

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- January 13, 1970

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
Jack S. Crier
Roger Hanks
Jack Goodman
Bill Milstead
Alan Taniguchi
Fritz Becker

Absent

M. J. Anderson

Also Present

Hoyle M. Osborne, Director of Planning
Richard Lillie, Assistant Director of Planning
Wayne Golden, Planning Coordinator
Walter Foxworth, Supervising Planner
Mike Wise, Associate Planner

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of January 5 and 6, 1970.

Present

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

Also Present

Richard Lillie, Asst. Director
of Planning
Mike Wise, Associate Planner
Shirley Ralston, Administrative
Secretary

*Present only on January 5, 1970.

PUBLIC HEARINGS

C14-69-308 Colorado Hills Estates: Int. A, Int. 1st to BB, 1st
Rear of 1805-1909 Crooked Lane
Rear of 1809-1811 Briar Hill Drive

STAFF REPORT: This is an application for a change of zoning to "BB" Residence, First Height and Area on 5.7 acres of land with the stated purpose being apartments. The zoning requested on the site would permit a maximum of 137 one-bedroom units. A change in the Master Plan to permit medium density residential was recently granted by the City Council on the subject site. The zoning in the

Cl4-69-308 Colorado Hills Estates--contd.

area is predominantly Interim "A" Residence with some "B" Residence, First Height and Area granted in 1969 abutting the subject property to the south. The general area is sparsely developed with new single-family homes to the north. Crooked Lane, with an existing right-of-way of 50 feet, and Briar Hill Drive, with an existing right-of-way of 60 feet are both classified as Minor Residential streets. The staff recommends that the requested zoning be granted, subject to the resubdivision of Colorado Hills Estates, showing a minimum of 60 feet of right-of-way for a proposed cul-de-sac to serve the tract, termination of Briar Hill and Cedar Ridge Drives, and the extension and development by subdivision of Burton Drive as it effects the subject tract.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Jack K. Dempsey (representing applicant)

SUMMARY OF TESTIMONY

Mr. Jack K. Dempsey, representing the applicants, advised the Committee that the subject property was recently considered for a Master Plan change to Medium Density Residential which was granted. He emphasized that Briar Hill and Cedar Ridge Drive will be closed to give the "A" Residential area a buffer.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as it conforms to the recent Master Plan designation for the area, subject to resubdivision of Colorado Hills Estates showing termination of Briar Hill and Cedar Ridge Drives, a cul-de-sac with 60 feet of right-of-way and extension of Burton Drive as it effects the subject tract.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Colorado Hills Estates for a change of zoning from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area for property located at the rear of 1805-1909 Crooked Lane and the rear of 1809-1811 Briar Hill Drive be GRANTED, subject to resubdivision of Colorado Hills Estates showing termination of Briar Hill and Cedar Ridge Drives, a cul-de-sac with 60 feet of right-of-way and extension of Burton Drive as it effects the subject tract.

ABSTAINED: Mr. Reeves

C14-69-316 Sam E. Dunnam: A to O
1606 West Avenue
801-805 West 17th Street

STAFF REPORT: This application covers 8,625 square feet and the stated purpose of the request is to use the property for multi-family use. Existing improvements on the land include a converted old home. The zoning requested on the site will allow nine units to be developed. The southeast corner of the block in which the subject site is located, is zoned "O" Office, First Height and Area which was granted in 1969. Property to the immediate west of the subject site is also under consideration for "O" Office zoning at this time. "B" Residence zoning is established on the entire block to the north of West 17th Street. "C" Commercial and "O" Office zoning exists to the northeast. The area to the south and east is "A" Residence. Land use in the area is predominantly single-family in character in all directions. A dormitory and rooming house and offices are established directly across West Avenue to the north and east. West Avenue is classified as a Major Collector street with a present right-of-way of 80 feet. West 17th Street has an existing right-of-way of 60 feet and is classified as a Minor Collector street. Both streets have adequate right-of-way, and the staff recommends that the requested zoning be granted. This is an area of transition.

TESTIMONY

WRITTEN COMMENT

L. D. Ames: 805 West 17th Street
Gerald Landford: 1711 Pearl Street
John M. Paver: 107 Red Bud Trail

FOR
AGAINST
FOR

PERSONS APPEARING AT HEARING

James Turner (representing applicant)

SUMMARY OF TESTIMONY

Mr. James Turner, representing the applicant, explained that the proposed use of the property is for apartments. This is a changing area and the request is logical. The property immediately to the west of the subject site will probably be joined together in the future for an office complex.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information, noting that the area is in transition and felt that the requested zoning on the subject site is appropriate and conforms to already established zoning in the area.

C14-69-316 Sam E. Dunnam--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Sam E. Dunnam for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1606 West Avenue and 801-805 West 17th Street be GRANTED.

C14-69-317 Austin Northwest Development Co.: Int. A, Int. 1st to GR, 1st (Tr. 10),
 Tract 10: 7900-7952 Shoal Creek O, 1st (Tr. 11) & Int. A, Int. 1st &
 3100-3318 Anderson Lane D, 1st to GR, 1st (Tr. 12)
 Tract 11: 7952-8110 Shoal Creek Boulevard
 Tract 12: 8110-8140 Shoal Creek Boulevard
 3225-3321 Steck Avenue

STAFF REPORT: This application covers three tracts of land which are presently undeveloped. Tract 10, located at the northwest corner of Anderson Lane and Shoal Creek Boulevard is the largest tract containing 10.2 acres. Tract 11, having frntage along Shoal Creek Boulevard covers an area of 3.7 acres and Tract 12, located at the southwest corner of Steck Avenue and Shoal Creek Boulevard covers an area of 3.6 acres. The stated purpose of the request is for general retail and office development. The proposed zoning borders the existing Steck Company on three sides and is presently designated in the Master Plan as an industrial area. There is some "D" Industrial zoning to the north on either side of Steck Avenue. Adjacent to Tract 10 there is "GR" General Retail zoning; adjacent to Tract 11 is "O" Office zoning and adjacent to Tract 12 is a pending application for "GR" General Retail zoning which is to be heard at this time. "GR" General Retail and "C" Commercial zoning are established across Steck Avenue. West of the railroad track is Interim "A" Residence zoning with some "BB" Residence zoning west of Balcones Drive. Land use includes commercial and industrial activities backing up to a residential subdivision to the east. The Steck printing operation abuts the Mo-Pac railroad with vehicle access to Shoal Creek Boulevard. Shoal Creek Boulevard is classified as a Major Arterial Street and has an existing right-of-way of 80 feet. Anderson Lane is also a Major Arterial street with 90 feet of right-of-way. Steck Avenue is classified as a Neighborhood Collector street with an existing right-of-way of 60 and 70 feet. The requested zoning on the subject site is in conformance with the established zoning and development in the area and the staff recommends that the request be granted, subject to the right-of-way for the extension of Great Northern Boulevard and 10 feet of right-of-way for Steck Avenue from the area presently zoned "A".

Mr. Lillie explained that the design for the interchange at Anderson Lane and Mo-Pac has been changed in the past few months. The City and State Highway Department plan to extend Great Northern under the Anderson Lane bridge and bring it easterly to intersect with Shoal Creek Boulevard north of Anderson Lane. Under the revised plan, traffic north bound on Great Northern Boulevard will go under Anderson Lane to Shoal Creek Boulevard, a minimum of 400 feet north of the intersection. Right-of-way is being acquired by the City for Mo-Pac south of Northland Drive, that part is in Phase I of construction. It is not known whether these property owners have been contacted. Right of-way is

C14-69-317 Austin Northwest Development Co.--contd.

needed at this intersection whether it is acquired, dedicated or some agreement reached with the State Highway Department with respect to Mo-Pac. Under the latest plan a minimum of 60 feet of right-of-way is needed no closer than 400 feet from the intersection.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

James Crozier (representing applicants)

SUMMARY OF TESTIMONY

Mr. James Crozier, representing the applicants, explained that they are the owners of the "GR" General Retail tract to the south and also own all the surrounding land with the exception of the "A" Residential area at the south-east corner of Steck Avenue and Shoal Creek Boulevard and the property where the Steck plant is located. The zoning change is requested as an orderly extension of existing "GR" General Retail and "O" Office zoning to the east. The "O" Office zoning requested on the site will also serve as a buffer between the Steck plant and anything that might be built in the area.

With regard to the streets, it should be pointed out that there is approximately 10 acres in Tract 10 and nothing can be done on this tract without a short form or subdivision plan of some sort at which time the right-of-way for the streets can be worked out. There have been a number of proposed locations for the streets in the interchange with Anderson Lane and Mo-Pac and a definite location is not known at this time. The applicants will negotiate for the right-of-way needed for the Anderson Lane interchange but it should be pointed out that the applicants have not been approached with regard to right-of-way from the property to the south. The right-of-way for Steck Avenue can be worked out and should not be a problem. The zoning requested on the site provides for an orderly extension and is good zoning.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the requested zoning is appropriate and recommended that it be granted, subject to the necessary right-of-way for the extension of Great Northern Boulevard and 10 feet of right-of-way for Steck Avenue from the portion of Tract 12 presently zoned "A" Residence.

C14-69-317 Austin Northwest Development Co.--contd.

At the Commission meeting, Mr. Kinser asked the staff when the right-of-way would be required for the extension of Great Northern Boulevard. Mr. Lillie explained that the City is acquiring right-of-way at this time for Mo-Pac Boulevard but it is not known whether or not the applicants have been approached with regard to right-of-way for this interchange. The plans at the present time are for Anderson Lane to cross over the extension of Great Northern Boulevard and Mo-Pac Railroad and extend westerly on Spicewood Springs Road.

Mr. Kinser stated that in his opinion the applicant and the Commission should know in some reasonable time when the City is going to acquire the right-of-way and if it is needed, acquisition should begin now rather than in the distant future.

Mr. Osborne explained that the issue is to tie Great Northern Boulevard back to Anderson Lane. There were at least two basic alternatives and the present design is the one selected by the traffic engineers and the Highway Department study group as the best solution to the traffic movement. With regard to timing, acquisition will probably be between one and two years but at the present time it is doubtful if funds are available for this acquisition although it would be desirable to enter into an agreement with the applicants. It should be pointed out that the subject property was requested to be annexed to the City and in doing so, there is an obligation assumed by the owners concerning the basic City plans.

The Commission members agreed that the zoning requested on the subject property is appropriate and should be granted. They discussed the need for and timing of the extension of Great Northern Boulevard and felt that part of the application should be postponed in order to give the applicants an opportunity to work with the staff and the Highway Department to determine the exact location and the timing for the acquisition.

The Chairman asked Mr. James Crozier, representing the applicants, if they would like to postpone the application for 30 days.

Mr. Crozier stated that there is no problem with Tracts 11 and 12 as the right-of-way for Steck Avenue will be dedicated. He said that he sees no point in postponing action on Tract 10 and hesitates to request this action due to the fact that the Highway Department has no plans further than Foster Lane and they are not completely certain about the location of the extension for Great Northern Boulevard. He further stated that he does not know if there can be any sort of an agreement within the 30 day period and was concerned if the application is delayed even longer if an agreement is not reached.

The Commission members advised Mr. Crozier that action would be taken at the next regular Planning Commission meeting.

In view of this, Mr. Crozier requested that the application on Tract 10 be postponed for 30 days but that the request on Tracts 11 and 12 be acted on and forwarded to the City Council.

C14-69-317 Austin Northwest Development Co.--contd.

After further discussion, the Commission unanimously

VOTED: To recommend that the request of Austin Northwest Development Company for a change of zoning from Interim "A" Residence, Interim First Height and Area (Trs. 10 & 11) and Interim "A" Residence, Interim First Height and Area and "D" Industrial, First Height and Area (Tr. 12) to "GR" General Retail, First Height and Area (Tr. 10) located at 7900-7952 Shoal Creek Boulevard and 3100-3318 Anderson Lane be POSTPONED for 30 days but that the request for "O" Office, First Height and Area (Tr. 11) and "GR" General Retail, First Height and Area (Tr. 12) for property located at 7952-8110 Shoal Creek Boulevard (Tr. 11) and 8110-8140 Shoal Creek Boulevard and 3225-3321 Steck Avenue (Tr. 12) be GRANTED, subject to 10 feet of right-of-way for Steck Avenue from the portion of Tract 12 presently zoned "A" Residence, First Height and Area.

C14-69-318 Denman Moody, Jr.: A to O
807 West 17th Street

STAFF REPORT: This request for "O" Office, First Height and Area zoning covers an area of 8,556 square feet. The property may eventually be used as an apartment or rooming house. The requested zoning on the site would allow nine apartment units. "O" Office zoning exists in the subject block to the south at the intersection of West 16th Street and West Avenue, and a request for "O" Office zoning on property adjoining the site to the east is also before the Committee for consideration at this time. "B" Residence zoning is established on the block to the north and there is "C" Commercial and "O" Office zoning to the northeast. The area to the south of 16th Street and west of the subject site is "A" Residence, First Height and Area. Land use in the area is predominantly single-family with a girls' dormitory and rooming house to the north, and offices across West Avenue. West 17th Street is classified as a Minor Collector street with an existing right-of-way of 60 feet. The staff recommends that this request be granted. This is a changing area and the streets are adequate.

TESTIMONY

WRITTEN COMMENT

Max H. Bickler: 901 West 16th Street	FOR
L. D. Ames: 805 West 17th Street	FOR
Gerald Langford: 1711 Pearl Street	AGAINST

PERSONS APPEARING AT HEARING

James Turner (representing applicant)

SUMMARY OF TESTIMONY

Mr. James Turner, representing the applicant, stated that this area is changing and there is office zoning currently surrounding the property. The site is now being used for two apartments and in the near future office space is contemplated.

