

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- August 10, 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
Bill Milstead
C. L. Reeves
Fritz Becker
Jack Goodman

Absent

Alan Taniguchi
Jack Crier
Walter Chamberlain
M. J. Anderson

Also Present

Richard Lillie, Director of Planning
Henry Mecredy, Supervising Planner Research and Development
Walter Foxworth, Planner
Mike Wise, Associate Planner
Jerry Harris, Assistant City Attorney
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of August 2, and 3, 1971, at 7:00 p.m.

Present

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

Also Present

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

*Appeared only on August 3, 1971.

**Appeared only on August 2, 1971

C14-71-174 Paul Barrows: B, 2nd to GR, 2nd
3804 Speedway

STAFF REPORT: Retail uses are proposed on this tract of 4,150 square feet. This site is within the Hyde Park area study which recommended "B" and "BB" Residence zoning where streets are adequate, and these classifications have been granted throughout this area in recent years. "LR" Local Retail zoning is pending at the intersection of Speedway and East 38th Street. A dancing school is located one lot to the north of this tract and an interior decorator shop is located on the southwest corner of East 38th Street and Speedway, both of which are non-conforming uses. Single-family homes and apartments are the predominate use in this area, with many single-family homes along Speedway. This area is in transition to apartment use; however, commercial zoning should be limited to the major intersection of 38th and Speedway Streets and should not extend along Speedway. The staff recommends the denial of this request.

TESTIMONY

WRITTEN COMMENT

H. H. Rothell, Jr.: 3810 Medical Parkway
Mrs. Ora Nixon: 3800 Speedway
John C. Burckart: 3810 Medical Parkway

AGAINST
NO OPINION
AGAINST

PERSONS APPEARING AT HEARING

Paul Barrows (applicant)
William Denham (representing applicant)

SUMMARY OF TESTIMONY

Mr. William Denham represented the applicant. The prospective purchaser of this property wishes to live in the rear portion of the existing structure and convert the front portion into a dress shop. The area in front of the house will be paved to provide four parking spaces. It is felt that this use is desirable for this area, due to the existing uses. Mr. Denham pointed out that a fire station and a post office facility exist nearby.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and unanimously concluded that this request should be denied as too intensive use for this site, which would constitute an intrusion into a predominantly residential area.

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

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C14-71-174 Paul Barrows--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Paul Barrows for a change of zoning from "B" Residence, Second Height and Area to "GR" General Retail, Second Height and Area for property located at 3804 Speedway be DENIED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-175 Estate of E. J. Schutze: A to B
3911 Red River Street

STAFF REPORT: This application is on a tract of 6,850 square feet, to be used for apartment development. Single-family homes predominate the area to the south and east. Hancock Recreation Center is just across Red River Street to the west, and Hancock Shopping Center is one block to the north. The two lots on the immediate north were zoned "B" Residence last year. Many requests for "B" Residence and "O" Office zoning have been granted along East 40th Street to the east, but only one zoning change has been granted on Red River Street south of East 40th Street, and this property was adjacent to "O" Office zoning on 40th Street. The staff recommends the denial of this request, as further zoning south on Red River Street would be detrimental to the existing residential development in the area.

TESTIMONY

WRITTEN COMMENT

Mrs. H. M. Hewatt: 907 East 40th Street	AGAINST
E. T. McGregor	FOR
Irvin G. Anderson: 903 Lake Drive, Kerrville, Texas	FOR
Mr. & Mrs. J. L. Watson: 3901 Red River Street	FOR
Reba Lucele Chapman: 1009 East 38th Street	FOR

PERSONS APPEARING AT HEARING

Forest Pearson (representing applicant)	
Mr. & Mrs. W. Bryan Stoermer: 3909 Red River Street	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Forest Pearson represented the applicant. This property is under contract of sale and will be combined with the property zoned "B" Residence to the north of this tract. This is a very small tract with an older house in existence. The heavy traffic on Red River Street and the adjacent apartment development make this tract unsuitable for single-family use.

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C14-71-175 Estate of E. J. Schutze--contd.

Arguments Presented AGAINST:

Mr. and Mrs. W. Bryan Stoermer, 3909 Red River Street, spoke against this request. It is felt that the apartments in the area create much noise and traffic. The residents of the area feel that more apartments should not be allowed, in order to protect this residential area.

Arguments Presented IN REBUTTAL:

Mr. Pearson stated that the opponents to this change have three apartment units on their tract, which is a non-conforming use. The fact that this tract has apartment development on each side makes it difficult to develop the tract with other than apartment use.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and unanimously concluded that this request should be granted as an extension of existing zoning, subject to short form subdivision.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Estate of E. J. Schutze for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 3911 Red River Street be GRANTED, subject to short form subdivision.

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

ABSENT: Messrs. Chamberlain, Taniguchi, Crier and Anderson

C14-71-176 Sam Hage: LR to GR
5900-5908 Manor Road
2800-2806 Sweeney Lane

STAFF REPORT: This is a request on 25,668 square feet of land for the operation of an ice cream store with drive-in service. Single-family homes and duplexes are established along Sweeney Lane. "C" Commercial and "LR" Local Retail zonings exist at the intersection of Sweeney Lane and Manor Road. This local retail zoning was recently granted where "GR" General Retail zoning was denied. The staff recommends that this request be denied as consistent with previous zoning action in the area.

TESTIMONY

WRITTEN COMMENT

Sherman L. Allen: 6309 Berkman Drive

FOR

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C14-71-176 Sam Hage--contd.

PERSONS APPEARING AT HEARING

Dave Motsenbocker (representing applicant)

SUMMARY OF TESTIMONY

Mr. Dave Motsenbocker represented the applicant. The tract is to be sold for development of a Dairy Queen, which requires "GR" General Retail zoning. Ample parking space will be provided. It is felt that this zoning 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 unanimously concluded that this request should be granted as compatible with the area.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Sam Hage for a change of zoning from "LR" Local Retail, First Height and Area to "GR" General Retail, First Height and Area for property located at 5900-5908 Manor Road and 2800-2806 Sweeney Lane be GRANTED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-177 C. W. Basquette: A to B
1801-1811 Ford Street
1800-1906 Goodrich Avenue

STAFF REPORT: This is a request for apartments on 1.36 acres of land. Single-family homes and duplexes predominate this area as does "A" Residence zoning. Five lots of "C" Commercial zoning exist one block to the north and are developed with a washateria, grocery, and apartments. There is also a club zoned "B" Residence in that area. "B" Residence, developed with apartments and a retirement home, exist to the east on Nash Avenue. "BB" and "B" Residence zonings exist to the south along Bluebonnet Lane and Goodrich Avenue. There has been no zoning or further development between this tract and the established zoning to the south for several blocks. In 1969, there was a request for "BB" Residence zoning on this tract, and both the staff and the Planning Commission recommended that it be denied and the case was withdrawn. The staff recommends that this request be denied, as conditions have not changed in the area since 1969.

CI4-71-177 C. W. Basquette--contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

John Akin (representing applicant)
Monroe Bethke: 1900 Corona Drive
C. W. Basquette (applicant)

FOR

SUMMARY OF TESTIMONY

Mr. John Akin represented the applicant. It is felt that the highest and best use for this tract is for apartment development. The residential development to the north consists of forty to fifty year old homes, with no recent development of single-family homes. Many of these units are rented, with some apartment projects. The street pattern is adequate, with an elementary school to the west; however, the flow of traffic will be to the east to Lamar Boulevard. The residents of the area do not oppose this development. The tract is vacant and should be utilized.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were of the opinion that apartment development would not be an intrusion in this area; however, they felt that the density of development should be limited to "BB" Residence to allow adequate parking facilities, and subject to needed right-of-way. This decision was unanimous.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. W. Basquette for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1801-1811 Ford Street and 1800-1906 Goodrich Avenue be DENIED, but recommend that "BB" Residence, First Height and Area be GRANTED, subject to five feet of right-of-way on Ford Street and five feet of right-of-way on Goodrich Avenue.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain, and Anderson

