

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- November 10, 1969

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

Present

S. P. Kinser, Chairman  
C. L. Reeves  
M. J. Anderson  
Jack S. Crier  
Bill Milstead  
Roger Hanks  
Alan Taniguchi  
Fritz Becker  
Jack Goodman

Also Present

Hoyle M. Osborne, Director of Planning  
Walter Foxworth, Associate Planner  
Mike Wise, Associate Planner

MINUTES

Minutes of the meeting of July 8, 1969, and Special meetings of October 22, 1968, and April 15, 1969, were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of November 3 and 4, 1969.

Present

Alan Taniguchi  
Jack Crier  
\*\*Jack Goodman  
Fritz Becker  
C. L. Reeves

Also Present

\*\*Hoyle Osborne, Director of Planning  
\*Walter Foxworth, Associate Planner  
Mike Wise, Associate Planner  
Shirley Ralston, Administrative Secretary

\*Present only on November 3, 1969.

\*\*Present only on November 4, 1969.

PUBLIC HEARINGS

C14-69-264     Bettye R. Crawford: A, 1st to O, 2nd  
2612 Rogers Avenue  
2100-2104 Walnut Avenue

STAFF REPORT: The subject property contains an area of 9,000 square feet and is developed with a residential structure. The stated purpose of the request is for

C14-69-264 Bettye R Crawford--contd.

the construction of a new building and the conducting of professional and semi-professional occupations, i.e. law office, doctors office, etc. The zoning immediately to the north, west and east is "A" Residence, First Height and Area. "C" Commercial, Fifth Height and Area zoning is established to the north along the south side of Manor Road and "B" Residence, Second Height and Area zoning is established north of Manor Road. Directly to the south of the site is "B" Residence, First Height and Area zoning for a large tract on which the Holy Cross Hospital is located. "C" Commercial, "O" Office and "LR" Local Retail zoning is established south of 19th Street. "LR" Local Retail zoning is also established at the southwest intersection of Weber Avenue and Cedar Avenue. "C" Commercial, First Height and Area zoning was granted in 1968, on property at the southeast intersection of Walnut Avenue and Manor Road. The area to the north, east and west is predominantly developed as single-family residences. To the north along Manor Road there are apartments and commercial uses. Rogers Avenue is classified as a minor residential street with 30 feet of right-of-way. Walnut Avenue is also classified as a minor residential street with 50 feet of right-of-way. The interior area, with the exception of the hospital, is developed for single-family use. The staff recommends that the the zoning as requested be denied as it would be an intrusion into a well-established residential area with streets inadequate to handle increased traffic. If the request is granted, five feet of right-of-way should be required for Walnut Avenue and the necessary right-of-way on Rogers Avenue in order to bring the street to 60 feet.

## TESTIMONY

## WRITTEN COMMENT

Mrs. Bettye R. Crawford (applicant)  
 Lee R. McCall: 2200 Walnut Avenue  
 Mrs. Lydia H. Hoppe: 2704 East 22nd Street  
 Lucille L. Woodard: 2103 Stafford

FOR  
 AGAINST  
 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 the majority concluded that this request should be granted, subject to Rogers Avenue and Walnut Avenue being made adequate, as "O" Office development is appropriate for property across from the existing hospital.

C14-69-264 Bettye R. Crawford--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Bettye R. Crawford for a change of zoning from "A" Residence, First Height and Area to "O" Office, Second Height and Area for property located at 2612 Rogers Avenue and 2100-2104 Walnut Avenue be GRANTED, subject to Rogers Avenue and Walnut Avenue being made adequate.

C14-69-265 Harold W. Larson: A, 1st and C, 2nd to C, 1st and 2nd  
1710-1712 Evergreen Avenue

STAFF REPORT: This application covers 16,656 square feet of land and is developed with one residential structure. The stated purpose of the request is for a retail and repair plumbing company. Evergreen Avenue is classified as a minor residential street with an existing right-of-way of 44 feet. The immediate area is developing non-residentially. The staff recommends that the request be granted, provided the street is made adequate for increased traffic generation. Three feet would be required from the subject tract.

## 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 granted, subject to three feet of right-of-way for Evergreen Avenue as a logical extension of existing zoning and development.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Harold W. Larson for a change of zoning from "A" Residence, First Height and Area and "C" Commercial, Second Height and Area to "C" Commercial, First and Second Height and Area for property located at 1710-1712 Evergreen Avenue be GRANTED, subject to three feet of right-of-way for Evergreen Avenue.

C14-69-266      Joseph C. and Myrtle L. Bashara: A to LR  
6100-6104 Kasper Street  
1807-1809 Clubview Avenue

STAFF REPORT: The property under consideration covers an area of 29,925 square feet and is presently developed with a single residential structure. The stated purpose of the application is for a mobile home park. The zoning to the immediate north, east and south is "A" Residence, First Height and Area developed predominantly with single-family structures. To the north of Fairway Street is "BB" Residence and "LR" Local Retail, First Height and Area zoning which was granted earlier this year. Property to the west of Clubview is presently zoned Interim "A" Residence, Interim First Height and Area; however, a request for "LR" Local Retail and "B" Residence zoning is pending. To the south at the northwest intersection of Montopolis Drive, Kasper Street and Riverside Drive is "C" Commercial, Sixth Height and Area zoning, a portion of which was established in 1967. There were two requests for "B" Residence, Second Height and Area zoning in 1967, on property located along Montopolis Drive between Langham and Kasper Streets which were withdrawn. Clubview Avenue which extends southward from Fairway Street to Riverside Drive is classified as a minor collector with an existing right-of-way of 50 feet. Kasper Street is classified as a minor residential street with a right-of-way of only 25 feet. The subject site is on the edge of a single-family area, yet extends into the area. Rezoning would encourage adjoining property owners along Clubview to apply and if granted would result in eventual strip development along this street. Approval by the Council of "LR" Local Retail west of Clubview should provide adequate area for commercial development. Although the proposed use of the subject tract is for a mobile home park the owner may use the property for any use permitted in the "LR" Local Retail Zoning District. The staff recommends that the zoning as requested be denied as an intrusion into a residential neighborhood.

#### TESTIMONY

##### WRITTEN COMMENT

None

##### PERSONS APPEARING AT HEARING

Joseph C. Bashara (applicant)

#### SUMMARY OF TESTIMONY

Mr. Joseph C. Bashara, Sr. was present on behalf of this request and explained that the requested change on the property to allow the development of a mobile home park would be a benefit for the entire area. There is "LR" Local Retail zoning which was granted to the west and "C" Commercial zoning exists to the south. The plans are to utilize Clubview Avenue as entrance to the trailer park and there will be an 18 foot drive extending to the site and out to Kasper Street. There will be concrete slabs for the trailers and a six foot privacy fence will be erected to protect the adjoining property. There is sufficient square footage in the property under consideration to permit 29 trailer units

C14-69-266      Joseph C. and Myrtle L. Bashara--contd.

but the plans are for only 21 so that there can be shrubs, trees and grass planted to make the development an asset to the area.

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee recognized that Clubview Avenue is only four blocks long and the majority of the members felt that the requested change should be denied as it is too intensive for the street and would be an intrusion into the residential area.

At the Commission meeting, Mr. Wise reported that the applicant has submitted a letter requesting that the application be withdrawn.

Mr. Osborne advised the Commission that withdrawal of a zoning request is covered by City Council policy and must be directed to the City Council. The Commission is obliged to act on a case and forward it to the Council where the applicant may request withdrawal.

Mr. Kinser stated his interpretation of the City Council resolution with regard to withdrawal was intended for Council action only and asked Mr. Osborne to further explain.

Mr. Osborne stated that the Planning Commission has in its Rules and Regulations the requirement that no postponement or withdrawal will be accepted unless notified seven days in advance of the hearing and notices are sent to the individuals concerning this. When an application is filed, the City Council sets a hearing. The Planning Commission is an advisory group to the Council and the issue of zoning or rezoning is only partly within the jurisdiction as advisory to the Council so the procedure is that set by the Council, and in turn, the Council issue on withdrawal is that it may be accepted by them on the condition that no future application would be accepted within a six month period. There are provisions in the Council policy where an error in notification or a technical error would provide for a withdrawal or rehearing of the matter but the withdrawal issue is within the prerogative of the Council unless it is done at least seven days prior to the Zoning hearing. The Commission is obliged to recommend to the City Council on the matters that are properly considered unless there has been an error.

In view of the Council policy on withdrawal, a majority of the members concurred with the Committee recommendation that the request should be denied as an intrusion into a residential area.

C14-69-266      Joseph C. and Myrtle L. Bashara--contd.

It was then

VOTED:      To recommend that the request of Joseph C. and Myrtle L. Bashara for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 6100-6104 Kasper Street and 1807-1809 Clubview Avenue be DENIED.

AYE:          Messrs. Kinser, Reeves, Anderson, Crier, Milstead, Hanks, Taniguchi and Goodman

NAY:          Mr. Becker

ABSENT:      None

C14-69-267      Eastin Nelson: A to C  
1117-1205 West Gibson Street

STAFF REPORT: The subject property contains an area of 34,200 square feet and the stated purpose of the request is for a mobile home park and commercial development. Zoning in all directions is "C" Commercial. To the east of the railroad tracks is "A" Residence, First Height and Area. To the west of South Lamar Boulevard is "C" Commercial, "C-2" Commercial, and "GR" General Retail. Land use to the north is mixed consisting of a garage, warehouse, electrical shop and similar type uses. To the east is office development and to the south along Lamar Boulevard there is commercial and office development. To the west of South Lamar Boulevard is a shopping center. Gibson Street is classified as a minor residential street with 50 feet of right-of-way. The area between South Lamar and the railroad is predominantly zoned and developed for non-residential use. The staff recommends that the request be granted as it is consistent with the existing zoning and development in the area.

#### TESTIMONY

#### WRITTEN COMMENT

Frank Bryant: 1811 Kenwood Avenue  
Maufrais Brothers, Inc.: P. O. Box 2114

FOR  
FOR

#### PERSONS APPEARING AT HEARING

Eastin Nelson (applicant)

#### SUMMARY OF TESTIMONY

Mr. Eastin Nelson was present on behalf of this request and advised the Committee that this area has been commercial for many years. The subject property contains an area of approximately 34,200 square feet and there are only two duplexes established. A good portion of the land is not used. There is a steep slope through the area and the maintenance of keeping the Johnson grass mowed on the site is a problem. There are no immediate plans for the property and zoning is requested as a logical extension of existing zoning.

C14-69-267 Eastin Nelson--contd.

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 zoning in the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Eastin Nelson for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1117-1205 West Gibson Street be GRANTED.

C14-69-268 Theodore Bethke: A to O  
1105 West 42nd Street

STAFF REPORT: The subject site consists of 6,250 square feet which is presently developed with a single residential structure. The stated purpose of the request is to rehabilitate the house for an interior decorators shop. Zoning to the north of West 42nd Street is predominantly "A" Residence with "C" Commercial zoning established along Medical Parkway. "O" Office zoning, granted in 1968, is established on the property adjoining the site to the west as well as on several lots to the east along Marathon Boulevard, and to the south along Medical Parkway. "LR" Local Retail and "C-2" Commercial zoning exists west of Medical Parkway. Land use to the north is predominantly single-family with various commercial and office uses established along the major streets. To the east, south and west is single-family development with several offices and commercial businesses established along Marathon Boulevard and Lamar Boulevard. West 42nd Street is classified as a minor residential street with 50 feet of right-of-way. The area south of 42nd Street is in transition to office development on individual lots. The staff recommends the request be granted, subject to 5 feet of right-of-way for East 42nd Street, as it is consistent with recently established zoning in the area.

#### TESTIMONY

##### WRITTEN COMMENT

Mrs. Ervyr C. Shepherd: 4209 Bellvue

FOR

##### PERSONS APPEARING AT HEARING

Jack Roche (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. Jack Roche, representing the applicant, appeared at the hearing and had nothing to add to the report by the staff.

No one appeared in opposition to the request.

C14-69-268 Theodore Bethke--contd.

## 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 West 42nd Street, as it is consistent with recently established zoning in the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Theodore Bethke for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1105 West 42nd Street be GRANTED, subject to 5 feet of right-of-way for West 42nd Street.

C14-69-269 A. S. Duncan: O to LR  
3700-3708 Manchaca Road

STAFF REPORT: This application covers an area consisting of 63,232 square feet. Zoning to the north includes "LR" Local Retail and "A" Residence; to the east across Manchaca Road is "O" Office and "A" Residence; to the south is "A" Residence and to the west is Interim "A" Residence, Interim First Height and Area. Land uses to the north include vacant tracts of land with scattered single-family houses. To the east and south along Manchaca Road is single-family and to the west is Porter Junior High School. The "O" Office zoning existing on the subject property was granted in 1967. "LR" Local Retail zoning was granted on property to the west in 1967, specifically requested for a mobile home park which would be controlled by special permit procedures. An application for a special permit for a mobile home park was submitted and approved in 1967, on that property; however, the park was not developed. The Planning Department staff at that time had recommended against the change on the subject site to "O" Office. A request for "O" Office, First Height and Area zoning was recently granted on property east of Manchaca Road (C14-69-291). Manchaca Road is classified as a major arterial street with an existing right-of-way of 80 feet. The staff feels that "LR" Local Retail zoning on the subject tract is too intensive for the area recognizing that the area to the north has been granted. Strip commercial zoning and development should be discouraged along Manchaca Road. The failure of the adjoining property owner to carry out his plans for mobile home development under an approved special permit leaves this spot of commercial zoning surrounded by residential development. The staff feels the "O" Office zoning on the tract is appropriate and recommends the request be denied. If the Commission feels that the request should be granted, consideration should be given to the extension of Panther Trail to Manchaca Road to improve circulation through the area to the school.

## TESTIMONY

## WRITTEN COMMENT

None



C14-69-269      A. S. Duncan--contd.

PERSONS APPEARING AT HEARING

A. S. Duncan (applicant)

SUMMARY OF TESTIMONY

Mr. A. S. Duncan was present at the hearing and advised the Committee that he is at the present time working with the City with regard to giving 35 feet of the site for the future extension of Panther Trail. He said that they also own the property to the south and there is a 25 foot strip which the owner acquired for the purpose of eventually extending Panther Trail. As indicated, the 25 feet adjoining the site immediately to the south is for right-of-way. In the 35 feet dedicated from the subject property, there will be a 60 foot extension of Panther Trail. There is a willingness to cooperate with the people to the west in order to bring the street through their property also. In view of the fact that "LR" Local Retail zoning is established to the north and west, it is felt that the requested change is logical. Mr. Duncan asked the Committee if the land to the rear is not acquired for street purposes and extended, that they would lose the use of the property that they are willing to dedicate for a street. The granting or denying of the zoning application should not be based on the street because of the existing zoning in the area.

Mr. Foxworth explained that the party who owned the "LR" Local Retail property on which a special permit was granted for a mobile home park chose to let the special permit die. The property has changed ownership since that time and it is now their intention to develop the property with apartments. There have been two contacts with the staff for a possible subdivision of the property for that purpose at which time additional streets through the tract are proposed. In connection with a new subdivision, the extension of Panther Trail would be required.

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 pending further information with regard to provision for the extension of Panther Trail to the site.

At the Commission meeting, Mr. Reeves explained that the staff recommended that this request be granted subject to Panther Trail being extended through the south portion of the tract. In view of this, the Commission unanimously

VOTED: To recommend that the request of A. S. Duncan for a change of zoning from "O" Office, First Height and Area to "LR" Local Retail, First Height and Area for property located at 3700-3708 Manchaca Road be GRANTED, subject to the provision for the extension of Panther Trail through the southern portion of the site.

C14-69-270      Grover A. Fuchs: O to C  
                     500-502 West 30th Street  
                     3000-3004 Fruth Street

STAFF REPORT: The subject property contains 8,448 square feet and is developed with a residential structure located on the northern most portion of the site. The use proposed on the site includes retail shops and other commercial use permitted by the zoning. Zoning immediately to the north consists of "B" Residence, Third Height and Area with "A" Residence zoning established along Wheeler Street. To the east across Fruth Street is "O" Office zoning and to the south of West 30th Street is "GR" General Retail, a portion of which was granted in 1968, and "B" Residence. To the west along Guadalupe Street is predominantly "C" Commercial. Land use in the area consists of single-family development to the north and east; offices, restaurant and day nursery along West 30th Street and various commercial businesses to the west along Guadalupe Street. West 30th Street is classified as a minor collector street and has 60 feet of right-of-way. Fruth Street with an existing right-of-way of 50 feet is classified as a minor residential street.

The staff recommends that the request be denied as it is too intensive. The existing "O" Office is the appropriate zoning for the site. To grant commercial zoning would be to encourage strip commercial development along West 30th Street. If the request is granted, 5 feet of right-of-way would be needed for West 30th Street.

