

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- October 12, 1971

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

Present

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

Absent

Jack Crier

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Assistant Director of Planning
Walter Foxworth, Supervising Planner
John German, Associate Director of Traffic and Transportation
Jerry Harris, Assistant City Attorney
Duncan Muir, Planner I
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of October 4, and 5, 1971.

Present

Alan Taniguchi, Chairman
**M. J. Anderson
*Jack Crier
Fritz Becker
C. L. Reeves
Walter Chamberlain

Also Present

Jack Alexander, Asst. Dir. of Planning
Mike Wise, Associate Planner
Caroline Schreffler,
Administrative Secretary

*Present only on October 4, 1971.
**Present only on October 5, 1971.

PUBLIC HEARINGS

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

STAFF REPORT: This case came before the Planning Commission in July and was recommended by the staff but not recommended by the Commission. It has

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

been re-cycled pending a zoning study of the area bounded by Denson Drive, Airport Boulevard, and North Lamar Boulevard. An extension of the Austin Teachers Federal Credit Union Office is proposed for the 6,900 square feet of land. The Austin Public Schools' service office exists to the south, a Public Elementary School is at the southeast corner of Guadalupe Street and Denson Drive and the Texas Department of Public Safety complex is to the west. Single-family homes, zoned "A" Residence, are developed throughout this block as well as to the north and east.

Mr. Jack Alexander, Assistant Director of Planning, presented information on the area bounded by Denson Drive, Airport Boulevard and Lamar Boulevard. To the east of this location is the recently developed Highland Mall and to the south is the State Department of Public Safety and the Austin Independent School District Administration Building. The Land Use Plan for this area recommends low-density residential development with a density of approximately three dwelling units per acre, with a shopping district proposed along Lamar Boulevard. The Expressway and Major Arterial Plan designates Lamar Boulevard as an expressway with 200 feet of right-of-way; Airport Boulevard as a major arterial street and Denson Drive as a residential collector street. Commercial uses exist along Lamar Boulevard and Airport Boulevard; Industrial uses are located in the northeast section of the Study Area. The lot presently used by the applicant, zoned "O" Office, is the only other area which allows non-residential use. The residential area under consideration is comprised of 231 lots, 225 of these lots developed, and six lots vacant. Tax records indicate over 75 per cent of the homes in the Study Area are valued at over \$5,000. In the area of Irma Drive, Wilmes Drive and Hammack Drive, 83 of 118 lots are owner-occupied and along Denson Drive, 18 of 22 lots are owner-occupied. Of these 18 owners, one-third have feminine first names, indicating occupancy by widows. This area is well-maintained.

The staff recommends that the commercial area should remain as it is presently zoned; however, when the expressway becomes a funded project, the area should be re-evaluated. The areas zoned industrial should be retained, as industrial uses exist. The area along Burns Street should be "B" Residential to provide a buffer between the heavy commercial uses and the single-family residences. The single-family residential uses should also be retained, including those fronting on Denson Drive. While traffic has increased heavily on Denson Drive, the existing pavement is adequate and the majority of these homes are owner-occupied homes in good condition. Moderate income housing is becoming a very scarce commodity in the City, as only five per cent of all new housing is under \$12,000, and apartment and commercial development is depleting the supply of housing from older residential subdivisions. The area fronting parts of Gaylor and Canon Streets is recommended for "BB" Residence use due to the size of the lots, the proximity of heavy commercial use and the existence of a lot zoned "BB" Residence in the area. The area is predominantly First Height and Area, and this classification should be retained. The staff recommendation is to deny this request, as consistent with the area study.

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

TESTIMONY

WRITTEN COMMENT

Martha Cherico: 1200 Pasadena Drive	NO COMMENT
Bobbye Denton: 1110 Justin Lane	FOR
Arther Pihlgren: 109 West 5th Street	FOR

PERSONS APPEARING

Calvin W. Jayroe: 4106 North Lamar Boulevard FOR

SUMMARY OF TESTIMONY

Mr. Calvin Jayroe, attorney, represented the applicants. Written approval of this requested change has been obtained from the surrounding residents. This use has existed since 1965 and is not objectionable to the neighborhood. This location is convenient for the patrons of the Credit Union and an office use in this area is preferable to apartment development, which would create heavy traffic. The applicants are agreeable to a restrictive covenant, wherein the zoning would revert to "A" Residence if this use is discontinued.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed the area study. They concluded that this request should be denied as an intrusion into a well-established single-family neighborhood.

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

The Commission concurred with the Committee's recommendation and

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

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

ABSENT: Mr. Crier

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

STAFF REPORT: This case was referred to the Zoning Committee by the City Council on September 23, 1971. Apartment units are proposed for this 14,238 square feet of land in east Austin. On the west an apartment project is located between this site and Interstate Highway 35 and is zoned "B" Residence. An office, which is a nonconforming use, is on the immediate east. Single-family homes zoned "A" Residence are established throughout this area to the east. The staff recommends this request be denied as an intrusion into a residential neighborhood.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Anne Shirriffs: 1107 East 32nd Street AGAINST
Al Bauerle (representing the applicant)

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Al Bauerle represented the applicant. He stated that the primary concern of the nearby residents is the problem of on-street parking in this area. The applicant proposes to construct eight additional parking spaces in addition to the number required under the Ordinance. This should relieve the problem of on-street parking from the existing development. This request is not an intrusion, as "B" Residence zoning exists on the adjacent lot, with "C" Commercial zoning on Interstate Highway 35. The adjacent tract used for offices for the Brown School was noted; this is a non-conforming use.

Arguments Presented AGAINST:

Mrs. Anne Shirriffs, a nearby resident, stated that on-street parking is a serious problem in this area at the present time, and the addition of additional apartment units will create an intolerable situation. She pointed out several errors on the site plan for the proposed development. On the area designated as sixty feet, her measurement is 39.4 feet; also, trees shown on this site plan do not exist. The existing apartment house extends across the lot line.

The staff explained that this building does extend across the lot line, and the tracts are considered as one tract since the building extends across the lot line. If the tract is developed as proposed, the two structures will be an apartment dwelling group and will require a special permit, unless the two buildings are connected.

Arguments Presented in REBUTTAL:

Mr. Bauerle stated that this plan of development will be changed to comply with the Ordinance requirements. The additional parking spaces to be provided will relieve the congestion in the area.

C14-71-211 Harold Brumly--contd.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the requested zoning is not objectionable if adequate parking is provided; however, there seems to be some confusion as to the requirements for the development of this tract. The members of the Committee concluded that this request should be continued in November, and requested a site plan showing existing development and trees.

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

The Commission concurred with the Committee recommendation and

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 POSTPONED for thirty days.

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

ABSENT: Mr. Crier

C14-71-225 Carl Albrecht: A to GR
2207 Willow Street

STAFF REPORT: A radio and television service shop is planned for this tract of 6,720 square feet. Single-family residences predominate the area. Metz Elementary School is located one block to the west. Commercial land uses exist along East First Street with several intrusions into a residential neighborhood to the south and west. These cases have old zoning histories and there are no recent histories in the immediate area. The neighborhood is not in transition and is within a Model Cities area. Willow, Canadian and Mildred Streets have 60 feet of right-of-way. The staff recommends that this request be denied as commercial development south of First Street should be limited to the first tier of lots facing East First Street. If commercial or multi-family uses are allowed to intrude into this area, the additional traffic generated will adversely affect the single-family homes and much of the Model Cities' program which has been completed.

TESTIMONY

WRITTEN COMMENT

Nearby Property Owner	FOR
Mrs. Augustine Garza: 2205 Willow Street	FOR
Joe B. Jones: 2206 Canterbury Street	FOR
Mrs. Mabel C. McCullough: 2505 Willow Street	AGAINST
Freddie R. Miller and Fred C. Barkley: 2303 Rogge Lane	NO OBJECTION

PERSONS APPEARING

Mr. Carl Albrecht (applicant)

Cl4-71-225 Carl Albrecht--contd.

SUMMARY OF TESTIMONY

Mr. Carl Albrecht stated that he wishes to develop a shop for radio and television repair to serve this area. Additional access to the lot will be provided from the alley.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Carl Albrecht for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2207 Willow Street be DENIED.

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

ABSENT: Mr. Crier

Cl4-71-226 Mrs. Katherine Goertz: A to B
5601 Roosevelt Avenue
5600 Grover Avenue

STAFF REPORT: Apartments are proposed for this 15,093 square feet of land across the street from McCallum High School. A church and bowling alley are several lots to the north. An apartment complex is built several lots to the south. "B" Residence zoning was acquired on the lot immediately to the south for an apartment complex, which the staff recommended for approval. "C" Commercial zoning is established on the southern portion of this block. Several single-family residences exist along Roosevelt Avenue. This area is in transition to more intense use. The staff recommends this request be granted as multi-family zoning consistent with existing zoning and previous recommendations, subject to seven and one-half feet of right-of-way on Grover Avenue.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

SUMMARY OF TESTIMONY

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

Cl4-71-226 Mrs. Katherine Goertz--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted in conformance with existing zoning in this area, subject to seven and one-half feet of right-of-way on Grover Avenue.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Mrs. Katherine Goertz for a change of zoning from "A" Residence, First Height and area to "B" Residence, First Height and Area for property located at 5601 Roosevelt Avenue and 5600 Grover Avenue be GRANTED, subject to seven and one-half feet of right-of-way on Grover Avenue.

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

ABSENT: Mr. Crier

Cl4-71-227 Estate of J. D. Young: A to B
1901 - 1905 Kinney Avenue

STAFF REPORT: The construction of an apartment complex is planned for this 1.43 acre tract in southwest Austin. Single-family homes are the predominate land use west of Kinney Avenue. This tract and the lots to the north are wide and deep. A church and parking lot exist to the north, as well as a nursing home and an apartment project. Commercial uses exist along South Lamar Boulevard and "B" Residence zoning has been established on lots north of this site along Kinney Avenue. The staff recommends this request be granted as multi-family development would be consistent with existing development in this area.

TESTIMONY

WRITTEN COMMENT

Fred Haas: 1512 Hether Street	AGAINST
Nolan M. and Lorraine Von Roeder: 1613 Bauerle Avenue	AGAINST
Mrs. Myrtle M. Sassman by Mrs. H. C. Piland 2735 Northwest 35th Street Oklahoma City, Oklahoma	FOR

PERSONS APPEARING

Louis A Dannelly: 2404 West 37th Street	AGAINST
W. L. Wheelock (representing the applicants)	

C14-71-227 Estate of J. D. Young--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. W. L. Wheelock represented the applicants. This lot is vacant and should be utilized. It is felt that the requested use will enhance the tract and the area.

Arguments Presented AGAINST:

Mr. Louis Dannelly stated that while there are a few apartments in this neighborhood, it is predominately a single-family area. He feels that renters are careless and do not take care of property. The proposed use is too dense for this neighborhood.

Arguments Presented in REBUTTAL:

Mr. Wheelock stated that the present condition of this tract is not desirable. Many apartment complexes are well-kept, which is a matter of the administration of the units. The proposed development will benefit the neighborhood and will bring tax income to the City.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as being too dense use of this area, but recommend that "BB" Residence, First Height and Area, be granted.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Estate of J. D. Young for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1901-1905 Kinney Avenue be DENIED, but recommend that "BB" Residence, First Height and Area be GRANTED.

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

ABSENT: Mr. Crier

C14-71-228 John D. Bryam: O to LR
8018 - 8024 Shoal Creek Boulevard

STAFF REPORT: A sign for a pharmacy is proposed for this 5,000 square feet of land. Two offices exist south of this site and Steck Printing Company is located to the west. A school, child care center, and television station exist to the north. This area is between two large tracts zoned "GR" General Retail. The staff recommends this request be granted as requested.