Cl4-71-178 C. Ben Hibbetts Realty, Inc.: LR to C-2

Rear of 1200-1208 Parker Lane

Rear of 1705-1717 Riverside Drive

STAFF REPORT: This request for a cocktail lounge is on an area of 18,250 square feet of land. A single-family residential neighborhood is established to the west and south of this application and is zoned "A" Residence. A shopping center and laundry exist across Riverside Drive to the east. Service stations are developed at the intersection of Parker Lane and Riverside Drive. There is a new Safeway store across Parker Lane to the east. A liquor store exists across Riverside Drive in the Minimax Shopping Center. Three other "C-2" Commercial sites have been approved in this immediate area in recent months. These will be used as cocktail lounges and liquor stores. "LR" Local Retail, "GR" General Retail and "C" Commercial zonings exist along Riverside Drive. "BB" and "B" Residence zonings exist to the north and south of Riverside Drive and the area is developed with apartment units. The staff feels that this area has sufficient "C-2" Commercial zoning. Additional "C-2" Commercial zoning may be detrimental to the well-established, single-family neighborhood existing to the immediate south and west and the staff recommends that this request be denied.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Joe L. Ray: 1621 Sunnyvale	AGAINST
Mr. & Mrs. J. R. Largent: 1303 Loma Drive	AGAINST
H. H. Rothell, Jr.: 3810 Medical Parkway	AGAINST
Mr. & Mrs. C. A. Owen: 3001 Manchaca Road	FOR
Mr. & Mrs. M. A. Barr: 1614 Lryaine Lane	AGAINST
Vanita A. Von Geyso: 1208 Loma Drive	AGAINST
Edith Helen Ericson: 1208 Loma Drive	AGAINST
William J. Gage: 1202 Loma Drive	FOR

PERSONS APPEARING AT HEARING

Ben Hibbetts (applicant)	
William E. Heck: 1304 Loma Drive	AGAINST
Mrs. Daivd W. Ellis: 1103 Upland Drive	AGAINST
Mrs. Arthur L. Dunn: 1105 Upland Drive	AGAINST
Mr. & Mrs. D. W. Neff: 1609 Lupine Lane	AGAINST
Mrs. Jim R. Largent: 1303 Loma Drive	AGAINST
Mrs. William P. Crow, Jr.: 1604 Sunnyvale	AGAINST
Mr. & Mrs. Joe L. Ray: 1621 Sunnyvale	AGAINST
Mrs. C. J. Zern: 1201 Loma Drive	AGAINST
Mr. & Mrs. Sterling Swift: T. 5, Box 124K	AGAINST
Mrs. Arthur Gary Schriber: 1613 Sunnyvale	AGAINST
Ioleena Owens: 1613 Lupine Lane	AGAINST
Mr. & Mrs. Van W. Spinks: Rt. 1, Marble Falls, Texas	AGAINST
Doren R. Eskew: 510 West 15th Street	AGAINST

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C14-71-178 C. Ben Hibbetts Realty, Inc.--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Ben Hibbetts stated that this application is on a portion of a two-acre tract located at the corner of Parkfield Lane and Riverside Drive. It is being developed commercially with a service station and a drive-in grocery. An office building is planned at a future date. This request is on two portions of the property for flexibility in planning, as only one of the locations will be developed with this use of a cocktail lounge. The balance of the tract will be used for parking, with approximately one hundred parking spaces.

Arguments Presented AGAINST:

Four residents of the area spoke in opposition to this request. They pointed out that the leasing of the corner area greatly decreases the area to be developed. In addition, the applicant has no access to Riverside Drive, but rather to Old Riverside Drive, which is a narrow street in poor condition. The access drive to Parker Lane is narrow, with space for only two vehicles. The residents of this area strongly oppose the proposed development, and feel that the noise, foot and automobile traffic and litter which will be generated will have a detrimental affect upon the residential area. This development will generate traffic using the small alleyway at the end of Lupine Lane into the residential streets, where children play. There are no sidewalks in this area, and it is probable that service and delivery vehicles will be using the alleyway to serve this development.

Twenty-four residents were present in opposition to this request.

Arguments Presented in REBUTTAL:

Mr. Hibbetts stated that the alleyway at the end of Lupine Lane is for the convenience of patrons using the commercial development in the area, and is not for the purpose of service vehicles. The proposed development will be a quiet cocktail lounge. The people of Texas have recently approved of the sale of liquor by the drink, which would indicate the propriety of such use. The parking area provided will be larger than that required by the Ordinance.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves pointed out that this tract is twenty to twenty-five feet lower than the residential section, which overlooks this site. Mr. Goodman stated that the existing and proposed uses would appear to eliminate much of the parking area. The Committee concluded unanimously that this request should be denied as an intrusion into a residential neighborhood which would create a traffic hazard.

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

C14-71-178 C. Ben Hibbetts Realty, Inc.--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. Ben Hibbetts Realty, Inc. for a change of zoning from "LR" Local Retail, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at the rear of 1200-1208 Parker Lane and the rear of 1705-1717 Riverside Drive be DENIED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-179 J. G. Webster, Jr.: A to BB
2404 Winsted Lane

STAFF REPORT: This request on 13,416 square feet of land is for apartment development. Single-family homes predominate this area and several duplexes are in existence. Three lots across Winsted Lane and at the corner of Winsted Lane and Windsor Road were zoned "BB" Residence five years ago and are developed with apartments. The remainder of this area is zoned "A" Residence. MoPac Boulevard is located to the east. Winsted Lane will remain a two-way minor residential street with no direct access to MoPac. The staff feels that even though a major expressway will be near the property, single-family and duplex uses will be retained; this is a stable neighborhood. The staff recommends that this request be denied.

Mr. Lillie of the staff pointed out that the planned interchange in this area will have a cloverleaf on the southwest corner, which will be MoPac southbound and Windsor Road eastbound. Winsted Lane will remain a minor residential street.

TESTIMONY

WRITTEN COMMENT

Mrs. Joan Cass: 2411 Sharon Lane	AGAINST
Mary Louise and W. Roger Mood: 2000 Indian Trail	AGAINST
Mrs. K. C. Miller: 2408 Winsted Lane	FOR
John W. Carpenter: 207 East 2nd Street	FOR

PERSONS APPEARING AT HEARING

J. G. Webster, Jr. (applicant)
M. H. Crockett (representing applicant)

SUMMARY OF TESTIMONY

Mr. M. H. Crockett represented the applicant. It is felt that this neighborhood is changing, with the construction of new duplexes on McCall Street two blocks to the west, and with the planned cloverleaf intersection nearby, which will create heavy traffic and increased noise. The applicant does not plan to construct additional buildings, but will convert the parking

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C14-71-179 J. G. Webster, Jr.--contd.

space below the existing garage apartment into another unit. The driveway will be enlarged and extended to provide parking. The flow of traffic will be to Windsor Road, and will not cause traffic congestion on Winsted Lane.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded that this request should be denied as an intrusion into an area which will remain single-family and duplex residential. The dissenting members felt that the proximity of the future MoPac Expressway justifies this use.

AYE: Messrs. Chamberlain, Kinser and Reeves

NAY: Messrs. Becker and Goodman

At the Commission meeting, the members discussed this request. Mr. Goodman stated that the proposed change is minor, and would not generate heavy traffic; in addition, the applicant has agreed to a restrictive covenant for the conversion of the garage with one additional unit only. Mr. Reeves stated that the proposed MoPac Expressway will not alter the character of the neighborhood; this request sets a precedent for like zoning along Winsted Lane. The Commission then

VOTED: To recommend that the request of J. G. Webster, Jr. for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 2404 Winsted Lane be DENIED.

AYE: Messrs. Kinser, Milstead, Reeves

NAY: Messrs. Becker and Goodman

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-180 Lavaca Annex Limited: C to C-2
1411-1419 Lavaca Street
219-221 West 15th Street

STAFF REPORT: Zoning to permit continuation of a nightclub is requested on this area of 6,784 square feet. Commercial development exists throughout this area and there is State property existing to the east. A nightclub and clothing store exist on this lot at the present time. Loan companies, art galleries, beauty supplies, shopping centers, and parking lots are developed along Lavaca Street; thus this area is predominantly "C" Commercial. The Crosstown Expressway right-of-way is proposed to the north between 15th and 16th Streets. The existing use is non-conforming. The staff recommends that this request be granted, as it is in conformance with development and zoning in the area.

