

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- June 10, 1969

The meeting of the Commission was called to order at 6:30 p.m. in the Council Room, Municipal Building.

Present

S. P. Kinser, Chairman
C. L. Reeves
Jack S. Crier
Bill Milstead
Roger Hanks
Alan Taniguchi
Robert Kinnan

Absent

W. A. Wroe
M. J. Anderson

Also Present

Hoyle M. Osborne, Director of Planning
Richard Lillie, Assistant Director of Planning
Walter Foxworth, Associate Planner
Tracy Watson, Planner
Mike Wise, Planner
Shirley Ralston, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of June 2 and 3, 1969.

Present

S. P. Kinser, Chairman
Alan Taniguchi
*Roger Hanks
*M. J. Anderson
**C. L. Reeves

Also Present

Walter Foxworth, Associate Planner
Mike Wise, Planner
Shirley Ralston, Administrative Secretary

*Present only on June 2, 1969.

**Present only on June 3, 1969.

PUBLIC HEARINGS

C14-69-131 Mr. & Mrs. R. E. Gouty: A, 1st to O, 5th
1512-1514 Summit Street
1500-1502 Taylor Gaines
1513-1515 South Interregional

STAFF REPORT: This application covers 17,580 square feet of land and the stated purpose of the request is for an office building. There have been recent zoning requests made in the area which are pending before the City Council because of

Cl4-69-131 Mr. & Mrs. R. E. Gouty--contd.

right-of-way. The Interregional Highway, located to the west, has a varying right-of-way at this location of 300 to 350 feet which is adequate. Summit Street is a 50 foot minor residential street which is inadequate and Taylor Gaines Street also with 50 feet of right-of-way is classified as a minor collector street. The staff recommends that the request be granted, subject to 5 feet of right-of-way on Summit Street and 5 feet of right-of-way on Taylor Gaines Street, as the appropriate zoning for the site.

TESTIMONY

WRITTEN COMMENT

Code

R. E. Gouty (applicant)

PERSONS APPEARING AT HEARING

Code

Sterling Sasser, Sr. (representing applicants)

SUMMARY OF TESTIMONY

Mr. Sterling Sasser, Sr., representing the applicants, stated that he had nothing to add to the report by the staff but a letter has been submitted agreeing to dedicate the necessary right-of-way for Summit and Taylor Gaines Streets.

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 consistent with recently established zoning in the area, subject to five feet of right-of-way for Taylor Gaines and Summit Streets.

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

The Commission recognized the offer of right-of-way for Summit Street but noted that 5 feet of right-of-way is also needed for Taylor Gaines Street. They concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Mr. & Mrs. R. E. Gouty for a change of zoning from "A" Residence, First Height and Area to "O" Office, Fifth Height and Area for property located at 1512-1514 Summit Street, 1500-1502 Taylor Gaines Street and 1513-1515 South Interregional Highway be GRANTED subject to the streets being made adequate.

Planning Commission -- Austin, Texas

Reg. Mtg. 6-10-69 3

C14-69-132 Eugene Wassell: A, 1st to O, 5th
1505 South Interregional Highway
1504 Summit Street

STAFF REPORT: This is a request for "O" Office, Fifth Height and Area zoning on a 9,720 square foot tract of land for the stated purpose of an office building. The Interregional Highway located to the west has 300 feet of right-of-way with two 36 foot wide lanes and is classified as an expressway. Summit Street is a minor collector street with 50 feet of right-of-way. The staff recommends that the request be granted, subject to 5 feet of right-of-way on Summit Street. There is a letter from the applicant agreeing to the dedication of the 5 feet.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

Sterling Sasser, Sr. (representing applicant)

SUMMARY OF TESTIMONY

Mr. Sterling Sasser, Sr., representing the applicant, had nothing to add to the report by the staff.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted subject to 5 feet of right-of-way for Summit Street, as it is consistent with recently established zoning in the area.

At the Commission meeting, the staff reported a letter from the applicant offering to dedicate 5 feet of right-of-way for the future widening of Summit Street.

The Commission noted the offer of right-of-way and concurred with the Committee that the requested zoning is consistent with recently established zoning. It was then unanimously

VOTED: To recommend that the request of Eugene Wassell for a change of zoning from "A" Residence, First Height and Area to "O" Office, Fifth Height and Area for property located at 1505 South Interregional Highway and 1504 Summit Street be GRANTED.

C14-69-133 Morris K. Gully, Jr.: A, 1st to B, 2nd
 1801-1807 Newton
 207-211 West Annie

STAFF REPORT: This is a request for "B" Residence, Second Height and Area zoning on a 27,720 square foot lot for the stated purpose of apartment development. Newton Avenue is a minor residential street with 60 feet of right-of-way which is adequate. West Annie Street is classified as a major arterial street with a present right-of-way of 60 feet which is inadequate. The staff recommends that the requested zoning be denied as it is too intensive for the area; however, it is recommended that "BB" Residence, First Height and Area zoning be granted, subject to five feet of right-of-way on West Annie Street, as the appropriate zoning for the site.

TESTIMONY

WRITTEN COMMENT

Code

Mrs. Cisco Crisp: 1705 Newton Street

FOR

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as it is too intensive for the area; however, they recommended that "BB" Residence, First Height and Area zoning be granted, subject to 5 feet of right-of-way for the widening of West Annie Street, as the proper zoning for the site.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Morris K. Gully, Jr. for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 1801-1807 Newton and 207-211 West Annie Street be DENIED but that "BB" Residence, First Height and Area be GRANTED, subject to 5 feet of right-of-way for West Annie Street.

C14-69-134 Continental Oil Company: C, 2nd to C, 3rd
 809 East 1st Street (as amended)
 91-99 North Interregional Highway

STAFF REPORT: This is an application for "C" Commercial, Third Height and Area zoning on a 12,600 square foot tract of land which is located at the southeast intersection of East First Street and the Interregional Highway. The stated

C14-69-134 Continental Oil Company--contd.

purpose of the request is for a modular sign. The Interregional Highway located to the west is classified as an expressway with a present right-of-way of 300 feet. East First Street is a major arterial street with a present right-of-way of 60 feet. There are two zoning histories in the area which are indicated on the staff report. The staff recommends that the request be denied as it is too intensive and that the existing "C" Commercial, Second Height and Area zoning be retained which permits a height of 60 feet due to an amendment in the Zoning Ordinance in 1968. If the Committee feels that the request should be granted, 5 feet of right-of-way would be needed for the future widening of East First Street.

TESTIMONY

WRITTEN COMMENT

Code

Mrs. Lena Blundell: 909 Willow	AGAINST
Mrs. T. F. Hiefler	FOR
Continental Oil Company (Raymond Ramsey)	FOR
Charles D. Nash: P. O. Box 1488	FOR
William E. Nickels: 1503 Bellaire Drive	FOR

PERSONS APPEARING AT HEARING

Code

Raymond Ramsey (representing applicant)	
Mr. Vincente Hernandez: 906 Willow	FOR
Pascual Rangel: 707 East 1st Street	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Raymond Ramsey, representing the applicant, stated that the only purpose of the request is to permit a modular sign spelling out the word "Conoco." The location of the sign is to be near the Interregional Highway at the southwest corner of the site so that it can easily be seen. There is an overpass along the Interregional Highway to the south and the sign needs to extend to a sufficient height so that it can be seen rapidly so that people will have an opportunity to exit off of the Interregional Highway in order to get to the station. Right across from the site is a Holiday Inn which is zoned Fourth Height and Area and to the north of the subject property is Third Height and Area. The site is in between Third and Fourth Height and Area and the change on the subject property is logical.

There is approximately 90 to 95 feet from the ground to the top of the sign. It is a standard 39 foot sign spelling out "Conoco." The total width of the sign is 6 feet and it will be on elevated poles. The service station structure is approximately 80 per cent complete and the height of the sign is needed so that it can be seen over the top of the trees which are on the property adjoining to the south.

C14-69-134 Continental Oil Company--contd.

Mr. Foxworth asked if there is a possibility of limiting the Third Height and Area district to only the area where the sign is to be located.

Mr. Ramsey indicated that there would be no objection to limiting the location of the requested sign, as the only portion of the property needing the height is the site where the sign will be located.

Mr. Foxworth explained that the staff recommended the retention of the Second Height and Area zoning because the setback requirement in the Ordinance states that Second Height and Area zoning requires a certain setback from any street that exists as a "boulevard" street. Under the Third Height and Area district, there would be no control over the setback.

Arguments Presented AGAINST:

The owner of property adjoining to the south appeared at the hearing and stated that he has many large trees on his property and if the sign is permitted on the site that extends higher than the existing trees, it will completely block his view of town.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and was cognizant of the fact that the Third Height and Area zoning requested is needed for the height of a sign which is proposed on the site. They felt that the zoning as requested should be denied for the entire site but that it should be granted for the exact area of the site where the sign is to be located (location to be described in field notes furnished by the applicant).

At the Commission meeting, the staff reported a request by Mr. Ramsey to amend the application to request "C" Commercial, Third Height and Area for only the south 10 feet of Lot 5, Block 1, M.K.&T. Addition.

The Commission accepted the request to amend the application, and unanimously

VOTED: To recommend that the request of Continental Oil Company for a change of zoning from "C" Commercial, Second Height and Area to "C" Commercial, Third Height and Area for the south 10 feet of property located at 809 East 1st Street (as amended) and 91-99 North Interregional Highway be GRANTED.

ABSTAINED: Mr. Hanks

C14-69-135 C. L. Reeves: Int. A, Int. 1st to GR, 1st (as amended)
2301-2369 Burleson Road
2233 Parker Lane

STAFF REPORT: This application covers 3.23 acres of land located to the north of Burleson Road. The stated purpose of the request is for commercial, general retail, and local retail uses. There are several zoning histories in the area

C14-69-135 C. L. Reeves--contd.

which are indicated on the staff report. Parker Lane to the west of the site is a neighborhood collector street with a present right-of-way of 70 feet. Burleson Road is also a neighborhood collector street with an existing 60 feet of right-of-way. The staff recommends that the zoning requested on the site be denied as it is too intensive for the area; however, it is recommended that "GR" General Retail zoning be granted, subject to 5 feet of right-of-way for Burleson Road, 10 feet of right-of-way for Parker Lane and subject to provision for the extension of Oltorf Street as it effects the subject site. "GR" General Retail zoning exists on tracts in the immediate area and the zoning on the subject property would be consistent with this pattern.

TESTIMONY

WRITTEN COMMENT

Code

The Southland Corporation: 2828 North Haskell Ave. AGAINST
Dallas, Texas

PERSONS APPEARING AT HEARING

Code

Bryan Schuller (representing applicant)
F. Ralph Schneider: 2600 Burleson Road FOR

SUMMARY OF TESTIMONY

Mr. Bryan Schuller, representing Isom Hale Engineers, advised the Committee that he does not have a letter requesting amendment to the application from "C" Commercial to "GR" General Retail but there is no objection to the recommendation by the staff. He said that with regard to the right-of-way he is sure that the applicants would make provision for the necessary rights-of-way of Burleson Road and Parker Lane and also when the need is present for the extension of Oltorf Street through the property. He explained that he does not know the use proposed for the small area north of the proposed extension of Oltorf Street through the subject property but the applicant probably has plans in connection with the area to the north.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the request to amend the application to "GR" General Retail, First Height and Area and were of the opinion that this was the proper zoning for the site subject to five feet of right-of-way on Burleson Road, ten feet of right-of-way on Parker Lane and subject to provision for the extension of Oltorf Street as it effects the subject tract; however, they recommended that the request be denied at this time until the use of the property north of the proposed easterly extension of Oltorf Street is determined.

C14-69-135 C. L. Reeves--contd.

At the Commission meeting, Mr. Osborne explained that Mr. Hale, engineer for the developer, has discussed with the staff the possibility of a modification of the alignment of Oltorf Street which would eliminate most of the sliver of land north of Oltorf Street as presently proposed. A modification of the alignment would not be in conflict with the approved preliminary plan and there would be no objection by the staff.

Mr. Hale advised the Commission that they would agree to a realignment of Oltorf Street in order to eliminate the sliver of land in question.

The Commission members agreed with the Committee that the requested zoning (as amended) of the site is proper and felt that the request should be granted subject to 5 feet of right-of-way for Burleson Road, 10 feet of right-of-way for Parker Lane and subject to provision for the extension of Oltorf Street as it effects the subject tract. It was then unanimously

VOTED: To recommend that the request of C. L. Reeves for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (as amended) for property located at 2301-2369 Burleson Road and 2233 Parker Lane be GRANTED subject to 5 feet of right-of-way for Burleson Road, 10 feet of right-of-way for Parker Lane and subject to provision for the extension of Oltorf Street as it effects the subject tract.

DISQUALIFIED: Mr. Reeves

C14-69-136 George B. Shepherd, Jr.: A to C
 7825-8231 Ben White Boulevard
 1800 U. S. Highway 183
 7800-8106 Riverside Drive
 2100-2118 Dalton Lane

STAFF REPORT: This is a request for a change in zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for approximately 21 acres of land for the stated purpose of building a mobile home park. Ben White Boulevard is classified as an expressway and at this location the existing right-of-way is approximately 150 feet and wider to the east due to the Bergstrom Interchange adjacent to the site. U. S. Highway 183 is a major arterial street with a right-of-way in excess of 120 feet. Riverside Drive, to the south of the site is also classified as a collector street and presently has a right-of-way of undetermined width. Dalton Lane also has an existing right-of-way of 60 feet and is classified as a collector street. There are no zoning histories available in this area as it is on the edge of the City limits. The staff recommends that the requested "C" Commercial zoning be denied as it is too permissive but would recommend that "GR" General Retail, First Height and Area zoning be granted subject to approximately 10 feet of right-of-way for Riverside Drive and approximately 20 feet of right-of-way for Dalton Lane, and subject to the submission of a special permit. Because of the subject property's location in relationship to the highways it is felt that a plan for the mobile home park

C14-69-136 George B. Shepherd, Jr.--contd.

should be required and "GR" General Retail zoning would require a special permit for the proposed use. If at that time portions of the area require a "C" Commercial classification this could be accomplished by a subsequent application.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

George B. Shepherd, Jr. (applicant)

SUMMARY OF TESTIMONY

Mr. George B. Shepherd, Jr., was present at the hearing and stated that he realizes that the staff has recommended "GR" General Retail zoning but the site is a uniquely situated island and the "GR" zoning would be very limiting as to its use. It is obvious that the highest and best use of the tract is strictly as commercial use. A special permit could perhaps be obtained for the projected use but there are many other uses for which this particular tract of land is subject. The tract is almost an island completely surrounded by streets and is constantly subject to heavy traffic around the site. The site is also located in close proximity to Bergstrom Air Force Base and is subject to noise of the planes, which limits the use of the property. There are trailer parks in the Bergstrom area which are completely full and there is a need for more facilities of this type. It is felt that the zoning on the property should be "C" Commercial rather than "GR" General Retail because of the nature of the location of the tract, the adjoining major highways and the runways of Bergstrom Air Force Base. If "C" Commercial zoning is not approved there will be additional expense involved as an application for a special permit will have to be brought before the Commission. It should also be pointed out that the services to this area are adequate and because of the way the area is developing, there is a need for an area that can be developed for commercial uses.

Mr. Shepherd advised the Committee that the mobile home park proposed on the site is a limited projection of the usage and will not be the use of the entire area. There will be commercial uses along the front which makes the property more valuable than the interior tract of land which will be used for the trailer park. With regard to the future right-of-way it is felt that there are adequate streets serving the property as U. S. Highway 183 and Ben White Boulevard are major highways with adequate right-of-way. It is realized that Riverside Drive and Dalton Lane are not as wide as the other streets; however, it is felt that the right-of-way should not have anything to do with the zoning on the subject property. There are no residences on Riverside Drive and it is not a residential street. Mr. Shepherd further explained that he was not previously aware of the fact that the right-of-way was needed.

C14-69-136 George B. Shepherd, Jr.--contd.

Mr. Foxworth explained that Riverside Drive and Dalton Lane are both classified as major arterial streets in the Expressway and Major Arterial Plan which was adopted by the City Council in 1967, and both appear to have inadequate right-of-way at the present time. In order to comply with the requirements of the plan, the streets should be widened.

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 the necessary right-of-way for the future widening of Riverside Drive and Dalton Lane as the appropriate zoning for the site.

At the Commission meeting, Mr. Foxworth advised the members that the staff checked with the County and found that there are no right-of-way requirements for Riverside Drive as it presently has 65 feet of right-of-way. The staff needs to talk to the Engineering Department of Public Works in order to determine whether or not right-of-way is needed for Dalton Lane in that there is an off-set in the street and a portion of the street appears to have 60 feet of right-of-way and a portion appears to have 100 feet of right-of-way. If the paving of the street is not effected by the jog in right-of-way, additional widening may not be needed.

The Commission noted that right-of-way is not needed for Riverside Drive but recognized that there is a question with regard to Dalton Lane. They agreed with the Committee that the requested zoning is appropriate zoning for the site and felt that the request should be granted subject to Dalton Lane being made adequate, if necessary. It was then unanimously

VOTED: To recommend that the request of George B. Shepherd, Jr. for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 7825-8231 Ben White Boulevard, 1800 U. S. Highway 183, 7800-8106 Riverside Drive and 2100-2118 Dalton Lane be GRANTED, subject to Dalton Lane being made adequate if necessary.

C14-69-137 Rollins R. Martin: A to C
1161-E Springdale Road

STAFF REPORT: This is a request for a change in zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for a lot containing an area of .5 acres. The stated purpose of the request is for an auto repair garage. Springdale Road is classified as a major arterial street and at this location has an existing right-of-way of 62 feet. There are no histories available in the area although there is "LR" Local Retail zoning to the west of Springdale Road and also to the south at the intersection of Springdale Road and Webberville Road. "C" Commercial zoning adjoins the subject property to the east fronting onto Webberville Road. The staff recommends that the request be denied as it is too intensive; however, it is recommended that "LR" Local Retail,

C14-69-137 Rollins R. Martin--contd.

First Height and Area zoning be granted, subject to 20 feet of right-of-way for Springdale Road, as "LR" Local Retail zoning exists to the north and south and the zoning on the subject tract would be consistent with this pattern.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

Rollins R. Martin (applicant)

SUMMARY OF TESTIMONY

The applicant was present on behalf of this request and advised the Committee that a few weeks ago he dedicated 19 feet of right-of-way for the widening of Springdale Road from property to the south in order to get the area subdivided. There has also been 19 feet of right-of-way dedicated from property to the north. It is felt that the right-of-way requested should be the same as in previous requests. He said that he would have no objection to dedicating 19 or 20 feet for the future widening of the street but the exact amount should be determined.

