

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- January 9, 1968

The meeting of the Commission was called to order at 7:00 p.m. in the Council Room, Municipal Building.

Present

Edgar E. Jackson, Chairman  
W. A. Wroe  
Barton D. Riley  
Robert B. Smith  
Samuel E. Dunnam  
Hiram S. Brown  
Mrs. Lynita Naughton  
Ed Bluestein  
Dr. William Hazard

Also Present

Hoyle M. Osborne, Director of Planning  
Richard Lillie, Assistant Director of Planning  
E. N. Stevens, Chief, Plan Administration  
Walter Foxworth, Associate Planner  
Bill Burnette, Associate Planner

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of January 2, 1968.

Present

W. A. Wroe, Chairman  
Samuel E. Dunnam  
Robert B. Smith  
Mrs. Lynita Naughton

Also Present

E. N. Stevens, Chief, Plan Administration  
Bill Burnette, Associate Planner

PUBLIC HEARINGS

C14-67-213 Victor R. Pfennig: A, 1st to B, 2nd  
3807 Avenue B

STAFF REPORT: This application covers 9,381 square feet of land which is presently developed with a single-family dwelling. The stated purpose of the application is for apartment development. The requested zoning will permit a maximum of six regular units or 12 apartment hotel units on the site. In 1967, there were 8 requests for "B" Residence, Second Height and Area zoning on property in the immediate vicinity all of which were granted.

Cl4-67-213 Victor R. Pfennig--contd.

In view of the precedent which has been set, the staff recommends in favor of the change subject to the necessary right-of-way for the future widening of Avenue B. Avenue B with a present right-of-way of 30 feet in front of the subject property should be widened to at least 50 feet which will require 10 feet from the subject property. A letter has been received from the applicant offering to dedicate the necessary right-of-way.

## TESTIMONY

## WRITTEN COMMENT

Code

U Lorene R. Cook: 207-B West 39th Street

AGAINST

## PERSONS APPEARING AT HEARING

Code

A Victor R. Pfennig (applicant)

AP Bertha Casey: 305 West 38th Street

AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

The applicant was present on behalf of this request and stated that there are apartments existing or proposed to the north, west and south of the subject site and the requested zoning will be in keeping with the recent zoning changes granted in the area.

## Arguments Presented AGAINST:

Mrs. Bertha Casey, nearby property owner, appeared in opposition to this request and advised the Committee that this is one of the first notices she has received of changes requested in this area. She stated that she opposes this change, as well as other changes which have been granted, because the area has successfully been maintained as a single-family area for many years. Now because of the recent changes there is a great amount of apartments developed in the area and many of the residents who are retired are being forced out of their homes at an expense they cannot afford. The City has offered no protection for the residential homeowners. Another concern is the fact that there is an existing traffic problem in the area and further development of apartments will only increase the problem.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it is consistent with the existing zoning pattern in the immediate area.

C14-67-213 Victor R. Pfennig--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Victor R. Pfennig for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 3807 Avenue B be GRANTED.

C14-67-214 Joe F. Gray, et al: GR to C  
2801-2815 Ohlen Road  
8219-8241 Burnet Road

STAFF REPORT: This application covers a large area consisting of 62,920 square feet of land which is undeveloped. The stated purpose of the application is for future commercial development. There is mixed zoning in the area consisting of "A", "B", "O", "GR" and "C" Districts. "O" Office zoning was established on property to the east along Ohlen Road in 1964. The staff feels that "GR" zoning is appropriate for the area but there is no objection to the requested "C" Commercial zoning because of the established pattern. Burnet Road, a major arterial street, has right-of-way which varies from 120 to 150 feet. Ohlen Road has 80 feet of right-of-way which is sufficient for commercial development.

#### TESTIMONY

##### WRITTEN COMMENT

Code

None

##### PERSONS APPEARING AT HEARING

Code

	Jim Shurtleff (representing applicant)	
A	F. H. Becker, Jr.: 4901 Strass Drive	FOR
AB	Don J. Jackson: 6002 Spancreek	FOR

#### SUMMARY OF TESTIMONY

Mr. Jim Shurtleff, representing the applicant, presented a map showing the zoning existing in the area. He stated that "C" Commercial zoning exists to the north and south and there is a buffer zone to the east in the form of "O" Office zoning and duplex development. The developer of the subject property will require a 260 foot depth of "C" Commercial zoning as the proposed project is a wholesale type business which will have a covered storage area. There will not be any outside storage area. The only areas developed under the "GR" classification in the immediate vicinity are developed with a wrecking yard and a nursery. The requested zoning is consistent with the zoning along Burnet Road.

C14-67-214      Joe F. Gray, et al--contd.

One nearby property owner appeared in favor of the request and stated that in his opinion the requested zoning would allow the best use of the property.

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

Mr. Dunnam stated that he realizes that it would be difficult to deny the request because of the established zoning along Burnet Road. However, he felt that careful consideration should be given to the fact that the existing zoning has allowed a chaotic type development along Burnet Road which ranges from lumber yards, run down developments and large shopping centers.

The Committee agreed with Mr. Dunnam but felt that the requested zoning should be granted as it conforms to the existing pattern of the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Joe F. Gray, et al for a change of zoning from "GR" General Retail, Sixth Height and Area to "C" Commercial, Sixth Height and Area for property located at 2801-2815 Ohlen Road and 8219-8241 Burnet Road be GRANTED.

C14-67-215      Joe F. Mokry: A to O  
1600-1602 West 34th Street  
3400 Kerbey Lane

STAFF REPORT: The staff reported that this application contains 7,800 square feet of land. The purpose of this request is for office development. In 1965 "O" Office zoning was granted to the east at the corner of West 34th Street and Kerbey Lane. To the north along West 35th Street "LR", "GR", and "C" District has been established. However, the area surrounding the subject property is "A" Residence, First Height and Area. South of the subject property is an elementary school. Kerbey Lane and West 34th Street each have 60 feet of right-of-way. The Transportation Plan proposes an expressway through the area. There are two possible locations for the expressway, one is to the north of West 35th Street the other starts with the south right-of-way line of West 34th Street. The latter proposal is the one most planned around, and would take the subject property. The staff feels that the requested zoning will have a detrimental effect on the remaining homes to the south of the subject property and will encourage further encroachment into the neighborhood. It is recommended that the request be denied.

#### TESTIMONY

#### WRITTEN COMMENT

Code

AB

Mrs. E. J. Hofheinz: P. O. Box 1987

FOR

B

Mrs. Myrtle Vaughn: 1604 West 34th Street

FOR

C14-67-215      Joe F. Mokry--contd.

## PERSONS APPEARING AT HEARING

## Code

A	Joe F. Mokry (applicant)	
V	Jesse E. Skrivanek: 3314 Kerbey Lane	FOR
	James W. Townsend (representing applicant)	

## SUMMARY OF TESTIMONY

Mr. James W. Townsend, representing the applicant, stated that the streets have 60 feet of right-of-way and present no traffic problems. The proposal is for a small building which could be used for either a doctor's or dentist's office. "O", "LR" and "GR" zoning can be found from West 35th Street to West 38th Street. In our opinion the requested zoning would permit the highest and best use for this particular parcel of land. It would be uneconomically feasible to maintain this site as a residence.

One nearby property owner appeared in favor of the request, and stated that this zoning would be best for both sides of West 34th Street.

No one appeared in opposition to this request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as it would be an intrusion into a well-established residential area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Joe F. Mokry for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1600-1602 West 34th Street and 3400 Kerbey Lane be DENIED.

C14-67-216      Ruby M. Lee: A to LR (as amended)  
1104-1106 West 41st Street  
4101 Alice Avenue  
4103-4105 Bellvue Avenue

STAFF REPORT: This site consists of 15,075 square feet of land. The stated purpose of the application is for future development. "C" Commercial zoning is established on property to the south of West 41st Street and also to the north. "LR" zoning is established west of Alice Avenue to the north and also adjoining the "C" Commercial district to the south. "B" zoning is established on one parcel of land east of Alice Avenue. "O" Office zoning was granted on property to the north along Alice Avenue earlier this year at which time the Commission felt that "O" Office or "LR" Local Retail zoning would be appropriate for development along Alice Avenue. The staff feels

C14-67-216      Ruby M. Lee--contd.

that "LR" zoning would be appropriate for the site rather than the commercial service type facilities permitted under the "C" district. Alice Avenue, with a present right-of-way of 60 feet, should be widened to 70 feet which would require five feet of right-of-way from the subject property. West 41st Street, with 50 feet of right-of-way should be widened to 60 feet which will also require five feet of right-of-way from the site.

#### TESTIMONY

##### WRITTEN COMMENT

###### Code

D	Irene Stanford: 1107 West 42nd Street	FOR
N	Mrs. W. M. Peterson: 1208 West 40th Street	FOR

##### PERSONS APPEARING AT HEARING

###### Code

A	Al Bauerle: 1806 West 35th Street	FOR
A	Herman Waters: 3106 McElroy	FOR

#### SUMMARY OF TESTIMONY

Mr. Al Bauerle appeared at the hearing and stated that he has purchased the subject property from the applicant. Plans are to develop the site with two or three small offices and retail business shops. He stated that he would be agreeable to the "LR" zoning as recommended by the staff if the proposed development would be permitted under that classification. Mr. Bauerle also stated that he would be willing to give the right-of-way needed for widening of the streets.

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and were cognizant of the fact that "LR" Local Retail "C" Commercial zoning is established in this area; however, they noted that the "LR" Local Retail district is the pre-dominant zoning and felt that it would be the most appropriate zoning for the property. They concluded that the requested "C" Commercial, First Height and Area zoning should be denied but stated that they would look with favor on granting "LR" Local Retail, First Height and Area zoning if the streets are made adequate.

At the Commission meeting, the staff reported that the following letter has been received from Mr. Al Bauerle, purchaser of the subject property:

"This letter is your written notice of our willingness to accept local retail zoning on case #214 now pending before you.

C14-67-216      Ruby M. Lee--contd.

Also, this letter indicates our willingness to give the City of Austin five feet additional right-of-way along W. 41st Street.

In regard to the Alice Avenue side additional right-of-way presents a problem. Seventeen feet back from the curb stands a house that is the key-stone to the office and small shops improvements planned for the property. The house is of a real historical value, being some 135 years old. It is an authentic example of early Texas architecture. Our plans are to completely restore this structure as the prominent feature of our project. In fact, this old house was the reason this particular site was chosen.

Along this Alice Avenue side of the property, the property line is fifteen feet behind the existing curb line. It would seem that this fifteen foot strip would allow the expansion of Alice Avenue when it becomes necessary. We would have no objection to giving the City additional right-of-way if it were only possible. If one foot of additional right-of-way would be useful to the City, we gladly offer it. If more right-of-way proved necessary, perhaps it could be furnished from the property across Alice Avenue which is still vacant."

Mr. Stevens stated that the staff has advised Mr. Bauerle that the one foot dedication offer along Alice Avenue would serve no practical purpose as the necessary paving could be built as well in the present right-of-way as it could with one additional foot. The staff feels that the zoning as requested is not too intensive for the width of pavement that can be built on Alice Avenue. The Commission accepted the request to amend the application to "LR" Local Retail, First Height and Area. They felt that in view of the offer of right-of-way for widening West 41st Street, that this request should be granted as it would be the most appropriate zoning for the site. It was then unanimously

VOTED:      To recommend that the request of Ruby M. Lee for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area (as amended) for property located at 1104-1106 West 41st Street, 4101 Alice Avenue and 4103-4105 Bellvue Avenue be GRANTED.

C14-67-217      David B. Barrow, Jr.: Int. A, Int. 1st to LR, 2nd  
3427-3443 North Hills Drive

STAFF REPORT: This application covers a large tract of undeveloped land containing 80,148 square feet. The stated purpose of the application is for the development of a 46 unit apartment house. The property under consideration was annexed to the City on December 7, 1967, and is part of Northwest Hills, Section II, Subdivision which has recieved preliminary approval. The staff

C14-67-217      David B. Barrow, Jr.--contd.

reviewed an area Master Plan, submitted by Mr. Chuck Stahl and Mr. David Barrow, Jr., for a large portion of the property which includes retail facilities, office facilities, high and low density apartments, two school sites, and a street system serving the existing and proposed development. It proposes that the entire block including the subject site be zoned for retail facilities. In addition retail uses will be located along Mo-Pac Boulevard and on the south side of North Hills Drive. The major commercial complex will be located between North Hills Drive and proposed Far West Boulevard. The property adjoining the site and continuing southward will be developed with high-density apartments. It is the staff's understanding that the applicant requested "LR" zoning in order to establish a pattern which relates to his Master Plan. The staff realizes that changes may occur in the applicant's plans, but at the present time the Master Plan represents their current thinking.

