

CITY PLANNING COMMISSION
Austin, Texas
Regular Meeting -- August 7, 1979

The regular meeting of the City Planning Commission was called to order at 5:40 p.m. in the City Council Chambers, 301 West Second Street.

Present

Miguel Guerrero, Chairman
Freddie Dixon
Mary Ethel Schechter
Sally Shipman
Bernard Snyder
Bill Stoll
Jim Vier

Also Present

Evelyn Butler, Supervising Planner
Walt Darbyshire, Planner
Marie Gaines, Planner
Aliece Minassian, Planner
Charles Graves, Director of Engineering
John German, Director of Public Works
Benny Hawkins, Construction Management
Frank Bishop, Assistant Director of Aviation
Albert de la Rosa, Legal Department
Ouida Glass, Senior Secretary

Absent

Leo Danze
Sid Jagger

Mrs. Schechter moved and Reverend Dixon seconded the motion to declare an emergency and to hear those items listed from the agenda of August 6.

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

THE MOTION PASSED BY A VOTE OF 5-0.

ZONING

C14-79-126 AP 803 LTD.: Interim "AA", 1st H&A to "GR", 1st H&A
(by Gary F. Brown)
13900-13902 Research Blvd. also
bounded by F.M. 620

Marie Gaines explained the owner had requested postponement to August 14 since he was unable to attend at this time.

COMMISSION VOTE

Mrs. Schechter moved and Mr. Snyder seconded the motion to postpone the item to August 14 as requested by the applicant.

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-129 James H. and Jessamine Arnold: Interim "AA", 1st H&A to
(by James H. Arnold, Jr.) "C-1", 2nd and 5th H&A
13118 R.R. 620

C14-79-130 James H. Arnold, Jr.: Interim "AA", 1st H&A to
13114 and 13116 R.R. 620 "C", 2nd and 5th H&A

Marie Gaines explained the requests originally were heard on July 2. She discussed the subject tracts and stated the staff would recommend to deny "C" Commercial but would recommend to grant "O" Office subject to the recommendations of the 183 study.

PERSONS APPEARING

Jim Arnold, applicant

COMMISSION ACTION

Jim Arnold presented a site plan and discussed the intended use of the tracts. He stated they also owned the 15 acres behind the lots and requested the same zoning for the entire tract. He also stated he would be willing to accept "GR" for Tracts 3 and 4. In response to a question by Mrs. Shipman,

C14-79-129 James H. and Jessamine Arnold and

C14-79-130 James H Arnold, Jr. -- continued

Mr. Arnold stated he did not need 2nd H&A and amended his application to "GR" General Retail, 1st H&A for Lots 3, 4, and 5. Mr. Snyder felt that perhaps Mr. Arnold was requesting zoning that was not needed since there was not a definite use for the property. Mr. Guerrero stated the request is premature and explained that the zoning would expire at the end of one year if not used. Mr. Snyder suggested that the request be postponed and the applicant work with staff to see what really would be needed.

COMMISSION VOTE

Mrs. Shipman moved to postpone indefinitely, applicant to work with staff, and the item to be scheduled first on the agenda when ready. Reverend Dixon seconded the motion.

AYE: Guerrero, Dixon, Schechter, Shipman, and Snyder.

ABSTAINED: Vier.

ABSENT: Danze, Jagger, and Stoll.

THE MOTION PASSED BY A VOTE OF 5-0.

C20-79-008 Zoning Ordinance

Consider recommendation of subcommittee for a consultant to undertake revision to Chapter 45 of the Austin City Code, Zoning Ordinance.

Evelyn Butler recommended to hold this item. The staff is not ready and would like to come back to the Commission on August 14.

NO ACTION TAKEN.

^{old}
C20-79-009 Zoning ordinance

To set a public hearing to amend Chapter 45-14(d) of the Austin City Code with reference to annexation of Planned Development Areas (PDA).

Evelyn Butler suggested a date of September 11 to consider this item.

