

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- December 14, 1971

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

Present

William Milstead, Chairman
David Barrow, Jr.
Walter Chamberlain
Royce Faulkner
C. W. Hetherly
Jean Mather
Buford Stewart
Alan Taniguchi

Absent

None

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Assistant Director of Planning
Walter Foxworth, Supervising Planner
Curtis Johnson, Associate Director
Water and Waste Water Department
W. M. Breneman, Chief Engineer
Water and Waste Water Department
Andrea Winchester, Secretary II

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of December 6 and 7, 1971.

Present

Alan Taniguchi, Chairman
David Barrow, Jr.
Royce Faulkner
C. W. Hetherly
**Buford Stewart
*Jean Mather

Also Present

Jack Alexander, Asst. Dir. of Planning
**Curtis Johnson, Associate Dir., Water and
Waste Water Department
**W. M. Breneman, Chief Engineer, Water and
Waste Water Department
Al Baker, Zoning Administrator
Andrea Winchester, Secretary II

*Present only on December 6, 1971.

**Present only on December 7, 1971.

C14-71-238 David Barrow, Sr.: Interim A, Interim 1st to BB, 1st (Tr. 1), B, 1st, (Trs. 2 & 3), GR, 1st (Trs. 4 & 5)

Tract 1	7835-7919 Mesa Drive
Tract 2	7921-8009 Mesa Drive
Tract 3	7834-7938 Mesa Drive
Tract 4	4101-4131 Spicewood Springs Road
	7940-8044 Mesa Drive
Tract 5	8011-8045 Mesa Drive
	4021-4059 Spicewood Springs Road

STAFF REPORT: This application is on five tracts of land totaling 37.8 acres, located to the southeast and southwest of the intersection of Spicewood Springs Road and Mesa Drive. Both streets have ninety feet of right-of-way and are classified as major arterials. Uses as allowed by the requested zoning are proposed for this area.

This area is primarily zoned Interim "A" Residence. There is substantial single-family residential development to the south and north in the form of Northwest Hills and Westover Hills, two quality neighborhoods. East and west along Spicewood Springs Road the predominant form of development is also residential, but includes several non-residential uses and vacant land. All of these uses along Spicewood Springs Road were developed while the land was outside the City limits. North of the subject tracts are two areas of public use; a five-acre tract used by the City for a water reservoir and the senior high school location acquired by the Austin Independent School District, consisting of approximately forty acres. The school is scheduled to open in the fall of 1972. The City is negotiating for a portion of Tract 5 to be used as a fire station location.

During the past two years only two zoning requests have been considered and granted in this area. Mr. Wallace Mayfield, as part of his development plan for 400 acres, was granted "LR" Local Retail zoning on ten acres on the northwest corner of Mesa Drive and Spicewood Springs Road, and "BB" Residence zoning, limited to twelve units per acre, was granted on twenty acres just to the west of the "LR" Local Retail zoned tract. The second application just north of the City reservoir was also granted "LR" Local Retail zoning. The intersection of these major streets has required consideration of more intensive zoning than "A" Residence. At the same time more intensive zoning should be discouraged extending along Mesa Drive and Spicewood Springs Road, as such development will encroach upon existing and anticipated single-family development.

The staff recommends that this request be denied, but recommends that "LR" Local Retail, First Height and Area with buffer zones on the east and west property lines be granted for Tracts 4 and 5; this recommendation is subject to forty-five feet of right-of-way from the center line of Spicewood Springs Road.

The basis for this recommendation is as follows:

1. "GR" General Retail zoning permits uses too intense for the area; i.e., billboards, motels, theaters, auto repair garages, large department stores, car and boat sales.

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C14-71-238 David Barrow, Sr.--Contd.

2. Apartment zoning as requested would be an intrusion and a spot zoning in a predominately single-family residential area. The permitted number of apartments for this acreage could exceed seven hundred units. Several alternatives under the "A" Residence zoning classification include duplex, townhouse, and planned unit developments, all permitting seven to ten units per acre.
3. Granting of this request could set a precedent for expanding the apartment area along Spicewood Springs Road.
4. Apartment use is not compatible with general development plans north of Spicewood Springs Road, as reviewed by the Planning Commission and the City Council, which was for twelve units per acre in Westover Hills. South of Spicewood Springs Road the same type of development exists as in Westover Hills.
5. Until Spicewood Springs Road is adequate, much of the traffic generated by development would use Mesa Drive south, through the single-family area, to Far West Boulevard and North Hills Drive, which provide access to Balcones Drive.

TESTIMONY

WRITTEN COMMENT

I. H. Silberberg: 4101 Spicewood Springs Road	FOR
J. Don Lyles: 7707 Mesa Drive	AGAINST
Mr. & Mrs. Arthur D. New: 4304 Deepwoods	AGAINST
Mr. & Mrs. J. Mont Walton: 4113 Paint Rock Drive	AGAINST
Mr. & Mrs. O. H. Turner: 7802 Shadyrock Drive	AGAINST
Mrs. Jaime N. Delgado: 7800 Mesa Drive	AGAINST
Eldon S. Riley: 7701 Rustling Road	AGAINST
Elizabeth B. Gleeson: 4303 Endcliffe Drive	AGAINST
B. A. Martin: 7707 Rustling Road	AGAINST
Charles W. York: 7803 Mesa Drive	AGAINST
John L. Dilwell: 7712 Mesa Drive	AGAINST
William A. Doyle, Jr.: 4114 Tablerock Drive	AGAINST
Everett E. Wood: 7700 Rustling Road	AGAINST
L. C. Cummings: 7618 Rustling Road	AGAINST
Mr. & Mrs. Robert C. Miller: 7713 Mesa Drive	AGAINST
Eugene J. Ischaefer: 7712 Shadyrock Drive	AGAINST
James W. Vick: 4110 Paint Rock Drive	AGAINST
Lawrence D. Gore: 4103 Burney Drive	AGAINST
Ray Ninis: 4117 Paint Rock Drive	AGAINST
Petitions bearing 186 signatures	AGAINST

PERSONS APPEARING

David Barrow, Sr. (applicant)	
Charles Stahl (representing applicant)	
Allen Rundell	FOR
Erwin Samuelson	AGAINST

C14-71-238 David Barrow, Sr.--Contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Charles Stahl, representing the applicant, pointed out how large the Northwest Hills area is and that it is bounded by major arterials or planned major arterials. The entire area has been well planned with major north/south and east/west arterial streets dividing the area. It was planned to be a total community and in order to have this total community you must have commercial areas. Commercial areas are planned for all major entrances into the Northwest Hills area with buffers into the residential areas. The "GR" General Retail zoning requested would be used wisely for shopping centers, drive-in groceries, cleaners, filling stations, etc. The applicant does not think that "GR" zoning is too intense for the area. They would not allow billboards, and some commercial activities are needed and necessary for the area that can only be placed in "GR" General Retail zoning. This request would not be spot zoning as it would be well buffered and not an intrusion into the residential area. There is already "LR" Local Retail zoning in the area and the traffic on Spicewood Springs Road would not be a problem as it is wide enough to handle the generated traffic. The granting of this request would not create any more traffic on Mesa Drive as there would be other ways to reach the shopping area. The applicant thinks that this is a necessary request due to the fact that trends in living styles are changing to multi-family uses and this type of development is needed in the area.

Mr. Allen Rundell, who owns a large tract of land east of the water reservoir, stated that he could not see how this request could be detrimental to his plans for his property. He stated that he would probably request commercial zoning on his property in the future.

Arguments Presented AGAINST:

Mr. Erwin Samuelson of the Northwest Hills Civic Association, stated that his organization is interested in the orderly development of Northwest Hills. He presented petitions bearing 186 signatures of area residents. He stated that there is a large commercial development planned for the area along Far West Boulevard and the proposed Mopac Expressway; this is all the commercial development that is necessary for the area. There are apartments planned along Balcones Trail and the area residents think that this area will allow all the multi-family development necessary for Northwest Hills. The homes in this area have a considerable amount of money and time invested in them and the home owners wish to protect this investment. It is the organization's request that the whole area be left "A" Residence. The high school planned across Spicewood Springs Road will create enough congestion along Mesa Drive.

Other area residents spoke, pointing out that the traffic flow would be increased in the whole area. The residents would like to have Spicewood Springs Road act as a buffer between Northwest Hills and the commercial development to the north. There is no need for further commercial zoning, what has been granted in the area has not been used fully; there are four service stations in the area now and they don't seem to be doing too well. The residents were assured

C14-71-238 David Barrow, Sr.--Contd.

that this area would remain residential when they purchased their homes. The request brings commercial zoning too far down Mesa Drive and the residents are worried about its working its way even further down into the residential area.

Arguments Presented in REBUTTAL:

Mr. Barrow, the applicant, stated that he had not told anyone that this area would remain residential. He stated that he had offered to go to "LR" Local Retail zoning and cut down on the number of apartments but the people in the area were not agreeable to this. He stated that he has made a special effort to provide a good buffer between the commercial property and the residential neighborhood.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information. It was pointed out that an intersection of this type does not lend itself to single-family residential development. The Committee concluded that this request should be denied as submitted, but recommend the granting of "LR" Local Retail zoning on Tract 4, with a 64-foot buffer strip of "B" Residence zoning on the west; "LR" Local Retail zoning on Tract 5, with a 64-foot buffer strip of "B" Residence zoning on the east, excluding the fire station tract (110 x 200 feet); "B" Residence zoning on Tract 2; "BB" Residence zoning, restricted to twelve units per acre, on Tracts 1 and 3. This recommendation is subject to privacy fencing between the "BB" Residence zoning and the "A" Residence zoned area.

AYE: Messrs. Taniguchi, Faulkner, Hetherly and Mrs. Mather
ABSTAIN: Mr. Barrow

The Commission reviewed the information and discussed the 64-foot buffer strip along either side of Tracts 4 and 5. Several members expressed the opinion that a buffer of 64 feet would be too large, and that a buffer of 44 feet or less would be more appropriate; Mr. Chamberlain stated that a buffer should not be required. The members were in agreement concerning the zoning change, but were divided as to the buffer to be provided. The Commission then

VOTED: To recommend that the request of David Barrow, Sr. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area on Tract 1; "B" Residence, First Height and Area on Tracts 2 and 3; and "GR" General Retail, First Height and Area on 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 and 7940-8044 Mesa Drive, Tract 4; 8011-8045 Mesa Drive and 4021-4059 Spicewood Springs Road, Tract 5, be DENIED, but recommend to GRANT "LR" Local Retail, First Height and Area with a 64-foot buffer of "B" Residence, First Height and Area on the west of Tract 4; "LR" Local Retail, First Height and Area with a 64-foot buffer of "B" Residence, First Height and Area on the east of Tract 5, excluding the fire station tract (110 by 200 feet); "B" Residence, First Height and Area on Tract 2; and "BB" Residence, First Height and Area, restricted to twelve units per acre,

C14-71-238 David Barrow, Sr.--Contd. O

on Tracts 1 and 3. This recommendation is subject to a privacy fence between the "BB" Residence and the "A" Residence zoning.

