

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- June 25, 1968

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

Present

Samuel E. Dunnam, Chairman
Hiram S. Brown
Roger Hanks
Robert Kinnan
William Milstead
Robert B. Smith
*Mrs. Lynita Naughton

*Left at 9:35 p.m.

Absent

Dr. William Hazard
Alan Taniguchi

Also Present

Hoyle M. Osborne, Director of Planning
Richard R. Lillie, Assistant Director of Planning
Wayne L. Golden, Planning Coordinator
E. N. Stevens, Chief, Plan Administration
Walter Foxworth, Associate Planner
Bill Burnette, Associate Planner
Glenn Cortez, Assistant City Attorney
Shirley Ralston, Administrative Secretary

MINUTES

Minutes of the meeting of January 9, 1968 were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of June 18, 1968.

Present

Dr. William Hazard, Chairman
Robert B. Smith
Mrs. Lynita Naughton
Hiram S. Brown

Also Present

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

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PUBLIC HEARINGS

C14-68-118 Roberta P. Dickson: A; 1st to B, 1st (as amended)
Rear of 2238-2310 Barton Skyway

STAFF REPORT: This application covers a large tract containing approximately 5.7 acres of undeveloped land. The stated purpose of the request is for apartment development. The requested zoning would permit a maximum development of 165 regular units or 330 apartment hotel units on the site. There is mixed zoning and development patterns in the area consisting of single-family, apartments and commercial facilities. "B" Residence, First Height and Area zoning was granted on property adjoining the site to the north in 1957, and on property adjoining the site to the south in 1963. In April of this year a "B" Residence, First Height and Area District was established along Skyway Circle. The property along South Lamar Boulevard is zoned "GR" and "C" Commercial. The area located along Rae Dell Avenue and La Casa Drive is developed with single-family dwellings, and the area along Barton Skyway is developed with single-family and two-family residences. The staff feels that the major concern with this application is related to the ingress and egress to the site. This problem has been discussed with Mr. Greg Gannaway, representing the applicant, who is willing to dedicate the necessary right-of-way for two cul-de-sacs; one to be located at the end of West Hill Drive and the other to be located at the end of the unnamed street which extends to South Lamar Boulevard. The applicant also owns the property adjoining to the southeast and is willing to dedicate the remaining portion of the unnamed street to the subject property and to develop the cul-de-sac. An alternate layout would be the extension of Westhill Drive through the site into a portion of the tract adjoining to the north and then to the unnamed street and onto South Lamar Boulevard. This particular layout was considered after the staff talked to Mrs. Wortham, owner of the tract adjoining to the north, who wanted access to her property. A third alternative was to extend the unnamed street up through a portion of the subject property and through the southeastern corner of Mrs. Wortham's property and put in a cul-de-sac on the subject site and the adjoining property; however, Mrs. Wortham is not willing to participate in the dedication or building of the street at this time.

The staff feels that the requested "B" Residence, Second Height and Area zoning as requested is a very high density zoning for this area and has discussed this with Mr. Gannaway. He has stated that the applicant is willing to amend the application to "B" Residence, First Height and Area zoning as they propose to develop only 92 units on the site which would be permitted under the amended request. "B" Residence, First Height and Area zoning would permit 106 or 108 units which is more than adequate for the proposed development.

Cl4-68-118 Roberta P. Dickson--contd.

TESTIMONY

WRITTEN COMMENT

Code		
J	Mr. & Mrs. Roger Q. Drake: 2605 Rae Dell	AGAINST
M	Mabel Chelette: 2207 La Casa Drive	AGAINST
H	Dr. & Mrs. Frank Wortham: 2604 Paramount	AGAINST
P	James T. Sky: 2201 La Casa Drive	AGAINST
K	Nunzie Champion: 2701 Rae Dell	AGAINST
L	John E. & Doris Brodie: 2209 La Casa Drive	AGAINST
Z	James E. Solt: 2604 Rae Dell	AGAINST
AB	James R. White, Jr.: 2606 Rae Dell	AGAINST
AX	T. J. Gibson: 2707 Rae Dell	AGAINST

PERSONS APPEARING AT HEARING

Code		
	Greg Gannaway (representing applicant)	
AK	Chester O. Britt: 2708 Rae Dell	AGAINST
AG	Mrs. E. M. Wallace: 2702 Rae Dell	AGAINST
AX	Mrs. T. J. Gibson: 2707 Rae Dell	AGAINST
J	Mrs. Roger Drake: 2605 Rae Dell	AGAINST
AY	Mrs. John Rodgers: 2705 Rae Dell	AGAINST
P	Mrs. James T. Sky: 2201 La Casa Drive	AGAINST
M	Mabel Chelette: 2207 La Casa Drive	AGAINST
H	Mrs. Frank Wortham: 2604 Paramount	AGAINST
L	Doris Brodie: 2208 La Casa Drive	AGAINST
AC	Mr. & Mrs. R. C. Walker: 2400 Elm Glen	AGAINST
K	Mr. & Mrs. Munzie Campion: 2701 Rae Dell	AGAINST
Z	Mr. & Mrs. James E. Solt: 2604 Rae Dell	AGAINST
AW	Mr. & Mrs. G. D. Cole, Jr: 2709 Rae Dell	AGAINST
AZ	Mr. & Mrs. Charles N. Horner: 2703 Rae Dell	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Greg Gannaway was present at the hearing and presented sketches of the site. He stated that in order to build the proposed development he has to comply with City regulations with regard to traffic and drainage and this should not present a problem. The proposal is to build fourplexes and sixplexes. It is realized that there is a drainage problem in this immediate area now and this has not been taken care of because there has been no development; however, in order to develop the property, the drainage problem will have to be resolved. The development on the site will be an asset to the area.

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C14-68-118 Roberta P. Dickson--contd.

Arguments Presented AGAINST:

A number of nearby property owners appeared in opposition to the request and presented the following information: One of the major objections to the requested zoning is water drainage problem that exists in this area. Everyone in this area is concerned about the water problem and it is felt that development of the site in the manner proposed would only create an additional problem for the adjacent property owners. The traffic pattern in the area is inadequate to handle the amount of traffic that would be generated by the development of 92 units. If the property is changed, there will not be a buffer provided for the residential lots fronting onto Rae Dell Avenue. A number of adjacent property owners opposed the request as the insufficient drainage facilities had caused a great deal of flooding in their homes. Mrs. Wortham, owner of property adjoining to the northeast, appeared at the hearing and stated that her house is approximately 40 feet from the property line of the subject site. She explained that she will not have access to the western portion of her property if the site is developed as proposed and she would oppose a street that extends close to her house.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied because of the existing drainage and potential traffic problems on the site; however, they stated they would look with favor on granting the requested zoning, as amended, if the problems can be resolved.

At the Commission meeting, the staff reported that there was concern with the drainage in this area in that the property under consideration has a valley in it and at one time a stock tank was located in the southern portion of the site. The stock tank has been removed but there is a draw through the general area. A number of property owners appearing at the Zoning hearing in opposition to the request were concerned about backing to apartment development and also about the flooding they had experienced in the past. The staff has discussed this problem with Mr. Morgan, Drainage Engineer for the City, and he has stated that the type of drainage facilities required on this property will depend on the proposed development. Mr. Morgan advised the staff that a 24 inch and a 15 inch pipe stubbing into the southeastern and eastern sides of the property which if extended through Mrs. Dickson's property will have to be enlarged to a 30 inch pipe for a distance and then to a 42 inch pipe. Mr. Morgan agrees that there has been flooding in the area in the past but feels that the drainage facilities in the subdivided area to the west are adequate and that the drainage problem has been caused by the type of inlet that feeds into the existing pipe which has been stopped up in the past with debris, brush, etc., which in turn has caused the flooding. He feels the problem can be alleviated by extending the 42 inch pipe into the Dickson property and providing a better inlet.

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465C14-68-118 Roberta P. Dickson--contd.

With regard to an apartment dwelling group where there is not a subdivision occurring on the land, the applicant may wish to have an open ditch through a portion of the property, in which case her development plan would be reviewed in detail regarding necessary drainage facilities. There was further concern by the residential homeowners in that they felt the proposed development will empty traffic onto Lamar Boulevard through the cul-de-sac and out Westhills Drive onto Barton Skyway and South Lamar Boulevard. It was pointed out that the unnamed cul-de-sac off of South Lamar Boulevard is in close proximity to a "Y" intersection at Manchaca Road which would cause difficulty in traffic control. The staff reviewed this with the Traffic Department and they feel that they can control the additional traffic without undue problems. According to the Traffic Department, there is sufficient distance between Manchaca Road, the cul-de-sac and the signal lights to control the traffic coming from apartment development on the site.

A letter has been received from the applicant requesting that the application be amended to "B" Residence, First Height and Area and agreeing to develop streets in this area in accordance with the Planning Commission's rules and also agreeing to take care of the normal drainage as required by the Department of Public Works. The staff has recommended in favor of this request because of the "B" zoning adjoining the site to the north and south and the "C" Commercial zoning along Lamar Boulevard.

The Commission members felt that in view of the letter from the applicant offering to develop the necessary streets and agreeing to take care of the drainage that the request should be granted as a logical extension of existing zoning and development. It was then unanimously

VOTED: To recommend that the request of Roberta P. Dickson for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area (as amended) for property located at the rear of 2238-2310 Barton Skyway be GRANTED.

C14-68-119 George G. MacDonald: A to BB
3611-3633 and 3847-3869 Bull Creek Road
Rear of 3635-3845 Bull Creek Road

STAFF REPORT: This application covers an irregular shaped tract of undeveloped land consisting of 20.54 acres. The stated purpose of the request is for apartment development. A special permit on the site to allow the erection of 111 unit apartment dwelling group has been filed and is before the Commission for consideration at this time. The subject site abuts a public street at four points. Two points of the site abut Bull Creek Road (F.M. 2222). The property abuts two other public streets one of which is Lakeland Drive which is a stub street going into a residential section of Highland Park West and the other is a stub street of Western Hills Drive.

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C14-68-119 George G. MacDonald--contd.

The applicant owns additional land in this area which is not part of the application. He owns approximately six acres of undeveloped land adjoining the subject site to the west and approximately twelve acres of undeveloped land adjoining to the south.

The intersection of Bull Creek Road and Dry Creek Drive is developed with several commercial facilities consisting of a drive-in grocery, an office and other local retail property that is yet to be developed. Adjoining the subject site, is Highland Park West Subdivision, developed with high quality single-family dwellings. The subject property is located on a hillside and there is an elevation difference between the property and the Highland Park West residential subdivision and Bull Creek Road. There is approximately 100 to 125 feet between the elevation of the residential property on top of the hill and Bull Creek Road. For the most part there is a grade or elevation difference with the common line of the subject property and the adjoining residential property with the exception of one area.

The staff feels that the consideration of the zoning application should be conditioned on the action of the Special Permit which has been filed for development of the property inasmuch as the requested "BB" zoning would permit in excess of 400 apartment units on a tract of this size. The Special Permit filed on the site proposes a 111 unit apartment dwelling group and various buildings, tennis court, club house, and one swimming pool. There are also 380 off-street parking spaces proposed, 222 of which will be garage spaces. There are a number of conditions to be complied with in the Special Permit but the applicant is aware of the conditions and he is willing to comply. With the particular site plan for the development of the site, the staff recommends that the requested "BB" Residence, zoning be granted as the proper utilization of a difficult piece of property.

There is an agreement between the applicant and certain property owners in this area pertaining to distance between common property lines, access, fencing, height of structures and other items, whereby the property owners have agreed to support the proposed development on the site.

There are items which the staff is checking with regard to the intersection of the private drive and Bull Creek Road. It is felt that these items can be worked out. This is being reviewed with the Traffic and the Highway Department. With the conditions as set forth, the staff feels that the requested zoning should be granted with approval of the site plan for the Special Permit.

TESTIMONY

WRITTEN COMMENT

Code

AM	Harold B. Lawson: 7310 Mesa Drive	AGAINST
M	E. Dickinson, II: 5400 Western Hills Drive	FOR
AV	Herbert F. Andey, II: 3601 Arrowhead Drive	FOR
BA	Samuel L. King: 2110 Matthews Drive	FOR
	2 petitions with 42 signatures	FOR

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~~467~~C14-68-119 George G. MacDonald--contd.

PERSONS APPEARING AT HEARING

Code

A	George G. MacDonald (applicant)	
A	Jean MacDonald	FOR
	Martin Harris (representing applicant)	
BF	Richard Zoner: 5604 Caprice Drive	FOR
BF	Mrs. R. M. Zoner: 5604 Caprice Drive	AGAINST
?	John Van Winkle: 4019 Marathon	FOR
?	Robert M. O'Donnell: Denver, Colorado	FOR
?	Gordon D. Clark: 4019 Marathon	FOR
?	Leon Chandler: 4019 Marathon	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Martin Harris, attorney for the applicant, filed with the Committee petitions in favor of the proposal containing signatures of 90 percent of the people in the area and 50 percent from those who received notice. This particular project was conceived by the applicant and designed by Mr. Robert O'Donnell who is a land planner from Denver and also is a member of the regional five HUD Committee. He has designed projects of this nature all over the United States.