C14-71-228 John D. Bryam--contd.

TESTIMONY

WRITTEN COMMENT -

None

PERSONS APPEARING

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 proper use for this tract.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John D. Bryam for a change of zoning from "O" Office, First Height and Area to "LR" Local Retail, First Height and Area for property located at 8018-8024 Shoal Creek Boulevard be GRANTED.

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

ABSENT: Mr. Crier

C14-71-229 Jesse E. Skrivanek et al: A-to O
 1401 - 1407 East 38 1/2 Street
 3704 - 3714 Clarkson Avenue

STAFF REPORT: An office is proposed for this 1.74 acre tract of land in east Austin. Single-family residence is the predominate land use in this neighborhood south of East 38 1/2 Street. An elementary school, a grocery, a warehouse, a cleaner's and a moving company exist to the north and across East 38 1/2 Street. The Houston and Texas Central Railroad is immediately east of this site and across Clarkson Avenue. That property across East 38 1/2 Street is zoned "GR" General Retail and "C" Commercial. It is the staff's opinion that this area along East 38 1/2 Street is in transition to more intense use. Office zoning would be a good buffer between commercial zoning to the north and "A" Residence zoning to the south. The staff recommends the granting of "O" Office on those lots abutting East 38 1/2 Street, but recommends against any intrusion of zoning on those lots fronting Clarkson Avenue, subject to five feet of right-of-way on East 38 1/2 Street.

C14-71-229 Jesse E. Skrivanek et al--contd.

TESTIMONY

WRITTEN COMMENT

Walter A. Rosanky by Evohn Rosanky Moore	
Box 5091	FOR
W. C. Fitch: 1408 East 37th Street	FOR
Mrs. Mayme Burton: 1406 East 37th Street	AGAINST
R. B. Giles and James B. Giles, Jr.	
1402 East 38 1/2 Street	FOR
Delwood Center, Inc. (R. B. Giles)	
1306 East 38 1/2 Street	FOR

PERSONS APPEARING

W. B. Sinclair: 1016 West Bois d' Arc	
Lockhart, Texas	FOR
Fredrich Sinclair: 1016 West Bois d' Arc	
Lockhart, Texas	FOR
E. R. and Helen Hall: 3705 Lafayette	FOR
Mr. and Mrs. Jesse E. Skrivanek	
3706 Clarkson Avenue	FOR
Mrs. A. O. Williams: 3704 Clarkson Ave.	FOR
D. J. Sibley, Jr.: 2210 Windsor Road	FOR
John Selman (representing applicant)	

SUMMARY OF TESTIMONY

Mr. John Selman represented the applicants. 38 1/2 Street is a major east/west thoroughfare, with heavy commercial and apartment use. The six lots fronting on Clarkson Avenue are an island between the railroad tracks and the creek. Five of these lots are rental units and the structures are not an asset to the area. Contacts with those property owners who were notified of this application indicate that the proposed use is preferable to the present use. The proximity of Interstate Highway 35 and the condition of this area necessitate a change of zoning so that the property may be upgraded. It is advantageous to the City to have such neighborhoods as this improved. He presented pictures of the present development to the Committee.

Dr. D. J. Sibley, a property owner in this area, spoke in favor of this request. He pointed out that the Delwood Shopping Center is very near this tract. The property should be improved, and this proposed change will increase the value of the property in this area.

Mr. W. L. Meyer stated that present traffic in this area is a problem; the development with parking provided would be an asset to this changing area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed the information on this request. This residential area is desirable and is fully used; however, the location of these lots

C14-71-229 Jesse E. Skrivanek et al--contd.

suggests a more dense use than single-family residential. Office use is preferable to apartment use for these tracts, from the standpoint of traffic. While this particular section of the area is changing, granting of zoning west of the creek would be an intrusion into the residential area. The members concluded that this request should be granted, subject to five feet of right-of-way on 38 1/2 Street and ten feet of right-of-way on Clarkson Avenue.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jesse E. Skrivanek, et al for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1401-1407 East 38 1/2 Street and 3704-3714 Clarkson Avenue be GRANTED, subject to five feet of right-of-way on 38 1/2 Street and ten feet of right-of-way on Clarkson Avenue.

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

ABSENT: Mr. Crier

C14-71-230 Harry Garner et ux: B, 2nd to B, 3rd
101 - 103 East 31st Street
3001 - 3011 University Avenue

STAFF REPORT: A condominium apartment, to be 120 feet in height, is proposed for this 42,350 square feet of land within the University area. To the north there exists a plumbing company, a laundry and several apartment units. Two offices exist on East 30th Street to the west, and apartments exist in all directions. "B" Residence, Second Height and Area zoning predominates this area. Third Height and Area exists south of 29th Street. The block to the north is zoned "C" Commercial as is the block to the west. The staff recommends that this request be denied as an intrusion of Third Height and Area north of 29th Street.

TESTIMONY

WRITTEN COMMENT

A. J. Amundson; 3301 Werner Avenue	FOR
Asbury Methodist Church: 38 1/2 Street and Cherrywood Avenue	FOR
Mrs. Albert Salathe: 103 East 30th Street	FOR

PERSONS APPEARING

Raymond Campi (representing applicant)

C14-71-230 Harry Garner et ux--contd.

SUMMARY OF TESTIMONY

Mr. Raymond Campi represented the applicants. This is a changing area with older homes used as rental units. This tract is ideal for the proposed use of condominium apartments, with access to three streets and an alley. These units will be sold to individuals, which will benefit the City greatly through the tax structure. Ample indoor parking will be provided, and this development will be an asset to the area.

Mr. Edgar James, architect, stated that this high-rise condominium will have seventy-five to eighty units. Under a Homeowners' Association agreement, the units cannot be sublet or sold without prior approval. The quality of the units will attract professors and administrators from the University, or older people desiring to live in this area. The value of this property dictates its use for Third height and Area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The staff reported that the 29th Street arterial from San Jacinto Street to 29th Street is proposed for this area, requiring fifteen feet of right-of-way from this tract.

The Committee reviewed the information and concluded that this request should be granted as proper use for this tract, subject to fifteen feet of right-of-way on East 30th Street.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Harry Garner, et ux for a change of zoning from "B" Residence, Second Height and Area to "B" Residence, Third Height and Area for property located at 101-103 East 31st Street and 3001-3011 University Avenue be GRANTED, subject to fifteen feet of right-of-way on East 30th Street.

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

ABSENT: Mr. Crier

C14-71-231 Rundberg Lane Properties: B (Tr. 1 and 2), BB (Tr. 3 and 4) to
Rear of 502 - 602 Rundberg Lane O (Tr. 1 and 4), GR (Tr. 2), B (Tr. 3)

STAFF REPORT: An apartment complex with a retail area is planned for these four tracts consisting of 4.37 acres. This application is intended to correct a previous application on this property which was filed within the past two years. Service stations are at the intersection of Rundberg Lane and Interstate Highway 35. Single-family homes exist in the residential neighborhood to the west and south. "C" Commercial and "GR" General Retail zoning exist along Interstate Highway 35. "B" and "BB" Residence

C14-71-231 Rundberg Lane Properties--contd.

zoning exist to the west. This application is in compliance with the staff's previous plans for this tract. The applicant has worked with the Department in making this application. The staff recommends that this request be granted subject to a recorded subdivision as received by the Department.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Bryan Schuler (representing the applicant)

SUMMARY OF TESTIMONY

Mr. Bryan Schuler represented the applicants; he expressed agreement with the staff recommendation, except for subdivision joining this tract with the tract to the immediate east, as it is under separate ownership.

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 this area, subject to recorded subdivision, except on Tract 1 with property to the east.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Rundberg Lane Properties for a change of zoning from "B" Residence, First Height and Area (Tracts 1 and 2) and "BB" Residence, First Height and Area to "O" Office, First Height and Area (Tr. 1 and 4), "GR" General Retail, First Height and Area (Tract 2), and "B" Residence, First Height and Area (Tract 3) be GRANTED, subject to recorded subdivision, except on Tract 1 with property to the east.

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

ABSENT: Mr. Crier

C14-71-232 Duplex Advertising Company: C to C-2
1134 Airport Boulevard

STAFF REPORT: This application is for the construction of a package store on this 900 square feet of land in east Austin. Several service stations, an auto parts company and a construction company exist to the north of this tract. Apartments are established across Airport Boulevard to the northeast. Single-family residences exist to the west. Commercial zoning is established along Airport Boulevard and along Goodwin Avenue east of Airport Boulevard. The Department has the metes and bounds for the particular site and location. The staff recommends that this request be granted as consistent with zoning in the area.

TESTIMONY

WRITTEN COMMENT

Mrs. Selma Johnson: 3501 Kay Street	AGAINST
Mrs. John Williams: 3504 Goodwin Avenue	AGAINST
Mrs. R. L. Green: 3503 Kay Street	AGAINST
Reba Hopper: 3601 Goodwin Avenue	AGAINST
Luciano Escobar: 3503 Goodwin Avenue	AGAINST

PERSONS APPEARING

Paul Jones (representing applicant)

SUMMARY OF TESTIMONY

Mr. Paul Jones represented the applicants; he 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 in conformance with existing zoning.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Duplex Advertising Company for a change of zoning from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area for property located at 1134 Airport Boulevard be GRANTED.

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

ABSENT: Mr. Crier

STAFF REPORT: The applicant wishes to make this 17,550 square feet of land in the University area available for retail use. Single-family homes and duplexes exist to the north and south. Grocery stores, a laundry and cafe exist along West 29th Street. "B" and "BB" Residence zoning is located along West 29th Street; some tracts with Second Height and Area. The property along West 29th Street is in transition to more intense use. The staff recommends the granting of this request.

WRITTEN COMMENT:

PERSONS APPEARING

Mr. Tom Cherry (representing applicant)

SUMMARY OF TESTIMONY

Mr. Tom Cherry represented the applicants; he concurred with the staff report and pointed out the retail zoning existing to the east and west of the subject tract. Future plans of the City call for the widening of 29th Street.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the requested Height and Area would allow a sixty-foot building, which is too intense use for this tract. The Committee reviewed the information and concluded that this request should be denied, as too intense for this site, but recommend that "GR" General Retail, First Height and Area be granted.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Drs. Louis Buck and Bob Exline for a change of zoning from "B" Residence, Second Height and Area to "GR" General Retail, Second Height and Area for property located at 808-812 West 29th Street be DENIED, but recommend that "GR" General Retail, First Height Area be GRANTED.

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

ABSENT: Mr. Crier

C14-71-234 Tomgro, Inc.: GR to C-2
1313 Montopolis Drive

STAFF REPORT: A package store, which is to operate in connection with the existing grocery store, is proposed for this 2,250 square feet of land located within a single-family residential area. A church rectory and day care center exist to the north and a community center is to the northwest across Montopolis Drive. Apartments and a shopping center are to the south. A greenhouse is located to the rear of this lot. The staff recommends that this request be denied, as an intrusion.

TESTIMONY

WRITTEN COMMENTS

None

PERSONS APPEARING

Paul Jones (representing applicants)

SUMMARY OF TESTIMONY

Mr. Paul Jones represented the applicants. He pointed out that the present grocery store at this site sells beer and wine for off-premise consumption. This facility would serve a large area, from the Bergstrom Air Force base to Interstate Highway 35, which does not have a package store.

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 for this site.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Tomgro, Inc. for a change of zoning from "GR" General Retail, First Height and Area to "C-2" Commercial, First Height and Area be GRANTED.

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

ABSENT: Mr. Crier

C14-71-235 John D. Giddings: A, 1st to B, 2nd
200 - 204 West 31st Street

STAFF REPORT: Apartments are proposed for this 20,824 square feet of land in the University area. Apartments presently exist to the east and south. A church and several offices are located to the south. Single-family and duplex residences are on the north and west. The staff recommends that this application be granted as consistent with existing zoning.

