to "C-1", 1st H&A
(by Thomas W. Cummins)
7000 Ed Bluestein Blvd.
6950 Manor Road

Marie Gaines presented the staff report and explained that the policy has been to grant "C-1" zoning within the confines of a community and neighborhood shopping center. The staff would recommend to grant "C-1", 1st H&A.

PERSONS APPEARING IN FAVOR:

Tom Cummins, representing applicant

PERSONS APPEARING IN OPPOSITION

Charles Haberman, representing Winn School PTA
Jo Ann Bartz, University Hills Homeowners Association
Michael Garrett, Pecan Springs Integrated Neighborhood Association
Willie Tucker
Sandra Ramsey, 3007 Lynridge
Mary Ann Parker, 2405 Arron Cove
Mrs. Sandra Lester, 3008 Val Drive
Reba Bonner, 6915 Langston
Mrs. Albert Greenberg, 6701 LaSalle Drive
Albert Greenberg 6701 LaSalle Drive
Gene Vitalle, 7104 Langston
Mrs. B. J. Troitt, 3004 Lynridge Drive
B. J. Truitt, 3004 Lynridge Drive
Mrs. Gene Vitalle, 7104 Langston

COMMISSION ACTION

Tom Cummins discussed the shopping center and explained that this would be in excess of 1,000 feet away from the school, pointed out that the HEB adjacent already sells beer and wine. He agreed to restrict the use to that of a liquor store only. Charles Haberman, representing the Winn School PTA expressed opposition to the request and also stated they do not like the idea of covenants. They felt that the "C" zoning would be creating a tendency for degradation of the area. Jo Ann Bartz, University Hills Homeowners Association, expressed opposition, stating that it would set a precedent. She discussed that they never were told that a liquor store was contemplated for the shopping center and did not

C14-79-017 Allied Development Company (cont'd.)

feel that one would be necessary since there are other liquor stores in the area. Michael Garrett, speaking in behalf of the Pecan Springs Integrated Neighborhood Association, expressed the same concerns and requested this not be granted.

COMMISSION VOTE

Mrs. Shipman moved to deny this because of proximity to Winn Elementary School, precedent setting, and incompatible with the existing residential neighborhood. Mr. Danze seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 6-1

C14-79-019 Wilson Raven: "A", 1st H&A to "C", 1st H&A
(by Frank D. Kerbow)
701 E. 55th Street

Marie Gaines presented the staff report and discussed the uses in the area. She explained there has been a change of condition to warrant rezoning and that a subdivision would be required to combine these properties. The staff would recommend "C" Commercial, 1st H&A subject to a subdivision and five feet of right-of-way for East 55th Street.

PERSONS APPEARING IN FAVOR

Frank Kerbow, representing applicant

COMMISSION ACTION

Frank Kerbow, representing applicant, explained the State of Texas had a contract to build a warehouse on this site and discussed the proposed plans. Mrs. Shipman expressed concern for the building being too large for the site, as well as concern for the intense zoning if the warehouse should not be constructed, pointing out that some uses would be totally incompatible with the area. Mr. Jagger said what we want is review of the site plan if the site plan should change. Mr. Guerrero said then we move as per staff recommendation. Mrs. Shipman then stated the motion.

COMMISSION VOTE

Mrs. Shipman moved and Mr. Danze seconded the motion to grant "C" Commercial, 1st H&A subject to a subdivision and the site plan as submitted by the applicant.

C14-79-019 Wilson Raven (Cont'd.)

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

THE MOTION PASSED BY A VOTE OF 8-0.

C14-79-020 Austin Junior Forum, Inc.: "A-H", 1st H&A to "GR-H", 1st H&A
 (By Margaret Kelly)
 1401 West Avenue

Marie Gaines presented the staff report and explained that a change of condition has taken place from "A" Residence to "O" Office along West Avenue. General Retail zoning would set an undesirable precedent for further intense use districts within a residential/office area, therefore, the staff would recommend to deny "GR" General Retail-Historic but would recommend to grant "O" Office-Historic.

PERSONS APPEARING IN FAVOR

Mrs. Robert Kelly, representing the applicant

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Mrs. Kelly, representing the Austin Junior Forum, explained they do not intend to change anything in the area, but did want to do what they had intended when the house was purchased and explained they need some guidance. She discussed how the parking could be worked out by the use of other lots in the immediate area and that they proposed to use the structure for receptions, style shows, teas, and things of that nature. Jim Gotcher of the Building Inspection Department explained that they would need "GR" for the wedding services and suggested making the building "GR" and the parking area "O" Office. Mrs. Shipman felt this would be spot zoning and inappropriate. There was discussion of being lost in bureaucracy and what needed to be done so that the Junior Forum could use the structure in the manner desired and still meet all requirements.