No one appeared in opposition to the request.

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C14-69-318 Denman Moody, Jr.--contd.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Denman Moody, Jr. for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 807 West 17th Street be GRANTED.

C14-69-319 Richard R. Hooper: Int. A, Int. 1st to DL, 6th
9000-9120 F. M. Road 1325
2500 Highway 183 North

STAFF REPORT: This application covers a large tract of land of approximately two acres. The stated purpose of the request is for the construction of industrial warehousing and commercial buildings. This area is designated as industrial in the Master Plan. All of the zoning surrounding the site, with the exception of the "DL" Light Industrial granted in 1969 on property abutting to the north, is outside the City limits or zoned Interim "A" Residence. Land is predominantly undeveloped in the area. The Balcones Research Laboratory is located to the north with the Economy Furniture manufacturing use and warehouses across F. M. 1325 to the east. F. M. 1325 has an existing right-of-way of 120 feet and U. S. 183 has an existing right-of-way of 200 feet. Both are classified as Major Arterial streets. The staff recommends that the zoning as requested be granted subject to the approval of a short form subdivision showing the required right-of-way for U. S. Highway 183 widening.

Mr. Lillie advised the Committee that a short form has been submitted on the property which takes care of the right-of-way.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

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

C14-69-319 Richard R. Hooper--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to approval of a short form subdivision, as it conforms to the Master Plan designation for the area and is a logical extension of existing zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Richard R. Hooper for a change of zoning from Interim "A" Residence, Interim First Height and Area to "DL" Light Industrial, Sixth Height and Area for property located at 9000-9120 F. M. Road 1325 and 2500 Highway 183 North be GRANTED, subject to approval of a short form subdivision.

C14-69-320 Ira Moore: A to C
2525-2533 Durwood Street

STAFF REPORT: The subject property contains 18,360 square feet of land and the stated purpose of the request is for plumbing storage. The zoning to the north, east and south is "A" Residence. Adjoining the site to the south and to the west is "B" Residence zoning which was granted in 1968. "B" Residence zoning is also established to the south of the intersection of Wilson Street and Cumberland Road with "C" Commercial zoning south of Cumberland Road and also to the west fronting onto South First Street. Single-family residential development adjoins the property on two sides and there is undeveloped land to the south and west. Durwood Drive has a right-of-way of 20 to 25 feet and is classified as a minor residential street. The street dead ends at the southern end of the subject site. Gillis Playground is located across Durwood Street to the northwest. The staff recommends that this request be denied as an intrusion into a residential area with inadequate streets.

TESTIMONY

WRITTEN COMMENT

Petition with four signatures
Melvin H. Shelton: 2509 Durwood

AGAINST
AGAINST

PERSONS APPEARING AT HEARING

Ira Moore (applicant)

SUMMARY OF TESTIMONY

Mr. Ira Moore was present on behalf of his request and stated that he dedicated to the City the 25 feet of right-of-way for Durwood Street in front of his property, but the property owners to the west and south were to pay for the paving of the street. He explained that he has a disposal service and he needs to use this subject property for storage of trucks and containers. The

C14-69-320 Ira Moore--contd.

plans are to put a fence around three sides of the site as the other side backs to a residential lot which is developed with his residence. It is proposed that the building will be metal with three bays in it for the welding and repairing with storage of the trucks inside the structure.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that the request should be denied as it is too intensive for the area; however, they recommended that "B" Residence, First Height and Area zoning be granted, as a logical extension of existing zoning to the south.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Ira Moore for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 2525-2533 Durwood Street be DENIED but that "B" Residence, First Height and Area be GRANTED.

C14-69-321 Hazel Phillips: A to O
2303 Bluebonnet Lane

STAFF REPORT: The subject property contains an area of 14,690 square feet and the stated purpose of the request is for office and residential development. The zoning is predominantly "A" Residential and the neighboring area is strip "C" Commercial zoning to the south along both sides of South Lamar Boulevard. The land use to the west and north is predominantly single-family residential with various commercial businesses established to the south along South Lamar Boulevard. To the east along Goodrich Avenue is a construction company. Bluebonnet Lane is classified as a neighborhood collector street with an existing right-of-way of 60 feet. The staff recommends that the request be granted as the area is changing and the streets are adequate.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Raymond Sands (representing applicant)
One nearby property owner

AGAINST

C14-69-321 Hazel Phillips--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Raymond Sands, representing the applicant, advised the Committee that there is a great deal of vacant land between the subject property and South Lamar Boulevard. There is "C" Commercial zoning established to the south and "B" Residence to the north. The subject property is a large site and is not presently being used to the highest and best use. There is a house and garage existing on the site and the proposal is to use a portion of the area for a printing shop. The person who is to use the site has duplicating equipment and proposes to assemble a magazine in the basement. It is a small operation that would not be detrimental to any of the surrounding property.

Mr. Lillie advised the Committee that a printing shop would not be permitted under the "O" Office zoning classification. The minimum zoning to permit the uses proposed would be "C" Commercial.

Mr. Sands stated that there is "C" Commercial zoning to the south and a great deal of commercial development. A motel is developed on property at the intersection of Goodrich Avenue and Lamar Boulevard and there is a construction company to the northeast fronting onto Goodrich Avenue. He said that in his opinion "C" Commercial or "LR" Local Retail zoning should be granted because of the close proximity to similar zoning. He requested that the application be withdrawn until it is determined what zoning is needed.

Arguments Presented AGAINST:

One nearby property owner appeared at the hearing and stated that a printing shop and a printing store are two different operations and she would not want to have a lot of trucks coming into the area to serve a printing shop.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, as it is not the appropriate zoning for the site and would introduce a more intensive zoning into the area; however, they felt that "B" Residence, First Height and Area zoning should be granted as the appropriate zoning for the site because of the existing "B" Residence zoning to the north and as it would serve as a buffer between the "C" Commercial along South Lamar Boulevard and the "A" Residence zoning to the north.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Hazel Phillips for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2303 Bluebonnet Lane be DENIED, but that "B" Residence, First Height and Area be GRANTED.

C14-69-322 L. J. Gannon: A to C
 611-707 Beaver Street

STAFF REPORT: This request is for "C" Commercial zoning on property containing 22,082 square feet. The zoning is requested so that the property can be used for storage of building equipment. The subject site abuts strip commercial zoning which is established to the west along North Lamar Boulevard. The remainder of the area to the north, east and south is zoned "A" Residence, First Height and Area. The land use in the area is predominantly single-family in character. A church is located to the east at the intersection of Beaver Street, Walnut Street and a mobile home subdivision to the south along San Jose Street. Beaver Street is classified as a minor residential street and has an existing right-of-way of 50 feet. The staff feels that "C" Commercial zoning on the site would be an extension for commercial zoning into a residential area with inadequate streets and recommends that the request be denied.

Mr. Lillie pointed out that "C" Commercial, First Height and Area zoning was requested on property across Beaver Street but was denied by the City Council. The main reason for the denial was that all the commercial zoning and uses in the area front or have access on North Lamar Boulevard and not the interior residential streets. The subject site has access only to Beaver Street which the staff feels is inadequate. If the request is granted, five feet of right-of-way would be needed for Beaver Street.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

L. J. Gannon (applicant)

SUMMARY OF TESTIMONY

Mr. L. J. Gannon appeared on behalf of his request and stated that the subject property does not have much chance for residential development because of the service station existing on the property adjoining to the west and the electrical company across the street. He said that he has not been able to sell the property for residential purposes but does have an opportunity to sell it at this time for commercial property. The use proposed on the site would be some type of contractor's storage. The prospective buyer is a builder and there will be a storage yard for the contractor's business. He said that he was sure that the prospective buyer would fence the area as there will be a warehouse on the site.

No one appeared in opposition to the request.

C14-69-322 L. J. Gannon--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be granted, subject to five feet of right-of-way for Beaver Street, as it adjoins "C" Commercial zoning on the west and is a logical extension.

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

VOTED: To recommend that the request of L. J. Gannon for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 611-707 Beaver Street be GRANTED, subject to five feet of right-of-way for Beaver Street.

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

NAY: Mr. Reeves

ABSENT: Mr. Anderson

C14-69-323 C. G. & L. Properties: Int. A, Int. 1st to D, 1st
609-611 Industrial Boulevard

STAFF REPORT: The subject property fronting onto Industrial Boulevard contains an area of 6,750 square feet. The stated purpose is for erecting a warehouse. The entire area is zoned Interim "A" Residence, Interim First Height and Area. The site is within an area between South Congress Avenue and the Interregional Highway along both sides of Ben White Boulevard which has recently been annexed. The area is designated in the Master Plan for Industrial uses and the staff will present to the Planning Commission next month, a zoning area request for the entire area to be changed to industrial. Warehouses and salvage yards are scattered throughout the area. Industrial Boulevard is classified as an Industrial Collector street and has an existing right-of-way of 80 feet. The staff recommends that the request be granted as it conforms to the Master Plan designation for the area.

TESTIMONY

WRITTEN COMMENT

Jon N. Coffee (applicant)

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

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

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C14-69-323 C. G. & L. Properties--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as it conforms to the Master Plan designation for the area and is the appropriate zoning for the site.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of C. G. & L. Properties for a change of zoning from Interim "A" Residence, Interim First Height and Area to "D" Industrial, First Height and Area for property located at 609-611 Industrial Boulevard be GRANTED.

C14-69-324 Sam E. Dunnam: GR, 1st to GR, 3rd
Rear of 7620-7710 Burnet Road

STAFF REPORT: This application covers 2 acres of land which is presently undeveloped. The stated purpose of the request is for constructing a seven story banking house and office building. Zoning immediately surrounding the subject property and in the undeveloped area to the northwest is "GR" General Retail. Commercial zoning is established to the south and east along both sides of Burnet Road. To the south of the proposed Foothills Drive is "A" Residence zoning with Interim "A" Residence, Interim First Height and Area zoning adjoining the "A" Residence to the south. Land use in the area consists of various commercial uses along Burnet Road; a church at the intersection of St. Joseph Boulevard and Burnet Road; and residential development to the south of the proposed Foothills Drive. Burnet Road is classified as a major arterial street and has an existing right-of-way of 120 feet and a car count of 15,400.

The subject property along with the immediate surrounding area was rezoned in 1969 for a shopping center complex. The request on the subject property is a height and area change only and is requested for approximately the building site. The staff recommends that the request be granted.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

W. Terry Bray (representing applicant)

SUMMARY OF TESTIMONY

Mr. Terry Bray, representing the applicant, explained that the larger tract which is approximately six acres in size has recently been sold by the

C14-69-324 Sam E. Dunnam--contd.

applicant to the North Austin State Bank on several conditions, one of which is the zoning to enable the Bank to construct the banking house and associated offices on the subject tract. The applicant has requested the zoning change for an area toward the front of the property in which the actual structure will be erected. The exact location and size of the structure within the two acre area is still under study by the architects at this time. They anticipate approximately a 10,000 square foot surface area for the banking house and associated buildings. There will be filed before Wednesday a final subdivision plat for the six acre tract and the tract which is located to the northwest back to Silverway with the dedication for Silverway Drive and Foothills Drive. These dedications are a condition to the finalization of the sale of the subject property. A letter has been submitted to the Planning Department to the effect that the road will be dedicated and constructed prior to December 30, 1970.

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 Sam E. Dunnam for a change of zoning from "GR" General Retail, First Height and Area to "GR" General Retail, Third Height and Area for property located at the rear of 7620-7710 Burnet Road be GRANTED.

C14-69-325 Bill Boatright and B. J. Woody: A to B
4004-4012 Avenue C

STAFF REPORT: This application for "B" Residence, First Height and Area zoning on a 24,600 square foot lot fronting onto Avenue C is for the purpose of permitting apartments. The zoning requested on the site would allow a maximum of 25 units. The zoning in this area is predominantly "A" Residence, First Height and Area, although many requests for "B" Residence zoning have been granted in the past several years on property scattered throughout the area between Guadalupe and Speedway and 38th to 45th Streets. Land use is predominantly single-family in nature with several apartments constructed in the areas zoned for such development. Baker Junior High School is located at the intersection of West 40th Street and Avenue B. Avenue C is classified as a minor collector street with an existing right-of-way of 60 feet. The staff recommends that this request be granted, as it is in keeping with the changing character of the area. The streets are adequate.

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C14-69-325 Bill Boatright and B. J. Woody--contd.

TESTIMONY

WRITTEN COMMENT

Bill Boatright and B. J. Woody (applicants)
Mrs. Joe S. Bowmer: 4012 Avenue C
Estate of Harmon Merrick: 3909 Avenue C
Mrs. J. W. Salathe: 4002 Avenue C

FOR
FOR
FOR

PERSONS APPEARING AT HEARING

E. H. Smart (representing applicant)

SUMMARY OF TESTIMONY

Mr. E. H. Smart, representing the applicant, explained that the area is in transition and there is "B" Residence zoning scattered throughout the neighborhood. The requested zoning is a logical transition for the subject tract and is in keeping with other zoning.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, because of the changing character of the area and as it conforms to recently established zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Bill Boatright and B. J. Woody for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4004-4012 Avenue C be GRANTED.