The staff presented a letter from Mr. James L. Telford, a nearby property owner, which stated that he had not been notified of this zoning application.

TESTIMONY

WRITTEN COMMENT

Robert C. Harrington: 3107 Hemphill Park	AGAINST
Mrs. Lillian K. Conrey: 3106 Whitis Avenue	AGAINST
Joe Marks: 2901 Bowman Avenue	NO OBJECTION
Robert M. Crunden: 117 Laurel Lane	AGAINST
Stella Hofheinz: P. O. Box 1987	FOR
James L. Telford: 3105 Whitis Avenue	AGAINST

PERSONS APPEARING

John Giddings (applicant)	
Mrs. James Telford: 3105 Whitis Avenue	AGAINST
Rev. Merle Franke	AGAINST
Five area residents	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Giddings concurred with the staff report. He pointed out the excellent access to this tract and the existing "B" Residence zoning across the street. The value of land in this area dictates development for multi-family use. Twenty-six units will be developed on the tract.

Arguments Presented AGAINST:

Mrs. James Telford stated that many of the residents of this area oppose apartment development. Several residents have purchased these older homes and are improving them; consideration of their investment is requested. Older residential areas such as this should be protected, as over-crowding ultimately creates a slum area which can only be recovered at great cost to the taxpayer. Traffic congestion in this area is severe, and these additional units will generate much traffic.

Reverend Merle Franke, pastor of the First English Lutheran Church, stated that on-street parking in this neighborhood presents a hazard to the residents. The proposed development would bring fifty to seventy additional cars into the area. He suggested that a limit should be set on development in this neighborhood.

C14-71-235 John D. Giddings--contd.

Five residents of the area spoke in opposition to this request. This is a lovely old neighborhood, which deserves protection. There are always vacancies in the existing apartments and additional apartments are not justified. The applicant was aware of the existing zoning when he purchased this property and his planned development will depreciate this area.

Arguments Presented in REBUTTAL:

Mr. Giddings pointed out the mixture of zoning classifications in this area; this is a changing neighborhood. The on-street parking is created by the older rent houses in the vicinity, which do not provide sufficient parking, as apartment developers are required to do. The proposed development conforms with the character of this area.

Mr. James Telford requested the postponement of this hearing for thirty days.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that he would like information as to how seriously this neighborhood is returning to single-family use. With the restricted subdivision to the north, this area could retain its single-family character. However, the existing zoning in the area sets a precedent for this development. Mr. Reeves stated that this property should be used as other than "A" Residence.

The Committee reviewed the information and concluded that this request should be postponed for thirty days to allow re-notification of property owners in the area.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John D. Giddings for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 200-204 West 31st Street be POSTPONED for thirty days.

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

ABSENT: Mr. Crier

C14-71-236 Harriet Buxkemper and Charles Ferguson, et al: A to AA

1501 - 1511 Betty Jo Drive
1500 - 1514 Betty Jo Drive
1206 Reagan Terrace Drive
1205 - 1207 Reagan Terrace Drive

STAFF REPORT: This application is a request for rollback zoning on 5.2 acres of land. "A" Residence zoning predominates the area, except for the property between this site and Interstate Highway 35 zoned "LR" Local Retail in 1969. The three southern lots of this application are under application for this rollback to "AA" Residence by virtue of a petition from 50% of the property owners within 200 feet of the subject property. That is, the owners of 50% of the property within 200 feet of those most southern three lots have duly

C14-71-236: Harriet Buxkemper and Charles Ferguson, et al--contd.

signed the necessary petition to constitute this application. The remaining lots within this tract are under application by virtue of individual property owner's request on their own respective properties, with the exception of one lot at the southeast corner of Reagan Terrace Drive and Betty Jo Drive. The staff included this lot as additional area. The staff recommends the granting of this request to "AA" Residence as single-family homes dominate this area.

TESTIMONY

WRITTEN COMMENT

Mr. and Mrs. D. L. Keith: 1515 Chelsea Lane	AGAINST
Vincent Valdes: 1208 Reagan Terrace	FOR
Harriet Buxkemper (applicant)	
G. A. Nelson: 2610 Oakhaven Drive	AGAINST

PERSONS APPEARING

Mrs. Harriet Buxkemper (applicant)
Charles Ferguson (applicant)

SUMMARY OF TESTIMONY

Mrs. Harriet Buxkemper pointed out the recent zoning changes in this area. The residents wish to preserve character of this street, which is quiet and peaceful. They feel that the development of duplexes at the end of the cul-de-sac will create dangerous traffic and greatly alter the present environment. She displayed pictures of the homes along this street to the members.

Mr. Charles Ferguson stated that when this area was originally zoned, duplexes would not have been allowed as development; the property was purchased by these homeowners with this understanding of the zoning classification. This area is well-maintained and the residents take great pride in this area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Becker stated that this change in zoning will deprive the owner of the three most southerly lots, of a use for his property which has been enjoyed by the other residents for many years. The use being duplex development. He expressed concern that no one appeared in opposition, and suggested that the property owner is not fully aware of the consequences of this change. Mr. Reeves stated that well-designed duplex development on these tracts would not be an objectionable use. The members directed the staff to contact the owner of the southerly lots for clarification of this change, and continue this hearing before the full Commission on October 12th.

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

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C14-71-236 Harriet Buxkemper and Charles Ferguson, et al--contd.

At the Commission meeting, Harriet Buxkemper presented a copy of the deed restrictions for the residences along Betty Jo Drive; however, the three southerly lots of the cul-de-sac are not included in these restrictions. The original developer probably planned to develop a street through these lots. She briefly reviewed the zoning changes which have occurred in this area and requested that this residential street be preserved. Presently this street is private and safe for children; the majority of the residents have requested this rollback. Mr. Charles Ferguson stated that the added automobiles from the proposed development will be a hazard to the children who play along this street. The residents feel that their property is being used to provide a nice area for renters, with no regard for their investment.

Mrs. Helen B. Tegge, owner of the three southerly lots, stated that she had purchased this property for the purpose of duplex development. The proposed development will be of high quality and will be an asset to the neighborhood.

Mr. Bob Marshall, a property owner in this area, stated that he does not object to the proposed use. Harriet Buxkemper pointed out that Mr. Marshall does not live on his property, which is a vacant lot.

The Commission members reviewed the information. Mr. Kinser stated that this request is a spot zoning, as no other "AA" Residence zoning exists in this area. Mr. Reeves stated that the street is adequate for this use. He feels that the topography of the tract will necessitate a well-planned development, as it will be difficult and expensive to construct.

Mr. Goodman stated that duplex lots should not exist on the interior of a single-family residential street such as this. The Commission then

VOTED: To recommend that the request of Harriet Buxkemper and Charles Ferguson, et al, for a change of zoning from "A" Residence, First Height and Area to "AA" Residence, First Height and Area for property located at 1501-1511, 1500-1514 Betty Jo Drive and 1206, 1205-1207 Reagan Terrace Drive be DENIED.

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

NAY: Mr. Goodman

ABSENT: Mr. Crier

C14-71-237 Darden and Hetherly: O to GR. (as amended)
8305 Shoal Creek Boulevard

STAFF REPORT: This application is for general retail uses on 9,800 square feet of land in northwest Austin. "GR" General Retail and "C" Commercial zoning are established to the south along Shoal Creek Boulevard and Steck Avenue. "D" Industrial zoning is to the west and "O" Office exists on the north. The staff considers this zoning to be an intrusion into an office area, therefore it is recommended that this request be denied.

C14-71-237 Darden and Hetherly--contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Richard Baker (representing applicant)

SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney, represented the applicants and explained that the application is to allow for a detached sign. The surrounding owners do not object to the proposed sign. He requested the amendment of this application to the area of the sign only.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed this application at length. Mr. Reeves pointed out that this request sets an undesirable precedent for the development along this street. Mr. Becker stated that this sign is not objectionable for this area. The Committee concluded that this request should be granted, as amended, for the area of the sign only, and subject to a restrictive covenant to revert to "O" Office, if the use of this sign is discontinued.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Darden and Hetherly for a change of zoning from "O" Office, First Height and Area to "GR" General Retail, First Height and Area for property located at 8305 Shoal Creek Boulevard, as amended to the area of the sign only, be GRANTED, as amended, subject to a restrictive covenant to revert to "O" Office if the use for a sign is discontinued.

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

ABSENT: Mr. Crier

C14-71-238 David Barrow: Interim A, Interim 1st to BB, 1st (Tr. 1), B, 1st
 Tract 1: 7835 - 7919 Mesa Drive (Trs. 2 and 3), GR, 1st (Trs. 4
 Tract 2: 7921 - 8009 Mesa Drive and 5)
 Tract 3: 7834 - 7938 Mesa Drive
 Tract 4: 4101 - 4131 Spicewood Springs Road
 Tract 5: 8011 - 8045 Mesa Drive

STAFF REPORT: Uses as permitted under various zonings requested are proposed for these five tracts covering 37.80 acres in northwest Austin. A garage, salvage yard, church and several trailer houses exist along Spicewood Springs Road. A single-family residential neighborhood exists approximately 300 yards to the south. The area is dominated by Interim "A" Residence, Interim First Height and Area zoning. Mesa Drive and Spicewood Springs Road are both major arterials. The staff concurs with the applicant's request to postpone action on this application.

The staff reported that this application has been withdrawn and all interested parties have been notified. This is not a public hearing.

TESTIMONY

WRITTEN COMMENT

Mr. and Mrs. Robert C. Miller: 7713 Mesa Drive	AGAINST
Mr. and Mrs. Eugene J. Tschoepe:	
7712 Shady Rock Drive	AGAINST
James W. Vick: 4110 Paint Rock Drive	AGAINST
Lawrence D. Gore: 4103 Burney Drive	AGAINST
Celia Delgado: 7800 Mesa Drive	AGAINST
Everett E. Woods: 7700 Rustling Road	AGAINST
James N. Delgado: 7800 Mesa Drive	AGAINST
Roy Nunis: 4117 Paint Rock Drive	AGAINST
Charles W. York: 7803 Mesa Drive	AGAINST

PERSONS APPEARING

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 postponed.

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

The Commission concurred with the Committee recommendation and

Cl4-71-238 David Barrow--contd.

VOTED: To recommend that the request of David Barrow for a change of zoning from Interim A, Interim First Height and Area to "BB" Residence, First Height and Area, Tract 1; "B" Residence, First Height and Area, Tracts 2 and 3; and "GR" General Retail, First Height and Area, Tracts 4 and 5 for property located at 7835-7919 Mesa Drive, Tract 1; 7921-8009 Mesa Drive, Tract 2; 7834-7938 Mesa Drive, Tract 3; 4101-4131 Spicewood Springs Road, Tract 4; and 8011-8045 Mesa Drive, Tract 5, be POSTPONED.

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

ABSENT: Mr. Crier

Cl4-71-239 The American National Bank of Austin: C-2, 4th to C, 4th
 500 - 518 Colorado Street
 201 - 221 West Sixth Street
 501 - 519 Lavaca Street
 200 - 220 West Fifth Street

STAFF REPORT: This zoning case is automatically voided by the fact that this block is already zoned "C-2" Commercial, Fourth Height and Area.

TESTIMONY

WRITTEN COMMENT

F. W. Woolworth Co: 600 Congress Avenue	FOR
John N. Chiles, Jr.: 702 Scarbrough Building	FOR
Austin National Bank: Congress Avenue at 5th St.	NO COMMENT
M. K. Hage, Jr.: 2613 Spring Lane	FOR
Earl Simms Estates: P. O. Box 1987	FOR
Harrison - Pearson: P. O. Box 1987	FOR
Paul M. Sarazen: 101 Grover Street	FOR
Mrs. Laura Bunton: 901 Rio Grande Street	FOR
Ernest Kosner: P. O. Box 5202	FOR

PERSONS APPEARING

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 withdrawn.