"LR" Local Retail, First Height and Area zoning was established at the intersection of Hart Lane and North Hills Drive for service station sites. The staff recommends "LR", First Height and Area for the subject property rather than Second Height and Area which would double the density and allow a structure to be erected within 10 feet of both streets. There is concern about establishing a strip of retail zoning from Balcones Trail along the south side of North Hills Drive to the existing school site as indicated by the Master Plan. The staff feels "O" Office zoning would be more appropriate classification adjoining the proposed residential area. If the Local Retail zoning is contained within the block which includes the subject site as proposed by the applicant's plan, the staff would be in favor of the requested change. It is further recommended that the applicant amend his Master Plan to provide "O" Office, First Height and Area zoning along the south side of North Hills Drive which will buffer the residential development from the heavier commercial property to the north.

#### TESTIMONY

##### WRITTEN COMMENT

Code

None

##### PERSONS APPEARING AT HEARING

Code

David Barrow, Jr. (applicant)

?

Charles F. Stahl

FOR

#### SUMMARY OF TESTIMONY

Mr. David Barrow appeared at the hearing and offered the following information: Two parcels of land to the north have recently been granted "LR" zoning which was recommended by the Commission.



CL4-67-217      David B. Barrow, Jr.--contd.

Mr. Barrow further stated that in his opinion the subject property is ideally placed for high density residential development. There is a major arterial street going to Mo-Pac Boulevard as well as two 60 foot streets to provide more than adequate access. This entire area will be developed in the manner as proposed because of the location, streets, and terrain. There is a possibility that there will be a request to the City at a later date to amend some of this area for even higher density as it is felt that this is a sound and reasonable location for the proposed development.

There is a natural separation between the residential area, the school sites and the already zoned area. The requested zoning is a reasonable extension of present zoning and will conform to the pattern as proposed.

Mr. Barrow explained that he owns all of the land surrounding this site or has an option to purchase land he does not presently own so there is no one else concerned about the development in the area. The master plan presented of the area is a general idea of the best way to develop the area.

Mrs. Naughton asked how the proposal would effect the traffic pattern in this area in relation to the schools and if this will throw traffic back into the low density development. Mr. Barrow explained that most of the traffic in the future will be on the main thoroughfare to the north. The other traffic will be divided between the two streets to the south. The main thoroughfare has 100 feet of right-of-way and the other streets have 60 feet which is more than adequate.

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it is in keeping with the applicant's development plan which controls density, traffic problems, and use of the large areas of land. It was felt that the contemplated road system has been designed to accommodate future access and traffic demands.

At the Commission meeting, Mr. Barrow was asked to summarize his development plan. Mr. Barrow stated that "LR" zoning already exists in this area as a result of the recommendation by the Commission and the granting by the City Council. The area development plan shows "LR" zoning on Balcones Drive and on both sides of North Hills Drive. It is contemplated that in some instances the "LR" zoning will be used for apartment development. "LR" zoning is requested in order to establish consistent zoning pattern.

Mr. Chuck Stahl stated that the proposed development conforms to Mr. Barrow's plans for the area. It is anticipated that there will be apartment development, shopping centers, service stations, office uses, school sites, and church sites. The dense residential development will be on the periphery of the area.

C14-67-217      David B. Barrow, Jr.--contd.

Mr. Osborne stated that the staff has raised the issue concerning the strip of zoning extending up North Hills Drive and what may be the most appropriate zoning for the entire area. The issue has not been settled but in this vicinity, the staff is reasonably satisfied with the particular pattern as proposed although there is a question about the extension of approximately 2,000 feet of strip "LR" Local Retail, Second Height and Area zoning.

Mr. Barrow reiterated the fact that there is a major thoroughfare in this area and there are two streets with 60 feet of right-of-way. These streets will provide more than adequate access to the main boulevard and this type of development should be on a main boulevard.

Mr. Dunnam stated that he is not opposed to the requested change on the subject property; however, there is general concern in eliminating the disagreeable kind of strip zoning that may occur along the road to Mo-Pac Boulevard.

Mr. Riley stated that he is not opposed to apartment development at this location, but if apartments are to be developed, apartment zoning should be granted and not Local Retail. If the area is zoned "LR" as proposed in the applicant's development plan, the streets, with only 60 feet of right-of-way, are not sufficient. Consideration should be given to establishing a strip zone in this area.

Mr. Stahl explained that the traffic problem will be greatly alleviated when Far West Boulevard is brought through. Mr. Barrow stated that the development plan for the area was presented merely for additional information. This plan is not before the Commission for consideration at this time as the largest portion of the area is still outside of the City limits. Mr. Riley felt that the area should be considered as a pattern of "LR" zoning will be established if the request is granted.

Mr. Barrow stated that "LR" zoning is requested so that a pattern can be established and so that there will not be several different zones in this one particular area.

Mr. Wroe stated that in his opinion the requested zoning is appropriate. The Committee's feeling in recommending in favor of this request was that it would be easier to control "LR" zoning than it would be to control "B" Residence zoning. After further discussion, a majority of the members

VOTED:      To recommend that the request of David B. Barrow, Jr. for a change of zoning from Interim "A", Residence, Interim First Height and Area to "LR" Local Retail, Second Height and Area and for property located at 3427-3443 North Hills Drive be GRANTED.

AYE:          Mrs. Naughton and Messrs. Jackson, Wroe, Brown, Bluestein, and Smith

NAY:          Messrs. Riley and Hazard

ABSTAINED: Mr. Dunnam

C14-67-218      Nichol Corporation: BB, 1st and 2nd to B, 2nd  
2907-2917 West Avenue

STAFF REPORT: This application covers five parcels of land containing 34,500 square feet. The stated purpose of the application is for the construction of a fraternity house. Portions of the subject property have been before the Commission for consideration on three previous occasions. In 1964, a request for "B" Residence, Second Height and Area zoning was denied; in 1965, a request for "BB" Residence, Second Height and Area zoning was granted and in 1967, a request for "O" Office zoning was made and later withdrawn. The two most northerly lots under consideration are presently zoned First Height and Area. In 1961, an area study was made, and as a result "BB" Residence, First Height and Area zoning was established for the interior with the periphery of 29th Street, Guadalupe Street, Lamar Boulevard and 34th Streets having heavier zoning of "C", "O", "GR", and "LR" Districts. "BB" Residence, First Height and Area was recommended for the interior area because of the inadequate street situation through the area, and because of the remaining residential character of some of the housing in the area. Since that time, "O" Office, Second Height and Area zoning has been established on property to the north of West 30th Street immediately west of Guadalupe Street. "B" Residence, Second Height and Area zoning has been established on property located at the intersection of West 32nd Street and West Avenue. In addition, "C" Commercial, Second Height and Area zoning, in a strip fashion, has been established to the east along Guadalupe Street for a number of years. Since the adoption of the "BB" Residence, First Height and Area zoning in this area, the staff has recommended against any increase in density. In view of the heavier zoning now existing in the area and because of the "BB" Residence, Second Height and Area District existing on most of the subject property, the staff feels that the zoning of Second Height and Area on the adjoining parcels for a site development is logical. For adequate and proper development, the Second Height and Area zoning should be established on the entire site. The question of whether it should be "B" Residence, Second Height Height and Area or "BB" Residence, Second Height and Area would make a difference for the erection of a fraternity or the use of the property for an apartment hotel. The difference is that "B" Residence, Second Height and Area zoning would permit an apartment hotel with a requirement of only 750 square feet per unit whereas "BB" Residence, Second Height and Area would not permit an apartment hotel and requires 1,500 square feet of lot area per unit for apartment development. "BB" Residence does not permit a fraternity; "B" Residence does permit a fraternity.

In the event the Committee and Commission feels the density in the area should be increased, there is a need for right-of-way. West Avenue has from 50 to 55 feet of right-of-way and streets serving high-density development should have a minimum of 60 feet of right-of-way in order to provide for paving of 40 to 44 feet. This is the main concern of the staff. If right-of-way is provided from the site, the total area would be reduced but it is felt that the right-of-way is necessary if the area is going to increase in the number of apartment units. Generally where the street problems are taken care of and made adequate, the increase in density, especially near the periphery of the large area, would not be detrimental to the interior.

Cl4-67-218 Nichol Corporation--contd.

# TESTIMONY

## WRITTEN COMMENT

### Code

A	Lt. Col. & Mrs. Allison Kistler: 209 East 35th St.	FOR
AX	Richard H. Chetham: 2906 Rio Grande	AGAINST
T	Mrs. E. J. Hofheinz: P. O. Box 1987	FOR
BG	Louis Laibovitz: 4614 Madrona Drive	FOR
BP	Mrs. D'Ann M. Taylor: 2210 Sunny Slope Drive	FOR

## PERSONS APPEARING AT HEARING

### Code

A	E. C. Thomas (applicant)	
C	Peter Von Wupperfeld: 2919 West Avenue	?
?	Elsie J. Mueller: 1951 Red River	FOR

## SUMMARY OF TESTIMONY

Mr. E. C. Thomas was present on behalf of this request and stated that the plans are to build a fraternity house on the subject property. He stated that the applicant would work with the City on the widening needed for the street.

One interested party appeared at the hearing and stated that he is in favor as it is difficult to find an apartment near the University of Texas and this would offer a relief from the problem.

No one appeared in opposition to the request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission, as requested by the staff, for review with the Director of Planning. At the Commission meeting, the Director of Planning pointed out that this area was originally designated as "BB" Residence, First Height and Area which is a low density district. Since that time however, there have been changes in the area to "B" and "O" Second Height and Area. The very fact that a fraternity is proposed on the property is an indication that the area is under the pressure of expansion by the University in that this is one of the first fraternities to be developed north of 29th Street. The staff does not oppose the change because of the development of the area, the recent changes to Second Height and Area, and because of the expansion pressures by the University.

Mr. Stevens advised the Commission that a letter has been received from the applicant offering to dedicate the necessary right-of-way for the widening of West Avenue.

C14-67-218      Nichol Corporation--contd.

Mr. Wroe stated that in his opinion careful consideration should be given to changing this area to Second Height and Area zoning as this classification may create problems. "BB" First Height and Area zoning was established throughout a large portion of the area as a result of an area study and before it is changed, the area should be restudied to determine if a change is warranted. There are street problems in this area and the change may only increase this problem.

Mr. Jackson stated that in the past five or six years there has been a rapid change in this area because of the pressure from the University. The University area has to expand in some direction and this is one of the areas in which a change is occurring. After further discussion, a majority of the members

VOTED:      To recommend that the request of Nichol Corporation for a change of zoning from "BB" Residence, First and Second Height and Area to "B" Residence, Second Height and Area for property located at 2907-2917 West Avenue be GRANTED.

AYE:          Mrs. Naughton and Messrs. Jackson, Brown, Dunnam, Bluestein, Riley and Smith

NAY:          Messrs. Wroe and Hazard

ABSENT:      None

C14-67-219      M. K. Parsons and Peter Mansbendel:    O and GR, 1st to O, 2nd  
3700-3708 King Street  
701-713 West 38th Street

STAFF REPORT: This site consists of 70,477 square feet of land which is developed with several residences and a ball park. The stated purpose of the application is for apartment development. The requested zoning will permit 94 apartment hotel units on the site. One of the lots under consideration was zoned "GR" General Retail, First Height and Area in 1963. "GR" and "LR" zoning are established to the west of West Avenue. Adjoining the subject property to the south is an "O" Office District which is developed with a ball park and a building for the Veterans of Foreign Wars. A little league baseball field, parking, and the Lions Club Building is established on property adjoining the site to the west. "O" Office, Second Height and Area zoning and "C" Commercial zoning is established on property to the south along West 34th Street. Unzoned State property is located to the north across West 38th Street. Guadalupe Street to the east has been strip zoned "C" Commercial, Second Height and Area for many years. There are two blocks of single-family development to the east of King Street and along Ronson Street. The staff feels that eventually this area will be rezoned in view of the need for redevelopment with apartments throughout the area; however, one objection by the staff is the Second Height and Area portion of the application in that this zone reduces the setback to only 10 feet and it is felt that a 25 foot setback should be maintained along West 38th Street which is a major arterial street. King Street with only

C14-67-219      M. K. Parsons and Peter Mansbendel--contd.

thirty feet of right-of-way is inadequate; however, there is a pending short form subdivision on the subject property and right-of-way for King Street is being provided through this procedure. The staff feels that the right-of-way for West 38th Street is adequate. There is no objection to apartments at this location nor to the density, but it is recommended that a 25 foot front setback be maintained.

#### TESTIMONY

##### WRITTEN COMMENT

###### Code

D	Jack Andrewartha: 911 North Lamar	FOR
AC	Forest Pearson: P.O. Box 1987	FOR
X	Mr. E. F. Fields: 600 Building, Corpus Christi	FOR

##### PERSONS APPEARING AT HEARING

###### Code

M. K. Parsons (applicant)

#### SUMMARY OF TESTIMONY

Mr. M. K. Parsons was present on behalf of this request and stated that the staff's objection to the reduction in setback can be worked out. Under the existing plans for the property, there will be at least a minimum setback of 50 feet because the plans are to have parking in the front setback area. There is a problem of development on the property and the reason Second Height and Area zoning is requested rather than First Height and Area is because of the gap in density requirements between the two classifications. The area along West 38th Street is being developed under the Second Height and Area district and plans are to continue the development along the same line.

