

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- July 13, 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
Alan Taniguchi
Jack Crier
Bill Milstead
C. L. Reeves
Fritz Becker
Walter Chamberlain
M. J. Anderson
Jack Goodman

Also Present

Richard Lillie, Director of Planning
Walter Foxworth, Supervising Planner
Roy Headrick, Planner
Mike Wise, Planner
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of July 6, and 7, 1971, at 7:00 p.m.

Present

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

Also Present

Walter Foxworth, Supervising Planner
Mike Wise, Planner
Caroline Schreffler, Administrative Secretary

*Present only on July 6, 1971.

**Present only on July 7, 1971.

C14-71-088 Cater H. Joseph: A to B, 1st (as amended)
1200-1204 East 51st Street

STAFF REPORT: This application for the development of a shopping center and a liquor store is on a tract containing 30,020 square feet. This case was heard by the Planning Commission in May, 1971 and was referred back to the Zoning Committee by the City Council due to an error on the map. The tract is located north of the Austin Municipal Airport in an area with predominantly apartment development. Single-family residences and duplexes exist on Lancaster Court to the east of this tract, with "B" and "BB" Residence zoning established east of Cameron Road. There are no longer any single-family homes across East 51st Street from this property. The City has acquired all of the property for airport requirements. Commercial zoning is pending on a lot to the west subject to right-of-way requirements. East 51st Street is scheduled to be widened to ninety feet; however, no right-of-way will be needed from this tract. The staff recommends that this case be denied as an intrusion into a residential area.

TESTIMONY

WRITTEN COMMENT

Neaby property owner

FOR

PERSONS APPEARING AT HEARING

Tom Curtis (representing applicant)

W. C. Parker: 205 East 51st Street

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Tom Curtis represented the applicant. He stated that the applicant's former location has been taken by eminent domain and he desires to re-locate on this tract. East 51st Street has been designated a major arterial street, with construction to begin in early 1973. The applicant has attempted to purchase other property in this area and has found that the land values are very high, indicating high-density use for the area in the future. This tract is 325 feet from existing "C-2" Commercial zoning at Cameron Road and 52nd Street, and 440 feet east of the lot approved for "C" Commercial zoning by the City Council, which is pending subject to right-of-way requirements. It is felt that intrusion into this area has been accomplished with the existing uses. Mr. Curtis cited several examples of "C-2" Commercial zoning abutting "A", "B", and "BB" Residence zoning and "LR" Local Retail zoning in the area. The applicant suggests that an area in the center of this tract could be zoned "C-2" Commercial, with the surrounding area to be zoned "LR" Local Retail or "BB" Residence as a buffer. It is felt that this use is suitable for this area.

Arguments Presented AGAINST:

Mr. W. C. Parker, a nearby property owner, stated that this area is primarily residential and further intrusion of commercial zoning should not be allowed.

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

Mr. Parker stated that he purchased this property for his residence and wishes to maintain this use.

Arguments Presented in REBUTTAL:

Mr. Curtis stated that Mr. Parker has offered his property for sale for \$2.00 per square foot, which would indicate that this is not residential property.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the price of property is not relative to the zoning, but rather to the use of the property. The character of this property is not the same as the property on Cameron Road, as it has existing residential use.

Mr. Goodman suggested that a possible solution would be the zoning of a portion of the interior of the lot "C-2" Commercial, surrounded by "BB" Residence, "LR" Local Retail or "GR" General Retail zoning.

The Committee reviewed the information and the majority concluded that this request should be denied, as an intrusion in this area.

At the Commission meeting, Mr. Tom Curtis, representing the applicant, requested the amendment of this request to "B" Residence, First Height and Area. It is felt that this classification will be compatible with the existing zoning and the future development of the area.

The Commission reviewed the information and

VOTED: To recommend that the request of Cater H. Joseph for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and area (as amended) for property located at 1200-1204 East 51st Street be GRANTED.

C14-71-137 Hazel Nell Clark: BB, 1st to B, 1st (as amended)
304 East 34th Street

STAFF REPORT: The construction of apartments is proposed on this tract of 10,200 square feet. This tract is located in Hyde Park in an area designated for "BB" and "B" Residence zoning where streets are adequate. Two single-family structures exist on this tract, and apartments are developed on either side. "B" Residence zoning exists throughout this neighborhood. East 34th Street is adequate, with sixty feet of right-of-way. This area is in transition to multi-family use. The staff recommends that this request for "B" Residence, Second Height and Area be denied, and that "B" Residence, First Height and Area be granted as consistent with histories in this area over the past three years.

C14-71-137 Hazel Nell Clark--contd.

TESTIMONY

WRITTEN COMMENT

Scudder and Lannert: 300 East 34th Street FOR

PERSONS APPEARING AT HEARING

Tim Trickey (representing applicant)
 Vida Lee Anderson: 304 East 34th Street FOR
 Hazel Clark (applicant)
 Clyde H. Welch: 304 East 34th Street FOR

SUMMARY OF TESTIMONY

Mr. Tim Trickey, attorney, represented the applicant. He stated that this area is in a state of transition to multi-family use. The applicant feels that the request for "B" Residence, Second Height and Area is justified by the pattern of development in the area. This classification is the most economically feasible method of developing this tract to its highest and best use. The applicant wishes to construct six two-story apartments. Mr. Trickey stated that "B" Residence, First Height and Area would be acceptable to the applicant.

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, for "B" Residence, First Height and Area, in conformance with the trend of development in this area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Hazel Nell Clark for a change of zoning from "BB" Residence, First Height and Area to "B" Residence, First Height and Area, (as amended) for property located at 304 East 34th Street be GRANTED.

C14-71-138 Ricker, Brown and Hassell: A to GR
 7106-7108 Bennett Avenue
 919-923 St. Johns Avenue

STAFF REPORT: An auto repair garage is proposed for this tract of 20,500 square feet. "A" Residence zoning with single-family structures is the predominate use in this neighborhood. St. Johns School is located across St. Johns Avenue to the north and a grocery store is located across Bennett Avenue to the south. The grocery has existed for many years. Industrial zoning abuts this site on the west. Two lots zoned "C" Commercial exist south of this tract, which were zoned in 1950. Two blocks to the

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C14-71-138 Ricker, Brown and Hassell--contd.

east "O" Office zoning exists, but is subject to a restrictive covenant in which the property reverts to "A" Residence if the particular use for a neighborhood center is changed. The City owns the narrow strips of property along the north side of Saint Johns Avenue as part of the right-of-way acquisition program in this area. The staff recommends this request be denied for the protection of this residential neighborhood.

TESTIMONY

WRITTEN COMMENT

Mrs. Leon Hayden: 7210 Bennett Avenue	FOR
Mr. & Mrs. Arvil Cyphers: 7009 Bennett Avenue	AGAINST

PERSONS APPEARING AT HEARING

E. C. "Tommy" Thomas (representing applicants)	
Mr. & Mrs. Arvil Cyphers: 7009 Bennett Avenue	AGAINST

SUMMARY OF TESTIMONY

Mr. Tommy Thomas represented the applicants. He stated that this property backs up to a freight line, with several lots in the area undeveloped. "C" Commercial zoning exists in the area and it is felt that an auto garage will be in keeping with the area.

Three property owners in the area appeared in opposition to this request. They stated that the area should remain "A" Residence and that streets in the area need to be paved.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves pointed out that a recreation area for children is located just across the street from this site.

Mr. Walter Foxworth of the staff reported that the applicants plan to withdraw this request.

The Committee reviewed the information and concluded that this request should be denied as an infringement upon a residential neighborhood.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Ricker, Brown and Hassell for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 7106-7108 Bennett Avenue and 919-923 St. Johns Avenue be DENIED.

CI4-71-139 Estate of Ben H. Powell: C to C-2
 916-922 North Lamar Boulevard
 1001-1013 West 10th Street

STAFF REPORT: This application is on 10,500 square feet of land to be used as a nightclub. Commercial uses exist along Lamar Boulevard which are zoned "C" Commercial. A single-family and duplex neighborhood exists to the west of this block and is zoned "B" Residence. An auto sales company is located across West 10th Street to the north, and there is a small shopping center to the south. This area is a commercial area, and the streets are adequate. The staff recommends that this change be granted, as consistent with commercial development along Lamar Boulevard.

TESTIMONY

WRITTEN COMMENT

Albert Vanderlee: 802 Oakland	AGAINST
Andrew Gribble: 809 Baylor	FOR
Mrs. E. Renker: 702 Bayr	AGAINST
O. Hanford Reed: 1308 Kent Lane	FOR

PERSONS APPEARING AT HEARING

Terry Leiwegk: 1407A Travis Heights	FOR
Thomas Black (representing applicant)	
John Barber (applicant)	
Cyphens, Ambrus and Vida: 7011 Bennett Avenue	AGAINST
Mr. & Mrs. Charlie Bakns: 710B Bennett Avenue	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Tom Black, attorney, represented the applicants. The existing building on this tract was formerly a Green Stamp Redemption Center, which will be remodeled for use as a nightclub and entertainment center. This remodeling will cost in excess of \$50,000. The "C-2" Commercial zoning is requested to allow the sale of mixed alcoholic drinks in the nightclub. It is felt that this use is compatible with the area.

Arguments Presented AGAINST:

Five residents of the area spoke in opposition to this request. The present commercial uses in this area of Lamar Boulevard are primarily daytime operations and it is felt that the introduction of a nightclub will alter the character of the area. This tract is in a valley which will serve as a springboard for the noise created by this use. The residents feel that much disturbing noise and overflow parking on the residential streets to the west will result from this use. This is an old area of cherished homes which the residents are trying to improve. The proposed use will devalue the residential property. The residents of this area strongly oppose this use.

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C14-71-139 Estate of Ben H. Powell--contd.

Arguments Presented in REBUTTAL:

Mr. Black stated that a tavern exists within a few blocks of this site. The music for this club will not be live music, but recorded, so that noise will not be a factor. Adequate parking is required under the Ordinance, and will be provided. The applicants will operate a respectable nightclub which will not be a detriment to the neighborhood. He stated that the applicants have already begun remodeling the building, as the Building Inspector had issued a permit, contingent upon the granting of the zoning.

Mr. John Barber, one of the applicants, stated that the applicants have had previous experience in this field with the operation of a nightclub in the Highland Park area of Dallas, and that no complaints have been recieved. The proximity of this location to the University and the existing uses in the area make this an ideal location for this type of development.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed the Ordinance provisions relating to the serving of alcoholic beverages. This type of use requires "C-2" Commercial zoning. Mr. Reeves stated that the overflow of traffic to the fifty-foot residential streets in the area would create problems for the residents. A majority of the Committee concluded that this request should be denied as an infringement upon the residential area to the west.