Mr. Foxworth stated that the staff would check the right-of-way as it should be the same.

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 20 feet of right-of-way for the widening of Springdale Road, as a logical extension of zoning which exists to the east.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Rollins R. Martin for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1161-E Springdale Road be GRANTED subject to 20 feet of right-of-way for Springdale Road.

C14-69-138 Paul J. Wilhoite: A to C
206 Bonnett Street

STAFF REPORT: This application covers 6,600 square feet of land and the stated purpose of the change is for a welding shop. There are no zoning histories available in the area although there is existing "C" Commercial zoning to the north and east and "LR" Local Retail zoning to the southeast along Saxon Lane.

C14-69-138 Paul J. Wilhoite: A to C

Bonnett Street is classified as a minor residential street and has approximately 50 feet of right-of-way where it abuts the subject site. The staff recommends that the request be granted subject to provision for up to 5 feet of right-of-way on Bonnett Street in order to bring the street to a standard 60 foot width. The right-of-way line would taper from 0 feet at the northeast corner to approximately 5 feet on the southeast corner of the tract.

TESTIMONY

WRITTEN COMMENT

Code

S. B. Wingfield: 7204 Shelton Road

FOR

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, subject to provision for up to 5 feet of right-of-way for the widening of Bonnett Street as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Paul J. Wilhoite for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 206 Bonnett Street be GRANTED, subject to 5 feet of right-of-way for Bonnett Street.

C14-69-139 C. T. Uselton: A and C to C
 825-829 Anderson Lane
 901-907 Anderson Lane
 820-826 Stobaugh
 900-906 Stobaugh

STAFF REPORT: This application covers six tracts of land containing an area of 129,900 square feet, and the stated purpose of the request is for a shopping center. Anderson Lane is classified as a major arterial street and has an existing right-of-way of 75 feet. Stobaugh Street is classified as a minor residential street with an existing right-of-way of 50 feet. The staff recommends that the request be granted on the tracts fronting along Anderson Lane southerly to 140 feet from Stobaugh Street subject to 15 feet of right-of-way for Anderson Lane; it is also recommended that the request be denied on the two westerly lots on Stobaugh Street and that the existing "A" Residence classification be retained. Five feet of right-of-way is

Planning Commission -- Austin, Texas

Reg. Mtg. 6-10-69 13

C14-69-139 C. T. Uselton--contd.

needed for Stobaugh Street for the portion of the property which is already zoned "C" Commercial as well as the remainder of the property.

TESTIMONY

WRITTEN COMMENT

Code

Kenneth Earl Rogers: 1001 Stobaugh	FOR
McAdams Foundation: 1425 Preston Avenue	FOR
Kelly E. McAdams: 1425 Preston Avenue	FOR
Mrs. Earl Rogers: 1001 Stobaugh	FOR

PERSONS APPEARING AT HEARING

Code

C. T. Uselton (applicant)

SUMMARY OF TESTIMONY

Mr. C. T. Uselton appeared at the hearing and stated that the City of Austin and the State Highway Department has had the subject property tied up since April, 1967, and it has cost a considerable amount of money each month to hold the area. A considerable amount of money was spent on architectural plans and several spaces had already been leased in the shopping center when the center was held up. The shopping center was proposed to have approximately 69,000 square feet and was so designed and approved by the City Engineers for an ingress from Stobaugh Street into the shopping center area but no egress. Ingress and egress for the site is planned from Anderson Lane and North Lamar Boulevard. There are approximately 489 parking spaces planned which will be located on three sides of the center.

Mr. Uselton said that the State Highway Department has never approached him with regard to plans at this location but he has obtained a diagram from them indicating the interchange and the street as shown on the staff report. The subject property was appraised last October and the Highway Department has never approached anyone at this intersection and told them what the appraised value is or what they would be willing to pay for the property. He said that he was recently told after a public hearing that the Highway Department is in the process of changing the interchange to a four decker and enlarging it but this is not definite.

It is felt that the zoning requested on the tract is proper as a portion of the site is already zoned "C" Commercial and there is "C" Commercial zoning along North Lamar Boulevard and to the north of Anderson Lane. Mr. Uselton further stated that in his opinion he is entitled to the zoning change and the proposed development will enhance the tax income of the City once it is accomplished. He pointed out that the shopping center is so designed on the site that regardless of what the City needs for widening of Anderson Lane and Stobaugh Street it can be made available to the City at that time.

No one appeared in opposition to the request.

C14-69-139 C. T. Uselton--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to 15 feet of right-of-way for the widening of Anderson Lane and 5 feet of right-of-way for the widening of Stobaugh Street, 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 C. T. Uselton for a change of zoning from "A" Residence and "C" Commercial, First Height and Area to "C" Commercial, First Height and Area for property located at 825-829 Anderson Lane, 901-907 Anderson Lane, 820-826 Stobaugh Street and 900-906 Stobaugh Street be GRANTED subject to 15 feet of right-of-way for Anderson Lane and 5 feet of right-of-way for Stobaugh Street.

C14-69-140 John W. Williams: Int. A, Int. 1st to C, 1st
8327-8339 U. S. Highway 183
1411-1423 Clearfield Drive

STAFF REPORT: This is a request for "C" Commercial, First Height and Area zoning on a tract of land containing an area of .52 acres. The stated purpose of the request is for future development. There are several recent zoning histories in the area which are indicated on the staff report. U. S. Highway 183, classified in the Expressway and Major Arterial Plan as a major arterial street, has an existing right-of-way of 160 feet. Clearfield Drive is classified as a minor residential street with 50 feet of right-of-way. The staff recommends that the request be granted subject to 5 feet of right-of-way for Clearfield Drive.

TESTIMONY

WRITTEN COMMENT

Nelson Puett: 5425 Burnet Road

FOR

PERSONS APPEARING AT HEARING

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, subject to 5 feet of right-of-way for the widening of Clearfield Drive, as a logical extension of existing zoning.

C14-69-140 John W. Williams--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of John W. Williams 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 8327-8339 U. S. Highway 183 and 1411-1423 Clearfield Drive be GRANTED subject to 5 feet of right-of-way for Clearfield Drive.

C14-69-141 Robert L. Ogden: Int. A, Int. 1st to BB, 1st
 501-509 Eberhart Lane
 6400 Gillum Circle

STAFF REPORT: This is an application for "BB" Residence, First Height and Area zoning on 1.08 acres of land and the stated purpose of the request is for fourplexes. Eberhart Lane is a major arterial street with a present right-of-way of 60 feet. Gillum Circle is a minor residential street with 50 feet of right-of-way. There is a subdivision plat on the property which proposes to shorten the lots and the zoning boundary line is keyed to the subdivision plan. There is no development existing along Gillum Circle as it was originally planned for residential use. The staff recommends that the request be denied as it is too intensive for the area but recommends that "A" Residence, First Height and Area zoning be established.

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 referred to the full Commission pending a field inspection of the site.

At the Commission meeting the staff advised the members that there is an approved preliminary plan, subject to annexation and zoning, on property immediately across from the site at the intersection of Eberhart Lane and South First Street which proposes commercial and apartment development. At this point, the property has not been brought into the City and zoned.

The Commission members discussed the request in relation to the zoning and development presently existing in the area. They noted that the surrounding

C14-69-141 Robert L. Ogden--contd.

area is predominantly undeveloped and felt that a change on the site at this time would be premature. It was then unanimously

VOTED: To recommend that the request of Robert L. Ogden for a change of zoning from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area for property located at 501-509 Eberhart Lane and 6400 Gillum Circle be DENIED.

C14-69-142 Dorothy H. Marrow & C. S. Harrison: A to C
3400-3410 South 1st Street
601-615 Cardinal Lane

STAFF REPORT: This is a request for "C" Commercial, First Height and Area zoning on 2.94 acres of land and the stated purpose of the request is for constructing a publishing company business. South First Street is classified as a major arterial street with a present right-of-way of 80 feet. Cardinal Lane is a minor residential street with an existing right-of-way of 40 feet. There is "B" Residence, "O" Office and "LR" Local Retail zoning existing in the area. The staff recommends that the request be denied as it is too intensive for the area; however, it is recommended that "LR" Local Retail zoning be granted, subject to 10 feet of right-of-way for Cardinal Lane, as "LR" Local Retail zoning exists in the area and would be consistent with the pattern.

TESTIMONY

WRITTEN COMMENT

Code

Joe Gilbrith: P. O. Box 3291

FOR

PERSONS APPEARING AT HEARING

Code

Robert C. Sneed (representing applicant)

SUMMARY OF TESTIMONY

Mr. Robert C. Sneed, representing the applicant, advised the Committee that the subject property is under contract of sale subject to a change in zoning to Western Publications, Inc., a corporation which publishes sports magazines. The applicant will tender the right-of-way of 10 feet for the purpose of widening Cardinal Lane.

Mr. Sneed stated there is one correction that should be made in that he misunderstood the nature of the business from the applicant and it was not correctly stated on the application for a zoning change. The publishing company business consists of the writers and artists who produce the magazine and from there it is delivered to the Steck Company and the Steck Company with its plant in north Austin does all the printing and assembling of the magazine. At the present time there are approximately 300,000 copies of the various issues printed. The bulk of these copies go to the Post Office where they are mailed

Cl4-69-142 Dorothy H. Marrow & C. S. Harrison--contd.

and some 6,000 or 7,000 copies are sent back to the company where they are stored until the orders come in from people asking for additional copies. Ultimately all the publications are distributed but the company has in effect a very short term storage situation. Almost no one goes out to the business in the sense of traffic flow or people coming in. The only people that are there are the writers, the artists, and a few employees. Only occasionally do a few people go and look through the magazines. It is felt that the proposed usage on the site is almost an "O" Office use except for the short term storage situation. The language within the Zoning Ordinance presents a problem where there is a degree of storage with the business also being carried on. The subject site is a beautiful tract of land with enormous oak trees and it is the plan to maintain the trees and beauty of the area. The location of the area is valuable for the business as it will be strategically located when Mo-Pac Boulevard is open. The site should have a change in zoning based on the arterial streets and the fact that the zoning across the street and immediately to the south is the Austin Water Works plant which would in effect be an industrial usage if it were a private business. The requested zoning is proper because of the development of the City property and the existing zoning in the 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, subject to 10 feet of right-of-way for the widening of Cardinal Lane, as the appropriate zoning for the site.

At the Commission meeting the staff reported a letter from Mr. Robert C. Sneed, attorney for the applicants, offering to dedicate 10 feet of right-of-way for the future widening of Cardinal Lane.

The Commission noted the offer of right-of-way and agreed that the requested zoning is appropriate for the site. It was then unanimously

VOTED: To recommend that the request of Dorothy H. Marrow & C. S. Harrison for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 3400-3410 South First Street and 601-615 Cardinal Lane be GRANTED.

Cl4-69-143 Robert C. Sneed: Int. A, Int. 1st to GR, 1st and B, 1st (as amended)
8735-8863 Research Boulevard (U. S. 183)
 1822-1840 Peyton Gin Road

STAFF REPORT: This application covers a large tract of land containing 65.96 acres. The stated purpose of the request is for commercial development and apartments. Research Boulevard with a present right-of-way of 150 feet is classified as a major arterial street in the Expressway and Major Arterial Plan. Peyton Gin Road is a neighborhood collector street with an existing

C14-69-143 Robert C. Sneed--contd.

right-of-way of 50 feet. The staff recommends that the request be denied as it is too intensive for the area; however, it is recommended that "GR" General Retail zoning be granted on the portion of the tract south of the east-west street and the creek and that "BB" Residence, First Height and Area zoning be granted on the remaining portion of the property, subject to the provision for the extension and widening of the streets. The staff overlooked a necessary requirement of right-of-way for Peyton Gin Road which was pointed out by Mr. Sneed and approximately 10 feet is needed from the site for the future widening of that street.

TESTIMONY

WRITTEN COMMENT

Code

Rylanders Windsor Village: 5311 Balcones Drive FOR

PERSONS APPEARING AT HEARING

Code

Robert C. Sneed (applicant)
E. C. Thomas (representing Murray family) FOR

SUMMARY OF TESTIMONY

Mr. Robert C. Sneed advised the staff that this application is a joint project in the sense that the tracts are separately owned tracts of land which are put together, and the development of the streets would be in common, with the street Northgate Boulevard running through the middle. He said that they would provide the right-of-way needed for the widening of Peyton Gin Road and the staff has been asked for the field notes determining the exact amount that is needed. Mr. Sneed said that he would like to amend the application and asked that the property to the north of the line indicated by the staff be changed in the application for "GR" General Retail to an application for "B" Residence, First Height and Area zoning. He explained that there is a 60 foot drainage easement that goes through the property and cuts across the tract to the north of a proposed east-west street.

The streets as proposed are all of adequate width. Rundberg Lane is a major thoroughfare connecting Burnet Road and U. S. Highway 183 with North Lamar Boulevard and is planned with 90 feet of right-of-way from this property in an easterly direction to I. H. 35. "B" Residence zoning is requested rather than "BB" Residence in that the development of the property in this area is simply a buffer-gradation-separation from the single-family dwelling type development which occurs over on the east of Quail Creek West separating it from the industrial property which lies to the immediate east of the Murray Estate property, owned by the Economy Furniture Company. Mr. Sneed stated that it is his understanding that a preliminary has been filed for an industrial subdivision on property to the north. It is felt that this is the area of separation between the IBM, Economy Furniture Store, the great industrial complex in that area and what will be the single-family dwellings on the

C14-69-143 Robert C. Sneed--contd.

middle between Burnet Road and the Dallas Highway. For this reason it is felt that the request as amended is the highest and best use of the property.

Mr. E. C. Thomas appeared at the hearing and stated that he represents the Murray family along with Mr. Sneed and requested that the zoning be granted.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee accepted the request to amend the application to "B" Residence, First Height and Area zoning on the northern portion of the property and "GR" General Retail, First Height and Area zoning for the southern portion of the site. They reviewed the information presented and concluded that the requested zoning as amended is the appropriate zoning for the site and recommended that the request be granted provided Peyton Gin Road is made adequate and with the provision for the extension of the streets as shown on the approved preliminary plan.

At the Commission meeting, the staff reported a letter from Robert C. Sneed, offering to dedicate 10 feet of right-of-way for the future widening of Peyton Gin Road.

The Commission noted the offer of right-of-way and concurred with the Committee that the requested zoning, as amended, should be granted. It was then unanimously

VOTED: To recommend that the request of Robert C. Sneed for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for the portion of the site south of the creek and the east-west street and "B" Residence, First Height and Area for the northern portion (as amended) for property located at 8735-8863 Research Boulevard (U. S. 183) and 1822-1840 Peyton Gin Road be GRANTED, subject to the provision for the extension of the streets as shown on the approved preliminary plan, and subject to 10 feet of right-of-way for the widening of Peyton Gin Road.

C14-69-144 Parkinson Estates, Inc.: A, 1st and 5th and O, 5th to LR, 5th
 Tract 1: 1313-1327 Reagan Terrace
 1418-1608 South Interregional Highway
 Tract 2: 1118-1412 South Interregional Highway
 1312-1324 Reagan Terrace

STAFF REPORT: This application covers two tracts of land consisting of approximately 10.5 acres. The stated purpose of the request is for a hotel and associated uses. South Interregional Highway has a varying right-of-way of 300 to 350 feet and is classified as a major expressway. There are several zoning histories in the area which are indicated on the staff report. The Planning Department recommendation on the property was to be based on the submission of a site plan for development; however, the plan was only submitted today and

C14-69-144 Parkinson Estates, Inc.--contd.

the staff has not had the opportunity to extensively review the plan and determine what the recommendation should be with regard to the plan itself. At this point since there has not been sufficient study the staff recommends that the Committee refer the application to the full Commission to allow further review of the plan with the applicant and his attorney so that a recommendation can be made to the full Commission. The reason for the staff recommendation in conjunction with a plan is because of the topography problems on the site.

TESTIMONY

WRITTEN COMMENT

Code

Petition with 32 signatures	AGAINST
J. J. Brady, Jr.	AGAINST
Charles E. Ferguson: 1512 Betty Jo Drive	AGAINST
J. M. Odom Construction Company: P. O. Box 1544	FOR

PERSONS APPEARING AT HEARING

Code

Robert C. Sneed (representing applicant)	
R. M. Fleming: 1507 Chelsea Lane	AGAINST
Mr. & Mrs. William C. King: 1505 Betty Jo Drive	AGAINST
Vincent Valdes: 1208 Reagan Terrace	AGAINST
Mrs. E. H. Wainwright: 1206 Reagan Terrace	AGAINST
Mr. & Mrs. Charles E. Ferguson: 1512 Betty Jo Dr.	AGAINST
Jeff Hamzeh: 1506 Betty Jo Drive	AGAINST
Mrs. S. M. Hamzeh: 1506 Betty Jo Drive	AGAINST
Mr. & Mrs. Jerome J. Buxkemper: 1504 Betty Jo Dr.	AGAINST
Mrs. Myrtle Bagnetto: 1508 Betty Jo Drive	AGAINST
William R. Muse: 1500 Betty Jo Drive	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Robert C. Sneed, attorney for the applicants, stated that the concern involved with the development of the property is John Roberts, Inc. which is the same company which has a very beautiful ring and jewelry manufacturing plant located on South Interregional Highway. Mr. Sneed stated that it is realized that there is a concern in the neighborhood and he has had one conversation with Mr. John Brady, one of the property owners, and immediately called the people involved with the development and asked that they consider the matter that was concerning Mr. Brady which they did and some changes were made to the plan which is the reason for the delay in submitting a plan to the staff.

Mr. Sneed said he has a letter prepared by Thomas Roberts and Associates, Landscape Architects, outlining the basic elements of the proposal and

C14-69-144 Parkinson Estates, Inc.--contd.

pointed out that the particular property under consideration has a great deal of terrain variation. It is a very beautiful area, so far as trees are concerned, but at the same time any development presents a problem. The developers are trying to capture and take the very nature of the beauty of the property and at the same time use it and develop it.