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it is a continuation of the existing pattern of development. They further recommended that a 25 foot front setback be established by restrictive covenant.

At the Commission meeting, Mr. Stevens stated that the staff recommended in favor of this request provided a 25 foot front setback is maintained, because of the use of the land in this area. It was felt that the density permitted under the "O" Office, Second Height and Area zoning is appropriate from the standpoint of access, the fact that the property is located across the street from State property, and because of the conversion the staff feels will take place in the area.

C14-67-219 M. K. Parsons and Peter Mansbendel--contd.

After further discussion, the Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of M. K. Parsons and Peter Mansbendel for a change of zoning from "O" Office and "GR" General Retail, First Height and Area to "O" Office, Second Height and Area for property located at 3700-3708 King Street and 701-713 West 38th Street be GRANTED.

It was also unanimously

VOTED: To recommend to the City Council that a 25 foot front setback be established by restrictive covenant.

C14-67-220 M. K. Hage, Jr.: O to LR (as amended)  
3106-3110 Red River Street  
815-821 East 32nd Street

STAFF REPORT: This application covers approximately 31,000 square feet of land. The zoning change is requested for the purpose of erecting a shopping center. This property was before the Committee recently at which time the request was for "GR" zoning which was amended to "LR" during the hearing and subsequently withdrawn at the Commission meeting. At the previous Zoning hearing, the staff recommended that the existing "O" Office zoning remain on the property as the proper zoning and if any retail facilities were proposed on the site that they be done through a special permit. The Legal Department has stated previously that inasmuch as the subject property is diagonally across the intersection from "C" Commercial zoning, that "LR" uses would be permitted on the site by a special permit. The staff again recommends that the "O" Office zoning remain and that the uses as proposed be established through a special permit. "O" Office, Second Height and Area zoning is established on property to the north along Red River Street and this property would have the same special permit privileges. To the south at the corner of East 30th Street and Red River is "LR" zoning, established in 1966, which is developed with a restaurant. When the "LR" zoning was granted on that parcel of land, the Commission felt it was sound zoning as it would serve both the University of Texas and the St. David's hospital complex. Red River Street, with a present right-of-way of 60 feet, is scheduled to be widened to 70 feet which will require five feet of right-of-way from the subject property. East 32nd Street, with a present right-of-way of 60 feet is adequate.

TESTIMONY

WRITTEN COMMENT

Code

U	Vance Fox: 3212 Red River Street	FOR
AL	Forest S. Pearson: P.O. Box 1987	FOR
F	N. M. Goodwin: 808 East 31st Street	AGAINST

C14-67-220 M. K. Hage, Jr.---contd.

G	Mr. & Mrs. A. Abraham: 810 East 31st Street	AGAINST
L	Louise Neal Smith: Route 3, Box 164-s, San Antonio	AGAINST
K	Mr. & Mrs. Magnus Bolander: 3201 Beanna	AGAINST
P	R. N. Hester: 806 East 32nd Street	AGAINST
?	Mrs. E. H. Grove: 806 East 31st Street	AGAINST

## PERSONS APPEARING AT HEARING

## Code

	Robert Sneed (representing applicant)	
F	Norvel M. Goodwin: 808 East 31st Street	AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Robert Sneed, representing the applicant, offered the following information: The applicant has the property under a contract of sale with the contemplated use of a small service type shopping center of approximately 9,800 square feet. The application, through error, was filed for "GR" General Retail, First Height and Area zoning but it is now requested that the application be amended to "LR" Local Retail, First Height and Area. The applicant will dedicate from the subject property the five feet of right-of-way needed for the future widening of Red River Street. The applicant will also offer a restrictive covenant, which would prohibit for a period of at least 10 years, the erection of a service station, filling station, or the selling of normal type of gasoline products usually connected with a filling station, on the subject property. This restrictive covenant will be offered because of what has transpired at the time the previous request for rezoning was made on this site. The recommendation of the Planning Department should be reviewed. There is a recommendation that in effect says there is a recommendation that the uses which are contemplated be permitted upon the subject property but the recommendation is that they be done by special permit rather than a zoning change. Attention should be given to the zoning in the immediate area. The Legal Department says that the uses would be allowed under a special permit because of the fact that diagonally across the intersection of East 32nd and Red River Streets is "C" Commercial zoning; however, the language of the Ordinance says the uses would be permitted if the property is located immediately "across the street". Coming directly across perpendicular and not diagonally, is "B" Residence zoning which is multi-unit apartment development and directly across the street to the north is "O" Office, Second Height and Area zoning. To the south is a continuation of "O" Office zoning. There is no question that the proposed use would be allowed under a special permit if the property was immediately to the north. It is felt that the proposal under a special permit could present a problem because of the legal complications that might or might not arise in the interpretation of the Ordinance. This is the reason the previous application was withdrawn. The past history of this request and the area should be reviewed. On the most easterly portion of the dividing line of the subject application, the Planning Commission at one time recommended that "LR" zoning be granted on that part and then the City Council



C14-67-220 M. K. Hage, Jr.--contd.

turned it down. At a subsequent date, when an application for a special permit was filed to allow a service station, the Planning Commission turned the special permit request down but the City Council granted it. The point that is made is that the property would in affect be zoned "LR" if everything had been put together at the same time. The Committee has previously heard consideration discussion about the position which the applicant has taken in the past. There has been discussion in detail about the procedures that were used, the attempt at a roll back and the filing of a lawsuit. It was brought out at the prior hearing that the sole and only objection as explained by Mr. Hage was the fact that the people in the area did not want a filling station at this location, coupled with the fact that the depth of the lot fronting back from Red River Street was so small that there could not be adequate setback from the corner in the development of the property. There was no objection to the usage of the property for commercial purposes other than a filling station. This was the reason for the opposition, the reason for the filing of the roll back and everything that went with it. There was also discussion that when an application was made to change the zoning on the subject property to "O" Office, testimony was given that this would be the best and highest use for the land.

When the request for "O" Office zoning was made on the subject property, plans were to develop the site with a medical office building complex. The reason that this development did not take place was due to an inability to put together a sufficiently large amount of land necessary to develop the property in the manner proposed. Since that time, the development that was originally planned for this site has been planned and is now under construction on property between 34th and 38th Streets on Shoal Creek.

Consideration should be given to the changes that have taken place in this area. It has been previously stated that the change was not until 1964; however, since that time there has been a rapid change in this entire area. "LR" zoning which was recommended by the Planning Commission has been granted on property to the south. "O" Office Second Height and Area zoning has been granted to the north and "O" Office, First Height and Area zoning exists to the south. One of the reasons development has not occurred on the west side of Red River between 19th Street and the subject property is because the University of Texas owns all of the land. Development that is occurring in the area consists of the construction of the LBJ Library, and the University East Urban Renewal project which is scheduled. There have been indications that the University of Texas is not going to wait for the Urban Renewal Plan to take place in the area before they start acquiring land. This means that with the expansion of the University this entire area will change. The Chairman of the Board of Regents has stated that once the LBJ Library is completed, the visitors every year will run between 500,000 and 600,000 people. This will mean a drastic change in the area because of the influx of traveling public. It is also felt that because of the changes that Red River Street will either become the "drag" on the east side of the University, in the sense of the commercial area and the expanding area, or the University will ask for the closing of Red River Street. Student housing is expanding in

C14-67-220 M. K. Hage, Jr.--contd.

this area and there is a need for the type of facilities proposed on the subject property. Because of the changes that have occurred and the changes that are planned, it is only logical that the highest and best use of the subject property, is the development of retail facilities. The property is presently zoned "O" Office which would allow the development of apartments; however, it is felt that the proposal on the site would be better at this location than the development of apartments because of the flow of traffic and off-street parking.

#### Arguments Presented AGAINST:

One nearby property owner appeared in opposition to the request and stated that he has been before the Commission many times to oppose zoning changes in this area. Careful consideration should be given to a change because of the precedent that will be set on the west side of Red River Street. This street has always offered a buffer from the commercial uses and the intrusion of this type of development into the residential area will be detrimental. The basic objection is to a filling station. This is a very nice residential area, a school is in close proximity and the establishment of the proposed uses would be an encroachment into this area. Traffic is another consideration as the traffic presents a problem without further commercial development.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the request to amend the application to "LR" Local Retail, First Height and Area.

Some of the members felt that this is a changing area caused by the expansion of the housing facilities of the University of Texas, the LBJ Library and the Interregional Highway.

Other members felt that the "O" Office zoning which now exists is the proper and logical zoning for the site and felt granting the requested change would set a precedent for other changes along Red River and East 32nd Streets.

The Committee also considered the advisability of a special permit on the property which would allow for the uses as proposed but noted that the representative for the applicant felt that development in this manner would result in a lawsuit. After further discussion, a motion was made to grant the request as the proposed use of the property under the "LR" classification at this location would not be inappropriate for the changing needs of the area. The motion failed to carry by a 2 to 2 vote and denial is recommended.

A motion was then made to recommend to the City Council that a perpetual restrictive covenant be placed on the site prohibiting forever the use of the property for a service station. This also failed to carry by a 2 to 2 vote and denial is recommended.

C14-67-220 M. K. Hage, Jr.--contd.

At the Commission meeting, Mr. Dunnam stated that in his opinion the area is changing as a result of the development of the LBJ Library, the expansion of the University and the changes along Red River Street. The same kind of development is across from the site and the requested zoning is logical and appropriate.

Mr. Wroe stated that if "LR" zoning is granted, a precedent will be set and it will be difficult to stop the zone from expanding down Red River Street and East 32nd Street.

Mr. Jackson agreed with Mr. Dunnam that the area is changing and noted that "LR" zoning has recently been granted on property to the south.

Mr. Osborne stated that the issue becomes one of the specifics of zoning as opposed to the nature of development. He stated that ideally, the uses could be permitted under a special permit but there is apparently a reasonable question on the applicant's part on the issue of a special permit and what might be entailed later on. He stated that there is a market in this area for certain kinds of service and retail uses as there is an increase in density now and there are more apartments planned in the future. Indications are that there is a need for the type of uses as proposed.

Mr. Osborne further stated that he cannot strongly recommend that "LR" zoning be granted as his position in the past has been to leave the "O" Office zoning on the property but to allow the development by special permit. After further discussion, a majority of the Commission

VOTED: To recommend that the request of M. K. Hage, Jr. for a change of zoning from "O" Office, First Height and Area to "LR" Local Retail, First Height and Area (as amended) for property located at 3106-3110 Red River Street and 815-821 East 32nd Street be GRANTED.

AYE: Messrs. Jackson, Brown, Dunnam, Bluestein, Riley and Smith

NAY: Mrs. Naughton and Messrs. Wroe and Hazard

ABSENT: None

C14-67-222 Pete Casarez: A to B  
2415-2419 South 5th Street

STAFF REPORT: This application covers 20,037 square feet of land which is undeveloped. The stated purpose of the application is for apartment development. The subject property is surrounded to the south, east and west by "A" Residential zoning which is predominantly developed with single-family and two-family dwellings. Adjoining the site to the north is "B" Residence property which is developed with apartments. At the intersection of Oltorf and South 5th Streets is "LR" and "C" Commercial zoning. A rollback in zoning from "LR" Local Retail, Sixth Height and Area to "B" Residence, Sixth Height and Area was granted on property at the southeast corner of Oltorf and South 5th Streets in 1959. At that time, it was felt that the "B" district

C14-67-222      Pete Casarez--contd.

would be a gradation from the commercial zoning along Oltorf and the "A" Residential district along South 5th Street. In 1964, "LR" and "C" Commercial zoning was granted at the intersection of South 5th and Oltorf Streets. Recently a short form subdivision was approved on the west side of South 5th Street. The seven lots involved have been developed with two-family dwellings. At the time the property was short formed, the City required five feet of right-of-way for future widening of South 5th Street. The staff feels that any higher density zoning in this area would require an increase in the right-of-way of South 5th Street from the present 55 feet to 60 feet. It is also felt that any higher density zoning would be detrimental to the fairly new duplexes established to the west and the existing single-family residential development south of the subject property. The staff recommends that the request be denied.

#### TESTIMONY

##### WRITTEN COMMENT

Code

None

##### PERSONS APPEARING AT HEARING

Code

John Selman (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. John Selman, representing the applicant, was present on behalf of this application and stated that the request for "B" zoning is only a continuation of the present zoning which is adjacent to the north. The "B" zoning was granted on the adjoining property nine years ago and is presently developed with apartments. There should not be any objection to the request inasmuch as there is a buffer area of duplexes established across the street and there is vacant land behind the site. The applicant will tender to the City an offer to dedicate five feet of additional right-of-way for the future widening of South 5th Street.