#### TESTIMONY

##### WRITTEN COMMENT

C. W. Arlitt: 3114 Wheeler Street

AGAINST

##### PERSONS APPEARING AT HEARING

Grover A. Fuchs (applicant)  
 Malcolm Fuchs

FOR

#### SUMMARY OF TESTIMONY

Mr. Grover A. Fuchs was present on behalf of this request and stated that there are three lots under consideration, one of which is developed with a two and one-half story structure which is being converted into apartments. The existing structure is on the rear lot and the front two lots will be used for the proposed development.

Mr. Malcolm Fuchs was also present and explained that he is the owner of Granada Interiors and is interested in moving his business and other small specialty shops to the subject site. There is commercial zoning established adjacent to the property which will be developed with a craft corner, a small business devoted to hobbies. Across the street is a restaurant. There is only one residence established on property adjoining the site and the existing two and one-half story structure being converted into apartments will be a buffer of a residential nature between the residential area and the commercial businesses.

C14-69-270 Grover A. Fuchs--contd.

The plans are not to put any commercial shop directly across the property line from a residential use. There are four or five small specialty shops proposed on the site, with limited working hours, that will be conducive to existing development in the area. This is a University area and there is a demand for this type of use.

Mr. Foxworth explained that there could be a problem with the off-street parking requirements because of the size of the site, the development proposed and the existence of the two and one-half story structure. It is the staff's opinion that head-in parking will not be permitted along West 30th Street.

No one appeared in opposition to the request.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to 5 feet of right-of-way for West 30th Street, as a logical extension of zoning existing to the west.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Grover A. Fuchs for a change of zoning from "O" Office, Second Height and Area to "C" Commercial, Second Height and Area for property located at 500-502 West 30th Street and 3000-3004 Fruth Street be GRANTED, subject to 5 feet of right-of-way for West 30th Street.

C14-69-271 Kenneth Dorman: A to O  
2007-2013 Anderson Lane

STAFF REPORT: This application includes an area containing approximately 60,371 square feet. The stated purpose of the request is for office use. Zoning to the north of Anderson Lane includes "GR" General Retail with "O" Office adjoining to the north. Directly to the east is "A" Residence and adjoining the site to the south and west is "GR" General Retail on a large tract developed with a shopping center. "GR" General Retail zoning was granted on property to the east at the intersection of Anderson Lane and Mullen Drive in 1968. Land to the north includes undeveloped property. To the east is a single-family subdivision with a service station and community center located at the intersection of Anderson Lane and Mullen Drive. Anderson Lane is classified as a major arterial street with an existing right-of-way of 85 feet in front of the site. The area is commercially zoned and has been developing rapidly during the past few years. The requested zoning is appropriate and the staff recommends that the request be granted, subject to 5 feet of right-of-way for Anderson Lane.

#### TESTIMONY

#### WRITTEN COMMENT

None

C14-69-271 Kenneth Dorman--contd.

## PERSONS APPEARING AT HEARING

Kenneth Dorman (applicant)

## SUMMARY OF TESTIMONY

Mr. Kenneth Dorman 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 granted, subject to 5 feet of right-of-way for the widening of Anderson Lane, as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Kenneth Dorman for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2007-2013 Anderson Lane be GRANTED, subject to 5 feet of right-of-way for Anderson Lane.

C14-69-272 Ygnacio Resendez and M. F. Smith: A to C  
74-78 East Avenue

STAFF REPORT: This application consists of 17,280 square feet of land with the stated purpose for the Armored Motor Service, Inc. To the north and west of the site is "A" Residence zoning with "C" Commercial, "GR" General Retail, and "B" Residence zoning clustered along the Interregional Highway at Driskill Street. "C" Commercial zoning is also established for a nursing home south of River Street. Land use to the north includes single-family and various commercial businesses with single-family development located to the west and south. A request for "C" Commercial, First Height and Area zoning was made on property to the south along River Street earlier this year for the purpose as stated on this application. The Commission recommended that the request be granted; however, right-of-way was requested for River Street and because of this, the applicant felt that there was not sufficient room in the site for the uses proposed. The staff recommends that the request be granted as the site fronts onto the expressway and the request conforms to the existing zoning and development in the area.

## TESTIMONY

## WRITTEN COMMENT

Hugo F. Kuchne: 200 International Life Building  
T. J. Rogers: 200 International Life Building

FOR  
FOR

C14-69-272 Ygnacio Resendez and M. F. Smith--contd.

PERSONS APPEARING AT HEARING

Ygnacio Resendez: 78 East Avenue  
Melvin Hees: 6301 Peggy Street

FOR  
FOR

SUMMARY OF TESTIMONY

Melvin Hees was present on behalf of this request and explained that he is manager of the Armored Motor Service, Inc. He explained that they had originally proposed to move to the corner property so that they could have a facility for maintenance of vehicles, a vault storage and a terminal; however, when right-of-way was requested it was found that the property would not have sufficient area to allow the development of the site as proposed. The plans for the subject property are for the same uses. There will be a pre-stressed building on the site with a chain link fence around the area. Access to the site is excellent and it is felt that the development is appropriate for 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 as the proper zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Ygnacio Resendez and M. F. Smith for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 74-78 East Avenue be GRANTED.

C14-69-273 Chester D. Brooks: BB, 1st to B, 1st (as amended)  
621-623 West 31st Street

STAFF REPORT: The subject property contains an area of 8,855 square feet and the stated purpose of the request is for apartment house and related use development. Zoning in the area includes "BB" Residence, First Height and Area to the north and west; "O" Office directly to the south; and "C" Commercial, Second Height and Area to the east along Guadalupe Street. Land use in the area consists of single-family development to the south and west with various commercial businesses to the east along Guadalupe Street. A request for "B" Residence, Second Height and Area zoning is pending on property to the west along the south side of West 30th Street and "C" Commercial, Second Height and Area zoning is pending on property east of Guadalupe Street at the intersection of Fruth and West 30th Streets. West 31st Street, with an existing right-of-way of 35 feet, is classified as a minor residential street. The staff recommends that the request be denied. The "BB" Residence zoning density established for the area from 29th to 34th Streets from Guadalupe to Lamar Boulevard was determined to be maximum because of the limited street rights-of-way which serve this interior area. By rezoning to "B" Residence, the density would double from 20 to

Cl4-69-273      Chester D. Brooks--contd.

40 units per acre on streets which cannot adequately serve the existing zoning density.

#### TESTIMONY

##### WRITTEN COMMENT

None

##### PERSONS APPEARING AT HEARING

Robert C. Sneed (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. Robert C. Sneed, representing the applicant, called to the Committee's attention that the staff report indicates 5 feet of right-of-way is necessary from the south side of the street for the future widening of 31st Street. He said that as he understands the report by the staff, 5 feet of right-of-way would make the street adequate in that 31st Street does not have but one tier of houses facing on it. The housing on the tier of lots to the north of 31st Street face onto 31½ Street and all the planning for widening of 31st Street has been predicated upon the additional 5 feet which had been previously obtained from the property extending easterly to Guadalupe Street. Mr. Sneed presented a letter agreeing to dedicate 5 feet of right-of-way for the purpose of widening the street which is all that has been requested by the Planning Department.

Mr. Sneed advised the Committee that when he originally prepared the application it was a request for change of zoning from "BB" Residence, First Height and Area to "B" Residence, First Height and Area. At the time of the filing of the application, the law clerk in his office was told by the Planning Department staff that the subject site was the only lot in the block that was not now zoned Second Height and Area and indicated that in their opinion the request on the subject site should also be for Second Height and Area in order to get uniformity of Height and Area classification within the block. Now it is found that the Second Height and Area portion of the request is a specific objection voiced by the staff. In view of the objection by the staff, Mr. Sneed requested that the application be amended to request "B" Residence, First Height and Area zoning. One of the statements presented by the staff is erroneous and that is it was indicated that the area running from the commercial property along Guadalupe Street to Lamar Boulevard and from 29th Street to 34th Street is predominantly under a "BB" Residence zoning classification. There is an alley that divides the subject site from the remaining portion of the block which fronts onto Washington Square. Immediately to the south is a very large area zoned "O" Office, Second Height and Area and developed with a large apartment unit. The right-of-way on West 30th Street, with houses fronting in both directions is only 50 feet in width and the Planning Department did not require a right-of-way for that street at the time the "O" Office zoning was granted. The block the subject property is located in is the only tier of

C14-69-273      Chester D. Brooks--contd.

lots fronting onto the street as the remainder of the houses back to the street. There is 40 feet of right-of-way established and requested by the Planning Department. A change in zoning is requested as the property is a direct part and parcel now of the community which is the University of Texas and the demand for housing in the area continues to grow and continues to become more acute as there is a reduction of other type housing by reason of Urban Renewal Projects. Consequently, the highest and best use of the property is multiple housing of the relatively dense nature permitted under "B" Residence, First Height and Area so as to permit the construction of housing units primarily for students, employees and faculty of the University of Texas. The immediate area permits easy access to the University with a limited amount of required transportation moving from the site into the University area because of the acute traffic situation. Based upon the fact that the site is contiguous to "O" Office, Second Height and Area zoning used for higher density development than is requested on the site, it is felt that this is a proper gradation and that there is a separation from the adjoining property to the west by the alley way and that there is a normal and easy flow of traffic for the reasons as previously indicated. It is requested that the application as amended to "B" Residence, First Height and Area 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. They recommended that the request as amended be granted, subject to 5 feet of right-of-way for West 31st Street as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Chester D. Brooks for a change of zoning from "BB" Residence, First Height and Area to "B" Residence, First Height and Area (as amended) for property located at 621-623 West 31st Street be GRANTED, subject to 5 feet of right-of-way for West 31st Street.

C14-69-274      Donald Knight: A to O  
6731-6737 U. S. Highway 290

STAFF REPORT: The subject property contains an area of 13,824 square feet which fronts onto U. S. Highway 290. The stated purpose of the request is for office use. To the north across U. S. Highway 290 is "GR" General Retail zoning. To the immediate east and south is "A" Residence zoning. Adjoining the site to the west is "LR" Local Retail which was granted in 1968. "B" and "BB" Residence zoning was granted to the south along Wheless Lane at Berkman Drive in 1968. Land use in the area includes single-family and vacant land with a church and duplexes located on Berkman Drive. To the far west is Reagan Square shopping center. U. S. Highway 290 is classified as a major arterial street with 440 feet of right-of-way. The staff recommends that the request be granted as the appropriate zoning for the site.

C14-69-274 Donald Knight--contd.

## TESTIMONY

## WRITTEN COMMENT

Mrs. George Olander: 6741 U. S. Highway 290

AGAINST

## PERSONS APPEARING AT HEARING

J. W. Howeth (representing applicant)

## SUMMARY OF TESTIMONY

Mr. Jerry Howeth, attorney for 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, as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Donald Knight for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 6731-6737 U. S. Highway 290 be GRANTED.

C14-69-275 Ray Yates: Int. A, Int. 1st to DL, 1st  
9120-9214 Highway 1325

STAFF REPORT: This application covers 1.1 acres and is presently undeveloped. The stated purpose of the request is for a lumberyard and related manufacturing uses. The zoning in the area includes Interim "A" Residence, directly to the north, south and west, with "D" Industrial established to the north of the property which is developed with a bottling company. East of upper Georgetown Road is the Economy Furniture Company. A large portion of the subject tract and immediate area is still outside the City limits. The Austin Development Plan designates this area north of U. S. Highway 183 as Manufacturing and Related Uses. The application is in conformance with the Development Plan and the staff recommends the request be granted.

## TESTIMONY

## WRITTEN COMMENT

Watt Schieffer: 1011 East 40th Street

FOR



C14-69-275 Ray Yates--contd.

## 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 presented and concluded that this request should be granted, as the appropriate zoning for the site and is in conformance with the Master Plan designation for the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Ray Yates for a change of zoning from Interim "A" Residence, Interim First Height and Area to "DL" Light Industrial, First Height and Area for property located at 9120-9214 Highway 1325 be GRANTED.

C14-69-276 Austin Savings and Loan: Int. A, Int. 1st to LR, 1st  
6200-6212 Springdale Road

STAFF REPORT: The property under consideration contains an area of 18,750 square feet and is presently undeveloped. The stated purpose of the request is for development permitted under the requested zoning. The zoning in the area includes "LR" Local Retail to the north and Interim "A" Residence to the west. Properties to the south and east are outside the City limits. The land use in the area consists of vacant land immediately adjoining to the north with a service station along Northeast Drive. Single-family residential development has occurred and is occurring to the west in the area along Hylawn Drive, Hyclimb Circle and Reicher Drive within the Cherrylawn Subdivision. Land to the east and south of the site is undeveloped. Springdale Road is classified as a major arterial street with an existing right-of-way of 120 feet. The staff recommends that the zoning as requested be denied. Commercial development should be encouraged near the intersection of Northeast Drive and Manor Road where non-residential zoning already exists. Much of the land zoned is still undeveloped. Strip development should be discouraged from extending south on Springdale Road. The subject lot could be used as a duplex site or possibly rezoned to "BB" Residence for a small apartment which would buffer the interior residential area. A subdivision should be required in the immediate area and Hycreek Drive should be extended through Springdale Road.

## TESTIMONY

## WRITTEN COMMENT

Watt Schieffer: 1011 East 40th Street

FOR

C14-69-276      Austin Savings and Loan--contd.

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, representing the applicant, appeared on behalf of this request and stated that this application came about because Austin Savings and Loan bought the remainder of the lots in this particular section of Cherrylawn Subdivision, Section 5. The reason as stated by the staff for recommending denial is that the original subdivision plan did not provide that the particular lot in question would be local retail. Mr. Selman advised the Committee that he had been involved in this subdivision for many years and was president of the Cherrylawn Corporation owning the subdivision and in his opinion the subdivision has been a bad investment. The property has a fine terrain but because of building conditions, the subdivision has not built out and to be faced with a situation of denial just because it was not in the original overall plan is not logical. He explained that at the time the subdivision was initially started they did not anticipate any problem with selling each of the lots for residential purposes. The lots have now all been sold to a builder who plans to complete the development of the subdivision. "LR" Local Retail zoning exists on property to the north along Springdale Road. He said that it is his understanding that Springdale Road will be a Crosstown Expressway and the change requested on this type of street is logical. It would be almost impossible to build single-family structures on all the lots on Hycreek Drive because of the terrain and there will probably be duplex development. The subject property which fronts onto a Crosstown Expressway would not be used as a single-family lot as the highest and best use is for large retail development. It is realized that Hycreek Drive will have to be put in and the letter has been submitted to the City to the effect that if the change is granted a building permit will not be requested until the street is developed.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee was cognizant of the fact that the subject property is located on a proposed Crosstown Expressway and it felt the request is appropriate and should be granted, subject to the provision of a 60 foot extension of Hycreek Drive through the site and subject to subdivision.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Austin Savings and Loan for a change of zoning from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area for property located at 6200-6212 Springdale Road be GRANTED, subject to the provision of a 60 foot extension of Hycreek Drive through the site and also subject to subdivision of the property.

C14-69-277      Leroy Bednar: B to O  
                  5217-5223 Joe Sayers Avenue  
                  1405-1411 North Loop Boulevard

STAFF REPORT: This application covers an area containing 45,082 square feet. The stated purpose of the request is for office development as permitted under the requested zoning. Zoning to the north, east and south is "A" Residence. "B" Residence zoning was granted earlier this year on property to the north having frontage onto Joe Sayers and Woodrow Avenues. Two requests for "B" Residence are pending on property to the south along Joe Sayers and also Woodrow Avenue. "BB" Residence zoning is established on one lot to the south of the site. To the west along Jim Hogg Avenue at North Loop is "LR" Local Retail, "A" Residence, "C" Commercial and "B" Residential zoning. Strip commercial zoning is established along Burnet Road. The "B" Residence zoning now existing on the subject property was granted in 1968. The land use in the area consists of single-family development to the north and east. Single-family duplexes and apartments exist to the south and west. North Loop Boulevard, classified as a major arterial street has an existing right-of-way of 65 feet. Joe Sayers Avenue is a minor residential street with 60 feet of right-of-way. The staff recommends that the request be denied. The area was rezoned within the past two years for apartment use. Non-residential use has occurred and is occurring along Burnet Road and should be discouraged as strip development along North Loop Boulevard. The existing "B" Residence zoning should be retained on the site.

#### TESTIMONY

#### WRITTEN COMMENT

F. W. Horton: 1308 Harriet Court	AGAINST
James T. Eslepp, Sr.: 1406 North Loop Boulevard	AGAINST
Mrs. Mary Blanche Ellis: Box 790, Kountze, Texas	FOR
G. A. Kretzschmar: 808 Sinclair, Midland, Texas	NO OPINION
F. E. Danz: 5215 Joe Sayers Avenue	NO OPINION
Charlie K. Svornik: 5213 Woodrow Avenue	AGAINST
Mr. & Mrs. W. R. Bryson: 5214 Woodrow Avenue	AGAINST

#### PERSONS APPEARING AT HEARING

John Selman (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. John Selman, attorney for the applicant, stated that he has three zoning cases for consideration by the Committee and all are either requests for "O" Office or "LR" Local Retail zoning which points out the fact that this is a time in the City and financial market that the residential apartment business is declining. This is a time when investors are looking for other ways to utilize property in order to enhance the value. There is very little residential apartment money available. There have been a large number of apartment units built in Austin because of increasing population but there will be areas such as this where property can be developed for "O" Office use.