The letter as reported by Mr. Sneed is basically as follows: The general purpose of the site development plan or sketch is to graphically show how a uniquely designed hotel facility can blend into and become part of a fine residential area. The hotel is designed to serve the needs of the John Roberts Corporation, primarily operating as a corporate private facility but will also accept the public as guests. The service facilities will be of quality of the rate so established that the entire project will be comparable with the nation's exclusive resorts. The project's prime consideration is to provide a limited service of extremely high quality rather than volume. The design concept, as is evidenced in the plan and sketches, is to accent the quality of a fine residential area with each structure designed to nestle into the site and with a strong feeling of what has become known as Southwest Texas architecture. To insure the neighborhood environment feeling the structures have been scaled down to the size of fine homes rather than up to the typical hotel and motel type structures. The project will include approximately 150 units to be constructed in structures that will vary from four to twelve units each. The service facilities will include a main entry complex, housing and hotel lobby, meeting rooms, banquet rooms, kitchen and public dining room. A great effort has been made to minimize the automobile and emphasize the natural beauty of the site. It is hoped that engineering studies will bear out the feasibility of constructing the lakes as shown on the plan. No through traffic will be allowed and the entrance indicated at the end of Parkinson Drive is to provide a private drive to the permanent residences to be used by Mr. Robert Waugh and Mr. John Waugh. It will also serve as an alternate exit in case of fire. The project will be an asset to any community and the topography and existing trees on the site can make it one of the most handsome in the country.

Mr. Sneed presented sketches of the proposed development and explained that the plan is to take the project and use the cluster type system. The basic plan does not include high structures or anything of that nature. The application was filed for "LR" Local Retail, Third Height and Area because the exact height of the proposed structures was not known and it was felt that the application should be broad enough to come down and still have a valid notice if anything should be higher than 35 feet under First Height and Area. When the exact height is known, an amendment will be requested. It is pointed out in the letter from Mr. Roberts, that there will be a lake if it can be accomplished but it will take some further studying to be sure it can be done. It is the desire of the developers that this be made in the form of a water associated development but there are some contour problems. The entrance area would be from Reagan Terrace and then would tie back both ways to Reagan Terrace. The area which was of concern to Mr. Brady was that there would be a flow of traffic in and out of the project onto Parkinson Drive, thereby dumping commercial traffic into the residential area. The plan is to funnel the traffic the other way and through the development south and come in to the north. The applicants will

C14-69-144 Parkinson Estates, Inc.--contd.

tender 5 feet of right-of-way on both sides for the widening of Reagan Terrace so that it will be a 60 foot street rather than a residential type street. The purpose of leaving Parkinson Drive as indicated is so that the street can be used in case of an emergency.

The actual height of the structure is still unknown but the applicants are not proposing, at the present time, to extend over three stories in height. Mr. Sneed pointed out that across the Interregional Highway there is a service station and "LR" Local Retail zoning developed with various types of uses. Immediately adjoining the site to the north and to the south is "GR" General Retail zoning and almost the entirety of the expressway area on the southside is developed with either apartments, "O" Office, "LR" Local Retail or "GR" General Retail zoning and development. It is felt that the proposed use of the site is the highest and best use that could be made of the property keeping in mind that it is a type of development which is tied to the usage of something that is like a residential development. Whenever any sort of application or project of this nature is proposed a question always arises as to whether or not the individual or concern will develop in the way they have indicated. Because of this question it is requested that consideration be given to the way the John Roberts plant has developed to the south.

Arguments Presented AGAINST:

A number of nearby property owners appeared and presented a petition opposing the change and offered the following information: The plans and sketches presented by Mr. Sneed indicate that the development will be very beautiful; however, there is objection to the change as the area to the west is a well-established residential area and the peace and tranquility which exists should be preserved. There would be a great deal of objection to high structures on the site as this would destroy the atmosphere of the area. There is a great deal of concern about Parkinson Drive in that if the street is used for traffic flow it will create a serious parking and traffic burden for the residential areas. It is realized that the plans presented would be an asset for the highway area; however, a change of zoning is under consideration at this time and not the development of the site.

Mrs. Harriet E. Buxkemper appeared at the hearing and explained that she is concerned about the peace and tranquility in the neighborhood as she lives there but the main concern is for the future when there are a great many more people living in Austin and there are no green areas left. She said that it is her personal feeling that the area is so beautiful that consideration should be given to a hike and bike trail.

Arguments Presented IN REBUTTAL:

Mr. Sneed advised the Committee that the proposed development will be the main training center for the various employees of the John Roberts Company and the facilities will operate in that connection and as a hotel for the general public. He said that the purpose of zoning is to regulate land and its usage. The particular area under consideration is bounded on the south by "GR" General

C14-69-144 Parkinson Estates, Inc.--contd.

Retail, and on the east by a 350 foot right-of-way which is estimated in the future will carry 100,000 cars per day. Across the street from the development following the land usage and zoning classification there is "LR" Local Retail and "O" Office zoning and usage. Based on the concept of zoning, the gradation characteristics of the normal type development and the history of zoning in Austin, it is based solely upon land uses and is a very logical extension of existing zoning. He said that he is just as interested in green areas as anyone but when the Tax Assessor-Collector sends his client a bill every year they do not classify the area as a green belt area but rather as a revenue area. The subject property is not a public area or public park which is to be taken away from the people. It is privately owned property and it is almost impossible to develop it other than something similar to the type of development which is proposed.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were cognizant of the topographic problems existing on the site and because of this they concluded that the request should be referred to the full Commission pending study by the staff of the plans proposed on the site.

At the Commission meeting, the staff advised the members that the proposed development plan and the topographic map of the site have been reviewed with the attorney for the applicants. There are two creeks running through the site and there is a great deal of difference in grade elevation. After review of the plan the staff recommends that "LR" Local Retail, Fifth Height and Area zoning be granted on Tract 1 and for the major portion of Tract 2 with the exception of a 75 foot strip along the west boundary of Tract 2 down to the northern line of the residential property abutting Parkinson Drive which should be zoned "LR" Local Retail, First Height and Area. It is also recommended that a 5 foot strip adjoining the west right-of-way line of Parkinson Drive where Tract 2 abuts same be zoned "A" Residence, First Height and Area because of the location of the proposed emergency access driveway. It is further recommended that a 10 by 270 foot strip adjoining Parkinson Place Subdivision, extending northerly from Reagan Terrace be zoned "B" Residence, Fifth Height and Area. The concern by the staff with the Third Height and Area portion of the request is that the maximum height permitted is 120 feet. Fifth Height and Area zoning is normally for setback requirements along a major boulevard and is established to the north and also to the south so the request would be consistent.

There was discussion at the Zoning hearing with regard to access from the site to Parkinson Drive; however, the 5 foot strip of "A" Residence zoning recommended by the staff would prohibit crossing of the strip with commercial traffic. A letter has been received from Mr. Lloyd Lochridge, representing Messrs. John T. Waugh and Robert Waugh, proposed purchasers of the property subject to a zoning change, agreeing that the outlet from the property into Parkinson Drive will be one for emergency use only and for their occasional private use for access to a single-family residence.

C14-69-144 Parkinson Estates, Inc.--contd.

Mr. Kinser asked how the driveway access could be controlled. Mr. Foxworth explained that a gate could be established across the driveway which could be opened in an emergency by the Fire Department. There is one other requirement which is 5 feet of right-of-way for each side of Reagan Terrace to the extent of the property under consideration. A letter has been received from the attorney for the applicants agreeing to dedicate the necessary right-of-way.

Mr. Osborne explained that a schematic type site plan was submitted which is in his opinion for a very high-quality, low-density residential type motel development with substantial enhancement of the highway frontage situation. The plan submitted is a good use of the particular site which is a difficult site to use. In reviewing the plan the staff was attempting to fit the zoning appropriately to the plan and in turn the relationship of that plan both to the residential development adjacent to the site and the highway. The objectives can be accomplished through the actual carrying out of the access with a very high quality development.

Mr. Robert Sneed requested that the application be amended to conform to the recommendation by the Planning Department.

The Commission members discussed the request and were of the opinion that the zoning as amended is appropriate and would allow the highest and best use of the site. It was then unanimously

VOTED: To recommend that the request of Parkinson Estates, Inc. for a change of zoning from "A" Residence, First and Fifth Height and Area and "O" Office, Fifth Height and Area to "LR" Local Retail, Fifth Height and Area for Tract 1 and the major portion of Tract 2; "LR" Local Retail, First Height and Area for the 75 foot strip along the west boundary of Tract 2 down to the northern line of the residential property abutting Parkinson Drive; "A" Residence, First Height and Area for a 5 foot strip adjoining the west right-of-way line of Parkinson Drive where Tract 2 abuts same and "B" Residence, Fifth Height and Area for a 10 by 270 foot strip adjoining Parkinson Place Subdivision, extending northerly from Reagan Terrace for property located at (Tr. 1) 1313-1327 Reagan Terrace, 1418-1608 South Interregional Highway and (Tr. 2) 1118-1412 South Interregional Highway and 1312-1324 Reagan Terrace be GRANTED, as amended.

C14-69-145 John J. McKay, Trustee: A to C
4600-4616 F. M. Road 969 (East 19th Street)
4301-4501 Springdale Road

STAFF REPORT: The subject property contains an area of 2.14 acres and the stated purpose of the application is for a community center including grocery store with package sale of beer. East 19th Street has 110 feet of right-of-way and is classified as a major arterial street in the Master Plan. There are several zoning histories in the area which are indicated on the staff

C14-69-145 John J. McKay, Trustee--contd.

report. The staff recommends that the request be denied, as it is too intensive for the area; however, it is recommended that "LR" Local Retail or "GR" General Retail zoning be granted. It should be pointed out that all but 50 feet of the subject property is required for the future Crosstown Expressway; however, land adjoining the site is owned by the applicant and can be used in conjunction with that property. Zoning was not requested on the adjoining tract as it is still outside the City limits. The remaining 50 feet of the subject property can be used with the property to the east for ultimate development. The staff recommends that the City Council be requested to consider acquisition of the necessary right-of-way for the Crosstown Expressway at this time.

TESTIMONY

WRITTEN COMMENT

Code

Rylander's Windsor Village: 5311 Balcones Drive FOR

PERSONS APPEARING AT HEARING

Code

Mike Wash (representing applicant)

SUMMARY OF TESTIMONY

Mr. Mike Wash, representing the applicant, urged the Committee to grant "C" Commercial zoning as requested rather than "LR" Local Retail or "GR" General Retail zoning. He stated that to the south of the property is "LR" Local Retail zoning but it is developed with a lounge. To the north is a service station and across from the site is a county warehouse. Across Springdale Road is another service station and a drive-in grocery store. Although the property to the east is outside of the City limits immediately behind the site is a welding shop and it is felt that the use intended on the subject site would not be too intensive considering the area as it is presently developed. It is recognized that a great deal of the development is outside the City limits and that a part of the uses proposed on the site would be allowed under the zoning recommended by the staff; however, it is urged that the "C" Commercial zoning be granted.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as it is too intensive for the area; however, they recommended that "GR" General Retail zoning be granted as the proper zoning for the site.

The Committee recognized the Crosstown Expressway as proposed through the area will effect all but 50 feet of the subject site and recommended to the City Council that acquisition of the necessary right-of-way be considered at this time.

C14-69-145 John J. McKay, Trustee--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of John J. McKay, Trustee for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 4600-4616 F. M. Road 969 (East 19th Street) and 4301-4501 Springdale Road be DENIED but "GR" General Retail, First Height and Area be GRANTED.

C14-69-146 H. E. Padgett: O, 2nd to LR, 1st
6613-6701 Berkman Drive

STAFF REPORT: The subject property contains an area of 9,148 square feet and the stated purpose of the request is for a drive-in grocery. Berkman Drive has 65 feet of right-of-way and is classified as a major arterial street in the Master Plan. There are a number of zoning histories in the area which are indicated on the staff report. The staff recommends at this point that the request be referred to the full Commission for consideration due to the fact that the Ordinance establishing the "O" Office zoning on the property has not been passed by the City Council which means that at the present time the property is zoned "A" Residence and until it is passed the application is not proper. The reason the staff is recommending the application be referred to the full Commission rather than denied is that the Zoning Ordinance is pending a restrictive covenant to be filed limiting the number of apartment units to be developed on the site. The restriction has not been filed; consequently, the zoning has not passed. This has been discussed with the applicant and he has advised that he is filing the restriction so that the zoning can be passed at the next regular meeting of the City Council.

TESTIMONY

WRITTEN COMMENT

Code

Ruby H. Tarter

AGAINST

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and was cognizant of the fact that the Ordinance has not been passed changing the zoning on the site to "O" Office pending a restrictive covenant which makes the application improper at this time. In view of this they recommended that the request be referred to the full Commission pending action by the City Council on the pending zoning on the site.

C14-69-146 H. E. Padgett--contd.

The Commission was cognizant of the fact that the Zoning Ordinance granting the change of "O" Office, Second Height and Area has not passed but were of the opinion that the request on the site is appropriate and recommended that it be granted. It was then unanimously

VOTED: To recommend that the request of H. E. Padgett for a change of zoning from "O" Office, Second Height and Area to "LR" Local Retail, First Height and Area for property located at 6613-6701 Berkman Drive be GRANTED.

C14-69-147 Mrs. Bonnie Smith: B to C
715-719 Henderson Street

STAFF REPORT: The subject property covers an area of 3,800 square feet and the stated purpose of the request is for commercial development. Henderson Street is classified as a minor collector street and has an existing right-of-way of 50 feet. The staff recommends that the requested zoning be denied as it is too intensive for the area; however, it is recommended that "C" Commercial, First Height and Area zoning be granted as it is consistent with recently granted zoning in the area, subject to 5 feet of right-of-way for the future widening of Henderson Street.

TESTIMONY

WRITTEN COMMENT

Code

William E. Nickels: 1503 Bellaire Drive

FOR

PERSONS APPEARING AT HEARING

Code

Mrs. Bonnie Smith (applicant)

SUMMARY OF TESTIMONY

The applicant was present at the hearing and stated that Henderson Street is a dead-end street and West 9th Street runs into it. She explained that she would like to have the site zoned commercially because taxes are so high she is not making anything on the property.

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 consistent with the existing zoning and development in the area, subject to 5 feet of right-of-way for the widening of Henderson Street.

C14-69-147 Mrs. Bonnie Smith--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Mrs. Bonnie Smith for a change of zoning from "B" Residence, Second Height and Area to "C" Commercial, Second Height and Area for property located at 715-719 Henderson Street be GRANTED, subject to 5 feet of right-of-way for Henderson Street.

C14-69-148 Charles E. McBride: A to GR
3537-3541 Manor Road

STAFF REPORT: This application covers 9,702 square feet of land and the stated purpose of the request is for an automobile rental company. Manor Road is classified as a major arterial street with an existing right-of-way of 80 feet. There are a number of zoning histories in the area which are indicated on the staff report. The staff recommends that the request be granted as it is consistent with the existing zoning and development in the area.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

Ras Redwine (representing applicant)

SUMMARY OF TESTIMONY

Mr. Ras Redwine appeared on behalf of this request and had nothing to add to the report by the staff.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as it 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 Charles E. McBride for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 3537-3541 Manor Road be GRANTED.

C14-69-149 Walter W. Johnson: A to LR
3600-3610 Manchaca Road

STAFF REPORT: This request for "LR" Local Retail, First Height and Area zoning covers an area of four acres. The stated purpose of the request is for an apartment site with the frontage to be used for office and retail purposes. Manchaca Road is classified as a major arterial street in the Master Plan and has an existing right-of-way of 80 feet. The staff recommends that the request be granted as it would be consistent with the zoning pattern in the area.

TESTIMONY

WRITTEN COMMENT

Code

Rodger E. Balton, DDS: 1819 Anderson Lane
 Nick Heard: 1910 Larchmont

FOR
 FOR

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Walter W. Johnson for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 3600-3610 Manchaca Road be GRANTED.

C14-69-150 Alfred Lehtonen: B to O
1008-1010 West Avenue
801-805 West 11th Street

STAFF REPORT: The subject property contains an area of 11,776 square feet and the stated purpose of the request is for an office. West Avenue with 80 feet of right-of-way and West 11th Street, with 60 feet of right-of-way are both classified as major arterial streets in the Master Plan. The staff recommends that the request be granted as it conforms to the existing zoning pattern and development in the area.

C14-69-150 Alfred Lehtonen--contd.

TESTIMONY

WRITTEN COMMENT

Code

Mrs. E. J. Paber	FOR
J. K. Hurst: P. O. Box 5171 (1004 West Avenue)	FOR
Mrs. Mary E. Reed: 1106 West Avenue	FOR
Jake Silberstein: 2401 Hartford Road	FOR

PERSONS APPEARING AT HEARING

Code

George Shepherd, Jr. (representing applicant)

SUMMARY OF TESTIMONY

Mr. George Shepherd, Jr., representing the applicant, concurred with the recommendation by the staff as the subject property is within the planned usage for the area and is the best use of the land. The applicant plans to retain a very nice house which exists on the site and plans to remodel it into offices.

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 Alfred Lehtonen for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 1008-1010 West Avenue and 801-805 West 11th Street be GRANTED.

C14-69-151 C. R. Thomson: A, BB and GR to GR
 1913-1927 State Highway 71
 1403 Pringle Circle

STAFF REPORT: This application covers a large area containing 15.94 acres. The stated purpose of the application is for a trailer park. State Highway 71 is classified as a major arterial street with an existing right-of-way of 260 feet. Pringle Circle is a 50 foot minor collector street. Brandt Street is proposed to extend through a portion of the subject property into property adjoining to the north when it is subdivided and is the only access for the property to the north. Richland Estates, located to the west, is subdivided and there is no street access into the adjoining property. There is at the present time a subdivision on the subject tract which is in a final disapproved pending status that proposes the extension of Brandt Drive and also another street through the property to tie back into the highway which is entitled Tejas Drive. The subdivision was submitted on the basis of the zoning pattern

C14-69-151 C. R. Thomson--contd.

existing and since the submission of the projection of the streets as now indicated, the property owner has felt that the most desirable use of this portion of the property is a trailer park. The staff recommends that the request be granted subject to the extension of Brandt Drive as it effects the subject tract.

TESTIMONY

WRITTEN COMMENT Code

Beddow & Associates, Inc. (Justin H. Beddow): P. O. AGAINST
Box 9426

PERSONS APPEARING AT HEARING Code

C. R. Thomson (applicant)	
Justin H. Beddow: 1000 Dalton Lane	AGAINST
Joe A. New: 8801 Parkfield	AGAINST
Claude Sowell: 8800 Parkfield	AGAINST
Lynn J. Kassner: 1204 Carrizo Terrace	AGAINST
Leonard H. Mitschke: 1206 Carrizo Terrace	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. C. R. Thomson was present on behalf of this request and stated that he is the owner of the property under consideration and pointed out that the subdivision and the zoning on the site was done by the previous owner. The previous owner tried to subdivide the property and for some reason could not make a go of it, so the tract was purchased with the idea of developing a mobile home plaza. This area is strictly farmland and Dalton Lane comes in from the west and extends to the Richland Estates Subdivision. He said that in his opinion he sees no reason why they should extend Brandt Drive through the subject property as the other streets which have been put in are dead-end and there is a creek which runs through the site.

