

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- September 14, 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  
Jack Goodman

Absent

M. J. Anderson

Also Present

Richard Lillie, Director of Planning  
Jack Alexander, Assistant Director of Planning  
John German, Associate Director of Traffic and Transportation  
Mike Wise, Planner  
Roy Headrick, Planner  
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of September 7, and 8, 1971.

Present

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

Also Present

Jack Alexander, Assistant Director of Planning  
Mike Wise, Planner  
Caroline Schreffler, Administrative Secretary

\* Present only on September 7, 1971

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

STAFF REPORT: The staff reported that this application had been before the Commission in July, but it has been re-cycled due to a notification error. The staff had recommended to approve the application and the Commission had recommended to deny the application. The purpose of this request is to allow the Austin Teachers Federal Credit Union to expand their office facilities. The Austin Public Schools' service office exists to the south, the Reilly Elementary School is located at the southeast corner of the Guadalupe Street and Denson Drive intersection, and the Texas Department of Public Safety complex is to the west. Single-family homes, zoned "A" Residence, are located on the remaining lots in this block, as well as to the north and east of the site. The Guadalupe Street and Denson Drive intersection has non-single family uses on three of its four corners. The staff recommends that this application be granted, subject to a short form subdivision combining the two lots. Additional right-of-way is not required.

#### TESTIMONY

#### WRITTEN COMMENT

Pearl M. Acers: 2800 West 35th Street	FOR
Mrs. Dora Mae Wilcox	FOR
Arthur Pihlgren: 109 West 5th Street	FOR
Mrs. Bobby C. Denton: 615 Hammack Drive	NO OPINION
Elmer Haile: 605 Wilmes Drive	AGAINST

#### PERSONS APPEARING AT HEARING

Arthur Amundson (representing applicant)	
Joe R. Stepan: 3002 White Rock Drive	FOR
Lillian Branner: 1405 West 39 1/2 Street	FOR
Calvin Jayroe (representing applicant)	

#### SUMMARY OF TESTIMONY

Mr. Arthur Amundson represented the applicant. He stated a canvass had been made of the neighborhood, and a majority of the property-owners residing in the neighborhood approved of this change of zoning. He also noted that several of the houses in the area are rental units. The recent development of the Highland Mall and other new stores in this section of the City has resulted in a heavy increase in vehicular traffic on this street. He estimated the increase to be approximately forty per cent. The credit union has grown thirty-three per cent in the past twelve months. This expansion is greatly needed, and the additional parking provided will be beneficial for the customers and the area. This location is ideal for this quiet, day-time use as an office, and the neighbors do not object to an expansion.

Mr. Calvin Jayroe, attorney, also represented the applicant. He reviewed the original zoning case, which was recommended against by the Planning

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

Commission, but passed by the City Council. He displayed photographs of office and commercial development in this area, and stated that Denson Drive is a five-block street between Lamar Boulevard and Airport Boulevard, with both major streets being heavily developed with commercial uses. He displayed a map of the adjoining areas and stated that this area is surrounded by apartment and commercial development. Rather than an intrusion, this request is compatible with this changing area and will benefit the neighborhood by serving as a buffer to the residential use.

Mr. Joe Stephan, Treasurer of the Credit Union, stated that this use has not changed the character of the neighborhood. With the additional property, improvements will be made to the building and landscaped parking will be provided. No sign is used to advertise this office.

No one appeared in opposition to this request.

#### COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that as the present use is not undesirable, it is doubtful that the property owners in this area realize the implications of this zoning, which could allow apartment use. This request would set a precedent for more intense use for this neighborhood, greatly increasing traffic on inadequate streets. The past growth of the Credit Union would indicate that new facilities should be planned for future growth, suggesting an office building in a suitable area. The Committee members discussed the major streets surrounding this area, and the recent development of Highland Mall. They concluded that an area study is in order, as this area may be in transition. This area study is to cover the area existing within the boundaries of Denson Drive, Airport Boulevard and North Lamar Boulevard. They directed the staff to complete this area study within the next thirty days and postponed this case for that period.

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

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 POSTPONED for thirty days.

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

ABSENT: Mr. Anderson

C14-71-006      H. Morris Stevens and Jean Schieffer: A to B  
 4002-4032 Airport Boulevard

STAFF REPORT: The staff reported that this application had been before the Commission earlier this year, and that both the staff and the Commission had recommended to approve the applicant's request for "B" Residence zoning. However, the Council, after tabling the request for a short time, has referred the application back to the Commission for new hearings. This request is for the purpose of developing an apartment group on 2.79 acres of land. Single-family homes are located west of the tract, Robert Mueller Airport is located across Airport Boulevard, and Patterson Park and a church are located across Schieffer Avenue. A special permit has been approved for an apartment dwelling group on this site. The staff recommends that this request be granted, as an apartment development would be a desirable buffer between single-family development and a major thoroughfare. The Committee should consider requiring screening along the south and west property lines.

#### TESTIMONY

#### WRITTEN COMMENT

Petition with 30 signatures	AGAINST
R. F. and Thelma East: 1814 East 40th Street	AGAINST
Wilford Wallin: 4009 Vineland Drive	AGAINST
Mrs. Bettye Baldwin: 4005 Vineland Drive	FOR
Theodore Zahn: 3906 Vineland Drive	AGAINST
John C. Brydson: 1308 Ardenwood Road	FOR
H. M. Stevens: 3901 Brookview Road	FOR
H. E. Meadows: 4013 Brookview Road	FOR
Dan E. Emmons: 4015 Brookview Road	FOR
Felton F. Kelly: 4011 Vineland Drive	FOR
S. E. Pleasants	FOR

#### PERSONS APPEARING AT HEARING

Mr. & Mrs. Charles Jones (for C. E. Swenson)	
4014 Vineland Drive	AGAINST
Mr. & Mrs. Jack L. Whitehead: 4017 Vineland Drive	AGAINST
Mrs. E. W. Guinn: 1815 East 40th Street	AGAINST
Charles B. Galloway: 4015 Vineland Drive	AGAINST
Mr. & Mrs. Ross McIlroy: 3911 Grayson Lane	AGAINST
Olan L. Miller: 4001 Vineland Drive	AGAINST
Hubert Rossy (representing applicant)	
Mr. & Mrs. Raymond S. Joseph: 1816 East 40th St.	AGAINST
John Borth: 4008 Vineland Drive	AGAINST
Bob J. Bailey: 4400 North Lamar	FOR

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C14-71-006 H. Morris Stevens and Jean Schieffer--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Hubert Rossy represented the applicants. He stated that the heavy traffic on Airport Boulevard makes this tract unusable for single-family development, and that the density of this tract will be limited to eighty units, with only three curb cuts on Airport Boulevard and no access to Shieffer Avenue. This development will increase the value of the property in the area and would be the best utilization of the tract.

Mr. Bob Bailey, the proposed developer, pointed out that this application was previously recommended by the Commission, and that the proposed development would serve as a buffer for the single-family homes from the heavily traveled Airport Boulevard. A meeting was held with the area residents to discuss this development and the meeting resulted in a decrease in the number of units and a provision for more parking spaces. The applicants have also offered to deed the drainage easement to the adjoining property owners. Mr. Bailey submitted eight letters to the Committee that were received from property owners in the area that expressed approval of the proposed development.

