

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- July 14, 1970

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

Present

Bill Milstead, Chairman
C. L. Reeves
M. J. Anderson
Jack Crier
Fritz Becker
Jack Goodman
Alan Taniguchi
Walter Chamberlain

Absent

S. P. Kinser

Also Present

Hoyle M. Osborne, Director of Planning
Richard Lillie, Assistant Director of Planning
Walter Foxworth, Supervising Planner
Jim Bickley, Associate Planner
Mike Wise, Associate Planner
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of July 6, and 7, 1970.

Present

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

Also Present

Richard Lillie, Asst. Director of Planning
Mike Wise, Associate Planner
Caroline Schreffler, Administrative Secretary

*Present only on July 7, 1970.

PUBLIC HEARINGS

C14-70-110 Barrow Corporation: Int. A, Int. 1st to BB, 1st
2605-2621 Ektom Drive
5301 West Gate Boulevard
5300 and 5301 Indo Drive

STAFF REPORT: The subject property contains 1.5 acres of land. It is requested that the zoning be changed from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area. The stated purpose of the

406

C14-70-110 Barrow Corporation--contd.

application is for apartment development permitted by said zoning. The property on the south, east and west is outside of the City. The Community of Sunset Valley lies to the west of West Gate Boulevard. Williamson Creek is 500 feet to the south. The property to the north has been subdivided, is zoned "BB" Residence, "O" Office and "LR" Local Retail but is undeveloped. Single-family residences exist to the west, and across Jones Road to the north. The 25 year flood plain of Williamson Creek separates this area from the intersection of Stassney and West Gate Boulevard, two major arterial streets to the south. The termination of "BB" Residence zoning in this area should be Williamson Creek.

The staff recommends this request as a logical extension of existing zoning, subject to 10 feet of right-of-way on Indo Drive.

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 10 feet of right-of-way on Indo Drive as an extension of existing zoning.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Barrow Corporation 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 2605-2621 Ektom Drive, 5301 West Gate Boulevard, and 5300 and 5301 Indo Drive be GRANTED, subject to 10 feet of right-of-way on Indo Drive.

C14-70-111 G. P. Briones: A to BB
1007 East 8th Street

STAFF REPORT: This area contains 9.929 square feet of land, and is developed with single-family homes and some duplexes. Several commercial uses exist along East 7th Street. "B" Residence zoning exists to the northeast on either side of Waller Street. "C" Commercial zoning is established along East 7th Street and Lydia Street. The French Legation property is located west of San Marcos Street. This request is for a zoning change from "A" Residence, First Height and Area to

407

C14-70-111 G. P. Briones--contd.

"BB" Residence, First Height and Area, to be used for apartments. East 8th Street has 60 feet of right-of-way and is adequate. The request falls in the Model Cities area. The staff recommends that this request be granted, as it conforms to zoning already established in the neighborhood.

TESTIMONY

WRITTEN COMMENT

Lorenza Saldana: 1005 East 9th Street FOR

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of G. P. Briones for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 1007 East 8th Street be GRANTED.

C14-70-112 Robert E. Weston: A to C
4406-4408 South First Street

STAFF REPORT: The area under consideration covers 12,720 square feet and the request is for a change from "A" Residence, First Height and Area to "C" Commercial, First Height and Area. "C" Commercial zoning exists immediately to the north and "GR" General Retail zoning exists across South First Street. "A" Residence predominates the single-family residentially developed area in all other directions. The adjacent "C" Commercial zoning has a church built on the site. The "GR" General Retail zoning has never been developed. An elementary school is located on a third corner. The large tract east of South First Street and south of St. Elmo Road was requested for "C" Commercial zoning in 1969 and was denied. The subject property is owned by the church, the owner of the corner lot. The staff could support this application if the church will join the two lots by subdivision, which will prevent the lot from being sold as a separate tract.

408

C14-70-112 Robert E. Weston--contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Robert E. Weston (applicant)

SUMMARY OF TESTIMONY

Mr. Robert E. Weston, Minister of the St. Paul Presbyterian Church, appeared before the Committee, stating that the mortgage company objected to financing the proposed building because the property is not all one zoning classification. He stated they would be willing to dedicate 5 feet of right-of-way if necessary. He further stated that the proposed building has been discussed with the neighborhood, and was approved by them. The proposed church building will match the building already on the property.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to a short form subdivision.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Robert Weston for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 4406-4408 South First Street be GRANTED, subject to a short form subdivision.

C14-70-113 Roy Butler: B to C
703-707 Henderson Street

STAFF REPORT: This is a request for a change of zoning from "B" Residence, Second Height and Area to "C" Commercial Second Height and Area, for a storage lot, on an area covering .4 acres. There is presently "B" Residence zoning to the north and "C" Commercial zoning to the south, east and west. Automotive commercial uses are located all around this property. Several single-family residences are located north and south. This area has changed from predominantly a residential development to a commercial development. All applications along Henderson and Wood Streets have been granted as this area changed. It appears the rear portion of the northernmost lot will not have street frontage and presently only has a five foot strip which fronts on Henderson. Several other lots in the immediate area have similar problems. The staff recommends this request, subject to 5 feet of right-of-way on Henderson Street.

409

C14-70-113 Roy Butler--contd.

TESTIMONY

WRITTEN COMMENT

William E. Nickels: 1503 Bellaire Drive

FOR

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to 5 feet of right-of-way on Henderson Street. The area is in transition and the request conforms to established zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Roy Butler for a change of zoning from "B" Residence, Second Height and Area to "C" Commercial, Second Height and Area for property located at 703-707 Henderson Street be GRANTED, subject to 5 feet of right-of-way on Henderson Street.

C14-70-114 Archie E. Tiemann: A to BB
4701-4703 Duval
500-502 East 47th Street

STAFF REPORT: This is a request for a zoning change from "A" Residence, First Height and Area to "BB" Residence, First Height and Area on an area of land covering 15,255 square feet. The proposed use is apartments. "A" Residence zoning is the predominant zoning in the area. Single-family residences are located throughout the area with one flower shop, a non-conforming use, and one duplex in the next block. The neighborhood is well maintained. A pending case for "B" Residence and "GR" General Retail exists two blocks south at the intersection of 45th Street and Duval. The staff recommends against this request, as it would be an intrusion into a well-established and well-maintained single-family residential neighborhood.

TESTIMONY

WRITTEN COMMENT

Archie E. Tiemann(applicant)
E. Q. Barksdale: 4704 Evans

Mrs. H. Hershall Allen: 506 East 46th Street

L. A. Moon: 507 East 47th Street

AGAINST

AGAINST

FOR

410

C14-70-114 Archie E. Tiemann--contd.

PERSONS APPEARING AT HEARING

Wilfred Weatherton

AGAINST

SUMMARY OF TESTIMONY

No one appeared in favor of this request.

Mr. Wilfred Weatherton appeared against this request, stating the area is a nice residential neighborhood and this proposal would be harmful.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Archie E. Tiemann for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 4701-4703 Duval and 500-502 East 47th Street be DENIED.

C14-70-115 Horace Thompson: A to B
5000-5002 Rowena Avenue
100-104 East 50th Street

STAFF REPORT: This is a request for a zoning change from "A" Residence, First Height and Area zoning to "B" Residence, First Height and Area zoning on an area of land covering 16,160 square feet to be used for apartment development allowing 16 units. Single-family and duplex dwellings dominate this neighborhood. State property adjoins the subject property to the west. "A" Residence is the only zoning in the area. The area is being maintained and should be protected. The staff recommends against this request as an intrusion into a well-established single and duplex neighborhood.

TESTIMONY

WRITTEN COMMENT

Henry C. Dillard: 5006 Rowena Avenue	AGAINST
J. E. McClellan, et ux: 5004 Avenue F	AGAINST
Lorena Barnard: 5004 Rowena Avenue	AGAINST
Charles Wyatt, et ux: 5001 Rowena Avenue	AGAINST
Lucy Ann Brown: 5014 Avenue F	AGAINST

PERSONS APPEARING AT HEARING

Henry Dillard: 5006 Rowena Avenue

AGAINST

C14-70-115 Horace Thompson--contd.

Mr. Powell: 4912 Rowena Avenue
Mrs. White: 5001 Rowena
Horace Thompson (applicant)

AGAINST
AGAINST

SUMMARY OF TESTIMONY

No one appeared in favor of the request.

Mr. Henry Dillard, 5006 Rowena, appeared against this request. He feels that an apartment at this location would create a traffic hazard and adversely affect the character of the neighborhood. He stated that this request would have the effect of forcing the taxpayers to purchase land in the event the State Offices located in the area needed to expand.

Mr. Powell, 4912 Rowena Avenue, appeared before the Committee to speak against the proposal. He stated that there are many children playing along the street, and that traffic is at this time a problem, with much noise at times.

Mrs. White, 5001 Rowena, appeared to speak against the proposal. She objects to the creation of more traffic in the area, as she works at night and sleeps during the day.

Mr. Horace Thompson, the applicant, appeared before the Committee, to request that this decision be postponed until an area study can be made. Mr. Lillie of the staff noted that an area study was usually made when an area is changing character, and that this area is not changing at this time.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, as it would be an intrusion upon a well-established neighborhood.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Horace Thompson for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 5000-5002 Rowena Avenue, and 100-104 East 50th Street be DENIED.

C14-70-116 Government Employees Credit Union: A to B
5509-5511 Montview Street

STAFF REPORT: This request for zoning change from "A" Residence, First Height and Area to "B" Residence, First Height and Area is on an area of land with 21,900 square feet, the purpose of which is to install a driveway for credit union use. The credit union is located on Burnet Road. "B" Residence zoning exists on several lots to the north on Montview, with "A" Residence zoning to the north, south and west. Single-family residences still dominate frontage along Montview and other streets in the area. Commercial uses are concentrated along Burnet Road. The more intensive zoning which has been granted is still being used for

412

C14-70-116 Government Employees Credit Union--contd.

single-family use. The appropriate zoning boundary is the rear lot line of lots fronting onto Burnet Road. The staff recommends against this case, as it was previously recommended against on a lot to the north along Montview. This request is an intrusion into a single-family area.

TESTIMONY

WRITTEN COMMENT

Albert Dearing: 1201 Dwyce Drive	FOR
First Federal Savings of Austin: P. O. Box 1149	FOR
Charles R. Burton: 1100 Guadalupe	FOR
Mrs. Malcolm Hornsby: 5601 Shoalwood	AGAINST
Claud E. Brown: 404 Vale Street	FOR
Austin Meter Services: P. O. Box 9876	FOR
Edith Bartleson: 5604 Montview	AGAINST

PERSONS APPEARING AT HEARING

Jerome Smith (representing applicant)

SUMMARY OF TESTIMONY

Mr. Jerome Smith, representing the Credit Union, spoke to the Committee, explaining that the subject lot would be used only for a driveway. He stated that traffic on Burnet Road is very hazardous to the individuals using the Credit Union. He referred to Case C14-68-286, which he felt set a precedent for this proposal. He stated that they would agree to close off this proposed driveway during non-office hours, and would dedicate five feet of right-of-way on Montview.