The subject property consists of approximately 20,000 square feet of area which can be developed with approximately 10 apartment units. Apartment development adjoins the property to the north and the development will only be a logical extension of existing development. The Planning Department is overlooking the development in Austin of apartments on smaller tracts of land. This City has developed so fast that anyone with a tract of land with an area of 5,000 square feet would like to develop apartments, particularly in an area such as this. This is the trend in Austin today. There are almost no vacancies in the existing apartments, and it must be realized that the apartment development in this town with the cost of development and land is going to be, in a great majority of cases, on smaller tracts of land. The proposal will not hurt, impair or damage any one involved. The development of apartments is the highest and best use of the land. There is a tremendous need in

C14-67-222      Pete Casarez--contd.

south Austin for this type of development because there is a close access to downtown Austin which makes it advantageous to the property owners and people in this locale.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied because South 5th Street, with a present right-of-way of 55 feet, is inadequate. However, they stated they would look with favor on the requested zoning, if the street is made adequate, as a logical extension of the zoning adjoining to the north.

At the Commission meeting, the staff reported a letter from Mr. John Selman, representing the applicant, offering to dedicate five feet of additional right-of-way for the future widening of South 5th Street.

The Commission members felt that in view of the offer to dedicate right-of-way, that this request should be granted as a logical extension of the zoning to the north. It was then

VOTED:      To recommend that the request of Pete Casarez for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 2415-2419 South 5th Street be GRANTED.

C14-67-223      David B. Barrow, et al: GR, 6th to GR, 2nd  
1200-1222 and 1201-1227 Algarita Avenue  
2000-2022 Farmers Drive  
1201-1225 Mariposa Drive

STAFF REPORT: This application covers two tracts of undeveloped land totaling 251,432 square feet. The stated purpose of the application is for constructing apartments. The most northerly tract under consideration, fronting onto Mariposa Drive, contains 109,170 square feet of land which could be developed with 74 apartment units under the present zoning. The requested zoning would increase the number of units to 145. The most southerly tract contains in excess of three acres and would presently permit 94 apartment units whereas the proposed zoning would permit 189. The total development permitted on the two tracts under the existing zoning would be 168 units, and under the proposed zoning 334 units would be permitted. The property is part of what was the Insurance Addition Subdivision which created the property under consideration and the streets. Mariposa, Farmers and Algarita Streets are only 50 feet wide, and the staff feels that the increase in density would over burden the streets in regard to paving width that now exists. "B" Residence, First Height and Area zoning was established on a large tract of land on the north side of Mariposa Drive in 1960 which is developed with apartments through a special permit procedure. Property south of East Live Oak Street was zoned "B"

C14-67-223      David B. Barrow, et al--contd.

Residence, First Height and Area in 1963. If there is a zoning change on any portion of the area, the staff feels that the change should only be established along the Interregional Highway and that the change should be Fifth Height and Area zoning for purposes of controlling setback along a boulevard or major street. It is felt that the Second Height and Area as requested is isolated from any Second Height and Area pattern on the east side of the Interregional Highway. There is Second Height and Area zoning on the east side but this density has not been established on the west. The staff recommends that the request be denied because of the existing zoning pattern and the streets which would be inadequate for the proposed increased density.

#### TESTIMONY

##### WRITTEN COMMENT

Code

None

##### PERSONS APPEARING AT HEARING

Code

	David Barrow (applicant)	
AJ	James Showen: 2103 Glendale Place	AGAINST
?	Charles F. Stahl: 2208 Mountainview Road	FOR
?	Don Jackson: 6002 Spancreek	FOR
	Richard Baker	FOR

#### SUMMARY OF TESTIMONY

##### Arguments Presented FOR:

Mr. David Barrow appeared at the hearing and stated that the owners of this large tract had a contract to buy all of the property from Mariposa Drive to East Live Oak Street for the purpose of establishing a large community center. This contract did not go through and so a change was made in the proposed use of the two tracts under consideration. The portion of the property along the Interregional Highway has been sold to the Farmers Insurance Association and is developed with an office building. When this was done, Mariposa Street did not go to the Interregional Highway; however, since that time the right-of-way has been dedicated and the street has been built. Farmers Drive has also been put in since that time. Mr. Barrow further stated that in his opinion the division, and the circulation is adequate for additional apartment development. The close proximity to the Interregional Highway makes this an ideal place for dense residential development.

Mr. Richard Baker was present at the hearing and stated that he represents the proposed purchaser of the property. There should be some discussion about the number of units presently authorized under the existing zoning and the number of units authorized under the proposed zoning. There is an unusual situation in the City of Austin in that the Second Height and Area zoning classification doubles the density permitted under the First Height and Area classification. It is often realized that the number of units allowed under

C14-67-223      David B. Barrow, et al--contd.

a Second Height and Area classification would be too intensive and there is actually no plan to develop the property with the maximum density. A majority of the people who represent applicants before the Planning Commission and the City Council have requested, an ordinance which would give the number of units which could be utilized on a particular area and an application which would set forth the number of units actually proposed. Parking is another limitation which should be given consideration when discussing the number of units permitted on a site. Originally it was true that if Second Height and Area zoning was granted, property could be developed to its maximum; however, the parking requirements that have been added to the Ordinance limit the number of units that can be placed on a site. Economically, it is unfeasible to develop this site with 334 units as the development would probably have to be a high-rise structure with garage facilities. The present plans are to develop the property with one unit for every 1,000 square feet of land area. Unfortunately, there is no height and area classification that can be applied which would limit the density to that number.

One of the main problems in the City is the problem of growth. There is only so much land area which can be utilized within a given area which is close to the metropolitan center. People who live in apartments usually are those people without children, and in many instances both husband and wife work thus it is necessary that they be relatively close to the area in which their employment takes them. Freeways have become the main arterial sources of transportation to move traffic. Those areas where there is adequate access is where proper apartment development should occur. It is submitted that this is one of the areas with more than adequate access. The property is located approximately one block from the Interregional Highway and within 100 feet from an access of the Interregional Highway onto a frontage road. It is located within a block or more of East Live Oak Street where there is an overpass on the Interstate Highway meaning that people in this area, by traversing a short distance, can either go towards San Antonio or by traveling a block reverse themselves and go back into the City. A question has been raised about the injection of traffic into the residential area. Whatever classification is placed on this property there is no way the developers can prohibit the injection of traffic into the residential area; however, the particular location of the two tracts of land are such that there would be less traffic generated into the residential area because of the access. Under the present zoning, the property could be developed with a very substantial shopping center which would create more traffic for the residential area than the proposed development. The highest and best use for the property is the development of apartments.

#### Arguments Presented AGAINST:

Five nearby property owners appeared in opposition to the request and stated that the main objection is the amount of traffic that will be carried into the residential area. The streets are very narrow and cannot handle the additional traffic that will be created. Some consideration should be given to a buffer area between the existing residential development and the proposed development.

C14-67-223      David B. Barrow, et al--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and a motion was made to grant the requested "GR" General Retail, Second Height and Area zoning because of the close proximity to the Interregional Highway, Live Oak Street and Oltorf Street inasmuch as these streets are major streets which can serve high density development and because the requested zoning would be appropriate for the area. The motion failed to carry by a 2 to 2 vote and denial is recommended.

The Committee discussed the density allowed under the requested zoning and the deficiency in the Zoning Ordinance pertaining to density requirements. A majority of the members felt they would be in favor of the request if the development is limited by restrictive covenant.

At the Commission meeting, Mr. Richard Baker, representing the purchasers of the property, stated that a restrictive covenant, limiting the development on the site to one unit for every 1,000 square feet of land area would be tendered to the City Council.

The Commission members discussed this request and felt that it should be denied; however, they stated they would look with favor on the requested zoning, if the development is limited by restrictive covenant to one unit for every 1,000 square feet of land area, because of the close proximity to the Interregional Highway. It was then

VOTED:      To recommend that the request of David B. Barrow, et al for a change zoning from "GR" General Retail, Sixth Height and Area to "GR" General Retail, Second Height and Area for property located at 1200-1222 and 1201-1227 Algarita Avenue, 2000-2022 Farmers Drive and 1201-1225 Mariposa Drive be DENIED.

C14-67-224      Charles J. Armstrong and Leah R. Armstrong: BB, 5th to C, 1st  
912-914 West 30th Street  
 3001-3005 North Lamar Boulevard  
 909-911 West 30½ Street

STAFF REPORT: This site contains 10,764 square feet of land which is developed with a single-family dwelling. The stated purpose of the application is for future commercial development. The area along Lamar Boulevard is predominantly commercial in character. To the north of the site is "LR" zoning which was granted in 1960. To the south is "GR" zoning which was established in 1965. Further south, along Lamar Boulevard, there have been various requests for "GR" zoning which have also been granted. The "C" Commercial, Fifth Height and Area zoning established to the north is an older zoning district which was granted prior to 1960. West 30th and West 30½ Streets should be widened. In an earlier request on property to the north, 10 feet of right-of-way was dedicated for the widening of West 30½ Street, through a short form. At that time, all access to the subject



C14-67-224 Charles J. Armstrong and Leah R. Armstrong--contd.

property was to be from Lamar Boulevard and not West 30½ Street. The staff feels that five feet of right-of-way would be sufficient for West 30½ Street. On West 30th Street, the staff feels that 60 feet of right-of-way is needed which would require five feet from each side of the street. The staff does not object to commercial zoning; however, it is felt that "GR" General Retail, Fifth Height and Area zoning should be granted, provided the streets are made adequate, as this would be consistent with the existing zoning. The Fifth Height and Area was established on Lamar Boulevard for control setback along a thoroughfare street.

#### TESTIMONY

##### WRITTEN COMMENT

Code

None

##### PERSONS APPEARING AT HEARING

Code

Richard Baker (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. Richard Baker, representing the applicants, stated that a firm contract of sale has been entered into by and between the Armstrong's and the purchaser for the sale of the property in question. One of the conditions of the contract is that the property be rezoned to "C" Commercial, First Height and Area. Mr. Baker stated that he has discussed the Fifth Height and Area classification with the staff but he is not in a position to make a declaration of Fifth or First Height and Area at this time as he has been unable to confer with his clients because he has been out of the City. In relation to the "C" as opposed to the "GR" as recommended by the staff, the only comment is that from 100 to 150 feet south of West 31st Street going in a northerly direction along Lamar Boulevard is consistently a "C" Commercial developed area and it is felt that to extend this "C" down to 30th Street, even though there is some "GR" and "LR" would not be inconsistent because of the zoning to the north. At this particular time the purchaser for the subject property does not have any specific use for the site. The tract in question presents some serious problems for development in that it is only approximately 79 feet in depth with 138 feet of frontage along Lamar Boulevard. If Fifth Height and Area zoning is granted, a 25 foot setback will be required which will reduce the usable area to approximately 50 feet. It will take some thought and planning to utilize this property, and for this reason the applicant would like to have as broad an area as possible for development and feels that "C" Commercial would give the most utilization. The Planning Department has asked for five feet of right-of-way for West 30th and West 30½ Streets. Mr. Baker stated that he was not aware of the need for widening and he has not had an opportunity to discuss this with his client but will do so before the full Commission meeting.

No one appeared in opposition to the request.

C14-67-224 Charles J. Armstrong and Leah R. Armstrong--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied due to the inadequate streets and because it would be inconsistent with the Fifth Height and Area zoning pattern along Lamar Boulevard; however, they stated they would look with favor on granting "GR" General Retail, Fifth Height and Area, provided the streets are made adequate, as this would be consistent with the zoning pattern established along Lamar Boulevard.

Mr. Richard Baker appeared at the Commission meeting and stated that he has not discussed with his client the right-of-way needs for West 30th and West 30½ Streets, or the "GR" General Retail, Fifth Height and Area zoning as recommended by the staff.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Charles J. Armstrong and Leah R. Armstrong for a change of zoning from "BB" Residence, Fifth Height and Area to "C" Commercial, First Height and Area for property located at 912-914 West 30th Street, 3001-3005 North Lamar Boulevard and 909-911 West 30½ Street be DENIED.

C14-67-225 Colorado Hills Estates: Int. A to BB (Tr.1), BB to B (Tr.2), and  
Tract 1: Rear of 1617-1703 Parker Lane BB to LR (Tr.3)  
 Tract 2: 1319-1609 Parker Lane  
 Tract 3: 1317 Parker Lane  
 2023 Riverside Drive  
 Rear of 1815-2033 Riverside Drive

STAFF REPORT: This application covers three tracts of undeveloped land totaling approximately 10 acres. The stated purpose of the application is for apartments and retail sales building and development. The property under consideration is a part of Colorado Hills Estates, a subdivision designed for single-family, multi-family and commercial uses. The total subdivision involves property starting at Riverside Drive and extending southward to a point south of the proposed extension of Woodland Avenue. The subdivision has been given preliminary approval, two sections of which are in final form. The requested zoning is for the purpose of conforming to the subdivision as designed and approved and the zoning was required as a condition of the approval. The subdivision is providing a street through the tract north and south in order to have an outlet to Riverside Drive, and is also providing for the widening of Parker Lane as required by the Planning Department. The staff recommends that the requested zoning be granted as it does conform to the approved preliminary plan.