Arguments Presented AGAINST:

Five residents of this area spoke in opposition to this request, and their comments are as follows: (1) The letters of approval obtained by Mr. Bailey were not from property owners located within 300 feet of this tract, as all but five of these owners have signed a petition objecting to this proposal. (2) The residents of the area feel that a buffer is not needed, as Airport Boulevard has heavy traffic only during the peak traffic hours and that the development will lower the value of this area as a single-family residential neighborhood. (3) The streets in the area are designed only to serve single-family development and traffic generated from apartment development would present a hazard to resident drivers and would particularly endanger school children walking and bicycling in the neighborhood. (4) This development would also create on-street parking, disturbing noise and litter in the area. (5) The City Council suggested that other uses be found for this property, such as an extension of the park, a City library, etc., and these possibilities have not been considered. (6) The residents feel that the deceased Mr. Schieffer made a commitment to them that this entire area would be restricted to single-family homes. (7) High-density development adjacent to an airport is not safe. The residents of this neighborhood summarized by stating that they wish to maintain and protect their homes from intrusion of an apartment development.

Arguments Presented in REBUTTAL:

Mr. Bailey stated that this property is not in the flight pattern of the airport, but lies parallel to the runway, and the proposed development meets with the approval of the City. The quality of these apartments is such

C14-71-006      H. Morris Stevens and Jean Schieffer--contd.

that the tenants will be young working adults, rather than students, and occupancy restrictions will be enforced. The developer has received no recommendations from the residents for guidance.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that if the original intent in development of this tract was for single-family homes, it would have been subdivided into single-family lots. The tract is not suitable for single-family homes, due to the heavy traffic on Airport Boulevard.

Mr. Goodman stated that "BB" Residence zoning would be more suitable for this tract, or that consideration should be given to other uses, such as a restricted "O" Office use.

The Committee reviewed the information and a majority concluded that this request should be granted as proper use for the site, subject to a six-foot privacy fence where adjoining residential property; access to the tract limited to Airport Boulevard only, with three curb cuts; density restricted to 80 units; and the approval of a new special permit.

AYE:            Messrs. Chamberlain, Becker and Reeves

NAY:            Messrs. Taniguchi and Goodman

The Commission members reviewed the information and

VOTED:        To recommend that the request of H. Morris Stevens and Mrs. Jean Schieffer for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4002-4032 Airport Boulevard be GRANTED, subject to a six-foot privacy fence where adjoining residential property; access to the tract from Airport Boulevard only, with three curb cuts; density restricted to eighty units; and the approval of a new special permit.

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

NAY:            Messrs. Taniguchi, Milstead and Goodman

ABSENT:        Mr. Anderson

C14-71-197      H. M. McWright, Sr.: A to O  
1501-1507 Morgan Lane

STAFF REPORT: This one-acre tract of land is proposed for office use. Single-family homes are the predominant use in this neighborhood and "A" Residence zoning is established along Morgan Lane and Clawson Road. "GR" General Retail zoning abuts this property on the south and "GR" General Retail and "C" Commercial zoning exist along Fortview Road and Ben White Boulevard. Earlier this year, a request for "BB" Residence zoning directly across the street from this site was denied. This area is not in transition and the staff recommends that this request be denied, as an intrusion into a single-family area.

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C14-71-197 H. M. McWright, Sr.---contd.

## TESTIMONY

## WRITTEN COMMENT

W. Scott Garrison: 2604 Geraghty Avenue FOR  
Willaim Joe Gage: 4505 Pack Saddle Pass FOR  
Buford Stewart: 1209 South Lamar Boulevard FOR  
Truman H. Montandon: 2412 North Interregional Hwy FOR  
Robert D. Jones: 805 Capital National Bank Bldg. FOR

## PERSONS APPEARING AT HEARING

H. M. McWright: FOR  
Edward B. Reeves NO OPINION

## SUMMARY OF TESTIMONY

Mr. H. M. McWright stated that he has lived in this neighborhood for many years, and it has changed over the years. It is now primarily rental property and an undesirable place to live. The property is on the market and the prospective purchaser wishes to develop offices on the site.

Mr. Edward B. Reeves stated that he is neither for nor against this request, but his application for apartment zoning on a tract across the street from this site was denied during the past year and he requested that the Committee be consistent in their recommendation. He pointed out a commercial use, a plant nursery, which is being operated two blocks east of the tract under consideration.

The staff reported that a plant nursery use in an "A" Residence district is illegal and the staff will report the illegal use to the Building Inspection Department.

## 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 a residential neighborhood.

AYE: Messrs. Taniguchi, Goodman, Becker and Reeves  
NAY: Mr. Chamberlain

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of H. M. McWright, Sr. for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1501-1507 Morgan Lane be DENIED.

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

C14-71-198      Austin Texas Congregation of Jehovah's Witnesses: A to O  
5611 Clay Avenue

STAFF REPORT: Office use is proposed for this 14,500 square feet of land. Several lots to the south and across Clay Avenue are zoned "C" Commercial and are developed with a lumberyard, builder's office and bed company. However, commercial zoning does not extend into the single-family residential portion of this neighborhood. There is a recent history, one block to the west on Adams Avenue, where "O" Office zoning was granted. The staff and Planning Commission recommended against that case, as well as, the case three lots to the north of the subject site which was denied. The staff recommends that this request be denied.

#### TESTIMONY

#### WRITTEN COMMENT

H. R. Brown: 5606 Jeff Davis  
Rollie Siler: 5612 Jeff Davis

FOR  
FOR

#### PERSONS APPEARING AT HEARING

Roy Oatman (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. Roy Oatman represented the applicants. The lot is improved with a small structure used as a church, that has a seating capacity of 85 and has a parking lot on the rear of the tract. The congregation has out grown the church building and the property is for sale. Since the structure is unsuitable as a single-family home, the best use of the building would be for an office. The tract is near the commercial use of a lumberyard to the west, and is in a changing neighborhood of small older homes. "BB" Residence zoning is also encroaching from the west and streets in this area are congested.

No one appeared in opposition to this request.

#### COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that a church should not be allowed to locate indiscriminately in a residential neighborhood.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Austin Texas Congregation of Jehovah's Witnesses for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 5611 Clay Avenue be DENIED.

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

ABSENT: Mr. Anderson



CL4-71-199      Howard Brunson: A to C  
6613-6701 Airport Boulevard

STAFF REPORT: A paved entrance and parking area for a small shopping center is proposed for this .28 acre tract of land. The Fox Theater is to the immediate north, and a single-family residential neighborhood, zoned "A" Residence, is established to the rear and east of this site. Airport Boulevard, at this location has 120 to 138 feet of right-of-way. The entire site is within a drainage easement. The staff recommendation is to extend the south lot line of Lot 4 to Airport Boulevard and zone the area south of this line "C" Commercial and the area north "B" Residence zoning.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Howard Brunson (applicant)

SUMMARY OF TESTIMONY

Mr. Howard Brunson stated that a specialty shopping center, ancillary to the Highland Mall, is being constructed on the adjacent site. Since the pavement on Airport Boulevard will be widened in the future to allow for a left-hand turn lane at the Huntland Drive intersection, the City had requested the developer to relocate the driveways further north. Zoning of the entire tract is requested in order that this may be accomplished. In addition, the developer is installing an expensive culvert to handle the drainage for this area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves pointed out that "B" Residence zoning would allow access and parking, and that the applicant cannot build on the area which is a drainage easement. "B" Residence zoning would provide a buffer for the residential development from the commercial development. The tract abutting Airport Boulevard would be consistent as "C" Commercial zoning. The Committee concluded that this request should be denied, but recommend the granting of "B" Residence on the northern portion where abutting residential use, and "C" Commercial on the southern portion of the tract, subject to six-foot privacy fencing where adjoining residential property.

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

C14-71-199      Howard Brunson--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Howard Brunson for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 6613-6701 Airport Boulevard be DENIED, but recommend that "B" Residence, First Height and Area on the northern portion of the tract and "C" Commercial, First Height and Area on the southern portion of the tract be GRANTED, subject to six-foot privacy fencing where adjoining residential property.

