

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- January 12, 1971

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

Present

S. P. Kinser, Chairman  
\*Bill Milstead  
\*\*Walter Chamberlain  
Alan Taniguchi  
C. L. Reeves  
M. J. Anderson  
Jack Crier  
Fritz Becker

Absent

Jack Goodman

\*Arrived at 8:45 p.m.  
\*\*Arrived at 8:15 p.m.

Also Present

Richard Lillie, Director of Planning  
Walter Foxworth, Supervising Planner  
Henry Mecredy, Supervising Planner  
Tracy Watson, Associate Planner  
Mike Wise, Associate Planner  
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of January 4, 1971.

Present

Alan Taniguchi, Chairman  
Jack Goodman  
Fritz Becker  
C. L. Reeves

Also Present

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

Cl4-70-233      Richard F. Griggs: A to C  
                   2802-2804 Wheless Lane

STAFF REPORT: This is an application for a change of zoning to "C" Commercial, on a tract covering 9,900 square feet to make legal its present use as a plumbing company. A natural gas pump station is located on land zoned "C" Commercial adjacent to the subject site on the east. "A" Residence zoning is developed with single-family residences to the north and west. "C" Commercial zoning was granted many years ago across Wheless Lane and is still undeveloped. "GR" General Retail was applied for in 1968 to the southeast. It was denied and "B" Residence was granted. This later zoning establishes a more appropriate zoning pattern adjacent to these residential neighborhoods. The staff recommends the request be denied but that "B" Residence zoning be granted.

#### TESTIMONY

#### WRITTEN COMMENT

Lee J. Hesler: 2811 Vernon	AGAINST
Mrs. J. Leo Curlee: 6100 Friendswood Dr.	AGAINST
Gary D. Schroeder: 5609 Coventry	AGAINST

#### PERSONS APPEARING AT HEARING

Richard F. Griggs (applicant)	
Mr. & Mrs. Havery S. Herring: 6105 Friendswood Drive	AGAINST
Mr. & Mrs. B. O. Walker: 2709 Wheless Lane	FOR
Mr. & Mrs. Lee J. Hesler: 2811 Vernon Avenue	AGAINST
Lawrence Jacobson: 1805 East 22nd Street	?
Mrs. J. L. Curlee: 6100 Friendswood Drive	AGAINST
J. D. Fisk	FOR

#### SUMMARY OF TESTIMONY

#### Arguments Presented FOR:

Mr. Beverly Walker represented the applicant. He stated that this request is to continue the present use of this site as a plumbing company. It is felt that this is a logical request, as commercial zoning exists in the immediate area.

Mr. J. D. Fisk favors this request. He stated that at times some materials are outside the garage which is used, but that primarily the lot is used for inside storage of plumbing materials.

#### Arguments Presented AGAINST:

Several residents of the immediate area were present to voice their opposition to this request. While this use has existed for a number of years, the use for outside storage has increased and creates an unsightly nuisance for the area. This use affects several homes and has decreased the value of the land. The residents feel that the character of this neighborhood is single-family

Cl4-70-233      Richard F. Griggs--contd.

residential, and that even "B" Residence zoning would be detrimental to the area. The pump station is not an eyesore and the residents do not object to this use, as it is completely underground and is essentially a vacant lot. They feel that this neighborhood is residential and should remain as such.

Mr. Reeves stated that he did not feel that this tract is suitable for residential use as it is adjacent to a pump station, across the street from "C" Commercial property, and at the corner of a very busy intersection. The applicant has used his property for the operation of this plumbing business for many years and the residents must have been aware of this use when they purchased property in the area. Denying this request will effectively put the applicant out of business, as he will not wish to develop his property with apartments. The primary objection to this request is the appearance of the outside storage; "C" Commercial zoning will require solid fencing around this use.

Mr. Becker stated that the "C" Commercial zoning across the street sets the precedent for this tract.

Mr. Goodman felt that multi-family housing development would be the best use for the property, but it would be unfair to destroy this man's livelihood.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed this application at length and noted that the existing use dates from before this property was annexed into the City. "C" Commercial zoning exists across the street from this tract. Additionally, "C" Commercial zoning requires the screening of outside storage. They concluded that this request should be granted as consistent with existing zoning in the area.

At the Commission meeting, Mr. Kinser stated that he had looked at this property, and disagrees with the Committee recommendation because of the many nice homes in the immediate area which should be protected from this encroachment. Granting this request will devalue the adjoining property. The "B" Residential zoning which was granted in this area required ingress and egress on Manor Road, while this property actually fronts on Wheless Lane.

Mr. Reeves pointed out that this tract is adjacent to a natural gas relay station, is across the street from "C" Commercial zoned property and that the use has existed for many years. Certainly the applicant should be encouraged to clean up this lot and to provide solid fencing. The residential area has grown up around this tract and the residents were aware of this use when they purchased their property.

The Commission then

VOTED:      To recommend that the request of Richard F. Griggs for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 2802-2804 Wheless Lane be GRANTED.

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

C14-70-234      Austin National Bank, Trustee: Vera Woods Smith et al Trust: A to C  
Rear of 6421-6511 North Lamar Boulevard

STAFF REPORT: This application on 2.2 acres of land on North Lamar Boulevard is to be used for future development and to correspond to adjoining zoning. Commercial zoning exists along Lamar Boulevard but does not extend as far into the residential neighborhood as does this application. Commercial uses such as a fence company, plumbing company, garage, etc., exist along Lamar Boulevard. The north and east sides of this site are developed with single-family residences. A comparable property and zoning history is that tract at Lamar Place and Burns Street to the south. "C" Commercial zoning was extended easterly from Lamar, but the rear portion of the tract adjacent to low-density residential zoning was granted "B" Residence.

The staff recommendation is to deny "C" Commercial, but to grant "C" Commercial zoning between Lamar Boulevard and the extension of Burns Street and "B" Residence east of Burns Street in accordance with existing zoning and development. This rezoning should be subject to subdivision including the extension of Burns Street as it affects the subject property and with no access to Irma Drive.

#### TESTIMONY

#### WRITTEN COMMENT

Vera Smith: 1409 Arcadia	FOR
Mr. & Mrs. Roy A. Miller: 5906 Thames Drive	FOR
Earl E. Simms, Jr.: P. O. Box 1987	FOR

#### PERSONS APPEARING AT HEARING

Kirk Williamson (representing applicant)

#### SUMMARY OF TESTIMONY

The applicants' representative, Mr. Kirk Williamson, stated that after much discussion with the Planning Department a subdivision has been filed on this property which requires the extension of Burns Street and a cul-de-sac on the southern portion of Burns Street, as it will not go all the way through. There will be 25-foot setbacks on each side of the tract. This area of Lamar Boulevard is an old highway which has been allowed to deteriorate; it is predominately commercial usage. An apartment-motel facility is planned for this tract, which requires "LR" Local Retail zoning. The request for "C" Commercial zoning corresponds with the zoning which exists on the property adjacent to the front portion of the tract. The planned development would be an asset to the area.

Mr. Goodman requested information on plans for access; all access to the facility will be from Lamar Boulevard. Both transient and permanent residents will be served. Mr. Goodman requested information on Shirley Street; the staff reported that this street is developed and ends at the north side of this tract.

C14-70-234 Austin National Bank, Trustee: Vera Woods Smith et al Trust--contd.

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 denied, but recommended the granting of "C" Commercial zoning between Lamar Boulevard and the extension of Burns Street and "B" Residence east of Burns Street as consistent with existing zoning and development in the area. This recommendation is subject to subdivision including the extension of Burns Street as it affects the subject property and with no access to Irma Drive.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Austin National Bank, Trustee: Vera Woods Smith et al Trust, for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at the rear of 6421-6511 North Lamar Boulevard be DENIED, but recommend the granting of "C" Commercial, First Height and Area zoning between Lamar Boulevard and the extension of Burns Street and "B" Residence, First Height and Area east of Burns Street. This recommendation is subject to subdivision including the extension of Burns Street as it affects the subject property and with no access to Irma Drive.

AYE: Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY: None

ABSENT: Messrs. Milstead, Chamberlain and Goodman

C14-70-235 Austex Development Company, Ltd.: Int. A, Int. 1st to GR, 1st (as  
Tract 1: 11201-11213 U. S. Highway 183 amended)  
Tract 2: 11111-11127 U. S. Highway 183

STAFF REPORT: This application is on two tracts of land, one containing 3.45 acres, the other containing 2.48 acres. The proposed use for this property is the building of a community shopping center facility. This area has recently been annexed. These two tracts are part of Balcones Woods Subdivision and located on either side of Balcones Woods Drive at U.S. Highway 183. They are presently zoned Interim "A" Residence and are undeveloped. The surrounding area to the north, west and south is in the County. The staff recommendation is to deny "C" Commercial zoning as too intensive for shopping center development, but to grant "GR" General Retail zoning subject to subdivision approval.

TESTIMONY

WRITTEN COMMENT

None

C14-70-235 Austex Development Company, Ltd.--contd.

