

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- July 23, 1968

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

Present

Hiram S. Brown, Acting Chairman
Alan Taniguchi
Robert Kinnan
Dr. William Hazard
William Milstead
Robert B. Smith
G. A. McNeil

Absent

Samuel E. Dunnam
Roger Hanks

Also Present

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

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of July 15 and 16, 1968.

Present

Dr. William Hazard, Chairman
**Samuel E. Dunnam
Roger Hanks
Robert B. Smith
Hiram S. Brown

Also Present

*Richard Lillie, Asst. Director of Planning
E. N. Stevens, Chief, Plan Administration
**Bill Burnette, Associate Planner
Shirley Ralston, Administrative Secretary

*Present only on July 15, 1968.

**Present only on July 16, 1968.

PUBLIC HEARINGS

Cl4-68-120 Howard S. Speir, et al: A to BB
6708-6806 Mira Loma Lane

STAFF REPORT: This application covers three tracts, totaling 130,680 square feet, which fronts onto the west side of Mira Loma Lane. The stated purpose of the application is for the construction of multi-family dwellings. The request is for the lowest density apartment district in the Zoning Ordinance and if granted, would permit the development of 65 units on the site. The area under consideration is large, having approximately 466 feet of frontage

C14-68-120 Howard S. Speir, et al--contd.

and approximately 280 feet of depth. A series of duplexes which were built between 1960 and 1964 are located to the north of the subject property and one to the south. There are single-family homes on the west side of Mira Loma Lane which are in sound condition. South of Marquette Lane the houses back onto the east side of Mira Loma and front onto Haney Drive. From Marquette Lane to Vanderbilt there is a series of housing which fronts directly onto Mira Loma Lane.

The staff feels that the subject property is a difficult tract of land to develop under the present zoning because of the depth, but it is felt that the requested zoning would be a detriment to the existing development on both sides of the street. The houses on the opposite side of Mira Loma Lane are part of a subdivision which was recorded in 1959 and has been developing since that time. The staff feels that apartments could be put into this area with a minimum effect on the newer housing on the opposite side of the street, however, this would require a subdivision which would extend a road through the subject site with new lots facing north and south instead of directly onto Mira Loma Lane.

Mira Loma Lane presently has only 50 feet of right-of-way and 30 feet of paving; if developed more intensively, widening of the street, both in right-of-way and paving width, should be required. It is felt that the development of 65 units, which would be permitted under the requested zoning, would overburden the street and add to the problems of the people on the east side of Mira Loma Lane.

TESTIMONY

WRITTEN COMMENT

Code

G Watt Schieffer: 1011 East 40th Street
AP Royce King: 2104 Marquette Lane
AT Joe P. Gooch: 6901 Mira Loma Lane

FOR
AGAINST
AGAINST

PERSONS APPEARING AT HEARING

Code

A Howard S. Speir (applicant)
Harry E. Montandon (representing applicant)
AP Royce King: 2104 Marquette Lane
AT Joe P. Gooch: 6901 Mira Loma Lane
AQ Mr. & Mrs. George G. Wing: 2102 Marquette Lane
AU Mr. & Mrs. Oliver Girvin: 6903 Mira Loma Lane
AS Robert Adamcik: 6807 Mira Loma Lane
AS Wilma Adamcik: 6807 Mira Loma Lane
AR A. J. Turner: 6805 Mira Loma Lane
B Harry Jaster: 6700 Mira Loma Lane

AGAINST
AGAINST
AGAINST
AGAINST
AGAINST
AGAINST
AGAINST

C14-68-120 Howard S. Speir, et al--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Harry Montandon was present on behalf of the applicant and stated that there are three large tracts of land involved in this application. He explained that unless there is a cooperative effort by the property owners, the development proposed is the only way the site can be economically developed. It is felt that there is a great deal of property in this area that will go for apartment development.

Mr. Howard Speir, one of the applicants was present at the hearing and stated that he owns the north one acre tract of land which is presently under consideration. He explained that his house and the small house adjoining to the south are the only two single-family dwellings on the property nearest him. There is duplex and multi-family development existing to the north and south. He stated that in his opinion the best use of the property cannot be obtained unless the zoning is changed. The area from Berkman Drive to Mira Loma Lane is a large tract of land that is already being developed commercially with "LR" uses. "O" Office development has started on the Berkman Drive side and "GR" zoning backs up to one of the tracts under consideration. It is realized that a balance is needed between residential and commercial development but it seems that there should be a gradation of zoning. The requested "BB", First Height and Area zoning would serve as a gradation between the existing residential area and the commercial area. There is a problem with development on the site because of the fact that there is a transmission line which goes across the three tracts and there cannot be anything built under the high wires. This reduces the area that can be used for development. The trend in this area is towards multi-family development and it is felt that the request is logical.

Arguments Presented AGAINST:

Four nearby property owners appeared in opposition to the request and presented the following information: The requested zoning represents a depreciation of the values of which people bought into this neighborhood. To extend this would represent a confiscation of values. This is a newly developed residential area and most of the homes are from five to six years old. The people bought their homes in the area with the assurance that the zoning classification was "A" Residential and felt that this type of zoning would remain. The proposed change would be completely contrary to the recent homes purchased in the area. The proposed development on the site would be a nuisance because of the noise level and the lack of privacy. There are many children in the area and the addition of approximately 120 cars would create a dangerous traffic hazard. The traffic situation is unbearable at this time and it is felt that this problem should not be increased.

C14-68-120 Howard S. Speir, et al--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission pending further study of plans for traffic circulation.

At the Commission meeting, the staff reported that there is an offer from the applicants to dedicate ten feet of right-of-way from the subject property for the widening of Mira Loma Lane. The postponement of the request was for discussing with the with the full Commission the possibility of subdividing the subject property, not just the widening of Mira Loma Lane, but to extend a cul-de-sac street into the site which could be continued into the other undeveloped tracts to the west and permit apartment development of a low-density type to front onto a new street rather than facing directly onto Mira Loma Lane. The Committee felt that until something like this was accomplished that the application constitutes an encroachment into an established residential area on an inadequate street. Even though the applicants have offered right-of-way for Mira Loma Lane the rest of the street will have only 50 feet of right-of-way with 30 feet of paving. There is an existing "B" area on Berkman Drive and Patton Lane; if this tract is developed with apartments and the subject property is also developed with apartments, which under the proposed zoning would permit 65 units, the staff feels that the rest of the property on Patton Lane and Mira Loma Lane will connect together in apartment zoning. It is felt that the streets now existing in this area could not handle the traffic generated by the total number of apartment units which could be developed if the area is changed to apartment zoning. However, if a street is extended and the area can be better served for traffic movement, the staff feels that the requested zoning should be granted, but until such time as there is a better street system in the area the staff recommends the zoning be denied as it would be an encroachment and would be to the detriment of the existing residential development on the east side of Mira Loma Lane.

Mr. George Wing, a nearby property owner was present at the hearing and asked if he could present a petition opposing the requested zoning. He stated that the petition contains the signatures of more than 20% of the property owners within a 200 foot radius of the property under consideration and several property owners on the periphery of this area.

The Commission members agreed to accept the petition opposing the request and suggested that Mr. Wing submit the original to the City Council.

Mr. Howard Speir, one of the applicants, stated that the property owners involved in this application are not interested in subdividing this property. There are three tracts involved in the application and it would require a joint effort in order to subdivide. One of the reasons against subdividing the property is the fact that there is a 50 foot high-line easement which extends across the property. The 50 foot easement area cannot be used for building purposes and if this is taken from the property and

C14-68-120 Howard S. Speir, et al--contd.

the ten feet of right-of-way is also required, there will be very little land left for actual development. It is felt that it is unreasonable to expect this much of the land to be given for public use and still be required to subdivide the remaining area. Because of the size of the tracts, it is felt that single-family development is impractical. There is "C" and "GR" development to the north and abutting one of the tracts under consideration. The periphery of this area is already established with commercial and apartment zoning and development and this trend is extending into this area. Ten feet of right-of-way has been offered for Mira Loma Lane. The street problem is not one of traffic congestion but is one of speed. If the request is granted there will be more development on this street and the cars will have to slow down.

The Commission members agreed that this request should be denied because the proposed use is too intensive for the street system in the area and would be detrimental to the existing residential area east of Mira Loma Lane; however, they stated they would look with favor on the request if a subdivision of the property is submitted which would provide for adequate traffic circulation for the proposed use. After further discussion, the Commission unanimously

VOTED: To recommend that the request of Howard S. Speir, 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 6708-6806 Mira Loma Lane be DENIED.

<u>C14-68-135</u>	<u>Kealing Urban Renewal Project:</u>	<u>To establish zoning within the</u>
1151-1199½ Angelina Street		<u>Kealing Urban Renewal Project to</u>
1301-1819 East 12th Street		<u>conform with the Urban Renewal Plan</u>
1150-1198 Chicon Street		
1300-1818 Rosewood Avenue		

STAFF REPORT: This application is for consideration of the zoning that is planned to be established in the adopted Kealing Urban Renewal Project. The purpose of the application as advertised is to establish zoning within the Kealing Urban Renewal Project to conform to the Urban Renewal Plan as finally adopted by the City Council on May 16, 1963. Since the adoption of the plan, work has proceeded on the project and it is the staff's understanding that the project is now at the final point of closing. There are a total of nine tracts within the Kealing Urban Renewal project which are to be zoned in keeping with the zoning and uses proposed in the plan. Tract 1, located along Rosewood Avenue is the largest tract under consideration and is presently zoned "C" Commercial, "B" Residence and "A" Residence, First Height and Second Height and Area. The request is to change the zoning to "A" Residence, First Height and Area. Tract 2, at the corner of Rosewood and Angelina Streets is presently zoned "C" Commercial, Second Height and Area across the front portion at Rosewood and "A" Residence, First Height and Area on the rear portion. The request is to change the zoning to "B" Residence, Second Height and Area which is an apartment district. Tract 3, a small triangular piece

C14-68-135 Kealing Urban Renewal Project--contd.

of property located at Comal and Cotton Streets, is presently zoned "B" Residence, First Height and Area and the request is to change the zoning to "A" Residence, First Height and Area. Tract 4, located on the north side of Pennsylvania Avenue running east from Leona Street is presently zoned "BB" Residence, Second Height and Area, and the request is to roll the zoning back to "A" Residence, First Height and Area. Tract 5, located at the cul-de-sac end of Angelina Street north of Cotton Street is presently zoned "A" Residence and "C" Commercial, First Height and Area and the request is to roll the zoning back to "A" Residence, First Height and Area. Tract 5, located at the cul-de-sac end of Angelina Street north of Cotton Street is presently zoned "A" Residence and "C" Commercial, First Height and Area and the request is to roll the zoning back to "A" Residence, First Height and Area. Tract 6, located at the southwest intersection of East 12th and Comal Streets is presently zoned "C" Commercial, Second Height and Area, and the request is to change the zoning to "GR" General Retail, Second Height and Area which is a less permissive business zone. Tract 7, which is the block between Comal and Leona Streets south of 12th Street is presently zoned "C" Commercial, Second Height and Area and the request is for a change to "B" Residence, Second Height and Area. Tract 8, which is the block east of Leona Street to Chicon on the south side of 12th Street is presently zoned "C" Commercial, Second Height and Area and the proposal is to change the zoning to "GR" General Retail, Second Height and Area. Tract 9, located at the corner of New York Avenue and Chicon Street at the northwest corner is presently zoned "C" Commercial, First Height and Area and the proposal is to roll the zoning back to "A" Residence, First Height and Area.

There is one area of concern by the staff with regard to the right-of-way needed for Rosewood Avenue from Tract 2. Under the plan, the City has obtained the necessary right-of-way across Tract 1 for the widening purposes but ten feet of right-of-way is still needed from Tract 2.

Apartment zoning has recently been granted on property at the corner of Chicon and Rosewood Avenue and also on property adjacent to Tract 6 on the south side of East 12th Street. A special permit for apartment dwelling groups has been approved on both of those properties.

TESTIMONY

WRITTEN COMMENT

Code

FD	Dr. Samuel H. Wyatt: 1062 Gate Court, Uniondale, N.Y.	AGAINST
JG	Frank Sessions: 1109 Angelina Street	AGAINST
	1 petition with 53 signatures	AGAINST

C14-68-135 Kealing Urban Renewal Project--contd.

PERSONS APPEARING AT HEARING

Code

FV	Mrs. E. A. Griffin: 1912 New York Avenue	AGAINST
HL	Mrs. Bertha Sanders: 1805 Pennsylvania Avenue	AGAINST
GB	Clarence Caldwell: 1505 New York Avenue	AGAINST
HN	Miss Henrietta Akins: 1170 Chicon Street	AGAINST
KN	A. W. Humphreys: 1502 Pennsylvania Avenue	AGAINST
HM	Mrs. Algerene M. Craig: 1809 Pennsylvania Avenue	AGAINST
FE	Mrs. Mattie Van Dyke: 1506 New York Avenue	AGAINST
HY	O. B. Conley: 1319 Rosewood Avenue	AGAINST
FM	Mr. & Mrs. G. L. Haywood: 1704 New York Avenue	AGAINST
AH	Mr. & Mrs. T. W. Kincheon, Jr.: 1307 Hackberry	AGAINST
FC	Mr. & Mrs. Elbert Van Dyke: 1606 New York Avenue	AGAINST
FL	Mr. & Mrs. Aaron Ford: 1705 New York Avenue	AGAINST
JG	Mr. & Mrs. Frank Sessions: 1109 Angelina Street	AGAINST
HM	Issaac Craig, Jr.: 1809 Pennsylvania Avenue	AGAINST
?	Mrs. Janie P. Harrison: 1190 Leona Street	AGAINST
?	J. M. Wilson: 1501 New York Avenue	AGAINST
?	Mary C. Kimbles: 1183 Leona Street	AGAINST
?	Mrs. Morris Strain: 1601 New York Avenue	AGAINST
?	Mrs. Willie M. Risher: 1903 East 18th Street	AGAINST
?	Mrs. Claudell Madison: 1703 New York Avenue	AGAINST
?	Mrs. E. L. Crawford: 1807 New York Avenue	AGAINST
?	Mr. & Mrs. Raymond Minter: 1171 Angelina Street	AGAINST
?	Mr. & Mrs. Lewis B. Carter: 1710 New York Avenue	AGAINST
?	Myrtle Hudspeth: 1702 New York Avenue	AGAINST
?	Sharon Hudspeth: 1702 New York Avenue	AGAINST
?	Calvin Hudspeth: 1702 New York Avenue	AGAINST
?	Mrs. Louise Wade: 1914 Tillotson Avenue	AGAINST
?	W. L. Morris: 1504 East 13th Street	AGAINST
?	Mrs. Johnnie Mae Lowery: 2717 Santa Rosa	AGAINST
?	Allen Lee: 1152 San Bernard	AGAINST
?	Betty G. Poole: 1209 Rosewood Avenue	AGAINST
?	Lonnie McArthur: 1801 Pennsylvania Avenue	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Leon Lurie, Director of Urban Renewal was present at the hearing and presented the following information: All of the changes that have been requested are necessary changes to comply with the Kealing Urban Renewal Plan. The Agency has sold most of the land in this particular area with the exception of some of the tracts in the various areas on which the zoning changes are made.

C14-68-135 Kealing Urban Renewal Project--contd.

Arguments Presented AGAINST:

A number of nearby property owners appeared and spoke in opposition to this request. Their arguments in opposition are best summarized by the following reasons as submitted in their petition:

1. Many people have invested money in new homes, and improved old ones. The apartments will lower the value of their property.
2. There is not enough space to accommodate the additional families moving in. This will cause an over crowded condition which is not safe, health wise.
3. The corner for the proposed building is a hazardous one. The streets are narrow and there is not enough parking area. The apartments will make an additional parking problem to the one that already exists, and will cause a safety hazard.
4. Too many apartments located too closely together can prove to breed crime and riots.
5. There are two apartments under construction in this area, another one will invite another ghetto.
6. We are fenced in with apartments and churches which makes it difficult to drive down the streets safely. This entire area is surrounded and closed in.

The property owners in opposition to this request were particularly opposed to the requested changes on Tracts 2, 7 and 8 and requested that the zoning on these tracts be "A" Residence, First Height and Area so that the property will be developed with single-family, or two-family residences rather than apartments.