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

ABSENT: Mr. Anderson

C14-71-200      Johnny Anderson: A to O  
5609 Montview Street

STAFF REPORT: The purpose of this application is to develop an office building on 12,264 square feet of land along Montview Street. Single-family residences are developed along Montview Street and other streets in this neighborhood. A bank, shopping center, service station, and real estate office are established on Northland Drive. Commercial zoning and uses are located along Burnet Road. In 1970, the lot at the southwest corner of Northland Drive and Montview Street was granted "O" Office. In 1968, three lots were granted "B" Residence on a site one lot to the south of the subject property. Further to the south an additional lot was approved as "B" Residence in 1970. The last two zoning changes were to permit driveway access for the Savings and Loan Institution and Credit Union facing Burnet Road. The staff was not in favor of these changes. This month the City Council denied a request for "B" Residence zoning on the property immediately south of the subject property. The staff recommends that this request be denied in conformance with recent City Council action.

## TESTIMONY

## WRITTEN COMMENT

Two nearby property owners

AGAINST

## PERSONS APPEARING AT HEARING

None

## SUMMARY OF TESTIMONY

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

## COMMENTS AND ACTION BY THE COMMITTEE

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

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

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C14-71-200 Johnny Anderson--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Johnny Anderson for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 5609 Montview Street be DENIED.

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

ABSENT: Mr. Anderson

C14-71-201 John Luke: Int. A, Int. 1st to B, 1st  
3012-3102 Rogge Lane

STAFF REPORT: Apartments are proposed for this two acre tract of land surrounded by single-family and duplex dwellings, which are zoned Interim "A" Residence. Pecan Springs School is located at the intersection of Reicher Drive and Rogge Lane. A nursery and churches are located to the east. This area is not in transition, and the staff recommends that this request be denied, as an intrusion and encroachment into an "A" Residence area.

#### TESTIMONY

#### WRITTEN COMMENT

John A. Miller: 5710 Reicher Drive	AGAINST
Mr. & Mrs. Edward A. Rogge: 3109 Rogge Lane	AGAINST
Mr. & Mrs. John M. Wilson: 3102 Rexford Drive	AGAINST
Rex Mason: 4700 Reicher Drive	AGAINST
Wilfred E. Thiel: 3014 Rexford Drive	AGAINST
Henry C. Schoeneck: 3205 Rogge Lane	AGAINST
William Dudley Miller: 5611 Gloucester Lane	AGAINST
John E. Shaw: 3100 Rexford Drive	AGAINST
Richard Kramer: 3203 Rogge Lane	AGAINST

#### PERSONS APPEARING AT HEARING

Harold Ingersoll (representing applicant)	
Mr. & Mrs. Edward A. Rogge: 3109 Rogge Lane	AGAINST
Mr. & Mrs. J. A. Miller: 5710 Reicher Drive	AGAINST
Mr. & Mrs. Roy Bell: 3101 Rogge Lane	AGAINST
Mr. John E. Shaw: 3100 Rexford Drive	AGAINST
William Dudley Miller: 5611 Gloucester Lane	AGAINST
Richard Kramer: 3203 Rogge Lane	AGAINST

#### SUMMARY OF TESTIMONY

#### Arguments Presented FOR:

Mr. Harold Ingersoll represented the applicant. Two dilapidated houses

C14-71-201 John Luke--contd.

are on this tract, with the remainder of the area not being maintained and is grown up in weeds. The tract needs to be utilized, and considering the value of the land and the necessity of financing obligations, apartment development is the only economically feasible method of developing this tract. Approximately thirty apartment units and the required parking spaces are planned for this two-acre tract of land. The proposed development would greatly improve the area.

#### Arguments Presented AGAINST:

Two residents of the area spoke in opposition to this request. They stated that two schools, two churches, and a day care center exist within one block of this tract, and the residents feel that an apartment complex will add to the already heavy traffic in the area, and will create a very real hazard for the many children using these facilities. This is a stable single-family neighborhood, and the introduction of an apartment complex would be an intrusion. The residents do not object to duplex development, if adequate parking is provided.

#### Arguments Presented in REBUTTAL:

Mr. Ingersoll stated that many duplexes are developed in this area; however, it is not practical from an economical standpoint to develop the subject tract with duplexes. This tract should be cleaned and utilized.

#### COMMENTS AND ACTION BY THE COMMITTEE

The Committee members reviewed the information and were of the opinion that an apartment complex would be an intrusion into this neighborhood; however, the tract should be developed other than as separate residential lots. A Planned Unit Development might be a possible solution. The members concluded that this request should be denied, and strongly recommend a Planned Unit development for this tract.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John Luke for a change of zoning from Interim "A" Residence, Interim First Height and Area to "B" Residence, First Height and Area for property located at 3012-3102 Rogge Lane be DENIED, and recommend that the applicant consider a Planned Unit Development for the tract.

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

ABSENT: Mr. Anderson

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C14-71-202 Fred A. Grant: B to GR  
1503 Trinity Street

STAFF REPORT: A restaurant is proposed for this 3,250 square foot site. "B" Residence, "O" Office and "C" Commercial zoning predominate this area. There is a tavern, stereo sales, cafe, garage, and other commercial uses located on San Jacinto Street one block to the west. Single-family homes are also developed throughout this area. This site is within the Brackenridge Urban Renewal Project. The staff recommends disapproval of any land use that conflicts with the adopted land use plan of this urban renewal project. This area is also part of the proposed Crosstown Expressway system. The staff recommends that the request be denied. The requirements of the Urban Renewal Plan will govern the use of this property regardless of the zoning.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

Fred A. Grant (applicant)

## SUMMARY OF TESTIMONY

Mr. Fred Grant stated that this residence had been rented, but tenants caused such deterioration that it has been standing vacant for quite some time. He wishes to remodel the structure for a business, such as a restaurant. The Urban Renewal Agency has offered to purchase this property for \$15,000, which the applicant feels is too low, as the house is only ten years old and is in good condition. He feels that this property should be utilized.

No one appeared in opposition to this request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee members noted that this lot is substandard and would be most difficult to develop, due to setback and parking requirements. Mr. Chamberlain stated that the purchase price offered for this property by Urban Renewal is fair. The members concluded that this request should be denied, as conflicting with the Urban Renewal Project for the City.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Fred A. Grant for a change of zoning from "B" Residence, Second Height and Area to "GR" General Retail, Second Height and Area for property located at 1503 Trinity Street be DENIED.

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

ABSENT: Mr. Anderson

C14-71-203 Harry Crutcher III for C. Family Trust: A, 1st to GR, 2nd  
8700-8724 Balcones Drive

STAFF REPORT: This application is for a retail and office complex on 2.77 acres of land along Balcones Drive where "O" Office and "GR" General Retail zonings are established. A single-family residential neighborhood exists to the immediate west of this site. An apartment dwelling group is proposed to the north across Tallwood Drive on the western portion of a large commercial tract. A restaurant is located across Balcones Drive to the southeast. Apartments and a drive-in grocery are established to the north. MoPac Boulevard is scheduled to take approximately one-half of this property. The staff recommends that this request be denied, but that "O" Office be granted on the west 30 feet of the tract and that "GR" General Retail be granted on the balance of the tract, subject to a building setback line 25 feet west of the proposed MoPac right-of-way line.

#### TESTIMONY

##### WRITTEN COMMENT

None

##### PERSONS APPEARING AT HEARING

Hardy Hollers (representing applicant)  
Melvin Wall

NO OPINION

#### SUMMARY OF TESTIMONY

Mr. Hardy Hollers represented the applicant; he concurred with the staff recommendation.