C14-67-225 Colorado Hills Estates--contd.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

Thomas Watts (representing applicant)

SUMMARY OF TESTIMONY

Mr. Thomas Watts, representing the applicant, stated that the development as proposed presents a true picture of gradation. The area south of Woodland Avenue will be developed with single-family residences, and the lots north of Woodland Avenue will be developed with duplexes. Behind the duplexes will be "BB" and "B" zoning. A roadway is being provided through the property from Woodland Avenue to Riverside Drive. The requested zoning conforms to the plan as approved by the Subdivision Committee.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it conforms to the subdivision plan designed and approved for the uses requested.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Colorado Hills Estates for a change of zoning from Interim A, Interim First Height and Area to "BB" Residence, First Height and Area (Tract 1) "BB" Residence, First Height and Area to "B" Residence, First Height and Area (Tract 2) and "BB" Residence, First Height and Area to "LR" Local Retail, First Height and Area (Tract 3) for property located at (Tract 1) rear of 1617-1703 Parker Lane, (Tract 2) 1319-1609 Parker Lane, (Tract 3) 1317 Parker Lane, 2023 Riverside Drive and the rear of 1815-2033 Riverside Drive be GRANTED.

C14-67-226 B. L. McGee and Richard L. Matz: Int. A to B & C (as amended)  
8200-8246 U. S. Highway 183  
8047-8051 Lazy Lane  
1348 Wooten Drive

STAFF REPORT: This application covers a large tract of undeveloped land containing approximately 14½ acres. The stated purpose of the request is for commercial and apartment usage. The subject property has approximately 560 feet of frontage along U. S. Highway 183 and a small amount of frontage along Wooten Drive and Lazy Lane. The use of the property along U. S. Highway 183 is commercial or heavier. There is an H.E.B. shopping center under

Cl4-67-226      B. L. McGee and Richard L. Matz--contd.

construction located on property to the east. The staff does not oppose the requested zoning in terms of the proposed usage; however, there is objection to the requested zoning along the south end of the tract. Anderson Lane is located to the south with Gault Street, Tisdale Drive and Lazy Lane running northward from Anderson Lane to the subject property. Tisdale Drive and Gault Street, with a present right-of-way of 50 feet, both dead-end into the southern edge of the site. The staff is concerned about the completion of this residential subdivision scheme which was approved in 1952. The people in the residential area to the south have built their homes in reliance on this approved plan. The approved preliminary plan also proposed the extension of Wooten Drive through the subject property to U. S. Highway 183. It is felt that bringing that intensive uses onto Tisdale Drive and Gault Street, as well as Lazy Lane would be an intrusion into the residential neighborhood and the streets serving it. Lazy Lane, with a present right-of-way of 60 feet, serves Wooten School located on the west side of Lazy Lane as well as the existing residential area to the south and north. The staff feels that proposed commercial and apartment development along U. S. Highway 183 would be a good use for the property but it is felt that a large portion of the property should be zoned for the use as stated. The staff recommends that the requested zoning be granted save and except for the southern portion of the property sufficient in depth to provide for the extension of Wooten Drive to the east and a tier of lots, preferably single-family or two-family development along the north side. The construction and dedication of Wooten Drive should be at the property owners expense. It is felt that this would in effect stop the commercial from encroaching into the existing residential development. It is realized that this would be a limiting factor on the development of the site in that U. S. Highway 183 will be the only ingress and egress. The staff does not have the highway plans available at this time in order to determine where the crossover on U. S. Highway 183 is located. Poor access could also effect the property. The City proposes the extension of Lazy Lane through to U. S. Highway 183.

#### TESTIMONY

##### WRITTEN COMMENT

###### Code

BG	Bobby W. Ray: 1404 Wooten Drive	AGAINST
AJ	Don J. Jackson: 6002 Spancreek	FOR
S	Nelson Puett: 5425 Burnet Road	FOR
AR	Charles H. Beutnagel: 8013 Tisdale Drive	AGAINST

##### PERSONS APPEARING AT HEARING

###### Code

	Richard Matz (applicant)	
AR	Charles H. Beutnagel: 8013 Tisdale Drive	AGAINST
AY	Cline B. York: 8017 Gault Street	?
AJ	Don J. Jackson: 6002 Spancreek	FOR

C14-67-226      B. L. McGee and Richard L. Matz--contd.

#### SUMMARY OF TESTIMONY

##### Arguments Presented FOR:

Mr. Richard Matz was present on behalf of this request and presented the following information: At the present time the property is being used as office and storage facilities for equipment and material. Mr. Matz stated that in his opinion the people who bought the property under consideration would have no objection to extending Wooten Drive through the property. The owners of the subject tract also own the property adjoining to the north and they are aware of the fact that Lazy Lane will be extended on through their property to U. S. Highway 183. With regard to the crossover on U. S. Highway 183, it will be situated in such a way that it will give easy access to the site. The only commercial development will be along U. S. Highway 183 and the apartments are to be developed behind the commercial in a very tasteful style.

Mr. Wroe asked Mr. Matz if he was aware that the staff had recommended that the owners of the subject property be required to develop the street as well as dedicate the right-of-way for Wooten Drive. Mr. Matz explained that Wooten Drive cannot be extended on through to U. S. Highway 183 but there is no objection to developing the street through the subject property. Two nearby property owners appeared in favor of the request and stated that in their opinion the requested zoning would allow for the best development of the site.

##### Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request for the following reasons as stated in a letter from Mr. Charles H. Beutnagel:

1. Tisdale Drive and Gault Drive, currently dead-end streets, are too narrow to serve as streets carrying traffic leading to a commercial development of unknown composition.
2. Tisdale Drive and Gault Drive north of Anderson Lane currently have 67 children of junior high school age and under as residents and are therefore not suitable as larger traffic arteries.
3. Not any provision is indicated which would grant a measure of protection to existing property owners or to buffer them from a commercial or apartment development.
4. Since the "C" Commercial zoning classification is extensive as to use of property, consideration should be given to the fact that there is a school and a church with a primary school in the immediate vicinity.
5. In addition to creating traffic problems apartment zoning is objectionable because apartments tend to destroy the single-family dwelling value of adjacent surrounding property.

C14-67-226      B. L. McGee and Richard L. Matz--contd.

They stated they would not be opposed to a tier of duplex lots as recommended by the staff, and the development of the street as this would provide a buffer area for the residential area to the south.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as an intrusion into the residential area and because of the need for the completion of the street plan; however, they stated they would look with favor on the requested zoning, provided the southern 180 feet of the property is retained as residential, and with the condition that Wooten Drive be extended the full length of the property in order to complete the street pattern needed in the area. They further recommended that the applicant be required to bear the cost of the construction of the street and that the street terminate at this intersection with Gault Street with the provision that the existing house and garage, located at the now dead-end of Gault Street be provided access.

At the Commission meeting, the staff reported that the following letter has been received from Mr. W. E. Jones requesting that this application be amended:

"As per our conversation concerning the zoning on the McGee Tract, we hereby request to amend our zoning to: "C" Commercial along US 183 and 200 feet deep the balance to be zoned "B" and First Height, with the exception of a 50 feet right-of-way which will be used for the extension of Wooten Drive to connect Gault and Tisdale Streets. The south line of this right-of-way will correspond with the south right-of-way line of Wooten Drive.

Such right-of-way will be screened by a six foot privacy fence."

Mr. Stevens stated that at the Zoning Hearing, the staff reported that the proposal for the request as stated on the application was for a combination of apartment and commercial zoning. Since the hearing, the applicants have submitted a plan and asked that the application be amended in the manner as stated in the above letter. The applicants would like to use a different means of providing a street and a separation than what the staff had originally recommended which was that the street be extended with a tier of duplex lots located to the north side of the street. They are requesting that a privacy fence be permitted rather than requiring a tier of duplex lots on the north side of Wooten Drive. As soon as the street is dedicated, the applicants would be required to have a 25 foot setback. The staff feels that the 50 feet of right-of-way as offered for the extension of Wooten Drive, the required 25 foot setback and the privacy fence would provide as good a separation and buffer as a tier of duplex lots between the proposed development and the existing residential development to the south. At the Zoning Hearing there were a number of adjoining property owners to the south who were agreeable to the modification that was recommended to the Committee. The amendment now requested is not the same and the people who were present should be aware of the change.

C14-67-226      B. L. McGee and Richard L. Matz--contd.

All of the property will be used for apartments with the exception of a portion of the frontage along U. S. Highway 183 which will be commercial. There will be access out to the proposed extension of Lazy Lane as well as to U. S. Highway 183. The applicants would also like to have a pedestrian walkway to Lazy Lane. The staff would not have any objection to this.

Mr. W. E. Jones, one of the developers, was present at the hearing and stated that they will dedicate the necessary right-of-way for Wooten Drive and build the street as recommended by the staff.

Mr. Stevens advised the Commission that customarily, offers of this type are required to be in writing.

The Commission members noted that the applicant had orally stated that he would dedicate and build Wooten Drive through the subject site, provide a six foot fence in order to screen the area and that he would make this as a formal offer in written form. In view of this, the members felt that the requested zoning, as amended, should be granted as the proper and logical zoning for the site. It was then unanimously

VOTED:      To recommend that the request of B. L. McGee and Richard L. Matz for a change of zoning from Interim A, Interim First Height and Area to "C" Commercial, First Height and Area and "B" Residence, First Height and Area (as amended) for property located at 8200-8246 U. S. Highway 183, 8047-8057 Lazy Lane and 1348 Wooten Drive be GRANTED.

The Commission then instructed the staff to notify the interested parties that the application on the subject property has been amended.

C14-67-227      M. H. Crockett: A to C  
1007-1011 West 40th Street  
3923 Alice Avenue  
Add'n Area:    3921 Alice Avenue

STAFF REPORT: This site contains 4,408 square feet of land which is undeveloped. The stated purpose of the application is for erecting a sign and providing parking area. The parcel adjoining to the south has been included as additional area in order to complete the zoning pattern in this particular block. The staff would not be opposed to either "LR" or "C" Commercial zoning at this particular intersection. However, "LR" zoning would be more appropriate as it would conform to the zoning existing in the block. It is realized that "C" Commercial zoning does exist on three corners at this intersection. West 40th Street with a present right-of-way of 60 feet is adequate. Alice Avenue also has 60 feet of right-of-way but is scheduled to be widened to 70 feet. This will not effect the subject site because the additional right-of-way is to come from the west side of the street.

C14-67-227      M. H. Crockett--contd.

## TESTIMONY

## WRITTEN COMMENT

Code

S      Mr. &amp; Mrs. R. M. Peterson: 1208 West 40th Street      FOR

## PERSONS APPEARING AT HEARING

Code

	M. H. Crockett, Jr. (applicant)	
E	Mrs. Edgar McCann: 3921 Alice Avenue	?
E	Edgar McCann: 3921 Alice Avenue	?
	Ralph Moreland: 1905 North Lamar Boulevard	FOR

## SUMMARY OF TESTIMONY

The applicant was present on behalf of this request and stated that in addition to the subject property he also owns the property adjoining to the east, having frontage onto Lamar Boulevard, which he leases for a restaurant. If the Zoning Committee does not see fit to grant the requested "C" Commercial zoning, whatever zone will permit the sign as well as the parking would be agreeable. It is felt that eventually the property will become "C" Commercial property. Commercial zoning exists on three corners at this intersection so the requested change on the subject property would merely be a continuation of existing zoning. There is a small dress shop on a nearby lot that proposes to use the subject site for parking and the restaurant on the adjoining property proposes to erect a sign on the site. Mr. Crockett stated that he owned considerably more property at this location and he was instrumental in getting the street widened as he dedicated 25 feet for right-of-way at no cost to the City. If it is found that a few feet of additional right-of-way is needed, there would be no objection.

Mr. Edgar McCann, owner of the property included as additional area, appeared at the hearing and stated that he does not oppose the requested zoning on the property in question. However, he does object to having his property rezoned as his home is established on the site and he would like for the zoning to remain "A" Residential.

No one appeared in opposition to the request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission in order to determine the correct zoning required for the proposed use.



CP14-67-227 M. H. Crockett--contd.

At the Commission meeting, the staff reported that this request has been checked with the Building Inspector in order to determine what zoning classification is necessary to permit the requested parking and the sign. The parking would be permitted under the "LR" zoning classification as recommended by the staff but the sign would require that the property be zoned "C" Commercial.

