

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- February 6, 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  
\*Ed Bluestein  
Robert B. Smith  
Samuel E. Dunnam  
Mrs. Lynita Naughton  
Dr. William Hazard  
Hiram S. Brown

\*Left at 9:00 p.m.

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  
Shirley Ralston, Administrative Secretary

MINUTES

Minutes of the meeting of October 17, 1967 and the Special Meeting of October 24, 1967 were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting on January 30, 1968.

Present

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

Also Present

E. N. Stevens, Chief, Plan Administration  
Bill Burnette, Associate Planner  
Shirley Ralston, Administrative Secretary

## PUBLIC HEARINGS

Cl4-67-204      R. D. Carter: A, 1st to B, 2nd  
                                 601 Franklin Boulevard  
                                 5306-5310 Guadalupe Street

STAFF REPORT: This application covers 12,000 square feet of undeveloped land. The stated purpose of the request is for constructing apartments. Under the requested zoning, the property could be developed with a maximum of eight regular units or 16 apartment hotel units. A request for "B" Residence, First Height and Area zoning was made on this site earlier this year at which time the Commission recommended denial as an intrusion into a residential area and because they felt the street pattern was inadequate to carry the traffic that would be created. The request was withdrawn before the Council hearing. An application was again filed on the site a few months ago and due to a misunderstanding between the applicant and the staff, the application was advertised as a request for "B" Residence, First Height and Area rather than "B" Residence, Second Height and Area. This has been corrected and the request has been properly advertised. The area is predominantly "A" Residence, developed with single-family and two-family dwellings. Approximately 60 to 70 percent of the area is rental property. In July of this year, a request for "B" Residence, First Height and Area was made on property to the north, having frontage onto Franklin Boulevard. At the Commission meeting, the applicant requested that the application be amended to "BB" Residence, First Height and Area. The Commission and the Council felt that "BB" zoning would be more appropriate zoning for the area and the request was granted. The property is now being developed with four-plexes. "B" Residence, First Height and Area zoning is established on property to the southeast along North Loop, Chesterfield and Franklin Boulevard, although the Commission recommended denial of the requests. "B" Residence, First Height and Area, granted in 1954, is also established on property to the north at the corner of Guadalupe Street and Nelray Boulevard. The staff feels that the requested zoning is too intensive for the area and recommends "BB" zoning, in accordance with an earlier decision, be granted as this would be more appropriate; however, there are right-of-way needs to be considered. Franklin Boulevard, with a present right-of-way of 50 feet, should be widened to 60 feet which will affect the site by five feet. Right-of-way for Franklin Boulevard was acquired when the "BB" Residence zoning was granted on property to the north. Guadalupe Street, with a present right-of-way of 50 feet should also be widened to 60 feet which will require five feet from the subject property.

## TESTIMONY

## WRITTEN COMMENT

## Code

BC            Willie Rolff, Jr.: 5212 Guadalupe Street  
 W            Al Bauerle: 1806 West 35th Street

AGAINST  
 AGAINST

## PERSONS APPEARING AT HEARING

## Code

None

C14-67-204      R. D. Carter--contd.

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 denied as the requested zoning is too intensive for the area, and would set a precedent for high density strip zoning along Guadalupe Street.

The Commission concurred with the Committee recommendation, and unanimously

VOTED:      To recommend that the request of R. D. Carter for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 601 Franklin Boulevard and 5306-5310 Guadalupe Street be DENIED.

C14-68-1      Rev. E. L. Roberts: A to B  
2917-2919 East 19th Street  
1809-1815 Clifford Avenue

STAFF REPORT: The staff reported that the applicant has requested withdrawal of this application. Notices advertising that the request has been withdrawn have been mailed.

The Committee therefore

VOTED:      To ACCEPT the withdrawal of this application.

C14-68-2      Lillie Swartz: B to C  
206-210 Comal Street  
1505-1511 East 3rd Street

STAFF REPORT: This application covers an area of 25,806 square feet of land which is developed with a non-conforming use. The stated purpose of the application is to allow the continuation of the existing grocery store and to permit the sale of beer and wine for off-premise consumption. There is a mixed zoning pattern in the area consisting of "B", "C" and "D" zoning to the north, east and west, and "A" and "C" zoning to the south. The staff has no objection to the requested zoning as it is felt that it would be appropriate as a gradation between the industrial zoning and development to the north, as designated in the Master Plan, and the residential area to the south. There is a problem with right-of-way in that East 3rd Street has a present right-of-way of 37 feet. It is the staff's understanding that the additional right-of-way needed for the future widening of the street will effect the subject property by approximately three to five feet and that the remaining portion is to come from the north side of the street; however, the final determination will be made by Public Works. The staff recommends in favor of the request, provided the street is made adequate.

C14-68-2      Lillie Swartz--contd.

## TESTIMONY

## WRITTEN COMMENT

Code

D      Forest Pearson: P.O. Box 1987

FOR

## PERSONS APPEARING AT HEARING

Code

Thomas D. Seay (representing applicant)  
 Thomas E. Moore, Jr. (representing applicant)  
 G      Santos Bazan: 1510 East 2nd Street  
 J      Nash Moreno: 1506 East 2nd Street

AGAINST

AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Thomas Seay was present on behalf of this request and stated that he has leased the subject property. The application for rezoning was filed so that beer and wine can be sold in the existing grocery store for off-premise consumption. Approximately one block from the site there is an establishment that sells beer for on-premise consumption. It is felt that inasmuch as beer and wine is to be sold only for off-premise consumption, that this will not be detrimental to the area. The store will be open from 7:00 a.m. to 9:00 p.m.

## Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request as they felt the uses permitted under the requested zoning would be detrimental to the many homeowners in the area. They stated that there is a playground in the near vicinity as well as a large apartment complex containing approximately 100 families so there are many children in the area at all times. Protection should be given to the homeowners.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied because of inadequate right-of-way for East 3rd Street. They stated they would look with favor on granting "LR" Local Retail, Second Height and Area zoning at such time the street is made adequate. Local Retail zoning would accommodate the non-conforming use on the site and limit the sale of beer or wine for off-premise consumption only.

At the Commission meeting, Mr. Stevens reported that the staff has discussed the right-of-way needs for East 3rd Street with Mr. Rueben Rountree, Director of Public Works and it is felt that the necessary widening for the street will come from the north side of the street which is public property. In view of this, right-of-way is not needed from the subject site.

C14-68-2          Lillie Swartz--contd.

The Commission was cognizant of the fact that right-of-way is not needed from the subject property and concurred with the Committee recommendation that "LR" Local Retail, Second Height and Area zoning should be granted on the site to accommodate the non-conforming use. It was then unanimously

VOTED: To recommend that the request of Lillie Swartz for a change of zoning from "B" Residence, Second Height and Area to "C" Commercial, Second Height and Area for property located at 206-210 Comal Street and 1505-1511 East 3rd Street be DENIED but that "LR" Local Retail, Second Height and Area be GRANTED.

C14-68-3          William LeGrand Lundberg: A to BB  
2110-2204 Tillery Street

STAFF REPORT: This application covers a large tract of undeveloped land consisting of 54,534 square feet. The stated purpose of the application is for apartments. The requested zoning will permit a maximum development of 27 regular apartment units on the site. Property immediately to the south, with the exception of the intervening one acre tract, is the recent residential subdivision of Encino Terrace. To the east of Tillery Street along Denver Avenue and Palo Pinto Drive is an existing residential area. To the north, along Manor Road there is "C", "C-2", "O", and "LR" zoning. "GR" General Retail and "C" Commercial zoning is established on property to the west.

If apartment development is to occur, the staff would prefer that the subject property be consolidated with adjoining tracts of land for better access and better development. It would also be preferable to have a cul-de-sac extending from Denver Street into the subject property so that duplex lots could be platted on the south side to provide more of a gradation or buffer between the new single-family area to the south and the proposed apartment development. It is recommended that the requested zoning be granted on the subject property even though the properties are not consolidated, as the lots adjoining to the north, fronting onto Manor Road, are logical apartment sites, particularly in view of the fact that there is commercial zoning immediately across the street.

Tillery Street, with a present right-of-way of 50 feet should be widened to 60 feet which will require 10 feet from the subject property. The necessary right-of-way for the widening of the street should be provided before the zoning is changed.

## TESTIMONY

## WRITTEN COMMENT

Code

None

C14-68-3      William LeGrand Lundberg--contd.

PERSONS APPEARING AT HEARING

Code

	James McCutcheon (representing applicant)	
?	Greyorio Fernandez: 206 Medina Street	AGAINST
?	Jose S. S. Davila: 205 Chalmers Avenue	AGAINST

SUMMARY OF TESTIMONY

The representative for the applicant was present at the hearing and stated that consolidation of the subject property and adjoining has been considered but the adjoining tract could not be purchased; however, the applicant is agreeable to giving 10 feet of additional right-of-way for the future widening of Tillery Street. The proposal is to erect 25 units on the site as this would leave sufficient room for open space and green area.

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 of the inadequate right-of-way of Tillery Street. They stated they would look with favor on the requested zoning provided the street is made adequate. They felt that the requested zoning is appropriate for the subject property as well as the adjacent property to the west and north because of its close proximity to the commercial development along Manor Road, and to establish a buffer zone between such commercial development and the residential area to the south.

At the Commission meeting, the staff reported a letter from the applicant offering to dedicate 10 feet of right-of-way from the subject property for the future widening of Tillery Street.

The Commission felt that in view of the offer to dedicate the necessary right-of-way for the future widening of Tillery Street this request should be granted. It was then unanimously

VOTED: To recommend that the request of William LeGrand Lundberg for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 2110-2204 Tillery Street be GRANTED.

C14-68-5      Odas Jung: A, 1st to C-2, 5th  
                  819-821 Bannister Lane (Fortview Road)  
                  820-824 Ben White Boulevard

STAFF REPORT: The staff reported that the applicant filed this zoning request on the wrong parcel of land and the error was not discovered until the request was advertised. The applicant is therefore requesting that this application

C14-68-5      Odas Jung--contd.

be withdrawn so that a new request can be submitted on the right parcel of land.

The Committee then

VOTED:      To ACCEPT the withdrawal of this application.

C14-68-6      George H. Nelson: A to O  
                 3308-3310 Red River Street

STAFF REPORT: This site consists of 20,240 square feet of land and the stated purpose of the application is for doctors offices and laboratory. There have been recent zoning requests in the area. A request for "BB" Residence, First Height and Area has been withdrawn on property to the north and a request for "LR" Local Retail, First Height and Area is pending on property to the south of East 32nd Street. "O" Office, Second Height and Area zoning is established on property beginning at East 32nd Street extending north and separated from the subject property by a parcel of land zoned "BB" Residence. "B" Residence zoning is established on property to the east of Red River Street. It is the staff's understanding that property directly across Red River Street to the east is being cleared for apartment development. There is no objection to the requested zoning on the subject property; however, it is felt that this zoning should be limited in this block because of the existing residential development along Harris Avenue. Red River Street, with a present right-of-way of 60 feet, is classified as a major arterial street which is scheduled to be widened to 70 feet. This will effect the subject property by five feet.

TESTIMONY

WRITTEN COMMENT

Code

N              Glen E. Lewis: 3406 Red River Street

FOR

PERSONS APPEARING AT HEARING

Code

Mr. O'Neil (representing applicant)

SUMMARY OF TESTIMONY

Mr. O'Neil appeared at the hearing on behalf of this request. One nearby property owner also appeared in favor of the request.

No one appeared in opposition to the request.

C14-68-6      George H. Nelson--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied because of the inadequate right-of-way of Red River Street; however, they stated they would look with favor on the requested zoning, provided the street is made adequate, as it conforms to the existing zoning in the area.

At the Commission meeting, the staff reported a letter from Dr. Walter Meyer stating that he recognizes the need for widening of Red River Street and certifies that, in case of approval of this request, as the prospective owner of the subject property, he would agree to surrendering five feet of frontage along Red River Street from the site for widening purposes.

The Commission members noted that the applicant is willing to dedicate the necessary right-of-way for the widening of Red River Street upon approval of the zoning request and his acquisition of the property; however, they felt that acceptance of this offer should be by the City Council. It was then

VOTED:      To recommend that the request of George H. Nelson for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 3308-3310 Red River Street be DENIED.