Mr. Melvin Wall, a nearby resident, expressed concern upon the granting of Second Height and Area for this tract, as all other adjacent tracts are First Height and Area. Further, the "O" Office buffer zone should have a building setback requirement if it is to be functional as a buffer.

Mr. Hollers stated that Second Height and Area is requested for latitude in developing this property, in view of the unknown right-of-way to be taken for MoPac Boulevard.

#### COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that Second Height and Area on this tract would not be in conformance with the area. The Committee reviewed the information and concluded that this request should be denied, but recommend the granting of "O" Office, First Height and Area on the west thirty feet of the tract and "GR" General Retail, First Height and Area on the balance of the tract, as consistent with development in this area. This recommendation is subject to a twenty-five foot building setback from the proposed right-of-way line for MoPac Boulevard.

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

C14-71-203 Harry Crutcher III for C. Family Trust--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the C. Family Trust for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, Second Height and Area for property located at 8700-8724 Balcones Drive be DENIED, but recommend that "O" Office, First Height and Area be GRANTED on the west thirty feet of the tract, and that "GR" General Retail, First Height and Area be GRANTED on the remainder of the tract, subject to a twenty-five foot building setback from the proposed right-of-way line of MoPac Boulevard.

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

ABSENT: Mr. Anderson

C14-71-204 L. D. England et al: A to C  
917-1015 Anderson Lane  
7813-7817 Watson Street

STAFF REPORT: A ceramic shop is planned for this 2.32 acre tract of land fronting on Anderson Lane near the Lamar Boulevard intersection. Single-family residences predominate the area to the south and west. A large shopping center is developed to the north across Anderson Lane. The frontage property between Anderson Square and Lamar Boulevard is in transition to commercial use. The staff recommends that this request be granted, subject to fifteen feet of right-of-way on Anderson Lane and five feet of right-of-way on Watson Street.

## TESTIMONY

## WRITTEN COMMENT

Edwin G. Becker: 1105 Anderson Lane	FOR
Mrs. Opal Moore: 1010 Stobaugh	FOR
Earl Rogers: 1001 Stobaugh	FOR
Mr. & Mrs. Roy Corbin: 1111 Anderson Lane	FOR
Willie A. Janecka: 917 Stobaugh	AGAINST

## PERSONS APPEARING AT HEARING

E. H. Smartt (representing applicants)  
L. D. England (applicant)  
Mr. & Mrs. Lonnie A. Weber: 1009 Anderson Lane FOR

## SUMMARY OF TESTIMONY

Mr. E. H. Smartt represented the applicants. He noted the existing zoning and street pattern in the area. This is a changing area and this zoning change request is in keeping with the area. While "C" Commercial zoning predominates the area, "GR" General Retail zoning would be acceptable. The right-of-way requirements are acceptable.

C14-71-204      L. D. England et al--contd.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that "GR" General Retail zoning would be more desirable for this tract and would allow adequate development of the site. The Committee reviewed the information and concluded that this request should be denied, but recommend that "GR" General Retail zoning be granted, subject to fifteen feet of right-of-way on Anderson Lane and five feet of right-of-way on Watson Street.

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

The Commission concurred with the Committee recommendation and

VOTED:        To recommend that the request of L. D. England, et al, for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 917-1015 Anderson Lane and 7813-7817 Watson Street be DENIED, but recommend that "GR" General Retail, First Height and Area be GRANTED, subject to fifteen feet of right-of-way on Anderson Lane and five feet of right-of-way on Watson Street.

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

ABSENT:        Mr. Anderson

C14-71-205      B. W. Reinke, et ux: A, 1st to GR, 5th  
1300-1314 East Live Oak Street  
2134-2440 South Interstate Highway 35

STAFF REPORT: A motel is planned for this 3.66 acre tract of land at the intersection of Interstate Highway 35 and East Live Oak Street. An insurance office and a large apartment project have been developed to the north of this property. A day care center, church, and service station are across East Live Oak Street. Several single-family homes exist to the west. Travis High School is one block to the south. "LR" Local Retail and "GR" General Retail zonings are established along Interstate Highway 35. The staff recommends that this request be granted, as consistent with existing zoning and development along Interstate Highway 35.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

E. H. Smartt (representing applicants)



C14-71-205      B. W. Reinke, et ux--contd.

SUMMARY OF TESTIMONY

Mr. E. H. Smartt represented the applicants. He stated that a national concern plans to develop a motor hotel on this tract, which is ideally suited for this use.

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 proper use along Interstate Highway 35.

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

The Commission concurred with the Committee recommendation and

VOTED:      To recommend that the request of B. W. Reinke, et ux, for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, Fifth Height and Area for property located at 1300-1314 East Live Oak Street and 2134-2440 South Interstate Highway 35 be GRANTED.

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

ABSENT:     Mr. Anderson

C14-71-206      Charles Anderson, Jr.: A, 1st to LR, 2nd  
1007 East 16th Street

STAFF REPORT: An apartment dwelling group is planned for this 8,901 square foot tract of land located in east Austin. Single-family residences exist throughout the area. A monument manufacturing company, which is a non-conforming use, exists two lots to the east. Oakwood Cemetery is also to the east. Several apartment sites and other non-conforming uses exist throughout this area. "BB" Residence zoning has been established on the two lots west of this property and is being developed with apartments. "GR" General Retail zoning was granted in 1970, one block to the south. This property is within the proposed right-of-way for the Crosstown Expressway. The staff recommendation is to deny this request and to grant "BB" Residence, First Height and Area, as it would be consistent with the existing zoning in the area.

TESTIMONY

WRITTEN COMMENT

Anna Stasswender: 811 East 16th Street  
Nearby property owner

AGAINST  
FOR

C14-71-206 Charles Anderson, Jr.--contd.

PERSONS APPEARING AT HEARING

Jiles Jackson (representing applicant)

SUMMARY OF TESTIMONY

Mr. Jiles Jackson, representing the applicant, stated that the use map as displayed was in error. Several tracts to the east on 16th Street have "GR" General Retail zoning and "LR" Local Retail zoning. Mr. Goodman concurred with this statement.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

At the request of the staff, the Committee referred this request to the Planning Commission, and requested the staff to obtain clarification of zoning in the area.

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

At the Commission meeting, the staff reported that the two lots east of this tract are zoned "LR" Local Retail, First Height and Area and the two lots west of the tract are zoned "BB" Residence, First Height and Area. A monument company, which is a non-conforming use, is also located to the east of the tract.

The members reviewed the information and were of the opinion that "LR" Local Retail, First Height and Area would be suitable zoning for this tract. The Commission then

VOTED: To recommend that the request of Charles Anderson, Jr. for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, Second Height and Area for property located at 1007 East 16th Street be DENIED, but recommend that "LR" Local Retail, First Height and Area be GRANTED.

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

ABSENT: Mr. Anderson

C14-71-207 Humble Oil and Refining Company: C, 6th to C, 2nd  
7138 U. S. Highway 290

STAFF REPORT: This application is for a change in the height and area district to allow a service station sign over 35 feet in height to be erected on 1,500 square feet of land. "C" Commercial zoning exists in this area. There is a mobile home park north of this property and several service stations exist along U. S. Highway 290 near this point. A special permit was recently approved for a large apartment dwelling group immediately across U. S. Highway 290, that is zoned "GR" General Retail and "B" Residence. The staff recommends that this request be granted, as consistent with surrounding land uses.