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C14-71-180 Lavaca Annex Limited--contd.

TESTIMONY

WRITTEN COMMENT

Sam E. Dunnam: 2006 Bank of the Southwest Bldg. Houston FOR

PERSONS APPEARING AT HEARING

Robert Dunnam

FOR

SUMMARY OF TESTIMONY

Mr. Robert Dunnam stated that this site has been used as a club for the past five years; the proposed use will be a club with the sale of mixed drinks. This site is ideal for this use, with its proximity to the University, the Capitol, and the downtown area. Ample parking is available and this use does not intrude upon the surrounding uses.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and unanimously concluded that this request should be granted, as a well-developed commercial area in the center of the City is an ideal location for this use.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Lavaca Annex Limited for a change of zoning from "C" Commercial, Third Height and Area to "C-2" Commercial, Third Height and Area for property located at 1411-1419 Lavaca Street and 219-221 West 15th Street be GRANTED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-181 Jesse Mitchell: A to B
7005 Guadalupe Street

STAFF REPORT: This is a request on 14,704 square feet of land for apartment construction. Several apartment locations have been approved in this area to the north, south and east. "LR" Local Retail zoning is pending on a tract one block to the south. This area is in transition to apartment zoning. The staff recommends that "B" Residence, First Height and Area zoning be denied, but that "BB" Residence, First Height and Area be granted, as consistent with established zoning in the area.

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C14-71-181 Jesse Mitchell--contd.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Elmer L. Smith: 6904 Guadalupe

AGAINST

PERSONS APPEARING AT HEARING

Jesse Mitchell (applicant)

SUMMARY OF TESTIMONY

Mr. Jesse Mitchell stated that he wishes to develop eight apartment units on this tract in addition to the existing duplex. He pointed out the zoning in the area and stated that Guadalupe Street is a commercial artery which will be widened in the future. No single-family residences have been built in this area for many years.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and the majority concluded that this request should be denied, but recommend that "BB" Residence be granted in conformance with zoning in the area.

AYE: Messrs. Goodman, Chamberlain, Becker and Kinser
ABSTAINED: Mr. Reeves

At the Commission meeting, Mr. Kinser stated that "BB" Residence zoning predominates this area. The Commission then

VOTED: To recommend that the request of Jesse Mitchell for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 7005 Guadalupe Street be DENIED, but that "BB" Residence, First Height and Area be GRANTED.

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

C14-71-182 Coca-Cola Bottling Company of Fort Worth: Int. A, Int. 1st & D, 1st to
9416-9612 F. M. 1325 D, 1st

STAFF REPORT: This is a request on 9.68 acres of land for a Coca-Cola bottling plant. A University of Texas laboratory exists to the north. Offices and a boat manufacturing company exist to the west. Paint sales, a garden center, a lumber company and a furniture manufacturer exist

C14-71-182 Coca-Cola Bottling Company of Forth Worth--contd.

to the east of F. M. Road 1325. "D" Industrial and "DL" Light Industrial zonings are established along F. M. Road 1325, partially including this tract. This area is in transition to industrial use and is so designated in the Austin Development Plan. The staff recommends that this request be granted, as consistent with the Austin Development Plan and existing land uses in the area.

TESTIMONY

WRITTEN COMMENT

Glastron Boat Company: P. O. Box 9447
E. G. Kingsberry: P. O. Box 6220

FOR
FOR

PERSONS APPEARING AT HEARING

George Van Houten (representing applicants)

SUMMARY OF TESTIMONY

Mr. George Van Houten represented the applicants and stated that this development will be for a bottling plant and general offices. Of the approximately 50,000 square feet contained in the tract, 5,000 square feet will be used for office space.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and unanimously concluded that this request should be granted, as a proper use for this property.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Coca-Cola Bottling Company of Fort Worth for a change of zoning from Interim "A" Residence, Interim First Height and Area and "D" Industrial, First Height and Area to "D" Industrial, First Height and Area for property located at 9416-9612 F. M. 1325 be GRANTED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and anderson

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C14-71-183 Leland E. Willingham: Int. A, Int. 1st to C, 1st
2609-2621 Buell Avenue

STAFF REPORT: This area of .53 acres is for wholesale electrical supplies. An office exists to the west, a warehouse and a contractor's office and supply company are located across Buell Avenue to the north. A storage yard, warehouse, a millworks, and a lumber company exist along Buell Avenue to the east. A single-family residential neighborhood is developed to the south and west. "C" Commercial zoning is established between this site and the residential neighborhood to the west, as well as across Buell Avenue to the north. The property fronting onto Buell Avenue is in transition to commercial use and is predominantly developed as such at this time. Many of the uses were developed prior to the annexation of this street. The staff recommends this request be granted, subject to five feet of right-of-way on Buell Avenue from the eastern lot.

TESTIMONY

WRITTEN COMMENT

H. A. Culpepper: 8211 Stillwood
Robson Corporation: Route 7, Box 914
Mearl Leffler: Box 9327

FOR
AGAINST
FOR

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

The applicant was not present at this meeting.

The staff read a letter from a resident of this area, requesting that the developer be required to pave or blacktop this street, as it is in poor condition and the dust from commercial traffic is obnoxious to the residential area. The staff reported that such paving would be done through a volunteer program or an assessment program with the individual property owners; it should not be a condition of zoning.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and unanimously concluded that this request should be granted in conformance with existing zoning, subject to five feet of right-of-way on Buell Avenue from the eastern lot.

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

C14-71-183 Leland E. Willingham--contd..

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Leland E. Willingham 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 2609-2621 Buell Avenue be GRANTED, subject to five feet of right-of-way on Buell Avenue from the eastern lot.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-184 Allan Shivers, et al: BB, 1st to B, 2nd
1507-1511 Houston Street

STAFF REPORT: This request for apartment construction is on a tract containing 38,520 square feet of land. The applicant owns the subject property and the majority of the block between Jim Hogg Avenue and Joe Sayers Avenue. Single-family homes predominate the land use to the north and east. However, commercial development is extending from Burnet Road into this area south of Houston Street and west of Jeff Davis Avenue. The predominant zoning on this block is "B" Residence, Second Height and Area. "LR" Local Retail zoning is established on the southern portion of the block, and the savings and loan institution at Jeff Davis Avenue and North Loop Boulevard is zoned "C" Commercial. The staff recommends that this request be granted, as consistent with existing zoning in the area.

TESTIMONY

WRITTEN COMMENT

Nearby property owner

AGAINST

PERSONS APPEARING AT HEARING

Dan Felts (representing applicants)

SUMMARY OF TESTIMONY

Mr. Dan Felts represented the applicants. He concurred with the staff recommendation and stated that the requested zoning is consistent with the trend of development in this area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves suggested that the residential property to the east should be protected with a buffer zone, which could be used for parking. The staff pointed out that a creek exists on this tract, which would require

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C14-71-184 Allan Shivers, et al--contd.*

a drainage easement. It is thought to be on the northeast corner, which would provide a natural buffer. The Committee discussed the information and concluded that the requested zoning would be too intense usage of this tract, as traffic in this area is very heavy on the existing fifty-foot streets. They recommend the granting of "B" Residence, First Height and Area, subject to a sixty-four foot building setback on the east property line.

AYE: Messrs. Goodman, Becker, Reeves and Kinser

ABSTAINED: Mr. Chamberlain

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Allan Shivers, et al, for a change of zoning from "BB" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 1507-1511 Houston Street be DENIED, but recommend that "B" Residence, First Height and Area be GRANTED, subject to a sixty-four foot building setback on the east property line.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-185 Lawrence Fred Gall: A to GR
 4305 South First Street

STAFF REPORT: This is a request on 9,063 square feet of land for a bicycle shop. Several single-family homes still exist along South First Street and there is an elementary school and playground located across South First Street to the south. The railroad track extends across South First Street one lot to the north. A garage located on a tract recently zoned "GR" General Retail exists two lots to the north across South First Street. A sheet metal shop is located to the rear of this site. A service station, church, barber shop, cleaners, laundry, and a drive-in grocery exist to the south at the intersection of South First Street and St. Elmo Road. The staff recommends that this request be granted.