AYE: Messrs. Taniguchi, Faulkner, Hetherly and Mrs. Mather
 NAY: Messrs. Chamberlain, Milstead and Stewart
 ABSTAIN: Mr. Barrow

The Commission requested that the minutes of this meeting clearly reflect that the members were not in objection to the zoning classifications recommended, but they disagreed on the width of the buffer in the motion.

C14-71-250 H. E. B. Grocery Company: Interim A, Interim 1st to GR, 1st
 4816-5000 Turner Drive
 6834-6924 Ed Bluestein Boulevard

STAFF REPORT: The subject tract is on Ed Bluestein Boulevard, which has 300 feet of right-of-way, and contains 4.38 acres. It is proposed for "GR" General Retail uses. Adjacent to the north and west is "GR" General Retail zoning; to the south and to the east across Ed Bluestein Boulevard is Interim "A" Residence zoning. The proposed use is logical as this land fronts on a major arterial street, and is compatible with and a logical extension of the adjacent "GR" General Retail zoning. This zoning change should not adversely affect the surrounding area. The staff recommends that this case be granted.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, representing the applicant, concurred with the staff recommendation.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the H. E. B. Grocery Company for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at 4816-5000 Turner Drive and 6834-6924 Ed Bluestein Boulevard be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

684

Cl4-71-253 Frank Sifuentez: A to B
903 Montopolis Drive

STAFF REPORT: This case was postponed to enable the applicant and the Planning Department staff to more thoroughly discuss the applicant's needs and, if possible, work out an application which would be acceptable to the applicant and to the staff.

The subject property is a portion of a larger substandard tract that is approximately 46 feet wide and 460 feet long. An 80-foot deep portion of the tract fronting Montopolis Drive is zoned "GR" General Retail and the applicant is requesting "B" Residence zoning to provide a parking area for the general retail use proposed for the front portion of the lot. The subject tract is 50 feet deep by 46 feet wide, and is adjacent to the portion of the lot already zoned "GR" General Retail. The remaining portion of the lot will retain the "A" Residence classification.

The staff recommends that this case be granted. The proposed use is for parking in conjunction with the "GR" General Retail use fronting on Montopolis Drive. The depth of the proposed zoning does not exceed the depth of the existing "GR" General Retail zoning adjacent to the north property line. The area proposed for "B" Residence zoning would be below the minimum size necessary to permit construction for multi-family use. This limited area would also act as a buffer between commercial zoning and for the "A" Residence zoned property to the east. This zoning, if granted, would not set a precedent for further multi-family zoning.

TESTIMONY

WRITTEN COMMENTS

None

PERSONS APPEARING

None

SUMMARY OF TESTIMONY

No one appeared in favor or opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Frank Sifuentez for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for that portion of the property located at 903 Montopolis Drive that is 50 feet deep, 46 feet wide and adjacent to that portion of the lot presently zoned "GR" General Retail, be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

^xC14-71-255 W. H. Collins and Jimmy Pace: B to O
 2200 San Antonio Street

STAFF REPORT: The subject tract, containing 14,000 square feet, lies at the northwest corner of the intersection of West 22nd Street and San Antonio Street and is known locally as 2200 San Antonio Street. Both streets have 60 feet of right-of-way. The proposed use is for offices. The area is zoned predominately "B" Residence, with some "C" Commercial zoning to the north and south on San Antonio Street. One block to the east, Guadalupe Street is zoned "C" Commercial to both the north and south. Although a few single-family residences remain, this immediate area has developed into a multi-family area.

The staff recommends that this case be granted, as office use would be compatible with the existing zoning and the proposed use should not adversely affect the area.

TESTIMONY

WRITTEN COMMENT

Fred Eby, Jr.: 2200 Nueces
 Carroll E. Cook: 506 West 22nd Street

FOR
 AGAINST

PERSONS APPEARING

W. H. Collins (applicant)
 Dick Rathgeber

FOR

SUMMARY OF TESTIMONY

Mr. W. H. Collins, applicant, stated that when he bought the building he was under the impression the property was zoned for office use. He has spent a considerable amount of money on renovating the building and setting up his offices.

Mr. Dick Rathgeber stated that Mr. Collins was a good neighbor and had no objection to the zoning change.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as compatible with the existing zoning.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Stewart.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of W. H. Collins and Jimmy Pace for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 2200 San Antonio Street be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

⁺
 C14-71-281 Thomas Gunter: A to O
 2001-2005 Anderson Lane
 7814-7824 Hardy Drive

STAFF REPORT: The subject tract is 150 feet wide and 317 feet deep, containing 1.09 acres. It is located on Anderson Lane, which has 85 feet of right-of-way. Land use along Anderson Lane is predominately commercial in this area and has been developing rapidly during the past few years. The tract in question is one of the few remaining residential lots fronting on Anderson Lane. "GR" General Retail zoning is located to the north fronting on Anderson Lane and extends both east and west along this street. There is additional "GR" General Retail and "C" Commercial zoning on the south side of Anderson Lane. The proposed use for the tract is a retail florist shop.

The staff recommends that this request be granted, subject to five feet of right-of-way on Anderson Lane, five feet of right-of-way on Hardy Drive, and a six-foot privacy fence on the southern boundary. The requested zoning is compatible with the existing commercial zoning and development, and should not adversely affect the area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Thomas Gunter (applicant)

SUMMARY OF TESTIMONY

Mr. Thomas Gunter, applicant, stated that this will be a florist shop if the request is granted.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to five feet of right-of-way on Anderson Lane, five feet of right-of-way on Hardy Drive and a six-foot privacy fence on the south boundary.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Thomas Gunter for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2001-2005 Anderson Lane and 7814-7824 Hardy Drive be GRANTED, subject to five feet of right-of-way on Anderson Lane, five feet of right-of-way on Hardy Drive and a six-foot privacy fence on the south boundary.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-71-282 Leatha Arnold: A to LR (as amended)
3004-3008 South 1st Street

STAFF REPORT: The subject tract is located on South 1st Street, which has 80 feet of right-of-way, between Cedar Street and Peacock Drive. It is 99 feet by 295 feet, and contains 18,845 square feet. Commercial development is proposed for the site. Adjacent to the north, east, and west boundaries is "A" Residence zoning, with "LR" Local Retail zoning adjacent to the south. To the north are two spaced "GR" General Retail zoning sites and on the east side of South 1st Street to the north is a two-block area of "LR" Local Retail zoning.

The staff recommends that this case be denied, but recommends that "LR" Local Retail zoning be granted. Some of the uses allowed in "GR" General Retail zoning are not compatible with close proximity of schools and residential areas. Examples would be commercial billboards, automobile washing facilities, auto repair garages, etc. "LR" Local Retail zoning classification was created to provide for retail services which are local in character, and would be more appropriate zoning for the area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

SUMMARY OF TESTIMONY

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

Mr. Al Baker, Zoning Administrator with the Planning Department, stated that the applicant has advised that the "LR" Local Retail zoning, as recommended by the staff, is agreeable.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as amended, for "LR" Local Retail zoning, as this classification is in conformance with adjacent zoning.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Leatha Arnold for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area, (as amended), for property located at 3004-3008 South First Street be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-71-284

Leroy Bednar: A to O
4109 Marathon Boulevard

STAFF REPORT: The tract under consideration is located on Marathon Boulevard, which has 100 feet of right-of-way, between West 41st and West 42nd Streets. It is 50 feet wide by 140 feet deep, and contains 7,000 square feet, with the proposed development to be an office building. To the north of West 42nd Street and along the west side of Marathon Boulevard between 41st and 42nd Streets, "A" Residence zoning exists and is developed predominately with single-family dwellings. Immediately adjacent to the north and three lots to the south is "O" Office zoning. South of West 41st Street is basically "C" Commercial zoning and use. To the east along Lamar Boulevard there is "C" Commercial zoning.

The staff recommends that this case be granted. The requested zoning is consistent with adjacent zoning and the transitional character of the area. The 100-foot right-of-way of Marathon Boulevard lends itself to the proposed zoning, and there is adequate access to both Medical Parkway and Lamar Boulevard; in addition, the proposed usage should not adversely affect the area.

TESTIMONY

WRITTEN COMMENT

Sylvia E. Ramas: 1102 West 42nd Street	FOR
Sterling Sasser, Sr.: 719 West 6th Street	FOR
Leon Chandler: 4019 Marathon Boulevard	FOR
H. Walters: 4101 Medical Parkway	FOR

PERSONS APPEARING

Conway Taylor (representing applicant)

SUMMARY OF TESTIMONY

Mr. Conway Taylor, representing the applicant, stated that this request is in keeping with the existing zoning in the area and that the applicant is in agreement with the staff recommendation.

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 in conformance with surrounding zoning trends.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Leroy Bednar for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4109 Marathon Boulevard be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

✓
 C14-71-285 Harry Peterson: Interim A, Interim 1st to DL, 3rd
 8729-8923 Burnet Road
 9007-9049 U.S. Highway 183

STAFF REPORT: This tract is located at the intersection of Burnet Road, which has 160 feet of right-of-way, and U.S. Highway 183, which has 200 feet of right-of-way. The tract contains 14.97 acres, with the proposed use commercial development and the erection of a sign. Land use along U.S. Highway 183 (Research Boulevard) has developed primarily as commercial services and semi-industrial. This type of development has been consistent with the Master Plan recommendations adopted by the City Council on April 24, 1969. To the north of this tract are two industrial uses, a brick company and a warehouse, which are consistent with the Master Plan classification of manufacturing and related uses.

The staff recommends that this request be denied, but recommends that "DL" Light Industrial, 1st Height and Area be granted, subject to right-of-way. The zoning as recommended by the staff is consistent with the Master Plan, existing zoning, and the character of the area. There is no history of height and area designation in this area except for 1st Height and Area and 6th Height and Area; both classifications limit structures to 35 feet. Third Height and Area would allow structures up to 120 feet in height.