Mr. O'Donnell explained that this project was put together through the efforts of his firm as planners, Mr. Oscar Holmes, engineer, Leon Chandler, architect, and with cooperation with the City officials. It is felt that the proposed development for the property fits the physical and geographical problems of the site. As pointed out by the staff there is approximately 125 feet of fall from the residential subdivision to the west portion of the property. This averages between 20 and 30 percent grade and it would be extremely difficult to develop the property under the standard subdivision practices. The plans are to develop the site under the condominium principals which in this particular case would be a series of attached single-family dwellings none of which are higher than two stories and which are contoured to the land and stepped down at least two levels. The front of the unit forms access to a two car garage that will be provided for each unit. With the 111 units proposed, there will be 222 garage parking spaces. There has also been established 90 off-street parking spaces throughout the project. The condominium principal is to sell each separate unit and the price will range between thirty thousand and sixty thousand dollars each. The proposed development will be a very high quality development. There will be a density of 5.4 dwelling units to the acre on the property which is comparable to low-density type townhouse development. There is an open area at the north which has a grade of approximately 35 percent which will be left in open space. When a condominium owner buys his home in this development, he will be paying each month a small amount towards maintenance of the entire area, and he will also be paying for private trash removal and guard service at the gate. There will be club facilities with a swimming pool and club house. The intention is

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C14-68-119 George G. MacDonald--contd.

to handle the drainage through the draw with adequate size pipe. The development will be started in phases and the first phase will consist of approximately six units adjoining the club house which will also be built. The applicant will open and pave the right-of-way from Bull Creek Road (F.M. 2222) to this area. It is requested that the streets be private streets which will be maintained by the condominium association. Each of the units will own a porportionate amount of the open space around it so that when a unit is purchased, a property owner will own the individual unit and a portion of the open space. Underground utilities of all types are planned for the project and the project will be designed in such a way that only the minimum amount of existing greenery and trees will have to be removed. The drainage has been carefully studied and no problem is anticipated, but the applicant will work with the City.

Mr. O'Donnell explained in the first phase of development they intend to indicate exactly what kind of landscaping and control will be put into the entire tract. The property owners to the south have their homes overlooking this property and the units have been designed so that the homes actually overlook the top of each of the units.

In the negotiations with the adjoining property owners, there was objection to the plan because the original location of the swimming pool and club house area was too close to their property, therefore, to remove this objection the area has been relocated toward the center of the site. The units have been designed so as to provide a green buffer between the existing residential homes and the project area. There is a service area located at the southeast corner of the site which will be screened and fenced and will be dug into the hillside so that the area can be made flat.

Mr. Richard Zoner, a nearby property owner appeared at the hearing and stated that he is in favor of the proposal although it has been changed since he originally saw it. He explained that he is in favor of closing off Lakeland Drive.

Arguments Presented AGAINST:

Mrs. R. M. Zoner, was present at the hearing and stated that she is in agreement with the relocation of the swimming pool and club house; however, she is not in favor of the service and maintenance area located directly below her property and requested that her name be withdrawn from the petition that she signed in favor of the proposal.

Another nearby property owner appeared and stated that she would be opposed if the area is opened up for rental units. If the City opens up Western Hills Drive it will throw the main traffic to the school and shopping centers into a very crowded area.

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469C14-68-119 George G. MacDonald--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and were in favor of the requested zoning based on the particular Special Permit site plan. They recommended that the request be granted, provided the development complies with the Special Permit requirements. It was further recommended that a provision be included to revert the zoning to "A" Residential at anytime the proposed Special Permit is abandoned.

At the Commission meeting, the staff reported a letter from the applicant stating that he and his assignees will request a rollback in zoning to "A" Residence in the event the development as proposed by the Special Permit is abandoned. He also states that the utility area will become additional parking space; and that the new location for the utility area will be located at the lower cul-de-sac.

Mr. Stevens stated that the relocating of the utility area was at the request of an adjoining property owner.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of George G. MacDonald for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 3611-3633 and 3847-3869 Bull Creek Road and the rear of 3635-3845 Bull Creek Road be GRANTED.

C14-68-121 H. A. Butcher: A, 1st to GR, 5th (as amended)
910 West 30th Street
907 West 30½ Street

STAFF REPORT: This site consists of one lot covering an area of 8,142 square feet. The stated purpose of the application is for uses authorized in the requested zoning classification. It is the staff's understanding that the subject property will be used in conjunction with the two lots adjoining to the west, having frontage onto Lamar Boulevard. This is an area consisting of mixed zoning and development, particularly along Lamar Boulevard where there is "C", "LR", and "GR" zoning and development. To the east and west of Lamar Boulevard there is a series of single-family development, particularly in the area between West 30th, West Avenue and West 30½ Streets. A request for "C" Commercial zoning was made on the two lots adjoining the site to the west in 1967, at which time the Commission recommended denial but stated they would look with favor on granting "GR" General Retail, Fifth Height and Area zoning if the streets were made adequate. "GR" General Retail, Fifth Height and Area zoning was granted by the City Council with the condition that the property front onto Lamar Boulevard. Since that time, the applicant has entered into a contract with the owner of the adjoining two lots to buy the property now under consideration. The staff feels that if the request is granted, the property should front onto Lamar Boulevard and the three lots should be used

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C14-68-121 H. A. Butcher--contd.

as one building site. The representative of the applicant has assured the staff that they will file a site plan for office development fronting onto Lamar Boulevard, with the Building Inspector or that the property will be replatted.

West 30th Street, with 55 feet of right-of-way, should be widened to 60 feet which will require five feet from the site; West 30½ Street with only 45 feet of right-of-way, should be brought up to minimum of 50 feet which will also require five feet of right-of-way from the site. With regard to the application, the staff feels that the requested Second Height and Area portion of the request should be denied as it would be inconsistent with the existing height and area established along Lamar Boulevard and recommends that Fifth Height and Area zoning be established. The staff feels that the "GR" District should stop at this point. Any further requests would be an intrusion into a residential neighborhood.

TESTIMONY

WRITTEN COMMENT

Code

H	Mrs. D. B. Castell: 808 West 30th Street	AGAINST
M	Fred M. Bullard: 903 West 30th Street	AGAINST
M	Mrs. Fred M. Bullard: 903 West 30th Street	AGAINST
D	Mr. & Mrs. J. Garland Barcus: 906 West 30th Street	AGAINST

PERSONS APPEARING AT HEARING

Code

Robert L. Davis (representing applicant)

SUMMARY OF TESTIMONY

Mr. Robert L. Davis, attorney for the applicant, stated that he concurs with the staff recommendation. He explained that two lots adjoining the site to the west fronting onto Lamar Boulevard are owned by Mr. Billy Zidell and he has a contract to purchase the property under consideration subject to the zoning change. There is no objection to Fifth Height and Area zoning and it is requested that the application be amended. Mr. Davis explained that he has talked to Mr. Zidell and he plans to use the subject site in conjunction with the property facing onto Lamar Boulevard for an office building that will face on Lamar and will cover all the property lines. Mr. Davis further stated that it is his understanding that the loan commitment has been made and plans will be filed with the Building Inspector before the zoning request goes to City Council. The right-of-way needed for West 30th and West 30½ Streets has been discussed with Mr. Zidell and he has agreed to dedicate the necessary widening. It is felt that the requested zoning is the logical extension of the existing zoning and is in keeping with the development along Lamar Boulevard.

No one appeared in opposition to the request.

C14-68-121 H. A. Butcher--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the request to amend the application to "GR" General Retail, Fifth Height and Area. They reviewed the information presented and were cognizant of the fact that the applicant has offered to dedicate the necessary right-of-way for the future widening of West 30th and West 30½ Streets. They felt that in view of this offer, the requested zoning should be granted as a logical extension of the existing zoning, provided the property is used as one site in conjunction with the two lots adjoining to the west and that the development front onto Lamar Boulevard.

At the Commission meeting, the staff reported a letter from Mr. Richard Baker, representing the applicant, offering to dedicate the necessary right-of-way for the widening of the streets.

The Commission was cognizant of the offer to dedicate the necessary right-of-way. They concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of H. A. Butcher for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, Fifth Height and Area (as amended) for property located at 910 West 30th Street and 907 West 30½ Street be GRANTED.

C14-68-122	Vaughn Capital Corporation and Harry M. Whittington: Int. A, Int. 3317-3417 Steck Avenue	1st to D, 1st
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STAFF REPORT: This application covers approximately 5.19 acres of undeveloped land. The stated purpose of the request is for a plant and warehouse for printing and publishing. It is the staff's understanding that the site is to be used in conjunction with the Steck Company which is located on property adjoining to the south. The area surrounding the site is predominantly undeveloped. In the latter part of 1967, a four part application for rezoning was made on property to the north of Steck Avenue at which time "D", "C", "GR" and "O" Office, First Height and Area zoning was granted. A request for "D" Industrial zoning has been granted on property to the north, having frontage onto Steck Avenue and Mo-Pac Railroad, although the Ordinance is pending right-of-way. The area to the north along Daleview Drive and Millway Drive extending to Burnet Road is developed with single-family residences. The area from Daleview Drive west to the east side of Balcones Drive is designated for Industrial development in the Master Plan, although the area between Balcones Drive to the railroad track is zoned Interim "A", Interim First Height and Area and is undeveloped. A large portion of this immediate area has been designated in the Master Plan for industrial development and the requested zoning conforms to this designation.

The staff has no objection to the requested change; however, there is concern with regard to the right-of-way for Steck Avenue and the possible need for a grade separation with the railroad. Steck Avenue, with a present right-of-way of 60 feet, is required to have 80 feet of right-of-way for industrial purposes

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C14-68-122 Vaughn Capital Corporation & Harry M. Whittington--contd.

which will require ten feet of right-of-way from the subject property. The area needed for the grade separation would be from ten feet at the eastern end of the site to approximately 50 feet at the western end. The applicant should be aware of this separation so that development can occur south of this area. It is recommended that the requested zoning be granted, provided Steck Avenue is made adequate, as it is in conformance with the Master Plan designation for the area and is consistent with the existing zoning and development.

TESTIMONY

WRITTEN COMMENT

Code

J Stripling-Blake Lumber Company: 5453 Burnet Road FOR

PERSONS APPEARING AT HEARING

Code

Harry M. Whittington (representing applicant)

SUMMARY OF TESTIMONY

Mr. Harry Whittington was present at the hearing and stated that he represents the applicants and the Steck Company. He explained that this was originally a 36 acre tract of land extending to Anderson Lane which was outside the City limits until last year when it was voluntarily annexed. The original plant site was built in 1956, while the property was still outside the City limits and expanded in 1962. It is now time to expand the plan again, and the existing Interim "A" zoning would conflict with the Master Plan designation of "D" Industrial for this area. The proposed plans are for a 50,000 square foot building which will be located north of the existing Steck Company. There is no objection to the ten feet of right-of-way needed for Steck Avenue; however, the grade separation and questions of this matter would be another consideration.

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 applicant has offered to dedicate the necessary right-of-way for Steck Avenue. They felt that in view of this offer that the requested zoning should be granted as it is in keeping with the existing zoning and development and conforms to the Master Plan designation for the area.

At the Commission meeting, the staff reported that Mr. Harry M. Whittington, one of the applicants, orally offered right-of-way for the widening of Steck Avenue at the Zoning meeting; however, a letter to this affect has not been received, and the staff recommends the request be denied because of the inadequate right-of-way of Steck Avenue.

C14-68-122 Vaughn Capital Corporation & Harry M. Whittington--contd.

The Commission members agreed that the request should be denied because of the inadequate right-of-way of Steck Avenue; however, they stated they would look with favor on the requested zoning if the street is made adequate. It was then unanimously

VOTED: To recommend that the request of Vaughn Capital Corporation and Harry M. Whittington for a change of zoning from Interim "A" Residence, Interim First Height and Area to "D" Industrial, First Height and Area for property located at 3317-3417 Steck Avenue be DENIED.

C14-68-123 Frank Barron: B & GR, to C
6900-6910 Cameron Road
1144-1156 Atkinson Road
1143-1157 Westheimer Road

STAFF REPORT: The property under consideration contains approximately three acres of undeveloped land. The applicant has requested that the staff not disclose the purpose of the application at this time. This area for the most part is undeveloped. Reagan High School is located directly east of Cameron Road. There is a duplex development along St. Johns Avenue. To the west of the subject property, along Cameron Road and Westheimer Drive there is "B" Residence zoning which is presently undeveloped. "GR" zoning, granted in 1964, is established to the north along the west side of Cameron Road and Interim "A" zoning is established on the east side of Cameron Road. South of Atkinson Road, extending to U.S. Highway 290, is a large area zoned "C" Commercial. Atkinson Road, with a present right-of-way of 50 feet, is scheduled to be widened to 60 feet. The remaining right-of-way will come from the south side of the street and will not effect the subject site. Cameron Road, with a varying right-of-way of 60 to 75 feet, is a major arterial street that is also scheduled to be widened; however, the right-of-way needed from the subject property has been dedicated. Westheimer Drive is a 60 foot street which is adequate to serve the proposed development. The staff would caution the applicant that there is a special permit existing on the site which would have to be withdrawn before development can occur. The staff recommends the request be granted as a logical extension of the existing "C" Commercial zoning to the south.

TESTIMONY

WRITTEN COMMENT

Code

C Austin Independent School District

NO OPINION

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

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

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C14-68-123 Frank Barron--contd.

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 zoning existing to the south.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Frank Barron for a change of zoning from "B" Residence, and "GR" General Retail, First Height and Area to "C" Commercial, First Height and Area for property located at 6900-6910 Cameron Road, 1144-1156 Atkinson Road and 1143-1157 Westheimer Road be GRANTED.

C14-68-125 Scottish Rites Bodies of Austin: A to B
Tract 1: 1632-1742 Riverside Drive
Tract 2: 1633-1727 Riverside Drive
 1630-1716 Old Riverside Drive

STAFF REPORT: This application, covering two tracts of land totaling approximately 14 acres, involves property on both sides of Riverside Drive. The stated purpose of the application is for an apartment hotel. The subject property is in an area which has been zoned and developed for apartments and some retail purposes. "C" and "LR" zoning is established on property to the south. "GR" zoning adjoins the site to the west and "B" zoning is adjacent to the east side of the subject property. The staff feels that the requested zoning and proposed use is proper for this area but there is concern with the provision of right-of-way for the Riverside Drive Expressway and South Lakeshore Boulevard which is classified as a major arterial street. The staff has discussed the right-of-way needs for Riverside Drive and South Lakeshore Boulevard with the purchaser and an oral agreement has been reached. The agreement on the right-of-way is being prepared in written form by the Legal Department. The staff recommends that the requested zoning be granted.