At the Commission meeting, the Commission voted to permit the applicant to introduce new evidence. The staff read a letter from Mr. Thomas Black, the applicant's representative, reviewing the details of this application. Mr. Black presented a petition in favor of this change, signed by twenty-five persons who operate businesses or reside in this area. He pointed out that this change was recommended by the Planning Department and that the Building Inspection Department had issued a permit for the remodeling of the building, which resulted in the applicants signing a long-term lease on the building and engaging in remodeling operations which will cost in excess of \$50,000. The applicants plan to operate a restaurant during the day, as a need for this service exists in this area. The remodeling includes sound-proofing of the building and it is felt that this area is compatible with this use.

Mr. Taniguchi stated that he had inspected this site and concluded that there is adequate space for parking and that the structure of the building is such that noise will not be a problem.

Mr. Kinser stated that at one time this building was used as a grocery store, which required many parking spaces.

Mr. Goodman stated that the evidence as presented did not constitute new evidence and that none of the objectors to this change were present, as they were not aware that they would be allowed to speak at this meeting.

C14-71-139 Estate of Ben H. Powell--contd.

He pointed out that the proposed use would be a large nightclub, with the clientele parking all over the area. In addition, the present uses in the area are daytime operations to which the residents do not object.

Mr. Chamberlain stated that the other commercial uses in the area have parking spaces which can be used at night.

The Commission then

VOTED: To recommend that the request of the Estate of Ben H. Powell for a change of zoning from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area for property located at 916-922 North Lamar Boulevard and 1001-1013 West 10th Street be GRANTED.

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

NAY: Messrs. Milstead, Reeves, Becker and Goodman

ABSENT: None

C14-71-140 C. Ben Hibbetts: C, 2nd to C-2, 2nd
1201 West 34th Street

STAFF REPORT: This is a request on 6,576 square feet of land to be used as a cocktail lounge. An office, television repair, florist shop, and other commercial uses exist along 34th Street. "O" Office and commercial zoning are established throughout this area. Several single-family homes still exist along West 34th Street and throughout the neighborhood. This lot is south of The Austin Doctors' Corporation Development. The area is in transition to office and commercial use, but is not an area conducive to a tavern. The staff recommends that this request be denied.

TESTIMONY

WRITTEN COMMENT

Gladys Cavett: 1309 West 34th Street
Mr. & Mrs. Paul H. Friedrich, Sr.

AGAINST

AGAINST

PERSONS APPEARING AT HEARING

Larry Huff (representing applicant)
Ben Hibbetts (applicant)

SUMMARY OF TESTIMONY

Mr. Ben Hibbetts stated that this tract consists of three lots with one large building developed. This application is on one of these lots, and will utilize one-sixth of the building. A cocktail lounge is planned for this site, which will be of very high quality, to serve the many professional workers in the area. This site is near the Doctors' Corporation complex, which is expanding. There is very little residential use in this area and it is felt to be an ideal location for this use.

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C14-71-140 C. Ben Hibbetts--contd.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as proper use for this site in an area of office and commercial development, subject to right-of-way.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. Ben Hibbetts for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 1201 West 34th Street be GRANTED, subject to right-of-way on Bailey Lane to be determined by the Public Works Department.

C14-71-141 Ruby Smith: A to B
601-603 Hearn Street

STAFF REPORT: This request is for the use of apartments on 13,056 square feet of land. Single-family homes predominate this neighborhood. University of Texas student housing is located across Hearn Street to the west. A drive-in grocery and several service stations zoned "LR" Local Retail, "GR" General Retail, and "C" Commercial are established on Lake Austin Boulevard to the south. An apartment complex zoned in the 1950's for "C" Commercial is established to the north at 7th and Hearn Streets. This single-family residential neighborhood shows no indication of being in transition to a multi-family area, and is zoned "A" Residence. The staff recommends that this request be denied.

TESTIMONY

WRITTEN COMMENT

Ruby Smith (applicant)

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 denied as an intrusion into an "A" Residential area.

C14-71-141 Ruby Smith--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Ruby Smith for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 601-603 Hearn Street be DENIED.

C14-71-142 Mrs. Lonie Hope: A to GR
3812-3818 South 2nd Street

STAFF REPORT: This is a request for a bike and safe shop on 1.91 acres of land. Several single-family homes exist along South 2nd Street to the north and are zoned "A" Residence. "BB" Residence zoning is established to the rear of this tract, and "GR" General Retail zoning is established across South 2nd Street to the east. Commercial property exists along Ben White Boulevard to the south. The staff recommends that this request be granted, due to the close proximity of Ben White Boulevard, and compatible zoning, subject to ten feet of right-of-way on South 2nd Street; right-of-way to be determined by Public Works on Banister Lane, as it must be brought up to 60 feet; and a subdivision.

TESTIMONY

WRITTEN COMMENT

Edward M. and Charles K. Goldman:	3816 South 2nd St.	FOR
Leroy Swenson:	4501 Jinx	FOR
Dan Callan:	7506 Cooper Lane	FOR
John R. Harris:	1200 Guadalupe Street	FOR

PERSONS APPEARING AT HEARING

Mr. & Mrs. A. R. Richey (representing applicant)

SUMMARY OF TESTIMONY

Mr. A. R. Richey stated that this would be used as a bicycle shop, with a lock and key service and wheel chair repair.

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, subject to subdivision, ten feet of right-of-way on South 2nd Street, and right-of-way on Banister Lane to be determined by the Public Works Department.

C14-71-142 Mrs. Lonie Hope--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Mrs. Lonie Hope for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 3812-3818 South 2nd Street be GRANTED, subject to subdivision, ten feet of right-of-way on South 2nd Street, and right-of-way on Banister Lane to be determined by the Public Works Department.

C14-71-143 Central Texas Builders: A to BB
7004 Guadalupe Street

STAFF REPORT: This request is for the construction of apartments on 12,188 square feet of land. Single-family residences and duplexes predominate this area, as well as several small apartment projects. "BB" and "B" Residence zoning exist along Guadalupe Street and other neighborhood streets. Several locations have been granted "BB" Residence zoning in recent applications. This neighborhood is in transition from single-family to apartment development. Guadalupe Street has sixty feet of right-of-way and is adequate. The staff recommends that this change be granted.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Dale Miller (representing applicants)

SUMMARY OF TESTIMONY

Mr. Dale Miller represented the applicants, stating that the area is changing to a multi-family area, with several trailers on the lots.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that an area such as this should be zoned in its entirety rather than the process of individual applications.

The Committee reviewed the information and concluded that this request should be granted as proper zoning for the area.

C14-71-143 Central Texas Builders--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Central Texas Builders for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 7004 Guadalupe Street be GRANTED.

C14-71-144 Walter Carrington/Builders, Inc.: B, 1st to O, 2nd
808 West 10th Street

STAFF REPORT: This request for 6,900 square feet of land is for uses consistent with said zoning. Single-family and duplex structures are developed to the west of this lot, and apartments exist to the east along West Avenue. This neighborhood is in transition to more intense use. "B" Residence zoning predominates this immediate area. "O" Office, Second Height and Area zoning is established at many locations along West Avenue. West 10th Street, on which this property fronts, is inadequate with 39 feet of right-of-way. The staff recommends that this change be granted, subject to right-of-way on West 10th Street, to be determined by the Public Works Department.

TESTIMONY

WRITTEN COMMENT

Mrs. George T. Reinhardt: 4702 Ridgeoak Drive FOR

PERSONS APPEARING AT HEARING

Paul Jones (representing applicants)

SUMMARY OF TESTIMONY

Mr. Paul Jones represented the applicants. He pointed out the zoning in the area and stated that the requested zoning is proper for this area. He stated that the City owns the property across the street, and that no right-of-way would be required.

Mrs. House, a nearby property owner, stated that she did not oppose this change, but on-street parking is a problem in this area. Mr. Reeves explained that the Ordinance requires that a developer provide adequate parking for generated traffic.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as proper zoning for this site, subject to rights-of-way on West 10th Street and West Avenue to be determined by the Public Works Department.

C14-71-144 Walter Carrington/Builders, Inc.--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Walter Carrington/Builders, Inc. for a change of zoning from "B" Residence, First Height and Area to "O" Office, Second Height and Area for property located at 808 West 10th Street be GRANTED, subject to rights-of-way on West 10th Street and West Avenue to be determined by the Public Works Department.

C14-71-145 Charles Goldman: A to B
1607 West 39 1/2 Street
3905-3909 Shoal Creek Boulevard

STAFF REPORT: This is a request on .27 acres of land for apartment construction. Single-family residences are developed on either side of West 39 1/2 Street to the east. "B" Residence zoning exists to the north on Shoal Creek Boulevard and two lots of "B" Residence zoning were established on West 39th Street in 1967. Apartments and a mobile home exist on Seiders Avenue and Peterson Avenue to the east. A church has been established to the south on Shoal Creek Boulevard. The property on Shoal Creek Boulevard in this immediate area is in transition to more intensive use. The staff recommends that this change be granted, as the streets are adequate.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Charles Goldman (applicant)

SUMMARY OF TESTIMONY

Mr. Charles Goldman stated that he plans to develop efficiency apartments on this tract, which are needed by persons associated with the medical complex in the area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

C14-71-145 Charles Goldman--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Charles Goldman for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1607 West 39 1/2 Street and 3905-3909 Shoal Creek Boulevard be GRANTED.

C14-71-146 Edward Joseph: C, 2nd to C-2, 2nd
1313 West 6th Street

STAFF REPORT: This application is filed on 10,000 square feet of land for use as a bar and lounge. Several single-family residences are still in existence in this area along West 6th Street. A car dealership is established on either side of West 6th Street to the north and east of this lot. An office abuts this lot on the immediate east and two single-family residences exist to the west. This lot is in a commercial area, but does not lend itself to a bar or lounge operation. West 6th Street has 69 feet of right-of-way, and additional right-of-way will come from the north side. The staff recommends that this request be denied, as a tavern would be an intrusion upon the immediate single-family residences and the residential character of the area that still exists.

TESTIMONY

WRITTEN COMMENT

G. Sheaner: 702 Brownlee Circle	AGAINST
Johanna Matthisen: 1403 West 6th Street	AGAINST
Selma W. Gilliland: 1401 West 6th Street	AGAINST
Petition with four signatures	AGAINST
Floyd Goodrick, Jr.: 705 Brownlee Circle	AGAINST
W. R. Garrett: 709 Brownlee Circle	AGAINST
C. B. Maufrais: P. O. Box 2114	AGAINST
Miss Jane Smoot: 1316 West 6th Street	AGAINST

PERSONS APPEARING AT HEARING

Four nearby residents	AGAINST
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SUMMARY OF TESTIMONY

No one appeared in favor of this request.

Four residents of this area spoke in opposition to this request. The residents are trying to maintain this area and feel that a lounge will create noise and traffic, particularly during the evening hours. Many families with children live in this area and feel that the proposed use will be harmful to the neighborhood.

C14-71-146 Edward Joseph--contd.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Edward Joseph for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 1313 West Sixth Street be DENIED.