Arguments Presented AGAINST:

Mrs. Justin H. Beddow appeared at the hearing and stated she owns property in Richland Estates and sold some of the other property in this area about a year ago. She stated that when she sold the property she indicated that she would not sell it for anything but townhouses which were planned because of the relation to the adjoining subdivision. There is a crossroad going into Brandt Drive and the Tejas Company who originally purchased the property tried to get a crossroad out onto the highway but this would run all of the traffic down Brandt Drive and Pringle Circle. The adjoining subdivision is well restricted and is developed with beautiful homes.

C14-69-151 C. R. Thomson--contd.

Several other property owners appeared in opposition to the request because of the increase in traffic and because in their opinion the development of the site with the trailer park would be detrimental to the existing residential area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted for the site, with the exception of the portion of the property zoned "A" Residence, which should be retained, subject to a 25 foot setback line and a 6 foot solid fence along the west and northwest boundary of the property adjoining the existing "A" Residence zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of C. R. Thomson for a change of zoning from "A" Residence, "BB" Residence and "GR" General Retail, First Height and Area to "GR" General Retail, First Height and Area for property located at 1913-1927 State Highway 71 and 1403 Pringle Circle be GRANTED with the exception of the portion zoned "A" Residence which should be retained, subject to a 25 foot setback line and a six foot solid fence along the west and northwest boundary of the property adjoining the existing "A" Residence zoning.

C14-69-152 Clyde E. Mordica: A to LR
1202 Carrizo Terrace

STAFF REPORT: This application covers an area of 13,850 square feet and the stated purpose of the request is for a grocery store and lunch counter. There are two zoning histories in the area which are indicated on the staff report. Carrizo Terrace is a minor residential dead-end street with 50 feet of right-of-way. The staff recommends that the request be denied as it is too intensive and would be an intrusion into a well-established residential area, and would not be consistent with deed restrictions in the area.

TESTIMONY

WRITTEN COMMENT

Code

A. S. Duncan: 1808 Anderson Lane

AGAINST

PERSONS APPEARING AT HEARING

Code

Lawrence Anderwald: 1203 Carrizo Terrace

AGAINST

Franklin J. Arldt: 8805 Parkfield Drive

AGAINST

SUMMARY OF TESTIMONY

No one appeared on behalf of the request.

C14-69-152 Clyde E. Mordica--contd.

A number of nearby property owners appeared in opposition to the request and stated that the subject property is located in a nice residential area that should not be changed. If some type of retail is developed on the site facing onto Peyton Gin Road, the residential homes along Carrizo Terrace would have to look at the back of the establishment and if the development faced Carrizo Terrace there would be an increase of traffic and commercial vehicles. Because of the way the site is located, the type of development proposed would create a serious parking problem and would be a hazard for the school children in 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 and would be an intrusion into a residential area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Clyde E. Mordica for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1202 Carrizo Terrace be DENIED.

C14-69-153 Lumbermen's Investment Corporation: Int. A, Int. 1st to GR, 1st
 Tract 1: 7321-7341 Highway 290
 7414-7432 Geneva Drive
 Tract 2: 7401-7525 Highway 290
 7500-7514 Charlton Drive
 7417-7431 Geneva Drive
 Tract 3: 7531-7738 Highway 290
 7501-7515 Charlton Drive

STAFF REPORT: This application covers three tracts of land fronting onto U. S. Highway 290. The stated purpose of the request is for uses consistent with the requested zoning. U. S. Highway 290 is classified as a major arterial street with an existing right-of-way of 210 feet. Geneva Drive which is a neighborhood collector street and Charlton Drive, which is a minor collector street, both have 60 feet of right-of-way. There are several zoning histories in the area which are indicated on the staff report. The staff recommends that the requested zoning be granted subject to a 25 foot building setback from the south property line, a 6 foot solid fence along the south property line and a 30 foot driveway easement connecting Geneva Drive and Charlton Drive across Tract 2. The easement, which was a requirement of the subdivision, is for access, in that there is a one-way frontage road at the intersection of U. S. Highway 290 and Bluestein Boulevard. There is a subdivision on Tract 3 which provides for a 30 foot private driveway easement across Tract 3 and the tract adjoining to the southeast for access. The easement is on the front of the property.

C14-69-153 Lumbermen's Investment Corporation--contd.

TESTIMONY

WRITTEN COMMENT

Code

Charles G. Kindle: 7211 Geneva Drive	AGAINST
Eugene Ziner: 7312 Geneva Drive	AGAINST
D. R. Hamilton: 7403 Bucknell Drive	AGAINST
Daniel J. Livinghouse: 7402 Charlton Drive	AGAINST
Nicolas Goutchkoff: 7311 Bucknell Drive	AGAINST
John A. Cocoros: 7405 Bucknell Drive	AGAINST
B. D. Etherton: 7310 Geneva Drive	AGAINST
Marvin L. Tietje: 7209 Geneva Drive	AGAINST
Grady Ling: 7400 Charlton Drive	AGAINST

PERSONS APPEARING AT HEARING

Code

Robert L. Davis (representing applicant)	
N. Kay Hill: 7312 Bucknell Drive	AGAINST
Clarence P. Cain: 7309 Bucknell Drive	AGAINST
Nicolas Goutchkoff: 7311 Bucknell Drive	AGAINST
Ada Cocoros: 7405 Bucknell Drive	AGAINST
Mr. & Mrs. Michael J. Kotsobos: 7411 Bucknell Dr.	AGAINST
Mr. & Mrs. David R. Hamilton: 7403 Bucknell Drive	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Robert Davis, attorney for the applicant, explained that the proposed change is from "A" Residence to "GR" General Retail on three tracts of land. The property fronts onto U. S. Highway 290 but immediately to the east is Ed Bluestein Boulevard so the site is essentially located at the intersection of two major thoroughfares. It is felt that the zoning requested on the site is the best and fullest use that can be made of the property and would provide for retail facilities on two major thoroughfares with good access to the site. Mr. Davis explained that he has not had an opportunity to discuss with the applicant the recommendation by the staff with regard to the 25 foot setback and the fence. The driveway easement is also another matter which will have to be discussed with the applicants. At the present time the use of Tract 2 is not known so it would be difficult to determine at this point where a driveway easement could be located or if one is favorable. There is concern in the area about the traffic problem and it is recognized that there will be some traffic into the residential area; however, U. S. Highway 290 is a major thoroughfare which will carry the burden of the traffic. The requested zoning is consistent with the type of zoning being established on major arterial streets particularly at major intersections. When the area was subdivided, the property under consideration was left out, as the best use for the site is under the "GR" General Retail zoning.

C14-69-153 Lumbermen's Investment Corporation--contd.

Arguments Presented AGAINST:

A number of nearby property owners appeared in opposition to the request and presented the following information: This is a new residential area which is developed with nice single-family dwellings. There are many children in the area and if the requested zoning is allowed on the site it will overload the residential streets because of the frontage road along the highway and will create a traffic hazard for the residential area.

Mr. Nicholas Goutchkoff appeared at the hearing and stated that to his knowledge very few people in the area received notice of the zoning change. The people own their homes and pay taxes and they should be made aware of the change in developments which are proposed in close proximity. The attorney for the applicant has said that the best usage for the property is "GR" General Retail which may be true for the owner but this is not true for the people who own the adjoining residential property. When property was purchased in the area no one pointed out that there would be a shopping center or any kind of commercial venture in this neighborhood. It is felt that any type of commercial development would devalue the existing residential property. A shopping center would be unattractive for the area and there would be garbage cans near the boundary line adjoining the residences.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were of the opinion that the requested zoning is a logical and proper zoning for the area along U. S. Highway 290 which is a major arterial street and recommended that the request be granted subject to a 25 foot setback and a 6 foot solid fence along the southern boundary of the sites, and subject to a private driveway easement not less than 30 feet wide connecting Geneva Drive and Charlton Drive across Tract 2.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Lumbermen's Investment Corporation 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 (Tract 1) 7321-7341 U. S. Highway 290, 7414-7432 Geneva Drive (Tract 2) 7401-7525 U. S. Highway 290, 7500-7514 Charlton Drive and 7417-7431 Geneva Drive and (Tract 3) 7531-7738 U. S. Highway 290 and 7501-7515 Charlton Drive be GRANTED, subject to a 25 foot setback and a 6 foot solid fence along the southern boundary of the sites, and subject to a private driveway easement not less than 30 feet wide connecting Geneva Drive and Charlton Drive across Tract 2.

C14-69-154 Walter Carrington: Int. A, Int. 1st to GR, 1st
 508-610 Stassney Lane
 5511-5545 South 1st Street

STAFF REPORT: This application covers 4.16 acres of land and the stated purpose is for uses consistent with the requested zoning. Stassney Lane with an existing right-of-way of 50 feet and South 1st Street, with an existing right-of-way of 80 feet, are both classified as major arterial streets in the Master Plan. There is one zoning history across the street which was a request for "A" Residence, First Height and Area to "GR" General Retail, First Height and Area which is pending. The staff recommends that the requested zoning be granted subject to a 25 foot setback line from the north property line and a 6 foot solid fence along the north property line, and also subject to right-of-way for Stassney Lane which is proposed to be widened to 90 feet which will require 15 feet from the subject site.

TESTIMONY

WRITTEN COMMENT

Code

Mrs. Mary F. Crowley: 500 Gate Tree Lane	FOR
Mary Lou and Charles L. Eastland, Sr.: 511 Gate Tree Lane	AGAINST
Robert F. Brooks & Gail C. Brooks: 510 Gate Tree Ln.	AGAINST
Ewald Klein: 509 Gate Tree Lane	AGAINST
Mr. and Mrs. Frederick E. Lamoreaux: 502 Gate Tree	AGAINST
Harry C. Hodson, Jr.: 507 Gate Tree Lane	AGAINST
R. R. Pruitt: 503 Gate Tree Lane	AGAINST

PERSONS APPEARING AT HEARING

Code

Robert Davis (representing applicant)	
Robert F. Brooks: 510 Gate Tree Lane	AGAINST
Ewald G. Klein: 509 Gate Tree Lane	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Robert Davis, attorney for the applicant, concurred with the Committee recommendation that "GR" General Retail, First Height and Area zoning is the highest and best use of the area as it is located at the intersection of two major arterial streets. He said that they do not anticipate any problem with the request by the staff with regard to the setback and fence; however, those requirements as well as the right-of-way for Stassney Lane will have to be discussed with the applicants.

Arguments Presented AGAINST:

One nearby property owner appeared in opposition to the request and explained that this is a residential area and the requested zoning would be an intrusion.

C14-69-154 Walter Carrington--contd.

There are three low water crossings in this area and every time it rains the traffic has to detour. The streets in the area are not wide enough for the proposed development and to increase the traffic would be a burden.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were of the opinion that the requested zoning is the appropriate zoning for the site and recommended that the request be granted subject to a 25 foot setback line and a 6 foot solid fence along the north property line and subject to Stassney Lane being made adequate.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Walter Carrington 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 508-610 Stassney Lane and 5511-5545 South First Street be GRANTED, subject to a 25 foot setback line and a 6 foot solid fence along the north property line and subject to Stassney Lane being made adequate.

C14-69-155 Kenneth Wedeikes & David McCulloch: A to B
1713 Bluebonnet Lane

STAFF REPORT: This is a request for "B" Residence, First Height and Area zoning for an area of 15,980 square feet. The stated purpose of the request is for apartments. Blue Bonnet Lane is a neighborhood collector street with an existing right-of-way of 60 feet. There is one zoning history in the area which is indicated on the staff report. The staff recommends that the request be denied as it is too intensive for the area but recommends that "BB" Residence, First Height and Area zoning be granted as the proper zoning buffer between the commercial area adjoining to the north and the single-family area to the south.

TESTIMONY

WRITTEN COMMENT

Code

George Puryear: 1708 Blue Bonnet Lane

John H. Nash: P. O. Box 1988

AGAINST

FOR

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

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

C14-69-155 Kenneth Wedeikes & David McCulloch--contd.

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 recommended that "BB" Residence, First Height and Area zoning be granted as the proper zoning buffer between the commercial area and the single-family area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Kenneth Wedeikes & David McCulloch for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1713 Bluebonnet Lane be DENIED but that "BB" Residence, First Height and Area be GRANTED.

C14-69-156 James E. Hamilton & W. G. Hunt: A to C
 208-214 Montopolis Drive
 211-215 Kemp Street
 6201-6215 Clovis Street

STAFF REPORT: This is a request from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for a tract of land containing approximately 69,160 square feet. Montopolis Drive is a neighborhood collector street but the right-of-way at this location is not available. Kemp Street, with 26 plus feet of right-of-way and Clovis Street, with 20 feet of right-of-way are both classified as minor residential streets in the Master Plan. The staff recommends that the requested zoning be granted subject to provision for up to 24 feet of right-of-way for Kemp Street and 30 feet of right-of-way for Clovis Street in order to bring the streets to a standard 50 feet under the subdivision ordinance. 60 feet of right-of-way is required in order to develop the property more intensively.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

No one appeared on behalf of this request.

One nearby property owner appeared at the hearing and asked if the right-of-way for the widening of Kemp Street would come from one side of the street.

C14-69-156 James E. Hamilton & W. G. Hunt--contd.

Mr. Foxworth explained that the right-of-way would come from the east side of the street, but that further widening in the future would involve the west side of the street.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and was of the opinion that the request is proper as the area is in transition. They recommended that the requested change be granted subject to provision for up to 24 feet of right-of-way for the widening of Kemp and 30 feet of right-of-way for the widening of Clovis Street.

At the Commission meeting, the staff reported a letter from Mr. Sidney Purser, representing the applicant, offering to dedicate the necessary right-of-way for the future widening of Kemp and Clovis Streets.

The Commission noted the offer of right-of-way and concurred with the Committee recommendation that this request should be granted. It was then unanimously

VOTED: To recommend that the request of James E. Hamilton & W. G. Hunt for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 208-214 Montopolis Drive and 211-215 Kemp Street and 6201-6215 Clovis Street be GRANTED.

C14-69-157 Westcrest: Int. A, Int. 1st to GR, 1st (Tr. 1) and B, 1st (Tr. 2)
 Tract 1: 6914-7014 Manchaca Road
 Tract 2: Rear of 6914-7014 Manchaca Road

STAFF REPORT: This application covers two tracts of land totaling approximately 8 acres. The stated purpose of the request is for uses consistent with the requested zoning. Manchaca Road is classified as a major arterial street with an existing right-of-way of 90 feet. There is one zoning history in the area which is indicated on the staff report. The staff recommends that the requested "GR" General Retail, First Height and Area zoning on Tract 1 be granted subject to a 25 foot building setback line from the south line of the tract and a 6 foot solid fence along the south of the tract and subject to final approval of Whispering Oaks, Section 1 dedicating William Cannon Drive. It is further recommended that the request on Tract 2 be denied as it is too intensive but that "A" Residence zoning be retained to be consistent with zoning and development decisions now pending on the north side of the thoroughfare. Tract 2 is part of an approved preliminary subdivision plan of Whispering Oaks which indicated that the lots around the cul-de-sac extending into Tract 2 would be developed with duplexes. The preliminary plan was approved on that basis but the final has not been recorded. There has been a request to vacate the stub portion of Lilac Lane from Mimosa Drive north which was recommended by the staff and the Planning Commission.

C14-69-157 Westcrest--contd.

TESTIMONY

WRITTEN COMMENT

Code

Millard E. Flythe: 2202 Mimosa Drive

AGAINST

PERSONS APPEARING AT HEARING

Code

Richard Baker (representing applicant)

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker, attorney for the applicant, advised the Committee that he concurs with the staff recommendation on Tract 1 as the requested zoning would allow the highest and best use of the land. There is no objection to the six foot fence but the 25 foot setback line would have to be discussed with the applicant. Mr. Baker stated that if the Committee desires the setback line it will be complied with; however, this requirement which is being set forth consistently can present some problems as far as planning is concerned and proper utilization of the land and could be more detrimental to the people that adjoin the land than beneficial.

Mr. Baker stated that in relation to Tract 2 they do not concur with the staff recommendation inasmuch as the tract is not properly suited for utilization as "A" Residential because of the small character of the tract. The tract is being planned for development prior to and in conjunction with the residential subdivision which will be developed out of the rest of the tract of the land owned by the applicant which is being subdivided into Whispering Oaks, Section 1. While it is very difficult at times to plan the utilization of these tracts of ground, it is felt that going from "GR" General Retail to "B" Residence and then into the "A" Residence subdivision which is a new subdivision is consistent with requests of the department and the Planning Commission that as much planning be done as possible prior to development in an area. With reference to an intensive development in this particular area it should be pointed out that the property is located on a 120 foot collector street intersecting with Manchaca Road which is a 90 foot street which gives adequate access to the area. Utilization of the property under the "B" Residence classification would not be detrimental to the area as it presently exists.

Arguments Presented AGAINST:

A number of property owners appeared in opposition to the request and stated that this is a residential area and a change in zoning would be an intrusion. If the proposal is allowed there would be an increase of people who are transient into the area which would be detrimental to the area. The subject property is very low and there is concern about rain draining from the site onto the adjoining residential property. There is not very much traffic in the area at this time but if the change is permitted it would increase the traffic which would be a burden.

C14-69-157 Westcrest--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted on Tract 1, subject to a 25 foot building setback and a six foot solid fence along the south line of the tract and subject to final approval of Whispering Oaks, Section 1, dedicating William Cannon Drive as the appropriate zoning for the site. They recommended that the request on Tract 2 be denied as it is too intensive; however, they recommended that "A" Residence zoning be granted based on the approved preliminary plan which indicated that the area would be developed with duplexes.

At the Commission meeting, Mr. Kinser stated that Mr. Baker has advised him that he would like to change the request on Tract 2 to "BB" Residence, First Height and Area rather than "B" Residence. He said that it would be difficult in the future to turn down a request for "GR" General Retail or more intensive zoning on Tract 2 inasmuch as it will adjoin commercial zoning and would be a logical expansion. It is felt that "BB" Residence zoning would better serve as a protection for the residential area.