C14-69-326 Kay Gurley, James H. Wells: Int. A, Int. 1st to C, 1st
Tract 1: 2625-2701 Buell Avenue
Tract 2: 2701-2709 Buell Avenue

STAFF REPORT: This application covers two tracts of land fronting onto Buell Avenue. Tract 1 contains an area of 17,730 square feet and Tract 2 has an area of 16,815 square feet. The stated purpose of the request is for office and warehouse development. There is "C" Commercial zoning to the north along Buell Avenue and Penny Lane as well as on the small lot adjoining the subject site to the east. Further to the east is Interim "A" Residence zoning with "A" Residence zoning established to the south and west. There is "B" Residence and "C" Commercial zoning further to the north and east along Burnet Road and Steck Avenue. The land use in the area is mixed commercial development along both sides of Buell Avenue to Burnet Road. To the south and east

C14-69-326 Kay Gurley, James H. Wells--contd.

are well developed single-family areas with some apartments established on Steck Avenue near Burnet Road. In the past three years, several "C" Commercial zoning requests have been granted along Buell Avenue and one special permit for an apartment dwelling group has been approved on Penny Lane. Buell Avenue is classified as a minor collector street and has an existing right-of-way of 50 feet. Most of the commercial businesses along this street were developed when the area was outside of the City limits. The staff recommends that the requested zoning be granted subject to 2 feet of right-of-way for future widening of Buell Avenue and proper screening from adjacent residences.

TESTIMONY

WRITTEN COMMENT

Leffler Millwork Co., Inc.: P. O. Box 9327 FOR

PERSONS APPEARING AT HEARING

William C. Montandon (representing applicants)

SUMMARY OF TESTIMONY

Mr. William C. Montandon advised the Committee that he represents the sellers of the property as agent. He stated that there is a warehouse and office on property adjoining to the east and there is a privacy fence on the subject site to the west and in the rear. The property is being purchased for a contractor to establish his office and warehouse. Everything along Buell Avenue is commercial and the request is logical.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were of the opinion that "C" Commercial zoning is appropriate for the site and recommended that it be granted subject to two feet of right-of-way for Buell Avenue and proper screening for adjacent residences.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Kay Gurley & James H. Wells for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at (Tr. 1) 2625-2701 Buell Avenue and (Tr. 2) 2701-2709 Buell Avenue be GRANTED, subject to 2 feet of right-of-way for Buell Avenue and proper screening for adjacent residences.

C14-69-327 Lee E. Burditt: A to LR
 1406 Cometa Street

STAFF REPORT: The subject property contains an area of 8,300 square feet. The stated purpose of the request is for a small store in the rear of the existing home. The entire area is zoned "A" Residence, First Height and Area and is developed with small, low income single-family dwellings. North of the proposed extension of 16th Street is a pending application for "BB" Residence zoning. Cometa Street is classified as a minor residential street and has 50 feet of right-of-way.

The applicant has a small retail store on the rear of his lot and he needs the requested zoning in order to continue operating. The staff recommends that the request be denied as an intrusion into a residential area with inadequate streets.

TESTIMONY

WRITTEN COMMENT

Harrison, Wilson, Pearson: P. O. Box 1987

AGAINST

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 a majority of the members concluded that this request should be denied as an intrusion into a residential area with inadequate streets.

The Commission concurred with the Committee recommendation, and

VOTED: To recommend that the request of Lee E. Burditt for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1406 Cometa Street be DENIED.

(Not Voting: Mr. Becker)

C14-69-328 Will Thurman: A to GR
 5111-5305 Wasson Road

STAFF REPORT: The subject property consists of 1.3 acres of land which is presently undeveloped. The stated purpose of the request is for a mobile home park. The applicants property extends from Wasson Road to Williamson Creek covering approximately 15 acres; however, the request is made on only 1.3 acres fronting onto Wasson Road as this is the only portion of the property within the City limits. The area has been recently annexed to the City. The entire area

C14-69-328 Will Thurman--contd.

is zoned "A" Residence, First Height and Area. The land use in the area consists of a few single-family homes along Wasson Road and a salvage yard on property to the west having frontage onto Wasson Road and South Congress Avenue. Wasson Road is classified as a minor residential street and has an existing right-of-way of 60 feet. The staff recommends that the request be granted, as the appropriate zoning for the site.

TESTIMONY

WRITTEN COMMENT

Henry Wendlandt Estate, Margaret Howard, Trustee:
4204 Wildwood

FOR

PERSONS APPEARING AT HEARING

Ellsworth C. Mowery, Sr.: 5301 Wasson Road
Emilie Yerger

NO OPINION
AGAINST

SUMMARY OF TESTIMONY

No one appeared in favor of this request.

One nearby property owner appeared and asked questions concerning water and sewer lines if the property is developed as proposed.

Emilie Yerger, nearby property owner, stated that she owns land in this area and in her opinion a shopping center would be more appropriate than a trailer court.

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 Will Thurman for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 5111-5305 Wasson Road be GRANTED.

C14-69-329 Nash Phillips Copus: BB to GR
1800-1824 Peyton Gin Road

STAFF REPORT: "BB" Residence zoning was granted in 1969, on the subject property and extending down the east side to the single-family lots in the Quail Creek Subdivision. Interim "A" Residence zoning is established further to the east and also to the south. To the west, "GR" General Retail and "B" Residence zoning has been established.

C14-69-329 Nash Phillips Copus--contd.

There are two pending applications for "GR" General Retail zoning on property south of Peyton Gin Road. The area is predominantly undeveloped; however, to the east and south of the proposed Colony Creek Drive there exists a newly developed single-family subdivision. Peyton Gin Road is classified as a Neighborhood Collector street with an existing right-of-way of 50 feet and a car count of 3,350.

The staff recommends that the request as submitted be denied but that "GR" General Retail zoning be granted on the portion of the property south of Colony Creek Drive and "BB" Residence zoning be retained on the remainder of the property north of Colony Creek Drive, subject to the extension and development by subdivision of Colony Creek Drive and Rundberg Lane and dedication of the necessary right-of-way for Peyton Gin Road to bring the street to 35 feet from the center line.

TESTIMONY

WRITTEN COMMENT

Dr. & Mrs. C. N. Davis: 1708 Colony Creek Drive	AGAINST
Petition with 39 signatures	AGAINST

PERSONS APPEARING AT HEARING

W. T. Williams, Jr. (representing applicant)	
Mr. & Mrs. Thomas A. Spencer: 8906 Hunters Trace	AGAINST
Mr. & Mrs. Robert A. Maher: 8906 Pointer Lane	AGAINST
R. William Coil: 9006 Pointer Lane West	AGAINST
Richard Hand: 9016 Pointer Lane West	AGAINST
Leroy B. Behrens: 9009 Pointer Lane West	AGAINST
Mr. & Mrs. William R. Pangborn: 1701 Colony Creek	AGAINST
Mr. & Mrs. Jack L. Ayres: 1706 Colony Creek Drive	AGAINST
Dr. & Mrs. Cary Davis: 1708 Colony Creek Drive	AGAINST
Robert Sneed: 902 W. Red Bud Trail	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. W. T. Williams, Jr., representing the applicant, explained that they have applied for this zoning change to "GR" General Retail in order to provide for a shopping center in the neighborhood. He pointed out that the notices sent out to the property owners on this application are misleading in that the sketch of the subject property accompanying the notice indicated that the property was 436 feet wide and gave no indication of what bordered the property on the east.

There is a 170 foot strip of "BB" Residence zoning between the subject property and the residential subdivision which lies to the east. It is felt that

C14-69-329 Nash Phillips Copus--contd.

the existing "BB" Residence strip serves an an adequate buffer for the residential property. The plans for the City call for the extension of Rundberg Lane from I. H. 35 across the subject property. A commitment has been made by the applicant to dedicate the right-of-way for this street across the subject property, for the widening of Peyton Gin Road to the south and extension of Colony Creek Drive across the property if it is required. The 170 foot buffer along the east side of the subject property would allow for a row of low density apartments as well as the street if the plans for development indicate that one is needed. There is "BB" Residence zoning to the north of Rutland Drive and north of the proposed extension of Colony Creek Drive adjoining the subject site, is "B" Residence zoning with "GR" General Retail zoning established on property south of Colony Creek Drive abutting the subject property to the west. There is also "GR" General Retail zoning existing south of Peyton Gin Road. Some time ago the Planning Commission considered the matter of changing the designation of the Master Plan on some of the property to the north of the "B" Residence area for an industrial use. At that time it was felt that the owners of the property which was designated as "B" Residence would like to develop some of their property for apartments and that a buffer was needed between it and the property which was to be designated as industrial. A buffer of approximately 250 feet was provided and the property 250 feet north of the "B" Residence area was changed in the Master Plan to Industrial. There is other industrially designated property to the west and to the south of U. S. Highway 183. With the extension of Rundberg Lane through the area there will be a considerable change in the uses made of the area. The property now designated "BB" Residence is being developed and in all probability there will be a request from the owners of that property at a later date for some commercial use as it is fairly close to the industrially designated land and because of the existence of Rundberg Lane which will probably be the main access to the industrial and commercial area. The zoning on the subject site, buffered by the strip of "BB" Residence zoning would provide a place for a shopping center for people going to and from work in an industrial and commercial area and also the people living in the residential area.

In answer to a question, Mr. Williams explained that there is a plan to develop a portion of the subject property in connection with property to the west already zoned "GR" General Retail. If the Commission feels that the "GR" General Retail zoning is inappropriate north of Colony Creek Drive, the applicants would request that the area be changed to "B" Residence rather than "BB".

Mr. Robert Sneed appeared at the hearing and advised the Committee that he is one of the owners of the property to the west and also represents other owners involved. It is contemplated and there are in existence contracts relating to the development of substantial portions of their property shown as the existing "GR" General Retail with a portion of the other property out to Colony Creek Drive which is the subject matter of this application. The development procedures would be that the buildings would be primarily on the existing "GR" General Retail property with the bulk of the subject property south of Colony Creek Drive being used for parking. The entire development, flow of traffic and everything of that nature would flow on through North Gate Boulevard which

C14-69-329 Nash Phillips Copus--contd.

is not yet in place but is set apart under a subdivision plan which has met preliminary approval and which is subject to final approval and fiscal arrangements. The only area of criticism that could come from that development is the extension of Colony Creek Drive on into the residential subdivision. There have been discussions on this with the Planning Department and consideration is being given to eliminate Colony Creek Drive continuing easterly beyond the boundary line which separates Quail Creek West from the property owned by the applicant. The effect of this would be not to have any spillage of traffic into the residential area. This is a matter that will ultimately be decided at the time of the approval of any subdivision. The natural flow of traffic would then go from Rundberg Lane which is a Major Collector Arterial, tie in with North Gate Boulevard and from North Gate Boulevard go into Research Boulevard so that there would be a complete flow of traffic without having any spillage upon the residential area.

Mr. Sneed again stated that their interest is primarily that portion of the subject property located to the south of Colony Creek Drive and requested that the change be granted.

Mr. Lillie explained that at one time it was being considered that Colony Creek Drive should not extend from the west into the apartment or General Retail area; however, this has been discussed with the Director of Planning and he feels that the street should be extended on to North Gate Boulevard to provide adequate circulation.

Arguments Presented AGAINST:

Mr. Roger Coil, nearby property owner, submitted and read a petition signed by a number of property owners who are opposed to the request. The petition is summarized as follows:

At previous hearings, the people in the residential area opposed the request to "GR" General Retail zoning on property to the west, including the subject property, as it was felt that it would be totally contrary to the best interests of the residential homeowners. "BB" Residence zoning was granted on property to the west, including the subject property, and was reluctantly accepted as a compromise zoning. It is felt that rental property even if considered residential in structure with respect to land usage is commercial in nature and would rapidly deteriorate the neighboring residential area. It is the opinion of the residential homeowners that this proposal differs from the previous one only as regards the requested party: the notification, environmental effects and all other fiscal aspects being approximately the same.

Justification for the position by the homeowners include the following:

C14-69-329 Nash Phillips Copus--contd.

- a) Irrecoverable evaluation of residential property value.
- b) The already semi-congested traffic conditions in the area would be increased by commercial development.
- c) The increase in environmental pollution both as regards air and physical varieties would provide a continual harassment to family living, increase the health hazard to the residents and accelerate the devaluation of the property value.
- d) Structural development which exceeds normal single-family height limits, and which includes signs (lighted, and other signs), billboards, service station standards, parking lot lights, multi-level apartments, etc.; constitutes a perpetual invasion of privacy for the homeowner and their property.
- e) The noise, littering and disrupted character of such commercial development permitted under the requested change are inconsistent with residential environment.

Each of the homeowners in Quail Creek West and its adjacent residential area has spent no little time, money and effort to remove themselves and families from close proximity to the above described situations. It is felt that the creation of home and family and the enjoyment and development thereof is made totally non-achievable by the presence of any type of development permitted under the requested change.

Mr. Coil continued by advising the Committee that there are enough commercial and industrial properties already zoned to satisfy all the residential areas proposed. Properties generally downhill and downwind from any of the development proposed would make the air pollution greater.

Dr. Cary Davis, 1708 Colony Creek Drive, advised the Committee that before he purchased his home he looked at the plan for development in this area and was present at the Council hearing when the new owners of the property decided to accept "BB" Residence zoning and the gentleman who represented them agreed that a vast majority of the east part of the tract would be "BB" Residence and stated that possibly he would return in the future and request commercial zoning for only the extreme western portion. Because of this action by the Council and the agreement of the property owners, he purchased his home in the area. If the property had been rezoned "GR" General Retail, several homes in the area would not have been purchased and to grant the zoning at this time would be of benefit to no one but the subject property owner.

