

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- May 11, 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
Jack Crier
Bill Milstead
C. L. Reeves
Fritz Becker
Walter Chamberlain
Jack Goodman

Absent

Alan Taniguchi
M. J. Anderson

Also Present

Richard R. Lillie, Director of Planning
Walter Foxworth, Supervising Planner
Evelyn Butler, Chief, Advanced Planning
Jerry Harris, Assistant City Attorney
Roy Headrick, 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 May 3 and 4, 1971.

Present

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

Also Present

Walter Foxworth, Supervising Planner
Mike Wise, Associate Planner
Caroline Schreffler, Administrative Secretary
*Richard R. Lillie, Director of Planning
*Jerry Harris, Assistant City Attorney

*Present only on May 4, 1971.

C14-71-075 Helen D. Nohra: A to O
 4209-4215 Avenue G
 301-303 East 43rd Street

STAFF REPORT: This application is on a tract of land with 26,000 square feet of area. The proposed use is for an office for an architect. "A" Residence zoning is predominant in this single-family residential neighborhood. Commercial and apartment zoning exist at the intersection of Duval and 43rd Streets to Avenue H. The zoning should not be extended to encourage strip zoning. This application is within an area recommended by the City Planning Commission to remain "A" Residence zoning. A year ago this property was denied a request for "B" Residence zoning by the City Council. "O" Office zoning permits more intensive use than the past application. The staff recommendation is to deny this request as it is not consistent with the area study and the previous City Council action on this site.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Miguel Gonzales-Gerth: 4109 Avenue G	AGAINST
Miss Lillian Mae Rhodes: 1806 Forest Trail	AGAINST
Joe R. King: 4308 Avenue H	FOR
Mrs. M. S. Gonzales: 4114 Avenue H	AGAINST
David E. Counts: 4210 Avenue G	AGAINST
Evelyn L. Taylor: 4112 Avenue H	AGAINST
Robert W. Bouldin: 4307 Avenue F	AGAINST
Genevieve K. Littlejohn: 4205 Avenue F	AGAINST
Beatrice G. Hunter: 206 East 43 Street	FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicant)	
Lillian Rhodes: 1806 Forest Trail	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, attorney, represented the applicant. He stated that on the previous request for "B" Residence zoning on this property, the Planning Commission recommended the requested zoning. The City Council decision was five to two votes, and was affected by a petition from the neighborhood and the fact that one of the Council members objected strongly to a fraternity house in the neighborhood. The applicant owns this large home and needs to make other use of it, due to the expense of maintenance and the excessive taxes. Mr. Selman pointed out the uses to the east on 43rd Street, which include apartments, a post office and small businesses. A shopping center is located at Duval and 43rd Streets. A survey of the neighborhood has been conducted, showing that 40 to 50 per cent of the property is rented. This neighborhood has changed drastically and the staff concept of an intrusion into a well-defined neighborhood is obsolete. The proposed use to lease office space will provide sufficient income to

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C14-71-075 Helen D. Nohra--contd.

pay the taxes on the property. Mr. Selman pointed out that the streets in the area are sufficiently wide and that the staff has stated that no traffic problems are foreseen in this area. A survey has been conducted which indicates that 72 per cent of the residents within 200 feet of this site do not object to the proposed use. The applicant cannot maintain this property and needs to make use of it.

Arguments Presented AGAINST:

Lillian Rhodes stated that she owns the property across the street, to which she plans to retire within a few years. The proposed use would be detrimental to the neighborhood and to her property, and would not be in keeping with the area.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that this zoning will encourage higher intensity of use west of Duval Street, and from a zoning viewpoint this is not justified. However, he feels that the proposed use is the best use for this site.

Mr. Becker stated that "B" Residence, First Height and Area, would be more appropriate for this tract. This motion failed by a tie vote. The Committee then unanimously voted to refer this request to the full Commission for further consideration.

At the Commission meeting, the staff briefly explained the history of this application and discussion followed of the previously proposed use of this site as a fraternity house. The Commission then

VOTED: To recommend that the request of Helen D. Nohra for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4209-4215 Avenue G and 301-303 East 43rd Street be DENIED, but recommend the granting of "B" Residence, First Height and Area.

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

NAY: Messrs. Milstead and Chamberlain

ABSENT: Messrs. Taniguchi and Anderson

C14-71-076: Altenheim, a Division of Lutheran Social Service, Inc.: A to B
4013 Avenue H

STAFF REPORT: This application is on an area of 3,125 square feet of land for the purpose of enlarging the Altenheim, non-profit nursing home to a 30-bed institution. This tract is in an "A" Residence zoned neighborhood developed with single-family structures. Two lots of "B" Residence zoning exist adjacent to this tract on the north and along Duval Street. This lot is also within the area designated by the Planning Commission for "A" Residence use. "B" Residence zoning was granted against the recommendation of the staff. The staff recommends this application be denied in conformance with the area study and past recommendations.

C14-71-076 Altenheim, a Division of Lutheran Social Service, Inc.--contd.

TESTIMONY

WRITTEN COMMENT

Clark C. Gill: 3606 Grooms
Jefferson G. Smith: 4009 Avenue G

FOR
AGAINST

PERSONS APPEARING AT HEARING

Rolf A. Normann (representing applicant)

SUMMARY OF TESTIMONY

Mr. Rolf A. Normann represented the applicant. He stated that this tract is part of the two tracts previously zoned "B" Residence, but was not included in that application due to tax purposes. This request is merely to bring this tract into conformance with the balance of the property.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that this tract should be zoned "B" Residence to conform with the adjacent zoning and pointed out existing "B" Residence zoning to the south of this property.

The Committee reviewed the information and concluded that this request should be granted as an extension of existing zoning.

The Commission concurred with the Committee recommendation

VOTED: To recommend that the request of Altenheim, a Division of Lutheran Social Service, Inc. for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4013 Avenue H be GRANTED.

C14-71-077 F. L. Conner: A to C
3201 East 14th Street
1301-1307 Airport Boulevard

STAFF REPORT: This tract of land covers an area of 2,587 square feet. The applicant plans to use it as a used car lot. Commercial zoning exists several blocks to the north and south. The immediate neighborhood is "A" Residence zoned and is developed with single-family residences. Evergreen Cemetery is located to the east. The staff recommendation is to deny this request as an intrusion into a residential area.

C14-71-077 F. L. Conner--contd.

TESTIMONY

WRITTEN COMMENT

Donald Clark: 3110 East 14th Street	AGAINST
Mrs. Virginia Brown: 3106 East 14th Street	AGAINST
Mr. & Mrs. Quinton Bunton: 3111 East 14th	AGAINST
John O. Belle: 3108 East 14th Street	AGAINST
Jon N. Coffee, Trustee: Capital Nat'l Bank Bldg.	FOR

PERSONS APPEARING AT HEARING

F. L. Conner (applicant)	
Goldia Huddleston: 3100 East 14th Street	AGAINST
Mrs. Virginia Brown: 3106 East 14th Street	AGAINST
Mrs. Janie Casmer: 3112 East 14th Street	AGAINST
F. L. Comer: 1307 McKinley Avenue	FOR
Mr. & Mrs. Donald Clark: 3110 East 14th Street	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. F. L. Conner stated that he purchased this property in 1938. The tract is too small to meet the City requirements for the construction of a residence. Mr. Conner has paid a portion of the cost of paving Tillery Street. This zoning is needed so that some use can be made of this property to meet the taxes.

Arguments Presented AGAINST:

Six nearby residents were present at this hearing in opposition to this requested zoning. This tract is a part of McKinley Heights, which is an older residential area. The residents enjoy their homes and the convenience of this location. The proposed use will disturb the character of the neighborhood, with traffic and on-street parking. The residents of the area object strongly to this intrusion.

Arguments Presented IN REBUTTAL:

Mr. Connor stated that consideration should be given to the fact that he cannot use this property for any residential purpose and pointed out its proximity to Airport Boulevard, which is a major thoroughfare.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed this request and were of the opinion that this tract is unusable. Mr. Reeves pointed out the setback requirements and the possibility of right-of-way requirements for the widening of Airport Boulevard. Mr. Chamberlain stated that it is unfair to tax the owner for this property. They agreed that the proposed zoning would be an intrusion into this residential neighborhood. The Committee instructed the staff to investigate the possibility of purchase of this property by the City, and referred this application to the full Commission.

C14-71-077 F. L. Connor--contd.

At the Commission meeting, the staff reported that the City has no plans to purchase additional right-of-way in this area. Interest has been expressed by the church which is located across the alley from this tract in the purchase of this property. If this is done, the alley could be vacated, joining the lots and could benefit the church. The Commission then

VOTED: To recommend that the request of F. L. Connor for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 3201 East 14th Street and 1301-1307 Airport Boulevard be DENIED.

C14-71-078 Gordon Neeley: C to C-2
1624-A Barton Springs Road

STAFF REPORT: This is an area of .06 acres of land to be used for the operation of a liquor store. The surrounding zoning is "C" Commercial. "A" Residence zoning exists to the south across Barton Springs Road. A barbecue restaurant, a garage and a sign company exist to the west; a trailer sales and mobile home park exist to the east, and a beauty shop is located across Barton Springs Road to the south. The staff feels this is an area of commercial land use and the proper location for this use and recommends this request be granted.

TESTIMONY

WRITTEN COMMENT

Kenneth M. Wallace: 2603 Rollingwood Road	AGAINST
Hume Cofer representing Mrs. John Linn: 1620 Barton Springs Road	AGAINST
W. R. Coleman: 600 West 28th Street	FOR

PERSONS APPEARING AT HEARING

Gordon Neeley (applicant)

SUMMARY OF TESTIMONY

The applicant was present but had nothing to add to the staff report.

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 proper use for this site.

At the Commission meeting, Mr. Hume Cofer, attorney, representing a nearby property owner, requested that this application be referred back to the Zoning Committee for consideration of new evidence. It is felt that the

C14-71-078 Gordon Neeley--contd.

favorable recommendation made by the Committee was made without full knowledge of the objections to this zoning change. Mr. Ralph Daugherty, attorney for the applicant, was present at this hearing and stated that while this delay is undesirable, the applicant will agree to the re-scheduling of the case. The Commission then

VOTED: To recommend that the request of Gordon Neeley for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 1624-A Barton Springs Road be referred to the Zoning Committee for further consideration.

C14-71-079 Dr. Edwin A. White, Jr.: A to O
1501 West 35th Street
3404-3406 Mills Avenue

STAFF REPORT: This application is on a lot containing 7,308 square feet for the purpose of office development. "GR" General Retail zoning was granted in 1970 on the tract across West 35th Street to the north. "O" Office zoning exists to the east across Mills Avenue and is developed with a hospital, the Medical Park Tower and the proposed Seton Hospital complex. The City owns three tracts to the south and east along Shoal Creek. "O" Office zoning and "B" Residence zoning exists several lots to the immediate south. Mills Avenue, which abutts this site on the east, has thirty feet of right-of-way and is not scheduled to be widened. "A" Residence zoning exists on the property to the west with single-family residences developed. A pharmacy is located across West 35th Street to the northwest. The Expressway and Major Arterial Plan tentatively locates the Camp Mabry Expressway in the immediate area. The alignment would affect the subject property. The Expressway has no priority and is not funded. The staff recommendation is to grant this request as being in conformance with existing zoning.

TESTIMONY

WRITTEN COMMENT

Frank R. Rundell: P. O. Box 455

FOR

PERSONS APPEARING AT HEARING

Robert Sneed (representing applicant)

SUMMARY OF TESTIMONY

Mr. Robert Sneed, attorney, represented the applicant. This property will be developed with a dentist's office, which will be compatible with the area.