Mr. Reeves suggested zoning 10 feet of the driveway only, so as to affect the neighborhood as little as possible. Mr. Smith stated that he was not prepared with the exact footage needed for this driveway. As a house now exists on the lot, it is assumed that the credit union would provide off-street parking for this tenant.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be denied, but recommended that "B" Residence be granted on the south 15 feet, subject to five feet of right-of-way on Montview Street.

C14-70-116 Government Employees Credit Union--contd.

After further discussion, a majority of the members agreed with the Committee and then

VOTED: To recommend that the request of Government Employees Credit Union for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 5509-5511 Montview Street be DENIED, but that "B" Residence, First Height and Area be GRANTED on the south 15 feet, subject to 5 feet of right-of-way on Montview Street.

AYE: Messrs. Reeves, Anderson, Milstead, Chamberlain, Taniguchi, Becker and Goodman

NAY: Mr. Crier

ABSENT: Mr. Kinser

C14-70-117 Richard W. Pohl et al: A to LR
 2701-2803 West 35th Street
 2414-2810 West 35th Street
 3406-3408 Exposition Boulevard

STAFF REPORT: This is a request for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on a tract of land containing 4.7 acres at the intersection of 35th Street and Exposition Boulevard, to be used for commercial development. Land use in this general area is primarily single-family development; there is single-family development to the west, northwest and south, also east of Mo-Pac railroad. A second major land use occupant is public; with Camp Mabry directly to the north and adjacent to the subject tract along the north side of 35th Street, the State School to the south of 35th Street and east of Exposition Boulevard; the State Highway Department with a facility just to the east of the Mo-Pac Railroad; another State School at 45th Street and Bull Creek Road; and Casis Elementary School at Westover Road and Exposition. There is also a City water treatment plant located to the west of the tract and west of Balcones Drive. Commercial development in the area is concentrated in three major locations. Jefferson Square, a small shopping center with individual shops, and the Rylanders Center is located at the corner of Jefferson and West 35th Streets, three-fourths of a mile east from the subject tract. Casis Shopping Center is a neighborhood shopping center located one-half mile south from the area. Tarrytown Shopping Center is located at the corner of Windsor Road and Exposition Boulevard, which is one mile south from the subject tract. There is also a small drive-in grocery located at the southeast corner of Pecos and 35th Streets. Highland Park, another small shopping center, is located at the corner of Hancock and Balcones Drives, which is approximately two miles from the subject area. There is no apartment zoning in the immediate area, although there is such zoning on 35th Street just to the west of the commercial development at Jefferson and 35th Streets. The zoning in the area is predominantly "A" Residential. The State land is mostly unzoned, with the exception of a small portion of land in the southwest corner of Camp Mabry, and a small piece of land on the southeast corner of Pecos and 35th Streets. These areas were zoned "C" Commercial in 1938. Other commercial zoning is clustered at shopping centers at Jefferson and 35th, and Casis and Tarrytown Shopping Centers.

C14-70-117 Richard W. Pohl et al--contd.

In the past two years there have been two applications for the re-zoning of the southeast corner of Pecos and 35th Streets to "BB" Residential zoning. These applications have been either withdrawn or turned down by the Council, although recommended by the staff on both occasions. The streets in the area: 35th, Exposition, Balcones, Westover, Bull Creek and Jefferson, are all major arterial streets. 35th Street presently has 50 to 60 feet of right-of-way and is proposed to be widened to 90 feet of right-of-way, with 10 feet to come from the south side and 20 to 30 feet to come from the north side. Exposition Boulevard is to be widened from 60 feet to 80 feet, with all right-of-way to come from the east side. This right-of-way is necessary regardless of the zoning which occurs on these tracts. The Mo-Pac Expressway to the east will be developed on both sides of the Missouri-Pacific Railroad. This particular section is scheduled for the first phase of development or that phase from Northland Drive south to Lake Austin Boulevard. The contract has been let to widen the 35th Street bridge in anticipation of this development. The zoning history in the area includes four separate requests. In 1958 a request was made for a change from "A" Residence to "LR" Local Retail zoning on the northwest corner of Exposition and 35th Streets; it was withdrawn. In 1966 a second application was made on this same area, it was withdrawn at the Council. In 1967 a third request was made for both sides of the street north of 35th Street, along with two lots which make up the subject tract being considered presently on the southwest corner, and several lots on the southeast corner of this intersection. This application was denied by the Planning Commission and by the City Council in 1967. Since that time we have had several changes in conditions in this area. The State of Texas is acquiring the southeast corner, and it is anticipated that this tract will be used in conjunction with the State School. This land is being acquired by the State because the Mo-Pac Expressway right-of-way will require a portion of their present land for completion of a cloverleaf intersection at 35th Street. Traffic through the 35th Street-Exposition Boulevard intersection has increased from 11,000 in 1967 to 13,000 in 1970. It is felt that the traffic is an important factor to be considered, and the following information is given to qualify the traffic using this intersection:

TRAFFIC COUNT TABLE

	1970	1967	1964
Total Trips (24 hours)	13,002	11,040	6,639
<u>Evening</u> (11 hours)	<u>2,244</u>	<u>1,867</u>	<u>1,100</u>
7:00 P.M. - 6:00 A.M.			
<u>Daytime</u> (13 hours)	10,758	10,173	5,539
6:00 A.M. - 7:00 P.M.			
<u>Peak Hours</u> (2 hours)	2,600	2,200	1,300
7:30 A.M. - 8:30 A.M.			
5:00 P.M. - 6:00 P.M.			
<u>Daytime-Remainder</u> (11 hours)	8,158	7,973	4,239
<u>Traffic Volume Per Hour: Daytime-Remainder</u>	740	725	385
<u>Capacity of Street Per Hour</u>			
35th Street: 400 vehicles/lane/hour	1,600		
Exposition: 400 vehicles/lane/hour	1,600		

C14-70-117 Richard W. Pohl et al--contd.

Traffic volume per hour has not increased measurably. Less than 50 per cent of the two streets capacity is being used under the existing conditions. The 20-year forecast to 1982 for this intersection and for 35th Street, which was made for the Austin Urban Transportation Study, is that traffic will not increase appreciably on 35th Street, averaging about 12,000 per day. The major factor here is that the opening up of Mo-Pac Expressway, with access points at Northland Drive, 45th Street, 35th Street, Westover Road, Windsor Road and Enfield, will take the traffic which now uses Balcones Drive. The 1970 traffic figure of 13,002 was taken on a Tuesday, which is considered by the City's traffic engineers to be a typical day, representing most accurately the normal utilization of the street. Traffic counts on Saturday or Sunday, for example, would be much less, because the peak hour loads would not be there. There would be recreation and social trips, but not the home to work trips. This intersection is not unique. According to the 1968 Traffic Volume Map, the following intersections, with all four corners zoned "A" Residential, have traffic counts from 10,500 to 14,600 cars daily: 45th Street and Bull Creek Road, 45th Street and Shoal Creek Boulevard, Shoal Creek Boulevard and Allandale, and Windsor Road and Hartford Road. Intersections zoned "A" Residence on three corners and "B" Residence on one corner are Duval and 38th Streets with 16,000 traffic count, and 38th and Red River Streets with 18,000 traffic count. Intersections with two corners zoned "A" Residential and two corners zoned "B" Residential are Enfield and Hartford Roads with 14,500, and Enfield Road and Exposition Boulevard with 17,300. The intersection of Enfield and West Lynn has all four corners zoned "B" Residential with a traffic count of 16,400 daily. Seven of these intersections are in West Austin and have traffic equal to or more than the intersection now being considered for re-zoning.

At the time this application was presented in 1967, the Zoning Committee decision was that the proposed zoning was not in keeping with the character of the neighborhood, the streets were inadequate and the cognizance of the continuing development and up-grading of the neighborhood. The staff recommended consideration of "BB" Residential zoning for higher density residential use, for the lots on the north side of 35th Street and for the southeast corner. It was suggested that the southwest corner should be retained "A" Residential because of the single-family land use which abutted it. The Planning Commission recommended to deny the suggested "LR" Local Retail zoning and not to accept the "BB" Residence zoning unless an effort was made to bring the property under one ownership as a planned development, and with controlled access only to the major streets. The City Council denied the request to "LR" Local Retail zoning. It is the staff's recommendation that this current request be denied. The changes which have occurred in this area since 1967 are minor and do not justify the higher density of zoning and land use at this location. This intersection is not unique in West Austin in respect to traffic, and to introduce commercial zoning would have a negative effect on the neighborhood. The staff could support low-density residential apartment "BB" Residence zoning for that area north of 35th Street, but feels that the southwest corner should be retained as "A" Residential in use.

416

C14-70-117 Richard W. Pohl et al--contd.

TESTIMONY

WRITTEN COMMENT

Petition with 147 signatures	FOR
Petition with 118 signatures	AGAINST
Mr. & Mrs H. G. Steen: 3301 Jamesborough	AGAINST
Mrs. Paul M. Helms: 3406 Hillview Road	AGAINST
Thelma J. Pohl: 601 Roosevelt Avenue	FOR
Robert L. McKinney: Northeast Missouri State College	AGAINST
Kirksville	
F. W. Edmiston: 2803 West 35 Street	AGAINST
Miss Eloise Roach: 3409 Hillview Road	AGAINST
E. T. Livingston, Jr.: 3408 Hillview Road	AGAINST
Dan J. Driscoll: 3416 Hillview Road	AGAINST
James B. Atlee: 3411 Hillview Road	AGAINST
William B. Chapman: 5301 Ridge Oak Drive	AGAINST
Mr. & Mrs. Dale Whitson: 2804 Carlton Road	AGAINST
Mrs. Stanley Moore: 3413 Hillview Road	AGAINST
Mr. & Mrs. Coy B. Henson: 3402 Hillview Road	AGAINST
Mr. & Mrs. Hilton Hagan: 2704 Warren	AGAINST
Mr. & Mrs. Lester Reed: 3502 Balcones Drive	AGAINST
Frederick Ely, Jr.: 3417 Hillview Road	FOR
Pearl M. Acers: 2800 West 35th Street	FOR
Mr. & Mrs. B. Iden Payne: 2708 Carlton Road	AGAINST
Mr. & Mrs. David H. Thomas: 3200 Hillview Road	AGAINST
Willis W. Pratt: 3001 West 35th Street	AGAINST
Stuart D. Currie: 3305 Jamesborough	AGAINST
W. S. Gatewood: 3000 Exposition Boulevard	AGAINST
Mrs. W. S. Gatewood: 3000 Exposition Boulevard	AGAINST
Mrs. Ted E. Norton: 2800 Warren	AGAINST
Charles W. Avery: 204 Perry Brooks Bldg.	AGAINST
Mr. & Mrs. Robert E. Breihan: 2705 Warren	AGAINST
Alfonze L. Nelson: 201 South 1st Street	FOR

PERSONS APPEARING AT HEARING

Mr. & Mrs. Richard Pohl (applicants)	
Mr. & Mrs. Arthur E. Pihlgren (representing applicant)	
Mr. & Mrs. James B. Atlee: 3411 Hillview Road	AGAINST
Mr. & Mrs. John F. Rodriguez: 4600 Strass	FOR
Mr. & Mrs. Duke Covert: 2806 Warren	AGAINST
Mr. & Mrs. Rox Covert: 2804 Warren	AGAINST
Mr. & Mrs. H. Hagen: 2704 Warren	AGAINST
Mr. & Mrs. Dan Driscoll: 3416 Hillview Road	AGAINST
Mr. & Mrs. Charles B. Wood: 2805 Warren	AGAINST
Mr. & Mrs. W. D. Blackly: 2809 Carlton	AGAINST
Mary DeStefano: 3301 Big Bend	FOR
Pearl M. Acers: 2800 West 35th Street	FOR
Alfonze L. Nelson: 2110 Four Oaks	FOR

C14-70-117 Richard W. Pohl et al--contd.