C14-71-147 Leon Schmidt, Trustee: Int. A, Int. 1st to C-2, 5th
8555-8561 U. S. Highway 183

STAFF REPORT: This request for a beer tavern and 60-foot sign is on an area of 15,000 square feet of land. There are commercial uses established along Research Boulevard. Several applications of "GR" General Retail zoning have been granted along this highway in recent months. "GR" General Retail zoning is established along Research Boulevard and to the rear of this lot. "C" Commercial zoning is pending on a 20-foot by 50-foot strip of land abutting this lot on the south for a sign location. The remainder of that lot is pending "GR" General Retail zoning. The staff recommends that this request be granted, as consistent with existing commercial uses along Research Boulevard, subject to a short form subdivision.

TESTIMONY

WRITTEN COMMENT

None

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 consistent with existing development in the area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Leon Schmidt, Trustee for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C-2" Commercial, Fifth Height and Area for property located at 8555-8561 U.S.Highway 183 be GRANTED, subject to short form subdivision.

C14-71-148 Bohls and McCullick: A, 1st to B, 2nd
 310 Blackson Avenue
 402-408 Blackson Avenue
 606-608 Blackson Avenue
 403-407 Delmar Avenue
 501-503 Delmar Avenue

STAFF REPORT: This application on 98,750 square feet of land on several lots is for apartment construction. This application includes four separate groups of properties all of which are within a single-family residential neighborhood. An application for "C" Commercial zoning to the northeast of these properties across Delmar Avenue was withdrawn in 1968. There have been no changes in this area since that time, and this neighborhood is showing no signs of being in transition to more intensive use. The several residential streets, all unpaved, in this area are inadequate for more intense use. This request would encourage further piecemeal zoning. The staff recommends that this request be denied as an intrusion into a single-family residential neighborhood.

TESTIMONY

WRITTEN COMMENT

Petition with 87 signatures	AGAINST
Mr. & Mrs. Sam White: 607 Blackson Avenue	AGAINST
Mr. & Mrs. E. A. Johnson: 3004 Grove, Oakland	
California	FOR
UniCapital Corporation: 4077 Drive, Jacksonville	
Florida	
Curtis C. Gunn, Inc.: P. O. Box 14475 San	
Antonio	FOR

PERSONS APPEARING AT HEARING

James Daly (representing residents in opposition)	
Roy Herbert	AGAINST
Petition with 80 signatures	AGAINST

SUMMARY OF TESTIMONY

No one appeared in favor of this request.

Mr. James Daly represented the residents of this area. They feel that the zoning of these tracts constitutes an intrusion into this residential area. Haphazard zoning will destroy and curtail long-range plans for this area. This zoning will increase the taxes in the area, which the residents cannot afford. Comprehensive planning is needed for the future development of this area, so that the community will grow in an orderly manner.

C14-71-148 Bohls and McCullick--contd.

Mr. Roy Herbert, a resident of this neighborhood, stated that there are no playgrounds in this area and the children play on the vacant lots and the streets. The proposed zoning change will greatly increase the traffic, creating a hazardous situation for the children. Many of the streets are not paved.

A petition objecting to this change, signed by eighty residents of the neighborhood, was presented to the the Committee.

Thirty residents were present at this hearing in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Bohls and McCullick for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 310 Blackson Avenue; 402-408 Blackson Avenue; 606-608 Blackson Avenue; 403-407 Delmar Avenue; and 501-503 Delmar Avenue be DENIED.

C14-71-149 Austin Teachers Federal Credit Union: A to O
602 Denson Drive

STAFF REPORT: The construction of an office building is proposed on this 6,900 square foot tract of land. The Austin Public Schools service office is located across Denson Drive on the south. A Public Elementary School is located at the southeast corner of Guadalupe and Denson Drive, and the Texas Department of Public Safety complex is located to the west. This lot abuts the Austin Teachers Federal Credit Union which is zoned "O" Office. This application is to expand the existing use. Single-family homes are developed throughout this block as well as to the north and east, and are zoned "A" Residence. The staff recommends this change be granted, subject to a short form subdivision connecting the lot under consideration to the lot presently zoned "O" Office.

TESTIMONY

WRITTEN COMMENT

Pearl M. Acers: 2800 West 35th Street

FOR

PERSONS APPEARING AT HEARING

Arthur Amundson (representing the applicants)
Robert Howell

FOR

C14-71-149 Austin Teachers Federal Credit Union--contd.

SUMMARY OF TESTIMONY

Mr. Arthur Amundson, Chairman of the Board of the Austin Teachers Federal Credit Union, presented a letter to the Committee stating the growth of the credit union during the past five years. The requested change will allow the expansion of the present facilities and provision for adequate parking. The proximity of Interstate Highway 35 and Lamar Boulevard make this site ideal for this use. The Austin Public School administrative building is located across the street from this tract. Twenty-five residents of this area were contacted; only one was opposed to this change.

Mr. Robert Howell spoke in favor of this request, stating that the present facilities are crowded.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that allowing the expansion of this zoning would be unfair to the homeowners in this area. The Committee members discussed this application and the previous application; they were of the opinion that this zoning should not penetrate beyond the corner lot at this location. They concluded that this request should be denied as an intrusion into a residential neighborhood.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Austin Teachers Federal Credit Union for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 602 Denson Drive be DENIED.

C14-71-150 Coogan & Walters: GR, 1st to GR, 2nd
8771 U. S. Highway 183 North

STAFF REPORT: This application on a tract containing 2,500 square feet, is for the purpose of a 50-foot sign for the K-Mart Department Store being built on this tract. The staff has the metes and bounds for the general sign location. "GR" General Retail zoning is established along Research Boulevard. The staff recommends the granting of this request, as compatible with zoning in the area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Benton Coopwood (representing applicants)

C14-71-150 Coogan and Walters--contd.

SUMMARY OF TESTIMONY

Mr. Benton Coopwood represented the applicants. He presented a copy of the design and dimensions of the planned sign. This sign will be advantageous both to the business and the customers and will be in keeping with the character of the area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that he felt concern regarding the number and height of signs within the City and on the highways in the area. The City has limited ordinance requirements regarding signs. The members of the Committee agreed that consideration of sign regulations is needed.

Mr. Coopwood stated that this sign has been designed for the K-Mart stores; This will be a free-standing sign giving motorists time to change lanes for entrance to the store.

Mr. Reeves stated that a tall sign is more desirable for better visibility, particularly on a tract such as this adjacent to a highway.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Coogan and Walters for a change of zoning from "GR" General Retail, First Height and Area to "GR" General Retail, Second Height and Area, for the area of the sign only, on property located at 8771 U.S.Highway 183 North be GRANTED.

C14-71-151 Coogan & Walters: C, 1st to C, 2nd
4039 South Lamar Boulevard

STAFF REPORT: This application is for a 50-foot sign for the South Austin K-Mart Department Store on a tract of 2,500 square feet. This tract was zoned "C" Commercial in 1970. Porter Junior High School is located to the northeast of this tract, and the Ben White Boulevard, South Lamar Boulevard intersection is to the southwest. The staff recommends this change as compatible with the use and location of development in the area.

TESTIMONY

WRITTEN COMMENT

None

C14-71-151 Coogan and Walters--contd.

PERSONS APPEARING AT HEARING

Benton Coopwood (representing applicants)

SUMMARY OF TESTIMONY

Mr. Benton Coopwood represented the applicants. This sign is designed for the development of this tract and is compatible with 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 compatible with development in the area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Coogan and Walters for a change of zoning from "C" Commercial, First Height and Area to "C" Commercial, Second Height and Area, for the area of the sign only, on property located at 4039 South Lamar Boulevard be GRANTED.

C14-71-152 W. P. Watts: A, 1st to B, 2nd
108 West 38th Street

STAFF REPORT: The development of two apartments is proposed for this tract of 6,250 square feet. The site is within a predominantly developed single-family residential neighborhood with the immediate area in transition to apartment development. This site is also within the 1967 area study which recommended "BB" Residence, First Height and Area zoning where streets are adequate. "B" Residence, Second Height and Area zoning is established in many locations in this area. The lot would only contain 5,500 square feet after right-of-way; "B" Residence zoning requires a minimum of 6,000 square feet. The staff recommends this change be granted as this neighborhood is in transition to medium-density apartment use; subject to fifteen feet of right-of-way on West 38th Street.

TESTIMONY

WRITTEN COMMENT

Mike R. Inocente: 110 West 38th Street FOR
H. H. Rothell, Jr.: 3810 Medical Parkway FOR

PERSONS APPEARING AT HEARING

W. P. Watts (applicant)

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C14-71-152 W.P. Watts--contd.

SUMMARY OF TESTIMONY

Mr. W. P. Watts stated that a duplex presently exists on this tract, with a storage building on the back of the lot which will be converted to two one-bedroom apartments. This tract is within walking distance of the University, and student housing is in great demand.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed this case and noted that if right-of-way is required, the area of the lot will not meet the zoning requirements. Mr. Foxworth of the staff stated that this will require action by the Board of Adjustment.

The applicant stated that he would give the needed right-of-way to the City. The Committee members stated that the right-of-way is not a condition of this zoning, and suggested that the City Council accept the right-of-way from the applicant. They concluded that this request should be granted.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of W. P. Watts for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 108 West 38th Street be GRANTED.

C14-71-153 Dr. R. V. Murray, Jr., et al: Int. A, Int. 1st to GR, 1st
8784-8842 U. S. Highway 183
1900-1940 Peyton Gin Road
8701-8739 Peyton Gin Road

STAFF REPORT: This application is on a 3.184 acre tract of land for the purpose of retail businesses. A K-Mart Department Store, zoned "GR" General Retail, is located across Research Boulevard to the east; a drive-in theater is across Peyton Gin Road to the west; a church and apartments are located to the southwest; "GR" General Retail zoning is also located to the south of the site. The Master Plan designation of this property is Commercial Service and Semi-Industrial. Research Boulevard has 160 feet of right-of-way. The staff recommends this change as consistent with commercial zoning along Research Boulevard, subject to ten feet of right-of-way on Peyton Gin Road.

TESTIMONY

WRITTEN COMMENT

None

Cl4-71-153 Dr. R. V. Murray, Jr., et al--contd.

PERSONS APPEARING AT HEARING

Tommy Thomas (representing applicant)

SUMMARY OF TESTIMONY

Mr. Tommy Thomas represented the applicants. He stated that the right-of-way requirement is agreeable.

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 compatible with existing zoning in the area, subject to ten feet of right-of-way on Peyton Gin Road.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Dr. R. V. Murray, Jr., et al, 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 8784-8842 U.S. Highway 183; 1900-1940 Peyton Gin Road; and 8701-8739 Peyton Gin Road be GRANTED, subject to ten feet of right-of-way on Peyton Gin Road.