TESTIMONY

WRITTEN COMMENT

Anthony F. Wagner: 611 Clifford Drive	FOR
O. G. Hanselee: 400 West St. Elmo Road	FOR
Mrs. Angie Hardin: 4303A South First Street	FOR
Mrs. Johnie Fields: 4303 South First Street	FOR

PERSONS APPEARING AT HEARING

Lawrence Fred Gall (applicant)	
Nearby property owner	FOR

Cl4-71-185 Lawrence Fred Gall--contd.

SUMMARY OF TESTIMONY

Mr. Lawrence Gall stated that he has been operating a bicycle repair shop in his garage for the past six months as a hobby, and has been informed that this is a violation of the City ordinances. If this request is granted, he will add on to his garage facilities for a showroom and enclosed storage of parts.

A resident of the area 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 unanimously concluded that this request should be granted, as a proper use for this tract.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Lawrence Fred Gall for a of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 4305 South First Street be GRANTED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

Cl4-71-186 Howard Pringle: A to B
 5605 Montview Street

STAFF REPORT: This is a request for an apartment house on 22,670 square feet of land. Single-family homes still predominate the land use along Montview Street. There is heavy commercial development along Burnet Road. A real estate office and beauty shop exist to the north and "B" Residence zoning is established on three lots to the immediate south. A recent zoning change to "O" Office has been granted on several lots to the north across Montview Street. This area is in transition to more intensive zoning. The staff recommends that this request be granted, subject to five feet of right-of-way on Montview Street.

TESTIMONY

WRITTEN COMMENT

Jack L. Goodloe: 5707 Bullard Drive	FOR
Edith Bartleson: 5604 Montview Street	AGAINST
Mrs. Malcolm Hornsby: 5601 Shoalwood Avenue	AGAINST
N. Puett: P. O. Box 9038	FOR
Government Employees Credit Union: 5520 Burnet Road	FOR

420
C14-71-186 Howard Pringle--contd.

PERSONS APPEARING AT HEARING

Phil Mockford (representing applicant)

SUMMARY OF TESTIMONY

Mr. Phil Mockford, representing the applicant, and stated that he concurred with the staff report; he feels that the proposed use is best for this property.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and unanimously concluded that this request should be granted as proper use for this tract, subject to five feet of right-of-way on Montview Street.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Howard Pringle for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 5605 Montview Street be GRANTED, subject to five feet of right-of-way on Montview Street.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-187 James Samon: GR to C-2
 5418-5422 Manchaca Road

STAFF REPORT: This request for a liquor store is on 10,500 square feet of land. A shopping center, service station, construction company, and other commercial uses exist along Manchaca Road in this area. A well-established and well-maintained single-family residential neighborhood is located to the west of this tract. This parcel was included in a recent request for "GR" General Retail zoning and is now zoned as such. A "BB" Residence zoned buffer tract was established to the rear of this small tract under this application, and abuts the residential neighborhood to the west. The staff recommends that this request be denied, due to the fact that a "C-2" Commercial zoning request was recently granted to the north, and this application is not in a developed commercial center.

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C14-71-187 James Samon--contd.

TESTIMONY

WRITTEN COMMENT

N. Puett: P. O. Box 9038

FOR

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 the "C-2" Commercial zoning recently granted to the north of this tract sets a precedent for this application, which should be granted. The Committee reviewed the information and unanimously concluded that this request should be granted.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of James Samon for a change of zoning from "GR" General Retail, First Height and Area to "C-2" Commercial, First Height and Area for property located at 5418-5422 Manchaca Road be GRANTED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-188 Mary Lee School and Robert L. Crump: A to B

Tract 1: 418 Crockett Street

Tract 2: 415-419 Crockett Street

2100 Hodges Street

STAFF REPORT: This request on two tracts containing approximately 21,523 square feet of land is for boardinghouse facilities. Single-family homes predominate the area to the east, and commercial development exists along South First Street to the west. The Mary Lee School is developed on the block to the immediate east across Hodges Street to the south of Crockett Street. The applicants would like to utilize these two sites as boardinghouse facilities for the existing school. "B" Residence zoning exists on the present school site to the east. "B" Residence also exists on the block to the northeast at Wilson and Johanna Streets. There is commercial zoning established along South First Street. The staff recommends that this request be denied as the streets are inadequate in width and under the proposed zoning twenty-one one-bedroom apartment units could be developed on the two tracts abutting this dead-end street.

422
C14-71-188

Mary Lee School and Robert L. Crump---contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Charlene Crump (representing applicants)

SUMMARY OF TESTIMONY

Mrs. Charlene Crump stated that the Mary Lee School is a service for border-line mentally retarded teenage and young adult women. Most of the students return to their homes or to the community, but some of them cannot maintain themselves without supervision. The school has been utilizing one of these sites as a home for four of the students, with a minimum of supervision. A house has been donated to the school and would be moved onto the other location as additional housing for these students. The location of these two lots at the end of a dead end street is ideal for this use, as none of these girls are allowed to own automobiles. These girls have jobs in the community, and a provision for their housing is the deciding factor as to their being employed, so that they are not on the welfare rolls. The City does not have a special use classification for this use other than a boardinghouse, which requires a zoning change.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Kinser stated that he is familiar with the work of the Mary Lee School, and heartily approves of this service. Mr. Becker suggested that if a restrictive covenant were granted for this use only, the area would be protected from zoning intrusion. Mr. Reeves stated that further zoning would be detrimental to the school and would not be desirable. The Committee unanimously agreed that no right-of-way should be required and that "BB" Residence, First Height and Area should be granted as a proper use for these two tracts, subject to a restrictive covenant for use as boarding-house facilities by the Mary Lee School, to revert to "A" Residence, First Height and Area if this use is discontinued.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Mary Lee School and Robert L. Crump for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 418 Crockett Street (Tr. 1); 415-419 Crockett Street and 2100 Hodges Street (Tr. 2), be DENIED, but recommend that "BB" Residence, First Height and Area be GRANTED, subject to restrictive covenant for this use of boardinghouse facilities, to revert to "A" Residence, First Height and Area if this use is discontinued.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-189 Rex A. Fullerton: A to LR
7901 Tisdale Drive
1304-1306 Anderson Lane

STAFF REPORT: This application has been filed on 7,800 square feet of land for uses permitted in said zoning. Single-family homes surround this property and apartments are located to the east along Gault Street. A shopping center exists two blocks to the east. "LR" Local Retail, "GR" General Retail and "C" Commercial zonings have been established along Anderson Lane to the east. Commercial zoning has not been extended along this residential street; however, one lot of "B" Residence zoning exists one block to the west and is developed as a nursing home. Tisdale Drive is a well-developed, single-family residential street, and the staff feels that commercial zoning at this location will be detrimental to the area. The staff recommends that "LR" Local Retail zoning be denied, but that "O" Office or "B" Residence zoning be granted, subject to five feet of right-of-way on Tisdale Drive and five feet of right-of-way on Anderson Lane.

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 unanimously concluded that this request should be granted as proper use for this tract, due to the heavy traffic on Anderson Lane, subject to five feet of right-of-way on Tisdale Drive and five feet of right-of-way on Anderson Lane.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Rex A. Fullerton for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 7901 Tisdale Drive and 1304-1306 Anderson Lane be GRANTED, subject to five feet of right-of-way on Tisdale Drive and five feet of right-of-way on Anderson Lane.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

424

C14-71-190 Austin National Bank: B to C
 1000-1002 Catalpa Street
 1191-1193 Curve Street

STAFF REPORT: This request on 10,000 square feet of land is for the parking of buses. Many single-family homes and duplexes still exist north of 12th Street. The area south of 12th Street is also still predominantly single-family. Many apartments have been developed throughout this area, and many businesses exist along 12th Street; however, commercial uses have not extended south of 12th Street except for those abutting 12th Street itself. A motel, parking lot for buses, a church, and other businesses exist along 12th Street. The staff recommends that this case be denied as streets are inadequate. The "B" Residence character of this neighborhood should be maintained.