A number of other residential property owners appeared in opposition to the request as they felt that the proposed development would decrease the property values and increase traffic conditions. The zoning change to "GR" General Retail should not be granted when "BB" Residence zoning was only established a few months previously. They felt that the small strip of land which is indicated for a buffer is not sufficient for the residential area. They also felt that the exhaust fumes and noise generated from the proposal would not be beneficial to the residential area.

C14-69-329 Nash Phillips Copus--contd.

Arguments Presented In REBUTTAL:

Mr. Williams stated that he was the representative when the "BB" Residence zoning was granted on the subject property and he made the statement that although the request had been amended to "BB" Residence as recommended, that they would be back to request that a portion of the property be zoned for other uses. It is felt that the buffer of 170 feet is adequate.

Mr. Reeves asked how much of the subject property is proposed for parking and how much will be used in connection with the building plans on the adjacent "GR" General Retail area. Mr. Sneed explained that the major part of the structures will be on the adjoining "GR" General Retail property but will probably extend over 10 to 20 feet. The contract for the combined development involves approximately two acres or the western 180 feet of the subject tract south of Colony Creek Drive. The balance of the property is not involved in the contract.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied; however, they recommended that the west 180 foot strip of land south of Colony Creek Drive be zoned "GR" General Retail, First Height and Area and that the balance of the tract south of Colony Creek Drive be zoned "B" Residence, First Height and Area, and that the area north of Colony Creek Drive be retained as "BB" Residence, subject to the extension and development by subdivision of Colony Creek Drive and Rundberg Lane and the dedication of the necessary right-of-way for Peyton Gin Road which would bring the street to 35 feet from the center line.

At the Commission meeting, Mr. Reeves explained that the Zoning Committee recommended "GR" General Retail zoning for the western 180 feet of the site south of Colony Creek Drive and "B" Residence on the remaining area south of Colony Creek Drive based on the testimony by Mr. Williams, representing the applicants and Mr. Robert Sneed, one of the owners and representative for the adjoining property, that the south portion of the area is proposed to be developed in conjunction with the adjoining property already zoned "GR" General Retail. It was the testimony that approximately the western 180 feet is needed for building area and the remainder south of Colony Creek Drive, was to be used for parking. A number of residential property owners appeared in opposition and presented a petition and the Zoning Committee decided that the entire tract should not be zoned "GR" General Retail. He further explained Mr. Williams indicated that if the Zoning Committee decided not to zone the entire area "GR" General Retail they would like to at least have "B" Residence zoning north of Colony Creek Drive. The reason "B" Residence was recommended on the portion adjoining the 180 foot area is that parking would be permitted whereas it would not be permitted in "BB" Residence.

Mr. Reeves further commented that he has no objection to zoning the northern portion of the site "B" Residence in that there is still a 170 foot buffer of "BB" Residence zoning between the subject property and the residential area.

C14-69-329 Nash Phillips Copus--contd.

Mr. Goodman asked if any consideration was given to the traffic potential at this location. He said it was his understanding that when the property was originally zoned it was indicated that a road would be put through the area to traverse the church tract fronting onto Peyton Gin Road. He commented that in his opinion it would be more practical to have a roadway through as an additional buffer. The Church expected when they acquired their property that there would be a street on the east side of the property line. Mr. Lillie stated that in his opinion a street will be necessary as that particular shopping area will need circulation around it and without the street there would be limited circulation. North Gate Boulevard is proposed to go on through and serve the "B" Residence area to the north and in order to utilize the "BB" Residence area, a street will be needed.

Mr. Goodman asked Mr. Sneed if there are any plans to acquire the entire subject tract. Mr. Sneed explained that there are no plans for acquisition of the entire tract but an area 165 feet by 535 feet of the subject site is needed for the proposed development.

Mr. John Reynolds, owner of the property, pointed out that there is room within the 170 foot strip of "BB" Residence property adjoining the subject site to provide for a 60 foot street with sufficient room remaining for fourplex or "BB" Residence development. He said they would be willing to put the street in but would like to have the "GR" General Retail zoning on the entire area.

The Commission members discussed the request and were of the opinion that a north-south street is needed for circulation and felt that the existing "BB" Residence zoning on the 170 foot strip adjoining the subject site serves as an adequate buffer for the residential area. They felt that "GR" General Retail zoning should be granted for the area south of Colony Creek Drive and that "B" Residence zoning should be granted north of Colony Creek Drive subject to the conditions as outlined in the Zoning Committee recommendation. A majority of the members then

VOTED: To recommend that the request of Nash Phillips Copus for a change of zoning from "BB" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 1800-1824 Peyton Gin Road be DENIED as requested but that "GR" General Retail, First Height and Area zoning be GRANTED for the portion of the property south of Colony Creek Drive and "B" Residence, First Height and Area be GRANTED for the portion of the site north of Colony Creek Drive subject to the extension and development by subdivision of Colony Creek Drive and Rundberg Lane and the dedication of the necessary right-of-way for Peyton Gin Road to bring the street to 35 feet from the center line.

AYE: Messrs. Kinser, Reeves, Crier, Milstead, Hanks, Becker and Goodman
NAY: Mr. Taniguchi
ABSENT: Mr. Anderson

C14-69-330 Harold Gene Patterson: Int. A, Int. 1st to LR, 1st
Rear of 4002-4038 Spicewood Springs Road

STAFF REPORT: The subject property covers an area of 5.14 acres of land which is presently undeveloped. The stated purpose of the request is for apartments and retail use. The subject property if developed totally with apartments would allow 235 units under the proposed zoning. The subject site is completely surrounded by Interim "A" Residence, Interim First Height and Area zoning. To the northeast is a pending application for "LR" Local Retail and "BB" Residence zoning. A high school site has been acquired across the proposed extension of Steck Avenue. The City's water reservoir is located immediately to the south of the subject property. To the west is the proposed extension of Mesa Drive. Spicewood Springs Road with a proposed right-of-way of 90 feet is classified as a Major Arterial street. The staff feels that the "LR" Local Retail zoning on the subject site is appropriate as it conforms to preliminary neighborhood land use and zoning plans; however, consideration should be given to the adjacent property to the east. The staff is presently doing a study to determine the necessity for a street connecting Spicewood Springs Road with Steck Avenue along the east boundary of the subject tract. If a street is necessary the eastern 150 feet should be retained as "A" Residence. This would provide enough area for one tier of lots on a street with 60 feet of right-of-way to serve as a buffer. It is recommended that the granting of the request for "LR" Local Retail and "A" Residence as indicated be subject to dedication of 40 feet of right-of-way for the extension of Steck Avenue and 30 feet of right-of-way along the east boundary for a north-south collector street if one is needed.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Gene Patterson (applicant)
 Hubert Harrison (representing applicant)
 Robert Parris: 6109 Hylawn Drive
 Allen Rundell: 6507 Lakewood Drive

FOR
 NO OPINION

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Hubert J. Harrison, representing the applicant, advised the Committee that the owner of the subject property has the contract of sale for the site. He said that they have been informed by the Planning Department that the property in the land use study had been recommended to be zoned "LR" Local Retail. To the north is a senior high school site and to the south of the property under consideration is a large City reservoir on a five acre tract. Three hundred feet to the west is the proposed Mesa Drive and Spicewood Springs Road to the south will be a major arterial street. Steck Avenue is proposed to be extended and will have 80 feet of right-of-way. The subject property is a relatively

C14-69-330 Harold Gene Patterson--contd.

small tract consisting of five acres and it is felt that "LR" Local Retail zoning conforms to what has been suggested by the City.

Mr. Harrison said that with regard to the street to the east they have not seen any proposal and it was their understanding that a street would not be needed at that location. It is realized that the request would be subject to the dedication of the needed right-of-way for Steck Avenue.

Mr. Lillie explained that the subject tract, the reservoir area and the tract to the south of the reservoir was under one ownership and when the City acquired the five acre tract there was an exchange easement where the City would have an easement to get out to Spicewood Springs Road and the property owner to the north had an easement to get out of his property.

Arguments Presented AGAINST:

Mr. Allen Rundell stated that he owns the property adjoining the subject tract to the east. He explained that his tract and the subject tract came out of an original tract of land. He said that it is his understanding that the staff is proposing lots and a street on the back side of the subject area for a buffer zone for his property. With regard to Steck Avenue, it is proposed but there has not been any right-of-way dedicated.

Mr. Rundell said that he has a 21 acre undeveloped tract and is concerned about whether or not he will be restricted to residential development. He said that he would go along with the proposal provided that part of his property would have an opportunity at the time it is annexed to become "LR" Local Retail also. If this property has to remain as residential property there should be a buffer because the development on the subject property would adjoin his area. The street that goes by the reservoir is unpaved but it does give access.

Arguments Presented In REBUTTAL:

Mr. Harrison said that he would like to see other proposed streets in the area. With regard to a buffer zone they are requesting "LR" Local Retail zoning on the entire tract. He said they are not particularly opposed to a buffer zone as such but feels that there is no necessity to require a street as a further buffer. The tract is only five acres and right-of-way is needed for the proposed Steck Avenue which will considerably reduce the site. The streets are going to have to be put in within the subject tract and if another street is required it will severely limit the area. The applicant would not want to give the land for a street on the east side. He said that they would accept "BB" Residence zoning for a buffer rather than "A" Residence on the east 150 feet.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted "LR" Local Retail with the exception of the east 150 feet which should be granted "BB" Residence, First Height and Area, subject to 40 feet

C14-69-330 Harold Gene Patterson--contd.

of right-of-way for the extension of Steck Avenue and 30 feet of right-of-way along the east boundary for a north-south street.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Harold Gene Patterson 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 the rear of 4002-4038 Spicewood Springs Road be GRANTED with the exception of the east 150 feet which should be GRANTED "BB" Residence, First Height and Area, subject to 40 feet of right-of-way for the extension of Steck Avenue and 30 feet of right-of-way along the east boundary for a north-south street.

C14-69-331 Dr. Georgia Legett: A, 1st to O, 2nd
2803-2807 Swisher Street

STAFF REPORT: This site consists of 8,250 square feet fronting onto Swisher Street. The stated purpose of the request is for a medical office. The zoning to the north and east, abutting the subject tract, is "A" Residence. Further to the north is a large area for "B" Residence zoning, a portion of which is developed with the St. David's Hospital. "C" Commercial, Fifth Height and Area zoning exists to the east along the Interregional Highway. "O" Office, Second Height and Area zoning is established to the southeast, fronting onto Oldham Street, and also to the west across Swisher Street. "BB" Residence zoning abuts the subject property to the south. Medical Arts Square is located to the west of the subject site. Various other height and area districts are scattered throughout the area. A request for "O" Office, Fourth Height and Area zoning has been pending on property fronting onto Comanche Street since 1967. Land use in the area consists of one single-family dwelling located immediately to the north and several single-family residences to the east of the property on Cole Street. Apartments are established to the south and southeast as well as to the west across Swisher Street. East 30th Street terminates in this block to the north. Swisher Street, classified as a Minor Collector street has an existing right-of-way of 50 feet. The staff feels that "O" Office zoning is the appropriate zoning for the site because of the proximity to St. David's hospital and to Medical Arts Square and the fact that the area is changing to higher density and use. It is recommended that the request be granted subject to five feet of right-of-way for Swisher Street.

TESTIMONY

WRITTEN COMMENT

Sam Lane: 3903 Balcones Drive
Comanche Apartments, Inc.: #8 Medical Arts Square
P. R. P. Bldg. Corp.: #8 Medical Arts Square
Texas Restaurant Association

FOR
FOR
FOR
FOR

C14-69-331 Dr. Georgia Legett-contd.

PERSONS APPEARING AT HEARING

Dr. Georgia Legett (applicant)

SUMMARY OF TESTIMONY

Dr. Georgia Legett appeared on behalf of her request and advised the Committee that a medical office is proposed on the subject 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 five feet of right-of-way for Swisher Street as a logical extension of zoning and development.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Dr. Georgia Legett for a change of zoning from "A" Residence, First Height and Area to "O" Office, Second Height and Area for property located at 2803-2807 Swisher Street be GRANTED, subject to five feet of right-of-way for Swisher Street.

C14-69-332 Edward J. Jennings: A to BB
3604 Abbate Circle

STAFF REPORT: The subject property contains an area of 10,875 square feet fronting onto Abbate Circle. The stated purpose is for constructing a three family rental dwelling. If zoned as requested, a maximum of six units would be permitted on the site. The subject property is surrounded by "A" Residence, First Height and Area zoning. "C" Commercial zoning is established to the west along Airport Boulevard and "B" Residence, First Height and Area is to the east. A request for "BB" Residence zoning is pending on property to the west across Gunter Street. The subject site is located between and among a small group of single-family homes. Abbate Circle is classified as a Minor Residential street and has an existing right-of-way of 50 feet.

This area is a small, fairly new development located on a cul-de-sac street and the staff feels that the request would be an intrusion into a single-family residential neighborhood with inadequate streets and recommends that it be denied.

TESTIMONY

WRITTEN COMMENT

None

C14-69-332 Edward J. Jennings--contd.

PERSONS APPEARING AT HEARING

Edward Jennings (applicant)

SUMMARY OF TESTIMONY

Mr. Edward Jennings was present on behalf of this request and stated that the "BB" Residence zoning is requested so that an "L" shaped structure can be built on the subject site. He said that he has an option to purchase property adjacent to the west with a number of trees along the property line. If up to five units could eventually be put on the two properties, it would make a low rental area which would provide for a family needing a large area.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as an intrusion into a residential area with inadequate streets.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Edward J. Jennings for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 3604 Abbate Circle be DENIED.