No one appeared in opposition to this request.

C14-71-079 Dr. Edwin A. White, Jr.--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as it is in conformance with existing zoning in the area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Dr. Edwin White, Jr. for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1501 West 35th Street and 3404-3406 Mills Avenue be GRANTED.

C14-71-080 Mrs. Martin Anderson: A to O
4501-4503 East Avenue
1104 Fernwood Road

STAFF REPORT: An office building is proposed on this tract covering 14,367 square feet of land. The single-family residential neighborhood to the north and east of this site is zoned "A" Residence and has no zoning intrusions. "C" Commercial and "B" Residence zoning developed with an apartment complex exists to the south across Fernwood Road. There is a pending zoning application for "O" Office on the adjoining lot to the north. The Planning Department and the Planning Commission recommended the "O" in that application for the area abutting Interstate Highway 35, but recommended against the portion of that property to the east abutting Elwood Road. The staff recommends this request in conformance with the previous recommendation on the site to the north as appropriate zoning along an Interstate Highway.

TESTIMONY

WRITTEN COMMENT

Robert H. Lockett, Jr.: 4502 Elwood Road	AGAINST
Nearby Resident	AGAINST
Wallace M. Lay Estate: 4509 Elwood Road	AGAINST
Oliver G. Brown: 110 East College St. Longview, Tx.	AGAINST
Petition with 8 signatures	AGAINST

PERSONS APPEARING AT HEARING

Jon N. Coffee (representing applicant)	
Oliver G. Brown: 4500 Elwood Road	AGAINST
Bob Lockett, Jr.: 4502 Elwood Road	AGAINST
D. S. McKay: 4511 Elwood Road	AGAINST
Dan Killin: 4505 Elwood Road	AGAINST
Earl P. Deathe, Jr.: 1208 Fernwood Road	AGAINST

C14-71-080 Mrs. Martin Anderson--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Jon N. Coffee represented the applicant. This property has been affected by the construction of a grade separation on Interstate Highway 35 in the area and is no longer suitable for use as a duplex lot. The parking will be placed in the rear of this proposed office building. This type of development will be better for the area than commercial development.

Arguments Presented AGAINST:

Two representatives of Delwood Subdivision spoke in opposition to this change of zoning. The residents feel that this request is spot zoning and will adversely affect the market value of their homes and destroy the worth of this area as a residential neighborhood. All property in this subdivision is deed restricted to single-family use; this change will deprive these owners of the covenant protection. There are two hundred and sixty homes in this neighborhood, which are well maintained. The residents enjoy their neighborhood and feel it should be protected. They feel that the developer of this property will be making money at their expense and that the proposed development will create traffic and on-street parking on the residential streets. Tax rates were increased in this area in the past year, and it is felt that office development will cause further increase in taxes for these homeowners. Twelve residents of the area were present at this hearing.

Arguments Presented IN REBUTTAL:

Mr. Coffee pointed out the proximity of this location to both Airport Boulevard and Interstate Highway 35, and the fact that an interchange for these major thoroughfares is being constructed at this location. The only access to this development will be from the service road on Interstate Highway 35. "C" Commercial zoning is adjacent to this property. It is felt that the proposed development is the best use for this site.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed this request. Mr. Reeves stated that the proposed use conforms to past decisions for property located on a major highway. "A" Residence zoning should be maintained to the east of this location for the protection of the residential subdivision. Mr. Taniguchi stated that this site is not appropriate for residential use. Deed restrictions are not considered in the granting of zoning. A majority of the Committee concluded that this request should be granted as appropriate zoning along Interstate Highway 35.

Cl4-71-080 Mrs. Martin Anderson--contd.

At the Commission meeting, Mr. Chamberlain stated that he feels this application is an intrusion into a residential area. The Commission then

VOTED: To recommend that the request of Mrs. Martin Anderson for a change of zoning from "A" Residence, Fifth Height and Area to "O" Office, Fifth Height and Area for property located at 4501-4503 East Avenue and 1104 Fernwood Road be GRANTED.

AYE: Messrs. Kinser, Crier, Milstead, Reeves, Becker and Goodman

NAY: Mr. Chamberlain

ABSENT: Messrs. Taniguchi and Anderson

Cl4-71-081 T. W. Wilson: A to B
405 West 35th Street

STAFF REPORT: Apartment development is proposed on this tract of 7,249 square feet of land. This site is within the Hyde Park Area Study approving "BB" and "B" Residence zoning, where streets are adequate. "BB" and "B" Residence zoning exist to the north and south of this site. "C" Commercial zoning exists along Guadalupe Street and is developed with offices, motels, restaurants and other commercial uses. Single-family homes and apartments dominate this neighborhood. The staff recommends this request in conformance with the area study and existing zoning in the area. Thirty-fifth Street is inadequate for higher intensity of land use. Dedication of five feet of land from the subject tract would be necessary to help bring this street to a minimum of 60 feet of right-of-way for apartment use.

TESTIMONY

WRITTEN COMMENT

O. C. Hawley: 504 West 35th Street
A. P. Loney, Sr.: 712 Keasley
Albert G. Shaw: 508 West 35th Street

AGAINST
FOR
AGAINST

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

No one appeared in favor of or 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 it is in conformance with recent zoning approval and the area study, subject to five feet of right-of-way on West 35th Street.

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C14-71-081 T. W. Wilson--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of T. W. Wilson for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 405 West 35th Street be GRANTED, subject to five feet of right-of-way on West 35th Street.

C14-71-082 Antonio B. Salazar: A to C
3303 Govalle Avenue

STAFF REPORT: This request is to bring the existing automobile paint and body shop use into conformance with the City Zoning Ordinances. The tract contains 8,241 square feet of land. This is a predominately "A" Residence zoned area with homes developed throughout the neighborhood. "B" Residence zoning is established on one lot several lots to the east, and "B" Residence zoning exists across Tillery Street to the west. The staff feels this is spot zoning and recommends against this application.

TESTIMONY

WRITTEN COMMENT

Jose A. Arriaga: 1109 Tillery	FOR
T. C. Ramirez: 3301 Govalle Avenue	FOR
Higinio Canales: 1104 Cherico Street	FOR

PERSONS APPEARING AT HEARING

Antonio B. Salazar (applicant)	
One nearby resident	FOR

SUMMARY OF TESTIMONY

Mr. Antonio Salazar stated that the present use has been in existence for some thirty years. He purchased the property three years ago and was not aware the use was illegal.

The homeowner across the street spoke in favor of the request, stating that it has existed for many years.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that this man has been making his living here for many years, but if this zoning is granted, a precedent would be established which could destroy this neighborhood. The majority of the Committee concluded that this request should be denied as spot zoning.

C14-71-082 Antonio B. Salazar--contd.

At the Commission meeting, Mr. Chamberlain explained that this use has been in existence for many years. The Commission then

VOTED: To recommend that the request of Antonio B. Salazar for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 3303 Govalle Avenue be DENIED.

AYE: Messrs. Kinser, Crier, Milstead, Reeves, Becker and Goodman.

NAY: Mr. Chamberlain

ABSENT: Messrs. Taniguchi and Anderson

C14-71-083 Ashley Fly and L. Francis Fly: B and C to C
 2505 Nueces Street
 2508-2510 San Antonio Street

STAFF REPORT: This application is on a tract of 8,390 square feet of land. Nueces and San Antonio Streets are adequate with 60 feet of right-of-way. "B" Residence zoning exists to the west, and "C" Commercial zoning exists to the east. This tract is within the Univeristy area. Parking lots, apartment houses, dormitories, fraternity and sorority houses exist throughout this area, as well as commercial uses such as a drug store, clothing stores, offices, and other types of commercial properties. The extension of 26th Street as proposed affects the eastern half of this tract. This project is approved and funded. The staff recommendation is to deny this request and recommend that the City Council authorize acquisition of this site.

TESTIMONY

WRITTEN COMMENT

G. K. Eifler, Jr.:	2513 San Antonio Street	FOR
Mrs. Bruce G. Kirk:	3608 Stanolind Avenue, Midland,	FOR
	Texas	
Keely E. McAdams:	1425 Preston Avenue	FOR

PERSONS APPEARING AT HEARING

James W. Townsend (representing applicant)

SUMMARY OF TESTIMONY

Mr. James W. Townsend represented the applicants. He stated that the City has given no indication that this property is to be purchased. He feels that this is not grounds for denial of this application.

No one appeared in opposition to this request.

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Cl4-71-083 Ashley Fly and L. Francis Fly--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as an extension of existing zoning. It is also recommended that the City purchase this property.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Ashley Fly and L. Francis Fly for a change of zoning from "B" Residence, Second Height and Area and "C" Commercial, Second Height and Area to "C" Commercial, Second Height and Area for property located at 2505 Nueces Street and 2508-2510 San Antonio Street be GRANTED. It is also recommended that the City of Austin purchase this property.

Cl4-71-084 O. D. Kindricks: A, 1st to B, 2nd
4502 Speedway

STAFF REPORT: The applicant proposes the development of apartments on this tract, which contains 7,440 square feet. This site is within a predominately "A" Residence zoned single-family area. Apartment zoning which has been granted in this area is only on property with frontage on 45th Street. The lot across Speedway from this site, which abuts 45th Street, is zoned "B" Residence and is developed with an apartment project. An application for "B" Residence zoning is expected to be submitted on the three lots immediately across Speedway from this site and immediately adjacent to the lot at Speedway and 45th Street which is zoned "B" Residence. The Hyde Park area study recommends the retention of "A" Residence zoning on all property north of 45th Street except for lots with frontage on 45th Street. To rezone this lot would be to encourage further applications in this single-family area. The staff recommends that this request be denied as an intrusion into a single-family neighborhood. The granting of this application should be subject to five feet of right-of-way on Speedway.

TESTIMONY

WRITTEN COMMENT

Pearl M. Acers: 2800 West 35th Street	FOR
Mrs. Anna J. Schoenert: 4504 Speedway	AGAINST
Dr. U. J. Harrill: 4500 Avenue D	FOR
Truman H. Montandon: 2412 North Interregional	FOR
Don J. Jackson: 3810 Medical Parkway	FOR

PERSONS APPEARING AT HEARING

Bill Riley (representing applicant)	
Don J. Jackson: 3810 Medical Parkway	FOR

SUMMARY OF TESTIMONY

The applicant was represented by Mr. Bill Riley, who requested that this request be postponed for thirty days so that it may be considered with the applications to be submitted on other tracts in this area.

C14-71-084 O. D. Kindricks --contd.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee considered the information and concluded that this request should be postponed for thirty days to permit the applicant to submit an application on additional property for consideration at the same time.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of O. D. Kindricks for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 4502 Speedway be POSTPONED for thirty days.

C14-71-085 N. B. Jenkins: A to LR
1406 Koenig Lane

STAFF REPORT: This tract covers an area of 6,916 square feet of land, with office use and a retail store the proposed uses. Single-family homes exist along Koenig Lane and are zoned "A" Residence. Office zoning and uses have been established in recent years along Koenig Lane. All corners of the intersection of Woodrow Avenue and Koenig Lane are zoned "LR" Local Retail and are developed with service stations excepting the southeast corner, which is zoned "C" Commercial, with a small shopping center in existence. The staff does not wish to encourage strip commercial development by granting "LR" Local Retail zoning along Koenig Lane. It is recommended that "LR" Local Retail zoning be denied, but to grant "O" Office zoning as consistent with previous recommendations and City Council action in this area. This recommendation is subject to fifteen feet of right-of-way on Koenig Lane.