Dr. Hazard asked if this is in the area of the Town Lake Development Plan which has been under discussion.

Mr. Lillie explained that the area is only involved insofar as private pedestrian pathway easements are concerned along the shore line. It is not included within the Parks and Recreation Department's Phase 1 application which has been submitted to the Bureau of Outdoor Recreation, but it is hoped that it will involve the acquisition of an easement for a bicycle pathway along the lake shore.

TESTIMONY

WRITTEN COMMENT

Code

AU H. H. Rothell, Jr.: 2210 Hancock Drive
W William Joe Gage: 4505 Pack Saddle

FOR
FOR

479
475C14-68-125 Scottish Rites Bodies of Austin--contd.PERSONS APPEARING AT HEARING
Code

	Jay Wilkins, Jr. (representing applicant)	
AT	Joe Fox: Town Lake Plaza, Dallas, Texas	AGAINST
?	J. A. Parker: 3200 Bryker Drive	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. J. A. Parker stated that he is chairman of the Executive Committee of the Austin Scottish Rites which is a non-profit fraternal organization. He explained that the subject property was purchased in 1960 for the purpose of building a Scottish Rites Center. Development in the area since the purchase of the property has made the land unsuitable for a building site and the members of this organization have agreed that the property should be sold. A contract to sell the property has been entered into contingent upon the requested change in zoning.

Mr. Jay A. Wilkins, was present at the hearing and stated that in answer to the staff's statement about an easement, the City does have an easement at the present time along the property line near Town Lake. There is a sanitary sewer line easement going along the banks of Town Lake so the easement can be incorporated and a pathway if needed. He further stated that the purchaser of the subject property has discussed the right-of-way needs with the City and they have made an oral agreement as to what can be done.

Arguments Presented AGAINST:

Mr. Joe Fox appeared at the hearing and stated that he is vice-president of the corporation that owns the land to the east of the subject property. He stated that there is no objection to the zoning of the entire tract for apartments as long as the streets proposed are provided. There would be opposition to the request if the streets are not provided.

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 existing zoning pattern. However, the Committee felt that the granting of the request should be with the understanding that the street problems will be resolved, and with the condition that there be provision for a pathway as proposed in the Town Lake Plan.

At the Commission meeting, the staff reported that there is a firm oral understanding with the purchaser of the subject property concerning the provision for the extension of South Lakeshore Boulevard and also the expressway. The agreement is in the process of being formalized at this time.

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~~476~~

C14-68-125 Scottish Rites Bodies of Austin--contd.

At the Zoning hearing, the Chairman of the Committee was aware of the fact that the Town Lake Plan in this area has been adopted, and the staff advised the Committee that a pathway is proposed in the area. This has not been reviewed with the purchaser of the site and the staff feels that provision for a pathway should not be a condition of the requested zoning, but the Commission should call this need to the Council's attention. The zoning proposed is a logical extension of zoning which is presently existing and developed in the area.

The Commission members recommended that the requested zoning be granted, with the understanding that the street problems will be resolved, as a logical extension of existing zoning. They further felt that it should be pointed out to the Council that the Town Lake Plan as approved in this area will eventually effect the subject property. It was then unanimously

VOTED: To recommend that the request of Scottish Rites Bodies of Austin for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at (Tract 1) 1632-1742 Riverside Drive and (Tract 2) 1633-1727 Riverside Drive and 1630-1716 Old Riverside Drive be GRANTED.

C14-68-126 University Homesites, Inc.: Int. A, Int. 1st to GR, 1st (Tr.1), BB, Tract 1: 6627-6711 Manor Road 1st (Tr.2) (as amended)
Tract 2: Rear of 6627-6711 Manor Road

STAFF REPORT: This application is for a total of approximately 15 acres of land which has been divided into two tracts. The stated purpose of the request is for future development. Tract 1, containing 7.14 acres, fronts onto Manor Road and Tract 2, containing approximately 7.6 acres, adjoins Tract 1 to the south. A street is proposed through both tracts under consideration and also the property adjoining to the south. The subject property along with other property in this immediate area has been considered by the staff as well as the Subdivision Committee under the subdivision proposal of The Bluffs of University Hills. Approval of the final plat is pending fiscal arrangements and several other items including zoning. Approval has been given to commercial facilities on Tract 1. The west 120 feet of the property is in the area designated as an expressway route. There is concern in that the request on Tract 2 is for "B" Residence, First Height and Area zoning. It is felt that the application should be reduced to "BB" Residence, First Height and Area zoning in that the property adjoins a proposed single-family residential area and the request for "B" Residence, First Height and Area zoning would permit 225 units to be developed under the present Zoning Ordinance which would be a high-density for property adjoining a residential area. "BB" Residence, First Height and Area zoning would permit 169 units under the existing and proposed amendment to the Ordinance. With regard to Tract 1, it is felt that "LR" zoning rather than "GR" zoning should be established because of the established "LR" pattern in the area. "LR" zoning would be a continuation of existing zoning; however, this is a future expressway location and "GR" zoning would not be inappropriate.

481
477

C14-68-126 University Homesites, Inc.---contd.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

W. T. Williams, Jr. (representing applicant)

SUMMARY OF TESTIMONY

Mr. W. T. Williams, Jr., was present on behalf of this request and presented the following information: The property under consideration is part of The Bluffs of University Hills and is actually included in the subdivision which is almost ready for final approval. The proposal of commercial facilities on Tract 1 was noted on the preliminary and final plat. Tract 2 was designated for high-density use. Certain material on this subdivision has been submitted to FHA for their approval and as soon as it is received from them, the plat can be recorded. With regard to Tract 2, "BB" Residence, First Height and Area zoning as recommended by the staff would be acceptable in that the density permitted under this classification would be more appropriate on property adjoining single-family development. It is requested that "GR" General Retail, rather than "LR" zoning be granted on Tract 1 because of the uses permitted under the "GR" classification. It is felt that this zoning would be proper inasmuch as the request has been filed before any of the lots in the area have been sold. There are no plans for the development of the tract at this time but "GR" is requested so that advantage can be made of the additional uses. The right-of-way and widening projects for the expressway is down the line on the priority list and is probably beyond the period of time for the which the study was made. Whether it will be developed in that matter is yet to be determined. The applicants will keep in mind the fact that there is a possibility of need for future widening when the property is developed.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the request to amend the application to "BB" Residence, First Height and Area zoning on Tract 2. They reviewed the information presented and concluded that "GR" General Retail, First Height and Area zoning as requested on Tract 1 would permit a logical development of the property and "BB" Residence, First Height and Area zoning as amended on Tract 2, would provide a logical buffer between the proposed commercial development along Manor Road and the residential development to the east. The Committee also noted that Tract 1 will be affected by the future expressway and recommended that the City Council determine the feasibility of acquiring the necessary widening.

C14-68-126 University Homesites, Inc.--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of University Homesites, Inc. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tract 1) and "BB" Residence, First Height and Area (Tract 2 as amended) for property located at (Tract 1) 6627-6711 Manor Road and (Tract 2) the rear of 6627-6711 Manor Road be GRANTED.

C14-68-127 Mrs. J. K. Clark, et al: A, 1st to B, 2nd
708-710 West 28th Street
2801-2807 Salado Street

STAFF REPORT: This application covers 19,918 square feet of land and the stated purpose of the request is for a fraternity house. This is an area of mixed zoning and mixed use districts. West of San Pedro there is "A" and "B" Residence zoning which is developed for the most part with single-family residences and some non-conforming uses in the form of more than one structure on a lot used for residential purposes. There is also a series of single-family residences and non-conforming uses established on property to the north along West 28½ Street. "B" Residence, Second Height and Area zoning was granted last year on property directly west of the subject site. To the east of the site there is "O" and "B" Residence zoning. The area south of West 28th Street is developed with fraternity, rooming houses and apartments. If the requested zoning is granted, a maximum of 13 regular units or 26 apartment hotel units could be permitted on the site. The staff has no objection to the requested zoning; however, there are right-of-way needs to be considered. Salado Street, with a present right-of-way of 50 feet, should be widened to 60 feet which would require approximately ten feet from the western portion of the site. Right-of-way for Salado Street was dedicated when the property located to the west was rezoned last year. The staff recommends that the requested zoning be granted, provided the street is made adequate, as this is an area that will develop with apartments and fraternities.

TESTIMONY

WRITTEN COMMENT

Code

AS	Miss Clara Sterzing: 2802 San Pedro	FOR
AS	Mrs. Floyd B. Inks: 2802 San Pedro	FOR
AP	J. M. Odom & Will E. Odom: 2810 San Pedro	FOR
AC	Goldman and Young: 3200 Guadalupe	FOR

PERSONS APPEARING AT HEARING

Code

Ben F. Looney (representing applicant)

483
479C14-68-127 Mrs. J. K. Clark, et al--contd.

SUMMARY OF TESTIMONY

Mr. Ben Looney was present at the hearing and stated that he represents the purchaser of the property and the University of Texas in the campus expansion program. He explained that the University purchased property belonging to the fraternity under threat of condemnation and they employed his services to relocate and find another site for the fraternity usage. The property is presently under contract subject to the requested zoning.

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 Salado Street; however, they stated they would look with favor on the requested zoning, provided the street is made adequate as the proper zoning and development for the area.

At the Commission meeting, the staff reported a letter from the applicant offering to dedicate the necessary right-of-way for the widening of Salado Street.

The Commission members felt that in view of this offer the requested zoning should be granted as the proper zoning and development for the area. It was then

VOTED: To recommend that the request of Mrs. J. K. Clark, et al, for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 708-710 West 28th Street and 2801-2807 Salado Street be GRANTED.

C14-68-128 James W. Straiton, et al: O, 2nd to O, 3rd
501-505 West 13th Street
1208-1210 San Antonio Street

STAFF REPORT: This site contains 11,040 square feet of land which is presently undeveloped. The stated purpose of the application is for office development. This application is in an area in which there has been fairly recent changes in height and area districts. To the south at 9th Street and San Antonio Street a change of zoning to Fourth Height and Area was granted with a restrictive covenant limiting the height on the property to 120 feet. Third Height and Area zoning is established to the east along Guadalupe Street and Fourth Height and Area is established to the south of West 11th Street. In the Ordinance amendment which is to be considered by the City Council, there is a proposal to amend the height and area provisions. The existing Second Height and Area zoning permits a height of 45 feet and the proposed amendment would permit 60 feet of height. Third Height and Area as exists permits 90 feet of height and as proposed would permit 120 feet of height.

C14-68-128 James W. Straiton, et al--contd.

The Central Expressway if finally approved as planned is located in this area. If it is approved, there will be an interchange with 15th Street which will eventually require the acquisition of the subject property as well as other properties in the area. The location of the Central Expressway has not been approved as a part of the expressway plan and was omitted from the plan by the City Council.

In relation to the zoning pattern and development, the staff feels that the requested zoning and development would not be inappropriate for the site and recommends that the request be granted.

TESTIMONY

WRITTEN COMMENT

Code

U L. P. Cherry: 1401 Hartford Road FOR

PERSONS APPEARING AT HEARING

Code

Z Jack Goodman (representing applicant)
J. E. Lyles: 505 West 14th Street FOR

SUMMARY OF TESTIMONY

Mr. Jack Goodman, representing the firm of Barnes, Landes, Goodman and Youngblood was present at the hearing and stated that his firm has been retained by the applicant to develop the property under consideration for an office complex. The applicant desires to erect an office structure containing four floors with one floor of protected parking under the structure. Other parking will also be provided on the site. Mr. Goodman stated that he is aware of the fact that there is a proposal to change the Second Height and Area provision in the Zoning Ordinance from 45 feet to 60 feet and it is agreed that this is a proper height change. The primary concern at this time is that the owner of the property desires to put in a foundation capable of carrying the structure to 60 feet and more. He is reluctant to develop the property at the additional expense unless he is assured that there can be additional floors in the future. There is scattered height and area differences throughout this area and it is felt the requested change is proper.

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 zoning pattern and development in the area.

C14-68-128 James W. Straiton, et al--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of James W. Straiton, et al for a change of zoning from "O" Office, Second Height and Area to "O" Office, Third Height and Area for property located at 501-505 West 13th Street and 1208-1210 San Antonio Street be GRANTED.

C14-68-129 C. Milton Dowd: Int. A, Int. 1st to GR, 1st (Tr.1), & O, 1st
 Tract 1: 1812-1922 Stassney Lane (Tr.2)
 5409-5537 Manchaca Road
 Tract 2: 1804-1810 Stassney Lane
 5401-5407 Manchaca Road

STAFF REPORT: This application covers two tracts of undeveloped land totaling approximately twelve and one-half acres. The applicant is requesting "GR" General Retail, First Height and Area zoning on Tract 1, which is the larger tract containing 8.9 acres and "O" Office, First Height and Area zoning on Tract 2 which is a periphery tract containing 3.5 acres. The stated purpose of the application is for a shopping center. The dashed layout through the property as shown on the map is what was approved in the original preliminary of Deer Park Subdivision which the subject property is a part of. The layout as shown is an alternate scheme that shows how the property could be used if not zoned for commercial purposes. The staff feels that the application for commercial zoning, if granted, should still provide for the continuation of Brittany Street from Stonehedge Drive out to Manchaca Road, Stassney Lane or both. The applicants representative has advised the staff that their plans are not firm enough at this time to indicate where they think the street should be. There has been an agreement with the applicant that there needs to be street consideration and if he will agree, preferably by restrictive covenant, that prior to final adoption of the Zoning Ordinance they will submit a subdivision plan for a review by the Subdivision Committee and staff for the continuation of Brittany, it is felt that the requested zoning can be recommended.