COMMISSION VOTE

Mrs. Shipman moved and Mr. Guerrero seconded the motion to set a public hearing on September 11 to amend Chapter 45-14(d) of the Austin City Code with reference to annexation of Planned Development Areas (PDA).

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

ABSENT: Danze, Jagger, and Stoll.

THE MOTION PASSED BY A VOTE OF 6-0.

~~78-018~~
~~C20-79-009~~ Subdivision Ordinance

Consider recommendation to City Council on amendments to Chapter 41 of the Austin City Code, Subdivision Ordinance, regarding street paving widths and drainage.

Evelyn Butler discussed the proposed ordinance and explained the choices: to recommend the ordinance as written; to recommend the ordinance with changes; to recommend the ordinance with changes and possibly standards that should be attached; or to make no recommendation. Mr. Guerrero explained he felt it should be sent back to the City Council for their action.

COMMISSION VOTE

Mr. Guerrero moved and Mr. Vier seconded the motion to allow the City Council to proceed with the public hearing to amend Chapter 41 of the Austin City Code, Subdivision Ordinance, regarding street paving widths and drainage.

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

THE MOTION PASSED BY A VOTE OF 6-0.

ZONING

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

C14h-79-015 Mather-Kirkland House
(by Sinclair Black and
Wayner Gronquist)

From: "B", 2nd H&A to
To: "B-H", 2nd H&A
RECOMMENDED

C14-79-142. Jack E. Taylor, Jr.
2002 Cody Court

From: "BB", 1st H&A
To: "A", 1st H&A
RECOMMENDED

C14-79-148 Dan Covert and John Joseph
 (by John F. Pettit)
 Rear of 8000-8016 IH-35
 and U.S. 183

From: "A", 1st H&A
To: "O", 1st H&A
RECOMMENDED

COMMISSION VOTE

Mrs. Shipman moved and Reverend Dixon seconded the motion to approve the above items noting the findings of fact.

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

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

The Commission then considered another consent motion: Staff Recommendation:

C14-79-139 City of Austin
 (by Planning Department)
 7900-7932 Cooper Lane
 701-709 Dittmar Road
 7718-7900 South 1st Street

From: Interim "A", 1st H&A
To: "AA", 1st H&A
RECOMMENDED

COMMISSION VOTE

Mr. Vier moved and Mrs. Schechter seconded the motion to approve staff recommendations.

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

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

Mrs. Costillo C. Lewis, Route 2, Box 12J, Marble Falls

C14-79-107 Aubra L. Sparkman and Juanita Sparkman and

C14-79-069 Liselotte L. Gambill -- continued

PERSONS APPEARING IN OPPOSITION

Mr. and Mrs. John Hancock, 2104 Ivy Trail

Charles M. Holt, 2028 Ivy Trail

Mrs. Alfred Feuge, 2102 Ivy Trail

WRITTEN COMMENTS IN FAVOR -- None

WRITTEN COMMENTS IN OPPOSITION

Charles M. Holt, 2028 Ivy Trail

Mrs. Alfred Feuge, 2102 Ivy Trail

COMMISSION ACTION

Lisa Gambill and Chat Altus showed slides of the area as well as a tape recording of the noise. They discussed the inability to keep tenants and felt the property should be utilized as retail, would create more taxes and more jobs. They agreed to fencing and landscaping for privacy to the homeowners. Margie Bateman discussed the noise, the riff raff, damages in the area and expressed fear to stay there. She felt it should be zoned commercial. Shirrell Hipp stated the majority of the property owners do not live there and discussed deterioration of the area. She felt that to be used as retail would increase property values as well as taxes, stated the need to work with the homeowners and to respect their wishes. Speaking in opposition, Charles Holt stated they do not want traffic to exit on Ivy Trail. He discussed the narrow lots and inability to park on Ben White, pointed out there are nice homes and there are homeowners living on the south side of Ivy Trail. Mrs. Alfred Feuge discussed the noise, stated they are on fixed income and cannot relocate; it is impossible to do so. She stated the houses in question have been bought by persons expecting to make a big profit and requested the zoning be denied. Walt Mendez stated he has just bought a house there and is proud of it. He is the only minority there and cannot see this being used for retail or commercial, discussed the trees that would be torn down and could not see facing a concrete wall. John Hancock, a homeowner on Ivy Trail, discussed having bought his house 20 years ago. It is paid for, there is a pretty lawn, the house is repaired and painted. It is on a 30-foot street. He urged the zoning request be denied.