TESTIMONY

WRITTEN COMMENT

A. E. Brown: 404 Vale Street	FOR
Mr. & Mrs. A. J. Floege: 1507 West Koenig Lane	FOR
Sheldon S. Smith: P. O. Box 9027	FOR

PERSONS APPEARING AT HEARING

George T. Wall (representing applicant)

SUMMARY OF TESTIMONY

Mr. George T. Wall represented the applicant. He stated that Koenig Lane has over 8,000 car trips per day at this location. Many property owners in this area wish to apply for zoning and there are many violations of the Ordinance in this area. This tract is adjacent to "LR" Local Retail zoning. The staff explained that Koenig Lane will ultimately be widened

C14-71-085 N. B. Jenkins--contd.

to ninety feet of right-of-way. It is felt that "LR" Local Retail zoning is more appropriate for this tract than "O" Office zoning, particularly in light of the fifteen feet of right-of-way required.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that local retail use is appropriate for this tract. Mr. Taniguchi stated that if these lots come one by one, there will be many curb cuts on Koenig Lane, which is undesirable. The majority of the Committee concluded that this request should be granted in conformance with existing zoning in the area, subject to 15 feet of right-of-way on Koenig Lane.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of N. B. Jenkins for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1406 Koenig Lane be GRANTED, subject to fifteen feet of right-of-way on Koenig Lane.

C14-71-086 Louis A. Joseph: A to LR
 914-922 East 51st Street (as amended)

STAFF REPORT: This application is on a total area of 15,600 square feet of land to be developed with uses as permitted by the requested zoning. The subject property consists of two separate lots. The applicant has requested the withdrawal of the eastern lot at the corner of Bennett and 51st Streets. This neighborhood is predominantly single-family residential, with "A" Residence zoning throughout this area. "C" Commercial and "O" Office zoning, developed with service stations, beauty shops, restaurants, etc., are developed along Airport Boulevard to the west. A recent case history exists on a lot across East 51st Street three lots to the west; in 1970 a request was submitted for "O" Office zoning on that property and received a negative recommendation from the staff and the Planning Commission. It has been granted by the City Council. The staff recommendation is to deny "LR" Local Retail zoning and to grant "O" Office zoning which conforms to the area. It is recommended that the withdrawal of the smaller tract be accepted. This application is subject to fifteen feet of right-of-way on East 51st Street.

TESTIMONY

WRITTEN COMMENT

Mrs. Pauline Johnson: 1807 Northridge Drive
Mrs. David Trainer: 910 East 51st Street

FOR
AGAINST

PERSONS APPEARING AT HEARING

Richard Dorrell (representing applicant)
Mrs. David Trainer: 910 East 51st Street

AGAINST

C14-71-086 Louis A. Joseph--contd.

SUMMARY OF TESTIMONY

Mr. Richard Dorrell represented the applicant. He stated that "GR" General Retail or "C" Commercial zoning would be best for this tract, but after discussion with the Planning Department staff, the request was lowered to "LR" Local Retail. The planned interchange in this area, which will extend almost to Harmon Avenue, and the widening of 51st Street were major considerations in this request, and would indicate a more intense use for the property in this area. The applicant was under the impression that the staff would recommend the change to "LR" Local Retail zoning. The smaller tract is being withdrawn because only thirty-five feet will remain after right-of-way requirements. The fifteen feet of right-of-way required on the larger tract represents 11 1/2 per cent of the total area. Mr. Dorrell stated that he needed to discuss this situation with his client and would recommend that the application be withdrawn at the City Council.

Mrs. David Trainer, 910 East 51st Street, opposes this request as it is in the middle of the block and will increase the already heavy traffic. There are many homeowners in this area who oppose this change.

Mr. Dorrell stated that traffic is heavy in this area and will be greatly increased with the widening of the street and the proposed interchange.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that this area is an enclave of well-kept homes, and that the traffic count is not excessively high for this area. He feels that the staff recommendation for "O" Office zoning in this residential neighborhood is most undesirable. The Committee concluded that the zoning pattern and traffic conditions in the area do not warrant this change of zoning. They concluded that this request should be denied as an encroachment into a residential neighborhood.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Louis A. Joseph for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 914-922 East 51st Street (as amended) be DENIED.

C14-71-087. John Cashin: A to O
807-809 East 32nd Street

STAFF REPORT: This tract of 15,600 square feet of land is proposed for office development. "A" Residence zoning developed with single-family structures exists along East 32nd Street to the west. Apartments and doctors' offices zoned "BB" Residence, "O" Office and "LR" Local Retail are developed along Red River Street. A shopping center, service station and apartments, zoned commercially, exist at the intersection of Red River Street and East 32nd Street. The staff feels that the extension of zoning further west

C14-71-087 John Cashin--contd.

along East 32nd Street is not desirable. In 1968 the southwest corner of Red River Street and East 32nd Street was rolled back from "LR" Local Retail zoning to "O" Office zoning. The staff recommendation is to deny this request as an intrusion into a residentially developed area.

TESTIMONY

WRITTEN COMMENT

Dorothy H. Brentlinger: 810 East 30th Street	AGAINST
Magnus Bolander: 3201 Beanna	AGAINST
Don K. Wiginton: 3210 Hanyston Road	AGAINST
Richard M. Morehead: 703 East 32nd Street	AGAINST
Mrs. Mary E. Ballard: 3206 Beanna Street	AGAINST
Mrs. Gene Bryant Jones: Davilla Road Bartlett, Texas	AGAINST
Mrs. Ann S. Abell Rivers: 5813 Highland Pass	FOR
Fred G. DuPuy: 3006 Red River	FOR
Mr. & Mrs. R. N. Hester: 806 East 32nd Street	FOR
Herbert Weigl, Sr.: 1005-B East 32nd Street	FOR

PERSONS APPEARING AT HEARING

John Cashin (applicant)	
Ray O. Howard (representing applicant)	
W. R. Coleman (engineer for applicant)	
Mr. & Mrs. Larry I. Craddock: 720 East 32nd Street	AGAINST
Mr. & Mrs. Byron E. Short: 502 East 32nd Street	AGAINST
Dr. & Mrs. George Fancher: 600 East 32nd Street	AGAINST
Dr. David O. Johnson: 805 East 32nd Street	FOR

SUMMARY OF TESTIMONY

Mr. Ray Howard, representing the applicant, presented the plans for the development of this tract to the Committee. The property is leased subject to the zoning, with an office building planned for the site to house three doctors. Office development is needed in this area and the applicants are negotiating the purchase of the property to the rear of this tract, with plans for a drive extending through the property. Ample parking space will be provided. It is felt that this development will be an asset to the neighborhood and will increase the value of the surrounding property.

Mr. W. R. Coleman, engineer for the applicant, stated that the proposed building will be of a residential style to blend with the surrounding development, and provision for more parking than is required by City Ordinances.

Dr. David Johnson spoke in favor of this request, stating that he has lived in this area for many years and respects the feelings of the residents. The development of St. David's hospital has contributed to the changing character of this neighborhood, along with the encroachment of the University facilities. This type of development, which has no evening or weekend

C14-71-087 John Cashin--contd.

activity, is preferable to apartment development, and will protect the homeowners to the west. Office facilities are needed in this area to serve the hospital. This will be an attractive building and an asset to the neighborhood.

Mr. Larry Craddock, attorney, represented the homeowners in this area. This request sets a precedent for non-residential development in this neighborhood. Red River and 32nd Streets have served as a barrier for this development into an area of fine homes which is one of the finest residential areas in the City. The schools in the area create heavy traffic, making one-way streets and school monitors necessary. The proposed development is strongly opposed by the homeowners who wish to preserve their neighborhood.

Five residents of the area spoke against this request. They feel that this residential area deserves protection and that even a compatible office building will be an intrusion into the area and a violation of existing zoning. Traffic in this area is heavy and the generation of traffic caused by an office would cause an even more hazardous situation. The profit which will be made by this development will be at the expense of the homeowners in the area.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the plans for this office building show little aesthetic consideration for the surrounding residential development, with two blank walls facing these homes. Mr. Reeves stated that the second story of this development could easily be converted into apartments if the demand for office space is not found. This is a beautiful neighborhood of older homes.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John Cashin for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 807-809 East 32nd Street be DENIED.

C14-71-088 Cater H. Joseph: A to C-2
1200-1204 East 51st Street

STAFF REPORT: The applicant plans to develop a shopping center and a liquor store on this tract containing 30,020 square feet of land. "BB" Residence, "B" Residence and "O" Office zoning exist to the north and east of this site. Apartments are developed along East 52nd Street. "C" Commercial zoning is developed with service stations, lounges, a liquor store, a pharmacy and Capital Plaza shopping center along Cameron Road to the northwest. Several single-family homes still exist along East 51st Street on either side. East 51st Street is proposed to be a major arterial with ninety feet of right-of-way. The Austin Municipal Airport is located to the south

C14-71-088 Cater H. Joseph--contd.

across East 51st Street. The staff recommendation is to deny the requested zoning as an intrusion, but to grant "BB" Residence zoning in conformance with existing zoning in the area. No additional right-of-way is needed; however, if the requested zoning is granted, field notes for the location of the liquor store will be required.

TESTIMONY

WRITTEN COMMENT

Ramada Inn: 131 North Oakes, San Angelo, Texas FOR

PERSONS APPEARING AT HEARING

Harry Joseph (representing applicant)
W. C. Parker: 205 East 51st Street

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Harry Joseph represented the applicant. The applicant's present location, where he has conducted his business for the past fifteen years, has been condemned by the Highway Department. The proposed location is ideal and will be an improvement to the tract.

Arguments Presented AGAINST:

Mr. W. C. Parker, who owns property adjacent to this tract, opposes this change in zoning. The homeowners in this area oppose the development of another liquor store, which they feel will lower the value of their homes as residences. This tract is in the middle of the block and is not suitable for a public facility.

Arguments Presented in REBUTTAL:

Mr. Joseph stated that this applicant is being forced out of business and has no other place to go. This will be a small shopping center, with the buildings around a central area. He feels that the existing liquor stores in the area should not influence this development.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members reviewed the information and concluded that this request should be denied as an intrusion into a residential area, but recommend the granting of "BB" Residence, First Height and Area, in conformance with existing zoning in the area.

C14-71-088 Cater H. Joseph--contd.

At the Commission meeting the attorney representing the applicant requested that this application be re-heard by the Committee on the grounds that the information previously presented was not accurate, inasmuch as the tracts represented as residential on the south side of 51st Street are now owned by the City of Austin.

Mr. Reeves stated that this information does not change the facts of the case and that further consideration by the Committee would be unnecessary. The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Cater H. Joseph for a change of zoning from "A" Residence, First Height and Area to "C-2" Commercial, First Height and Area for property located at 1200-1204 East 51st Street be DENIED, but recommend the granting of "BB" Residence, First Height and Area.

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

NAY: Messrs. Kinser and Milstead.

ABSENT: Messrs. Taniguchi and Anderson

C14-71-089 Milton Blackmore: A to LR
8407-8413 Pecan Drive

STAFF REPORT: This tract of one acre of land is proposed for use as a mobile home park containing nine units. Single-family residences zoned "A" Residence exist to the west of Interstate Highway 35 and north of John Nance Garner Circle. Pecan Street is a deadend street with forty feet of right-of-way at this point. "C" Commercial zoning exists along Interstate Highway 35 to the east and "BB" Residence zoning exists along John Nance Garner Circle to the south. The staff considers this request to be an intrusion into a single-family neighborhood. If granted, fifteen feet of right-of-way on Pecan Drive and a special permit will be required.