C14-69-277      Leroy Bednar--contd.

North Loop Boulevard is a crosstown street which is developed with many different types of uses. Across North Loop Boulevard to the north is "B" Residence zoning which was involved in a large zoning application for development and in the area toward Jim Hogg Avenue, the "B" Residence zoning was granted as a sort of buffer but it does not necessarily mean that the area will be used for apartments. It is felt that the area across the street will be used for some type of commercial use. To the south of the site there is a day nursery.

Mr. Selman pointed out that the site is only a short distance from Burnet Road which is a highly developed commercial street. The applicant proposes to build an office building on the subject site and the advantages of office development in this area is that the occupants will be professional people with normal office hours whereas in an apartment development, the property would be utilized at all times. The zoning is a logical request for a nice type of office complex and should 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 granted as the proper zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Leroy Bednar for a change of zoning from "B" Residence, First Height and Area to "O" Office, First Height and Area for property located at 5217-5223 Joe Sayers Avenue and 1405-1411 North Loop Boulevard be GRANTED.

C14-69-278      Mrs. Roland Freund: LR to GR  
4613-4705 Highway 969  
4606-4704 Heflin Lane

STAFF REPORT: This is a request for a change of zoning from "LR" Local Retail, First Height and Area to "GR" General Retail, First Height and Area on property containing 54,340 square feet of area, having frontage onto East 19th Street and Heflin Lane. The stated purpose of the request is for a restaurant. To the north across East 19th Street is the City limit line. Zoning in the area includes "A" Residence to the east and south. "LR" Local Retail zoning is established at the southwest intersection of Springdale Road and East 19th Street and "A" Residence zoning exists north of East 19th Street and west of Springdale Road. "LR" Local Retail zoning adjoins the subject site to the east and west. Land use in the area includes single-family development to the east and south and a service station on the adjoining property to the west as well as west of Springdale Road. To the northwest of Springdale Road and East 19th Street is Morris Williams golf course. A request for "C" Commercial, First Height and Area zoning is pending on property to the north along the east side of Springdale Road. East 19th Street is classified as a major arterial street

Cl4-69-278 Mrs. Roland Freund--contd.

with an existing right-of-way of 100 feet and Heflin Lane is classified as a minor collector street with 60 feet of right-of-way.

This is the second application for "GR" General Retail zoning on the subject site. When the first request was made in 1967, the staff recommended that it be granted as the appropriate zoning for the area. The Commission concurred with the staff recommendation, however, due to the opposition presented by the large church located on property south of Heflin Lane, the City Council denied the request. As indicated, a restaurant is proposed on the site which is permitted under existing "LR" Local Retail zoning. The "GR" General Retail zoning would permit drive-in services and the sale of beer with meals. The staff recommendation is the same as in 1967, which was to grant the request as the appropriate zoning for the site.

## TESTIMONY

## WRITTEN COMMENT

Emeral Wlaker: 4406 Scottsdale Road	AGAINST
Mal J. Wiley: 1808 Celeste Circle	AGAINST

## PERSONS APPEARING AT HEARING

Svea Sauer (representing applicant)	
John Hardeman, Jr.: 4409 Scottsdale Road	AGAINST
Mal J. Wiley: 1808 Celeste Circle	AGAINST
Mr. & Mrs. Henry Frazier: 1800 Celeste Circle	AGAINST
Rev. Raphael C. Smith: 4805 Heflin Lane	AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mrs. Svea Sauer appeared at the hearing to represent the applicant and explained the reason the request for "GR" General Retail zoning is being initiated is that there is a very nice restaurant being considered at this location and under the existing "LR" Local Retail zoning, drive-in facilities would not be permitted. It is not known at this time if drive-in facilities will be necessary. Recently a building permit was granted for a hamburger stand on the adjacent "LR" Local Retail property to the east and when the Building Inspector's office was asked what type of stand would be erected, they did not know if drive-in facilities would be included. The adjoining property is not zoned "GR" General Retail and in view of this, and the fact that a special permit was issued, the applicant does not want her request denied because the zoning is "LR" Local Retail.

## Arguments Presented AGAINST:

A number of nearby property owners appeared in opposition to the request and advised the Committee that their objections are primarily because of drive-in facilities, consumption of alcohol and the existence of the single-family

C14-69-278 Mrs. Roland Freund--contd.

residential area to the south and east. There are many children in the area and drive-in facilities would be hazardous. There is a five-way intersection to the north and any type of drive-in business would be detrimental.

#### 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 information on the use of property adjoining to the east.

At the Commission meeting, Mr. Reeves explained that the applicant proposes a restaurant on the site and is requesting rezoning so that she can have drive-in facilities if desired. The concern brought out at the Zoning hearing was the fact that a building permit had been issued for a drive-in on the adjoining property which is zoned "LR" Local Retail. It was first thought that serving beer was the problem but it was the drive-in portion of the request.

Mr. Osborne stated that a drive-in cafe is not permitted in an "LR" Local Retail District; however, there are other drive-in uses which are permitted such as a drive-in grocery. The applicant does have the right to put in a restaurant at the present time but wants to have a drive-in facility of some type.

The Commission discussed the request and a majority concluded that the zoning existing on the site is appropriate and recommended that the request be denied. It was then

VOTED: To recommend that the request of Mrs. Roland Freund for a change of zoning from "LR" Local Retail, First Height and Area to "GR" General Retail, First Height and Area for property located at 4613-4705 Highway 969 and 4606-4704 Heflin Lane be DENIED.

AYE: Messrs. Kinser, Reeves, Anderson, Crier, Milstead, Taniguchi and Goodman  
 NAY: Mr. Hanks  
 ABSENT: None  
 ABSTAIN: Mr. Becker

C14-69-279 Lena Johnson: A to GR  
 2309-2311 Lake Austin Boulevard

STAFF REPORT: This application covers 12,200 square feet of land and is presently developed with a single-family structure. The stated purpose of the application is for a restaurant. "LR" Local Retail, First Height and Area zoning has been established along Lake Austin Boulevard with "A" Residence zoning adjoining that district. To the east is "A" Residence zoning with "C" Commercial zoning established for the American Legion activities on the large tract south of Foster Avenue. Land use in the area consists of several commercial uses of a local nature along Lake Austin Boulevard with single-family residential development to the north. West of Hearn Street is located University of Texas housing for married students. Adjoining the subject site to the west is a cafe. This cafe is presently a non-conforming use. To the south is Deep Eddy City Park. Lake

C14-69-279      Lena Johnson--contd.

Austin Boulevard, classified as a major arterial street, has an existing right-of-way of 100 feet and Foster Avenue is a minor residential street with only 16 feet of right-of-way. The staff recommends that the request for "GR" General Retail be denied but that consideration be given to "LR" Local Retail. The pattern for rezoning has been established in this area in the granting of past applications.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

Raymond Hickman (representing applicant)	
Lucie M. Hickman: 2315 Lake Austin Boulevard	FOR
Mickey L. Hickman: 2315 Lake Austin Boulevard	FOR
Price Ashton:	FOR
Larry Miller:	AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Price Ashton appeared at the hearing and pointed out that the pattern in the area is local retail and commercial. The applicant desires to put in a restaurant that would serve the area along Lake Austin Boulevard. There are no restaurants in near proximity to the entire area which indicates that there is a need. The applicant also owns the property adjoining to the west which is developed with a business that has been established for many years and would now like to have a restaurant on the subject site. The area is changing and the development proposed would be a general improvement and would not diminish the value of other property. The restaurant would not be part of the adjoining business. There is an existing residence on the site which will be remodeled and used for the new restaurant.

## Arguments Presented AGAINST:

Mr. Larry Miller, adjoining property owner, appeared in opposition to the request and stated that this is a good neighborhood for a restaurant; however, after five o'clock the business will no longer be a restaurant but will be a tavern and there will be cars parked up and down the streets. There is a tavern existing on the corner property and as a result, trash and litter is everywhere. If the proposal is allowed, it will promote disturbances such as noise, traffic and trash.

C14-69-279      Lena Johnson--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission without a recommendation.

At the Commission meeting, the members briefly discussed the request and a majority concluded that the requested zoning is appropriate and recommended that it be granted. It was then

VOTED: To recommend that the request of Lena Johnson for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2309-2311 Lake Austin Boulevard be GRANTED.

AYE: Messrs. Kinser, Reeves, Anderson, Milstead, Hanks, Becker and Goodman

NAY: Messrs. Taniguchi and Crier

ABSENT: None

C14-69-280      Westgate Square, Inc.: BB to LR  
4701-4719 West Gate Boulevard  
2633-2647 Western Trails Boulevard

STAFF REPORT: This is a request for a change of zoning from "BB" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property containing 1.4 acres located at the southeast intersection of West Gate Boulevard and Western Trails Boulevard. The stated purpose of the request is for uses permitted by the requested zoning. Zoning in the area includes "C" Commercial to the north; "BB" Residence to the east; Interim "A" Residence to the west and "BB" Residence, west of West Gate Boulevard. The area to the north of Western Trails Boulevard is undeveloped and east of the site is also undeveloped. To the south, along Sagebrush Trail is duplex development with single-family development along Choctaw Trail. To the west of West Gate Boulevard is apartment development. A request for "C" Commercial, First Height and Area zoning is pending on property fronting onto West Gate Boulevard. West Gate Boulevard is classified as a major arterial street and has an existing right-of-way of 90 feet. Western Trails Boulevard is classified as a commercial collector street and has 70 feet of right-of-way. The staff recommends that "LR" Local Retail zoning be denied as the existing "BB" Residence was established by the developers of the subdivision as a buffer. This buffer should be maintained between the commercial property to the north and the residential development to the south.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

John Selman (representing applicant)



C14-69-280 Westgate Square, Inc.--contd.

Mrs. John Jordan: 4707-B Sagebrush	AGAINST
Elizabeth G. Hayes: 4709 Sagebrush	AGAINST
Jay M. James: 4714-B Sagebrush	NO OPINION
R. S. Williamson, Jr.: 4714-A Sagebrush	NO OPINION
Wilber R. Carr: 4716-B Sagebrush	NO OPINION

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. John Selman, attorney for the applicants, stated that he was led to believe by the staff that the Planning Department would recommend in favor of the change otherwise, the application would not have been filed. He explained that he was President of Westgate Square and does not like to be in the position of selling lots to the property owners and opposing them on zoning; however, the request is logical because of developments that have happened in the area. It should be pointed out that the area to the north is going to be developed with a shopping center and another lot has been sold for the development of a church. A 90 foot boulevard was planned in Westgate Square with the idea that apartment development would be the logical development fronting onto the street and duplex development to the south for a buffer between the commercial area to the north and the single-family area further to the south. It is realized that the duplexes to the south are very beautiful and that if the request is granted, the Commission could recommend that a six foot high fence be placed along the area which would add to the buffer. The site contains 1.4 acres which would allow the development of 50 apartment units; however, because of the apartment market at this time there have been no definite plans. The property is across the street from property which is already zoned for commercial and "LR" Local Retail zoning with a fence would be a gradation.

## Arguments Presented AGAINST:

A number of nearby property owners appeared in opposition to the request. They advised the Committee that the property to the south is developed with very nice duplexes ranging in price from \$33,000 to \$45,000. The lots were purchased with the understanding that the subject property would be "BB" Residence and not "LR" Local Retail zoning. It is recognized that there is an extremely large tract north of Western Trails Boulevard that will be developed with a shopping center but all of the people purchasing property were aware of this from the beginning. There is no objection to the existing "BB" Residence zoning on the site as it offers a buffer and protection for the existing and future development to the south.

## Arguments Presented IN REBUTTAL:

Mr. Selman requested that this application be withdrawn because of the opposition.

C14-69-280 Westgate Square, Inc.--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee was cognizant of the applicant's request to withdraw the application and recommended that it be accepted.

At the Commission meeting, the staff reported a request to withdraw this application.

Mr. Osborne explained that the Commission should act on the zoning request and Mr. Selman, attorney for the applicants, can submit a letter to the City Council requesting withdrawal.

The Commission members concluded that the request should be denied. It was then unanimously

VOTED: To recommend that the request of Westgate Square, Inc. for a change of zoning from "BB" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 4701-4719 West Gate Boulevard and 2633-2647 Western Trails Boulevard be DENIED.

It was then

VOTED: To recommend to the City Council that the applicant be permitted to withdraw this application.

C14-69-281 C. C. Nolen: A to B  
1108-1112 West 22½ Street

STAFF REPORT: The property under consideration covers 13,000 square feet of land having frontage onto West 22½ Street. The stated purpose of the request is for apartments. "A" Residence zoning is established immediately to the east, south and west with "B" Residence zoning located on property adjoining the site to the north, and in the immediate area. "O" Office zoning is established at the intersection of West 24th Street and Longview Street. Land use to the north is predominantly single-family with offices at the intersection of West 24th Street. Apartments and a dormitory have been constructed on both sides of West 24th Street. There is single-family development directly to the east, south and west. Apartment development occurs east of Leon Street and to the south along West 22nd Street. The Caswell Tennis Courts are located west of Shoalcreek Boulevard. The single-family development in the area consists of different types of uses. Some of the property is used as individual homes and there are homes used as rooming houses for renting. This is a mixed area in which there is a variety of student type housing because of the proximity to the University, and is changing to a higher density of development. West 22½ Street is classified as a minor residential street with 50 feet of right-of-way. The staff recommends that the zoning as requested be granted, subject to 5 feet of right-of-way on West 22½ Street.

C14-69-281 C. C. Nolen--contd.

## TESTIMONY

## WRITTEN COMMENT

Ida Mae Campbell: 1114 West 22½ Street	AGAINST
Robert D. Jones: 805 Capital National Bank Bldg.	FOR
Mrs. M. D. Council: 1107 West 22½ Street	AGAINST
J. J. Lagowski: 1114 West 22nd Street	AGAINST

## PERSONS APPEARING AT HEARING

Sam Perry (representing applicant)	
Mr. & Mrs. Fred Sackett: 1106 West 22½ Street	AGAINST
Hazel S. Parham: 1104 West 22½ Street	NO OPINION
Mrs. M. D. Council: 1107 West 22½ Street	AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Sam Perry, representing the applicant, called to the Committee's attention the fact that in 1968 and 1969, there have been three different lots in the same block considered for rezoning. In each instance, the Commission and the City Council indicated that in their opinion this is a neighborhood within the University area which is subject to high density. There are apartments established east of Leon Street, to the south along West 22nd Street and to the north on West 24th Street. There is also scattered apartment development and rental type uses existing throughout the immediate area. Mr. Perry advised the Committee that the applicant is out of town and he is not authorized to offer the five feet of right-of-way but he will recommend it to Mr. Nolen. The applicant is only requesting the same type of zoning which has previously been granted.

## Arguments Presented AGAINST:

Mr. Fred Sackett, nearby property owner, appeared in opposition to the request and explained that most of the homes in this area are owner-occupied and the residents are elderly people who have spent considerable time and money on their property. This is one of the few small pocket of homes left, in close proximity to the University and is one which should be preserved. One nearby property owner appeared and pointed out the owner occupied homes in the area and explained that there is a constant problem of ingress and egress in the neighborhood because of the apartment development which already exists. If additional apartment development is permitted, the traffic problem will only be increased.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed this request and several of the members were of the opinion that the existing single-family character of the area is fairly unified

C14-69-281 C. C. Nolen--contd.

and could be maintained without granting high intensity zoning; however, the majority of the members recommended that the request be granted as the area is in transition because of the rental type development and the "B" Residence zoning districts which have recently been established. It was therefore recommended that the request be granted, subject to five feet of right-of-way for West 22½ Street.

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

VOTED: To recommend that the request of C. C. Nolen for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1108-1112 West 22½ Street be GRANTED, subject to 5 feet of right-of-way for West 22½ Street.

AYE: Messrs. Kinser, Reeves, Anderson, Milstead, Hanks, Becker, and Goodman

NAY: Messrs. Taniguchi and Crier

ABSENT: None

C14-69-282 Buford Stewart: A to O  
1521 Koenig Lane

STAFF REPORT: This application covers 10,800 square feet of area fronting onto Koenig Lane. The stated purpose of the request is for office use. Zoning in the area is "A" Residence and developed with single-family homes. Adjoining the site is "O" Office, First Height and Area zoning, granted in 1968. To the north, at the intersection of Koenig Lane and Arroyo Seca is "C" Commercial zoning with "LR" Local Retail established for the tier of lots fronting onto the north side of Koenig Lane extending to El Camino Street. "LR" Local Retail zoning is also established to the east at the intersection of Koenig Lane and Woodrow Avenue. The land use in the area consists of single-family residences with office development on the lot immediately adjoining the site to the west. Across Koenig Lane at the intersection of Arroyo Seca is a service station and washateria. To the east in the "LR" Local Retail district, there are several service stations, offices and a drive-in grocery. Koenig Lane is classified as a major arterial street and has an existing right-of-way of 60 feet.