COMMISSION VOTE

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

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-79-022 Robert C. Noren, et ux: "A", 1st H&A to "DL", 3rd H&A
 (by Donald L. Dumas)
 811 Springdale Road
 4608-4610 Glissman

Marie Gaines presented the staff report and explained that the Commission should consider limiting access to Springdale Road only and also should consider buffering along the adjoining residential land. The staff would recommend consideration of "DL", 3rd H&A.

PERSONS APPEARING IN FAVOR

Donald Dumas, attorney representing applicant

COMMISSION ACTION

Donald Dumas, representing applicant, discussed the land uses in the surrounding area, stated this is in the flood area and not suitable for residential uses. Mr. Guerrero expressed concern for the neighborhood and the Boggy Creek area and stated he would like to see it postponed until the study is received and a determination made regarding what could be done. Mr. Dumas reported that the Corps of Engineers proposes to put concrete channel through there. He explained that this would be an enlargement of the Bruce Pie facility and they needed the increased space. Mrs. Shipman was concerned for the 3rd H&A and felt that perhaps the same could be accomplished through setbacks and variances.

COMMISSION VOTE

Mr. Jagger felt perhaps it might be best to zone the front portion only and hold off until Boggy Creek study is completed, and he so moved, with Mrs. Schechter seconding the motion. Mr. Jagger then amended the motion to grant "DL", Light Industrial, 2nd H&A on the front portion of Tract 1 and that the request for Tract 2 be postponed until the Boggy Creek study is completed. Mrs. Schechter seconded the amended motion. Mr. Stoll offered a substitute motion to grant "DL" Light Industrial, 3rd H&A for the front portion of Tract 1 and to deny the remainder. Mr. Danze seconded this motion. At this point, applicant withdrew the zoning request for Tract 2.

Mr. Jagger then moved to approve the application as amended by the applicant and to grant "DL" Light Industrial, 3rd H&A for Tract 1. Mr. Stoll seconded the motion.

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

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

C14-79-023 Otis Ray Simon: "A" and Interim "A", 1st H&A to "B", 1st H&A
(by D. P. Buell, Jr.)
3510-3504 Manchaca Road

Marie Gaines presented the staff report.. She explained the staff recommends to deny "B" Residence, 1st H&A but to grant "BB" Residence, 1st H&A. The change of condition has been to apartment development. Units to the south are at five units per acre and the proposed density of 40 units per acre would be inconsistent with the residential development to the east on Larchmont. A lowering and downgrading in density would be consistent with the surrounding land use and would be less of a traffic generator on an already heavily traveled arterial.

PERSONS APPEARING IN FAVOR

Pat. Buell, representing applicant
Ray Simon

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION

Pat Buell, representing applicant, explained they wish to develop an apartment project on this land and needed the "BB" zoning. He discussed the surrounding land uses and density and stated they could live with 30 units per acre and agreed to limit to such.

COMMISSION VOTE

Mr. Stoll moved to grant "B" Residence, 1st H&A with the restrictive covenant as offered by applicant limiting subject tract to 30 units per acre. Mr. Vier seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-79-025 Carl W. Burnett, Trustee and Robert L. Bowers: "A", 1st H&A to
(by John Simmons) "C", 1st H&A
907-915 Reinli Drive
921 Reinli Drive

Marie Gaines discussed the land uses in the area and explained that applicant had requested to amend the application except for a 10 foot by 10 foot square of "A" on the southern boundary. The staff would recommend to grant "C" Commercial, 1st H&A save and except for a ten-foot strip of "A" Residential on the Southern boundary for buffering.

C14-79-025 Carl W. Burnett (Cont'd.)

PERSONS APPEARING IN FAVOR

Doug Fike, representing applicant

COMMISSION ACTION

Doug Fike confirmed the request to amend the application.

COMMISSION VOTE

Mr. Dixon moved to approve staff recommendations and to grant "C" Commercial, 1st H&A, as amended by applicant. Mrs. Schechter seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 8-0.

C14-79-026 City of Austin: "B" and "C", 2nd H&A to "O", 2nd H&A
 (by Byram Properties)
 1309-1311 Red River Street

Marie Gaines gave the staff report and discussed the land uses in the area. She explained the City owns this property and a parking lot is to be constructed for the hospital complex and that the City will lease the facility. The staff would recommend to grant the request.

COMMISSION VOTE

Mr. Dixon moved to approve staff recommendations and to grant "O" Office, 2nd H&A. Mr. Danze seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 8-0.