TESTIMONY

WRITTEN COMMENT

Mrs. Zora Warren: 401 Primrose	FOR
Robert Earl Havens: 309 Oerth Lane	AGAINST
H. L. Becker: 303 Oak Plaza	AGAINST
D. W. Hays: 306 Oak Plaza	AGAINST
Phillip R. Shelp: 304 Oak Plaza	AGAINST
W. O. Beau, Jr.: 301 Pecan Drive	AGAINST
Talmadge K. Foster: 307 Walnut Drive	AGAINST
Mrs. Smith H. Thompson: 410 Primrose	AGAINST
Salvatrice: 300 Oertli Lane	AGAINST
Rosalie Montague: 300 Oertli Lane	AGAINST
William L. McCarley, Jr.: 308 Oertli Lane	AGAINST
Mr. & Mrs. Paul Horton: 308 Walnut Drive	FOR
Lucille McCarley: 306 Oertli Lane	AGAINST

C14-71-089 Milton Blackmore--contd.

PERSONS APPEARING AT HEARING

Milton Blackmore (applicant)

SUMMARY OF TESTIMONY

Mr. Milton Blackmore stated that he wishes to develop a small trailer park on this tract. He feels this will be a good location, with good access.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that he could not support a mobile home park in this predominately residential area. He suggested that this tract could be subdivided into four lots. Mr. Foxworth of the staff stated that at one time the former owner had proposed to subdivide this tract into four lots with a cul-de-sac.

The Committee reviewed the information and concluded that this request should be denied as an intrusion into a residential neighborhood with insufficient access for mobile home park use.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Milton Blackmore for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 8407-8413 Pecan Drive be DENIED.

C14-71-090 Frank W. McBee: B to GR
909-913 West Mary Street

STAFF REPORT: The applicant proposes the development of an upholstery shop on this area of 23,550 square feet. "C" Commercial zoning exists across West Mary Street and is developed with a barber shop and a grocery store. "C" Commercial zoning also exists on the adjoining lot to the west. A post office exists across West Mary Street, and a beauty shop is developed several lots to the east. Single-family homes zoned "A" Residence predominate the remaining area. Both South Fifth Street and West Mary Street have sixty feet of right-of-way. The staff recommends the granting of this application as consistent with existing zoning in the area.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Steve Burland: 901 West Annie
Henry Wetzel, Jr.: 404 Honeycomb Ridge
Mrs. Minnie Heiling: 1807 South 5th Street
Frank McBee (applicant)

AGAINST
FOR
AGAINST

C14-71-090 Frank W. McBee--contd.

PERSONS APPEARING AT HEARING

J. Al. Bauerle (representing the applicant)

SUMMARY OF TESTIMONY

Mr. J. Al. Bauerle represented the applicant. It is felt that the proposed use is reasonable for this 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 an extension of existing zoning.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Frank W. McBee for a change of zoning from "B" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 909-913 West Mary Street be GRANTED.

C14-71-091 James K. Eichelberger, Jr.: B to O
 6800-6810 Twin Crest Drive
 6701-6703 Brenda Drive
 302-332 Huntland Drive

STAFF REPORT: The applicant proposes the development of offices on this tract of 1.6 acres of land. A well-maintained residential neighborhood exists immediately to the north and east of this site and is zoned "A" Residence. "O" Office zoning is established immediately to the west across Brenda Drive. The Highland Mall, zoned "C" Commercial, is being developed on the large tract south of Huntland Drive. The existing zoning of the property within this application is "B" Residence. The staff does not wish to encourage any further zoning north of Huntland Drive but cannot actually recommend against such a request inasmuch as all of the property between Interstate Highway 35, Airport Boulevard and Huntland Drive is zoned commercially. The staff recommendation is to grant, subject to no access to Brenda Drive or Twin Crest Drive.

TESTIMONY

WRITTEN COMMENT

Charles D. Nash

NO OPINION

PERSONS APPEARING AT HEARING

James K. Eichelberger, Jr. (applicant)
 Two nearby property owners

FOR

C14-71-091 James K. Eichelberger, Jr.--contd.

SUMMARY OF TESTIMONY

Mr. Eichelberger stated that this tract will be used for an insurance office. He feels that this use is ideally suited for this location across the street from a shopping center, and will not affect the residential development as much as apartment development. He is in agreement with the staff recommendation limiting ingress/egress to Huntland Drive. He stated that a privacy fence is in existence where this tract abuts single-family development.

Two interested citizens present voiced approval of this request, stating that this property is no longer suitable for residential development.

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 in conformance with existing zoning in the immediate area, subject to no access to Brenda Drive or Twin Crest Drive.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of James K. Eichelberger, Jr. for a change of zoning from "B" Residence, First Height and Area to "O" Office, First Height and Area for property located at 6800-6810 Twin Crest Drive, 6701-6703 Brenda Drive and 302-332 Huntland Drive be GRANTED, subject to no access to Brenda Drive or Twin Crest Drive.

C14-71-092 Charles Spradling: A to O
1042 East 43rd Street
4300-4302 Clarkson Avenue

STAFF REPORT: This site covers an area of 5,416 square feet, with proposed use for office development. "B" Residence, Second Height and Area zoning exists on the lot immediately to the north and to the south is Hancock Shopping Center zoned "GR" General Retail. However, this property is within a single-family residential neighborhood zoned "A" Residence. All streets in this area have only fifty feet of right-of-way and are inadequate to serve the uses permitted by zoning more intensive than "A" Residence. The staff recommendation is to deny this request as an encroachment into a residential neighborhood. If granted, this application is subject to ten feet of right-of-way on Clarkson Avenue and five feet of right-of-way on East 43rd Street.

C14-71-092 Charles Spradling--contd.

TESTIMONY

WRITTEN COMMENT

Louise & Emma L. Eisenbeiser: 1803 Running Rope FOR
 Ben E. Smith, Jr.: 1037 East 43rd Street AGAINST
 Charles F. & Jane Nichols: 1026 East 43rd Street AGAINST

PERSONS APPEARING AT HEARING

Charles Spradling (applicant)
 Tom Johnson: 1033 43rd Street FOR
 H. E. Holtz: 17 Medical Arts Square AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Spradling stated that he owns an apartment house next door to this site. He feels that the proposed use will appropriate for this location, as there will be no evening and weekend use. He pointed out the expressway to the east and the shopping center to the south.

Mr. Tom Johnson, 1033 43rd Street, stated that he had been a member of the Advisory Committee to the Master Plan for the City. This study stated that that Hancock Center would be the new commercial center of the City and this application is in line with that prediction. Commercial development exists at 43rd Street and Red River Street, and there is a commercial operation in a residential area on 43rd Street. He feels that the denial of this request will be detrimental to the progress of the City, and that this area should be designated as a commercial area.

Arguments Presented AGAINST:

Three residents of the area spoke in opposition to this request. This is an area of older residents who have lived here for many years and feel that the area should remain residential. There is rental property in the area, which is owned by nearby residents. The homes in the area are well-maintained. A business has been in operation at this location, creating much traffic congestion. In addition, employees of the Sears Roebuck store park on the streets in this area, adding to the traffic problems. This is a good neighborhood with good schools and should be protected.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the proximity of the railroad tracks and the Hancock Shopping Center make this tract unsuitable for residential development. Mr. Taniguchi stated that "O" Office zoning would be a more compatible use than apartment development. The Committee reviewed the information and concluded that this request should be granted due to its proximity to a railroad track and Hancock Shopping Center, subject to ten feet of

C14-71-092 Charles Spradling--contd.

right-of-way on Clarkson Avenue and five feet of right-of way on 43rd Street.

At the Commission meeting, Mr. Goodman stated that the penetration of "O" Office zoning into this area is not desirable. The Committee members explained that the applicant had a specific use and that office development would cause less traffic and confusion in the area. The Commission then

VOTED: To recommend that the request of Charles Spradling for a change of zoning from "A" Residence, First Height and Area to "O" Office First Height and Area for property located at 1042 East 43rd Street and 4300-4302 Clarkson Avenue be GRANTED, subject to ten feet of right-of-way on Clarkson Avenue and five feet of right-of-way on 43rd Street.

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

NAY: Mr. Goodman

ABSENT: Messrs. Taniguchi and Anderson

C14-71-093 Chester W. Loney: A to O
2001 Koenig Lane

STAFF REPORT: This tract covers an area of 8,700 square feet, to be used for office development. "O" Office zoning has been granted in recent years along Koenig Lane. Single-family homes with some office development exists along Koenig Lane on either side. The staff recommendation is to grant this request in conformance with previous recommendations and City Council action in this area. Ten feet of right-of-way is needed on Koenig Lane.

TESTIMONY

WRITTEN COMMENT

Glen E. Lewis: 3406 Red River	FOR
Olie Perry: 2010 Koenig Lane	FOR
Dorothy Fern Caldwell: 2002 Koenig Lane	FOR
Joe C. Franzetti: 812 West 5th Street	FOR

PERSONS APPEARING AT HEARING

Chester W. Loney (applicant)

SUMMARY OF TESTIMONY

Mr. Loney stated that his bookkeeping service is expanding and more space and parking area are needed. He will provide off-street parking as required.

No one appeared in opposition to this request.

C14-71-093 Chester W. Loney--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted in conformance with previous recommendations in this area, subject to ten feet of right-of-way on Koenig Lane.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Chester W. Loney for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2001 Koenig Lane be GRANTED, subject to ten feet of right-of-way on Koenig Lane.

C14-71-094 Jessie G. Baty: A to LR
7401 Riverside Drive

STAFF REPORT: This application is on a tract of .9 acre, with proposed use a mobile home park. "LR" Local Retail zoning, established with a mobile home park, exists on both sides of this site. Both have approved special permits for mobile home parks. An application for a mobile home special permit on this site is being processed. Single-family homes are established along Uphill Lane to the west. The staff recommendation is to grant this request as consistent with previous recommendations in the immediate area, subject to a special permit for a mobile home park.

TESTIMONY

WRITTEN COMMENT

Walter Louk: 7409 Riverside Drive

FOR

PERSONS APPEARING AT HEARING

William McGuire (representing applicant)

SUMMARY OF TESTIMONY

Mr. William McGuire represented the applicant, who has developed the adjoining properties, which are very attractive mobile home parks. The applicant will conform to the rules and regulations of the 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 an extension of existing zoning, subject to a special permit for a mobile home park.

C14-71-094 Jessie G. Baty--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jessie G. Baty for a change of zoning from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area for property located at 7401 Riverside Drive be GRANTED, subject to a special permit for a mobile home park.

C14-71-095 Jagger & Associates: A, 1st to GR, 5th (Tr. 1), and
Tract 1: 1203-1305 Woodland Avenue B, 1st (Tr. 2) (as amended)
 Tract 2: 1800-1900 I. H. 35

STAFF REPORT: Warehouse and apartment development are planned for these two tracts totaling 9.87 acres. "GR" General Retail, "LR" Local Retail and "O" Office zoning are established along Interstate Highway 35 and "B" Residence zoning, developed with apartments, exists adjacent to the south. A single-family residential neighborhood zoned "A" Residence exists to the west. Over ten years ago a short form subdivision was submitted in the name of T. C. Steiner, Travis Heights Annex, on Tract 2; however, this short form subdivision was never recorded. The applicant has submitted an amendment from "C" Fifth Height and Area on Tract 1 to "GR" General Retail, Fifth Height and Area and from "B" Residence, Second Height and Area on Tract 2 to "B" Residence, First Height and Area. Also he has agreed to provide culs-de-sac for Fairmount Avenue and Woodlawn Lane.