C14-69-333 Mrs. C. K. Jamison: A to B
 7107 Guadalupe Street

STAFF REPORT: The application under consideration covers approximately 14,808 square feet of land which is presently developed with a two-family dwelling. The stated purpose of the request is for apartments with a restrictive covenant to be filed limiting the use to ten apartment units. The requested zoning would allow 15 units and "BB" Residence zoning would permit 8 units. The zoning surrounding the subject site is predominantly "A" Residential with "BB" Residence zoning on one lot to the south of the site and also on one lot to the west of Guadalupe Street, both of which were granted in 1968. Immediately to the east is a large tract of land owned by the City on which a zoning and proposed subdivision study was prepared. In 1969, a request for "B" Residence zoning was made on property to the south of Swanee Drive which was denied but granted "BB" Residence. The land use in the area consists of two small apartment projects to the south on either side of Guadalupe Street and a number of single-family and two-family dwellings within the area.

Guadalupe Street is classified as a neighborhood collector street and has an existing right-of-way of 60 feet. The staff feels that this area is changing as indicated by the recently granted "BB" Residence zoning requests and the streets are adequate; however, the staff recommends that "B" Residence zoning be denied as it is too intensive but that "BB" Residence zoning be granted.

C14-69-333 Mrs. C. K. Jamison--contd.

TESTIMONY

WRITTEN COMMENT

Jim McCutcheon:	P. O. Box 9104	FOR
Omega Investment Co.:	Box 9065	FOR
Louis Laiboritz:	602 West St. Johns	FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney for the applicant, explained that there is a duplex existing on the subject lot at the present time. There is "B" Residence, First Height and Area zoning to the south along Swanee Drive and the City has a pending application for "BB" Residence on property immediately to the east. The applicant feels that there is enough area in the tract to develop 10 units. It is realized that there is "BB" Residence zoning to the south and across the street but the proposal with the restrictive covenant would allow only three additional units under the "BB" Residence zoning. This would not jeopardize the subject property or the immediate surrounding area. The development will be primarily one-bedroom units and the applicant will file the restrictive covenant limiting the development to 10 units as this is what the applicant feels can be financed and built.

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 submission of a restrictive covenant limiting the development to ten units.

At the Commission meeting, Mr. Lillie pointed out that in the past it has been the policy of the Commission with regard to restrictive covenants to recommend to the City Council that they be accepted in a separate motion and not tied to the zoning consideration.

Mr. Reeves stated that the Zoning Committee felt that the zoning limiting the development to ten units as offered by the applicant is adequate but without the restrictive covenant, the development could not be limited to ten units.

Mr. Goodman expressed concern about what would happen to the property if a zoning change is granted with a restrictive covenant, the property not developed at this time, and then several years later the area has changed sufficiently to warrant more intensive development.

C14-69-333 Mrs. C. K. Jamison--contd.

Mr. Selman advised the Commission that the restrictive covenant has been prepared so that it can be changed in the future by a majority vote of the City Council.

After further discussion, it was unanimously

VOTED: To recommend that the request of Mrs. C. K. Jamison for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 7107 Guadalupe Street be GRANTED, subject to a restrictive covenant limiting the development to ten apartment units.

C14-69-334 Lambert Properties, Inc.: Int. A, Int. 1st to GR, 1st
8109-8139 Shoal Creek Boulevard
3143-3223 Steck Avenue

STAFF REPORT: The subject property covers an area of 2.9 acres of land located to the southeast intersection of Steck Avenue and Shoal Creek Boulevard. The stated purpose is for uses permitted by the requested zoning. A request for "GR" General Retail and "O" Office zoning on property to the west across Shoal Creek Boulevard was considered by the Committee and recommended this month. The subject site is located immediately across from the area recommended for "GR" General Retail. To the north of Steck Avenue is "GR" General Retail, "C" Commercial and "D" Industrial zoning. "O" Office and "GR" General Retail zoning to the south was granted in 1968. Interim "A" Residence, Interim First Height and Area zoning exists to the west along Balcones Drive. There is single-family residential development to the east and also to the northeast across Steck Avenue. The Steck Printing Company is located across Shoal Creek Boulevard. Shoal Creek Boulevard is classified as a Major Arterial street with an existing right-of-way of 80 feet. Steck Avenue is classified as a Neighborhood Collector street with 60 feet of right-of-way. The staff recommends that the requested zoning be granted as it conforms to the existing zoning and development in the area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

John B. Selman (representing applicant)
 William B. Petmecky: 8202 Daleview
 John W. Macy: 8302 Millway Drive

AGAINST
 AGAINST

C14-69-334 Lambert Properties, Inc.--contd.

SUMMARY OF TESTIMONY

Mr. John Selman, attorney for the applicant, pointed out that the Committee recommended in favor of granting "GR" General Retail and "O" Office zoning on property immediately across Shoal Creek. He explained that there are no definite plans for development of the subject property at this time.

No one spoke 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 Lambert Properties for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at 8109-8139 Shoal Creek Boulevard and 3143-3223 Steck Avenue be GRANTED.

C14-69-335 Grimes Electric Company: Int. A, Int. 1st to C, 1st
600-622 East Powell Lane

STAFF REPORT: The subject site consists of 1.84 acres of land fronting onto East Powell Lane. The stated purpose of the request is for uses as permitted under the requested zoning. The subject property is surrounded by Interim "A" Residence, Interim First Height and Area zoning. "C" Commercial zoning exists to the east along Interstate Highway 35 to the south of East Powell Lane. To the north of East Powell Lane, fronting onto Interstate 35, is a pending application which has been recommended for "C" Commercial, Fifth Height and Area zoning. There is a large tract of "BB" Residence zoning approximately 200 feet west of the subject site. Land in the area is predominantly undeveloped with single-family residences existing to the west along East Powell Lane and a service station at the northwest intersection of East Powell Lane and Interstate 35. Several offices are established on property to the east fronting onto Interstate 35. East Powell Lane is classified as a Neighborhood Collector street with an existing right-of-way of 50 feet.

The zoning requested on the subject site would be an intrusion into a developing residential area with inadequate streets and strip commercial zoning should be discouraged; therefore, the staff recommends that the request be denied. The subject property is at the present time developed with an electrical company, a non-conforming use; however, this use may continue inasmuch as it was existing when the property was annexed.

Mr. Lillie explained that all of the land north of East Powell Lane was outside the City limits until a few months ago. The applicant's businesses and other businesses were all developed outside the City limits and when the

C14-69-335 Grimes Electric Company--contd.

area was annexed the zoning became Interim "A" Residence, Interim First Height and Area. Since that time there has been one application to establish zoning on property to the north.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney for the applicant, explained that the subject property was annexed recently by the City. The applicant is a contractor who has used the location for a warehouse and he now needs to construct an additional building on approximately 3200 square feet. The applicant can apply to the Board of Adjustment and if approved can construct a warehouse without a change in zoning. He would like to have the zoning changed for several reasons. If he builds the additional warehouse or any additional structure thereafter, he would have to continue to apply to the Board of Adjustment. Another reason the zoning is requested is because of the fact that if the use is non-conforming and the structure is destroyed, only what was existing can be repaired or replaced but no additional building would be permitted without a Board of Adjustment variance. "C" Commercial zoning as requested would permit the applicant to continue his present business and it is only logical that the request be granted. "C" Commercial, Fifth Height and Area zoning has been recommended on property to the north and to the east is a Shell service station. Immediately across the street from the site is a rug and carpet cleaning plant still zoned "A" Residence. To the west is an area which has "BB" Residence zoning on property and is presently undeveloped. Under the gradation system of zoning, "C" Commercial zoning would be appropriate for this particular location. It is realized that the streets are not wide enough and the applicant will give the necessary right-of-way to widen East Powell Lane.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to the necessary right-of-way for East Powell Lane, as the appropriate zoning for the site.

At the Commission meeting, the staff reported a letter from Mr. John Selman, attorney for the applicant, offering to dedicate 15 feet of right-of-way for East Powell Lane.

C14-69-335 Grimes Electric Company--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Grimes Electric Company for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at 600-622 East Powell Lane be GRANTED, subject to 15 feet of right-of-way for East Powell Lane.

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

C14-69-336 Ernest Joseph: A to LR
1012-1112 Center Street
Rear of 3306-3618 Garden Villa Lane
3306 Locke Lane

STAFF REPORT: This application covers a large area consisting of 16.11 acres which is presently undeveloped. The stated purpose of the request is for a 110 unit trailer park as permitted by the requested zoning. A special permit for the development of a trailer park on the site is also to be considered at this time. "A" Residence, First Height and Area zoning is established for the entire area east of the railroad track. West of the railroad track is "BB" Residence zoning which was granted in 1968 and 1969. The area to the east of the railroad track is developed with single-family homes. A number of mobile homes have been located on lots scattered throughout the neighborhood. A Major Arterial street, Vinson Drive with 70 feet of right-of-way, is proposed along the western edge of the subject tract adjoining the railroad track. Locke Lane with 50 feet of right-of-way provides access to the subject site but without a structure across the creek ingress and egress is limited. Barton Skyway is proposed to the north. Center Street is a Minor Residential street with an existing right-of-way of 40 feet and abuts the subject site on the south. Garden Villa Lane is also classified as a Minor Residential street with 50 feet of right-of-way. A request for "BB" Residence at Garden Villa and Center Street was denied in 1969. The staff feels that the zoning as requested would be an intrusion into a residential area with inadequate streets and recommends that the request be denied. If the zoning is granted, it is recommended that 70 feet be dedicated and developed for Vinson Drive, a Major Arterial street in the Master Plan. This street would provide improved access and the zoning would therefore be less objectionable and that 10 feet of right-of-way be provided for South Center Street.

TESTIMONY

WRITTEN COMMENT

Foe A. Laurence: 303 Westwood Terrace

AGAINST

C14-69-336 Ernest Joseph--contd.

PERSONS APPEARING AT HEARING

John Selman (representing applicant)	
Don West (developer)	
Charles Rickganer: 1003 Daphne Court	AGAINST
William Janousek: 1005 Daphne Court	AGAINST
Richard L. Plautz: 1005 Audrey Court	AGAINST
Mr. & Mrs. A. S. Tomb: 1008 Taffy Court	AGAINST
Santos Garza, Jr.: 1004 Daphne Court	AGAINST
Charles W. Landry: 1008 Daphne Court	AGAINST
Mr. & Mrs. Charles F. Jones: 1007 Taffy Court	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, attorney for the applicant, explained that the zoning is requested so that the subject property can be sold for the purpose of developing a mobile home park. It is realized that local retail zoning is probably not a fair classification for a mobile home park as the use is residential but until the City has adopted an Ordinance for mobile home parks this is the classification needed.

Mr. Selman read an article from the Texas Business Review, August 1969, in support of this request indicating the economics, amenities, and desirability of mobile home parks. He said that there is no doubt that there will be a tremendous growth in mobile home parks and mobile home living because of the tight money situation and the high interest rates.

He said that in mobile home parks the recommended density is usually between 8 and 10 units per acre. The recommended parks having at least 100 spaces. The proposal by the developers is for approximately 110 units on the 16.11 acre tract. On a strict density classification this would be less than 7 units per acre which is about the same as duplex development. The development in this area is mixed with single-family residences and mobile homes. Mr. Selman pointed out that he had represented a request for rezoning to "BB" Residence on property to the south of this area. At that time there were only 27 mobile homes in the area; however, since that time the number of mobile homes has increased to at least 29. All are established on small single-family lots. There is an advantage to a mobile home park in contrast to a mobile home which is placed on a single-family lot, as in most mobile home parks, there are many requirements and conditions. Some of the requirements are underpinning, underground utilities and recreation. It is the developers proposal to put in a first class park, with a recreation area and possibly a green belt. Even though mobile homes are getting larger there will not be any trouble getting a mobile home in the park.

Mr. Selman advised the Committee that he was only recently aware of the proposal for Vinson Drive and realizes that some time in the future that would be a logical place to have a 70 foot street; however, in his opinion the City is not

C14-69-33 Ernest Joseph--contd.

ready to purchase the right-of-way needed at this time and it should not be a requirement of this application. In addition, with a development such as the one proposed, whenever the City wants to acquire right-of-way it will be at less cost than it would be with some other type development existing on the site. If Vinson Drive is a necessity it would be less of a detriment and less expensive if the property is developed as a mobile home park. The site plan for the special permit was distributed and Mr. Selman advised the Committee that there are drainage problems which will present some difficulty in developing the site but there would be more difficulty if it was developed in another manner. It should be noted that on the south and east side of the property in the overall plan of development a channel is proposed near Locke Lane which would serve two purposes. It would be a buffer which would make an additional distance between the residents living in the single-family area along the cul-de-sac and would provide better drainage. In summary, Mr. Selman stated that this area has some nice single-family homes that are new and have only recently been purchased; however, the homeowners purchased their homes in an area in which they knew there was mobile home development. The developers also propose to place a fence, if it can be worked out, along the channel so it would serve as an additional buffer. Because of the increased population of the City there will be mobile home type development and it will be in a neighborhood such as this one because of the access and the commercial areas developing around it. The developers will build and maintain a quality development.