R. G. Mueller, Jr., 3511 Jefferson
Frances Mueller Danforth, 1400 West Avenue

C14-79-029 Austin National Bank (cont'd.)

COMMISSION ACTION

Mr. Latting explained that this is a parking lot and there are no plans for a parking garage. Mr. Vier discussed restrictions so that it would be used only for parking purposes. R. G. Mueller, speaking in opposition, pointed out the possible uses in the event the zoning is changed. He felt this could be handled through the Board of Adjustment and questioned the feasibility due to the size of the lot. Mr. Latting amended his request to "GR", 1st H&A.

COMMISSION VOTE

Mr. Vier moved to approve "GR", 1st H&A (as amended) with a restrictive covenant as agreed to by the applicant, that subject tract be used for a ground level parking lot only. He expressed concern for the "GR" use under normal circumstances and felt it would be inappropriate in that area. Mr. Danze seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-79-030 Perciful-Waring Development, Inc.: Interim "A", 1st H&A
(by Stephen M. Jenkins) to "O", 1st H&A (as amended)
8127-8129 Forest Mesa Drive
also bounded by Steck Avenue

Marie Gaines presented the staff report and indicated that the applicant had requested to amend the request to "O" Office. Staff recommends to deny "O" office as no "O" zoning precedent exists.

PERSONS APPEARING IN FAVOR:

Joe Waring, applicant

PERSONS APPEARING IN OPPOSITION

Harry Carlson, Balcones Civic Association
Dr. William Cunningham, Summerwood Homeowners Association
John & Sue Dillard, 8221 Summerplace Drive
R.G. Mueller
John Moran
Douglas F. Pierce, 8102 Club Court
Rosa Lee Prade, 3702 Steck
Harry Carlson, 8001 Hillrise
Margaret Teal, 8246 Summer Side Drive
Mary Helen Howell, 3718 Steck
Joan Higgins, 8115 East Court
J. Bland Pope, 8107 East Court
Ann Weber, 8117 East Court
Aubrey E. Lewis, 8101 West Court
Martha M. Lewis, 8101 West Court

C14-79-030 Perciful-Waring (cont'd.)

PERSONS APPEARING IN OPPOSITION (cont'd.)

Mary A. Hill, 8100 East Court
Mr. & Mrs. L. W. McConachie, 8101 Club Court
Dell Logan, 8116 West Court
Zelda & Morris Polsky, 8101 Middle Court
Mrs. Peter Flawn, 8107 Club Court
Mr. & Mrs. John C. Aycock, 8111 West Court
Marvin B. Lynch, 8109 Club Court
Mrs. Wm. A. Castille, 8103 West Court
Ray E. Logan, 8116 West Court
Mr. & Mrs. Thomas C. Mann, 8105 Middle Court
Jud T. Johnson, 8102 Middle Court
Mr. & Mrs. H. Ray Northrup, 8105 East Court
E. L. Hill, 8100 East Court
Mr. & Mrs. Sterling Sasser, Sr., 8113 West Court
Mrs. J. V. Sparks, 8105 West Court
Mr & Mrs. Percy L. Harris, 3801 Woodbrook Circle
A. L. CUrry, 8229 Summer Place Drive
Doris Pierce, 8102 Club Court
John M. Moran, 8000 Baywood Drive
Anna Lee Scott, 8106 Club Court
Malcolm Levi, 8115 Middle Court
W. A. Castille, 8103 West Court
Dorothy C. Van Court, 8105 Club Court
John G. Daily, 8110 East Court
Eva P. Hines, 8111 East Court
John C. Thonet, 8113 East Court
James M. Williams, 8101 East Court
Dean L. Clark, 8228 Summerside Drive

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Villa Serena Association
Douglas F. Pierce, 8102 Club Court
Anna Lee Thurman Scott, 8106 Club Court
Mr. & Mrs. Marvin B. Lynch, 8109 Club Court
Aubrey E. Lewis, 8101 West Court
W. A. Castille, 8103 West Court
John C. Thonet, 8113 East Court
Peter Flawn, 8107 Club Court
Ann Weber, 1105 West 42nd.