C14-71-207 Humble Oil and Refining Company--contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

S. P. Holmes (representing applicants)

SUMMARY OF TESTIMONY

Mr. S. P. Holmes, represented the applicants, concurring with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as consistent with existing land use.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Humble Oil and Refining Company for a change of zoning from "C" Commercial, Sixth Height and Area to "C" Commercial, Second Height and Area for property located at 7138 U.S. Highway 290 be GRANTED, for the area of the sign only.

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

ABSENT: Mr. Anderson

C14-71-208 Humble Oil and Refining Company: C, 2nd to C, 3rd  
1104 Interstate Highway 35

STAFF REPORT: This application is for a change in the height and area district to allow a service station sign to be erected over 60 feet in height on 1,500 square feet of land. A telephone company maintenance shop, service station, printing company and a retail/wholesale business exist within this block. Commercial zoning is established on both sides of Interstate Highway 35 in this area. The staff recommends that this request be granted, as it would be consistent with the existing zoning in the area.

TESTIMONY

WRITTEN COMMENT

Von Boeckmann, Jones Company

FOR

C14-71-208      Humble Oil and Refining Company--contd.

PERSONS APPEARING AT HEARING

S. P. Holmes (representing applicants)

SUMMARY OF TESTIMONY

Mr. S. P. Holmes represented the applicants. He stated that height of signs for filling station facilities is based on visibility studies and roadway and traffic flow statistics. Proper visibility enables motorists to change lanes well in advance of the proper exit, reducing the number of potential traffic hazards.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that this sign would be too high, and it would block the view of the Capitol building and the downtown complex. Mr. Becker stated that service station signs should be highly visible to motorists for safety. The Committee reviewed the information and a majority concluded that this request should be granted as a proper use along Interstate Highway 35.

AYE:        Messrs. Chamberlain, Becker and Reeves

NAY:        Messrs. Taniguchi and Goodman

At the Commission meeting, Mr. Goodman stated that the proposed eighty-foot sign would mar the downtown landscape and should not be granted solely for the economic gain in the operation of this service station, as it will set an undesirable precedent. Mr. Reeves stated that studies are made by the oil companies for the best location and visibility of these signs, with consideration for traffic safety. The Commission then

VOTED:      To recommend that the request of the Humble Oil and Refining Company for a change of zoning from "C" Commercial, Second Height and Area to "C" Commercial, Third Height and Area for property located at 1104 Interstate Highway 35, for the area of the sign only, be DENIED.

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

NAY:        Messrs. Kinser and Becker

ABSENT:     Mr. Anderson

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C14-71-209      Humble Oil and Refining Company: C, 6th to C, 2nd  
9401 North Interstate Highway 35

STAFF REPORT: This application is for a change in the height and area district to allow a service station sign to be erected over 35 feet in height on 1,500 square feet of land. A grocery and laundry are located immediately to the north. "GR" General Retail and "C" Commercial zonings exist along Interstate Highway 35 in this area. The staff recommends that this request be granted, as it would be consistent with existing zoning in the area.

#### TESTIMONY

#### WRITTEN COMMENT

None

#### PERSONS APPEARING AT HEARING

S. P. Holmes (representing applicants)

#### SUMMARY OF TESTIMONY

Mr. S. P. Holmes, representing the applicants, concurred with the staff report.

No one appeared in opposition to this request.

#### COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED:      To recommend that the request of the Humble Oil and Refining Company for a change of zoning from "C" Commercial, Sixth Height Area to "C" Commercial, Second Height and Area for property located at 9401 North Interstate Highway 35 be GRANTED, for the area of the sign only.

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

ABSENT:    Mr. Anderson

C14-71-210      Mrs. Justin H. Beddow: A to GR  
7813-7819 Hardy Drive  
1907-1911 Anderson Lane

STAFF REPORT: Retail businesses are proposed for this site containing 30,450 square feet of land in north Austin. Single-family housing is the predominant land use in the neighborhood south of Anderson Lane. Commercial uses, zoned "GR" General Retail and "C" Commercial, have been established along Anderson Lane. A service station and personal service shops are located to the east and across Anderson Lane exist a pharmacy and service station. West on Anderson Lane are two recent cases pending "GR" General Retail zoning. A short form subdivision, combining the four lots into one tract and dedicating the necessary right-of-way, has been recorded. The staff recommends that this request be granted, as it would be consistent with surrounding zoning.

#### TESTIMONY

#### WRITTEN COMMENT

W. B. Houston: 504 West 7th Street

FOR

#### PERSONS APPEARING AT HEARING

Kenneth Carr (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. Kenneth Carr, represented the applicant, and stated that all requirements, including the required right-of-way, have been met.

No one appeared in opposition to this request.

#### COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the Commission should adopt a policy setting the depth of commercial development to be allowed along Anderson Lane. He recommended that the staff prepare such a study and present it to the Committee at a later date.

The Committee reviewed the information and concluded that this request should be granted, as a proper zoning district for this tract.

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

The Commission concurred with the Committee recommendation and

VOTED:        To recommend that the request of Mrs. Justin H. Beddow for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 7813-7819 Hardy Drive and 1907-1911 Anderson Lane be GRANTED.

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

ABSENT:       Mr. Anderson

C14-71-211      Harold Brumly: A to B  
1106 East 32nd Street

STAFF REPORT: Apartment units are proposed for this 14,238 square foot tract of land in east Austin. An existing apartment complex is located between this site and Interstate Highway 35 on a tract of land zoned "B" Residence. An office, which is a non-conforming use, is on the immediate east. Single-family homes zoned "A" Residence are established to the east of this area. The staff recommends this request be denied, as it would be an intrusion into a residential neighborhood.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Al Bauerle (representing applicant)

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Al Bauerle represented the applicant, who also owns the apartment development adjacent to this tract. Mr. Bauerle said he plans to develop twelve one-bedroom apartments on this tract. He pointed out the existence of an office on the tract to the east, an apartment development on the tract to the west, and a commercial zoning on the tract across the street.

The staff pointed out that the office use adjacent to the east boundary of the tract is a non-conforming use and it will be reported to the Building Inspection Office.

Arguments Presented AGAINST:

A resident of this area stated that the property across the street is used as residential property, not as commercial. The existing apartment development has provision for only twelve parking spaces and the lack of adequate parking has resulted in an on-street parking congestion in the area. The residents do not object to apartments, but they feel even more on-street parking will be created if this zoning request is approved. In addition, East 32nd Street is a fifty-foot street, which has very heavy traffic at this time and cannot adequately handle more traffic.

Arguments Presented in REBUTTAL:

Mr. Bauerle stated that the requested zoning is an extension of existing zoning and will serve as a buffer from Interstate Highway 35 for the development to the east.

C14-71-211      Harold Brumly--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The members discussed this request at length, and felt that additional apartment development would compound the congestion in the area. While this is a proper use for this tract, the size and shape of the tract will pose problems in development. Mr. Reeves stated that this request cannot be denied from a zoning standpoint. A majority of the Committee concluded that this request should be denied due to existing parking problems in the immediate area.

AYE:        Messrs. Taniguchi, Goodman, Chamberlain and Becker  
NAY:        Mr. Reeves

At the Commission meeting, Mr. Goodman stated that he had inspected this site during the evening hours and had counted twenty-six cars parked on the grass or the street at this location. The Commission then

VOTED:     To recommend that the request of Harold Brumly for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1106 East 32nd Street be DENIED.