COMMISSION VOTE

Mrs. Shipman moved and Mrs. Schechter seconded the motion to deny, "GR" General Retail, 1st H&A for Case No. C14-79-107.

AYE: Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Danze, Dixon, Guerrero, and Jagger.

THE MOTION PASSED BY A VOTE OF 5-0.

Mrs. Shipman then moved and Mrs. Schechter seconded the motion to deny "GR" General Retail, 1st H&A for case No. C14-79-069.

C14-79-107 Aubra L. Sparkman and Juanita Sparkman and

C14-79-069 Liselotte L. Gambill -- continued

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-135 Bobby R. Taylor: "A", 1st H&A to "O", 1st H&A
1707-1709 East Martin Luther King, Jr., Blvd.
also bounded by Salina Street.

Marie Gaines stated the staff recommends to deny the request since "O" zoning would set a precedent since the predominant land use is residential.

PERSONS APPEARING

Bobby Taylor, applicant and attorney

COMMISSION ACTION

Bobby Taylor, applicant and attorney, explained the zoning change request is to enable him to place a law office at this location. He discussed the land uses in the immediate area and stated he had met with the homeowners in the area. They are in favor of the request. This is not a residential area and he will not add any more traffic. The area residents had requested the law office be located there and he requested approval of the zoning change. There was discussion of limiting the use to law offices. Mr. Taylor discussed, for financial reasons, the need to be able to lease some of the space if necessary.

COMMISSION VOTE

Mrs. Shipman moved to grant "O" Office, 1st H&A and that a restrictive covenant as volunteered by applicant be filed limiting the use predominantly to legal office uses. Mr. Snyder seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 5-0.

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-144 Eddie Dean: "O", 1st H&A to "GR", 1st H&A
 2506 South Lamar
 at corner of LaCasa

Marie Gaines discussed the land uses and stated the staff would recommend to grant "GR" General Retail.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR -- None

PERSONS APPEARING IN OPPOSITION

Vera Combs, 2003 LaCasa Drive

WRITTEN COMMENTS IN FAVOR

Mrs. Roy D. Davis, 2001 LaCasa Drive

WRITTEN COMMENTS IN OPPOSITION

Mrs. P.E. Palmer, 2007 LaCasa Drive

COMMISSION ACTION

The applicant was not present. Vera Combs expressed opposition to the used car lot. Marie Gaines explained this was an illegal operation and would have to be shut down if the zoning is not granted.

COMMISSION VOTE

Mr. Vier moved and Mrs. Schechter seconded the motion that the request be postponed indefinitely and that the applicant be present when heard again.

AYE: Schechter, Shipman, Snyder, Stoll and Vier.

ABSENT: Danze, Dixon, Guerrero, and Jagger.

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-150 Charles H. Morrison, Jr., and Morrison Moore Properties:
 (by Tom Curtis) Interim "AA", 1st H&A
 7919-7921 Dittmar Road to "GR", 1st H&A
 7814-7810 South First

Marie Gaines stated the staff would recommend approval of "GR", 1st H&A for the subject tract.

PERSONS APPEARING IN FAVOR

Tom Curtis, attorney, representing applicant

PERSONS APPEARING IN OPPOSITION -- None

COMMISSION ACTION

Tom Curtis, attorney representing applicant, discussed the proposed use which is to be retail, pet shops, and musical sales a possibility. There was discussion of the zoning needed and applicant amended the request to "LR".