Mr. Lurie explained that there is presently a house located on the corner in Tract 7. The balance of Tract 7, with FHA financing for the project which is proposed for the entire tract, constitutes a development of approximately 35 units. This would be approximately 13 to 15 units per acre in that area. The Agency has not reviewed any proposals for development at this time; however, bids have been received and will have to be evaluated. Under the Kealing Urban Renewal Plan the "B" Second Height and Area zoning which is requested could be developed with single-family or two-family dwellings and still be in compliance with the plan. Tract 8 is already developed with a series of stores and a church is established on one of the lots. There are approximately 20 apartment units existing on property adjoining Tract 2 and there is a store on the corner which is being operated as a non-conforming use under the plan.

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C14-68-135 Kealing Urban Renewal Project--contd.

Mr. Dunnam asked if the Agency would have any objection to the tracts being zoned "A" Residence, if the property is sold to individuals and used for that purpose.

Mr. Lurie explained that there would be no objection to the use but it would constitute a change in the Urban Renewal Plan and this would be a matter for the City Council. A change in the plan would cause considerable delay in that the project is almost ready to be closed out.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and concluded that the requested zoning should be granted for Tracts 1, 3, 4, 5, 6 and 9 as it conforms to the Urban Renewal Plan; however, they felt that the request on Tracts 2, 7 and 8 should be denied, and that all of the property requested by this application within the project, with the exception of Tract 6, which is presently developed with a service station, should be zoned "A" Residential, First Height and Area for the following reasons:

1. The character of the area as now established is residential.
2. Testimony by Mr. Leon Lurie, Director of Urban Renewal, indicates that single-family and two-family development can occur in those areas designated for apartments in the plan.
3. The area residents have strong feelings that the apartments now under construction within the project have caused overcrowding of the neighborhood facilities.
4. Further apartment development as proposed would cause further congestion of the streets in the area and would damage the good quality residential development now established in the project area.

At the Commission meeting, the staff restated the changes as proposed and described the existing and proposed uses for each tract.

Dr. Hazard stated that the feeling of the Zoning Committee was that the purpose in asking for the Residential "A" classification instead of the "B" was to prevent overcrowding of low-cost apartments which could cause ghetto-type conditions. He stated that in his opinion the development of single-family or two-family residences in East Austin should be encouraged. Most of the history of the development of riots in other cities in the country has been associated with overcrowding and high-density development. This is an opportunity to keep this area in single-family development; however, by changing the plan at this point, it will cost the City a considerable amount of money to resubmit this plan which may mean a six to eight month delay in the project. Dr. Hazard stated that he personally is in favor of the recommendation by the Committee for the area being zoned "A" Residence, with the exception of Tract 6, with the suggestion to the City Council that the requested zoning would be favorable provided the density of the development would be kept down.

C14-68-135 Kealing Urban Renewal Project--contd.

Mr. Osborne explained that there were a number of issues involved in the Kealing Urban Renewal Project. One was the rehabilitation-conservation of housing, which to a considerable extent has been accomplished. In some instances houses had to be removed as they were beyond repair or where owners were unable to repair them. Second was the issue of expanding the public park area in conjunction with the City of Austin and the Austin School District around the Kealing Junior High School. Approximately 14 acres of land was acquired jointly by the City and the school district because the Kealing Junior High School involved only a small portion of the land in this area and buildings covered to a great extent a considerable portion of the land. There was a great deal of open space added to the school area. The next issue as enumerated by the staff were the changes from commercial type zoning back to residential type zoning so that there would be protection of the sound single-family housing that exists within the area. In the Kealing plan there are several rather heavily traveled boundary streets such as 12th, Rosewood and Chicon Streets.

The Rosewood Project, containing approximately 160 units is located in this area. This is a public housing low cost project. There is "C" Commercial, Second Height and Area zoning which is developed with a mixture of uses consisting of commercial, single-family, apartment and office development, all along the north side of 12th Street. The staff would question the desirability of placing single-family residences or even duplexes on the south side of 12th Street facing into the commercial development. On Chicon and Rosewood there is already existing apartment zoning and development. There are also other apartment projects now existing in this area. There is a very serious need for moderate and low-cost housing in East Austin. It is felt that the proposed changes would not constitute an overcrowding of the area. With regard to the particular development of any one tract, it is possible that they might be over developed but not necessarily overcrowded. There is a separation being provided between the single-family homes and the apartments to the affect that they face in different directions and in general there are alleyways separating the apartment areas and the single-family areas. The correct issue is not whether or not there should be apartments but to what degree should apartments be developed in the area.

Mr. Smith stated that the existing apartment developments in this area are too dense and do not provide enough play area for children. He stated that he felt the requested change would only add to the overcrowding of the neighborhood.

Mr. Osborne stated that if the Commission agrees that the proposed zoning would be favorable if the density is low, there should be a suggestion to the City Council as to what density would be proper.

Dr. Hazard stated that in his opinion the density should be limited to duplexes, fourplexes or townhouses.

C14-68-135 Kealing Urban Renewal Project--contd.

Mr. Hercules Miles, Jr., pastor of the Grant Chapel Church, was present at the hearing and stated that the Church has made application on Tract 7 for low rental apartments. He stated that they have complied with all of the federal regulations and the regulations of the Church. The plans have been submitted and there has been a verbal agreement from FHA to go ahead with the project. There is a need for this type of development in the area. It would be unfair to the people in the area who are in need of these apartments to deprive them of the privilege of living in a nice apartment. A commitment from the Government for rental supplement in the form of \$81,391.00 has been received. The density has been cut down to approximately 18 units and the development will be greatly improved over the existing apartment development in the area.

After further discussion, a majority of the members felt that the requested zoning on Tracts 1, 3, 4, 5, 6, and 9 should be granted but that the requested zoning on Tracts 2, 7 and 8 should be denied, and that "A" Residence, First Height and Area zoning should be recommended. They concurred with the Committee recommendation, but felt that it should be suggested to the City Council that they would look with favor on apartment zoning for this area if the density is low. It was then

VOTED: To recommend that the request of the Kealing Urban Renewal Project for a change of zoning from "A" Residence, "B" Residence, and "C" Commercial, First and Second Height and Area to "A" Residence, First Height and Area (Tract 1) be GRANTED; (Tract 2) from "A" Residence and "C" Commercial, First and Second Height and Area to "B" Residence, Second Height and Area be DENIED but that "A" Residence, First Height and Area be GRANTED; (Tract 3) from "B" Residence, First Height and Area to "A" Residence, First Height and Area be GRANTED; (Tract 4) from "BB" Residence, Second Height and Area to "A" Residence, First Height and Area be GRANTED; (Tract 5) "A" Residence and "C" Commercial, First Height and Area to "A" Residence, First Height and Area be GRANTED; (Tract 6) from "C" Commercial, Second Height and Area to "GR" General Retail, Second Height and Area be GRANTED; (Tract 7) from "C" Commercial, Second Height and Area to "B" Residence, Second Height and Area be DENIED but that "A" Residence, First Height and Area be GRANTED; (Tract 8) from "C" Commercial, Second Height and Area to "GR" General Retail, Second Height and Area be DENIED but that "A" Residence, First Height and Area be GRANTED; (Tract 9) from "C" Commercial, First Height and Area to "A" Residence, First Height and Area be GRANTED, for property described in the Kealing Urban Renewal Project area.

AYE: Messrs. Hazard, Smith, Brown and McNeil
 NAY: Messrs. Kinnan, Milstead and Taniguchi
 ABSENT: Messrs. Dunnam and Hanks

C14-68-136 C. S. Caldwell: A to C
2703-2705 Manor Road

STAFF REPORT: This application covers 20,000 square feet of land which is presently developed with a single-family dwelling. The stated purpose of the application is for uses as permitted by the requested zoning. "C" Commercial adjoins the site to the east and to the west. The "C" Commercial zoning on property adjoining to the east was granted in 1963. The most recent zoning in this area was a request last month for "LR" Local Retail, First Height and Area zoning on property directly to the north across Manor Road. This change has been granted by the City Council pending right-of-way requirements. Development along Manor Road has been generally residential on the north side with the exception of the "LR" zoning recently granted. Manor Road, a major arterial street with a present right-of-way of 60 feet, should be widened which will require ten feet from the subject site. The staff recommends that the requested zoning be granted, subject to the necessary right-of-way for Manor Road, as a logical extension of the existing zoning.

TESTIMONY

WRITTEN COMMENT

Code

S Zack R. Shropshire: 3108 Cherrywood
AP Lee R. McCall: 2200 Walnut Avenue

FOR
AGAINST

PERSONS APPEARING AT HEARING

Code

Jack Ritter, Jr. (representing applicant)

SUMMARY OF TESTIMONY

Mr. Jack Ritter, Jr., representing the applicant, advised the Committee that about three years ago, everyone in this block requested a change of zoning to "C" Commercial which was granted by the City Council; however, before the Ordinance was passed, the City Attorney advised the Council and the property owner that ten feet of right-of-way would be needed for Manor Road. The owners of the property at that time refused to give the ten feet and the granting of the request was repealed. Mr. Ritter explained that his client has purchased the subject property since that time and he is willing to dedicate the necessary right-of-way for the widening of Manor Road.

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, subject to ten feet of right-of-way for the widening of Manor Road, as a logical extension of the existing zoning pattern established on the south side of Manor Road.

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C14-68-136 C. S. Caldwell--contd.

At the Commission meeting, the staff reported that the applicant has offered ten feet of right-of-way for the widening of Manor Road. The Commission then unanimously

VOTED: To recommend that the request of Charles S. Caldwell for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 2703-2705 Manor Road be GRANTED.

C14-68-137 Odas Jung: GR to C-2
722-728 Ben White Boulevard
723-729 Banister Lane (Fort View Road)

STAFF REPORT: The property under consideration contains 11,100 square feet of land which is presently partially developed. The stated purpose of the application is for operating a lounge or tavern. The zoning now existing on the site was established in 1965. The subject property is part of a subdivision which was recently approved for commercial purposes at which time the right-of-way needed for Banister Lane was taken care of. North of Banister Lane, along both sides of South Second Street, is a large area zoned "A" Residence, First Height and Area. The staff feels that eventually apartments will be developed along the north side of Banister Lane. "C-2" zoning, granted earlier this year, is established on property adjoining the site to the east. "GR" and "C-2" is established on property to the south of Ben White Boulevard. The staff has no objection to the requested zoning as this is a well-defined commercial area but there is a question as to whether or not the requested "C-2" should be established for the entire site inasmuch as it has been the policy of the Commission to establish "C-2" zoning only on the portion of the property needing the particular classification.

TESTIMONY

WRITTEN COMMENT
Code

None

PERSONS APPEARING AT HEARING
Code

Tom Thomas (representing applicant)

SUMMARY OF TESTIMONY

Mr. Tom Thomas, representing the applicant, explained that he filed an application for "C-2" zoning on property adjoining the site to the east which was recently granted. After that time, the applicant applied for a building permit to expand his business. After subdividing the property

C14-68-137 Odas Jung--contd.

and measuring the lot, it was found that a part of the building and all of the parking lot was the area which was recently rezoned but the major portion of the building was not in the area zoned "C-2". This application was submitted in an attempt to make the zoning concur with the proposed use.

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 and development in the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Odas Jung for a change of zoning from "GR" General Retail, Fifth Height and Area to "C-2" Commercial, Fifth Height and Area for property located at 722-728 Ben White Boulevard and 723-729 Banister Lane (Fort View Road) be GRANTED.

C14-68-138 Martha P. Hoppe: A to O
3500-3525 Manor Road
2215-2217 Greenwood Avenue

STAFF REPORT: This application covers 52,592 square feet of land which is presently undeveloped. The stated purpose of the request is for an office building. "LR" and "O" Office zoning, granted in 1964, is established to the west at the intersection of Palo Pinto Drive and Manor Road. "GR" zoning granted in 1961, is established on property west of Redwood Avenue. The "O" Office district adjoining the subject property to the east was granted earlier this year. Pershing Drive to the south, has recently been opened from 19th Street to Manor Road. Manor Road, a major arterial street with a present right-of-way of 80 feet, is scheduled to be widened to 90 feet; however, the right-of-way needed will come from the north side of the street. The requested zoning is in conformance with the previous Planning Commission recommendation for property along Manor Road between the airport and the golf course. The staff recommends that the request be granted.

TESTIMONY

WRITTEN COMMENT
Code

None

PERSONS APPEARING AT HEARING
Code

? Sterling Sasser, Sr. (representing applicant)
J. Neils Thompson: 3601 River Road

FOR

C14-68-138 Martha P. Hoppe--contd.

SUMMARY OF TESTIMONY

Mr. Sterling Sasser, Sr., representing the applicant, was present and stated that the City originally intended to zone the subject property along with the adjoining property but because of red tape, the lot failed to be zoned. The applicant is willing to cooperate with the City in any way.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a logical extension of the existing zoning pattern.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Martha P. Hoppe for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 3500-3525 Manor Road and 2215-2217 Greenwood Avenue be GRANTED.

C14-68-139 Red River Investment Co.: A to C
504 Willow Street

STAFF REPORT: This application covers an irregular shaped piece of property containing 13,503 square feet. The stated purpose of the request is for erecting an office building. Property in the general vicinity is predominately zoned "C" Commercial with the exception of "GR" zoning established on property adjoining the site to the east. To the west, is "C" Commercial district which is developed with the housing authority project. Waller Creek runs through this general area and may effect the subject property. The staff will check with the drainage department before the full Commission meeting to determine if drainage easements will be needed from the site. The staff has no objection to the requested change subject to the needs for drainage purposes. Willow Street, a gravel street, has 80 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

Phil Mockford (representing applicant)

C14-68-139 Red River Investment Co.--contd.

SUMMARY OF TESTIMONY

Mr. Phil Mockford, representing the applicant, stated that plans are to put a small building with two tenants on the subject property. One of the tenants is in the printing supply business, and the other has a furniture repair and upholstering shop. Both of the businesses are not heavy traffic types. With regard to the drainage, the applicant would be glad to give any sort of drainage easement that is reasonable.

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, pending determination of drainage requirements for site development, as it completes the zoning pattern established in the area.

At the Commission meeting, the staff reported that an attempt is being made to determine the needs for drainage. A drainage easement is needed and possibly drainage facilities. It is recommended that this be noted in the recommendation.

The Commission was cognizant of the fact that drainage requirements for the site need to be determined. They recommended that the requested zoning be granted as it completes the zoning pattern in the area, pending determination of the drainage requirements. It was then unanimously

VOTED: To recommend that the request of Red River Investment Company for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 504 Willow Street be GRANTED.

C14-68-140 W. H. Bullard: GR & C-2 to C-2
Rear of 705 Ben White Boulevard
Rear of 4102 South First Street

STAFF REPORT: This application covers a small area consisting of 5,000 square feet. There is a package store existing on a portion of the site and it is the staff's understanding that the "C-2" zoning is requested in order to expand the existing "C-2" area into the entire building so that there can also be a lounge. The site is located within an existing shopping center. The staff recommends that the requested zoning be granted as this is a well-defined and well-developed commercial area.

TESTIMONY

WRITTEN COMMENT

Code

C Andrew Johnson: 610 Radam Lane

AGAINST

C14-68-140 W. H. Bullard--contd.

PERSONS APPEARING AT HEARING

Code:
 A W. H. Bullard (applicant)
 ? C. R. White: 6800 Millikin Cove FOR

SUMMARY OF TESTIMONY

Mr. W. H. Bullard was present at the hearing and stated that the subject property is located within an existing shopping center. He explained that there is no residential housing within 200 feet of the backdoor of the property. There is existing "C-2" zoning adjoining the site and this request is made so that the classification made can be expanded to cover a lounge area.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as this is a well-defined and well-developed commercial area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of W. H. Bullard for a change of zoning from "GR" General Retail, First Height and Area and "C-2" Commercial, First Height and Area to "C-2" Commercial, First Height and Area for property located at the rear of 705 Ben White Boulevard and the rear of 4102 South First Street be GRANTED.

C14-68-141 Hettie Shuffield: A to B
 Rear of 5002 Woodrow Avenue

STAFF REPORT: This application covers an area consisting of 4,500 square feet. It is the staff's understanding that the subject property will be used as a parking lot for the Zuider Zee Restaurant which is established on property adjoining to the west and fronting onto Burnet Road. The applicants property, fronting onto Woodrow Avenue, is 195 feet deep. The parking lot is to be established on the rear 90 feet of the lot, and the existing residence will remain on the front portion of the property. There will be a driveway extending into the back of the applicants property from Burnet Road. The staff feels the requested zoning is a logical extension and recommends that the request be granted.

TESTIMONY

WRITTEN COMMENT

Code

AS

Herbert Tiemann: 9106 Shephard

U

Mrs. Mary Ethel Turner: 4914 Woodrow Avenue

FOR

FOR

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C14-68-141 Hettie Shuffield--contd.