PERSONS APPEARING AT HEARING

W. T. Williams, Jr. (representing applicant)

SUMMARY OF TESTIMONY

Mr. W. T. Williams, Jr. stated that "C" Commercial zoning is requested in order that the applicants will have greater latitude in the development of this tract.

The Committee requested information on the difference in uses allowed under "C" Commercial and "GR" General Retail zonings. The staff reported that Hancock Center is an example of "GR" General Retail zoning, while "C" Commercial zoning permits some wholesale and manufacturing uses, in addition to outside storage.

Mr. Reeves pointed out that the adjoining property is proposed for single-family residential development. Mr. Williams stated that the tract which adjoins this tract on the east is also owned by the applicants, and will be developed with model homes. The applicant will not depreciate the value of his surrounding property by developing this tract in such a manner so as not to be compatible with the area.

No one appeared in opposition to this request.

COMMENT AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as too intensive a use for this tract, but recommended the granting of "GR" General Retail zoning subject to subdivision approval.

At the Commission meeting, the staff reported that a letter was received from the applicants amending this request to "GR" General Retail. The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Austex Development Company, Ltd. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (as amended) for property located at 11201-11213 U.S. Highway 183 (Tract 1) and 11111-11127 U.S. Highway 183 (Tract 2) be GRANTED, subject to subdivision approval.

AYE: Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY: None

Absent: Messrs. Milstead, Chamberlain and Goodman

C14-70-236 Frank Barron: A to GR  
7508-7642 Cameron Road

STAFF REPORT: This tract of 12.93 acres is to be used for a mobile home park at this time, and for other commercial uses later. "LR" Local Retail and "GR" General Retail zoning exists along Cameron Road on either side. The southeast corner of Cameron Road and Highway 183 is zoned "C" Commercial and a special permit for a veterinary clinic is on this site. The St. Johns Addition is located to the west of this 13-acre tract, and a single-family residential neighborhood, Coronado Hills, is developing across Cameron Road to the east. Two single-family homes exist on the east side of Cameron Road and just south of Rutherford Creek and three homes adjoin the subject tract. The staff recommendation is to grant this request as consistent with existing zoning.

TESTIMONY

WRITTEN COMMENT

J. D. McKie: P. O. Box 147

AGAINST

PERSONS APPEARING AT HEARING

Frank Barron (applicant)

SUMMARY OF TESTIMONY

Mr. Frank Barron stated that this tract is part of a 73-acre tract. The northern part of the tract was not in the City limits and was taken into the City last year. This request is consistent with the Master Plan and the development fronting Cameron Road. The present use as a mobile home park will continue for several years, with the likelihood of more intense use later.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed this information and concluded that this request should be granted as consistent with existing zoning.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Frank Barron for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 7508-7642 Cameron Road be GRANTED.

AYE: Messrs. Kinser, Taniguchi, Anderson, Crier and Becker

NAY: None

ABSENT: Messrs. Milstead, Chamberlain, Reeves and Goodman

C14-70-237      Jesse L. Bozarth et ux: A to O  
 4208-4210 Medical Parkway

**STAFF REPORT:** This application is on a tract of 9,986 square feet to be developed as a medical doctor's office. There is a mixed zoning pattern in the area consisting of "A" and "B" Residence and "C" Commercial zonings. The "B" Residence to the west fronting onto Burnet Road was zoned in 1966. The "C" Commercial to the south and east has been zoned for many years. Ramsey, a City park, is to the west across Burnet Road. The overall area is predominantly developed with single-family homes, but is in transition along Medical Parkway where commercial and office uses are being established. A pending case for "O" Office zoning exists two lots to the north. The staff recommends this application subject to five feet of right-of-way and five feet of sidewalk and utility easement on Medical Parkway.

#### TESTIMONY

##### WRITTEN COMMENT

Travis A. Eckert: 1108 Lavaca  
 Bob Wilson: 4109 Medical Parkway

FOR  
 FOR

##### PERSONS APPEARING AT HEARING

Russell Rowland (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. Russell Rowland represented the applicant. He stated that since the time this street name was changed to Medical Parkway, the character of the street has changed and is attracting many doctors and related facilities. This site will be used for a doctor's office, which use is not as intense as several existing in the area. The right-of-way is agreeable to the applicant, who is happy to participate in making Austin a more beautiful city.

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 in keeping with this transitional area, subject to five feet of right-of-way and five feet of sidewalk and utility easement on Medical Parkway.

The Commission concurred with the Committee recommendation and

**VOTED:** To recommend that the request of Jesse L. Bozarth et ux for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4208-4210 Medical Parkway be **GRANTED**, subject to five feet of right-of-way and five feet of sidewalk and utility easement on Medical Parkway.

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



C14-70-238      E. T. McGregor: A; 1st to B, 2nd  
3913-3915 Red River Street  
901-905 East 40th Street

STAFF REPORT: This tract is to be used for apartment construction and development and is an area of 17,346 square feet at the corner of Red River and East 40th Streets. "A" and "B" Residence and "O" Office zoning exist along Red River Street, and "O" Office, First and Second Height and Area exist on the north side of East 40th Street. North of 40th Street, earlier in 1970, the Council approved "O" Office, Second Height and Area with a restrictive covenant limiting the height of the structure to First Height and Area; this tract is several lots to the east on the north side of East 40th Street. Single-family residences are developed throughout the area south of 40th Street. Hancock Golf Course and Recreation Center is located across Red River Street to the west and is zoned "B" Residence, Second Height and Area. Rezoning this corner is probably logical because of the "O" Office zoning across the street, but in rezoning there is no point to terminate intensive zoning. The staff recommends the request be denied and "B" Residence, First Height and Area be granted, subject to right-of-way on East 40th Street ranging from 0-10 feet from east to west.

## TESTIMONY

## WRITTEN COMMENT

Petition with 13 signatures

AGAINST

## PERSONS APPEARING AT HEARING

J. J. Raisch (representing applicant)  
Mrs. Carolyn Hewatt: 907 East 40th Street

AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. J. J. Raisch represented the applicant. He stated that the planned development is eighteen units, with some parking underneath the building. The Second Height and Area classification is necessary to allow this density after the right-of-way requirement is satisfied.

Mr. Reeves stated that eighteen units could be built by changing the mix, for instance, more one-bedroom units and fewer two-bedroom units.

Mr. Goodman requested information on the zoning change to the east which was "O" Office, Second Height and Area with restrictions of First Height and Area. The staff explained that this restriction would allow 35 feet in height instead of 60 feet, and for a non-residential use, the set-back requirement would be 25 feet instead of 10 feet.

CL4-70-238      E. T. McGregor--contd.

Arguments Presented AGAINST:

Mrs. Carolyn Hewatt, a resident of the area, presented a petition against this request signed by several residents of the area. She stated that when the zoning change was granted in 1967 on the north side of 40th Street, the Commission recommended that the area south of 40th Street be maintained as a residential neighborhood. There is a severe traffic problem in this area, as all traffic must feed out on Red River Street or I.H.35. It is felt that no zoning change should be granted until the streets are widened and a traffic study of the area is made. Construction is planned for I.H.35, which will cause all traffic to be channelled to Red River Street. An increase in traffic will be hazardous to the users of the Hancock Recreation Center.

Mr. Reeves stated that the first step in solving these traffic problems is the acquisition of right-of-way, which is required when zoning is accomplished. As the necessary right-of-way is acquired the residents request the widening of the street and pay for a portion of the cost. Mr. Lillie explained that the signatures on a petition against a zoning change must be notarized before submission to the City Council. Mrs. Hewatt will have this done.

Arguments Presented In REBUTTAL:

Mr. Raisch stated that every effort will be made to provide adequate parking. It is felt that the dedication of the right-of-way will enhance all of the property in the area.

Mr. Reeves stated that sixteen two-bedroom units could be constructed on this tract after right-of-way requirements under the "B" Residence, First Height and Area classification.

Mr. Goodman stated that he felt that apartment development should not penetrate south of 40th Street.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as too intensive for this location, but recommend the granting of "B" Residence, First Height and Area subject to right-of-way on East 40th Street ranging from 0-10 feet from east to west.

The Commission concurred with the Committee recommendation and

VOTED:      To recommend that the request of E. T. McGregor for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 3913-3915 Red River Street and 901-905 East 40th Street be DENIED, but recommend the granting of "B" Residence, First Height and Area subject to right-of-way on East 40th Street ranging from 0-10 feet from east to west.

AYE:          Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY:          None

ABSENT:      Messrs. Milstead, Chamberlain and Goodman

C14-70-239      John P. Schneider: B to LR  
101-105 East 38th Street  
3705-3707 Speedway

STAFF REPORT: The subject tract is at the corner of Speedway and East 38th Street, covering an area of 11,938 square feet to be developed as offices and self-service laundry facilities. "A" and "B" Residence and "O" Office zoning is established along East 38th Street. "LR" Local Retail zoning exists on the southwest corner of this intersection. "O" Office zoning exists on the adjoining lot to the south. Single-family and duplex structures predominate this area. An apartment project and a nurses' home are developed on 38th Street to the west. This area is within the 1967 Area Study recommending "BB" or "B" Residence zoning where streets are adequate. The staff would not object to "LR" Local Retail zoning because of the existence of one lot zoned nearby, but would prefer "O" Office zoning, subject to ten feet of right-of-way on 38th Street.