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

C14-71-212      Dr. Harlan Burns: A to GR  
                 2208 Anderson Lane  
                 7901-7903 Brockman Street

STAFF REPORT: A restaurant is proposed for this 7,000 square foot tract of land in north Austin. In this area "GR" General Retail is the predominant zoning along Anderson Lane. A non-conforming office use is located on the lot adjacent to the eastern boundary of this tract. Other uses along Anderson Lane and close to this tract include a car wash, a saddle shop, a restaurant and a large shopping center. The staff recommends that this request be granted, subject to five feet of right-of-way on Anderson Lane and five feet of right-of-way on Brockman Street.

## TESTIMONY

## WRITTEN COMMENT

Daniel E. Lambert: 7904 Brockman

FOR

## PERSONS APPEARING AT HEARING

None



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C14-71-212 Dr. Harlan Burns--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 conforming with existing zoning in the area, subject to five feet of right-of-way on Anderson Lane and five feet of right-of-way on Brockman Street.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Dr. Harlan Burns for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2208 Anderson Lane and 7901-7903 Brockman Street be GRANTED, subject to five feet of right-of-way on Anderson Lane and five feet of right-of-way on Brockman Street.

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

ABSENT: Mr. Anderson

C14-71-213 San Jose Church: A to O  
2408-2418 Oak Crest Avenue

STAFF REPORT: This application is to allow the church to use an existing building for a community center on a 0.67 acre tract of land in south Austin. The community center will be a part of a church complex that will include this site and the three larger adjacent tracts. The site has legal frontage on South 4th Street, but a privately-owned paved street, which connects Juanita Street and Oak Crest Avenue, is being used for access to the tract. Single-family residential homes are the predominant land use in the area. Some commercial and apartment zoning exist in the area, especially along South 5th and Oltorf Streets. The staff recommends that this request be denied, as "O" Office zoning would be an intrusion into a single-family residential neighborhood.

## TESTIMONY

## WRITTEN COMMENT

San Jose Church: Reverend John Haley (applicant)

## PERSONS APPEARING AT HEARING

Reverend John Haley (representing applicants)

C14-71-213 Reverend John Haley--contd.

## SUMMARY OF TESTIMONY

Reverend John Haley represented the applicants. The church is establishing a community center in this building, which will have an office for placement of residents of the community for employment. This service is strictly to serve the people of the area and will benefit the City as a whole. While Oak Crest Avenue is not dedicated, it is a paved, open street for the use of the community. Access is also available from Fourth Street on either side of the tract.

Mr. John Selman suggested that this zoning be granted with a letter of covenant, wherein the property will revert to its original zoning if this use is discontinued; this action has been taken previously under comparable circumstances.

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 granted, subject to a restrictive covenant for this use.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker

ABSENT: Mr. Reeves

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Reverend John Haley for the St. Jose Church for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2408-2418 Oak Crest Avenue be GRANTED, subject to a restrictive covenant for this use, to revert to the original zoning if this use is discontinued.

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

ABSENT: Mr. Anderson

C14-71-214 Cal Marshall: BB to A  
1115A-1137A Gardner Road

STAFF REPORT: Rollback zoning is requested on this 5.2 acre tract of land located south of Johnston High School. Single-family and duplex structures are established across Gardner Road to the west. A laundry service, apartments, and salvage yard are to the southeast at the intersection of Bolm Road and Gardner Road. The staff recommends that this rollback to "A" Residence be granted, due to the proximity of a school and the other single-family residences in the area.

C14-71-214      Cal Marshall--contd.

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 conforming with the existing zoning in the area.

AYE:        Messrs. Taniguchi, Goodman, Chamberlain and Becker

ABSENT:    Mr. Reeves

The Commission concurred with the Committee recommendation and

VOTED:     To recommend that the request of Cal Marshall for a change of zoning from "BB" Residence, First Height and Area to "A" Residence, First Height and Area for property located at 1115A-1137A Gardner Road be GRANTED.

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

ABSENT:    Mr. Anderson

C14-71-215      M. H. Flournoy: A to C  
5601-5615 South Congress Avenue

STAFF REPORT: A lumberyard is proposed for this 27,000 square foot tract of land in south Austin which lies just inside the City limits. Single-family residences exist on Sandra and Ainsworth Streets across South Congress Avenue. There are non-conforming uses to the north and south of this site. This tract and the surrounding area are zoned "A" Residence. The staff recommends that this request be granted, as it is located at the intersection of two major arterials, subject to twenty feet of right-of-way for the extension of Stassney Lane, a twenty-five foot building setback from both Wasson Road and the proposed Stassney Lane extension, and a letter requesting annexation of the balance of the lot.

TESTIMONY

WRITTEN COMMENT

S. Cepeda: 2501 Durwood Street

FOR

C14-71-215 M. H. Flournoy--contd.

## 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 right-of-way requirements. Mr. Chamberlain stated that it seems unfair to penalize a property owner for zoning. Mr. Goodman stated that an additional twenty feet of right-of-way would be needed after the annexation procedure; this would seem to be an unfair burden on this property owner. The members concluded that this request should be granted, as a proper use for this tract, subject to a 45-foot building setback from the north property line for the proposed extension of Stassney Lane; a 25-foot building setback from Wasson Road; and departmental requirements for annexation.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker  
 ABSENT: Mr. Reeves

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of M. H. Flournoy for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 5601-5615 South Congress Avenue be GRANTED, subject to a 45-foot building setback from the north property line, a 25-foot building setback from Wasson Road, and departmental requirements for annexation.

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

C14-71-216 Thelma Weiss: C to C-2  
2716 Guadalupe Street

STAFF REPORT: This application is for a lounge on a 1,400 square foot tract of land. The tract is located within an established commercial area and is close to the University campus. A car wash, parking lot, cafe, barber shop, cleaners, etc., are existing uses along Guadalupe Street. The applicant has no parking spaces on this site, as many of the businesses in this area do not. He is scheduled to request a parking variance from the Board of Adjustment. The staff recommends that this request be granted, as it is compatible with the surrounding land uses.

C14-71-216      Thelma Weiss--contd.

TESTIMONY

WRITTEN COMMENT

John O. McCoy: P. O. Box 5602

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

Mr. Goodman pointed out that five locations with this use exist within a few blocks of this site.

The Committee reviewed the information and a majority concluded that this request should be granted, as it is in conformance with surrounding land use.

AYE:        Messrs. Taniguchi, Chamberlain, and Becker  
NAY:        Mr. Goodman  
ABSENT:    Mr. Reeves

At the Commission meeting, Mr. Goodman stated that this use will create even more traffic in this congested area, which has several locations with this use. The Commission then

VOTED:    To recommend that the request of Thelma Weiss for a change of zoning from "C" Commercial, Third Height and Area to "C-2" Commercial, Third Height and Area for property located at 2716 Guadalupe Street be GRANTED.

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

C14-71-217      Jan Von Wupperfield: BB, 1st to B, 2nd  
                  2917-2919 West Avenue  
                  705-709 West 30th Street

STAFF REPORT: This application for apartments is on a tract containing 10,350 square feet of land and it is located in an area dominated by "B" and "BB" Residence zoning. Single-family and duplex homes exist in this area and many are used as rooming houses or apartments. A grocery store, cleaners, tavern, parking lot, drive-in grocery, and other commercial uses exist along West 29th Street. West 30th Street has 50 feet of right-of-way; Washington Square has 90 feet of right-of-way and West Avenue has 60 feet of right-of-way. The staff recommends that this request be granted as it is in conformance with adjacent zoning, subject to 5 feet of right-of-way on West 30th Street.

C14-71-217 Jan Von Wupperfield--contd.