The Commission members felt that "C" Commercial zoning as required should be granted on the subject property but not on the additional area, as it conforms to zoning existing at this intersection. It was then unanimously

VOTED: To recommend that the request of M. H. Crockett for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1007-1011 West 40th Street and 3923 Alice Avenue be GRANTED, not including the additional area located at 3921 Alice Avenue.

#### SPECIAL PERMITS

CP14-67-20 A. M. Eldridge for the City of Austin: City of Austin Fire Station  
1175-E - 1205 Webberville Road

STAFF REPORT: This application has been filed as required under Section 10-A and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is a fire station and 12 off-street parking spaces. The property is zoned "A" Residence, First Height and Area. The staff has not received all of the replies from the various City Departments but the comments that are available are as follows:

Office Engineer

- Request for commercial drive-ways required.

Fire Prevention

- Approved.

Storm Sewer

- Need 8" drain, 600' long draining east along southside of Webberville Road. Grease trap required if truck washing is done.

Health

- Approved. Sanitary sewer line available. No objections.

Fire Protection

- Approved.

Advanced Planning

- Alignment of East 12th Street extension must meet with Public Works approval.

Water and Sewer

- Water and sanitary sewer available. No complications.

Building Inspector

- No objections.

Tax Assessor

- This property is exempt from taxation.

CP14-67-20      A. M. Eldridge for the City of Austin--contd.

Electric  
Traffic Engineer

- No objections.
- Return for driveway to parking lot at Webberville and East 12th does not conform to regulations. See notes on plan.

East 12th Street is a major arterial street in the Master Plan which is to be extended eastward to connect with Ed Bluestein Boulevard which will utilize a portion of the fire station site as well as a portion of the adjoining lots to the south. The staff recommends that this request be referred to the Commission pending completion and compliance with departmental reports.

Mr. Dunnam asked if the staff has any idea when East 12th Street will be extended. Mr. Stevens explained that he does not know at the present time but this can be reviewed with the Director of Public Works before the Commission meeting.

Mr. V. J. Dickerson, owner of adjoining property, asked how the extension of East 12th Street would effect his property and if he would be required to move from his home. Mr. Stevens advised Mr. Dickerson that when East 12th Street is extended as proposed, it will utilize a portion of his property. When this occurs the City will contact him towards the necessary acquisition.

#### TESTIMONY

##### WRITTEN COMMENT

Code

K            E. A. Johnson: 543 W. MacArthur, Oakland, Calif.      FOR

##### PERSONS APPEARING AT HEARING

Code

None

#### SUMMARY OF TESTIMONY

No one appeared on behalf of this request.

##### Agruments Presented AGAINST:

One nearby property owner appeared in opposition to the request and stated that this is a well-populated area and it is felt that there are other areas that are not so well-populated where a fire station may quite well serve the area. The area from 1175 Webberville Road to 1301 Webberville Road is all single-family with the exception of one or two vacant lots, and we object to the proposed fire station.

CP14-67-20      A. M. Eldridge for City of Austin--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission pending completion and compliance with departmental reports.

At the Commission meeting, the staff reported that in view of the extension of East 12th Street and other factors involved, it is requested that this special permit be postponed so that a new location sketch can be submitted which will include the adjoining property to the north. The Commission then

VOTED:      To POSTPONE the request of A. M. Eldridge for the City of Austin for a special permit for the erection of a City of Austin Fire Station on property located at 1175-E - 1205 Webberville Road.

CP14-67-21      Eldon Bebee, Robert Gray and Richard Baker: 62 unit apartment  
8300-8304 and 8301-8305 Dime Circle      dwelling group  
2509-2603 Penny Lane

STAFF REPORT: This application has been filed as required under Section 6 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is an apartment dwelling group containing 62 units, 114 parking spaces, and one swimming pool. The subject property is zoned "C" Commercial, First Height and Area. All of the departmental reports have not been received at this time but the comments which are available are as follows:

- |                    |  |
|--------------------|--|
| Electric           | - Approved.  |
| Storm Sewer        | - North 200' of tract to be graded to drain to Penny Lane.   |
| Advanced Planning  | - Minor modification in parking layout will delete one space. Layout is acceptable.  |
| Fire Prevention    | - Approved.  |
| Tax Assessor       | - Taxes are paid through 1967.   |
| Building Inspector | - Building location, setbacks, parking, plot plan in general is alright. A four foot high solid fence needs to be placed along any property line where parking occurs. I am assuming Dime Circle has been or will be vacated. No building code approval intended or implied. Otherwise OK. |

CPI4-67-21 Eldon Bebee, Robert Gray and Richard Baker--contd. A 100036

Fire Protection

Office Engineer

Traffic Engineer

Health

- Provide access driveway on west side when additional units are added.
- Request for commercial driveways will be required.
- Approved.
- Approved. Sanitary sewer line available.

The staff raises one question which is in regard to the parking. There are eight head-in parking spaces and the staff normally objects to head-in parking. It is felt that this is highly undesirable in that it presents a hazard although this is not a major street. There is a need for a certain amount of parking which requires the applicants to utilize a portion of the front area. This property has been subdivided and presently there is a cul-de-sac at the end of Dime Circle. The thought is to vacate Dime Circle and consolidate the lots into one site. When the property was zoned and subdivided, there was a restrictive covenant placed on the property limiting the development to only a certain number of units. The staff recommends that this request be referred to the full Commission pending completion and compliance with departmental reports.

## TESTIMONY

## WRITTEN COMMENT

Code

None

## PERSONS APPEARING AT HEARING

Code

None

## SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to the request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as the development is consistent with the best use of the land, taking note of the fact that the head-in parking proposed uses only a small percentage of the lot frontage, subject to compliance with departmental reports, the vacation of Dime Circle and the consolidation of the numerous lots into one building site.

CP14-67-21 Eldon Bebee, Robert Gray and Richard Baker--contd.

At the Commission meeting, the staff reported that the necessary changes have not been made on the site plan but there is no objection to the approval subject to the conditions as outlined.

The Commission concurred with the Committee and unanimously

VOTED: To APPROVE the request of Eldon Bebee, Robert Gray and Richard Baker for a special permit for the erection of a 62 unit apartment dwelling group on property located at 8300-8304 and 8301-8305 Dime Circle and 2509-2603 Penny Lane, subject to compliance with departmental reports, the vacation of Dime Circle and consolidation of the numerous lots into one building site and authorized the Chairman to sign the necessary resolution when all conditions have been met.

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within 10 days following the decision of the Planning Commission.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meetings of December 20 and 21, 1967, and requested that this action be spread on the minutes of this meeting of the Planning Commission. The staff reported that no appeals have been filed from the decision of the Subdivision Committee and the following subdivision was referred to the Commission without action: C8-67-95 Scenic Hills Estates

PRELIMINARY PLANS

<u>C8-67-65</u>	<u>Balcones Hillside</u>
	Balcones Drive and Oakside
<u>C8-67-78</u>	<u>Balcones Terrace</u>
	Balcones Drive
<u>C8-67-87</u>	<u>Balcones Summit</u>
	Ceberry Drive and Knollside Drive

The staff reported that the above three preliminary plans were before the Subdivision Committee at the last regular meeting. It was agreed at that point by the members of the Committee that if the owners or developers of the three tracts of land could get together with a combined plan or a plan which at least connected the streets, which the original plans did not, that the preliminaries could be presented to the full Commission at this meeting. The plans which have been submitted before attempted to incorporate a layout to accommodate some commercial and apartment development on the three tracts. The only preliminary with any single-family development proposed was Balcones Summit which is the most westerly of the three tracts in question. The original recommendation by the staff in connection with this area was that the proposed apartment and commercial area be limited in area and size and that it be laid out in such a manner that the access would be

<u>C8-67-65</u>	<u>Balcones Hillside--contd.</u>
<u>C8-67-78</u>	<u>Balcones Terrace--contd.</u>
<u>C8-67-87</u>	<u>Balcones Summit--contd.</u>

provided from Balcones Drive or Mo-Pac Boulevard and not be connected with the existing residential streets to the south into Balcones West and Balcones Hills and the streets to the north in Westover Hills. The staff also recommended that North Forest Drive be brought through northerly and westerly to connect with Ceberry Drive which would be continued northerly to tie in with the proposed westerly extension of Steck Avenue, with the apartment loop street feeding back out onto Balcones Drive. The same is true on the area to the north which is Westover Plaza, a preliminary plan that was postponed for 30 days. At the Subdivision Meeting, the staff presented several overlays of the three tracts of land for consideration. The overlay which is being considered at this time is the one that most nearly coincided with the departmental recommendation and the individual requirements or proposals of the property owners involved. This proposal limits any proposed apartment development to a depth of from 500 to 1,000 feet from Balcones Drive with the street feeding back to Balcones Drive. The one exception is that North Forest Drive would be terminated in a cul-de-sac with one residential lot on either side abutting the existing residential at the end of the street, with apartment development confined to the loop street extending westerly and northerly off of Balcones Drive, with no access to the cul-de-sac from the apartment lots which is one of the requirements the Planning Department had previously made. This would leave for the apartment development the loop street of Balcones Terrace extending westerly off of Balcones Drive looping north through Balcones Terrace and Balcones Hillside, and back out to Balcones Drive. The full right-of-way (70 feet) for the proposed westerly extension of Steck Avenue will be required prior to submission of a final plat with abutting lots. The plan submitted of Balcones Hillside indicates provision for only one-half of such street. The revised plan which is being considered at this time, also provides within Balcones Hillside a second street running between the loop street and Balcones Drive which is identified as Oakside Drive.

The map which is presented for consideration shows only Balcones Hillside and Balcones Terrace. In accordance with the departmental recommendation, the staff recommendation was that any apartment development more or less in this particular area be confined to the western property line of Balcones Hillside and Balcones Terrace. For the benefit of Mr. John Giddings who is the developer of Balcones Summit, the staff recommendation does not include apartment development for his tract of land.

The subdivision of Balcones Summit will have to be served from Ceberry Drive which will be extended northerly through that tract of land. The staff has discussed with Mr. Giddings the possibility of a slight modification of his plan. The original plan had a street running westerly off of Ceberry Drive to the west property line with a cul-de-sac extending northerly from this street. The adjoining property owner to the west, Mr. and Mrs. Streety appeared at the Subdivision meeting in opposition to that plan in that Baywood Avenue when extended northerly would have to go through their property

C8-67-65	Balcones Hillside--contd.
C8-67-78	Balcones Terrace--contd.
C8-67-87	Balcones Summit--contd.

and this street connection between Balcones Summit and the northerly extension of Baywood Avenue would impose additional street requirements on their part and they have only a limited size tract with no particular need for an additional street. The staff discussed with Mr. Giddings the possibility of turning the street northerly into the cul-de-sac eliminating the westerly connection into the Streety property. This would necessitate a variance in that the cul-de-sac would be slightly more than 400 feet long, which the staff felt was justified.

The revisions as submitted this date have not been distributed to the various City departments for departmental comments; however, based on the departments original recommendation of this layout, the plan is in conformance with the overall or general recommendation of the department and the staff recommends approval of Balcones Hillside and Balcones Terrace, as revised, subject to the required zoning on the property and completion and compliance with departmental reports.

Mr. Foxworth reported that he has received a memorandum from the Water and Sewer Department which should be considered at this point. The Water and Sewer Department does not approve of the revised layout in that it does not provide for a street connection between these tracts of land and the property to the west other than the extension of Steck Avenue. The reasons for this is that Balcones Hillside and Balcones Terrace are to be served off of two water systems and the primary water system will have to come in from the south and west probably through Ceberry Drive, through Mr. Giddings' property which is Balcones Summit and into these two tracts of land at some point. The Water and Sewer Department prefers to have both water and sewer lines in a street due to the problems that may arise if there is a breakdown in the line. The memorandum from the Water and Sewer Department would come under the departmental requirements, but the Planning Department is recommending against any connecting street because of traffic problems. The staff feels that an additional street would feed excess traffic into the existing residential streets which is not recommended. After further discussion, the Commission unanimously

VOTED: To APPROVE the preliminary plan of BALCONES HILLSIDE and BALCONES TERRACE, as revised, subject to the required zoning for the proposed uses and completion and compliance with departmental reports.

Mr. Foxworth asked Mr. Giddings if the proposed revision discussed previously would be acceptable to him. Mr. Giddings indicated that he will revise his plan to turn the street northerly into the cul-de-sac rather than extending it westerly into the Streety tract.

The staff reported that this revision would also eliminate the stub street running easterly from Ceberry Drive. Departmental reports have not been received on a revised plan for this subdivision and the staff recommendation

C8-67-65	Balcones Hillside--contd.
C8-67-78	Balcones Terrace--contd.
C8-67-87	Balcones Summit--contd.

is to approve the plan and to grant the variance length of the cul-de-sac, subject to the revision as recommended by the staff and pending completion and compliance with departmental reports. After further discussion, the Commission unanimously

VOTED: To APPROVE the preliminary plan of BALCONES SUMMIT, pending the revision as recommended by the Planning Department, and completion and compliance with departmental reports.