Mr. Osborne advised the Committee that this is a post-war residential area which has been impacted by the traffic conditions and zoning changes which have occurred with the removal of restrictions and the traffic conditions generated along Koenig Lane. Because of this, a pattern of limited strip commercial is developing. Many of the houses existing along this street are still used for residential purposes and there will be additional problems created by the fact that there are many individual driveways and a commercial use of these properties would increase the problem. The problem is recognized but "O" Office zoning is limited commercial type activity. The staff recommends in favor of the request. Koenig Lane should be increased in right-of-way as more intensive development takes place. A total of 15 feet would be required from the subject property.

C14-69-282      Buford Stewart--contd.

## TESTIMONY

## WRITTEN COMMENT

Mark Derrick: 609 Franklin	FOR
Mrs. Glendal E. Hays: 1506 Ullrich Avenue	AGAINST
Nelson Puett	FOR
Mrs. Ruth Jane Dumont: 1525 Koenig Lane	FOR

## PERSONS APPEARING AT HEARING

None

## SUMMARY OF TESTIMONY

Mr. Buford Stewart appeared at the hearing and stated that there is a right-of-way problem and an additional ten feet of right-of-way will be needed from the site. He said that he would be willing to dedicate the necessary right-of-way to bring the street to 70 feet and any additional widening needed over that amount could be negotiated.

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 five feet of right-of-way for Koenig Lane, as a logical extension of zoning adjoining to the west.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Buford Stewart for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1521 Koenig Lane be granted, subject to five feet of right-of-way for Koenig Lane.

C14-69-283      Maufrais Brothers: Int. A, Int. 1st to GR, 1st (Trs. 1 & 2)  
 Tract 1: 5516-5530 Vinson Road  
           1400-1418 Stassney Lane  
 Tract 2: 5504-5516 Vinson Road

STAFF REPORT: The property under consideration includes two tracts of land located at the northwest corner of Stassney Lane and Vinson Road. Since the filing of the request, the applicant has requested that it be withdrawn so that it can be resubmitted with additional land. The applicant on his own sent notices to the effected property owners indicating that he is requesting a withdrawal, and a copy has been sent to the Commission and also the City Council. The procedure of the Planning Commission and the City Council requires in effect that both accept the withdrawal. The applicant did inform the staff that he was going to send the individual property owner notices in

C14-69-283      Maufrais Brothers--contd.

order to minimize the problem of having the neighborhood attend the meeting in which there would not be a formal presentation.

The Chairman asked if anyone was present in interest of this request. In view of the fact that no one was present, a formal presentation was not made.

## TESTIMONY

## WRITTEN COMMENT

Maufrais Brothers (applicants)

## 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 was cognizant of the request to withdraw this application and recommended that it be accepted.

At the Commission meeting, Mr. Osborne reported that the request for withdrawal was before the Council at the regular Thursday meeting between the date of the Zoning hearing and the Planning Commission and the Council accepted the request.

The Commission was cognizant of the Council's acceptance of the withdrawal request and felt that no further action by the Commission is necessary at this time.

C14-69-284      Leon Stone: A to LR  
Rear of 2707-2905 Del Curto Road

STAFF REPORT: This application covers approximately 19 acres of land located east of Del Curto Road and at the end of Kinney Avenue, Thornton Road and Burning Oak Drive. The purpose of the request is for a mobile home park. The site is a block of land bounded on the east side by the Missouri Pacific Railroad and surrounded by individual lots and acreage, many of which are developed with single-family homes. The terrain is rolling with a draw through the area. To the south are single-family homes located in subdivisions which are both new and old. To the west along Del Curto Road there are much larger tracts of land, some over 400 feet in depth. Most of the land to the north is presently undeveloped but along Oltorf Street there are single-family homes and business activity. To the south across the railroad track there is a narrow sliver of land extending to Oltorf Street which has been zoned "C" Commercial for a number of years. A mobile home park has been developed on that property. The front portion of the narrow tract to the south is developed with a Southwestern Bell Telephone

C14-69-28<sup>4</sup><sub>3</sub> Leon Stone--contd.

Substation. Within the immediate area there have been several applications for rezoning, one involving an industrial use, which was not granted. Subsequently there was an application for a special school to be developed on a private basis and there have been one or two apartment applications on some of the larger tracts of land.

As previously stated this proposal is for a mobile home park and under the Ordinance a mobile home park is required to have a commercial zoning designation of one form or another and in the "LR" and "GR" Districts a special permit is required. This specific proposal involves some 180 mobile homes or trailer spaces. The staff recommends that the request be denied as this is an intensive zoning classification which conflicts with the residential zoning and development around it. "LR" Local Retail zoning would also allow any use permitted in that district. The area has a number of problems which may have conflicting elements of land use because of the way the land is generally cut up leaving tracts of land ranging from one or two acres up to twenty acres. There is more and more necessity on the part of the individual land owner and more demand on the public for utilization of land in some form. Another reason for the staff recommendation to deny is the severe limitations of Thornton Road and Kinney Avenue having a varying right-of-way of from 45 to 50 feet and no other access into the tract of land either to the east or west. Thornton Road is dedicated but is not at the present time paved.

#### TESTIMONY

##### WRITTEN COMMENT

None

##### PERSONS APPEARING AT HEARING

J. I. Stansell (representing applicant)	
S. A. Garza (engineer for applicant)	
Milton Adcock: 3001 Pin Oak Court	AGAINST
Mrs. Frank Vasquez, Jr.: 3007 Kinney Avenue	AGAINST
Mr. and Mrs. John W. Shelton: 3003 Kinney Avenue	AGAINST
Mr. and Mrs. Herbert C. Martinez: 3003 Leaning Oak	AGAINST
William T. Manning: 3003 Burning Oak Drive	AGAINST

#### SUMMARY OF TESTIMONY

##### Arguments Presented FOR:

Mr. S. A. Garza, Engineer for the applicant, presented a photograph of the overall general area and explained that although Thornton Road is not presently paved, it is dedicated up to the subject tract. Kinney Avenue is also dedicated and is open for use to the site. There is also another drive that extends across to the site. Lightsey Road to the west is open and is designated as a major thoroughfare.

C14-69-284 Leon Stone--contd.

Mr. Garza pointed out that the plans on the site are for a mobile home park which would include a recreation area. The terrain falls to the south and there are tremendous amounts of large trees existing on the tract. All of the public utilities are available to the tract for services. Important features of this location for the use proposed is the accessibility to shopping centers, business centers, thoroughfares and in some cases schools as some of the trade to mobile homes cater to the working or housing oriented people who have a need for schools. An attempt is being made to combine the mobile home park with recreational facilities and services to cater to the type of people which include professional and semi-retired people. There has been consideration on the access to the tract and it is felt that the privacy of a mobile home park would be an asset and additional access is not needed.

Mr. Jim Stansell was present at the hearing and advised the Committee that in California there are many mobile home parks with a five star rating but there are very few in Texas. This rating calls for areas in which people are able to get to shopping centers, businesses and thoroughfares. An attempt is being made to obtain this rating for the subject property. People who purchase mobile homes are subject to paying their home out in seven years while residents have 25 to 30 years. Some of the mobile homes purchased are in the range of \$8,000 to \$10,000 and a charge of \$50 or \$60 is made per month for a place to park.

Mr. Stansell presented a drawing of the proposed clubhouse showing the assembly room, recreation area and manager's office. They also presented photographs of several types of mobile homes and mobile home parks. He further explained that the plans are to have a swimming pool, shuffleboard, and additional recreational facilities for people living in the park which will cover a considerable area of the land leaving room for approximately 170 to 180 home sites on the tract. There will be complete drives through the area whereby the residents can get their vehicles off the main road.

One of the Committee members asked if plans are to extend Burning Oaks Drive into the subject property and if there would be any objection to constructing a cul-de-sac. Mr. Garza stated that the extension of the street would have to be negotiated with the City but there would be no objection to constructing a cul-de-sac.

#### Arguments Presented AGAINST:

A number of nearby property owners appeared in opposition to the request and pointed out that the ingress and egress to the site is severely limited. They explained that there are only two ways to get in and out of the area, one of which is Lightsey Road and the other is Del Curto Road. To the south, zoning has been approved for approximately 200 apartment units and the traffic from the apartment development combined with traffic from a mobile home park in an area where the ingress and egress is limited would only create congestion and hazardous conditions. There is a bluff in the area which causes considerable drainage difficulty and if there is any building above the low area on the subject site, the drainage problems could only be increased. Kinney Avenue is a



C14-69-284 Leon Stone--contd.

paved street but there is no way in or out of the existing residential subdivision other than on Del Curto Road or Clawson Road.

Mr. John Shelton speaking in opposition to the request presented a petition and advised the Committee that the people in this area are opposed for the following reasons:

1. The area should remain as single-family residential
2. The limited access roads create traffic hazards
3. House trailers and trailer parks have a temporary, clustered and unsightly appearance
4. The value of the surrounding homes would be depreciated
5. Mobile home development could discourage builders from developing other residences in the area.

He further stated that if this area was zoned for duplexes or any type of permanent dwellings there would not be as much opposition.

#### Arguments Presented IN REBUTTAL:

Mr. Garza stated that with reference to the drainage problem the terrain of the subject property follows generally to the north and northeast and the creek feeds to the north. With the type of layout and the concept being planned, there would not be any more water into the area. There was a feasibility study made about two years ago with regard to "A" Residence zoning on the property at which time it was felt that this would not be the best utilization of the land because of the terrain, and the number of trees would have to be moved causing a considerable expense on drainage.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be denied as it is too intensive for the area.

At the Commission meeting, Mr. Reeves explained that this is a case where the applicant wants a mobile home park and a clear distinction was made between a trailer court and a mobile home park. The main objection was that the streets in the area are not adequate but it was determined that the streets are not adequate to carry the traffic regardless of the zoning on the subject site and duplex development would create more traffic. The applicant's representative agreed to put a cul-de-sac on Burning Oak Drive and completely fence the area. It was further indicated that a club house, swimming pool and recreational facilities would be built for the occupants of the mobile home park which would be commendable for the area.

Mr. Hanks said that there are going to have to be a great many more mobile home parks in Austin if there is going to be any housing for people under \$15,000; however, there is a question as to whether or not this type of development should be under a commercial designation or in fact under a "B" Residence district. When "LR" Local Retail zoning is established in an area such as this it sets a

C14-69-284 Leon Stone--contd.

precedent for other commercial in the area and it is actually misleading to people buying or selling property in the area. There should be consideration of a new zoning district for mobile home parks.

Mr. Reeves explained that there is a special permit on this property which was referred to the full Commission as it was felt that the plan was inadequate and the density was too intensive.

Mr. Osborne advised the Commission that the issue as far as the neighborhood is concerned is not one of whether there is commercial zoning but is the issue of a mobile home park. From the staff's standpoint, a mobile home park as is currently developed almost always constitutes a blighting influence on an adjacent residential area which is one of the key issues to be considered.

Mr. Milstead stated that in his opinion there is validity for a mobile home park but there should be some protection for the residential area to the south and west.

Mr. Taniguchi stated that in his opinion the site is isolated in terms of access. Mr. Osborne pointed out that Thornton Road is proposed to be extended to the site but not through it and is at this time unpaved.

Mr. Goodman commented that to grant the necessary rezoning to permit the mobile home park would be mixing zoning with a particular use. He said that in his opinion the Commission should act on the zoning as to whether it is the highest and best use of the property irrespective of the use. After further discussion, a majority of the members concluded that the request should be granted subject to a cul-de-sac at the end of Burning Oak Drive and a privacy fence around the subject area. It was then

VOTED: To recommend that the request of Leon Stone for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at the rear of 2707-2905 Del Curto Road be GRANTED, subject to a cul-de-sac at the end of Burning Oak Drive and a privacy fence around the subject area.

AYE: Messrs. Kinser, Reeves, Anderson, Milstead, Hanks and Becker

NAY: Messrs. Goodman, Crier and Taniguchi

ABSENT: None

The Commission then discussed the dedication and paving of Thornton Road inasmuch as it will be used for ingress and egress for the subject site. They were of the opinion that it is in the interest of good planning to recommend to the City Council that the street be paved to the site. It was then unanimously

VOTED: To recommend to the City Council that the paving of Thornton Road be a consideration of the rezoning of the site for the purpose of a mobile home park.

C14-69-285 Jerry D. Staub: A to C  
106 North Loop Boulevard

STAFF REPORT: The subject property contains 8,385 square feet of land and the purpose as stated on the application is for the Acme Vending Service Storage and Dry Goods. The request is on an individual lot located along the north side of North Loop Boulevard immediately across from the State Cemetery and immediately to the west of a small commercial development generally oriented around Avenue F and North Loop Boulevard. The surrounding area on the north side of North Loop Boulevard is developed with single-family homes and two-family units. To the east as stated, there is commercial and office development. Further to the west on the south side of North Loop Boulevard there is another small shopping center including a variety of local service type uses within it. This is a post-war area subject to problems created by the impacting of the increased traffic and the deterioration of houses that were built in the late 1940's and the early 1950's. It is realized that the request is for commercial zoning with the proposed utilization for the storage of dry goods; however, the only change in zoning the staff can see feasible to recommend on the property would be "O" Office recognizing the State Cemetery across the street, commercial property located approximately one and one-half lots to the east and again recognizing that there are at this point some problems and dangers in continued strip development along North Loop Boulevard which is still predominantly residential in character. It would only be with reluctance that the staff would suggest "O" Office zoning.

#### TESTIMONY

#### WRITTEN COMMENT

Mr. & Mrs. M. A. Green: 108 East 48th Street  
Togie Baylor: 5908 Manor Road

FOR  
FOR

#### PERSONS APPEARING AT HEARING

Jerry D. Staub (applicant)

#### SUMMARY OF TESTIMONY

Mr. Jerry Staub appeared at the hearing and explained that they would like to utilize the subject property for an office and storing of goods for their business. The nature of the business is vending and the storage would be for candy, snacks, cigarettes, etc. which would be the predominant use of the building.

Mr. Osborne advised Mr. Staub that the Building Inspector would have a serious question as to whether or not the proposed use would in fact be an office use and in his opinion that district would probably not meet the requirements needed for the site.

No one appeared in opposition to the request.

C14-69-285 Jerry D. Staub--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 felt that "O" Office, First Height and Area zoning is the proper zoning for the site and recommended that it be granted, subject to 10 feet of right-of-way for North Loop Boulevard.

At the Commission meeting, the staff reported that time had been spent with the Building Inspector's office with regard to this case inasmuch as a specific use is proposed for the site. The proposal is for an office and storage which would be permitted under the requested change but would not be permitted under "O" Office zoning as recommended by the staff.

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

VOTED: To recommend that the request of Jerry D. Staub for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 106 North Loop Boulevard be DENIED, but that "O" Office, First Height and Area be GRANTED, subject to 10 feet of right-of-way for the future widening of North Loop Boulevard.

AYE: Messrs. Kinser, Reeves, Anderson, Crier, Milstead, Taniguchi and Goodman  
 NAY: Messrs. Hanks and Becker  
 ABSENT: None

C14-69-286 A. M. DeBerry: A to B  
 5904-6000 Bolm Road

STAFF REPORT: This application covers 1.6 acres of land and the stated purpose of the request is for an apartment dwelling group. Zoning to the north of the site includes Interim "A" Residence with "A" Residence established to the west along Perry Lane. "C" Commercial adjoins the subject property to the east and "B" Residence zoning was established in 1967, on property fronting along Gardner Road. To the south of Bolm Road is "D" Industrial, with "A" Residence extended to Gardner Road. Land use to the north is single-family along Perry Lane and to the east is a laundry service adjacent to undeveloped land. On Gardner Road to the north there is single-family development. To the east is single-family development and apartments across Bolm Road. A request for "B" Residence, First Height and Area zoning was recently granted on property to the south, although an Ordinance is still pending, for the Austin Housing Authority development. Bolm Road, with an existing right-of-way of 60 feet is classified as a neighborhood collector street. The staff recommends that the zoning as requested be granted, subject to five feet of right-of-way for Bolm Road, fencing along the portion of the property abutting residential development and a 25 foot building setback line along the west property line.

C14-69-286      A. M. DeBerry--contd.

Mr. Osborne explained that this is an area where there is a mixture of tract sizes ranging from individual lots to large undeveloped tracts. Property to the southeast is under zoning application at the present time. It is with some reluctance that the staff recommends in favor of the request, recognizing, however, that it is adjacent to a definite and relatively intensive commercial use.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

Pat M. Deberry (representing applicant)

## SUMMARY OF TESTIMONY

The applicant was present at the hearing and stated that the zoning change is requested so that the property can be better utilized. Apartments are proposed and a request will be made for a special permit.

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 Bolm Road, as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of A. M. DeBerry for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 5904-6000 Bolm Road be GRANTED, subject to five feet of right-of-way for Bolm Road.