TESTIMONY

WRITTEN COMMENT

R. B. Holt: 52 Doublet Hill Road Weston, Mass.	AGAINST
Clark C. Gill: 3606 Grooms	FOR
Fred Young:	FOR

PERSONS APPEARING AT HEARING

Glenn H. Foster (representing applicant)

SUMMARY OF TESTIMONY

Mr. Glenn H. Foster represented the applicant. This tract is a vacant lot and is ideally suited for a service use to serve this area. The applicant will develop this tract with a 3,000 square foot building which will house a self-service laundry and office facilities. "O" Office zoning exists immediately to the south and a commercial establishment, an interior decorator, is across the street from this tract. The right-of-way requirement is agreeable to the applicant.

A nearby property owner spoke in favor of this request, stating that he would welcome such a use in the area.

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 consistent with existing zoning, subject to ten feet of right-of-way on 38th Street.

C14-70-239 John P. Schneider--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John P. Schneider for a change of zoning from "B" Residence, Second Height and Area to "LR" Local Retail, Second Height and Area for property located at 101-105 East 38th Street and 3705-3707 Speedway be GRANTED, subject to ten feet of right-of-way on 38th Street.

AYE: Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY: None

ABSENT: Messrs. Milstead, Chamberlain and Goodman

C14-70-240 R. C. Littlefield: A to BB  
3500-3510 Red River

STAFF REPORT: The subject property consists of 48,000 square feet of land, with the stated purpose of development as apartments. The church property and the tract to the south of the church across Red River Street are zoned "B" Residence, Second Height and Area. The west side of Red River Street is still "A" Residence zoning. Three unsuccessful attempts to zone this site and several lots to the immediate south occurred in 1968 and 1969. The requests on each were for "B" Residence or "O" Office zoning. The present request is for "BB" Residence zoning which would allow a maximum of 26 units on this 1.1 acre site. Single-family residences exist throughout this area and a duplex is on the subject site. The subject tract has frontage only to Red River Street. The tract south of the church is presently under development. The staff recommends the request be denied. Conditions in the area have not changed since the last application. If granted, it should be subject to five feet of right-of-way, five feet of sidewalk easements and short form subdivision.

## TESTIMONY

## WRITTEN COMMENT

Allen E. Smith: 832 East 37th Street	AGAINST
Gordan & Margaret Lantz: 3408 Red River	FOR
Glen E. Lewis: 3406 Red River	FOR
Mrs. Ora Imogene Carter: 3412 Red River	FOR
Donald B. Goodall: 836 East 37th Street	AGAINST

## PERSONS APPEARING AT HEARING

Larry Niemann (representing applicant)	
Dorothy A. Johnson: 822 East 37th Street	AGAINST
Gail E. Johnson: 822 East 37th Street	AGAINST
Mr. & Mrs. Gordon M. Lantz: 3408 Red River	FOR
Mr. & Mrs. Robert J. Robison: 3500 Greenway	AGAINST
Mr. & Mrs. Martin Legett: 3410 Greenway	AGAINST

C14-70-240 R. C. Littlefield--contd.

Mr. & Mrs. Donald B. Goodall: 836 East 37th St.	AGAINST
Mr. & Mrs. Allen Smith: 832 East 37th Street	AGAINST
Mr. & Mrs. C. J. Addcox: 900 East 37th Street	AGAINST
Mr. & Mrs. Otis Nelle: 840 East 37th Street	AGAINST
Mr. & Mrs. A. L. Horstmann: 838 East 37th St.	AGAINST
Mr. & Mrs. C. H. Owens: 818 Harris Avenue	AGAINST
Mrs. Guy C. Baird: 828 East 37th Street	AGAINST
Mary Lou Baird: 828 East 37th Street	AGAINST
Charlotte Ann Frank: 3313 Hampton Road	AGAINST
Mr. & Mrs. Edmund Frank: 3313 Hampton Road	AGAINST
Mrs. John B. Williams: 834 East 37th Street	AGAINST
James R. Meyers: 818 East 37th Street	AGAINST
Mrs. A. W. Meadows: 820 Harris Avenue	AGAINST
Lamar A. Phipps: 821 Harris Avenue	AGAINST
Hardy Hollers: 1209 Perry Brooks Bldg.	AGAINST
Mrs. Monroe Hgn: 3701 Hampton Road	AGAINST
Mrs. Bryant Collins: 829 East 37th Street	AGAINST
Glen E. Lewis: 3406 Red River	FOR
Robert R. Blake: 3700 Hampton Road	AGAINST
J. M. Patterson, Jr.: 3508 Greenway	AGAINST
William Shive: 843 East 38th Street	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Larry Niemann, attorney, represented the applicant. Two applications for re-zoning of this property have been withdrawn in the past and much interest in this case has been shown by the area residents. The present application is different in two ways. It is a request for "BB" Residence rather than "B" Residence zoning, which means that twenty-four rather than forty-eight apartments will be constructed. Secondly, the applicant has a proposal on where to draw the line on apartment zoning in the future to stop encroachment on the neighborhood.

The applicant plans a twenty-four unit apartment project designed for families and professionals. This will not be student housing, as is feared by the residents of the neighborhood. At this time the tract is vacant except for a duplex. Photographs of all the structures on this block and facing Red River Street in this area were shown. Mr. Niemann displayed a zoning map of the area, noting the existence of "B" and "BB" Residence zoning across Red River Street, with some "C" Commercial zoning to the south on Red River Street. There are several large apartment developments nearby. While the area to the west of this tract consists of large homes, the quality of the housing in the immediate area is not very high, with the one exception of the private home abutting the tract on the north, which was originally part of this tract. Duplexes, rent houses and a small apartment building exist in the area. Many of the area residents are opposed to this application, but only one of the abutting property-owners is opposed. On the last zoning application all the neighbors to the south on Red River Street joined in

C14-70-240      R. C. Littlefield--contd.

the application and now approve of the re-zoning of this tract. Mr. Niemann presented a petition signed by fourteen property owners in the immediate area who support this application.

At the present time Red River Street has thirty-five feet of paving, but the right-of-way is sixty feet. The Master Plan for the City includes the widening of Red River Street and the construction of sidewalks on each side. Traffic generated on this tract will have ingress and egress solely on Red River Street, and will add no more traffic than the many other apartment developments on this street.

Greenway Street, Harris Avenue, and 37th and 38th Streets immediately to the west of this tract make up a very expensive neighborhood and the residents are rightfully concerned about encroachment into this area. Encroachment would be limited by two factors in this case; the limitation of ingress and egress to Red River Street and the fact that the residents of this area have deed-restricted their property to single-family homes. It is suggested that the City limit apartment zoning only to those tracts which front Red River Street and limit access to this street. This has been done in other instances and has proven to be an effective tool for the protection of residential neighborhoods.

Mr. Gordon M. Lantz, 3408 Red River Street, stated that he has been turned down on three zoning applications on his property. All the surrounding property is either rental houses or small apartment houses. He is in favor of this application.

Mr. Glen Lewis, 3406 Red River Street, stated that he supports this application. He does not plan to change the use of his property at this time, but he feels that the recent increase in taxes on the property indicates its value as other than residential property.

#### Arguments Presented AGAINST:

Mr. James Meyers, 818 E. 37th Street, presented petitions signed by forty property owners in the area who are opposed to this request. The area which will be affected by this decision is defined as the area from Waller Creek up 38th Street to Red River Street, down Red River Street to 32nd Street, then to Harris Boulevard to Waller Creek. These residents have opposed the intrusion of multi-unit dwellings as requested by several applications in the past. This area is unique in the quality of homes and its proximity to the downtown area and the University; the homes are well maintained, with the majority owner-occupied. This neighborhood is an asset to the City. Mr. Meyers presented photographs of several of the quality homes in the area. The residents of this area have purchased property at 38th and Red River Streets in order to maintain it as residential. They have also organized many of the residents and deed-restricted the properties to single-family use. Protection from encroachment has been achieved to the north. This is substantially the same application as the one submitted a year ago and as there have been no changes in the conditions in the area, it is requested that this application also be denied.

C14-70-240 R. C. Littlefield--contd.

Mr. Allen Smith, 832 East 37th Street, stated that 1100 members use the church, 200 children attend the church school and 220 children attend the Robert E. Lee Elementary School. The traffic constitutes a hazard at peak hours and should not be increased. The applicants will not live in the area and are not concerned about preserving its character; they merely wish to make money on their investment. This decision will set a precedent which may lead to even more intense development of the area. The human values should be considered, and the children of the area, who will lose a quiet place to play and bicycle. Granting this zoning will result in row upon row of apartment houses, with the needed parking lots and very heavy traffic. The area has not changed and there is no reason to grant this change in zoning, except for personal gain for the applicant.

Mr. J. M. Patterson, Jr., 3508 Greenway Street, stated that he has lived here for eighteen years and feels that this fine neighborhood should remain intact.