Arguments Presented AGAINST:

A number of nearby property owners appeared at the hearing in opposition to the request and presented a petition with 48 signatures. They pointed out that a number of people did not receive notice of the hearing and informed the Committee of their opposition because of the many single-family residential homes existing in the area and stated that there are a number of mobile homes in the area but the people have tried to disguise the mobile homes so that they would look like permanent residential structures. The subject property is heavily wooded and there is a considerable drainage problem. If a large amount of the area is paved this will increase the normal water flow causing a tremendous amount of run off onto the adjoining residential lots. The drainage in the area already runs into the residential property and the additional drainage would be very detrimental. The development of mobile homes lower the value of the existing residential property. This is a very new residential area with limited access. South Center Street does not exist and Locke Lane is a dead-end street. Garden Villa exists up to Barton Skyway and dead-ends and South 5th Street is the only north-south street in the area. If 110 mobile homes are permitted on the site there will be probably 150 to 170 additional cars which will overcrowd and create a dangerous traffic flow.

Arguments Presented In REBUTTAL:

Mr. Selman indicated that they recognize the fact that South Center Street will have to be developed as it will be the major street to serve the area even though there will be an entrance to the subject site from Locke Lane.

C14-69-336 Ernest Joseph--contd.

There will also be access in and out of the area on Cardinal Lane. If apartments were developed on the site the density could possibly be in the range of 20 to 30 units per acre whereas the mobile home development will be only 8 units per acre. The right-of-way required for Vinson Drive would amount to approximately two acres which is a great deal of land when the subject property contains only 16 acres. A maximum of approximately 110 units is proposed, and they will probably be developed in parcels of 30 units at a time which would give time for development of the streets. The highest and best use of the property with all the economics involved is for a mobile home park without the use of two acres for the development of Vinson Drive.

Mr. Lillie pointed out that Vinson Drive is part of the Master Plan adopted by the City Council. If the subject property was subdivided the owner or developer would be required under the Subdivision Ordinance to dedicate up to 70 feet of right-of-way for the arterial street. South Center Street should also be extended to Vinson Drive to serve the subject tract. Cardinal Lane has a partial cul-de-sac which was left purposely to extend through the subject tract and was to connect with 50 feet of right-of-way coming through Garden Oaks preliminary on property to the north in order to provide interior circulation. The staff feels that regardless of the timing of the major arterial street, dedication and development by the developers as land comes into urban use is necessary.

Mr. Don West, one of the developers, explained that they propose to develop a very nice mobile home park on the subject site that will be owned and maintained similar to an apartment project. He stated that he has looked at parks in various areas and most of them require underpinning, good parking, streets, recreation areas and underground utilities. It is felt that the development on the site will add to the area. It should be pointed out that with regard to the draining the City will require good drainage plans in the area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority felt that the requested zoning is appropriate and recommended that it be granted, subject to the approval of a special permit for development of the site as a mobile home park and approval of a subdivision showing (1) 70 feet of right-of-way for Vinson Drive (2) 10 feet of right-of-way for South Center Street and (3) consideration for the extension of the street from Garden Oaks Preliminary.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Ernest Joseph for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1012-1112 Center Street, the rear of 3306-3618 Garden Villa Lane and 3306 Locke Lane be GRANTED, subject to the approval of a special permit for the development of the site as a mobile home park and approval of a subdivision showing (1) 70 feet of right-of-way for Vinson Drive (2) 10 feet of right-of-way for South Center Street and (3) consideration for the extension of the street from Garden Oaks Preliminary.

C14-69-337 George R. Newmiller: A to BB
3004 Enfield Road

STAFF REPORT: The subject property, containing approximately 11,983 square feet is located at the northeast corner of the intersection of Enfield Road and Hopi Trail. The stated purpose of the request is for apartment development. The zoning as requested would permit the development of six apartment units. The entire surrounding area is zoned "A" Residence, First Height and Area and developed with single-family residences with the exception of one lot to the east, fronting onto Enfield Road, zoned "BB" Residence, First Height and Area and developed with apartments. The large area to the south of Enfield Road is owned by the University of Texas and used by the City of Austin for the Municipal Golf Course. An application for "LR" Local Retail zoning on property to the east at the intersection of Enfield Road and Exposition Boulevard was recommended for denial in 1969, and subsequently withdrawn. Enfield Road is classified as a Major Arterial street and has an existing right-of-way of 70 feet. This neighborhood is still a well-maintained single-family area and the staff feels that the requested zoning to a higher density along Enfield Road is premature and recommends that the request be denied.

TESTIMONY

WRITTEN COMMENT

Petition with 17 signatures	AGAINST
Mr. & Mrs. Billy J. Disch, III	AGAINST
Paul R. Roesle: 2900 Enfield Road	AGAINST
Manuel Brent: 3200 Bonnie Road	AGAINST
Mrs. J. F. Grove: 3003 Bonnie Road	AGAINST
Jack M. Howard: 3002 Enfield Road	AGAINST
Raymond Prasatik: 3000 Enfield Road	AGAINST
Mrs. Gerda F. McKern: 2904 Enfield Road	AGAINST
Frank A. Bozyan: 2902 Enfield Road	AGAINST
Leo Roberts: 2902 Bonnie Road	AGAINST
Joe B. Roberts: 3000 Bonnie Road	AGAINST
Mr. & Mrs. Charles W. Mays: 3202 Bonnie Road	AGAINST
John O. Rowlett: 2905 Bonnie Road	AGAINST
J. Wells Fainter: 2903 Bonnie Road	AGAINST
Mrs. C. L. South: 3005 Bonnie Road	AGAINST
Stella I. F. Farron: 2404 Scenic Drive	FOR

PERSONS APPEARING AT HEARING

Melvin L. Engelhardt (representing applicant)	
Charles Mays: 3202 Bonnie Road	AGAINST
Mrs. Billy Disch III	AGAINST

40

C14-69-337 George R. Newmiller--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Melvin L. Engelhardt, representing the applicant, explained that this application is filed in order to get a higher density zoning on the site so that a 5 unit townhouse type apartment project can be built. It is realized that this is primarily an "A" Residential area but to the west there are two blocks of "BB" Residence and in the subject block there is a spot zone of "BB" Residence. Most of the property to the west is in the form of duplexes and rental property. Most of the property to the east of Exposition is apartment development. The request is not made to disturb the tranquility or residential atmosphere that exists in the neighborhood and the development of townhouse type units would be a benefit. The proposal is for the townhouse type construction of two stories with concrete between each unit. Approximately 1500 square feet is proposed for each unit and the grounds will be well landscaped. Most of the parking is enclosed and the area will be fenced. "BB" Residence zoning would allow the highest and best use of the land.

Arguments Presented AGAINST:

Mr. Charles Mays, 3202 Bonnie Road, advised the Committee that this is a residential area which is predominantly owner occupied. He presented a petition signed by 17 property owners within 300 feet of the subject property who are opposed to the requested change. The financial advantage for an individual should not take precedence over the opinion of the people in the area who believe their property will depreciate in value if the change is granted. It should also be pointed out that Bonnie Road and Hopi Trail are inadequate to handle additional traffic because of cars parking along both sides of the street.

Mrs. Billy Disch III appeared in opposition to the request and submitted a list of apartment vacancies now existing in the area of Exposition and stated that the number of vacancies indicate that there is no need for additional apartment units.

Several other property owners appeared in opposition because of the excessive traffic that would be created and the fact that this is a residential area.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of George R. Newmiller for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 3004 Enfield Road be DENIED.

C14-69-338 M. H. Crockett, Jr.: C to C-2
2801-2805 San Jacinto Boulevard
2800-2904 Duval

STAFF REPORT: This application covers 7,225 square feet of land and the stated purpose of the request is for operating a liquor store. The subject site is part of a small shopping center in which beer is sold for off-premise consumption. "C" Commercial and "O" Office zoning is established along San Jacinto Boulevard and Duval Street at the intersection. To the northwest is "LR" Local Retail zoning. Land use in the immediate area consists of a camera shop, convenience store and cleaners. A service station and apartments are established across Duval Street. San Jacinto Boulevard with 120 feet of right-of-way and Duval Street with 60 feet of right-of-way are both classified as Major Arterial streets. The staff recommends that the zoning as requested be granted as this is a well-defined and well-developed commercial area. Right-of-way at this location is not required as the proposed zoning would not increase the intensity of the use of the property.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

M. H. Crockett, Jr. (applicant)
Owner of store in area

FOR

SUMMARY OF TESTIMONY

The applicant was present on behalf of this request and had nothing to add to the report by the staff.

The gentleman who operates a business existing on the site advised the Committee that he leases the property from the applicant and has a beer and wine store at this location and in his opinion a liquor store would not make much difference.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of M. H. Crockett, Jr. for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 2801-2805 San Jacinto Boulevard and 2800-2904 Duval be GRANTED.

- Existing fire protection facilities for phase 1 are believed to be adequate.
- No objections. Waste Water System to be available.
- Plat complies
- Require request for commercial drive-ways.
- None
- Additional easements required as indicated.
- See the attached drawing.
- 2-0219-0204 & 9-2-0219-0402 Taxes are due for 1969. Prior years are paid.
- 1) Parking for existing duplex should not enter from Bolm Road. Suggest shift to north side of duplex.

CP14-69-054 A. M. Deberry--contd.

Advanced Planning--contd.

Water and Sewer

Director of Public Works

- 2) Fence along north and west property lines should be of the type that provides a privacy screen.
- Water and sanitary sewer service is available from existing mains in Bolm Road.
- 1) Eliminate head-in back-out parking on Bolm Road.
- 2) Make driveway section for 30' private street. We will then need to approve plans before construction begins.

The staff recommends that the request be granted subject to completion and compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of A. M. Deberry for a special permit for an apartment dwelling group located at 5906-6000 Bolm Road, subject to compliance with departmental reports and authorized the Chairman to sign the necessary resolution upon completion.

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

CP14-69-055 Stokes Construction Co.: 176 Unit Apartment Dwelling Group
 Rear of 401-413 West Live Oak Street
 2204-2310 Wilson Street
 Rear of 400-514 Oltorf Street
 Rear of 2217-2329 South 1st Street

STAFF REPORT: This application has been filed as required under Section 5 and according to the procedure as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed is an apartment dwelling group containing 176 units, 370 off-street parking spaces, and one utility building. The zoning existing on the site is "B" Residence, First Height and Area which would permit a maximum of 418 units. The site plan has been circulated to the various City departments and the comments are as follows:

Advanced Planning

- 1) Residents in building group 15 may tend to pack along Wilson Street unless easy access from parking bay is provided.
- 2) Could driveway be shifted to join further north between units 6-7 and 1-2 to provide better access to units 1 and 2?
- 3) Subdivision may be required for the portion of the tract adjacent to the lot at 400-404 W. Oltorf and at the northeast corner of the tract on Wilson Street.
- 4) Privacy fence needed along north and south property lines.

Tax Assessor

- 4-0301-0214 & 0213 Taxes are paid through 1969.

Health

- No objections. Waste water system to be available.

Building Inspector

- 1) A four foot high solid fence is required where parking area is adjacent to property developed for a residential use.
- 2) Does not include building code approval.
- 3) Subdividing required if boundaries on site plan are correct.

Storm Sewer

Fire Prevention

- Plat complies.
- Provide fire extinguishers for the buildings as they are completed. Provide an opening to the parking area from Durwood Street. This would make the fire hydrant on West Oltorf available for use in case of a fire.

Traffic Engineer

- 1) Driveways and parking seem to be in order.

CP14-69-055 Stokes Construction Co.--contd.

Traffic Engineer--contd.

Office Engineer

Electric

Fire Protection

Water and Sewer

- 2) Will the alley south of the property remain? If so what about its opening onto Wilson?
 - Driveways okay -- require request before construction.
 - Estimates required at a later date.
 - The recommended fire hydrants are indicated in red. We request that these fire hydrants be set 18" (app) from the ground to the center of the 4" opening and to have the 4" opening facing the driveway. We would also like to request that the fire hydrants be placed in service, if possible, before construction (of the buildings) is started so that we may be able to furnish better fire protection during the construction period.
 - Sanitary sewer service is available from the existing main in the Bouldin Creek Branch. It should be noted that an 8" approach main will be required to be run from the existing main to the property.
- Water service is available from the existing main in Wilson Street. Four fire hydrants will be required. One fire hydrant will be located on the corner northwest of Bldg. #3. The second fire hydrant will be located at the corner northeasterly of Bldg. #11. The third fire hydrant will be located on the corner northwesterly of Bldg. #13. The fourth fire hydrant will be located on the corner southwesterly of Bldg. #18. This will require a six (6) inch water main with valves to be run from Wilson Street thru the proposed drives as shown on the plat, returning to Durwood Street and tying to the existing main + 200' from the south property line of the property. The valving arrangement should follow the plan shown on the plat. Fire demand meters may be required.

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CP14-69-055 Stokes Construction Co.--contd.

Director of Public Works

- Driveway locations meet with our approval; however, will need request for and approval of same before construction begins.

Mr. Lillie stated that with respect to the firegate access on Durwood, in the past the City has requested that a gate be provided with a key given to the Fire Department in case of an emergency. The parking will have to be redesigned at that location, but there is sufficient room to do this. The staff recommends that the request be granted, subject to completion and compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

Travis A. Eckert: 3207 Bryker Drive
J. W. Rountree: 2301 South 1st Street

FOR

PERSONS APPEARING AT HEARING

Clyde Turner (representing applicant)

SUMMARY OF TESTIMONY

Mr. Clyde Turner, representing the applicants, explained that the apartments are proposed to be two story studio type apartments. The architect for the development will resubmit whatever is necessary to comply with the departmental requirements.

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 completion and compliance with departmental reports.