Cl4-71-154 Jacobson, Watson & Clark: C to C-2
 3500-3508 Guadalupe Street
 600-606 West 35th Street
 601-607 Maiden Lane

STAFF REPORT: A lounge is proposed on this 6,158 square foot tract in the Hyde Park area. "C" Commercial zoning is established along Guadalupe Street with "A" Residence zoning to the west of Guadalupe with a single-family residential neighborhood. A print shop, tire service store, office, motel and other commercial uses exist along Guadalupe. The staff recommends this change in conformance with previous zoning changes granted in the area; subject to five feet of right-of-way on 35th Street.

TESTIMONY

WRITTEN COMMENT

Mrs. George F. Garner: 607 West 35th Street	AGAINST
Marvin B. Lynch: 3511 Guadalupe Street	FOR
W. A. Preshaw: 3511 Guadalupe Street	FOR
Mrs. Jess Jenk and Mrs. Minnie Jenk: 604 West 35	AGAINST
Forest S. Pearson: P. O. Box 87	AGAINST

C14-71-154 Jacobson, Watson and Clark--contd.

PERSONS APPEARING AT HEARING

Andy Jacobson (represented applicants)

SUMMARY OF TESTIMONY

Mr. Andy Jacobson represented the applicants. The development of this tract will enable the payment of taxes.

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 a compatible use in this area, subject to five feet of right-of-way on 35th Street.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jacobson, Watson & Clark for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 3500-3508 Guadalupe; 600-606 West 35th Street; and 601-607 Maiden Lane be GRANTED, subject to five feet of right-of-way on West 35th Street.

C14-71-155 183 LTD, a limited partnership: C, 1st to C, 2nd
 600-718 Morrow Street
 7600-7848 Guadalupe Street
 519-710 Anderson Lane
 7601-7913 North Lamar Boulevard

STAFF REPORT: It is proposed that an office complex be built on this 25.68 acre tract of vacant land. The tract is currently zoned "C" Commercial, First Height and Area. A large single-family residential neighborhood is developed to the south with a strip of land zoned "B" Residence and a church as primary buffers to the more intensive uses proposed. An interchange is proposed at the intersection of North Lamar Boulevard and U. S. Highway 183. The staff recommends this change as in conformance with the transition to more intense commercial land use in this area.

TESTIMONY

WRITTEN COMMENT

George and Belle Terashita: 602 Bessonnt
 The McAdams Foundation: 1425 Preston Avenue

AGAINST
 FOR

C14-71-155 183 Ltd., a limited partnership--contd.

PERSONS APPEARING AT HEARING

Benton Coopwood (representing applicants)
James Taylor

FOR

SUMMARY OF TESTIMONY

Mr. Benton Coopwood represented the applicants. He stated that office building development is proposed for this tract, which will be compatible with the area.

Mr. James Taylor spoke in favor of this request, stating that this will be a well-planned development which will benefit 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 in conformance with the zoning and land use in this area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of 183 LTD, a limited partnership, for a change of zoning from "C" Commercial, First Height and Area to "C" Commercial, Second Height and Area for property located at 600-718 Morrow Street; 7600-7848 Guadalupe Street; 519-710 Anderson Lane; and 7601-7913 North Lamar Boulevard be GRANTED.

C14-71-156 B. J. Mason & John Tabor: A to GR
2101-2103 Ivy Trail
2104-2110 Ben White Boulevard

STAFF REPORT: A retail business is proposed on these two lots covering a 25,200 square foot tract of land. The lots are within a well-established single-family residential neighborhood. The design of this subdivision, with lots fronting to Ivy Trail, a residential street, and backing to Ben White Boulevard provides protection to this small neighborhood. Two recent applications in 1969 and in 1970, have been denied. The requests were for "O" Office and "C" Commercial zonings. This neighborhood is not in transition to more intense use, nor have any changes occurred. The staff recommends the denial of this application as consistent with previous recommendations and feels that this would be an intrusion into a single-family residential neighborhood.

TESTIMONY

WRITTEN COMMENT

Mrs. Frances E. Balke: 2106 Fortview Road
Petition with 19 signatures
Mr. & Mrs. Glen Engelke: 2029 Ivy Trail

AGAINST
AGAINST
FOR

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C14-71-156 B. J. Mason and John Tabor--contd.

John E. Hopwood: 2026 Ivy Trail	AGAINST
Mr. & Mrs. A. L. Sparkman: 2027 Ivy Trail	AGAINST
Mr. & Mrs. Curtis D. Wilson: 2106 Ivy Trail	AGAINST
Mr. & Mrs. Edwin Morton: 2108 Ivy Trail	AGAINST
Charles M. Holt: 2028 Ivy Trail	AGAINST
Mrs. E. H. Kott: 2100 Ivy Trail	AGAINST
R. R. Sands: 2109 Ivy Trail	FOR
Alfred A. Feuge: 2102 Ivy Trail	AGAINST

PERSONS APPEARING AT HEARING

Alan Abbe (representing applicants)	
Dennis Farley	FOR
Alfred A. Feuge: 2102 Ivy Trail	AGAINST
Mr. & Mrs. John E. Hopwood: 2026 Ivy Trail	AGAINST
Mr. & Mrs. Charles M. Holt: 2028 Ivy Trail	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Alan Abbe represented the applicants. While the area to the north of this tract is single-family residential, the southern side of Ben White Boulevard is entirely commercial. Commercial zoning with a service station and a washateria exists four tracts from the site under consideration. It is felt that this entire block should be zoned for commercial use, as a normal pattern of growth along a major arterial street.

Mr. Dennis Farley, the prospective purchaser of this property, stated that this area is the only property abutting Ben White Boulevard which is not zoned commercially. The existing uses of commercial in the immediate area make this property unfit for residential use.

Arguments Presented AGAINST:

Five residents of the area spoke in opposition to this request. The homeowners in this area strongly oppose this zoning change and feel that it is an intrusion into a residential neighborhood. Ivy Trail is a narrow deadend street, which cannot handle commercial traffic. The development at the corner of Ivy Trail and Manchaca Road has created problems with on-street parking and reckless drivers. The residents living on Ivy Trail are faced with the possibility of living on an alley, if this zoning is granted, with a great loss in property value. When the subdivision was opened up, ample commercial property was set aside. There is still undeveloped property in this commercial area, but it is more expensive than the residential property. The residents of the area feel this change will increase their taxes and have a detrimental effect on the re-sale value of their homes. Many residents of this area are older people, who do not want to relocate. The homes on the south side do not face Ben White Boulevard, but on Ivy Trail. These homes in the area are \$14,000 to \$16,000 homes, which cannot be replaced at that market value today. The residents value their neighborhood

C14-71-156 B. J. Mason and John Tabor--contd.

as a quiet, safe place to live. The previous decisions of the Planning Commission and the City Council were to preserve this neighborhood, and the situation has not changed since that time.

Arguments Presented in REBUTTAL:

Mr. Abbe stated that this request is for general retail use, rather than commercial use. These offices would close at five or six o'clock in the afternoon and will not be detrimental to the neighborhood.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that these businesses would face Ben White Boulevard, with parking near Ivy Trail. In addition, commercial delivery trucks and service vehicles would use Ivy Trail for access to this property.

The Committee reviewed the information and concluded that this request should be denied as an intrusion into a small but well-defined residential area and would detrimentally affect the adjacent property.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of B. J. Mason and John Tabor for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2101-2103 Ivy Trail and 2104-2110 Ben White Boulevard be DENIED.

C14-71-157 Dr. Thomas G. Bradfield: Int. A, Int. 1st to C, 1st
501-603 Stassney Lane

STAFF REPORT: This request is for a veterinary clinic on 3.389 acres of land. Single-family homes are developed to the south of this tract and are zoned "A" Residence. Local retail and general retail zonings exist at the intersection of Stassney Lane and South First Street. This zoning was granted in 1969. Stassney Lane is a major arterial street with a planned right-of-way of 100 feet. The necessary 30 to 40 feet of right-of-way for the future widening of Stassney Lane is to come from the south side. The zoning at the intersection of major arterial streets is encouraged. Applications on land not at the intersection should be discouraged as rezoning would lead to further applications and undesirable strip development. The staff recommends that this application be denied.

TESTIMONY

WRITTEN COMMENT

None

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Cl4-71-157 Dr. Thomas G. Bradfield--contd.

PERSONS APPEARING AT HEARING

Dr. Thomas Bradfield (applicant)
W. D. Yancy (representing applicant)
Paul S. Wakefield: 1801 Westlake Drive

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Dr. Thomas Bradfield stated that the existence of commercial zoning in the area and the proposed widening of Stassney Lane make this tract an ideal location for this use. The development of a veterinary clinic for small animals is proposed for the southwest portion of the property. Dr. Bradfield stated that he would amend his application to that portion of the property, in view of the staff recommendation. The many residents in this area need this service.

Mr. W. D. Yancy stated that this use will occupy only forty per cent of this tract. The back portion of the property will be subdivided. This clinic will be strictly for the treatment of small animals; large animals are normally treated at the owner's home or from a van. The nearest use of this type is four miles away.

Arguments Presented AGAINST:

Three residents of the area spoke against this request. They stated that the majority of the residents of the area do not feel the need for this service. They feel that noise and odors from this use will result in the lowering of property values and the environmental quality of the residential development. A resident stated that he was concerned about children coming into contact with animals with contagious diseases. It is also felt that commercial zoning is too intense for this tract, as it abuts residential development.

Arguments Presented in REBUTTAL:

Dr. Bradfield stated that a small animal clinic of this type emits less odor and noise than the average residence. In addition, there is no danger of a disease being transmitted from animals to humans. He requested that a restrictive covenant be granted for this use only.

COMMENTS AND ACTION BY THE COMMITTEE

The members discussed the information and agreed that property abutting Stassney Lane is not suitable for residential use. However, they feel that "C" Commercial zoning is too intense for this area which abuts a residential subdivision. They concluded that this request should be denied, but recommend the granting of "LR" Local Retail zoning.

C14-71-157 Dr. Thomas G. Bradfield--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Dr. Thomas G. Bradfield for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at 501-603 Stassney Lane be DENIED, but recommend that "LR" Local Retail zoning be GRANTED, subject to approximately thirty to forty feet of right-of-way on Stassney Lane.

C14-71-158 Ira D. Moore: B to C
 2502 Wilson Street
 2431-2433 Durwood Street

STAFF REPORT: A parking area for trucks is proposed on this .494 acre tract. The application originally included a third lot on the east which abutts Wilson Street. The applicant has requested to amend his application by deleting this eastern lot. Single-family homes, zoned "A" Residence, exist along Durwood and Wilson Streets; Gillis Play Ground is located across Durwood to the northwest; a vacant tract is located immediately to the south of this site. The two lots on Durwood Street were zoned "B" Residence by the City Council in 1969, as an amendment to a request for "C" Commercial zoning. "B" Residence exists on the second tract to the south. This neighborhood shows no sign of being in transition to commercial use. Durwood is a deadend street at this point, with no facilities for a cul-de-sac, although at the time "B" Residential zoning was granted a cul-de-sac was to have been dedicated by subdivision. The staff recommends this request be denied as an intrusion into a single-family residential neighborhood.