C14-68-7      Robert H. Brown: Int. A, Int. 1st & A, 1st to GR, 1st  
5909-6103 Manor Road

STAFF REPORT: This application covers a large irregular shaped tract of land containing approximately four and one-half acres. The stated purpose of the request is for general retail development. A variety of zoning patterns have been established in this area. "LR" zoning was granted on both sides of Rogge Lane in 1963 and 1965. The existing "C" Commercial zoning located on property along Sweeney Lane, Wheless Lane and the north side of Manor Road was established as a result of original zoning in 1951 and 1953. Since then, the zoning established has been for "C" Commercial, "O" Office and "LR" Local Retail. There are two requests for "B" Residence zoning on property to the south which are to be considered at this meeting. In this particular block, the staff feels that an apartment district would be more appropriate than strip retail zoning along both sides of Manor Road. Manor Road is one of the major arterial streets which will be paved in the near future from 51st Street to Springdale Road. It is felt that with the "LR" and "C" Commercial zoning in this area that there is sufficient commercial zoning. The staff recommends that the requested zoning be denied, but that the property be zoned for apartments consistent with the requests for "B" Residence, First Height and Area zoning on property to the south.



C14-68-7

Robert H. Brown--contd.

TESTIMONY

WRITTEN COMMENT

Code

AZ	Mrs. Frank Rieger, Sr.: 5901 Manor Road	FOR
BS	Mrs. J. L. Curlee: 6100 Friendswood Drive	AGAINST

PERSONS APPEARING AT HEARING

Code

	Robert H. Brown (applicant)	
S	Mr. & Mrs. Henry Altenhofel: 3006 Maplelawn Circle	AGAINST
U	Laura D. Gonzales: 3002 Maplelawn Circle	AGAINST
V	Lawrence S. Koenig: 3000 Maplelawn Circle	AGAINST
W	Thomas R. Fiorillo: 3001 Maplelawn Circle	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

The applicant was present on behalf of this request and stated that on December 14, 1967, the City annexed the portion of the subject property that was outside of the City limits. The purpose of this request is to allow for general retail development as it is felt the property has substantial commercial value. There is commercial property directly across the street and the requested zoning would be in keeping with the present pattern. There is a firm offer for the property subject to a change in zoning. Mr. Brown stated that he has just paid \$2,201 for the privilege of having Manor Road paved; however, there is no objection to this as the street needs to be paved. There are two requests for rezoning on property to the south which indicates that this entire block will soon be zoned to some classification rather than residential, and this development should not be held back because of the fact that the property backs up to residential property.

Two nearby property owners appeared in favor of the request.

Arguments Presented AGAINST:

A number of nearby property owners appeared in opposition to this request and stated that the zoning of the site to a commercial classification will degrade and devalue the existing residential property that backs up to the site. There are adequate commercial facilities in this area and there is no need for more of this type zoning. A fence is the only separation between the homes on adjacent property and a potential commercial establishment on the subject property. Some protection should be given to the residential homeowners who were assured by the developer of the residential area that this would be strictly a residential area. There is a great deal of traffic on Manor Road at the present time and the proposed development will create commercial traffic within the residential area.

C14-68-7      Robert H. Brown--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as the establishment of "GR" zoning for this property would set a precedent for general retail zoning for other properties on the east side of Manor Road bringing commercial nearer and into adjacent residential areas. They felt that this site, because of its size and shape, if used commercially, would effect the adjoining residential property in terms of lights, noise, parking and service areas. They felt that "B" Residence, First Height and Area zoning should be granted as the proper zoning and development along the east side of Manor Road and that apartment development would be the most logical use of the property located between single-family development and commercial facilities.

The Committee also discussed the merits of requiring a screening for the abutting residential property and felt that this should be more fully explored at the Commission meeting.

At the Commission meeting, the staff reported a letter from the applicant requesting that this application be amended to "B" Residence, First Height and Area.

The Commission accepted the amended application and concurred with the Committee recommendation that "B" Residence, First Height and Area zoning should be granted as the proper zoning and development along the east side of Manor Road. It was then unanimously

VOTED:      To recommend that the request of Robert H. Brown for a change of zoning from Interim "A", Residence, Interim First Height and Area and "A" Residence, First Height and Area to "B" Residence, First Height and Area (as amended) for property located at 5909-6103 Manor Road be GRANTED.

C14-68-8      Harry Peterson: A, 1st to C, 3rd  
6601-6625 Isabelle Drive  
6700-6810 Huntland Drive  
6700-6804 Brenda Drive

STAFF REPORT: The staff reported that because of inadequate notification, this request for rezoning cannot be legally heard at this time.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the staff report that this request would have to be postponed pending proper notification of the property owners within the area required by law.

C14-68-9                      Kuntz-Sternenberg Lumber Company: A to B  
                                 1300-1402 Parker Lane  
                                 1713-1717 Lupine Lane

STAFF REPORT: This application covers an odd shaped parcel of undeveloped land containing 74,488 square feet. The stated purpose of the request is for apartment development. The property under consideration is located along Parker Lane and Lupine Lane. This part of Lupine Lane is a dedicated street but is not open or developed on the ground. The staff has discussed Lupine Lane with the Department of Public Works and it has been indicated that although there is a present right-of-way of 25 feet, the street will probably never be opened. A request was made to vacate the street some time ago, but was denied.

The Commission has considered recent requests for zoning in this area. Zoning changes have been requested on property to the east of Parker Lane in connection with Colorado Hills Estates which is an approved preliminary. "B", "BB", and "LR" zoning was granted although the Ordinance is still pending. There is "LR", "GR" and "C" Commercial zoning to the north along Riverside Drive and existing or proposed apartment development along both sides of Riverside Drive, Arena Drive and Parker Lane.

There are no right-of-way needs for Parker Lane inasmuch as right-of-way was provided in connection with the Colorado Hills Estates subdivision. The staff recommends the request be granted as appropriate zoning adjoining commercial property and in an area established for apartment use.

#### TESTIMONY

##### WRITTEN COMMENT

Code

Z

C. J. Zern: 1201 Loma Drive

FOR

##### PERSONS APPEARING AT HEARING

Code

Barbara Brawner (representing applicant)

#### SUMMARY OF TESTIMONY

Barbara Brawner, representing the applicants, stated that she had nothing to add to the report by the staff.

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 existing and proposed development in the area.

C14-68-9 Kuntz-Sternenberg Lumber Company--contd.

The Committee also discussed the advisability of closing Lupine Lane, a 25 foot street which is undeveloped on the ground. They felt that in view of the fact that the staff has reported that the street has never been opened, that consideration of closing it should be discussed at the full Commission meeting.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Kuntz-Sternenberg Lumber Company for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1300-1402 Parker Lane and 1713-1717 Lupine Lane be GRANTED.

C14-68-10 Austin Savings and Loan Association: GR, 6th to B, 1st  
3605-3627 Catalina Drive

STAFF REPORT: This application covers a large tract of undeveloped land containing approximately four and one-half acres. The stated purpose of the request is for the construction of apartments. The area under consideration is presently zoned "GR" General Retail, Sixth Height and Area in accordance with the Santa Monica Park, Section 3 Subdivision which was recorded and annexed in 1963. The preliminary plan of Mission Hills, Section 2, a resubdivision involving the subject property and property to the south fronting onto Ben White Boulevard, was recently approved. The depth of the remaining commercial property was considered by the Subdivision Committee and approved subject to final approval by the City regarding driveway entries into the property because of the grade difference between the property and the highway. The Committee noted the commercial depth was not preferable but met the Subdivision Ordinance requirements.

The proposed zoning would permit the development of 97 regular units or 128 apartment hotel units on the site. Property to the west of Catalina Drive was before the Commission earlier this year at which time it was recommended that "GR" General Retail, Sixth Height and Area be rolled back to "B" Residence, First Height and Area in order to permit apartment development. A service station is existing on property at the northwest intersection of Ben White Boulevard and Catalina Drive. The staff recommends granting the request which would be in keeping with the existing and planned development in the area.

## TESTIMONY

## WRITTEN COMMENT

Code

None

## PERSONS APPEARING AT HEARING

Code

Richard Baker (representing applicant)

C14-68-10      Austin Savings and Loan Association--contd.

#### SUMMARY OF TESTIMONY

Mr. Richard Baker, representing the applicant stated that he concurs with the staff recommendation to roll the zoning back from "GR" General Retail, Sixth Height and Area to "B" Residence, First Height and Area. The original zoning was granted on the larger tract. The applicant also owns the property fronting onto Ben White Boulevard and proposes to use it for commercial property. The intent on the subject property is that the lots will be sold for the construction of fourplexes.

Mr. Riley asked about the depth of the remaining "GR" property. Mr. Stevens explained that the commercial property is approximately 125 feet deep.

Mr. Dunnam stated that the concern of the Commission is that the remaining commercial property fronting onto Ben White Boulevard is only 125 feet deep which will be an extreme type strip development that will probably have cars backing out onto the thoroughfare.

Mr. Baker stated that the subject property, along with property adjoining to the south was acquired by the applicant by forced sale and not by desire. The lots under consideration have been designed for fourplex development as this is the demand in Austin at the present time. Mr. Baker further stated that he is not aware of the status of the subdivision filed on the property but it is his understanding that the subdivision was approved prior to the zoning application. This entire area has problems and the applicants feel that the proposed development is the highest and best use of the property so that it can be made saleable and usable rather than leaving it vacant. There is not any proposed use for the "GR" property at the present time.

It is felt that it would be undesirable to extend the development any further to where the "B" area would front onto Ben White Boulevard. This is basically the only other alternative other than to leave the entire area "GR", which would also be undesirable as there is no need for this particular tract of land because of the size. Apartments could be developed under the existing classification which would allow one unit for every 2,000 square feet or one unit for every 1,500 square feet under the apartment hotel provision. The lots in question that are proposed to be developed could be developed with fourplexes but the Subdivision Ordinance provides that before a plan can be approved it must be consistent with the subdivision. This is why the zoning must be rolled back to "B".

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and recognized that the zoning application limits the remaining commercial property, having frontage along Ben White Boulevard, to an undesirable depth but felt that this problem has resulted from the Planning of the original subdivision layout which does

C14-68-10 Austin Savings and Loan Association--contd.

not now permit expansion of the boundaries for either apartment or commercial development. They recognized that the Subdivision Committee has approved the new subdivision of this property for the uses as proposed and felt that the request should be granted in conformance with the present subdivision.

The Committee also discussed the problems resulting from shallow commercial zoning along major thoroughfares and felt that the staff should study the possibility of rewriting the Ordinance requirements concerning a minimum depth of commercial zoning along major thoroughfares.

The Commission concurred with the Committee recommendation, and unaimously

VOTED: To recommend that the request of Austin Savings and Loan Association for a change of zoning from "GR" General Retail, Sixth Height and Area to "B" Residence, First Height and Area for property located at 3605-3627 Catalina Drive be GRANTED.

C14-68-11 Charles L. Villasenor: A to LR  
 1606-1608 Montopolis Drive  
 6206-6216 Caddie Street

STAFF REPORT: This application covers approximately one acre of land which is undeveloped except for a small residence located on the western portion of the site. The stated purpose of the request is for a supermarket. There have been numerous requests for zoning changes in this area. A request for "C" Commercial, Sixth Height and Area zoning on property at the intersection of Riverside Drive and Montopolis Drive has been granted but the Ordinance is pending. A request for "B" Residence, Second Height and Area zoning was made on one parcel of land to the south, having frontage onto Langham Street, which was later withdrawn. Following the withdrawal of that application, a request for "B" Residence, Second Height and Area zoning was again made on that property along with property adjoining to the east, having frontage onto Langham Street, Kasper Street, and Montopolis Drive. This request was granted although the Ordinance is pending right-of-way. A request for "LR" and "C" zoning was made, and granted, on a strip of land across Montopolis Drive to the east, in connection with a drive-in theater. In 1965, "LR" zoning was established on property adjoining the subject site to the north which is also owned by the applicant.