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

The Commission concurred with the Committee recommendation and

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C14-71-239 The American National Bank of Austin--contd.

VOTED: To recommend that the request of The American National Bank of Austin for a change of zoning from "C-2" Commercial, Fourth Height and Area to "C" Commercial, Fourth Height and Area for property located at 500-518 Colorado Street; 201-221 West 6th Street; 501-519 Lavaca Street; and 200-220 West 5th Street be WITHDRAWN.

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

ABSENT: Mr. Crier

C14-71-240 Robert Davis: O to GR
500 West 13th Street
1300 - 1304 San Antonio Street

STAFF REPORT: A restaurant is proposed for this 7,040 square feet of land near the Central Business District of Austin. This tract of land is within a 1955 area study recommending "O" Office for that area between Guadalupe Street and Rio Grande Street except the existing "C" Commercial. "O" Office zoning is the only zoning classification between Rio Grande and San Antonio Streets from Twelfth to Fifteenth Street. The area between 7th and 19th Streets and between San Antonio and West Avenue is in transition from residential use in older homes to apartment and office uses. Some of the older homes are being remodeled for office use, others are being demolished for more intensive use as permitted in "O" Office zoning. Commercial zoning, except for two corners at 17th and Rio Grande Street, is limited to the area east of San Antonio Street, south of 11th and along 19th Street. The staff recommends that this application be denied as an intrusion of commercial zoning into an apartment and office area.

TESTIMONY

WRITTEN COMMENT

Mr. and Mrs. W. Leroy Coleman: 1304 Nueces Street	AGAINST
Amelia and Eva Fattore: 600 West 13th Street	AGAINST
Mrs. Janice Kniker Lee: 6354 Kirby Oaks Drive	AGAINST
Memphis, Tenn.	
Mrs. Julia Kniker Echols: 5722 Reamer	AGAINST
Houston, Texas	
Kerry G. Merritt: 5302 Western Hills Drive	FOR
R. H. Johnson and James P. Nash: P. O. Box 1237	FOR

PERSONS APPEARING

Marvin Collins: 1200 Guadalupe Street #102	FOR
William C. Davidson, Jr.: 305 East 7th Street	FOR

SUMMARY OF TESTIMONY

Mr. William Davidson represented the applicant. This area was zoned for "O" Office development in 1955; during the intervening fifteen years there has been a substantial change in the area. Urban Renewal, the University and the various State offices have taken over much of the land east of the

C14-71-240 Robert Davis--contd.

Capitol, leaving very little for commercial development. This trend will most probably continue. There is much activity in this area, with small shops being developed. The area is predominately older homes converted into apartment and office use, with the value of the land increasing. This older home would be saved by this use as a quality restaurant, preserving the heritage of the site. The upper floors will be used for offices.

Mr. Marvin Collins stated that a restaurant called The River City Inn is proposed for the lower story of this old rock home. The decor would reflect the early City, and this project is approved by the Heritage Society. The vacant lot across the street will be leased for parking in compliance with the Ordinance. A restaurant is needed in this area to serve the office development, and this restaurant will be an asset to the neighborhood and to the City.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that the character of the City north of the Capitol is very different from the area south of the Capitol. He feels that the proposed use is desirable, but the granting of the zoning would set an undesirable zoning precedent greatly affecting the predominate office development. The possibility of a restrictive covenant was discussed, and it was pointed out that this does not appear on the plat; the members were of the opinion that a method should be found to indicate this information to the general public.

Mr. Reeves stated that a study of the area bounded by 12th and 38th Streets, Lamar Boulevard and Interstate Highway 35 is greatly needed to assist the Commission and the developers in applications in this area. He suggested that this application be postponed for thirty days for such a study; the applicant's representative agreed to this delay and stated that there is no objection to a restrictive covenant. The Committee members agreed that while this is a desirable use for the area, a study is needed due to the precedent which will be set. They recommended that this case be postponed for thirty days and directed the staff to submit a study of the area bounded by 12th and 38th Streets, Lamar Boulevard and Interstate Highway 35.

At the Commission meeting, Mr. Chamberlain requested that further discussion and a decision be made on this request at this meeting. The Commission members then voted unanimously to hear new evidence on this request, with Mr. Crier being absent.

Mr. William Davidson stated that the delay caused by the request for an area study seriously jeopardizes the completion of this planned restaurant, as the owner feels that the remodeling costs will be very high and there is a strong possibility that another tenant will be found unless a definite commitment can be made immediately.

C14-71-240 Robert Davis--contd.

The Commission members discussed this request at length. Mr. Reeves stated that the applicant had agreed to this delay and that the information stated is not new evidence. The many offices in this area should be protected from commercial intrusion; the granting of this zoning, even with a restrictive covenant, will set a precedent for undesirable changes in this area. The area study will indicate whether or not such a change is justified.

The members discussed their recently adopted policy on hearing new evidence. If the evidence given is considered to be new evidence the case is re-advertised and heard again by the Committee. A special meeting was suggested, along with consideration of signs, lighting and parking for this proposed development. The members discussed this use in relation to the surrounding area. They then

VOTED: To recommend that the request of Robert Davis for a change of zoning from "O" Office, Second Height and Area to "GR" General Retail, Second Height and Area for property located at 500 West 13th Street and 1300-1304 San Antonio Street be POSTPONED for thirty days, for consideration of an area study bounded by 12th and 38th Streets, Lamar Boulevard and Interstate Highway 35.

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

C14-71-241 J. D. Culp: C to C-2
 753 Montopolis Drive

STAFF REPORT: A package liquor store is proposed for this 800 square foot area located within a shopping center. "C" Commercial zoning is established on this site as it is to the south. Grocery stores, a church, a cemetery, and other land uses are located along Montopolis Drive to the north and south. A single-family residential neighborhood is established on the north as well as south. The Department prefers "C-2" Commercial zoning applications within shopping centers, such as this application, therefore it is recommended that this application be granted.

TESTIMONY

WRITTEN COMMENT
 None

PERSONS APPEARING

J. D. Culp (applicant)

SUMMARY OF TESTIMONY

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

No one appeared in opposition to this request.

C14-71-241 J. D. Culp--contd.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of J. D. Culp for a change of zoning from "C" Commercial, Sixth Height and Area to "C-2" Commercial, Sixth Height and Area for property located at 753 Montopolis Drive be GRANTED.

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

ABSENT: Mr. Crier

C14-71-242 Jerry Wallace: LR to BB
Rear of 9809 - 9909 Parkfield Drive

STAFF REPORT: This rollback application was made by the applicant at the request of the Department. It is on .76 of an acre in north Austin. This triangular property is being rolled back to "BB" Residence zoning as consistent with abutting property. Single-family neighborhoods exist to the immediate west and south. A similar rollback from commercial to apartment zoning was submitted last month, but inadvertently failed to include this property. The staff recommends that this application be approved.

TESTIMONY

WRITTEN COMMENT
None

PERSONS APPEARING
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, in conformance with the abutting property.

AYE: Messrs. Taniguchi, 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 "LR" Local Retail, First Height and Area to "BB" Residence, First Height and Area for property located at the rear of 9809-9909 Parkfield Drive be GRANTED.

C14-71-242 Jerry Wallace--contd.

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

C14-71-243 Howard Johnson's Motor Lodge: C to C-2
7800 North Interstate Highway 35

STAFF REPORT: This application is for the selling of mixed beverages in the existing Howard Johnson's Lounge, an area of 1,482 square feet. Commercial uses exist along Highway 183 to the west. A Texas Highway Department facility and the Central Texas College Administrative Office are located across Interstate Highway 35 to the east. The surrounding area is zoned "GR" General Retail and "C" Commercial. The staff recommends that this request be granted as the proposed use is compatible with existing development in the area.

TESTIMONY

WRITTEN COMMENT
None

PERSONS APPEARING
Robert Sneed (representing the applicant)

SUMMARY OF TESTIMONY

Mr. Robert Sneed, 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 reviewed the information and concluded that this request should be granted in conformance with the area.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Howard Johnson's Motor Lodge for a change of zoning from "C" Commercial, Fifth Height and Area to "C-2" Commercial, Fifth Height and Area for property located at 7800 North Interstate Highway 35 be GRANTED.

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

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C14-71-244 A. W. Vogelpohl: A to B
4823 Riverside Drive

STAFF REPORT: The staff recommends that this case be withdrawn due to the improper location of the subject property.

TESTIMONY

WRITTEN COMMENT
None

PERSONS APPEARING
Robert Sneed (representing applicant)

SUMMARY OF TESTIMONY

Mr. Robert Sneed stated that this application was filed incorrectly, due to an error on the tax maps. It will be re-submitted at a future date.

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 withdrawn.

AYE: Messrs. Taniguchi, Chamberlain, Bekcer, Reeves and Anderson

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of A. W. Vogelpohl for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4823 Riverside Drive be WITHDRAWN.

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

ABSENT: Mr. Crier

C14-71-245 Jack Thomason: A to B
501 - 603 Deen Avenue

STAFF REPORT: Uses as permitted by requested zoning are planned for this 40,890 square feet of land. Single-family residences dominate the area. A church is located one lot southeast of the subject property. "LR" Local Retail and "C" Commercial zoning are established along North Lamar Boulevard. The staff recommends that this request be denied as an intrusion into a single-family neighborhood.

TESTIMONY

WRITTEN COMMENT
R. T. Higginbotham: 8773 North Lamar Boulevard FOR

C14-71-245 Jack Thomason--contd.

PERSONS APPEARING

Judith A. Schiebout: 605 Deen Avenue
 John Selman (representing applicant)

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman represented the applicant. The area under consideration is vacant, with surrounding uses of older homes, a duplex and several trailer houses. "C" Commercial and "LR" Local Retail zonings exist nearby to the west. Single-family homes are not economically feasible for this tract, with the best use being apartment development.

Arguments Presented AGAINST:

Judith A. Schiebout, 605 Deen Avenue, stated that many families with small children live in this area. There is no play area, and the children play in the street. This is a nice older neighborhood, with all the homes occupied. The intense development of these tracts will greatly increase traffic and will be an intrusion upon the area.

Arguments Presented in REBUTTAL:

Mr. Selman stated that this area will serve as a buffer from the commercial development on Lamar Boulevard to the residential area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed this area; they were of the opinion that the requested density is too high, and suggested the development of fourplexes on this site. They concluded that this request should be denied, but recommend that "BB" Residence, First Height and Area be granted, subject to five feet of right-of-way on Deen Avenue.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Jack Thomason for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 501-603 Deen Avenue be DENIED, but recommend that "BB" Residence, First Height and Area be GRANTED, subject to five feet of right-of-way on Deen Avenue.

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

ABSENT: Mr. Crier

C14-71-246 James Youngquist: BB to O (Tr. 1), C (Tr. 2)
2110 - 2204 Tillery Street

STAFF REPORT: Uses as permitted by the requested zoning are proposed for this 1.23 acre tract in east Austin. Single-family residences are established in the neighborhood to the south and east. "C" Commercial and "LR" Local Retail zoning exist along Manor Road. A pending application for "BB" Residence zoning exists adjacent to this tract on the south. Commercial and retail land uses exist two blocks to the west along Airport Boulevard. The staff recommends that this request be denied as an intrusion of commercial zoning into a residential area.