Mr. William Shive, 843 East 38th Street, feels that with the restrictions which will be placed upon University enrollment, the primary need will be for single-family dwellings, rather than apartments. Mr. Shive owns a corporation which rents single-family units, and the demand always exceeds the supply. Additionally, many of the apartments in the area have vacancy signs. An area such as this should be preserved. If only apartments are developed around the University, they will eventually deteriorate due to lessened demand, and the result will be slum areas. The ultimate solution will be the use of tax money to apply urban renewal.

Mr. Hardy Hollers represented Mrs. Natalie Collins, whose property abuts the property under consideration to the west and the north. She will be affected more than anyone else by this decision. This property was developed in 1945, and is presently valued at between \$100,000 - \$150,000. It is a single-family residence, with a yard which is the pride of the neighborhood. Such homes and areas such as this are the reason Austin is such a beautiful city, and contribute much to its reputation as a fine place for businesses to locate. Mrs. Collins gave this property to her daughter, who built a residence and later sold the tract to the applicant. The property was zoned "A" Residence when the applicant purchased it. When an investor purchases residential property for apartment development, he is creating a hardship for the neighbors. It is grossly unfair to the homeowners in the area, who must pay taxes on their homes, but gain no income on it.

**Arguments Presented In REBUTTAL:**

Mr. Niemann stated that there was considerable difference between the two sets of photographs which were introduced as evidence and are primarily in the neighborhood to the north, which is quite different from the property near the applicant's tract. The protection of the fine neighborhood is a legitimate concern, and should be carefully considered. It is felt that this encroachment would be prevented by limiting apartment zoning to tracts

C14-70-240 R. C. Littlefield--contd.

which front on Red River Street and with ingress and egress limited to Red River Street. Granting this zoning would not contaminate the entire neighborhood. The deed restrictions on the property to the north provides a buffer zone. While traffic is a danger, progress cannot be stopped. This danger will be remedied by widening Red River Street paving to sixty feet, as provided in the Master Plan for the City. Under present zoning, this tract can be used for fourteen townhouses, the applicant is asking for only ten more units. The property along Red River Street is not an area of quality residential housing, but consists of rent houses, duplexes and vacant land. It is not suitable for the development of quality housing.

Mr. Taniguchi stated that this is the third hearing he has heard on this site as a member of the Zoning Committee. Any encroachment into a well-established neighborhood should have thorough consideration. It is to be hoped that the neighborhood will organize and meet with any developer of the property along Red River Street, for as the street is widened the property abutting it will not be suitable for single-family residences. The concern is the quality of the development adjoining this area.

Mr. Reeves stated that this decision will set a precedent for all the property along Red River Street; so that actually the consideration is 90 to 100 apartments, rather than 24. This would create a tremendous amount of traffic, but Red River Street is and will continue to be a heavily traveled street. Single-family homes facing Red River Street is not a suitable use for this property. Townhouse development may be the middle ground desired. These can be constructed very attractively, and have the same density as duplexes.

Mr. Becker stated that he saw merits on both sides of this case, but felt that townhouse development is the most suitable development for property fronting on Red River Street.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed this application at length, including the intensity of the proposed use, traffic in the area and the precedent-setting implications of this application. They concluded that this request should be denied as it is felt that townhouse development is adequate use and density for this tract.

At the Commission meeting, the staff reported that the applicant has submitted an application for a special permit on this tract and will withdraw this application before the Council. The Commission then

VOTED: To recommend that the request of R. C. Littlefield for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 3500-3510 Red River Street be DENIED.

AYE: Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY: None

ABSENT: Messrs. Milstead, Chamberlain and Goodman



C14-70-241      James W. Sykes: A to BB  
                   2501-2505 Parker Lane

STAFF REPORT: This request is on a tract of 30,975 square feet, proposed for apartment development. "A" and "BB" Residence and "GR" General Retail zoning exist along Parker Lane to the north; however, the property along Parker Lane adjacent to the subject property on the north was retained as "A" Residence in 1968 when that property behind it (in the interior of this block) was zoned "BB" Residence. "GR" General Retail zoning exists at the intersection to the north. This area is predominantly developed with single-family and duplex residences. The above-mentioned 1968 zoning history establishes the pattern for zoning along this frontage on Parker Lane as "A" Residence zoning. The staff's recommendation is to deny "BB" Residence zoning as an encroachment and to retain the "A" Residence zoning character of this neighborhood.

#### TESTIMONY

##### WRITTEN COMMENT

Pearl Hokanson: 2401 Braxton Cove	AGAINST
John O. Raney: 2500 Biggs	AGAINST
McVay T. Williams, Jr.: 2503 Biggs Drive	AGAINST
Irene Hoffman: 2404 Parker Lane	AGAINST
Mr. & Mrs. Robert J. Franzetti: 2507 Parker Lane	AGAINST

##### PERSONS APPEARING AT HEARING

Michael E. Stork: 2409 Braxton Cove	AGAINST
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#### 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 withdrawn, as requested by the applicant.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of James W. Sykes for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 2501-2505 Parker Lane be WITHDRAWN.

AYE: Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY: None

ABSENT: Messrs. Milstead, Chamberlain and Goodman

Cl4-70-242      Francis Lee Karber: C to C-2  
8312-8316 North Lamar Boulevard

STAFF REPORT: This request for "C-2" Commercial, Sixth Height and Area zoning is on an area of 1,457 square feet and is to be used as a retail liquor store. "C" Commercial zoning exists along Lamar Boulevard. "GR" General Retail zoning extends back 800 feet further west on the neighboring tract to the north. A lumber company exists on Lamar Boulevard to the south. A roofing company and a heavy equipment company exist across Lamar Boulevard. This is a small 40' by 40' site to be used for a liquor store. The applicant has submitted the metes and bounds for the building site as required. The staff would prefer to see this type application located within shopping centers, but has no objection to this location.

#### TESTIMONY

#### WRITTEN COMMENT

James A. Loiseau: 2709 Pinewood Terrace      FOR

#### PERSONS APPEARING AT HEARING

Dorothy Croom (representing applicant)	
Jack Petersen: 8429 Bangor Bend	NO OPINION
Richard L. Vaughn: 8432 Bangor Bend	NO OPINION
Mr. & Mrs. Jim Blackwell: 8435 Bangor Bend	AGAINST
Mr. & Mrs. James C. Fay: 8433 Bangor Bend	AGAINST
Mr. & Mrs. David W. Young: 8431 Bangor Bend	AGAINST

#### SUMMARY OF TESTIMONY

Dorothy Croom, attorney, represented the applicant. She stated that there is now a liquor store on the south side of Mr. Karber's property, which he owns and leases. The purpose of this is to change the location so that the liquor store can be enlarged. It will be moved to the north side of the property. The staff reported that the present location is a non-conforming use, and the applicant will not be able to re-open the old location without applying for zoning on that location. There will not be two liquor stores on this tract.

In answer to a question from a member of the audience, the staff explained that the "C" Commercial zoning on the front portion of this property is original zoning when the city limit line was established 150 feet from Lamar Boulevard. This zoning was granted recognizing the uses then in existence.

Mr. Richard Vaughn, a nearby resident, stated that he did not object to a retail liquor store at this location, but would object to a lounge or a saloon. Mr. Reeves stated that "C" Commercial zoning allows such development, if the proper license is obtained.

C14-70-242 Francis Lee Karber--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, and requested the staff to inform the Building Official's office of the closing of this non-conforming use.

At the Commission meeting, Mr. Reeves explained that this is presently a non-conforming use and the applicant wishes to move into a larger building. The staff explained that after the existing use is abandoned for ninety days, it cannot be re-opened without an application for zoning. The Commission then

VOTED: To recommend that the request of Francis Lee Karber for a change of zoning from "C" Commercial, Sixth Height and Area to "C-2" Commercial, , Sixth Height and Area for property located at 8312-8316 North Lamar Boulevard be GRANTED.

AYE: Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY: None

ABSENT: Messrs. Milstead, Chamberlain and Goodman

C14-70-243 David D. Ford et ux et al: Int. A, Int. 1st to GR, 1st (Tr. 1)  
Tract 1: 6400-6622 Manchaca Road and B, 1st (Tr. 2)  
 Tract 2: Rear of 6400-6622 Manchaca Road

STAFF REPORT: This application is on two tracts of land--one containing 19.949 acres, the other containing .63 acres. The applicant's proposed use is for retail sales development. This area is all zoned Interim "A" Residence. Cunningham Elementary School is located across Berkeley Avenue on the north. The City limit line is on the south and west. "GR" General Retail zoning exists at several intersections on Manchaca Road at Stassney Lane, one-half mile north, and at William Cannon Drive, one-half mile south. These two locations are at intersections of major streets. "GR" General Retail was requested on that parcel immediately north adjacent to the school. It was recommended against by the staff and Planning Commission, and withdrawn at the City Council. This is not the proper location for commercial zoning and would lead to strip zoning and development on Manchaca Road. The proximity of the elementary school and newly developing residential subdivisions to the west suggest more restrictive land use. The application to the north, which was heard in 1968, was recommended for denial on the grounds that it would set a precedent for strip zoning, inadequate right-of-way, and that approval would be piecemeal zoning. This application was granted by the City Council, but as the applicant did not give the right-of-way, was subsequently withdrawn. At the corner of Manchaca Road and Stassney Lane at this time there is eleven acres zoned "GR" General Retail on the northeast corner, and 17.5 acres zoned "GR" General Retail on the west side. In addition, there are two tracts totaling nine acres zoned "GR" General Retail at the corner of Manchaca Road and William Cannon Drive. This is a total of 38 acres already zoned commercially in this area. The plan for the subdivision which is developing to the west also has provision

C14-70-243      David D. Ford et ux et al--contd.

for commercial development. It is felt that these clusters of commercial development at major intersections are desirable. The remainder of the area is proposed for low-density residential use, with parks, schools and church sites. Between Manchaca Road and the Missouri-Pacific Railroad is an older residential subdivision, except for Cherry Creek, Section 1, which adjoins Garrison District Park. There is land along Manchaca Road which is uncommitted, and it is felt that this requested zoning would set an undesirable precedent for strip zoning.