Mr. Osborne stated that the density under "BB" Residence zoning would be 21 units per acre. It is true that a request could be made for commercial zoning in the future; however, the extent of the commercial zoning could be limited. A plan should be set and zoning should be established around a plan rather than planning around zoning.

Mr. Foxworth explained that the Planning Department recommendation on Tract 2 was based on the subdivision plan in which the developers indicated that a cul-de-sac street would extend into Tract 2 and duplexes would be developed around it as a buffer between the commercial and residential development. On the basis of that plan, property across the street was submitted for the same type duplex development.

Mr. Osborne explained that if Tract 2 is rezoned, the same problem will be faced on the property to the north.

Mr. Hanks stated that in his opinion "BB" Residence zoning would be a natural gradation in that Tract 2 fronts onto a 120 foot thoroughfare and adjoins "GR" General Retail zoning. The Commission members agreed with Mr. Hanks and unanimously

VOTED: To recommend that the request of Westcrest for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tr. 1) and "B" Residence, First Height and Area (Tr. 2) for property located at (Tr. 1) 6914-7014 Manchaca Road and (Tr. 2) Rear of 6914-7014 Manchaca Road be DENIED but that "GR" General Retail, First Height and Area zoning be GRANTED for Tract 1 and "BB" Residence, First Height and Area zoning be GRANTED for Tract 2, subject to final approval of Whispering Oaks, Section 1 dedicating William Cannon Drive.

C14-69-158 Walter Carrington: Int. A, Int. 1st to GR, 1st
700-728 Stassney Lane
 5520-5546 South 1st Street

STAFF REPORT: The subject property contains 7.71 acres of land and the stated purpose of the request is for uses consistent with the requested zoning. Stassney Lane, with an existing right-of-way of 50 feet and South 1st Street with an existing right-of-way of 80 feet are both classified as major arterial streets in the Master Plan. The staff recommends that the requested zoning be granted, subject to the provision of streets through the tract and subject to the necessary right-of-way for Stassney Lane.

There is an existing approved preliminary plan on the subject property with the streets as indicated. At this point, because there is an approved plan on the property, a portion of which has been finalized out, the preliminary remains in force unless it is revised and the streets as indicated on the preliminary are necessary. If the preliminary is revised it may be possible that there would not be any street needs in the subject tract.

TESTIMONY

WRITTEN COMMENT Code

Mary Lou & Charles L. Eastland, Sr.:	511 Gate Tree	AGAINST
Robert F. and Gail C. Brooks:	510 Gate Tree Lane	AGAINST
Ewald G. Klein:	509 Gate Tree Lane	AGAINST
Harry C. Hodson, Jr.:	507 Gate Tree Lane	AGAINST
Dovie Elberta Allen:	5614 Nancy Drive	FOR
R. R. and Peggy Pruitt:	503 Gate Tree Lane	AGAINST

PERSONS APPEARING AT HEARING Code

Richard Baker (representing applicant)	
Robert F. Brooks:	510 Gate Tree Lane
Ewald G. Klein:	509 Gate Tree Lane
W. P. Mettke:	407 Arbor Lane

AGAINST
AGAINST
AGAINST

SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney for the applicant, advised the Committee that the right-of-way problem will have to be discussed with the clients when it is ascertained exactly how much is needed. If the property is zoned "GR" General Retail and so used, the streets as they are laid out through the property will certainly be contrary to the proper utilization of the tract. There have been a number of preliminaries filed on the property from time to time dating clear back to the 1950's; however, Mr. Baker said that he does not know where the preliminary that is existing came from. He said that if it is at all possible and if it is the view of the Committee that the tract should be rezoned to "GR" General Retail, they would like the opportunity before the Planning Commission meeting to review the street system as it is entirely inconsistent and would not be beneficial to either the owner or the City. If it is necessary

C14-69-158 Walter Carrington--contd.

for the owner to undertake to vacate the preliminary plan it will be done. The applicant should not be expected to develop the tract with the streets as indicated.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission in order to permit the applicant to work out a revised preliminary plan for the site.

At the Commission meeting the staff reported that Mr. Robert Davis has stated that they have been unable to contact the adjoining subdivider to the west in order to work out a possible street plan and has requested that the zoning be approved subject to the streets. There are several alternatives for a street layout and the staff recommends that the request be granted, subject to submission of a revised preliminary plan for the continuation of the streets.

Mr. Osborne explained that a Subdivision Committee meeting is scheduled before the Council hearing on zoning and recommended that the requested zoning be granted subject to review of a revised preliminary plan by the Subdivision Committee.

The Commission members agreed that the requested zoning is appropriate for the site and recommended that the request be granted subject to review of a revised preliminary plan for the extension of the streets by the Subdivision Committee. It was

VOTED: To recommend that the request of Walter Carrington for a change of zoning from Interim "A" Residence, Interim First Height and Area + "GR" General Retail, First Height and Area for property located at 700-728 Stassney Lane and 5520-5546 South 1st Street be GRANTED subject to review of a revised preliminary plan providing for the extension of the streets by the Subdivision Committee.

<u>C14-69-159</u>	<u>W. L. Mayfield: Int. A, Int. 1st to LR, 1st (Tr. 1) & BB, 1st (Tr. 2)</u>
	Tract 1: 4100-4122 Spicewood Springs Road
	4140-4148 Spicewood Springs Road
	Rear of 4124-4138 Spicewood Springs Road
	Tract 2: 4200-4324 Spicewood Springs Road
<u>C14-69-160</u>	<u>W. L. Mayfield: Int. A, Int. 1st to BB, 1st</u>
	8200-8526 Balcones Trail
	3501-3625 Cima Serena Drive

STAFF REPORT: A letter has been received from Mr. Thomas Watts, engineer for the developer, requesting that application C14-69-159 and 160 be considered together inasmuch as the comments relate to an overall plan for the area in which the two applications are located.

Case C14-69-159 is a request from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area on Tract 1 which covers 12.67 acres and "BB" Residence, First Height and Area on Tract 2 which covers 19.2

C14-69-159 W. L. Mayfield--contd.
C14-69-160 W. L. Mayfield--contd.

acres. A shopping center is proposed on Tract 1 and apartments are proposed on Tract 2. Case C14-69-160 is a request from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area for an area consisting of 53.68 acres and the stated purpose is for garden apartments.

Spicewood Springs Road has an existing right-of-way of 50 to 60 feet and is classified as a major arterial street in the Master Plan. Balcones Trail with 80 feet of right-of-way is classified as a future expressway and Cima Serena Drive with 40 feet of right-of-way is classified as a minor collector street.

With regard to Case C14-69-159, the staff recommends that the requested zoning on Tract 1 be granted subject to provision of Mesa Drive, Steck Avenue and Spicewood Springs Road as they effect the subject tract and that the request on Tract 2 also be granted subject to the densities submitted by Mr. Mayfield in Westover Hills Master Plan at 12 units per acre and subject to provision for extension and improvement of Steck Avenue and Spicewood Springs Road as they effect the subject tract. With regard to Case C14-69-160, the staff recommends that the request be granted subject to the densities submitted by Mr. Mayfield in Westover Hills Master Plan at 12 units per acre and subject to provision for Mo-Pac and the extension and improvement of Steck Avenue and Cima Serena Drive as they effect the subject tract.

TESTIMONY

WRITTEN COMMENT

Irwin Harold Silberberg: P. O. Box 9217 Northwest FOR
Station

PERSONS APPEARING AT HEARING

Thomas Watts (engineer for the applicant)	
Mr. O'Donnell (representing applicant)	
Harold E. Estes: 4025 Greenhill Place	AGAINST
Homer Reed: 8004 Havenwood	AGAINST
Pat Carlisle: 3610 Cima Serena	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Thomas Watts, engineer for Bryant-Curington, advised the Committee that the applicant has retained the firm of Harman, O'Donnell & Henninger, City Planners out of Denver, Colorado, to study this area and come up with a recommendation in the form of an overall Master Plan for the highest and best use for the area and how it can best be used in conjunction with the adjacent and present uses. Mr. O'Donnell will explain the interrelationships and the recommendation. The firm has worked with this area for more than a year consulting with Mr. Osborne and

C14-69-159 W. L. Mayfield--contd.C14-69-160 W. L. Mayfield--contd.

the City Planning Department, the Highway Department, in relation to Mo-Pac and West Loop, the School Board, in relation to the schools in the area, and the engineering firm of Bryant-Curington in relation to the engineering problems involved. A meeting was held the previous evening with approximately 200 local citizens in the Westover Hills Area so that the plan could be explained.

Mr. O'Donnell advised the Committee that his firm has spent quite some time on the property under consideration as well as the surrounding area. It is a rather sizeable area in that there is roughly 300 acres which is rather awkward in shape plus the fact that there are many ownerships adjoining the odd shaped 300 acre tract both on the north and south. Before the actual planning was started, a market research study was prepared which took approximately four months, to determine the kinds of land uses that would be most marketable and compatible with the area and the kind of environment which should be created. The following six items were used in determining the highest and best use: (1) An evaluation of the locational and physical characteristics of the property in terms of its suitability for the various types of land uses; (2) an analysis and forecast of the broad indicators of demand for luxury apartments and a retail-commercial shopping facility in the Westover Hills development; (3) an evaluation of the market potential for luxury multiple family housing and luxury single-family housing in Austin; (4) a survey of the supply and demand factors of the above three uses of the land in Westover Hills; (5) an estimation of the on-site absorption in these uses; (6) recommendations to Mr. Mayfield of the land use-mix which best meets the demand criteria.

It was found that there were a whole series of different kinds of land uses that people are looking for. It was found that single-family detached housing has an average and good market but there was also interest in duplex and cluster type housing under "A" Residence zoning. The studies indicated that the apartment market is very steady and strong in the luxury level and that there is a good possibility that there would be a need for luxury-type townhouses. After determining the land uses, the land itself was then considered. Mo-Pac Boulevard which is a future expressway is scheduled along the tract on the east and there will be a major interchange of Mo-Pac with U. S. Highway 183. The present 100 foot right-of-way of Old U. S. Highway 183 also ties in with the same complex. The 250 or 300 foot right-of-way of the proposed West Loop which also has an interchange with U. S. Highway 183 is another factor which was considered. The interchanges lead to a very large area of industrially zoned property which exists on the east side of Mo-Pac. The existing industrial activity is an added factor for consideration in planning the area. At this time, Spicewood Springs Road which is on the south side is quite narrow but it is scheduled as an arterial street with approximately 90 feet of right-of-way. The engineers are showing a 150 foot right-of-way coming out of the interchange for Spicewood Springs Road. Mesa Drive is a 90 foot arterial street leading down to Westover Hills and is now being opened all the way to Spicewood Springs Road. Mr. O'Donnell stated that it is his understanding that the Highway Department is considering an underpass or overpass at Steck Avenue but it is still in the planning stages. While

C14-69-159 W. L. Mayfield--contd.
C14-69-160 W. L. Mayfield--contd.

the plan was being worked on, the Austin Independent School District decided that a 42.1 acre tract of land located on Mesa Drive and the proposed extension of Steck Avenue should be set aside for a high school site. The negotiations for that property were just terminated and according to the Chairman of the Board, will be a \$4,000,000 installation, and there will be a great deal of traffic generated from the site. The high school will be located on two major roads if the plan is followed. Steck Avenue is proposed to extend through the area to eventually reach West Loop. This has been coordinated with the Planning staff and, eventually Hyridge Drive will come down and tie in and extend to West Loop Boulevard although it will dead-in on the frontage road of Mo-Pac.

Other major factors considered during the planning of the area was the drainage and tree coverage as most of the entire area is tree covered. Because of the topography of the area, it was felt that the area located west of Mesa Drive north of Steck Avenue should continue as single-family housing under "A" Residence zoning. The same kind of "A" Residence zoning is continuing to complete Westover Hills; however, in the immediate proximity of the frontage on the new high school, it is recommended that duplex sites be established. It is also recommended that duplex sites be established along the area located where the lots cannot be turned around and backed into the high school. Apartment usage is recommended adjacent to the shopping facilities which are to be located at the intersection of three major streets, being Steck Avenue, Mesa Drive and Spicewood Springs Road. The size of the center was determined by the market plus the fact that presently there is a major shopping center located at Balcones Drive and Old U. S. Highway 183. The notices indicated that quite a bit of apartment zoning is needed in the area to satisfy the market. The area is in close proximity to the industrial land on the east side of Mo-Pac plus the fact that there is now a new entrance with Steck Avenue so the area can actually be buffered off from the residential area. It is recommended that approximately 50 acres of the area be developed with apartments, luxury type units at a density of 12 units per acre, with a great deal of open space. Normally under the "BB" Residence zoning, 20 units per acre could be developed but is recommended that the number be limited to 12 in order to save a lot of open space and trees. A new concept of cluster housing which would be under the "A" Residence zoning will be tried out in the area between the proposed high school and the "BB" Residence zoning. Next to Cima Serena Drive it is recommended that there be luxury type townhouse units tucked into the trees and down along the draw. This area is not being considered at this time but a request will be made for "BB" Residence zoning. Under the cluster plan which is being considered, there will be very nice low-density open areas. After an analysis was made of the area it was determined that the proposed elementary school site was going to be inadequate to take care of the entire neighborhood up to the arterial streets so it is recommended that a second elementary school site be reserved which is indicated on the plan.

C14-69-159 W. L. Mayfield--contd.
C14-69-160 W. L. Mayfield--contd.

Arguments Presented AGAINST:

Mr. Harold Estes appeared at the hearing and advised the Committee that he represents the Balcones Civic Association which includes residents from Balcones Hills, Westover Hills, and Balcones West which are the area on either side of the property being considered for a zoning change. Mr. Mayfield's plan was presented at a recent meeting of the general assembly of the association at which time the residents of the three areas discussed the plan as objectively as possible and after due consideration voted unanimously to oppose the plan for a good and specific reason.

Mr. Estes stated that the plan presented represents the dream of a previous Planning Commission in that it comes as close as anything has come to a comprehensive overall plan. It was the desire of the Planning Commission and previous City Council that rather than piecemeal the zoning of the large area that there should be a comprehensive plan of what the area should include so that it could be zoned sensibly and in accordance with good tactics. Mr. Estes stated that this is essentially the interest of the Balcones Civic Association. He pointed out that there is at issue two areas which are in for zoning at this time. The rest of the areas are planned areas. It should be noted that the development on the property owned by the applicant is planned and there is existing residential development in the area; however, there is an area located between Mr. Mayfield's property and the residential area that is not being planned at this time. It is strongly felt that the area squeezed between the residential area, the shopping facility area and the areas which are indicated on the plans should also be considered, planned and spoken for at this time in order to give a complete comprehensive overall plan for the area.

There is no objection to the density proposed by the applicant as it is extremely good and fair. The street layouts are favorable to good circulation of traffic but the proposed development does represent a change to the City Master Plan which was considered at the time homes were purchased in the area. The City Master Plan calls for the area to essentially be developed as "A" Residential and does not call for "BB" or apartment zoning. The residential property owners previously opposed a change for apartment zoning along Balcones which was planned for approximately 1000 feet. At the time it was stated by the Commission and the Council that the penetration was too much and that it should be limited. The residential homeowners asked that the limitation be 400 feet off of Balcones realizing that Balcones or the future Mo-Pac would not be desirable for single-family residences but would be desirable for Local Retail and Apartment zoning. At that time the City Council went into record as establishing a 600 foot line of penetration along Balcones from the edge of Balcones West up to the area where the homes are developed in Westover Hills. The particular area facing Balcones now extends back approximately 1100 feet and represents a penetration into the agreed upon 600 foot line beyond which it was stated that zoning would only be approved with comprehensive planning of all of the area involved. The plan presented also indicates an underpass for Steck at Mo-Pac. This was not planned and would be an

C14-69-159 W. L. Mayfield--contd.
C14-69-160 W. L. Mayfield--contd.

additional item which would be very expensive. There has been a great deal of trouble with high speed traffic along Steck Avenue through the undeveloped area but due to the efforts of the City Manager under the direction of the City Council, policing of the area was accomplished which has improved the traffic situation considerably; however, since that time and in accordance with solid planning procedure it was established that it would be a good idea to "dog-leg" Steck Avenue when it crossed Balcones so as to slow the traffic down and have it penetrating directly across. An underpass may slow the traffic but it is doubtful. The extension of Steck Avenue to West Loop would appear to be unnecessary as U. S. 183 is very close and it will interchange with West Loop and Hyridge Drive in this area and also interchange with West Loop. It would appear that Steck Avenue going all the way into West Loop would invite more through traffic. There are four school sites now within the area and if this is combined with the Local Retail zoning, Steck Avenue becoming a through street, Hyridge becoming a through street and with the present width of Mesa Drive, there will be a great deal of traffic difficulties created for the area particularly for the people who live along the major streets. While school sites are desirable in a residential area as opposed to being on a highway, it does bring some disturbance as there are school activities during the day and evening hours. This disturbance can be tolerated but when the same streets carry the traffic for three schools, the situation is almost too much. There is a great deal of apartment zoning taking place and it could well hasten the decay of the inner city.

Mr. Homer Reed appeared at the hearing and stated that he is a board member of the Balcones Civic Association and he also represents the people in the three residential areas surrounding the site. He asked what assurances could be given that the density agreed to by the applicant at 12 units per acre would be adhered to and whether or not there could be control over this by deed restrictions.

Mr. Osborne stated that he doubts that the density restriction could be adhered to in a firm legal fashion in the sense that there would be an absolute recourse or absolute limitation which is fully enforceable but there may be a method in which this could be established. In a general sense this has been accepted by the City Council as a matter of agreement with the developer-property owner with a high degree of success of meeting the commitments. The deed restriction technique could be used but it is not necessarily the best way to handle the particular problems.

Mr. Reed commended Mr. Mayfield and the people associated with him on the property for what appears to be a conscientious effort to do a planning job of planning their property, not only that which is going to be used in the next year or two but that which will probably be developed over a period of years. Mr. Reed pointed out that this area was originally planned as a residential neighborhood in the City's Master Plan and at the present time there are three sizable single-family areas which are developing and have been passed by the Planning Commission. The three residential areas are a positive indication that the plans were to develop the area as a single-

Planning Commission -- Austin, Texas

Reg. Mtg. 6-10-69 49

C14-69-159 W. L. Mayfield--contd.C14-69-160 W. L. Mayfield--contd.

family area and that is why most of the people purchased their homes. It is requested that the Planning Commission and the City Council keep in mind that anything done in the area or the other areas which are undeveloped should be compatible with the single-family uses to which the area has been pointed by the Planning Commission and the City Council, private developers and private homeowners. Substantial dollar investments by private individuals have been made in the area because of past actions by the City Council. While the planning effort of the applicant is commended, the property owners in the area have already been subjected to three lengthy zoning procedures before this and in each of the previous hearings the Commission was urged, and to some extent the urgings have been concurred in, that before piecemeal decisions are made there be a comprehensive look at the whole area in order to see how it will look when development is finished. There was once a plan for residential development but that is slowly changing piece by piece and it is felt that there should be no changes made at this time. In order to have a comprehensive plan the entire area needs to be considered as the adjoining property will be effected by future development.