Dr. & Mrs. Jack Gilliam: 3305 Hillview Road	AGAINST
Mrs. Ted E. Norton: 2800 Warren Street	AGAINST
Mrs. J. S. Lynch: 3404 Exposition	AGAINST
E. T. Livingston: 3408 Hillview Road	AGAINST
David H. & Marc Kelle Thomas: 3200 Hillview	AGAINST
Alice Curran: 2600 West 35th Street	AGAINST
Lloyd Lockridge: 3400 Hillview Road	AGAINST
Mrs. Dale Whitson: 2804 Carlton	AGAINST
James A. Brady: 3208 Hillview	AGAINST
William B. Chapman: 2801 Warren	AGAINST
Mike Wash for John McKay: #5 Montdale	AGAINST
Bob Breihan: 2705 Warren	AGAINST
Wallace H. Scott: 3503 Balcones	AGAINST
H. M. Oetting: 2808 Warren	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Arthur E. Pihlgren represented the applicants. He introduced a map showing breakdown of property use in the area under consideration. He pointed out that only 170 feet of the single-family residence area abuts on the property for which "LR" Local Retail zoning is requested. Mr. Pihlgren stated that he represented the seven property owners of the area, who feel this change in zoning is needed in order to use their property in a way for which it is now suited. Drastic changes have occurred in this area in the past twenty years, and it is felt that it is no longer possible to maintain residences on this property. Traffic has increased greatly with the car count almost doubling in the past eight years. Mr. Pihlgren stated that the automobile count referred to in the Staff Report was done on a rainy day and was not a true picture of traffic at the intersection. The Mo-Pac Expressway will increase this traffic, and there is approximately 100 acres of undeveloped area which will feed traffic into 35th Street as it is developed. The City plans to widen 35th Street to 90 feet of right-of-way and to widen Exposition Boulevard to 80 feet of right-of-way, which indicates that the City is aware of the traffic congestion. When the zoning request was denied in 1967, the Mayor of the City made a public statement to the property owners, stating that they should return in two years to request this zoning change. The Texas School of Mental Health and Retardation has recently purchased 4.3 acres of land for expansion just west of 35th Street and Exposition Boulevard and it is felt that this is an additional detriment to the area. Mr. Pihlgren stated that this proposal has met some opposition; it is felt that these people who oppose have contributed greatly to the present traffic situation, and are selfishly protecting their own property. Most of the objections have come from property owners so far away they would not be affected by commercial development in the proposed area. The objection has been made that no commercial zoning is needed in the area, but a nation-wide corporation has made a careful market analysis of the area and has offered in excess of \$7.00 per square foot, which indicates the demand for development of this tract. His clients have agreed to dedicate 10 feet of land on 35th Street so that it may be widened to relieve the traffic problem. They feel that the area of the intersection has changed and so should the zoning.

C14-70-117 Richard W. Pohl et al--contd.

Mr. DeStafano, one of the owners of the site under consideration, stated that the tax evaluation on his property had been raised this year. The explanation given by the Tax Department was that this property was suited for commercial purposes. He requests that the City conform to these findings.

Arguments Presented AGAINST:

Mr. James Atlee, 3411 Hillview Road, spoke against this request, representing also Miss Eloise Roach, 3409 Hillview Road. He delivered a letter of authorization from her to the Committee. He stated that Mr. Pihlgren had misrepresented the status of 3414 Hillview Road, as it is owned and resided in by Colonel Robert L. McKinney, who is out of the United States at this time. A misrepresentation had also been made regarding a commercial business at 3400 Exposition; this is a knit shop in a residence, and conforms to "A" Residential zoning requirements. This property is in a well-established neighborhood. The traffic in the area has passed through several commercial areas before reaching this site. The existing commercial areas serve the residents of this area adequately at this time. There is no need for such zoning at this time and it is felt that this zoning would seriously devalue the surrounding property.

Mr. Wallace Scott, Jr., 3503 Balcones Drive, spoke against this request. He agrees with Mr. Pihlgren that the traffic conditions are intolerable, and he worries about his children crossing the street in front of his home. He stated that he has trouble getting out of his driveway in the morning, but he feels this is the price one pays to live in a city. He further stated that it was unrealistic to zone an area commercial just because of traffic on a bad corner, that the need for this zoning does not exist, and the majority of the residents of the area are against this request.

Mr. E. T. Livingstone, of 3408 Hillview Road, registered his disapproval of this request, stating that there is ample commercial enterprise in three directions from the site, and that it would be dangerous to walk to that area from the residences, as there are no sidewalks and traffic is heavy.

Mr. Bob Breihan, of 2705 Warren Street, spoke against this request. He stated that this intersection is unique in that it is the key entrance to West Austin. He commented on the well-kept grounds of the State School and presented the Committee with a letter from Mr. E. M. Scott, Acting Commissioner of the Department of Mental Health and Retardation, stating that they would use the land recently acquired as they use the land for the rest of the school, and that one of the reasons they acquired this land was to avoid the commercial use of it. Mr. Scott stated that his Department would not be in favor of commercial use of the other corners at this location. Mr. Breihan feels that the State School is an asset to the area, and stated that the State School abuts on much residential development. He also feels that Camp Mabry is a good neighbor and does not depreciate the neighborhood. He stated that this area is being improved, citing several cases of building and remodeling. Mr. Breihan presented to the Committee a listing of the number and types of shops located within one mile of the intersection of 35th Street and Exposition, stating he felt there were sufficient commercial facilities to serve the area. He stated that heavy traffic at an intersection should not be used as reason for zoning for commercial development.

C14-70-117 Richard W. Pohl et al--contd.

Mr. Dan Driscoll, 3416 Hillview, appeared against this proposal and presented to the Committee a letter from Mrs. Paul Helms, 3406 Hillview, authorizing him to represent her at this meeting. He referred to a letter received by the City from the Adjutant General of Camp Mabry, who voices disapproval of this proposed zoning. Traffic generated by Camp Mabry has created problems in the past, and it is felt that any commercial development in the area would greatly increase traffic. Mr. Driscoll has resided in the area since 1951, and has paid for the paving of the streets near his home. He was assured when he purchased the property that it would stay residential.

Mr. Charles Wood, 2805 Warren Street, appeared in opposition to this request. He stated that he has lived in the neighborhood for two years, having moved there due to his former home's proximity to a shopping center. He strongly feels this change in zoning would devalue the surrounding property. He also represented Mrs. Pounds, a resident of Crawford Road, who wished to have her opposition to the zoning change made known.

Mr. Mike Wash, representing Mr. John J. McKay, a landowner on Exposition Boulevard, appeared to speak against the proposal. He stated that the City staff has done an excellent presentation of the full picture of the area, and he wished to stress the fact that the peak had been reached for traffic at this intersection, and that the Mo-Pac Expressway would drain off traffic in this area.

Mr. Jim Brady, 3208 Hillview, stated that he has recently bought a home in the area, and is remodeling it at this time. He feels it is a good neighborhood for children. It is his feeling that commercial development at the proposed site would increase traffic on Hillview Road trying to avoid the congested intersection.

Mr. Lloyd Lockridge, of 3400 Hillview Road, spoke against this proposal. He has lived at this location since 1959, and feels that this neighborhood has changed for the better. He stated that the people on Balcones Drive are not in favor of this proposal, as they feel that once this type of development starts, the area will lose value. He presented a petition against this proposal with 126 signatures to the Committee, with several of the surrounding areas represented. He feels that it is not in the public interest to zone this intersection as requested.

Arguments Presented IN REBUTTAL:

Mr. Arthur Pihlgren discussed the history of Exposition Boulevard and stated that the fact that Camp Mabry uses it for their main entrance has further devalued the property under consideration. He stated that he felt there should be no objection from users of State-owned property to citizens attempting to use their land as they saw fit. As for the State School, there is no law that they cannot build a commercial enterprise on their land, no matter what they state as their intentions at this time. He stated that all property west of this location is deed-restricted for commercial development, so no extension of commercial zoning into the area would occur.

C14-70-117 Richard W. Pohl et al--contd.

Mr. DeStafano raised the question as to why the streets at this intersection are being widened by the City, when it has been stated that they are at 50 per cent capacity. He also pointed out that no one has stated that the property in question is suitable for residential use.

Mrs. Acers, one of the property owners requesting the zoning, spoke for the proposal. She stated that traffic conditions were unbearable, and that with further widening of the streets she would lose too much of her property, as she is 15 feet from the curb at this time. She stated that none of the protestors had to use 35th Street to get out of their driveways.

Mr. Lillie of the staff cited the Expressway and Major Arterial Standards as adopted by the City Council in explaining the plans for widening of 35th Street and Exposition Boulevard. There is an average of 60 feet of right-of-way on 35th Street with 44 feet of paving, this leaves 8 feet between the curb and the property line. Because of high left turn movements at this intersection, it is anticipated there will be a fifth lane added on 35th Street. This added lane will reduce the distance from the curb to the property line to 4 feet. One reason to widen the right-of-way from 60 to 90 feet is to improve the flow of traffic at the intersection. The paving will not be changed, it will still be four lanes with 44 feet. The difference between the curb and the property line at that point will be about 23 feet rather than 8 feet. With the addition of the left turn lane, the distance from the curb to the property line will be about 17 feet. The normal distance between curb and property line is 10 feet. With the added right-of-way, pavement will not crowd up to the property line, but more space will be provided between the moving traffic and the improvements on the property.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, but that "BB" Residence, First Height and Area zoning be granted on the property under consideration on the north of 35th Street.

Mr. Goodman stated that in 1967, the Commission was given information concerning the probable increase in traffic and the decrease of the residential character of the area which has not proved to be true. He feels there is a definite need to widen the streets at this location, regardless of the zoning. He does not feel that at this time the conditions warrant a change to "LR" Local Retail zoning.

Mr. Reeves stated that he did not feel that the zoning of property between State-owned property and "A" Residential should necessarily be "A" Residential. In this particular case, zoning the property "BB" Residence, First Height and Area on the north side of 35th Street will relieve the economic pressure on these land owners.

C14-70-117 Richard W. Pohl et al--contd.

The Commission discussed this proposal at length, and then

VOTED: To recommend that the request of Richard W. Pohl et al for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2701-2803, 2414-2810 West 35th Street and 3406-3408 Exposition Boulevard be DENIED, but that "BB" Residence, First Height and Area zoning be granted on the property under consideration on the north of 35th Street, and that "A" Residence, First Height and Area be retained for the property on the southwest corner of 35th Street.