C14-79-150 Charles H. Morrison, Jr., and Morrison Moore Properties: -- continued

COMMISSION VOTE

Mr. Vier moved to grant "LR" Local Retail, 1st H&A, as amended by the applicant. Mr. Snyder seconded the motion.

AYE: Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Danze, Dixon, Guerrero, and Jagger.

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-151 Edward L. Roberts: "A", 1st H&A to "LR", 1st H&A
2917-2919 Martin Luther King, Jr., Blvd.
1809-1815 Clifford

Marie Gaines explained the staff cannot support the request for "LR" zoning. This would be an undesirable precedent as well as intensity of activity generated by the proposed use. The staff would recommend to deny.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

E.L. Roberts, owner of property

PERSONS APPEARING IN OPPOSITION -- None

WRITTEN COMMENTS IN FAVOR

Texas Readymix, 4200 Todd Lane

WRITTEN COMMENTS IN OPPOSITION

Petition

COMMISSION ACTION

E.L. Roberts, minister and owner of the property, discussed having paid taxes on undeveloped land for over ten years. He now wished to develop in order to help pay the taxes and be of service to the community. He discussed it not being feasible to build houses. There has not been a house built in the area for 15 to 20 years. He requested the "LR" zoning so that something could be built that would be helpful to the community, but did not have a definite use in mind.

COMMISSION VOTE

Mrs. Shipman was of the opinion this was speculative zoning and moved to deny "LR" Local Retail, 1st H&A. Mr. Vier seconded the motion.

AYE: Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Danze, Dixon, Guerrero, and Jagger.

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-155	Austin Independent School District: (by City of Austin) 1715-1901 East St. Elmo Rd.	Interim "A", 1st H&A <u>to "D", 2nd H&A</u>
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Marie Gaines discussed the land uses in the area. The staff would recommend to approve the zoning request for "D" Industrial and would recommend to limit 2nd H&A for the building portion only, also requested dedication of 15 feet of right-of-way for Frederick Lane. John German, Director of Public Works Department, discussed the proposed South Austin Multi-Purpose Center for the City of Austin that would be built on the tract. This would enable the City to locate a Multi-Purpose Center in each of the four quadrants of the City. The purpose of the center would be to provide location for the administrative staff and work crews who are assigned work projects within the southern portion of the City. It will serve the Public Works Department as well as other departments such as Electric, Water and Wastewater, Parks and Recreation, Police. If the zoning is approved, the City can proceed with the purchase of this tract from the Austin Independent School District and finalize the design of the service center.

PERSONS APPEARING IN FAVOR

Woodrow Sledge, Austin Independent School District

PERSONS APPEARING IN OPPOSITION

Tom Curtis, Trust Department,

Capital National Bank - concerns

Jess Still, owner of contiguous tract

Bill Fitzler, Fitzler Developers

Sarah Kemper, 2333 Claremont

COMMISSION ACTION

Tom Curtis, representing the Trust Department of the Capital National Bank, stated he would like to know what the City intends to put there that would require the heavy zoning and felt the tract could best be used as office or retail. He felt the proposed use might or might not be compatible, or that perhaps portions could be rezoned to meet the needs rather than the entire tract. Marie Gaines explained the Building Inspection Department had determined the "D" zoning would be needed on the entire tract. Mrs. Shipman asked why the 2nd H&A. After discussion, Benny Hawkins, of the Construction Management Department, agreed to amend the request to 1st H&A. Mrs. Shipman asked about a P.D.A. and whether not it would be feasible. Albert de la Rosa of the City Legal Department explained that the City would be entering into a contract with itself.

Speaking in opposition, Jess Still, representing the owner of the contiguous property, stated they were developing 120 acres as a business park. He noted they had asked to see a site plan and had been unable to do so. He was of the opinion the service center would be mislocated; the property is too expensive, and strongly opposed the service facility on this tract. Bill Fitzler, Fitzler Developers, discussed in detail the proposed plans for the office park. He stated they had designed a show place and could not see the service facility across the street and asked the City to consider

C14-79-155 Austin Independent School District -- continued

another site. He also stated they would be happy to buy the tract from the City. John German explained he felt the center would be compatible with the neighborhood and would fit into the area. They are willing to submit a master plan and site plan.