C14-69-287      R. E. Chalmers: LR to C-2  
3804-3808 Dry Creek Drive (as amended)

STAFF REPORT: The property under consideration involves 8.8 acres of land located generally along the north side of Dry Creek Drive and to the east of Mountainclimb Drive. The request is for "C-2" Commercial zoning which permits the sale of liquor, a liquor store or a tavern with the dispensing of beer without the consumption of food. This tract was set out originally in the subdivision plan developed for this section as a neighborhood shopping center and was subsequently zoned "LR" Local Retail. An application for "C-1" zoning which was principally for off-premise consumption of beer in connection with a cafe was granted on the rear portion of a small tract along Dry Creek Drive surrounded on three sides by the site, but since that time, the "C-1" designation has been removed from the Zoning Ordinance and that portion is now

Cl4-69-287 R. E. Chalmers--contd.

zoned "C" Commercial. Property at the northeast intersection of Mountainclimb Drive and Dry Creek Drive is zoned "A" Residence and there is "O" Office zoning established at the northwest intersection as well as to the north on one tract of land fronting onto Hillbrook Drive. There is a service station on property adjoining the site to the east. Across Dry Creek Drive is a service station, drive-in grocery and veterinary office. The veterinary clinic was developed before annexation into the City. The grocery store is outside the City limits. To the north, west and east of the subject property is a substantial single-family home development in the Northwest Hills and Highland Hills Subdivisions.

The key issue is that the proposal is for a liquor store and the property under consideration involves 8.8 acres of land which is fairly large for the use proposed. In conversations with the applicant, it has been indicated that the liquor store will be in a range of about 30 by 50 feet in size. One of the cumbersome aspects of the Ordinance provision is that of being able to permit a liquor store, which is a fairly regulated use, and having to meet many requirements of State Law i.e. certain specific closing hours, etc. The same zoning designation applies to a tavern which has many other types of operational aspects that may be less desirable at least from the neighborhood standpoint. One solution used in the past has been to zone a specific building site. The application submitted was actually for approximately 44,000 square feet located at the southeast corner of the site; however, for notice purposes, the staff felt that the entire 8.8 acres should be advertized so that the surrounding neighborhood would be notified of the proposed change. In other words, only 44,000 square feet should be considered in this request and the balance of the area should be considered as additional area. The staff recommends the granting of "C-2" Commercial zoning within the 44,000 square foot area limited to the site of the building and subject to submission of field notes for the building.

Bull Creek Road has 100 feet of right-of-way and Dry Creek Drive has 80 feet of right-of-way with 44 feet of paving. Bull Creek Road at the intersection has between 50 and 60 feet of paving which narrows up the hill. There is a hazardous element in addition to those features which is the curve and ingress of the property into Dry Creek Drive. Probably at some point, there will need to be a specific channelization.

#### TESTIMONY

#### WRITTEN COMMENT

A. D. Pattillo: 3804 Hillbrook Drive	AGAINST
John Paul Stark: 1713 Enfield	AGAINST
Mrs. Joe M. Wiley: 6003 Highlandale Drive	AGAINST
J. S. Nixon: 3811 Hillbrook Drive	AGAINST
Mr. & Mrs. Fred Eppinger: 3704 Hillbrook Drive	AGAINST
John F. Onion, Jr.	AGAINST
Peter T. Flawn: 5815 Highland Pass	AGAINST

C14-69-287 R. E. Chalmers--contd.

## PERSONS APPEARING AT HEARING

R. E. Chalmers (applicant)	
Erwin Salmonson (counsel for Northwest Austin Civ. Assoc.)	
Joe W. Dillard: 3512 Highland View Drive	AGAINST
James L. Warden: 5802 Highland Pass	AGAINST
Raymond E. Brosofske: 5801 Highland Hills Trail	AGAINST
Elizabeth S. Foster: 6102 Mountainclimb Drive	AGAINST
Mr. & Mrs. Willard Egert: 5803 Westmont	AGAINST
H. L. Ford: 3706 Highland View Drive	AGAINST
Larry C. Hanes: 3503 Hillbrook Circle	AGAINST
Mr. & Mrs. Emmett Sutton: 6007 Highlandale Drive	AGAINST
Sander W. Shapiro: 6005 Highlandale Drive	AGAINST
Judge and Mrs. John F. Onion, Jr.: 3806 Hillbrook	AGAINST
Mr. & Mrs. G. N. Martin: 3807 Hillbrook Drive	AGAINST
Dr. and Mrs. A. D. Pattillo: 3804 Hillbrook Drive	AGAINST
Mr. & Mrs. R. L. Anderson: 3809 Hillbrook Drive	AGAINST
David S. Evans: 6001 Mountainclimb Drive	AGAINST
Mr. & Mrs. R. T. Hernlund: 3702 Hillbrook Drive	AGAINST
Mr. & Mrs. E. A. Ripperger: 3700 Highland View Dr.	AGAINST
Jack M. Cox: 3815 Hillbrook Drive	AGAINST
Mr. & Mrs. William A. Hofer: 5904 Mountainclimb Dr.	AGAINST
Mr. & Mrs. Guy S. Barnes, Jr.: 5906 Mountainclimb	AGAINST
E. L. Summers: 3608 Highland View Drive	AGAINST
Stan M. Brooks: 3802 Hillbrook Drive	AGAINST
William J. Lord, Jr.: 3500 Hillbrook Drive	AGAINST
Alfred H. LaGrone: 3925 Sierra Drive	AGAINST
Tom Nance: 3922 Sierra Drive	AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. R. E. Chalmers was present at the hearing and advised the Committee that he is the record owner of the tract with two other gentlemen. He said that it is not their intent to develop a liquor store on the entire site but in order to get the application filed before the deadline, the request was submitted on the entire area. Mr. Chalmers further explained that he thought they would have the field notes by this time describing the exact location of the proposed liquor store; however, they are not available. Because of the fact the field notes are not available, postponement or withdrawal was discussed with the staff but the notices advertising the request had been sent out and it was too late to postpone or withdraw.

There is a temporary road that goes across the property which is a private street. The plans are to locate the liquor store in the southeastern portion of the area adjacent to the existing "LR" Local Retail district developed with a service station. The use would be confined in the limits as indicated with approximately 82 feet from the middle of the creek to the road and approximately 250 feet deep which would be within an acre of the extreme southeast corner. If

C14-69-287 R. E. Chalmers--contd.

the request is granted, there would be no objection to accepting the restrictions and for it not to become an Ordinance until such time as the exact field notes are provided. There is concern by the people in the area that if the change is granted, the property will be developed in another manner; however, there would be no objection to restricting the property to the non-use of a tavern. If the Committee would rather have the field notes before acting on the request, there would be no objection to withdrawing or postponing the application.

Arguments Presented AGAINST:

Mr. Erwin Salmonson appeared at the hearing and explained that he is Counsel for the Northwest Austin Civic Association. He said that the people in this area should have an opportunity to object to the proposed use before decision is made as to whether to postpone or withdraw the application. Some of the people in the area have talked to the applicant and in the discussions with him, made it clear that the residents would like to see a development which takes into consideration the whole area and not to have a piecemeal development. The applicant indicated that they are working on plans for the area and it is hoped that the Committee does not recommend on the request until such time as there has been consideration of a proper buffer, lighting and protection for the adjacent property. There are a number of expensive homes in the area and the people should be protected. It is realized that the property is zoned "LR" and that a shopping center will probably be developed; however, there should be some assurance that it will fit in with the general neighborhood.

The Committee, the applicant and Mr. Salmonson discussed the possible withdrawing or postponement of this application pending a more detailed plan for the area. There was concern with some of the adjoining property owners that if the request was withdrawn or postponed, there would not be a further opportunity to support their objections and requested that the Committee follow the normal procedure of hearing the request.

The Committee discussed the request and agreed to continue the hearing on this application.

A number of nearby property owners appeared and stated that they are not only objecting to the requested zoning of the entire 8.8 acres of "C-2" Commercial zoning but also object to the rezoning on any portion of the site. There are other problems in zoning besides the fact that this is primarily a residential area and a lot of people have invested a great deal of money in their homes. People want property rezoned for their economic benefit but in zoning, consideration should be given to the adjoining property owners as well as the site being requested for a change. The people of this area do not want to be located in close proximity to a liquor store. There is a liquor store in the area now at Northland Drive and Balcones Drive and there is no need or demand for another. The applicant has indicated that the private drive extending across his property would have to be altered if the change is granted. There would be opposition to this because of the number of children who live along Hillbrook



C14-69-287 R. E. Chalmers--contd.

Drive. The exit and entrances into the area are very dangerous as the traffic moves rapidly. If Highland Hill Drive is closed, people will have to use Hillbrook Drive which will create a hazard. The homeowners are raising their families and purchased their homes to insure the health, safety and welfare of the children and these people need to depend on the zoning to prohibit the encroachment of piecemeal zoning that would be detrimental. It should be further pointed out that the traffic on F. M. 2222 is high speed and the approach to Dry Creek Drive and the grade at this particular point is extremely dangerous and hazardous. Crime should be another factor for consideration as places that are robbed are liquor stores, particularly in an area such as this with accessibility and where it would be easy to get away. If the change is granted, it will invite crime.

#### Arguments Presented in REBUTTAL:

Mr. Chalmers requested that the application be amended to reduce the area under consideration to approximately 44,000 square feet located at the southeast corner of the site and field notes will be submitted within the 44,000 square feet for an area not to exceed 2,000 square feet or smaller where the proposed building will be located. He further stated that if the change is granted, there is no objection to the Ordinance being withheld until such time as the field notes are provided. He also stated that in order to prevent a public tavern, the property will be restricted from that use. The application was submitted in good faith and it is in keeping with the development of a shopping center.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed the proposed use in relation to the size of the site under consideration and the exact location the use is proposed to be established. A majority of the members were of the opinion that advance site planning is necessary for any type of development at this location because of the existing residential development to the north and the potential traffic problem. In view of this, a majority of the members recommended that the request be denied.

At the Commission meeting, the staff submitted a letter from the applicant to the Commission stating that (1) he will not seek final adoption of the Ordinance changing the zoning classification until such time as the specific location of the building is determined and the application is amended so as to include only the property upon which the building itself is to be located (2) if he is not able to present the schematic drawings and the field notes of the exact location of the building which is critical to the recommendation of the change, he will thereby formally request approval of withdrawal of the application until such date that this detailed information may be furnished.

Mr. Goodman said that in his opinion "C-2" Commercial zoning is too intensive for this particular neighborhood and the granting of such a request would be piecemeal zoning. The traffic generated by the use proposed would be detrimental to the neighborhood and to the business itself.

Mr. Osborne explained that the intent of the applicant was to apply for approximately 44,000 square feet of land located at the southeast corner of the 8.8

C14-69-287 R. E. Chalmers--contd.

acre tract. The staff suggested that the entire site be applied for so that there would be proper notification. The applicant is only interested in the area as described.

Mr. Goodman stated that the basic question whether there is 8 acres or one acre is whether the land being requested to be rezoned is the proper zoning for it. Mr. Kinser asked if the Commission has the authority to accept a withdrawal of this request since there was an error. Mr. Osborne explained that the Commission could not accept the withdrawal but he would support it before the City Council.

Mr. Milstead stated that the Commission has previously recommended approval of "C-2" zoning in shopping centers when the area needed for the use is specified by metes and bounds. The use has also on occasion been tied to a restriction whereby if the property is not used as stated, the zoning would revert back.

Mr. Osborne pointed out that the applicant advised the Zoning Committee he would put a condition on the property that the site would not be used for tavern purposes or that it would be used for a liquor store or other local retail development. He also said that he would limit the location exactly by metes and bounds but the field notes are not available at this time although he anticipates that they will be submitted to the City Council. The applicant further stipulated that the field notes would be submitted before the Ordinance is adopted.

Mr. Taniguchi said that one of the issues discussed was the matter of some kind of a site plan to determine the character of the retail facilities as far as the neighborhood is concerned. There needs to be some indication of this before a change is granted. Mr. Crier agreed and pointed out that previous "C-2" zoning requests have been granted in established centers and not where there is only the one building. Such things as lighting, buffering and traffic had already been taken care of. After further discussion, the Commission accepted the request to amend the application to request "C-2" Commercial zoning on 43,900 square feet of land located at the southeast corner of the site. It was then

VOTED: To recommend that the request of R. E. Chalmers for a change of zoning from "LR" Local Retail, First Height and Area to "C-2" Commercial, First Height and Area for property located at approximately 3804-3808 Dry Creek Drive (as amended) be DENIED.

AYE: Messrs. Kinser, Goodman, Taniguchi, Milstead and Crier

NAY: Messrs. Hanks, Becker, Reeves and Anderson

ABSENT: None

It was then

VOTED: To recommend to the City Council that the applicant be permitted to withdraw this request because of a technical error.

AYE: Messrs. Kinser, Taniguchi, Milstead, Crier, Hanks, Becker, Reeves & Anderson

NAY: Mr. Goodman

ABSENT: None

C14-69-288      A. E. Craus: Int. A, Int. 1st to B, 1st  
2033-2223 East Riverside Drive

STAFF REPORT: This is a request for a change of zoning to "B" Residence, First Height and Area on property containing 39 acres of land located along the south side of Riverside Drive. The stated purpose of the request is for apartments. To the north across Riverside Drive there is "GR" General Retail zoning with "B" Residence zoning established along both sides of Elmont Drive. To the east of the subject property is Interim "A" Residence zoning. "BB" Residence zoning was granted on property adjoining the site to the east in 1968. To the south and west is Interim "A" Residence as well as "A", "BB", "B" Residence and "LR" Local Retail having frontage onto Riverside Drive. Land use in the area consists of apartment construction to the north, east, and west of the site with a drive-in grocery and drive-in restaurant located north of Riverside Drive. Along Woodland Drive, Cedar Ridge, and Crooked Lane single-family development has occurred. The area to the south is undeveloped. Riverside Drive is classified as a major arterial street (future expressway) with an existing right-of-way of 85 feet.

The staff presented the proposal for the extension of streets through the tract and recommended that the request be granted as it conforms to the Master Plan designation of Medium Density Residential development for the area, subject to the extension and development of Woodland Drive and Tinnin Ford Road and subject to the necessary right-of-way for the widening of Riverside Drive.

Mr. Reeves advised the Committee that the proposal for Tinnin Ford Road is being resubmitted to split the property line on the Burleson Road end. He said that he owns property to the southwest and Mr. Wendler owns the adjoining property and it has been agreed by all the property owners that the road would be best suited to divide the property line that extends down and over to the intersection with Oltorf Street.

#### TESTIMONY

##### WRITTEN COMMENT

Kenneth S. Wendler: P. O. Box 3566

FOR

##### PERSONS APPEARING AT HEARING

Brian Schuller (representing applicant)

Mr. & Mrs. Howard Culp: 1907 Crooked Lane

AGAINST

Mr. & Mrs. Eugene Nelson: 1904 Crooked Lane

AGAINST

#### SUMMARY OF TESTIMONY

##### Arguments Presented FOR:

Mr. Brian Schuller, representing the applicant, stated that Mr. Reeves is correct about the street situation in that they propose to bring in a 70 foot street all the way from Riverside Drive, at the property line and intersecting with Oltorf Street. The proposal is also to provide for the extension

C14-69-288      A. E. Craus--contd.

extension of Woodland Avenue across the tract. The subject property is very hilly and the difference in elevation from Riverside Drive to the south is approximately 100 feet. There are several creeks running through it. It is felt that the highest and best use of the property is for apartments and it is requested that the application be granted.

Arguments Presented AGAINST:

Mr. Eugene Nelson, nearby property owner appeared in opposition to the request and explained that there is a residential area to the west and Woodland Avenue extends through a private residential subdivision to the expressway. Apartments are developed all around and they cluster in great numbers along the north side of Riverside Drive to the point where that thoroughfare is heavily traveled. There are numerous apartments to the north of Colorado Hills Estates along the east and west side of Royal Crest Drive. There is construction of a large number of apartments to the southeast and it is contemplated that apartments will be developed all the way to the south. It has been stated that this is a medium density residential area but there is no place in Austin where there are so many apartment units in such a small area. If the proposal is allowed, a large amount of the traffic will be forced onto Woodland Drive which is a hilly street that curves and winds to the residential area. There will be such congestion and difficulties that it will be hazardous. The principal difficulty is that the applicant contemplates putting in a tremendous number of people within a small area which does not have the facilities at the present time to take care of them. The extension of the street merely foreshadows a further extension of the same type of use. If the apartment development continues the traffic will have to be released onto Woodland Avenue which will channel a heavy arterial traffic through a street that was not designed for that purpose.

Mr. Reeves stated that in his opinion he should clarify the entire conversation between the people who own most of the undeveloped property in the area with regard to the street. Briar Hill Drive was intended to circle around and Cedar Ridge is a cul-de-sac street. He said that it is his understanding that they intend to have the street come in and buffer it with "A" Residence to the south of the residential and then have duplexes to the south of the residential property. They are willing to work out the street pattern and as previously stated it was agreed to come down the property line and to line up with the overpass at Tinnin Ford Road. This is a major thoroughfare street and Woodland Avenue is a collector street.