COMMISSION ACTION

Joe Waring explained that he had requested postponement because of his requested change to "O" zoning in an attempt to meet with the various groups to work

C14-79-030 Perciful-Waring (cont'd.)

something out. He discussed that this is a problem tract and needs something other than residential development; did not feel that single-family would be the highest and best use of the property. He felt that offices would create a buffer. Harry Carlson, speaking for the Balcones Civic Association, expressed opposition to "LR" as well as the "O", as amended, unless something can be worked out. He agreed this tract is a problem piece of property but felt the proposed zoning to be speculative, pointing out that it does not conform with the Master Plan. Dr. Cunningham, speaking in behalf of the Summerwood Homeowners Association, explained their area is residential, composed of retired persons and submitted a petition containing 68 signatures in opposition to the proposed zoning change. He felt this change is not needed, that it is a reversal of policies recently adopted. He discussed the problem of traffic and pointed out there already are offices in the area and nothing would be gained and a great deal lost. A petition with 29 signatures was presented from residents of Summerwood II. He felt there was nothing to be gained by further conversation. Douglas Pierce, President of Villa Serena expressed opposition to any change of zoning, felt that it would be spot zoning, and requested the Commission to protect property rights and property values.

COMMISSION VOTE

Mrs. Schechter moved to deny "O" Office as amended, but to grant permanent "A", 1st H&A. Mr. Stoll seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-79-031 Perciful-Waring Development, Inc.: Interim "A", 1st H&A to "O", 1st
(by Stephen M. Jenkins) H&A
8001 Forest Mesa Drive
8003 Forest Mesa Drive
8005 Forest Mesa Drive
8000 Forest Mesa Drive
8002 Forest Mesa Drive
8004 Forest Mesa Drive also bounded by Spicewood Springs Road

Marie Gaines stated the applicant had requested postponement. Mr. Guerrero pointed out that people were in attendance and wished the hearing be held. Ms. Gaines then discussed land uses in the area and explained the staff recommended to deny "O", 1st H&A but grant "A" 1st H&A. This is an established single-family residential area.

PERSONS APPEARING IN FAVOR

Joe Waring, applicant
Wallace Pellerin
Sam Hannah, representing owner of subdivision

C14-79-031 Percifull-Waring (cont'd.)

PERSONS APPEARING IN OPPOSITION

Harry Carlson, Balcones Civic Association
Phil Mockford, representing NPC
Mr. O'Connell
John M. Moran, 8000 Baywood Drive
Anna Lee Scott, 8106 Club Court
Malcolm Levi, 8115 Middle Court
W.A. Castille, 8103 West Court
Dorothy C. Van Court, 8105 Club Court
John G. Dailey, 8110 East Court
Eva P. Hines, 8111 East Court
John C. Thonet, 8113 East Court
James M. Williams, 8101 East Court
Dean L. Clark, 8228 Summerside Drive
Doris V. and Douglas F. Pierce, 8102 Club Court
Mary Helen Howell, 3718 Steck
Mr. & Mrs. L.W. McConachie, 8101 Club Court
Morris & Zelda Polsky, 8101 Middle Court
Dell Logan, 8116 West Court
Mrs. Clarence Covert, Jr., 8103 Middle Court
Judi T. Johnson, 8102 Middle Court
Mr. & Mrs. Thomas C. Mann, 8105 Middle Court
Mrs. John C. Aycock, 8111 West Court
Mrs. Peter T. Flawn, 8107 Club Court
Mr. & Mrs. H. Ray Northrup, 8105 East Court
Mary and Eldon L. Hill, 8100 East Court
Mr. & Mrs. Sterling Sasser, Sr., 8113 West Court
A.L. Curry, 8229 Summer Place Drive

COMMISSION ACTION

Joe Waring explained they would like to have a 60-day postponement in order to meet with the neighborhood to work things out. Wallace Pellerin of the Balcones Civic Association agreed to meet with the applicant and discuss the request. Mr. Waring felt the proposed zoning would provide a buffer, stating that there is a problem having residential on the corner of a major traffic artery. He discussed the bar across the street and stated this is not speculative zoning, that it would be restricted to professional or semi-professional offices. Sam Hannah, representing owner of the subdivision, discussed Spicewood Springs Road and how it would be built. He felt this not suitable for residences. Mr. Carlson, representing the Balcones Civic Association, felt this would be speculative and pointed out there is plenty of office space available in the area. He felt this is not in accordance with the Master Plan and would like to see it remain permanent "A". Phil Mockford, representing NPC, requested buffering and a 50-foot setback from the building line for the adjoining property.

COMMISSION VOTE

Mr. Stoll moved to continue the request until 7 p.m. May 1, and that applicant and neighborhood group reach a compromise. Mr. Vier seconded the motion. Mrs.

C14-78-031 Percifull-Waring (cont'd.)

Schechter offered a friendly amendment that the Urban Transportation Department give information regarding Spicewood Springs Road and how it will fit into the picture.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-79-034 Lawrence R. and Mae Louise Durbin: "A" 1st H&A to "B" 1st H&A
(by Ronald N. Goldstein)
1203-1205 West 49th Street

Marie Gaines explained that the staff felt that any zoning change other than single-family would be an intrusion into a single-family neighborhood and would set a precedent for more intense development; therefore, the recommendation is to deny "B" Residence, 1st H&A.