C8-67-95	Scenic Hills Estate
	Scenic Drive and Scenic Hills Drive

This preliminary plan was before the Subdivision Committee at the last regular meeting at which time it was referred to the full Commission in order to get a legal interpretation from the City Attorney on a condemnation matter connected with one of the thoughts in connection with the subdivision and the possibility of considering additional layouts for the tract of land. A revision to the plan has been submitted to the Planning Department this date.

The original plan is similar to the revised plan in that Scenic Hills Drive extended easterly off of Scenic Drive but in the location where there is a cul-de-sac or turn around at the end of Scenic Hills Drive the street curved northerly almost to the northern most property line with a cul-de-sac at that point. There was a variance involved at that point and a number of considerations were given at that time. There was some opposition from the neighborhood and the Subdivision Committee felt that the matter should be referred to the full Commission. The layout as revised meets the requirements of the Subdivision Ordinance; however, since the revised plan has just been submitted, there are no departmental comments. Any action at this time by the Commission would have to be subject to completion and compliance with department requirements. The revised plan does meet the requirements of the Ordinance in that the cul-de-sac is now 400 feet long which is the maximum permitted by the Ordinance whereas the original cul-de-sac was longer than 400 feet. It is the staff's understanding that the plan as revised now meets with the approval of the surrounding neighbors who had objected to the original plan. The staff recommends approval of the revised plan subject to completion and compliance with departmental reports. The Commission then

VOTED: To APPROVE the preliminary plan of SCENIC HILLS ESTATES, as revised, subject to completion and compliance with departmental reports.



## SUBDIVISION PLATS - FILED

The staff reported that reports have not been received from several departments and recommended that the following final plats be accepted for filing only. The Commission then

VOTED: To ACCEPT for filing the following final plats:

<u>C8-67-62</u>	<u>Valle San Jose</u>
	<u>F.M. 812 and F.M. 973</u>
<u>C8-67-81</u>	<u>The Bluffs of University Hills, Section 1</u>
	<u>Loyola Lane and Manor Road</u>
<u>C8-67-88</u>	<u>Wooten Terrace, Section 3</u>
	<u>Putnam and S. &amp; P. R. R.</u>
<u>C8-68-9</u>	<u>Greenbriar, Section 2</u>
	<u>Parker Lane</u>

<u>C8-67-68</u>	<u>Westover Hills Club Estates</u>
	<u>Hyridge Drive and Westover Club</u>

The staff recommended that this final plat be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED: To ACCEPT for filing the final plat of WESTOVER HILLS CLUB ESTATES, and DISAPPROVE pending completion of departmental reports.

<u>C8-67-80</u>	<u>Northwest Estates, Section 1</u>
	<u>Hycrest and Rockcrest</u>

The staff reported that this is the preliminary just west of Point West of Westover Hills and access to this tract as submitted in final form will be conditioned upon access to Hycrest Drive. The staff recommends that this final plat be accepted for filing with the condition that the final plat cannot be approved until access to the subdivision is provided. It was then

VOTED: To ACCEPT for filing the final plat of NORTHWEST ESTATES, Section 1, with the condition that the final plat not be approved until access is provided to the subdivision.

<u>C8-68-7</u>	<u>Colorado Hills Estates, Section 3</u>
	<u>Royalcrest Drive</u>

The staff recommended that this final plat be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED: To ACCEPT for filing the final plat of COLORADO HILLS ESTATES, Section 3, and DISAPPROVE pending completion of departmental reports.

C8-68-8      Burnet Road Terrace Resub.  
Penny Lane and Burnet Road

The staff reported that this plat will require a double action on the part of the Commission when it comes up at the next meeting. The staff will have to distribute this plat and obtain comments from the departments on the vacation of the entire original plat of Burnet Road Terrace. There is a request to vacate Burnet Road Terrace but the staff cannot recommend this to the Commission until the new plat has complied with all requirements of the Ordinance due to the fact that Penny Lane would not be dedicated and not subject to public use. The staff recommends that this final plat be accepted for filing at this time. The plat should be before the Commission for consideration of the vacation of the original plat and approval of this plat simultaneously. It was then

VOTED:      To ACCEPT for filing the final plat of BURNET ROAD TERRACE RESUB.

C8-68-10      The Bluffs of University Hills, Section 2  
Ashland Circle and Loyola Lane

The staff recommended that this final plat be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED:      To ACCEPT for filing the final plat of THE BLUFFS OF UNIVERSITY HILLS, Section 2, and DISAPPROVE pending completion of departmental reports.

SUBDIVISION PLATS - CONSIDERED

C8-67-32      Wedgewood, Section 1  
U.S. 290 and Texas State Highway 71

The staff recommended that this final plat be disapproved pending completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the final plat of WEDGEWOOD, Section 1, pending completion of departmental reports.

C8-67-90      Northwest Hills, Mesa Oaks 4-A  
Mesa Drive

The staff recommended disapproval of this final plat pending completion of departmental reports and the required tax certificates. The Commission then

VOTED:      To DISAPPROVE the final plat of NORTHWEST HILLS, Mesa Oaks 4-A, pending completion of departmental reports and the required tax certificates.

C8-67-91      River Oaks Lake Estates, Section 3  
Parmer Lane and Lamar Boulevard

The staff recommended disapproval of this final plat pending the required fiscal arrangements. The Commission then

VOTED:      To DISAPPROVE the final plat of RIVER OAKS LAKE ESTATES, Section 3, pending the required fiscal arrangements.

C8-67-55      Lake Shore Colony  
Riverside Drive and Tinnin Lane

The staff recommended disapproval of this final plat pending the required fiscal arrangements and completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the final plat of LAKESHORE COLONY, pending the required fiscal arrangements and completion of departmental reports.

C8-67-57      N. W. Hills, Mesa Oaks, Phase 5  
Rustling Road and Burney Drive

The staff recommended disapproval of this final plat pending the required fiscal arrangements, additional easements and completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the final plat of NORTHWEST HILLS, Mesa Oaks, Phase 5, pending the required fiscal arrangements, additional easements and completion of departmental reports.

C8-67-79      Balcones Hills, Section 3  
Hillrise Drive and Greenview Drive

The staff recommended disapproval of this final plat pending the required fiscal arrangements, additional easements and completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the final plat of BALCONES HILLS, Section 3, pending the requirements as noted.

C8-65-33      Cavalier Park  
Webberville Road

The staff recommended disapproval of this final plat pending the required fiscal arrangements, additional easements and completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the final plat of CAVALIER PARK, pending the requirements as noted.

## SHORT FORM PLATS - FILED

C8s-68-3      Kenwood Place  
                  Kenwood Drive

The staff reported that a report from the Office Engineer of Public Works has not been received and it is recommended that this short form plat be accepted for filing only; however, there are two points that should be considered. This is a resubdivision of some lots in Travis Heights Subdivision located on Kenwood Drive and Gillespie Place. There is a variance involved on Lot 1 which is on the corner of Kenwood Drive and Gillespie Place in that the width of the lot as proposed is only 58.2 feet and the Ordinance requires 60 feet of width on a corner lot; however, this is increasing the size of the original lot as subdivided and the staff recommends that the variance be granted. The second consideration is the odd shape of Lot 4 which is across from Lot 1. There is an offset portion in the rear of the lot which is somewhat isolated from the rest of the lot.

Mr. Thomas Watts, engineer for the owner, stated that the applicant wants to resubdivide this property and create larger lots for duplex sites. On Lot 4, he proposes to put a swimming pool for the common use of the units. The applicant would like to keep the swimming pool tied to Lot 4 which has an existing residence on it so that if the duplexes were sold off, the swimming pool and facilities would still be with the residence.

The staff has no particular objection to the request but the lot is unusual and not normal in establishing new lot lines. It is recommended that the variance be granted and that this short form plat be accepted for filing.

Mr. Watts requested that the Commission give the staff authorization to give administrative approval upon completion of the departmental reports. The Commission then

VOTED:      To ACCEPT for filing the short form plat of KENWOOD PLACE, granting a variance on the width of Lot 1, and the unusual shape of Lot 4, authorizing the staff to give administrative approval upon completion of departmental reports.

C8s-67-201      Fred Wong Subdivision  
                  Bluebonnet Lane

The staff reported that no departmental reports have been received at this time and recommends that this short form plat be accepted for filing. There is a variance involved on the signature of the adjoining property owner. A letter has been received from the applicant stating that he has contacted the adjoining property owner who has refused to participate in the platting. In view of the fact that an attempt was made to get the adjoining owner to sign, the staff recommends the variance be granted. It was then

VOTED:      To ACCEPT for filing the short form plat of FRED WONG SUBDIVISION, granting a variance on the signature of the adjoining property owner.

## SHORT FORM PLATS - CONSIDERED

C8s-67-193      Austin Brethren Church  
                  Peyton Gin Road

The staff reported that all departmental reports have been received and this short form plat has complied with all requirements of the Ordinance. It was then

VOTED:      To APPROVE the short form plat of AUSTIN BRETHERN CHURCH.

C8s-67-191      Braes Ridge, Section 3  
                  Nassau Drive

The staff reported that this is a short form which was considered by the Subdivision Committee at the meeting of December 20, 1967, at which time it was accepted for filing with one condition. There had to be a withdrawal of the original preliminary which required Braes Ridge Drive to extend westerly from Nassau to Berkman Drive through the property. The Subdivision Committee did accept the withdrawal of that portion of the preliminary to allow for the acceptance of the short form plat. The Committee accepted the short form for filing with the condition that the four lots facing Nassau Drive be reduced to three lots. A letter was received from the owner and developer of the property indicating that he would be willing to limit the lots to three. It is the staff's understanding that the proposed development will be duplexes and the Subdivision Committee felt that four lots with a width of only 52 or 53 feet would be too small. The purpose of the appearance of this short form before the Planning Commission at this time is that the developer is now requesting that there be four lots allowed rather than reducing the area to three lots. At this point, the staff can only report that the four lots as proposed would comply with the Ordinance requirements for width and area.

Mr. Thomas Watts, engineer for the developer, stated that consideration of this area was precipitated by the submission of a plat approximately two years ago for four lots in this area. The owner and developer of this property was lead to believe that there were not four legal lots which is the reason for his letter asking that the preliminary be vacated and the three lots approved. There are four lots which are over 50 feet wide and have over 7,000 square feet of area which more than meets the requirements of the Ordinance.

Mr. Foxworth explained that as a matter of preference, the staff did say it would be more desirable if the developer would limit the lots to three as this would give more area for designing duplex structures; however, inasmuch as the lots do comply with the Ordinance in all respects, the staff recommends that the short form plat be approved. The Commission then

VOTED:      To APPROVE the short form plat of BRAES RIDGE, Section 3.

C8s-67-160      Travis Heights, Resub.  
                   Travis Heights Boulevard

The staff reported that this short form plat was before the Subdivision Committee at the last meeting and was disapproved pending submission of a plot plan for the one lot which requires a variance from the Ordinance in that it is not 50 feet wide 50 feet behind the building line. The short form plat covers three lots on Travis Heights Boulevard. The proposal was to take the original lots and divide into three lots. The resulting Lot 4-A as proposed does not have 50 feet of width 50 feet behind the building line. All other requirements have been met and all departmental requirements have been complied with. The last action of the Committee was disapproval pending evidence that a reasonable building could be built on the lot. A site plan has been submitted which indicates that the applicant can put a building on the lot which building is 26 feet wide by 30 feet long with a 30 foot setback from the street and meeting the Ordinance requirements on sideyards. With the submission of the site plan, the staff recommends the variance be granted and that this short form plat be approved. The Commission then

VOTED:      To APPROVE the short form plat of TRAVIS HEIGHTS, RESUB., granting a variance on the width of Lot 4-A.

C8s-67-185      H. M. Bohn Addition  
                   Congress Avenue and Ben White

The staff recommended that this short form plat be disapproved pending completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the short form plat of H. M. BOHN ADDITION, pending completion of departmental reports.

C8s-67-192      Eastin Nelson Subdivision  
                   East 47th Street and Caswell Avenue

The staff recommended disapproval of this short form plat pending completion of departmental reports, additional easements and the required fiscal arrangements. The Commission then

VOTED:      To DISAPPROVE the short form plat of EASTIN NELSON SUBDIVISION, pending the requirements as noted.

C8s-67-197      Townlake Plaza  
                   Riverside Drive and Town Creek

The staff recommended disapproval of this short form plat pending the owners signature and the required notary. The Commission then

VOTED:      To DISAPPROVE the short form plat of TOWNLAKE PLAZA, pending the requirements as noted.