TESTIMONY

WRITTEN COMMENT

Melvin H. Shelton: 2509 Durwood	AGAINST
H. Sladek: 2602 Wilson Street	AGAINST
Mr. & Mrs. Victor Sosa: 2510 Wilson Street	AGAINST
Estate of H. G. West, Austin National Bank, P. O. 908	AGAINST
Mr. & Mrs. James A. Turner: 2501 Wilson Street	AGAINST

PERSONS APPEARING AT HEARING

William Kemp (representing the applicant)	
Three nearby property owners	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. William Kemp, attorney, represented the applicant. This business has existed for the past five years. The applicant wishes to conform to the

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C14-71-158 Ira D. Moore--contd.

Zoning Ordinance and plans to build privacy fencing around the property and the construction of a garage for his vehicles. The residences in this area are older homes, with some apartment development. Commercial development exists on Oltorf Street to the north.

Arguments Presented AGAINST:

Three residents of this area spoke in opposition to this request. They feel that the present use of this tract for the manufacture of disposable garbage units is illegal and is an intrusion into this residential area. Durwood Street is a narrow residential street, not suited for commercial use. The area is being improved with apartment development, with more apartments being planned. The requested zoning change will be highly detrimental to the area.

Arguments Presented in REBUTTAL:

Mr. Kemp stated that the applicant has discontinued the manufacture of garbage containers at this location and does not contemplate this use at this location. He requested consideration of the fact that this use has existed for the past five years and the denial of this request will impose a hardship upon him.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed this tract and the surrounding area. Mr. Reeves pointed out that zoning goes with the land and "C" Commercial zoning allows many obnoxious uses, which could occur if the property changes hands. The Committee concluded that this request should be denied as an intrusion into a residential area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Ira D. Moore for a change of zoning from "B" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 2502 Wilson Street and 2431-2433 Durwood Street be DENIED.

C14-71-159 Sidney S. Smith: A to O
1415 West 51st Street

STAFF REPORT: An office is proposed on this 7,500 square foot tract of land. A service station, drive-in grocery, boat shop, antique shop, and other commercial uses exist along Burnet Road; single-family homes exist along West 51st Street on either side of this lot. There is no sign of this area being in transition to any use other than residential. The commercial zoning terminates two lots west of this lot. The staff recommends that this change be denied as an intrusion into a well-established single-family residential neighborhood.

C14-71-159 Sidney S. Smith--contd.

TESTIMONY

WRITTEN COMMENT

A. F. Smith: 5006 Woodrow

FOR

PERSONS APPEARING AT HEARING

Sidney Smith (applicant)

SUMMARY OF TESTIMONY

Mr. Sidney Smith stated that a real estate office has been in existence on the tract adjacent to this property for the past ten years. This property is now a rental home and it is felt that the highest and best use for the tract is for office development. The property owners in this area are in favor of this change. The property in this area is predominately rental property.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the requested zoning will provide a buffer between the commercial development on Burnet Road to the west and the residential development on the east. The members concluded that this request should be granted, as proper use for this area, subject to five feet of right-of-way on West 51st Street.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Sidney S. Smith for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1415 West 51st Street be GRANTED, subject to five feet of right-of-way on West 51st Street.

C14-71-160 Frank McBee, Jr. A to O
1108-1202 Treadwell Street

STAFF REPORT: Office development is proposed for this 1.67 acre tract. Several single-family homes are developed along South Lamar Boulevard to the north and south. An apartment complex exists on the west side of South Lamar Boulevard. "C" Commercial zoning is evidenced along South Lamar Boulevard by a service station, an upholstery shop, bike shop, garage, warehouse, and cleaners. A shopping center zoned "GR" General Retail is established across Lamar Boulevard to the west. The property between this site and South Lamar Boulevard to the west is zoned "C" Commercial and owned by this same owner. A railroad adjoins the tract on the east. The staff recommends this request in conformance with surrounding zoning and use subject to the filing of a short form subdivision. All street rights-of-way are adequate.

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CI4-71-160 Frank McBee, Jr.--contd.

TESTIMONY

WRITTEN COMMENT

Jimmie Farrell: P. O. Box 3001
Mrs. O. E. Roberts: 905 South Lamar

FOR
FOR

PERSONS APPEARING AT HEARING

Nearby property owner

FOR

SUMMARY OF TESTIMONY

The applicant was not present at this hearing; a nearby property owner spoke in favor of this request.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as consistent with zoning in the area, subject to a short form subdivision.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Frank McBee, Jr. for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1108-1202 Treadwell Street be GRANTED, subject to a short form subdivision.

CI4-71-161 J. V. Walden: A to B
1408-1410 North Loop Boulevard
5301-5305 Joe Sayers Avenue

STAFF REPORT: Apartment development is proposed for this 24,109 square foot tract of land. Single-family homes are developed along Joe Sayers Avenue to the north and along North Loop Boulevard to the east; the large tract across Joe Sayers Avenue to the west is zoned "B" Residence and "O" Office exists across North Loop Boulevard to the south; apartments also exist to the north. Several cases of "BB" and "B" Residence have been granted in this general area in recent years. This area is in transition to more intense land use. The staff recommends this request as consistent with area land uses; subject to five feet right-of-way on Joe Sayers Avenue and fifteen feet of right-of-way on North Loop Boulevard.

C14-71-161 J. V. Walden--contd.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. W. R. Bryson: 5214 Woodrow Avenue
Conway Taylor: 1511 North Loop

AGAINST
FOR

PERSONS APPEARING AT HEARING

E. H. Smartt (representing applicant)

SUMMARY OF TESTIMONY

Mr. E. H. Smartt represented the applicant. The two structures on this property will be removed and an apartment development similar to those on surrounding tracts will be constructed. He stated that the right-of-way requirements are acceptable.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as consistent with land use in this area, subject to right-of-way.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of J. V. Walden for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1408-1410 North Loop Boulevard and 5301-5305 Joe Sayers Avenue be GRANTED, subject to five feet of right-of-way on Joe Sayers Avenue and fifteen feet of right-of-way on North Loop Boulevard.

C14-71-162 G & M Catering Service Inc.: D to C-2
3609 South Congress Avenue

STAFF REPORT: A lounge is proposed for this 2,835 square feet of land, which includes the area of the building only. The staff has the proper metes and bounds for the site location. A furniture factory is located to the rear of this property fronting on Alpine Road. A paint company is southeast across Alpine Road, and several other commercial uses exist across South Congress Avenue, such as a service station, cafe and auto parts store. "C-2" Commercial zoning exists to the east of this property. This is an area of heavy commercial and industrial zoning and uses. The staff recommends this change be granted.

TESTIMONY

WRITTEN COMMENT

Danze and David Architects: 1100 West 38th Street

PERSONS APPEARING AT HEARING

None

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C14-71-162 G. & M. Catering Service, Inc.--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 request should be granted, as compatible with this area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of G & M Catering Service, Inc., for a change of zoning from "D" Industrial, Sixth Height and Area to "C-2" Commercial, Sixth Height and Area for property located at 3609 South Congress Avenue be GRANTED.

C14-71-163 Walter Orr: O to GR
2708 Rio Grande Street

STAFF REPORT: This application is for the installation of a retail sign on twenty square feet of land. Apartments and fraternity houses predominate this neighborhood; a drug store is on the north. "O" Office also exists in this area and Seton Hospital is located to the south. The staff recommends that this request be denied, as an intrusion into a residential area.

TESTIMONY

WRITTEN COMMENT

James P. Hart: 904 Brown Building	FOR
John F. Campbell: 2703 Rio Grande	FOR
Donald Dempsey: 2710 Nueces	FOR
Charles K. Goldman and Fred C. Young: 2800 Rio Grande Street	FOR
Horace L. Silber Stein: 2610 Cascade Drive	AGAINST
W. R. Coleman: 600 West 28th Street	FOR

PERSONS APPEARING AT HEARING

John Coffee	AGAINST
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SUMMARY OF TESTIMONY

The applicant was not present at this hearing.

Mr. John Coffee, who owns property in this area, spoke in opposition to this request. He stated that this request is spot zoning and an encroachment into this predominantly residential area. A sign of this height will set an undesirable precedent and encourage further non-residential uses.

C14-71-163 Walter Orr--contd.

The property owners in the area strongly oppose this change as detrimental to the value of their property. They feel that the streets in this area cannot handle commercial traffic.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Kinser stated that "LR" Local Retail zoning exists at the corner of West 28th Street and Rio Grande Street; however this area is predominately developed with apartments.

Mr. Taniguchi stated that this request sets a precedent for a sixty-foot sign in a residential area, which is undesirable. The Committee concluded that this request should be denied as an intrusion.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Walter Orr for a change of zoning from "O" Office, Second Height and Area to "GR" General Retail, Second Height and Area for property located at 2708 Rio Grande Street be DENIED.

C14-71-164 Rylander's Ford Village, Inc.: Int. A, Int. 1st to GR, 1st
6931-7115 Manchaca Road
1806-1818 Matthews Lane

STAFF REPORT: This request is for a general grocery store on 9.949 acres of land. Single-family homes are developed across Manchaca Road to the west. A mobile home is located on a tract of land south of land already subdivided for residential use. Church property with improvements extends from Manchaca Road to Cannon League Drive along the north property line of the subject tract. "GR" General Retail zoning has been granted on the west side of the intersection of Manchaca Road and William Cannon Drive, both of which are major arterial streets. The staff recommends the rezoning of land at such intersections. Unless this applicant can acquire, through purchase or trade, land to the north along proposed William Cannon Drive, at that intersection, it is recommended this application be denied. Rezoning should be denied, in any case, south of the present "GR" General Retail zoning presently established in the area. Moreover, in 1970, an application for "GR" General Retail zoning was granted on twenty acres of land for the same applicant and for the same use, a general grocery store, less than one-half mile to the north of this site. This request duplicates that acreage already approved and will encourage further strip zoning along Manchaca Road.

TESTIMONY

WRITTEN COMMENT

Mrs. Ben B. Nolen: 1801 Lavaca Apt. 9M

AGAINST

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C14-71-164 Rylander's Ford Village, Inc.--contd.

PERSONS APPEARING AT HEARING

C. N. Avery, Jr. (representing applicant)
W. H. Reed

FOR

SUMMARY OF TESTIMONY

Mr. C. N. Avery, Jr. represented the applicant. This tract is presently a wooded area, surrounded by sparse residential development. It is felt that this request is an extension of the zoning to the north. The proposed development of a Rylander's grocery store will be well-designed and operated and will be a welcome addition to the area.