TESTIMONY

WRITTEN COMMENT

John D. Byram: 510 South Congress

FOR

PERSONS APPEARING

Phil Mockford (representing applicant)

SUMMARY OF TESTIMONY

Mr. Phil Mockford, representing the applicant, stated that there are no improvements on the property at present; it is being used for a driving range. The applicant intends to use the property for a retail outlet and warehousing, and plans to construct a standard building exceeding the height allowed in First Height and Area. He intends to erect a sign exceeding the height allowed in Second Height and Area; thus he is requesting Third Height and Area. Mr. Mockford stated that he could get by with Second Height and Area as the sign could be lowered, but the building would have to have a minimum of forty-five feet for height. He stated that this is a reasonable use for the tract.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, but recommend to grant "DL" Light Industry, Second Height and Area, subject to a building setback line on Research Boulevard (U.S.183) and Burnet Road, based upon the future alignment of these two major arterial streets.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

C14-71-285 Harry Peterson--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Harry Peterson for a change of zoning from Interim "A" Residence, Interim First Height and Area to "DL" Light Industrial, Third Height and Area for property located at 8729-8923 Burnet Road and 9007-9049 U. S. Highway 183 be DENIED, but recommend that "DL" Light Industrial, Second Height and Area be GRANTED, subject to a building setback line on Research Boulevard (U.S.183) and Burnet Road based upon the future alignment of these two major arterial streets.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-71-287 Joe Milicia: A to B
2208 East 13th Street
1300-1304 Chestnut Avenue

STAFF REPORT: The subject tract is located at the northwest corner of Chestnut Street, which has 60 feet of right-of-way, and 13th Street, which has 50 to 60 feet of right-of-way. It is 53 feet, 8 inches wide and 145 feet deep, and contains 7,801 square feet. The proposed usage is for a boarding house (half-way house) facility for State patients. The subject property falls within the right-of-way of the proposed Crosstown Expressway. Chestnut Street is classified as a major arterial street with a proposed right-of-way of 80 feet, which will require 10 feet of right-of-way from Chestnut Street. Land usage in this area is principally "A" Residence zoning, developed with single-family dwellings. There is limited non-residential zoning to the north at the corner of Chestnut and East 14th Streets between Alamo and Chestnut Streets.

The "BB" Residence zoning at the southeast corner of Chestnut and East 13th Streets is the result of a request for "B" Residence zoning. The staff recommended the denial of any usage more intensive than "A" Residence zoning, and both the Zoning Committee and the Planning Commission recommended denial of "B" Residence zoning due to its intrusion into a residential area, and its location on two already inadequate streets. The City Council granted "BB" Residence zoning over the above-stated objections. It should be noted that the 7,801 square foot size of this tract does not meet the 8,000 square foot minimum lot area requirement for "BB" Residence zoning.

The staff recommends that this case be denied. Although there have been isolated changes along East 12th and East 14th Streets, the land use in the immediate area has not changed. The requested zoning would therefore be an intrusion into a residential area.

TESTIMONY

WRITTEN COMMENT

Benford Sarah Estates: 1940 Webberville Road
Jesse Bevins: 2520 East Gray, Houston, Texas
Emery Yeul Williams, Jr.: 4909 Broadhill Drive
Mr. Hofheinz: P. O. Box 1987
Petition bearing 53 signatures

AGAINST
AGAINST
FOR
FOR
AGAINST

C14-71-287 Joe Milicia--Contd.

PERSONS APPEARING

Estella White (representing applicant)
Reverend Charles Watts: 4705 Rebbeck Avenue

FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Estella White, representing the applicant, stated that when the house was purchased they had no idea that it could not be used for a half-way house for four people under its present zoning. She stated that there are no plans for any other use or for increasing the number of people living in the house. This is a good location as it is close to the State hospital and convenient to bus stops. The people who live here are in an adjustment period and it is necessary for them to live in a homelike surrounding but still be close to medical care.

Arguments Presented AGAINST:

Mr. Al Baker, Zoning Administrator with the Planning Department, read a letter submitted by area residents stating that they were not in opposition to the current use of the property, as long as not more than four persons are placed in the house, but were in opposition to the zoning change, as it would encourage further zoning changes in the area.

Rev. Charles Watts, pastor of a neighborhood church, stated that the half-way house has been a good neighbor and the area residents do not mind the use but do not want a zoning change. He requested that the Committee work out a way in which the present use could be retained without the change in zoning.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and

VOTED: To recommend that the Planning Commission investigate the possibility of including the use of a half-way house within an "A" Residence district, within the Zoning Ordinance.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

The Committee concluded that this request should be granted, subject to an occupancy restriction to four persons only; a restrictive covenant for the proposed use, with the property to revert to "A" Residence, First Height and Area if this use is discontinued, and subject to ten feet of right-of-way on Chestnut Avenue and five feet of right-of-way on 13th Street.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

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C14-71-287 Joe Milicia--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Joe Milicia for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 2208 East 18th Street and 1300-1304 Chestnut Avenue be GRANTED, subject to an occupancy restriction to four persons only; a restrictive covenant for the proposed use, with the property to revert to "A" Residence, First Height and Area if this use is discontinued, and subject to ten feet of right-of-way on Chestnut Avenue and five feet of right-of-way on 13th Street.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

+C14-71-288 Irving Dochen: A to O
4105 Bellvue Avenue

STAFF REPORT: The subject tract is located on Bellvue Avenue, which has 60 feet of right-of-way, between West 41st and West 42nd Streets. This property is 75 feet wide by 132 feet deep, an area of 9,900 square feet. An office building is proposed for this tract. Directly east of the property, as well as to the north of West 42nd Street, "A" Residence zoning exists, developed with single-family dwellings. However, the area south of West 42nd Street is becoming non-residential in use and in zoning classification. Adjacent to the south is "LR" Local Retail zoning. To the north one lot removed is "O" Office zoning. "C" Commercial, "LR" Local Retail, and "C-2" Commercial zoning exists on Medical Parkway.

The staff recommends that this case be granted. The requested zoning is consistent with adjacent zoning and the strong trend in this area. The 60 feet of right-of-way of Bellvue Avenue is adequate for this zoning classification, and its abutting on Medical Parkway, with 60 to 65 feet of right-of-way, and close proximity to North Lamar Boulevard, with 80 feet of right-of-way, support this request.

TESTIMONY

WRITTEN COMMENT

Sylvia E. Ramas: 1102 West 42nd Street	FOR
Bob Siddons: P. O. Box 2125	FOR
Herman Walters: 4101 Medical Parkway	FOR
Sterling Sasser, Sr.: 719 West 6th Street	FOR

PERSONS APPEARING

Irving Dochen (applicant)

SUMMARY OF TESTIMONY

Mr. Irving Dochen, applicant, was present but stated that he had no comment. No one appeared in opposition to this request.

C14-71-288 Irving Dochen--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as it is consistent with adjacent zoning.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Irving Dochen for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4105 Bellvue Avenue be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-71-289 Robert Jordan: A to O
4109 Bellvue Avenue

STAFF REPORT: This tract of land is located on Bellvue Avenue, which has 60 feet of right-of-way, between West 41st and West 42nd Streets. It is 50 feet wide and 132 feet deep, and contains 6,600 square feet. The proposed use is the construction of an office building. Directly east of this property, as well as to the north of West 42nd Street, there is "A" Residence zoning, with single-family dwellings. However, the area south of West 42nd Street is becoming increasingly non-residential in makeup. To the south one lot removed is "LR" Local Retail zoning. Adjacent to the north is "O" Office and "C" Commercial zoning is directly across the street on Bellvue Avenue. Additional "C" Commercial, "LR" Local Retail and even "C-2" zoning can be found to the west on Medical Parkway.

The staff recommends that this case be granted. The requested zoning is consistent with adjacent zoning and the strong trend of development in this area. The right-of-way for Bellvue Avenue is adequate. This property's proximity to Medical Parkway, with 60 to 65 feet of right-of-way, and Lamar Boulevard, with 80 feet of right-of-way, support this application.

TESTIMONY

WRITTEN COMMENT

Sylvia E. Ramas: 1102 West 42nd Street	FOR
Bob Siddans: P. O. Box 2125	FOR
Sterling Sasser, Jr.: 719 West 6th Street	FOR
Herman Walters: 4101 Medical Parkway	FOR

PERSONS APPEARING

Virginia Dinan (representing applicant)

C14-71-289 Robert Jordan--Contd.

SUMMARY OF TESTIMONY

Virginia Dinan, representing the applicant, stated that she was in agreement with the staff recommendation.

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 area zoning trends.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly, and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Robert Jordan for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

C14-71-291 Joe Pustejovsky: A to LR
2001-2003 Matthews Lane

STAFF REPORT: The subject tract is located at the southwest corner of Matthews Lane, with 50 feet of right-of-way, and Manchaca Road, with 80 feet of right-of-way, and contains 23,267 square feet. Uses as permitted by the requested zoning will be developed on this tract. The area is predominately developed with residential uses, with single-family dwellings existing to the north, west and east of this site.

Four cases of "GR" General Retail zoning in this area were granted recently. These locations are listed below.

1. 2.94 acres at the northwest corner of Manchaca Road and William Cannon Drive. Both streets are major arterials and the staff recommended this zoning be granted.
2. 2.74 acres at the southwest corner of Manchaca Road and William Cannon Drive. Both streets are major arterials; again, the staff recommended that this request be granted.
3. 19.949 acres at the southwest corner of Manchaca Road and Berkeley Avenue. Berkeley Avenue is a minor collector street. The staff recommended against this request, as Berkeley Avenue is not classified as a major arterial street and it was felt a precedent for strip zoning would be set. The Zoning Committee and the Planning Commission recommended the request, subject to buffer zones for residential property to the west and south.
4. 9.95 acres at the northeast corner of Manchaca Road and Matthews Lane. Matthews Lane is a minor residential street surfaced to a 30-foot width. The staff recommended that this request for "GR" General Retail zoning be denied, due to lack of a major arterial intersection at this site and its intrusion

C14-71-291 Joe Pustejovsky--Contd.

into new and expanding residential areas to the north, west and east. The Zoning Committee and the Planning Commission recommended granting "GR" General Retail zoning on a 300-foot area south of the street portion of this land. The City Council granted "GR" General Retail zoning on the entire section.

The staff recommends that this case be denied. This zoning would be an intrusion into an existing well-maintained residential neighborhood. The single-family dwellings across Matthews Lane would face a commercial use. Matthews Lane is a residential street designed for low-density use. The four tracts in this area previously approved for commercial zoning contain 36 acres; this acreage is considered more than adequate to service the needs of the area.

TESTIMONY

WRITTEN COMMENT

Beatrice F. Nolan: 1209 East 52nd Street, No.105	AGAINST
Charles Finegar: 2106 Mimosa	AGAINST
Erwin Wunderlick: 2100 Mimosa	AGAINST
Earl W. Cooper: 2107 Mimosa	AGAINST
Howard Hickens: 2105 Mimosa	AGAINST
John L. Turner: 2103 Mimosa	AGAINST
Mrs. W. W. Caffey: 2004 Mimosa	AGAINST
L. B. Parvin: 2003 Mimosa Drive	AGAINST
Daniel L. Olle: 7105 Lilac Lane	AGAINST
Mrs. B. M. Taylor: 7102 Lilac Lane	AGAINST
Ivan M. Stewart: 7101 Lilac Lane	AGAINST
W. G. & Katie Gibbs: 7100 Lilac Lane	AGAINST
S. H. Lounsberry, Jr.: 2210 Matthews Lane	AGAINST
Jenny E. Eakins: 2103 Matthews Lane	AGAINST
Max R. Haddick: 2109 Matthews Lane	AGAINST
L. G. Koger: 2105 Matthews Lane	AGAINST
Mr. & Mrs. Daniel Smith: 2009 Matthews Lane	AGAINST
David Holmstrom: 2007 Matthews Lane	AGAINST
Mrs. D. E. Smithey: 2102 Matthews Lane	AGAINST
Bill L. Turner: 2008 Matthews Lane	AGAINST
Richard Johnson: 2006 Matthews Lane	AGAINST

PERSONS APPEARING

John Selman (representing applicant)	
Bill Turner: 2008 Matthews Lane	AGAINST
Max Haddick: 2109 Matthews Lane	AGAINST
W. H. Reid: 7106 Manchaca Road	AGAINST
Richard Johnson: 2006 Matthews Lane	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman, representative for the applicant, was not in the room at the time testimony in favor of the request was called.