PERSONS APPEARING IN FAVOR

Ronald N. Goldstein, representing applicant

PERSONS APPEARING IN OPPOSITION

None

WRITTEN COMMENTS IN FAVOR

Roy Miller, 3202 Silverleaf
Mr. & Mrs. Carl O. Pitterson, 1207 West 49th Street
Zepha Walker, 1209 West 49th Street
Larry A. Doll, Secretary, Ridgelea Neighborhood Association
Helen Jobes, 1211 West 49th St.
Jodie F. Kocurek, 1904 Matagorda
Thomas H. Barnes, 1304 W. 49th
Mathis Blackstock

WRITTEN COMMENTS IN OPPOSITION

None

COMMISSION ACTION

Ronald Goldstein, speaking for the applicant, explained that the precedent already had been set by more liberal zoning in the area and this would not be an intrusion into a neighborhood. He discussed the immediate area and pointed out the state agencies nearby, felt that there was a need for multi-family residences. He stated there were eight property owners in the area in agreement

C14-79-034 Lawrence R. & Mae Louise Durbin (cont'd.)

and that the Ridgelea Neighborhood Association also was in agreement. There was discussion of "BB" and what could be built and the applicant stated he would accept "BB" zoning.

COMMISSION ACTION

Mrs. Shipman moved to grant "BB", 1st H&A, as amended by the applicant and five feet of right-of-way be dedicated for the widening of W. 49th Street. Mr. Jagger seconded the motion.

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

ABSENT: Dixon, Snyder

THE MOTION PASSED BY A VOTE OF 7-0.

C14-79-035 West 34th Street Corporation: "O", 1st H&A to "O", 2nd H&A
(by William T. Carlisle)
3401-3407 Owen Avenue
808-800 West 34th Street
3400-3406 West Avenue

Marie Gaines presented the staff report and discussed the land uses in the area and stated a change of condition has taken place from "A" to "O". The staff would recommend to grant "O" Office, 2nd H&A.

PERSONS APPEARING IN FAVOR

William Carlisle, attorney representing applicant

PERSONS APPEARING IN OPPOSITION

David Gray, 3109 Grandview
Doris Lowe, 3109 Grandview
Mr. & Mrs. W.W. Gibson, 3108 West Avenue
Leo and Mildren Hughes, 902 West 31st St.
Mr. & Mrs. T.G. Steffan, 900 W. 31st St.
Patricia & Darrell Williams, 801 W. 30th St.
Mrs. H.I. Cunningham, 613 West 31½
Mrs. Dorsey Twidwell, Sr., 616 West 31½
Paul Willcox, 611 West 33
Mrs. L. Donn, 617 W. 32nd

COMMISSION ACTION

William Carlisle, attorney representing the applicant, explained the need for the Austin Diagnostic Clinic to expand. Paul Wilcott stated this was hard to oppose and discussed the neighborhood and the need to keep balance in the neighborhood. He discussed the narrow streets and traffic problems. Area

C14-79-035 West 34th Street Corp. (cont'd.)

residents expressed fear for the residential character of the neighborhood, discussed the narrow streets and pointed out they cannot stand any more traffic. There was discussion of the neighborhood being restored and it was pointed out that the Seton Medical facility was a short distance away and that another major medical facility was not needed in this residential area.

COMMISSION VOTE

Mr. Vier felt that a five-story building above the ground would be an intrusion into the neighborhood and moved to deny "O" Office, 2nd H&A. Mr. Danze seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14-79-037 Dennis A. Hein: Interim "A", 1st H&A to "O", 1st H&A
6906 Manor Road also bounded by
3306 Rockhurst Drive

Marie Gaines presented the staff report and discussed the land uses in the area. She explained that no change of condition has taken place in this area and that intense zoning should not be established because of the precedent to continue less restrictive zoning along the residential subdivision to the west, therefore, the staff would recommend to deny "O" Office, 1st H&A, but to grant permanent "A" 1st H&A.