Mr. Osborne explained that in relation to a comprehensive plan the planning department is working very rapidly in trying to finish a complete overall plan for the area which includes those properties referred to which are not under zoning consideration at this time.

COMMENTS AND ACTION BY THE COMMITTEE

C14-69-159 W. L. Mayfield: Int. A, Int. 1st to LR, 1st (Tr. 1) and BB, 1st (Tr. 2)

The Committee reviewed the information and concluded that the zoning as requested is appropriate for the site. They recommended that "LR" Local Retail, First Height and Area zoning be granted for Tract 1 subject to provision of Mesa Drive, Steck Avenue and Spicewood Springs Road as they effect the subject tract and that "BB" Residence, First Height and Area zoning be granted for Tract 2 subject to the densities submitted by the applicant in the Westover Hills Master Plan at 12 units per acre subject to the provisions for the extension and improvement of Steck Avenue and Spicewood Springs Road as they effect the subject tract.

At the Commission meeting Mr. Osborne advised the members that the staff has prepared an area study of the entire area for review by the Commission. There are questions the neighborhood has had about the impact of the proposal as well as development on land not included for consideration which is a valid issue. The proposal by the applicant does fit in with the plan prepared by the staff and the Commission has the option of acting on the zoning request prior to consideration of the overall plan or after consideration.

Mr. Milstead stated that at a recent special meeting of the Commission the members looked at a portion of the area and decided that the entire area

C14-69-159 W. L. Mayfield--contd.

should be reviewed so that some of the problems could be resolved at one time rather than piece-meal. He asked what approval of the plan by the applicant would do to the study.

Mr. Osborne explained that the proposal by the applicant fits in with the overall plan prepared by the staff. The study does involve other elements particularly other property which is related to the plan. It was the intent of the previous Commission at their special meeting that the entire area be considered because of the impact of the plan and subsequent development. The study consists of basic elements for a plan for the entire area which related to all of the property and not just property owned by the applicants.

Mr. Kinser pointed out that the applicant can only develop property he owns and has no control over property belonging to someone else. The Commission should decide whether or not the proposal is suitable for the area.

Mr. Hanks stated that in his opinion the applicant has made a very diligent effort to look at an overall picture and has done a fine job in developing an overall pattern for this part of Austin. If he is not in conflict with some of the ideas by the Planning Department, what has occurred in the past and the plan fits into the pattern, the Commission should recommend in favor of the change.

Mr. Taniguchi asked if the granting of the request would set a pattern for adjacent properties.

Mr. Osborne indicated that it would set a pattern for the adjacent properties. The Commission should recognize a plan for the entire area in which the element of that plan, the intensity of uses and the general location of the streets are fairly well understood by the individual owners who are developing or proposing to develop property and by those people living in the area.

A majority of the members were of the opinion that the zoning should be considered before consideration of the overall study of the area. They discussed the request and concurred with the recommendation by the Committee. It was unanimously

VOTED: To recommend that the request of W. L. Mayfield for a change of zoning from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area (Tr. 1) located at 4100-4122 Spicewood Springs Road, 4140-4148 Spicewood Springs Road and the rear of 4124-4138 Spicewood Springs Road be GRANTED subject to provision of Mesa Drive, Steck Avenue and Spicewood Springs Road as they effect the tract; and that the request for "BB" Residence, First Height and Area zoning for Tract 2 located at 4200-4324 Spicewood Springs Road be GRANTED subject to the densities submitted by the applicant in Westover Hills Master Plan at 12 units per acre and subject to the provision for the extension and improvement of Steck Avenue and Spicewood Springs Road as they effect the subject tract.

C14-69-160 W. L. Mayfield--contd.

The Committee reviewed the information and concluded that the requested zoning is appropriate for the site. They recommended that the request be granted subject to the densities submitted by the applicant in the Westover Hills Master Plan at 12 units per acre, subject to provision for Mo-Pac and extension and improvement of Steck Avenue and Cima Serena Drive as they effect the subject tract.

A majority of the Commission concurred with the Committee recommendation, and

VOTED: To recommend that the request of W. L. Mayfield for a change of zoning from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area for property located at 8200-8526 Balcones Trail and 3501-3625 Cima Serena Drive be GRANTED subject to the densities submitted by the applicant in the Westover Hills Master Plan at 12 units per acre, subject to provision for Mo-Pac and extension and improvement of Steck Avenue and Cima Serena Drive as they effect the subject tract.

SPECIAL PERMITS

CP14-69-015 Claude Rainey, Administrator for Seton Hospital: A General Hospital
 1007-1207 West 38th Street
 1004-1008, 1007-1009 West 37th Street
 1006-1008 West 35th Street
 3404-3712, 3501-3711 Wabash Avenue
 3402 McDonald Avenue
 3403-3409 Bailey Lane

STAFF REPORT: This application has been filed as required under Section 10 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed on the site is a general hospital. The subject property is zoned "O" Office, First Height and Area, and "C" Commercial, Third, Fourth and Fifth Height and Area. The streets within the large area under consideration have been vacated. There was recently a request to vacate a portion of Wabash Avenue between 35th and 38th Streets, West 37th Street and the alleys in between. The request was considered by the City Council who agreed that the request should again be considered in about 4 to 8 weeks. Meetings have been held with representatives of the hospital on the vacation request and it is still in the study stage. The site plan has been circulated to the various City Departments and the comments are as follows:

Building Inspector

Water and Sewer

- 1. Building Code approval not included; otherwise O.K.
- Sanitary Sewer is available from the existing mains in the adjacent streets.

CP14-69-015 Claude Rainey, Administrator for Seton Hospital--contd.

Electric
Storm Sewer
Director of Public Works

Office Engineer
Tax Assessor

Health

Fire Prevention

Water Service is available from the existing mains in the adjacent streets. Additional fire protection is not required although it will be necessary to relocate the existing fire hydrant in the intersection of West 35th Street and McDonald Avenue to the proposed island at this same location. It will also be necessary to salvage a portion of the 6 inch main in McDonald Avenue between the fire hydrants in West 35th Street and West 38th Street.

- O.K.
- Drainage facilities required.
- In general, the driveway plans as shown meet with our approval; however, we will need request for and approval of them before construction begins. The second driveway north of the Seton Hospital south line should line up with West 35th Street. Also, due to the installation of the traffic signal at Medical Parkway and West 38th Street, it may be rather difficult for traffic to make a left turn out of the driveway onto 38th Street. Since it is planned to widen 38th Street to a 66' roadway with flareouts at the street intersections, I would recommend that the hospital widen 38th Street on the south side to its ultimate width. I would also recommend that Wabash Avenue be widened from a 30' to a 44' pavement width. The unpaved portion of West 37th Street should also be paved. Medical Parkway should be extended southerly to intersect Wabash Avenue. The portion of Wabash Avenue between the point of intersection and West 38th Street could then be vacated.
- O.K.
- Taxes are paid through 1965. Exempt from 1966 on.
- Approved: Waste water system to be available.
- O.K.

CP14-69-015 Claude Rainey, Administrator for Seton Hospital--contd.

Traffic Engineer

- 1. The driveway on Wabash should be retained opposite West 35th Street.
- 2. Wabash should be realigned with Medical Parkway and should be 44' wide.
- 3. 38th Street curb should be widened to future width so channelization could be installed.
- 4. Drives should be "one way - In" on the west and "one way - Out" on the east.
- 5. "Public Parking" while satisfying the city code is very inadequate.

Advance Planning

- 1. Wabash Avenue should be shifted west at West 38th Street to tie into Medical Parkway.
- 2. Revision of the parking area at the corner of Wabash and West 38th will be required due to re-alignment of Wabash. It appears that the building location will be satisfactory.

Fire Protection

- We recommend that the fire hydrants indicated in blue be left available for fire purposes and that the fire pump and intakes to supply interior house lines to supply the sprinkler system and hose stations (which we hope will include 1-2½" outlet) are still planned as indicated in earlier discussions held in Dick Jordan's office.

In the event the fire hydrant indicated in the south grounds cannot be left we recommend that a hydrant be installed on 34th Street as indicated in red. The fire hydrant indicated in blue and circled in red should be left in service if possible as it can be used by us for protection of Medical Park Tower.

Mr. Kinser stated that in his opinion the second driveway north of the Seton Hospital south line should be more offset rather than lined up for safety reasons.

CP14-69-015 Claude Rainey, Administrator for Seton Hospital--contd.

Mr. Foxworth explained that according to Mr. Reuben Rountree, Director of Public Works, West 37th Street is paved from Lamar Boulevard to approximately halfway between Wabash and it was his recommendation to pave the remaining portion of the street to Wabash Avenue.

Mr. Osborne stated that it is actually not within the proposed complex in this site plan but it is under the ownership of Seton Hospital. The comments are appropriate but they do not have to be incorporated into the site plan.

Mr. Reeves stated that in his opinion this is an opportune time to consider eliminating what is a very difficult corner at the existing intersections of Wabash Avenue, West 38th Street and Medical Parkway. There is a parking lot and green area being provided on the subject property and it should be possible for Wabash Avenue to be widened at the intersection so there could be a more direct connection with Medical Parkway rather than having a double turn situation. The way the intersection exists at the present time it is very dangerous and the proposal will make it even more so because the traffic will increase; however, if Medical Parkway and Wabash Avenue are aligned it will make a great difference in the safety approach at that intersection.

Mr. Osborne explained that this matter has been presented to the City Council and the particular point in question has been brought out. There have been several meetings with Mr. Sam Perry and other representatives of Seton Hospital concerning the intersection and the City Council has asked the City Administration to review the whole proposal, specifically the particular connection. It does have a definite effect on the Seton Hospital development. There are problems with the direct connection particularly when considering the ultimate development of Seton Hospital. The first phase of the development is for approximately 300 beds and the ultimate development will be a 500 bed hospital. Mr. Osborne stated that in looking back on the situation the City might possibly have required a street through the middle of the area between the hospital and the Medical Park Tower; however, this was not done and now the City is dealing with private property and Seton Hospital is proceeding on the basis of a set of plans which does involve the 500 bed hospital. If a direct connection is required it will have an impact on the development and it has to be reasonably taken care of. The Traffic Engineer, Director of Public Works, and the Planning Department generally agree that it is the most satisfactory from the City's standpoint and an attempt is being made to determine how it can be worked out. The issue does affect the Commission's consideration. The special permit should not be held up completely because the street problem is not resolved, as it is a matter which is before the City Administration and the Council. The Council will have a full and thorough report for a plan which can be carried out. One of the problems is that if Wabash is to continue through with a direct connection to Medical Parkway, the street needs to be as far away from Lamar Boulevard as possible since there is a need for additional left turn storage provision and storage provisions for straight through traffic. The Planning Department recommends that the special permit be approved subject to compliance with departmental reports.

CP14-69-015 Claude Rainey, Administrator for Seton Hospital--contd.

TESTIMONY

WRITTEN COMMENT

NONE

PERSONS APPEARING AT HEARING

Sam Perry (attorney for applicants)
Chris Crow: 2705 West 49th Street
Don Jackson: 6002 Spancreek Circle
Jesse Bartlett: 121 Perry Brook Bldg.

AGAINST
AGAINST
AGAINST

SUMMARY OF TESTIMONY

Mr. Sam Perry, attorney for the applicant, explained that when this project was started on the property it was anticipated that Seton Hospital would be more in the direction of West 34th Street as a portion of the land had not been acquired. At one of the first hearings on the property, the City advised that there was a good possibility that West 34th Street would be widened for Expressway purposes. This necessitated in a long and complicated agreement pertaining to the ultimate purchase of additional land to the east of Wabash Avenue. The property was then acquired across Wabash Avenue with the idea of vacating Wabash, with the streets being built to the west of Wabash and parking along and to the east of Wabash. Subsequently the application for special permit was filed and a request for vacation of Wabash Avenue was made. It is recognized that there are traffic problems at the intersection of Wabash Avenue near West 38th Street; however, the Planning Commission recently recommended to the City Council that Wabash Avenue be vacated, thus accomplishing several purposes, one of which was provision for adequate parking for the hospital. There has been a great deal of concern about the traffic on Wabash which resulted in a traffic count indicating that there are roughly 1000 cars per day using Wabash Avenue. It should be acknowledged by everyone that Wabash is not a main thoroughfare. The idea of connecting and widening Wabash Avenue with Medical Parkway was recently brought up and the Council felt that there was concern about the effect on development to the south and also felt too hasty action at this time might jeopardize future development in the area and suggested conferences with the City Administration which have been initiated. As stated, conferences have been initiated with City Officials but there have not been any decisions made although there are some possible areas of agreement.

Mr. Perry explained that they have made two concessions, one of which is that no permanent structure will be built in the area to the north at the intersection of West 38th and Wabash Avenue in the area in question. There would not be any major part of the hospital built at the location in question and the area would be used for parking. No one has been able to indicate a detailed plan on the proposals for West 38th Street and there has been no priority given.

CP14-69-015 Claude Rainey, Administrator for Seton Hospital--contd.

As far as Seton Hospital is concerned the connection as proposed is not acceptable for two reasons. The primary reason from the hospital standpoint is realignment in the manner shown would bring a very major thoroughfare very close to the hospital itself which is inconsistent with good hospital planning inasmuch as it is a quiet area and the traffic should be slowed to some extent. He said that he could not understand why Wabash Avenue which is only four blocks long would be a solution to the problem. It is recognized that there is a problem but it is felt that it would be a gross injustice to the hospital to condition a special permit on the street situation. There have been meetings with the City Administration, and there will be more meetings to see if the problem can be resolved and a special permit should be granted.

Mr. Perry said that if the representatives of the hospital had known that they could not get closer to 34th Street and knowing that Wabash could not be closed he doubts if they would have planned a hospital at this location. A hospital is designed so that whenever possible it is away from the major streets and arteries. Sound is a major factor and it is felt that it is proper hospital planning to have green area and something that is conducive to rest.

Mr. Kinser stated that the Seton Hospital complex was originally proposed when he was previously on the Commission and at that time it was the understanding that Wabash Avenue would be closed.

Mr. Osborne stated that there was a strong influence about the closing of Wabash in which there was considerable inference on the part of the City that it would probably be closed but there was no formal action taken. The Commission did vote a few weeks ago to recommend the closing of Wabash Avenue and when the request went to the City Council there was a considerable amount of concern by the property owners along Lamar Boulevard and some of the department heads concerning the circulation system. As a result of these problems the City Council asked for a complete review of the issue by the administration officials and representatives of the hospital complex which has been initiated.

Mr. Taniguchi said that it was his understanding that the Commission voted to recommend the closing of Wabash provided there was access to the rear of the businesses located along Lamar Boulevard.

Mr. Perry explained that when they made the application to close Wabash they recognized the problem of access to the businesses along Lamar Boulevard and approved a paved, curbed and guttered 30 foot alley for the expressed purpose of providing access. It was felt that this was the proper solution.

Arguments Presented AGAINST:

Mr. Don Jackson, Jesse Bartlett and Chris Crow, nearby property owners appeared in opposition to the closing of Wabash Avenue as it would affect the businesses established in the area. One of the problems is that the closing of Wabash has been assumed and the people who are affected have not been notified that there is anything to consider.

CP14-69-015 Claude Rainey, Administrator for Seton Hospital--contd.

When the vacation request was heard there were only a few people present because of the fact that no one was notified. It is difficult to determine what the traffic will be after the Seton Hospital is developed and the property owners in the area are concerned about the flow and circulation of traffic. If access is closed off from Wabash Avenue there should be some other means of access provided.

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 discussion.

At the Commission meeting, Mr. Osborne explained that this is a special permit request for Seton Hospital and the key issue involved is the question of Wabash Avenue. In the site plan and proposal Wabash is shown in its present existing location extending from West 34th Street to West 38th Street. The issue raised as a result of a report from the Traffic Engineer, Director of Public Works and the Planning Department was the recommendation for provision of relocation of Wabash Avenue to connect to the north of West 38th Street directly into Medical Parkway. The intent was not necessarily in connection with the special permit that this be provided as a roadway location but that it be left so that such connection could be made in the future as the issue is before the City Council. Mr. Sneed, attorney for the applicants, has submitted a revision which prohibits or says in effect that the area in question should be left clear of buildings or any such improvements although the area could be used for parking and driveways. There are no structures in this area as shown on the plan which leaves the area free of whatever action it would take concerning the streets and it does effect the existing Wabash Avenue.

Mr. Sneed explained that they had been working on this project for 4 or 5 years and have been before the Planning Commission on numerous occasions. He stated that they are trying to proceed with the project of building Seton Hospital and at the same time are not agreeing that Wabash Avenue should not be closed as it is still felt that it should be closed. At the same time there are others who feel that it should not be closed. Taking this into account, the public good and the public necessity of overriding some of the decisions that might be involved is that first the hospital should be built. There are specific time limits and if everything cannot be resolved it is possible to lose \$1,750,000 in funds which means that there would not be a hospital. Taking this into account, the obvious solution is that any curbing, sidewalks, parking area and landscaping will be used within the area under the special permit and for purposes of the special permit only if it is agreed that no permanent buildings will be constructed at the northeast location. Mr. Sneed further stated that in order to have a hospital it was suggested to the staff that the status quo remain at this time but they are not agreeing that the streets should not be closed or that Medical Parkway or Wabash Avenue should be curved across the corner. There will not be any permanent structures built within the area in question.

CP14-69-015 Claude Rainey, Administrator for Seton Hospital--contd.

Mr. Sneed explained that Judge Betz, Chairman of the Board, would like for the record to reflect that at the time of the long negotiations with the City and at a time when a contract was entered into with the City full disclosure was made to the Commission and the Council that it was contemplated that additional property across Wabash Avenue would be acquired by Seton Hospital and at that time Wabash Avenue would be closed. Mr. Sneed emphasized that at this point by this action of the special permit they are not waiving any of the prior agreements or conditions that have been made whereby the additional land was purchased by Seton and whereby the improvements have been made, inasmuch as all of the planning up to this point has been in reliance by Seton upon the fact that Wabash Avenue would be closed.