COMMISSION ACTION

Mr. Vier moved to grant "D" Industrial, 1st H&A, as amended, subject to site plan approval by the Planning Commission and City Council. The site plan to include landscape plans, elevation and proposed frontage of buildings. Applicant is to attempt to downgrade the zoning for whatever portion is not needed. Mrs. Schechter seconded the motion.

AYE: Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Danze, Dixon, Guerrero, and Jagger.

THE MOTION PASSED BY A VOTE OF 5-0.

C14-79-158 City of Austin: "A", 1st H&A to "GR", 1st H&A
(by Jack E. Taylor, Jr.)
2100 Block East 51st Street

Marie Gaines stated staff recommends to grant "GR" General Retail, 1st H&A because of the 30-foot buffer along East 51st Street. The site is oriented to the airport. Benny Hawkins, Construction Management, discussed the proposed plan and stated the land is owned by the City. The tract is ample size to build on and still have buffering and security fencing.

PERSONS APPEARING IN OPPOSITION

Michael Garrett, Pecan Springs Integrated Neighborhood Assn.

COMMISSION ACTION

Michael Garrett, Pecan Springs Integrated Neighborhood Association, explained their objections are not for the use of the land. This is a residential area, no one has been contacted, and they do not know what will be there and how the land will be used. Mrs. Shipman discussed the appropriateness of the request and the need for the neighborhood to review the site plan. She suggested the Planning Commission make it a policy for the City to present a site plan to the interested association for review. Benny Hawkins agreed to submit the site plan to the neighborhood association at such time as it has been completed.

COMMISSION VOTE

Mr. Snyder moved and Mrs. Shipman seconded the motion to grant "GR", 1st H&A in accordance with staff recommendations and noting that the applicant is to submit the site plan to the neighborhood association for their review and that this should become a policy for all City projects.

C14-79-158 City of Austin -- continued

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14p-79-028 B. Randol Hardwick: A Teen Age Disco
 (by Robert L. Davis)
 1101 West Anderson Lane &
 Watson St.

Aliece Minassian presented the staff report. This is an application for a special permit to allow a discotheque for teenagers in an existing building on a 9,438 sq. ft. tract of land located in the northerly portion of Lot 1, Northgate Addition. The tract is currently zoned "GR", 1st Height and Area. The seating capacity for the proposed discotheque will be 200 persons. Access exists from one driveway on Anderson Lane and one exit driveway on Watson Street. The staff recommends approval of this special permit subject to the finding of facts, compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

PERSONS APPEARING

David Armbrust, representing applicant
Mary Jo Hayes - concerns
Robert Keithly, manager of disco

WRITTEN COMMENTS IN FAVOR - None

WRITTEN COMMENTS IN OPPOSITION

James E. Lacy and Sherrie M. Lacy, 1010 Stobaugh
H. Glenn Huddleston, P.O. Box 29097, San Antonio 78229
Kathy J. Netardus, 7805 Watson
Julia C. Malloy, 8381 Carnation Drive, Buena Park, California
Dr. Thomas P. Morairty, 1105 West Anderson Lane

COMMISSION ACTION

David Armbrust, representing applicant, explained this is a teen disco in an existing structure and has been in operation for some time. This request is an attempt to bring the operation to conformance with City building and zoning standards. Mary Jo Hayes stated if the operation is to continue as it now is, this is fine. She discussed the age of the children and pointed out if it remains 13-17 years of age, they will not be driving cars. If the age limit is to be raised, that would create drivers and parking could be a problem, traffic also could be a problem if they served over 17 years of age. David Armbrust replied that no alcoholic beverages are sold on the premises and he intends to continue the operation as it now is. Most patrons now are brought by parents or someone who can drive. Robert Keithly, manager of the disco, discussed his desire to keep older people out. This is for the 13-17 age group, possibly raising the limit to 19. It will remain nonalcoholic. He discussed parking and stated he has utilization for 75 spaces now.