PERSONS APPEARING IN FAVOR:

Dennis Hein, owner and applicant
Mrs. Robert E. Montie, 3507 Rockhurst
Robert E. Montie, 3507 Rockhurst
Teresita Rodriguez, 6909 Tulane Drive

PERSONS APPEARING IN OPPOSITION

Charles Haberman, 6710 Kingspoint West
Joan Bartz, 3713 Tulsa Cove
Michael Garrett, 3102 Berrylawn Circle
Willie Tucker, 3306-B Hyclimb Circle
Reba Bonner, 6915 Langston
Sanora Ramsay, 3007 Lynridge
Mrs. Sandra Lester, 3008 Val Drive
Mary Ann Parker, 2405 Arron Cove

WRITTEN COMMENTS IN FAVOR

Robert E. and Anna J. Montie

C14-79-037 Dennis A. Hein (cont'd)

COMMISSION ACTION

Dennis Hein, owner and applicant, stated he felt that professional office space would be appropriate. Mrs. Robert E. Montie approved the request, stating that this would be better than rental duplexes. Mrs. Rodriguez also stated she was in favor of the request. Area residents speaking in opposition discussed the traffic in the area and stressed the need for safety for the children since Winn Elementary School is nearby. Charles Haberman, representing the Winn PTA, expressed concern for what the zoning would be on the west side of this tract. Joan Bartz and Michael Garrett discussed their concerns for the precedent this zoning change would set.

COMMISSION VOTE

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

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

THE MOTION PASSED BY A VOTE OF 7-0.

C14-79-040 Hazel Goodnight & L.S. Evertt: Interim "AA", 1st H&A to "D", 1st H&A
(by Bobby Hill and Hank Wire)
6010-6210 E. Ben White Blvd.
3010-3024 and 2814-2914 Montopolis Drive

Marie Gaines presented the staff report and discussed the land uses in the area. The staff would recommend to grant "D" Industrial, 1st H&A subject to a planned development area plan. The P.D.A. would assure that proposed uses would be compatible with the surrounding area land uses. A subdivision will be required prior to the issuance of a building permit, and the right-of-way for Oltoft and Montopolis will be obtained through the subdivision process.

PERSONS APPEARING IN FAVOR

Hank Wire, representing applicant
Clyde Buckman

PERSONS APPEARING IN OPPOSITION

Clifton Griffin, representing Montopolis Neighborhood Committee
Bob Swem, Data General Corporation
Frank Niendorff, 8705 Shoal Creek
Paul Willcott, 611 West 33rd
Rosemary Castleberry, 1700-D Montopolis

WRITTEN COMMENTS IN FAVOR

Herman Neusch, Box 70, Eddy, TX

C14-79-040 Hazel Goodnight (cont'd)

COMMISSION ACTION

Hank Wire, speaking for applicant, explained they wished to build a church on a portion of the tract and that the balance would be sold in an attempt to get some of their money back. He explained this would be subject to a P.D.A. agreement filed with the City. Speaking in opposition, Clifton Griffin, representing the Montopolis Neighborhood Committee, explained they were not opposed to the church but were opposed to the change of zoning. He showed that they were surrounded by industrial uses now and this would create additional burden on streets that are not built to handle heavy traffic that is there now. Bob Swem, plant manager for Data General, stated they would like to have the church as a neighbor, but were very concerned for the land between the property and the proposed Oltorf. He discussed their P.D.A. and stated they would like to see a site plan before any commitment is made, expressed very strong concerns and felt it should be discussed further. Frank Niendorff expressed the same concerns as Mr. Swem, but did state that part of the area should be zoned industrial. He suggested the same type arrangement as was required with Data General, pointing out that the buffer zone needs to be considered and that Data General has some valid concerns. He felt the Oltorf area should be "O" and treated in the same manner as was Data General. He suggested to let the church go in under a P.D.A. agreement and develop the remainder of the tract since this would bring in more jobs in the area. There was discussion of the change of zoning being for a speculative use and the need to come in with a P.D.A. agreement in conjunction with the zoning request.

COMMISSION VOTE

Mr. Vier moved to postpone until a complete development plan is submitted.
Mr. Danze seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 8-0.

| | | |
|-----------------|---|------------------------------------|
| C14-79-044 | BELL AVENUE AREA STUDY: Interim "AA", 1st H&A to "A", "AA" and "BB" (by City of Austin Planning Dept.) | <u>"O" & "GR", 1st H&A</u> |
| <u>TRACT 1:</u> | 12440-12454 U.S. 183 12005-12009 Oak Knoll Drive | |
| <u>TRACT 2:</u> | 6507-6801 Woodcrest Drive 11413-11515 Oak View Drive 11412-11706 & 11413-11708 Oak Knoll Drive 11600-11706 & 11601-11707 Broad Oaks Drive 6600-6606 & 6601-6607 Branching Oak Drive 11500-11704 & 11501-11705 Three Oaks Drive 6700-6804 & 6701-6805 Fireoak Drive 6700-6806 & 6701-6805 Rustling Oaks Drive 11500-11504 & 11501-11505 Hollow Oak Court 6512-6804 & 6513-6805 Danwood Drive also bounded by Colina Lane and Vallecito Drive | |