## TESTIMONY

## WRITTEN COMMENT

Jesse F. Houston: 6401 Manchaca Road      AGAINST

## PERSONS APPEARING AT HEARING

Robert Sneed (representing applicant)  
Edward J. Jennings: 607 West 32nd Street      FOR

## SUMMARY OF TESTIMONY

Mr. Robert Sneed, attorney for the applicants, stated that this property consists of just under twenty acres and is owned by the Rylander and Bert Ford families, who are users of commercial property. This will be the site of another Rylander's grocery store and development such as the Ford Shopping Village, which is located at the intersection of Manchaca Road and Ben White Boulevard. Initially, a substantial portion of this property was located outside the City. In discussion with the Planning Department the applicants received the impression that this property would be used commercially because the tract adjoining the elementary school had been zoned by the City Council. It was on this basis that the applicants proceeded with application for annexation and subsequently this application for zoning change. At the time of the previous application, the requirement for the dedication of a street between this tract and the school was not agreeable to the applicants; however, this does not affect the decision of the City Council that the requested zoning is proper for the site. There are tracts of land in the area which are zoned commercial but are not being used for commercial purposes; the applicants will use this land commercially and the type of development, such as Rylander's grocery store, is an acceptable and desirable form of development. The size and depth of the tract and the type of development planned will prohibit the strip development which is objectionable. Berkley Avenue will ultimately become a major collector street. The pattern of large tracts which is dominant in this area is the key to preventing strip development. Now is the time to establish zoning so that conflicts will not arise after residential development has taken place. It is felt that this is sound planning and is a logical location for this type of development.

C14-70-243      David D. Ford et ux et al--contd.

In answer to Mr. Reeves inquiry, Mr. Sneed explained that the request for "B" Residence zoning on Tract 2 will insure a building setback of twenty-five feet from the church property. Mr. Reeves stated that such a buffer zone should be at least parking lot width, so as not to create an alley which would be a liability. The minimum width for such use is sixty-four feet. Mr. Sneed requested that this application be amended to extend the "B" Residence zoning to sixty-four feet.

Mr. Goodman stated that he agreed with Mr. Reeves' statement that the tract should be zoned "GR" General Retail, with setback requirements for buffer zones. However, the rules of the Ordinance prohibit zoning property for more permissive zoning without re-advertising the application. The establishment of such a strip of "B" Residence zoning predicates the zoning on the surrounding area, and the building setback requirements would be preferable. Mr. Goodman asked if the school had voiced an opinion concerning this type of development adjacent to their property. The staff reported that notice had been sent to the school and no response was received.

Mr. Reeves stated that development to the west would logically be "GR" General Retail development, and a setback requirement would hamper this development. Mr. Lillie pointed out that Cherry Creek Subdivision is a single-family development and will be developed further.

Mr. Jack Jennings, a nearby property owner, favors this zoning change. He feels this tract has value as a shopping center and that its development will not lead to strip zoning along Manchaca Road.

No one appeared in opposition to this request.

#### COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that a building setback should be maintained on the south side of the tract to protect the subdivision, and the applicant had indicated that this would be agreeable. This would allow space for parking on the west and south sides of the property. After brief discussion, the members decided that a sixty-four foot strip of "B" Residence zoning on the west and south sides of this tract would be the best solution.

The Committee reviewed the information and concluded that this request should be granted as amended as the best zoning of this tract.

At the Commission meeting, Mr. Reeves explained that the two sixty-four foot strips on the west and south sides of this tract will be buffer zones and will be wide enough for parking area. The Commission then

VOTED:      To recommend that the request of David D. Ford et ux et al for a change of zoning from Interim "A" Residence, Interim First Height and Area to "B" Residence, First Height and Area on a sixty-four foot strip on the west and south sides of the tract and "GR" General Retail, First Height and Area on the remainder of the tract (as amended) for property located at 6400-6622 Manchaca Road (Tract 1) and Rear of 6400-6622 Manchaca Road (Tract 2) be GRANTED.

C14-70-244      Austin Doctors Building Corporation:      A, 1st to O, 3rd (Tr. 1); C, 1st to C, 3rd (Tr. 2); A, 1st to O, 2nd (Trs. 3 & 4d); A, 1st to O, 1st (Trs. 4a, 4b); A, 1st and B, 2nd to be withdrawn (Tr. 4c); A, 1st to B, 2nd (Trs. 5a, 5b, 5c) (as amended)

Tract 1:      1007-1013 West 33rd Street

                 1004-1010 West 32nd Street

                 3207-3211 Wabash Avenue

Tract 2:      1001-1007 West 33rd Street

                 1000-1002 West 32nd Street

                 3200-3220 North Lamar Boulevard

Tract 3:      1100-1112 West 33rd Street

                 3301-3305 Bailey Lane

                 3300-3304 Wabash Avenue

Tract 4a:      3301-3305 Wabash Avenue

                 1008-1012 West 33rd Street

Tract 4b:      1200-1204 West 33rd Street

                 3300-3304 Bailey Lane

Tract 4c:      3200-3208 Bailey Lane

                 1207-1209 West 33rd Street

Tract 4d:      1011-1015 West 32nd Street

Tract 5a:      3105 Wabash Avenue

Tract 5b:      1010 West 31st Street

Tract 5c:      1012-1016 West 31st Street

STAFF REPORT: This application is on five tracts which surround the block of City property used as Bailey Playground. The proposed use for these tracts is for office development and other uses in connection with the general plan for addition to the existing medical complex in the area. "A", "BB" and "B" Residence, "O" Office, "GR" General Retail and "C" Commercial zoning with First and Second Heights and Areas exist throughout this area. The interior of this neighborhood has several single-family homes. A fruit stand, laundry, drive-in restaurant, liquor store, etc., exist along Lamar Boulevard. The staff has no objection to the application as requested except for Tract 3, where Second Height and Area is recommended. This is a well-defined block of land bordered by two major streets and Shoal Creek. The Master Plan designates this area for medium density use. During the last three years, several requests for "B" Residence, First and Second Heights and Areas, and "O" Office, First and Second Heights and Areas have been granted, with development of apartment and office uses. The area is in transition to higher intensity of use.

As this land is presently being assembled, it is difficult to determine what the internal street needs will be. Some streets may need to be widened, and some may be vacated along with some alleys. Right-of-way is needed along Lamar Boulevard. Widening will be a problem in some internal blocks because of existing large trees near curbs. The staff will work with the applicant during the next month until the City Council hearing to determine street and circulation needs.

This property will be developed in conjunction with the Medical Park Tower and Seton Hospital and related uses. West 31st Street extends through the area and connects Lamar Boulevard to 34th Street; a portion of the area along Shoal Creek is part of the greenbelt system of the City. The cluster of blocks in this application is fairly well separated from all types of residential use in the area, but as the applicants plan to put together an apartment and office complex, a well-planned internal street plan to serve the area is very important.

C14-70-244 Austin Doctors Building Corporation--contd.

## TESTIMONY

## WRITTEN COMMENT

Peggy Cavett Walden: 422 Morningside Drive, S. E.	
Albuquerque, New Mexico	AGAINST
Mrs. Gladys F. Cavett: 1309 West 34th Street	AGAINST
Mrs. May F. Dear: 1100 West 31st Street	AGAINST
Mrs. Fran Stumpf: 311 Howard Street San Antonio, Tx. ?	
Mobil Oil Corporation: P. O. Box 1901 San Antonio, Tx.	FOR
McKay & Avery: Attorneys for Seton Hospital	FOR
Stella Hofheinz: P. O. Box 1987	FOR
C. L. Links: 202 North Morris Street Gainsville, Tx.	AGAINST

## PERSONS APPEARING AT HEARING

Seton Hospital (applicant)	
C. N. Avery, Jr. (representing applicants)	
Robert Sneed (representing applicants)	
Will Garwood: 1112 West 31st Street	AGAINST
John A. Logan, Jr.: 2201 Schulle Avenue	AGAINST
James T. Noton: 1112 West 31st Street	AGAINST
William Shive: 843 East 38th Street	AGAINST
Dr. J. P. Vineyard: 1112 West 31st Street	AGAINST
Jack Jennings: 607 West 32 Street	AGAINST

## SUMMARY OF TESTIMONY

## Arguments Presented FOR:

Mr. Robert Sneed, Attorney, represented the applicants. He requested that this application be amended on Tract 3 from Third Height and Area to Second Height and Area, "O" Office zoning. In addition, the applicants agree to the right-of-way requirement of twenty feet on Lamar Boulevard, which will be approximately 5,000 square feet on this application. The applicants agree to donate one-half of the right-of-way needed to accomplish the widening of any street included in this application to a width of fifty feet. There are many beautiful trees in the area which are between the sidewalk and the street which creates a problem in the consideration of widening the streets, but it is felt that this can be accomplished through the use of utility easements.