TESTIMONY

WRITTEN COMMENT

Mrs. A. D. McNabb: 5521 Richmond, Dallas, Texas
A. L. Mayer: 1405 Rio Grande Street

FOR
FOR

PERSONS APPEARING

John Selman (representing applicant)
Hugh Green

FOR

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicant. Office use is proposed for the front portion of this tract, with storage of materials on the back portion. This area is becoming the new core area of the City, and with proper restrictions, the requested zoning is the proper use for this tract and would not harm the neighborhood. It is felt that the proposed use is more desirable for this area than apartment development.

Mr. Hugh Green favors the proposed use, as apartment use would increase the already heavy traffic in this area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed this site and the surrounding land uses. Mr. Reeves stated that the proposed use is improper, due to the width of Tillery Street. There are many nice small homes in this neighborhood. Mr. Taniguchi pointed out that the proposed commercial area would be adjacent to "BB" Residence zoning, if approved. The members concluded that this request should be denied.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of James Youngquist for a change of zoning from "BB" Residence, First Height and Area to "O" Office, First Height and Area, Tract 1, and "C" Commercial, First Height and Area, Tract 2, for property located at 2110-2204 Tillery Street be DENIED.

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

ABSENT: Mr. Crier

C14-71-247 Howard Stevens: A to O
 4305 Marathon Boulevard

STAFF REPORT: Uses as permitted by the zoning requested are planned for this 6,500 square feet of land in central Austin. Single-family and duplex residences predominate this area. Offices, an auto parts store, a carpet store, a record shop, etc., exist along North Lamar Boulevard. This area is in transition to more intense use. Many locations between 40th and 45th Streets from Medical Parkway to North Lamar Boulevard have been granted "O" Office zoning in recent years. Marathon Boulevard has 100 feet of right-of-way south of West 42nd Street and 50 feet of right-of-way north of West 42nd Street. The staff recommends that this request be denied.

TESTIMONY

WRITTEN COMMENT

B. E. Milburn:	11705 Parkwood Drive	FOR
C. M. Erickson:	8053 Claremont, Dallas, Texas	FOR
Frank R. Rundell Co., Inc.:	P. O. Box 455	FOR
Finley E. Barnett:	4301 Bellvue Avenue	FOR
Mrs. Irene Coy:	4308 Bellvue Avenue	FOR
Joseph Marek:	Rt. 2, Box 98, Caldwell, Texas	AGAINST

PERSONS APPEARING

John Selman (representing applicant)	
Two area property owners	FOR

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicant. A contract of sale has been entered into on this property, for the development of offices for architects. The proposed use is logical for this transitional area.

Two property owners in the area spoke in favor of this application. They feel that this area is no longer suitable for single-family use, as it has mixed use, with commercial development encroaching from the east.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that office zoning for this area is preferable to apartment zoning. The Committee reviewed the information and concluded that this request should be granted as proper use for the site, subject to five feet of right-of-way on Marathon Boulevard.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Howard Stevens for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4305 Marathon Boulevard be GRANTED, subject to five feet of right-of-way on Marathon Boulevard.

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

ABSENT: Mr. Crier

C14-71-248 John Jones: A to BB
4601 Manor Road
2700 - 2710 Lovell Drive
2709 - 2711 Lovell Drive
4601 Chartwell Drive
4608 Chartwell Drive

STAFF REPORT: The staff recommends that this application be withdrawn due to a lack of the owner's signature approving the zoning change request.

TESTIMONY

WRITTEN COMMENT

Mrs. I. G. Janca: 4640 Marlo Drive
Felix George: 4626 Marlo Drive

AGAINST
FOR

PERSONS APPEARING

John Selman (representing applicant)
Five area property owners

AGAINST

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, stated that the contract on this property has not been closed. The property will be developed with duplexes.

Five persons were present in opposition to the proposed zoning change; they stated they had no objection to duplex development.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be withdrawn, as requested by the applicant.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John Jones for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 4601 Manor Road; 2700-2710 and 2709-2711 Lovell Drive; and 4601 and 4608 Chartwell Drive be WITHDRAWN.

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

ABSENT: Mr. Crier

C14-71-249 Howard Stevens: A to B
 4413 - 4415 Avenue B
 305 - 307 West 45th Street

STAFF REPORT: This application is for uses as permitted by requested zoning on 13,000 square feet of land in central Austin. This tract is within an area study recommending "BB" or "B" Residence where streets are adequate. "A", "BB", and "B" Residence zoning exists throughout this area, which is in transition to more intense land use. A florist, grocery, church, day-care center and apartment project exist to the south. Several offices exist on West 45th Street. The staff recommends this request be granted subject to twenty feet of right-of-way on West 45th Street.

TESTIMONY

WRITTEN COMMENT:

B. D. St. Claire and Frank Douglas:

Texas State Bank Building

Lynn A. Nelson: 4410 Avenue C

Mrs. Adele A. Wilson: 4511 Avenue C

FOR

AGAINST

AGAINST

PERSONS APPEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney, represented the applicant. He concurred with the staff report, except for the right-of-way requirement. The policy of the City has previously been that all right-of-way required over seventy feet would be purchased. Also, the owners across the street will not be giving any right-of-way. He stated that ten feet of right-of-way would be acceptable.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members reviewed the information and concluded that this request should be granted, as proper use for this site. They were of the opinion, due to the width of the streets abutting this tract, that any additional right-of-way required should be purchased by the City.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Howard Stevens for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4413-4415 Avenue B and 305-307 West 45th Street be GRANTED.

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

ABSENT: Mr. Crier

C814-71-05 Link Programs, Inc.: Planned Unit Development
Extension of St. Elmo Road

STAFF REPORT: This application has been filed as required under Section 10-A, Sub-Section A, Paragraph 12 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This tract is located along St. Elmo Road east of Interstate Highway 35 in south Austin. The land surrounding this site is vacant, with proposed industrial use north and east of this tract. The site plan shows 288 units in groups of four. This is a density of 8.7 units per acre on this 33.22 acre tract. There will be 2.7 parking spaces per unit, or a total 787 spaces, of which 288 are listed as garages. Open space is planned for 13.7 acres, which is 45.9 per cent of the tract, and private patios on 1.66 acres, which is 5.8 per cent. These units will be sold individually and the streets will be private. The site plan has been circulated to the various City departments and the comments are as follows:

- | | |
|--------------------|---|
| Office Engineering | - Plat complies. |
| Electric | - Plat complies. |
| Building Inspector | - Since the property is outside the City limits, zoning and building code requirements are not applicable; however, plumbing, electrical, heating and air permits are required since the property is in a Water District. |
| Advanced Planning | - 1.The private drives entering the two parking bays at the southwest corner of the PUD are only ten feet wide; these should be a minimum of 18 feet wide for two-way traffic. 2.Some common areas between facing townhouse structures are very narrow, some as narrow as 8 feet between fenced courts. 3.Lift station needs to be located and labeled on site plan. 4.Should deepen the two parking spaces at the ends of bays to provide better backing room within bays. 5.Because of the difficulty of maneuvering in the two end spaces, it is advisable to provide additional head-in parking spaces from the private streets near the townhouse units. |
| Tax Assessor | - 9-3-1706-0101 Taxes paid through 1970. |
| Fire Protection | - Located outside the City limits. |
| Health | - No objections; waste water system to be available. |
| Traffic Engineer | - Driveways must be 25 feet for undivided entrances and 52 feet for divided entrances. Openings in median on a divided street cannot be closer than 300 feet. Dedicated streets take priority over driveways. |

C814-71-05 Link Programs, Inc.--contd.

- Water and Sewer - Plat complies.
- Storm Sewer - 1.Easements required will make plan changes necessary. 2.Drainage facilities required; plans must be approved by City Engineer prior to construction. 3.Location of existing drainways can be moved to clear buildings.

The staff recommendation is to approve this request subject to departmental comments; however, it is felt that this Planned Unit Development does not represent good design. The structures, streets and parking facilities use too much of the site. The recreational area would be more appropriate nearer the center of the tract, as the people living in the northeast corner are located approximately 1000 feet from this area. To drive to the recreation center, the residents of the northeast corner must use St. Elmo Road. Some provision should be made for pedestrian paths on the tract.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Jack Craycroft (architect)

George Haviland (area property owner)

FOR

Lawrence Clark

SUMMARY OF TESTIMONY

Mr. Jack Craycroft, architect, reviewed this site plan. At present the tract is vacant, with many trees. The topography is incorporated into the design, with tot lots, tennis courts, etc. These townhouse units will be built in groups of four, with assigned parkings in the inner area; there will be additional parking off the streets and the width of the streets will allow on-street parking. A Homeowner's Association will enforce maintenance of the tract. It is felt that this development is the highest and best use of the tract.

Mr. George Haviland, a property owner in this area, stated that this type of development is needed for this area. He feels the density for this tract is too high in view of the streets which will be serving it. Also, parking should be provided for boats and campers within this development.

Discussion followed concerning St. Elmo Road, which is a County road. Consideration of the improvement of this road must be requested, and the County Commissioners must approve this expense. As traffic increases in this area, the streets will be improved.

Mr. Lawrence Clark stated that he personally does not feel the planned number of parking spaces are necessary; however, all requirements of the City's Code will be fulfilled. Pedestrian walkways are planned for the development and a more detailed landscape plan will be submitted.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed the street pattern for this development; they were of the opinion that the center median should not be broken at the point where a private street is offset from the Winnebago Lane extension, as turning vehicles will create a hazardous traffic situation. The applicants stated that no problems are foreseen in complying with the departmental requirements. Mr. Reeves explained to the applicants that the landscape plan must be specific as it will be enforced by the City. The Committee reviewed the information and concluded that this request should be granted, subject to departmental requirements to include the closing of the median on St. Elmo Road where the private street is offset with Winnebago Lane, and approval of a pedestrian and landscape plan by the Planning Commission.

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

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Link Programs, Inc. for a Planned Unit Development for property located on the extension of St. Elmo Road, subject to departmental requirements to include the closing of the median on St. Elmo Road where a private road is offset with Winnebago Lane, and approval of a pedestrian and landscape plan.

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

ABSENT: Mr. Crier

C814-71-06 Lakeway Land Company: Planned Unit Development
Rock Cove at Lakeway

STAFF REPORT: This application has been filed as required under Section 10-A, Sub-Section A, Paragraph 12, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This 22.9 acre tract is located on the south side of Lake Travis in the Lakeway Subdivision. This is a suburban subdivision, which will comply with County standards, and is an area which will be developed as single-family residential. Development of 138 units is proposed for this tract, for a density of approximately six units per acre. 2.5 parking spaces per unit will be provided, totaling 360 spaces. Open space to be developed is 13.7 acres, or 60 per cent of the tract. The street pattern is one of limited access, with one main entrance and one emergency entrance. The design includes both single-family homes and townhouse units. The streets will be private streets. The package plan should be approved by State agency. The site plan has been circulated to the various City departments and the comments are as follows:

Office Engineer - Plat complies.

Tax Assessor - This property lies outside the limits of the City of Austin and outside the Austin Independent School District.

C814-71-06 Lakeway Land Company--contd.

- Building Inspector - 1.As property is outside the City limits, Zoning and Building Code requirements are not applicable. 2.In the event the property is located in the electric service area, electrical, heating and air permits will be required.
- Advanced Planning - 1.Due to provided off-street head-in parking, the proposed 25 foot width of the private street paving is acceptable. Approval should be obtained from Public Works Department. 2.Any improvements such as pedestrian pathways, tot lots, etc., should be shown; i.e., access path to the marina. 3.Contour intervals and elevations are not labeled on site plan, especially the 714 foot flood elevation. 4.Should have note on site plan indicating that the package sewer plant will be constructed for use with Phase I dwelling units. 5.Final plat should be recorded.
- Fire Prevention - While not a requirement, all three story buildings should have a fire escape and at least two exits for each unit, at all levels.
- Fire Protection - Located outside City; Lakeway furnishes own fire protection.
- Electric - Out of City service area.
- Traffic Engineer - Plat Complies.
- Water and Sewer - Water and waste water services are not available from the City.
- Health - Due to the proximity of Lake Travis, the density of the area, the type of soil, and size of the lots, we do not recommend approval of septic tanks. Suggest developer submit plans for a package treatment plant.