The Commission members were of the opinion that this special permit should be approved subject to the following conditions: (1) Subject to compliance with departmental reports (2) 35th Street should be offset rather than extended straight into the parking area (3) No permanent structures should be erected at the northeast corner of the Seton Hospital site. It was then

VOTED: To APPROVE the request of Claude Rainey, Administrator for Seton Hospital, for a special permit for a general hospital to be located at 1007-1207 West 38th Street, 1004-1008, 1007-1009 West 37th Street, 1006-1008 West 35th Street, 3404-3712, 3501-3711 Wabash Avenue, 3402 McDonald Avenue and 3403-3409 Bailey Lane subject to (1) compliance with departmental reports (2) 35th Street should be offset rather than extended straight into the parking area and (3) no permanent structures should be erected at the northeast corner of the Seton Hospital site.

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

CP14-69-019 Walter J. Kassuba: 120 Unit Apartment Dwelling Group
 2314-2332 Elmont Drive
 2315-2331 South Lakeshore Boulevard

STAFF REPORT: This application has been filed as required under Section 5 and according to the procedures specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is an apartment dwelling group containing 120 units and 5 buildings, 196 off-street parking spaces and 10 laundry rooms. The subject property is presently zoned "B" Residence, First Height and Area. The site plan has been circulated to the various City Departments and comments are as follows:

Fire Protection

- We recommend the extension of the water main and the addition of fire hydrants as indicated in red.

CP14-69-019 Walter J. Kassuba--contd.

Health

Fire Prevention

Tax Assessor

Office Engineer

Director of Public Works

Advance Planning

Building Inspector

Water and Sewer

We strongly recommend the hydrants in the drive north off Elmont as at the present time the existing buildings are distant from existing fire hydrants.

We recommend, if possible, that the fire hydrants be installed before construction is started and that the drives to them be kept open, if possible, at all times, so that we may have access to the hydrants if it becomes necessary.

- APPROVED: Waste water system to be available.
 - Install required fire extinguishers as buildings are completed.
 - Taxes are paid through 1968.
 - Driveways OK. Separate request required.
 - Driveway locations as shown meet with our approval; however, we will need a request for and approval of them before construction begins. I would recommend a minimum of 10' curb returns on all driveway locations.
 - Layout is acceptable.
 - 1. This appears to be an unplatted tract of land; if so, a subdivision would be required.
 - 2. 60 ft. of maneuvering room is required where two rows of parking exists.
 - 3. Does not include building code approval.
 - Sanitary Sewer is available from the existing 54 inch main in South Lakeshore Boulevard. This will require an 8 inch main to be run parallel to the east property line of the property to a point approximately in line with the northeast corner of Building #1.
- Four additional fire hydrants will be required: One will be on the southwest corner of the existing drive in the southern portion of the property, one will be at the northern end of this Drive West of Building #3,

CP14-69-019 Walter J. Kassuba--contd.

Electric
Traffic Engineer

Storm Sewer

one will be on the southeast corner of the Drive in the northeast corner of the property, and one will be on the north east corner of this same Drive. This will require a 6 inch main with valves to be looped through the two drives and tied together between buildings #2 and #3. The southern end of this main will be connected to the existing 8 inch main in Elmont Drive and the northern end will be connected to the existing 12 inch main in South Lakeshore Boulevard. Fire Demand meters will be required at each property line where said main crosses. Electric easements required as shown. Driveway widths should be increased to 30' and 40' as shown on map. The surface drainage flow, from the area laying East of the proposed development, should be carried North-erly, and not allowed to flow into the development of Phase III.

A final subdivision plat on this particular tract of land in question has been disapproved pending completion of technical requirements. Departmental comments have not been discussed with the applicant but there does not appear to be any serious problem and the staff recommends approval subject to compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

NONE

PERSONS APPEARING AT HEARING

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 approved subject to compliance with departmental reports.

CP14-69-019 Walter J. Kassuba--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of Walter J. Kassuba for a special permit for a 120-unit apartment dwelling group to be located at 2314-2332 Elmont Drive and 2315-2331 South Lakeshore Boulevard subject to compliance with departmental reports and authorized the Chairman to sign the necessary resolution.

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

CP14-69-020 Jack Andrewartha: 48 Unit Apartment Dwelling Group
 2600-2612 Trailside Drive
 1240-1316 Barton Hills Drive

STAFF REPORT: This application has been filed as required under Section 5-B 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 48 units in 4 buildings, swimming pool, swimming pool equipment and laundry and recreation building and 78 off-street parking spaces. There is at present a zoning application pending on the site to transfer the "LR" Local Retail zoning to the location as shown on the map which is zoned "B" Residence zoning and vice-versa. Barton Hills Drive is a thoroughfare with 80 feet of right-of-way and there is a proposed thoroughfare with 100 feet of right-of-way, which is the extension of Barton Hills Road, across the north end of the applicant's property. This wider street will cross Barton Creek and extend to the west and connect with Bee Caves Road. It was felt that the "LR" Local Retail zoning should be at the intersection of these two arterial streets rather than within the residential area. The site plan has been circulated to the various City Departments and the comments are as follows:

- | | |
|-----------------|---|
| Fire Prevention | - Install required fire extinguishers as buildings are completed. |
| Fire Protection | - The recommended extension of the water main and additional fire hydrant needed is indicated in red. |
| Health | - APPROVED: Waste water system to be available. |
| Tax Assessor | - Taxes are paid through 1968. |
| Office Engineer | - Driveways not approved. Trailside Drive to be widened 10 feet on east side. |
| Electric | - Electric - 7.5' easement along north and east property line. |
| Storm Sewer | - Plan complies with requirements. |

CP14-69-020 Jack Andrewartha--contd.

Building Inspector

- 1. Parking is O.K. provided Public Works approves head-in parking along Trailside Drive.
- 2. Does not include building code approval.
- 3. West 40 ft. more or less of site is zoned Residential "A". Approval subject to re-zoning.

Advance Planning

- 1. Zoning must be accomplished before permit is granted.
- 2. Additional ROW for Trailside Drive should be provided - this can be accomplished by means of a 5' sidewalk and utility easement.
- 3. Trailside Drive should ultimately terminate in a cul-de-sac having a 60' right-of-way.
- 4. Trailside Drive should be paved 40' and a letter of release to City on off-grade sidewalk should be provided.
- 5. Parking along Trailside must be shifted to provide for 5' easement.

Director of Public Works

- Driveway locations as shown on Barton Hills Drive meet with our approval. I would recommend a minimum of 10' curb returns on all driveway locations.

With the development planned on this site, the paving width of Trailside Drive should be at least 40'. This can be accomplished by placing the curb and gutter on the property line and giving the City a 5' sidewalk easement. Since the sidewalk will be off standard grade, this will require a release to be signed by the property owner. Also, in doing this, it would automatically eliminate the two islands as shown on the original plan. The above would be agreeable with the Public Works Department.

Water and Sewer

- Sanitary Sewer is available from the existing 8 inch main in Trailside Drive and the existing 10 inch main in Barton Hills Drive.

CP14-69-020 Jack Andrewartha--contd.

Traffic Engineer

- Water Service is available from the existing 6 inch main in Trailside Drive and the 16 inch main under construction in Barton Hills Drive.
- Increase width to 25' and 30' along Barton Hills Drive.
- Head-in parking or 2½' radii islands should be eliminated.

In connection with the requirements a letter has been received from the applicant agreeing to widen the right-of-way width 10 feet on Trailside Drive and he will give an easement to the present property line easterly. The applicant has complied with the request. Trailside Drive is shown as a dead end street. The proper termination of the street was of concern to the staff. By this request the applicant is agreeing to terminate street with a 120 foot diameter cul-de-sac. He has also agreed by letter to put in an off grade sidewalk on Trailside Drive. The staff recommends approval subject to compliance with departmental reports and pending a zoning change on the site.

TESTIMONY

WRITTEN COMMENT

NONE

PERSONS APPEARING AT HEARING

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 approved subject to compliance with departmental reports, and pending the zoning change on the site.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of Jack Andrewartha for a special permit for the erection of a 48 unit apartment dwelling group on property located at 2600-2612 Trailside Drive and 1240-1316 Barton Hills Drive subject to completion and compliance of departmental reports and a zoning change on the site, and authorized the Chairman to sign the necessary resolution upon completion.

CP14-69-020 Jack Andrewartha--contd.

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

CP14-69-021 E. J. Cummins, Jr.: 176 Unit Apartment Dwelling Group
 7810-7848 Northcrest Blvd.
 101-235 Anderson Lane

STAFF REPORT: This is a special permit request by E. J. Cummins, Jr. by Greenbriar, Ltd. The hearing for the special permit was set but due to an improper notice four property owners were not notified, due to some complications in getting the tax parcel numbers. The staff talked to at least one of the property owners and he did not wish to sign a waiver of 10 days notice. The applicant was contacted and he has agreed to a 30 day postponement for a proper notification.

TESTIMONY

WRITTEN COMMENT

NONE

PERSONS APPEARING AT HEARING

NONE

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee then voted to POSTPONE this request for a special permit.

CP14-69-022 North Winn: Day Care Nursery
 1906-1910 Frazier Street
 2119-2121 (2117) Bluebonnet Street

STAFF REPORT: This application has been filed as required under Section 4 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is a day care nursery containing a nursery building, garage, six off-street parking spaces and fenced play area. The present zoning on the site is "A" Residence, First Height and Area and the use as proposed is permitted in this classification under special permit provision. The site plan has been circulated to the various City Departments and the comments are as follows:

Traffic Engineer

- O.K. But poor parking.

CP14-69-022 North Winn--contd.

Electric
Water and Sewer

Storm Sewer
Building Inspector

Advance Planning

Director of Public Works

Office Engineer

Tax Assessor
Health

Fire Prevention

Fire Protection

- Electric O.K.
- Water and Sanitary Sewer is available from existing mains in the adjacent streets. No additional fire protection will be necessary.
- Plan complies with requirements.
- 1. Shortform is required. Site plan indicates a different size lot other than what is platted.
- 2. Lot area is O.K. for 56 children.
- 3. The facility and site shall be approved by the Texas State Dept. of Public Welfare.
- If six off-street parking spaces are required, play area #2 should be used in place of the three interior spaces and the interior area now designated for parking could be used for play area.
- The most westerly driveway should be removed and replaced with standard curb and gutter. The wide driveway meets with our approval; however, I would recommend that it be concreted and that the minimum radius of the curb returns be 10'.
- Driveway plan as shown not acceptable. Revision required as indicated on plan.
Separate request for drive required to the Dept. of Public Works.
- Taxes are paid through 1968.
- APPROVED: Waste Water System to be available.
- Not less than 1 hour fire resistive construction.
Comply with electric ordinance for Day Care Center.
Install required fire extinguisher when completed.
- Existing fire protection facilities are believed to be adequate, but would recommend that the gate indicated in red be installed (locked if necessary) to permit access around the house in case an emergency arises.

CP14-69-022 North Winn--contd.

Mr. Reeves pointed out that two of the departmental comments are in conflict. He indicated that in his opinion that the six head-in parking spaces should be retained with the center island.

TESTIMONY

WRITTEN COMMENT

NONE

PERSONS APPEARING AT HEARING

Grace A. Lee (Applicant)

SUMMARY OF TESTIMONY

Grace A. Lee was present at the hearing and had nothing to add to the report by the staff.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission.

At the Commission meeting the staff reported, that this request was referred to the full Commission because of a conflict in two departmental reports. One recommended the shifting of the play area and the other recommended the closing of the driveway and putting in standard curb and gutter. This has been resolved as the parking has been moved over to where the play area was. The play area is now where the parking was and the driveway is to remain open as access for the parking. This has been approved by the two departments in conflict and the staff recommends approval of a special permit subject to compliance with departmental reports.

After further discussions the Commission then unanimously

VOTED: To APPROVE the request of North Winn for a special permit for a day care nursery on property located at 1906-1910 Frazier Street and 2119-2121 (2117) Bluebonnet Street subject to compliance with departmental reports and authorized the Chairman to sign the necessary resolution upon completion.

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

CP14-69-023 Baker-Jones-Crow Company: 91 Unit Apartment Dwelling Group
3025-3231 U. S. Highway 183

STAFF REPORT: This application has been filed as required under Section 9 and according to the procedures as specified in Section 10-B of the Zoning Ordinance for the City of Austin, Texas. Proposed is an apartment dwelling group containing 91 units, 195 off-street parking spaces, office, swimming pool, private club and storage facilities. The Ordinance has been passed on the subject property and the zoning is actually "D" Industrial, First Height and Area. There was a recent Master Plan change granted by the Commission changing the area from Industrial to medium density residential. The site came from a larger tract of land that extends down the east side of the railroad track between the railroad and Shoal Creek Boulevard. The remaining portion of that tract was also zoned "D" Industrial. The site plan has been circulated to the various City Departments and the comments are as follows:

Fire Protection

- We believe that the fire hydrants indicated in red will be adequate for fire protection if it is possible to open the drive into the south service road of Highway #183. If this is not possible a loop indicated in green is believed to be necessary.

Traffic Engineer

- Drives should be increased to 30' along Shoal Creek.
- Additional easements required. To be determined at a later date.

Electric

- Sanitary Sewer is available from the existing 8 inch main in Shoal Creek Boulevard.

Water and Sewer

Water Service is available from the existing 8 inch main in Shoal Creek Boulevard and the proposed 16 inch main running parallel to U. S. Highway 183.

Two additional Fire Hydrants are required, one will be on the northeast corner of the Drive in the center of the property perpendicular to U.S. Highway 183, and one will be on the northeast corner of the drive in the northwest portion of the property. Valves will be required on each stub coming off the 16 inch and fire demand meters will be required at each property line where the stubs cross.

These fire hydrant locations have been approved by the Fire Department with the recommendation that the

CP14-69-023 Baker-Jones-Crow Company--contd.

Storm Sewer

Building Inspector

Advance Planning

Director of Public Works

Office Engineer

Tax Assessor
Health

Fire Prevention

drive in the northwest corner of the property be extended to the service road of U.S. Highway 183. If not, an internal loop of 6 inch water main with fire hydrants and valves will be required in order to serve the area with adequate fire protection.

- The surface flow from the proposed development should be carried to the channel along the west property line.
- 1. Shortform is required here. Lot size as shown on site plan does not agree with platted property.
- 2. Does not include building code requirements.
- 3. Density appears O.K.; however, a breakdown of apartments as to number of bedrooms is required to finally determine total number of apartments and parking spaces.
- 1. General layout is satisfactory.
- 2. As units are not identified as to number of bedrooms, parking requirements can not be determined for adequacy.
- 3. Zoning application to "B" required to comply with Master Plan.
- Driveway locations as shown meet with our approval; however, we will need a request for and approval of them before construction begins. I would recommend a minimum of 10' curb returns on all driveway locations.
- Driveways O.K. Require separate request. See report from Director of Public Works.
- Taxes are paid through 1968.
- APPROVED: Waste water system to be available.
- Install required fire extinguishers as buildings are completed.

In connection with the Building Inspector's report there is a recorded section of Allandale Estates, Section 3 which created the tract of land in question; however, there has not been an opportunity to review the field notes in relation to that but apparently there is a discrepancy in the field notes and the dimensions. This has been discussed with Mr. Richard Baker, attorney for

CP14-69-023 Baker-Jones-Crow Company-contd.

the applicant, and it is just a matter of getting with the Engineers and making the field notes correspond with the recorded plat. The staff recommends approval of the special permit subject to compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

NONE

PERSONS APPEARING AT HEARING

Richard Baker (attorney for the applicants)

SUMMARY OF TESTIMONY

Mr. Richard Baker stated that in his opinion the departmental comments can be readily resolved.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be approved subject to compliance with departmental reports and pending a zoning application to convert the zoning from "D" Industrial to "B" Residence in order to conform to the Master Plan.

At the Commission meeting, Mr. Foxworth advised the Commission that Mr. Baker has indicated that the zoning application will be filed in order to comply with the Master Plan.

The Commission then

VOTED: To APPROVE the request of Baker-Jones-Crow Company for a special permit for the erection of a 91 unit apartment dwelling group located at 3025-3231 U. S. Highway 183 subject to compliance with departmental reports and pending a zoning application to convert the zoning from "D" Industrial to "B" Residential in order to conform to the Master Plan, and authorized the Chairman to sign the necessary resolution upon completion.

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

SUBDIVISIONS

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of May 26, 1969, 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 May 26, 1969, on the minutes of this meeting.

PRELIMINARIES

C8-69-38 Travis Landing, No. 2
 Hudson and Becon Drives

This preliminary plan was considered at the last regular Subdivision Committee meeting. There was a problem involving a proposed street which was shown on the preliminary plan as being a proposed street for dedication of public use and some 12 or 15 adjoining property owners appeared in opposition to the plat and stated that they had a perpetual private easement. There was considerable discussion as a result of that information and the request was postponed for 30 days with instructions to the staff that if the problem could be resolved by the full Commission meeting, the plan could be brought before the full Commission and if not, it would be referred back to the Subdivision Committee. It is the staff's understanding that the problem has been resolved and that the plan has been corrected to show a 30 foot private drive for private access for the adjoining property owners who were opposing the street and the plat now shows a 50 foot proposed street beginning at the side of the private easement. What this means is that the private easement will remain and there will also be a 50 foot dedicated street adjoining the easement area. With this solution, the staff recommends that the plan be approved. It was indicated at the Subdivision Committee that the applicants could resolve the problem in this manner and it would be acceptable to the property owners.

Mr. Milstead stated that the Subdivision Committee asked the applicants to get with the property owners and work out an agreement that would be satisfactory inasmuch as the original submission crossed property lines and took in other people's property. He asked if the property owners had met with the applicant.

Several of the property owners were present and stated that it was agreed at the Subdivision Committee meeting that the plan would be held for 30 days. As a result a majority of the property owners did not know that the plan would be considered at this time and there has been no agreement with the developer.

Mr. Jim Phillips, manager of Travis Landing Number 2, stated that the only opposition concerns a 30 foot easement area which belonged to them and was being dedicated for a public use.

C8-69-38 Travis Landing, No. 2--contd.

The plat has been changed and it will be there for the property owners use so there should not be any objection.

The Commission members were of the opinion that this request should be referred to the Subdivision Committee in order to give the adjoining property owners an opportunity to review the plan. It was then unanimously

VOTED: To REFER this request to the regular Subdivision Committee meeting.