PERSONS APPEARING AT HEARING
Code

	William Terry Bray (representing applicant)	
H	Sidney S. Smith: 1417 West 51st Street	FOR
?	Teddy Henderson: 513 Scarbrough Building	FOR

SUMMARY OF TESTIMONY

Mr. Terry Bray, representing the Zuider Zee Restaurant stated that the application is to provide more parking for the restaurant as the existing parking is insufficient.

Mr. Ted Henderson, representing the applicant, stated that property adjoining to the south is already zoned "B" Residence and it is felt that the request is a logical extension.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it conforms to the recently established district.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Hettie Shuffield for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at the rear of 5002 Woodrow Avenue be GRANTED.

C14-68-142 Fred Eby, Jr.: A, 1st to B, 2nd
503-505 Bellevue Place

STAFF REPORT: This application covers 13,860 square feet of land. The stated purpose of the request is for apartment development. Approximately one year ago, the Planning Department did a study of the area extending from West 29th to 38th Streets and from Guadalupe Street to Duval Street. The results of that study indicated a medium density residential pattern would develop over a period of time due to the increasing University development. The Master Plan designates this area as medium density residential. There is non-residential development on San Jacinto Street between Speedway and Duval, and apartment development is established just to the south of the subject site. The "A" Residential area along Bellevue Place, Harris Park and Rathervue Place is all sound development which consists of a pocket of single-family residences with some duplexes mixed in. The staff has no objection to the apartment zoning but would prefer that the request be for "B" Residence, First Height and Area zoning as opposed to the Second Height and Area because of the residential characteristics of the existing neighborhood. If any change is granted, Bellevue Place with a present right-of-way of 56 feet should be widened to a standard 60 feet of right-of-way which would require two feet of widening from the subject site.

C14-68-142 Fred Eby, Jr.--contd.

TESTIMONY

WRITTEN COMMENT

Code

V	William J. Weeg: 509 Elmwood	FOR
W	H. C. Byler: 5804 Trailridge Drive	FOR
AA	Laura J. Suehs: 600 Bellevue Place	AGAINST
AB	Cecil C. Street: 508 Bellevue Place	AGAINST
AH	Sarah D. Tilly: 406 East 30th Street	FOR

PERSONS APPEARING AT HEARING

Code

E	Mr. & Mrs. Richard Corner, Jr.: 511 Bellevue Place	AGAINST
AB	Mrs. Cecil C. Street: 508 Bellevue Place	AGAINST
AC	Miss Mary Ella Wallis: 506 Bellevue Place	AGAINST
AP	M. H. Crockett, Jr.: 29th Street & Duval	FOR

SUMMARY OF TESTIMONY

No one appeared in behalf of the request.

Several nearby property owners appeared in opposition to this request and stated that in their opinion the uses for which the property can be used would be detrimental to an existing area. This is a nice clean neighborhood at the present time and the requested change would effect the character of the area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as it is too intensive for the area; however, they stated they would look with favor on granting "B" Residence, First Height and Area zoning if the street is made adequate.

At the Commission meeting, the applicant stated that the subject property is located within one-half block of the University campus and has "B" Residence, Second Height and Area zoning existing on two sides of the property. There is a dentist office on property adjoining to the west and "C" Commercial zoning is established at the northwest corner of Duval and East 30th Streets. It is felt that the requested "B" Residence, Second Height and Area zoning is reasonable for this area as dense development is needed in close proximity to the University. Students attending the University need apartments close to school so that they can walk rather than drive cars. This area is no longer suitable for "A" Residence development.

Mr. Stevens explained that the neighbors in this area indicated concern at the Zoning hearing about the number of units that would be allowed on the site. The staff feels that "B" Residence, First Height and Area zoning would be more appropriate for the site because of the existing residences

C14-68-142 Fred Eby, Jr.--contd.

to the east and because of the fact that Bellevue Place is a residential street. Mr. Eby stated that he has offered the two feet of right-of-way that is needed for the widening of Bellevue Place.

The Commission members agreed with the Committee that the requested "B" Residence, Second Height and Area zoning is too intensive because of the existing residential development along Bellevue Place. They were cognizant of the applicant's offer to dedicate two feet of right-of-way for the widening of Bellevue Place and felt that in view of this, "B" Residence, First Height and Area zoning should be granted as the proper zoning for the site. It was then unanimously

VOTED: To recommend that the request of Fred Eby, Jr. for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 503-505 Bellevue Place be DENIED but that "B" Residence, First Height and Area zoning should be GRANTED.

C14-68-143 E. D. Bohls and J. H. McCullick: Int. A, Int. 1st to GR, 1st
Rear of 8314-8432 North Lamar Boulevard

STAFF REPORT: This application covers a large tract of land consisting of approximately 13 acres. The stated purpose of the request is for a shopping center or retail type stores. The property under consideration is located along North Lamar Boulevard and Thurmond Street, which is a recently dedicated and developed street. Adjoining the site to the north is the Colony Hills, Section 3 Subdivision which is a fairly new residential subdivision that is yet to be completed. The front portion of the applicant's property fronting onto Lamar Boulevard, is presently zoned "C" Commercial for an approximate depth of 150 feet. The property on the north side of Thurmond Street, owned by Mr. Bullard, was zoned "GR" General Retail, First Height and Area in March of this year. There is an easement on Mr. Bullard's tract of land that serves as a buffer between the "GR" tract and the proposed residential development along Jamestown Drive. It appears that this easement does not extend across the applicants property but is within the Colony Hills subdivision. If so, this would not serve as a buffer and the staff feels that consideration should be given to a buffer area to screen the residential development from this tract. The requested "GR" zoning does conform to zoning recently granted and the staff recommends the request be granted on the site with an exception of a 40 foot buffer area.

TESTIMONY

WRITTEN COMMENT

Code

H Mrs. Dean Skinner: 8501 North Lamar Boulevard FOR

PERSONS APPEARING AT HEARING

Code

A E. D. Bohls (applicant)

C14-68-143 E. D. Bohls and J. H. McCullick--contd.

SUMMARY OF TESTIMONY

The applicant was present on behalf of his request and stated that there is an open ditch across his property and there is concrete on both sides. Mr. Bohls presented a deed to the staff showing the easement area.

Mr. Stevens explained that the applicant's deed indicates that there is a 15 foot easement across the back of the property which widens to 40 feet at the intersection of Thurmond Street. In addition, there is a 30 foot easement on the adjoining property. In view of this, the staff would request that there be a 40 foot buffer provided which would include the drainage easement.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it is a logical extension of the recently established district to the north. However, they felt that a 40 foot buffer strip of "B" Residence, First Height and Area should be established along the western property line.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of E. D. Bohls and J. H. McCullick for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at the rear of 8314-8432 North Lamar Boulevard be GRANTED with the exception of a 40 foot buffer strip along the western portion of the property which should be zoned "B" Residence, First Height and Area.

C14-68-144 Truman Montandon: BB to C
2826 Rio Grande Street
700-708 West 28½ Street

STAFF REPORT: This site contains 6,650 square feet of land which is presently undeveloped. The stated purpose of the request is for commercial development. There is mixed zoning in the area consisting of "C" Commercial generally along Guadalupe Street with "O" and "B" zoning to the west of Guadalupe extending to Rio Grande Street. The land use is single-family residences to the west of the site with a number of student apartments and rooming houses. Property to the south of West 28½ Street is zoned "B" Residence. The proposed location of the Central Expressway is in this area. West 29th Street is a proposed major east-west arterial street which is to be widened by 20 feet. All of the right-of-way will be taken from the south side of the street between Guadalupe and Lamar Boulevard; however, this will not affect the subject site. Rio Grande Street, with a present right-of-way of 60 feet, is to be widened which will require five feet from the subject

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C14-68-144 Truman Montandon--contd.

site. West 28½ Street has only 50 feet of right-of-way and should be widened to 60 feet. This would require five feet from the subject property which would cut the width of the lot to only 45 feet. It may be possible to have forty feet of paving within the fifty feet of right-of-way as the major streets for the area will be north and south of the site. In view of the existing zoning pattern and development, the staff recommends the request be granted subject to the necessary widening of Rio Grande Street.

TESTIMONY

WRITTEN COMMENT

Code

S Ruth and Katherine Parker: 2822 Salado Street FOR

PERSONS APPEARING AT HEARING

Code

A Truman Montandon (applicant)

SUMMARY OF TESTIMONY

Mr. Truman H. Montandon was present on behalf of this request and stated that the subject property is the only lot which is not already commercial. He explained that the reason for applying for a zoning change is that the owner of the adjoining lot is going to have a lounge on his lot which would make the subject property undesirable for use as apartments. Mr. Montandon stated that he has no objection to dedicating five feet of right-of-way for Rio Grande Street but he feels that right-of-way for West 28½ Street is not necessary as it is a relatively short street that is not used very much at the present time.

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, provided the right-of-way for Rio Grande Street is made adequate, as it conforms to existing zoning in the area.

At the Commission meeting, the staff reported a letter from the applicant offering to dedicate five feet of right-of-way for the widening of Rio Grande Street.

The Commission was cognizant of the offer of dedication, and concurred with the Committee recommendation that this request should be granted as it conforms to existing zoning in the area. It was then unanimously

VOTED: To recommend that the request of Truman Montandon for a change of zoning from "BB" Residence, Second Height and Area to "C" Commercial, Second Height and Area for property located at 2826 Rio Grande Street and 700-708 West 28½ Street be GRANTED.

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C14-68-146 The Church of Jesus Christ of Latter Day Saints: 0, 1st to 0, 2nd
3308-3310 Red River Street

STAFF REPORT: This site contains 20,240 square feet of land which is presently developed with a church. The stated purpose of the application is for uses as permitted by the requested zoning change which would be office in nature but would also include apartment development. In discussing the request with Dr. Meyer, representing the applicant, there was indication that the existing church would be renovated and used for apartment purposes. The property was advertised to change the zoning from "O" Office, First Height and Area to "O" Office, Second Height and Area. There was a request to change the property from "A" Residence, First Height and Area to "O" Office, First Height and Area which was recommended by the Council but there was a question of right-of-way which was never accomplished. There is a question as to whether or not the Ordinance has been passed changing the zoning to "O" Office, First Height and Area. Dr. Meyer wishes to acquire the property and change it to "O" Office, Second Height and Area for density purposes. There is "B" Second Height and Area zoning established on the east side of Red River Street and "BB" zoning established on property adjoining the site to the south. The area between the "BB" district south of the site and east of 32nd Street is zoned "O" Office, Second Height and Area.

There is concern about the right-of-way for Red River Street in that the street now has 60 feet of right-of-way and scheduled to be widened to 70 feet which will require five feet from the subject property. A letter has been received from J. Neil Bradley, Administrator of the Church agreeing to dedicate the five feet of right-of-way for Red River Street subject to the sale of the property to Dr. Meyer. The staff questions the dedication offer as it is subject to the sale of the property to Dr. Meyer, and as there is no written offer from Dr. Meyer. It is also felt that if the property is to be used for apartment development, that the Office zoning should revert to "B" Residence as the proper zoning for the proposed development. "O" Office, Second Height and Area zoning would reduce the setback to ten feet whereas "B" Residence, Second Height and Area zoning would require a 25 foot setback from Red River Street which the staff feels should be maintained. It is recommended that the requested "O" Office, Second Height and Area zoning be denied, and that "B" Residence, Second Height and Area zoning be granted as this would be compatible with the existing zoning and development in the area.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

None

C14-68-146 The Church of Jesus Christ of Latter Day Saints--contd.

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied; however, they stated they would look with favor on "B" Residence, Second Height and Area zoning as it conforms to the established zoning on the east side of Red River Street, subject to the right-of-way being made adequate.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of The Church of Jesus Christ of Latter Day Saints for a change of zoning from "O" Office, First Height and Area to "O" Office, Second Height and Area for property located at 3308-3310 Red River Street be DENIED.

C14-68-147 Austin Independent School District: Unzoned district to C, 3rd
701-721 East 11th Street
1000-1016 East Avenue
700-720 East 10th Street
1001-1015 Sabine Street

STAFF REPORT: This application covers one block of land containing 87,800 square feet. The subject property is located within the boundary of the Brackenridge Urban Renewal Project and the proposed use is in conformance with the uses as set out in the plan. The Urban Renewal Project plan for this particular tract of land calls for a 25 foot building setback on East 11th Street and on I.H. 35. Land that fronts onto a major arterial street is usually required to carry a Fifth Height and Area classification which requires a 25 foot setback. At the present time there is a dedicated alley running east and west through the property. A request has been submitted for the closing of the alley. The staff recommends that the requested zoning be granted as it does conform to the Brackenridge Urban Renewal Project Plan for the area.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

J. E. Clemons (representing applicant)

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C14-68-147 Austin Independent School District--contd.

SUMMARY OF TESTIMONY

Mr. J. E. Clemmons, representing the school, explained that there is a sale contract on the property and one of the conditions of the sale is that the property be zoned as requested. The contemplated use is for an office and a hotel facility.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it conforms to the Urban Renewal Plan for the area.

At the Commission meeting, the staff reported that there is a request by the school district to vacate the alley that extends through the block under consideration. If the alley is vacated, and the requested zoning is granted, it should include the area of the alley also. The Commission concurred with the Committee recommendation that this request should be granted for the entire block, including the area of the alley, as it conforms to the Urban Renewal Plan for the area. It was then unanimously

VOTED: To recommend that the request of Austin Independent School District for a change of zoning from an unzoned district to "C" Commercial, Third Height and Area for property located at 701-721 East 11th Street, 1000-1016 East Avenue, 700-720 East 10th Street and 1001-1015 Sabine Street, including the alley, be GRANTED.

C14-68-148 Don Grimes: Int. A, Int. 1st to GR, 1st
2605 Buell Avenue

STAFF REPORT: This site contains 14,504 square feet of undeveloped land. The stated purpose of the request is for a food catering service. The subject property fronts onto Buell Avenue which was until recently a county road. The street is developed with a mixture of uses, very few of which are residential. A request for "C" Commercial zoning will be considered at the Zoning Hearing tomorrow on property located to the north directly across Buell Avenue from the subject site. Most of the uses along this street are commercial in character.

Buell Avenue, with a present right-of-way of 58 feet, should be increased to 60 feet to serve commercial facilities, which would require two feet of land from the subject site. The property on the north side of the street has dedicated eight feet of land for street widening purposes.

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C14-68-148 Don Grimes--contd.

TESTIMONY

WRITTEN COMMENT

Code

B John T. Ross, Inc.: 5927 Burnet Road
S W. C. Schwarz: 8204 Valley Dale

FOR
AGAINST

PERSONS APPEARING AT HEARING

Code

A Don Grimes (applicant)

SUMMARY OF TESTIMONY

The applicant was present on behalf of this request and stated that Buell Avenue is developed with a variety of commercial uses. There is a request for "C" Commercial zoning on property to the north which will be heard by the Zoning Committee at tomorrow's meeting. It is impractical to consider this area for single-family dwelling lots as there is only one residential structure on the street. Mr. Grimes stated that he would be willing to dedicate the two feet of right-of-way which is needed for Buell Avenue if that is what the City needs in order to widen the street.

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, provided the street is made adequate, as the proper zoning for the area.

At the Commission meeting, the staff reported that a letter has not been received from the applicant offering to dedicate the necessary right-of-way for the widening of Buell Avenue. In view of this, the Commission felt that the requested zoning should be denied because of the inadequate street; however, they stated they would look with favor on the requested zoning if the street is made adequate. It was unanimously

VOTED: To recommend that the request of Don Grimes for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at 2605 Buell Avenue be DENIED.

C14-68-149 W. T. Patton: A, 1st & C, 2nd to C, 1st
2432-2506 South Congress Avenue

STAFF REPORT: This site contains 56,250 square feet of land. The request is made to extend the commercial zoning which exists on the front of the applicant's property. The applicant proposes to install mobile home units to increase rental capacity of adjacent motel. The staff has no objection to the requested zoning; however, when the "GR" zoning was granted in 1957

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~~557~~C14-68-149 W. T. Patton--contd.

on property adjoining the site to the north, fronting onto Oltorf Street, a buffer strip of "B" Residence was established to protect the existing residential development along Euclid Avenue from the commercial property along South Congress. A buffer strip of "B" zoning was also required when property to the south was rezoned. "C" Commercial zoning is established on both sides of South Congress Avenue. The staff recommends in favor of extending the commercial zoning on the property with the exception of a 20 foot buffer strip of "B" zoning which would be in line with the existing "B" zoning to the north.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a logical extension of the zoning established to the north. However, they felt that a "B" Residence buffer should be established on the west 20 feet of the subject property.