Mr. Sneed displayed an architect's drawing of the proposed development. A four-story building is planned for Tract 3, which is within the Second Height and Area classification. This building is planned for dental offices and laboratories. A six-story building is planned for Tract 1, which will be used for doctors' offices and related facilities. These buildings will be of the same architectural type as the already-constructed Medical Building. Parking will be behind the buildings, with the offices looking out on the park area. The Doctors' Building is now completely

C14-70-244      Austin Doctors Building Corporation--contd.

rented, and with Seton Hospital under construction it is evident that this area will become one of the outstanding medical facilities in the South.

Mr. Reeves suggested that Wabash Avenue might be closed between 33rd and 34th Streets, as it is very hazardous at this time.

Mr. C. N. Avery, Jr., Attorney for Seton Hospital, spoke in favor of this request. He stated that construction will begin during the summer of 1971 on Seton Hospital and this proposed development will be highly complementary to their program.

Arguments Presented AGAINST:

Dr. John Vineyard, President of the Board of Trustees of the St. Andrews Episcopal School, which is located just to the south of Tract 4c of this application, stated that this school has existed since 1955 and now has 157 students. The school is experiencing problems with traffic in this area, as the children use Bailey Park during the day. The school objects to an office complex immediately adjacent to the school which will operate during the same hours as the school. It is felt that this use will be a bad influence on the park area. Dr. Vineyard heard several months ago that the applicants might possibly request that the City abandon the park and make this land available to the Doctors' Corporation as the office buildings would completely surround the park and there would be no City need for the park. This is a nice park, with tennis courts which are used heavily. Mr. Reeves explained that the City does not vacate public parks as they do unused streets and alleyways and can only dispose of a park through public referendum and sale..

In answer to an inquiry from Mr. Goodman, Dr. Vineyard stated that the school is an elementary school, with grades one through six. It operates on much the same pattern as a public school, except for the religious emphasis. All classes except the first grade have regular play periods outside when they use the park. Mr. Goodman stated that he felt that if the traffic situation could be remedied, it would be good for the school and its environment to co-mingle with the office workers, as the exposure of the students to working people would be beneficial. Dr. Vineyard stated that he has heard on several occasions mention of sub-hospitals, such as pediatrics or eye, ear, nose and throat facilities, rather than office facilities in this area. It is regretted that the Doctors' Corporation has not met with the School Board to discuss these plans. The Doctors' Corporation has acquired these tracts in a hopscotch fashion and they were purchased under various names of members of the Corporation. However, Dr. Vineyard does not feel that the Corporation is planning to acquire land by condemnation. The school hopes that the development will complement its facilities, which have been in existence for a number of years. Mr. Goodman pointed out that a Special Permit would be required to build a hospital. Other considerations would be made by the Board of Adjustment, and there will be hearings on street or alley vacations.



C14-70-244      Austin Doctors Building Corporation--contd.

Mr. Becker requested information as to the traffic pattern used by the parents bringing their children to school; Dr. Vineyard stated that the school serves north, south and west Austin residents, so a varied traffic use pattern exists. Only about ten per cent of the students live within walking distance of the school. The traffic congestion has created ill feeling among the neighbors, who put up no-parking signs. The school provides off-street parking for their staff. A resident of the area stated to Dr. Vineyard that taxes had been raised on his property and he felt it was due to the proposed development by the Doctors' Corporation.

Mr. Will Garwood, a member of the St. Andrews Episcopal School Board, also expressed his objections to this requested zoning. The Board of Trustees has considered this matter and feel that the proposed development would be undesirable for this very attractive school. At present this is a quiet area, with a very pleasant park where the children play. A very heavy use pattern will be established by the extremely high-density development which is planned, with correspondingly heavy traffic on narrow streets. This will certainly constitute a danger to the school children and will be a drastic change for the school and park area which is relatively a quiet and peaceful area despite its proximity to 34th Street and Lamar Boulevard.

Mr. Goodman pointed out the mixed land use in existence in the area around the park at this time. Logically the property would go to multi-family use, which would create more traffic congestion than would this type of development with its carefully planned parking areas and traffic patterns. A traffic study of the area and the possibilities of one-way street patterns and parking lot areas would help in the solving of these problems. Mr. Reeves stated that 31st Street and Old Bull Creek Road should be widened and improved, which would greatly help the problems in the area. It would help to know how many car trips per day are being generated by the school, and the traffic patterns followed. Mr. Garwood stated that the primary consideration should be that the intensive use planned will drastically change the character and the use of this area.

Peggy Cavett Walden, a property owner on Old Bull Creek Road, spoke against this request. She stated that in the past year the taxes on this residential property were raised 1,000 per cent; this is practically an eviction notice to many of the residents. Any further development is strongly opposed by the residents, as it will mean even higher tax rates. Miss Walden was advised by the Doctor's Corporation in September that no immediate plans existed for the development of these tracts in this application, and feels that something underhanded is going on or she could have been told the truth about the plans for this development. She introduced a map showing patterns of taxation of the area adjacent to the Doctors' Building, which indicated tax increases in the areas abutting that property. This taxation practically forces homeowners out of a neighborhood. This proposed development will destroy the adjoining residential neighborhoods, and particularly the greenbelt area along the creek.

C14-70-244      Austin Doctors Building Corporation--contd.

Mr. Jim Noton, a member of the Board of Trustees for the St. Andrews Episcopal School, stated that if he were a large corporation, he would spot buy property such as this, apply for a zoning change, and by this change increase the value of the adjoining properties, such as by taxation, and in this way force the homeowners to sell, as they cannot afford to live there under the tax structure. If such a plan is carried out and a commercial doctors' complex is developed, the school will be the sole survivor of such a land grab, completely surrounded by a commercial-industrial area. Mr. Reeves stated that the area could be developed as apartments, which would increase the taxes also. Mr. Noton feels that apartment dwellers do not create the traffic problems which office development would create. Mr. Reeves stated that tax evaluation is set up on the use that is presently available to the property. The development of the property adjacent to a residence for other than residential use does not affect the taxation.

Mr. Jack Jennings, 607 West 32nd Street, stated that he has lived in the area for several years. He feels that traffic circulation in the area is very poor and more traffic should not be created. If a zoning change is granted, a traffic light will be needed at every intersection.

Arguments Presented in REBUTTAL:

Mr. Sneed stated that there is no land-grabbing involved in this case and certainly the park cannot be taken from the citizens of Austin. Parks cannot be sold unless the sale is approved by a vote of the general populace. As for the traffic problems in the area, it is felt that if the Planning Department of the City can recommend this application, they do so knowing that these problems can be solved. Some of this property was bought in the name of a trustee of the corporation; this is standard procedure and not an immoral practice. The applicants are concerned about preserving the beauties of the City and are trying to develop an asset to the area. They also pay the same taxes as the other property owners in the neighborhood. The proposed development is the highest and best use of this property; this development will not interfere with, damage or destroy the use of the property so far as the school is concerned. The changing of property use is of the essence of a growing city, particularly when the demand is for such a service as care for the sick.

Mr. Goodman stated that the character of the neighborhood is going to change, due to the acquisition of the property by the Doctors' Corporation for development as other than residential. A study is needed of the present use of the neighborhood, whether it is owner or tenant occupied; logically, a high percentage is tenant occupied. This area is in a stage of transition with expressway development proposed for 35th Street and the varied medical uses in the area. A zoning pattern should be established now, before the zoning pattern is changed. One possibility is the restriction of traffic on the streets abutting the park which would insure the safety of the children using the play area. The office personnel will use this park also. Parking lot access from the rear of the lots would free the park area of this traffic. Severe traffic problems will be a detriment to the development. If office

C14-70-244      Austin Doctors Building Corporation--contd.

development does not occur, the neighborhood will be developed with apartments, which would be more detrimental to the school and the neighborhood.

Mr. Taniguchi stated that the school and the well-established residential area along Shoal Creek must be considered in relation to this proposal. The park would better serve the area if vehicular traffic was restricted and particularly if it could be tied in with the greenbelt area to the west. A traffic study of the area is needed. The staff reported that information could be obtained for consideration at the Planning Commission meeting. Mr. Goodman suggested that the Traffic Engineer and representatives of the developer and the school meet to discuss possible methods of alleviating the present and future problems.