Mr. Osborne explained that the original Colorado Hills Estates was developed as a single-family area in an area which was designated in the Master Plan as low density. Subsequent hearings on the Master Plan resulted in a substantial amount of the area to the east being redesignated to medium density residential. This will effect Woodland Avenue. It is hoped and properly so, with the subsequent development of the additional streets feeding to the south to Oltorf Street and back to Riverside Drive and the improvement of Riverside Drive that the majority of the traffic coming out of the apartment area will not be produced on Woodland Avenue; however, until a street pattern is developed this

C14-69-288      A. E. Craus--contd.

will occur as Woodland Avenue has been planned as a secondary street. An attempt was made to essentially terminate Woodland Avenue at this point. Originally consideration was to bring Woodland Avenue and connect with Riverside Drive to provide circulation but this idea was abandoned, recognizing that as traffic comes off Woodland Avenue there is not an on-ramp to the expressway. This is one reason it is anticipated that the traffic would likely go to Riverside Drive or in turn Oltorf Street in order to get to the expressway going north bound. There will be additional traffic regardless of how the area is developed. Oltorf Street is intended to extend out to Pleasant Valley Road so that it would become a principle arterial street in this section and Riverside Drive is ultimately planned to be an expressway through the upper section.

Mr. Nelson stated at the present time Riverside Drive is a traffic hazard for anyone exiting Royal Crest and if the new area is put in it will exit onto Riverside Drive where the range of vision is restricted. As a consequence, even at this time the traffic is swinging south to Woodland Avenue to avoid the problem of getting onto Riverside Drive.

Several other nearby property owners appeared in opposition to the request for the same reason Mr. Nelson did, in that the proposed development would only increase traffic to the residential area, and the streets are not adequate to handle additional traffic. There should be future planning for the development of the area to include schools, playgrounds, etc. rather than allow the development of apartments on a piecemeal basis without adequate facilities to handle the increased population.

#### Arguments Presented In REBUTTAL:

Mr. Schuller advised the Committee that four adjoining property owners have agreed on the location of streets to serve this area. The streets which are planned, specifically the north-south 70 foot streets from Riverside Drive to Oltorf Street will carry all the traffic from the proposed area because of the major interchange that will be at Riverside Drive. One of the reasons for proposing apartment development on the subject property rather than single-family development is because the terrain is a problem and it is not feasible to build single-family dwellings. There are creeks running through the area which will have to be smoothed out before apartments can even be developed. It should be pointed out that there are apartments to the east, proposed apartments to the west, "GR" General Retail zoning within the area. The adjoining area between the subject property and Colorado Hills Estates has not been forgotten by the developers, and they are trying to work on plans whereby the subdivision and the people in it will be protected from apartments. There will certainly be some buffer provided between the single-family area and the apartment area. The first phase in development will take place on Riverside Drive and Woodland Avenue.

C14-69-288 A. E. Craus--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information noting that the request is in conformance with the Master Plan designation of Medium Density Residential for the area. A majority of the members concluded that this request should be granted, subject to the extension of Woodland Drive and Tinnin Ford Road, the necessary right-of-way for the future widening of Riverside Drive and with the condition that a special permit and a subdivision be submitted because of the size of the tract.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of A. E. Craus for a change of zoning from Interim "A" Residence, Interim First Height and Area to "B" Residence, First Height and Area for property located at 2033-2223 East Riverside Drive be GRANTED, subject to the extension of Woodland Drive and Tinnin Ford Road, the necessary right-of-way for the future widening of Riverside Drive and with the condition that a special permit and a subdivision be submitted because of the size of the tract.

C14-69-289 Raymond Ramsey: A, 1st to GR, 5th  
 1437-1451 Fairfield Drive  
 8523-8535 U. S. Highway 183

STAFF REPORT: The subject property contains .68 acres of land and is located at the southeast intersection of U. S. Highway 183 and Fairfield Drive. The stated purpose of the request is for a service station and drive-in grocery combination. Zoning in the area includes "A" Residence with "B" Residence established along Beech Drive and Dryfield Drive. To the west of U. S. 183 is "A" Residence with "GR" General Retail established north of Fairfield Drive fronting onto U. S. 183. Land use to the north is mixed consisting of a cafe, real estate office, appliances and similar type uses which developed while outside the City limits. Single-family residential use has developed to the east along Fairfield Drive, Colonial Drive, Bloomington Lane and Clarewood Drive. There is apartment development fronting onto Beech Drive and Dryfield Drive. West of U. S. 183 at the intersection of Fairfield Drive there are two service stations with single-family development further west along Fairfield Drive, Kromer Drive and other streets within the subdivision. To the north along the west side of U. S. 183 there is a mixture of commercial development. A request for a special permit for the development of an apartment dwelling group is pending on five lots. Fairfield Drive is classified as a neighborhood collector street and has an existing right-of-way of 60 feet. U. S. Highway 183 is classified as a major arterial street and has an existing right-of-way of 160 feet. The subject tract was subdivided without benefit of a subdivision. The staff recommends that the request be granted subject to approval of a short form subdivision.

## TESTIMONY

## WRITTEN COMMENT

None

CP14-69-289 Raymond Ramsey--contd.

## PERSONS APPEARING AT HEARING

Raymond Ramsey (applicant)

## SUMMARY OF TESTIMONY

The applicant was present on behalf of this request and advised the Committee that the short form subdivision has been taken care of.

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 a short form subdivision, as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Raymond Ramsey for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, Fifth Height and Area for property located at 1437-1451 Fairfield Drive and 8523-8535 U. S. Highway 183 be GRANTED, subject to a short form subdivision of the site.

## SPECIAL PERMITS

CP14-69-040 Joseph C. and Myrtle L. Bashara: Mobile Home Park  
6100-6104 Kasper Street

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 a mobile home park consisting of 21 sites. Each site contains between 1,100 and 1,200 square feet, almost double the minimum base requirements. The site plan has been circulated to the various City departments and the comments are as follows:

1. Advanced Planning -
  - a) Need 5' of r.o.w. along Kasper
  - b) Driveway should be 20' wide if head-in parking is to be used as indicated.
  - c) Parking space must be 9 x 20 feet or 10 x 18 feet.
  - d) Setback of improvements and lot sizes must meet City requirements.
  - e) Existing house must be moved.
  - f) Lot sizes indicated will limit size of trailer.

CPI4-69-040 Joseph C. and Myrtle L. Bashara--contd.

- 2. Traffic Engineer - No comments.
- 3. Fire Prevention - Provide fire protection as specified by the Fire Code. (as follows) Extinguishers suitable in number and type as prescribed by the fire marshal after inspection of the occupancy and hazards involved.
  - a) A public water supply system with hydrants located within five hundred feet of all trailer parking sites.
  - or
  - An approved private system with hydrants connected to the domestic water supply so arranged as to provide equivalent protection.
  - b) One suitable two and one-half gallon extinguisher, situated not more than 100 feet from any trailer.
- 4. Fire Protection - Existing fire protection facilities are believed to be adequate, but some consideration should be given to the width of the streets to be used to enter and exit. These are extremely narrow.
- 5. Health - Waste Water System to Be Available. This plat does not meet the requirements of Chapter 33 of the City Code of 1967 re: Tourist Camps & Trailers. It will have to be resubmitted meeting these requirements.
- 6. Tax Assessor - Taxes are due as follows:
  - Lot 20 Blk 5 Angell Subd 1968, 1969
  - Lot 22 Blk 5 Angell Subd 1968, 1969
  - Lot 24 Blk 5 Angell Subd 1969
- 7. Electric - Elect. - 5 feet along northerly property line.
- 8. Water and Sewer - Water and Sanitary Sewer service available from existing mains in adjacent streets. No additional fire protection will be required.
- 9. Building Inspector -
  - 1) The property is located in an "A" Residence, First Height and Area District. Without a special permit "C" Commercial zoning would be required, and even then could not be located in a community center (any area of "C" zoning measuring less than 900 feet at its greatest dimension, including streets and alleys.)
  - 2) The driveway through the park is shown 18 feet wide. Twenty feet of paved maneuvering room is required for each paved off-street parking space; therefore



CP14-69-040      Joseph C. and Myrtle L. Bashara--contd.

this driveway shall be at least 20 feet wide and be paved.

- 3) The lot area requirements would permit a maximum number of 39 trailers on this site with a paved off-street parking space to be provided for each trailer and a total of 1.1 spaces required per trailer space for the project.
- 4) The site plan does not show the actual location of each trailer. Normal setback requirements would apply which would prohibit the normal size trailer. (25 feet setback from front Kasper Street; 10 feet setback from side street Clubview; a minimum setback of 5 feet from the side and rear. Also a minimum distance of 6 feet would have to be maintained between each trailer and between any trailer. The existing house shown on the site plan is to be either relocated or removed.
- 5) Plumbing and electrical work must be done according to the City Codes for a trailer park.
- 6) Four foot high solid fence would be required along east property line where driveway is adjacent to property developed for a residential use.

- |                          |   |   |
|--------------------------|---|---|
| Director of Public Works | - | I would recommend commercial driveway rather than street section. Therefore, we will need request for and approval of driveways before construction begins. |
| Storm Sewer              | - | Plat complies.  |

Mr. Osborne explained that this is a limited size tract of land and there is not too much alternative with regard to layout. The issue of screening and right-of-way would have to be taken care of within the site plan itself. The density proposed on the site is higher than would be in most apartment developments.

#### TESTIMONY

#### WRITTEN COMMENT

None

#### PERSONS APPEARING AT HEARING

Joseph C. Bashara, Sr. (applicant)

CP14-69-040 Joseph C. and Myrtle L. Bashara--contd.

## SUMMARY OF TESTIMONY

Mr. Joseph Bashara, Sr. was present on behalf of this request and pointed out the location of the City water pipes, gas and sewer lines.

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 pending further study of the site plan and the Commission action on the necessary zoning of the site.

At the Commission meeting, the staff reported a letter from the applicant requesting that this application be withdrawn.

The Commission then unanimously

VOTED: To DENY the request of Joseph C. and Myrtle L. Bashara for a special permit for a mobile home park on property located at 6100-6104 Kasper Street.

CP14-69-041 London Square Inc.: Apartment Dwelling Group  
 2301-2411 Elmont Drive  
 2300-2450 Town Lake Circle

STAFF REPORT: This application has been filed as required under Section 5 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is a 118 unit apartment dwelling project to be located in 12 two-story buildings containing one, two and three bedroom apartment units and one single-story building containing storage, tenant laundry, rest rooms and recreation room. The site plan has been circulated to the various City Departments and the comments are as follows:

- |                  |   |
|------------------|---|
| Advance Planning | - Recommend that parking be modified to eliminate all head-in parking from dedicated streets.   |
| Fire Prevention  | - Any three story (or three level) building should have a fire escape provided as required by State Law. Install required fire extinguishers as required as buildings are completed.  |
| Traffic Engineer | - Recommend that head-in parking off Elmont (80' of R.O.W.) and Town Lake Circle be eliminated and that additional parking be provided on the property. COMMENT: The curvilinear parking lots will cause confusion, create accident potential, and inefficient parking. |

CP14-69-041 London Square Inc.---contd.

- |                          |  |
|--------------------------|--|
| Fire Protection          | - One recommended fire hydrant is indicated on Town Lake Circle in red. One additional fire hydrant was recommended on CP14-69-019 to be located on the north side of Elmont Drive just west of the west line of Bldg. No.1.   |
| Electric                 | - Additional easements required as indicated.  |
| Tax Assessor             | - 3-0408-0305 thru 0610 Taxes are due for 1969.  |
| Health                   | - No objections. Waste Water System to be available.   |
| Building Inspector       | - 1) A four-foot high solid fence is required, where parking is adjacent to any property developed for residential use.<br>2) It would appear that none of the buildings shown on the site plan encroach on the P.V.E.'s traversing the property however; on the 1" = 40' scale it is hard to determine. (No part of a building or structure can be over at P.V.E.)<br>3) Head-in parking must be approved by the Public Works Department. All curb breaks subject to Public Works Department approval.<br>4) Does not include building code approval. |
| Water and Sewer          | - Water and Sanitary Sewer service is available from existing mains in adjacent streets. One additional fire hydrant will be required and it shall be located on the S.E. corner of the block with Buildings No. 9 and 10.   |
| Storm Sewer              | - Plans complies with requirements.  |
| Director of Public Works | - Driveway locations meet with our approval. Recommend minimum radius of five feet for all driveway returns and minimum of 20 feet for head-in parking on west side of Town Lake Circle. Also, we need request for and approval of driveways before construction begins.   |

Mr. Osborne stated that head-in parking is one of the problems with the Zoning Ordinance in that the Ordinance permits head-in parking and it does occur in certain selected locations in the City. The staff recommends that the head-in parking be eliminated, recognizing that in making such a recommendation that it is not properly covered by Ordinance requirements.

CP14-69-041      London Square, Inc.--contd.

Mr. Reeves asked if the applicant would still have the required number of parking spaces if the head-in parking spaces are eliminated. Mr. Osborne stated that it would require a complete re-working of the site plan which in his opinion is not feasible or likely on the basis of the head-in parking arrangement when there is no provision in the City Ordinance for head-in parking. The Commission can recommend against the head-in parking if it is found that there is an unusual and imminent hazard resulting from head-in parking which has occurred on major thoroughfares adjacent to a bad intersection.

Mr. Reeves pointed out that Town Lake Circle is the applicant's own street surrounded on both sides by apartments. Whether the parking is put inside the property where they have to drive out of the driveway or back into the street, the only intersection that is dangerous is the one that runs into Elmont Drive. There is a hazard of backing into a heavily travelled street and the parking spaces on Elmont Drive should be eliminated.

#### TESTIMONY

##### WRITTEN COMMENT

None

##### PERSONS APPEARING AT HEARING

Charles Landers (Architect for developer)

#### SUMMARY OF TESTIMONY

Mr. Charles Landers, architect for the developer, explained that the head-in parking spaces are inside the property line. Elmont Drive runs into Tinnin Ford Road which carries a great deal of traffic and has exactly the type of parking proposed for the five spaces on Elmont Drive. Tinnin Ford Road serves all of the apartments in the area. Due to the fact that there is very little traffic on Elmont Drive, except traffic generated only by the existing three projects around Elmont Circle, the site plan was developed around the head-in spaces and around the comments by the Traffic Engineer. The curve drive through the area which is proposed is designed for the purpose of slowing the traffic through the project. The proposed development has a number of two and three bedroom units and there will be many children living in the project and it is felt that the cars should not be permitted to speed through the area from Town Lake over to Elmont Drive. The items with regard to City taxes, fire hydrants, etc. are covered by note on the site plan.

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 compliance with departmental reports and with the condition that the five head-in parking spaces along Elmont Drive be eliminated. The

CP14-69-041 London Square, Inc.---contd.

Committee further noted that there may be a serious congestion problem where there is curb lineal parking.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of London Square, Inc. for a special permit for a 118 unit apartment dwelling group on property located at 2301-2411 Elmont Drive, 2300-2450 Town Lake Circle; with the condition that the five head-in parking spaces along Elmont Drive be eliminated, and authorized the Chairman to sign the necessary resolution when all requirements have been met.

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

CP14-69-042 Dr. Paul Jungerman: Veterinary Clinic  
 1213-1215 Baylor Street  
 1212 Parkway

STAFF REPORT: This application has been filed as required under Section 6 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. The application is for a veterinary clinic --- out patient only --- which means that there will be no animals kept on the premises permanently, overnight or for interim periods, other than those for treatment. The clinic is to be located in the existing house which contains approximately 1,430 square feet and in addition a porch area as part of the house. The site plan has been circulated to the various City Departments and the comments are as follows:

- |                    |   |
|--------------------|---|
| Advance Planning   | - Off-street parking is needed based on requirements for proposed use.  |
| Traffic Engineer   | - Recommend that no parking be permitted on street ROW and no additional curb breaks or driveways be permitted.   |
| Fire Prevention    | - Install required fire extinguisher when work is completed.  |
| Electric           | - Elect okay.   |
| Health             | - No objections. Waste Water System to be available.  |
| Tax Assessor       | - 2-1000-0801 Taxes are due for the year 1969.  |
| Building Inspector | - 1) Five paved off-street parking spaces would have to be provided behind the property line. The 6 proposed spaces shown on the site plan appear to be in the right-of-way.<br>2) Does not include building code approval. |

CP14-69-042 Dr. Paul Jungerman--contd.