Mr. Richard Lillie, Director of Planning, reported that this request is one of several for changes in this area during the past year. An ambulance service is located on the northwest corner of Waller and 12th Streets, which is operated by Transportation Enterprises in addition to their bus service. A repair structure is presently being constructed on the northern portion of this lot for servicing of buses. At the time this request was considered, the Planning Commission set the number of off-street parking spaces for buses using this facility and the Commission did not favor this location for the development of a bus terminal. Since that time the bus company has purchased a lot to the east fronting on 12th Street, already zoned for commercial development. The bus company is presently using the lot on the corner of 12th and Curve Streets for parking and wish to acquire the two lots included in this application, and assemble a cluster of lots for the parking of fifty to sixty buses. The Commission has two alternatives: (1) to approve the use of a cluster of lots for this use, recognizing the sub-standard streets which will be used for access, or (2) in denying this request require the bus company to acquire lots along 12th Street for this use, many of which are zoned for commercial use, with ingress/egress limited to 12th Street.

TESTIMONY

WRITTEN COMMENT

Mrs. Willie Hardnett: 1010 Catalpa St.	AGAINST
Mrs. A. R. Green: 1009 Catalpa Street	AGAINST
Gilbert Askey: P. O. Box 6128	FOR
Mrs. Alice Pullins: 1001 Catalpa Street	AGAINST
Mrs. S. A. Martinez: 901 East 12th Street	AGAINST
Vivian J. Chambers: 1110 East 12th Street	AGAINST
Rev. W. F. Palmer, St. Stephens Baptist Church	FOR

PERSONS APPEARING AT HEARING

Dan Felts (representing applicant)	
Vivian J. Chambers: 1110 East 12th Street	AGAINST
Vivian Sinclair: 1010 Catalpa Street	AGAINST
Rev. W. F. Palmer, St. Stephens Baptist Church	FOR
Frank Newsom (representing applicant)	

C14-71-190 Austin National Bank--contd.

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SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Dan Felts represented the applicants. It is felt that this zoning is an extension of existing zoning and use by Transportation Enterprises in this area. It is desirable to centralize this operation, rather than using several lots on 12th Street, and this request is an expansion of commercial development to the east of Interstate Highway 35.

Mr. Frank Newsom, who serves as real estate agent for Transportation Enterprises, presented information to the Committee. A study of the City was made, and this site was chosen as ideal for the operation of the bus service and the ambulance service due to access to Interstate Highway 35. He pointed out the zoning and uses in the surrounding area. Property has been acquired, subject to zoning, for present and future parking of buses. The buses leave the area from 6:30 AM to 7:15 AM in the morning and return from 5:30 PM to 6:30 PM in the afternoon, missing the peak traffic periods. Approximately fifteen buses return to the site daily for repairs. This company employs 225 people, and off-street parking is needed for them, as on-street parking presents a hazard to the ambulance traffic. The proposed use of this area will allow the best utilization of the property. Transportation Enterprises agrees to pave the pro-rata portion of the streets adjoining this property, which are badly in need of improvement. Mr. Newsom read a letter from the pastor of the St. Stephens Baptist Church, located at 12th and Waller Streets, stating approval of this application. The structures in existence on this property are sub-standard, and this development will improve the area. The future trend of development for this area will be toward commercial development, with Catalpa Street a natural buffer to the south.

Arguments Presented AGAINST:

Two residents of this area spoke in opposition to this request. The neighborhood is experiencing much inconvenience with the present operation of the bus company, with buses parking on Catalpa Street and on that portion of the lot abutting Catalpa Street which is not zoned for such use. The buses leave and enter the area at all hours of the day and night, with many of the buses leaving at 5:30 AM, disturbing the area. The company's employees do not use the parking area provided, but park on the streets in the neighborhood. Tenants in this area are threatening to move and financing of improvements for residential use has been denied, due to the commercial intrusion. They requested the protection of the residential area, and pointed out that the only sub-standard structures in this black neighborhood are those owned by white investors for rental purposes, who do not improve or repair the structures, and will not participate in paving the streets. The residents of this area strongly oppose this request as an intrusion into an established residential area.

Arguments Presented in REBUTTAL:

Mr. Frank Newsom stated that only sixty employees are at this location at one time, who park on property provided or on the surrounding streets.

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C14-71-190 Austin National Bank--contd.

The company has requested City enforcement of restricted parking areas on the streets used for ingress/egress by the ambulance service, as the automobiles are a hazard.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Anderson stated that consideration should be given to the residents of this area, who are being imposed upon by this use. Mr. Reeves pointed out the City park which is across the street to the southwest of the tract under consideration, and stated that this zoning will set an undesirable precedent for commercial use along Catalpa Street.

Mr. Goodman stated that piecemeal commercial development into a residential neighborhood such as this constitutes an insult to planning integrity. The members concluded that this request should be denied, and directed the staff to report to the Building Inspection Department the violation of zoning where buses are being parked on "B" Residence zoned property abutting Catalpa Street.

AYE: Messrs. Goodman, Becker, Reeves and Anderson

ABSTAINED: Mr. Chamberlain

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Austin National Bank for a change of zoning from "B" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1000-1002 Catalpa Street and 1191-1193 Curve Street be DENIED.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-191 Crockett Heights, Inc.: Int. A, Int. 1st to GR, 1st (Tr. 1)
 Tract 1: 806-837 Stassney Lane and BB, 1st (Tr. 2)
 Tract 2: Rear of 806-837 Stassney Lane

STAFF REPORT: This application has been filed on two tracts of land for uses permitted by said zoning. Tract 1 contains 4.34 acres of land and Tract 2 contains 11.47 acres of land. A mobile home subdivision exists along Nancy Drive to the east on standard residential lots. Odom Elementary School is located to the south across Sahara Avenue within a residential subdivision. A recorded single-family, residential subdivision is established on the immediate west and extends from Stassney Lane south to Sahara Avenue. "GR" General Retail zoning exists along Stassney Lane to the north. The surrounding zoning is Interim "A" Residence. The staff recommends the granting of the request for "GR" General Retail on Tract 1 which abuts Stassney Lane, subject to up to twenty feet of right-of-way on Stassney Lane and a subdivision. However, it is recommended that "BB" Residence be denied on Tract 2. As there is a recorded single-family, residential subdivision adjoining Tract 2 on three sides, it is felt that apartment zoning extended down into this "A" Residence neighborhood would be an encroachment. There is a pending single-family subdivision on Tract 2.

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C14-71-191 Crockett Heights, Inc.--contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

John Selman (representing applicant)
Robert Lacey (representing developers)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicants. He concurred with the staff recommendation on Tract 1, pointing out the existence of "GR" General Retail zoning across Stassney Lane. Tract 2 is under contract of sale to the Texas State Council of Carpenters, who will be the non-profit sponsor of an FHA 236 Apartment Project. The development of this tract as apartments will blend in well with the residential use presently developed in this area, as many of the apartments will be as large as the single-family homes. Such apartment projects create an ethnic balance in an area, with opportunity for lower cost housing. This tract is close to an elementary school, with minor commercial development nearby. The tracts abutting this site on the northwest are developed with trailer houses, and while conforming to the City Ordinance as a non-conforming use, would be zoned "LR" Local Retail under normal circumstances. The zoning of this tract to "BB" Residence conforms to the gradation theory of zoning between the trailer home use and the residential area. A dedicated sixty-foot street with forty-four feet of paving will be constructed from Stassney Lane through Tract 1 to Tract 2 for access. The prospective developers sincerely believe such projects as this will be the answer to the problems of busing in the City, and feel this project will benefit this area.

Mr. Robert Lacey, Associate Director of Multi-family Housing for the Hunt Building Mart, represented the developers who will construct this project. An architectural firm has been hired to design this project. Several sites were considered for this project, and the tract under consideration is ideal for this use. The proposed project will consist of two hundred units; with thirty-two one-bedroom units, ninety-six two-bedroom units and seventy-two three-bedroom units. The buildings will be two-story walk-ups, with eight to twelve units per building. They will be wood frame, with brick veneer and decorative paneling on the exterior. Four hundred-twenty parking spaces will be provided to comply with the Ordinance. Fencing will be provided where required and play areas with fenced areas for the smaller children will be incorporated into the design. Two or three laundry facilities are planned and a building for community meetings. A building will be provided as an office for the project, with storage for maintenance equipment for the grounds. The Federal Housing Authority will insure the loan for this project over a period of forty years and will work with the developer.