The staff recommends that this request be granted, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Tom Curtis (represented applicants)
Mr. Hendrick and Mr. Anderson (developers)

C814-71-06 Lakeway Land Company--contd.

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SUMMARY OF TESTIMONY

Mr. Tom Curtis represented the applicants. He briefly reviewed the site plan of the proposed development. This will be a secluded resort, with summer homes and some permanent residents. The streets will be dedicated.

Mr. Hendrick and Mr. Anderson, the developers, were also present. The site plan is approved by the City departments, and all problems are minor and will be worked out. Parking provided will be more than adequate, and no on-street parking will be allowed. Electrical service will be provided by the Pedernales Cooperative.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members discussed all aspects of this proposed development. They felt very strongly that more than one entrance is needed, both for convenience and the safety of the residents. Also, a more detailed landscape plan should be submitted. They concluded that this request should be granted, subject to departmental requirements, ingress/egress on both sides of the tract, and approval of the landscape plan by the Planning Commission.

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

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Lakeway Land Company for a Planned Unit Development for property located at Rock Cove at Lakeway, subject to departmental requirements, ingress/egress on both sides of the tract, and approval of the landscape plan by the Planning Commission.

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

ABSENT: Mr. Crier

SPECIAL PERMITS

CP14-71-051 W. R. Coleman and M. H. Coleman: Mobile Home Park
1531 Barton Springs Road

STAFF REPORT: This application has been filed as required under Section 5-B, Sub-Section A, Paragraph 22(a), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. A mobile home park is proposed for this 3.43 acre tract in southwest Austin. Single-family residences, on a higher elevation, surround this tract. Commercial uses along Barton Springs Road include a trailer park and sales facility, a service station and shops. This site is pending "LR" Local Retail zoning and has a serious topography problem. The site plan has been circulated to the various City departments and the comments are as follows:

Building Inspector

- 1. Shortform subdivision is required. 2. Unless at least "LR" Local Retail zoning is approved, recommend disapproval. 3. There is a drainage easement across the north

portion of the property. Trailers cannot encroach into this easement. 4. Four foot high solid fence required where any parking area is adjacent to property developed for residential use. 5. Only three paved off-street parking spaces are shown for the washateria. Six off-street parking spaces are required and should be accessible to its customers. (Washateria building approximately 25' x 50' = 1,250 sq.ft.) 6. Does not include Building Code approval. 7. Trailer space #20 appears to be partially blocking entrance to the park. 8. Recommend engineering report on area of site to be occupied by trailers #4, 5, 6, & 7 that soil conditions are sufficiently stable to safely locate trailers along man-made bluff.

Tax Assessor

- 1-0303-0726 & 0752 Taxes are paid through 1970.

Fire Prevention

- Provide fire protection system as required by the Fire Code.

Water and Sewer

- Water and waste water service is available from mains in adjacent streets. No additional fire hydrants will be required.

Fire Protection

- We recommend at least one fire hydrant as recommended in the Code of the City, 38-104. We recommend that this fire hydrant be placed with the 4" opening facing a driveway and that from the center of the 4" opening to the finished grade be approximately 18".

Health

- No objections. Waste water system to be available.

Traffic Engineer

- 25 foot driveway - 50 feet east of west property line on Barton Springs Road.

Electric

- Existing downguy easement indicated on print.

Advanced Planning

- 1. Short form subdivision C8s-71-207 "Lost Canyon Addn." must be recorded prior to release of special permit. 2. Zoning as requested in C14-71-135 from A to LR must be passed and ordinance written prior to release of special permit. 3. Need topo lines of finished grade of site. 4. Entrance should be 30 feet wide, front street should be paved 30 feet in width. 5. Twenty-nine trailers indicated, two parking spaces should be provided per unit.

58 minimum. 6. Little usable recreational space provided. 7. Minimum distance between trailers should be ten feet.

- Storm Sewer - 1. Drainage easement required. 2. Proposed drainage facilities must be shown on construction plans, and approved by the City Engineer.
- Office Engineer - Recommend a thirty foot driveway.

The staff recommends that this request be granted subject to departmental requirements.

TESTIMONY

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. W. R. Coleman stated that he has worked closely with the Planning Department staff on the development of this tract. The topography of the tract is very rough, and has been flattened and changed. It is heavily wooded, and an effort is being made to save as many of the large trees as possible by angling the trailer sites. There are many trailer houses in this area, and the proposed development is the best utilization of this tract.

Arguments Presented AGAINST:

Conditions in this area are such that the residents feel that the planned topographical changes and construction constitute a danger to the safety of the surrounding area. They requested that a study be made of the planned development in relation to the shifting of rocks and soil. In addition, privacy fencing is needed to protect the adjacent property owners.

Arguments Presented in REBUTTAL:

Mr. Coleman stated that a firm of engineers has been hired to design this development. All requirements of the City Code will be met.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Reeves stated that this area has a past history of landslides and shifting soil. Also, drainage on this tract could be a problem and should be carefully designed. The Committee reviewed the information and concluded that this request should be granted, subject to departmental requirements, six-foot privacy fencing where adjoining residential use, and a drainage and soil retention plan to be approved by the Department of Public Works.

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

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of W. R. Coleman and M. H. Coleman for a special permit for a mobile home park on property located at

CP14-71-051 W. R. Coleman and M. H. Coleman: Mobile Home Park--contd.

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1531 Barton Springs Road, subject to departmental requirements, six-foot privacy fencing where adjoining residential use, and a drainage and soil retention plan to be approved by the Department of Public Works.

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

ABSENT: Mr. Crier

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

RECONSIDERATION OF SPECIAL PERMIT

CP14-68-020 Larry Morris et al: 1231 Unit Apartment Complex
 2121-2215 Elmont Drive
 2201-2319 Town Lake Circle

Mr. Richard Lillie, Director of Planning, briefly reviewed this site in southeast Austin near Riverside Drive. The original application was approved for the construction of 123 units; the applicant is requesting an increase of 21 units for a total of 144 units. Area and parking are adequate. On the north property line of the tract a tier of parking adjoins an existing driveway. A perpetual easement agreement to provide access to these parking spaces will be required from this property owner. The staff recommends approval of this revision, subject to the easement agreement.

The Commission reviewed the information and

VOTED: To APPROVE the request of Larry Morris, et al for consideration to incorporate 21 additional units into an apartment complex on land located at 2121-2215 Elmont Drive and 2201-2319 Town Lake Circle, subject to the filing of a perpetual easement agreement for access from the north property line.

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

ABSENT: Mr. Crier

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

R146 SUBDIVISION COMMITTEE

The Chairman reported action taken on the subdivisions at the meeting of September 27, 1971, and requested that this action be spread on the minutes of this meeting of the Planning Commission. The staff reported that one appeal has been made on the requirements of the Subdivision Ordinance: C8-71-100 Runnymede, Section 1, and that no subdivisions were referred to the Commission. It was then

VOTED: To ACCEPT the attached report and spread the action of the Subdivision Committee of September 27, 1971 on the minutes of this meeting.

SUBDIVISION PLATS - FILED AND CONSIDERED

3-71-100 Runnymede, Section 1
Lamar Boulevard and Rundberg Lane

The staff reported that all departmental requirements have been met and fiscal arrangements are completed on this final plat. Consideration is requested of a variance to approve a subdivision abutting one-half of a street.

This tract is located between Rutland Drive and Rundberg Lane just off Lamar Boulevard in north Austin. Zoning has been granted, and a special permit for this site for a 252-unit apartment dwelling group has been approved. The preliminary plan for the tract was recommended and approved subject to the provision of ninety feet of right-of-way on Rundberg Lane. While the owner of this property has dedicated forty-five feet for this street by separate instrument, the adjoining property owner has not dedicated his portion and has no plans for the development of his property. The applicant is ready to begin construction of the apartment dwelling group and requests that the requirement of ninety feet of right-of-way for Rundberg Lane be removed, as he has fulfilled all requirements, including fiscal arrangements for his portion of the street.

Mr. Reeves stated that this development will have adequate access without using Rundberg Lane; the zoning on this property was granted two years ago and it would seem unfair to delay the development of this tract further. Rundberg Lane can be developed jointly at a later date.

Mr. Bill Williams, representing Nash Phillips-Copus Company, the owners of the property on the south side of the proposed Rundberg Lane, stated that the estimated cost for their portion of this street is \$50,000. They do not wish to make this investment until their property is developed. He pointed out that Rundberg Lane will be developed as a divided street with a center median and suggested that one-half of this street could be developed, if necessary. This has been done in the past.

The staff pointed out that the policy of the Traffic and Transportation Department has been that the construction of one-half a street should not be allowed, due to the difficulties of placement of utilities and paving. This would place an undue financial burden upon one property owner.

Mr. Goodman inquired about the effect this variance would have on the development of the property to the west; the staff reported that this property is owned by these two owners and no definite plans have been made as yet for development.

Mrs. Taniguchi stated that if the driveways as shown on the special permit site plan to Rundberg Lane are not developed, the special permit application should be reconsidered.

Mr. Milstead stated that a ninety-foot right-of-way should not feed into a forty-five foot right-of-way; until Rundberg Lane can be completed to Lamar Boulevard, all traffic should use Rutland Drive.

Mr. Will Garwood, attorney, represented the applicant. He stated that all requirements have been met and requested consideration of this variance.

The Commission members discussed the information and

VOTED: To ACCEPT for filing and APPROVE the final plat of RUNNYMEDE, Section 1,

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C8-71-100 Runnymede, Section 1--contd.

and to GRANT the variance to allow a subdivision abutting one-half of a street.

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

C8-71-119 Quail Creek, Phase 2, Section 5
Rundberg Lane and Parkfield Drive

The staff reported that this is the first appearance of this final plat before the Commission and recommended that it be accepted for filing and disapproved pending departmental requirements, easements, fiscal arrangements and sidewalks. This owner has provided ninety feet of right-of-way for Rundberg Lane, which goes through this proposed subdivision. This plat will be before the Commission again for final approval, at which time the right-of-way and fiscal arrangements will be finalized.

Mr. Goodman stated that the individual developers should not be required to develop this street until the street can be completed to Lamar Boulevard.

The Commission then

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of QUAIL CREEK, Phase 2, Section 5, subject to departmental requirements, easements, fiscal arrangements and sidewalks.

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

The staff reported that the following final plats have previously been before the Commission, were accepted for filing and disapproved pending technical items required by the Ordinance. All requirements have been met and these plats have been given approval under the Commission's amended rules and regulations.

The Commission then unanimously

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the approval of the following final plats:

<u>C8-70-129</u>	<u>Mesa Park, Section 2</u>
	Duval Road and Blackhawk Drive
<u>C8-71-44</u>	<u>Quail Creek, Phase 4, Section 1</u>
	Cripple Creek Drive east of Parkfield Drive
<u>C8-71-117</u>	<u>Balcones Village, Section 5, Phase B</u>
	Spring Hollow Drive and Spring Circle Drive

The staff reported that this is the first appearance of the following final plats, which are lacking required easements, required fiscal arrangements, sidewalks and compliance with departmental requirements. It is recommended that these plats be accepted for filing and disapproved pending these requirements.