C14-79-044 BELL AVENUE AREA (cont'd)

| | |
|------------------|---|
| <u>TRACT 3:</u> | 11839 U.S. 183 |
| <u>TRACT 4:</u> | 11833 U.S. 183 |
| <u>TRACT 5:</u> | 11710-11820 Jolleyville Road, also bounded by Bell Avenue |
| <u>TRACT 6:</u> | 11700 Jollyville Road, also bounded by Bell Avenue and Ladera Vista Dr. |
| <u>TRACT 7:</u> | Jollyville Road and Ladera Vista Dr. |
| <u>TRACT 8:</u> | 11905-12001 Bell Avenue, also bounded by U.S. 183 |
| <u>Tract 9:</u> | North side of U.S. 183, approximately 300 ft. east of Bell Ave. |
| <u>Tract 10:</u> | 11701 & the rear of 11715-11903 Bell Ave., also bounded by Jollyville Rd. |
| <u>Tract 11:</u> | West side of Thunder Creek Road approximately 325 ft. north/Jollyville Rd. |
| <u>Tract 12:</u> | Northwest corner of Thunder Creek Rd and Jollyville Rd. |
| <u>Tract 13:</u> | 12004-12102 Bell Ave., 5901-6001 McCoy Road, 12200 Howlett Court, Rear of 6000-6004 McCoy Road |
| <u>Tract 14:</u> | 11877-12005 U.S. 183, 12000-12004 & 12003-12005 Tweed Ct., Rear of 12004-12102 Bell Avenue, 6000-6004 McCoy Road, rear of 5901-6001 McCoy Road, rear of 12200 Howlett Court |
| <u>Tract 15:</u> | 1200 Bell Avenue, 11934-11936 Arabian Trail |
| <u>Tract 16:</u> | 11905 Bell Avenue (Northwest Oaks Neighborhood Assn., North Oaks Neighborhood Assn., and Angus Valley Area Neighborhood Assn.) |

Marie Gaines presented the staff report. The following areas are all presently zoned Interim "AA" Residence, 1st H&A. The staff recommends the following:

| <u>Area</u> | <u>Recommendation</u> |
|-------------|---|
| 2 | <u>"AA" Residence, 1st H&A</u> Existing uses in the subdivision are single-family residences. Land north of this area has been recently zoned permanent "AA" Residence, 1st H&A. |
| 3 | <u>"O" Office, 1st H&A.</u> This parcel presently contains a non-conforming use which if zoned would require "C-2" Commercial zoning and a special permit. Change of condition along Jollyville Road supports the recommendation. The property owner can at any time file for the C-2 zoning and special permit prior to when building permits are needed. |
| 4 | <u>"O" Office, 1st H&A.</u> The change of condition has been to "O" Office for properties fronting along the north and east side of Jollyville Road. The east 20 feet should be retained "A" to conform with previously zoned land north of this property. |
| 5 | <u>Zoning Mix.</u> This long strip of several lots contains four non-conforming uses. They are: a body shop; a grocery store and gasoline station; a paint supply company and a day care center. It is recommended that appropriate zoning be considered for the existing non-conforming uses and includes: "C" for the body shop, "GR" for the paint supply company, "LR" for the store and gasoline station and "O" for the day care center. The balance of the land is recommended as "A". |

C14-79-044 BELL AVENUE AREA (cont'd)

| <u>Area</u> | <u>Recommendation</u> |
|-------------|--|
| 6 & 7 | "A" Residence, 1st H&A. Permanent "AA" Residence was recently granted northwest of subject tract. Unless property owners request more restrictive zoning, this recommendation would support the suggestion for "AA" zoning in #10 north of Jollyville Road. |
| 10 | "A" Residential, 1st H&A. This large area is appropriate for single-family or duplex development. A preliminary sketch of a possible residential subdivision is presented on Exhibit B to indicate the feasibility of this recommendation. Another approach to residential type development is through a townhouse or planned unit development (P.U.D.) by special permit. Surrounding zoning for this area is suggested for "O" Office and "GR" General Retail to the north and east; "AA" and "A" Residence to the south and west. |
| 11 | "GR" General Retail, 1st H&A. The tract is undeveloped. Surrounding is developed "GR" General Retail to the north and east. To the west is suggested "GR" General Retail. To the south is suggested "O" Office zoning. |
| 12 | "O" Office, 1st H&A. "O" Office on tracts fronting Jollyville Road has consistently been granted by the City Council. |
| 16 | "BB" Residence, 1st H&A. This area is developed as a four-plex and as non-conforming zoning will require a minimum "BB" Residential zoning. |