At the Commission meeting, Mr. Lillie advised the Commission that there is an alley through the property that has never been vacated. There was a request in 1968, to vacate the alley at which time the Commission recommended in favor subject to the widening of the existing alley two feet along to the south property line; however, this vacation was never acted on by the Council.

The Commission members concurred with the Committee recommendation to grant the request subject to compliance with departmental reports and to include the vacation of the alley and the granting of two additional feet to widen the existing alley.

CP14-69-055 Stokes Construction Co.--contd.

It was then unanimously

VOTED: To APPROVE the request of Stokes Construction Company for a special permit for the erection of a 176 unit apartment dwelling group located at the rear of 401-413 West Live Oak Street, 2204-2310 Wilson Street, Rear of 400-514 Oltorf Street, and Rear of 2217-2329 South 1st Street, pending compliance with departmental reports and subject to the vacation of the alley and the granting of two additional feet to widen the existing alley across the narrow neck of the alley of the property and authorized the Chairman to sign the necessary resolution upon completion.

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

CP14-69-056 Ernest Joseph: Mobile Home Park
1012-1112 Center Street
Rear of 3306-3618 Garden Villa Lane
3306 Locke Lane

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 containing 110 units and 221 off-street parking spaces. Information on the character of the neighborhood, zoning pattern and street pattern was presented for zoning application C14-69-336 earlier this evening.

The staff recommends disapproval of the special permit. Vinson Drive, a Major Arterial Street is not shown through this tract. This street will require a redesign of the mobile home park plan.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Herndon Bailey (Engineer for developer)	
Mr. & Mrs. A. S. Tomb: 1008 Taffy Ct.	AGAINST
Mr. & Mrs. Charles F. Jones: 1007 Taffy Ct.	AGAINST
Charles W. Landry: 1008 Daphne Ct.	AGAINST
Charles Rickganer: 1003 Daphne Ct.	AGAINST
William Janousek: 1005 Daphne Ct.	AGAINST
Richard L. Plautz: 1005 Audrey Ct.	AGAINST

CP14-69-056 Ernest Joseph--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Herndon Bailey, Engineer for the Developer, indicated the criteria which was used to establish the drainage requirements within the area of the special permit and it was found that the 20 foot drainage channel was adequate to handle the service drainage.

Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request because of the existing residential development, drainage problems and traffic problems. The Committee asked questions with regard to the recreation area facilities, streets and in particular the drainage problems indicating that a revision of the plan is necessary before action can be taken.

Mr. Selman, attorney for the applicant, requested that the special permit be referred to the full Commission pending submission of a revised plan.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and recommended that this special permit be postponed, because public street requirements are not included in the site plan, and will require redesign of the plan.

The Commission concurred with the Committee recommendation and

VOTED: To POSTPONE the request of Ernest Joseph for a mobile home park for 30 days.

CP14-69-057 International Cooperatives, Inc.: 130 Unit Apartment Dwelling Group
1173-1189 Harvey Street

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. Proposed is an apartment dwelling group containing 14 buildings with 130 apartment units, one building for office and utilities and 240 off-street parking spaces. The subject property is zoned "C" Commercial, First Height and Area which could permit 305 units as a maximum density. The site plan has been circulated to the various City departments and the comments are as follows:

Advanced Planning

- 1) Building #10 falls across existing sanitary sewer easement.
- 2) Privacy fence needed along north and east property lines.
- 3) Field notes do not include driveway at northeast corner of property to Airport Boulevard.

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CPI4-69-057 International Cooperatives Inc.--contd.

Advanced Planning--contd.

- 4) Subdivision may be required for driveway at northeast corner of property.
- 5) Alignment of northeast driveway do not agree with site plan and location map.

Tax Assessor

- 2-0915-0202 Taxes are due for 1969. Prior years are paid.

Building Inspector

- 1) The property would need to be re-subdivided to include exit on Airport Boulevard.
- 2) Building #10 encroaches on the 16 foot wide easement along the north portion of the property.
- 3) A four foot high solid fence is required where parking is adjacent to property developed for a residential use.
- 4) Does not include building code approval.

Fire Prevention

- Provide fire extinguishers as required by the City Code as buildings are completed.

Traffic Engineer

- Driveways and internal circulation are in order.

Office Engineer

- Require request for commercial driveways.

Health

- No objections. Waste Water System to be available.

Electric

- Additional easements required as indicated.

Fire Protection

- The recommended fire hydrants are indicated in red. We recommend (if possible) the fire hydrants be placed in service before building construction is started. The 4" nozzle should be app. 18" (center) above ground elevation and should face the driveway.

Storm Sewer

- Plat complies except scale to be built along E.P.L. as shown on plat.

Water and Sewer

- Sanitary sewer service is available from the existing main crossing the property on the northern side. It should be noted that if Bldg. 10 cannot be relocated the sanitary sewer line that would be under it will be required to be relocated at the owners expense. Water service is available from the existing mains in Sol Wilson Street and Airport Boulevard. Four additional

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CP14-69-057 International Cooperatives Inc.--contd.

Water and Sewer--contd.

- fire hydrants will be required. One fire hydrant will be located on the island between Harvey Street and the proposed drive westerly of Bldg. 2. Another fire hydrant will be located on the curb return just southerly of the southeastern corner of Bldg. 4. The third fire hydrant will be located on the curb return just westerly of the northwest corner of Bldg. 12. The fourth fire hydrant will be located on the curb return just northerly of Bldg. 9. An eight (8) inch water main will be required to be run from the existing eight (8) inch main in Sol Wilson Street to Harvey Street where a six (6) inch main with valves will be required to be run to the proposed drive running east and west continuing down this drive and turning northerly tying back into the existing main in Airport Boulevard. It should be noted that it will be required to extend the main in Harvey Street to the southern property line for future service to adjacent areas. The valving arrangement should follow the plan shown on the plat. Fire demand meters may be required.
- Proposed driveways meet with our approval, however, we will need request for and approval of them before construction begins.

Director of Public Works

The staff recommends approval of the site plan subject to completion and compliance with departmental reports.

TESTIMONY

WRITTEN COMMENT

Travis A. Eckert: 3207 Bryker Drive

FOR

PERSONS APPEARING AT HEARING

W. R. Coleman (representing applicant)
Booker T. Moore

AGAINST

CP14-69-057 International Cooperatives, Inc.--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. W. R. Coleman, representing the applicants, explained that there is an access easement across the property adjoining to the east connecting to Airport Boulevard. The original easement was 20 feet in width but an additional 20 feet has been added for improved ingress and egress. The plan on this property was submitted as an apartment dwelling group and approved last year; however, when it was submitted to FHA they changed it so it now has to be resubmitted for approval. As indicated, there is a problem in that building No. 10 is proposed to be built across an easement. The applicants have been able to get a waiver from the City to build across the easement if a pier is put down. The plan as submitted is relatively set by FHA. We do question the requirements for four fire hydrants when under the initial submission for the same number of units the requirement was for only two hydrants.

Arguments Presented AGAINST:

Mr. Booker T. Moore appeared at the hearing and advised the Committee that ingress and egress into the area is severely limited and that Harvey Street is not open and Sol Wilson Street is unpaved. Even though Harvey Street is dedicated, it would have to be cut in a different way to serve the property because of the fact that there are structures in the street right-of-way. Mr. Moore stated that his concern is in the amount of traffic that would be generated by the apartment development on the streets that are not developed. There are a number of homes in the area and the City should be interested in developing the streets.

COMMENTS AND ACTION BY THE COMMITTEE

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

They further recommended to the City Council that Harvey and Sol Wilson Streets be improved.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To APPROVE the request of International Cooperatives, Inc. for a special permit for a 130 unit apartment dwelling group located at 1173-1189 Harvey Street, subject to compliance with departmental reports and authorized the Chairman to sign the necessary resolution upon completion.

The Commission then discussed the need for improving Sol Wilson and Harvey Streets for circulating through the area and felt that this should be brought to the attention of the City Council. It was then unanimously

VOTED: To recommend to the City Council that Sol Wilson and Harvey Streets be improved.

R146

SUBDIVISION COMMITTEE

The Chairman reported action taken on the subdivisions at the meeting of December 22, 1969, and requested that this action be spread on the minutes of this meeting of the Planning Commission. The staff reported that no appeals have been filed from the decision of the Subdivision Committee and that no subdivisions were referred to the Commission. It was then

VOTED: To ACCEPT the attached report and spread the action of the Subdivision Committee of December 22, 1969, on the minutes of this meeting.

PRELIMINARY PLANS

C8-69-51 Westwood, Section 5
 Blueridge Terrace and Greyfox Terrace

The staff reported that the six months approval of this preliminary plan has expired and the applicant has requested a 90 day extension to complete the final plat and its submission. There are no changes and the staff recommends the request for 90 days extension be granted. The Commission then

VOTED: To GRANT the request for a 90 day extension of the approval of WESTWOOD, Section 5 preliminary plan.

SUBDIVISION PLATS - FILED AND CONSIDERED

The staff reported that the following final plats were previously before the Commission, accepted for filing and disapproved pending technical items which were requirements in the ordinance and have been given approval in accordance with the Commission's amended rules and regulations. The Commission then

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

C8-69-116 Point Venture, Section 1-A
 Venture Boulevard and Late Point Circle
C8-69-97 Southwest Gate Addition, Section 2
 Drew Lane and Manchaca Road
C8-69-26 Highlands of University Hills, Section 2
 Wheless Lane and Friendswood Drive
C8-69-93 Country Club Gardens, Section 5
 Montopolis Drive and Fairway Drive
C8-69-59 Austin Mall
 Airport Boulevard and Middle Fiskville Road

C8-68-121 The Foothills - Revised
Burnet Road and Foothills 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 requirements and fiscal arrangements for sidewalks. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of THE FOOTHILLS-Revised, pending the requirements as indicated.

C8-69-88 Slaughter Creek Acres - Revised
Slaughter Creek Drive and Chapel 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 compliance with departmental reports. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of SLAUGHTER CREEK ACRES - Revised, pending compliance with departmental requirements.

C8-69-103 Apache Shores, Section 3
Geronimo Trail and Broken Bow

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 compliance with departmental reports. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of APACHE SHORES, Section 3, pending compliance with departmental requirements.

C8-69-118 Perkins Park
Bluff Springs Road and Cheryl Lynn 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 compliance with departmental requirements. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of PERKINS PARK pending compliance with departmental requirements.

C8-70-1 Westover Hills, Section 5
Mountain Ridge 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 compliance with departmental requirements, fiscal letter for sidewalks, and 1969 tax certificates.

C8-70-1 Westover Hills, Section 5--contd.

The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of WESTOVER HILLS, Section 5, pending the requirements as indicated.

C8-70-2 Balcones Village, Section 6
Cedar Forrest and Spring Hollow

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 compliance with departmental requirements and 1969 tax certificates. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of BALCONES VILLAGE, Section 6, pending the requirements as indicated.

C8-70-5 North Cape, Section 4
North Cape Drive and Randall 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 compliance with departmental requirements, fiscal letter for sidewalks, 1969 tax certificates and annexation. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of NORTH CAPE, Section 4, pending the requirements as indicated.

C8-70-6 Rosewood Village, Section 5
Pleasant Valley Road and Neal Street

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 compliance with departmental reports, fiscal letter for sidewalks and 1969 tax certificates. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of ROSEWOOD VILLAGE, Section 5, pending the requirements as indicated.

C8-70-7 Quail Creek, Section 5
Little Walnut Parkway

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 compliance with departmental requirements. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of QUAIL CREEK, Section 5, pending compliance with departmental requirements.

C8-70-8 Mesa Drive Street Dedication Number 3
Mesa Drive south of Spicewood Springs

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 compliance with departmental requirements, fiscal letter for sidewalks, 1969 tax certificates and annexation. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of MESA DRIVE STREET DEDICATION NUMBER 3 pending the requirements as indicated.

SHORT FORM PLATS - FILED AND CONSIDERED

C8s-69-16 Chrysler Addition
Interregional Highway and Blackson Avenue

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

VOTED: To APPROVE the short form plat of CHRYSLER ADDITION.

C8s-69-215 Shaminaw, Section 1, Resub.
Dakota Lane

The staff reports that this is the first appearance of this short form plat before the Commission but all requirements of the Ordinance have been met and it is recommended that 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 SHAMINAW, Section 1, Resub.

C8s-69-216 Brown Distributing Company, Resub.
East 4th Street and Chicon Street

The staff reported that this is the first appearance of this short form plat before the Commission and all requirements of the Ordinance have been met. The staff recommended 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 BROWN DISTRIBUTING COMPANY, Resub.

C8s-70-4 Fairmont Park, Section 1, Resub.
Southern Oaks Drive and Manchaca Road

The staff reported that this is the first appearance of this short form plat before the Commission but all requirements of the Ordinance have been met. The staff recommends that the short form plat be accepted for filing and approved.

C8s-70-4 Fairmont Park, Section 1, Resub.--contd.

The Commission then

VOTED: To ACCEPT for filing and APPROVE the short form plat of FAIRMONT PARK, Section 1, Resub.

C8s-70-6 Longhorn Subdivision
Manchaca Road

The staff reported that this is the first appearance of this short form subdivision before the Commission and all requirements of the Ordinance have been met except for a variance involved on the signatures of the adjoining owners. A letter has been received requesting that the variance be granted inasmuch as the adjoining owners do not wish to participate at this time. In view of this, the staff recommends that the variance be granted and that 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 LONGHORN SUBDIVISION, granting a variance on the signature requirement of adjoining owners.