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The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the following final plats, pending the completion of departmental reports:

- ✓ C8-71-40 Barton Hills West, Section 2
Scarlet View Drive
- ✓ C8-71-101 South Creek, Section II
Lockhart Highway and North Bluff Drive
- ✓ C8-71-107 North Oaks, Section 4
Berrywood Drive and Oak Haven Circle
- ✓ C8-71-121 Meisha Subdivision
Alpine Drive and Alpine Circle

The staff reported that this is the first appearance of the following final plats before the Commission. These plats are lacking required easements, fiscal arrangements, and compliance with departmental requirements. It is recommended that these plats be accepted for filing and disapproved pending these requirements.

The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the following final plats, pending the completion of departmental reports.

- ✓ C8-71-111 Clear Creek Estates, Section 1
Cameron Road and Clear Creek Drive
- C8-71-130 The Village, Section 4
Carlow Drive and Blarwood Drive

C8-71-129 Quail Creek West, Phase 2, Section 7
Oak Hollow Drive and Mt. Quail Drive

The staff reported that this is the first appearance of this final plat before the Commission. All requirements have been met and it is recommended that this plat be accepted and approved. The Commission then unanimously

VOTED: To ACCEPT for filing and APPROVE the final plat of QUAIL CREEK WEST, Phase 2, Section 7.

C8-71-134 Creek Bend, Section 2
Teewood Drive

The staff reported that this is the first appearance of this final plat before the Commission, and it is lacking required easements, fiscal arrangements and compliance with departmental requirements. It is recommended that this plat be accepted for filing and disapproved, pending completion of these requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of CREEK BEND, Section 2, pending completion of departmental reports.

C8-71-131 Windsor Hills, Section 4
Faylin Drive and Willfield Drive

The staff reported that this is the first appearance of this final plat before the Commission. It is lacking the required easements and compliance with departmental

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C8-71-131 Windsor Hills, Section 4--contd.

requirements. The recommendation is to accept this plat for filing and disapprove it, pending completion of these requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of WINDSOR HILLS, Section 4, pending completion of departmental reports.

C8-70-95 Willow Creek, Section 2
Willow Creek Drive

The staff reported that this final plat has met all requirements. A variance is requested on this plat to exclude Lot 2. A requirement of the development of this tract was the easterly extension of Woodland Avenue across the north end of the tract. The developer has been unable to obtain the signature of the adjoining property owner, dedicating one-half of this required street.

Mr. Reeves pointed out that this extension of Woodland Avenue has been paved, curbed and guttered, with utilities and drainage completely finished. The Commission then unanimously

VOTED: To ACCEPT for filing and APPROVE the final plat of WILLOW CREEK, Section 2, and to grant the variance excluding Lot 2 from this plat.

✓C8-70-42 Pecan Grove
Jain Lane

The staff reported that this final plat is lacking required easements, fiscal arrangements and compliance with departmental reports. A variance is requested to allow the return curves connecting Stuart Circle with Stuart Court to have a radius of ten feet instead of fifteen feet as required by the Ordinance. It is recommended that this variance be granted and the plat disapproved pending departmental requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of PECAN GROVE, pending completion of departmental requirements, and to grant a variance to allow the return curves connecting Stuart Circle with Stuart Court to be a radius of ten feet.

SHORT FORM PLATS - FILED AND CONSIDERED

The staff reported that the following short form plats have met all requirements and are recommended for approval. The Commission then unanimously

VOTED: To APPROVE the following short form plats:

C8s-71-204	Resubdivision of Lots 17 & 18, Block Q Flournoy's Sweetbriar, Section 7
✓C8s-71-213	Treys Way & Merrywood Drive Joe K. Smith Subdivision
✓C8s-71-211	Burleson Road 1st Resubdivision, Lots 3 & 4, Quail Creek, Phase III, Section 2
	Stonebridge Drive

504

✓ C8s-71-217	C.B.S. Industrial Addition
	E. 4th Street & E. 5th Street
✓ C8s-71-216	Resubdivision of Lots 2 & 3, Block N,
	Salem Walk, Section 1
✓ C8s-71-208	Cedar Glen
	E & M Subdivision
	West Powell Lane
C8s-71-225	Spearpoint Commercial
	Fredericksberg Road & U. S. Highway 290
✓ C8s-71-210	Wayne Moore Subdivision
	Steck Avenue and Balcones Drive

C8s-71-227 St. Julia Addition
Lyons Road & Tillery Street

The staff reported that this short form plat is lacking compliance with departmental requirements and current tax certificates. It is recommended that this plat be accepted for filing and disapproved, pending these requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of ST. JULIA ADDITION, pending completion of departmental requirements and current tax certificates.

The staff reported that the following short form plats are lacking compliance with departmental requirements and fiscal arrangements. It is recommended that they be accepted for filing and disapproved, pending these requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the following short form plats, pending compliance with departmental requirements and fiscal arrangements:

C8s-71-228	John D. Byram Addition
	Airport Boulevard & U. S. Highway 290
C8s-71-229	Resubdivision of Lot 5A, Austin Mall
	Highland Mall Boulevard & Jonathan Drive

The staff reported that the following four short form plats are lacking compliance with departmental requirements, and recommended that they be accepted for filing and disapproved, pending these requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the following short form plats, pending compliance with departmental requirements:

C8s-71-231	Resubdivision of Lots 3-9, Block 41, & Lots 7-13,
	Block 42, Austin Lake Hills, Section 1
	Miami Drive and Saracen Road
C8s-71-234	Wooten Park Square, Section 6
	Anderson Lane
C8s-71-235	Lanford Subdivision
	Highway 183
C8s-71-236	Perkins Valley, Section 6
	Austin-Lockhart Road

565

C8s-71-237 Willie G. Rodrigues Subdivision
 Maxwell Lane at Riverside Drive

The staff reported that this is the first appearance of this plat before the Commission, and it is lacking departmental reports. A variance is requested on the signature of the adjoining owner, who has refused to participate in this subdivision. It is recommended that this variance be granted, and the plat be accepted for filing and disapproved, pending departmental requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of the WILLIE G. RODRIGUES SUBDIVISION, pending departmental requirements, and to grant the variance excluding the adjoining owner.

C8s-71-223 J. E. Bouldin Addition
 Resubdivision of a portion of Lot 9, Block F
 South 2nd Street

The staff reported that this is the first appearance of this plat before the Commission; it has met all departmental requirements. A variance is requested on the signature requirements of the adjoining owner, who does not wish to participate in this plat. It is recommended that this variance be granted, and that the plat be accepted for filing- and approved. The Commission then unanimously

VOTED: To ACCEPT for filing and APPROVE the short form plat of J. E. BOULDIN ADDITION, and to grant the variance excluding the adjoining owner.

C8s-71-224 J. T. Andrews Addition
 Davis Lane

The staff reported that this is the first appearance of this plat before the Commission; it has met all departmental requirements. A variance is requested on the signature requirements of the adjoining owner, who does now wish to participate in this plat. It is recommended that this variance be granted, and that the plat be accepted for filing and approved. The Commission then unanimously

VOTED: To ACCEPT for filing and APPROVE the short form plat of J. T. ANDREWS ADDITION, and to grant the variance excluding the adjoining owner.

C8s-71-226 Noble J. Smith Subdivision
 Manchaca Road

The staff reported that this is the first appearance of this plat before the Commission, and it has met all departmental requirements. A variance is requested to exclude adjoining property under the same ownership. This property is a large corner lot, with no problems in future development. It is recommended that this variance be granted, and that the plat be accepted for filing and approved. The Commission then unanimously

VOTED: To ACCEPT for filing and APPROVE the short form plat of NOBLE J. SMITH SUBDIVISION, and to grant the variance to exclude adjoining property under the same ownership.

C8s-71-230 Fairway Place, Section 1
Grove Boulevard & Fairway Street

The staff reported that this is the first appearance of this plat before the Commission, and it is lacking departmental reports. A variance is requested excluding the balance of the tract, which is a large area with street requirements. This variance will in no way interfere with the development of the remaining area. It is recommended that the variance be approved, and the plat be accepted for filing and disapproved, pending departmental requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of FAIRWAY PLACE, Section 1, pending departmental requirements, and to grant the variance excluding the balance of the tract.

C8s-71-232 Scenic View West, Section 3
The High Road

The staff reported that this is the first appearance of this plat before the Commission, and it is lacking departmental reports. Two variances are requested on this plat; one to exclude the balance of the tract, on which a long form subdivision is being submitted next month, and a request to vary from Commission policy regarding minimum curb radius of fifteen feet, and requesting curb radius of 14.87 feet. It is recommended that these two variances be granted and that the plat be accepted for filing and disapproved, pending departmental requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of SCENIC VIEW WEST, Section 3, pending departmental requirements, and to grant the variance excluding the balance of the tract and the variance allowing curb radius of 14.87 feet.

C8s-71-233 ABC Truck Rental Addition
Ben White Boulevard

The staff reported that this is the first appearance of this plat before the Commission, and it is lacking departmental reports. A variance is requested on the signature of the adjoining owners, which involves eight to ten parties. It is recommended that this variance be granted, and that the plat be accepted for filing and disapproved, pending departmental requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of ABC TRUCK RENTAL ADDITION, pending departmental requirements, and to grant the variance on the signature of the adjoining owner.

✓ C8s-71-219 Resubdivision of Lot 22, Block B,
Springdale Hills, Section 4
Broadhill Drive

The staff reported that this plat has met all departmental requirements, and that this is a re-platting of an existing lot to correct an error in survey. A variance is requested on the signature of the adjoining owner. It is recommended that this variance be granted, and that this short form plat be approved. The Commission then unanimously

VOTED: To APPROVE the short form plat of SPRINGDALE HILLS, Section 4, and to grant the variance on the signature of the adjoining owner.

OTHER BUSINESS

C2-71-3 ZONING PLAN AND ORDINANCE: Mobile Home Plan
Proposed Mobile Home Regulations

Mr. Duncan Muir, Planner I for the Planning Department, presented the department's proposal for regulation of mobile homes within the City of Austin. A new "MH" Residence Zoning District is proposed to regulate the location of mobile homes, and a mobile home park licensing ordinance is proposed to establish minimum internal standards for these parks. The licensing procedure would be administered by the Building Inspection Department of the City.

The definition of mobile homes excludes those structures which comply with the Building Code of the City, as these structures will be allowed to locate in areas with other structures conforming with the Building Code. Mobile homes located in the City will be required to meet State standards. "MH" Residence District will cover mobile home parks and mobile home subdivisions, with specific regulations concerning access, streets, parking, size, density, etc.

Consideration has been given to either the establishment of the "MH" zoning classification, which would fall between "A" Residence and "BB" Residence zoning classifications, and would require a zoning change in "SR", "AA", or "A" Residence areas only; or the establishment of the "MH" Residence district, which as a special use district would require a zoning change wherever a mobile home is located in the City.

Mr. Carl Morris, president of the local chapter of the Mobile Home Association, stated that this proposed Ordinance is fair to the industry and to the City.

Mr. Will Ehrle, attorney for the State and local Mobile Home Association, stated that this proposed Ordinance is the result of tremendous amount of work, effort and energy by the City Departments and other interested parties. It reflects a desire to upgrade the image and the living conditions in mobile home parks and subdivision of the future, and may well serve as a model ordinance for other cities. He requested that "MH" zoning classification adopted by the City for these parks and subdivisions should be similar to the regulations pertaining to apartment houses. In addition, he requested that regarding the use of septic tanks, the same rules should apply to mobile homes as to other housing types in the City. All City and County requirements should be enforced on the use of septic tanks.

Mr. John Browning, representing the Homebuilders' Association, commended the City and the Mobile Home Association on this needed Ordinance. He stated that as mobile homes do not meet the standards of the Building Code, it should not be given a zoning classification; rather, each proposed location should be individually acted upon by the Planning Commission.