## ADMINISTRATIVE APPROVAL

The staff reported that nine short form plats had received administrative approval under the Commission's rules. The Commission then

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the administrative approval of the following short form plats:

C8s-67-139	<u>C. H. Bird Subdivision</u>
	F.M. 1626
C8s-67-199	<u>Allandale North, Section 4</u>
	Palmwood Cove
C8s-68-2	<u>Shell Subdivision</u>
	I.H. 35 & Powell Lane
C8s-67-203	<u>Georgian Acres Resub.</u>
	Fawnridge Drive and Georgian Drive
C8s-67-167	<u>Mansbendel Subdivision</u>
	King Street and West 37th Street
C8s-67-97	<u>Birchwood, Section 2</u>
	Garden Villa and South Center
C8s-67-202	<u>Timberwood, Resub.</u>
	Scenic Drive and West 35th Street
C8s-67-200	<u>Westover Hills, Section 3</u>
	Mesa Drive
C8s-67-24	<u>Richard Hodges Subdivision</u>
	Guadalupe Street

## REPORTS

## SUBDIVISION APPROVAL BY TELEPHONE POLL

It was reported by the staff that the following subdivision was considered by telephone poll on December 20, 1967, and that a majority of the Commission had

VOTED: To APPROVE the final plat of BARTON TERRACE, Section 5.

## OTHER BUSINESS

C2-67-1(g) AUSTIN DEVELOPMENT PLAN AMENDMENT  
 Area bounded by East 11th Street on the south,  
 East 19th Street on the north, San Jacinto Street  
 on the west, and the Interregional Highway on the  
 east (proposed Brackenridge Urban Renewal Project Area)

Mr. Lillie stated that the purpose of the public hearing is to review a land use development proposal which will require an amendment to the Austin Development Plan. The Planning Commission is asked to submit its recommendation to the City Council for the public hearing set for January 18, 1968. The area under consideration includes the 144 acres bounded on the south by East 10th

C2-67-1(g) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

Street, Sabine Street and East 19th Street; on the east by Interstate Highway 35; on the north by East 19th Street; and on the west by San Jacinto Street. This request includes the area within the boundaries of the Brackenridge Urban Renewal Project, therefore, Mr. Leon Lurie, Executive Director of the Urban Renewal Agency, and his staff are here to present for your information the proposals of the Brackenridge Project.

Mr. Lurie presented a slide program illustrating structural and street conditions, existing land use development, aerial views, Waller Creek, and land use and zoning proposals. In addition he gave the following statistics: there are 61 acres in streets, 16 acres in public land, 26 acres in unimproved land, 10 acres in unpaved streets, 54 percent of the structures are substandard, 75 structures are overcrowded, there are incompatible land uses, and eight percent of the buildings are 40 years and older.

The planning considerations include Brackenridge Hospital expansion, State Capitol Complex expansion; University of Texas campus expansion, beautification of Waller Creek, upgrading of public facilities and utilities, Crosstown expressway and private redevelopment. He stated that this is the third Urban Renewal Project for Austin. The Kealing Project is almost complete and Glen Oaks is in execution. The University East Project is in the planning stage although the University of Texas is acquiring land. The Urban Renewal Agency will not acquire any land until final approval of the plan by the Federal Government.

Mr. Lillie stated that the proposed zoning pattern permits the development of land uses proposed in the project. The proposed zoning plan conforms to or is stricter than the City's Zoning Ordinance. The major streets as proposed in the plan are consistent with the Expressway and Major Arterial Plan. The Crosstown Expressway does not appear on the land use map, however; the University of Texas has agreed to reserve the land between 15th and 16th Streets and not use this area for building sites. The Urban Renewal Agency has received letters of intent from the Chairman of the Board of Regents of the University of Texas and from the Governor's office to acquire land within the project area. Therefore, the staff recommends that the Austin Development Plan be amended as follows:

1. That the area bounded by East 12th Street, I.H. 35, East 19th Street, and San Jacinto Street with the exception of the two block area bounded by East 18th Street, Trinity Street, East 16th Street and San Jacinto Street be changed from HIGH DENSITY RESIDENTIAL and COMMERCIAL to PUBLIC and SEMI-PUBLIC; and
2. That the area bounded by East 11th Street, I.H. 35, East 12th Street and San Jacinto Street be changed from HIGH DENSITY RESIDENTIAL to CENTRAL BUSINESS DISTRICT COMMERCIAL.



C2-67-1(g) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

The staff feels the amendment will permit the accomplishment of community objectives by providing space for the expansion of these public facilities.

Mr. Jackson asked whether the Commission had any questions.

Dr. Hazard asked if the University had any plans for the area.

Mr. Lurie stated there were no specific plans, but the area would be utilized for University expansion of campus facilities.

Mr. Jackson stated the Commission's responsibility is to express the opinion to the City Council of the proposed amendment of the Austin Development Plan.

Mr. Walter Wenlandt stated he owned property in the project area and did not have slum dwellings on his property. He commented that he felt his piece of property is potentially valuable. He has a possibility of a sale for high-rise apartments. The time uncertainty of the project presents a definite problem to land owners. He commented that Mr. Lurie had not said when the project would be funded. If the University wanted to buy his property he would sit down and negotiate a sale with them. The same for the City of Austin. He further stated that it may be five to ten years before the project is started and it tended to put a cloud on his property. He further commented that he felt the decisions had already been made and that he was just a lone citizen. He hoped you would look at the project area pretty close. People who live there are concerned.

Mr. Jackson thanked Mr. Wendlandt and suggested that area residents appear at the public hearing.

Mr. Lurie mentioned the possible time schedule is subject to Council action at the public hearing on January 18th. The money has been funded by the Federal Government for this project. Secondly, all of the documents for final Federal approval will be submitted by the middle of February. It generally takes 60 to 90 days for approval. It should be about June 1st before the Agency can get into execution. He anticipated a five year period for acquisition.

Mr. Montgomery stated he has several parcels in the project and asked what will be the zoning for tracts proposed for private redevelopment.

Mr. Lillie stated the proposed zoning is predominantly "C" Commercial, Third Height and Area.

C2-67-1(g) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

Mr. Jackson asked for further questions. Mr. Wroe commented that the beneficiaries of most of this project will be agencies who already have the power to condemn land. This area is developing. It is upgrading itself. It has strategic location. He questioned the use of urban renewal in this area. He further stated that the City should question not the plans, whether they are good or bad, but rather the feasibility of giving this land over to another authority to redistribute.

Mr. Dunnam stated he cannot see how, outside urban renewal, an area this large can be master planned and executed. The public agencies involved do plan to expand. The plan provides for this coordinated effort. The plan as proposed is a credit.

Mr. Wroe raised further questions concerning land values, boundaries and building substandardness. Mr. Osborne commented that the project was initiated by the City. The project was undertaken because the development was slow and there was a fairly substantial amount of substandard housing and commercial uses. The staff saw two major land uses as a possibility - public and C.B.D. fringe uses. The planners have ended up with more public use than had been originally anticipated. Federal law, however, provides in the renewal legislation for public reuse. It is an important element of the Federal law. The project brought together diverse governmental units in a cooperative effort to arrive at an effective plan for the northern portion of the project. In the southern portion it is hoped to inject a positive form of development - now limited - by having a plan plus a specific zoning plan giving a great deal of latitude to the private developer. The Urban Renewal Agency's role will be to follow the plan which has been adopted by the City and to get into and out of the project as quickly as possible. After further discussion, the Commission

VOTED: To recommend that the land use designation for the area bounded by East 12th Street on the south, East 19th Street on the north, San Jacinto Street on the west and the Interregional Highway (I.H. 35) on the east, with the exception of a two block area bounded by East 16th, Trinity, East 18th and San Jacinto Streets, be changed from High-Density Residential and Commercial to Public and Semi-Public; and to recommend that the area bounded by East 11th Street on the south, East 12th Street on the north, San Jacinto Street on the west and the Interregional Highway (I.H. 35) on the east be changed from High-Density Residential to Central Business District Commercial.

AYE: Mrs. Naughton and Messrs. Jackson, Dunnam, Smith, Bluestein, Hazard, Riley and Brown  
 NAY: Mr. Wroe  
 ABSENT: None

C2-68-4(a)      ZONING ORDINANCE: Interim Revisions  
Report on proposed amendment to the apartment  
provisions of the Zoning Ordinance

The Director of Planning presented a table of apartment density requirements in the existing Zoning Ordinance, suggested revisions to the density requirements by the Apartment House Association and the recommendations of the Planning Department which are intended to summarize the basic material on apartment density requirements. Mr. Osborne explained that the Apartment House Association has suggested an intermediate density of 1,000 square feet per unit (in an apartment hotel) in "B" Residence, First Height and Area district and 500 square feet per unit in "B" Residence, Second Height and Area. They have also suggested an increase in the requirement, from 500 square feet to 750 square feet, in a "C" Commercial, First Height and Area district. In analyzing these suggestions, it is noted that the basic form of the density provision in the Ordinance would remain -- "BB" would be low or moderate density zoning, "B" Residence would be medium to medium high-density and "C" Commercial would be high to very high-density.

In making the more extensive recommendations to the Commission, the Department would like to note the following:

1. The density provisions should take into account a series of gradations ranging from garden apartments to high-rise apartments. In turn, there should be several alternatives and intermediate levels.
2. The regulations should provide ways for using sound zoning controls for the variety of relatively unique situations that occur.
3. The present fiction of an "apartment hotel" in the ordinance should be eliminated. It does not result in apartment hotels but in larger and higher density apartment houses.
4. Because we are dealing with a great deal of "established" zoning, the amendments should not drastically depart from current provisions. It is hoped that these recommendations represent a reasonable compromise between the more or less ideal situation and the realities of land and development patterns.
5. The regulations should recognize differences in apartment sizes (bedrooms) in order to effectively relate to population density and the number of automobiles.

C2-68-4(a) ZONING ORDINANCE: Interim Revisions--contd.

The Planning Department recommendation is as follows:

		<u>Area (Sq. ft.) per Unit</u>			
	Effi- ciency	1 BR	2 BR	Ea. Addi- tional BR	
BB/1	1600	1800	2000	200	
BB/2	1200	1350	1500	150	[ By Special Permit, allow up to B/2 densities
BB/3	1200	1350	1500	150	
BB/4	1200	1350	1500	150	[ By Special Permit, allow up to B/3 densities
B-GR/1	800	950	1100	150	
B-GR/2	650	700	800	100	
B-GR/3	450	500	600	100	[ By Special Permit, allow up to 20% additional units
B-GR/4	450	500	600	100	
C/1	650	700	800	100	
C/2	450	500	600	100	
C/3	200	240	300	60	
C/4	0	0	0	0	

The following items are also recommended:

1. Remove special apartment hotel provisions.
2. Increase Second Height and Area height provisions to 60 feet.
3. Increase Third Height and Area provisions to 120 feet.
4. Revise "dormitory" and "family" (5 persons) provisions.
5. Revise minimum lot area requirements for apartment development.

Mr. Osborne reviewed the existing density requirements in the Ordinance, the suggestions by the Apartment House Association and the recommendations by the Planning Department. He advised the Commission that the report at this time is primarily to provide information to the Commission and the interested parties for study and recommended that a special meeting be held for the purpose of making a recommendation to the City Council.

Mr. Frank Montgomery, representing the Apartment House Association stated that he has not had an opportunity to study the proposal submitted by the Planning Department and requested that action be postponed pending a more detailed study.

Mr. Jackson stated that in his opinion a change in the density requirements is in order and he personally feels that the Director of Planning has very thoroughly studied the problems.

C2-68-4(a) ZONING ORDINANCE: Interim Revisions--contd.

Mr. Wroe stated that he appreciates the depth in which the Director has gone in recommending needed changes in the Ordinance. This is a very important problem and in his opinion the City will benefit from this. He stated that a special meeting should be held for a final consideration of the revisions. This would give the Commission ample time to study the proposal. The Commission members agreed that a special meeting to consider the density requirements in the Ordinance should be held on February 20, 1968.

C10-68-1(a) STREET VACATION

Woodstone Drive north of Joy Lane

The staff reported that this request for the vacation of Woodstone Drive north of Joy Lane is in connection with a new subdivision. The applicants wish to vacate this portion of the street in order to revise the plan. The staff is agreeable to this request subject to it being done at the time the new plat is recorded. The various City departments are in agreement with the request; however, the sanitary sewer and water department comment is that fiscal arrangements are required for relocating water and sewer lines, and the Gas Company comment is that arrangements must be made to relocate the gas lines. The staff recommends approval of the request subject to the comments by the Water and Sewer Department and the Gas Company and subject to the recording of the new plat. The Commission then unanimously

VOTED: To recommend that Woodstone Drive north of Joy Lane be VACATED subject to departmental comments as outlined above and subject to the recording of the new subdivision plat.

ADJOURNMENT: The meeting was adjourned at 11:00 p.m.

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Hoyle M. Osborne  
Executive Secretary