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C14-71-191 Crockett Heights, Inc.--contd.

on this project, which will cost approximately two and one-half million dollars. The composition of the project conforms to studies made by the Federal Government of housing needs and is subject to change. The developer will be happy to work with the City on any requirements for this project.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Anderson recommended that consideration be given to four-bedroom apartments within this project and suggested that plans be made for a nursery or day care center service. The members discussed the traffic pattern in the area and were of the opinion that access should be available to the elementary school. They unanimously concluded that this request should be granted, subject to privacy fencing where adjoining "A" Residence zoned property, a dedicated sixty-foot street with forty-four feet of paving from Stassney Lane into Tract 2, to be cul-de-saced; the cul-de-sacing of Cherry Park and Cougar Drive to exclude vehicular access to this tract; twenty feet of right-of-way on Stassney Lane and subdivision.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Crockett Heights, Inc. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tract 1) and "BB" Residence, First Height and Area (Tract 2) for property located at 806-837 Stassney Lane (Tract 1) and the rear of 806-837 Stassney Lane (Tract 2) be GRANTED, subject to privacy fencing where adjoining "A" Residence zoned property; a dedicated sixty-foot street with forty-four feet of paving from Stassney Lane into Tract 2, to be cul-de-saced; the cul-de-sacing of Cherry Park and Cougar Drive to exclude vehicular access to this tract; twenty feet of right-of-way on Stassney Lane and subdivision.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-192 Jerry Wallace: LR and BB to LR
Rear of 1102-1208 Rutland Drive

STAFF REPORT: This request is on a tract of 4.82 acres for development of retail and convenience facilities. The tract is located in north Austin at Parkfield Drive and the proposed Mearns Meadow Drive. The existing zoning was granted in 1969, and was a portion of a larger application consideration of zoning for about 400 acres. "GR" General Retail zoning was granted on 30 acres adjacent to North Lamar Boulevard. Over 100 acres were zoned "BB" Residence and a small area at Parkfield and Mearns Meadow Drive was zoned "LR" Local Retail. Since that time an apartment dwelling group has been approved

C14-71-192 Jerry Wallace--contd.

and constructed; a planned unit development has been approved for development to the east; and recently a rollback in zoning was granted from "LR" Local Retail and "BB" Residence to "A" Residence on property located along Parkfield Drive north of Rundberg Lane leaving a small area zoned "LR" Local Retail. An application is also being processed on approximately fifteen acres south of Rutland Drive between Rutland Drive and Rundberg Lane bordering both sides of Parkfield Drive, to be zoned "GR" General Retail.

This application is to readjust the boundaries of the zoning granted in 1969 due to the relocation of Mearns Meadow Drive on the south, a new north/south street on the east boundary, and the single-family lots which adjoin Parkfield Drive. Parkfield Drive is a major arterial street and Mearns Meadow Drive is a major collector street. Of primary concern on this application is the existence of the "LR" Local Retail tract adjacent to the property which was rolled back to "A" Residence. This zoning granted in 1969 is no longer at the intersection of two major streets, but is in an interior area, and is no longer the proper location for a convenience shopping center. This "LR" zoning should be rolled back to "BB" Residence to conform to the adjacent use, or the convenience center should be re-located more to the interior of the apartment acreage.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Thomas Watts (representing applicants)

SUMMARY OF TESTIMONY

Mr. Thomas Watts, with Bryant-Curington, Inc., engineers, represented the applicants. He stated that this application is merely the extension and squaring up of the corners of the existing zoning. It is felt that this location is ideal for the requested zoning and that the rollback in zoning has not substantially changed the area. The rollback in zoning was requested by the developer who recently purchased the property, who is aware of the major streets, and desires the availability of access. This is a unique area of multi-family housing, which needs a convenience shopping center. This shopping center will also serve the large area of undeveloped "A" Residence property existing to the west. The "A" Residence zoned property provides a corridor of residential development from the developed area to the property under development. Parkfield Drive is a major street and is ideal for the location of the shopping center as proposed. While the basic plan for this area made in 1969 is being refined, the need still exists at this location for "LR" Local Retail development. Mr. Watts stated that there would be no objection to the rollback of the sliver of "LR" Local Retail zoning existing to the north not included in this application.

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C14-71-192 Jerry Wallace--contd.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed the street pattern and the zoning in this area. They were of the opinion that no building setback should be required as this zoning existed when the adjacent property was subdivided and that the extension of "LR" Local Retail zoning to the north, not included in this application, should be rolled back to conform to adjacent zoning to reduce the exposure of local retail development to the residential area. They unanimously concluded that this request should be granted, subject to subdivision and the rollback of the sliver of "LR" Local Retail zoning to the north to "BB" Residence.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jerry Wallace for a change of zoning from "BB" Residence, First Height and Area and "LR" Local Retail, First Height and Area to "LR" Local Retail, First Height and Area for property located at the rear of 1102-1208 Rutland Drive be GRANTED, subject to subdivision and the rollback of zoning of the tract located to the north from "LR" Local Retail, First Height and Area to "BB" Residence, First Height and Area.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-193 Fritz Brockman: A to GR
 2106-2110 Anderson Lane

STAFF REPORT: This application has been filed on .97 acres of land for commercial use. Single-family homes exist to the north and east of this tract. An appliance dealer, saddle shop and an office exist within this same block abutting Anderson Lane to the west. Other commercial uses, such as a car wash, cafe, and service station exist along Burnet Road. Across Anderson Lane to the south there is a restaurant, a large shopping center, a cleaners and a garage. The shopping center and commercial property across Anderson Lane are zoned "GR" General Retail. "GR" General Retail zoning is also established on the north side of Anderson Lane abutting this tract to the immediate east. The staff recommends that this request as submitted be denied, and that the north eighty feet be left "A" Residence and the remainder be granted "GR" General Retail, as requested, subject to five feet of right-of-way on Anderson Lane. The rear portion of this tract could be utilized as a single-family or duplex lot, and the residential area would be protected from commercial traffic.

C14-71-193 Fritz Brockman--contd.

TESTIMONY

WRITTEN COMMENT

H. C. Lackey: 2201 North Plains

FOR

PERSONS APPEARING AT HEARING

Glen Cortez (representing applicant)

SUMMARY OF TESTIMONY

Mr. Glen Cortez, attorney, represented the applicant. He stated that the applicant subdivided the residential area to the northwest, retaining this particular tract. Since that time, heavy commercial development has occurred on Burnet Road and Anderson Lane. He concurred with the staff recommendation on the front portion of the property and stated that the exclusion of the rear portion of the property would still consist of "A" Residence zoned property abutting "GR" General Retail zoned property. The development of this small tract will not generate an appreciable amount of traffic into the adjoining residential development. All residential streets are used for service vehicles and emergency vehicles. The applicant desires the flexibility to be gained by having this access to the rear of the tract, particularly for emergency vehicles, which the depth of this tract requires. The thirty-foot drainage easement in this area forms an adequate buffer to the residential development, and will also severely limit the size of the driveway for access. The primary access to this tract will be from Anderson Lane.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and were strongly opposed to access from this tract to North Plains Avenue, which would allow commercial traffic on the residential streets. Mr. Reeves pointed out the existence of a fire plug at this corner, which would be utilized if needed. They unanimously concluded that this request should be denied, but recommend that "GR" General Retail zoning be granted, except for the northerly portion from the south right-of-way line of North Hills Drive to remain "A" Residential, and subject to five feet of right-of-way on Anderson Lane.