Mr. W. H. Reed stated that he favors this change, as he is considering the re-zoning of his property in the area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed the information and expressed concern as to the extension of this zoning into an area surrounded on three sides by residential subdivisions. They discussed the gradation theory of zoning, and the possible location of the building in the middle of this tract, with parking areas on all sides; this would be detrimental to the residential development and the existing vegetation on this tract. They concluded that this request should be denied, but recommend the granting of "GR" General Retail on approximately the northernmost 350 feet of this tract and "BB" Residence, First Height and Area on the balance of the tract. This recommendation is subject to zero to five feet of right-of-way on Manchaca Road; five feet of right-of-way on Matthews Lane; and five feet of right-of-way on Cannon League Drive.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Rylander's Ford Village, Inc. 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 6931-7115 Manchaca Road and 1806-1818 Matthews Lane be DENIED, but recommend the GRANTING of "GR" General Retail on approximately the northernmost 350 feet of this tract and "BB" Residence, First Height and Area on the balance of the tract. This recommendation is subject to zero to five feet of right-of-way on Manchaca Road; five feet of right-of-way on Matthews Lane; and five feet of right-of-way on Cannon League Drive.

C14-71-165 Foley et al: A to AA
 2000-2004 Melridge Place
 1201-1207 Bluebonnet Lane
 1200-1204 Bluebonnet Lane

STAFF REPORT: This request on 1.31 acres of land is for uses consistent with said zoning. This application is a rollback zoning request from "A" Residence to "AA" Residence, which will not allow duplexes, but only single-family residences. Single-family homes exist throughout this area and it is well-established and well-maintained. All of this area is presently zoned "A" Residence. A subdivision with six lots has been approved at the south end of Bluebonnet Lane with lots large enough for duplexes. The staff recommends that this request be denied as spot zoning. This application concerns only a small portion of a large residential neighborhood. A rollback application of this type, restricting land use to single-family homes, now or in the future, should apply to the neighborhood, not to just a few lots at the end of a cul-de-sac.

TESTIMONY

WRITTEN COMMENT

Dr. James A. Neely: Garcia Vigil 1317 Oaxaca, Mexico	FOR
Mrs. R. W. Sadler: 1103 Bluebonnet Lane	FOR
Mrs. Nettie J. Culpepper: 1206 Folts Avenue	AGAINST
Robert W. Campbell: 5706 Avenue D	AGAINST
Joseph S. Starkey: 1106 Folts Avenue	AGAINST
William Lester: 1102 Bluebonnet Lane	AGAINST
Mr. & Mrs. Carlyle B. Jay, Jr.: 2011 Melridge	AGAINST

PERSONS APPEARING AT HEARING

Steve Foley (representing applicants)	
Mrs. William B. Crouch, Jr.: 1105 Bluebonnet Lane	FOR
Mr. & Mrs. James E. Olson: 1118 Bluebonnet Lane	FOR
Lois B. Grass: 1204 Folts Avenue	FOR
M. C. Page: 1112 Bluebonnet Lane	FOR
A. J. Gross: 1204 Folts Avenue	FOR
Helen M. Primrose: 1202 Folts Avenue	FOR

SUMMARY OF TESTIMONY

Mr. Steve Foley represented the applicants. Because of the the high cost of homes and the current interest rates, the residents of this area wish to protect their investment and the environmental character of this neighborhood. They feel that the proposed use of the adjoining tract for duplex development will result in high population density and heavy generation of traffic not compatible with the present use of the area. Consideration is requested for the health, safety and welfare of the residents of the area, as well as the protection of the property. The neighborhood has suffered from rental property in the area and, while they do not wish to deprive the developer of his use of the land, they feel that the land should be used reasonably.

C14-71-165 Foley et al--contd.

Eight residents were present in support of this application.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed the information and noted that seven property owners made this application. They concluded that this request should be denied, as spot zoning. Mr. Reeves and Mr. Taniguchi abstained from this case.

Mr. Lillie of the staff stated that correspondence pertaining to this case will be mailed to the Planning Commission members for their information.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Foley, et al, for a change of zoning from "A" Residence, First Height and Area to "AA" Residence, First Height and Area for property located at 2000-2004 Melridge Place; 1201-1207 Bluebonnet Lane; and 1200-1204 Bluebonnet Lane be DENIED.

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

NAY: None

ABSTAINED: Messrs. Reeves and Taniguchi

C14-71-166 Austex Development Company, Ltd.: Int. A, Int. 1st to GR, 1st
1201-1401 Rutland Drive

STAFF REPORT: This application is for a community shopping center on 10.428 acres of land. The request falls in North Austin between Rutland Drive and Rundberg Lane on either side of Parkfield Drive. Quail Creek Subdivision is being developed both to the north and to the south. Single-family homes are being constructed in the immediate area. East of this area over 100 acres of land were rezoned for apartment use, in 1969. About thirty acres is proposed for a Planned Unit Development. A 240-unit apartment project has been constructed on Rutland Drive to the west of this site. Last month an application was granted by the City Council to roll back zoning from "BB" Residence and "LR" Local Retail to "A" Residence to the north on Parkfield Drive, adjoining part of the subject area. Rundberg Lane and Parkfield Drive are major arterial streets, while Rutland Drive is a neighborhood collector street. The staff encourages and recommends the location of commercial development at the intersections on major arterial streets. In this particular application, several problems have developed because of turnover of property ownership:

C14-71-166 Austex Development Company, Ltd.--contd.

1. The location and zoning in 1969, for "LR" Local Retail land use to the north for a commercial center and the establishment of a land use pattern through zoning and subdivision approval around it.
2. The rollback of that area from "LR" Local Retail to "A" Residence after sale of the land in 1971.
3. The approval of a preliminary plan on the subject area for residential development.
4. This application for commercial zoning after residential development has already begun on adjacent land.

The planning of land use and zoning by the several owners of land has, as a result, been piecemeal. The plan submitted by the applicant, covering the area bounded by Lamar Boulevard on the east, Peyton Gin Road on the west, apartment zoning on the west, and Kramer Lane on the north, indicates predominant low-density development in an area of about 1,100 acres. Space for 1,500 to 2,000 single-family and 1,000 to 1,500 multi-family units is available for a potential population of 7,700 to 10,700 with the higher figure more likely. A commercial center of the size proposed is justified and the location is the most appropriate. As a result of the existing and proposed low-density residential development which surrounds these two tracts, however, it is recommended that (1) a plan for the development of the two tracts, including sign locations, be made a part of this application; (2) a landscaping plan be developed along the periphery of the tracts to protect existing and future residential development and (3) a new preliminary plan be submitted and approved by the Planning Commission.

TESTIMONY

WRITTEN COMMENT

David S. Doty: 9509 Gambels Quail Drive

AGAINST

Maurice F. Walden: 11606 Hornsby

AGAINST

PERSONS APPEARING AT HEARING

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

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. W. T. Williams, Jr. represented the applicant. He stated that the applicants owned other property in this area, which would preclude the development of anything detrimental to the area. The applicants do not wish to be tied down with a plan for the area, as the property may be sold.

C14-71-166 Austex Development Company, Ltd.--contd.

Tentative plans are to place the buildings to the rear of the property, with parking to the front and the sides. He presented an architect's drawing of the proposed development. It will have an open appearance, inviting people to shop. Landscaping will be provided to add to the attractiveness of the shopping area. This development will serve as a buffer from the commercial zoning existing on Lamar Boulevard.

Arguments Presented AGAINST:

Mr. Taniguchi read a letter to the Committee from a homeowner in this area, who objects to this zoning. He stated that he was influenced to purchase his home because the entire area was zoned for private housing. He feels that this zoning change would depreciate the value of the many residences of the area, and would be detrimental to the quiet, residential atmosphere.

No one appeared in opposition to the request.

Arguments Presented in REBUTTAL:

Mr. Williams stated that this property was not designated for residential use, as it was not annexed to the City until March, 1971.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed the information and the zoning of property subject to a plan of development. Mr. Reeves and Mr. Kinser stated that such a requirement is unfair to a developer. Zoning of land is the designation of the proper use of the land and should not encompass the design of the buildings.

Mr. Reeves stated that this application is a spot zoning and will encroach upon the residential development in this area. Mr. Kinser stated that this is a developing area, with many residents who will need a shopping center of the type planned. The members discussed the area and noted the need for careful planning of a shopping center in this location. Mr. Taniguchi stated that this property should be developed as a Planned Unit Development. A majority concluded that this request should be granted as proper use for the site, subject to departmental requirements and the submission of a development plan to the Planning Commission and the City Council.

At the Commission meeting, the staff read a letter from the applicant requesting the continuation of this hearing until the Planning Commission meeting in August, 1971, to allow the submission of a development plan for this tract.

The Commission then

VOTED: To POSTPONE for thirty days the request of Austex Development Company, Ltd, for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at 1201-1401 Rutland Drive.

C14-71-167 C. L. Reeves: BB to B
8205-8225 Sam Rayburn Drive

STAFF REPORT: This request on two acres of land is for uses consistent with said zoning. The subject property includes eleven lots which are vacant, and zoned "BB" Residence. Single-family homes exist to the north across John Nance Garner Circle and to the west across Sam Rayburn Drive. Some duplexes are under construction across Sam Rayburn Drive and a single-family, residential neighborhood is established farther to the west and zoned "A" Residence. This area was within an application for "B" Residence, Second Height and Area zoning in 1968. At that time, "B" Residence, Second Height and Area zoning was denied, but "BB" Residence was granted. Conditions have not changed since that time, and the staff is opposed to more intensive zoning. The staff recommends that this application be denied and that "BB" Residence, First Height and Area zoning be retained.

TESTIMONY

WRITTEN COMMENT

W. M. Johnston, Jr.: 6203 Bull Creek Road

AGAINST

PERSONS APPEARING AT HEARING

Richard Baker (representing applicant)

SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney, represented the applicant. These lots front on a sixty-foot street and a cul-de-sac with a sixty-foot radius. Mr. Baker stated that the information map contained several errors, with the predominant use in this area for duplex development. The lot at the west end of the cul-de-sac is presently being developed with a 22-unit apartment project. A day care center is being developed at the corner of East Powell Lane and Sam Rayburn Drive. The lots in this application will be developed with four-plexes, with three bedrooms each. The applicant has carefully planned this area to conform to the gradation theory of zoning, with duplexes adjacent to the single-family residences to the west, and apartment and fourplex development adjacent to the vacant lot which will be developed with commercial uses. This request is compatible with existing and proposed uses in 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 in conformance with existing development in the area. Mr. Reeves abstained from this case.

C14-71-167

C. L. Reeves--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. L. Reeves for a change zoning from "BB" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 8205-8225 Sam Rayburn Drive be GRANTED.

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

NAY: None

ABSTAINED: Mr. Reeves

C14-71-168

C. Lincoln Williston: B to O
1801 North Lamar Boulevard

STAFF REPORT: This request is to remodel and add to the existing building on 1.37 acres of land. Single-family homes and apartments exist throughout this area to the north of West 19th Street. Several office complexes exist to the immediate north and the Texas Medical Association office building is established on this site. "O" Office zoning is established directly across 19th Street from this property as well as to the south and east along Lamar Boulevard. "B" Residence predominates the zoning to the north. The staff recommends that this change be granted, as consistent with existing zoning in the area.