AYE: Messrs. Taniguchi, Crier, Anderson and Goodman

NAY: Messrs. Chamberlain, Becker, Reeves and Milstead

ABSENT: Mr. Kinser

Mr. Reeves stated that the southwest corner is no longer suited for "A" Residence and felt that "BB" Residence should be on both the north and south of 35th Street. The Commission then

VOTED: To recommend that the request of Richard W. Pohl, et al for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2701-2803, 2414-2810 West 35th Street and 3406-3408 Exposition Boulevard be DENIED, but that "BB" Residence, First Height and Area zoning be granted on all the property being considered in this proposal, with the stipulation that the property on the south side of 35th Street be subject to staff approval of a plan for development of this property.

AYE: Messrs. Chamberlain, Becker, Reeves, and Milstead

NAY: Messrs. Taniguchi, Crier, Anderson and Goodman

ABSENT: Mr. Kinser

After further discussion, it was decided that the two areas should be voted on separately. It was then

VOTED: To recommend that the request of Richard W. Pohl et al for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2701-2803, 2414-2810 West 35th Street and 3406-3408 Exposition Boulevard be DENIED, but that "BB" Residence First Height and Area zoning be granted on the seven lots on the north side of 35th Street.

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

NAY: None

ABSENT: Mr. Kinser

ABSTAIN: Mr. Becker

C14-70-117 Richard W. Pohl et al--contd.

It was then

VOTED: To recommend that the request of Richard W. Pohl et al for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2701-2803, 2414-2810 West 35th Street and 3406-3408 Exposition Boulevard be DENIED, but that "BB" Residence, First Height and Area zoning be granted on the area being considered on the south side of 35th Street, subject to departmental requirements, and subject to approval of a plan for development.

AYE: Messrs. Chamberlain, Becker, Reeves, Milstead, Anderson

NAY: Messrs. Taniguchi, Crier and Goodman

ABSENT: Mr. Kinser

C14-70-118 George W. Hancock and D. H. Walden: A to C
9002-9028 North I. H. 35

STAFF REPORT: This is a request for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area, for an area of land 1.1 acres, for resale. "A" Residence zoning dominates this area, with "C" Commercial zoning established on I. H. 35 to the north and "C" Commercial and "BB" Residence pending on land along and to the rear of Capital Drive. "GR" General Retail zoning exists north of Middle Lane. Across I. H. 35, along and to the west of Capital Drive is an older single-family residential neighborhood. Adjacent to the south is a radio tower. This is a logical request as a majority of the area fronts on Interstate Highway 35. That portion of the request 90 feet by 107 feet is without street frontage. The staff recommends the request be granted, subject to short-form subdivision tying that rear portion of the application to land with street frontage.

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, as a logical extension of the present zoning and subject to a short-form subdivision.

C14-70-118 George W. Hancock and D. H. Walden--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of George W. Hancock and D. H. Walden for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 9002-9028 North I.H. 35 be GRANTED, subject to a short-form subdivision.

C14-70-119 Mrs. Willie Woods Smith: A to LR
2932 East 12th Street

STAFF REPORT: This is a request to change the zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for the purpose of a day care center. This is an area of 10,800 square feet. Mixed commercial and residential zoning and uses are located to the east and west along East 12th Street. Many single-family homes still exist there. "A" Residence zoning is predominant to the north and south of East 12th Street. The property is adjacent to "LR" Local Retail zoning and is two lots from "C" Commercial zoning. A duplex is located on the lot to the east. This request is in conformance with existing zoning in the area, and the staff recommends in favor of the request.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Walter Johnson: 2938 East 12th Street AGAINST
Mrs. Willie Woods Smith (applicant)

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, as a logical extension of existing zoning in the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Mrs. Willie Woods Smith for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2932 East 12th Street be GRANTED.

424

C14-70-120 Robert C. Massengale: B to O
 900-902 West Avenue

STAFF REPORT: This is a request for a change of zoning from "B" Residence, Second Height and Area to "O" Office Second Height and Area, covering 26,429 square feet. The proposed development is for office use. "B" Residence zoning dominates this area, with "O" Office zoning also established throughout with some "C" Commercial zoning. Single-family, duplex, apartment and office uses are all developed in this area of mixed land use. Shoal Creek is located to the west of the subject tract. The request is a logical extension of existing zoning on a street with adequate right-of-way. The staff recommends in favor of this request. The property adjacent and to the south is owned by the city for purposes of extending West 9th Street to Lamar Boulevard.

TESTIMONY

WRITTEN COMMENT

T. W. Murray: 809 West Avenue

FOR

PERSONS APPEARING AT HEARING

Richard Yahr (representing applicant)

SUMMARY OF TESTIMONY

Mr. Richard Yahr appeared, stating that this area will be used for a law office, and will be used temporarily for a residence.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as the area is in transition and the request conforms to established zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Robert C. Massengale for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 900-902 West Avenue be GRANTED.

C14-70-121 C. L. Reeves: B to GR
 2505-2603 Burleson Road

STAFF REPORT: This is a request from "B" Residence, First Height and Area to "GR" General Retail, First Height and Area on one acre of land to be used for retail development. "GR" General Retail exists to the north, Interim "A" Residence exists to the east with "BB" Residence to the south and west. Undeveloped land lies to the north and east. An apartment subdivision is proposed

C14-70-121 C. L. Reeves--contd.

to the west of Burleson Road. This zoning was established in 1969 by the City Council at the request of the applicant based on his plans for the area. The "B" Residence was established along with the "BB" Residence west of Burleson Road to terminate commercial zoning on Burleson Road. To zone the subject tract would be to encourage further commercial zoning on the unzoned tract to the south. It is felt that adequate undeveloped acreage, commercially zoned, is available to the north all the way to the intersection of Burleson Road and the extension of East Oltorf Street. The staff recommends the request be denied. If the request is granted, it will be subject to 5 feet of right-of-way on Burleson Road.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Bryan Schuller (representing applicant)

SUMMARY OF TESTIMONY

Mr. Bryan Schuller, representing Hale & Associates, stated that he felt that present zoning does not allow fruitful development of the tract and that Burleson Road provides a buffer zone for the "A" Residence zoning to the east. The requested zoning will allow more intensive use of the land.

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 on Burleson Road as an extension of existing zoning.

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

VOTED: To recommend that the request of C. L. Reeves for a change of zoning from "B" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2505-2603 Burleson Road be GRANTED, subject to five feet of right-of-way on Burleson Road.

ABSTAINED: Mr. Reeves

426

C14-70-122 Tom Curtis: A to GR
3900 Medical Parkway
1100-1104 West 39th Street

STAFF REPORT: This is a request for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area on an area of 6,840 square feet, to be used as a restaurant with beer and wine consumption on the premises. "GR" General Retail zoning exists in the block to the south, with "LR" Local Retail and "C" Commercial zoning established across Medical Parkway to the east. "C" Commercial, "LR" Local Retail and "O" Office zoning exists along West 38th Street. The area is in transition to more intensive use. "A" Residence zoning is established generally west and north of the subject tract. Single family and duplexes are developed to the north along West 39½ Street and across Medical Parkway. A few commercial uses have developed along Medical Parkway. A day care nursery is located next door to the north. Several office buildings have been constructed along Medical Parkway, generally oriented to doctors' use and related to the Medical Park Tower and new Seton complex. This is a logical extension of existing zoning. The staff recommends the change, subject to five feet of right-of-way on Medical Parkway and a five foot sidewalk and utility easement.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Tom Curtis (applicant)
Alice Duuve: 7920 Rockwood

FOR

SUMMARY OF TESTIMONY

Mr. Tom Curtis was present on behalf of his request but had nothing to add to the report by the staff.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to right-of-way requirements and a five foot sidewalk and utility easement. The area is in transition and the request conforms to established zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Tom Curtis for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 3900 Medical Parkway and 1100-1104 West 39th Street be GRANTED, subject to 5 feet of right-of-way requirements and a 5 foot sidewalk and utility easement.

C14-70-123 Mary Alice Huston: A to BB
1505-1509 Waller Street
901-903 East 16th Street

STAFF REPORT: This proposal covers an area of 14,706 square feet, with requested zoning change from "A" Residence, First Height and Area to "BB" Residence, First Height and Area. The proposed use is for apartment development consisting of three units. "C" Commercial zoning is established but undeveloped for that purpose north across East 16th Street. However, a lounge does exist at the corner of 16th Street and East Avenue. "A" is established on the remainder of surrounding property. Single family and duplex dwellings surround this site. Apartments are located on the lot to the rear and a florist and monument manufacturing company, both non-conforming uses, exist on the third and fourth lots to the east. Oakwood Cemetery is located at the east end of 16th Street. The area between I.H. 35 and the Cemetery is within the proposed I.H. 35 Crosstown Expressway Interchange. All of the lots presently fronting on I. H. 35 north of East 15th Street are being acquired for improvement of the Expressway. This general area is subject to change to higher density of land use. At the same time some recognition should be given to the increasing conflict of permitting higher density of land use in an area required for the future Interchange. With no established right-of-way or timing of construction and the existence of "C" Commercial and "GR" General Retail zoning in the area, the staff recommends the request be granted subject to 12.5 feet of right-of-way on Waller Street.

TESTIMONY

WRITTEN COMMENT

Anna Stasswender: 811 East 16th Street	FOR
Morey, Sterzing and Walker Inc.: 1106 West 22nd	FOR
James E. Patterson: P. O. Box 2083	FOR

PERSONS APPEARING AT HEARING

Jim Miske (representing applicant)

SUMMARY OF TESTIMONY

Mr. Jim Miske, of Houston represented the applicant, and explained that he wished to move a duplex from one lot to a neighboring lot, which has a house on it at this time. This has been discussed with the City Building Inspector.

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 12.5 feet of right-of-way on Waller Street.

C14-70-123 Mary Alice Huston--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Mary Alice Huston for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 1505-1509 Waller and 901-903 East 16th Street be GRANTED, subject to 12.5 feet of right-of-way on Waller Street.

C14-70-124 Matz-Teague, Ltd.: Int. A, Int. 1st to C, 1st (Trs. 1 & 2) and DL,
 Tract 1: 8400-8408 U. S. Highway 183 1st (Tr. 3)
 8304-8320 Lazy Lane
 Tract 2: 8408-8416 U. S. Highway 183
 Tract 3: Rear of 8312-8318 Lazy Lane

STAFF REPORT: This is a request for a change in zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area (Tracts 1 and 2) and "DL" Light Industrial, First Height and Area (Tract 3). Tract 1 consists of three acres, Tract 2 of three acres, and Tract 3 consists of 20,045 square feet. Proposed uses are those consistent with such zoning. This site was annexed into the City in 1969 with the existing building already constructed and occupied. "C" Commercial is established along Highway 183. "A" Residence exists in each direction to the south, with "B" Residence established across Highway 183 along Clearfield and Beech Drive. There is a single-family residential development to the west and south. To the east of Highway 183 there are various commercial developments consisting of a plumbing company, service station, mobile home sales, tire service, and an office. Apartments are located to the east in the "B" Residence zoning. Astro Mechanics, an industrial-type firm, is located to the north on the west side of Highway 183. Both Astro Mechanics and the subject tract, which was developed by Texas Instruments, were in use before the land was annexed to the City. The uses as they now exist are non-conforming. The building on the subject tract is not occupied. The staff recommends "C" Commercial zoning on the subject site as zoning which is compatible with the established pattern of zoning along Research Boulevard. The staff also recommends that "DL" Light Industrial zoning be denied. More intensive zoning protection should be afforded the residences along Kamar Drive. The 5.12 acre tract immediately to the north was granted "C" Commercial, First Height and Area with a 50 foot building setback at the rear property line and with a 6 foot privacy fence along the same line. The staff recommendation on this application is also subject to a 50 foot building setback line and a 6 foot solid fence along the common property line with the residential subdivision.