Mr. Lillie stated that discussions have been held with the developer and agreement has been reached on providing primary access either from 34th Street or Lamar Boulevard. The large oak trees in the right-of-way of 32nd and 33rd Streets pose problems for the widening of them. The application proposes parking facilities away from the interior and as close as possible to 34th Street and Lamar Boulevard. One-way streets and restricted usage of streets for parking are possible alternatives to insure traffic solutions. These problems can be solved and the developer feels a strong need for this improvement as alternatively such problems will have a negative effect on the development. Mr. Reeves stated that many people live in this area, and should be considered in the planning. He feels that the applicants own enough of the land in the area to solve the access problem; the primary consideration should be the highest and best use of this property. Mr. Goodman stated that at this time it would be better to plan traffic patterns for the complete area rather than just access for the tracts being zoned, as it would upgrade the neighborhood. Mr. Taniguchi stated that the park would be of much more value to the neighborhood and the developer if the area is free from vehicular traffic. A study of the area is needed before a decision can be reached.

Mr. Sneed stated that a primary consideration in the design for this development has been the preservation of the beauty of the area. The applicants will be happy to cooperate in working out the traffic problems. The parking has been placed away from the interior of the area where possible. The possibility of a 34th Street-Lamar Boulevard Interchange will cause a major change in this area in the future. The school has traffic congestion at this time, which indicates the need for widening the streets, regardless of this proposed zoning. Mr. Sneed will discuss with his clients the possibility of withdrawing the tract adjacent to the school from this application, pending further discussion with the School Board members.

Mr. Taniguchi stated that it would seem that the park would be more of an amenity to both the developer and the neighborhood if there were no streets around it. The applicants want the school children to continue using the park, and there are possibilities of creating a walkway or blocking off the street to insure their safety, which will be discussed with the school officials. The members of the School Board who were present expressed their

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interest in such a discussion with the developers.

Mr. Becker stated that the school has had traffic problems since the time it was built fifteen years ago. The parents use 31st Street and Old Bull Creek Road as the primary route. The proposed development will not add to this problem. This type of development should be encouraged and will be an asset to the City.

Mr. Goodman stated that a traffic study is needed, and some consideration needs to be given to the school, such as the withdrawal of the adjacent tract.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee concluded that this request should be referred to the full Commission in order to give the applicant time to work out the problems voiced by the members of the St. Andrews School Board.

At the Commission meeting, Mr. Lillie of the staff briefly presented the case to the members, explaining that the Committee had requested the staff to conduct a study for the solution to the problems of internal street circulation and ingress and egress from the major streets in the area, along with results of discussion between the applicant and representatives of the St. Andrews Episcopal School, who are concerned about pedestrian safety around the park area. The Traffic and Transportation Department has preliminarily recommended a one-way street pattern around the park as follows: one-way east on 32nd Street; one-way west on 33rd Street; one-way north on Wabash Avenue and one-way south on Bailey Lane. This creates a one-way circulation path around the park from Lamar Boulevard into the area and from 34th Street out of the area. The parking areas will be on the periphery of the area. Another possibility would be the closing of 33rd Street between Wabash Avenue and Lamar Boulevard and Wabash Avenue between 33rd and 34th Streets, and with the changing use of the area in the future, the possible extension of 33rd Street to Old Bull Creek Road. This would feed left-turn traffic into the area as far away from the 34th Street and Lamar Boulevard intersection as possible.

Mr. Kinser pointed out that there      several large homes in the area proposed for the extension.

#### Arguments Presented FOR:

Mr. Robert Sneed, attorney for the applicants, requested that this application be amended as follows:

Tract designated "3" is hereby amended from "A" Residence, First Height and Area, to "O" Office, Second Height and Area.

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Tract designated "4a" is hereby amended from "A" Residence, First Height and Area, to "O" Office, First Height and Area.

Tract designated "4b" is hereby amended from "A" Residence, First Height and Area, to "O" Office, First Height and Area.

Tract designated "4c", "A" Residence, First Height and Area, and "B" Residence, Second Height and Area, is hereby requested to be withdrawn from consideration in this application, in order that something can be worked out in the future with the school. The school uses this park as a playground, and the concern is for the safety of the children going to and from the park. The two buildings which are planned will face the park, with parking behind the buildings, and all traffic directed away from the park area. The applicants feel that no parking should be allowed on the streets contiguous to the park. The developers will need Board of Adjustment consideration as the first building to be constructed will have the parking area across the street from it. The final details of this proposal will be subject to the recommendation and review of the Planning Commission, which will include consideration of the safety factors. The applicants feel that the recommendation of the Planning Department justifies the approval of the application as amended. The applicants will give all needed right-of-way, which is that required to bring all streets up to fifty feet and twenty feet of right-of-way on Lamar Boulevard.

Arguments Presented AGAINST:

Mr. Will Garwood, member of the Board of Trustees of the St. Andrews Episcopal School, stated that the amendments to this proposal somewhat improve the planned development; however, as a property-owner adjoining this park, the school is very concerned about the effect of the two large office buildings which are proposed on the park and on the flow of traffic. It is felt that this effect would be minimized if one of the streets adjoining the park could be either closed to traffic or vacated. The one-way street pattern around the park would seem to increase and funnel traffic in front of the school. With the type of traffic which will be generated by doctor's offices the park will tend to be a traffic circle, rather than a quiet park area. More consideration should be given to the alleviation of the heavy flow of traffic around the park, which will affect not only the physical safety of the school children, but the atmosphere and the usability of the park as well.

Dr. Vineyard of the Board of Trustees of the school concurred with Mr. Garwood's remarks. He stated that many other people use the park, as evidenced by the existence of a baseball diamond and tennis courts. The withdrawal of part of the application does not necessarily solve any of the problems, and does not alter the concern felt by the school representatives regarding the safety of the children and protection of the park's atmosphere. Mr. Kinser requested information as to the number of children walking to and from the school; Dr. Vineyard explained that the majority of the children are brought to the school by their parents. Dr. Vineyard stated that all the people affected by such decisions need to know where the responsibility

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lies for orderly development and protection of the citizens of the City, whether the Planning Commission plans traffic flow, whether St. Andrews School should offer alternatives, whether the corporation which develops an area should provide for traffic flow, or does such a problem become solved after it exists.

Mr. Reeves stated that consideration is needed of the amended application regarding the amount of traffic to be handled, especially in the light of the recommendation that no parking be allowed around the park. The suggestion by Mr. Sneed and the school to close or vacate one of the streets is good, and should be easily accomplished through the proper channels. This area is not suitable for "A" Residential development and this proposed development is good use for the property. With the parking as planned, very little traffic will be generated which will be in the area of the present school traffic. The planned widening of the streets will be a major step in improving the traffic problems. With the major traffic flow on Lamar Boulevard and 34th Street, the traffic will be handled and from a zoning standpoint, the proposed development is good. The closing of the street is a separate issue and should not be contingent on the zoning, as it is a public street and such closing will affect several homeowners.

Mr. Kinser stated that the proposed development would not cause as much traffic congestion as the school causes now at peak hours. Mr. Becker stated that the school traffic is predominately on 31st Street and Old Bull Creek Road, with very little circulation around the park. Mr. Garwood affirmed this statement and stated that he felt that the assertion by Mr. Reeves to the effect that the school creates a traffic problem around the park is most unfair. The school does not object to the developers's proposal for the parking areas, but feel that the presence of office buildings will inevitably create a heavy flow of traffic around the park, even with the parking lots on the perimeter of the area. This will have two effects; the physical danger for the users of the park, and the diminishing of the park characteristics. This change will be a reflection of the zoning. At this time the traffic around the park is not heavy. It is a very attractive and pleasant little park, and any change of zoning should be done in such a way as to minimize possible adverse effects.

Mr. Reeves stated that the widening of the streets to fifty feet and the restriction of parking around the park will handle the extra traffic which office buildings will create; whereas the unplanned apartment house development which can be built under present zoning would not offer these solutions.

Mr. Garwood stated that as far as safety is concerned, a very safe superhighway could be constructed around the park, but the problem is in preserving its character and usability.

Mr. Lillie of the staff stated that in discussion with the Parks and Recreation Department on this matter, they feel that with the change in zoning the function of the park will change from playground use to a more formal open area to be used for strolling or sitting during a work day. The park should be improved with a different function in mind.

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Mr. Taniguchi stated that future projection would indicate that this open space will be greatly desired by the developers as an amenity to their property, especially if the streets adjoining the park are restricted to pedestrian traffic. It is a case of developers capturing a public park, particularly in relation to the Shoal Creek greenbelt to the south. The developers should consider this park as a great asset and preserve it.

Mrs. Elaine Watkins represented the owner of 1004-1006 West 31st Street who opposes this request. Mrs. Watkins has lived in the area for fourteen years, and is very aware of the traffic problems. It is almost impossible to gain access to Lamar Boulevard from 31st Street, particularly northbound. Traffic is very heavy during peak traffic periods, and it seems impossible that the thousands of people who would be employed in these proposed office buildings would be able to enter and leave this area safely. The preservation of the park should be a major consideration. This area is not predominantly commercial, there are fourteen homes along 31st Street occupied by families. The Director of the Traffic and Transportation Department estimates ten to twenty times the present traffic flow for this area after the planned development. This amount of traffic will destroy the greenbelt area along Shoal Creek. It is felt that the total plan for this development can not be effected at this time, as there are several owners in the area who do not wish to sell their property and have stated that they will not.