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C14-71-291 Joe Pustejovsky--Contd.

Arguments Presented AGAINST:

Four area residents spoke in opposition to this request, stating that the commercial zoning that has been granted across Manchaca Road is enough for the area. They requested that this side of the street remain single-family or duplex use. "LR" Local Retail zoning on this corner would detrimentally affect the value of their homes.

Arguments Presented in REBUTTAL:

Mr. John Selman, representing the applicant, stated that Manchaca Road is a very heavily traveled street at this point; in addition, a precedent for this zoning has been set across the street. The tract in question might be used for a service type business in relation to the large tract of commercial zoning across Manchaca Road. In his opinion this corner would be a logical extension of the zoning in the area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as being both premature and a strip zoning.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Joe Pustejovsky for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2001-2003 Matthews Lane be DENIED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

⁺
C14-71-292 Terrell Timmermann: A to B
601 Franklin Boulevard
5306-5310 Guadalupe Street

STAFF REPORT: The subject tract, comprising 12,000 square feet of land, is located at the southwest corner of Franklin Boulevard and Guadalupe Street. Both these streets are 50 feet of right-of-way streets with 30-34 feet surfaced, and are classified as a minor residential and a neighborhood collector street, respectively. The area is predominately "A" Residence zoned and is basically composed of well-maintained single-family dwellings. "BB" Residence and "B" Residence zoning have been introduced into this neighborhood at locations to the north and to the east.

"B" Residence zoning was granted by the City Council on the adjacent property to the south, although the staff recommended denial and both the Zoning Committee and the Planning Commission agreed, stating that "B" Residence zoning was too intensive. Twice during 1968 "B" Residence zoning was requested for this property; the requests were withdrawn after denial by the Planning Commission. The Commission considered "B" Residence zoning too intensive for the area, pointing to the inadequacy of Franklin Boulevard and Guadalupe Street. They felt a precedent would be set for strip apartment zoning along Guadalupe Street, if the zoning

C14-71-292 Terrell Timmermann--Contd.

was granted.

The staff recommends that this case be denied. Further intrusion into a well-maintained residential neighborhood should not be permitted. "B" Residence zoning is too intensive for the area, as neither Franklin Boulevard nor Guadalupe Street is adequate for increased traffic. If granted, a strong precedent for strip zoning would be set.

TESTIMONY

WRITTEN COMMENT

Mrs. Geraldine Charlton: 503 North Loop	FOR
J. C. Wright: 1205 West Avenue M	FOR
Mr. & Mrs. J. L. Dodson: 614 North Loop	FOR
Phil Mockford: 1206 Perry Brooks Building	FOR
Terrell Timmermann (applicant)	
Willie Rolff, Jr.: 5212 Guadalupe Street	AGAINST

PERSONS APPEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, representing the applicant, stated that "B" Residence zoning presently exists all along Guadalupe Street. Granting of "B" Residence zoning in this area is in conformance with the gradation theory, due to the extensive commercial development to the north and northeast. This request is a logical extension of the zoning to the immediate south of this tract. As the neighborhood is changing, the owners do not wish to maintain their residence there any longer.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and agreed that the area is changing; however, it is not desirable to zone one lot at a time. The streets are not adequate at this time for the traffic that apartments would necessarily generate. The staff was requested to make an area study for this section of Austin. The Committee concluded that this request should be denied as strip zoning.

AYE: Messrs. Taniguchi, Faulkner and Mrs. Mather
 NAY: Messrs. Barrow and Hetherly

The Commission reviewed the information and a motion was made to recommend that the request be denied; this motion failed by a three to five vote.

C14-71-292 Terrell Timmermann--Contd.

The Commission then

VOTED: To recommend that the request of Terrell Timmermann for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 601 Franklin Boulevard and 5306-5310 Guadalupe Street be GRANTED, subject to five feet of right-of-way on Guadalupe Street and five feet of right-of-way on Franklin Boulevard.

AYE: Messrs. Milstead, Barrow, Chamberlain, Hetherly and Stewart

NAY: Messrs. Faulkner, Taniguchi and Mrs. Mather

+C14-71-293 The Quincy Lee Company: Interim A, Interim 1st to B, 1st
6201-6415 Springdale Road

STAFF REPORT: This tract comprising 23.629 acres is located on Springdale Road, which has 80 to 120 feet of right-of-way. Springdale Road will be a future expressway, which will require additional right-of-way. To the east on Northeast Drive is an existing "LR" Local Retail zoning use. To the west is Interim "A" Residence zoning, developed with single-family dwellings and separated from this proposed apartment development by a creek. Adjacent to the northeast tip of this property is "BB" Residence moderate density zoning. Due north and adjacent is additional undeveloped Interim "A" Residence zoning. Along Manor Road "BB" Residence, "LR" Local Retail and "GR" General Retail zoning exists.

The staff recommends that this case be granted, subject to a minimum 50-foot building setback from the east boundary to act as a buffer for the adjacent property, unless the drainage easement for Little Walnut Creek exceeds this 50 feet; and subject to the west building setback line based on the future alignment of Crosstown Expressway (Springdale Road). It is felt that the proposed zoning is compatible with the surrounding zoning, that the Crosstown Expressway planned through this area makes it desirable for multi-family development, and that the proposed usage should not adversely affect the area.

TESTIMONY

WRITTEN COMMENT

Petition bearing seven signatures	AGAINST
Lial Tischleer: 6500 Highpoint Cove	AGAINST
Lemar Porter: 6506 Ashland Circle	AGAINST
University Homesites, Inc.: 409 Page Building	FOR
Walt and Hunter Schieffer: 409 Page Building	FOR

PERSONS APPEARING

Lial F. Tischleer: 6500 Highpoint Cove	AGAINST
Richard Baker (representing applicant)	

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker, representing the applicant, stated that the 120-foot setback

C14-71-293 The Quincy Lee Company--Contd.

on Springdale Road and the fifty-foot easement along Walnut Creek, as recommended by the staff, present no problems in this development. The Quincy Lee Company plans 250 units for the property, which will be similar to their development, The University Park, on South Congress Avenue. A special permit will be filed on this tract at a later date, at which time the Planning Commission will be able to see the layout of the proposed buildings. This tract is not suitable for single-family residence use due to topography, and apartment development would eliminate the chance of strip zoning along Springdale Road. The applicant is in agreement with the requirements the Department has set forth.

Arguments Presented AGAINST:

Mr. Lial Tischleer, 6500 Highpoint Cove, stated that some area residents would like to have the area kept single-family and duplex use. In his opinion, this apartment complex would generate heavy traffic and detrimentally affect the property values in the area.

Arguments Presented in REBUTTAL:

Mr. Baker stated that due to the location and configuration of the tract it is not suitable for any other use than apartments. If it were developed into single-family or duplex residences they would have to cul-de-sac out onto Springdale Road, which would be undesirable. No additional traffic will be generated into the residential areas, as there will be no streets opening into these areas from the apartment complex. Walnut Creek will provide a good buffer zone between the residential and apartment uses.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to a minimum fifty-foot building setback from the east boundary, unless the drainage easement for Little Walnut Creek exceeds fifty feet, and subject to the west building setback line based on the alignment of Crosstown Expressway.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly, and Mrs. Mather

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of The Quincy Lee Co. for a change of zoning from Interim "A" Residence, Interim First Height and Area for property located at 6201-6415 Springdale Road be GRANTED, subject to a fifty-foot building setback from the east boundary line, unless the easement for Little Walnut Creek exceeds fifty feet, and a west building setback line based on the alignment of the Crosstown Expressway (Springdale Road).

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather

SPECIAL PERMITS

CP14-71-055 City of Austin - Water and Wastewater Department: Expansion of the Davis Water Treatment Plant

STAFF REPORT: This application has been filed as required under Section 10A, Sub-Section 6, Paragraph A and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This request is for the Phase Three expansion of the Davis Water Treatment Plant, located at the intersection of Old Bull Creek Road and Mount Bonnell Road, north of the Westwood Country Club. The surrounding area, with the exception of the Country Club's property, is residential. The site plan has been circulated to the various City departments and the comments are as follows:

Building Inspector

- 1.The property is presently zoned "A" Residence, 1st Height and Area. 2.Area shown for additional parking space to be provided would accommodate approximately 11 vehicles (14 parking spaces existing after proposed control room added; total 25 spaces). Since number of persons employed is not specified, recommend Planning Commission establish amount of parking necessary. (No specific Ordinance requirement; however, it is recommended that a minimum of one space per employee be provided.) 3.Does not include building code approval.

Fire Protection

- Existing fire protection facilities are believed to be adequate, but recommend that the fire hydrant north of the chemical building be relocated nearer the drive.

Electric

- Plat complies.

Fire Prevention

- None.

Health

- No objections. Waste water system to be available.

Traffic Engineer

- No driveway at intersection of Mount Bonnell Road and Old Bull Creek Road.

Advanced Planning

- O.K.

Regarding parking facilities, twenty-five spaces are indicated. There should be one space per employee (number unknown), plus additional spaces conveniently located for visitors. In order to improve the efficiency of the existing facilities, the fire hydrant located on the north side of the chemical building should be re-located closer to the driveway. There should be no entrance to the property at the intersection of Bull Creek Road and Mount Bonnell Road. This is both hazardous and confusing. If a second entrance is necessary, it should be further north along Old Bull Creek Road. The staff recommendation is that this request for a special permit be approved.

CP14-71-055 City of Austin--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Richard Baker:	representing the applicant	
Mr. & Mrs. M. H. Ruud:	3416 Foothill Terrace	AGAINST
Mr. & Mrs. Wm. R. Hoeman:	3412 Foothill Terrace	AGAINST
James R. Sloan:	3420 Foothill Terrace	AGAINST
Mr. & Mrs. Fred C. Morse, Jr.:	3418 Foothill Terrace	AGAINST
Mr. & Mrs. E. C. Juul:	3421 Foothill Parkway	AGAINST
Mr. & Mrs. J. L. Berkman:	3414 Foothill Parkway	AGAINST
Anita M. Faubian:	3406 Foothill Parkway	AGAINST
Lial Tischleer:	6500 Highpoint Cove	AGAINST

SUMMARY OF TESTIMONY

Mr. W. M. Breneman, Chief Engineer with the Water and Waste Water Department, reported on the history of the site and presented some slides showing how the grounds are kept. The plant has reached its full capacity and needs to be expanded. He stated that the Department hopes to have the clear well in operation by the summer of 1973, and the whole plant completed by the summer of 1974. Mr. Breneman pointed out that although the exact location of this clear well was not indicated on the original plans the plant was designed for the capacity that will be obtained when the plant is completed. He stated that as far as major expansion of the plant this will be the last. The noise level will remain about the same as it has been no new noise will be introduced. There will be blasting during the construction process.