TESTIMONY

WRITTEN COMMENT

Mrs. Eugene C. Blomstrom: 8315 Kramer
 Ted M. Sousares: 7205 Shoal Creek
 Wayne Dayton: 8501 Research Boulevard

AGAINST
 FOR
 FOR

C14-70-124 Matz-Teague, Ltd.--contd.

PERSONS APPEARING AT HEARING

Richard Baker (applicant)

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker, representing the applicant, stated his client would have no objection to the setback requirement or to the privacy fence, but did feel that a delay in building the fence until the property is utilized should be permitted. He stated that this request for a zoning change was reasonable, as it would enable the continuance of the previous use of the area. He also stated that the fact that the area was broken up into three tracts had no significance, as all were under the same ownership.

Arguments Presented AGAINST:

Mr. Edward L. Nichols, a nearby property owner, appeared before the Committee to request further information regarding the use of this area under "C" Commercial zoning. Mr. Lillie of the staff informed him of the uses permitted in the "C" Commercial zoning districts.

Mr. Johnson, another nearby property owner, spoke against the granting of this zoning change. He cited the past history of the tract, when it was a source of pollution in the area; he does not want this to happen again.

Arguments Presented IN REBUTTAL:

Mr. Baker stated that he represented Matz-Teague, Ltd., a company involved only in investment. This property was outside the City limits when purchased by Matz-Teague, Ltd., and they do not have any known use for the property at this time. He feels the use will be consistent with the area and pointed out that one of the advantages of zoning was that restrictions are enforced on land utilization. He stated the tract is large and ideally suited to commercial purposes.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as requested, as an extension of existing zoning, subject to a 50 foot building setback and a 6 foot fence along the property adjoining which is zoned "A" Residence. This fence is to be constructed at the time any property improvements are made on the site.

430

C14-70-124 Matz-Teague, Ltd.--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Matz-Teague, Ltd. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area (Tr. 1 & 2) and "DL" Light Industrial, First Height and Area (Tr. 3) for property located at (Tr. 1) 8400-8408 U. S. Highway 183 and 8304-8320 Lazy Lane, (Tr. 2) 8408-8416 U. S. Highway 183 and (Tr. 3) Rear of 8312-8318 Lazy Lane be GRANTED, subject to a 50 foot building setback, and a 6 foot fence along the property adjoining which is zoned "A" Residence. This fence is to be constructed at the time any property improvements are made on the site.

POSTPONED CASE

C14-70-101 Gordon W. Griffin, et ux: A to GR
4622 Manchaca Road

STAFF REPORT: The staff presented the following report on land use and zoning along Manchaca Road from Ben White Boulevard to Stassney Lane as requested by the Planning Commission at their regular meeting on June 9, 1970.

The intent of this study is to investigate the proposed zoning change at 4622 Manchaca Road, from "A" Residential to "GR" General Retail, for the purpose of determining, generally, the appropriate land use(s) of the area and the effect of the proposed zoning change, if granted.

The area under study is a linear strip lying along either side of Manchaca Road from Ben White Boulevard on the north to Stassney Lane on the south.

Ben White Boulevard is designated as an Expressway in the City's Expressway and Major Arterial Plan with grade separations planned at South First Street and at Manchaca Road. Manchaca Road is designated as a major arterial street presently having between 80 feet and 90 feet of right-of-way from Stassney Lane to 320 feet north of the proposed zoning change. From the latter point north to Ben White Boulevard, the right-of-way varies in width and is not up to the 80 foot requirement. Stassney Lane is a major arterial street with 100 feet of right-of-way from Manchaca Road to the east. It is to be extended to the west as subdivisions are platted in the area. One such section has already been accomplished.

The Master Plan designates this section of the city as Low Density Residential.

Between Redd Street and one lot north of Southern Oaks Drive, the land use along Manchaca Road is entirely single-family residential. The large block of lots between Redd Street and Ben White Boulevard are in commercial use (fronting primarily onto Ben White Boulevard). Along the east side of Manchaca Road between Stassney Lane and Inverness Boulevard is a large commercial tract. Along the west side of Manchaca Road south of Southern Oaks Drive is a small, retail shopping center. Generally stated, the commercial areas abutting Manchaca Road

C14-70-101 Gordon W. Griffin, et ux--contd.

are clustered at the intersections of major arterial streets; that portion of the strip development along Ben White Boulevard that is adjacent to the intersection at Manchaca Road and that area at the intersection of Manchaca Road and Stassney Lane. This pattern of development is consistent with good planning principles.

The only intrusion into the single-family character of the remainder of the length of Manchaca Road (just over one mile) is a 9.5 acre tract on the east side of Manchaca Road, north of Williamson Creek. This tract, a composite of three tracts, was zoned "LR" Local Retail, "O" Office, and "B" Residential at the Council hearing of May 12, 1966 over the strong opposition of area residents and against the unanimous recommendations for denial of the Planning Department, the Zoning Committee and the Planning Commission. The Zoning Committee reported to the full Commission that the requested zoning was too intense for the area. Various members of the Commission pointed out that: (1) the proposed development would promote a transient tenant influx into an established and stable single-family residential area; (2) if granted, the request would promote a tendency for strip zoning along Manchaca Road; and (3) that apartment and commercial uses were an intrusion and not the proper use of the land. This application had previously been submitted and later withdrawn. To date no development has been started on the tract.

Residential subdivisions along Manchaca Road date from between 1954 and 1962. All areas are well-established and appear sound and well-maintained.

Traffic volume on Manchaca Road has remained about the same from 8,982 in 1968, to 8,062 in 1969 cars per 24 hour period. The first count was taken at the intersection of Manchaca and Ben White Boulevard. The second at Manchaca and Redd Street. The volume of traffic has been raised as a problem for continued residential use of the property by the applicant. The figures below are presented for the purpose of qualifying traffic generated by Manchaca Road as of January 28, 1969.

Total volume north and south on Manchaca Road	8,062
Evening: 7:00 P.M. to 6:00 A.M.	1,513
Daytime: 6:00 A.M. to 7:00 P.M.	6,549
Peak Hours: 7:30 - 8:30 4:30 - 5:30	<u>1,837</u>
Daytime Remainder: 11 hours	<u>4,712</u>
Vehicles per hour - daytime	<u>430</u>

C14-70-101 Gordon W. Griffin, et ux--contd.

The capacity of the street is determined using the ratio of 400 vehicles per lane per hour provided by the Traffic and Transportation Department. In this location Manchaca Road has 40 feet of paving. This width provides four lanes having a capacity of 1600 vehicles per hour. The above figures reflect that the street is being used 25 to 30 per cent of capacity during regular daytime hours - not including peak hours.

Manchaca Road is not unique. Many of our major arterial streets with predominant residential development have traffic volumes equal to or greater than Manchaca Road. For example, in May 1968 the following volumes were recorded:

Oltorf Street west of South 1st Street	9,250
Exposition Boulevard north of Enfield Road	12,070
Enfield Road at West Lynn Street	12,000
Hancock Street west of Bull Creek Road	8,220
Koenig Lane east of Burnet Road	11,370
North Loop west of Airport Boulevard	9,280
45th Street east of Guadalupe Street	9,360

Should the case under study be granted, a precedent would be set that would promote other non-residential zoning applications. There are about 70 lots along Manchaca Road with about one-half with frontage on Manchaca Road. Of these 35, 29 are typical single-family lots averaging 75 by 135 feet and all but three or four of the lots presently have detached single-family homes on them.

As a result, the only way commercial development could occur along the street would be in a piecemeal fashion with small individual businesses scattered randomly down Manchaca Road. The area does not create a demand for a strip of specialty shops and such a situation would only be detrimental to the area as a single-family residential neighborhood. The existing commercial centers are both convenient and are not an intrusion into the area as the request under consideration would be. The character of the area should remain single-family residential.

The Planning Department's recommendation is that further commercial zoning applications along Manchaca Road should be denied.

Mr. Taniguchi asked if there was anyone present to speak in favor of the application.

Mr. Lillie stated that the staff made numerous attempts during the day to contact Mr. Griffin by telephone to remind him of the meeting. On each occasion there was no one at home. Property owners within 300 feet of the subject property were not re-notified because this application was only postponed for 30 days. A motion to close the hearing was not made at the first meeting and, therefore, continued for this 30 day period.

A letter of reminder should have been sent to Mr. Griffin and the staff will apologize to him. Notices will be sent out for the City Council hearing on August 6, and he will have opportunity to discuss the application at that meeting.

C14-70-101 Gordon W. Griffin, et ux--contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Russell Roland	AGAINST
Sgt. Miller: Lasso Path	AGAINST
W. K. Johnson: 4703 Manchaca Road	AGAINST

SUMMARY OF TESTIMONY

No one appeared in favor of this request.

Mr. Russell Roland appeared against the proposal, stating that his father-in-law lived in the area, was retired, and wanted to spend the rest of his life in the quietitude of this well-established residential area. He stated that the residents have the right to go to court to enforce the deed restrictions to see that this area is not disturbed.

Sgt. Miller, soon to be retired from Bergstrom and residing on Lasso Path, appeared before the Committee and requested they not approve this proposal. He enjoys the neighborhood and does not want it to change.

Mr. W. K. Johnson, residing at 4703 Manchaca, appeared against this proposal. He stated that he recently improved his home and plans to retire there, and he wishes to see the neighborhood remain the same.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Gordon W. Griffin, et ux for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 4622 Manchaca Road be DENIED.

434

CP14-70-020 Gene W. Clark and Billy Knowles: Day Care Center
7601 North Guadalupe

STAFF REPORT: This application has been filed as required under Section 4 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. Proposed on the site is a day care center for 80 children. The site plan has been circulated to the various City departments and the comments are as follows:

1. Traffic Engineer -- The private sign in the northwest corner must be removed from public R.O.W. and placed on private property so that school sidewalks can be constructed along Guadalupe Street.
2. Electric -- No comment.
3. Tax Assessor -- 23411-1003 This property has been exempt since 1956.
4. Director of Public Works -- Indicated location of driveways meet with our approval however, will need request for and approval of them before construction begins.
5. Fire Prevention -- Install required fire extinguishers when building is ready for occupancy. Have gas piping pressure tested for leaks.
6. Advanced Planning -- Since there is more useable space available on the lot, the outdoor play area should be expanded to meet the Texas State Welfare Department standards for this number of children.
7. Health -- No objections. Waste water system to be available.
8. Fire Protection -- Existing fire protection facilities are believed to be adequate.
9. Water and Sewer -- Water and Sanitary sewer available from the existing mains in the adjacent streets.
10. Office Engineer -- Require request and adequate plan for commercial driveway.
11. Building Inspector -- (1) The facility and site shall be approved by the Texas State Department of Public Welfare. (2) Building Code approval is

CP14-70-020 Gene W. Clark and Billy Knowles--contd.