There are two alternatives for the west portion of Tract 2. One would be to leave it zoned "A" Residence, connect Fairmount Avenue and Fairlawn Lane and subdivide creating duplex lots on both sides of the street connection. The other would be to cul-de-sac both streets, providing no access to the single-family residential neighborhood, and zone all of Tract 2 "B" Residence as amended.

The staff recommendation is to grant as set out in the second proposal and as it is amended. This is subject to no access from the culs-de-sac to subject property; a six-foot privacy fence where the property abuts "A" Residence development; and subdivision.

Mr. Foxworth pointed out that consideration of a variance would be required if Fairmount Avenue and Fairlawn Lane are cul-de-saced, as both streets are in excess of 400 feet in length.

Mr. Reeves stated that ingress and egress could be a problem for traffic on Woodland Avenue going west as the right-of-way changes from eighty feet to fifty feet. Mr. Foxworth stated that these streets are to serve the Travis Heights Subdivision, which is deed-restricted to single-family use. Mr. Reeves stated that development of this tract will be difficult due to the terrain, and that the only practical access is from Woodland Avenue.

G14-71-095 Jagger & Associates--contd.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Robert T. Harms: 1108 Gillespie Place	AGAINST
Texas High School Coaches Assn., Inc.: Perry Brooks	
Building	FOR
Bertha E. Dinhol: 1900 Fairlawn Lane	AGAINST
Nolen E. Williamson: 1117 Fairmont Avenue	AGAINST
Petition with 11 signatures	AGAINST

PERSONS APPEARING AT HEARING

Richard Baker (attorney for applicant)	
Maurice Payne	AGAINST
Robert Harms: 1108 Gillespie Place	AGAINST
Mrs. Robert Mather	AGAINST
Mrs. Arthur Edwards: 1121 Woodland Avenue	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker, attorney, represented the applicant. The applicant proposes "B" Residence use for the rear portion of this site, which is approximately 6.7 acres and "GR" General Retail, Fifth Height and Area, on the front portion, which is approximately 3.13 acres and fronts on Interstate Highway 35. It is proposed that the two existing streets, Fairmount Avenue and Fairlawn Lane be cul-de-saced, with fencing around these culs-de-sac to prohibit vehicular access. The rear portion of the site is to be developed with apartments, and the front portion will be developed with retail or office use. The creek is considered an amenity and its character will be retained, along with as many of the trees as possible. The applicant plans from eighteen to twenty-five apartment units per acre, which is less than that allowed under the Ordinance. The subject property is not suitable for single-family residential development because of its proximity to multi-family units in existence its frontage on Interstate Highway 35, and the existence of Woodland Avenue. It is felt that the requested zoning is in conformance with existing zoning in this area.

Residents in this area have expressed concern as to the effect this proposed development would have on the schools in this neighborhood, which are overcrowded at this time. The planned project has been compared with several other such developments in the City and the scholastic ratio is found to be from one schoolage child per eight units to one schoolage child per fifteen units. With the proposed one hundred fifty units on this tract, twelve schoolage children would be added to the area's schools, which would not be an undue burden. Apartment development generates fewer children than duplex or townhouse development.

C14-71-095 Jagger & Associates--contd.

Concern has also been expressed concerning the retention of the character of the thirteen acre tract; this land is very valuable and it is economically unfeasible to leave it vacant. Every effort will be made to preserve as many of the trees as possible, with the trees and the creek an integral part of the development.

Arguments Presented AGAINST:

Mr. Maurice Payne stated that he lives adjacent to this site and is glad it is going to be developed, as it has not been well cared for in the past. However, he feels that residential homes, rather than apartments, should be developed on this site. It would be more advantageous to the City as far as taxes are concerned, as one residence pays as much tax as three apartments. Private homeowners are more stable and would benefit the City.

Mr. Robert Harms stated that the area as it is now serves as a buffer for noise and pollution from Interstate Highway 35 for the residents of the subdivision. The proposed development will increase the noise and air pollution and decrease the quality of living in the area. This area drains directly into Town Lake, and the increased paving will cause run-off, adding to the already serious pollution of the lake. Presently this site is an attractive sight for visitors to the City from the south; the proposed development will destroy this view. The maximum use for the tract would be as a park, while single-family development would be the least destructive to its value to the community.

Mrs. Robert Mather, Chairman of the Environmental Committee of the Travis Heights Elementary School Parent-Teachers Association, presented a letter to the Committee requesting that this application be postponed and a procedure be set so that the development can be reviewed as it proceeds in order to insure that the environmental functions of this site are preserved and the development is integrated so as to retain as much as possible the terrain and existing growth, particularly the creek area, which is a great asset to the City.

Mrs. Arthur Edwards, 1121 Woodland Avenue, stated that a blind hill at this location is presently a very real traffic hazard and adding to this traffic is unthinkable. Also, the western portion of this site has a caliche rock foundation and any blasting in that area will materially damage the structure and foundations of the surrounding homes. There is a large sewer line going through this site, which should be considered in its development. She feels that single-family residences should be developed on the site.

Six additional residents of the area objected to this change of zoning because of the narrow streets, the hilly terrain and the already heavy traffic in the area; they feel that this development is in violation of the restrictions of the Travis Heights Subdivision; it is felt that this part of the City needs a park and that this site would be ideal; and they feel that this is a residential area with many children who need protection from traffic.

CI4-71-095 Jagger & Associates--contd.

Arguments Presented in REBUTTAL:

Mr. Baker stated that this tract is not a part of the Travis Heights Subdivision, as shown by the deed records. In regard to the purchase of this site for a park, the property is valued from \$.60 to \$1.00 per square foot, which would be very expensive land for a park in this area. The site is not suitable for single-family residences because of its proximity to Interstate Highway 35 and the other multi-family units in the area. Multi-family housing should be located close to the commercial areas where people are employed, so that there will be less traffic and travel time. This area is well served by the street system, and is within minutes from the downtown area and the University of Texas. It is the intent of the developer to develop the apartment area under a special permit, which means that the City departments will review and approve plans for access, traffic circulation, and the development of the creek area. The number of units planned will be fewer than the maximum allowed under the zoning and the creek and the trees will be preserved as an asset to the development. It is felt that the proposed development will allow the highest and best use of this property, and will not detract from the value of the area.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that perhaps this site could be better developed as a Planned Unit Development. Mr. Baker stated that due to its size and the topographical problems, this would be very difficult.

Mr. Reeves stated that the ingress/egress poses problems, as Woodland Avenue is treacherous at this point. Mr. Baker stated that the developer is concerned about this problem, but feels that it can be handled. Under a special permit, the Traffic and Transportation Department of the City must approve of the developer's plans.

Mr. Taniguchi stated that the size of a Planned Unit Development is not as important as the complexity of the site and this would seem ideal for this tract in that it would require the developer to be responsive to the many factors brought out in the testimony; while the special permit does not give enough opportunity to consider these factors. Mr. Baker stated that there is no feasible way to economically develop this land under a Planned Unit Development, as the land is valuable. Mr. Taniguchi stated that pre-planning such a location would be much more desirable than blanket approval by zoning. This would give the developer more opportunity to get a mixed use; if the value of the land is marginal, the developer might forego the niceties to make the land pay more. Mr. Baker stated that it is planned to develop this property with one unit on 2,000 square feet, which is very light intensity of use for this property. There is much unusable land in this tract. Without zoning, a Planned Unit Development is limited to twelve units per acre. While there are not sufficient environmental controls under a special permit, it is proposed that this land will be developed with this beauty and value in mind.

C14-71-095 Jagger & Associates--contd.

The Committee reviewed the information and discussed the topographical features of this tract and the surrounding zoning. The majority of the Committee concluded that this request should be granted, as amended, subject to a subdivision providing for culs-de-sac at the ends of Fairmount Avenue and Fairlawn Lane and subject to no access from the cul-de-saced streets to the subject property and a six-foot privacy fence where the property abuts "A" Residence zoned property, and around the culs-de-sac.

At the Commission meeting, the staff reported that a resident of Travis Heights wished to submit new evidence. Dr. P. A. Cato stated that he is a homeowner in this area and is familiar with the schools. All the schools in this area are overburdened with students. The Travis Heights Elementary School has twenty-three classrooms with thirty students in each and portable buildings to serve 1,000 students; it is estimated that 1,113 students will be served next year. Fillmore Junior High School now has six portable buildings, with sixty additional students expected next year. The new elementary school will not be completed until September of 1972; this facility will take three hundred students, leaving more than the original building was designed to handle. The school system has a problem with the integration program, with the possibility of having to use additional portable buildings at Travis High School. It is impossible for the schools to keep up with the rapid growth of the City. Recently the Federal Housing Authority has requested that the School Board study all multi-housing projects being funded, to discover the impact such projects will make upon the community's schools. Many multi-family dwellings already exist in this area, and the additional development as planned is creating an impossible situation for the schools. The citizens appreciate the beauty of their area, which the Planning Commission has helped make possible, and would like to maintain this beauty.

Mr. Baker pointed out that full discussion of the number of children to be generated by the proposed development occurred at the Committee meeting; at that time the residents had no objection to additional children in the community.

The Commission reviewed the information and

VOTED: To recommend that the request of Jagger & Associates for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, Fifth Height and Area (Tract 1) and "B" Residence, First Height and Area (Tract 2) on property located at 1203-1305 Woodland Avenue and 1800-1900 Interstate Highway 35 be GRANTED, as amended, subject to a subdivision providing for culs-de-sac at the ends of Fairmount Avenue and Fairlawn Lane and subject to no access from the cul-de-saced streets to the subject property and a six-foot privacy fence where the property abuts "A" Residence zoned property and around the culs-de-sac.

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

NAY: Mr. Crier

ABSTAINED: Mr. Goodman

ABSENT: Messrs. Taniguchi and Anderson

C14-71-096 E. D. Bohls: BB, 1st to B, 1st (as amended)
400-402 Kenniston Drive

STAFF REPORT: Single-family homes are developed throughout this neighborhood, with apartments anticipated along Swanee Drive and Kenniston Drive. "B" Residence zoning is established in various places along both Swanee Drive and Kenniston Drive. The Fox Theater, zoned "C" Commercial, exists on Airport Boulevard to the south. The recent zoning history of this area has been to grant "B" and "BB" Residence, First Height and Area zoning. However, the "B" Residence zoning existing across Kenniston Drive will be used as a parking lot for the Fox Theater and has been restricted with a privacy fence to no access on the north property line to Kenniston Drive. In conformance with previous recommendations the staff recommends the denial of this request.

TESTIMONY

WRITTEN COMMENT

E. B. Webb: 403 Swanee Drive

AGAINST

PERSONS APPEARING AT HEARING

Chris Crow (representing applicant)

SUMMARY OF TESTIMONY

Mr. Chris Crow represented the applicant. He stated that this was a reasonable request and should be recommended for approval. The east half of this lot is not usable as a thirty-five foot drainage easement with a twenty-eight foot drainage ditch exists, leaving approximately 16,000 feet of land. This will allow ten units to be developed and fifteen units are desired.

Mr. Reeves stated that the easement could be figured into the density computations for this tract, which would allow fifteen units to be developed under the present zoning classification. The staff reported that only twelve one-bedroom units would be allowed under the present zoning. Mr. Crow stated that one-bedroom units are more desirable than efficiency units in this area. Mr. Crow requested that this application be amended to "B" Residence, First Height and Area, as this classification will allow the desired development.

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 amended, as consistent with existing zoning in the area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of E. D. Bohls for a change of zoning from "BB" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 400-402 Kenniston Drive be GRANTED, as amended.