The Commission members discussed the proposed Ordinance, and requested clarification of lighting and landscaping requirements. The Commission then

VOTED: To POSTPONE action on the proposed Mobile Home Ordinance until the next regularly scheduled Planning Commission meeting, at which time a public hearing will be held on the proposed ordinance.

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

ABSENT: Mr. Crier

C2-71-4ZONING ORDINANCE: Interim Revision
Revised Requirements for Day Care Centers

The staff reported that in "B" and "BB" Residence zoning, this proposed revision would allow up to twelve children on 5,570 square feet of land with an additional 300 square feet of land required for each child in excess of twelve. The proposed revision would allow day care centers as a permitted use in "O" Office zoning. All centers would need to be approved by the Department of Public Welfare.

Mr. Reeves stated that many developers are including day care centers as part of their development plans when mixed housing units are included in their subdivisions. He feels that more children should be allowed under the "B" Residence zoning classification. The Commission then

VOTED: To POSTPONE for thirty days any further consideration on the proposed revisions for day care centers at which time a public hearing will be held at the Planning Commission meeting on the proposed Zoning Ordinance revision.

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

ABSENT: Mr. Crier

C2-71-5ADMINISTRATIVE PROCEDURES AND ENFORCEMENTAdministrative Procedure for Submission of Preliminary Site Plans for Special Permits

The staff reported that the following procedure is suggested for the submission of a preliminary schematic plan for special permits. Such a procedure was requested by the Planning Commission to provide an opportunity for the staff and the Commission to review a proposal before the developer becomes committed to the final plans. After the final plans have been completed, it becomes difficult to make changes in the plans.

The schematic site plan is to be submitted one week prior to the Zoning Committee meeting. It will then be reviewed by the staff, who will submit their comments for review to the Zoning Committee. This review by the Committee will not be a public hearing.

Suggested requirements to be included on the preliminary schematic plan are as follows:

- a. Total area to be included and general breakdown of use by acres.
- b. Topographic information.
- c. General location and size of buildings.
- d. Number of units by type.
- e. Location of off-street parking spaces and driveways.
- f. Number of spaces required.
- g. Location and character of proposed open space.
- h. Character of surrounding land use.
- i. Streets.

The Commission then

VOTED: To ADOPT the administrative procedure for submission of preliminary site plans for special permits as outlined above.

C2-71-5 ADMINISTRATIVE PROCEDURES AND ENFORCEMENT--contd.

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

C10-71-1(r) STREET VACATION

Request by the Urban Renewal Agency to vacate streets
in the Glen Oaks Project.

Mr. Richard Lillie, Director of Planning, reported that these streets to be vacated are in the Glen Oaks Project in East Austin. They are located between Webberville Road and Twelfth Street. This request is in conformance with the Urban Renewal Plan as recommended by the Planning Commission and approved by the City Council. All City departments recommend the vacation of these streets, subject to the retention of easements. The Commission then

VOTED: To recommend that portions of Conway Street and portions of the two unnamed alleys located between Hargrave Street and Kuhlman Street be VACATED, subject to the retention of easements.

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

C10-71-1(AC) ALLEY VACATION

West 10th Street alley between Colorado Street and Congress Avenue, and
Colorado Street alley from West 10th Street to West 10th Street alley.

The staff reported that all property adjoining these alleys is owned by the State and that this site will be the location of the new Highway Department building. All departments recommend this request, subject to retention of easements. The Commission then

VOTED: To recommend that the West 10th Street alley between Colorado Street and Congress Avenue and the Colorado Street alley from West 10th Street to West 10th Street alley be VACATED, subject to retention of easements.

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

C10-71-1(AD) STREET VACATION

Parkdale Drive from Ashdale Drive southerly 110 feet to dead end.

The staff reported that this street vacation request has been made by the adjoining property owners, who propose to maintain this area. In 1967 the property to the south of this stub street was zoned "GR" General Retail. At that time, the Planning Commission recommended that this street not be used, as adequate access was available and the use of this street would feed commercial traffic into the residential subdivision.

The Austin Northwest Development Company requests that this section of Parkdale Drive not be vacated, as it will be needed in the future to handle the increasing traffic in this area.

C10-71-1(AD) STREET VACATION--contd.

All City departments recommend this vacation, except for the Traffic and Transportation and the Public Works Departments. These two departments feel that no action should be taken until the pattern of development to the south is determined. The Planning Department recommends that this stub street be vacated, subject to the retention of easements. This action is necessary to protect the residential area north of Ashdale Drive from commercial traffic.

Mr. Jack Ritter represented the applicants. When the commercial zoning to the south was granted in 1967, the developer proposed to fence off and drain this area. These promises have not been kept. The area is overgrown with weeds, and a severe ponding problem exists after each rainfall. Maintenance of the area would appreciate the value of the surrounding property. It is felt that Stillwood Street is adequate to provide access to this area. The stagnant water, motorcycle racers and parked cars create a very real problem for the adjacent owners, who would like to solve these problems.

Mr. John German, Associate Director of the Traffic and Transportation Department, stated that this request is premature. Although the large tract to the south is zoned commercial, it may be developed with multi-family housing. It is requested that this stub street not be vacated until a development plan for the area is available.

Mr. Reeves stated that the requirements of fencing and draining of this street, which were required when the commercial zoning was granted, have not been met. Other access to this area is available, making the vacation of this stub street desirable. Mr. Becker stated that there has been grading in this area, which may improve the drainage. The Commission then

VOTED: To recommend that Parkdale Drive from Ashdale Drive southerly 110 feet to the dead end of the street be VACATED, subject to the retention of easements.

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

ABSENT: Mr. Crier

C10-71-1(AE) STREET VACATION

Filburn Drive south of Lightsey Road.

The staff reported that this request has been made by the adjoining property owners, and the vacation is recommended by all departments, subject to the retention of easements. The tract of land south of Filburn Drive is being developed with apartments, and will have a cul-de-sac to protect the residential area from this traffic. It is no longer desirable to extend this street to the south.

The Commission then

VOTED: To recommend that Filburn Drive south of Lightsey Road be VACATED, subject to the retention of easements.

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

ABSENT: Mr. Crier

C10-71-1(AF) STREET VACATION

West 10th Street from Baylor Street westerly approximately 100 feet.

The staff reported that this street vacation request is by the adjoining property owners. This area is not developed and has a grade of thirty-six per cent between West 10th Street and Baylor Street. If developed as an extension of West 10th Street, there would be an offset on West 10th Street at its intersection with Baylor Street of approximately one street width. The Planning Department recommends that this request be granted, because of topographic problems.

Mr. John German, Associate Director of the Traffic and Transportation Department, requested the denial of this request. It is felt that this extension will be required in the future and this vacation is not justified at this time. Other developed streets in this area have similar grades.

Mr. Reeves stated that this location is near the center of the City, with traffic increasing to the west of Lamar Boulevard. With proper grading, the street could be developed. Mr. Kinser stated that the steep bluff at this location makes such an extension impractical. The Commission then

VOTED: To recommend that the requested vacation of West 10th Street westerly for approximately 100 feet be DENIED.

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

C10-71-1(AG) STREET VACATION

East 41st Street from Avenue H to Avenue H alley.

This request is being made by Lutheran Social Service to provide for parking and expansion of Altenheim, a retirement center. Five property owners, whose property fronts on Duval Street, use the alley as the only access to their garages and they object to this street vacation. The applicants have an option on the property on the north side of 41st Street and will submit an application for a zoning change for expansion of existing facilities. All City departments approve of this street vacation, with no easements to be retained.

Miss Nathalie Ekstrom, 4012 Duval, spoke in opposition to this request. This street is needed by the residents for access to their garages. While the residents have approved of Altenheim, the proposed expansion with the closing of this street will be detrimental to the neighborhood.

Mr. Becker stated that he approves of the service Altenheim, but the requested change would have a bad effect on several homeowners. The Commission then

VOTED: To recommend that the request for the vacation of East 41st Street from Avenue H to Avenue H alley be DENIED.

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

C10-71-1(AH) STREET AND ALLEY VACATION

1. Sabine Street from the alley south of 12th Street to 10th Street;
2. The alley between 11th and 12th Streets from I.H.35 service road to Red River Street;
3. The alley between 10th and 11th Streets from Sabine Street to Waller Creek.

The staff reported that this request is in conformance with the Urban Renewal Plan as approved by the City Council. Two property owners in the area, the Municipal Credit Union and Southwestern Bell Telephone Company, object to this request. All departments recommend this request, subject to retention of easements except Southwestern Bell Telephone Company and the Traffic and Transportation Department. The telephone company requests the retention of streets and alleys as ingress and egress north of East 11th Street. The Traffic and Transportation Department requests retention of Sabine Street between 11th and 12th Street to provide access to the adjoining property and for circulation to I.H.35 and Red River Street.

Mr. Leon Lurie, representing the Urban Renewal Agency, stated that this request is in conformance with the Urban Renewal Plan. He suggested that a workable solution for the opposition would be the fact that the property to be vacated will go to the adjoining property owners; specifically Sabine Street north of the alley between 11th and 12th Streets. These owners will retain access and will not be cut off from their parking facilities. Mr. Lurie pointed out that property has been acquired in this area at great expense; and in addition, no previous suggestions have been received from any City departments on how to handle this problem.

Mr. Hardy Hollers, attorney, represented Mr. C. B. Smith, a property owner in this area. Mr. Smith has been aware of the Urban Renewal Plan for the City and he is heartily in favor of closing these streets and alleys in order that a final settlement can be made.

Mr. Jack Cook, representing the Austin Municipal Federal Credit Union, stated that the primary problem is the needed access to 11th Street. There is no urgent reason to close this street, and the access is needed for the many customers of the credit union. Both Interstate Highway 35 and Red River Street are scheduled for construction and will be completely or partially closed during this work. Many changes have been made in the Urban Renewal Plan, and there is no immediate necessity to close these streets and alleys.

Mr. Neal Hastings, representing the Southwestern Bell Telephone Company, stated that their facility in this area is large, with approximately one hundred employees reporting daily. This location was chosen for the excellent access, with heavy usage of 11th Street and Sabine Street. Denial of this application is requested, as all streets and alleys are needed.

Mr. John German, Associate Director of the Traffic and Transportation Department, recommended that Sabine Street not be closed between 11th and 12th Streets. He said that Sabine Street would be needed for access to the hospital and health center during some phases of proposed highway and street construction near the hospital. The closing of this street may be feasible at a later time, but would not be practical now.

Mr. Leon Lurie stated that there is an urgency in the development of these properties. He emphasized that there has been no change in the Brackenridge Urban Renewal Plan since the original public hearing, at which time all parties affected were notified.

C10-71-1(AH) STREET AND ALLEY VACATION--contd.

This development has been delayed as long as possible and should be implemented for the benefit of the property owners and the taxpayers of the City. The requested vacations will not cut off access to the properties in question.

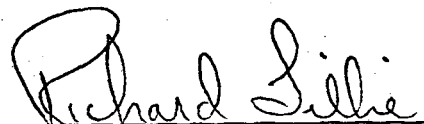
Mr. Kinser stated that care should be taken not to harm one property to the benefit of another. Mr. Reeves stated that all notification and public hearing procedures, as required by law, were carried out.

The Commission then

VOTED: To recommend that Sabine Street between 10th and 11th Streets be VACATED; to recommend that the alley between 11th and 12th Streets from Interstate Highway 35 service road to Red River Street be VACATED; to recommend that the alley between 10th and 11th Streets from Sabine Street to Waller Creek be VACATED; and to recommend that the requested vacation of Sabine Street from the alley south of 12th Street to 11th Street be DENIED. The recommended vacations are subject to the retention of easements.

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

ADJOURNMENT: The meeting was adjourned at 12:30 a.m.


Richard R. Lillie
Executive Secretary