Ms. Gaines explained that because of the moratorium by the City Council, the staff would recommend to pull areas 1, 13, 14, 9, 8, and 15. There needed to be discussion on Areas 5, 7 and 16 and they also were pulled. Mr. Vier moved to approve staff recommendations on the balance, and Mrs. Schechter seconded the motion. There then was discussion on Area 5. Phil Mockford, representing Theron Bradford, stated he felt this inconsistent with what will be developed there and requested "O" Office or have the tract withdrawn from consideration. Judy Walker expressed concern with Area 5 and requested it be left as non-conforming use for the four existing uses, the vacant land be kept as "O". Ray Roark requested "O" Office for the day care center. Mr. Vier then moved to grant "A" Residential for the "L"-shaped tract; "O" for the Mockford (agent) tracts; "A" for the service station; "O" for the day care center; and "AA" for the two lots fronting on Bell Avenue and Jollyville Road. Mrs. Schechter seconded this motion. In the discussion of Area 7, Mr. Scrabanek requested "O" and Bob Bledsoe filed a petition for the first lot of Ladera Vista to be "AA". Mr. Vier then moved to grant "AA" on the first lot; "A" on the second lot and the third strip of "A" leaving enough for "O" on the rest of the tract including the antique shop. Mrs. Schechter moved that the fourplex in Area 16 remain nonconforming with "A" on the remainder.

C14-79-044 Bell Avenue Area (cont'd.)

COMMISSION VOTE

On motion by Mr. Vier, seconded by Mrs. Schechter, the following was recommended for the Bell Avenue Study Area;

- Area 1 - postponed, moratorium
- Area 2 - recommended AA
- Area 3 - recommended O
- Area 4 - recommended O and A
- Area 5 - recommended A for L-shaped tract;
O for Mockford (agent) tracts
A for service station
O for Day Care Center
AA for two lots fronting Bell Avenue and Jollyville Road
- Area 6 - recommended AA
- Area 7 - beginning at North, recommended AA on first lot;
A on second lot;
Strip of A followed by O including antique shop
- Area 8 - postponed, moratorium
- Area 9 - postponed, moratorium
- Area 10- recommended A
- Area 11- postponed, moratorium
- Area 12- recommended O
- Area 13- postponed, moratorium
- Area 14- postponed, moratorium
- Area 15- postponed, moratorium
- Area 16- recommended A; four-plex to remain non-conforming

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

THE MOTION PASSED BY A VOTE OF 5-0.

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

The meeting adjourned at 11:45 p.m.


Richard R. Little, Executive Secretary

| FILE # | SUBDIVISION NAME LOCATION | Filed With P.C. | 30 Days Expiration | REPORTS RECEIVED -- "X" if OK Footnotes if not OK; explain below | | | | | | | | | | | | | | PLANNING RECOMMENDATION | ACTION | | |
|---------------|--|--------------------|-----------------------|---|------------|----------|----------------|-------|------|--------|--------|----------|--------|------------|-----------------|-------|--------|-------------------------|--------|--|-----------------|
| | | | | St. Name Approval | Plat Cert. | E. R. M. | Blkg. Insp. | Water | San. | Sever. | Health | Planning | Eng. * | Dlr. P. M. | Parks & Rec. | Urban | Trans. | | | Gas | Fiscal Dept. |
| | PRELIMINARY SUBDIVISION | | | | | | | | | | | | | | | | | | | | |
| 78 62 | Concept One Jollyville Road | - | - | | | | | | | | | | | | | | | | | REQUEST SIX MONTH EXTENSION - RECOMMEND TO GRANT Mr. Stoll abstained. | |
| | OLD FINAL SUBDIVISION PLAT | | | | | | | | | | | | | | | | | | | | |
| 78 103 | Sunridge South, Section Two Meadow Lea Dr. | - | - | X | X | X | NR | X | X | NR | X | X | X | X | X | X | X | X | X | APPROVE | |
| | OLD SHORT FORM SUBDIVISION | | | | | | | | | | | | | | | | | | | | |
| 5 79 63 | Walther Addition Hampton Rd. at E. 35th St. | - | - | X | X | X | X | X | X | NR | X | X | NR | NR | X | X | NR | NR | NR | CONSIDER PROBLEM 19 - RECOMMEND (a)** APPROVE | |
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*Electric and Drainage requirements are cleared upon receipt of this report.

**Variance required to delete signature requirement of adjoining owner. (a) Recommend to GRANT with letter in file.