Montopolis Drive, with a present right-of-way of 50 feet, should be widened to 70 feet which will require 10 feet of additional right-of-way from both sides of the street. Along Caddie Street there is some question as to whether the street has 25 feet or 50 feet of right-of-way. If there is 50 feet of right-of-way existing, only five feet will be needed from the site; however, if the existing right-of-way is 25 feet, 30 feet of additional right-of-way will be needed from the site. The staff recommends that the requested zoning be granted provided the streets are made adequate.

C14-68-11 Charles Villaseñor--contd.

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 denied as the requested zoning on the 300 foot depth of the property would be an intrusion into the residential area along Caddie Street. They felt that to zone only that portion of the site consistent with the zoning on the adjoining lot to the north would provide an inadequate commercial site. The Committee noted that Caddie Street is not adequate to serve commercial facilities and Montopolis Drive is inadequate as planned.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Charles L. Villaseñor for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1606-1608 Montopolis Drive and 6206-6216 Caddie Street be DENIED.

C14-68-12 Charles L. Villaseñor: A to LR  
2105 Holly Street

STAFF REPORT: This site consists of 6,720 square feet. The stated purpose of the application is for the construction of a drive-in and washateria. Property adjoining the site to the east was zoned "C-1" Commercial in 1962. Adjoining that lot, a request was made and granted, in 1960, for a change from "LR" Local Retail, First Height and Area to "C-1" Commercial, First Height and Area. "C" Commercial zoning is established on property at the intersection of Holly and Canadian Streets. "A" Residence, zoning and development surrounds the "C" Commercial area on all four sides.

Holly Street, with a present right-of-way of 60 feet, is classified as a major arterial street with a planned right-of-way of 70 feet. This will effect the subject property by five feet. The staff has no objection to the request, provided the street is made adequate, as it is felt that "LR" zoning is appropriate as an extension of the existing commercial zoning to the east as a neighborhood service area; however, there is a question with regard to the size of the property and how development can occur in that the site is only 48 feet wide.

C14-68-12 Charles L. Villasenor--contd.

## TESTIMONY

## WRITTEN COMMENT

Code

AW Florentino G. Cruz: 2106 Holly Street  
 N Forest Pearson: P.O. Box 1987

AGAINST  
 AGAINST

## 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 denied because of the inadequate right-of-way of Holly Street; however, they stated they would look with favor on the requested zoning as an extension of the existing commercial area, provided the street is made adequate.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Charles L. Villasenor for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2105 Holly Street be DENIED.

C14-68-13 Crow Development Company, Inc.: A, 1st to B, 2nd  
7241-7261 Cameron Road

STAFF REPORT: This application covers a large tract of undeveloped land consisting of approximately 11½ acres. The stated purpose of the application is for apartment development. The subject property has been considered and approved by the Subdivision Committee for the preliminary plan of Richard's Subdivision which is designated for apartment purposes. The proposed individual lots included in the area under consideration are rather large lots containing approximately one acre each. The plan for the site was worked out in connection with adjoining property to the east and north, which is owned by Nash Phillips Copus Company and is proposed for single-family apartments, and commercial development.

Cameron Road is a major arterial street serving this particular area between Highway 290 and Highway 183. St. Johns Avenue extends through the area to the Interregional Highway and has recently been developed. However, the portion of St. Johns Avenue lying to the east of Cameron Road serves as a means of ingress and egress to the school and is not dedicated although it is paved. That portion of Berkman Drive extending north and feeding into



C14-68-13      Crow Development Company, Inc.--contd.

the rear of the subject property is also undedicated although paved. In the final development of the site as a subdivision, these streets will have to become dedicated streets in order to give adequate circulation for the area. Reagan High School and Nelson Stadium are located immediately to the south and southeast. In addition, there is a proposed elementary school site on property to the east adjoining Nelson Stadium to the north.

The requested zoning would allow the subject property to be developed with a maximum of 674 apartment hotel units. The staff does not disagree with the applicant about apartment development; however, this is an outlying area and as related to the area being served by the high school and the surrounding development, the staff feels the density should be lower than permitted in a "B" Residence, Second Height and Area District. It is realized that the applicant feels that Second Height and Area zoning would give more flexibility of design as this gives more height and greater density; however, the staff feels that the density allowed is too intensive for the area as planned for adjacent single-family and school use. It is recommended that "BB" Residence, First or Second Height and Area zoning be established as this would keep the density in the area of 1,500 square feet per unit and would permit 337 apartment units to be developed on the site. "BB" Residence, Second Height and Area could be established for the property, giving the applicant the flexibility of design he needs. There is no Second Height and Area zoning in the area at the present time, and if granted, would establish a height and area pattern for the area.

## TESTIMONY

## WRITTEN COMMENT

Code

None

## PERSONS APPEARING AT HEARING

Code

Cris Crow (applicant)

Joe Crow (representing applicant)

D

Cecil L. Wimberly: 2705 Cameron Road

NO OPINION

## SUMMARY OF TESTIMONY

Mr. Joe Crow was present on behalf of this request and stated that he would like to point out a few facts about the proposed development and the requested zoning. Cameron Road is being widened to 90 feet and is a major collector street. To the northwest, across Cameron Road, there is approximately four acres of land which is suppose to be developed with a post office. The area immediately to the north is proposed for commercial and apartment development by Nash-Phillips-Copus. A school site is proposed on property to the east and there is a school existing in very close proximity to the subject site.

C14-68-13 Crow Development Company, Inc.--contd.

There will be thoroughfares going out of the area as St. Johns Avenue and U. S. Highway 290 is located to the south. There is tremendous circulation from major streets into this area. Immediately south, between U. S. Highway 290 and Capital Plaza Shopping Center, there are four apartment projects on property zoned "B" Residence, Second Height and Area. They are designed for student trade and are well occupied. More apartments are planned in that area in the near future. Apartment development can be found in the area extending northward from the University; however, consideration should be given to the fact that this area north of Capital Plaza going northward is the first available area with consequential land area available for apartments. To the south there are only small isolated tracts of land. Mr. Crow stated that in his opinion the area should be zoned "B" Residence, Second Height and Area with consideration given to the development of high-rise units. The idea of high-rise units in this area should be fully explored as it is felt that the market will be there because there are no major traffic problems. It is felt that the outskirts of the City should be developed with high-rise or greater density just as this development has occurred in other large cities. Mr. Crow further stated that they are hesitant to request high-rise apartment zoning at this time but there is "B" Second Height and Area zoning to the south and north of Capital Plaza and the request on this property is logical. A unit containing 750 square feet of area is not necessarily a small apartment. This is a much better area for the development of units of this type than most other areas of the City that are closer to town. This would be a better development and would bring more taxes.

Mr. Dunnam advised Mr. Crow that in his opinion the density that is requested will create a traffic problem between this area and the University. Mr. Wroe stated that he does not necessarily disagree with construction of apartments in outlying areas; however, the development permitted under the requested density would create problems with the secondary traffic flow such as the streets going to and from the expressway. The traffic will not be created only by people going to town but will be created by the people going to shopping centers and to the schools.

Mr. Crow explained that the Interregional Highway is to be doubledecker and the requested zoning and proposed development is in conformance with economic studies of the City. Traffic will not be a problem in this area because of the expressway and the fact that there are major streets that will provide adequate circulation.

Mr. Chris Crow was present at the hearing and stated that the development on the subject tract was laid out and coordinated with development proposed by Nash-Phillips-Copus on the adjoining tract to the north, recognizing the fact that there are schools in the area and major streets serving the schools and the surrounding area. This area was preplanned with the recognition that traffic needs to flow through it. The traffic flow in this area is more adequate than in most areas of the City. It is realized that high density requires wide streets and a 60 foot street is planned into the subject site.

C14-68-13 Crow Development Company, Inc.--contd.

Mr. Wroe explained that discussion has been about high-rise as a construction type of project but not a high-rise construction placed on a small piece of land. When the proposed dense construction is moved out into the outlying areas, there is more undeveloped areas to protect as this will effect future development. When "B" Residence, Second Height and Area zoning is considered in an established area or in an established retail and commercial area where there are not very many school children involved, the area in effect does not really change.

Mr. Dunnam stated that he is concerned about the creation of high-density in the outlying areas that will be flowing into the core of the City to work. The employment core of Austin is approximately in a 30 block area where roughly 70 per cent of the people work. If the jobs are concentrated in that area, traffic will flow from the outlying areas into the area and then back out again. There is a good argument for creating high-density high-rise development close into the employment core of the City as this in effect shortens the traffic flow.

Mr. Joe Crow stated that he disagrees with members of the Committee because of the fact that there are commercial and retail establishments in the immediate area and there will be even more jobs created along the expressway and loops. The economic pressures are going to indicate that this type of development will be more suitable in outlying areas.

No one appeared in opposition to the requested zoning.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as the requested zoning is too intensive for the area; however, they felt that "BB" Residence, First Height and Area zoning should be granted as this district provides a density which is in keeping with the existing and planned development in the area. They further felt that the streets as designed for this subdivision and the adjoining property are designed to provide for lower density than allowed under the requested zoning, and the layout of such streets are to accommodate, in addition to the proposed apartments, an existing school, a proposed school, a planned residential area and commercial facilities.

At the Commission meeting, the staff reported two letters from the applicant requesting that this application be amended to ask for "B" Residence, First Height and Area zoning with an allowance of one family per 1,000 square feet for an apartment hotel, or "B" Residence, Second Height and Area zoning with a restriction (to be placed on the plat) to 1,000 square feet of land per family for an apartment hotel.

C14-68-13      Crow Development Company, Inc.--contd.

Mr. Dunnam stated that he has reservations about fairly intensive apartment development, at least in the numbers contemplated in this area, for the outskirts of town. He reiterated his observations when the request was considered by the Zoning Committee and stated that the Interregional Highway, certainly from this section down to 15th Street and on into those sections paralleling the employment core, is already at its maximum capacity for local traffic. He stated that he recently checked with the State Highway Department, District 14 Office, and they informed him that approximately 80 per cent of the traffic on this section of I.H. 35 is locally generated traffic. The doubledecking by-passing lanes that are going to be constructed are, from his understanding, for by-pass traffic that will be going through Austin and continuing on north without stopping. If dense apartment development is allowed in this area on the outskirts of town going out U. S. Highway 290 or behind Capital Plaza into this area when there is already an overloading condition on the expressway, there will be insurmountable traffic problems created. It should be pointed out that there can be no more capacity created for local traffic on I.H. 35. He stated that in view of this situation, he cannot recommend reasonably dense apartment type development, particularly in the numbers proposed.

Mr. Chris Crow was present at the hearing and requested an opportunity to present further information. The Commission agreed to hear this information.

Mr. Crow stated that he would like to point out that on the day of the Zoning hearing, he discussed with a member of the Planning Department, the requested zoning as he wanted to try to cure any negatives that existed in the department at that time. He stated that this member expressed the idea that the request for "B" Residence, Second Height and Area zoning was excessive. Mr. Crow stated that he expressed the idea that "BB" Residence, First Height and Area zoning which allows approximately 21 units per acre was somewhat restrictive for what was planned. In this discussion, it was thought that a compromise situation was reached as this member of the Planning Department said that he felt that if there could be approximately 1,000 square feet per family or 40 units per acre that this would be acceptable. He then called at a later time and said that the consensus of the Planning Department had overruled him and that they could not recommend 40 units per acre or roughly 1,000 square feet per unit. In view of this, it was felt that rather than ask for a zoning that was more negative to him that the request should be made for one that was more favorable with the hope that the Commission and Council would possibly favor granting a better zoning.

In the amendment it has been requested that if "B" Second Height and Area zoning with a restriction to 1,000 square feet per family could be granted, this would be acceptable. If this zoning cannot be granted with the restriction, there would still be interest in the "B" Residence, First Height and Area as a compromise position. It should be pointed out that in this subdivision the idea of high density was brought out as it is felt this is possible in this area but because of the nature of the area, there is a large residential subdivision to be developed on the north and the schools are to the east and to the south, the general nature of the area is going to create a market probably for family development. In other words, it is

C14-68-13 Crow Development Company, Inc.--contd.

felt that the developer building in this area will not erect 40 units an acre because the nature of the area is going to appeal to family type units. It should be recognized that some students and some young people who work all over the City of Austin will live in any part of the City and there should be some latitude for a builder if he wants to appeal to that market. It is also realized that the market must be there to justify the project.