At the Commission meeting, the staff explained that the front portion of the applicant's property is zoned "C" Commercial, Second Height and Area which conforms to the zoning established along both sides of Congress Avenue. It is felt that the portion of the property already zoned "C" Commercial, Second Height and Area should not be changed as requested, as it would be inconsistent with the zoning established.

The Commission agreed that the portion of the property now zoned "C" Commercial, Second Height and Area should not be changed; however, they recommended that "C" Commercial, First Height and Area zoning be granted for the rear portion of the site, with the exception of the west 20 feet of the property which should be zoned "B" Residence, First Height and Area in order to provide an adequate buffer between the commercial development along South Congress and the residential development on Euclid Avenue.

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C14-68-149 W. T. Patton--contd.

It was then unanimously

VOTED: To recommend that the request of W. T. Patton for a change of zoning from "A" Residence, First Height and Area and "C" Commercial, Second Height and Area to "C" Commercial, First Height and Area for property located at 2432-2506 South Congress Avenue be DENIED on the front 397 feet of the property and GRANTED on the rear 109 feet and that "B" Residence, First Height and Area be GRANTED on the west 20 feet of the site, backing to the residential development.

C14-68-150 C. B. Carpenter and Odas Jung: A, 1st & GR, 6th to LR, 1st
1152-1162 Hargrave Street
2700-2708 Rosewood Avenue
1150-1158 Walnut Avenue

STAFF REPORT: This application covers a large tract of land consisting of 4.7 acres. The stated purpose of the application is to conform to Glen Oaks Urban Renewal Plan. The eastern boundary of the Glen Oaks Urban Renewal Project is Hargrave Street and the subject property is located within the project area. The subject property is within the Rosewood Village Subdivision as submitted and approved by the Planning Commission in May of this year at which time ten feet of right-of-way was dedicated for Hargrave Street. The circulation pattern around the subject tract itself, will be provided by the extension of Walnut Avenue, which will be dedicated by the Urban Renewal Agency. The staff has no objection to the request which is in conformance with the Urban Renewal Project.

TESTIMONY

WRITTEN COMMENT

Code

Q Walter J. Walker: 1177 Graham Street
AG H. E. Harvey: 2709 Manor Road

FOR
FOR

PERSONS APPEARING AT HEARING

Code

AY Henry A. Mackey: 3102 Hargrave Street
AY Roberta Mackey: 3102 Hargrave Street

AGAINST
AGAINST

SUMMARY OF TESTIMONY

Two nearby property owners appeared at the hearing and stated they were not necessarily opposed to the requested change of zoning but they would like to know the type of development that is proposed. They stated that the wrong type of commercial business could cause the neighborhood to deteriorate. There would be no objection to a nice shopping center.

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C14-68-150 C. B. Carpenter and Odas Jung--contd.

Mr. Paul Jones, attorney for the Urban Renewal Agency, was present at the hearing and explained that the subject property is generally privately owned and will be privately developed, but there is a national chain grocery store, dry goods, and department store that is proposed within the area. The shopping center which is proposed would be an asset to the area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it is in conformance with the Urban Renewal Plan for the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of C. B. Carpenter and Odas Jung for a change of zoning from "A" Residence, First Height and Area and "GR" General Retail, Sixth Height and Area to "LR" Local Retail, First Height and Area for property located at 1152-1162 Hargrave Street, 2700-2708 Rosewood Avenue and 1150-1158 Walnut Avenue be GRANTED.

C14-68 151 C. M. Dowd: GR to B
1711-1725 Ohlen Road
8550-8624 U.S. Highway 183

STAFF REPORT: This site contains approximately three acres of land which is presently undeveloped. The requested zoning is a rollback from "GR" General Retail, Fifth Height and Area to "B" Residence, Fifth Height and Area which is made at the staff's suggestion. A request for a special permit on the property was submitted by the applicant and approved subject to replatting the property at which time the staff felt that the Ordinance interpretation called for the zoning to be consistent with the proposed use of the subdivision and it was suggested that the applicant request the rollback zoning. In the process of doing this, the staff has found that this is not necessarily a correct interpretation of the Ordinance. The staff has no objection to the requested zoning and if the Commission feels that the request is not necessary, the case can be withdrawn or dismissed without an effect on the Special Permit.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

None

C14-68-151 C. M. Dowd--contd.

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, with the exception of the two narrow strips extending to Ohlen Road and U. S. Highway 183, as approved by the Special Permit.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of C. M. Dowd for a change of zoning from "CR" General Retail, Fifth Height and Area to "B" Residence, Fifth Height and Area for property located at 1711-1725 Ohlen Road and 8550-8624 U. S. Highway 183 be GRANTED.

C14-68-152 Manton Nations: A, 1st to B, 1st (as amended)
3200 Duval Street
400-412 East 32nd Street
3201-3205 Tom Green Street

STAFF REPORT: This application covers a large area consisting of approximately 50,275 square feet. The stated purpose of the request is for apartments. In a recent study of the area from Duval Street to Guadalupe Street and south of 38th Street to the University, the Commission concluded that "B" Residence, First Height and Area zoning would allow the proper development where the streets are adequate to serve medium density traffic flow. The area west of Tom Green Street is zoned "BB" Residence, Second Height and Area, and the area to the south of East 32nd Street is zoned "B" Residence, Second Height and Area although it is developed with a mixture of single-family and two-family uses.

Duval Street, with a present right-of-way of 60 feet, is scheduled to be widened to 70 feet which will effect the subject property by five feet. The staff recommends that "B" Residence, First Height and Area zoning be granted in conformance with the previous Planning Commission recommendations for this area. Under this classification, the applicant could develop approximately 50 units. "B" Residence, Second Height and Area zoning would allow 71 units; "BB" Residence, Second Height and Area zoning would allow approximately 31 units; and "BB" Residence, First Height and Area zoning would permit 25 units.

TESTIMONY

WRITTEN COMMENT
Code

F	Kenneth C. Lauderdale: 3210 Duval Street	AGAINST
G	C. I. Hyatt: 3202 Duval Street	AGAINST
R	Robert C. Howell: 4504 Shoal Creek Boulevard	AGAINST

C14-68-152 Manton Nations--contd.

AA	O. P. Lockhart: 3219 Duval Street	AGAINST
AB	Harold C. Bold: 3221 Duval Street	AGAINST
AN	Robert E. Nitschke: 1811 Alta Vista	AGAINST
AT	George H. Fancher: 600 East 32nd Street	AGAINST
AV	Fred C. Morse: 1005 Congress Avenue	AGAINST
AX	Joseph R. Darnall: 3209 Duval Street	AGAINST
AY	S. Barker: 3215 Duval Street	AGAINST
BA	Mary Jo F. Short: 502 East 32nd Street	AGAINST
?	Mrs. H. F. Kuehne: 500 East 32nd Street	FOR
	1 petition with 32 signatures	AGAINST

PERSONS APPEARING AT HEARING

Code

	John B. Selman (representing applicant)	
AX	Joseph R. Darnall: 3209 Duval Street	AGAINST
AX	Eleanor Darnall: 3209 Duval Street	AGAINST
BA	B. Short: 502 East 32nd Street	AGAINST
D	C. J. Land: 3205 Tom Green	AGAINST
?	Hugo Kuehne: 500 East 32nd Street	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, attorney for the applicant, explained that his client requested that this application be filed for "B" Residence, Second Height and Area zoning. This area will probably be and is becoming the east campus of the University of Texas. The University has grown considerably in the last few years and about the time some of the "B" and "BB" Second Height and Area zoning was taking place, in 1963 and 1964, the enrollment of the University was approximately 20,000. In 1967, the enrollment increased to approximately 27,000 and the registrar of the University estimates that in 1970, there will be approximately 33,000. There has to be some place for these students to live and it is felt that this will be the area in which University housing will expand. The request on the subject property is a logical extension of the present zoning, not only from the south but from the west. The right-of-way of Tom Green Street and East 32nd Street is 60 feet and the applicant would be willing to give the additional five feet for widening of Duval Street. It is realized that there are single-family and two-family dwellings in this particular locale; however, the area from 31st Street is predominantly developed with apartments and has no other way to go but to apartment development. The price of the land in this area is such that it will not develop as a single-family neighborhood. In view of the increased population of the University, the development of apartments and the present zoning to the south and west, the width of the streets and the particular location to the University, the requested zoning is proper.

C14-68-152 Manton Nations--contd.

Mr. Hugo Kuehne was present at the hearing and stated that he represents his mother who owns property directly across from the site and there is no opposition to the request.

Arguments Presented AGAINST:

A number of nearby property owners opposing the request presented a petition in opposition, photographs and maps of the area. They also offered the following information: The people in this area are interested in the requested zoning not only as property owners but as homeowners within the area. They are not interested in economical development of the area. A majority of the people who have signed the petition opposing the request have their homes in this area and have lived there for many years. It is realized that there is "B" and "BB" Second Height and Area zoning existing in this area; however, along Tom Green Street, Walling Drive and Benelva Drive the development is predominantly single-family residential and has never been used for apartment development. Most of the area is residential "A" use and the majority of property owners have considered a rollback in zoning to this classification. Tom Green Street has 60 feet of right-of-way north of East 32nd Street, but to the south most of the streets have only 40 feet of right-of-way. All the streets would have to be improved and widened if the density in the area is increased. The proposed zoning will create tremendous traffic and parking congestion. What is being proposed, if carried out in this particular area south of 34th and 35th Streets and Duval and immediately west, would bring apartment units and high density development right to the boundary line of Duval and adjacent to the many fine residential homes. There should be some sort of buffer. The entire block from Duval to Red River Street should be preserved and maintained for single-family dwellings.

The student enrollment in the University of Texas has increased and the students must have some place to live; however, there are a number of faculty members living in this area who do not wish to have the area changed.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be denied as it is too intensive for the area; however, they stated they would look with favor on granting "B" Residence, First Height and Area zoning, provided the street is made adequate, as the proper zoning for the area.

At the Commission meeting, the staff reported that two letters have been received from Mr. John Selman, attorney for the applicant. One of the letters is a request to amend this application to "B" Residence, First Height and Area and the second letter is an offer to dedicate five feet of right-of-way for the widening of Duval Street.

C14-68-152 Manton Nations--contd.

Mr. Smith stated that he is opposed to this request because there are a great many property owners in the area who object to the change. This is a well-established residential neighborhood even though there is "B" zoning in different portions of the area. However, where the subject property is located all of the adjoining properties are residential. He stated that in his opinion the change would be an encroachment into a residential area.

The Commission accepted the request to amend the application to "B" Residence, First Height and Area and were cognizant of the applicant's offer to dedicate five feet of widening for Duval Street. A majority of the members felt that the requested zoning, as amended, should be granted as the proper zoning for the area. It was then

VOTED: To recommend that the request of Manton Nations 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 3200 Duval Street, 400-412 East 32nd Street and 3201-3205 Tom Green Street be GRANTED.

AYE: Messrs. Brown, Hazard, Taniguchi, McNeil, Kinnan and Milstead
NAY: Mr. Smith
ABSENT: Messrs. Dunnam and Hanks

C14-68-153 Glenn A. Welsch: A to BB (as amended)
1009-1103 Shelley Avenue

STAFF REPORT: This site consists of 18,900 square feet of land which is presently developed with a single-family dwelling. The stated purpose of the request is for apartments. In 1964 the Board of Adjustment denied a request for a variance to convert a single-family dwelling into a duplex on the west side of Shelley Avenue. A request for "B" Residence, Second Height and Area zoning was denied on property to the rear of the site, fronting onto Blanco Street in 1962; however, "B" Residence, First Height and Area zoning was granted. A request for "B" Residence, First Height and Area zoning on the subject property was considered by the Commission in 1966 at which time the Committee and the Commission recommended that the request be denied as an encroachment into a residential area, the requested zoning would be too intensive for the area, and Shelley Avenue has inadequate right-of-way. The request was later withdrawn. The staff feels that conditions in this neighborhood have not changed. It is recommended that the request be denied as this is an area that still has very sound residential characteristics, and because Shelley Avenue with a present right-of-way of 40 feet is inadequate. It is felt that any change will intensify the use and increase the traffic. Eventually the area may change but when this does occur the streets should be made adequate and the change should be on a comprehensive basis.

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C14-68-153 Glenn A. Welsch--contd.

TESTIMONY

WRITTEN COMMENT

Code

B	W. G. Bodling: 1003 Shelley Avenue	AGAINST
C	Mrs. H. D. Weisser: 1005 Shelley Avenue	AGAINST
AA	Arthur Hein: 1008 Shelley Avenue	AGAINST
AB	W. O. Carlton: 1006 Shelley Avenue	AGAINST
AC	J. K. Polk: P.O. Box 977, Crockett, Texas	AGAINST
AJ	N. D. Blackman: 1009 Lorrain	AGAINST
AL	W. H. Ragsdill: 1103 Lorrain	AGAINST

PERSONS APPEARING AT HEARING

Code

	Paul Jones (representing applicant)	
AU	Lottie Ward: 1301 West 10th Street	AGAINST
?	William F. Turman: 613 Brown Building	AGAINST
?	Laura Goodman: 1010 Shelley Avenue	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Paul Jones, attorney for the applicant, advised the Committee that there is a very different test of law that is required to get a variance and to get a change of zoning. To get a variance, a property owner must show the Board of Adjustment that he cannot use his property for anything that is permitted under the Zoning Ordinance and the classification in which it is for an economical use. The variance test is much more strict than a change of zoning. It should be pointed out the existing "A" Residential area is actually an island which is surrounded by "B" and "BB" zoning. There is "B" and "BB" zoning extending all the way over to Enfield Road and there is "B" zoning existing on property to the rear of the site. There is a fire station at the corner of West 10th Street and Blanco Street and apartments are established on property to the east. South of West 10th Street is a park.

It is realized that Shelley Avenue has only 40 feet of right-of-way but the applicant proposes to dedicate whatever right-of-way is necessary from his property which is all he can do. A point that should be noted is the fact that access to this tract is very adequate. West 10th Street to the south is located only one-half block from the subject property and is a 60 foot street; West 12th Street, located to the north is also one-half block from the site and is also a 60 foot street. There is an alley located to the rear of the site which can be used for access.

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C14-68-153 Glenn A. Welsch--contd.

There is apartment development all through this area and it is mixed with single-family, duplexes, older homes that are well-maintained and apartments that are well-maintained. The development of this area is very compatible with a single-family area. The proposed development on the site is not necessarily incompatible just because there are single-family homes in this block. The area is in a transition. The lots in the area are narrow and small and as a result, it is likely that a great density cannot be established because of the difficulty in blocking up the land. It is for this reason that the use as proposed on the site is compatible.

Arguments Presented AGAINST:

Mr. Bill Turman was present at the hearing and stated that he represents Mrs. Laura Goodman, who is a nearby property owner. He stated that it appears that what is being requested is to build apartments in a strictly residential neighborhood as pointed out by the staff. It is felt that this would be an intrusion. There are cars parked along both sides of the street at all times and if the requested zoning is permitted, this will only increase the traffic and congestion in the area. The requested zoning would be of no benefit to anyone who lives in the immediate area and it is requested that the application be denied.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be denied as an encroachment into a residential area with an inadequate street system.

At the Commission meeting, the staff reported a letter from Mr. Paul Jones, attorney for the applicant, requesting that this application be amended to "BB" Residence, First Height and Area, and offering to dedicate the necessary right-of-way for the widening of Shelley Avenue.

The Commission accepted the request to amend the application to "BB" Residence, First Height and Area; however, they recommended that the requested zoning be denied as an encroachment into a residential area with an inadequate street system. It was then unanimously

VOTED: To recommend that the request of Glenn A. Welsch for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area (as amended) for property located at 1009-1103 Shelley Avenue be DENIED.

C14-68-154 Lambert Properties, Inc.: LR, 1st to O, 2nd
3106-3110 Red River Street
815-821 East 32nd Street

STAFF REPORT: This application covers 29,435 square feet of land. The stated purpose of the request is for apartments as permitted by the requested zoning. "LR" Local Retail zoning existing on the site was granted earlier this year at which time it was the staff's understanding that right-of-way was dedicated

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C14-68-154 Lambert Properties, Inc.--contd.

for Red River Street; however, this will have to be checked and if it has not been dedicated, right-of-way will be needed. The existing "LR" and requested "O" Office zoning would both permit apartments. Second Height and Area zoning as requested permits an increase in height, increased density, and when coupled with "O" Office zoning reduces the setback requirement from the street. The staff feels if the zoning is changed to Second Height and Area that it should be with a residential district such as "B" or "BB" which would still require a normal setback of 25 feet. There is a mixture of zoning in the area consisting of "O" Office, First Height and Area, "B" First and Second Height and Area and "BB" First Height and Area. "B" Second Height and Area zoning is existing on the east side of Red River Street along Keith Lane, Duncan Lane, and East 32nd Street. "B" Second Height and Area zoning is also established to the south along East 30th Street.