TESTIMONY

WRITTEN COMMENT

W. C. Gauntt: 301 West Liveoak	FOR
Moses J. Kouri: 1804 Vance Circle	FOR
Dan C. Crow: 6307 Broadway	FOR

PERSONS APPEARING AT HEARING

Sam Stone (represented applicant)	
Frances Horton	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Sam Stone represented the applicant. He stated that this building has existed on this tract for twenty years, and will be enlarged. The residents in the area have been contacted and a majority do not object to this change.

C14-71-168 C. Lincoln Williston--contd.

Arguments Presented AGAINST:

Frances Horton, a resident of the area, stated that if the height of the building will obstruct the view of the residences to the east it will be objectionable.

Arguments Presented in REBUTTAL:

Mr. Stone stated that the height of the building will not reach a height which would interfere with the residential development. This application is primarily to bring this tract into conformance with the present development.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted in conformance with land use along North Lamar Boulevard.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. Lincoln Williston for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 1801 North Lamar Boulevard be GRANTED.

C14-71-169 Loreta Carter: A to B
4505 Avenue F

STAFF REPORT: This application is for apartment construction on 6,800 square feet of land. Single-family homes are developed in this area and zoned "A" Residence. This application is within the area study designating this area as "A" Residence zoning. Representatives and owners of the lot abutting this site on the immediate south, were heard by the Planning Commission last month requesting "B" Residence. The Commission recommended the rezoning. This property, however, does not have frontage on East 45th Street. The staff recommends the granting of this application only if the subject lot is joined by subdivision to the corner lot as consistent with previous recommendations; subject to no access from Avenue F, and five feet of right-of-way on Avenue F.

TESTIMONY

WRITTEN COMMENT

Truman H. Montandon: 2412 North Interregional FOR

PERSONS APPEARING AT HEARING

Roane Puett (applicant)

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C14-71-169 Loreta Carter--contd.

SUMMARY OF TESTIMONY

Mr. Roane Puett stated that the required short form subdivision combining the two tracts is acceptable, but requested that access to Avenue F be permitted, primarily to save the trees existing on the tract. The proposed development will not generate heavy traffic and will be in keeping with the adjacent development.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that this area is not in a state of change, making this application an intrusion into a residential area. Apartment development traffic should not be allowed in this residential neighborhood, and further intrusion should be discouraged. Mr. Kinser pointed out that 45th Street has right-of-way of sixty feet, while Avenue F has fifty feet of right-of-way. Mr. Goodman stated that this is an older neighborhood and is changing to multi-family use. A majority of the Committee concluded that this request should be denied as an intrusion into a residential area.

At the Commission meeting, the members reviewed the information. Mr. Goodman stated that many of the residences in this area are fifty years old, with many duplexes in existence. Mr. Reeves stated that the majority of these homes are owned, and that apartment development is an intrusion. The Commission then

VOTED: To recommend that the request of Loreta Carter for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4505 Avenue F be DENIED.

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

C14-71-170 Sid Jagger: A to GR, 5th (Tr. 1) and B, 1st (Tr. 2)
Tract 1: 1800-1900 South Interstate Highway 35
 1217-1305 Woodland Avenue
Tract 2: 1203-1217 Woodland Avenue

STAFF REPORT: This application is on two tracts of land containing jointly 8.17 acres for uses consistent with said zoning. This request was before the Planning Commission and the City Council last month. The Planning Department and Planning Commission recommended that this request be granted, as amended. The City Council denied the application due to opposition from the neighborhood to the west. "GR" General Retail zoning is established parallel to Tract 1 north of Woodland Avenue. There is other commercial zoning along Interstate Highway 35. "B" Residence zoning exists to the south of Tract 2 and is developed with apartments. Travis Heights, a large single-family residential neighborhood zoned "A" Residence, is established to the west. The difference in this application and the recent application is that the western 100 to 150 feet of Tract 2 has been deleted from the original application. The property has over 625 feet of frontage on Interstate

C14-71-170 Sid Jagger--contd.

Highway 35. The staff recommends that this application be granted, as consistent with existing zoning and logical development, subject to a six-foot privacy fence on the west and south property lines where the tract adjoins "A" Residence, no access to the extension of Fairlawn Lane and Fairmount Avenue, and a subdivision.

TESTIMONY

WRITTEN COMMENT

Nolen E. Williamson: 1117 Fairmont Avenue	AGAINST
Jean Mather: 1611 Alameda	AGAINST

PERSONS APPEARING AT HEARING

Richard Baker (representing applicant)	
Bill Scudder	FOR
Harriet Buxkemper: 1504 Betty Jo Drive	AGAINST
Mark Noble: 1204 Woodland Avenue	AGAINST
Chet E. Altis: 1102 Gillespie Place	AGAINST
Jean Mather: 1611 Alameda	AGAINST
Ed J. St. John: 1602 Chelsea Lane	
Mrs. Arthur Edwards: 1121 Woodland	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker, attorney, represented the applicant. He stated that the applicant has revised the development plan for this property in compliance with discussions with the Planning Commission, the City Council and the residents of the area. This tract, with frontage on Interstate Highway 35 and an eighty-foot street, Woodland Avenue, should be zoned for a higher density of use than "A" Residence. This request is for "GR" General Retail, Fifth Height and Area zoning for approximately a depth of two hundred feet, with frontage on Interstate Highway 35. "B" Residence, First Height and Area zoning is requested on the balance of the tract, which has a depth of from three to four hundred feet, leaving the adjoining strip of approximately one hundred and fifty feet "A" Residence zoning. This gradation of use is consistent with the zoning in the area.

There are problems with the terrain of this tract, which has a creek running through it. The applicant has submitted an environmental easement, fifty feet in width, for the creek area on Tract 2; all trees in excess of three inches in diameter will be preserved, except where ingress and egress are necessary.

The residents have expressed concern regarding a large influx of children into the schools; the applicant will limit this development to 22.8 units per acre. Statistics show that apartments generate one school-age child per fifteen units; this should not be a burden on the area schools.

C14-71-170 Sid Jagger--contd.

Mr. Bill Scudder presented a plan for the proposed development of this property. The Traffic Department had felt that ingress and egress should be allowed on Woodland Avenue; however, the City Council and the residents of the area voiced objection to the generated traffic on this street, and no vehicular access will be allowed.

The apartment development will be named "The Brook", with the creek and the trees in this area an integral part of the development. The buildings will be three-story, to conserve the vegetation. The creek will have a pond and will be re-circulated.

The "GR" General Retail area is largely unplanned at this time; it will be developed in such a way as to preserve the trees and for compatibility with the surrounding development. The design will be dependent upon the tenants, with many trees in the parking area.

Arguments Presented AGAINST:

Harriet Buxkemper, 1504 Betty Jo Drive, stated that careful planning is needed to prevent Austin from becoming another Dallas or Houston. She cited Burnet Road as an example of uncontrolled development. Consideration must be given to the needs of future generations for recreational areas, and the need of this neighborhood for a quiet restful area to watch birds and enjoy the trees and the stream. This tract should be maintained as a natural park, not for an apartment complex.

Several residents of the area appeared and stated that this area has serious traffic problems, and with the additional traffic to be generated by this development, these problems will be massive. There are only three through streets running east and west to serve this area; Riverside Drive, Woodland Avenue and Oltorf Street. While no access will be allowed to Woodland Drive from Tract 2, the motorists from Tract 1 will use Woodland Drive, which is very dangerous, with a bottleneck at the crest of a hill. There is also on-street parking in this area. While it is to be expected that the use of property fronting on Interstate Highway 35 will be commercial, the proposed apartment development is an intrusion into this residential neighborhood. It will result in over-crowding of the schools and the generated traffic will endanger the children in the neighborhood.

Jean Mather, representing the Travis Heights PTA Environmental Committee, presented a letter to the Committee requesting that certain restrictions be placed upon the development of this tract for the preservation of the terrain and the vegetation. The tract abutting Interstate Highway 35 is of particular concern, as it contains Harper's Creek and a mass of large and small trees. These controls would greatly restrict the percentage of ground to be permanently modified. While the revised plan is much improved, careful thought must be given to the preservation of as much of the area as possible. There is no safe way to allow traffic on Woodland Avenue, which has a forty per cent grade at this location. The land needs to be used, but in such a way that it will not be completely covered up with development.

CL4-71-170 Sid Jagger--contd.

Arguments Presented in REBUTTAL:

Mr. Baker stated that an honest and sincere effort has been made to plan the development of this land to preserve the terrain and to utilize the minimum amount of ground. The City is not contemplating the purchase of this property for a park and all factors must be considered for a plan of development which can be supported by the land.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that he had originally suggested that the development of this site be under a Planned Unit Development. The submission of this plan is encouraging, but the balance of the tract should also have such a plan. Mr. Goodman agreed that a submission of a plan for the balance of the tract should be made to the Planning Commission.

Mr. Kinser stated that this zoning should not be subject to a plan, as the developer may sell part of the property and has no prospective tenants at this time. Mr. Reeves stated that the developer should not be encumbered by a required plan, as this property fronts on Interstate Highway 35.

Mr. Goodman stated that the creek should be buffered; requiring a plan will set a standard of planning and insure responsible handling of this tract. Mr. Taniguchi pointed out that the creek and the many trees are a very strong environmental factor on this portion of the property. The proposed office use will require a large number of parking spaces.

The Committee reviewed the information and concluded that this request should be granted, subject to the following restrictions to be incorporated into the special permit required on Tract 2:

No ingress/egress on Woodland Drive west of Harper's Creek;
No access to this tract from Fairlawn Lane or Fairmount Avenue;
Six-foot privacy fencing required on the west property line of this tract and on the south property line where it abuts "A" Residence zoned property;
An environmental easement as indicated on the plan of development; and
Subdivision.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Sid Jagger 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) for property located at 1800-1900 Interstate Highway 35 and 1217-1305 Woodland Avenue, (Tract 1) and 1203-1217 Woodland Avenue, (Tract 2) be GRANTED, subject to a special permit on Tract 2, and subdivision.

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Cl4-71-171 David B. Barrow: Int. A, Int. 1st to GR, 2nd
3619-3725 Far West Boulevard

STAFF REPORT: This application is on 2.7 acres of land for uses consistent with said zoning. Murchison Junior High School exists directly across Far West Boulevard to the south. The property to the north is vacant and zoned Interim "A" Residence. There is an application across Far West Boulevard to the south pending "GR" General Retail, First Height and Area zoning. Hart Lane has seventy feet of right-of-way, and Far West Boulevard has 100 feet of right-of-way. Far West Boulevard is a major arterial street. The north boundary of this tract is the boundary of the gravel pit, which is a fifty-foot wall. The staff recommends that this change be granted, as a logical location for general retail zoning.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

David Barrow, Sr. (applicant)

SUMMARY OF TESTIMONY

Mr. David Barrow, Sr. stated that this request conforms with the general plan for this area filed with the Planning Department.

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 the development of this area.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of David B. Barrow for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, Second Height and Area for property located at 3619-3725 Far West Boulevard be GRANTED.