There are right-of-way needs to be considered at this time. The right-of-way needed for Manchaca Road starts at approximately 21 feet at the north end and tapers toward Stassney Lane. The right-of-way needed for Stassney Lane is 30 feet.

TESTIMONY

WRITTEN COMMENT

Code

U Austin Independent School District

NO OPINION

PERSONS APPEARING AT HEARING

Code

J John B. Selman (representing applicant)

J J. E. Gann: 6603 Vine Street

W David Andrew Brown: 1901 Inverness Boulevard

FOR

AGAINST

C14-68-129 C. Milton Dowd--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, representing the applicant, presented the following information: This is a tract which Mr. Wayne Burns has his building operation. As the staff pointed out, Deer Park Preliminary was approved in 1961 and this entire tract was set out for a commercial. At that time, Mr. Burns also filed an alternate scheme indicating how the property could be used for duplex or single-residences development. There has been a vast change in this area in that there is a high school directly across the street from the site and a new park has been established in near proximity. Since 1961, there has been a tremendous amount of development in the area. Manchaca Road a major artery street, will be widened and paved. The staff advised the applicant that a buffer zone is needed around the area which is to be developed with a shopping center and that is the reason "O" Office, is requested on Tract 2. The applicant plans to have one or two service station sites on the subject property and a portion of the property will probably be sold to a regional chain that will probably develop a shopping center on the interior tract. It is felt that it is not necessarily wise to say at this time that Brittany Street has to extend on through the property to Manchaca Road. There are several shopping centers in Austin which have an outlet into a residential area and seems to have worked satisfactorily. The area along Brittany Street, which is now a dead-end street, is developed with two duplexes and a few houses. Since there will be a buffer strip established around Tract 1, this street can feed out into the parking area and it would serve as a convenience to the people in the residential neighborhood. It is felt that the applicant should not be committed at this time to state that he will build a street to Manchaca Road or Stassney Lane as this would be a burden. It is felt that there should be a restrictive covenant that the applicant will pave the area and it will be used for access through the center rather than designating a street through the middle. The requested zoning is in keeping with the existing development in the area.

Mr. Stevens advised the Committee that the Subdivision Committee will be required to consider the subject property regardless of the zoning inasmuch as the property has been split. The small parcel of land adjoining the site to the east, fronting onto Stassney Lane, was originally a part of the entire tract and since it has been sold separately, a subdivision will be required at which time the street can be considered. The Subdivision Ordinance requires that the street be terminated with a cul-de-sac or continued.

Mr. Selman asked if a letter or a restrictive covenant would be acceptable to the effect that when the entire tract is finally approved or planned that a cul-de-sac be placed on Brittany or that a street be run that would connect with Manchaca Road or Stassney Lane.

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C14-68-129 C. Milton Dowd--contd.

Mr. Stevens stated that this would be acceptable if approved by the Subdivision Committee.

Mr. Selman stated that they are aware of the fact that additional right-of-way is needed for Manchaca Road and Stassney Lane and the applicant is willing to provide this.

Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request and stated that there are two existing shopping centers which are located in near proximity to this area. It is felt that the requested zoning and development would create a great hazard to the students who attend the high school which is located on property to the south of Stassney Lane. There is also objection to the request because of the trash that would be along the rear of the property as it backs up to the residential area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee recognized that the property is subject to the Subdivision regulations of the City, and noted that the extension or termination of Brittany Street will be considered with the submission of the required subdivision. They recommended that the requested zoning be granted, as the proper zoning for property located at the intersection of two major streets, subject to the necessary right-of-way for the widening of Manchaca Road and Stassney Lane.

At the Commission meeting, the staff reported that Mr. John Selman, representing the applicant, has requested that consideration of the right-of-way needs for Stassney Lane and Manchaca Road be considered at such time as the required subdivision is submitted on the site. Mr. Selman is concerned with a service station site which is to be located at the intersection and feels that the right-of-way problems can be resolved in connection with the subdivision. The staff has no objection to this request inasmuch as a subdivision is required to be submitted due to the fact that two parcels of land have been split out of the original tract.

The Commission members felt the requested zoning should be granted as the proper zoning for the site, recognizing that the street problems will be considered in conjunction with the required subdivision on the property. It was then unanimously

VOTED: To recommend that the request of C. Milton Dowd for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tract 1) and "O" Office, First Height and Area (Tract 2) for property located at (Tract 1) 1812-1922 Stassney Lane and 5409-5537 Manchaca Road and (Tract 2) 1804-1810 Stassney Lane and 5401-5407 Manchaca Road be GRANTED.

C14-68-130 Thomas C. Wommack and G. E. Hyden: B, 2nd to LR, 1st
 3101-3103 Walnut Avenue
 2700-2706 Manor Road

STAFF REPORT: The property under consideration contains 12,680 square feet of land. It is the staff's understanding that the property will be used for a drive-in grocery if the requested zoning is granted. The surrounding area is developed with a mixed zoning pattern. The area located on the north side of Manor Road, zoned "B" Residence, Second Height and Area zoning, serves as a buffer between the "A" Residential area established on the interior north of Manor Road and the commercial area located south of Manor Road. The south side of Manor Road is developed with various commercial uses.

If the requested zoning is granted, at least five feet of right-of-way is needed for the widening of Walnut Avenue in order to bring the street from an existing right-of-way of 50 feet to 60 feet. Widening is also needed for Manor Road whether the request is granted or not. Manor Road with a present right-of-way of 60 feet is scheduled to be an 80 foot major arterial street which will require ten feet of right-of-way from the subject property. There is a question with regard to egress and ingress to the apartments which are located at the rear of the subject property which also belongs to the applicant. The staff recommends against the request in zoning as it is felt that the existing zoning and development is adequate and serves as a buffer between a residential and commercial development. Any change on this side of Manor Road would establish a precedent for other changes of this type.

TESTIMONY

WRITTEN COMMENT

Code

P Mr. & Mrs. Charles Barnard: 1719 East 32nd Street FOR

PERSONS APPEARING AT HEARING

Code

John B. Selman (representing applicant)

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, representing the applicant, stated that he does not understand why the staff recommended against this request in that immediately across the street from the site is "C" Commercial zoning established on property which is developed with a cleaners, with ingress and egress from Manor Road to Walnut Avenue. There is an old garage, tourist court and drive-in grocery also located within the immediate area. To the west is a large apartment complex which has inadequate parking.

C14-68-130 Thomas C. Wommack and G. E. Hyden--contd.

Mr. Selman stated that the staff recommended against the request as they felt the requested zoning would intrude into a pattern of apartments yet they stated that right-of-way is needed for Manor Road whether the request is granted or not as the street is to be a major arterial street. It is difficult to rationalize why a property owner across the street can use his property for "LR" development and the applicant cannot. There is existing apartment development in this area and there will probably be more apartments in the future. There is no reason why just the property south of Manor Road should be zoned and developed commercially and not the property on the north side. Mr. Selman explained that adequate access will be provided to the apartments at the rear of the site. The subject property is already zoned "B" Residence, Second Height and Area and could be developed with at least 15 apartment units. The proposal on the site will not create as much traffic in the area as the traffic coming in and will not stay in the immediate area.

The requested zoning will not be detrimental to the nearby property in that Manor Road is a major arterial street. Mr. Selman further stated that the applicants will give the necessary right-of-way for the widening of Manor Road and in his opinion they will also give the necessary right-of-way for Walnut Avenue.

Arguments Presented AGAINST:

One nearby property owner appeared in opposition to the request and stated that the proposed development will overcrowd the area. He stated that he does oppose the drive-in grocery but would be in favor of apartment development.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as retail uses and development are proper for both sides of Manor Road.

At the Commission meeting, the staff reported a letter from Mr. John Selman, representing the applicant, offering to dedicate the necessary right-of-way for the future widening of Walnut Avenue and Manor Road.

The Commission recognized the offer of dedication and concurred with the Committee recommendation that this request should be granted as the proper development for both sides of Manor Road. It was then unanimously

VOTED: To recommend that the request of Thomas C. Wommack and G. E. Hyden for a change of zoning from "B" Residence, Second Height and Area to "LR" Local Retail, First Height and Area for property located at 3101-3103 Walnut Avenue and 2700-2706 Manor Road be GRANTED.

C14-68-131 H. B. Boston: A to LR & B (as amended)
7201-7207 Cameron Road

STAFF REPORT: This application covers 37,800 square feet of land. The stated purpose of the request is for a drive-in grocery. "GR" zoning is established on property to the west of Cameron Road and "B" Residence, Second Height and Area zoning was granted on property to the north in 1968. Property to the south of St. Johns Avenue is developed with a high school. The subject property is located on Cameron Road and what appears to be the extension of St. Johns Avenue east of Cameron Road. This portion of St. Johns Avenue even though it is built on the ground, is school property and is not dedicated for street purposes. The staff has no objection to the request to a certain depth from Cameron Road with consideration by the City Council for the acquisition of approximately 44 to 47 feet from the front of the property for the widening as planned to make Cameron Road 125 feet. The staff feels that the depth should be limited to a site depth for the drive-in grocery and that the balance of the property should be zoned only "B" Residence or left as it is until the dedication of St. Johns Avenue is accomplished. It is felt that access to the site should be from Cameron Road.

A letter has been received from Mr. Temple Mayhall, Director of School Plant, in which he points out that statutes prohibit the sale of alcoholic beverages within 300 feet of school premises.

Mr. Stevens explained that there is an Ordinance controlling the sale of alcoholic beverages; however, this is not part of the Zoning Ordinance. The applicant would have to comply with the controlling regulations.

TESTIMONY

WRITTEN COMMENT

Code

F Austin Independent School District

NO OPINION

PERSONS APPEARING AT HEARING

Code

John B. Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman was present at the hearing and stated that he represents the people who have contracted to purchase the property under consideration subject to the requested zoning. The sale of liquor or beer to go on this property is not a problem in that the regulations states that the 300 foot measurement is from door to door and the subject property is beyond the 300 foot restriction. Mr. Selman stated that in his opinion the recommendation by the staff on the depth of the property is logical and he will discuss this with the applicant and probably will request an amendment to ask for the front 200 feet of the property to be zoned "LR" and the rear portion to be zoned "B" Residence. Mr. Selman stated that the right-of-way needs would have to be discussed with the applicant before a commitment is made in that the right-of-way required is an excess amount of right-of-way.

No one appeared in opposition to the request.

491
~~487~~

C14-68-131 H. B. Boston--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the requested "LR" Local Retail, First Height and Area zoning should be granted for a one site depth not to exceed 200 feet, fronting onto Cameron Road and that the balance of the property should be zoned "B" Residence, First Height and Area as the proper and logical zoning for the site. The Committee recognized that Cameron Road needs to be widened by 44 to 47 feet and felt that in view of the amount of widening needed the City Council should determine the method or feasibility of acquiring the necessary right-of-way.

At the Commission meeting, the staff reported that the right-of-way needed for Cameron Road has been acquired by the County. Mr. Selman, representing the applicant, has requested that this application be amended to "LR" Local Retail, First Height and Area for the front 200 feet of the site and "B" Residence, First Height and Area for the remaining portion of the property.

The Commission accepted the amended applicant and recommended that the requested zoning be granted as the proper and logical zoning for the site. It was then unanimously

VOTED: To recommend that the request of H. B. Boston for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area and "B" Residence, First Height and Area (as amended) for property located at 7201-7207 Cameron Road be GRANTED.

C14-68-132 Gray and Becker: LR, 1st to LR, 5th (as amended)
2237-2247 Interregional Highway
1600-1612 East Live Oak

STAFF REPORT: The subject site consists of 0.703 acres of land which is presently undeveloped. The stated purpose of the application is to erect a pylon sign 50 feet in height on the southwest corner of the site. There is mixed zoning in the area consisting of "A", "B", "O", "LR" and "GR". Even though there is a mixture of zoning districts, the area is for the most part undeveloped. There is a church established on property south of East Live Oak Street and single-family and duplex development is established on property on Rockbridge Terrace. The area on the east side of Greenfield Parkway is developed with a drive-in grocery and series of apartments.

There is a question as to whether or not right-of-way is needed for East Live Oak; however, this will be determined before the full Commission meeting. The staff does object to the Third Height and Area requested as it is felt that the area along the Interregional Highway and other boulevards such as this should be zoned Fifth Height and Area to control setback from such boulevards. The staff recommends that "LR" Fifth Height and Area zoning be granted which would permit a height of 45 feet under the existing Ordinance and a height of 60 feet under the proposed amendment to the Ordinance.

C14-68-132 Gray and Becker--contd.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

John B. Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, representing the applicant, presented the following information: Under the Fifth Height and Area zoning as recommended by the staff, the proposed site could be erected only to a height of 45 feet. He explained that his client has leased the subject property to Texaco and they desire to have a sign which is 50 feet in height because of the location of the sign. The applicant needs the height in only one location of the site and is willing to restrict the sign so that it will not go any higher than the proposed 50 feet. The sign needs to be a minimum of 50 feet in height in order to be visible because of the existing highlines and trees in this area. This large tract is owned by the applicant and will probably be developed at a later date as a commercial tract.

Mr. Stevens asked Mr. Selman if he is amending the application to request the necessary zoning on only one portion of the site for the exact location of the sign. The proposed change in the Ordinance will be heard by the City Council this week and if the Ordinance is amended the existing zoning will allow the sign to extend to 60 feet. The staff feels that the request should be referred to the full Commission pending action by the Council on the proposed amendment.