C8s-69-214 Gethsemane Lutheran Church Subdivision
U. S. Highway 183

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 compliance with departmental requirements. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of GETHSEMANE LUTHERAN CHURCH SUBDIVISION, pending compliance with departmental requirements.

C8s-69-217 Kenneth E. Davis, Clayton Lane Addition
Clayton Lane and I. H. 35

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 compliance with departmental requirements. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of KENNETH E. DAVIS, CLAYTON LANE ADDITION, pending compliance with departmental reports.

C8s-70-1 Chisolm Trail Estates
Chisolm Trail

The staff reported that this is the first appearance of this short form before the Commission and it involves a variance on the signatures of the adjoining owners. A letter has been received requesting that a variance be granted as

C8s-70-1 Chisolm Trail Estates--contd.

the adjoining owners do not wish to participate at this time. 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 the required fiscal arrangements. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of CHISOLM TRAIL ESTATES, pending the required fiscal arrangements, and granting a variance on the signature requirements of the adjoining owners.

C8s-70-2 Lilly Swartz Subdivision
Redd Street and Jinx Avenue

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 compliance with departmental requirements and 1969 tax certificates. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the short form plat of LILLY SWARTZ SUBDIVISION pending the requirements as indicated.

C8s-70-5 North Acres - Section 1 Resub.
Applegate 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 compliance with departmental requirements. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the short form plat of NORTH ACRES, Section 1, Resub., pending compliance with departmental reports.

ADMINISTRATIVE APPROVAL

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

VOTED: To ACCEPT the staff report and to record the minutes of this meeting the ADMINISTRATIVE APPROVAL of the following short form plats:

<u>C8s-69-213</u>	<u>Brawners Subdivision, Section 2, Resub.</u>
	Glen Ora
<u>C8s-69-73</u>	<u>Ford Oaks Resub., Lot 14, Block A</u>
	Allred Drive

OTHER BUSINESS

C2-69-1(n) AUSTIN DEVELOPMENT PLAN AMENDMENT

Approximately 72 acres located south of Duval Road and west of Missouri Pacific Railroad in Northwest Austin

The Commission was advised that Mr. Oscar Holmes had submitted a request for a change in the Austin Development Plan from Suburban Residential to Manufacturing and Related Uses on approximately 72 acres of land located in the Northwest area of Austin. The area is to be part of a residential subdivision for an area of approximately 228 acres bounded on the north by Duval Road, on the west by Angus Road, on the east by the Missouri Pacific Railroad and on the south by a proposed subdivision called Balcones Wood. Balcones Wood is a subdivision presently in the process of being subdivided.

Mr. Golden pointed out the west line of the 72 acre request generally followed the ridge line that was located just west of the Gravel Pit. In other words the area of request is more or less covered by the gravel pit operation. It was further pointed out that a schematic plan for a street system in the residential area was submitted and presented to the Commission for their information.

It was pointed out that the request for an Electronics Manufacturing firm had been recently approved just north and west of Duval Road for Mr. Parsons. The staff indicated the area was developed residential along Duval Road and throughout the Angus Valley Subdivision. They also noted the relationship to Balcones Woods and the potential conflict involved.

Mr. Osborne stated in view of the possible conflict between nearby existing residential development, proposed residential development and this request, as well as the problems of adequate circulation and access to and from this particular area, he could not recommend the change as requested. The area in the request is approximately the location of the gravel operation and would have to be filled or altered substantially by filling or some other way to prepare the land for some other use. He pointed out that there was substantial industrial land available in this Northwest area.

The applicant (Wiley Pringle and Associates) represented by Mr. Dick Baker stated the request proposed for this land is for an Industrial subdivision to utilize the railroad frontage and take advantage of the many inquiries they have had for the smaller manufacturing plant locations.

The change requested intends to expand the industrial area already existing adjacent to the railroad into an area already used industrially, i.e. gravel pit area. The gravel operation is still active and serving the many highway road construction needs for the area. Mr. Baker added the 500 feet of industrial land along the east property line already designated in the development plan is not of sufficient size to be practical for industrial development.

C2-69-1(n) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

Regarding future use he indicated no one knows what the future holds for this area. He felt that the area along Shoal Creek Boulevard north of the Steck plant was a good example of how the development plan had to be flexible. The owners at this time feel the proper use of the land is industrial, but if they found the highest and best use would be residential or commercial they would not hesitate asking for a change back to another residential use.

The applicant feels that adequate provision can be made for circulation and that a buffer zone for Balcones Wood could be provided. After a great deal of study they feel that this is the time to change the land use designation.

The Commission questioned the applicant regarding a specific industry proposing to locate here. Mr. Baker indicated there was not any specific plant at this time although there was discussion during the Texas Instruments and Philco-Ford inquiries. It was felt this tract was suitably located and could provide sites for satellite industries.

Mr. Hood developer of Angus Valley located north and west of the subject tract opposed the change. He stated this area should be used for residential use and not industrial. He pointed out the problem of trucks serving the industrial area would have to use Duval Road and this road is entirely inadequate for this type of traffic. As far as upgrading the road the County has not found it necessary to improve this street. He felt a plan for the entire area is needed.

Mr. Bill Williams of Nash Phillips Copus indicated they were violently opposed to this change. They presented the preliminary plan for residential development and reviewed the history of the proposal and how the Mo-Pac Expressway and West Loop could go through the eastern most part of the tract.

The Company felt that the expansion of the area would be detrimental to the proposed residential subdivision and felt that some change would occur in the plan for this area but not to industrial rather commercial and residential. It was their opinion that at some time during the development of the West Loop and Mo-Pac Expressway that they would request a return to residential for that area presently proposed for industrial along the railroad. He pointed out there was adequate industrial area presently designated and not developed.

Mr. George Hadd on Duval Road was present and presented a petition opposing the proposed change. The petition contained 12 names of residents along Duval Road and Angus Valley. He also indicated they opposed the change previously requested by Mr. Parson and the entire gravel pit operation.

There was considerable discussion regarding the method of redeveloping and reclaiming of the land for both residential and industrial use. The staff pointed out the development of a part of Northwest Hills was in the old Sneed gravel pit; however, the applicant as well as some Commission members maintained that this area was different from the Northwest Hills area.

C2-69-1(n) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

After discussion some members of the Commission felt that this was a logical extension of the industrial area along the railroad and since it was confined to the existing gravel pit operation this was the only use for the land and therefore

VOTED: To recommend to the City Council that the change in the Master Plan on approximately 72 acres as described on Exhibit "A" from Suburban Residential to Manufacturing and Related Uses be GRANTED.

AYE: Messrs. Reeves, Hanks, Crier, Becker and Kinser

NAY: Messrs. Milstead and Taniguchi

ABSENT: Mr. Anderson

ABSTAIN: Mr. Goodman

C2-70-4(a) ZONING ORDINANCE: Interim Revisions
Amendment to the "B" Residence District

The Director of Planning reported that Item 7, Paragraph A under the "B" Residence District in the Zoning Ordinance limits the number of outside personnel for a professional or semi-professional occupant to one. It is suggested that it be amended as follows:

Amend 7. to read:

Accessory uses which shall include:

- (a) An individual office for the conduct of the professional and semi-professional occupations authorized in Section 5-A pertaining to "O" Office District, Sub-section 3, when located within or when directly attached to the main dwelling, and when not more than three (3) persons not a member of the immediate family employed therein; and customary home occupations as permitted in "BB" Residence District.

The Commission members discussed the proposed amendment and were of the opinion it should be granted. It was then unanimously

VOTED: To recommend to the City Council that the Zoning Ordinance be amended as outlined.

C2-70-4(b) ZONING ORDINANCE: Interim Revisions
Considerations of proposed Mobile Home District
and revised Mobile Home Regulations

Mr. Osborne submitted to the Commission for review and comment the following proposed revisions to the Zoning regulations concerning mobile homes:

PROPOSED REVISIONS TO THE ZONING REGULATIONS CONCERNING MOBILE HOMES

1. Add the following definitions:

Mobile Homes: A detached single-family dwelling unit designed to be transported, after fabrication, on its own wheels or on detachable

C2-70-4(b) ZONING ORDINANCE: Interim Revisions contd.

wheels or a flatbed or similar trailer. Said unit shall be designed for long-term occupancy and shall contain sleeping accommodations, complete toilet and bath facilities and complete kitchen facilities. A mobile home shall be at least eight (8) feet wide and at least thirty-two (32) feet long.

Mobile Home Park: A tract of land under single ownership and/or management that has been designed and improved for the placement of mobile homes for non-transient use under a rental or lease arrangement.

Travel Trailer: A unit containing sleeping accommodations in the form of a travel or camping trailer, a camper mounted on a truck or other vehicle or a self-propelled motor home and designed as a temporary dwelling for travel, recreation and vacation use.

Trailer Park: A tract of land under single ownership and/or management that has been designed and improved for the occupancy of travel trailers, campers and motor homes on a transient basis.

2. Establish a distinct mobile home park district under the zoning ordinance:

"MH" Mobil Home Park District:

Permitted Uses:

- (1) Single-family dwellings
- (2) Two-family dwellings
- (3) Church
- (4) Public school, park or playground
- (5) Private or parochial school subject to conditions in "A"
- (6) Private club subject to conditions in "A"
- (7) Community club subject to conditions in "A"
- (8) Civic club subject to conditions in "A"
- (9) Mobile Home Park subject to the following requirements:
 - (a) Minimum site of three (3) acres
 - (b) Area requirement per mobile home unit: 5,000 sq. ft.
 - (c) Minimum space or site per mobile home : 2,100 sq. ft.
 - (d) Minimum common open space: 10% of tract which may include community building or recreation hall.
 - (e) Provision of required public streets, alleys, drainage easements and utility easements.
 - (f) Submission of a site plan to the Planning Commission for review and comment. Prior to the development of the mobile home park, a site plan shall be submitted to the Building Official who shall distribute copies to the appropriate departments for review and comment. Based on these departmental comments, the Building Official shall require

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the appropriate driveways, drives, space layout, circulation pattern, fire protection, utility services and related elements to be part of the mobile home park plan.

(10) Accessory uses as permitted in "A" plus:

Management offices, community building or recreation hall, recreational facilities, laundry facilities for the use of the occupants and storage buildings for the use of the occupants where accessory to the mobile home park.

3. Revision of "O" Office District to permit mobile home parks in any "O" district subject to the following:

- (a) Minimum site of two (2) acres.
- (b) Area requirement per mobile home unit: 4,000 sq. ft.
- (c) Minimum space or site per mobile home: 1,800 sq. ft.
- (d) Minimum common open space: 10% of tract which may include community building or recreation hall.
- (e) Provision of required streets, alleys, drainage easements and utility easements.
- (f) Submission of a site plan to the Building Official as required in the "MH" District.

Eliminate provision in "O" Office for Trailer Park or Court (by Special Permit when abutting a state or federal highway, etc.)

4. Revision of "LR" Local Retail District to permit mobile home parks under conditions outlined for "O" District.

Revision of "LR" to permit Trailer Park by special permit in "LR" under provisions enumerated under the present "O" Office District.

5. Revision of "GR" and less restricted as follows:

(1) Mobile Home Park

- (a) Minimum site of 70,000 sq. ft.
- (b) Area requirement per mobile home unit: 3,500 sq. ft.
- (c) Minimum space or site per mobile home unit: 1,800 sq. ft.
- (d) Minimum common open space: 10% of tract which may include community buildings or recreation hall.
- (e) Provision of required streets, alleys, drainage easements and utility easements.
- (f) Submission of site plan to Building Official as required in "MH" District.

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(2) Trailer Park:

- (a) Minimum site of one (1) acre.
- (b) Area requirement per unit: 2,500 sq. ft.
- (c) Provision of streets, alleys, drainage easements and utility easements.
- (d) Submission of site plan to the Building Official.

The Commission members briefly discussed the proposal and expressed concern about the submission of a site plan only without a special permit hearing. They agreed that the proposal should be further studied before a public hearing is set.

After further discussion, the Chairman appointed Mr. Milstead as chairman of a committee to work with the staff on redrafting of the proposals.

Mr. Milstead accepted and asked Mr. Reeves and Mr. Goodman to serve as members of the Committee.

C10-69-1(ag) STREET VACATION

Chalmers Avenue between East 4th and 5th Streets

The staff reported that this is a request to vacate Chalmers Avenue between East 4th and 5th Streets. The request has been circulated to the various City departments and the recommendation is in favor subject to the retention of the necessary electric department and telephone company easements. The Commission then

VOTED: To recommend that Chalmers Avenue between East 4th and 5th Streets be VACATED, subject to the retention of the necessary easements as indicated.

C10-69-1(ah) STREET VACATION

Shelbourne Drive southeast of Brookhollow Drive

The staff reported that this request to vacate Shelbourne Drive southeast of Brookhollow Drive is made as a condition of consideration of zoning on the property abutting to the east. The zoning on the adjoining property to the east was granted, subject to there being no access from the "B" Residence apartment area to Brookhollow Drive. The vacation of the street does comply with the granting of the zoning.

All of the City departments have reviewed the request and recommend in favor subject to the retention of the west 25 feet for a gas easement.

Mr. Thomas Watts, engineer for the applicant, explained that the gas company is requesting an easement to leave the main in the street. The water, electric, sewer and other easements have been taken out.

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C10-69-1(ah) STREET VACATION--contd.

The Commission then unanimously

VOTED: To recommend that Shelbourne Drive southeast of Brookhollow Drive be VACATED, subject to the retention of the west 25 feet for gas easement.

ADJOURNMENT: The meeting was adjourned at 10:50 p.m.

Hoyle M. Osborne
Executive Secretary