TESTIMONY

WRITTEN COMMENT

Code

F	Norvell M. Goodwin: 808 East 31st Street	AGAINST
AG	R. G. Weiss: 807 East 31st Street	AGAINST

PERSONS APPEARING AT HEARING

Code

	John B. Selman (representing applicant)	
AG	Robert G. Weiss: 807 East 31st Street	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, representing the applicant, stated that if the right-of-way for Red River Street has not been officially dedicated, it will only be because the field notes have not been received from the Planning Department. The right-of-way has already been offered. The application for "O" Office, Second Height and Area zoning was filed at the suggestion of one of the Planning Department's staff members but it is immaterial to the applicants as to whether the property is zoned "O" Office or "B" Residence, Second Height and Area.

There has been considerable history on this subject property. Mr. M. K. Hage sold this property to a gentleman to build a small shopping center contingent upon a change of zoning. The shopping center fell through, and Mr. Hage sold to the applicants who want to build apartments on the property. There is a restrictive covenant on this property against a service station. Generally the area needs a Second Height and Area classification because of the cost of land which is in close proximity to the University of Texas.

567
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C14-68-154 Lambert Properties, Inc.--contd.

Arguments Presented AGAINST:

One nearby property owner appeared in opposition to this request and stated that he does oppose the Second Height and Area portion of the zoning change. It is felt that "O" Office zoning which was originally zoned on the site in 1964 would be more compatible with the area. There are several doctor offices in this area that contribute to the value of the residential homes. The traffic problem at 32nd Street and Red River is severe and at East 31st Street it is very difficult. If a high density type apartment project is allowed, that will only aggravate the situation. Changing the property back to the "O" Office classification would be the most logical development for the area.

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 and development.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Lambert Properties, Inc. for a change of zoning from "LR" Local Retail, First Height and Area to "O" Office, Second Height and Area for property located at 3106-3110 Red River Street and 815-821 East 32nd Street be GRANTED.

C14-68-155 Joe R. Long: A, 1st to B, 2nd
4100-4104 Avenue C
300-302 West 41st Street

STAFF REPORT: This application covers three lots totaling 15,000 square feet. The request is made to permit multi-unit apartment development. The requested zoning would permit approximately 21 units on that site. The area is predominantly developed with single-family, two-family development, and some non-conforming uses in the form of more than one residential structure on a lot. Since 1967, there have been several zoning changes to permit apartment development throughout the area. "B" Residence, Second Height and Area zoning was granted in 1967 on property located at the intersection of West 40th Street and Avenue C. The streets serving the property under consideration are adequate in that Avenue A, Avenue C, and West 41st Street all have 60 feet of right-of-way. In view of this and because of the recent zoning changes in the area, the staff recommends the request be granted.

TESTIMONY

WRITTEN COMMENT
Code

AE Beatrice Vaughan: 4111 Avenue C
AL Nina Lind: 4108 Avenue D

FOR
FOR

C14-68-155 Joe R. Long--contd.

PERSONS APPEARING AT HEARING

Code

A Joe R. Long (applicant)
 L. C. Reese (representing applicant)
K Bernice Harcrow: 311 West 42nd Street

NO OPINION

SUMMARY OF TESTIMONY

The applicant was present on behalf of the application and stated that he concurs with the recommendation by the staff.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted because of the recent zoning changes granted in the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Joe R. Long for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 4100-4104 Avenue C and 300-302 West 41st Street be GRANTED.

C14-68-156 Joe R. Long: BB to B
 202 East 32nd Street

STAFF REPORT: This application covers 7,105 square feet of land which is presently undeveloped. The stated purpose of the application is for an apartment house. There is mixed zoning in the area consisting of "B" Residence, Second Height and Area to the south, and west and "C" Commercial zoning south of East 32nd Street. "BB" Second Height and Area zoning is established to the east. A request for "B" Residence, Second Height and Area zoning on property to the east of Tom Green Street was before the Zoning Committee for consideration at the meeting of July 15, 1968, at which time the staff recommended that "B" Residence, First Height and Area zoning be granted rather than Second Height and Area because of a previous recommendation by the Planning Commission as a result of a study of the area south of West 38th Street and between Duval and Guadalupe Streets. The staff feels that the zoning on this tract should be considered in terms of the area study also, unless the Commission feels that this part of the area is different in character and should provide for a higher density.

TESTIMONY

WRITTEN COMMENT

Code

D Mrs. J. C. Keltner: 200 East 32nd Street
R H. H. Rothell, Jr.: 4524 Balcones Drive

AGAINST
FOR

C14-68-156 Joe R. Long--contd.

W	Roland R. Freund: 3307 Shoal Creek Boulevard	FOR
AA	R. P. Fowler: 303 West 11th Street	FOR
AJ	Robert C. Howell: 4504 Shoal Creek Boulevard	FOR

PERSONS APPEARING AT HEARING

Code

A	Joe R. Long (applicant)
	L. C. Reese (representing applicant)

SUMMARY OF TESTIMONY

The applicant was present at the hearing and stated that the area to the west and south is already zoned "B" Residence, Second Height and Area and "C" Commercial, Second Height and Area zoning is existing south of East 32nd Street. There are many more private homes in the area to the east near Tom Green Street than in the area adjacent to the subject property. There is apartment development in this immediate vicinity and it is felt that the requested zoning is consistent with the zoning and development that is established.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it conforms to the existing zoning and development in the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Joe R. Long for a change of zoning from "BB" Residence, Second Height and Area to "B" Residence, Second Height and Area for property located at 202 East 32nd Street be GRANTED.

C14-68-157 Joe R. Long: A, 1st to B, 2nd
500-502 West 41st Street
4100-4102 Avenue A

STAFF REPORT: This application contains 7,475 square feet. The request is made to permit multi-unit apartment development, and if zoned as requested would permit the development of approximately 10 units. The area is predominantly developed with single-family, two-family development and some non-conforming uses in the form of more than one residential structure on a lot. Since 1967, there have been several zoning changes to permit apartment development throughout the area. "B" Residence, Second Height and Area zoning was granted in 1967 on property located at the intersection of West 40th Street and Avenue C. The streets serving the property under consideration are adequate in

C14-68-157 Joe R. Long--contd.

that Avenue A, Avenue C, and West 41st Street all have 60 feet of right-of-way. In view of this and because of the recent zoning changes in the area, the staff recommends the request be granted.

TESTIMONY

WRITTEN COMMENT

Code

H	Sam Piraino: 275 East Caldwod, Beaumont, Texas	FOR
BA	Mrs. Lonie Warren: 4006½ Avenue B	FOR

PERSONS APPEARING AT HEARING

Code

A	Joe R. Long (applicant)
	L. C. Reese (representing applicant)

SUMMARY OF TESTIMONY

The applicant was present on behalf of this request and stated that he concurs with the recommendation by the staff.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and concluded that this request should be granted as it is in keeping with recently established zoning in this area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Joe R. Long for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 500-502 West 41st Street and 4100-4102 Avenue A be GRANTED.

C14-68-158 Walter Yates, et al: Int. A, Int. 1st to C, 1st
2518-2708 Buell Avenue

STAFF REPORT: There is a problem involved in this request in that five property owners within the area of notification required by law did not receive notice of the requested change. The application could be referred to the full Commission for hearing so that the applicant would have an opportunity to contact the property owners to see if they are willing to waive their rights to 10 days notice of the hearing. If the written waivers cannot be obtained by the applicant, the request would have to be readvertised.

TESTIMONY

WRITTEN COMMENT

Code

AB	Herbert C. Weise: 8203 Valleydale Cove	FOR
AC	William C. Schwarz, Jr.: 8204 Valleydale Cove	AGAINST
AP	John T. Ross, Inc.: 5927 Burnet Road	FOR

C14-68-158 Walter Yates, et al--contd.

PERSONS APPEARING AT HEARING

Code

A	Walter Yates (applicant)	
?	Harold V. Simpson: 1609 Elmhurst	FOR

SUMMARY OF TESTIMONY

The applicant was present on behalf of this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission for hearing subject to the applicants obtaining written waivers of the notice requirements from those adjoining property owners who did not receive notice of hearing.

At the Commission meeting, the staff reported that the applicant has obtained written waivers from the property owners in this area who did not receive 10 days notice of the public hearing.

This application covers a large tract of land containing 109,168 square feet. The stated purpose of the request is for the construction of offices and a warehouse. The property has recently been annexed to the City. Buell Avenue is a gravel street with varying widths. There is a request for "GR" General Retail, First Height and Area zoning on property south of Buell Avenue and right-of-way is required from that property. The property in this area, before being annexed to the City, has been used for non-residential development. There are two houses on Buell Avenue, but for the most part, there is warehouse construction or office type uses. "C" Commercial zoning is established on property adjoining to the north. There is one concern by the staff with regard to the new housing which has been developed to the west, backing to the subject property, along Stillwood Lane. It is felt that this is the proper arrangement for lots backing to commercial, but it is felt that a fence should be required to separate by sight, the commercial uses from the residential development. In view of the existing development in the area, the staff recommends that the request be granted.

The applicant was present and stated that the subject property was recently annexed to the City. During the time the property was in the county, warehouse and other facilities were constructed on it. It is the intention now to have this area zoned "C" Commercial, so that the property can be improved. The buildings that are on the property at the present time are of a very poor design which the proposal will improve. With regard to a fence being put in, if it is required and goes all the way across all of the commercial property it will be agreeable.

No one appeared in opposition to the request.

C14-68-158 Walter Yates, et al--contd.

The Commission members reviewed the information and concluded that this request should be granted as a logical extension of the "C" Commercial zoning adjoining to the north and conforms to the existing development in the area. It was then unanimously

VOTED: To recommend that the request of Walter Yates, et al, for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at 2518-2708 Buell Avenue Be GRANTED.

C14-68-159 Peter Mansbendel: A to B
3816-3818 Avenue G
207-211 East 39th Street

STAFF REPORT: This application covers an irregular shaped tract of land containing 30,000 square feet. The stated purpose of the request is for an apartment house. The subject property is located along Avenue G and East 39th Street. "B" Residence, First Height and Area zoning, as recently amended, would permit one unit for every 950 square feet, based on the number of bedrooms per unit, which would permit approximately 30 apartment units to be developed on the site if zoned as requested. The immediate surrounding area is predominantly developed with single-family residences. There is apartment zoning to the west along Speedway and "C" Commercial zoning is established at the intersection of Speedway and East 40th Street. East 38th Street is an east-west thoroughfare which is to be widened.

The Planning Commission has studied the area south of East 38th Street, between Duval and Guadalupe Streets and has concluded that the area can logically be developed under "B" Residence, First Height and Area zoning if the streets are adequate. However, the subject property is located north of East 38th Street and is part of the Shadow Lawn Residential subdivision. The staff feels the requested zoning should be denied for it would be an intrusion and is inconsistent with the zoning pattern established.

TESTIMONY

WRITTEN COMMENT

Code

D	Roland B. Holt: 52nd Dublet Road, Weston, Mass.	AGAINST
E	E. M. Oates: 3811 Avenue F	AGAINST
F	Sallie True: 3813 Avenue F	AGAINST
G	Clayson Fuller: 3815 Avenue F	AGAINST
H	Alvin A. Johnson: 3817 Avenue F	AGAINST
K	J. H. Muller: 3812 Avenue G	AGAINST
L	Lewis Pennoch: 3810 Avenue G	AGAINST
N	Ethel C. Austin: 3802 Avenue G	NO OPINION
Q	Merry Jennings: 3907 Avenue F	AGAINST
S	Mrs. J. F. Martin: 3911 Avenue F	AGAINST
T	Myrtle Callan: 3913 Avenue F	AGAINST

573
573

C14-68-159 Peter Mansbendel--contd.

X	Mrs. D. M. Moffatt: 3904 Avenue F	AGAINST
AD	George Daywood: 3803 Avenue G	AGAINST
AE	Nora Davis: 3805 Avenue G	AGAINST
AH	Alice Keesee: 3811 Avenue G	AGAINST
AJ	Anne S. Mallett: 3815 Avenue G	AGAINST
AM	Oscar Wall: 3814 Avenue H	AGAINST
AP	Robert C. Foster: 3808 Avenue H	AGAINST
AQ	Walter Lind: 3802 Avenue H	AGAINST
AR	Marshall Johnston: 3905 Avenue G	AGAINST
AS	John E. McKee: 3907 Avenue G	AGAINST
AT	H. W. Heierman: 3909 Avenue G	AGAINST
AU	Walter V. Jesse: 3916 Avenue H	AGAINST
AV	James Gage: 3908 Avenue H	AGAINST
AX	J. A. Arbuckle: 3904 Avenue H	AGAINST
AY	Wolford A. Attal: 3900 Avenue H	AGAINST
AZ	Walter Richter: 3901 Avenue G	AGAINST
?	Scott Means, III: 3904 Avenue G	AGAINST
?	Mr. & Mrs. Raymond W. Hohertz: 3809 Avenue F	AGAINST
?	Sandra Thornton: 3911 Avenue G	AGAINST
?	Mr. & Mrs. W. W. Mosley: 3914 Avenue H	AGAINST
?	Raymond Lindahl: 3916 Avenue H	AGAINST
?	W. Lavoy Whitworth: 3801 Avenue F	AGAINST
?	Mrs. Jess Mabry: 3805 Avenue F	AGAINST
?	Mr. & Mrs. John E. Anderson: 3811 Avenue H	AGAINST
?	Mrs. Agnes Othiens: 3805 Avenue H	AGAINST
?	Mrs. Ruby Lee Cook: 3809 Avenue H	AGAINST
?	Mr. & Mrs. Felix Williams: 3815 Avenue H	AGAINST
?	Burkes P. Dougherty: 3807 Avenue G	AGAINST
?	Rev. F. Stolgenburg: 3911 Avenue B	AGAINST
?	J. L. Diview: 3900 Avenue G	AGAINST
?	Miss Helen Younger: 3913 Avenue F	AGAINST
?	Mr. & Mrs. Richard Hodges: 3801 Avenue H	AGAINST
?	Mrs. A. M. Felts: 2717 Mountain LRL	AGAINST
	1 petition with 78 signatures	AGAINST

PERSONS APPEARING AT HEARING

Code

	Joe R. Long (representing applicant)	
H	Mr. & Mrs. Alvin A. Johnson: 3817 Avenue F	AGAINST
K	Mr. & Mrs. J. H. Muller: 3812 Avenue G	AGAINST
G	Clayson Fuller: 3815 Avenue F	AGAINST
G	Gertrude Fuller: 3815 Avenue F	AGAINST
AS	Mr. & Mrs. J. Eugene McKee: 3907 Avenue G	AGAINST
AH	Alice Keesee: 3811 Avenue G	AGAINST
AZ	Walter Richter: 3901 Avenue G	AGAINST
AZ	Mrs. Walter Richter: 3901 Avenue G	AGAINST
AZ	Gary Richter: 3901 Avenue G	AGAINST
AZ	Robyn Richter: 3901 Avenue G	AGAINST
M	Nell Scales: 3804 Avenue G	AGAINST

C14-68-159 Peter Mansbendel--contd.

AU	Walter V. Jesse: 3912 Avenue H	AGAINST
AJ	Anne S. Mallett: 3815 Avenue G	AGAINST
AR	Marshall C. Johnston: 3905 Avenue G	AGAINST
AV	Mrs. Otie Gage: 3908 Avenue H	AGAINST
X	Mrs. D. M. Moffatt: 3904 Avenue F	AGAINST
?	Muriel G. Hillock: 3823 Avenue F	AGAINST
?	J. L. Divino: 3900 Avenue G	AGAINST
?	Scott Means, III: 3904 Avenue G	AGAINST
?	Mrs. John E. Anderson: 3811 Avenue H	AGAINST
?	Alvis Vandygriff: 400 First Federal Savings Bldg.	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Joe Long was present on behalf of this request and presented the following information: As stated by the staff, the subject property contains approximately 30,000 square feet of land which is the largest tract of land within this immediate area. At the present time there is a frame residence existing on the site which is approximately 50 years old and is the oldest house within the immediate neighborhood. As pointed out there is already "B" zoning on Speedway and "C" Commercial zoning on East 40th Street. "B" zoning is contemplated south of East 38th Street immediately south of the block where the subject site is located. Under these circumstances and conditions, it is felt that the requested change is not an intrusion into a residential area.