Several area residents addressed the Committee. They pointed out that the clear well will be 125 feet from Foothill Parkway Drive and it will be quite close to the E. C. Juul property line. They requested that the clear well be moved back from 50 to 100 feet in order to preserve the character of the neighborhood. If the well is moved back this would save some of the trees that act as a screen. Some of the residents were under the impression that the plant was completed in 1962. They requested that the fence be kept in close to the wells and other buildings. They also requested that the well be put further in the ground. It was pointed out that the additional buildings would take out a large number of trees. If proper screening is provided the neighborhood will not be damaged too much, some additional shrubbery is needed around the wells, the ivy is fine but something else is needed.

Mr. Joe Franzetti, with Bryant-Curington, stated that the well could be moved back about seventy feet from the Juul property line and about 175 feet from the road; this would put the well about as close to the creek as it would be safe to go. The pump house has to be below the water level of the well. The clear well could be built so that it would be only five feet above ground in front and fifteen feet on the back side.

Mrs. Juul stated that seventy feet from her property line was not enough, it should be put back the full 100 feet.

CP14-71-055 City of Austin--Contd.

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Mr. Curtis Johnson, Associate Director of Water and Waste Water Department, stated that the fence will be kept close to the buildings and wells as it is now, but it is necessary. The Department will try to transplant some of the trees but due to the terrain it will not be possible to do so in all areas. He stated that the parking area is against the building and along one of the roads within the site. The construction should start in approximately one year. Mr. Johnson stated that some berming could be done if the well is moved back and that it might be possible to complete the well so that no concrete would be showing.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee requested that the Water and Waste Water Department provide more complete site plans at the Planning Commission, showing fence lines and parking areas. The Chairman also requested a sketch of what the plant will look like from the neighbors view.

The Committee reviewed the information and requested that the Water and Waste Water Department check into the possibility of the clear water well being moved back from 50 to 100 feet. The Committee concluded that this request should be referred to the full Commission.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Stewart.

The Commission reopened the public hearing

Arguments Presented FOR:

Mr. W. M. Breneman, Chief Engineer with the Water and Waste Water Department presented a revised site plan of the special permit indicating the parking areas, the location of the fences that exist at present and those planned for the future. The revised plan also indicates new positions for the clearwell, pump station and sludge tank. The clearwell has been moved back 190 feet from the road and 135 feet from the nearest residence.

Arguments Presented AGAINST:

Mr. Jim Sloan stated that the residents appreciate the Water and Waste Water Department's effort to cooperate with the neighborhood.

Mrs. Holman stated that she is still against any type of construction at the plant due to the blasting. The question was raised as to whether or not this was the last expansion.

Arguments Presented in REBUTTAL:

Mr. Curtis Johnson, Associate Director of Water and Waste Water, stated that he would like to assure the area residents that every precaution will be taken in blasting not only to protect their homes but to protect the equipment and construction presently at the plant. He also stated that the proposed expansion will follow the revised site plan as nearly as possible.

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CP14-71-055 City of Austin--Contd.

The Commission then

VOTED: To commend the Water and Waste Water Department for its efforts in working with the people in the neighborhood to make the site of the water plant as pleasing as possible to the people living in the area; and to APPROVE the request of the City of Austin, Water and Waste Water Department for a special permit for the expansion of the Davis Water Treatment Plant as per the revised site plan, for property located at 3500 West 35th Street, subject to departmental requirements and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

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.

CP14-71-056 H. C. Carter, Jr.: 44-unit Townhouse Project
8806-8912 Honeysuckle Trail
8807-8911 Honeysuckle Trail

STAFF REPORT: This application has been filed as required under Section 4, Sub-Section A, Paragraph 8K and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This project is composed of 44 townhouses in 9 buildings and is located in an "A" Residence district. In general the project has good design, with two large green common areas to the north and good traffic flow. Twenty-one more parking spaces than are required are provided. Eight of these spaces, those located at the ends of the driveways, should be restricted for boats and campers, etc.; and should be set back enough to provide maneuvering room for the adjacent carports. 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.The Ordinance states that each townhouse group shall have not less than four adjoining units, (see units #25 & #24 and units #21, #22, and #23); however, the Commission may approve up to 20% of said units in two and three-unit groups when the project contains 12 or more units as this one does. 3.Several of the lots do not show the five-foot high solid wall or fence required on side lot lines where the required private yards adjoin each other. 4.The site plan does not clearly indicate if the carport at the rear of each lot is included within the boundaries of that lot. The Ordinance requires that one covered parking space be located on each lot. If the carports are located within the lot lines, the Ordinance requires a five-foot setback from the rear lot line. The Commission may waive

CPI4-71-056 H. C. Carter, Jr.--Contd.

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Building Inspector--Contd.

this rear yard setback where a common area of at least 15 feet in width is provided; however, it should be noted that a total distance of 40 feet is required for the parking space and maneuvering room. 5. The building setback of ten feet does not meet the usual Ordinance requirement of 25 feet; however, on a minor street the Commission may approve the lesser setback. 6. At least ten feet of side yard is required at the side property line of a townhouse project. Building #1 scales eight feet and no dimension is shown. 7. All two-way common driveways shall be at least 18 feet wide. (Some of the common driveways are two-way. 8. All conflicting public utility easements must be vacated; for example, 10-foot P.U.E. as now existing between present lots 18 & 19. 9. Does not include building code approval.

Fire Protection

- Existing fire protection facilities are believed to be adequate.

Traffic Engineer

- O. K.

Electric

- Easements required at a later date.

Health

- No objections. Waste water system to be available.

Fire Prevention

- Install required fire extinguishers as buildings are completed. Interior stairs should be enclosed.

Advanced Planning

- 1. Deadend parking spaces on common drive should be used only for accessory parking; boats, campers, etc., and should be set back enough to provide turnaround for the adjacent carports. 2. Dimensions cannot be scaled off drawing with any accuracy.

The staff recommends that this request for a special permit be approved.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Mr. H. C. Carter: applicant	
Mr. & Mrs. Acree Carlisle: 8815 Silver Arrow Circle	AGAINST
Mr. & Mrs. J. R. Dowell: 8804 Silver Arrow Circle	AGAINST
Mr. & Mrs. J. L. Osborne: 8805 Silver Arrow Circle	AGAINST
Mr. Richard E. Douglas: 8812 Silver Arrow Circle	AGAINST

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Ed Thacker: 8727 Tallwood Drive	AGAINST
Daniel L. Klesken: 8809 Silver Arrow Circle	AGAINST
Mr. & Mrs. Lewis H. Potter: 8808 Silver Arrow Circle	AGAINST
Alan McBride: 8810 Silver Arrow Circle	AGAINST
James Sizemore: 8807 Silver Arrow Circle	AGAINST
James H. Rackett: 8806 Silver Arrow Circle	FOR
W. A. Hamilton: 8803 Silver Arrow Circle	AGAINST
Raymond T. Yeh: 8802 Silver Arrow Circle	AGAINST
Phillip C. Schwabb: 8817 Silver Arrow Circle	AGAINST
Harold Queary: 8726 Tallwood Drive	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. H. C. Carter, applicant, stated that he had planned duplexes for this area but decided that they would cover too much of the ground area. In his opinion the townhouses are better for the neighborhood. This type of use would be a good buffer between the commercial property and the single-family residential. Mr. Carter stated that he could comply with the departmental requirements and has provided twenty-one extra parking spaces.

Arguments Presented AGAINST:

Several area residents addressed the Committee. They presented slides and a flip-chart presentation of their objections to the townhouse use. These objections mainly being; an apartment house appearance, parking abutting their property lines, removing so many trees, two story buildings blocking their view, and a continuous line of buildings with only one break. Mr. Phil Schwabb stated that the townhouses would decrease the value of the property.

Arguments Presented in REBUTTAL:

Mr. Carter pointed out that all the objections would be the same if duplexes or single-family homes were going in on the property. These townhouses would be in the \$38,000 to \$40,000 price range. He also pointed out that the property is adjacent to commercial property on the east.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi requested that the applicant try to save some of the trees along the property line. He also pointed out that if a unit or two could be left out it would greatly improve the plan. This is an appropriate place for townhouses in his opinion. The Committee further reviewed the information and concluded that this request should be approved waiving that portion of the ordinance which requires no less than four adjoining units and waiving the five-foot setback from the rear lot line, approving the ten-foot building setback, removing parking spaces number ten and eleven and inserting a green belt area between the two parking areas, subject to all other departmental requirements and recommendations.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Stewart.

CP14-71-056 H. C. Carter, Jr.--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of H. C. Carter, Jr. for a special permit for a forty-four unit townhouse unit located at 8806-8912 and 8807-8911 Honeysuckle Trail, waiving that portion of the ordinance which requires no less than four adjoining units and waiving the five-foot setback from the rear lot line, approving the ten-foot building setback, removing parking spaces number ten and eleven and inserting a green belt area between the two parking areas, subject to all other departmental requirements and recommendations.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

The Chairman announced than 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.

CP14-71-057 Manton Nations: Apartment Dwelling Complex
406 East 32nd Street

STAFF REPORT: This application has been filed as required under Section 5, Sub-Section A, Paragraph 8e and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. An apartment dwelling complex is proposed on a tract containing 1.21 acres, to consist of 31 apartments, 12 studio apartments, 18 one-bedroom apartments, and the manager's office and apartment. Forty-eight parking spaces are provided (39 required), of which 26 are in a covered area along the alley on the north side. A heated swimming pool is in the center of the tract, and a 60-foot by 50-foot fenced play area is to the east. The site plan has been circulated to the various City departments and the comments are as follows:

Building Inspector

- 1. Adequate parking is provided with 48 spaces; however, spaces 39 and 40 do not provide 20 feet of maneuvering room. 2. A 4-foot solid fence is required where any parking area is adjacent to property developed for a residential use. 3. A street deed dated 2-7-69 indicates that five feet has been dedicated for Duval Street right-of-way. 4. Shortform subdivision is required. 5. The covered parking shown along the north side of the property adjacent to the alley does not show to be connected to building "B". A connection would be necessary since the Building Code requires a clearance of six feet between separate structures. 6. The supporting posts for the covered parking would have to be set back a minimum of twenty feet for the property line on Tom Green Street. 7. Does not include Building Code approval.