## TESTIMONY

## WRITTEN COMMENT

Elizabeth Baulnight: 2906 West Avenue  
 Allison C. Kistler: 1816 Richwood  
 Stella Hopheing Estate: P. O. Box 1987  
 S. I. Arnn: 1210 Windsor Road

FOR  
 AGAINST  
 NO OPINION  
 FOR

## PERSONS APPEARING AT HEARING

W. Stephen Osburn: 701 West 30th Street  
 Neil C. Cozzens: 701 West 30th Street  
 Jan Von Wupperfield (applicant)

AGAINST  
 AGAINST

## SUMMARY OF TESTIMONY

The applicant was present, and concurred with the staff report.

No one appeared in opposition to this request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to five feet of right-of-way on West 30th Street.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker  
 ABSENT: Mr. Reeves

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jan Von Wupperfield for a change of zoning from "BB" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 2917-2919 West Avenue and 705-709 West 30th Street be GRANTED, subject to five feet of right-of-way on West 30th Street.

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

C14-71-218 Hunter Schieffer: Int. A, Int. 1st to BB, 1st (Trs. 3 & 27), B, 1st 5600-6010 Decker Lake Road (Tr. 17) and LR, 1st (Trs. 4, 16, 18 and 28)

STAFF REPORT: A shopping center and multi-family dwelling units are proposed for these seven tracts of land covering 14.979 acres in northeast Austin. These tracts are within the Crystalbrook, Section 1, Preliminary Subdivision Plat. Big Walnut Creek and a railroad track are to the east of these tracts, and Ed Bluestein Boulevard is to the west. This area along Decker Lake Road is undeveloped at the present time, and it is currently zoned Interim "A" Residence. The following land uses have been indicated on the

C14-71-218 Hunter Schieffer--contd.

Preliminary Subdivision Plat: Tracts 3, 17, and 27 for use as apartment sites; Tracts 4 and 16 for commercial uses. Tracts 18 and 28 were not included in the Preliminary Plat, as they were shown as being a part of Tracts 17 and 27, respectively. Milrace and Crystalbrook Drives have sixty feet of right-of-way; Decker Lake Road has seventy feet of right-of-way. The staff recommends the granting of zoning as requested for all tracts except 18 and 28. It is recommended that Tract 18 be granted "B" Residence and Tract 28 be granted "BB" Residence in compliance with the Preliminary Subdivision Plat. These recommendations are subject to a six foot privacy fence and building setback where abutting residential property.

TESTIMONY

WRITTEN COMMENT

Wayne J. Riddle: Austin Savings and Loan Association FOR

PERSONS APPEARING AT HEARING

Hunter Schieffer (applicant)

Wayne J. Riddle: Austin Savings and Loan Association FOR

SUMMARY OF TESTIMONY

Mr. Hunter Schieffer displayed a map of this area and pointed out the existing and proposed streets and development. The commercial development planned for this tract will serve an area of over 250 acres presently being developed as residential. Sites for an elementary school and a high school to serve this development have been designated. This property is ideally located to serve the total area. He presented a letter from the Austin Savings and Loan Association, who own the major portion of the undeveloped property, stating their approval of the proposed development for these tracts. Tracts 18 and 28 will have adjacent apartment development.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that the development of filling stations would be objectionable at the intersection of Decker Lake Road and Crystalbrook Drive.

The Committee reviewed the information and concluded that this request should be granted, subject to a 6-foot privacy fence and a 44-foot setback where abutting residential property.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker

ABSENT: Mr. Reeves

C14-71-218 Hunter Schieffer--contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Hunter Schieffer for a change of zoning from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area (Tracts 3 and 27), "B" Residence, First Height and Area (Tract 17), and "LR" Local Retail, First Height and Area (Tracts 4, 16, 18 and 28) for property located at 5600-6010 Decker Lake Road be GRANTED, subject to a 6-foot privacy fence and a 44-foot building setback where abutting residential property.

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

ABSENT: Mr. Anderson

C14-71-219 Gary Howard: A to C-2  
1112-1114 East 51st Street

STAFF REPORT: A liquor store is proposed for this 11,928 square feet of land located near Capital Plaza. "C" Commercial and "C-2" Commercial zoning exist along Cameron Road and land on the east side of Cameron Road is developed with a service station, drug store, animal hospital, beauty shop, and liquor store. Robert Mueller Municipal Airport is across 51st Street. A rest home, zoned "LR" Local Retail, is to the rear of this property. A recent zoning request, several lots to the east, has been zoned "B" Residence. A pending request for "C" Commercial zoning exists immediately to the west. The staff recommends this request be granted in conformance with previous recommendations of the Planning Department, subject to a short form subdivision to establish a legal lot and right-of-way.

#### TESTIMONY

#### WRITTEN COMMENT

Vernon B. Taylor: 3424 Urban Street

AGAINST

#### PERSONS APPEARING AT HEARING

Tom Curtis (representing applicant)

W. C. Parker: 205 East 51st Street

AGAINST

#### SUMMARY OF TESTIMONY

Mr. Tom Curtis represented the applicant; he concurred with the staff report.

Mr. W. C. Parker, 205 East 51st Street, stated that this proposal sets a precedent for the commercialization of 51st Street; such zoning should be confined to Cameron Road.



494

C14-71-219 Gary Howard--contd.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to a short form subdivision and right-of-way to be determined by the State.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker  
ABSENT: Mr. Reeves

At the Commission meeting, the tentative right-of-way line was discussed; the members agreed that a setback requirement from the right-of-way line as presently designated would be more equitable to the developer.

The Commission then

VOTED: To recommend that the request of Gary Howard for a change of zoning from "A" Residence, First Height and Area to "C-2" Commercial, First Height and Area for property located at 1112-1114 East 51st Street be GRANTED, subject to a short form subdivision and a twenty-five foot building setback from the right-of-way line for the 51st Street Interchange.

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

C14-71-220 Don Becker: Int. A, Int. 1st to GR, 1st (Trs. A & C), BB, 1st (Tr. B)  
Tr. A: 1001-1031 Stassney Lane  
5601-5623 Emerald Forest Drive  
Tr. B: 5620-5712 Emerald Forest Drive  
Tr. C: 1033-1049 Stassney Lane  
5600-5618 Emerald Forest Drive

STAFF REPORT: Commercial and apartment development is proposed for these three tracts consisting of 5.5 acres. A single-family residential subdivision and a proposed subdivision are to the east and south. "GR" General Retail zoning exists along the north side of Stassney Lane. Areas to the immediate south and west are undeveloped. "GR" General Retail and "BB" Residence zoning are pending on a large tract to the east; that extends from Stassney Lane south to Sahara Avenue. The staff recommends the request be granted as an extension of land use trends in the area.

## TESTIMONY

## WRITTEN COMMENT

None

## PERSONS APPEARING AT HEARING

John Selman (representing applicant)

C14-71-220 Don Becker--contd.

## SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicant. He concurred with the staff report.

No one appeared in opposition to this request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee noted the existence of a 150-foot electrical power line through Tract B.

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

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker  
ABSENT: Mr. Reeves

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Don Becker for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for Tract A located at 1001-1031 Stassney Lane and 5601-5623 Emerald Forest Drive; "BB" Residence, First Height and Area for Tract B located at 5620-5712 Emerald Forest Drive; and "GR" General Retail, First Height and Area for Tract C located at 1033-1049 Stassney Lane and 5600-5618 Emerald Forest Drive be GRANTED.

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

ABSENT: Mr. Anderson

C14-71-221 R. & J. Investments: B to LR  
2904-2908 Sweeney Lane

STAFF REPORT: Commercial uses are planned for this 7,725 square feet of land just east of the intersection of Manor Road and Sweeney Lane. "LR" Local Retail, "GR" General Retail, and "C" Commercial zoning exist at this intersection. A shopping center is located to the south. The staff recommends the granting of "LR" Local Retail zoning on this property as an extension of area zoning; subject to a short form subdivision combining the two lots, i. e.; the subject tract and the lot on the west.