Mr. Selman stated that he is amending the application to request the necessary zoning for only the exact location of the sign.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the request to amend the application to "LR", Local Retail, Third Height and Area zoning for only the location of the sign. They reviewed the information presented and concluded that this request should be referred to the full Commission pending City Council action on a proposed amendment to the Ordinance which would permit the desired height for the proposed sign.

C14-68-132 Gray and Becker--contd.

At the Commission meeting, the staff reported a letter from Mr. John Selman, representing the applicant, requesting that this application be amended to "LR" Local Retail, Fifth Height and Area for the entire tract, inasmuch as the City Council amended the Fifth Height and Area provision to allow a height of 60 feet.

The staff recommended that the property be zoned Fifth Height and Area because of setback control along the Interregional Highway.

The Commission accepted the request to amend the application and recommended that the request be granted as the proper zoning for the site and a logical extension of existing zoning. It was then unanimously

VOTED: To recommend that the request of Gray and Becker for a change of zoning from "LR" Local Retail, First Height and Area to "LR" Local Retail, Fifth Height and Area (as amended) for property located at 2237-2247 Interregional Highway and 1600-1612 East Live Oak be GRANTED.

C14-68-133 Forest D. Gathright and John Joseph: A to BB
4102-4108 Manchaca Road
2008 Bert Avenue

STAFF REPORT: This application covers a large irregular shaped tract of undeveloped land containing ten and one-half acres. The stated purpose of the request is for apartment development. The area surrounding the site, bounded by Manchaca Road, Prather Lane, and Ben White Boulevard, is predominantly developed with single-family dwellings. At the corner of Ben White Boulevard and Manchaca Road is "C" Commercial zoning. At the corner of Fort View Road and Manchaca Road there is "LR" zoning which was granted as the result of a Planning Commission Area Study. The Planning Commission in past action in this area has recommended "O" or "LR" zoning as the appropriate zoning for the large irregular shaped tracts of land north of Prather Lane. In March of this year, a portion of the subject property was before the Commission for consideration of "B" First Height and Area zoning, at which time the staff recommended that "BB" zoning or two-family development would be appropriate for the particular tract of land. The Commission recommended denial of the requested zoning and recommended in favor of duplex development. The question that is raised is the effect of the approximately 200 units which would be allowed on the site if zoned as requested, on the residential development surrounding the area and also the question of ingress and egress to the site. It is felt that the property can be developed with two-family development in such a manner that would not be detrimental to the area.

C14-68-133 Forest D. Gathright and John Joseph--contd.

TESTIMONY

WRITTEN COMMENT

Code

BB	Austin Independent School District	NO OPINION
AE	Marvin E. Crumley: 2005 Bert Avenue	AGAINST
L	J. L. Whitaker: 4010 Manchaca Road	AGAINST
K	Mrs. Frank Nowell: 2007 Prather Lane	AGAINST
T	Mr. & Mrs. P. M. Lopez: 2102 Fort View Road	AGAINST
J	Bruce Voges: 2009 Prather Lane	AGAINST
X	Vernon Polk: 2112 Fort View Road	AGAINST
AH	Edmund G. Johnson: 2109 Fort View Road	AGAINST
U	Mrs. Sam Balke: 2106 Fort View Road	AGAINST
BJ	J. D. Horne: 4019 Manchaca Road	FOR
M	Mrs. Warren Blackman: 4102 Manchaca Road	AGAINST
G	Ray W. Smalley, Jr.: 2101 Prather Lane	AGAINST
AU	John M. Walker: 2100 Prather Lane	AGAINST
E	Norman Rupe: 2105 Prather Lane	AGAINST
AV	George B. Davis: 2102 Prather Lane	AGAINST
Y	Clifton E. Moore: 4016 Manchaca Road	AGAINST
N	James A. Harlan: 4200 Manchaca Road	AGAINST
AY	O. H. Haveman: 2010 Prather Lane	AGAINST
AT	John O. Steadman: 2006 Prather Lane	AGAINST
AF	Vernon Givson: 4000 Manchaca Road	AGAINST
C	Pauline Hobgood: 2109 Prather Lane	AGAINST
AW	Lester Robinson: 2104 Prather Lane	AGAINST
AX	Mrs. A. M. Fithugh: 2008 Prather Lane	AGAINST
AS	Mrs. Mary Outon: 3908 Manchaca Road	AGAINST
AC	Rev. W. E. Dickerson: 2004 Bert Avenue	AGAINST
?	Mrs. Gay Jurgelewicz: 2005 Prather Lane	AGAINST

PERSONS APPEARING AT HEARING

Code

James K. Presnal (representing applicant)

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. James Presnal, attorney for the applicant, presented the following information: Approximately three and one-half acres of the subject property was before the Commission previously but before the request reached the City Council, it was withdrawn for the purpose of adding an additional 6.97 acres making a total of approximately ten and one-half acres which is now under consideration. There is single-family development on three sides of the property and undeveloped land, which is outside the City limits, abutting the site to the west. The conditions of the subject property are difficult in that the rear six and one-half acre portion has been standing in water for the past six months. That part of the property is low and

C14-68-133 Forest D. Gathright and John Joseph--contd.

there is absolutely no drainage. It would seem that leaving the property in its present condition would be a health hazard to the area. Mr. Presnal stated that he can understand why the residents of an area would like to keep an open area as it gives free access and a place for the children to play. The requested "BB" zoning which would allow the development of 220 units is the proper zoning for the site. The plans for development have not been fully finalized at this time but it is felt that by adding the additional six acres to the original tract there will be access into the site at two points. It will be an asset to the neighborhood to have a well-planned, well-constructed, and well-designed apartment project at this location. The owners do not have any intention of developing the property for single-family development or two-family development in that this type of development would not be economically feasible as the property is not large enough. The site lends itself to the proposed development.

Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request and stated that the requested zoning would be an intrusion into a well-established residential area. It is felt that the entrance and exits proposed for the property are totally inadequate and would over burden the surrounding streets and make the traffic situation hazardous.

COMMENTS AND ACTION BY THE COMMITTEE

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

A majority of the Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Forest D. Gathright and John Joseph for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 4102-4108 Manchaca Road and 2008 Bert Avenue be DENIED.

AYE: Messrs. Dunnam, Brown, Kinnan, Milstead and Smith

NAY: Mr. Hanks

ABSENT: Mrs. Naughton and Messrs. Hazard and Taniguchi

C14-68-134 Richard F. Lannert, et al: A to BB
5509-5601 Jim Hogg Avenue

STAFF REPORT: This application covers four lots totaling 43,650 square feet of land. Three of the lots under consideration are developed with single-family structures and one is developed with a duplex. The stated purpose of the application is for apartment development. The requested zoning would permit a maximum of 21 units to be developed on the property if used as one site. The surrounding area is predominantly single-family and two-family in character; however, in the past few months there have been two zoning changes on property in this immediate area which has started

C14-68-134 Richard F. Lannert, et al--contd.

a change in the character of the neighborhood. A request for "BB" Residence, First Height and Area zoning on property directly across the street has been granted by the City Council although the Ordinance is pending right-of-way for Jim Hogg Avenue. To the south of Houston Street a request for "B" and "LR" zoning was recently granted by the Council, however, the Ordinance is pending on this request also. In view of the recent changes in this area by the Council, the staff feels it would be difficult to recommend against the request. Should the pending request be granted, it is felt that the applicant would be justified in applying for and obtaining "BB" zoning on this property; however, the right-of-way of Jim Hogg Avenue varies from 40 to 50 feet and an additional five feet of right-of-way is needed from the site in order to bring the street to standard.

TESTIMONY

WRITTEN COMMENT

Code

AS	A. C. Clendennan: 5600 Jim Hogg Avenue	FOR
B	M. O. Glasgow: 5608 Joe Sayers	FOR
AR	Frien E. Gatliff: Route 4, Box 288C	FOR
P	Silas J. Maxwell: 709 Harris Avenue	AGAINST
?	Ramon W. Smith: 5808 Trailridge Circle	FOR

PERSONS APPEARING AT HEARING

Code

A	Richard F. Lannert (applicant)	
?	Ramon W. Smith: 5808 Trailridge Circle	FOR

SUMMARY OF TESTIMONY

Mr. Richard Lannert was present at the hearing and stated that he is one of the property owners involved in this application and he represents the other property owners who are also involved. He explained that the other property owners joined the request so that this would not be considered as a piece-meal zoning request. There is a short form subdivision on property to the north which is being developed with duplexes and which has taken away from the "A" Residential character of the area. The proposal is to use the subject property to the maximum advantage as the lots are large lots that can be developed with multi-family use. It is felt that the requested zoning is justified because of the recent change in zoning across from the site and because of the fact that there is a natural buffer established to the rear of the property. The property owners involved in this application would be willing to dedicate the necessary right-of-way for the widening of Jim Hogg Avenue.

Mr. Ramon Smith was present at the hearing and stated that he owns several lots across from the site which have recently been rezoned. He stated that he is in favor of the requested zoning as it is in his opinion a proper use of the land.

No one appeared in opposition to the request.

C14-68-134 Richard F. Lannert, et al--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee was cognizant of the fact that the applicant had offered the necessary right-of-way for the widening of Jim Hogg Avenue. They felt that in view of this and because of recent zoning changes in the area that the request should be granted.

At the Commission meeting, the staff reported that a letter offering to dedicate the necessary right-of-way for the street has not been received from the applicant.

The Commission members felt that the request should be denied at this time because of the inadequate right-of-way of Jim Hogg Avenue; however, they stated they would look with favor on the requested zoning if the street is made adequate. It was then unanimously

VOTED: To recommend that the request of Richard F. Lannert, et al, for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 5509-5601 Jim Hogg Avenue be DENIED.

C14-68-135 Kealing Urban Renewal Project: To establish zoning within the
 1151-1199½ Angelina Street Kealing Urban Renewal Project to
 1301-1819 East 12th Street conform with the Urban Renewal Plan
 1150-1198 Chicon as finally adopted by the City
 1300-1818 Rosewood Avenue Council on May 16, 1963.

STAFF REPORT: The staff reported that a hearing on this request is invalid at this time because of improper notification of the affected property owners.

The Chairman asked the people appearing in interest to this application to stand. A number of people were present at the hearing in opposition to the request and asked the Committee if this application could be placed first on the agenda of the next regular zoning hearing because of the inconvenience they were caused.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the staff report that because of improper notice of the requested change to the affected property owners that this request would have to be readvertised and heard at the next regular Zoning hearing. The members agreed that because of the inconvenience caused to the property owners that this request should be the first item on the agenda at the next regular meeting.

SPECIAL PERMITS

CP14-68-16 Bob G. Wade & Robert C. Cockrill: 36 unit apartment dwelling group
512-612 South First Street

STAFF REPORT: This application has been filed as required under Section 8 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is an apartment dwelling group consisting of 36 units, office space, laundry and storage facilities, and a swimming pool. The subject property, containing approximately 1.38 acres of land, is presently zoned "C-2" Commercial, Second Height and Area.

Departmental comments are as follows:

Traffic Engineer

- Request curb radii on drives along South First Street be increased as shown on site plan (10' - 5' radii) for improved traffic flow and ease of parking.

Electric

Water & Sewer

- Okay
- Sanitary Sewer service available from existing sewer main in South First Street. Fire hydrants will be required at the driveway entrance on South First and on the south side of the 8 car parking area west of the pool. A six inch water main will be required to serve this second fire hydrant and a fire demand water meter will be required at its connection to the existing water main in South First Street.

Storm Sewer

- Drainage easement required (25' on this development). Building floors need to be constructed to a minimum elevation of 449' above sea level.

Building Inspector

- To comply with your request the following comments are made:
 1. Tract of ground needs to be established as a lot. Our plat does not show comparable dimensions.
 2. The western most 68.70' of this lot is zoned "A" Residence. Change of zoning on this portion will be required.

CP14-68-16 Bob G Wade & Robert C. Cockrill--contd.

Tax Assessor
Health

Fire Protection

Fire Prevention

Office Engineer

Advanced Planning

Director of Public Works

- 3. Plat is providing the exact number of parking spaces required. I question one spot being usable because of a 15" pecan tree.
- 4. South First Street being an arterial street needs to be checked due to the fact that it is 60' at the present and it is a proposed 80' right-of-way.
- 5. These remarks do not include Building Code approval.
- Taxes are paid through 1967.
- Approved: Subject to Sanitary Sewer Line Being Available.
- Two recommended hydrants marked in red on plat.
- Provide fire hydrant at South First entrance and Building 4.
- Require request for commercial driveways.
- The Austin Development Plan has established South First Street as a major arterial with a proposed right-of-way of 80'. If the alignment is established based on the existing center line 10' will be required from the subject property.
- The radii of all driveway returns should be increased to 10'. Also, we need additional right-of-way as indicated on the attached plat.

The main concern by the staff is the comment by the Building Inspector that a portion of the property is zoned "A" Residence, First Height and Area. If this is true, the special permit would have to be postponed until a change in zoning could be obtained. It is recommended that this request be referred to the full Commission pending determination of the zoning and subject to completion and compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT
Code

None

500

496

CP14-68-16 Bob G. Wade & Robert C. Cockrill--contd.

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 referred to the full Commission pending determination of the proper zoning and subject to completion and compliance with departmental reports.

At the Commission meeting, the staff reported that the zoning on the property has been checked and a portion of the site is zoned "A" Residence, First Height and Area. In view of this, it is recommended that this request be postponed until the zoning and traffic problems can be worked out. The Commission then

VOTED: To POSTPONE the request of Bob G. Wade & Robert C. Cockrill.