- |                          |   |   |
|--------------------------|---|---|
| Water and Sewer          | - | Water and Sanitary Sewer service is available from existing mains in adjacent streets. No additional fire protection will be required.          |
| Office Engineer          | - | Require request for commercial driveway.  |
| Director of Public Works | - | Cannot use area between curb and property line on Baylor Street for proposed six car parking. This will have to be provided on owners property. |
| Storm Sewer              | - | Plat complies.  |
| Fire Protection          | - | Existing fire protection facilities are believed to be adequate.  |

There are no specific requirements other than a general site plan. As submitted the plan did not accurately show the arrangement for parking because it substantially indicated that parking would be placed on public right-of-way. The tentative layout for parking was provided for six spaces including the existing carport area, which could be counted as a parking area, four head-in spaces off Baylor Street in the existing driveway. The other question to be answered involves the issue of an enclosure of a building, i.e. air conditioning within the building to minimize noise, recognizing that animals are not always quiet. It should be pointed out that the clinic operation is such that this is not an unreasonable use of the property in connection with the area which is in a state of transition. Nearby there is adjacent commercial property and within 100 feet south of the site there are facilities for an automobile dealership including repair and related services. To the southeast is the Terminix Company with its facilities and parking lot area. Across the street are offices and apartments. The staff recommends that the special permit be granted, subject to the parking conditions and clarification on the matter of general enclosure of the building to minimize the noise element.

## TESTIMONY

## WRITTEN COMMENT

Charlie Tod Armstrong: 4100 Jackson  
 Joe L. Tod  
 Mrs. M. Smith

FOR  
 FOR  
 AGAINST

## PERSONS APPEARING AT HEARING

Dr. & Mrs. Paul Jungerman (applicants)  
 Mrs. Bonner Pennybacker: 1105 Enfield Road  
 Mary Nell Garrison: 3911 Balcones Drive  
 Mrs. A. N. McQuown: 4100 Jackson  
 Mrs. Charlie Tod Armstrong: 4100 Jackson  
 Robert L. Smithers: 1218 Baylor Street  
 Mrs. Sterling Adair: 1201 Castle Hill  
 Mrs. Harper Street: 2208 Parkway

AGAINST  
 FOR  
 FOR  
 FOR  
 AGAINST  
 AGAINST  
 AGAINST

CP14-69-042 Dr. Paul Jungerman--contd.

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Dr. Paul Jungerman was present on behalf of this request and explained that he was a professor of veterinary medicine at Texas A & M for many years. Previous to that he operated a practice in another State that was located in a remodeled house. He further stated that he is the author of a book on skin disease in animals and his practice will be specializing in that field. Dr. Jungerman advised the Committee that he believes that animals are much better off in a home than in a hospital and he does not intend to keep any animals overnight. Many veterinary clinics are being built in shopping centers, handled as out patient clinics with no hospitalization and no boarding. The application for a special permit was submitted approximately one month ago but the question on parking was not brought out until this meeting although it should be very easily solved.

Enfield Road is gradually building toward apartments and when this type of development occurs, children disappear and dogs leave with them. His intention is to operate an out-patient apartment type package specializing in dermatology and skin problems on animals. The building will be centrally heated, air-conditioned, and well-insulated. The existing house is structurally sound and after remodeling, will adapt easily to the area.

## Arguments Presented AGAINST:

Mrs. J. N. Street appeared at the hearing and advised the Committee that he owns the house directly in back of the subject site and the parking area adjoins her drive-way. The house is presently rented but the continued rental will be difficult if there are loud animals on the adjoining site and if cars turn in and out of the drive at all times. If a clinic is permitted, there will not be sufficient parking area and the use will be detrimental to the neighborhood.

Several other property owners appeared at the hearing in opposition to the request and stated that in their opinion the use proposed on the site would be detrimental to the existing neighborhood and would create a disturbance. Many of the people in the area are elderly retired people and a clinic will not add to the property.

## Arguments Presented IN REBUTTAL:

Dr. Jungerman pointed out that the present plans are to use Spanish type construction on the house as it is presently stucco. He said that he would like to have a privacy fence between the clinic and the home on the property behind the site and in his opinion the use would be an asset to the area.

CP14-69-042 Dr. Paul Jungerman--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to compliance with departmental reports and with the condition that the use be completely enclosed in a properly air-conditioned building and subject to a six foot privacy fence erected on the south property line.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of Dr. Paul Jungerman for a special permit for a veterinary clinic on property located at 1213-1215 Baylor Street and 1212 Parkway, subject to compliance with departmental reports and with the condition that a privacy fence be erected on the south property line, and authorized the Chairman to sign the necessary resolution when all requirements have been met.

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

CP14-69-043 John G. Sanchez, Sr.: Day Care Center  
2011 Holly Street

STAFF REPORT: This application has been filed as required under Section 4 and according to the procedures as specified in 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed on the site is a day care center permitting ten children. The applicant would be permitted under the Ordinance to have six or fewer children as an accessory use; however, when there are seven or more children, and the proposal is for ten children, the applicant would be required to have a lot size of 7,000 square feet and the area only has 6,720 square feet which is 280 feet shy of the basic requirement of the Ordinance so a Board of Adjustment case would probably be necessary. The subject property, developed with a residence, is 48 by 140 feet long and is located on the south side of Holly Street. The site plan has been circulated to the various City Departments and the comments are as follows:

- |                  |   |
|------------------|---|
| Advance Planning | - a) 5 feet of ROW needed along Holly Street.   |
|                  | b) As Holly Street is a Major Arterial Street, unloading of children may be a serious problem as the entire front yard is fenced and a curved drive can not be located on the width of the lot. |
| Tax Assessor     | - 2-0008-0206 Taxes are due for 1969.   |
| Electric         | - Electric okay.  |
| Fire Protection  | - Existing fire protection facilities are believed to be adequate.  |
| Fire Prevention  | - None  |



CP14-69-043 John G. Sanchez, Sr.---contd.

- |                          |   |   |
|--------------------------|---|---|
| Traffic Engineer         | - | No recommendations.   |
| Health                   | - | No objections. Waste Water System to be available.  |
| Building Inspector       | - | 1) This case goes before the Board of Adjustment November 17, 1969, for a variance to keep ten children on a lot containing 6,744 square feet. The Zoning Ordinance requires a minimum lot area of 7,000 square feet for the keeping of ten children. |
|                          |   | 2) It appears that loading and unloading facilities for the children would be off the street since no through driveway is provided.   |
|                          |   | 3) The facility and site would also have to be approved by the Texas State Department of Public Welfare.  |
|                          |   | 4) Building Code approval would not be involved unless remodeling or addition is being made.  |
| Storm Sewer              | - | Plan complies with requirements.  |
| Water and Sewer          | - | Water and Sanitary Sewer service available from existing mains in Holly Street. No additional fire protection required.   |
| Office Engineer          | - | Okay.   |
| Director of Public Works | - | If there is no concrete driveway between curb and property line, I would recommend that one be constructed.   |

There are no specific departmental requirements as most of the basic requirements concerning the day care nursery are covered by the State Department of Public Welfare and its requirements concerning fencing and facilities within the building, playground area, and other items such as those. The only question which is not a critical problem in this type of location with this size of nursery is the limitation in parking. There is a driveway and a carport located on the site. The narrow frontage will mean that in the event some children are delivered by car that there will be some degree of stacking up of parking. The staff recommends the approval of the special permit basically subject to the fencing as generally required and in turn recognizes that this will likely require a Board of Adjustment variance because of the size and subject to a five foot dedication of right-of-way for Holly Street, as it is intended to be widened.

## TESTIMONY

## WRITTEN COMMENT

None

CP14-69-043 John G. Sanchez, Sr.--contd.

## PERSONS APPEARING AT HEARING

Mrs. John Sanchez (applicant)

## SUMMARY OF TESTIMONY

Mrs. John Sanchez was present at the hearing and stated that they are operating a day care center on the site and would like to be permitted to have ten children.

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 compliance with departmental reports, and subject to five feet of right-of-way for Holly Street.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of John G. Sanchez, Sr. for a special permit for a day care center on property located at 2011 Holly Street, subject to compliance with departmental reports and five feet of right-of-way for Holly Street, and authorized the Chairman to sign the necessary resolution when all requirements have been met.

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

CP14-69-044 Mary Lee School: Vocational Boarding School  
 400-410 West Live Oak Street  
 2100-2108 Wilson Street  
 401-411 Crockett Street  
 2100-2109 Hodges Street

STAFF REPORT: This application has been filed as required under Section 5 and according to the procedures as specified in Section 10-B of the Zoning Ordinance in the City of Austin, Texas. The improvements existing on the site include a dormitory housing 31 girls, administration: buying, building and a classroom-training building. Proposed is an administration building, dining hall with new kitchen, dormitory to house 20 girls, parking areas, service drives and sidewalks. The site plan has been circulated to the various City departments and the comments are as follows:

## Advance Planning

- Layout is satisfactory if driveway plans are approved by Public Works and Traffic and Transportation Depts. and adequate parking is provided.

CP14-69-044 Mary Lee School--contd.

- |                    |   |   |
|--------------------|---|---|
| Traffic Engineer   | - | Recommend that four additional parking spaces be provided in lot off Live Oak Street.   |
| Fire Prevention    | - | Install required fire extinguishers as work is completed.   |
| Health             | - | Waste Water System to be available. The cafe blueprints will have to be presented to this office before approval can be given.  |
| Electric           | - | Estimates required at a later date.   |
| Tax Assessor       | - | Tax exempt.   |
| Fire Protection    | - | The existing fire protection facilities are believed to be adequate, but we would like consideration be given to an emergency gate or some type of opening that could be used in an emergency in the fence on the north side, in the event it is left in place.   |
| Storm Sewer        | - | Plan complies with requirements.  |
| Water and Sewer    | - | Water and Sanitary Sewer service is available from existing mains in adjacent streets. No additional fire protection will be required.  |
| Building Inspector | - | <ol style="list-style-type: none"> <li>1) Applicant has noted that the parking requirements of the Ordinance will be met: or as approved by the Board of Adjustment. A total of 15 spaces are shown on the site plan.</li> <li>2) Does not include building code approval.</li> <li>3) The property is presently zoned "B" and 1st and contains approximately 76,000 square feet which would permit a dormitory for 506 people. (This figure excludes the right-of-way to be dedicated to the City.) (Approximately 76,000 square feet in property; number of persons allowed 150 square feet per person.)</li> <li>4) The parking requirement is one paved off-street parking space for each two persons the establishment is designed to house. For the purpose of computation, one bedroom is considered to be for two persons, thus 25 spaces would be required for the dormitories.</li> </ol> |

The parking for the proposed administration building would be figured on the basis of one paved space for each 300 square feet of total floor area. (The building contains approximately 2,000 square feet therefore, seven spaces would be required.)

For dormitories and administrative building a total of 32 paved off-street parking spaces would be required.

CPI4-69-044 Mary Lee School--contd.

- Building Inspector--contd. - The existing classroom training building falls under a previous special permit and the parking spaces required for it, must be added to the total of 32.
- Director of Public Works - Driveway locations meet with our approval. Recommend minimum of 5 foot radius on driveway returns. Also, we will need request for and approval of driveways before construction begins.
- Office Engineer - Require request for commercial driveway.

The staff recommends approval subject to compliance with departmental reports.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

Mrs. Charlene Crump (applicant)

## SUMMARY OF TESTIMONY

Mrs. Charlene Crump, Director of the Mary Lee School, explained that this is a vocational residential training program for border line mentally retarded girls. She stated that they had been at this particular address for about 3½ years and the development has not been a detriment to the area. The property does encompass an entire block and is in a very busy commercial area. The expansion of the facility is in keeping with the Master Plan for 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, subject to compliance with departmental reports.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of the Mary Lee School for a special permit for the expansion of the existing vocational boarding school on property located at 400-410 West Live Oak, 2100-2108 Wilson Street, 401-411 Crockett Street, and 2100-2109 Hodges Street, subject to compliance with departmental reports, and authorized the Chairman to sign the necessary resolution when all requirements have been met.

CP14-69-044 Mary Lee School--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.

CP14-69-045 Mrs. J. H. Chrisner: Veterinary Clinic  
4206 Medical Parkway

STAFF REPORT: This application has been filed as required under Section 6 and according to the procedure as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is a veterinary clinic with no outside runs, (all pets on premises will be confined inside the building). The tract under consideration has an average depth of 150 feet and is 59 feet in width. The proposal is for a solid masonry building with a total of nine parking spaces located on the site, separated as much as possible from the adjacent property. The site plan has been circulated to the various City departments and the comments are as follows:

## Advance Planning

- a) ROW of 5 feet needed along Medical Parkway and a 5 foot sidewalk easement is needed in addition to the ROW.
- b) Recommend parking in front of building be modified as indicated on sketch.
- c) Driveway plan must be approved by Public Works and Traffic and Transportation Departments.

## Fire Prevention

- Install required fire extinguisher when work is complete.

## Traffic Engineer

- Recommended additions:
  - a) That one 30 foot driveway be permitted as shown on attached plan.
  - b) That curbs and driveways be constructed as requested by Department of Public Works.

## Tax Assessor

- 2-2203-0121 Taxes are due for 1969.

## Fire Protection

- Existing fire protection facilities are believed to be adequate.

## Health

- No objections. Waste Water System to be available.

## Electric

- None

## Storm Sewer

- Plan complies with requirements.

## Water and Sewer

- Water and Sanitary Sewer service is available from existing mains in Medical Parkway. No additional fire protection will be required.

## Building Inspector

- 1) It is unclear if this is a legal lot of record. (It was possibly

CP14-69-045 Mrs. J. H. Chrisner--contd.

Building Inspector--contd. - cleared by the Planning Department  
 (October 21, 1955.)  
 2) Need legal description to determine  
 zoning classification.  
 Office Engineer - Require request for commercial driveway.  
 Director of Public Works - Will permit 45 foot driveway off Medical  
 Parkway, however, we will need request  
 for and approval of same before con-  
 struction begins.

The staff recommends in favor of the request subject to compliance with the  
 departmental reports.

## TESTIMONY

## WRITTEN COMMENT

Mrs. Evelyn Shepherd: 4209 Bellvue

FOR

## PERSONS APPEARING AT HEARING

Dr. Henry Tischler (applicant)

Herschel T. Moore: Suite 810, Scarbrough Bldg.

AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Dr. Henry Tischler advised the Committee that he has operated an animal hospital  
 on Burnet Road for many years and he has never had a complaint. The intent now  
 is to move the existing business to the subject property. Animals will be kept  
 only on a short term basis and there will be no outside runs. The structure will  
 be air-conditioned.

## Arguments Presented AGAINST:

Mr. Hershel Moore, representing Mr. and Mrs. Bozarth, owners of the property  
 adjacent to the north, pointed out the Bozarth home in relation to the proposed  
 animal clinic. He explained that they have owned their home and lived in it  
 for 29 years and the way the home is situated, their bedroom window is approx-  
 imately 18 feet from the proposed clinic. In view of the fact that they do  
 live so close to the building, and it will not only be used as a treatment  
 hospital but to board animals, they would like to be assured that certain con-  
 ditions are met if the application is granted. They would like to know that  
 there will be no outside runs used and that all pets will be confined in the  
 building and that there will be no obnoxious odors. They are also concerned  
 about the air-conditioning of the building and adequate sound proofing. In  
 this particular case, the sound proofing should be more than adequate because  
 of the closeness of the structures so as not to disturb the peace and quiet

CP14-69-045 Mrs. J. H. Chrisner--contd.

of the Bozarth's home. The building existing on the subject property is not presently air-conditioned.

Dr. Tischler stated that the existing structure has 8 inch thick walls and can be used as it now stands. The plans are to divide the waiting room and examining room with a wall going through the area. The kennel area will be in the center buffered by the other two areas. Window air-conditioning units will be used for the structure.

#### 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 give the applicant an opportunity to work with the staff on the departmental conditions.

At the Commission meeting, Mr. Osborne recommended the following conditions:

1. The exterior walls which are masonry walls on the building to be lined inside with pre-finished plywood on 2 by 2 striping.
2. Interior partitioning panel on both sides.
3. The ceilings in all rooms to be finished with 12 by 12 acoustical tiles suspended on inverted T-grid systems.

Mr. Osborne further explained that it was not included but was intended to be included in the site plan that there be air conditioning for the building and actually would be in the form of two separate units. One would air condition the area that would contain the animals and the other would air condition the treatment room and waiting room area.

Mr. Reeves said that he is very familiar with the structure existing on the site and in his opinion 8 inch masonry walls to be lined with plywood is not very good sound proofing material.

Mr. Osborne explained that the staff was faced with the issue of the applicant being able to keep animals in the center of the building and be able to keep that area clean and in turn what could be done for acoustical treatment in a reasonable situation. With the masonry wall, particularly on the north side, the only alternative apparent was the use of the tile.

The Commission members discussed with the staff the transmission of sound through the walls, sound proofing and acoustical materials and the best method for a sound conditioning existing structure. They concluded that the applicant should have a 4 by 8 sheet of sound deadening board with 2 by 2 strips of 16 inch centers with pre-finished paneling board on top. After further discussion, the Commission then unanimously

VOTED: To APPROVE the request of Mrs. J. H. Chrisner for a special permit for a veterinary clinic on property located at 4206 Medical Parkway, subject to compliance with departmental reports, including air-conditioning of the building and further insulation as outlined above, and authorized the Chairman to sign the necessary resolution when requirements are met.

CP14-69-045 Mrs. J. H. Chrisner--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.