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

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C14-71-193 Fritz Brockman--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Fritz Brockman for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2106-2110 Anderson Lane be DENIED, but recommend that "GR" General Retail, First Height and Area be GRANTED, except for the northerly portion of the tract from the south right-of-way line of North Hills Drive to be retained as "A" Residence, and subject to five feet of right-of-way on Anderson Lane.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-194 Anderson Lane Joint Venture: 0 to GR
Rear of 1908-2104 Anderson Lane

STAFF REPORT: This application has been filed on 2.45 acres of land for retail use. Single-family homes exist to the north, east and west of this tract. A shopping center exists across Anderson Lane from this tract. This site is immediately east of the .97 acre tract being heard by the Commission also this month. Over five years ago, this property and the property zoned "GR" General Retail between this tract and Anderson Lane, werewithin one application for commercial zoning. At that time, the 150-foot buffer strip of "O" Office zoning was left to protect the well-established, single-family neighborhood to the north. A pharmacy and apartments exist to the east at the corner of Anderson Lane and Mullen Drive. This area has not changed and the buffer is still needed. The owner sold this property by metes and bounds contrary to an approved preliminary subdivision plan. The staff recommends that this request be denied.

TESTIMONY

WRITTEN COMMENT

N. Puett: P. O. Box 9038

FOR

H. C. Lackey: 2201 North Plains

FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicants)

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, attorney, represented the applicants. This property is under contract of sale to a jewelry firm, who wish to develop office facilities, a sales office and a warehouse facility on this tract. A drainage easement on the property serves as a natural buffer for the residential development, and a privacy fence exists on the northern boundary. It

C14-71-194 Anderson Lane Joint Venture--contd.

is illogical to retain the existing "O" Office zoning on this property, simply because it exists; there are many locations in the City where "GR" General Retail zoning is established adjacent to residential property, especially on major streets. A twenty-five foot buffer would provide sufficient protection for the neighborhood, and would allow the use of this vacant tract.

Arguments Presented AGAINST:

Four property owners in this area spoke in opposition to this request. They feel that the proposed development will be detrimental to the property values of the residential area and will not be in keeping with the character of the neighborhood. They pointed out that "GR" General Retail zoning allows uses which would be undesirable adjoining residential use, and requested that the existing zoning be maintained.

Arguments Presented in REBUTTAL:

Mr. Selman stated that this property is of great value and will be utilized in some way, such as apartment development which would be allowed under the existing zoning. The planned development would not be an undesirable use, and the general retail classification is needed for use for storage facilities.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that a buffer is needed for this residential area, such as a parking lot. The Committee reviewed the information and unanimously concluded that this request should be granted, as proper use for this tract, subject to a sixty-four foot buffer on the north side to be retained as "O" Office zoning; a six-foot privacy fence on the north property line and subdivision.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Anderson Lane Joint Venture for a change of zoning from "O" Office, First Height and Area to "GR" General Retail, First Height and Area for property located at the rear of 1908-2104 Anderson Lane be GRANTED, subject to a sixty-four foot buffer on the north side to be retained as "O" Office zoning; a six-foot privacy fence on the north property line; and subdivision.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

434
C14-71-195 Zula Medford: B, 2nd to O, 1st
2915 Hampton Road

STAFF REPORT: This request on 6,095 square feet of land is for uses as permitted by said zoning. Single-family homes still predominate the land use to the north and west. The University of Texas Law School is located one block to the south and the Medical Arts Square is across Red River Street to the east. There are many doctors' offices developed along Red River Street to the north. Apartments exist along Hampton Road to the south. Local retail zoning is established on the south side of the block. A restaurant zoned "LR" Local Retail is established immediately to the east of this lot but fronts onto Red River Street. There has been only one zoning request in this immediate area in the past two years. That application was at the south end of the block on the west side of Hampton Road; it was recommended for denial and was withdrawn. Although there is "B" Residence zoning existing, the staff recommends that this request be denied, as more intensive zoning would be undesirable.

TESTIMONY

WRITTEN COMMENT

Rebecca K. Gray: 2911 Beanna Street	AGAINST
Nornell M. Goodwin: 808 East 31st Street	AGAINST
Mrs. D. H. Brentlinger: 810 East 30th Street	AGAINST
Mrs. Roy T. Labarve: 3507 Woodrow Avenue	FOR
Margaret Hall Simpson: 818 East 30th Street	FOR
Randolph H. Warren: 1500 West 29th Street	AGAINST
Dobbs House (Ken Berry): 2912 Red River Street	FOR
Dennis B. DuPriest: 2909 Beanna Street	AGAINST

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicant, who wishes to use this home as an art gallery. A restaurant adjoins this property to the west, with the balance of the block developed with a large student housing complex, with three-story buildings. This request is for a reduction in Height and Area and the adjacent zoning sets the precedent for more intense use on this tract.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed the surrounding uses. They unanimously concluded that this request should be granted as a proper use for this tract, subject to ten feet of right-of-way on Hampton Road and up to five feet of right-of-way on East 30th Street.

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

C14-71-195 Zula Medford--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Zula Medford for a change of zoning from "B" Residence, Second Height and Area to "O" Office, First Height and Area for property located at 2915 Hampton Road be GRANTED, subject to ten feet of right-of-way on Hampton Road and up to five feet of right-of-way on East 30th Street.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-196 Colorado Hills Estates, Inc.: Int. A, Int. 1st to BB, 1st (as amended)
Rear of 1862-1932 Burton Drive

STAFF REPORT: This request is on 3.07 acres of land for apartment construction. The staff has received a request by the applicant to amend this application to "BB" Residence zoning. The single-family neighborhood to the north and west is presently under development. There is a pending "BB" Residence zoning request on a large tract abutting this site to the east. An application has been submitted for a special permit to allow an apartment dwelling group with 152 units on this tract. That application will include the land in this application as well as land to the east. This property is adjacent to the Colorado Hills Estates Subdivision. Two years ago an application was made for a Master Plan change and a zoning request for apartment development on the subject tract. This area was designated Medium Density Residential by the City Council, with the intent that a tier of residential duplex lots would be established as a buffer between the apartment development and the residential subdivision. This request is an amendment to the original agreement and would allow apartment development adjacent to the single-family residential subdivision. The subdivision plat restricts vehicular access from the apartment development to the residential subdivision. A preliminary plan permitting this development has been approved by the Subdivision Committee. Because the zoning request and the special permit application conform with the plan approved by the Subdivision Committee, the Department has recommended that these applications be approved for "BB" Residence zoning. The Planning Commission has the choice of either approving this plan as approved by the Subdivision Committee, or requiring that the original plan for the development of this area be followed.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Tom Watts (representing applicants)

Mrs. Mildred L. Smith: 1804 Woodland Avenue

AGAINST

Mr. & Mrs. Eugene Nelson: 1904 Crooked Lane

AGAINST

Mr. & Mrs. Allen Eugene White: 1808 Cedar Ridge

AGAINST

Mr. & Mrs. H. E. Drennan: 1905 Crooked Lane

AGAINST

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C14-71-196 Colorado Hills Estates, Inc.--contd.

Mr. & Mrs. Howard Culp:	1907 Crooked Lane	AGAINST
Mr. & Mrs. Randall B. Wood:	1807 Cedar Ridge Dr.	AGAINST
Mr. & Mrs. C. M. Carnes:	1902 Crooked Lane	AGAINST
Mr. & Mrs. L. M. Holder, III:	1903 Crooked Lane	AGAINST
Mr. & Mrs. W. R. Carver:	1800 Cedar Ridge Drive	AGAINST
Bill Rutherford:	1812 Cedar Ridge Drive	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Tom Watts, engineer, represented the applicants. He stated that the zoning being requested adjoins lots which have not been sold and are owned by this developer. The terrain in this area creates problems with development, and the residential lots overlook this area. This land is not suitable for duplex development, and as no injury will be done to adjacent property owners, it is felt that the proposed development is best for the tract, and is an extension of the existing zoning.