GP14-71-057 Manton Nations--Contd.

- Fire Protection - Existing fire protection facilities are believed to be adequate.
- Electric - Plat complies.
- Fire Prevention - Install required fire extinguishers as buildings are completed.
- Health - No objections. Waste water system to be available.
- Traffic Engineer - 1. Minimum driveway width twenty-five feet.
2. Minimum radius five feet.
- Advanced Planning - 1. Alley on north side of property must be paved twenty-five feet minimum to support the traffic caused by the required parking.

The staff recommendation is that this request for a special permit be approved.

TESTIMONY

WRITTEN COMMENT

Freda Bullard Boeringa: 1000 Lund Street

AGAINST

PERSONS APPEARING

Pat Riley: representing the applicant

Theo Keelen: 3109 Walling Drive

AGAINST

Fred A. House: 3116 Benelva Drive

AGAINST

James Buchanan: 3116 Benelva Drive

AGAINST

Mr. & Mrs. Austin Phelps: 3115 Tom Green Street

AGAINST

Joe Darnall: 3209 Duval Street

NO OPINION

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Pat Riley, representing the applicant, stated that there is a drainage problem here which he is trying to work out with Public Works. In his plan he has preserved as many trees as possible. The staff recommendations will be carried through.

Arguments Presented AGAINST:

Mr. Austin Phelps, 3115 Tom Green Street, stated that the sanitary sewer in this area is overloaded and raw sewage comes up in his yard several times a year. An apartment complex will only add to this problem in addition to the parking and traffic problems which already exist. Five other area residents spoke in support of what Mr. Phelps presented.

Arguments Presented in REBUTTAL:

Mr. Riley stated that the pools are not drained so this, at least, will not add to the sanitary sewer problem. He pointed out that there are more than ample parking spaces provided on his site plan. The sanitary sewer is the City's problem.

CP14-71-057 Manton Nations--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee requested that a report from Public Works be obtained on the drainage problem in the area and recommended that the problem with the sanitary sewer be taken care of. The Committee reviewed the information and recommended that the request be approved subject to departmental requirements and the paving of the alley.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Stewart.

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Manton Nations for a special permit for a thirty-one unit apartment complex located at 406 East 32nd Street, subject to compliance with departmental requirements and the paving of the alley.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

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.

CP14-71-058 E. M. Mitschke and Kenneth Collinsworth: Day Care Center
6305-6307 Manchaca Road

STAFF REPORT: This application has been filed as required under Section 4, Sub-Section A, Paragraph 8b and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This application is on a tract of land covering 22,077 square feet, with the proposed use of a day care center. In general, this is a well-designed day care center. The location, with regard to the surrounding land use and area needs, seems well chosen. It has one-way drives, good landscaping and seemingly enough parking for the staff and visitors. The City Code requirement for square footage to accommodate the planned sixty-six children is satisfied with five square feet to spare. After receiving the special permit approval from the City, the proposed plans must be presented to the Welfare Department, who will make an extensive study of the area and site plan. The site plan has been circulated to the various City departments and the comments are as follows:

Building Inspector

- 1.The Zoning Ordinance does not specify parking requirements for a day care center; however, it is recommended that one off-street parking space be provided for each staff employee (8 spaces provided). 2.The facility and site shall be approved by the State Department of Public Welfare. 3.Does not include Building Code requirements.

Fire Prevention

- Install fire extinguishers as required by Code. Building must conform to Code requirements for fire resistive construction.

CP14-71-058 E. M. Mitschke and Kenneth Collinsworth--Contd.

- Health - No objections. Waste water system to be available.
- Welfare Department - This facility is not known to this agency and we are therefore unable to determine if it will meet licensing standards.
- Traffic Engineer - 1.The driveway should be 20 feet instead of 18 feet in width for one way. 2.Use 5 foot radii.
- Electric - Plat complies.
- Advanced Planning - 1.Fence around play area should be solid privacy type. 2.No other objections or comments.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

John Davenport: representing the applicants

SUMMARY OF TESTIMONY

Mr. John Davenport, representing the applicant, stated that he would be happy to comply with the departmental requirements.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be approved, subject to departmental requirements.

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Kenneth Collinsworth and E. M. Mitschke for a special permit for a day care center to be located at 6305-6307 Manchaca Road, subject to departmental requirements.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

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.

CP14-71-059 Larry Morris: 40 Townhouse Units
 8114 Ceberry Drive

STAFF REPORT: This application has been filed as required under Section 4, Sub-Section A, Paragraph 8k and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This application is on a tract on Ceberry Drive, located west of Balcones Drive, and contains 4.58 acres. It is a conventional project, and the site shows no landscaping or open space. The design satisfies every area requirement of the Ordinance. The site plan has been circulated to the various City departments and the comments are as follows:

Fire Protection

- The recommended and existing fire hydrants are indicated in red. Recommend that these fire hydrants be installed with the four-inch opening facing the street and that it be approximately eighteen inches from the center of the four-inch opening to the finish grade.

Fire Prevention

- Interior stairs should be enclosed. Install required fire extinguishers as buildings are completed.

Traffic Engineer

- No comment.

Advanced Planning

- No objections.

Electric

- Easements required as indicated.

Building Inspector

- 1.Shortform subdivision is required. 2.The lots on the south side of Ceberry Drive (units Nos. 29 through 40) do not show the required five-foot solid fence on side lot lines where private yards adjoin said lot lines. 3.Some of the garages or carports do not set back ten feet from the rear lot lines; however, the Ordinance states that the Commission may reduce or waive the required rear yard requirements where a common area of at least fifteen feet in width is provided and there is provision for pedestrian and vehicular safety, utility service and privacy. 4.Does not include Building Code approval. 5.The Ordinance requires a clearance of fifteen feet between each townhouse group. The common area between Buildings 1 and 2 and also between Buildings 3 and 4 scales fifteen feet; however, no dimension is shown.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

CP14-71-059 Larry Morris--Contd.

SUMMARY OF TESTIMONY

No one appeared in favor or in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be approved, subject to departmental requirements.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Stewart.

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Larry Morris for a special permit for forty townhouse units to be located at 8114 Ceberry Drive, subject to departmental requirements.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

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.

CP14-71-060 Carl Burnette, Trustee: Apartment Dwelling Group
614-626 South First Street

STAFF REPORT: This application has been filed as required under Section 5, Sub-Section A, Paragraph 8-E and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This project, to be known as The Timbercreek Apartments, is on a tract of 8.29 acres, with a density of 22.75 units per acre. A total of 198 units, with a swimming pool and a clubhouse, are planned for this location at the intersection of Bouldin Creek and South First Street. The site is heavily wooded and is located at a bend of the creek. The topography is composed of a double incline from the surrounding creek at 445 feet of elevation, rising toward the center of the site at 490 feet. The design concept of the developer has been to incorporate the buildings into the natural topography and to save as many trees as possible. Other amenities in this project will be at tot lot, a hike and bike trail along the side of the creek, and a tennis court. Access is by common driveway between this project and the Oak Knoll property. As the Oak Knoll owns the driveway, access to The Timbercreek Apartments must be guaranteed by covenant.

In 1967 this tract formed part of a 10.75-acre tract on which Special Permit No. CP14-67-11 was granted for the Oak Knoll Apartments. This project has been constructed, with twenty-four two-bedroom apartments and twenty-four one-bedroom apartments, requiring eighty-four parking spaces on approximately 3.50 acres of the original tract. In selling this property the Oak Knoll Apartments no longer meet minimum parking requirements. A revised site plan for Case No. CP14-67-11 must be submitted for approval by the Building Inspector and the Director of Planning. Permanent special covenants covering the shared property and copies of these covenants should be submitted with both permits. Due to the number of cars using this driveway, a possible 430, minimum paved widths should be fourteen feet for the entrance lane and twenty-four feet for the exit, with a protected left

CPI4-71-060 Carl Burnette, Trustee--Contd.

turn lane or a single thirty-six foot driveway. The design is subject to final approval by the Public Works Department and the Traffic Department. The site plan has been circulated to the various City departments and the comments are as follows:

Building Inspector

- 1.Shortform subdivision required. 2.Must comply with any drainage requirements concerning Bouldin Creek (Public Works). 3.Sign shown on site plan along South 1st Street is permitted as an accessory use to the apartment group, however, its area must not exceed six square feet. Sign advertising property for lease or sale is limited to 64 square feet 4.A four-foot high solid fence is required where any parking area is adjacent to property developed for residential use. 5.The site plan shows a building designated as "club" but does not specify if this is a private club by Ordinance definition; if not, it should be redesignated recreation building or other. 6.Does not include building code approval.

Fire Protection

- The approximate location of the recommended fire hydrants are indicated in red. We recommend that these fire hydrants be placed with the four-inch opening facing the driveway and that it be approximately eighteen inches from the center of the four-inch opening to the finish grade. We recommend that, if possible, these fire hydrants be placed in service before framing is started, so we may be able to furnish better fire protection.

Electric

- Plat complies.

Health

- No objections. Waste water system to be available.

Fire Prevention

- Any building that may be three stories needs to be equipped with a fire escape and alternate exits as required by the Texas Fire Escape Law. Install required fire extinguishers as buildings are ready for occupancy. Interior stairs should be enclosed.

Traffic Engineer

- Minimum of fifteen-foot radius off South First Street.

Water and Sewer

- Water and waste water service is available from existing mains in adjacent streets. Additional six-inch will be required as shown on plats. Two additional fire hydrants and three additional gate valves will also be required. Two fire demand meters may also be required if the system is to be a combined domestic and fire system.

CP14-71-060 Carl Burnette, Trustee--Contd.

Director of Public Works - Driveway location meets with our approval. Recommend minimum radius of ten feet on driveway returns, also deceleration lane (which was not built) on South First Street as recommended on special permit in 1969. It appears that this plan should be revised to indicate what was approved in 1969.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Bill Schudder: representing the applicant

H. C. Carter: representing the applicant

SUMMARY OF TESTIMONY

Mr. Bill Scudder, representing the applicant, stated that the covenants requested are on file and he has been told that they have been approved. The parking covenant has been dropped. He stated that the applicant has filed a three page list of metes and bounds and a shortform subdivision has been filed. The applicant's property and Oak Knoll property to the south will share a common drive which will have a median. The owner of Oak Knoll is willing to do whatever the City requires to get approval on Mr. Burnette's special permit. Mr. Scudder stated that he did not think his client's request should be held up due to the errors discovered on the adjoining property. There is enough paved area for the parking requirements but the owner does not have the spaces marked off properly. Mr. Scudder had not heard any mention of the deceleration lane prior to this meeting.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the public hearing on this request should be continued to the Planning Commission meeting for clarification purposes.

AYE: Messrs. Taniguchi, Barrow, Faulkner, Hetherly and Stewart.