11. Building Inspector -- contd. -- limited to the portion of the building designated on the site plan "as area to be affected by children".
12. Storm Sewer -- Plat complies.

"C" Commercial zoning is located across Guadalupe and is undeveloped. "B" Residence is located to the east and is also undeveloped. "A" Residence exists to the south and west and is developed with single-family residences.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

C. E. Hipple: 752 Guadalupe

AGAINST

SUMMARY OF TESTIMONY

The applicant was not present on behalf of his request.

Mr. C. E. Hipple, 752 Guadalupe, spoke against this application, stating that he had witnessed two automobile accidents on Guadalupe and that this proposal would create more congestion.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of Gene W. Clark and Bill Knowles for a special permit to establish a day care center on property located at 7601 North Guadalupe, subject to compliance with departmental requirements 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.

436

C14-70-021 Jeffie Mae Lee: Day Care Center
804-808 Newman Drive

STAFF REPORT: This application has been filed as required under Section 4, Sub-Section 8, Paragraph A and according to the procedures as specified in Section 10-B, Sub-Section 3 of the Zoning Ordinance of the City of Austin, Texas. This is a request for a day care center allowing 60 children. "A" Residence, surrounds the site on three sides and is developed with single-family residences. The Municipal Golf Course is located west across Exposition Boulevard. The Board of Adjustment is scheduled to hear the request for a variance to allow, not 33, but 60 children on July 13, 1970. The site plan has been circulated to the various City departments and the comments are as follows:

1. Advanced Planning -- (1) Variance required for number of children requested. Lot area permits 33 children--sixty children are requested. (2) Privacy screening needed along north and south property lines where adjacent to outdoor play area. (3) If the play area is to include the entire site, driveways must be excluded from fenced play area, if the driveways are to be used by persons other than the residents. (4) Proposed number of children could create traffic congestion along Newman Drive when being loaded or unloaded. No loading or unloading of children should occur along Exposition Boulevard.
2. Office Engineer -- Okay.
3. Fire prevention -- Install required fire extinguishers when building is ready for occupancy. Have gas piping tested for leaks if this has not been done within the year.
4. Electric -- No comments
5. Health -- No objections. Waste water system to be available.
6. Tax Assessor -- 1-1107-1104 & 1108 Taxes paid through 1969.
7. Storm Sewer -- Plan complies with requirements.
8. Traffic Engineer -- Recommend that there be only one gate to Exposition and that it be locked and used only when absolutely necessary. There should be no unloading or loading of children on Exposition.

437

CP14-70-021 Jeffie Mae Lee--contd.

9. Director of Public Works -- No objections.
10. Building Inspector -- (1) The facility and site shall be approved by the Texas State Department of Public Welfare. (2) A Board of Adjustment application for a variance for 60 children has been filed on the property. The hearing date is July 13, 1970. (tax plats indicate that the subject property is 100' x 140' which would permit the keeping of 33 children without a variance.) (3) It appears that loading and unloading of children would have to be from the street right-of-way on Newman Drive. (4) Building Code approval includes only the existing structures and does not include the proposed addition.
11. Fire Protection -- Existing fire protection facilities are believed to be adequate.
12. Water and Sewer -- Water and Sanitary Sewer available from the existing mains in the adjacent streets.

TESTIMONY

WRITTEN COMMENT

Petition with 7 signatures

AGAINST

PERSONS APPEARING AT HEARING

Jeffie Mae Lee (applicant)
Maratha Piza: 603 West 18th Street
Betty Cook: 1414 Arena Drive #218
E. H. Smartt: 630 Littlefield Bldg.
Roy Gilbert: 901 Newman Drive

FOR
FOR
FOR
AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. E. H. Smart, represented the applicant, who at the present time operates a day care center on Rio Vista Street. The property at the present location has been condemned by the City for the MoPac Expressway. The applicant would prefer to remain as near the original school as possible, and owns the property on Newman Drive. At the present time she has an enrollment of sixty children, with a waiting list. Newman Drive is only one block long and there is no through traffic. It is felt that this day care center would be an enhancement to the neighborhood.

CP14-70-021 Jeffie Mae Lee--contd.

Mrs. Pisa from the State Board of Welfare appeared on behalf of the applicant. She has been Mrs. Lee's case worker for eight years. She stated that this is the finest day care center in the City. The children are very well-disciplined and there will be no problem with noise; the day care center will be an asset to the neighborhood.

Arguments Presented AGAINST:

Mr. Roy Gilbert, 901 Newman Drive, appeared to object to this proposal. He stated that Newman Drive was very congested at certain hours of the day due to traffic generated by O. Henry Junior High School. He feels that this type of operation is not suitable for the neighborhood.

Arguments Presented IN REBUTTAL:

Mr. Smart stated the hours of pick-up and delivery created by the day care center, and added that this would not create a traffic hazard.

Mrs. Lee spoke in her own behalf, stating that she had worked for eight years to create a Montessori school of which the City would be proud. She explained the curriculum of the school and stated that the children were well-disciplined and quiet. Further, the Mo-Pac Expressway should relieve Newman Drive of much of the present traffic.

Mr. Lillie pointed out that the center employs eight people, and consideration should be given to parking facilities for them.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to departmental requirements, necessary parking for the staff, and with the stipulation that there will be no loading and unloading of children on Exposition Boulevard. (A request for variance concerning the number of children has been filed with the Board of Adjustment.)

The Commission discussed this request and unanimously

VOTED: To APPROVE the request of Jeffie Mae Lee for a special permit for a day care center on property located at 804-808 Newman Drive, subject to departmental requirements, necessary parking for the staff, with the stipulation that there will be no loading or unloading of children on Exposition Boulevard, but not subject to the action of the Board of Adjustment, 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.

1. Tax Assessor	-- 2-2705-0801--0804, 0831-0834 All taxes are paid, except for the 1965 taxes on Parcels 2-2705-0832 & 0831.
2. Traffic Engineer	-- O.K.
3. Director of Public Works	-- Driveway locations meet with our approval. On new driveway construction we will need request for an approval of them before construction begins.
4. Electric	-- Okay.
5. Fire Prevention	-- Install required fire extinguishers when ready for occupancy. Have gas piping pressure tested for leaks.
6. Storm Sewer	-- Plan complies.
7. Health	-- No objections. Waste Water system to be available.
8. Fire Protection	-- Existing fire protection facilities are believed to be adequate.
9. Water and Sewer	-- Water and Sanitary Sewer available from the existing mains in the adjacent streets.
10. Office Engineer	-- Okay. Require request for commercial driveways.
11. Building Inspector	-- (1) The facility and site shall be approved by the Texas State Department of Public Welfare. (2) Building Code approval is limited to those buildings and areas designated on site plan as "areas affected by children." (Does not include proposed 16' x 100' building) (3) Any loading and unloading of children on Grover Street would probably have to be from the street right-of-way.

440

CP14-70-022 Trinity Baptist Church--contd.

12. Advanced Planning

- (1) Lots #2, #3 and #4 will have to be deleted from Special Permit Site unless joined by Short Front subdivision to the balance of the tract. If joined by short form, the houses on lots #2 and #3 and #4 will have to be converted into a duplex unit if they are to continue to be used for residences. (2) Connection between main building complex and the 31' x 34' house (lot #3) does not exist. (3) Along Houston Street additional ROW is needed-----5' of the western boundary, expanding to 10' of the eastern boundary. Roosevelt Avenue and Grover Avenue are minor residential streets having only 50' of ROW. (4) Revised site plan permits 168 children (100 requested). This is too intense for the site. Suggest reduction to 80 children. (5) Existing 2' high picket fence is inadequate. Minimum 4' high fencing of more substantial material is needed. (6) There is no direct access from the 24' x 100' building fronting onto Houston Street to the fenced play area. If children are to be kept in this building, adequate provisions for their safety to and from the play area must be made. (7) Loading and unloading of children should be from the parking lots, not from Grover Street or Houston Street.

TESTIMONY

WRITTEN COMMENT

Petition with 9 signatures

AGAINST

PERSONS APPEARING AT HEARING

Dennie & Gloria Ebert (representing applicant)

Mary & Melvin Ross: 5408 Roosevelt

AGAINST

Mr. & Mrs. Claude Fuqua: 5407 Roosevelt

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Dennis Ebert, representing the applicant, appeared before the Committee and stated that this location is ideally situated for a day care center. The open area is surrounded by buildings, there is ample parking space and space for loading and unloading children off the street, with two locations for loading

441

CP14-70-022 Trinity Baptist Church--contd.

and unloading. There will be ten children under two years, with a separate area near their building for this traffic. There will be no traffic hazard and this day care center will be an asset to the neighborhood.

Mr. Ebert was unaware of the confusion of ownership on the southeast lot and felt that it did belong to the church; however, if it does not, there will be no problem in not using this area.

Arguments Presented AGAINST:

Mr. Claude Fuqua, residing at 5407 Grover Street, presented a petition with nine signatures to the Committee and spoke against this proposal. He stated that most of the people living on Grover Street are elderly and retired, and should not be subjected to the noise and confusion which will be created by the day care center. He stated that the property would be devalued by 50 per cent, due to the noise and traffic; that Grover is only 40 feet wide and it would be impossible to get out of the driveways along Grover with this traffic. He stated that the church property was tax-free, while the residents of the area pay taxes. Mr. Fuqua read the Travis County deed restrictions for his property, which states that no business or church can be established without having first obtained written consent of residents of the surrounding area, within a 200 foot or more radius of the lot.

Arguments Presented IN REBUTTAL:

Mr. Dennis Ebert replied that he felt that the noise should not be a problem, as the area is directly opposite a public school facility. The residents are across a 50 foot street from the school and this area is also directly under the flight pattern for the Austin Airport. There will be no more than 20 to 25 children in the play area at one time. With reference to traffic congestion, it is felt that the 50 foot street is sufficient to handle all traffic.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to deletion of the southeast lot, if not owned by the church.

The Commission concurred with the recommendation of the Committee and unanimously

VOTED: To APPROVE the request of Gloria Ebert for Trinity Baptist Church for a special permit for a day care center on property located at 5408-5414 Grover; 1201-1207 Houston, and 5407-5413 Roosevelt Avenue, subject to deletion of the southeast lot, if not owned by the church, 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.