Mr. Long presented an exhibit showing the character and development of the area. He indicated that within a six to eight block area there are approximately 88 lots. Of these 88 lots, 49 are occupied solely by the owner and 39 are occupied at least partly by persons other than the owner. It is felt that the granting of the request would enhance and improve the neighborhood. Because of the age of the existing house, it is unlikely that someone will buy the property and renovate the house for a residence. If the zoning is denied, the house will probably deteriorate more than it is now and will become a blight and eyesore to the neighborhood. A new attractive apartment house which would comply with the parking required by the City would in a large measure enhance the entire area.

Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the requested zoning for the following reasons:

1. The subject property is part of Shadow Lawn Subdivision which is a residential subdivision deed restricted against apartment use.
2. There should be some reliance upon the Zoning Ordinance for residential property owners.

575⁹

C14-68-159 Peter Mansbendel--contd.

3. There are many retired couples, and elderly widows who live in this area and do not want to move.
4. The residences in the area are nice well-maintained residences and the proposed development would be an intrusion.
5. The streets are too narrow to handle increased traffic.
6. Parking along both sides of the street would create a hazardous problem.
7. The water, sewer and gas lines would be overtaxed if the proposed development is allowed.
8. The requested zoning would be piece-meal zoning and would set a precedent for other changes in the area.

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 and well-defined residential area.

At the Commission meeting, the staff reported a request to withdraw this application. The Commission ACCEPTED the withdrawal of this request.

C14-68-160 Barbara Brawner: A to B
3103-3105 Manchaca Road
Rear of 2827-3207 Manchaca Road
1904-1916 and 1905-1917 Lightsey Road

STAFF REPORT: The staff reported that there are several property owners affected by this request who did not receive adequate notice of the hearing, and as a result the application may have to be readvertised. The staff did make an attempt to contact the people who did not receive notice but was unable to do so. The request could be postponed or the applicant could attempt to get the property owners to sign a waiver to their right to 10 days notice of the hearing and submit it to the Commission.

The applicant was present at the hearing and stated that she owns one of the lots on which a notice was not received. She advised the Committee that she would contact the other two property owners and attempt to get them to sign a waiver and requested that the Committee consider the request at this time.

The Committee agreed to continue the hearing on this request.

The staff reported that this application covers approximately 10.89 acres of land which is presently undeveloped. The stated purpose of the request is for duplex and fourplex apartment development. The site is a large irregular shaped tract through which there is a 90 foot dedication for

C14-68-160 Barbara Brawner--contd.

Barton Skyway which is yet to be developed. Barton Skyway is one of the east-west thoroughfares extending westerly to tie into Lightsey Road and easterly to tie in with Interstate 35 and a short distance beyond. This will in time be a very important connection. There is a water main through the property which "Y"s off of the dedication of Barton Skyway into Manchaca Road. Upon development of the property for the stated purpose, which is duplex and fourplex development, a subdivision or special permit will be required at which time the street as proposed will be considered. The staff does not necessarily oppose the requested change; however, it would be preferable if the site was zoned "BB" Residence, First Height and Area zoning which would permit the proposed use but would keep the density down to approximately 21 units per acre, the total number of which would depend on how much of the property is dedicated for street purposes. The subject property backs to residential property fronting along Del Curto Road and Lightsey Road. There is also residential development established to the south along Edgeware Drive.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

A	Barbara Brawner (applicant)	
H	Lee G. Buslett: 1902 Edgeware Drive	AGAINST
S	Martin C. Goetz: 1903 Edgeware Drive	AGAINST
AU	Gil Nowacki: 1908 Edgeware Drive	AGAINST
	Ralph Harris	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Ralph Harris was present on behalf of this request and advised the Committee that Barton Skyway with 90 feet of right-of-way has been dedicated through the subject property. He stated that he represents Harvey Smith Engineers for the applicant, and they have a proposed preliminary subdivision plan on this tract in which they use the existing water main area. According to the staff recommendation, the water main was not followed exactly in the plan for street purposes as it would bring the street in at acute angles to a major arterial street. The subdivision plan on the site proposes approximately 30 lots for fourplex development.

Miss Brawner stated that the subdivision plan on the site is on file with the Planning Department.

587
577

C14-68-160 Barbara Brawner--contd.

Arguments Presented AGAINST:

Four nearby property owners appeared in opposition to the request and presented the following information: Many of the homeowners along Edgeware Drive have recently purchased their homes with the understanding that this is an "A" Residential area. It is felt that the requested change would be detrimental to the adjoining property owners as the density would be greatly increased over what would be allowed if the property was developed as single-family residences. There should be some sort of a buffer provided between fourplex apartments and single-family development; however, there would not be as much opposition if duplexes were developed adjacent to the residential property along Edgeware. One objection is the fact that at the present time there is very little access to this area and the proposed development would overload the streets.

Miss Brawner stated that the traffic will not be a problem because the City will require the necessary streets when the property is subdivided and Barton Skyway is already dedicated. The applicant stated that in view of the objection by the property owners along Edgeware Drive she would delete the southern portion of the property, backing up to the residential development, and leave it as "A" Residence.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as it is too intensive for the area; however, they stated they would look with favor on granting "BB" Residence, First Height and Area for the site, with the exception of the southern 171 x 310 foot portion of the property backing to the residential lots along Edgeware Drive which was withdrawn by the applicant, as a logical use of the property adjacent and adjoining commercial tracts to the north and being served by a 90 foot thoroughfare street.

At the Commission meeting, the staff reported that several property owners within the area required by law did not receive 10 days notice of the public hearing. This was reported at the Zoning hearing and the applicant requested an opportunity to obtain written waivers from the property owners who did not receive notice to submit to the Planning Commission. The applicant has not contacted the Planning Department with regard to the waivers and the request will have to be readvertised.

The Commission accepted the staff report that this request would have to be readvertised.

C14-68-161 Austin Corporation: Int. A, Int. 1st to LR, 1st (Trs.1 & 2), BB, 1st
 Tract 1: 3501-3625 Northhills Drive (Trs.3 & 3A), B, 2nd (Tr.4)
 Tract 2: 3731-3805 Northhills Drive & B, 1st (Tr.5)
 Tract 3: 3715-3729 Northhills Drive
 Rear of 3601-3625 Northhills Drive
 Tract 3A: 3807-3819 Northhills Drive
 Tract 4: 3445-3501 Northhills Drive
 Rear of 3501-3545 Northhills Drive
 Tract 5: Rear of 3423-3427 Northhills Drive

STAFF REPORT: This application contains approximately 44 acres of land. The stated purpose of the request is for apartment and local retail development as permitted under the requested zoning. "LR" Local Retail, First Height and Area is requested on Tract 1, which is a long narrow strip of land located at the south side of Northhills Drive. Local Retail zoning is also requested on Tract 2, which is a small tract of land located between Tracts 3 and 3A. A request for "BB" Residence, First Height and Area District for low density apartment development is made on Tracts 3 and 3A which contain approximately 10 acres of land. The request on Tract 4 is for a change to "B" Residence, Second Height and Area. Tract 5, located on a new street named Easthills Drive, is for a change to "B" Residence, First Height and Area for medium density apartment development. The tracts under consideration are located south of the gravel pit area which is planned to be used for a shopping center. At the intersection of Hart Lane and Northhills Drive there is existing "LR" Local Retail, First Height and Area zoning which is developed with two service stations and the applicant's real estate office. Final approval of Allan Place Subdivision which is located within the boundaries of Tract 3 is pending. To the west of Tract 3, along Rockledge Drive is a single-family residential subdivision. South of the property under consideration is an approved preliminary of Highland Hills, Section 9 which is another residential subdivision.

The departmental recommendation on this application is as follows: It is recommended that the requested zoning on Tracts 3, 3A and 5 be granted; the requested zoning on Tract 1 be denied as the uses permitted under the requested zoning would generate heavy traffic for property permitting limited development because of the shallow depth of the tract; however, it is recommended that "O" Office, First Height and Area be granted. It is further recommended that the requested zoning on Tract 2 be denied as it would be piece-meal zoning and separated from the commercial area as established, and that "BB" Residence, First Height and Area zoning be established as this would be consistent with the zoning on each side of the tract. It is further recommended that the request on Tract 4 be denied as it would be too intensive for the area, and that "B" Residence, First Height and Area zoning be granted.

TESTIMONY

WRITTEN COMMENT

Code

? A. E. Massengale, Jr.: 3908 Rockledge
 1 petition with 20 signatures

AGAINST
 AGAINST

C14-68-161 Austin Corporation--contd.

PERSONS APPEARING AT HEARING

Code

A	David B. Barrow (applicant)	
H	Leroy R. Robbins: 3902 Rockledge Drive	AGAINST
H	Mrs. Martha H. Robbins: 3902 Rockledge Drive	AGAINST
F	Mr. & Mrs. Charles F. Scheuer: 3823 Northhills Drive	AGAINST
G	Mr. & Mrs. Jack H. Chelleu: 3900 Rockledge Drive	AGAINST
?	Ray L. Thomspson: 7201 Sungate Drive	AGAINST
?	W. H. Campbell: 3805 Rockledge Drive	AGAINST
?	A. E. Massengale, Jr.: 3908 Rockledge Drive	AGAINST
?	M. U. McClinchie: 4206 Far West Boulevard	AGAINST
?	Charles F. Stahl: 3630 Northhills Drive	FOR
?	Leo P. Jasmin: 3901 Northhills Drive	AGAINST
?	George W. Hipe: 3909 Northhills Drive	AGAINST
?	Mrs. George W. Hipe: 3909 Northhills Drive	AGAINST
?	Mr. & Mrs. Edwin L. Gillette: 3907 Northhills Drive	AGAINST
?	Mr. & Mrs. James W. Akin, Jr.: 3901 Rockledge Drive	AGAINST
?	Mr. & Mrs. Vincent M. Juhring: 7301 Waterline Road	AGAINST
?	Mr. & Mrs. Jack D. Maroney: 4000 Rockledge	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Charles Stahl was present on behalf of this request and stated that he is an architect with the firm of David B. Barrow, Jr. and Charles S. Stahl. He explained that they are land planners as well as architects and they have prepared a master plan for development of Northwest Hills. Mr. Stahl presented a map of the area and explained that for planning purposes, an area was selected that is bounded by Bull Creek Road, the proposed West Loop, Spicewood Springs Road and Mo-Pac Boulevard. In that area there is approximately 3,250 acres of land of which Mr. Barrow either owns or has option on 2,500 acres. If this was a flat piece of ground like other areas of Austin and was developed with single-family housing, there would be a population of approximately 70,000 people. The plan for this area contemplates a population of only approximately 50,000 people and the development as proposed will not be all single-family housing. This area is considered as a satellite town tied to Austin by Mo-Pac. There is a town center or shopping center of the highest calibre proposed for the area located on the north side of Northhills Drive. The zoning that will be requested for the center will "C" and "GR" zoning. There is an immediate need in the area for service type facilities such as a drive-in grocery and washateria. It is felt that the property under consideration is the appropriate location for service type facilities because of the close proximity to a proposed shopping center and because the property is located along Northhills Drive which is the entry into the Northwest Hills Area. There are two service stations presently located at the intersection of Hart Lane and Northhills Drive.

C14-68-161 Austin Corporation--contd.

"LR" Local Retail zoning has been requested for Tract 1 because of the topography. There is generally a cliff of approximately 20 feet in height running along the south side of Northhills Drive which has been cut down over the years so that it is now level with Northhills Drive. There are two streets proposed through Tract 4 that will eventually extend to Balcones Drive. There is also a street proposed through Tract 2 with a cul-de-sac extending into Tract 3. Hart Lane which presently dead-ends into the subject property will eventually be extended to Balcones Drive. In the Master Plan for Northwest Hills, an area has been set aside for a shopping center, and an office block which will divide the school site from the shopping center. For the areas on which "BB" Residence, First Height and Area zoning is requested, it is contemplated that the development will be triplexes or fourplexes. This will make a transition from the commercial area to the residential areas.

Mr. David Barrow was present at the meeting and stated that the access to this area will be considerably more than has been pointed out. He advised the Committee that he would not try to develop an area of this size with only two access points. Far West Boulevard, located to the north, will be 100 feet wide and will be developed within a year. Hart Lane will extend through to Balcones Drive which will provide three entrances and exits into the area. Approval has already been given for a subdivision to the north which provides for a 70 foot street to extend to Balcones Drive.

The intention is to develop the areas on which "BB" is requested with triplexes and fourplexes on large lots. The number of units would not exceed what could be built in townhouse and duplex development. There has to be a change from residential to some other form of zoning somewhere, and it is felt that the requested zoning will provide for this change in a reasonable manner. The most restrictive zoning district that can be requested which will permit the development of triplexes and fourplexes is "BB" Residence, First Height and Area zoning.

Arguments Presented AGAINST:

A number of nearby property owners appeared at the hearing in opposition to the request. Mr. Jack Maroney, one of the property owners opposing the request presented the following information: The basic concern is the access to the area which is at the present time very limited. There are only two ways to get in and out of the area and this is insufficient for the existing traffic. It is realized that eventually there will be better access, but until that time the proposed development will only increase the existing traffic problem. There is no objection to apartments on a portion of the subject property but it is felt that this type of development should not occur in close proximity to the existing residential development. The Commission has previously indicated that this type of development should not occur more than 800 feet to the west of the proposed Mo-Pac, and it is requested that apartment development in this area occur in the same manner. It is felt that there is not a need for service type facilities at this time. This type of development will be detrimental and will increase the existing traffic problem.

C14-68-161 Austin Corporation--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and felt that the property as requested in the application is a buffer use between the large commercial facilities planned for the area and the residential pattern established within the area through subdivisions. The Committee recommended that the requested zoning on Tracts 3, 3A and 5 be granted; however, they felt that the request on Tract 1 should be denied as the uses permitted under the requested zoning would be heavy traffic generators for the property permitting limited development because of the shallow depth of the tract; however, they concluded that "O" Office, First Height and Area should be granted as a logical use of the property located across from proposed commercial facilities. They recommended that the requested zoning on Tract 2 be denied as it would be piecemeal zoning in the midst of "BB" and separated from the commercial area as established, and recommended that "BB" Residence, First Height and Area zoning be granted. They further recommended that the request on Tract 4 should be denied as it would be too intensive for the area and would generate too much traffic with the present access provided, and recommended that "B" Residence, First Height and Area zoning be granted.

At the Commission meeting, Mr. Barrow stated that he would abide by the recommendation of the Zoning Committee because he objected rather strenuously to the City Council overruling the Planning Commission when he was chairman of the Planning Commission. He stated that his reason for going along with the recommendation is not that he agrees that the decision is sound zoning. It has not been pointed out very clearly that there is a bluff that runs along the rear of Tract 1 which is approximately 30 feet high. There is a street coming through Tract 2 and there are also two more bluffs in Tract 2.

Dr. Hazard stated that the Zoning Committee generally followed the recommendation by the Planning Department. The possibility of having too many curb breaks along Northhills Drive was one point of consideration and it was noted that the uses as proposed could be established on the site by special permit at the time property to the north is zoned for the shopping center.

Mr. Barrow stated that there is a plat on file with the Planning Department which has been postponed by the Commission, which proposes a street through Tract 2 and into the rear property.

Mr. Osborne stated that in his opinion the strip development on the south side of the street should be very compatible with the residential development which has occurred and is occurring. There will probably be special permit requests on the property, but it is felt that to go in and have a rather long stretch of strip zoning on an open basis is probably not the best way to approach this as there are no development plans for the entire section.

CL4-68-161 Austin Corporation--contd.

After further discussion, a majority of the Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Austin Corporation for a change of zoning from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area (Tract 1) be DENIED but that "O" Office, First Height and Area be GRANTED; "LR" Local Retail, First Height and Area (Tract 2) be DENIED but that "BB" Residence, First Height and Area be GRANTED; "BB" Residence, First Height and Area (Tracts 3 & 3A) be GRANTED; "B" Residence, Second Height and Area (Tract 4) be DENIED but that "B" Residence, First Height and Area be GRANTED; "B" Residence, First Height and Area (Tract 5) be GRANTED.