At the Planning Commission meeting Mr. Jack Alexander gave a history of the property in question. A special permit was granted in 1967 on the property to the south which also contained portions of the property under the current special permit request. The applicant was granted a reduction in units with the driveway and parking area to remain the same. The buildings were not constructed as planned and no record of a revision is on file the project is now ten to eighteen spaces short in parking area. The owner sold the northern and western section of this special permit, which is being considered at this time. The 1971 special permit is on approximately eight acres including a portion of the original 1967 special permit. The Department is in objection to the fact that a portion of the required parking is not within the tract. The joint driveway is not included in either the 1967 or the 1971 special permit. The Planning Department is requiring a

CP14-71-060 Carl Burnette, Trustee--Contd.

revised special permit on the 1967 approved special permit showing the location of buildings and parking area including the driveway and meeting the ordinance requirements. This special permit revision will be given administrative approval once it has fulfilled the requirements. A joint short form subdivision of the total tract of about ten acres. The recording of both instruments on parking and driveway access. Mr. Alexander stated that the deceleration lane is not required.

Mr. Scudder, representing the applicant, stated that he is in agreement with the request for a short form subdivision and the covenants. He is also in agreement that the revised special permit should have administrative approval. The applicant does not wish to have the deceleration lane.

The Commission reviewed the information and

VOTED: To APPROVE the request of Carl Burnette, Trustee for a special permit for an apartment dwelling group to be located at 614-626 South First Street, subject to departmental requirements.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

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 Committee Chairman reported action taken on the subdivisions at the meeting of November 22, 1971, and requested that this action be made a part of the minutes of this meeting of the Planning Commission.

The staff reported that C8-69-74 Northwest Hills, Section Four (4) and C8-71-94 Highland Hills, Section Eight (8) have been referred to the Planning Commission due to a variance on the street grading, sidewalk requirements, and the drainage requirements. The Planning Department has an agreement from the owners for a thirty day postponement to allow the staff to assimilate more information to grant these variances. It was then

VOTED: To ACCEPT the attached report and make the action of the Subdivision Committee of November 22, 1971, a part of the minutes of this meeting of the Planning Commission and to POSTPONE action on NORTHWEST HILLS, SECTION FOUR and HIGHLAND HILLS, SECTION EIGHT until January 11, 1972.

AYE: Messrs. Milstead, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

ABSTAIN: Mr. Barrow

PRELIMINARY PLANS

A request for a six month extension has been requested on four preliminary plans. The staff recommends that the extension be approved. The Commission then unanimously

VOTED: To GRANT the request for a six month extension on the following preliminary plans

<u>C8-68-98</u>	<u>Camelot, Section Two, Phase One</u>
	Bee Caves Road
<u>C8-70-12</u>	<u>Lakeway Townhouse, Section Two</u>
	Seawind
<u>C8-70-22</u>	<u>Southcrest Park, Division #3</u>
	F. M. 812 and Clinger Road
<u>C8-70-50</u>	<u>Damon Estates</u>
	Daffon Lane

FINAL SUBDIVISION PLATS -FILED AND CONSIDERED

Eleven final subdivisions have appeared before the Commission in the past and have now met all departmental requirements. The staff recommends that they be approved. The Commission then

VOTED: To APPROVE the following final subdivision plats

<u>C8-69-114</u>	<u>Colorado Hills Estates, Section Six</u>
	Briar Hill Drive south of Crooked Lane
<u>C8-70-08</u>	<u>Mesa Drive Street Dedication</u>
	Mesa Drive
<u>C8-71-17</u>	<u>South Lund Park, Section Five</u>
	Blue Bonnet Lane at Meldridge Place
<u>C8-71-21</u>	<u>Salem Walk, Section Three</u>
	Radam Road
<u>C8-71-49</u>	<u>Bouldin Oaks Subdivision</u>
	Cumberland Road and Reywood Drive
<u>C8-71-111</u>	<u>Clear Creek Estates, Section One</u>
	Cameron and Clear Creek Drive
<u>C8-71-121</u>	<u>Meisha Subdivision</u>
	Alpine Drive and Alpine Circle
<u>C8-71-131</u>	<u>Windsor Hills, Section Four</u>
	Faylin Drive and Willfield Drive
<u>C8-71-133</u>	<u>Westover Hills, Section Three, Phase 6</u>
	Mesa Drive and U.S. Highway 183
<u>C8-71-134</u>	<u>Creek Bend, Section Two</u>
	Teewood Drive
<u>C8-71-148</u>	<u>Westwood, Section Seven</u>
	Westbrook Drive and Indian Springs

AYE: Messrs. Milstead, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

ABSTAIN: Mr. Barrow.

716

Twelve new final subdivision plats are before the Commission for the first time and they are lacking departmental or technical requirements. The staff recommends that they be accepted for filing and disapproved pending various requirements. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plats, pending compliance with departmental requirements.

<u>C8-69-100</u>	<u>Brookwood</u>
	Brookwood Drive and Alf Avenue
<u>C8-70-125</u>	<u>Rosewood Village, Section Seven, Revised</u>
	Neil Street and Pleasant Valley Road
<u>C8-71-27</u>	<u>Westlake Highlands Section Six</u>
	Toro Canyon Road
<u>C8-71-79</u>	<u>Cortez Heights</u>
	Manchaca Road and Valley View Road
<u>C8-71-120</u>	<u>Aqua Monte, Section Two</u>
	Valley View Road and Lake Ridge Drive
<u>C8-71-172</u>	<u>Cherry Creek Commercial</u>
	Manchaca Road and Stassney Lane

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plats, pending compliance with departmental requirements and easements.

<u>C8-71-124</u>	<u>Chevy Chase South, Phase One</u>
	Riverside Drive and Wickersham Lane
<u>C8-71-137</u>	<u>Angus Valley Annex, Section One</u>
	Pony Chase and Black Angus Drive
<u>C8-71-139</u>	<u>Oak Forest, Section One</u>
	U. S. Highway 183 and Oak Forest Drive
<u>C8-71-167</u>	<u>Westchester</u>
	Mearns Meadow Boulevard and Quail Creek Boulevard

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-71-161 FLOURNOY'S SWEETBRIAR, SECTION X pending compliance with departmental requirements, easements and current tax certificates.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-71-142 THE BROOK pending fiscal arrangements required, easements, current tax certificates and a 30-foot radius on the property line of the southeast corner of Woodland and Interstate Highway 35.

Seven short forms have appeared before the Commission in the past and have now complied with all departmental requirements and the staff recommends that they be approved. The Commission then unanimously

VOTED: To APPROVE the following short form subdivision plats

<u>C8s-71-28</u>	<u>Resub. of Lots 2, 3, 4 and part of 5, Oakvale</u>
	Red River and East 37th Street
<u>C8s-71-207</u>	<u>Lost Canyon Addition</u>
	Kinney Avenue and Barton Springs Road
<u>C8s-71-230</u>	<u>Fairway Place, Section One</u>
	Grove Boulevard and Fairway Street

<u>C8s-71-251</u>	<u>First Resub. Taylor Glass Subdivision</u> South Congress Avenue
<u>C8s-71-255</u>	<u>Resub. Lots 9 and 10, Block 10, Whispering Oaks</u> Scenic Oaks Circle and Whispering Oaks
<u>C8s-71-262</u>	<u>First Resub. of Owen Park</u> Lightsey Road and Glen Allen
<u>C8s-71-266</u>	<u>John W. Hudson Estates Subdivision</u> Lynch Street and Thrasher Lane

Four new short form subdivision plats have been received and have complied with all departmental requirements. The staff recommends that they be accepted for filing and approved. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form subdivision plats

<u>C8s-71-272</u>	<u>Thomas Malone Addition</u> Interstate Highway 35 and Applegate Drive
<u>C8s-71-276</u>	<u>Tiemann and Rymer Subdivision</u> Bluestein and Tannehill Lane
<u>C8s-71-279</u>	<u>Kemp Street Addition</u> Kemp Street
<u>C8s-71-281</u>	<u>Sam B. Griffin Subdivision</u> Bee Caves Road and Westbrook

Six new short form subdivision plats have been received and have not met all requirements. The staff recommends that they be accepted for filing and disapproved pending various requirements. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plats, pending compliance with departmental requirements.

<u>C8s-71-270</u>	<u>Tempo North Resubdivision</u> Morrow Street and North Lamar Boulevard
<u>C8s-71-277</u>	<u>Resub. of Lot 1, Block A, Windsor Park Commercial</u> Cameron and Broadmoor Drive
<u>C8s-71-278</u>	<u>Acres West, Section Two</u> Lois Lane and McBee Avenue
<u>C8s-71-280</u>	<u>Resub. Lots 14 and 15, Block B, Quail Creek West Phase 2,</u> Oak Hollow Drive <u>Section 5</u>
<u>C8s-71-283</u>	<u>Camelot, Section Two, Phase Two</u> Castle Ridge Road and Bee Caves Road

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8s-71-274 HMS SUBDIVISION REVISED pending compliance with departmental requirements and required fiscal arrangements.

C8s-71-264 Resub. Lots 8 and 9, Block F, Community of Fairview
Ramble Lane

The staff reported that the owner of the adjoining property has refused to sign the plat and the staff recommends that the Commission grant a variance on the signature of the adjoining owner and approve this subdivision plat. The Commission then unanimously

VOTED: To APPROVE the subdivision plat of RESUB. LOTS 8 and 9, BLOCK F, COMMUNITY OF FAIRVIEW granting a variance on the signature of the adjoining owner.

C8-71-271 Lakeway, Section Twenty-One
Lohman's Crossing Road

The staff reported that this subdivision requires a variance to exclude the balance of the tract and the recommendation is to grant the variance and accept for filing and disapprove pending compliance with departmental requirements. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the subdivision plat of LAKEWAY, SECTION TWENTY-ONE granting a variance to exclude the balance of the tract, pending compliance with departmental requirements.

C8-71-273 Fire Station #21, Addition
Spicewood Springs Road

The staff reported that this is the first appearance of this subdivision plat and it has met all the requirements, but requires a variance to exclude the balance of the tract. The recommendation is to grant the variance and accept for filing and approve. The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the subdivision plat of FIRE STATION #21, ADDITION granting a variance to exclude the balance of the tract.

AYE: Messrs. Milstead, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

ABSTAIN: Mr. Barrow

C8-71-275 C. H. Crow Addition
Dungan Lane and Brown Lane

The staff reported that the owner of the adjoining property has refused to sign the plat and the recommendation is that the Commission grant a variance on the signature of the adjoining owner and accept for filing and approve this plat. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND APPROVE the subdivision plat of C. H. CROW ADDITION granting a variance on the signature of the adjoining owner.

C8-71-282 Rufus Johnson Addition
F. M. 620

The staff reported that this subdivision requires a variance on the balance of the tract, all departmental requirements have been complied with and the recommendation is to grant the variance and accept for filing and approve. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND APPROVE the subdivision plat of RUFUS JOHNSON ADDITION granting a variance on the balance of the tract.