CP14-68-17 George G. MacDonald: 116 unit apartment dwelling group
3611-3633 and 3847-3869 Bull Creek Road
Rear of 3635-3845 Bull Creek Road

STAFF REPORT: This application has been filed as required under Section 4-A and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is an apartment dwelling group consisting of 111 units, 380 off-street parking spaces, tennis court, clubhouse, and one swimming pool. The site contains 20.54 acres of land which is presently zoned "A" Residence, First Height and Area; however, there is a request for a change of zoning to "BB" Residence, First Height and Area District before the Commission for consideration at this time. The subject property abuts a public street at four points. Two points of the site abut Bull Creek Road (R.M. 2222). The site abuts two other public streets one of which is Lakeland Drive, a stub street going into a residential section of Highland Park West and the other is a stub street of Western Hills Drive. The 111 units proposed on the site will be developed in various buildings. Of the 380 off-street parking spaces proposed, 222 will be garage spaces. The following departmental comments have been received:

Traffic Engineer

- The following revisions are recommended for consideration:

1. An additional outlet on FM 2222 (as shown on site plan).

501
~~497~~

CP14-68-17 George G. MacDonald--contd.

Electric

Water and Sewer

Storm Sewer

2. New location for proposed outlet (as shown on site plan).

Because of the complexity of this type of development, this department would appreciate any change which other departments might desire which would affect traffic flow.

- Okay - See memo (easements as required - to be determined).
- The area can be served with water from mains in Western Hills Drive and Lakeland. A loop connection to mains in these two streets and extending into the area will be required. Fire demand water meters will be required to provide adequate fire protection. Pressure reducing valves may be required in the lower area.

The proposed buildings south of the P-8 parking area will be on existing sanitary sewer mains and an existing sanitary lift station. The developer will have to arrange to have these facilities moved.

Sanitary sewer service to the area can be provided with a main extending from the apartments to the existing sanitary sewer lift station on the north side of State Highway 2222.

- 1. Architect should show the location and size of existing storm sewers that drain onto this proposed development.
 2. Drainage easements required.
 3. Arrangements need to be made to handle water flow from Western Hills Drive and Lakeland Drive.
 4. Construction plans on drainage facilities and

502
498

CP14-68-17 George G. MacDonald--contd.

Storm Sewer

Building Inspector

Director of Public Works

Office Engineer

Tax Assessor

Health

Fire Prevention

Fire Protection

Advanced Planning

- paving needs to be submitted to the City of Austin for approval.
- 1. Apparently this would need to be replatted because the boundary lines do not coincide with those shown on our plat.
- 2. As noted on their plat there would be a total of 116 units and a maximum of 348 bedrooms. There is no way to determine if these are 1, 2, or 3 bedroom units. They do note that there will be 380 parking spaces provided, however, an approval will not be given until we see a breakdown on their bedrooms. This does not give Building Code requirements approval.
- Location of proposed driveway intersection with FM 2222 would recommend street section.
- Require request for commercial driveways.
- Taxes are paid through 1967.
- Approved: Subject to Sanitary Sewer Line Being Available.
- Recommend fire hydrants marked in red on plat.
- Require six hydrants, 25' turning radius. Should allow more than 4 or 5 feet between buildings.
- 1. Determination of future need for city owned easements must be made. Provision for moving the utility easement must be made if the proposed plan is approved.
- 2. Access drives from the subject property to FM 2222 must be approved by the State Highway Department and the City of Austin.

The applicant is aware of the requirements by the various departments and has indicated that he will comply. He has an agreement with certain property owners in this area pertaining to distance between common property lines, access, fencing, height of structures and other items, whereby the property owners have agreed to support the proposed development on the site. The

CPl4-68-17 George G. MacDonald--contd.

staff is checking the intersection of the private drive and Bull Creek Road with the Traffic Department and the Highway Department but it is felt that this can be worked out. It is recommended that this request be approved subject to completion and compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

Code

AM	Harold B. Lawson: 7310 Mesa Drive	AGAINST
M	E. Dickinson, II: 5400 Western Hills Drive	FOR
AV	Herbert F. Andey, II: 3601 Arrowhead Drive	FOR
BA	Samuel L. King: 2110 Matthews Drive	FOR
	Two petitions with 42 signatures	FOR

PERSONS APPEARING AT HEARING

Code

A	George G. MacDonald (applicant)	
A	Jean MacDonald	FOR
	Martin Harris (representing applicant)	
BF	Richard Zoner: 5604 Caprice Drive	FOR
BF	Mrs. R. M. Zoner: 5604 Caprice Drive	AGAINST
?	John Van Winkle: 4019 Marathon	FOR
?	Robert M. O'Donnell: Denver, Colorado	FOR
?	Gordon D. Clark: 4019 Marathon	FOR
?	Leon Chandler: 4019 Marathon	FOR

SUMMARY OF TESTIMONY

Argument Presented FOR:

Mr. Martin Harris, attorney for the applicant, filed with the Committee petitions in favor of the proposal containing signatures of 90 percent of the people in the area and 50 percent from those who received notice. This particular project was conceived by the applicant and designed by Mr. Robert O'Donnell who is a land planner from Denver and also is a member of the regional five HUD Committee. He has designed projects of this nature all over the United States.

Mr. O'Donnell explained that this project was put together through the efforts of this firm as planners, Mr. Oscar Holmes, engineer, Leon Chandler, architect, and with cooperation with the City officials. It is felt that the proposed development for the property fits the physical and geographical problems of the site. As pointed out by the staff there is approximately 125 feet of fall from the residential subdivision to the west portion of the property. This averages between 20 and 30 percent grade and it would be extremely difficult to develop the property under the standard subdivision practices. The plans are to develop the site under the condominium principals which in this particular case would

CP14-68-17 George G. MacDonald--contd.

be a series of attached single-family dwellings none of which are higher than two stories and which are contoured to the land and stepped down at least two levels. The front of the unit forms access to a two car garage that will be provided for each unit. With the 111 units proposed, there will be 222 garage parking spaces. There has also been established 90 off-street parking spaces throughout the project. The condominium principal is to sell each separate unit and the price will range between thirty thousand and sixty thousand dollars each. The proposed development will be a very high quality development. There will be a density of 5.4 dwelling units to the acre on the property which is comparable to low-density type townhouse development. There is an open area at the north which has a grade of approximately 35 percent which will be left in open space. When a condominium owner buys his home in this development, he will be paying each month a small amount towards maintenance of the entire area, and he will also be paying for private trash removal and guard service at the gate. There will be club facilities with a swimming pool and clubhouse the intention is to handle the drainage through the draw with adequate size pipe. The development will be started in phases and the first phase will consist of approximately six units adjoining the clubhouse which will also be built. The applicant will open and pave the right-of-way from Bull Creek Road (FM 2222) to this area. It is requested that the streets be private streets which will be maintained by the condominium association. Each of the units will own a proportionate amount of the open space around it so that when a unit is purchased, a property owner will own the individual unit and a portion of the open space. Underground utilities of all types are planned for the project and the project will be designed in such a way that only the minimum amount of existing greenery and trees will have to be removed. The drainage has been carefully studied and no problem is anticipated, but the applicant will work with the City.

Mr. O'Donnell explained in the first phase of development they intend to indicate exactly what kind of landscaping and control will be put into the entire tract. The property owners to the south have their homes overlooking this property and the units have been designed so that the homes actually overlook the top of each of the units.

In the negotiations with the adjoining property owners, there was objection to the plan because the original location of the swimming pool and clubhouse area was too close to their property, therefore, to remove this objection the area has been relocated toward the center of the site. The units have been designed so as to provide a green buffer between the existing residential homes and the project area. There is a service area located at the southeast corner of the site which will be screened and fenced and will be dug into the hillside so that the area can be flat.

CP14-68-17 George G. MacDonald--contd.

Mr. Richard Zoner, a nearby property owner appeared at the hearing and stated that he is in favor of the proposal although it has been changed since he originally saw it. He explained that he is in favor of closing off Lakeland Drive.

Arguments Presented AGAINST:

Mrs. R. M. Zoner, was present at the hearing and stated that she is in agreement with the relocation of the swimming pool and club house; however, she is not in favor of the service and maintenance area located directly below her property and requested that her name be withdrawn from the petition that she signed in favor of the proposal.

Another nearby property owner appeared and stated that she would be opposed if the area is opened up for rental units. If the City opens up Western Hills Drive it will throw the main traffic to the school and shopping centers into a very crowded area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be approved, subject to completion and compliance with departmental reports.

The applicant was present at the Commission meeting and stated that the square footage for the units will be between 1300 and 3,000 square feet. The average will be approximately 1,800 square feet per unit. Almost 70% of the people who move into a development of this type move in from single-family dwellings.

Mr. Osborne stated that one reason the staff is in favor of this request is because this is a good plan which limits the development to slightly over 5 units per acre whereas a single-family area is approximately 2½ to 3 units per acre. It is felt that the proposed development will be very compatible with the single-family development in the area.

After further discussion, the Commission

VOTED: To APPROVE the request of George G. MacDonald for a special permit for the erection of a 111 unit apartment dwelling group on property located at 3611-3633 and 3847-3869 Bull Creek Road, and the rear of 3635-3845 Bull Creek Road pending compliance with departmental reports and authorized the chairman to sign the necessary resolution.

CP14-68-18 N. M. Schuemack: Erection of a radio tower
209 Nelray Boulevard

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

CP14-68-18 N. M. Schuemack--contd.

Ordinance of the City of Austin, Texas. The proposal is to erect a radio tower to a height of 110 feet. Departmental comments are as follows:

Traffic Engineer
Electric

- No revision necessary
- Object to the guying of tower to trees and house. We feel that tower should be guyed with steel post or anchors in ground.

Water and Sewer

- Proposal is satisfactory to Water and Sewer Department.

Storm Sewer
Building Inspector

- Plan complies with requirements.
- This request has already been checked out and since it does not exceed 150 feet there is no need for Airport Advisory Committee action.

Director of Public Works
Health

- No objections
- No objections. Sanitary Sewer line available.

Tax Assessor
Fire Protection
Office Engineer
Advanced Planning

- Taxes are paid through 1967.
- Okay
- Okay
- 1. If there is a power line at the rear property line a dangerous situation could result if the tower should ever fall.
- 2. The map does not give adequate information as to the location of the tower in relation to the rear property line.
- 3. As many trees can withstand very little wind, they do not appear to be adequate anchoring points for the guy wires.

Fire Prevention

- Okay

The main point of concern by the staff is whether or not the trees would serve as an adequate anchor for the guide line. If the guide lines were anchored in a different manner, the staff would recommend in favor of the request; however, until this problem is solved, it is recommended that the request be denied or referred to the full Commission pending completion and compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

Code

None

CPI4-68-18 N. M. Schuemack--contd.

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 referred to the full Commission pending further study of the anchoring points for the guy wires.

At the Commission meeting, the staff explained that the site plat as presented is inadequate and it is recommended that this request be postponed until the applicant can provide a sufficient plan for the proposal. The Commission then

VOTED: To POSTPONE the request of N. W. Schuemack for a special permit.

CPI4-68-20 Larry Morris, et al: 125 Unit Apartment Dwelling Group
2121-2215 Elmout Drive
2201-2319 Town Lake Circle

STAFF REPORT: This application has been filed as required under Section 5 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is an apartment dwelling group consisting of 125 units, 227 off-street parking spaces, recreation area, laundry and storage facilities. The development as proposed will be in two phases, the first of which will be 101 units and the second will contain 25 units.

Departmental comments are as follows:

Traffic Engineer
 Electric
 Storm Sewer

Building Inspector

Director of Public Works

Office Engineer

- No revision necessary.
- Okay.
- Parking areas and buildings number 1 and 7 along west side of development should be moved easterly 15 feet to clear existing channel.
- All seems to comply with requirements. This does not include Building Code approval.
- Driveway locations as indicated meet with our approval. Will need request for an approval of the driveways before construction begins.
- Require request for commercial driveways.

CP14-68-20 Larry Morris, et al--contd.

Tax Assessor	- Taxes are not paid for 1967. Prior years are paid. Taxes are paid through 1967.
Health	- Approved; Subject to sanitary sewer line being available.
Fire Protection	- Proposed hydrant shown in attached plan.
Advanced Planning	- 1. Very little usable open space has been provided. 2. Maneuvering out of the two parking spaces provided between buildings 7 and 8 will be very difficult.
Water and Sewer	- Water and sanitary sewer available on Elmont and Town Lake Circle. Fire hydrant needed between buildings 2 and 3 on Town Lake Circle.

The comments have been discussed with the applicants and they have indicated that they will comply with all of the technical requirements. It should be emphasized that the Planning Department does not feel that there is adequate open space provided for the project but this is a matter of judgement by the Commission.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

Mr. Charles L. Landers (architect for the applicants)

SUMMARY OF TESTIMONY

Mr. Charles L. Landers, architect for the applicants, stated that they are familiar with all of the requirements, most of which have already been complied with. The 2 parking spaces between Buildings 7 and 8 can be eliminated completely as there is adequate parking. There is a drainage problem which will be resolved by a proposed concrete retaining wall built on the site. The applicants have agreed to provide any electrical easements that the City will require. It is anticipated that the area will be well-planned and well landscaped and will be an asset to the City.

No one appeared in opposition to the request.

CP14-68-20 Larry Morris, et al--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be approved, pending completion and compliance with departmental reports.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To APPROVE the request of Larry Morris, et al for a special permit for the erection of a 125 unit apartment dwelling group for property located at 2121-2215 Elmont Drive and 2201-2319 Town Lake Circle pending the requirements as noted and authorized the Chairman to sign the necessary resolution when all requirements have been met.

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

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action on the subdivisions at the meeting of June 10, 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. It was then

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of June 10, 1968, on the minutes of this meeting.