AYE: Messrs. Brown, Hazard, Smith, McNeil and Taniguchi

NAY: Messrs. Kinnan and Milstead

ABSENT: Messrs. Dunnam and Hanks

SPECIAL PERMIT

CP14-68-21 Baker-Jones-Crow Company: 228 unit apartment dwelling group
8200-8246 U. S. Highway 183
8047-8051 Lazy Lane

STAFF REPORT: This application has been filed as required under Sections 5 and 6 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is an apartment dwelling group containing a total of 228 units. In the first phase of development, the plans are for 96 units, 202 parking spaces, private garbage pick-up, 1 swimming pool, recreation building, 2 laundry rooms and 3 storage rooms. The subject property was before the Commission in 1967 for a change of zoning to "B" Residence and "C" Commercial, First Height and Area. The Commission recommended in favor of the change with the condition that Wooten Drive be dedicated and built through the property; however, there was to be no access onto Wooten Drive from the development, and with the provision that the applicants build a six foot fence in order to screen the project from the residential area to the south and west. The zoning was granted by the City Council.

Departmental comments are as follows:

Public Works

- Plan meets with our approval. Will need request for and approval of driveways on Highway 183 before construction begins on them. They will also give letter guaranteeing paving of Wooten Drive.

CP14-68-21 Baker-Jones-Crow Company--contd.

Fire Protection

- Recommend two twelve foot gates be located on the proposed Wooten Dr. side of the La Plaza where two service drives are being proposed for the use of emergency equipment and kept locked, with two keys being available to this department to be carried on the companies who respond to this area. Four fire hydrants are recommended.

Recommended fire hydrants for this project are shown in red. The Fire Department also desires to have an access to this project off the extension of Wooten Drive. Also, fire apparatus must have a turning radius of at least 25 feet on the inside drives. Two fire hydrants are recommended.

Health

- Approved: Subject to Sanitary Sewer Line being available.
- Require request for commercial driveways.

Office Engineer

Advance Planning

- Very little open space has been provided except for pool area. Plan is acceptable.

Building Inspector

- One plot plan indicates a small triangular shaped tract of ground being incorporated into the Sneed Tract. If this is so, a short form would be required. Building inspector plats indicate Interim "A" Zoning. This does not include Building Code approval.

Storm Sewer

- Preliminary Report: Drainage easements and facilities required.
- Taxes are paid through 1967.
- Electric easement to be determined later when type and location of service points are determined.

Tax Assessor

Electric

CP14-68-21 Baker-Jones-Crow Company--contd.

Fire Prevention

- Provide fire hydrant at each entrance from Highway 183. Provide one fire hydrant at Building T. This is in Phase I. Provide one fire hydrant at the northwest corner of the building to be located west of the proposed parking area and one fire hydrant at the northeast corner of the building to be located east of the proposed parking located at the rear of the apartment site.

Provide entrance drive to these two parking areas from the south.

Water and Sewer

- The existing water mains in Gault Street, Tisdale Street, and Lazy Lane will have to be connected with a water main in the extension of Wooten Drive shown as a city street. A six (6) inch water main is required extending through the tract from the proposed city street to U. S. Highway 183. This main should extend through the east 65 foot parking area from the city street northerly to the private drive and then turn west in the private drive extend to the drive and parking area that parallels the west property line of the tract. It should then follow this drive and parking area that parallels the west property line of the tract. It should then follow this drive and parking area to U. S. Highway 183 at which point it should connect to an existing 24 inch water main. Three fire hydrants are required on this main and fire demand water mains are required at both connections to the City mains. Three fire hydrants are required on U. S. Highway 183, one at each entrance.

In order to effectively fight any fires in the area the two parking areas adjacent to the city street should have drives connecting them to the city street.

CP14-68-21 Baker-Jones-Crow Company--contd.

Water and Sewer

- Sanitary sewer service is available by connecting to the existing sewer which crosses U. S. Highway 183 approximately 150 feet north of the south property line of the tract and by connection to the existing sewer along the southerly property line from U. S. Highway 183 to Tisdale Drive.

Because of the comment from the Fire Department and Utility Department with regard to an opening onto Wooten Drive, the staff needs to work with the applicants on the plan in order to determine if access can be provided for such purposes. It is recommended that this request be referred to the full Commission pending completion and compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

The applicant was present and stated they would comply with the departmental requirements.

COMMENTS AND ACTION BY THE COMMITTEE

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

At the Commission meeting, the staff reported that the main objection to the site plan at the Zoning hearing was a result of the Fire Department and Utility Department request for access to the site through the proposed Wooten Drive extension. The applicant has discussed this with the Fire Department, and they are recommending that there be two 12 foot gates located on the proposed Wooten Drive side of the project where two service drives are being proposed for the use of emergency equipment and that the gates be kept locked, with two keys being available to the Fire Department to be carried by the companies who respond to calls in this area. There are a number of items which the applicants have not worked out. There is no objection to the proposal and it is recommended that the request be approved subject to compliance with departmental reports. It is requested that the staff be authorized to give administrative approval when the requirements have been met.

CP14-68-21 Baker-Jones-Crow Company--contd.

After further discussion, the Commission

VOTED: To APPROVE the request of Baker-Jones-Crow Company for a special permit for the erection of a 228 unit apartment dwelling group for property located at 8200-8246 U. S. Highway 183 and 8047-8051 Lazy Lane, subject to the necessary zoning and compliance with departmental reports, authorizing the staff to give administrative approval when the 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 ten (10) days following the decision of the Planning Commission.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of July 8, 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 July 8, 1968, on the minutes of this meeting.

PRELIMINARY PLANS

C8-68-21 Westover Hills, Section 5
Currywood Drive

The staff reported that Mr. Dunnam has requested that 2 subdivisions be reviewed by the full Commission. One of the subdivisions is Mr. Wallace Mayfield's, entitled Westover Hills, Section 5, which has been given preliminary approval and the other subdivision, adjoining this property and being developed by Mr. Willard Connolly and Hunter Schieffer, is entitled Northwest Estates. Northwest Estates Subdivision has been given preliminary approval and the final plat has been disapproved pending several items. In the consideration of both preliminaries, two parcels of land to the north, which were identified on both preliminary plans as being owned by Mr. David D. Norwood came up for discussion of access into that property. The staff did send Mr. Norwood notice that the subdivisions were being considered by the Subdivision Committee and there was no reply from him; however, the staff and the Subdivision Committee required Mr. Watson, engineer for Mr. Connolly, to contact Mrs. Norwood concerning access into this property, at which time she said that she did not wish to have any access. Based on this and on the fact that access could properly be provided to that tract from Burnet Road and U. S. Highway 183, the Subdivision Committee approved both preliminaries.

591
~~587~~

C8-68-21 Westover Hills, Section 5--contd.

Last week, Mrs. Lee came into the office and advised the staff that she is the owner of a two acre tract of the Norwood property which abuts Westover Hills, Section 5, and Northwest Estates, and she was not aware of the two subdivision proposals. The staff advised Mrs. Lee that the only recourse she had in that the preliminaries were approved, would be to request a review by the Commission so that her problem could be explained. This was discussed with Mr. Dunnam who then requested that it be brought up for full review. In the event the Commission feels that access to Mrs. Lee's property is necessary, the previous actions on the Mayfield and Connolly property would have to be rescinded so as to require a change to one or the other or both subdivisions in order to provide access to Mrs. Lee's property.

There are two sections of Northwest Estates, both of which are in a final disapproved status at this point. The first section has been in about 3 months and the second section further to the west has been in about 1 month. Westover Hills, Section 5 was given preliminary approval approximately two months ago.

Mr. Stevens advised the Commission that both of the subdividers have been informed of the review and are present at this hearing. Both developers have stated that their position is that to change their plans at this stage of development would be extremely costly and disrupt their building plans.

Mr. Foxworth stated that Mr. Schieffer has indicated that the streets in the Northwest Estates section to the west of the tract in question have been cut on the ground. The disapproved pending status is in effect a layout approval of their streets and is generally the time developers start cutting streets.

Mr. Thomas Watts, engineer for Mr. Mayfield, stated that Westover Hills, Section 5, which has preliminary approval has been staked on the ground, the plat is completed and the construction plans are virtually complete. The Plat is ready to be submitted to the Planning Department on a filing basis.

Mr. Norman Manning, attorney, was present at the hearing on behalf of Mrs. Lee. He stated that it is his understanding that at the present time there are actually no roads developed on the ground on the property to the south adjoining Mrs. Lee's tract and that approval of the two subdivision proposals is only preliminary. In the original preliminary plan there was a road proposed to extend to the property line; however, that has been changed and now the road is to terminate in a cul-de-sac which will provide no access to Mrs. Lee's property. If the subdivision proposals on the south are approved, Mrs. Lee will have no way to develop her property because there will be no access.

C8-68-21 Westover Hills, Section 5--contd.

Mr. Manning read a letter to the Commission in support of and explaining the reasons for Mrs. Lee's request to require access to her property from either of the two subdivisions to the south.

Mr. Osborne asked Mrs. Lee about the legal access to her property. She explained that at the present time there is a 20 foot lane across the Norwood property that is used for access.

Mr. Osborne stated that it is realized that it would have been desirable for Mrs. Lee to have received notice of the two subdivision proposals; however, notice was sent to Mr. Norwood as a matter of practice and convenience to the adjoining property owner. It is not a legal requirement to send notice to adjoining property owners. The action of approving the preliminary plans for the subdivisions to the south and west have not changed the status of the Lee property. The Lee property was created in this situation prior to and separate from the subdivision actions. The subdivisions are not isolating or preventing access. It has in fact already occurred. They have no access through this property at the present time and it might be a convenience to have access from both or one or the other subdivision into the Lee property. It would be an enhancement to have access but the question is whether or not the Commission should enhance their property when subdivisions have been approved. The subdivision of this particular two acres of land into a practical subdivision in the sense of creating 10,000 to 11,000 square foot lots would be extremely difficult unless it is subdivided in conjunction with adjacent property. Mr. Osborne further stated that he is not convinced that it is a planning necessity that there be a connection between this property and adjoining property. The two acre tract is not entirely cut off from access because of the extension of Mesa Drive and Old Burnet Road.

Mr. Manning explained that they are not seeking an enhancement but they are requesting consideration. If the streets are not allowed to go through and provide access to the Lee property, part of the market value will be taken and this is not the proper position for the Planning Commission to take. As far as prior action, it is difficult to say what in particular caused the property to be in this type of situation but it should be corrected at this time.

Mrs. Lee stated that she contacted Mr. Williams, one of the adjacent owners, to see if access could be purchased but he is not interested in selling any portion of his land and access cannot be forced through the Norwood property. The approval of the two subdivisions would in effect landlock the Lee's tract and there can be no utility service by the City. The property cannot be taken into the city without utilities. Mrs. Lee further stated that she has submitted a plan that shows the extension of Currywood Drive with a cul-de-sac into her property.

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C8-68-21 Westover Hills, Section 5--contd.

Mr. Osborne stated that the sketch submitted by Mrs. Lee points out that in this particular case they have relatively long lots in relation to the width of the lots because of the shape of the tract. This would be an inefficient way to subdivide the property because of the extra long lots.

Mr. Taniguchi stated that in his opinion consideration should be given to the approved preliminary plans of Mr. Mayfield and Mr. Connolly as the property owned by Mrs. Lee does not appear to be completely landlocked as there is some access. The Commission members agreed that inasmuch as access is possible through other means, that the Commission would not be justified in changing the previous approval of the subdivision proposals of Westover Hills, Section 5 and Northwest Estates. It was then un-animously

VOTED: To REAFFIRM the previous preliminary approval of WESTOVER HILLS, Section 5 and NORTHWEST ESTATES.

C8-68-78 Apache Shores
Ranch Road 620

The staff reported that approximately 8 weeks ago County Attorney, City Clerk and the City, in accordance with State Law reached an agreement that the County would no longer accept plats within 5 miles of the City extending from Mansfield Dam without first being approved by the City of Austin. As a result of this extension of City jurisdiction, two subdivisions, one of which is Apache Shores, have been received. The staff has been working with the developers and engineers during the past few weeks on this subdivision plan. At the last Subdivision Committee meeting, several of the problems in connection with this subdivision were discussed. The primary concern of the members of the Subdivision Committee was that of septic tank use for a development of this size and this area. The first phase of consideration is 152 acres with 432 lots platted which is about the same density found in a typical urban subdivision. Several factors concerning this density have been taken into consideration. One of the problems is that this first section has severe topographic problems. There are within the subdivision some 75 to 100 lots which cross over the end of Lake Apache on either side that have slopes from 30 to 80 percent so it is doubtful if many of the lots can be built on. Lake development has been typically slow to develop and at this time, only one of the lots in this subdivision has a residence established.

Lake property is normally occupied by weekend residents and there are a great many days when the house will not be occupied. The subdivision has been reviewed by the City-County Health Department and their comments are as follows:

"We have reviewed the plat with proposed and existing water mains for this subdivision. Our first comment is that we feel that a subdivision of this

C8-68-78 Apache Shores--contd.

magnitude, together with the proposed additions should not depend on one or more wells for a water supply but should in the preliminary at least, plan an adequate intake from Lake Austin to a treatment plan located in an area protected from pollution, which could adequately serve both this installment and additional properties.

We also note that there will be a number of dead ends at the present time, and some of these will exist even with the proposed extensions. If at all possible, these should be tied in to get re-circulation.

This proposed system is being submitted to the State Department of Health for approval and final approval of the subdivision will depend on their acceptance of the supply.

As to sewage disposal, it is proposed that individual septic tanks be used, and a number of these lots are under our accepted 9000 square feet per lot. We are therefore approving this contingent on the Building Standards Committee giving us advance information on construction on each lot in order that we can plan with the contractor on the type, size, and location of septic tanks and drain fields. This subdivision is given preliminary approval subject to the above requirements.

Mr. Foxworth stated that he has talked to the developers and engineer and they have agreed to submit a letter to the effect that they will agree to notify the City-County Health Department when a property owner is ready to build so that the septic tank requirements can be reviewed. During the past few weeks a number of problems with the preliminary plan and final have been found; however, all but a few of the technical requirements have been worked out satisfactorily. A letter has been received from LCRA as to the requirements they have crossing the subdivision and they have no objection to the plat. There is also a letter from the adjoining property owner who agrees to an acceptance of an offer to buy the necessary land for street purposes as entry into the subdivision.

The subdivider and developers are requesting four variances with respect to this subdivision. The first is a variance on lot area requirements. The Subdivision Ordinance requires a minimum lot size of 9,000 square feet for septic tank purposes and there are a number that have more than this amount. The average lot size is 12,900 square feet per lot. A variance is also requested on block length because of the severe topography. The third variance requested is street paving. When the subdivision first came in, the staff did not know whether to consider it as a suburban or

C8-68-78 Apache Shores--contd.

urban subdivision. The Department of Public Works does recommend the variance on street paving. The fourth variance is from the five foot contour lines which are in the subdivision. If there was a five foot topographic line on the plat, it would be rather confusing. The staff is recommending that the four variances be granted and this preliminary plan be approved. It is also recommended that the final plat of Apache Shores be accepted for filing and disapproved subject to the following items:

1. The widening of the entry from 50 to 60 feet of right-of-way.
2. The showing on the plat of the additional 65 feet for the LCRA easement. As a result of this widening the developer will be losing 9 lots from the preliminary plan.
3. Submission of tax certificates.
4. Setback lines required on the plat.
5. Add area to lake front lots 345, 346 and 347.
6. Round all corners at street intersections.
7. Designate "Commercial" for lots 473 and 474.
8. Revise final plat to conform to departmental requirements.
9. Approval of water supply by State Health Department.

The staff also requests that authorization be given to poll the Commission when all requirements have been met. This would permit the staff to release the subdivision for recording rather than have to wait another month.

Dr. Hazard asked if there is any assurance that there will be no run off of sewage into Lake Austin. Mr. Osborne stated that if the septic tanks are not cleaned and properly maintained, there will be runoff into the lake.

Mr. Smith asked if an attempt has been made to estimate the maximum number of septic tanks that might be used. Mr. Osborne stated that at the present time it appears that there will be approximately 350 septic tank lots.

After further discussion, the Commission unanimously

VOTED: To APPROVE the preliminary plan of APACHE SHORES and grant variances on lot requirements, block length, street paving and five foot contour lines.

It was also

VOTED: To ACCEPT FOR FILING and to DISAPPROVE the final plat of APACHE SHORES, Section 1, pending the requirements as indicated and authorized the staff to poll the Commission for approval when the requirements have been met.