There was one discrepancy in the presentation of this request at the Zoning hearing. It was said that 575 units could be put on this tract of land. The number of units was computed for the total area of 11.63 acres which is involved; however, 1.63 acres will be subtracted for the street that is proposed to extend into the site which will eliminate approximately 100 units. In the amended request, if one unit for every 1,000 square feet is allowed, the total area of approximately 10 acres will only allow for the development of 400 units. With regard to the question of creating high density development in this area that would effect the downtown traffic flow, it should be recognized that Allied Shopping Center will be in this area, Capital Plaza Shopping Center is already in this area, there are two car agencies and several furniture stores in the area. Tracor and Infotronics, as well as other industries are in the area at the present time or there are plans for the development of industry in the near future. It is felt that the majority of the people that will live in this area will not work downtown. Some density should be provided for the people living in the area now and who are working in the area. When this subdivision was planned, it was coordinated with the subdivision adjoining to the north.

Cameron Road is to be a 100 foot divided street with a 16 foot median and a 33foot two lane strip going each way and a crossover at each crossover street. The streets fit in with other streets and with the Planning Department's idea of the streets and how they should work. There is very good circulation around the area and it is felt that with the amended approach that there will not be the cramming of the maximum number of units on the area.

Mr. Riley stated that there is a very handsome school, Reagan High School, in this area and when he looked at the area he could not imagine the density that the applicant is applying for. He said that he could understand the applicant from Mr. Crow's investment standpoint but not for the investment of the people in the surrounding area, the schools and the traffic congestion that is existing and would be created. He further stated that in his opinion "BB" Residence, First Height and Area zoning is appropriate for the site.

Mr. Osborne explained that the staff cannot recommend in favor of the requested zoning for a number of reasons. One of the Commission members has asked how the Planning Department goes about evaluating recommendation for an area, particularly with regard to density. One of the first things that is considered is the street system. At the present there is a very congested street, St. Johns Avenue, that offers little possibility of widening even though it is one of the east-west access ways. There is also somewhat of a congestion problem along Berkman Drive and at the intersection of Berkman Drive and

C14-68-13      Crow Development Company, Inc.--contd.

U. S. Highway 290, particularly during the hour just before school and the hour just after school. It is realized that a considerable portion of this congestion will be relieved by a proposed grade separation at Berkman Drive and U. S. Highway 290. Basically, when considering an area for a recommendation, the F. H. A. criteria is used which says that in outlying areas such as this, that 25 units per acre is adequate. Mr. Osborne further stated that his general understanding of this project and proposal in relation to F. H. A. criteria and his understanding of the public development and the surrounding area with low density requirements, that he would recommend approximately 29 or 30 units per acre or 1,500 square feet per unit as a suitable density under the current provisions. This would be a reasonably sound development as the projects fits into the area where open space can be created. Mr. Osborne further advised the Commission that he has recommended to the Planning Commission consistently on all cases north of Capital Plaza that they be zoned "B" Residence, First Height and Area even though "B" Second Height and Area has been granted, particularly in the area south of U. S. Highway 290.

Mr. Bluestein stated that he also went out into this area and there are some beautiful homes in the area just to the north of Reagan High School. Mr. Riley advised that there are also very nice duplexes in the area that are very successful.

Mr. Dunnam stated that in his opinion the Commission should look at apartment development as to the kind of market it will serve. There is a very large student population in Austin as well as other transient population. These people are mostly concentrated in and around the core area. High density development in the core area of the City is good but in the suburban areas, it is felt that there will be people that like the apartment mode of life but this is a different kind of apartment market which is essentially family. The only way that the student type apartment can be discouraged and the family type apartment encouraged, is simply by regulation of the density. He further stated that "B" Residence, First Height and Area would be agreeable as long as there was some assurance that the development would be limited to one unit for every 1,500 square feet of area.

Mr. Jackson stated that in his opinion "B" Residence, First Height and Area would be a more equitable type of zoning for the subject property. After further discussion, a majority of the members concurred with the Committee recommendation that "BB" Residence, First Height and Area zoning should be granted. It was then

VOTED: To recommend that the request of Crow Development Company, Inc. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "B" Residence, Second Height and Area for property located at 7241-7261 Cameron Road be DENIED but that "BB" Residence, First Height and Area be GRANTED.

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

C14-68-14      Cherrylawn Corporation: A to B  
6123 Cherrylawn Circle

STAFF REPORT: This application covers a small parcel of land containing 5,050 square feet. The stated purpose of the request is for apartment construction. This request is made to correct a mistake in an earlier Ordinance. The subject property was a part of a larger tract which was considered for zoning in 1966. It was the recommendation of the Commission that it be zoned for apartments, save and except that portion of the property having frontage along Walnut Hills Drive. When the requested zoning was granted, field notes describing the area to be zoned were in error and inadvertently omitted the subject property. In 1967, a special permit was filed on the area for a 36 unit apartment dwelling group at which time the mistake in the Ordinance was discovered. There are some drainage problems on the area which will be taken care of as the property is developed in accordance with the special permit. The staff recommends in favor of the requested zoning as a logical extension of existing zoning.

#### TESTIMONY

##### WRITTEN COMMENT

Code

J            Thomas M. Keel: 6005 Walnut Hills Drive  
 ?            J. Vernon Cook: 6200 Manor Road

FOR

FOR

##### PERSONS APPEARING AT HEARING

Code

John B. Selman (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. John Selman, representing the applicant, stated that when the Ordinance was drawn up changing the zoning on the large tract, the subject property was not included. This error was not discovered until a request for a special permit was filed for the development of a 36 unit apartment dwelling group. The overall development on the area is for six or seven townhouse units backing up to the Seven-Eleven store at the intersection of Manor Road and Walnut Hills Drive, and one of the townhouses was to be located on the site. The zoning is requested to round out the original zoning and intent that was applied for in 1966.

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and was cognizant of the fact that the property under consideration was not zoned "B" Residence, First Height and Area at the time the adjoining property to the east was so zoned because of an error in the field notes at the time the Ordinance was passed. They felt that this request should be granted in view of this error and because the requested zoning is a logical extension of existing zoning.

C14-68-14 Cherrylawn Corporation--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Cherrylawn Corporation for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 6123 Cherrylawn Circle be GRANTED.

C14-68-15 James D. Reaves: A to B  
5705-5709 Manor Road  
 Rear of 5711-5905 Manor Road

STAFF REPORT: This application covers a large irregular shaped tract of land containing 207,345 square feet. The stated purpose of the request is for apartment construction. The requested zoning will permit a maximum of 138 apartment hotel units to be developed on the site. There is a gas line easement through a portion of the property which makes development difficult. When the residential subdivision to the east was developed, one of the lots was required to be left undeveloped for a period of a few years in order to determine the feasibility of continuing Edgedale Drive through the property to Manor Road. The development of the road has not occurred and this is one of the reasons the subject property is left in the unusual shape. If the requested zoning is granted on an individual basis, it will in effect set a precedent for the remainder of the block. The staff recommends that the requested zoning be granted as the property is across from "LR" zoning and is on a major street. It is realized that this sets a precedent but it is felt that apartment zoning is appropriate for the area along this side of Manor Road.

## TESTIMONY

## WRITTEN COMMENT

## Code

G	Charles J. Dranguet: P.O. Box 758, Houston, Texas	FOR
AN	J. Vernon Cook: 6200 Manor Road	FOR
AV	Howard Brunson: 4002 Edgemont	FOR
BK	Thomas R. Fiorillo: 3001 Maplelawn Circle	AGAINST
BL	Carl L. Taylor: 3003 Maplelawn Circle	AGAINST
AY	Mr. & Mrs. Gus Schmidt: 5709 Sandhurst Circle	FOR

## PERSONS APPEARING AT HEARING

## Code

	John Selman (representing applicant)	
BG	Lawrence S. Koenig: 3000 Maplelawn Circle	AGAINST
D	Mr. & Mrs. Lambert Berkman: 1701 Rogge Lane	NO OPINION
BH	Laura D. Gonzales: 3002 Maplelawn Circle	AGAINST
?	Mr. & Mrs. Henry Altenhofel: 3006 Maplelawn Circle	AGAINST



C14-68-15 James D. Reaves--contd.

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. John Selman, representing the applicant, stated that he would like to amend the application to delete approximately the eastern 80 or 90 feet of the site that abuts the residential property as this will provide a buffer. One of the abutting residential lots was left undeveloped so that Sweeney Lane could someday be brought on through to connect with Edgedale Drive. Mr. Selman further stated that he is not sure that Public Works will want to open Edgedale Drive through the site but this would be acceptable. Development of this site in conjunction with the continuation of the street has been studied and the idea of duplexes has been contemplated; however, because of the irregular shape of the tract it could probably be used more suitable as a single individual type of project. There is commercial on the other side of Manor Road and on a gradation theory, the proposed development will be the logical use of the site. With regard to the residential lots backing to the site, there could perhaps be a screening fence. There is a natural buffer because of the 50 foot gas line easement.

Mr. Stevens stated that in view of Mr. Selman's statement with regard to deleting the eastern 80 or 90 feet of the site and if there is a possibility of opening Edgedale Drive, the staff would prefer that the applicant omit the entire eastern peninsula which is 251 feet in order to prevent the funnelling of multi-family traffic onto the residential streets. The property abutting the street could be developed with duplexes.

Mr. Selman stated that there would be no objection to the suggestion by the staff to delete the eastern 251 foot peninsula from the application. It is realized there are drainage problems on the site but this will be worked out with the Department of Public Works before the property is developed.

## Arguments Presented AGAINST:

Mr. Lambert Berkman, adjoining property owner, appeared at the hearing and stated that he does not necessarily object to the request but he is concerned about the water situation in that there is a creek on the property. There is a dam existing at the present time but if the development of the property changes the flow of water his property will be effected.

Several nearby property owners appeared in opposition to the request as they felt the proposed development would devalue the adjoining residential property.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as the most appropriate use for the site as well as for the contiguous tracts of land along the east side of Manor Road. They felt that the northern most 251 foot peninsula could remain "A" Residence and be developed with duplexes if it is determined that the extension of Edgedale Drive is feasible.

C14-68-15 James D. Reaves--contd.

The Committee also discussed the merits of requiring a screening for the abutting residential property and felt that this should be more fully explored at the Commission meeting.

At the Commission meeting, the staff reported a letter from Mr. John Selman, attorney for the applicant, requesting that the north 251 feet by 109 feet be deleted from this application. The Commission agreed to accept this amendment and concurred with the Committee recommendation that the requested zoning should be granted. It was then unaimously

VOTED: To recommend that the request of James D. Reaves for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 5705-5709 Manor Road and 5711-5905 Manor Road, excluding the northern most 251 foot penninsula be GRANTED.

C14-68-16 Stanley Reese: A to LR (Tr. 1) and A to B (Tr. 2)  
 Tract 1: 5004-5032 Manor Road  
 Tract 2: Rear of 5004-5032 Manor Road

STAFF REPORT: This request is for two tracts of undeveloped land totaling approximately 112,430 square feet. Tract 1, fronting onto Manor Road contains 54,450 square feet and Tract 2, adjoining Tract 1 to the west, contains 58,080 square feet. The stated purpose of the application is for commercial development. There is a mixed zoning pattern in the area consisting of "GR" and "C" to the north, and "A", "B", and "BB" zoning to the south. The most recent zoning history in the area was a change from "A" Residence to "BB" Residence on property to the east along East 51st Street.

Manor Road, classified as a major arterial street, has 80 feet of right-of-way which is adequate. East 51st Street has 90 feet of right-of-way and there is an extension proposed along the north boundary of the subject tract; however, the City owns approximately 10 feet of land abutting the site to the north so there is no need for right-of-way from the property for the proposed extension. The staff recommends that this request be granted as appropriate zoning for the area.

## TESTIMONY

## WRITTEN COMMENT

## Code

B	Watt Schieffer: 1011 East 40th Street	FOR
M	Louise Morse: 2909 East 51st Street	AGAINST
?	Mr. & Mrs. Andrew Kivlin	FOR

C14-68-16 Stanley Reese--contd.