PRELIMINARY PLANS

C8-68-29 M. S. Z. Addition
 LaCasa and Montclair

This preliminary plan proposes the construction of 72 duplex units on 9½ acres, located west of Rae Dell Avenue. The Director of Planning reviewed the action taken at the last Planning Commission Meeting of June 28, 1968. He summarized the appeal of the property owners for restricting the subdivision to single-family dwellings and the subsequent discussion and reconsideration by the Commission on the issues involved. The Commission's last action on the matter was to restrict the use to single-family. The key element before the Commission was the basic idea of the subdivision of land in accordance with the Subdivision Ordinance and the statutes of the State of Texas relating to subdivision. At issue is the ability of the Commission to regulate under certain conditions the land use in the event the plan complies with all the provisions of the Subdivision Ordinance and the State statutes.

C8-68-29

M. S. Z. Addition--contd.

Mr. Glenn Cortez, Assistant City Attorney, reviewed the legal aspects of this case for the benefit of the new members of the Planning Commission who were present. He advised the issue resolves itself around the question of whether the Commission may impose certain restrictions on a subdivision after the subdivision has met all the technical requirements of the Ordinance and the Statute. It is assumed, therefore, that all the technical requirements have been met.

Mr. Cortez quoted from the State Statute Article 974(a), Section 4, which provides that if such a plat or plan shall conform to the general plan of the City and to the general plan of the extension of the City regarding utilities, roads, streets and so forth, the plat shall be approved. The Statute makes it mandatory for the Commission to approve the subdivision if it meets all the technical requirements and conforms to the general rules and regulations. Section 23.14 of the City Code also states that when the Commission is satisfied all the technical requirements of any subdivision plat have been complied with by the subdivider, it shall be the duty of the Commission to approve the plat.

Mr. Richard Baker appeared on behalf of the subdivider. He stated Mr. Cortez had given a clear interpretation of the Statutes as they are presently written. The Commission is required to approve the plat under State law and no discrimination rests with the Commission in this case since the subdivision meets all the technical requirements.

Mrs. Harriet Owen of 2506 Rae Dell appeared as an adjoining property owner in opposition to the use of duplexes on the subdivision plan. In her opinion as a lawyer, it was not mandatory for the Commission to approve the plat for duplex use. She advised it was the duty of the Commission to plan the City under the guidelines of the Master Plan. She felt 72 units in the middle of single-family dwellings would be a "cancer". She noted the Commission had not considered traffic control, serious drainage problems, and the depreciation of homes in the area costing \$30,000 and above. She concluded that the subdivision was not well planned and that there is the maximum number of apartments on the smallest amount of streets without adequate access to a freeway system or traffic circulation. She appealed to the Commission to look at the area before making a decision.

Mr. Jim Solt of 2406 Rae Dell was heard in opposition to the plan. He stated Mr. Osborne had disagreed with the Assistant City Attorney. He recalled that Mr. Osborne had remarked to the Commission that their judgment could be based in the interest of the general welfare of the public.

Mr. Osborne replied that his views were expressed on the control aspects of the Master Plan. Subsequently, he has been advised by the City Attorney that the controlling element was an issue of zoning as opposed to the Master Plan. The Zoning Ordinance is specific where the zoning is already established and takes priority over the Master Plan. He was, therefore, obliged to take the advice of the City Attorney over his personal preference in the matter. The Zoning Ordinance is predominant in this case.

C8-68-29M. S. Z. Addition

Mr. Jim White of 2606 Rae Dell questioned the right of the subdivider to appeal the decision of the Planning Commission at its last meeting which was to restrict the plat to single-family dwellings. He reiterated the objections to rental units in single-family dwellings, and called attention to the petition of 95% of the property owners in the area in protest to the use of duplexes.

Mrs. Roger Drake located her home on Rae Dell and reviewed the traffic hazards which would be created on Rae Dell and Barton Skyway. The only traffic lights in the area is on Barton Skyway.

Norman Leach stated he lived adjacent to the subject area and he was in favor of the subdivider's proposal. It was his opinion the duplexes would upgrade this older area along Rae Dell which already has existing duplexes.

The Chairman of the Planning Commission stated the City needs a single-family zoning category. Mr. Osborne advised there was a report from the Planning Department on the agenda recommending the zoning of single-family districts. He stated this proposal has been recommended previously, and explained that any new zoning district would not affect already established zoning. The Commission is concerned with the issue of duplexes in single-family residences and an attempt will be made to solve the problem in future instances.

The majority of the Planning Commission members felt there was no alternative but for them to approve the preliminary plan without the restriction of single-family dwellings. On the advice of the City legal council for the reasons heretofore stated, they are obligated to approve the plan. It was therefore

VOTED: To APPROVE the preliminary plan of M. S. Z. ADDITION for duplex use, subject to all departmental requirements.

AYE: Messrs. Dunnam, Brown, Hanks, Kinnan & Milstead

NAY: Mrs. Naughton and Mr. Smith

ABSENT: Messrs. Hazard and Taniguchi

C8-64-65Garza PlaceBrodie and Cameno Largo

The staff reported this preliminary plan was a request for a reapproval of the plan which was approved in 1964. It was recommended the request be granted in order that the first final section of the plan may be accepted also. The Commission therefore

VOTED: To APPROVE the preliminary plan of GARZA PLACE.

SUBDIVISION PLATS - FILED

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

VOTED: To ACCEPT for filing the following final plats:

<u>C8-68-50</u>	<u>Pecksho Heights</u>
	South First Street south of Dittmar
<u>C8-68-66</u>	<u>Oak Ridge, Section 3</u>
	North Lamar and Oakbrook Drive

<u>C8-64-65</u>	<u>Garza Place, Section 1</u>
	Brodie and Camino Largo

The staff recommended that this final plat be accepted for filing pending a letter of acceptance by the County on the dedication of Camino Largo (60 feet). This is to be worked out by the next meeting of the Commission. The Commission then

VOTED: To ACCEPT for filing the final plat of GARZA PLACE, Section 1, pending a letter of acceptance from the County on the dedication of 60 feet of right-of-way for Camino Largo.

<u>C8-68-36</u>	<u>Castlewood Forest, Section 1</u>
	Castlewood Drive south of Davis Lane

The staff recommended that this final plat be accepted for filing subject to complete intersection required at the corner of Lot 1, Block B and completion and compliance with departmental reports. The Commission then

VOTED: To ACCEPT for filing the final plat of CASTLEWOOD FOREST, Section 1, pending the requirements as noted.

<u>C8-68-65</u>	<u>Colorado Hills Estates, Section 4</u>
	Woodland Avenue and Briar Hill

The staff reported that all departmental reports have not been completed and recommended that this final plat be accepted for filing only at this time.

Mr. Thomas Watts, engineer for the developer, was present and requested that this final be accepted for filing and disapproved pending the requirements so that the Commission can be polled upon completion.

Mr. Foxworth stated that the staff would have no objection to this request. The Commission then

VOTED: To ACCEPT for filing the final plat of COLORADO HILLS ESTATES, Section 4, and DISAPPROVE pending completion and compliance with departmental reports.

SUBDIVISION PLATS - CONSIDERED

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

VOTED: To DISAPPROVE the following final plats pending the items as noted:

C8-68-44	<u>Buckingham Place, Section 3</u>
	Pevensey Drive & King Edward Place
C8-68-45	<u>Buckingham Place, Section 4</u>
	King George and King Edward Place
C8-68-53	<u>Northwest Hills - Mesa Oaks, Phase 5-A</u>
	West Rim Drive & Burney Drive
C8-68-56	<u>Coronado Hills, Section 1</u>
	Coronado Hills Drive & Barcelona
C8-68-61	<u>Community of Fairview, Section 4</u>
	Thistlewood & Heartwood
C8-68-22	<u>Allen Place</u>
	North Hill Drive and Allen Drive

C8-68-29 M. S. Z. Addition
La Casa Drive and Montclair Street

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 M. S. Z. ADDITION, pending the requirements as noted.

C8-68-39 Manor Estates
Manor Road north of Rogge 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 MANOR ESTATES, pending the requirements as indicated.

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

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

VOTED: To DISAPPROVE the final plat of THE BLUFFS OF UNIVERSITY HILLS, Section 2, pending the required fiscal arrangements.

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

The staff recommended disapproval of this final plat pending the required fiscal arrangements and a zoning change for the proposed use. The Commission then

VOTED: To DISAPPROVE the final plat of THE BLUFFS OF UNIVERSITY HILLS, pending the items as indicated.

C8-61-33 Emerald Forest, Section 1
South First Street north of Stassney Lane

The staff recommended disapproval of this final plat pending the required additional easements, annexation, completion of departmental reports and side street setbacks which are required to be 15 feet. The Commission then

VOTED: To DISAPPROVE the final plat of EMERALD FOREST, Section 1, pending the requirements as indicated.

C8-67-67 Johnston Terrace, Section 2
Lotus Lane and Arthur Stiles Road

The staff recommended disapproval of this final plat pending the required additional easements, fiscal arrangements, completion of departmental reports and annexation. The staff further reported that the setback lines are required to be changed, cul-d-sac or additional fiscal arrangements required at the north end of Lotts Avenue and the side street setbacks are required to be 15 feet. The Commission then

VOTED: To DISAPPROVE the final plat of JOHNSTON TERRACE, Section 2, pending the requirements as indicated.

C8-67-69 Highland Hills, N. W., Section 5
Running Rope & Lamplight Lane

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

VOTED: To DISAPPROVE the final plat of HIGHLAND HILLS, N. W., Section 4, pending the requirements as indicated.

C8-67-85 Northwest Hills, Section 11, Phase 2
North Hills Drive and Balcones

The staff recommended disapproval of this final plat pending the required additional easements, fiscal arrangements, completion of departmental reports, annexation, zoning change for the proposed uses and plat changes required to comply with preliminary approval.

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C8-67-85 Northwest Hills, Section 11, Phase 2--contd.

The Commission then

VOTED: To DISAPPROVE the final plat of NORTHWEST HILLS, Section 11, Phase 2, pending the requirements as indicated.

C8-68-13 Tejas Plaza
Brandt Drive and Tejas Drive

The staff recommended disapproval of this final plat pending the required fiscal arrangements, completion of departmental reports and the required set-back lines on the plat. It was then

VOTED: To DISAPPROVE the final plat of TEJAS PLAZA, pending the items as noted.

C8-68-30 Quail Creek West, Section 1
Peyton Gin Road and Rutland 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 QUAIL CREEK WEST, Section 1, pending the items as noted.

C8-68-40 Greenleaf Estates
Dittmar Road and Wynn Lane

The staff recommended disapproval of this final plat pending the required additional easements, fiscal arrangements, completion of departmental reports and additional right-of-way to widen Dittmar Road to fifty feet. The Commission then

VOTED: To DISAPPROVE the final plat of GREENLEAF ESTATES, pending the items as noted.

C8-68-42 River Oak Lake Estates, Section 4
North Lamar Boulevard and Chimney Rock

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

VOTED: To DISAPPROVE the final plat of RIVER OAK LAKE ESTATES, Section 4, pending the requirements as indicated.

C8-68-54 Allandale Estates, Section 3
Shoal Creek Boulevard and U. S. Highway 183

The staff recommended disapproval of this final plat pending the required fiscal arrangements, additional easements, completion of departmental reports, annexation and zoning change which is required for the proposed use. It was then

VOTED: To DISAPPROVE the final plat of ALLANDALE ESTATES, Section 3, pending the items as noted.

C8-68-55 Allandale Estates, Section 4
Moss Rock Drive and Shoal Creek

The staff recommended disapproval of this final plat pending the required additional easements, fiscal arrangements, completion of departmental reports and setback lines which are required on the plat. It was then

VOTED: To DISAPPROVE the final plat of ALLANDALE ESTATES, Section 4, pending the items as noted.

C8-68-57 River Oak Lake Estates, Section 5
Blue Water and Cedar Bend

The staff recommended disapproval of this final plat pending the required additional easements and completion of departmental reports. The staff further reported that the City is required to dedicate one-half of Cedar Bend Drive. It was then

VOTED: To DISAPPROVE the final plat of RIVER OAK LAKE ESTATES, Section 5, pending the items as noted.

C8-68-58 Allandale North, Section 7
Pompton Drive

The staff recommended disapproval of this final plat pending the required fiscal arrangements, completion of departmental reports and with the condition that approval must be recorded simultaneously with Section 6. It was then

VOTED: To DISAPPROVE the final plat of ALLANDALE NORTH, Section 7, pending the requirements as indicated.

C8-68-59 Allandale North, Section 6
Pompton Drive

The staff recommended disapproval of this final plat pending the required additional easements, fiscal arrangements, completion of departmental reports and with the condition that approval of this plat must be recorded simultaneously with Section 7.

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C8-68-59 Allandale North, Section 6--contd.

It was then

VOTED: To DISAPPROVE the final plat of ALLANDALE NORTH, Section 6, pending the requirements as indicated.

C8-68-60 Northwest Hills, Mesa Oaks, Phase 4-B
Greystone & Rockcliff

The staff recommended disapproval of this final plat pending the required annexation, completion of departmental reports and with the condition that all of Greystone Drive adjoining Lot 1, Block G be dedicated. It was then

VOTED: to DISAPPROVE the final plat of NORTHWEST HILLS, MESA OAKS, Phase 4-B, pending the items as indicated.

C8-68-62 Vintage Hills, Section 2
Fred Morse Drive and Meadowood

The staff recommended disapproval of this final plat pending the required fiscal arrangements, completion of departmental reports, annexation and a cul-de-sac at the south end of Fred Morse Drive or additional fiscal arrangements in lieu thereof. It was then

VOTED: To DISAPPROVE the final plat of VINTAGE HILLS, Section 2, pending the requirements as indicated.