C14-71-097. Jay D. Harkins: A to C (as amended)
 1123A-1125A Shady Lane

STAFF REPORT: The application on this 21,528 square foot tract of land is for an air conditioner contractors storage and office. A gasoline storage and depot company is located across Shady Lane to the west with several single-family homes existing to the south between this site and Bolm Road. Undeveloped property surrounds this property on the north and east. The staff reports that the applicant has amended his request from "D" Industrial, First Height and Area to "C" Commercial, First Height and Area in conformance with the Master Plan. The staff recommendation is to grant as amended, subject to up to 15 feet of right-of-way on Shady Lane.

TESTIMONY

WRITTEN COMMENT

Otto M. Friedrich: 1125 Shady Lane

AGAINST

PERSONS APPEARING AT HEARING

Jay Harkins (applicant)

SUMMARY OF TESTIMONY

Mr. Jay Harkins stated that he wished to use this tract as an office and a shop for his business. He feels that this zoning is suitable for 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 amended, in conformance with the Master Plan, subject to right-of-way up to fifteen feet on Shady Lane.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jay D. Harkins for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1123A-1125A Shady Lane be GRANTED, as amended, subject to right-of-way up to fifteen feet on Shady Lane.

CL4-71-098 J. M. Salinas: B to C
312 East 16th Street

STAFF REPORT: This 5,888 square foot tract of land is being applied for use as an aquarium shop. Apartments, a tavern, a stereo cartridge sales company, and several single-family homes exist in this block. State and University property predominates this area, and it is developed with offices and other commercial uses. This site is within the Brackenridge Urban Renewal Project. "B" Residence and "C" Commercial zoning predominate this area. The staff recommends that this request be denied. The proposed use is not in compliance with the adopted land uses and zoning plans for the Brackenridge Urban Renewal Project, which designates this property and the south one-half of the block for multi-family residential uses. The property owner, if he wishes to retain the lot, will be required to make improvements in conformance to the Plan. If he does not choose to develop in this way the Urban Renewal Agency would acquire the property.

TESTIMONY

WRITTEN COMMENT

Mrs. W. H. Wuthrick: 902 Klare Avenue FOR

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

No one appeared either for or against this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that if a property owner does not wish to develop his land in conformance with the Urban Renewal Agency plans, the Agency should purchase it.

Mr. Reeves pointed out the surrounding zoning, and stated that while "C" Commercial is too intense for this tract, "GR" General Retail zoning would be suitable.

The Committee reviewed the information and concluded that this request should be denied, but recommend the granting of "GR" General Retail, Second Height and Area, in conformance with existing zoning in the area. The Committee requested that this tract be brought to the attention of the Urban Renewal Agency for purchase.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of J. M. Salinas for a change of zoning from "B" Residence, Second Height and Area to "C" Commercial, Second Height and Area for property located at 312 East Sixteenth Street be DENIED but recommend the granting of "GR" General Retail, Second Height and Area. They further recommended that this tract be brought to the attention of the Urban Renewal Agency for purchase.

ABSTAINED: Mr. Goodman

C14-71-099 Willard Finkelstein: C to C-2
2209 Manor Road

STAFF REPORT: This tract of land containing 3,874 square feet is to be used for a tavern. "C" Commercial zoning developed with service stations, cafes, an electric company, and a bedding manufacturer is located along Manor Road. A single-family residential neighborhood is located to the south and to the north of Manor Road and is zoned predominantly "A" Residence. The staff recommends that this request be granted as an extension of the existing zoning, subject to field notes for the specific location of the building, ten feet of right-of-way on Manor Road and a short form subdivision.

TESTIMONY

WRITTEN COMMENT

Gulf Oil Corporation: P. O. Box 20448, San Antonio, Texas FOR

PERSONS APPEARING AT HEARING

William Finkelstein (representing applicant)
W. E. Phillips, 2204 Chestnut Avenue

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. William Finkelstein represented his father. He stated that this area is highly commercialized at this time. He feels that this request will be suitable for the area.

Arguments Presented AGAINST:

Mr. W. E. Phillips, 2204 Chestnut Avenue, represented the residential neighborhood to the south of this tract. He stated that the residents strongly oppose this request, as it will cause traffic, litter and noise. There are two existing taverns in the area which create problems; this is a good neighborhood and should be afforded some relief.

Arguments Presented in REBUTTAL:

Mr. Finkelstein stated that this street is commercial. The building is vacant at this time and should be put to some use.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi pointed out that the present zoning accommodates this use. Mr. Reeves stated that he feels that granting this additional use would be a hardship on the neighborhood.

The Committee reviewed the information and discussed the zoning in the immediate area. A majority of the members concluded that this zoning and proposed use would be detrimental to the abutting residential area and should be denied.

C14-71-099 Willard Finkelstein--contd.

The Commission briefly discussed the surrounding zoning and the proposed use and

VOTED: To recommend that the request of Willard C. Finkelstein for a change of zoning from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area for property located at 2209 Manor Road be DENIED.

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

NAY: Messrs. Becker and Chamberlain

ABSENT: Messrs. Taniguchi and Anderson

C14-71-100 Montopolis Community Center: LR to GR
 1500 Montopolis Drive
 5200 Fairway Street

STAFF REPORT: This tract of land contains 3.39 acres and is proposed for a shopping center. "BB" Residence zoning is established on the large tract to the immediate north and west and is proposed to be developed as an apartment project. Single-family residences surround this site on the south and east and are zoned "A" Residence. A drive-in theater is located across Montopolis Drive to the south. The staff recommends that this request be denied, as it is not in conformance with existing development or zoning in the area. This tract is similar in size to other convenience centers zoned "LR" Local Retail. The location of "C" Commercial across Montopolis Drive would permit "GR" General Retail use through special permit.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Tom Watts (representing applicants)

SUMMARY OF TESTIMONY

Mr. Tom Watts represented the applicants. "GR" General Retail zoning is needed to give latitude in the uses to be developed in this neighborhood center, which will serve the area from the Montopolis Bridge to Riverside Drive, and perhaps to Ben White Boulevard. These services are not available in the Montopolis area and are much needed. It is felt that the granting of this zoning will lighten the workload of the Planning Commission, rather than the applicant appearing again for a special permit. This area has been well-planned for a commercial center, with "B" Residence zoning and the drive-in theater serving as buffers. The majority of shopping centers are zoned "C" Commercial or "GR" General Retail. It is felt that the requested zoning will be compatible with the area.

C14-71-100 Montopolis Community Center--contd.

Mr. Foxworth of the staff explained that this tract is not large enough to be a community shopping center but could be a neighborhood center. Smaller tracts in the city zoned "GR" General Retail generally are for a specific use. The most intensive use in this area is "LR" Local Retail. The existing "C" Commercial across the street was zoned many years ago and is still undeveloped.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that this tract is well-buffered. The Committee reviewed the information and concluded that this request should be granted as it is well-buffered from the residential development in the area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Montopolis Community Center for a change of zoning from "LR" Local Retail, First Height and Area to "GR" General Retail, First Height and Area for property located at 1500 Montopolis Drive and 5200 Fairway Street be GRANTED.

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

C14-71-101 Peterson and Cunningham: GR to C-2
2525 Tinnin Ford Road

STAFF REPORT: This tract of land contains 12,750 square feet and is proposed for a lounge. Large apartment projects predominate this section of the City. A drive-in grocery is located on this same lot. A shopping center, an apartment complex and a service station are proposed for the property to the west abutting Tinnin Ford Road and Town Creek Drive. The new Safeway store is located across Riverside Drive and is zoned "LR" Local Retail. An additional shopping center is located west of Town Creek Drive. The staff feels that "C-2" Commercial applications within a well-established, commercial area are in conformance with past policies of the staff and the Commission. The staff recommends that this request be granted, subject to field notes for the particular site location.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

C. B. Carpenter (representing applicant)

C14-71-101 Peterson and Cunningham--contd.

SUMMARY OF TESTIMONY

Mr. C. B. Carpenter represented the applicants. He had nothing to add to the staff report.

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 an appropriate location for this use, subject to field notes for the particular site location.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Peterson and Cunningham for a change of zoning from "GR" General Retail, First Height and Area to "C-2" Commercial, First Height and Area for property located at 2525 Tinnin Ford Road be GRANTED, subject to field notes for the particular site location.

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

C14-71-102 Dr. Tom Barnett and B. T. Webb: GR to C-2
1819 East Riverside Drive

STAFF REPORT: This application is on two tracts of land, one consisting of 8,000 square feet and the other 6,000 square feet. The proposed uses will be those consistent with said zoning. "LR" Local Retail, "C" Commercial and "B" Residence zonings surround the area. A new Safeway grocery store is located immediately next door and is zoned "LR" Local Retail. This application is within a predominantly developed apartment area of the City but within a well-defined commercial area. Many large apartment complexes exist throughout the vicinity. The staff feels that "C-2" Commercial applications within a well-established commercial area or within a shopping center area are in conformance with past policies of the staff and Commission. The staff recommendation is to grant this request, subject to field notes for the location of this use.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Nick G. Ledesma: 1209 Loma Drive FOR

PERSONS APPEARING AT HEARING

C. B. Carpenter (representing applicants)

C14-71-102 Dr. Tom Barnett and B. T. Webb--contd.

SUMMARY OF TESTIMONY

Mr. C. B. Carpenter represented the applicants. He had nothing to add to the staff report.

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 an appropriate location for this use, subject to field notes for the location of this use.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Dr. Tom Barnett and B. T. Webb for a change of zoning from "GR" General Retail, First Height and Area to "C-2" Commercial, First Height and Area for property located at 1819 East Riverside Drive be GRANTED, subject to field notes for the location of this use.

AYE: Messrs. Kinser, Crier, Milstead, Reeves, Chamberlain and Goodman

NAY: None

ABSTAINED: Mr. Becker

ABSENT: Messrs. Taniguchi and Anderson

C14-71-103 Jerry N. Wallace: BB (Trs. 1 & 2) & LR, (Tr. 3) to A (Trs. 1, 2, & 3)
1214-1306 Rutland Drive

STAFF REPORT: This area consists of 3 tracts of land containing 9.5 acres in Tract 1, 1.0 acres in Tract 2 and 4.6 acres in Tract 3. The proposed use is for single-family residences. This is a rollback from "BB" Residence and "LR" Local Retail zoning to "A" Residence zoning. "GR" General Retail and "BB" Residence zonings exist nearby to the east. "BB" Residence zoning exists on the large apartment project on Rutland Drive to the west. This rollback is in compliance with the proposed development of single-family and duplexes in this residential area of Quail Creek West Subdivision. The staff recommends that this request be granted.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

None

C14-71-103 Jerry N. Wallace--contd.

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this rollback zoning should be granted in compliance with the proposed development of this area. It is further recommended that the additional area be granted "A" Residence zoning.

At the Commission meeting, the Committee explained that the applicant wishes to develop this area as residential lots. The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jerry N. Wallace for a change of zoning from "BB" Residence, First Height and Area (Tracts 1 and 2), and "LR" Local Retail, First Height and Area (Tract 3) to "A" Residence, First Height and Area for property located at 1214-1306 Rutland Drive be GRANTED. It is further recommended that "A" Residence, First Height and Area be GRANTED on the additional area as requested.