Cl4-71-172 L. C. Reese: A to O
123-129 Cumberland Road
2701-2709 Edens Drive

STAFF REPORT: This is a request for office building development on 38,908 square feet of land. Several single-family homes are located in the area where the zoning is "A" Residence. A single-family home exists on this site at the present time. Cumberland Road has forty feet of right-of-way, and Edens Drive has fifty feet of right-of-way. The telephone company has a building across Edens Drive. This area is not in transition to apartment

C14-71-172 L. C. Reece--contd.

or office zoning, as the streets are inadequate. The staff recommends that this case be denied, as an intrusion into a single-family residential area; but that the northern lot adjacent to "GR" General Retail zoning be granted, subject to ten feet of right-of-way on Cumberland Road.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

L. C. Reece (applicant)

SUMMARY OF TESTIMONY

Mr. L. C. Reese displayed pictures of the development in the area and pointed out the "B" Residence, "C" Commercial and "GR" General Retail zoning in the immediate area. He feel that this request is not an intrusion into this area, due to the mobile home park and the Southwestern Bell Telepone Company building to the west, which is being remodeled and enlarged.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves pointed out that the property to the north is under one ownership, as is the property in this application. The property to the north will also be using Cumberland Road for ingress/egress, and requiring this developer to use only Cumberland Road will be channeling very heavy traffic onto this sixty-foot street.

The Committee members requested the staff to report the Southwestern Bell Telephone Company's expansion to the Building Inspection Department, as it is possibly an illegal use for this tract.

The Committee reviewed the information and concluded that this request should be granted, subject to ten feet of right-of-way on Edens Drive and ten feet of right-of-way on Cumberland Road.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of L. C. Reese for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 123-129 Cumberland Road and 2701-2709 Edens Drive be GRANTED, subject to ten feet of right-of-way on Edens Drive and ten feet of right-of-way on Cumberland Road.

C14-71-173 City of Austin: A to GR
Rear of 4319 Manor Road

STAFF REPORT: This request on 4,250 square feet of land is for the purpose of further developing a small restaurant facility in the clubhouse building at the Morris Williams golf course. City of Austin property, consisting of Morris Williams golf course, surrounds this site and the Austin Municipal Airport is located to the north across Manor Road. The zoning includes the clubhouse building only. The staff recommends that this request be granted.

TESTIMONY

WRITTEN COMMENT

None

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

Mr. Reeves stated that this zoning should be granted, but from a zoning viewpoint this application is spot zoning, with no precedent or support.

The Committee reviewed the information and a majority concluded that this request should be granted, as a proper use in the existing development.

At the Commission meeting the members briefly discussed this request. Mr. Reeves stated that this clubhouse is in the middle of a park surrounded by residential development. The Commission then

VOTED: To recommend that the request of the City of Austin for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at the rear of 4319 Manor Road be GRANTED.

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

NAY: Messrs. Taniguchi, Reeves and Chamberlain

ABSENT: None

C814-71-01

Walter Carrington: Planned Unit Development
900 Rutland Drive

STAFF REPORT: The staff reported that this application was originally before the Committee in May, 1971 and is being reconsidered due to extensive revision of the site plan. This development is part of the Quail Creek Subdivision, which is located in the northern area of the City. There are 108 units, as compared with 106 units on the original plan, with a density of ten units per acre. The land use will be twenty-five per cent in buildings, fifteen per cent used for driveways and parking, and sixty per cent used for open space. The open space is much more useable, due to the relocation of buildings and the shifting of the clubhouse location to tie in with the large open space area around the creek. Ten off-street parking spaces have been designated for the clubhouse. The main street of this development ends in a cul-de-sac, which will be extended as a sixty-foot street as Phase 2 of this plan is developed. This site plan has been circulated to the various City departments and the comments are as follows:

1. Parks and Recreation

- There is no indication of landscaping within the PUD, and the peripheral "landscape plan" is insufficient. Some indication of proposed plant types (i. e., baffle, barrier, hedge, shade, and groundcover), approximate size (primarily height), and general locations or groupings must be provided before adequacy of proposed landscaping can be determined. General location of existing vegetation to be preserved is also needed, as well as some indication of means of irrigation.

In filling low area, existing desirable trees should be protected with tree wells, retaining walls, etc., where practical. All fill areas should be top-dressed and turf or groundcovers should be established as soon after filling as possible.

2. Traffic and Transportation

- Although the concept of fewer streets is certainly an essential part of PUD, it must be recognized that the vehicular and pedestrian traffic will be concentrated on fewer streets. Therefore, where only one public street traverses or serves a PUD, it must have a 60-foot right-of-way and a 44-foot paved street. This will provide for the additional traffic load.

Building lines on these main collector streets should be no different than on other collector streets. Therefore, it

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C814-71-01 Walter Carrington--contd.

2. Traffic and Transportation --contd. - is recommended that the building line be 25 feet along the collector street in this PUD.

Driveways to the private areas must conform to City standards. Therefore, the driveways must all be 25 feet wide.

Although most persons will walk from their residence to the clubhouse, there will be a number of activities which will draw persons from outside this development, such as employees, social functions, business meetings, etc. It is essential that parking be provided adjacent to the clubhouse for such parking. A minimum of ten parking spaces is recommended.

The proposed street must be designed so that access is provided to the south, north, and west of this property. If this does not occur this development will act as an obstacle to the movement of people through this area.

3. Building Inspection

- Consideration should be given to the space between buildings, setbacks from the dedicated streets, off street parking in relation to the need for units planned for the site, and Building Code considerations.

4. Planning Department

- The additional 20-foot depth on subject tract must be added to the subdivision plat.

Landscape plan does not meet the requirements asked for by Parks and Recreation Department on the previous submission.

Existing electrical easement shows an existing utility pole in the middle of the north driveway on the west side. The pole will not be permitted within driveway.

Driveway width where townhouse structures are opposite each other should be 25 feet to provide useable maneuvering room from enclosed garages.

C814-71-01 Walter Carrington--contd.

4. Planning Department

- Sign at Quail Boulevard and Rutland Drive should be set back to the 25-foot building line to provide adequate sight distance.

The requirement of two off-street parking spaces per unit in parking bays has not been met in the bays on the east side of the project.

Driveway for "Rec. Bldg." needs to be one-way from north to south. Maintenance of median at this point will be at the developers (or Homeowners Associations) expense.

Southern parking bay on west property line needs a turnaround facility provided for the end spaces.

Creek does not read well on the colored presentation map.

The Department recommends the request, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Thomas Watts (representing applicant)

SUMMARY OF TESTIMONY

Mr. Thomas Watts represented the applicant. He stated that the departmental requirements can be worked out, with the possible exception of the required twenty-five feet rather than the twenty feet as shown between garage entries. The developer feels that this requirement only decreases the open space area; however, this is not a major problem.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Kinser stated that this tract is an old farm, with no trees in existence. Reasonable landscaping plans should be provided. Mr. Reeves stated that the landscaping plan as suggested by the Parks and Recreation Department is excessive and should not be required, as that indicated on the site

1. Office Engineer - Commercial driveways ok.
2. Water and Sewer - Attached memo.

C814-71-03 Baker-Jones-Crow--contd.

3. Advanced Planning

- Subdivision into individual lots and common area is required - preliminary has been submitted and will be heard July 26, 1971, by the Subdivision Committee.

Need to show general use and character of land adjacent to PUD within 200 feet of tract.

Visual screening should be considered by applicant where PUD is adjacent to land not controlled by the applicants (eastern part of the south property line).

Consideration needs to be given to minimizing accidental through traffic from Steck Avenue into PUD driveway. Design will permit closing of private driveway if through traffic becomes a problem.

4. Electric

- Plat complies.

5. Fire Prevention

- None.

6. Tax Assessor

- 1-4801-1008 Taxes are paid through 1970. 9-1-4806-0250 Taxes are paid through 1970. 9-1-48-6-0216 Taxes are not paid for 1970. Prior years are paid.

7. Fire Protection

- This area at the present time has not been developed and the water mains are not in place. I have discussed this with the Water Design office and I would like to go along with their recommendations as to the location of the water mains and the location of the fire hydrants.

8. Traffic Engineer

- All entrances of private streets to public streets should have a standard driveway approach to discourage through traffic from entering the private development. The design of curbs and medians on Great Hills Drive must be approved by the Director of Traffic and Transportation.

C814-71-03 Baker-Jones-Crow--contd.

- | | | |
|------------------------------|---|--|
| 9. Health | - | No objections. Waste water system to be available. |
| 10. Director of Public Works | - | Plan meets with our approval. Recommend minimum curb return radius of 10 feet for private street off Adirondack Trail and Great Hills Drive. |

The primary concern of the Department is the possibility of through traffic entering this development from Steck Avenue. It is recommended that consideration be given to closing this access point at the time Phases 2 and 3 of this development are constructed. Both Great Hills Drive and Steck Avenue are proposed as arterial streets with 80 feet of right-of-way in the future, making this a major intersection. The design of a Planned Unit Development should discourage through traffic. The Department recommends this request, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENTS

None

PERSONS APPEARING AT HEARING

Richard Baker (representing applicant)

SUMMARY OF TESTIMONY

Mr. Richard Baker represented the applicants. He stated that in discussions with the Planning Department an agreement was reached in that the private drive off Great Hills Drive will be designed in such a way that if the through traffic becomes a problem, it can be closed off. It is felt that the closing of this drive should not be obligatory, but dependent upon whether or not the problem exists. Past experience of the developer has been such that closing of the street will not be necessary, as motorists do not wish to use a private drive.

Mr. Foxworth stated that it is felt that the closing of this drive should be a condition of the development, as the problem will exist after the development of Phases 2 and 3 are completed. The privacy of the Planned Unit Development and the safety of the residents should be considered.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed the information and were of the opinion that a solution could be worked out for the private drive, such as a gate or signs. They concluded that this request should be granted, subject to departmental requirements and presentation to the Planning Commission of a satisfactory solution to the handling of ingress/egress from Great Hills Drive.

C814-71-03 Baker-Jones-Crow---contd.

At the Commission meeting, Mr. Richard Baker presented a proposal for the handling of this entranceway, with a six-foot median in the center and two twelve-foot lanes, with a gate-type entry showing that this is a private drive. If it is determined that this drive should be closed, chains would be installed from the median to each side of the gate; this will facilitate the easy closing of this drive, without detracting from the area. It is proposed that the owners of the area should ascertain when this drive should be closed, as they will be most affected. It is felt that the design of the entry may preclude the anticipated traffic problems, and that this drive may be an asset to the area. There will be a Homeowners' Association within this Planned Unit Development, which would make this decision.

The members of the Commission then unanimously

VOTED: To recommend that the request of Baker-Jones-Crow for a Planned Unit Development for property located at the rear of 8700-9000 Proposed Loop 360 be GRANTED, subject to departmental requirements, with the acceptance of the entranceway as presented by the applicant.