PERSONS APPEARING AT HEARING  
Code

? John B. Selman (representing applicant)  
Mr. & Mrs. Henry Altenhofel: 3006 Maplelawn Circle AGAINST

SUMMARY OF TESTIMONY

Mr. John Selman, representing the applicant, stated that "LR" Local Retail zoning is requested on Tract 1 so that the property can be used for a filling station site. With the development of the area and the location of this tract at the corner, the proposed development appears to be very favorable. It is felt that the requested "B" Residence zoning on Tract 2 is a logical extension of present zoning. The subject property was the Pecan Springs Elementary School tract, consisting of approximately two acres, which was sold to the applicant approximately 8 months ago.

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 a logical extension of the present zoning pattern.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Stanley Reese for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area (Tr. 1) and "B" Residence, First Height and Area (Tr. 2) for property located at 5004-5032 Manor Road (Tr. 1) and the rear of 5004-5032 Manor Road (Tr. 2) be GRANTED.

C14-68-17 Kenneth M. Brown & Lyndon L. Brown: A, 1st to B, 2nd (Tr.1) & A, 1st  
Tract 1: 2129-2235 Lawnmont Avenue to LR, 2nd (Tr.2)  
Tract 2: 2130-2316 North Loop Boulevard

STAFF REPORT: This application covers two tracts of land totaling approximately 15½ acres. Tract 1, fronting onto Lawnmont Avenue contains 405,000 square feet and Tract 2, fronting onto North Loop Boulevard, contains 270,000 square feet. The stated purpose of the request is for a shopping center and apartments. There is strip commercial zoning to the east along Burnet Road, which is developed with a variety of retail type facilities. To the south is a restaurant and apartment development. Property at the intersection of Woodview Avenue and North Loop Boulevard was zoned "O" Office earlier this year for the City of Austin. There is residential development existing to the west along Woodview Avenue and to the north of Lawnmont Avenue.

C14-68-17

Kenneth M. Brown & Lyndon L. Brown--contd.

The staff's concern is the relationship of Tract 1 with the individual single-family dwellings along the streets to the north. If the requested zoning is granted, Lawnmont Avenue, with a present right-of-way of 50 feet, should be widened. It is felt that apartment use on the south side of the street could cause a change to apartment use on the north side of the street. If the requested zoning is granted on the south side of Lawnmont, the staff feels that the additional 10 feet of right-of-way needed for the street should be provided from the subject site. The staff requests that there be a five foot dedication from the subject property at this time with an additional five feet of setback providing a 30 foot setback from the proposed right-of-way. In the event the street must be widened in the future and right-of-way cannot be obtained from the north side an additional five feet could come from the subject property. Another point of consideration is the density and the funnelling of traffic onto Lawnmont Avenue. The zoning on Tract 1 would permit 526 apartment hotel units to be developed which would cause a considerable traffic increase. If Lawnmont Avenue is the only access for the tract, the street would be over burdened and the traffic could then be injected into the residential area to the north and west. The staff would prefer to see some consideration given to dual access to the apartment portion of the application. A special permit may ultimately be required which would provide some control of the access. Restriction of the density for a portion of the property has been discussed with Mr. Richard Baker, representing the applicant, and they are willing to restrict the density to one unit per 1,000 square feet of land on the north 250 feet of Tract 1. If there can be a consideration of the setback, additional right-of-way, reduction of density for a portion of the site and additional access to Tract 1, the staff would recommend in favor of the request.

## TESTIMONY

## WRITTEN COMMENT

## Code

K	M. B. Clapp & Joe Barshop: 4900 Broadway, San Antonio, Texas	FOR
T	Myrtis E. Wilson: 5406 Montview Street	AGAINST

## PERSONS APPEARING AT HEARING

## Code

	Richard Baker (representing applicant)	
AQ	Dorothy Gaffey: 5214 Woodview Avenue	NO OPINION
BJ	Myra Presley Wetmore: 2503 Parkview	NO OPINION
Z	Mr. & Mrs. Lee Jay Walton: 5405 Shoalwood Avenue	FOR
BP	Mr. & Mrs. Hardee M. Albert: 5311 Woodview Avenue	NO OPINION
BP	Mrs. Georgia M. Mullins: 5311 Woodview Avenue	NO OPINION
BK	W. F. Gaches: 5207 Woodview Avenue	NO OPINION

C14-68-17

Kenneth M. Brown & Lyndon L. Brown--contd.

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Richard Baker, representing the applicant, stated that this tract is now being used by the Brown Schools. They have proposed for a number of years to change location and have elected to sell this property. The zoning is being requested at this time as the property is zoned "A" Residence which is not desirable for any use other than the existing development. The contract of sale is contingent upon the zoning applied for. The property will be continued to be used for the Brown Schools as they must create additional facilities to take care of the students now housed on this tract. It will be a minimum of two years before the land can be developed into another use. The property under consideration presents a number of development problems because of the size of the tracts and the extreme high cost of land in this area located so close to the hub of the City. The land is being bought by two separate people and upon acquisition will be divided into two tracts. A short form will be filed as soon as the property is acquired. Approximately one-third of the property under consideration will be on the east and approximately two-thirds of the area will be on the western tract running from North Loop Boulevard to Lawnmont Avenue. The recommendations by the staff have been discussed with the applicants who are willing to setback 30 feet from Lawnmont Avenue and place a restrictive covenant on the land. There has been discussion about a covenant, to extend back a distance of 200 feet from the south right-of-way line of Lawnmont, limiting this area to the development of one apartment unit for every 1,000 square feet of area. It is felt that there would be no objection to extending this restriction to the entire area. The developers of the property have developed many units in Austin with an average unit containing an area of 1,000 to 1,100 square feet and they have no reason to go below this, and are willing to restrict the entire tract to this number.

Mr. Stevens has discussed the possibility of running a street from one of the streets to the other through the site. The developers are not in a position at this point to say that they will do this; however, without suggestion from the staff they have discussed this possibility themselves as to the merits and advisability of providing not a public street, but a private drive running from North Loop Boulevard to Lawnmont Avenue. It is felt that a public street would be undesirable because of the traffic which would be generated through this tract by the large shopping areas to the south. However, to develop a private drive of one character or another through this tract of land is foremost in their mind. The developer would not want to come in with one unit of sufficient size to encompass the entire tract. If developed in the manner proposed, there would probably be a special permit or a short form subdivision which would create four legal lots. Inasmuch as development cannot occur for approximately two years, there has been no detailed planning.

C14-68-17      Kenneth M. Brown & Lyndon L. Brown--contd.

There is Second Height and Area zoning to the south along Burnet Road and at the intersection of Lawnmont Avenue and Burnet Road. The zoning pattern has changed in this area within the recent past from "A" Residence to "O" Office, "LR" Local Retail, and "C" Commercial. It is realized that there will be some additional traffic generated as a result of a development of this type; however, it is a tract of land that is well located in the area of the City and the traffic will be put into the area where the people are located and are working. North Loop Boulevard is an 80 foot street. Traffic going down Hancock Road can go to Bull Creek Road and in the near future to Mo-Pac Boulevard. It is felt that the requested zoning is a logical extension of existing zoning. The application as filed with the request by the staff make the proposed development consistent with the proposed amendment to the Zoning Ordinance which will be submitted to the Commission.

**Arguments Presented AGAINST:**

A number of people appeared at the hearing and asked questions pertaining to the proposed development and the future plans for Lawnmont. They were opposed because of the number of units that would be permitted on the site under the proposed zoning and the amount of traffic that would be generated by the development. Some of the property owners were concerned about the possible widening of Lawnmont Avenue and how this would effect the property owners abutting this street. They were also concerned about when the street would be widened and if they would have to dedicate portions of their property for this right-of-way. Other property owners were concerned about the control of the drainage problems and how this would effect the adjoining residential property. There were questions as to whether or not the development would be allowed on the portion of the property abutting the residential lots if there is an easement on the subject site as on the adjoining property.

**Arguments Presented in REBUTTAL:**

Mr. Baker stated that with reference to the fact that 526 apartment units could be developed on the site, it should be stated that there will not be the maximum number of units developed because financing of this caliber would be too difficult. The people who are developing the project have developed other projects in the City, and they are not going to invest in the maximum number of units allowed as this would overburden the site and the neighborhood. The developers of the property are concerned about the traffic problems as their tenants would not want to live in an area that is difficult to enter and leave. Mr. Baker stated that in answer to the question concerning an easement along the property line he has not found an easement that exists as far as a written document is concerned. This does not mean that the City has not acquired an easement. In relation to the widening of Lawnmont, it can be stated for certain that the people who are acquiring the property are willing to dedicate five feet of land for a total of approximately 3,000 square feet. When this widening

C14-68-17      Kenneth M. Brown & Lyndon L. Brown--contd.

takes effect will depend upon the City Council. With regard to the drainage problem that was discussed, the prospective developers of the site will not divert water onto the lots adjoining the western boundary of the property. Whatever needs to be done to provide adequate drainage will be accomplished as a matter of good development. Every effort will be made to solve any problem that may exist. It is the feeling of the applicant that the proposed development on the site is the best utilization of the property.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied because of inadequate right-of-way of Lawnmont Avenue and the high density allowed by the requested zoning. The Committee stated they would look with favor on the request provided right-of-way for Lawnmont is made adequate; development is restricted to one unit for every 1,000 square feet; and additional access be provided to Tract 1.

At the Commission meeting, the staff reported the following letter from Mr. Richard Baker, representing the applicants:

"Kenneth M. Brown and Lyndon L. Brown have entered into a contract to sell the property described in the above referenced zoning application to Emile Jamail, Sidney I. Darden, and C. W. Heatherly, Jr. subject to the zoning on said property being changed from "A" Residence, First Height and Area, to "LR" Local Retail, Second Height and Area, and "B" Residence, Second Height and Area.

On behalf of the purchasers, we hereby advise the Commission that at such time as they acquire title to said property, they will:

1. Dedicate to the City of Austin an additional five feet of right-of-way for the widening of Lawnmont Street.
2. Provide that any improvements erected thereon and fronting onto Lawnmont Street, shall be setback thirty feet.
3. Execute and have recorded a restrictive covenant which provides that that portion of the property zoned "B" Second Height and Area will provide a minimum area of not less than one thousand square feet per family unit.
4. Execute a recordable instrument which will provide that in the event the property zoned "B" Second Height and Area is not developed in conjunction with the property zoned "LR" Second Height and Area in such a manner that a means of ingress and egress is provided from the property zoned "B" Second Height and Area to North Loop Boulevard, the then owners of said property zoned "LR" Second Height and Area will grant private easements for the purpose of ingress and egress from North Loop Boulevard to said property.

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Kenneth M. Brown & Lyndon L. Brown--contd.

The location of said easements shall be, at the sole discretion of the then owners of the property zoned "LR" Second Height and Area:

- (a) Fifty feet in width along a property line dividing the North Loop Boulevard frontage into one or more commercial lots; or,
- (b) Twenty-five feet in width along the east property line and twenty-five feet in width along the west property line of the property zoned "LR" Second Height and Area;

said private easements to be extended from the north right-of-way line of North Loop Boulevard to the north line of the property zoned "LR" Second Height and Area. In the event easement (a) above is granted, it will be granted and recorded at the time a building permit is issued for the construction of improvements on the property zoned "B" Second Height and Area. In the event easement (b) above is granted, the easement to be granted upon the east property line shall be granted and recorded at the time a building permit is issued for the construction of improvements on the east one-third of the property zoned "B" Second Height and Area, and the easement to be granted along the west property line shall be granted and recorded at the time a building permit is issued for the construction of improvements on the west two-thirds of the property zoned "B" Second Height and Area.

The purchasers propose to file a short form subdivision plat on the property at such time as they acquire title thereto. The property will be divided into four, five, or six lots. The east one-third of said property shall consist of two lots which will be owned by Mr. Jamail. The west two-thirds of said property shall be divided into two, three, or four lots to be owned by Mr. Heatherly and Mr. Darden. At the time this plat is filed the obligations of purchasers set forth in paragraphs 1, 2, and 3 above, can be set forth on said plat and simultaneously therewith, the obligation of purchasers set forth in paragraph 4 above, can be executed and placed on record in the Deed Records of Travis County, Texas."