Arguments Presented AGAINST:

Five residents of this area spoke in opposition to this request. The past history of this development was reviewed; a resident stated that this is the ninth appearance of the homeowners in the area before the City administration regarding zoning problems. The homes in this area reflect an investment of \$30,000 and more. This is a beautiful area with a magnificent view of the City and the residents wish to maintain this area. At the time the lots were purchased the developer assured the purchasers that the total area would be single-family use only. The first change was made on the basis of unsuitability of the terrain for single-family development; now the developer feels that the existence of apartment development makes the adjoining property unsuitable for single-family development. It is obviously true that apartment development adjacent to homes in this price range adversely affects the value of the homes. An agreement was reached with the developer that the lower area would be developed with apartments, with a tier of lots to be developed with duplexes or townhouses for the protection of the single-family subdivision. The developer sent a letter to the Planning Commission committing himself to this plan of development. This buffer will shield the residents from the noise and lights of the apartment development, and the streets are such that no generated traffic will feed into the residential subdivision. While it would be economically desirable to develop apartments in this area, the residents feel that their investment should be protected. This area has not changed, and the moral commitment which has been made should be upheld. The residents of this area strongly oppose this request. Twenty people were present in opposition to this request.

Arguments Presented in REBUTTAL:

Mr. Watts stated that traffic generated by the proposed development will have no access to the single-family residential area. This tract is a

C14-71-196 Colorado Hills Estates, Inc.--contd.

gully and will be very difficult to develop as single-family homes. The primary difference from the original proposal will be a matter of density, as townhouse and duplex development would be rental property. The requested zoning will bring this tract into conformance with the adjacent development will make the development of this tract economically feasible.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, as conditions in this area have not changed since the original plan of development. They were of the opinion that the moral commitment made by the developer to the residents of the residential subdivision should be honored.

AYE: Messrs. Goodman, Chamberlain, Becker and Anderson
ABSTAINED: Mr. Reeves

At the Commission meeting, the staff reported that a letter has been received from the applicant requesting the withdrawal of this request and permission to submit a Planned Unit Development for this area which would establish a tier of lots for duplex and townhouse use abutting the residential development, with the remainder for apartment development.

The members discussed this case and Mr. Goodman stated that a legally binding covenant was submitted by the developer for the protection of the residents. These property owners have been inconvenienced by the several hearings on the development of this property. Any development of this property should meet with the approval of the adjoining property owners before submission for consideration by the Planning Commission.

Mr. Thomas Watts stated that the developer is seeking an alternative plan of development which will protect the adjoining property owners.

The Commission then

VOTED: To recommend that the request of Colorado Hills Estate, Inc. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area (as amended) for property located at the rear of 1862-1932 Burton Drive be DENIED.

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

438

C814-71-04 Joe Gilbreth: Planned Unit Development
2800-3018 Parker Lane
1631-1741 Royal Hill Drive

STAFF REPORT: This Planned Unit Development application is on a tract of land covering 13.4 acres located in southeast Austin. Twenty-four per cent of the area will be used for buildings and patios, with a total of one hundred forty-one units; twenty-six per cent of the area will be used for parking; leaving fifty per cent of the tract as open space. This tract was zoned "BB" Residence several months ago, which would permit a density of twenty units per acre, as compared with the proposed development of 10.5 units per acre. The lots will be sold to individual owners. The site plan has been circulated to the various City departments and the comments are as follows:

1. Advanced Planning - (1) A ten foot drainage easement has been omitted from site plan. As this easement is shown on subdivision plat, three townhouse groups will encroach upon the easement. (2) Contour intervals are not indicated on site plan or subdivision; they are two foot intervals. (3) Four townhouse structures are longer than the two hundred foot maximum length permitted by Ordinance.
2. Parks and Recreation - Meets with approval.
3. Storm Sewer - Drainage easement and storm sewer required across southwest corner of development. Three buildings are proposed for development over easement, which will require clearance from Engineering and Legal Departments.
4. Water and Sewer - O. K.
5. Tax Assessor - 3-0702-0439 Taxes paid through 1970.
3-0902-0302 Taxes paid through 1970.
6. Traffic Engineer - Drives - twenty-five feet.
7. Fire Protection - O. K.
8. Health - No objections. Waste water system to be available.
9. Office Engineer - Recommend all entrances into parking areas be thirty feet in width.
10. Electric - Plat complies.
11. Fire Prevention - Install required fire extinguishers when ready for occupancy.

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C814-71-04 Joe Gilbreth--contd.

The staff recommends this request.

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 members reviewed the information and discussed the landscape plan for this development. Mr. Reeves stated that this tract has very few existing trees, and the members felt that a more detailed landscape plan should be submitted, identifying the types of trees and shrubs and their exact location. The members concluded that this request should be granted, subject to departmental requirements and a detailed landscape plan.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Joe Gilbreth for a Planned Unit Development for property located at 2800-3018 Parker Lane and 1631-1741 Royal Hill Drive be GRANTED, subject to departmental requirements and a detailed landscape plan.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-166 Austex Development Company: Int. A, Int. 1st to GR, 1st, LR, 1st
1201-1401 Rutland Drive and B, 1st (as amended)

STAFF REPORT: The development of a community shopping center is proposed on this area of 10.428 acres. Single-family homes exist to the south and to the north across Rutland Drive. Recently a rollback in zoning was granted from "BB" Residence and "LR" Local Retail to "A" Residence across Rutland Drive to the north. Because of the character of the existing and proposed subdivisions in the area, the staff recommends the denial of this application. There is no protection to the residential development which is being anticipated. If granted, the zoning should be subject to a plan showing setbacks, screening, driveways, etc. This application was before the Commission last month, and was postponed for review of the development plan.

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

TESTIMONY

WRITTEN COMMENT

Maurice F. Walden: 11606 Hornsby Street

AGAINST

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

The Committee unanimously referred this request to the Planning Commission for consideration of the development plan for this tract.

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

At the Commission meeting, Mr. Tom Curtis presented the development plan for this tract. He pointed out the street pattern in this area and the surrounding zoning. He requested the amendment of this application to "B" Residence, "LR" Local Retail and "GR" General Retail zoning. The proposed development is designed to provide maximum protection for the residential development to the east and west. A thirty-foot building setback will be provided on the east/west borders from the interior development. A six-foot greenbelt will be planted and maintained on the east/west borders, with a six-foot privacy fence behind the greenbelt to protect the adjoining development from rubbish and litter from the retail development. The north and south boundaries of the tract will have a forty-foot building setback, with plantings at intervals between the curb breaks, except for the four internal corners, which will be zoned "LR" Local Retail for automobile service station development. These plantings and the buildings will be low in height to provide good visibility. The service stations will be designed to be architecturally compatible with the interior development. In the event of the sale of portions of this property, a condition of that sale will be the architectural design of that portion to conform with the balance of the tract. Portions of this tract will be zoned "B" Residence and will be used for parking. Mr. Curtis pointed out that the developer of this tract owns the surrounding property, which will be developed predominately as duplex residences on all four sides.

No one appeared in opposition to this request.

The Commission members reviewed the information and were of the opinion that this location is proper for this development, in view of the streets and the traffic pattern.

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

They then

VOTED: To recommend that the request of Austex Development Company, LTD, for a change of zoning from Interim "A" Residence, Interim First Height and Area to "B" Residence, First Height and Area, "LR" Local Retail, First Height and Area and "GR" General Retail, First Height and Area (as amended) for property located at 1201-1401 Rutland Drive be GRANTED, subject to the building setbacks and the landscape plan as submitted.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson

C14-71-114 Don West: Int. A, Int. 1st to GR, 1st
6709-6741 Cooper Lane
6706-6738 South First Street

STAFF REPORT: This request is on a tract containing 11.87 acres to be developed with general retail uses. This application was before the Committee in June, 1971, and was postponed pending annexation of the property. This tract is surrounded by undeveloped property, and is a part of Buckingham Estates subdivision, which is predominantly single-family residential. The plan for this subdivision designates this site for commercial use. The proposed William Cannon Drive and South First Street, which will serve this tract, are major arterial streets and will be adequate to serve commercial development. The staff recommends that this request be granted, subject to subdivision.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Richard Baker (representing applicant)

SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney, represented the applicant. This application was recommended previously and was withdrawn as the property had not been annexed by the City at that time. The applicant is in agreement with the staff report.

No one appeared in opposition to this request.

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C14-71-114 Don West--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and unanimously concluded that this request should be granted, as appropriate zoning for this site, subject to subdivision.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Don West for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at 6709-6741 Cooper Lane and 6706-6738 South First Street be GRANTED, subject to subdivision.

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

ABSENT: Messrs. Taniguchi, Crier, Chamberlain and Anderson