James Amis, representing applicant and Sam Dunnam, owner of the property, discussed the proposed use which is to be a treatment center for alcoholism. She showed slides of the proposed design of the building and how the tract would be used, pointing out how the historic structure would be preserved.

C14p-79-029 Delois Coker--continued

Betty Phillips, speaking for Save University Neighborhoods, expressed favor with the proposal. She did have concerns, however, that the deed restrictions on the zoning remain in effect. She felt this use to be acceptable. This is a well planned project and will maintain this historical structure. Speaking in opposition, Jo Sue Howard expressed concern for maintaining homes in the area and stated she would like to see as many as possible remain homes. She felt that if the use is to be office or commercial, the owner should live in the structure, therefore, would care for the neighborhood. She pointed out there already is a drug rehab facility across the street and did not feel they should have to have another and requested the Commissioners to consider the impact on the parents of this old Austin neighborhood. Bob Keller questioned the financial feasibility, the duplication of services, and the need for this type facility. He felt this might be a waste of funds if it should prove to be a duplication of services. Speaking in rebuttal, Mr. Amis stated this structure is not economically feasible for residential. It will be well buffered and a historic structure will be restored. He felt this would be an asset to the neighborhood. He explained that Texas is the leader in the nation in alcoholism, that there are approximately 65,000 in the Austin region. There is a definite need in the state for this facility and emphasized that it is not a half-way house.

COMMISSION VOTE

Mr. Vier moved and Mr. Snyder seconded the motion to approve the special permit in accordance with departmental recommendations and ordinance requirements.

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

THE MOTION PASSED BY A VOTE OF 5-0.

C14p-79-031 Williams Builders: A 128-Unit Apartment Complex called
(by Jeff Meehan) "The Ridge Crest Apartments"
North Hills Drive

Aliece Minassian read the factors pertaining to the Planning Commission's granting a special permit and stated this is an application for a special permit to allow a 128-unit apartment dwelling group on a 4.2 acre tract of land on North Hills Drive at the intersection of East Hill Drive. The 40 feet to 50 feet of the lot is zoned "A", 1st Height and Area. The applicant must submit a request for a zoning change to "B", 1st Height and Area. The remainder part of the tract is currently zoned "B", 1st Height and Area. The proposed density is 30.48 units per acre. "B" zoning allows a density of 46 units per acre. The proposed site plan indicates a total of 72 one-bedroom units and 56 two-bedroom units. The total parking required is 220 spaces, and the applicant is providing 229 parking spaces. Amenities proposed are pool house and a swimming pool in an open area. Access to the site is proposed from two driveways onto North Hills Drive. The staff recommends approval of this special permit subject to the finding of facts, compliance with the ordinance requirements and departmental recommendations.

C14p-79-031 Williams Builders--continued

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Bill Carlisle, attorney representing applicant