CP14-70-023 Don McElwreath: Veterinary Clinic
 1441-1449 U. S. Highway 183
 7701-7723 Cameron Road

STAFF REPORT: This application has been filed as required under Section 6 and according to the procedures as specified in Section 10-B, Sub-Section 3 of the Zoning Ordinance of the City of Austin, Texas. This area covers .983 acres, for use as a veterinary clinic. "C" Commercial zoning has been established on this site. Rutherford Creek is on the south property line. Several single-family homes exist on either side of Cameron Road. The city limit line is the north property line of Highway 183. The land to the east is undeveloped. Future ultimate use of the site is for a convenience center. Any additional buildings to this special permit will require a new site plan. Access is critical because of topography and the creek. The driveways have been placed in the best possible locations in relation to Cameron Road and U. S. Highway 183. The site plan has been circulated to the various City departments and the comments are as follows:

- | | |
|-----------------------------|---|
| 1. Traffic Engineer | -- O. K. |
| 2. Electric | -- Easements to be secured at a later date. |
| 3. Director of Public Works | -- Driveway locations meet with our approval. Need request for and approval of driveways before construction begins. Also recommend 10' radius on driveway returns. |
| 4. Tax Assessor | -- 2-2920-0101 Taxes are due for the years 1966 thru 1969. |
| 5. Fire Prevention | -- Install required fire extinguisher when building is completed. |
| 6. Advanced Planning | -- No objections. |
| 7. Health | -- No objections. Waste Water system to be available. |
| 8. Fire Protection | -- The recommended fire hydrant is indicated in red. There is an existing fire hydrant on the north side of Loop #111, but if the fire hose were stretched across the Loop it would create a traffic hazard and the distance from a crossover would make it almost impossible to reroute traffic. |
| 9. Water and Sewer | -- Sanitary Sewer service is available from the existing main adjacent to said property. One additional fire hydrant will be required. It will be located near the curb west of the northwestern corner of the property. |
| 10. Building Inspector | -- (1) The present zoning appears to be Interim "A". Unless "C" zoning is applied for, recommend disapproval. (2) Subdivision of property is required. (3) A 4 foot high solid fence is required where any parking area is adjacent to property |

CP14-70-023 Don McElwreath--contd.

10. Building Inspector--contd. -- developed for a residential use. (4) Does not include Building Code approval.
11. Office Engineer -- Require request for commercial driveway.
12. Storm Sewer -- Plat complies except easement required as shown.

TESTIMONY

WRITTEN COMMENT

Don L. Lanford: 830 Airport Boulevard FOR

PERSONS APPEARING AT HEARING

Don McElwreath (applicant)

SUMMARY OF TESTIMONY

The applicant was present but did not speak to the Committee.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of Don McElwreath for a special permit for a veterinary clinic on property located at 1441-1449 U. S. Highway 183 and 7701-7723 Cameron Road, subject to compliance with departmental requirements, 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.

444

REFERRAL AND RECONSIDERATION OF SPECIAL PERMIT

CP14-68-21 Baker-Jones-Crow Company: Apartment Dwelling Group
 8022-8246 U. S. Highway 183
 8047-8051 Lazy Lane

Consideration by Planning Commission of referral of Phase II of above Special Permit to the Planning Commission by the Director of Planning and the Building Official. Under Section 10-B, Paragraph 6, the developers have requested consideration to incorporate 32 additional units (to a total of 260) as opposed to the original consideration of 228 units.

Mr. Osborne of the staff explained to the Commission that under the provision of the Zoning Ordinance a revision or modification of a Special Permit may take place subject to determination by the Building Official and the Director of Planning. The Director of Planning and the Building Official may advise that the proposed revision exceeds the scope of the Special Permit provision and should be referred to the Planning Commission. He then gave a brief history of this development and introduced a drawing of the proposed revision. There is no conflict with the basic Zoning Ordinance density requirements and no danger to the health, welfare and safety of the public. The staff recommends the approval of the request by the Commission.

Mr. Taniguchi stated that he felt that the quality of living was affected by the arrangement of several of the revised units located in the middle of a parking lot.

The Commission discussed this request and

VOTED: To APPROVE the request of Baker-Jones-Crow Company for consideration to incorporate 32 additional units into an apartment dwelling group on land located at 8022-8246 U. S. Highway 183 and 8047-8051 Lazy Lane.

AYE: Messrs. Reeves, Anderson, Crier, Milstead, Chamberlain, Becker and Goodman

NAY: Mr. Taniguchi

ABSENT: Mr. Kinser

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of June 22, 1970, and requested that this action be spread on the minutes of this meeting of the Planning Commission. The staff reported that one appeal has been filed from the decision of the Subdivision Committee, C8-69-85 Highland Oaks, Section 2, on sidewalk requirements. No subdivisions have been referred to the Commission.

445

R146 SUBDIVISION COMMITTEE--contd.

It was then

VOTED: To ACCEPT the attached report and to spread the action of the Sub-division Committee of June 22, 1970, on the minutes of this meeting.

C8-69-85 Highland Oaks, Section 2
U. S. 183 and Shady Oaks Drive

Mr. Paul Jones, attorney, represented the owner of this subdivision, Mr. Walter Carington. He informed the Commission of the history of this subdivision. This is essentially a suburban area, with very large lots. There are no sidewalks in the already existing development. The area is in the Round Rock Independent School District and the children are bused to Round Rock.

The Commission discussed this appeal and unanimously

VOTED: To GRANT a variance on sidewalk requirements as this subdivision is an extension of an already existing suburban development, and it is not served by the Austin Independent School District.

SUBDIVISION PLATS - FILED AND CONSIDERED

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

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

<u>C8-70-111</u>	<u>Lakeside of University Hills</u>
	<u>Carol Ann Drive and Lakeside Drive</u>
✓ <u>C8-70-4</u>	<u>North Creek East, Section 1</u>
	<u>Rock Hollow Lane and Oriole Drive</u>
<u>C8-68-100</u>	<u>Congress Park</u>
	<u>East Powell Lane</u>
<u>C8-69-89</u>	<u>Peppertree Park, Section 1</u>
	<u>Teri Road and Aspen Avenue</u>
✓ <u>C8-69-99</u>	<u>Imperial Valley, Section 2</u>
	<u>F. M. 969 and Imperial Drive North</u>
✓ <u>C8-70-1</u>	<u>Westover Hills, Section 5</u>
	<u>Mountain Ridge Drive</u>
✓ <u>C8-70-15</u>	<u>Cat Mountain Section</u>
	<u>Cat Mountain Drive</u>
✓ <u>C8-70-16</u>	<u>Vintage Hills St. Dedication</u>
	<u>Dubuque Lane and Bluestein Boulevard</u>

446

SUBDIVISION PLATS - FILED AND CONSIDERED--contd.

<u>/C8-70-19</u>	<u>Pan Texas East</u>
	East 16th Street and Adriane Drive
<u>✓C8-69-109</u>	<u>Lakeway, Section 17</u>
	Challenger and Hurst Creek Road
<u>✓C8-69-118</u>	<u>Perkins Park, Section 1</u>
	Old Lockhart Highway and Cheryl Lynn Drive
<u>✓C8-70-29</u>	<u>Flournoy's Sweetbriar, Section 6</u>
	Bramble Drive and Woodbine Drive
<u>✓C8-70-41</u>	<u>Travis Landing, Section 2, Phase 5</u>
	Weletka Drive and McCormic Mtn. Drive
<u>C8-70-37</u>	<u>South Towne Plaza, Section 1</u>
	I. H. 35 and Royal Hill Drive

The staff reported that this is the first appearance before the Commission of the following final plats. It is recommended that they be accepted for filing and disapproved, pending additional easements, fiscal arrangements, completion of departmental reports and fiscal arrangements for sidewalks. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE these plats, pending the requirements as indicated:

<u>C8-70-56</u>	<u>Quail Creek, Section 6</u>
	Peyton Gin Road and Galewood
<u>C8-70-67</u>	<u>Burton Terrace, Section 2</u>
	Burton Drive

<u>C8-70-62</u>	<u>Coronado East</u>
	Coronado Hills Drive

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

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

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

VOTED: To ACCEPT for filing and DISAPPROVE these plats, pending the requirements as indicated:

<u>C8-70-40</u>	<u>Greenway Plaza, Section 1</u>
	N. Plaza and Rundberg Lane
<u>✓C8-69-78</u>	<u>Thurman Addition, Section 2</u>
	Emerald Forest Drive and Stassney Lane

447

SUBDIVISION PLATS - FILED AND CONSIDERED--contd.

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

VOTED: To ACCEPT for filing and DISAPPROVE these plats, pending the completion of departmental reports:

C8-70-59	Cardinal Hills Estates, Unit 12
	Highway 620 and Debba Drive
C8-70-60	Steck Avenue I
	Steck Avenue
✓C8-70-31	Atkinson's Acres
	McNeil Road

SHORT FORM PLATS - FILED AND CONSIDERED

C8s-70-83 First Resubdivision of Lakeview Gardens
Hull Circle Drive

This is the first resubdivision of Lakeview Gardens. This plat has complied with all departmental requirements and met all Ordinance requirements. A portion of the property on the plat is within the City limits of Westlake Hills. The staff has consulted with the City Legal Department and the Commission is requested to either approve the plat with no consideration by Westlake Hills, or disapprove the plat, pending approval of Westlake Hills.

Mrs. Oren Pohl, a member of the Zoning and Planning Commission for the City of Westlake Hills, representing the mayor of that City, appeared before the Commission to voice disapproval of the request. She stated that the City felt that the septic tank for this development would be a pollution problem and requested disapproval.

The Commission discussed this request, and

VOTED: To ACCEPT for filing and APPROVE the final plat of LAKEVIEW GARDENS, subject to the approval of the City of Westlake Hills.

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

C8s-70-113 Saint Paul's Addition
South First Street

The staff reported that this plat was not available and recommended that it be accepted for filing and disapproved, pending return of plat. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of SAINT PAUL'S ADDITION, pending return of plat.

448

C8s-70-114 Kirschner Subdivision
Ledesma Street

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

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of the Kirschner Subdivision, pending completion of departmental reports.

C8s-70-106 John Brewington Subdivision
Barge Street

The staff reported that this is the first appearance before the Commission of this plat and stated that it has met all departmental and Ordinance requirements, and should be accepted for filing and approved. There is a variance concerning the signature requirements of the adjoining owners; however, there is a letter in file from the adjoining landowner, stating that he does not wish to participate in this plat at this time. The Commission then

VOTED: To ACCEPT for filing and APPROVE the final plat of JOHN BREWINGTON SUBDIVISION.

C8s-70-112 Resub. of Lot 1, Block 4, Manchaca Estates
Cannon League and Miles Avenue

The staff reported that this is the first appearance before the Commission of this short form plat and recommended that it be accepted for filing and disapproved, pending completion of fiscal arrangements. The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of RESUB. OF LOT 1, BLOCK 4, MANCHACA ESTATES, pending completion of fiscal arrangements.

The staff reported that the following short-form plats are appearing before the Commission for the first time, and recommends that they be accepted for filing and disapproved, pending completion of departmental reports. The Commission then

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

- C8s-70-115 Castlewood Forest, Sec. 1, Resub. Lts. 4 & 5, Blk. "B"
 Queenswood Drive
- C8s-70-116 Resub. of Lt. 3, Austin Mall
 Middle Fiskville Road
- C8s-70-118 Grand Canyon Subdivision #2
 Grand Canyon Drive

449

SHORT FORM PLATS - FILED AND CONSIDERED--contd.

The staff reported that the following short-form plats are appearing before the Commission for the first time. These plats have met all departmental and Ordinance requirements, and it is recommended that they be accepted for filing and approved. The Commission then

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

<u>C8s-70-109</u>	<u>Paisano Addition</u>
	<u>Paisano Road</u>
<u>C8s-70-111</u>	<u>Resub. of Hancock Park Annex</u>
	<u>Red River and Duncan</u>
<u>C8s-70-117</u>	<u>Westlake Madrones, Section 1</u>
	<u>The High Road</u>

<u>C8s-70-82</u>	<u>H. M. S. Subdivision</u>
	<u>Parker Lane & Woodland Avenue</u>

The staff reported that this short form plat has met all departmental and Ordinance requirements, and recommended that it be approved. The Commission then

VOTED: To APPROVE the short form plat of H. M. S. SUBDIVISION.