C8-68-97 Knollwood - Resubdivision
Forest Hills Drive

The staff reported that this is a request to approve the preliminary plan as originally approved in that the six months has terminated. It is recommended that the request be granted and that the final plat submitted be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED: To REAPPROVE the preliminary plan of KNOLLWOOD - RESUBDIVISION and to ACCEPT the final plat for filing and DISAPPROVAL pending completion of departmental reports.

SUBDIVISION PLATS - CONSIDERED AND FILED

The staff reported that the following final plats have previously been before the Commission, were accepted for filing and disapproved pending the technical items which were requirements of the Ordinance, and now have been given approval by the staff through the new procedure recently adopted by the Commission. The procedure is in accordance with the rules and regulations whereby the Director of Planning, the Chairman of the Planning Commission and the Secretary of the Planning Commission can give approval to the final plats when the technical requirements of the Ordinance have been met. The Commission then

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

<u>C8-68-102</u>	<u>North Acres, Section 4</u>
	Walnut Bend Drive
<u>C8-68-108</u>	<u>Quail Creek, Section 3</u>
	Quail Park Drive and Collinfield Drive
<u>C8-69-28</u>	<u>Quail Creek, Section 4</u>
	Quail Park Drive and Quail Cove
<u>C8-69-32</u>	<u>Castle Wood Forest, Section 2</u>
	Crownspoint Drive and Ramble Wood Drive
<u>C8-69-7</u>	<u>Buckingham Place, Section 5</u>
	South 1st Street and King Edward Drive
<u>C8-69-5</u>	<u>Willow Creek</u>
	Willow Creek Hill Road

SUBDIVISION PLATS - CONSIDERED AND FILED--contd.

C8-68-54 Allandale Estates, Section 3
 Shoal Creek Boulevard and U. S. Highway 183
C8-68-73 North Creek
 North Creek Drive and Rundberg Lane

The staff reported that this is the first appearance of the following final plats before the Commission and recommended that the plats be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the following final plats:

C8-69-53 Balcones Village, Section 4
 Cedar Crest and Balcones Drive
C8-69-54 Willow Creek - Section 1-A
 Willow Creek Drive
C8-68-89 Lakeridge Estates, Section 4
 Lakeridge Drive and Lisa Drive
C8-69-35 Shier Cliff - 1
 William Cannon Drive and Manchaca Road
C8-69-40 Travis Vista
 R. M. 620 and Travis Vista
C8-69-43 Westover Summit Addition
 Mesa Drive and Cima Serena Drive
C8-69-42 Wood Shadows, Section 3
 Baywood Drive and Timber Crest
C8-68-97 Knollwood - Resubdivision
 Forest Hills Drive
C8-69-56 N. W. Hills Ranch, Lot J-7
 D-K Ranch Road
C8-68-121 Foothills, Block A
 Burnet Road and Anderson Lane

C8-69-33 Angus Valley, No. 8
 West Cowpath and Branding Trace

The staff reported that this is the first appearance of this final plat before the Commission and recommended that it be accepted for filing and disapproved pending additional easements and completion of departmental reports. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of ANGUS VALLEY, NO. 8 pending additional easements and completion of departmental reports.

C8-69-48 Country Club Gardens, Section 2
Montopolis Drive north of Marigold Terrace

The staff reported that this is the first appearance of this final plat before the Commission and recommended that it be accepted for filing and disapproved pending additional easements and completion of Departmental reports. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of COUNTRY CLUB GARDENS, SECTION 2 subject to additional easements and completion of departmental reports.

C8-69-36 Anderson Square
U. S. Highway 183 and Anderson Lane

The staff reported that this is a final plat which is located between Anderson Land and U. S. Highway 183 where they intersect at Lamar Boulevard. The preliminary plan includes the entire H. E. B. tract which is located at the intersection. The particular problem involved is that the preliminary plan which had been submitted had sixty square feet of right-of-way on Anderson Lane which connected Anderson Lane and U. S. Highway 183. Previous discussions at the Subdivision Committee meeting and by recommendation of the staff, the Subdivision Committee approved the plat with 70 feet of right-of-way instead of 60 feet. After the meeting, it was brought to the staff's attention that there had been a prior meeting held by the applicant, H.E.B. Stores, Inc., and the real estate agent and there had been a previous agreement made by all the parties involved that the street would be 80 feet of right-of-way with 60 feet of paving. The final plat is submitted with 70 feet of right-of-way and the requirement is now 80 feet. If the information had been known at the Subdivision Committee meeting, the staff would have recommended that the street have 80 feet of right-of-way. The recommendation for 80 feet of right-of-way at this time is based partly on the agreement by all parties involved and partly on a recommendation by the Traffic and Transportation Department and Public Works in connection with the Highway Department for connection between Anderson Lane and U. S. Highway 183 in relation to the interchange that the Highway Department has proposed to Anderson Lane, U. S. Highway 183 and Lamar Boulevard. At this point, H.E.B. does own all the property but they have a contract to sell the property on the west side with the exception of Lot 1 adjoining Anderson Lane. Mr. Butt has agreed to provide the 80 feet of right-of-way, with the excess 20 feet to come from the east side rather than the west side.

Mr. Hanks asked if there is a need to put the City Council on notice of the possibility of purchasing some of the north end of the street with the possibility that there might be a straight tie in with the connection from I. H. 35 to Lamar Boulevard and then a cut-off in to Anderson Lane. He asked if it is anticipated that Anderson Lane will eventually go straight rather than stop at Lamar Boulevard.

C8-69-36 Anderson Square--contd.

Mr. Joe Ternus, Traffic and Transportation Department, stated that the area has been set up so that in the future if conditions warrant, the Highway Department could build an interchange at this location similar to what is on I. H. 35. There would be a simplified interchange and not a direct access. The access would be at grade with the U. S. Highway 183 through traffic going above grade.

Mr. Reeves asked if it is the subdividers or owners desire to have 70 feet or 80 feet of right-of-way.

Mr. Foxworth explained that it is his understanding at this point that all of the people involved, with the exception of Tom Watts, the Engineer, want 80 feet of right-of-way with 60 feet of paving.

Mr. Milstead said that it appears that the street will be extended through the parking lot and would not actually be a thoroughfare.

Mr. Foxworth stated that it is the staff's contention that once the street is put in, it will be a thoroughfare whether it is planned or not. Mr. Butt has agreed to provide the full 80 feet of right-of-way with 60 feet of paving and it is assumed that because of City policy that the street will be constructed with 10 feet of curb basis on each side of the street.

Mr. Isom Hale explained that the street in question is the frontage road for their property and they need the regular type street with the regular utility requirements and curb basis.

Mr. Thomas Watts, Engineer for the applicant, explained that there is a great deal of confusion involved around the subdivision. He said that to the best of his knowledge, H.E.B., Inc. through Mr. Milton Klapp of San Antonio and Mr. Dick Nichols of Austin, prior to the hearing with the Highway Department on the interchange of U. S. Highway 183 and North Lamar Boulevard, agreed to 80 feet of right-of-way for Anderson Square as now shown on the plat.

Through another function of H.E.B., Mr. Bill Black of San Antonio, through a real estate agent, contracted Mr. Isom Hale to purchase part of the tract and subdivide it as shown on the preliminary plan. There have been two factors going in two different directions. Mr. Watts stated that he was recently advised by Mr. Nichols that they would, in fact, agree with the 80 feet and intended to stay with that agreement with the City; however, Mr. Butt contacted him and indicated that they were not going to provide the 80 feet of right-of-way.

Mr. Watts explained that several days after approval of the preliminary plan by the Subdivision Committee he was contacted by the Planning Department staff and told of the report sent in by Mr. Ternus and that it would be an issue at the full Planning Commission meeting. The Subdivision Committee considered this preliminary two weeks ago at which time the department recommended 70 feet of right-of-way. There was a great deal of discussion and consideration by the

C8-69-36 Anderson Square--contd.

Committee members as to whether a 60 or 70 foot right-of-way was required. It was determined that 70 feet should be required. The question before the Commission at this time appears to be not what H.E.B. proposes to do but what is in effect required and necessary for the public. It should be pointed out that the preliminary plan was approved with 70 feet of right-of-way but if H.E.B. prefers to go ahead and dedicate 80 feet it would be accepted by the City. The problem before the Subdivision Committee, which is still the problem, is what is proper for that street to serve the area and whether it should be 70 feet as previously recommended by the department or 80 feet as now recommended by the department.

The preliminary plan was filed at the last minute on the deadline date in order to make the meeting two weeks ago and it is assumed that the City Departments have time to make their reports and recommendations to the Committee for the Public Hearings. It is unfair to the applicant that he should attend the Public Hearings and obtain some sort of judgement whether he likes it or not and then after the meeting be told by the staff that there are additional requirements. He explained that since the call from Mr. Butt he has been told that there has been a further conference and H.E.B. will in fact proceed with the 80 feet of right-of-way inasmuch as it was previously agreed to. Mr. Watts stated that in his opinion the 80 feet of right-of-way will be dedicated but it is felt that the preliminary plan should remain as previously approved and not changed on the basis of an agreement prior to the Public Hearing.

Mr. Milstead stated that he is on the Subdivision Committee and the vote on the preliminary was 3 to 2 in favor of approving the plan with 70 feet of right-of-way. The negative vote felt that sufficient pavement could be supplied on 60 feet of right-of-way. He said that the staff convinced him that the 70 feet was what was needed, and that it was wide enough to take care of the traffic. If there were agreements prior to that time they should have been brought out at the meeting. The Subdivision Committee held a hearing on this previously and recommended 70 feet.

Mr. Foxworth explained that Mr. Ternus' report was received after the Subdivision Committee Meeting; however, it has been a practice of the Subdivision Committee for many years to approve a preliminary plan subject to compliance with departmental reports inasmuch as some of the reports are rarely received by the time the plans are presented for Public Hearing. Departmental recommendations at the Subdivision Committee meeting was not based on the plan presented at this time. The 80 feet is required because of the plan for the interchange and the piece of property in connection with it. If the information had been available at the Subdivision Committee Meeting, the staff would have recommended 80 feet of right-of-way.

Mr. Milstead stated that in his opinion there is no reason for the Subdivision Committee meeting until all departmental reports are complete. He said that he has voted for approval subject to compliance with departmental reports on many occasions but it was his understanding that there were technical requirements to be worked out and not major issues such as right-of-way.

C8-69-36 Anderson Square--contd.

Mr. Foxworth advised the Commission that there is one item which has not been brought out with regard to the turnout from Anderson Lane into Anderson Square which is part of the entire plan for the interchange and the connections in reference to the streets affected by the interchange.

Mr. Ternus explained that the purpose of the connector that would in essence connect Anderson Lane with U. S. Highway 183 is to provide a major street that would connect Anderson Lane all the way to the west side of town through the Anderson Lane - Lamar Boulevard Interchange. Based on the proposed interchange design, the existing Anderson Lane by itself cannot handle the traffic that is anticipated in the future. Because of this, what is in effect needed is two Anderson Lanes so the street has been designed with a gentle curvature rather than abrupt right angles. It is felt that in order for the street to function as a major street there must be the curvature, as a right angle street would not adequately serve the general public in the area. It is also felt that the street width is very critical and 60 feet is the bare minimum. The recommendation is that there be a 60 foot paving width with a 10 foot curb basis on each side for adequate sidewalk and utility easements.

Mr. Hale advised the Commission that there should be some flexibility in approving preliminary plans subject to compliance with departmental reports inasmuch as the reports are sometimes received very late and the plans would otherwise be held up for a great length of time.

Mr. Watts stated that if the Commission does not approve plans until the reports are in, there will be a problem as some of the reports are so late that the developer or engineer has to pick them up himself.

Mr. Reeves said that in his opinion only 70 feet should be required inasmuch as the Committee approved 70 feet and the Traffic Engineer has indicated that 60 feet is the minimum width. The landowner should not be required to donate additional land to the City. The members agreed with Mr. Reeves and unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of Anderson Square, subject to compliance with departmental reports, requiring 70 feet of right-of-way with 60 feet of paving for Anderson Square.

SHORT FORM PLATS - FILED AND CONSIDERED

The staff reported that this is the first appearance of the following short form plats before the Commission and recommended that they be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the following short form plats, pending completion of departmental reports.

C8s-69-83 South Congress Square - 3rd Resub.
South Congress and East Oltorf Street

SHORT FORM PLATS - FILED AND CONSIDERED--contd.

C8s-69-84 R. E. Austin Resub.
 Loop 111
C8s-69-87 Bar - S Ranch Subdivision No. 2
 Bar - S Ranchroad and Hilltop Drive
C8s-69-89 Point West of Westover Hills, Section 3A
 Highcrest Drive
C8s-69-90 Johnston Terrace, Section 3
 Arthur Stiles Road
C8s-69-91 A. H. Neighbors Addition, First Resub.
 Riverside Drive and Maxwell Drive
C8s-69-95 Travis County Subdivision No. 1
 Burnet Road and Burnet Lane

C8s-69-94 Gray Terrace
 Burnet Road and Burnet Lane

The staff reported that this is the first appearance of this short form plat before the Commission and recommended that it be accepted for filing and disapproved pending completion of departmental reports and with the condition that Gray Terrace is recorded after Travis County Subdivision No. 1. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of GRAY TERRACE pending the items as indicated.

C8s-69-82 Miracle Hill
 I. H. 35

The staff reported that this short form plat has complied with all departmental reports and met all the requirements of the ordinance and recommended approval.

The Commission then

VOTED: To APPROVE the short form plat of MIRACLE HILL.

C8s-69-86 D. C. Nagues Subdivision
 Center Street and Birch Street

The staff reported that this short form plat involves a variance on lot depth. The Subdivision Ordinance as amended now requires a minimum lot depth of 75 feet and the particular lot under consideration is slightly less than 75 feet on one end. The intent is to put a trailer house on the lot lengthwise and the depth should present no particular problem. There is adequate area in the lot and the staff recommends that the variance be granted and that the plat be accepted for filing and disapproved pending completion of departmental reports.

C8s-69-86 D. C. Nogues Subdivision--contd.

The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of D. C. NOGUES SUBDIVISION pending completion of departmental reports, and granting a variance on the depth of the lot.

C8s-69-88 Roe Addition
Rockwood Lane

The staff reported that this short form plat has complied with all departmental reports, except one. There is a variance involved in that the lot in question does not have 50 feet of width 50 feet behind the building line. The problem is the frontage situation because there is a house built on the front of the lot. There is ample footage in the front and at the building line. There is a public utility easement across the subject property which requires vacation and the staff recommends that the variance be granted and that the short form plat be disapproved pending vacation of the necessary utility easements. The Commission then unanimously

VOTED: To DISAPPROVE the short form plat of ROE ADDITION, pending the necessary utility easements, and granting a variance on the lot width.

C8s-69-92 John W. Williams Subdivision
U. S. Highway 183 and Clearfield Drive

The staff reported that this short form plat involves a variance on the signature requirements of the adjoining owner who has refused to participate in the platting. The staff recommends that the variance be granted and that the short form plat be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of JOHN W. WILLIAMS SUBDIVISION, pending completion of departmental reports, and granting a variance on the signature requirements of the adjoining owner.

C8s-69-93 Odis Fowler Addition
Braker Lane and Hornsby Street

The staff reported that this short form plat involves a variance on the width of the lot. It is outside of the City limits and does not have 60 feet of width at the building line. The staff recommends approval of the variance but also recommends that the applicant establish a setback line further back on the lot so that he will have 60 feet. The setback line will then be established at a point where it meets the requirements. The staff recommends that the variance be granted and that this short form plat be accepted for filing and disapproved pending completion of departmental reports.

C8s-69-93 Odis Fowler Addition--contd.

The Commission then

VOTED: To DISAPPROVE the short form plat of ODIS FOWLER ADDITION, pending completion of departmental reports, granting a variance on the lot width and requiring a setback line to be established at a point on the lot with adequate width in order to meet the requirements.

ADMINISTRATIVE APPROVAL

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

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

<u>C8s-69-85</u>	<u>Bannister Commercial Area</u>
	Ben White Boulevard and Bannister Lane
<u>C8s-69-38</u>	<u>J. E. Bouldin Resub.</u>
	South 5th Street and West Annie
<u>C8s-69-75</u>	<u>Calhoun - Smith Addition</u>
	Lamar Boulevard and North Meadows
<u>C8s-69-23</u>	<u>Oak Acres, Resub.</u>
	Oak Boulevard East

OTHER BUSINESS

R140 PLANNING COMMISSION -- Organization

In accordance with the Planning Commission rules and regulations, the following officers were unanimously elected for the following year:

Chairman:	S. P. Kinser
Vice Chairman:	Bill Milstead
Secretary:	Roger Hanks
Asst. Secretary:	Alan Taniguchi

C10-69-1(i) STREET VACATION

Ethel Street south of Collier Street

The staff reported the request to vacate a portion of Ethel Street which extends south off of Collier Street. All of the departments have reviewed the request and there is no need for retention of any easements. It is recommended that the request be granted. The Commission then

VOTED: To recommend that Ethel Street south of Collier Street be VACATED.

C10-69-1(j) STREET VACATION

A portion of Graham Street north of the proposed Walnut Avenue

This is a request to vacate portions of Graham Street north of the proposed Walnut Avenue. All of the adjoining property is owned by the Urban Renewal Agency. The request has been reviewed by the various City Departments who recommend in favor of the request. There is no need for retention of easements and the staff recommends the request be granted. The Commission then

VOTED: To recommend that portions of Graham Street north of the proposed Walnut Avenue be VACATED.

C10-69-1(k) STREET VACATION

Avenue H from East 45th Street south to Waller Creek

The staff reported that this is a request to vacate a portion of Avenue H from East 45th Street south to Waller Creek. The request has been reviewed by the various City Departments who recommend in favor of vacation subject to retention of a 5 foot electrical department easement and telephone company easement along the west side. The Commission then

VOTED: To recommend that Avenue H from East 45th Street south of Waller Creek be VACATED subject to the retention of necessary easements as indicated.

C10-69-1(l) STREET AND ALLEY VACATION

Sabine Street from East 8th Street north to Waller Creek

This is a request to vacate a portion of Sabine Street from East 8th Street north to Waller Creek. The request is in connection with a City Pound where cars that have accumulated will be parked. All of the departments recommended in favor of the request subject to the retention of the necessary sanitary sewer, water department, storm sewer, electric department and telephone company easements. The Commission then

VOTED: To recommend that Sabine Street from East 8th Street north to Waller Creek be VACATED subject to retention of the necessary easements as indicated.

ADJOURNMENT: The meeting was adjourned at 12:00 p.m.

Hoyle M. Osborne
Executive Secretary