## TESTIMONY

## WRITTEN COMMENT

Sherman L. Allen: 6309 Berkman Drive

FOR

C14-71-221 R. & J. Investments--contd.

PERSONS APPEARING AT HEARING

John Selman (representing applicants)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicants; this application is to bring this lot into conformance 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 in conformance with the uses in this area, subject to a short form subdivision combining the subject tract and the lot on the west.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker  
ABSENT: Mr. Reeves

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of R. & J. Investments for a change of zoning from "B" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2904-2908 Sweeney Lane be GRANTED, subject to a short form subdivision combining the subject tract and the lot on the west.

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

C14-71-222 Bruce Kuemmel: B, 1st to B, 2nd  
6906 Guadalupe Street  
601-605 Swanee Drive

STAFF REPORT: This application on 11,250 square feet of land is for uses permitted by such zoning. Single-family homes, duplexes and apartment houses exist in this area. In 1966, the property across Swanee Drive was zoned "B" Residence, Second Height and Area. During the past four years four additional apartment sites were denied "B" Residence and zoned "BB" Residence north on Guadalupe Street. "LR" Local Retail zoning exists on two lots to the south. A request for "B" Residence, Second Height and Area was denied on this site in 1967. The staff recommends that this request be denied, in conformance with recent Commission and City Council action.

TESTIMONY

WRITTEN COMMENT

Omega Investment Company: P. O. Box 9065

FOR

C14-71-222 Bruce Kuemmel--contd.

Fred C. Castillo: 607 Swanee Drive FOR  
Mr. & Mrs. Elmer L. Smith: 6904 Guadalupe Street FOR

## PERSONS APPEARING AT HEARING

John Selman (representing applicant)

## SUMMARY OF TESTIMONY

Mr. John Selman represented the applicant. He stated that the recent development of the Highland Mall in this area constitutes a change, as land values surrounding such development increase, resulting in apartment development. He pointed out the existing "BB" Residence, "B" Residence, Second Height and Area, and "LR" Local Retail zoning in this area. In addition, Guadalupe Street is a major street for this area.

No one appeared in opposition to this request.

## COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed the proposed density of sixteen units in relation to the existing uses in the area; they concluded that this request should be denied as too intense use for this neighborhood.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker  
ABSENT: Mr. Reeves

At the Commission meeting, the members discussed the uses in the neighborhood and the existing zonings. Mr. Reeves stated that this area is in transition and that the requested zoning is compatible with the area. The Second Height and Area will enable the developer to economically develop this tract. Mr. Kinser concurred that this area is changing.

Mr. Goodman stated that economic factors should not enter into the zoning; the decision is whether or not this area should be opened up to such intense development. The lot presently zoned Second Height and Area is not developed with apartments. The past histories in the area would indicate that heavy development is undesirable in this area. The Commission then

VOTED: To recommend that the request of Bruce Kuemmel for a change of zoning from "B" Residence, First Height and Area to "B" Residence Second Height and Area for property located at 6906 Guadalupe Street and 601-605 Swanee Drive be DENIED.

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

C14-71-223      Henry Wetzel, Jr.: A to BB  
6404-6408 Bill Hughes Road

STAFF REPORT: This request is for re-zoning on 20,400 square feet of land to be used as permitted by said zoning. "A" Residence zoning predominates this area and is developed with a number of single-family homes. A roofing company and mobile home residences are established at the intersection of Eberhart Lane and South First Street. Bill Hughes Road has sixty feet of right-of-way, but is not paved. South Meadows Boulevard has fifty feet of right-of-way and Eberhart Lane has sixty feet of right-of-way. This tract is within the South Meadows Subdivision which was platted as a single-family residential subdivision. There is a recorded short form subdivision dividing this tract into two lots. The staff recommendation is to deny this request as an intrusion into a developing single-family neighborhood and the request is not in compliance with the platted subdivision mentioned above or the short form subdivision.

#### TESTIMONY

#### WRITTEN COMMENT

None

#### PERSONS APPEARING AT HEARING

John Selman (representing applicant)

#### SUMMARY OF TESTIMONY

Mr. John Selman represented the applicant. He stated that it should be possible to change development plans for a tract after a subdivision plat has been filed. When original plans for the development of this area were made, financing money was available only for single-family homes; now it is available for four-plex development. Bill Hughes Road, though presently unpaved, will in the future serve the large development to the west which is presently undeveloped, and will be a major arterial comparable to South First Street. As "BB" Residence zoning exists on South First Street in this area, it is consistent to allow "BB" Residence zoning 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 area; Mr. Goodman stated that Bill Hughes Road should be paved. This street is in the County, although the subject tract is in the City. Mr. Becker stated that four-plex development would be suitable for this tract. They concluded that this request should be referred to the full Commission, so that additional information on the possibility of the future paving of Bill Hughes Road could be acquired.

AYE:        Messrs. Taniguchi, Goodman, Chamberlain and Becker  
ABSENT:    Mr. Reeves

C14-71-223 Henry Wetzel, Jr.--contd.

At the Commission meeting, Mr. Jack Alexander, Assistant Director of Planning, reported that the County officials were contacted regarding improvement of Bill Hughes Road. A request must be made from property owners in this area, and their request would have to be acted upon by the Commissioners' Court to determine if the County would improve the street.

The members discussed the information and were of the opinion that the improvement of this street should not be a condition of this zoning. They were of the opinion that this tract should be limited to a density of eight units. The Commission then

VOTED: To recommend that the request of Henry Wetzel, Jr. for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 6404-6408 Bill Hughes Road be GRANTED, subject to zero to five feet of right-of-way on Bill Hughes Road and a restrictive covenant limiting the density of the development to eight units.

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

ABSENT: Mr. Anderson

C14-71-224 C. R. Scales: A to GR  
2209-2301 Pasadena Drive

STAFF REPORT: An electric and plating shop is proposed for this 31,635 square foot tract of land in north Austin. A duplex exists immediately across Pasadena Drive with single-family residences to the east. "GR" General Retail and "C" Commercial zoning exist along Burnet Road. The staff recommends that this request be denied as an intrusion into a residential neighborhood.

## TESTIMONY

## WRITTEN COMMENT

Nearby property owner

FOR

## PERSONS APPEARING AT HEARING

C. R. Scales (applicant)

## SUMMARY OF TESTIMONY

The applicant, Mr. C. R. Scales, stated that this request is an extension of the existing zoning and will square off the property in line with zoning adjacent to Burnet Road to the southwest of this tract. It is planned to enlarge the existing building for the shop facilities, and provision will be made for parking.

500  
C14-71-224 C. R. Scales--contd.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Goodman stated that "B" Residence zoning should be granted for the parking area to be established on this tract, as this would provide a gradation of zoning for protection to the adjacent residential lot to the east.

The Committee reviewed the information and concluded that this request should be denied, but recommend that "GR" General Retail zoning be granted on the western 155 feet and "B" Residence zoning be granted on the eastern thirty feet of this tract, subject to five feet of right-of-way on Pasadena Drive.

AYE: Messrs. Taniguchi, Goodman, Chamberlain and Becker

ABSENT: Mr. Reeves

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. R. Scales for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area on property located at 2209-2301 Pasadena Drive be DENIED, but recommend that "GR" General Retail, First Height and Area on the western 155 feet and "B" Residence, First Height and Area on the eastern 30 feet be GRANTED, subject to five feet of right-of-way on Pasadena Drive.

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

ABSENT: Mr. Anderson