PERSONS APPEARING IN OPPOSITION

Jim Landrum, Northwest Hills Civic Association

S.V. Stewart, 6611 Valley Side

John T. Muegge, P.O. Box 12632

Colonel Ellis C. Van Buskirk, 3467 North Hills Drive

Rodney J. Simonsen, 4701 Greystone

WRITTEN COMMENTS IN FAVOR - None

WRITTEN COMMENTS IN OPPOSITION

T.G. Eddy, 6610 East Hill Drive

Carrie S. Coleman, 3431 North Hills Dr., Apt. 223

Mrs. Hazel M. Berry, 3431 North Hills Drive, Apt. 217

John M. Kellam, Jr., 6630 East Hill Drive

W.J. Hamlett, Jr., 3431 North Hills Drive

Grace Haen Hanson, 3431 North Hills Drive

R.J. Lackey, 3465 North Hills Drive

Mrs. Beverly N.W. Aldridge, 3431 North Hills, No. 126

COMMISSION ACTION

Bill Carlisle, attorney representing applicant, discussed the proposed plans for the tract and meetings with the neighborhood. He stated they intend to preserve as many trees as possible. There was discussion of the traffic in the area and of the driveway cuts. Mrs. Schechter asked if a traffic impact study had been made recently and Mr. Carlisle replied that it had not. Speaking in behalf of the Northwest Hills Civic Association, Mr. Landrum pointed out that apartments are being built next to apartments. He stated they have the zoning and pointed out there is not much the neighborhood can do about it. He expressed concern for the traffic in the area and discussed some of the complex owners having financial problems now. There was discussion of the height of the apartments and their being built on bluffs. He showed slides of the apartments surrounding this tract and in the immediate area and stated they do not want Northwest Hills to be known as apartment City, but warned that is happening rapidly, and expressed opposition to this or any other apartment project being constructed in Northwest Hills. He requested if granted, this be limited to two-story and urged a look at the traffic flow since this already is on a 12-foot bluff. Mrs. Shipman discussed the criteria for approving a special permit and felt there could be a meeting ground. Speaking as an individual owner, Mr. Stewart expressed concern for congestion, as well as water run-off. He stated more and more houses are being built, there is more and more concrete and this will cause serious problems. John Muegge, a homeowner and also representing Balcones Towers Homeowners Association, suggested that this be built to a standard that could be converted to condominiums, would like to see that type of development protected, and felt it would be a workable solution. Colonel Van Buskirk discussed the traffic and safety in the general area and felt there would be a problem, especially with the curb cuts.

C14p-79-031 Williams Builders--continued

Mr. Vier stated there is a trend to stack the maximum number of units on a small piece of land and felt this to be entirely too dense. He urged applicant to reanalyze the situation, reduce the density, and give consideration to the traffic circulations, elevations, etc. He felt applicant should carefully consider the impact of this request, did not feel this request reflected insight insofar as planning is concerned. Mr. Snyder felt that perhaps this developer is paying for the mistakes made by others and that is unfortunate, but that is the way it is.

COMMISSION VOTE

Mrs. Shipman discussed the Commission being charged with ascertaining that a special permit meets certain criteria and moved that this project does not meet Criteria 1 and does not satisfy the safety of the motoring public and of pedestrians using the facilities in the area immediately surrounding the site. The Urban Transportation Department has not submitted any comments in this regard. This is based on personal knowledge of the area and of comments of persons residing in the area. Secondly, Item 3, protection of adjacent properties from flood or water damage has not been addressed. There are no comments from the Engineering Department regarding the drainage. This is, again, based on being familiar with the area and on concerns voiced by people in the area. Realizing that the zoning is "B", the apartments are allotted there legally, perhaps the applicant can meet with staff and these two areas be addressed in writing, then the special permit could be considered at another time. Reverend Dixon asked if Mrs. Shipman is recommending denial. She replied, "Yes, I am." It does not meet Criteria 1, 3, and possibly 6 is questionable. Revenend Dixon seconded the motion. Mrs. Shipman did not feel these areas were addressed adequately in the information presented to the Commission since there is nothing regarding the safety to the motoring public, the site distance, driveway locations, or drainage.

Mr. Carlisle requested this request be modified, this be continued to the next meeting in order to get the reports requested. Mr. Stoll felt the vote should be taken on this motion. Mrs. Shipman felt if this request should be allowed, she would want a written report from the Urban Transportation Department regarding the site distance of the driveways, safety to people entering and leaving the complex, also the motoring public using North Hills Drive where the driveways are located. Something that this would not create an undue hardship on the public. Mr. Carlisle felt the respective City Departments would already have furnished these reports; will be happy to discuss these items further, felt they were covered sufficiently in considering the site plan. Mr. Carlisle stated he could report at the next meeting and the item rescheduled at that time. Mrs. Shipman stated her motion stands and the Commission so voted.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C14p-79--030 Grady Wooldridge: A 40-unit apartment dwelling group called
 (by R. Clark Heidrick, Jr.) "The Woodlands Condominiums"
 Parker Lane and Mariposa Drive

Aliece Minassian presented the staff report.