C14-71-105 Rundberg Lane Properties: Int. A, Int. 1st & GR, 1st to GR, 1st 510-600 East Rundberg Lane

STAFF REPORT: This 1.18 acres of land is proposed as a portion of a large shopping center to be built on surrounding land. "C" Commercial and "GR" General Retail zoning exists along I. H. 35. Two service stations, developed at the corners of I. H. 35 and Rundberg Lane are immediately east of this site. Recent zoning cases in this area have granted "GR" General Retail zoning on the property to the immediate east, parallel to this property. "O" Office and "GR" General Retail uses are the proposed land uses for the large zoning case pending immediately to the west. A single-family residential neighborhood is developed south of Rundberg Lane. The staff recommends this request be granted, subject to 20 feet of right-of-way on Rundberg Lane and final subdivision approval, as it is in conformance with existing zoning of this area.

TESTIMONY

WRITTEN COMMENT

Gulf Oil Corporation: P. O. Box 20448, San Antonio, Texas FOR

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

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

CL4-71-105 Rundberg Lane Properties--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted in conformance with existing zoning in the area, subject to twenty feet of right-of-way on Rundberg Lane and final subdivision approval.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Rundberg Lane Properties for a change of zoning from Interim "A" Residence, Interim First Height Area and "GR" General Retail, First Height and Area to "GR" General Retail, First Height and Area for property located at 510-600 East Rundberg Lane be GRANTED, subject to twenty feet of right-of-way on East Rundberg Lane and final subdivision approval.

CL4-71-106 C. K. Jamison: A to B
402 and 404 Swanee

STAFF REPORT: This 25,404 square foot tract of land is proposed for uses as permitted by said zoning. "BB" Residence zoning is pending on several lots across Swanee Drive to the south. "BB" and "B" Residence zoning exists throughout this neighborhood. Single-family homes, duplexes and apartments are established along Swanee Drive and Kenniston Drive. "LR" Local Retail zoning exists at Guadalupe Street and Kenniston Drive. The staff recommendation is to deny this request and to grant "BB" Residence zoning in conformance with existing zoning, subject to five feet of right-of-way on Swanee Drive.

TESTIMONY

WRITTEN COMMENT

William Hawkins: 5109 Duval

FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicant. He stated that the existing development on this site consists of two duplexes with an older house between them, which is not an asset to the neighborhood. The applicant plans to tear down the house and build additional units, tying the duplexes together, for a total of twenty units. This area is changing and the best method of upgrading the area is to go to higher density of use, which makes a larger investment in construction economically feasible. This is the new core area of the City, with some commercial uses in existence. A drainage ditch exists to the east on Kenniston Drive which is not bridged, so that this development will not affect that area.

No one appeared in opposition to this request.

C14-71-106 C. K. Jamison--contd.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi pointed out that this is a deadend street, with all access from Guadalupe Street. The Committee reviewed the information and a majority concluded that this request should be granted as an extension of existing zoning, subject to five feet of right-of-way on Swanee Drive.

The Commission briefly discussed the traffic circulation for this area and

VOTED: To recommend that the request of C. K. Jamison for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 402 and 404 Swanee Drive be GRANTED, subject to five feet of right-of-way on Swanee Drive.

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

C14-71-107 R & J Investments: B to GR
 5829-5905 Manor Road

STAFF REPORT: This tract of 18,570 square feet of land is proposed for uses as permitted by the requested zoning. "LR" Local Retail, "GR" General Retail, and "C" Commercial zoning exists along Manor Road. A grocery store and a restaurant are developed directly across Manor Road at the intersection of Sweeney Lane and Manor Road. Several single-family residences still exist along Manor Road. Manor Estates Subdivision, proposed for multi-family use and zoned "B" Residence, exists to the east and south of these two sites. A freight car converted into a residence is located next door on the south and zoned "GR" General Retail. The Sweeney Lane extension is to divide these two sites. The staff recommendation is to deny "GR" General Retail zoning and to grant "LR" Local Retail zoning, in conformance with the zoning pattern and the land uses of this neighborhood.

TESTIMONY

WRITTEN COMMENT

Sherman L. Allen: 6309 Berkman Drive

FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

C14-71-107 R. and J. Investments--contd.

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicants. He stated that "GR" General Retail zoning is requested because of the existing zoning adjacent to this tract, which is to be developed as a barbecue restaurant. With the recent change in the State's liquor laws, alcoholic beverages could be sold under the "GR" General Retail zoning classification. He stated that he had no objection to "LR" Local Retail zoning.

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 recommend the granting of "LR" Local Retail in conformance with the zoning pattern and the land uses of this area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of R & J Investments for a change of zoning from "B" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 5829-5905 Manor Road be DENIED, but recommend the granting of "LR" Local Retail, First Height and Area.

C14-71-108 Doyle Chapman: A to BB
6514 Laird Drive

STAFF REPORT: This request is on a tract of 8,400 square feet to be used as permitted by "BB" Residence zoning. "C" Commercial zoning and land use exists along Burnet Road and Burnet Lane but do not encroach into this well maintained single-family neighborhood. Burbank Street, Brentwood Street, Karen Avenue, Payne Avenue, Laird Drive and other streets of this neighborhood are fully developed with single-family residences. This is clearly a case of spot zoning and multi-family use is not desirable in this area. The staff recommendation is to deny this request as an intrusion and an encroachment into a single-family residential neighborhood. If granted, five feet of right-of-way is needed on Laird Drive.

TESTIMONY

WRITTEN COMMENT

Violetta Fisher: 2017 Karen	AGAINST
Wilhelmina Winkley: 6522 Laird Drive	AGAINST
Dr. & Mrs. E. R. Leggett: 1905 Hill Oak Court	AGAINST
Mrs. Gertrude Andl: 6602 Laird Drive	AGAINST
Irene L. Meredith: 2012 Karen Avenue	AGAINST
Homer H. Willms: 6600 Laird Drive	AGAINST
Mr. & Mrs. Leslie Sybert: 2018 Brentwood	AGAINST

C14-71-108 Doyle Chapman--contd.

A. W. Meador: 2019 Karen Avenue	AGAINST
Lawrence J. Buford: 6518 Laird Drive	AGAINST
E. C. Thomas: 6423 Burnet Lane	AGAINST
Mrs. C. T. Dodson: 6512 Laird Avenue	AGAINST
Mr. & Mrs. Milton B. O'Dell: 2402 Marelton Drive	AGAINST
Joseph C. Batlman: 2013 Karen Avenue	AGAINST
Charles Gilmore: 2010 Karen Avenue	AGAINST

PERSONS APPEARING AT HEARING

John Selman (representing applicant)	
Mrs. C. T. Dodson: 6512 Laird Drive	AGAINST
Homer H. Willms: 6600 Laird Drive	AGAINST
Charles Gilmore: 2010 Karen Avenue	AGAINST
Joseph C. Bateman: 2013 Karen	AGAINST
Mr. & Mrs. Milton B. O'Dell: 2402 Marelton Drive	AGAINST
E. C. Thomas: 6423 Burnet Lane	AGAINST

SUMMARY OF TESTIMONY

Mr. John Selman represented the applicant. He pointed out that a duplex is located adjacent to this tract and a day care center is in operation at the corner of Laird Drive and Brentwood Street, and the proximity of this tract to the commercial development on Burnet Lane. This would logically be a gradation of zoning between this commercial development and the high-quality homes in the residential subdivision. The applicant wishes to develop a four-plex on this site. This is a difficult case, as the property backs up to commercial development, with nice homes across the street. Mr. Selman suggested a compromise with the granting of "BB" Residence zoning, with a restrictive covenant limiting the development to three units. He presented pictures of the adjacent duplex and the day care center to the Committee.

Three residents of the area spoke in opposition to this request. This is a well-maintained residential area, with fifty-foot streets. It is felt that this lot is not large enough to support a four-plex and that the additional traffic generated would be hazardous.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Doyle Chapman for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 6514 Laird Drive be DENIED.

ABSTAINED: Mr. Becker

C14-71-109 C. K. Jamison: A to B
929 East 53 1/2 Street

STAFF REPORT: Uses as permitted by the requested zoning will be developed on this site covering 10,720 square feet. This area is zoned "A" Residence and is developed with single-family homes. East 35 1/2 Street has fifty feet of right-of-way. "C" Commercial zoning is established to the east along Interstate Highway 35 and to the west along Airport Boulevard. Two histories across Burnet Road to the west on 53rd and 53 1/2 Streets have been recommended against and denied within the last two years. East 53 1/2 Street is proposed for eighty feet of right-of-way. The staff recommendation is to deny this request as an intrusion into a single-family residential neighborhood. If granted, five feet of right-of-way is needed on East 53 1/2 Street.

TESTIMONY

WRITTEN COMMENT

Rudolf O. Boatright: 5306 Harmon Avenue	AGAINST
Charles G. Russell: 930 East 53 1/2 Street	AGAINST
Charles L. Smith: 932 East 53 1/2 Street	AGAINST
Chester Feuerbacher: 923 East 53 1/2 Street	AGAINST
Winnie L. Cantwell: 933 East 53 1/2 Street	AGAINST
H. C. West: 940 East 53rd Street	AGAINST
Bruce O. Barklow: 4192 Pickwick Drive, Concord, California	FOR
Mr. & Mrs H. A. Coach: 927 East 53 1/2 Street	AGAINST
A. E. Herms: 909 East 53 1/2 Street	FOR
Jesse Henny & Sally Harris: 943 East 53rd St.	FOR
Joe C. Franzetti: 812 West 5th Street	FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicant)	
Winnie L. Cantwell: 933 East 53 1/2 Street	AGAINST
Grace Alford: 934 East 53 1/2 Street	AGAINST
Charles L. Smith: 932 East 53 1/2 Street	AGAINST
Mr. & Mrs. Chester Feuerbacher: 931 East 53 1/2 St.	AGAINST
Charles G. Russell: 930 East 53 1/2 Street	AGAINST
Mrs. H. C. West: 940 East 53rd Street	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

The applicant was represented by Mr. John Selman. He stated that this area is located between Interstate Highway 35 and Airport Boulevard and is changing to more intense use, as evidenced by the City's plans to widen East 53 1/2 Street to eighty feet. Mr. Selman feels that a study should be made to determine the future use for the area. Commercial and apartment development exist on Helen Street one block to the northwest. This area will become the business core of the City in the future. There are many good quality homes in this area, but some of the homes are not well maintained. There will be many more requests in the future for zoning in this area.

C14-71-109 C. K. Jamison--contd.

Arguments Presented AGAINST:

Two residents of the area spoke in opposition to this request. This is a quiet, lovely neighborhood, with many different types of structures. The residents feel very strongly that this area is valuable to the City as a residential area and should not be allowed to deteriorate. The requested zoning is not appropriate for this area.

Arguments Presented in REBUTTAL:

Mr. Selman pointed out that this area is near the heaviest commercial development in the City. It is between two major arterial streets and this tract abuts a street which will be widened to eighty feet in the future. These facts would indicate that this immediate area is no longer suitable for single-family residential use. He requested that this case be held in abeyance until an area study is completed.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the wishes of the residents of this area are more important than an area study. They have indicated no desire to change the use of the neighborhood.

Mr. Taniguchi stated that the criteria used for an area study does not necessarily mean that the area will change; perhaps the retention of this area as residential between these two major streets is desirable.

The Committee reviewed the information and concluded that this request should be denied as an intrusion into a single-family residential neighborhood. A motion was made to request a study of this area, but was not seconded.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. K. Jamison for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 929 East 53 1/2 Street be DENIED.