Mr. Stevens stated that at the Zoning hearing, the staff had requested the items such as additional right-of-way for Lawnmont Avenue as it was felt the street was not adequate to handle the proposed traffic. It was also requested that the development setback an additional five feet in the event the area to the north did not change and develop. The applicants have agreed to this. The density provision of one unit for every 1,000 square feet was also agreed upon, and they have included this restriction in the letter. The last objection was that consideration be given to other access means rather than the only access from Lawnmont. This has also been taken care of by the applicant. In view of the letter from Mr. Baker, the staff feels that the development can be worked out satisfactorily.



C14-68-17      Kenneth M. Brown & Lyndon L. Brown--contd.

The Commission members felt that this request should be granted subject to the conditions as outlined in the letter from Mr. Baker, pertaining to additional right-of-way for Lawnmont Avenue, density, setback, and ingress and egress to the apartment tract from North Loop Boulevard. It was then unanimously

VOTED: To recommend that the request of Kenneth M. Brown and Lyndon L. Brown for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area (Tract 1) and "LR" Local Retail, Second Height and Area (Tract 2) for property located at 2130-2316 North Loop Boulevard (Tract 2) and 2129-2235 Lawnmont Avenue (Tract 1) be GRANTED subject to the conditions as outlined.

(DISQUALIFIED: Mr. Jackson)

#### SPECIAL PERMIT

CPI4-68-1      A. M. Eldridge for the City of Austin: City of Austin Fire Station  
1175E-1207 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 City of Austin Fire Station containing living quarters, storage and 13 off-street parking spaces. The property under consideration is presently zoned "A" Residence, First Height and Area. This request has been circulated to the various City departments and comments are as follows:

Tax Assessor	- City owned, therefore tax exempt.
Office Engineer	- Street area for East 12th Street must be dedicated. Require request for commercial driveway.
Fire Prevention	- O.K.
Building Inspector	- O.K.
Storm Sewer	- Install drain line to north-east corner of tract at property line of Webberville Road, and build grease trap. City forces will install drain line in Webberville Road.
Electric	- O.K.
Water and Sewer	- Water and sanitary sewer available.

CP14-68-1      A. M. Eldridge for the City of Austin--contd.

Traffic Engineer

- O.K.

Health

- Approved. Sanitary sewer line available. No objections.

Fire Protection

- O.K.

Mr. Stevens advised the Committee that there was a previous question about the projected development of 12th Street time wise. The development is not in the current schedule of Capital Improvements and it will probably be at least four years before the street is extended. In view of this, the fire station, which was previously to have fronted onto Webberville Road will now be fronting onto the projected extension of East 12th Street. The staff recommends approval of this request, subject to compliance with departmental reports.

#### TESTIMONY

##### WRITTEN COMMENT

Code

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

##### PERSONS APPEARING AT HEARING

Code

A      R. H. Dickerson, Fire Chief      FOR

#### SUMMARY OF TESTIMONY

R. H. Dickerson, Fire Chief, was present on behalf of this request.

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 approved subject to compliance with departmental reports.

At the Commission meeting, Mr. Stevens reported that the projected extension of 12th Street will effect the subject property as well as the two lots adjoining the site to the south. Mr. Reuben Rountree, Director of Public Works, has recommended that the two lots adjoining the site to the south be purchased to allow the City to build and develop the street to standard so that will not have to be changed in the future.

The Commission members agreed that this request for a special permit should be approved, subject to compliance with departmental reports, and recommended to the City Council that the two lots adjoining the site to the south be purchased as soon as possible in order to allow for the immediate development of this portion of the projected extension of East 12th Street.

CP14-68-1      A. M. Eldridge for the City of Austin--contd.

It was then

VOTED: To APPROVE the request of A. M. Eldridge for the City of Austin for a special permit for the erection of a fire station for property located a 1175E-1207 Webberville Road, subject to compliance with departmental reports, and authorized the Chairman to sign the necessary resolution.

The Chairman announced that any intereseted 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 meeting of January 22, 1968, 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 that no subdivisions were referred to the Commission. The Commission then

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of January 22, 1968, on the minutes of the meeting.

SUBDIVISION PLATS - FILED

The staff reported that departmental reports have not been completed 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>C8-68-17</u>	<u>Barton Village, Section 3</u>
	Raedel Avenue and Barton Skyway
<u>C8-68-3</u>	<u>V. E. Smith</u>
	Gunter Street and Abbate Circle
<u>C8-68-4</u>	<u>North Meadows</u>
	Applegate Drive and Newmont
<u>C8-67-87</u>	<u>Balcones Summit</u>
	Knollside and Ceberry Drive

C8-66-44      H. R. Smith Addition, Section 2, Revised  
Larical Trail and North Lake Drive

The staff reported that this final plat has been before the Subdivision Committee in a different form in that it included more property than the one before the Commission for consideration at this time. The applicant

*CE 66-84*  
C8-68-44

H. R. Smith Addition, Section 2, Revised--contd.

has reduced the area and size of the property to be considered. The staff recommends that this final plat be accepted for filing pending the required current tax certificates. The Commission then

VOTED: To ACCEPT for filing the final plat of H. R. SMITH ADDITION, Section 2, Revised, pending the required current tax certificates.

C8-67-92

Valle Del Rio

Falwell Lane and Puebla Drive

The staff recommended that this final plat be accepted for filing only pending the setback lines as required on the plat. The Commission then

VOTED: To ACCEPT for filing the final plat of VALLE DEL RIO, pending the required setback lines on the plat.

C8-67-95

Scenic Hills Estates

Scenic Drive and Scenic Hills Drive

The staff reported that this is the first appearance of this final plat before the Planning Commission. There is a problem involved in that a variance is required on the length of Scenic Hills Drive. When the preliminary plan was considered by the Subdivision Committee, there was some controversy in that there was a variance involved on the length of the cul-de-sac. There were several objections from the neighboring property owners at that time. The owners of the property in question revised their plan and said that all requirements would be met and would not involve a variance, which removed all of the objections by the property owners at that point and the preliminary plan was then approved. The final plat now submitted involves a variance in that the cul-de-sac is slightly in excess of the minimum of 400 feet as required by the Ordinance. The cul-de-sac is only 445 feet in length and the staff recommends in favor of the variance in that Lots 10 and 11 are rather large lots and had the cul-de-sac been extended as originally planned, there would probably have been more lots. It is the staff's understanding that the owners of this subdivision plan to use Lots 10 and 11 for themselves. Due to the size and shape of the tract, the staff feels the variance is justified.

There was considerable objection from the neighborhood on the original plan and when it was approved, it was reported that there were no variances involved. The staff did not give further notice of the fact that a variance is involved at this time but there has been discussion with Mr. Richard Baker, attorney for the applicants, who has indicated that he has talked to some of the people who originally objected and they do not now object to this plan.

Mr. Richard Baker, representing the applicants, stated that this was not a misrepresentation intentionally in relation to the length of the cul-de-sac. The cul-de-sac was originally measured from the center of the street rather than from end to end and this is the reason it was reported to the staff that the cul-de-sac was less than 400 feet in length.

C8-67-95          Scenic Hills Estates--contd.

Mr. Baker stated that when he discovered this error he did bring it to the attention of the staff. He further stated that he has discussed the requested variance with several property owners in the area and they do not object. After further discussion, the Commission then

VOTED:      To ACCEPT for filing the final plat of SCENIC HILLS ESTATES, granting a variance on the length of Scenic Hills Drive.

C8-68-2          Mission Hill, Section 2  
Mission Hill Drive and Catalina

The staff reported that all departmental reports are lacking at this point and recommended that this final plat be accepted for filing pending consideration of a variance on the length of Mission Hill Drive. Mission Hill Drive runs easterly off of Catalina Drive, parallel with Ben White Boulevard, with the cul-de-sac at the extreme end. The final plat does not have the cul-de-sac on the plan due to the fact that there is a preliminary plan for consideration at the next Subdivision Committee meeting, on the property immediately adjoining to the east, which proposes the extension of the street. Actually it is a preliminary-final plat which proposes the continuation of Mission Hill Drive. The staff recommends that the variance be granted on the cul-de-sac requirement inasmuch as there is a new preliminary-final plat on the property to the east which shows the immediate extension of the street into the adjoining property.

There is a request on the subject property to roll the zoning back from "GR" General Retail to "B" Residence. The Commission has recommended in favor of this request but the staff feels that the requested zoning should be granted by the Council prior to final approval of this plat. After further discussion, the Commission

VOTED:      To ACCEPT for filing the final plat of MISSION HILL, Section 2, subject to the granting of the requested zoning by the Council, and granting a variance on the length of Mission Hill Drive and not requiring a cul-de-sac at the east end of the street.

C8-68-16          Northwest Terrace, Section 2  
Stillwood Lane and Benbrook

The staff recommended that this final plat be accepted for filing pending the dedication of the triangular shaped tract of land at the intersection of Stillwood and Rockwood Lane. The Commission then

VOTED:      To ACCEPT for filing the final plat of NORTHWEST TERRACE, Section 2, pending the requirements as noted.

## SUBDIVISION PLATS - CONSIDERED

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

The staff reported that at the last Planning Commission meeting, there was a request to vacate the original plat of Burnet Road Terrace. This is a replatting of the same piece less about three of the cul-de-sacs that were in the original plan. The action requested of the Commission at this time would be to vacate the original plat and approve the new plat of Burnet Road Terrace Resubdivision. The staff reported that all requirements had been complied with. It was then

VOTED:      To VACATE the original plat of BURNET ROAD TERRACE and APPROVE the final plat of BURNET ROAD TERRACE RESUBDIVISION.

C8-67-88      Wooten Terrace, Section 3  
Putnam Drive and Southern Pacific Railroad

The staff reported that there is a stub portion of Woodstone Drive which is pending vacation which is to go before the City Council this week. The staff recommends that this final plat be approved, authorizing the staff to hold the plat from record pending the vacation of this stub street and the necessary book and page number on the plat. The Commission then

VOTED:      To APPROVE the final plat of WOOTEN TERRACE, Section 3, authorizing the staff to hold the plat from record pending the vacation of the stub portion of Woodstone Drive and subject to the book and page number being shown on the plat.

C8-67-62      Valle San Jose  
F.M. 812 and F.M. 973

The staff recommended that this final plat be approved pending the required setback lines on the plat. The Commission then

VOTED:      To APPROVE the final plat of VALLE SAN JOSE pending the required setback lines on the plat.

C8-67-91      River Oak Lake Estates, Section 3  
Farmer Lane and Lamar Boulevard

The staff reported that this final plat has complied with all departmental reports and met all requirements of the Ordinance and recommended approval. It was then

VOTED:      To APPROVE the final plat of RIVER OAK LAKE ESTATES, Section 3.

C8-67-81      The Bluffs of University Hills, Section 1  
Loyola Lane and Little Walnut

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

VOTED:      To DISAPPROVE the final plat of THE BLUFFS OF UNIVERSITY HILLS, Section 1 pending the requirements as noted.

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

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

VOTED:      To DISAPPROVE the final plat of THE BLUFFS OF UNIVERSITY HILLS, Section 2 pending the requirements as noted.

C8-67-80      Northwest Estates, Section 1  
Hycrest and Rockcrest Drives

The staff recommended disapproval of this final plat pending dedicated access to subdivision, additional easements, fiscal arrangements and completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the final plat of NORTHWEST ESTATES, Section 1, pending the requirements as noted.

C8-67-68      Westover Hills Club Estates  
Hyridge and Westover Club Drive

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

VOTED:      To DISAPPROVE the final plat of WESTOVER HILLS CLUB ESTATES, pending the requirements as noted.

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

The staff recommended disapproval of this final plat pending completion of departmental reports. The Commission then

VOTED:      To DISAPPROVE the final plat of NORTHWEST HILLS, MESA OAKS, Phase 4A, pending completion of departmental reports.

C8-68-6      Westover Hills, Section 3, Phase 7  
                 Honeysuckle Trail

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

VOTED:      To DISAPPROVE the final plat of WESTOVER HILLS, Section 3, Phase 7, pending the requirements as noted.