SUBDIVISION PLATS - FILED

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

VOTED: To ACCEPT for filing the following final plats:

<u>C8-67-56</u>	Reagan Heights
	Reagan Hill Drive and Berkman Avenue
<u>C8-68-49</u>	Scenic Brook West, Section 1
	Hwy. 71 and Scenic Brook Drive
<u>C8-68-76</u>	Coronado Hills, Section 2
	Berkman Drive and Coronado Hills Dr.
<u>C8-68-77</u>	Coronado Hills St. Dedication Plat
	Coronado Hills Drive and Cameron Road

<u>C8-68-19</u>	University Hills, Section 5
	Northeast Drive and Auburn Drive

The staff reported that all departmental reports have not been received and recommended that this final plat be accepted for filing pending additional fiscal arrangements which will be required in lieu of the cul-de-sac in the event it is not provided on the plat. The Commission then

VOTED: To ACCEPT for filing the final plat of UNIVERSITY HILLS, Section 5, pending the requirements as noted.

<u>C8-68-23</u>	Lamar Place
	Lamar Boulevard and Lamar Plaza

The staff reported that several reports have not been received and recommended that this final plat be accepted for filing pending a restriction (access) required on the plat. The Commission then

VOTED: To ACCEPT for filing the final plat of LAMAR PLACE, pending the requirement as indicated.

<u>C8-68-48</u>	Country Club Gardens, Section 1
	Montopolis and Marigold Terrace

the staff reported that all departmental reports have not been received and recommended that this final plat be accepted for filing pending additional fiscal arrangements which will be required in lieu of cul-de-sac in the event it is not provided on the plat. The Commission then

VOTED: To ACCEPT for filing the final plat of COUNTRY CLUB GARDENS, Section 1, pending the item as indicated.

SUBDIVISION PLATS - CONSIDERED

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

The staff reported that there is a half street involved in this request and as a result, it is recommended that this final plat be disapproved so that it can be approved and recorded simultaneously with Allandale North, Section 7. Both plats need to be recorded at the same time in order to get the full right-of-way of the street. The Commission then

VOTED: To DISAPPROVE the final plat of ALLANDALE NORTH, Section 6, pending approval of Allandale North, Section 7 so that both plats can be recorded simultaneously.

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

The staff recommended disapproval of this final plat pending the required fiscal arrangements, and completion of departmental reports. There is a one-half street involved in this request and as a result, it is recommended that this section be recorded simultaneously with Allandale North, Section 6. The Commission then

VOTED: To DISAPPROVE the final plat of ALLANDALE NORTH, Section 7, pending the required fiscal arrangements, completion of departmental reports and the simultaneous recording of this plat with Allandale North, Section 6.

C8-68-22 Allen Place
Thorncliff Drive and North Hills Drive

The staff reported that this plat was ready for approval; however, there has been a change and the applicant is requesting postponement at this time. The Commission then

VOTED: To POSTPONE the final plat of ALLEN PLACE.

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

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

VOTED: To DISAPPROVE the final plat of M. S. Z. ADDITION, pending the requirements as indicated.

C8-64-65 Garza Place, Section 1
Camino Largo west of Brodie Lane

The staff recommended disapproval of this final plat pending completion of departmental reports and a letter of acceptance from the County for Camino Largo. The Commission then

VOTED: To DISAPPROVE the final plat of GARZA PLACE, Section 1, pending the items as noted.

C8-61-33 Emerald Forest, Section 1
Vinson Drive

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

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

C8-67-29 Highland Hills N.W., Section 5
Running Rope and Lamplight

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

VOTED: To DISAPPROVE the final plat of HIGHLAND HILLS N.W., Section 5, pending the requirements as indicated.

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

The staff reported that this subdivision is a section of a preliminary which proposed lots fronting directly onto Mo-Pac Boulevard as proposed and the existing Balcones Drive. The staff listed as one of the conditions of approval of the preliminary, that the lots fronting onto proposed Mo-Pac Boulevard be revised. Since that time, it has been found that this will be a two-way frontage road and the staff is therefore removing that objection from the preliminary and requesting that the Commission remove this as a condition of the approval so that they can front lots onto Balcones Drive. This will enable the Commission to approve the final plat which is being considered at this time. After further discussion, the Commission

VOTED: To APPROVE the final plat of NORTHWEST HILLS, Section 11, Phase 2, removing from the approval of the preliminary plat the condition that lots not front onto Balcones Drive.

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C8-68-53 Northwest Hills, Mesa Oaks, Phase 5-A
West Rim Drive and Burney

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

VOTED: To DISAPPROVE the final plat of NORTHWEST HILLS, Mesa Oaks, Phase 5-A, 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, annexation and completion of departmental reports. The Commission then

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

C8-68-56 Coronado Hills, Section 1
Coronado Hills Drive and Berkman

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

VOTED: To DISAPPROVE the final plat of CORONADO HILLS, Section 1, pending the items as indicated.

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

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

VOTED: To DISAPPROVE the final plat of NORTHWEST HILLS, Mesa Oaks, Phase 4-B, pending completion of departmental reports.

C8-68-36 Castlewood Forest, Section 1
Castlewood Drive south of Davis

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

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

C8-68-50 Pecksho Heights
South First St. south of Dittmar Lane

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

VOTED: To DISAPPROVE the final plat of PECKSHO HEIGHTS, pending the items as noted.

C8-68-66 Oak Ridge, Section 3
North Lamar & Oakbrook Drive

The staff recommended disapproval of this final plat pending the required additional easements, fiscal arrangements, completion of departmental reports and the reduction of the radii to 20 feet at Cedarbrook Court and Oakbrook Drive. The Commission

VOTED: To DISAPPROVE the final plat of OAK RIDGE, Section 3, pending the requirements as indicated.

C8-68-65 Colorado Hills Estates, Section 4
Woodland Avenue and Briar Hill Drive

The staff recommended disapproval of this final plat pending several items. A report has been received from the Sanitary Sewer Department to the effect that sewer is not available to Lot 5 and that this lot should be removed from the plat. The staff recommends disapproval pending the required additional easements, fiscal arrangements, completion of departmental reports and the removal of Lot 5 from the plat. The Commission then

VOTED: To DISAPPROVE the final plat of COLORADO HILLS ESTATES, Section 4, pending the requirements as indicated.

C8-68-61 Community of Fairview, Section 4
Thistlewood and Heartwood

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

VOTED: To DISAPPROVE the final plat of COMMUNITY OF FAIRVIEW, Section 4, 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. It was then

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

SHORT FORM PLATS - FILED

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

The Commission then

VOTED: To ACCEPT for filing the following short form plats:

C8s-68-117 Flournoy's Eastern Hills, Section 5
 Heflin Lane
C8s-68-119 Mimosa Manor, Section 4
 Matthews Lane and Manchaca Road

C8s-68-121 Tarryhouse
 Bowman Avenue and Hopi Trail

The staff reported that departmental reports have not been received and recommended that this short form plat be accepted for filing pending determination of the need for the extension of Townes Lane. Townes Lane is a dead-end street with no cul-de-sac that stubs into this particular tract of land. The Commission then

VOTED: To ACCEPT for filing the short form plat of TARRYHOUSE, pending determination of the need for the extension of Townes Lane.

C8s-68-122 Jekel Subdivision, Resub. Lot 42-51
 Jekel Circle and McNeil Road

The staff reported that departmental reports have not been received and recommended that this short form plat be accepted for filing pending additional right-of-way and setback on McNeil Road on the lot that abuts the road. The Commission then

VOTED: To ACCEPT for filing the short form plat of JEKEL SUBDIVISION, Resub. Lot 42-51, pending the items as indicated.

SHORT FORM PLATS - CONSIDERED

The staff reported that two short form plats have complied with all departmental reports and all requirements of the Ordinance and approval is recommended. The Commission then

VOTED: To APPROVE the following short form plats:

C8s-68-84 Flournoy's Eastern Hills, Section 4
 Webberville Road
C8s-68-118 Wingard Addition
 Cooper Lane

C8s-68-124 Luedecke Resub., Lot 2B
South Lamar Boulevard and Goodrich Avenue

The staff reported that this short form plat has complied with all departmental requirements and all requirements of the Ordinance and approval is recommended, with a note that the additional right-of-way for South Lamar Boulevard is being provided for by separate instrument. The Commission then

VOTED: To APPROVE the short form plat of LUEDECKE RESUB., Lot 2B, with the note that right-of-way for South Lamar Boulevard is being provided by separate instrument.

C8s-68-102 Wooten Park Square, Section 3
Anderson Lane west of Mullen Drive

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 WOOTEN PARK SQUARE, Section 3, pending the required fiscal arrangements.

C8s-68-115 Offer Subdivision
Brodie Lane

The staff reported that a letter of acceptance is needed from the County on the County Road on which the property fronts. The street has been deeded to the public by a deed of record but there has been no formal acceptance by the County. It is recommended that this short form plat be disapproved pending completion of departmental reports and receipt of a letter of acceptance from the County. The Commission

VOTED: To DISAPPROVE the short form plat of OFFER SUBDIVISION, pending the requirements as indicated.

C8s-68-120 Silverton Center Resub. Lot 2
Airport Boulevard and Pampa Drive

The staff reported that departmental reports have not been received and recommended that this short form plat be accepted for filing.

Mr. Thomas Watts, engineer for the developer, requested that the plat be disapproved pending completion of departmental reports and that the staff be authorized to give administrative approval upon completion. He stated that all of the streets are dedicated and that this is only a resubdivision of a commercial tract. After further discussion, the Commission

VOTED: To DISAPPROVE the short form plat of SILVERTON CENTER RESUB., Lot 2, pending completion of departmental reports and authorized the staff to give administrative approval upon completion.

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C8s-68-123 Norman Dumble Resub. Lot 6-8
 West 35th Street

The staff recommended disapproval of this short form plat pending completion of departmental reports, additional right-of-way for West 35th Street, and compliance with the Townhouse Ordinance. This short form plat, containing 6 lots, involves the first Townhouse development in the City of Austin.

Mr. Stevens explained that at the present time the Subdivision Ordinance requires a minimum lot size of 50 feet for residential use. An attempt was made to amend the Zoning Ordinance and the Subdivision Ordinance to allow Townhouse development, but unless the Subdivision Ordinance is amended, this would be creating substandard lots. It is recommended that this be disapproved pending determination as to whether the subdivision meets the townhouse requirements.

Mr. Osborne stated that a special permit is also needed for this development. The Commission then

VOTED: To DISAPPROVE the short form plat of NORMAN DUMBLE, Resub. Lot 6-8, pending completion of departmental reports, additional right-of-way for West 35th Street, submission of a special permit and compliance with the Townhouse Ordinance.

ADMINISTRATIVE APPROVAL

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

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

<u>C8s-68-113</u>	<u>Ridgetop Annex, Resub.</u>
	Depew Avenue and East 45th Street
<u>C8s-68-109</u>	<u>Royal Oak Estates, Section 8</u>
	Gaston Place and North Hampton Drive
<u>C8s-68-112</u>	<u>Northcape, Section C-2</u>
	Middle Fiskville Road
<u>C8s-68-111</u>	<u>C. R. Scales Subdivision, Resub.</u>
	Burnet Road and Pasadena
<u>C8s-68-116</u>	<u>Pecan Park Subdivision</u>
	Pecan Drive

OTHER BUSINESS

R1410 ZONING ORDINANCE
 Report on amendments

The Director of Planning distributed copies of proposed amendments to the Zoning Ordinance pertaining to single-family districts and the zoning fee schedule. He suggested that a special meeting be held to consider these two items as well as the CIP Program.

R1410

ZONING ORDINANCE--contd.

The Commission members agreed to hold a special meeting and felt that in view of the CIP Program being considered, that Mr. Tinstman should be invited to attend. A special meeting of the Commission was scheduled for July 30, 1968.

C5-68-6

UNIVERSITY EAST URBAN RENEWAL PROJECT

Mr. Bill Williams, representing the Urban Renewal Agency, advised the Commission that the area under consideration in the University East Urban Renewal Project contains approximately 99.8 acres of land, and is bounded on the west by Red River Street, on the north by Wahrenberger Street and the extension of Wahrenberger Street, on the east generally by Swisher Street, East 23rd Street, I. H. 35, Manor Road and Comal Street, and on the south by East 19th Street.

Mr. Williams presented a slide program illustrating structural conditions, existing land use development and zoning patterns, aerial views and proposed land use, zoning and major street plans. He explained that the Board of Regents has authority from the Legislature to acquire all of the land within the project, but for the sake of expediency, the Board has decided to acquire all of the land north of Manor Road through their own means rather than by Urban Renewal. Slides were also presented showing the proposed right-of-way for the expansion of I. H. 35, an improvement program that has already received the approval of the State Highway Department and the Bureau of Public Roads. The Urban Renewal Agency will be buying the property and selling to the Highway Department based on a proportionate share of the actual cost. Mr. Williams also presented slides of the street system proposed for the area, which are in conformance with the Austin Expressway and Major Arterial Plan. He informed the Commission that right-of-way is being dedicated to the City for Comal Street, East 19th Street, Manor Road, 26th Street and Swisher Street in order to bring about the implementation of the Thoroughfare Plan.

The Urban Renewal Agency is requesting that the Planning Commission find that the proposed University East Urban Renewal Project is compatible with the Austin Development Plan.

The Director of Planning stated that in March of this year, the Planning Commission adopted an amendment to the Austin Development Plan redesignating all of the area under consideration for Public and Semi-Public Use. The plan as presented at this time by the Agency is for total acquisition of the land for the University use and redevelopment for University facilities. Also included is the provision for widening of certain streets and construction of new streets in the area, including 26th Street or Wahrenberger on the north side of the University. The University of Texas Development Plan which was presented to the Planning Commission in March showed, in addition to the existing buildings, a series of proposed buildings throughout the area and the utilization of the area to the east of I. H. 35 for building purposes. Also indicated was a number of building sites through the eastern section of the area around San Jacinto Street. Although there

C5-68-6

UNIVERSITY EAST URBAN RENEWAL PROJECT--contd.

were certail specific location of buildings, the plan was intended to be very general in that the University has not yet determined the exact location of proposed buildings.

Approval of the University East Urban Renewal Project is not an approval for specific building locations. This is a basic plan of the long range land acquisition program.

Mr. Osborne explained that the Texas Urban Renewal Law requires the Planning Commission to find that the renewal plan is in conformance with the overall Master Plan of the City.

The Commission members asked various questions pertaining to the proposed development and acquisition of land. Dr. Hazard stated that on the basis of a study which was done for the Planning Department, it is not clear that this is one of the worst sections of Austin. He said that he is not convinced that this is an urban renewal area and feels that it is the taking of a potential tax producing area out of Austin.

A majority of the members felt that the plan as presented is in conformance with the Austin Development Plan and

VOTED: To ADOPT the following resolution:

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

WHEREAS, the Planning Commission has, at its regular meeting of July 23, 1968, reviewed the Plan with a view toward making a recommendation to the City Council, thereon; and,

WHEREAS, upon such review, the Planning Commission finds that, as submitted to it, the University East Urban Renewal Project is in conformity with the general plan for the development of the City as a whole and with the Master Plan of the City of Austin; Now, Therefore,

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

That the University East Urban Renewal Project be recommended to the City Council as conforming to the general plan of development of the City, and that an executed copy of this resolution be filed with the City Clerk.

AYE: Messrs. Brown, Taniguchi, Kinnan, Milstead, Smith and McNeil
 NAY: Dr. Hazard
 ABSENT: Messrs. Dunnam and Hanks

C10-68-1(p) ALLEY VACATION

Alley located between Sabine Street and East Avenue
and East 10th and 11th Streets

The staff reported that this request to vacate the alley located between Sabine Street and East Avenue and East 10th and 11th Streets is made by the Austin Independent School District and Mr. Howard Brunson who is purchasing the abutting property from the School District. The request has been checked by the various City Departments and it is recommended that the alley be vacated. The Commission then

VOTED: To recommend that the alley located between Sabine Street and East Avenue and East 10th and 11th Streets be VACATED.

REPORTS

SUBDIVISION APPROVAL BY POLL

It was reported by the staff that the following subdivisions were considered by poll on July 3, 1968, and that a majority of the Commission had

VOTED: To APPROVE the following plats:

<u>C8-68-30</u>	<u>Quail Creek West, Section 1</u>
	Peyton Gin Road and Rutland Drive
<u>C8-68-62</u>	<u>Vintage Hills, Section 2</u>
	Fred Morse Drive and Meadowood Drive
<u>C8-67-67</u>	<u>Johnston Terrace, Section 2</u>
	Lotus Lane and Arthur Stiles

ADJOURNMENT: The meeting was adjourned at 11:25 p.m.

Hoyle M. Osborne
Executive Secretary