ADMINISTRATIVE APPROVAL

The staff reported that the following short form plat has received administrative approval under the Commission's rules. The Commission then

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

<u>C8s-70-75</u>	<u>Resub. of Lots 25-42, Oak Park, Section 3</u>
	<u>Oak Claire</u>

OTHER BUSINESS

<u>C2-70-4(b)</u>	<u>ZONING ORDINANCE: Interim Revisions</u>
	<u>Interim report on development of mobile home zoning regulations</u>

Mr. Osborne of the staff requested of the Commission that this report be held in abeyance until the regular August meeting. He is planning a trip within the next 10 days to Colorado and has made arrangements to visit regional planning operations in Colorado Springs, Denver and Boulder. These communities have extensive mobile home development. Ordinance provisions and their applications will be discussed, as well as the differences between the price levels for mobile home space. An engineering firm in Austin has been requested to submit an opinion with regard to development of package plant systems as applicable to mobile home developments outside the City. Sewage disposal will be a large economic factor in the development of mobile home parks. The Commission agreed to this request.

C2-70-4(d) ZONING ORDINANCE: Interim Revisions

Interim report on development of zoning, subdivision and related flood hazard regulations

Mr. Osborne of the staff presented this report, first stating that this is an interim report indicating the approach being taken by the staff. Existing flood experience information has been studied, including identifiable floods, surface geology indicating past historical floods and basic engineering standards. The Corps of Engineers have been designated by the Federal Government to do all flood hazard studies for the various Federal agencies, and this report has utilized available information from them. Flood hazard zoning has been studied, and subdivision requirements with respect to drainage and flooding. The Planning Department is working with Mr. Graves, Director of Public Works, on subdivision standards. Land alteration control and building code requirements have been included in this study. It is felt that two areas of designation are needed: (1) creeks and small streams; and (2) rivers and lakes. It is proposed that the City will have a simple ordinance, plus a set of standards or guidelines for the Department of Public Works, thus establishing the criteria for flooding and drainage requirements for private engineers and developers.

Mr. Milstead stated that this modified proposal is much more realistic, in that changes are taken into consideration, such as modification of streams, changes in channels, and dams. He also stated that this would not be a blanket proposal; first would be the creation of the Flood Plain Ordinance, then each creek and stream will be considered, with a hearing on each piece of property. He further stated that the City Manager has been advised that the Commission plans to have the revised Ordinance available for public hearings by the latter part of August or the early part of September. The Commission members were requested to review this interim report and discuss revisions of it with the Planning Department by July 28th.

C9-70-7 PRESENTATION BY THE PARKS AND RECREATION DEPARTMENT OF BARTON CREEK PLAN

Mr. Beverly Sheffield, Director of the Parks and Recreation Department, stated that this presentation of the Barton Creek Plan to the Commission is an interim report only. He pointed out the need for the separation of the recreation-oriented Barton Creek Plan from the Flood Plain Ordinance proposals, in order that an objective decision may be reached. Mr. Don Stence made the presentation to the Commission, stating that a great many people and organizations were involved in this study, including the U. S. Corps of Engineers, the Soil Conservation Service, the Bureau of Economic Geology, the U. S. Geological Survey, and many others, including several departments of the City. He stated that the primary intent of this plan is to recommend the restoration and preservation of the natural beauty of a corridor along Barton Creek. The need for the preservation of this area goes beyond recreational use, as this area contributes to the ecological health of the City. This study involves six and one-half miles of Barton Creek from Town Lake upstream. The watershed is approximately 24 miles long and extends into the next county. Mr. Stence introduced maps of this area, illustrating the soil types, flood plains and general topography of the area. The maps also designated possible sites for recreational facilities, and areas where land management is desirable to preserve the ecological patterns of the area.

C9-70-7

BARTON CREEK PLAN--contd.

With this plan, there are areas set aside for bicycling, nature walks, hiking, picnicking, swimming, boating, fishing, scenic drives with overlooks, natural playareas for children and a nature study area. The total acreage involved is approximately 520 acres. Not all of this land is needed for recreational purposes, as some of it is not suitable for recreational area. Not all of this land needs to be acquired by the City, but some management of this land is vital to the preservation of Barton Creek. For example, if extensive development is allowed too near the creek bed, the flow of drainage will be greatly increased, thus damaging the proposed park areas. Methods under consideration for acquiring this land are: purchase in fee simple; flood, slope, and soil hazard mapping; purchase of conservation and public use easements; purchase of development rights; and possible use of Federal Funds for the purchase of the land. It is hoped that this project can be included in the Capital Improvements Program and submitted in the fall for inclusion in the next three-year plan. Barton Creek is one of several creeks in the City which flows into Town Lake. It is proposed that this plan be a prototype for future planning for the creation of environmental corridors of creeks in the City, thus contributing to the beauty of the City, and to the preservation of our environment.

Mr. Osborne of the staff, stated that planning for the Barton Creek area is vital, in view of the factors developing in that area; specifically the opening up of the MoPac Expressway, the extension of Barton Skyway and the development of water and sewer lines. There is proposed private residential and commercial development in the area on the west side of the creek and it is anticipated that in the next 10 to 15 years there will be a population of 20,000 people in that area. Barton Creek is unique for several reasons: it has one of the largest drainage areas in the vicinity of the City; it has continuous flow of water; it has a historical background; and it has a substantial amount of public land at the mouth of it at this time. Regulatory provisions are needed relating to the urbanization of the surrounding area.

Mr. Taniguchi stated that he felt that the Commission is primarily concerned with land use. This plan has been presented to the Commission as the best use of this land, and the Commission must decide on it and recommend their findings to the Council, who will make the final decision.

Mr. Tom Bradfield, developer, appeared before the Commission. He congratulated the Parks and Recreation Department on their report, and he feels that they should consult with the landowners and developers who have plans for the development of the area. Mr. Bradfield presented a map for the development of 40 acres near the area of Campbell's Hole, which he is planning at this time.

Mr. Milstead commended the Parks and Recreation Department on the plan, stating that the Commission agreed with this approach, and that this interim report has been very helpful to the Commission.

C10-70-1(k) ALLEY VACATION

Crawford Avenue Alley, between 37th and 35th Streets

The staff reported that this is a request by the Austin Doctors' Building Corporation to vacate the north-south alley between Miles and Crawford Streets, and 37th and 35th Streets. 37th Street has been acted upon in the past by the Commission with a recommendation to vacate, subject to easements. This request is in conformance with the right-of-way requirements on West 35th Street and there are no objections from any of the City departments. The staff recommends this request. Mr. Sneed appeared before the Commission and requested that they include in this request the abandonment for street purposes that portion of land included in lots 7, 8, 18 and 19 of Block 16, Glen Ridge Addition not needed for the 35th Street widening as to comply with deed restrictions on this property, since it was bought under threat of condemnation for street purposes. Approval of this request would permit use of these lots for other than street purposes. The Commission unanimously

VOTED: To recommend that the Crawford Avenue Alley, between 37th and West 35th Streets be VACATED, and that lots 7, 8, 18 and 19 of Block 16 Glen Ridge Addition be abandoned for street purposes.

C10-70-1(1) STREET AND ALLEY VACATION

North and south alley west of Pecos Street from Scenic Drive to Warren Street and Wade Avenue from 140 feet north of Scenic Drive northerly to south right-of-way line of Warren Street

This is a request by seven property owners for street and alley vacations in West Austin, bounded by Pecos Street, Scenic Drive and Warren Street. The requests are made for a portion of Wade Avenue approximately 140 feet north of Scenic Drive to Warren Street and the alley between Scenic Drive and Warren Street. These rights-of-way have been dedicated for a number of years. The topographic changes are severe and it is unlikely the streets will be developed. This request has been signed by all of the property owners adjacent to the property. The staff recommends this request subject to retention of sanitary sewer, storm sewer and water service easements in existing rights-of-way and the dedication of five feet of right-of-way from the four property owners with frontage on Pecos Street, to complete the necessary right-of-way requirements to bring this street to 60 feet of right-of-way at this location. Mr. Lou McCreary, representing Mr. Charles McAden, one of the property owners, appeared before the Commission, stating that his client would comply with the requirements as applicable to his property. The Commission discussed this request, and unanimously

VOTED: To recommend that the north and south alley between Pecos Street and Wade Avenue, and Wade Avenue from 140 feet north of Scenic Drive northerly to the south right-of-way line of Warren Street be VACATED, subject to dedication of five feet of right-of-way from the property owners with frontage on Pecos Street and retention of sanitary sewer, storm sewer and water service easements in existing rights-of-way.

R141 PLANNING COMMISSION: RULES AND REGULATIONS

Submission of proposed amendment to the Planning Commission
Rules and Regulations clarifying status of tracts of land covered
by preliminary plan but not incorporated into existing final plat.

Mr. Osborne submitted the proposed amendment as follows to the Commission for their consideration and possible action upon at the regular meeting in August.

The following additon to the rules and regulations is recommended for clarification of the Subdivision Ordinance provisions and the policies of the Commission and Department.

The situation is one in which there is some confusion over the matter of the status of blocks or tracts of land that have been shown in a formal Preliminary Plan but where no final plat has been approved for those blocks or tracts. The acceptance by the City of a final plat on a portion of a preliminary plan has left the inference that the "unsubdivided" portions are subject to provision of services and the issuance of a building permit on a "tract" basis. In many instances, this results in an alteration of the intent of the preliminary plan and in some instances out-right conflict with the preliminary plan.

The intent of the Ordinance is to have a schematic plan on the entire tract and a preliminary plan on that portion to be subdivided by actual final plat. The Department and Commission have accepted "preliminary plans" on entire tracts and permitted the submission of final plats by sections. It is recommended that the following be added to the Commisison's Rules and Regulations:

Submission of Final Plats for Sections of a Preliminary Plan

With regard to the procedure set forth in Section 23.12 concerning a schematic layout and the preliminary plan for that portion first to be subdivided, the Commission may accept a preliminary plan for the entire tract of land and may permit the submission of final plats for sections or portions of the entire tract. In accepting a final plat for a portion of a preliminary plan, the Commission shall require the following: (a) No area tract, block or portion not included in a final plat shall be eligible for new or additional utility services or for the issuance of a building or other construction permit; (b) The subdivider shall submit to the Commission, in conjunction with the submission of the first final plat for a protion of the tract covered by the preliminary plan, a proposed schedule for the platting of the entire tract by sections or phases plus a statement of the timing and methods of complying with the requirements for improvement of streets, sidewalks, utilities, drainage facilities and bridges. In the event

454

Planning Commission -- Austin, Texas

Reg. Mtg. 7-14-70 50

R141 PLANNING COMMISSION: RULES AND REGULATIONS--contd.

the Planning Department or any other Department of the City has any question about the arrangements for the future subdivision of the remaining unsubdivided portions or the installation of required improvements, the matter shall be referred to the Planning Commission for consideration and action based on the progressive and reasonable development of land and the subdivision fiscal policies of the City.

ADJOURNMENT: The meeting was adjourned at 11:40 p.m.

Hoyle M. Osborne
Executive Secretary