C8-67-29      Fairmont Park, Section 2  
                 Village Way Drive and Acacia

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

VOTED:      To DISAPPROVE the final plat of FAIRMONT PARK, Section 2, pending the requirements as noted.

C8-67-57      Northwest Hills, Mesa Oaks, Phase 5  
                 Rustling Road and Burney Drive

The staff recommended disapproval of this final plat pending the required 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 requirements as noted.

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

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

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

C8-68-9      Greenbriar, Section 2  
                 Parker Lane

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

VOTED:      To DISAPPROVE the final plat of GREENBRIAR, Section 2, pending the requirements as outlined.



C8-65-33      Cavalier Park, Section 1  
Webberville Road and Loop 111

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

VOTED:      To DISAPPROVE the final plat of CAVALIER PARK, Section 1, pending the requirements as noted.

SHORT FORM PLATS - FILED

C8s-68-16      Tallwood Subdivision  
Tallwood Drive and Balcones Drive

The staff reported that the departmental reports have not been completed and recommended that this short form plat be accepted for filing only. The Commission then

VOTED:      To ACCEPT for filing the short form plat of TALLWOOD SUBDIVISION.

C8s-68-19      Encino Terrace  
Encino Circle

The staff recommended that this short form plat be accepted for filing pending current tax certificates. The Commission then

VOTED:      To ACCEPT for filing the short form plat of ENCINO TERRACE, pending current tax certificates.

C8s-68-10      Buckingham Place, Section 2  
Cooper Lane and Eberhart Lane

The staff reported that the tracing of this short form plat has not been returned and recommended the plat be rejected for filing. The Commission then

VOTED:      To REJECT for filing the short form plat of BUCKINGHAM PLACE, Section 2, pending return of the tracing.

C8s-68-12      Westgate Square Resub.  
West Gate Boulevard and West Wind

The staff reported that the tracing of this short form plat has not been returned and recommended that the plat be rejected for filing. The Commission then

VOTED:      To REJECT for filing the short form plat of WESTGATE SQUARE RESUBDIVISION, pending return of the tracing.

## SHORT FORM PLATS - CONSIDERED

C8s-68-14      Sweetbrush, Section 2  
Matthews Drive and Sweetbrush Drive

The staff reported that this short form plat is a one lot subdivision out of a larger tract of land which involves a variance to exclude the balance of the tract. Part of the property has already been subdivided. Mrs. Z. T. Scott is the owner of the balance of the tract which fronts onto Matthews Drive, Sweetbrush and Rockmoor Avenue. The lot under consideration which is Lot 13, comes out of the overall tract of land. There is also a variance involved on the width of Matthews Drive in that there is only 30 feet of right-of-way. It is the staff's understanding that there have been no plans or provisions in the past for further widening of the street and the staff recommends the variance be granted. It was then

VOTED:      To APPROVE the short form plat of SWEETBRUSH, Section 2, granting a variance to exclude the balance of the tract and also granting a variance on the width of Matthews Drive.

C8s-68-17      Foradory Subdivision  
Scenic Loop west of Highway 183

The staff reported that this short form plat has complied with all requirements of the Ordinance but there is a variance involved to exclude the balance of the tract. The subject property is a portion of the preliminary plan that was before the Subdivision Committee at the last meeting under the name of Prado Heights. The remaining portion of that plan they are asking to be excluded is a tract of land that abuts one of the proposed streets in the preliminary plan of Prado Heights. At this point, due to the fact that the area which is to have the street is not owned by the applicant, they cannot plat and dedicate the right-of-way until the final plat dedicating the street is submitted for Prado Heights. Since this is a part of the preliminary plan of Prado Heights, the applicant is requesting that this be withdrawn so that a short form can be submitted. The staff recommends that this portion of the property be withdrawn from the preliminary plan of Prado Heights and that the variance be granted to exclude the balance of the Foradory property from this plan. It was then

VOTED:      To ACCEPT the withdrawal of the Foradory Tract from the preliminary plan of Prado Heights and to APPROVE the short form plat of FORADORY SUBDIVISION, granting a variance to exclude the balance of the tract.

C8s-68-18      Jacque Lou Subdivision  
Rabb Road

The staff reported that this short form plat has complied with all requirements of the Ordinance but there is a variance involved on the signature of the adjoining property owner. There is a letter in the file from Mr. George Green stating that they have contacted the adjoining property

C8s-68-18      Jacque Lou Subdivision--contd.

owner and they did not wish to join in the subdivision but there is no objection to what is planned on the subject site. In view of this the staff recommends that this short form plat be approved and the variance be granted. The Commission then

VOTED: To APPROVE the short form plat of JACQUE LOU SUBDIVISION, granting a variance on the signature of the adjoining property owner.

C8s-67-197      Hoagland Addition  
Georgian Drive and Powell Lane

The staff recommended disapproval of this short form plat pending completion of departmental reports. The Commission then

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

C8s-68-1      Northwest Hills, Section 6, Resub.  
Mesa Drive

The staff recommended disapproval of this short form plat pending completion of departmental reports. The Commission then

VOTED: To DISAPPROVE the short form plat of NORTHWEST HILLS, Section 6, Resub., pending completion of departmental reports.

## ADMINISTRATIVE APPROVAL

The staff reported that six short form plats have 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-68-4      Northcape Section 1, Resub.  
Hansford Drive and Northcape Drive
- C8s-67-154      Dayton Addition  
Beech Drive
- ~C8s-68-3      Kenwood Place  
Kenwood Drive
- C8s-68-11      Oak Ridge, Section 1, Resub. Lots 19-21  
Lamar Boulevard and Little Oak Drive
- C8s-68-13      Walnut Hills, Section 5, Resub.  
Northeast Drive and Manor Road
- C8s-68-15      Holiday Heights, Section 1, Resub.  
Croslin Street and Duval Street

## OTHER BUSINESS

R140 PLANNING COMMISSION - General

Mr. Wroe reported a letter to the Commission from the Apartment House Association stating that they have voted to recommend the adoption of the proposed amendment to the Zoning Ordinance, pertaining to density requirements, as submitted and recommended by the Planning Department. The Apartment House Association also commended the Director of Planning and his staff for the broad based and in depth study which they conducted in arriving at the recommended proposal.

Mr. Osborne distributed copies of the Capital Improvements Program XIV listing the various projects from 1968-1972. The Director also presented copies of the departmental quarterly report showing the activities and projects of the Planning Department during the last quarter of 1967.

R146 PLANNING COMMISSION - Meetings

The Director of Planning suggested that the Commission hold a special meeting on February 20, 1968 for the purpose of reviewing the proposed amendment to the Zoning Ordinance pertaining to the density requirements. The Commission members agreed to hold a special meeting on that date.

The Town Lake Plan was shown to the Commission and will be reviewed at the Special Meeting on February 20, 1968.

C2-68-1(a) AUSTIN DEVELOPMENT PLAN AMENDMENT  
 Southeast corner of South Congress Avenue  
 and Woodward Street to Woodleigh Street

The Director of Planning reported that Mr. G. H. Brush has requested a change in the Austin Development Plan from Manufacturing and Related Uses to Medium Density Residential for approximately a seven acre tract, consisting of eight lots, out of the Woodward Industrial Subdivision which is located at the southeast corner of South Congress Avenue and Woodward Street. To the east of the property under consideration, located along Woodward and Woodleigh Streets is a subdivision containing approximately 25 single-family dwellings. The staff has included approximately fourteen acres, including the existing residential subdivision, for consideration as additional area. The total area under consideration at this time is approximately 20 acres.

The area to the west of Congress Avenue generally developed in strip fashion, is designated as semi-industrial. Directly across Woodward to the north of the subject site is St. Edwards University which is public and semi-public property. A hospital is located on property south of Woodward Street. The Woodward Industrial plant is located in this area; however, the status of this operation is not clear. Mr. Osborne stated that approximately three years ago he discussed with the owners the possibility of changing the area back to residential and suggested that they withhold the request which they did.

C2-68-1(a) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

The staff feels that a larger area than the property in question should actually be considered for a change but the staff advised Mr. Brush that until there was more detail about what kind of development will possibly go into the area that this should be held in abeyance.

Woodward Street has more or less adequate right-of-way; however, the City is in the process of culminating an agreement with St. Edwards University to bring the street to the standard right-of-way.

The staff feels that in relation to the expanding University on property to the north and the existing residential area that the requested change is not unreasonable and recommends that it be granted.

Mr. Jackson asked if the homes in this area were built prior to the designation of the area as industrial. Mr. Osborne explained that the area was designated industrial even though the homes were existing. It is the staff's opinion that the designation of the area to medium density residential would allow for the best development of the site because the tract is located at a relatively good intersection.

Mr. Dunnam inquired about St. Edward's plans for having the one main entrance into the campus along Woodward Street. Mr. Osborne advised the Commission that the plan is now altered to provide for an entrance on the north side of the campus. This is part of the agreement the City is involved in with regard to the paving and dedication of the streets.

Mr. Dunnam stated that he is in favor of the change recommended by the staff but feels that the change should extend all the way down Woodward Street to the Interregional Highway because of the fact that St. Edwards University is a developing educational institution which is an asset to Austin and the development for industrial purposes would detract from this school.

Mr. Riley stated that in his opinion it will be just a matter of time before the area along Woodward Street is changed to a residential classification. Mr. Jackson agreed with Mr. Riley and noted that the access from Woodward Street would be difficult for an industrial firm to use.

Mr. Harris Brush was present at the hearing and stated that approximately four years ago when Woodward Street was surveyed, he bought the property because he thought it would be a good investment. After the property was purchased, it was found that Barton Skyway would extend through the area and 15 feet of right-of-way was dedicated from the site for this purpose. It is felt that the subject property is very suitable for apartment development.

C2-68-1(a) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

The Commission members noted that St. Edwards University is located on property directly across from the subject site and that there is existing residential development to the east along Woodward Street. They felt that the requested change is in keeping with the existing development of the area. It was then unanimously

VOTED: To recommend that the land use designation for approximately 20 acres of land located at the southeast corner of South Congress Avenue and Woodward Street to Woodleigh Street be changed from Manufacturing and Related Uses to Medium-Density Residential.

C5-66-6 GLEN OAKS URBAN RENEWAL PROJECT

The Director of Planning stated that Mr. Clarence Flournoy is requesting an amendment to the Glen Oaks Urban Renewal Plan. The Urban Renewal Board, after adoption of the existing plan, has had several discussions with Mr. Flournoy concerning the change he is requesting. The Renewal Board has advised Mr. Flournoy that they would not recommend a change in the plan and that his only recourse was to go to the City Council and request consideration of a revision to the plan. The City Council heard the request by Mr. Flournoy and referred it to the Commission for recommendation of a possible amendment or denial of an amendment.

The issue starts with the designation of a commercial area located at the intersection of Hargrave Street and Rosewood Avenue. In the existing Glen Oaks Urban Renewal Plan, this area of approximately 4.6 acres was designated as a commercial area or retail area to serve the neighborhood. The best generalized description would be a neighborhood shopping center. The economic study for the project has recommended that at this location there be at least a five acre area for a neighborhood shopping center. After getting the project under way, the issue has come up with respect to a strip of land on the north end of the proposed commercial area, south of the proposed Morris Street, that belongs to Mr. Flournoy. In addition to this strip of land, Mr. Flournoy owns property to the north of the proposed street. Morris Street is not in place at the present time, but it is proposed to go in connecting from Hargrave Street, going around and back to Rosewood Avenue, circling the shopping center. To the north of the proposed street would be residential development along two cul-de-sacs. In this particular case, all of the lots along the cul-de-sacs are to be developed with two-family dwellings with the exception of two lots which would be single-family development. It is the staff's understanding that under the Renewal Plan, the owners of the property to the south have been able to block up most or all of the land that is currently for a shopping center and they have obtained leases from various retail businesses. They, in turn, have offered to acquire the portion of Mr. Flournoy's property located south of the proposed Morris Street. This has apparently been rejected by Mr. Flournoy. It is also the staff's understanding that the Renewal Agency has offered to acquire all of Mr. Flournoy's

C5-66-6      GLEN OAKS URBAN RENEWAL PROJECT--contd.

property, both the area in controversy and the additional area he owns to the north. The strip of land which is in controversy is approximately 100 x 500 feet long. There is a limitation of access along the proposed northerly street and limitation of access along Hargrave to a restricted number of points to enter or leave the shopping facilities. It is not incumbent in the renewal plan that this shopping center be developed all by one developer or be all under one ownership.