C8-68-14 Greenwood Hills, Section 5
Suburban Drive

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

VOTED: To DISAPPROVE the final plat of GREENWOOD HILLS, Section 5, pending the required fiscal arrangements.

SHORT FORM PLATS - FILED

C8s-68-103 Wooten Park Square, Section 3
Anderson Lane

The staff reported that this is a one tract short form subdivision proposal located on Anderson Lane west of Mullin Drive. The site is the west end of the tract of land that previously belonged to Mr. Fred Morse and was sold to the applicant and several other property owners. There is a problem involving the signature of the adjoining owners as the balance of the tract has not been included in this proposal. There are drainage problems connected with this tract of land but the staff assumes that the developers will meet the responsibilities and obligations for their property.

C8s-68-103 Wooten Park Square--contd.

Mr. Richard Baker, attorney for the applicant, explained that prior to the time that the proposed purchaser of this tract undertook the subdivision, they came before the Subdivision Committee and the Planning Commission to present the problems connected with this proposal. Mr. Puett has sold this property by contract of sale but he still owns the property. It was realized that this would present a problem and a request for a variance to exclude the property would be necessary if he refused to join in the short form inasmuch as one of the requirements of Public Works is that concrete drainage be installed in the drainage areas that cross the rear of the property. This means that they would have to put in the drainage pipe prior to the time when they intended to use it. This was discussed with the drainage engineer and he had no objection to the exclusion of the balance of the tract. A short form subdivision will be necessary before the balance of the property can be used.

Mr. Foxworth stated that the staff recommendation would be based on the action of the Subdivision Committee at the time all of the problems were presented informally. It is recommended that the variance be granted and that this short form plat be accepted for filing only inasmuch as all departmental reports have not been received. It was then

VOTED: To ACCEPT for filing the short form plat of WOOTEN PARK SQUARE, Section 3, pending completion and compliance with departmental reports, and granting a variance from requiring the signatures of the adjoining owners.

C8s-68-106 Northcape, Section 3-C
Rundberg Lane and Middle Fiskville Road

This request involves a short form on two tracts of land which is part of an original preliminary. In order to accept the short form for filing, the portion of the property covered by this request should be withdrawn from the preliminary plan. The staff recommends in favor of the withdrawal and also recommends that this short form plat be accepted for filing only pending completion and compliance with departmental reports. The Commission then

VOTED: To ACCEPT the withdrawal of this portion of the plat from the original preliminary plan and to ACCEPT for filing the short form plat of NORTHCAPE, Section 3-C, pending completion and compliance with departmental reports.

SHORT FORM PLATS - CONSIDERED

The staff reported that all departmental reports have been received and the following short form plats have complied with all requirements of the Ordinance and approval is recommended.

SHORT FORM PLATS --contd.

It was then

VOTED: To APPROVE the following short form plats:

C8s-68-100 Austin Northwest Estates, Section 2
Anderson Lane and Rockwood Lane
C8s-68-55 Ann Dayton
Beech Drive and Clearfield Drive
C8s-68-79 Manor Road Addition
Pershing Drive and Greenwood Avenue
C8s-68-86 Hen-Lo Subdivision
F. M. 1325 and Howard Lane
C8s-68-105 Saathoff Subdivision
Gregg Lane

C8s-68-52 Eastover Subdivision, Resub.
Gunter Street and Munson Street

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 EASTOVER SUBDIVISION, Resub., pending completion of departmental reports.

C8s-68-77 Rosewood Village
Rosewood Avenue and Walnut Avenue

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

VOTED: To DISAPPROVE the short form plat of ROSEWOOD VILLAGE, pending the required fiscal arrangements.

C8s-68-88 Simpson-Yates Addition
Buell Avenue east of Stillwood

The staff recommended disapproval of this short form plat pending clearance with the Gas Company, annexation and zoning. The Commission then

VOTED: To DISAPPROVE the short form plat of SIMPSON-YATES ADDITION, pending the items as noted.

C8s-68-84 Flournoy's Eastern Hills, Section 4
Webberville Road

The staff recommended disapproval of this short form plat pending the required additional easements and fiscal arrangements.

C8s-68-84 Flournoy's Eastern Hills--contd.

The Commission then

VOTED: To DISAPPROVE the short form plat of FLOURNOY'S EASTERN HILLS, Section 4, pending the requirements as indicated.

C8s-68-97 Lakewood Park, Section 5
Creekbluff Drive at Crossmeadow

The staff recommended disapproval of this short form plat pending additional easements and compliance with departmental reports. It was then

VOTED: To DISAPPROVE the short form plat of LAKEWOOD PARK, Section 5, pending the items as indicated.

C8s-68-104 Samsom Subdivision
Cameron Road

The staff reported that this is a one lot short form out of a larger tract of land which is owned by the same party. There is a variance involved to exclude the balance of the tract inasmuch as the balance of the tract is relatively large and additional streets will be required in order to develop the property. The applicant has not at this time formalized his plans for the extension of the streets which would be required and he is requesting that the variance be granted. The property covered by this short form request will not be affected by the extension of the streets through the balance of the tract.

There is a problem involved on the right-of-way for Cameron Road inasmuch as the present plat does not reflect the existing right-of-way. Cameron Road is scheduled to be widened to 120 feet and the applicant has been advised that he will probably be required to dedicate additional right-of-way for the street in order to comply. He has informed the staff that he is willing to dedicate additional right-of-way if it is needed. The staff recommends that the variance to exclude the balance of the tract be granted and that this short form plat be disapproved pending determination and provision of right-of-way for Cameron Road. The Commission then

VOTED: To DISAPPROVE the short form plat of SANSOM SUBDIVISION, pending determination and provision of the right-of-way needs for Cameron Road and granting a variance to exclude the balance of the tract.

ADMINISTRATIVE APPROVAL

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

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ADMINISTRATIVE APPROVAL--contd.

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:

<u>C8s-68-85</u>	<u>Discovery Properties, Ltd.</u>
	Balcones Drive & Northland Drive
<u>C8s-68-101</u>	<u>Delwood Terrace, Section 1, Resub.</u>
	Belmoor Drive
<u>C8s-68-12</u>	<u>Westgate Square Resub., amended</u>
	Westgate Boulevard and West Wind Trail
<u>C8s-68-102</u>	<u>Towne Oaks Resub., Lot 2</u>
	Anderson Lane
<u>C8s-68-96</u>	<u>Fiskville School Addition, Resub.</u>
	Elliot Street east of Lamar Boulevard

OTHER BUSINESS

R1410 ZONING ORDINANCE
Report on amendment to single-family district

The Director of Planning distributed reports and briefly discussed a proposal for the suburban residential district and a single-family district to be included in the Ordinance. The Commission members agreed to study the report and to hold a special meeting for the purpose of considering and recommending on this proposal.

C2-68-1(d) AUSTIN DEVELOPMENT PLAN AMENDMENT
71 acres along Cameron Road from Ed Bluestein Boulevard to Rutherford Lane owned by Eddie Joseph

STAFF REPORT: The applicant, Mr. Joseph, is requesting a change in the Plan from Low Density Residential to Commercial service and Semi-Industrial Uses on approximately 71 acres of land along Cameron Road from Ed Bluestein Boulevard to Rutherford Lane. The staff has included an additional area of 139 acres of land located between I. H. 35 and the west property line of the Joseph property for consideration with this request.

Generally there are no insurmountable problems involved in the development of this area. There are some grade and drainage considerations to be made depending on the type of development. The area is greatly rolling and will require drainage and easements as the area develops. The land is not presently annexed to the City.

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

The 210 acre total area has major arterials on three sides and a collector street planned along the northern boundary of this area. In addition, two 70 foot internal collector streets have been discussed with reference to future development of the area. It should be noted the proposed right-of-way for Cameron Road north of Loop III is 120 feet and Rutherford Lane is 70 feet. Loop III is adequate at this time.

The Planning Director reviewed the request and additional area involved. He stressed the need for a separation between residential areas and certain kinds of retailing and customer service facilities. The Master Plan should consider the distribution of residential, commercial, and industrial facilities with the balance of needs in land use. The alternative is to have this land annexed on a Planned Development Area basis with apartments and other types of uses worked out through zoning and subdivision plats. He discussed the elements of planning compatible with the intent of the Master Plan and the categories of mixed uses which would be desirable. Infotronics is a manufacturing use established which will be compatible with the adjacent residential uses. The Highway Department is also illustrative of a type of operation which should be located in this area. On the other hand, a lumber yard and other commercial uses would not be compatible with a housing area. The question of what is a desirable plan and examining protective uses that might go on the Joseph tract should be resolved. He suggested Mr. Joseph submit a more concrete plan to the Commission which would develop in relation to the adjoining property.

Mr. Joseph assured the Commission he wanted to build something suitable for the area and had turned down sales which proposed manufacturing uses that would be undesirable.

Mr. Isom Hale, engineer, and W. W. Patterson, attorney, represented E. C. McClure who owns approximately 130 acres included in the additional area west of the Joseph property. They each stated they were not opposed to Mr. Joseph's development of his property but were concerned that any future development would be consistent with existing development. Mr. Patterson suggested the land was suitable for an apartment complex with its rolling terrain. Each felt that industrial development was not good use for the property.

Mr. Karl Wagner, an adjoining property owner who lives north of Rutherford Lane, suggested a buffer between industrial and residential areas. He would dislike seeing industrial development. He stressed the need for access to this entire area and stated there was a great need for north-south streets between Rutherford Lane and Loop III.

The Planning Commission deliberated at some length on the development of this property within the intent of the Master Plan. They were concerned with compatible development of future residential and semi-industrial uses. The Commission felt it would not recommend this change in the Master Plan until the property owners in the area were in a position to give specific plans for the development of mixed uses that would be compatible.

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

It was therefore

VOTED: To DENY the request and suggest a restudy of the area.

C6-68-3 Report on Proposed Amendment to Zoning Fee Schedule

Mr. Osborne presented a report to the Commission concerning a proposed amendment to the Zoning fee schedule. The Commission members briefly discussed the proposal and agreed to further consider the matter at a later date.

C10-68-1(m) STREET AND ALLEY VACATION

Sabine Street between East 24th and 25th Streets and the alley between East 24th and East 25th, Red River and Sabine Streets

The staff reported that this request for vacation is made by the University of Texas. To the north will be the crossing of Red River Street with the 26th Street thoroughfare. The various departments have checked the request and recommend in favor subject to the retention of the necessary storm sewer easements. The Planning Department also recommends in favor; however, additional right-of-way for Red River Street may be needed in the future. After further discussion, the Commission

VOTED: To recommend that Sabine Street between East 24th and 25 Streets and the alley between East 24th and 25th Streets, Red River and Sabine Streets be VACATED subject to the retention of the necessary storm sewer easements.

C10-68-1(n) STREET VACATION

Unnamed stub street located south of North Hills Drive 330 feet east of Rockledge Drive

The staff reported that this request for vacation, made by Jeryl D. Hart, engineer for the Austin Corporation, is for the purpose of permitting the relocation of the street proposed at this location a distance of three feet easterly on the plat of Allen Place. Allen Place Subdivision is in a disapproved pending status at this time. The various City Departments recommend in favor of the request. The Commission then

VOTED: To recommend that the unnamed stub street located south of North Hills Drive 330 feet east of Rockledge Drive be VACATED.

C10-68-1(o) STREET VACATION

A portion of Georgian Drive west of Red Oak Circle

This request for vacation is made by Robert J. Potts, representing Arthur W. Thompson who is the abutting property owner. Georgian Drive has been checked and there is 60 feet of right-of-way. All of the City Departments have cleared the request and recommend in favor.

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C10-68-1(o) STREET VACATION--contd.

Mr. Potts was present and stated that the area under consideration is a small sliver of land that apparently was never thought of as part of Georgian Drive. The surveyor discovered that the eastern boundary actually went straight down. The Planning Department has no history on this and as far as the land title is concerned there is no history. The property should revert back to the abutting property owner. The Commission then

VOTED: To recommend that a portion of Georgian Drive west of Red Oak Circle be VACATED.

R146 PLANNING COMMISSION - STANDING COMMITTEES

The staff reported that a new member is needed to serve on the Subdivision Committee and the Zoning Committee.

The Chairman appointed Mr. Roger Hanks to serve on the Zoning Committee and Mr. Robert Kinnan to serve on the Subdivision Committee.

Mr. Dunnam presented a letter to the Commission from Mr. Bill Johnson, Texas Highway Department, requesting that a member of the Planning Commission be appointed to serve on the Austin Transportation Advisory Committee. The Commission members agreed that Mr. Dunnam should serve on this Committee.

REPORTS

SUBDIVISION APPROVAL BY TELEPHONE POLL

The staff reported that a majority of the Commission had been polled by telephone on May 31, 1968, and a majority of the Commission had

VOTED: To APPROVE the following final plats:

<u>C8-68-34</u>	<u>Quail Creek, Section 2</u>
	Peyton Gin Road and Collingfield
<u>C8-68-35</u>	<u>Community of Fairview, Section 3</u>
	Ramble Lane and Greenheart Drive
<u>C8-67-79</u>	<u>Balcones Hills, Section 3</u>
	Hillrise Drive and Spicewood Springs Road
<u>C8-68-18</u>	<u>Cherry Creek III</u>
	Whitestone Drive and Manchaca Road
<u>C8-67-76</u>	<u>Westover Hills, Section 4</u>
	Hyridge Drive and Mesa Drive
<u>C8-67-68</u>	<u>Westover Hills Club Estates</u>
	Hyridge and Westover Club Drive
<u>C8-67-66</u>	<u>Creekside</u>
	Creekside Drive north of U. S. 290

ADJOURNMENT: The meeting was adjourned at 11:55 p.m.

Hoyle M. Osborne
Executive Secretary