CP14-69-046 Leon Stone: Mobile Home Park  
Rear of 2707-2905 Del Curto Road

STAFF REPORT: This application has been filed as required under Section 5-B and according to the procedures as specified by Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is a mobile home park containing 180 units and a large clubhouse. Thornton Road and Kinney Avenue have not been extended through the tract as a public right-of-way and there would be no connection to other public rights-of-way, such as Burning Oak Drive. The site plan has been circulated to the various City departments and the comments are as follows:

## Advance Planning

- a) Access to the area is not adequate for proposed use. Kinney Avenue is a minor residential street serving single-family homes and Thornton Road does not have adequate ROW to serve other than low-density residential uses.
- b) A cul-de-sac should be provided for proper termination of Burning Oak Drive.
- c) The sanitary sewer line located across the tract has not been considered in the plan.
- d) Topographic features and drainage problems have not been considered in the plan.

Electric  
Health

- Estimates required at a later date.
- Waste Water System to be available. Sections 33, 15 & 33-16 of the Austin City Code will have to be met.

## Tax Assessor

- 4-0208-0219 & 4-0307-0202 Taxes are due for 1969.

## Fire Prevention

- Provide fire protection as specified in the Fire Code (in file)

## Traffic Engineer

- Recommend that Kinney & Thornton be connected with a 60 foot dedicated street; and that a standard cul-de-sac be constructed at the end of Burning Oak Drive.

## Water and Sewer

- Sanitary sewer service is available from the existing mains bordering the said tract on the northwestern and the south-eastern corners. It will be necessary



CP14-69-046 Leon Stone--contd.

Water and Sewer--contd.

- to reroute the existing ten (10) inch main crossing the northwestern corner as shown on the plat.  
Water service is available from the existing main in Kinney Avenue. Three fire hydrants will be required. These fire hydrants will be located as shown on the plat. This will require the construction of mains of six (6) and eight (8) inches with mains and valves placed as shown on the plat. A fire demand meter may be required on the six (6) inch mains. All services off the eight (8) inch main will require meters.

Building Inspector

- 1) The property is located in an "A" Residence, First Height and Area District. Without a special permit "C" Commercial zoning would be required, and even then could not be located in a community center (any area of "C" Commercial zoning measuring less than 900 feet at its greatest dimension including streets and alleys.)
- 2) The lot area requirements of the Zoning Ordinance would permit many more trailers than are proposed on the site plan.
- 3) Each trailer is required to have one-paved off-street parking space, with the project providing 1.1 parking spaces per trailer.
- 4) Each trailer must meet the minimum setback requirements (25 feet from front property line along a public street; 5 feet from side and rear property line) also a minimum distance of 6 feet is required between each trailer.
- 5) A four-foot high solid fence is required where any parking area is adjacent to property developed for a residential use.
- 6) Any accessory buildings require a building permit. (Accessory building shown on site plan should be termed a recreation building instead of clubhouse.)
- 7) The area designated on site plan as camper and trailer storage area should be paved.

CP14-69-046 Leon Stone--contd.

Building Inspector--contd.

- Plumbing and electrical work must be done according to the City Codes for a trailer park.

Mr. Osborne pointed out to the Committee that he has recommended against the requested zoning on the site and also recommended disapproval of this site plan on the basis that it does not represent the terrain features, and the plan indicates a definite overcrowding of the site and apparently does not take into account the drainage features or problems that exist. If the zoning is granted, the special permit should be revised and resubmitted to the Commission as the site plan is being considered inadequate.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

J. L. Stansell (representing applicant)	
S. A. Garza (Engineer for Developer)	
William T. Manning: 3003 Burning Oak Drive	AGAINST
Mr. & Mrs. Herbert C. Martinez: 3003 Leaning Oak Drive	AGAINST
Mr. & Mrs. Tommy Lo Martin: 2909 Burning Oak Drive	AGAINST
Mrs. Benjalyn Sembritzki: 3001 Burning Oak Drive	AGAINST
Mr. & Mrs. John Shelton: 3003 Kinney Avenue	AGAINST
Mrs. Frank Vasquez, Jr.: 3007 Kinney Avenue	AGAINST
Milton Adcock: 3001 Pin Oak Court	AGAINST
Mr. & Mrs. John W. Zion: 2908 Burning Oak Drive	AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. S. A. Garza, Engineer for the developer, stated that the utility lines are in the street. Sanitary sewer for the east portion of the tract will have to be brought up as an approach main which is feasible. There are drainage problems as there is a drainage creek that goes through the property that has to be blended into the developed area. For this reason, it is felt that the number of mobile home spaces proposed will have to be reduced. The general fall of the terrain and the drainage will have to be worked into the area where it will eventually fall into the creek itself. There is a sanitary sewer that goes on the east side parallel to the railroad track that is serving the subdivision area and a sub-main that goes through the tract will serve the western part of the area.

Mr. Garza explained that the proposal is for a mobile home park that will be managed and will be one of the first concepts of this kind to occur in Austin.

CP14-69-046 Leon Stone--contd.

The plans are for a permanent type of management that will look into restrictions which will require leases with certain conditions such as skirts on the mobile homes, awnings, and similar type restrictions. There are specific requirements planned for the park and it will be kept as a private park. He submitted to the Committee reports conducted by the Bureau of Business Research at Texas Christian University on the mobile home chain in the State of Texas. It is estimated that there will be approximately \$450,000 invested in the project. The streets within the park will be paved, curbed and guttered. It is felt that the engineering problem can be worked out.

Mr. Stansell explained to the Committee that they plan to have a recreation hall on the site, but it will not be a liquor operation. The creek running through the area will change the plans in regard to the recreation hall and it will also reduce the number of units that can be put on the site.

#### Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request and stated that in their opinion a privacy fence around the subject site would not be adequate for a buffer as it would only be six feet in height and some trailers after they are blocked up are in the range of 14 feet high. They further stated that in their opinion regardless of skirts around the trailer, bushes or shrubs, the development cannot be made to blend in with permanent homes already existing in the area. Another objection to this proposal is the accessibility to the site as it will involve additional traffic through the existing residential area on streets which are not wide enough to handle the increased use.

Mr. Becker asked how many single-family units could be developed on the site and if the proposal is reduced to that number if the street layout would be effective. Mr. Osborne explained that approximately 70 individual units or 120 to 140 two-family units would be permitted on the site and this may effect the street layout; however, there is a unique problem with mobile home parks particularly in locations such as this. The mobile home development is different in appearance, operational characteristics and other similar areas. It should be pointed out that the tract is adjacent to a single-family area and because of the unique development of mobile homes this is a fairly intensive development which does not provide for actual open space except for one area.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be referred to the full Commission pending action on the necessary zoning and submission of a more detailed plan showing the character of the development.

At the Commission meeting, Mr. Osborne reported that the staff has reviewed the particular plan before the Commission for consideration and recommends against it. There have been several discussions with the owner and the engineer and the plan has been modified; however, the various City Departments have not had an opportunity to review the revised plans and the staff recommends that the special permit be postponed for rehearing.

CPI4-69-046 Leon Stone--contd.

Mr. Garza indicated that there was no objection to the postponement of the request as the modified plan has only been recently discussed with the staff. After further discussion, the Commission unanimously

VOTED: To POSTPONE for rehearing a request of Leon Stone for a special permit for a mobile home park.

CPI4-69-047 Electric Utility Department: Electrical Substation  
Rear of and abutting 5101-5117 Sara Drive

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 is an electrical substation to serve as a transmission switching station and/or an electrical distribution substation. The station will provide an electrical tie between three 69 KV transmission lines and two 138 KV transmission lines and will also provide needed electrical service to customers in the area. The subject property is located on Sara Drive and is adjacent to the MKT - Southern Pacific Railroad. The site plan has been circulated to the various City departments and the comments are as follows:

Advance Planning	- Okay.
Traffic Engineer	- No recommendations.
Fire Prevention	- None
Tax Assessor	- Property owned by the City of Austin Tax Exempt.
Electric	- Electric okay.
Fire Protection	- Extension of existing 8 inch main and the addition of one fire hydrant is indicated in red. This fire hydrant might be installed by persons planning on developing area to the west of this site.
Building Inspector	- Site plan is inadequate for determining need for paved off-street parking.
Health	- No objections. Waste Water System to be available.
Water and Sewer	- Sanitary Sewer service is available from the existing thirty (30) inch main running from Sara Drive southerly paralleling the eastern edge of above said property. An eight (8) inch approach main from the southeastern property corner to the existing manhole + 100' easterly will be required. Water Service is available from the existing eight (8) inch main in Alf Avenue. This will require a six (6) inch main running in the proposed

Planning Commission -- Austin, Texas

Reg. Mtg. 11-10-69 69

CP14-69-047 Electric Utility Department--contd.

Water and Sewer--contd.

- access road from the west property line to the existing eight (8) inch main in Alf Street. A fire hydrant will be required on the southeast corner of the proposed access road.
- Require commercial driveway.
- No objections.
- Plat complies.
  - 1) Should not build below elev. 456.00 feet
  - 2) Should not build closer than 25 feet from center line creek.

Office Engineer  
Director of Public Works  
Storm Sewer

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 granted.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of the Electrical Utility Department for a special permit for an electrical substation on property located at the rear of and abutting 5101-5117 Sara Drive, subject to completion of 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.

## SUBDIVISIONS

R146

SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of October 27, 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 therefore

VOTED: To ACCEPT the staff report and to spread the action of the Subdivision Committee of October 27, 1969, on the minutes of this meeting.

## SUBDIVISION PLATS - FILED AND CONSIDERED

The staff reported that the following final plats have previously been before the Commission, were accepted for filing and disapproved pending technical items which were requirements of the Ordinance and have now been given approval under the amended rules and regulations adopted by the Commission. The procedure is in accordance with the rules and regulations whereby the Director of Planning, 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 unanimously

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

C8-69-62    Cherry Creek V  
                   Stassney Lane and Lewood Drive  
 + C8-69-38    Travis Landing No. 2, Ph. 1  
                   Hudson Bend Road  
C8-69-84    Travis Landing No. 2, Ph. 2  
                   McCormick Mountain Drive  
C8-69-61    Country Club Gardens, Sec. 3  
                   Montopolis Drive and Margarita Terrace

C8-69-97    Southwest Gate Addition, Section 2  
                   Drew Lane and Manchaca Road

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 completion of departmental reports and a fiscal letter for the required sidewalks. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of SOUTHWEST GATE ADDITION, SECTION 2, pending the requirements as indicated.

C8-69-80      Point Venture, Section 1  
                 Lohmans Crossing Road

The staff reported that this is the first appearance of this final plat before the Commission and there are no departmental reports. There is a problem involved in that a variance is requested from the Commission's policy on rounding the intersection corners of the street. The staff recommends that the variance be granted inasmuch as this subdivision is located on the other side of Lake Travis and the only access to it is around through Jonestown. The property is just within the five mile jurisdiction control of the City of Austin. There is no paving, curb or guttering. The staff recommends that the variance be granted and that the final plat be accepted for filing and disapproved pending completion of departmental reports. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of POINT VENTURE, Section 1, pending completion of departmental reports and granting a variance from the Commission policy on rounding intersection corners.

C8-69-79      Salem Walk, Section 2  
                 Emerald Forest Drive, North of Stassney Lane

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

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of SALEM WALK, Section 2, pending the requirements as indicated.

C8-69-81      Balcones Village, Section 5, Phase A  
                 U. S. Highway 183

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 completion of departmental reports. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of BALCONES VILLAGE, Section 5, Phase A, pending completion of departmental reports.

C8-69-86      Colonial Park  
                 Weidemar Lane

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 completion of departmental reports and a fiscal letter on the required sidewalks. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of COLONIAL PARK, pending the requirements as indicated.

C8-69-88      Slaughter Creek Acres  
Slaughter Creek Drive

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 the completion of departmental reports, and compliance with the preliminary plan regarding street width, and access. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of SLAUGHTER CREEK ACRES, pending the requirements as indicated.

C8-69-96      Cardinal Hill, Unit 6  
F. M. 620 and Gebron Drive

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 completion of departmental reports, and compliance with the preliminary plan. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of CARDINAL HILL, Unit 6, pending the requirements as indicated.

C8-69-98      Timber Valley Street Dedication  
Spicewood Springs Road and Timber Valley

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 completion of departmental reports, fiscal letter for the required sidewalks and approval and signature of Dotson Smith prior to final approval. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of TIMBER VALLEY STREET DEDICATION, pending the requirements as indicated.

C8-69-116      Point Venture, Section 1-A  
Venture Boulevard and Lakepoint Avenue

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 completion of departmental reports, a site plan and a legal opinion from a private attorney. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the final plat of POINT VENTURE, Section 1-A, pending the requirements as indicated.

SHORT FORM PLATS - FILED AND CONSIDERED

C8s-69-190      Salrich Addition  
Bluff Spring Road

The staff reported that this is the first appearance of this short form plat before the Commission but all reports are complete and all requirements of the



C8s-69-190      Salrich Addition--contd.

Ordinance have been met, except for a variance on the signature of the adjoining property owners. A letter has been received stating that the adjoining property owners do not wish to participate at this time and in view of this, the staff recommends that the variance be granted and that this short form plat be accepted for filing and approved. The Commission then

VOTED:      To ACCEPT for filing and APPROVE the short form plat of SALRICH ADDITION, granting a variance on the signature requirement of the adjoining owners.

C8s-69-191      Ace Drug Subdivision  
South Congress Avenue

The staff reported that this short form plat has complied with all departmental reports except for a variance involving the signature of the adjoining owner. A letter has been received stating that the adjoining owner does not wish to participate and the staff recommends that the variance be granted and the short form plat be accepted for filing and approved. The Commission then

VOTED:      To ACCEPT for filing and APPROVE the short form plat of ACE DRUG SUBDIVISION, granting a variance on the signature requirement of the adjoining owner.

C8s-69-192      Raymond Davis Subdivision No. 1  
McNeil Road

The staff reported that this short form plat involves a variance to exclude the balance of the tract. The balance of the tract is of sufficient size that it would involve the dedication and construction of new streets and in view of this, 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 and additional right-of-way for McNeil Road. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the short form plat of RAYMOND DAVIS SUBDIVISION, No. 1, pending the items as indicated, and granting a variance to exclude the balance of the tract.

C8s-69-193      Coronado Hills, Section 3, Resub.  
Brook Hollow Drive and Pebble Brook Drive

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. The Commission then

VOTED:      To ACCEPT for filing and DISAPPROVE the short form plat of CORONADO HILLS, Section 3, Resub., pending completion of departmental reports.

C8s-69-194      H. E. Jourdan Estate Subdivision, Resub.  
Yager Lane

The staff reported that this is the first appearance of this short form plat before the Commission but all departmental reports are complete and all requirements of the Ordinance have been met. It is recommended that the plat be accepted for filing and approved. The Commission then

VOTED:      To ACCEPT for filing and APPROVE the short form plat of H. E. JOURDAN ESTATE SUBDIVISION, Resub.

C8s-69-195      Gary G. Patterson Subdivision  
Patterson Lane

The staff reported that this is a one tract subdivision out of a larger tract which involves a variance to exclude the balance of the tract. The subdivision in question will in no way interfere with the planning and development of the balance of the tract which has sufficient frontage and 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 GARY C. PATTERSON SUBDIVISION, pending completion of departmental reports, and granting a variance to exclude the balance of the tract.

#### ADMINISTRATIVE APPROVAL

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

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

+	<u>C8s-69-178</u>	<u>N. W. Hills Mesa Oaks Ph. 5-A Res.</u>
		<u>Bamford Drive</u>
+	<u>C8s-69-184</u>	<u>Menefee Subdivision</u>
		<u>Ferguson Lane and Brown Lane</u>
	<u>C8s-69-188</u>	<u>Emma Hutchins Subdivision</u>
		<u>Montopolis Drive</u>
×	<u>C8s-69-175</u>	<u>Herman Brown Addition, No. 2, Sec. 5, Resub.</u>
		<u>Hillview Drive and Pleasant Run</u>
	<u>C8s-69-189</u>	<u>Quail Creek West, Section 1, Resub.</u>
		<u>Covey Court and Westbury Trail</u>

Planning Commission -- Austin, Texas

Reg. Mtg. 11-10-69 75

OTHER BUSINESS

C10-69-1(ac)     STREET VACATION

Cedar Avenue from East 12th Street to New York Avenue, Singleton Avenue from East 12th Street to New York Avenue, and New York Avenue from 50 feet east of Singleton Avenue to Cedar Avenue

The staff reported that this vacation is made by the Urban Renewal Agency and is in accordance with the Glen Oaks Urban Renewal project. The request has been circulated to the various City departments and the recommendation is in favor subject to the retention of the necessary sanitary sewer, storm sewer, electric department, telephone company, and gas company easements and also subject to approval of the subdivision covering the area. The Commission then unanimously

VOTED:     To recommend that Cedar Avenue from East 12th Street to New York Avenue, Singleton Avenue from East 12th Street to New York Avenue and New York Avenue from 50 feet east of Singleton Avenue to Cedar Avenue be VACATED, subject to the requirements as indicated.

ADJOURNMENT:     The meeting was adjourned at 9:25 p.m.

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Hoyle M. Osborne  
Executive Secretary