The staff has received notice that the owners of the tract to the south are willing and able to agree to provision of access into Mr. Flournoy's property although there is limitation of access to the north into the residential area.

The original comments and recommendation sent to the Commission members by the staff were based on a situation that was incorrect. It was thought that Mr. Flournoy's 100 x 500 foot strip of land was being left with a serious limitation of access and that the Renewal Agency was not in a position to acquire the land. The staff recommends that the area be redesignated for a residential use, which in this particular case would be duplex units. There were conditions mentioned by Mr. Flournoy pertaining to the development of duplexes in that he would be required to have a minimum of 750 square feet of floor space and the construction would have to be at least 30% masonry. There were also conditions over and above the Zoning Ordinance pertaining to lot size and width. A schematic plan for a residential subdivision was submitted which proposed that the street terminate in a cul-de-sac on the westerly end. The staff said that if any such plan was accepted, it would be recommended that the street be continued as proposed in the existing renewal plan. After sending the recommendation to the Commission, the staff discussed the amendment with the Renewal Agency and again with Mr. Flournoy and the circumstances are not as originally understood, as to the limitation of access, Mr. Flournoy's ability to develop the property or that the Renewal Agency has not made an offer to purchase the property. If the Renewal Agency acquires all of his property, places in the streets, utilities, and clears off the substandard housing on the tract, Mr. Flournoy would have the first option to repurchase the land at the equivalent of the highest bid received on the land and he would not even necessarily have to bid. Other people could bid and he would then have the first option to repurchase at the highest bid price. This would include all of the land or a portion of the land. The options have been offered to Mr. Flournoy that do not force him into a situation where the only way he could develop would be residentially. It would be sound to allocate to this area the total 4.6 acres for a shopping center facility whether developed individually or whether developed jointly.

C5-66-6

GLEN OAKS URBAN RENEWAL PROJECT--contd.

Within this area, located to the southeast, is the Booker T. Washington housing project which has 300 apartment units. There are other residential developments planned within the area to the east that range generally from a medium density to low density. There is also a 300 unit apartment project proposed in the general area that is in the final stages of planning. There is a high school and an elementary school in close proximity to the site. It is apparent that there is a substantial need within the area for adequate shopping facilities because of the housing projects and schools. It is the Planning Department recommendation that the Glen Oaks Urban Renewal Plan not be amended.

Mr. Paul Jones, representing the Urban Renewal Agency, advised the Commission that the Agency has already acquired several tracts of land in the area and the acquisition of additional land is proceeding. Mr. Jones noted that under Texas State Law, property which is acquired by an agency through condemnation or the threat of condemnation, when offered for sale by sealed bids as required by State law, can be repurchased by the original owner. The former owner has a right, which is written into the State law, to repurchase that property, for use in accordance with the Urban Renewal Plan, at the highest and best responsible bid. He has the first option to match the highest bid received. In this instance, it must be understood that all of the tracts coming out of or created out of land currently belonging to Mr. Flournoy can be resold to him at the highest bid. If there was a piece of land that was a part of Mr. Flournoy's and someone else's property that was put together, that right would not exist because the land would not be entirely from one owner. Another point to keep in mind is that the owner of property covered by an urban renewal project has the right to keep and use his property in accordance with the plan and if he agrees in writing to use his property in accordance with the plan, the Agency does not have the power to acquire it by eminent domain. In view of this, the only thing in question at this point is the area south of the proposed Morris Street inasmuch as Mr. Flournoy plans to use the remainder of his land in accordance with the plan. In accordance with the plan means that the owner would have to dedicate and develop those streets going through the property which means paving, curbing and guttering to City standards. That is part of using the property in accordance with the plan, otherwise, it is acquired by the Agency and the Agency puts in the streets or the City does in accordance with its cooperation agreement with the Agency.

Mr. Riley stated that the Planning Commission has reviewed the Glen Oaks Urban Renewal Plan a number of times and it has already been approved. He further stated that there are a number of property owners in this area and asked if each of the owners would be entitled to come and request that the plan be changed. If so, there would be no purpose in reviewing and approving a plan if there is no intention to abide by it.



C5-66-6            GLEN OAKS URBAN RENEWAL PROJECT--contd.

Mr. Jones explained that this is a problem the Agency is faced with. The State law provides for an amendment procedure. An amendment procedure to be followed is the same procedure followed in enacting a plan. If no conditions have changed since the adoption of the plan, and this is the Renewal Agency's position in this case, there is a great deal of time, study, planning and money that has been spent will be wasted. The approved plan has been in force approximately seven months, during which time the agency has under contract approximately 200 pieces of property out of 450 pieces of property to be acquired. There have been no circumstances that have changed during that period of time and this is the reason the Agency opposes the requested change. Had there been a drastic change, there would be no objection or hesitation in reconsidering the plan.

Mr. Clarence Flournoy was present at the hearing and stated that he did not know and was not informed, as he was out of town, when the urban renewal plan was finally worked out. He stated that he discussed the plan with Mr. Leon Lurie of the Renewal Agency in January, 1967, and he said that the plan had not been approved or worked out. He also said that a property owner in this area was not eligible to develop their property themselves as the Agency was going to buy the property and develop it. Mr. Flournoy further stated that the first he knew about the Agency not acquiring the land was when Mr. Carpenter, representing Mr. Byram who is the property owner to the south, called approximately three or four months ago and asked him if he could buy the strip of land in question to be part of the total commercial tract. It is required that legal ads be run in the newspaper but personal notification is not required.

Mr. Flournoy stated that Dick Matz recently called him and said he had a tract of land he wanted to sell. He looked at the property and it was the tract to the south, where the shopping center was to be located. Mr. Matz said that leases for the shopping center had been signed and offered to sell the property with the leases for \$100,000. Mr. Flournoy explained that he did not know that a property owner could keep his land and develop it as he was told by Mr. Lurie that it had to be sold to the renewal agency. He would most certainly have asked that the plan be changed if he had known this. Mr. Flournoy stated that he owns the strip of land south of the proposed Morris Street and he only wants to build duplexes on the property in accordance with the plans for the property to the north. He stated that if he keeps the tract under the existing plan he will have to pave Morris Street and there can be no curb breaks on the south side and there must also be a fence along the street. The existing tract has 60 feet of frontage along Hargrave Street that widens out to approximately 105 feet in width approximately 250 feet west of Hargrave Street. Because of the fact that no curb breaks will be allowed, the property cannot be developed as an individual commercial area. If the plan is changed, the area will be developed with duplexes which will be in conformance with the standards of the renewal plan. It is true that a property owner can buy the land back from the Agency after it is sold to them but how much they will ask for the land is a different matter. Mr. Flournoy stated that he had a letter from the Planning Department stating that the recommendation would be in favor of the amendment; however, Mr. Osborne called him and said that this recommendation was being withdrawn.

C5-66-6            GLEN OAKS URBAN RENEWAL PROJECT--contd.

Mr. Jackson stated that it is his understanding that a property owner can repurchase the property from the Agency at the appraised value. Mr. Jones explained that this is true when the streets and utilities are already in place.

Mr. Osborne again noted that there had been an offer from the property owners to the south to acquire the land and that the Agency had also made an offer to acquire the land. The Agency has offered to acquire all of the applicant's land to redevelop it in accordance with the plan with his having the first right to repurchase any portion of the property. As a result of this, the circumstances as originally presented were not entirely correct and this is the reason the staff advised Mr. Flournoy that the original recommendation was being withdrawn.

Mrs. Flournoy was present at the hearing and stated that she owns three of the tracts separately. She noted that the fact that regardless of what was paid for the property, at the present time there is a very adequate income from the property. When the property is bought by Urban Renewal this means there is going to be a substantial loss of income. This was decided on by the Urban Renewal Board without individual notification to the property owners. It is felt that this is an inequity and the Commission is set up to rectify inequities.

Mr. Jones stated there are 22 substandard residences on the property in question and the Zoning Ordinance says that only one residential structure is allowed on a lot. Mr. Flournoy has raised two points with regard to this property which the Agency must answer. Under the plan there has to be a privacy fence or hedge along Morris Street and no curb cuts to the north. The reason is that good planning dictates that the residential development be screened from the commercial. The intent being that this property would generally face to the south and the development would be along the periphery of the tract facing south. This is what the Agency is recommending.

The Commission members discussed the requested amendment and were cognizant of the fact that the Urban Renewal Agency, as well as the property owners to the south, have attempted to purchase the applicant's property in order to develop the tract in accordance with the approved Urban Renewal Plan. They also noted that access to the tract has been offered through the property to the south so the applicant can develop his land in accordance with the plan. They felt that in view of the fact that the plan has been approved and that there have been no changes since the adoption of the plan that this request should be denied. It was then

VOTED:        To recommend that the request of Clarence Flournoy to amend the Glen Oaks Urban Renewal Project be DENIED.

AYE:          Mrs. Naughton & Messrs. Jackson, Wroe, Dunnam, Bluestein, Riley, Smith and Hazard

NAY:          Mr. Brown

ABSENT:       None

C5-68-4      BRACKENRIDGE URBAN RENEWAL PROJECT  
Consideration of Resolution

The Commission considered and unanimously adopted the following resolution pertaining to the Brackenridge Urban Renewal Plan:

WHEREAS, the City Council of the City of Austin has submitted to the Planning Commission for review and recommendation, the Brackenridge Urban Renewal Plan in accordance with the Urban Renewal Law, Article 1269L-3, V.T.C.S.; and

WHEREAS, the Planning Commission at its regular meeting of January 9, 1968, reviewed the Plan with a view toward making a recommendation to the City Council thereon; and

WHEREAS, upon such review the Planning Commission found that, as submitted to it, the Brackenridge Urban Renewal Plan was not in conformity with the general plan for the development of the City as a whole or with the Austin Development Plan of the City of Austin; and

WHEREAS, the Planning Commission has submitted its recommendation to the City Council to amend the Austin Development Plan to permit land uses as proposed in the Brackenridge Urban Renewal Plan; and

WHEREAS, the City Council has at a public hearing on January 18, 1968 amended the Austin Development Plan and approved the Brackenridge Urban Renewal Project; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN:

That the Brackenridge Urban Renewal Plan conforms to the general plan for the development of the City as a whole and with the Austin Development Plan of the City of Austin, and that an executed copy of this resolution be filed with the City Clerk.

C10-68-1(b)      ALLEY VACATION  
Montclair Street alley northwest of  
South Lamar Boulevard

The staff reported a letter from Mr. W. M. Sheppard requesting that the Montclair Street alley northwest of South Lamar Boulevard be closed. Mr. Sheppard owns the abutting property on the north side of the subject alley. The request has been circulated to the various City Departments and they have recommended in favor of the vacation with no retention of easements. There is one problem in that all of the abutting property owners have not requested, in writing that the alley be closed; however, Public Works has contacted the property owners by telephone and they are

C10-68-1(b) ALLEY VACATION--contd.

in agreement. The staff recommendation is that the alley be vacated subject to agreement in writing by all of the effected property owners. The Commission then

VOTED: To recommend that the Montclair Street alley northwest of South Lamar Boulevard be VACATED, subject to agreement in writing by all of the effected property owners.

R140 PLANNING COMMISSION - General

The Director of Planning reported that he has discussed the possibility of a cooperation and coordination agreement with the Mayor of West Lake Hills and briefly with the Mayor of Rollingwood. This agreement would encourage information exchange about subdivisions and land use matters where there is joint involvement between the respective communities and the City of Austin. The Mayors of the respective communities have indicated an interest in exchanging information and cooperation. The staff feels that this agreement should also extend to the City of Manor as there is overlapping of subdivision control areas. It is felt that the Planning Commission would be the appropriate one to initiate such a move on the part of the City of Austin.

The Commission members agreed that exchange of information and cooperation with the surrounding communities would be a benefit. They unanimously

VOTED: To instruct the staff to draw up a resolution encouraging the exchange of information and cooperation between the City of Austin and the surrounding communities.

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

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Hoyle M. Osborne  
Executive Secretary