This is an application for a special permit to allow a 40-unit apartment dwelling group on a 5.11 acre tract of land at Parker Lane and Mariposa Drive. The tract is currently zoned "A" and "1-A", 1st H&A; however, the City Council has approved on this tract "BB" zoning subject to a restrictive covenant limiting the density to 40 units and vacating Mariposa Drive. The covenant must be filed and the final passage of the ordinance is required to release this special permit. The site plan indicates a total of 28 three-bedroom units and 12 two-bedroom units. The total parking required is 114 spaces. Applicant is providing 116 parking spaces. The proposed apartment dwelling group amenity is one swimming pool in an open area. Access to the site is proposed from one driveway off Parker Lane. The staff recommends approval of this special permit subject to the finding of facts, compliance with ordinance requirements and departmental recommendations.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR:

Edgar James, architect representing applicant

PERSONS APPEARING IN OPPOSITION:

Mrs. H.B. Howard, Colorado Hills Estate, 1908 Cedar Ridge Drive
H.B. Howard, 1908 Cedar Ridge Drive
Peggy Shields, 1719 Fawn Drive
John T. Shields, 1719 Fawn Drive

WRITTEN COMMENTS IN FAVOR:

None

WRITTEN COMMENTS IN OPPOSITION:

Petition
Clyde E. Hill 1713 Mariposa
Mr. & Mrs. Otto Steiner, 1709 Mariposa
Mr. & Mrs. Nigel L. Nutt, 1901 Cedar Ridge

COMMISSION ACTION

Edgar James, architect for the project, discussed the proposed project. He expressed agreement with all conditions except the comments of the Public Works

C14p-79-030 Grady Wooldridge (Cont'd.)

Department pertaining to retaining the public utility easement and discussed the necessity for the vacation of this easement since units could not be built thereon. They were proceeding to vacate this public utility easement and requested approval of the special permit. Speaking in opposition, Mrs. H. B. Howard, representing the Colorado Hills Estates, felt the area residents would suffer financially from this request. She pointed out they were home owners, retired persons, and wanted the area to remain that way. She also felt she had been misinformed and discussed some of the problems she had encountered while opposing this special permit. H.B. Howard expressed opposition, pointed out his lot adjoins the tract and was purchased in a residential area, and is opposed to any change. Peggy Shields felt the homeowners would bear the burden and expressed concern for flood control. She stated there are 181 homes and four duplexes in this area, 40 percent or seven percent of the present residents are original owners, the average of which is 65-85. She explained she had talked to individuals within one and one-half blocks of this tract, of which 47 percent are people who bought these homes to retire and to live in. This brings up the concern for the safety of these older citizens. Traffic also will be a great problem, and also pointed out the danger of fire hazard. She stated this is a residential area and should be allowed to stay that way. Steve Shields asked if applicant had agreed to roll back the zoning to "A" if the condominium ordinance is passed and Mr. Vier assured him this would be done since it was part of the agreement at the time of zoning. Mr. James explained there was about five feet between his north drive and the fence line and he agreed to a barrier and fence in order to protect the Howard's property. Mr. Vier pointed out that he could build duplexes within five feet of the fence. Mr. James stated they are increasing the density, but felt it unfortunate they had to get "BB" zoning to build the condominiums.

COMMISSION VOTE

Mr. Vier moved and Mr. Snyder seconded the motion to approve the special permit in accordance with departmental recommendations and ordinance requirements.

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

THE MOTION PASSED BY A VOTE OF 4-1.

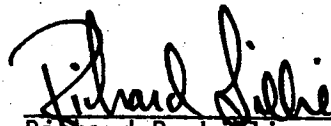
R105-79 Subdivision Memorandum

Short Form and Final Subdivision 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: Dixon, Guerrero, Schechter, Shipman, Snyder, and Vier.
ABSENT: Danze, Jagger, and Stoll.

The meeting adjourned at 10:55 p.m.



Richard R. Little
Executive Secretary

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