C14-71-110 C. K. Jamison: A, 1st to B, 2nd
516 East 40th Street

STAFF REPORT: This site under consideration covers 7,300 square feet of land to be developed with uses permitted under "B" Residence zoning. Hancock Recreation Center is located immediately across Peck Avenue and is developed as a golf course zoned "B" Residence, Second Height and Area. Four lots to the west along Duval Street are zoned "B" Residence, First and Second Height and Area. "A" Residence zoning is established to the north and south of this site, developed with single-family and duplex residences. A trophy shop, a non-conforming use, is located to the west on

C14-71-110 C. K. Jamison--contd.

this street and St. Mary's Academy is located two blocks to the northeast. The staff opposes the further zoning of the remaining portion of this neighborhood, and recommends the denial of individual requests in the area. The "B" Residence, Second Height and Area zoning along Duval Street has been zoned for many years, but is developed with single-family residences. If granted, right-of-way up to 5 feet is required.

TESTIMONY

WRITTEN COMMENT

R. C. Foster: 3808 Avenue H
Lidde Gjerstad: 11903 Dove Haven

FOR
FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman represented the applicant. He pointed out that "B" Residence, Second Height and Area zoning exists approximately 150 feet to the west and 100 feet to the east of this tract. A commercial use exists at the corner of East 40th Street and Duval Street. The precedent has been set in this area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves expressed surprise that there was no opposition to this change; the staff reported that two notices were received favoring this change.

The Committee reviewed the information and concluded that this request should be denied, but recommend the granting of "B" Residence, First Height and Area, as more in keeping with this neighborhood and subject to up to five feet of right-of-way on East 40th Street.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. K. Jamison for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 516 East 40th Street be DENIED, but recommend the granting of "B" Residence, First Height and Area, subject to up to five feet of right-of-way on East 40th Street.

C14-71-112 Trinity Presbyterian Church: B to GR
5803-5927 Westminster Drive

STAFF REPORT: A shopping center is proposed on this area of four acres. A shopping center zoned "GR" General Retail exists directly across Westminster Drive. "GR" General Retail zoning surrounds this site on the north as well and is developed with a service station and an ice cream parlor. Apartments zoned "BB" and "B" Residence exist to the immediate east. A single-family and duplex neighborhood zoned "A" Residence exists to the south. A fifty foot strip of "B" Residence zoning will remain between this application and the single-family neighborhood to the south as a buffer, as it does across Westminster Drive between the shopping center and the residential neighborhood. The south half of this application was considered by the Planning Commission last month. The staff opposed commercial zoning for the small tract at the south end, and the Committee and the Commission recommended "GR" General Retail zoning. The City Council denied that request by a vote of three to three. The staff recommendation is to grant this request in conformance with the "GR" General Retail zoning across Westminster Drive, subject to privacy fencing and a twenty-five foot setback from the south property line.

TESTIMONY

WRITTEN COMMENT

Gulf Oil Corp.: P. O. Box 20448, San Antonio, Tx.	FOR
Logan Friedrich: 1909 Northridge Drive	AGAINST
Jerry Amlong: 2309 Saturn Place N.E., Albuquerque, N.M.	AGAINST
Jacob W. Arnatt: 2001A Cheshire Drive	AGAINST
George M. Walker (applicant)	

PERSONS APPEARING AT HEARING

Richard Baker (representing applicant)	
Jarrell B. Wilkinson: 11700 Interregional Highway	FOR
George M. Walker: 6805 Roanoke	FOR
Marion Jones: 7302 Bucknell	FOR
G. C. Pokorny: 1902 Rogge Lane	FOR
Gene Harrell: 5107 Wayborne Hill Drive	FOR
Emery L. Taylor: 1409 Ridgemont Drive	FOR
Maxine M. Bryan: 6402 Linda Lane	FOR
Mr. & Mrs. Nicklas R. Krivoniak: 1700 Westmoor Drive	FOR
Col. Fredrick B. Mann: 1906 Northridge Drive	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker represented the applicants. He explained that the fifty-foot strip of land between this tract and the residential neighborhood to the south is not included in this application. He briefly discussed the previous application. It is felt that the requested zoning will be

C14-71-112 Trinity Presbyterian Church--contd.

compatible with the surrounding uses, and is a good example of the gradation theory of zoning, with "BB" Residence zoning established to the east. The church has outgrown the present facilities and feels that it is unwise to add on to the existing structure. There are five mortgages on this tract and the church feels it is essential to sell this property. The prospective purchaser plans to build a small shopping center on the tract. This use will not create more traffic in the area, as it will serve the people already using the shopping center across the street. The proposed use has been discussed with the surrounding property owners and a majority of them approve.

Approximately twenty members of the church were present in support of this request.

Arguments Presented AGAINST:

Colonel Frederic B. Mann, 1906 Northridge Drive, stated that the proposed development will greatly affect his property, as it faces directly toward the church. He stated that a church has a responsibility to be a good neighborhood and should not infringe upon residents for financial gain. This proposed development will deteriorate the surrounding property. There is much zoning for this use in the area which is not being used. This is a residential street with three elementary schools in the area. Many children walk on this street and traffic is already a hazard to them. It is poor zoning to allow commercial use adjacent to schools. The church has adequate room for expansion at the present location.

Arguments Presented in REBUTTAL:

Mr. Baker pointed out that under the present zoning apartments could be developed on this tract, which would heavily increase the traffic in the area. The requested zoning is preferable in that it will not generate an appreciable increase in traffic. The Board of the church has made the decision to move the church and the property must be utilized.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted in conformance with existing zoning in the area, subject to six-foot privacy fencing and a twenty-five foot building setback along the south property line.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Trinity Presbyterian Church for a change of zoning from "B" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 5803-5927 Westminster Drive be GRANTED, subject to six-foot privacy fencing and a twenty-five foot building setback along the south property line.

C14-71-113 John D. Giddings: A to B
 1917 David Street

STAFF REPORT: This tract of land fronts on David Street and contains 8,000 square feet. The proposed use is for apartments. The zoning along David Street is "A" Residence, but "B" and "BB" Residence zoning exists in all directions. Apartments are located to the north, east and south. Single-family and duplex development exists along David Street, and office zoning exists on several lots along West 19th Street. Apartment zoning has been limited to First Height and Area. There have been four applications within the neighborhood, three for "B" Residence and one for "O" Office zoning, during the past three years. An application for "B" Residence, First Height and Area was recommended by the Planning Commission on this site in 1970, but was denied as an intrusion by the City Council. The staff recommendation is to grant "B" Residence, First Height and Area as requested, in conformance with the past recommendations and the surrounding land use.

TESTIMONY

WRITTEN COMMENT

Mrs. Joe Wukasch: 1101 West 22 1/2 Street	FOR
Mr. & Mrs. Olivier Radbey: 1305 West 22 Street	AGAINST
Robert Tacker: 4910 North Interregional	FOR

PERSONS APPEARING AT HEARING

Richard Baker (representing applicant)	
Two nearby residents	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker stated that this area is rapidly changing. The proposed use will be an asset to the neighborhood. This area is predominantly multi-family dwellings, with non-conforming uses on David Street. This use is appropriate for the area, which is close to the University and has not retained the character of a single-family neighborhood. To avoid future applications, it would be desirable to consider the complete area for multi-family zoning.

Arguments Presented AGAINST:

Two representatives of the neighborhood spoke in opposition to this request. David Street is very narrow, with existing traffic congestion. On the west side of David Street eight to twelve single-family residences exist; on the east side several of these homes have tenants. While something should be done to improve this lot, it is obvious from seeing other apartment development in the area that the requested zoning is undesirable. The residents enjoy their homes and would like to maintain the area as single-family and duplex use.

C14-71-113 John D. Giddings--contd.

Arguments Presented in REBUTTAL:

Mr. Baker stated that the requested zoning would allow the applicant to improve the conditions on this tract and bring the building up to the City Codes. In addition, he will be required to provide off-street parking for his tenants. The testimony has made obvious the fact that this area is being used for multi-family occupancy with the problem of no off-street parking available. Many students who rent in this area do not have cars and walk to the University. The proposed development would alleviate much of the traffic problems and would not change the existing character of the neighborhood.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that separate projects on these lots is very inefficient use of this property. Mr. Reeves stated that several existing apartment developments in this area of this type are more than adequate.

Mr. Goodman stated that he sympathizes with the residents who object to this change, but feels that the requested zoning conforms with this area.

Mr. Chamberlain stated that the entire area should be changed, but he does not feel that the lot is large enough for this density.

Mr. Reeves stated that several of the residents on this street have lived there for forty years; they will not be affected by an area study. This is an area of transition, with a desperate need for student housing. Further, the existing structure is not up to City standards. New construction will benefit this neighborhood. Mr. Reeves pointed out the existing zoning in the area and stated that this request is consistent with past requests.

The majority of the Committee concluded that this request should be granted.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John D. Giddings for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1917 David Street be GRANTED.

C14-71-114 Don West: Int. A, Int. 1st to GR, 1st
7017-7031 Cooper Lane
7016-7030 South First Street

The staff reported notification has occurred on this application, and requested that this application be postponed for thirty days to allow legal notification of surrounding property owners. The applicant has agreed to this postponement.

Those present at this meeting regarding this application expressed agreement to this postponement.

C14-71-114 Don West--contd.

The Committee recommends that this request be postponed for thirty days.

The Commission concurred with the Committee recommendation and

VOTED: That the request of Don West for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at 7017-7031 Cooper Lane and 7016-7030 South First Street be POSTPONED for thirty days.

C14-71-115 Baker-Jones-Crow: Int. A, Int. 1st (Tracts 1, 2, 3 & 5) to B, 1st 8401-9205 Loop 360 (Trs. 1, 2 & 3) and LR, 1st (Tr. 5) (as amended)

STAFF REPORT: Uses authorized under the requested zoning are proposed on this area of approximately eighty-three acres. Loop 360, with four hundred feet of right-of-way, is proposed to the north of these sites and abuts all but Tract 4. The single-family residential neighborhood of Westover Hills, is established to the southeast and east of these tracts. The owners submitted a Master Plan in February or March of this year, which outlined the proposed areas for single, multi-family, commercial, industrial, the school sites and open space for the approximate 2,400 acres under the developer's ownership. This was a general presentation to the Planning Commission for the purpose of informing them of the proposed plan for the area and to obtain an indication of their approval of this development. Tracts 1, 2, 3 and 5 conform to the Master Plan for this area. Tract 4 has been requested for withdrawal from this application, as it is not in conformance with the Master Plan. The staff recommends this request on Tracts 1, 2, 3 and 5 subject to subdivision approval and the withdrawal of Tract 4.

TESTIMONY

WRITTEN COMMENT

Fannye N. Cherry: 1915 David Street

AGAINST

PERSONS APPEARING AT HEARING

Richard Baker (representing applicant)

SUMMARY OF TESTIMONY

Mr. Richard Baker represented the applicants. He displayed plans for the proposed development previously submitted to the Planning Commission and on file with the Planning Department. Tract 4 was acquired in part subsequent to the filing of the Master Plan and was intended for development as more dense than "A" Residential classification. It adjoins property zoned "BB" Residence, restricted to twelve units per acre. The developers are presently developing a plan for a Planned Unit Development on this tract. The balance of the property conforms to the Master Plan as submitted.

No one appeared in opposition to this request.

C14-71-115 Baker-Jones-Crow--reontd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the request for the withdrawal of Tract 4 should be granted, and that this application should be granted, as amended, in conformance with the planned development of this area, subject to final subdivision approval.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Baker-Jones-Crow for a change of zoning from Interim "A" Residence, Interim First Height and Area to "B" Residence, First Height and Area (Tracts 1, 2 and 3), and "LR" Local Retail, First Height and Area (Tract 5) and the request for withdrawal (Tract 4) for property located at 8401-9205 Loop 360 North be GRANTED, as amended, subject to final subdivision approval.