Mrs. Jean Farris, a resident on 31st Street, requested that her opposition to this zoning change be recorded.

Mrs. Jean Dugger, 1017 31st Street, requested the Commission members to give serious thought to the effect this zoning would have on the greenbelt area, which is used by many people.

Mr. Reeves explained to those residents present that Old Bull Creek Road will be a public street along the greenbelt area, with the right-of-way already in existence.

Arguments Presented in REBUTTAL:

Mr. Sneed stated that the established zoning in the area is a pattern for development of commercial property completely surrounding the property in this application. Logically, the development of this area will be to the high-density occupancy of University students. The proposed office development will serve as a gradation between and as a tie to the Doctors' Building, the proposed Seton Hospital and the convalescent hospital. This will ultimately be a regional medical complex; the flow of traffic will be toward the center of the complex and will not spill out into the surrounding residential areas. The basic concept of medical care is to group the different services in the same section of the city, to facilitate faster and more efficient service to sick people. At the present time the zoning on the tract adjacent to the school would allow development which would flow more traffic into the area than any other zoning classification, which is high-density apartment development in an area close to the University of Texas. This development

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is a highly planned complex, dedicated to the preservation of the beauty of the area. This development will not intrude upon the school's use of the park, but will welcome the use of the park by the children. The use of the park will change, as it has done in the past. The developer hopes to be able to contribute to the development of the park, with approval from the City. The proposed use for this land is felt to be the highest and best and the finest which can be developed for the City of Austin in keeping with the standards of the zoning policy of the City.

Mr. Taniguchi stated that with the mixed use in the area, including some fine old homes along Shoal Creek, consideration should be given to the use of open space for the tying in of these uses, particularly the restriction of traffic around the park, and possibly a link to the greenbelt area along the creek.

Mr. Lillie pointed out that until all the property adjoining the street is under one ownership the street cannot be closed, unless all the property owners could agree.

Mr. Reeves stated that he did not wholeheartedly agree with the solution to the traffic problems as suggested by the Traffic and Transportation Department, and feels that no parking should be allowed on the streets around the park.

The Commission then

VOTED: To recommend that the request of the Austin Doctors Building Corporation for a change of zoning from "A" Residence, First Height and Area to "O" Office, Third Height and Area (Tract 1); "C" Commercial, First Height and Area to "C" Commercial, Third Height and Area (Tract 2); "A" Residence, First Height and Area to "O" Office, Second Height and Area (Tract 3); "A" Residence, First Height and Area to "O" Office, First Height and Area (Tracts 4a and 4b); "A" Residence, First Height and Area and "B" Residence, Second Height and Area to be withdrawn (Tract 4c); "A" Residence, First Height and Area to "O" Office, Second Height and Area (Tract 4d); "A" Residence, First Height and Area to "B" Residence, Second Height and Area (Tracts 5a, 5b, 5c) for property located at (Tract 1) 1007-1013 West 33rd Street; 1004-1010 West 32nd Street; 3207-3211 Wabash Avenue; (Tract 2) 1001-1007 West 33rd Street; 1000-1002 West 32nd Street; 3200-3220 North Lamar Boulevard; (Tract 3) 1100-1112 West 33rd Street; 3301-3305 Bailey Lane; 3300-3304 Wabash Avenue; (Tract 4a) 3301-3305 Wabash Avenue; 1008-1012 West 33rd Street; (Tract 4b) 1200-1204 West 33rd Street; 3300-3304 Bailey Lane; (Tract 4c) 3200-3208 Bailey Lane; 1207-1209 West 33rd Street; (Tract 4d) 1011-1015 West 32nd Street; (Tract 5a) 3105 Wabash Avenue; (Tract 5b) 1010 West 31st Street; (Tract 5c) 1012-1016 West 31st Street be GRANTED (as amended).

AYE: Messrs. Kinser, Reeves, Crier and Becker

NAY: Messrs. Taniguchi and Anderson

ABSTAINED: Mr. Chamberlain

ABSENT: Messrs. Milstead and Goodman



C14-70-245      Kerry G. Merritt: A to BB  
                   100-410 Proposed Northway Drive  
                   7801-7806 Northcrest Boulevard

STAFF REPORT: The staff reported that three property owners within three hundred feet of this site had not been notified. The department is required to re-notify all adjacent property owners.

COMMENTS AND ACTION BY THE COMMITTEE

At the request of the staff, this request is postponed for thirty days to allow proper notification of adjoining property-owners.

The Commission concurred with the Committee recommendation and

VOTED:      To recommend that the request of Kerry G. Merritt for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 100-410 proposed Northway Drive and 7801-7806 Northcrest Boulevard be POSTPONED for thirty days.

AYE:          Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY:          None

ABSENT:      Messrs. Milstead, Chamberlain and Goodman

C14-70-205      Tom W. Bradfield et al: Int. A, Int. 1st to BB, 2nd (as amended)  
                   Rear of 1500-1910 Barton Hills Drive

STAFF REPORT: This request is on approximately twenty acres of land on Barton Creek, to be developed with apartments. This case was postponed for sixty days to give time to study the general area in relationship to the area land use, the City's plans for the area in relation to public facilities and land use of the area; and to work with the landowner and environmental groups on land use proposals along Barton Creek. This tract is located to the west of Barton Creek. The City is in the process of acquiring twenty acres of land along Barton Creek east of the creek below the bluff line, and has acquired conservation easements on three separate pieces of property along Barton Creek. The proposed use for the Andrewartha property east of the creek is for apartment and commercial use, with some zoning already granted, a single-family subdivision, Barton Hills, Section 7, and other single-family use north of Barton Skyway. An elementary school and a church site are located on either side of Barton Skyway. The development of this tract will be severely limited due to severe topographical changes. MoPac Boulevard, West Loop, Barton Skyway and Bee Caves Road are the primary major streets for this area, with neighborhood collector streets, such as Barton Hills Drive. Barton Creek is the major drainage channel for the area.

The intent of the Barton Creek Plan has been recommended to the City Council by the Planning Commission; the Council has taken no action on this proposal as yet. Regarding future development plans for this area, it is felt that at this time it is not necessary to make an amendment to the Austin

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Development Plan. As individual applications are received, they can be reviewed in relationship to the City's various plans and policies and any conflicts which may occur can be worked out. When such conflicts are present, the interested parties should be informed and solutions should be considered before public hearings. This is essentially what has happened on this application. The original application was made on approximately 40 acres, twenty of which fell within the proposed Green Belt Plan for Barton Creek. This acreage has been withdrawn until that conflict can be resolved. The Master Plan, which indicates land use and circulation plans, the utility Ordinances, the projected school sites and the planned park facilities are the tools used in working on the problems of such development. A Planned Unit Development Ordinance will be under consideration in the very near future, which would provide for public or private open space incorporated into a development. The applicant has amended this request to "BB" Residence, 2nd Height and Area, which will permit 30 units per acre and allows height to 60 feet. This tract is adjacent to the intersection of two major arterial streets and does not conflict with the Green Belt Plan. The staff recommends approval of this request.

It is felt, however, that the site will have access problems; MoPac Boulevard will not be developed for approximately five years; Barton Skyway will take approximately the same length of time. This is the staff's primary objection. With the land under one ownership it is felt that this problem can be solved when the subdivision is approved.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

Tom Bradfield (applicant)  
Russell Fish: 2401 Windsor Road

FOR

## SUMMARY OF TESTIMONY

Mr. Tom Bradfield pointed out the area under consideration, including a strip of land adjoining the City property, which is to be used for a street. This is a preliminary plan, with the possibility of the use of the Planned Unit Development Ordinance, which is to be considered by the Planning Commission soon.

Mr. Russell Fish of the Austin Environmental Council, spoke in favor of this request. The Austin Environmental Council is interested in the protection and the preservation of the streams and the greenbelt areas in the City. As the tract under consideration does not interfere with the Barton Creek Plan, the Environmental Council would recommend that this property be zoned for the highest and best use of the property.

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No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the request should be granted, as amended, as highest and best use for the tract.

At the Commission meeting, the staff explained that the main requirement is provision of access, which will be acquired through subdivision. Mr. Bradfield controls all land between the subject tract and Bee Caves Road, except for the Knights of Columbus tract.

Mr. Reeves stated that such requirements should be discussed at the open hearing to be fair to the developer. This access will be provided through normal development procedures and the zoning should not be held up subject to this access, as zoning is to establish the intended use of the property.

The Commission then

VOTED: To recommend that the request of Tom W. Bradfield et al for a change of zoning from Interim "A" Residence, Interim First Height and Area to "BB" Residence, Second Height and Area for property located at the rear of 1500-1910 Barton Hills Drive be GRANTED, (as amended).

AYE: Messrs. Kinser, Taniguchi, Reeves, Anderson, Crier and Becker

NAY: None

ABSENT: Messrs. Milstead, Chamberlain and Goodman