28-71-284 Armstrong-McCall Subdivision
 Ben White Boulevard

The staff reported that this subdivision requires a variance on the signature of the adjoining property owner due to the fact that he has refused to sign the plat. This subdivision has not complied with all departmental requirements. The recommendation is to grant the variance and accept for filing and disapprove. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the subdivision plat of ARMSTRONG-McCALL SUBDIVISION granting a variance on the signature of the adjoining property owner, pending compliance with departmental requirements.

28-71-285 S. S. and F. Subdivision #1
 Elmont Drive

The staff reported that this subdivision requires a variance on the balance of the tract and has not complied with all departmental requirements. The recommendation is to grant the variance and accept for filing and disapprove. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the subdivision plat of S. S. AND F. SUBDIVISION #1 granting a variance on the balance of the tract, pending compliance with departmental requirements.

PUBLIC HEARINGS

C2-71-1(f) AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN
 Approximately 38 acres located in southwest Austin on U. S. Highway 290 (South Lamar Boulevard), just west of Brodie Lane.

Mr. Richard Lillie, Director of Planning requested a month's postponement on this case in order to compile a more complete area study and report. The Commission then unanimously

VOTED: To POSTPONE the hearing on case C2-71-1(f) for one month as requested.

C2-71-1(h) AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN
 Approximately three acres located in north Austin in North Meadows Addition on both sides of South Meadows Drive in the J. Applegait Survey.

STAFF REPORT: This request by Mr. Don Felts for the owners, Lee Holder of Lot 14 and K. R. Henderson of Lot 15 and 16, Block E of North Meadows Addition is for a change in the Austin Development Plan on approximately .7 of an acre of land presently designated as Low Density Residential to Commercial Service and Semi-Industrial. This property is located in north Austin just west of North Lamar Boulevard along South Meadows Drive at Newmont Road. The staff suggests the consideration of approximately .9 of an acre in the immediate vicinity and approximately 3.2 acres further to the north along Prairie Trail at Newmont Road. The Austin Development Plan was adopted by the City Council on June 8, 1961. This area was designated as a low density residential area. It was mostly vacant land at that time. One subdivision, the E. B. Barrow Subdivision, (January 29, 1957) was developed prior to this date. Originally it was indicated that a portion of the area would be commercial, the balance was platted as residential. An eighty foot right-of-way was dedicated for McPhaul Street through the subdivision.

C2-71-1(h) AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN

(Twenty feet along the south side was later vacated by Commissioner's Court leaving a sixty foot street dedication.) In addition, there was one lot containing Nelson Puett's Lumber Yard that was actually already constructed and in use at the time the plat was filed. Several subdivisions were filed and developed in the area; White Plains in 1962, 63 and 65; and North Meadows in 1968 all of which have been residential uses. During several years a number of uses such as, contractor storage yards, lumber yards, warehouses and light industrial uses have been established in this area. The development of North Meadows, although designed for single-family residential uses, is being developed partially with duplexes, apartments and partially with commercial types of uses. This is in conflict with the development plan. The Council amended the plan in this area in 1969 and designated approximately 100 acres along North Lamar and west to a line approximately one lot in depth from Newmont Road for mixed uses; i.e. both Residential and Commercial Service and Semi-Industrial. The area along South Meadows Drive contains three offices, two mobile homes and one group of mini-warehouses. Along Prairie Trail there are three offices, three warehouses, two areas of open storage and a manufacturing firm. The mixing of uses such as those found in this area can cause serious effects on adjacent land uses, especially where truck movements, industrial type operations, open storage, etc. are involved. In some cases a residence is built near hazardous equipment and or storage. One of the guidelines of the Austin Development Plan states:

"Existing and future residential areas should be protected against the encroachment of undesirable and unsuitable uses. In turn, residential development should not encroach upon land set aside for commercial or industrial development."

Mr. Richard Lillie, Director of Planning, stated that the present uses can go on whether or not a change in the Development Plan is effected as utilities already exist on the property. He requested that the change not be made but that the non-conforming uses be allowed to continue. This property is outside the corporate limits, therefore, has no zoning. He pointed out that the area to the west is designated for residential and that Sagebrush Drive, South Meadows Drive and Newmont Road are fifty-foot residential streets.

Mr. Paul Angenand, representing Mr. Henderson, stated that when the applicant purchased the land he was under the impression that it was designated light industrial. He plans a small warehouse and office for the property and only wishes to use his land as his neighbors have in the past.

There was no opposition from area residents to the request.

Mr. Stewart asked whether or not the owner could build something other than a warehouse on the property and still realize a gain. Mr. Lillie stated that single-family and duplexes, apartment, offices or commercial could be built on the property under the current designation.

Mr. Stewart asked whether or not the Commission could deal only with the three lots in the Holder and Henderson application and leave the tracts included by the staff for some other time. Mr. Lillie stated that it is the Commission's prerogative to act on any part of the request.

C2-71-1(h) AMENDMENT TO THE AUSTIN DEVELOPMENT PLAN

The Commission then

VOTED: To recommend that the request of Lee Holder and K. R. Henderson for a change in the Austin Development Plan from Low Density Residential to Commercial Service and Semi-Industrial for Lots 14, 15 and 16 of North Meadows Addition be GRANTED.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Stewart, Taniguchi and Mrs. Mather.

ABSTAIN: Mr. Hetherly.

C10-71-1(AI) STREET VACATION

1700 Block of West 39 1/2 Street

STAFF REPORT: There are a number of easements required by the various departments as follows:

Planning	-	Recommend denial due to number of easements required by various departments.
Sanitary Sewer	-	Retain easement 15 feet south of the north property line.
Water Dept.	-	Retain easement for water main.
Storm Sewer Div.	-	Maintain all as drainage easement.
Electric Dept.	-	Retain ten feet off north property line.
Telephone Co.	-	Retain north 20 feet for telephone company easement.
Gas Co.	-	Retain north 12 feet for existing main.
Traffic & Trans.	-	Retain 15 feet pedestrian walkway easement from Shoal Creek Boulevard to Shoal Creek for hike and bike trail. OK otherwise.
Public Works	-	Retain 15 feet walkway easement from Shoal Creek Boulevard to hike and bike trail.

The staff recommends that this request be denied due to the number of easements required.

Mr. Taniguchi recommended that the street vacation be granted but that the full width of the street be retained for easement purposes. The Commission reviewed the information and

VOTED: To recommend that the request of Berkley N. Holman, Ronald C. Schultz and Hugo Leipziger-Pearce for the vacation of the 1700 block of West 39 1/2 Street be granted, subject to retaining the west fifty feet for the extension of the Hike and Bike trail and the retention of all easements.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

C10-71-1(AJ) STREET VACATION

Adjustment of right-of-way on Rundberg Lane just west of the intersection of Rundberg Lane and Quail Meadow Drive.

STAFF REPORT: This request for an adjustment of the right-of-way is due to an error in the original subdivision plat. Iron stakes found at the time of the original survey have subsequently been proven to be in error. The proposed resubdivision plat reflects the correct alignment of lots and streets. The various departmental comments are as follows:

Planning	-	OK
Sanitary Sewer	-	OK
Water Dept.	-	OK
Storm Sewer Div.	-	OK
Electric Dept.	-	OK
Telephone Co.	-	OK
Gas Co.	-	OK
Traffic & Trans.	-	OK
Public Works Dept.	-	OK

The staff recommendation is that this request be granted.

The Commission reviewed the information and

VOTED: To recommend that the request for the adjustment of right-of-way on Rundberg Lane, just west of the intersection of Rundberg Lane and Quail Meadow Drive by Bryant-Curington, Inc. be granted.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Stewart, Taniguchi and Mrs. Mather.

ABSTAIN: Mr. Hetherly.

C10-71-1(AK) STREET VACATION
Woodruff Boulevard

STAFF REPORT: Prior to the annexation of this area to the City of Austin, Mr. Odas Jung requested that Mr. Lawson Boothe petition the Commissioners Court to vacate this portion of said street. Assuming that this had been done, Mr. Jung has used same and paid taxes on same as his own property. The City tax rolls and tax map show this portion of Woodruff Boulevard in the name of Mr. Odas Jung; however, a recent check of the records does not reveal that his street was ever legally vacated. The various departmental comments are as follows:

Planning	-	OK
Water Dept.	-	OK
Waste Water Div.	-	OK
Drainage	-	OK
Electric Dept.	-	OK
Telephone Co.	-	OK
Gas Co.	-	OK
Traffic & Trans.	-	OK
Public Works Dept	-	OK

C10-71-1(AK) Street Vacation

The staff recommendation is that this request be granted.

The Commission reviewed the information and

VOTED: To recommend that the request for the vacation of Woodruff Boulevard by Odas Jung, Edmund J. Fleming, Jr., Roger S. Hanks, Jack M. Puryear, John P. Nieman, and Charles H. Morrison be granted.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart, Taniguchi and Mrs. Mather.

C10-71-(AL) STREET VACATION

Five feet of right-of-way on the east side of 2701-2705 Wilson Street.

STAFF REPORT: This property was deeded to the City in error by it's owner as a result of zoning case C14-71-028. The various departmental comments are as follows:

Planning	-	OK
Sanitary Sewer	-	OK
Water Dept.	-	OK
Storm Sewer Div.	-	OK
Electric Dept.	-	OK
Telephone Co.	-	OK
Gas Co.	-	OK
Traffic & Trans.	-	OK
Public Works Dept.	-	OK

The staff recommendation is that this request be granted.

The Commission reviewed the information and

VOTED: To recommend that the request for the vacation of five feet of right-of-way on the east side of 2701-2705 Wilson Street by the City of Austin be granted.

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Stewart, Taniguchi and Mrs. Mather.

C12-71-4(f) AMENDMENT TO ZONING ORDINANCE

Consider amendment to Section 45-14 of the Austin City Code by deleting Sub-Section (c).

STAFF REPORT: The zoning ordinance, when adopted twenty-five years ago, had within it the following provision:

"Whenever the owners of at least fifty (50) percent of all the property situated within the area bounded by a line two hundred (200) feet in all directions from any property proposed to be changed, shall present a petition, duly signed and acknowledged to the City Council, requesting an amendment, supplement or change of the regulations prescribed for such property, it shall be the duty of the City Council to vote upon the proposal presented by said petition within ninety (90) days after the filing of same with the City Council, in accordance with the above procedure."

C2-71-4(f) AMENDMENT TO ZONING ORDINANCE

During these twenty-five years only two applications for rollback zoning have been received and both of these within the last four months. Both of these applications have been denied by the City Council.

The City Council is requesting that this portion of the ordinance be deleted. It is their opinion that this is unfair for property owners who live in an area to recommend that other property be rolled back without the approval of the property owner. It is the staff recommendation that this portion of the zoning ordinance be deleted.

COMMENTS AND ACTION BY THE COMMISSION

Mrs. Mather stated that the reason people have resorted to the rollback policy is because the provisions for "A" Residence zoning are too broad.

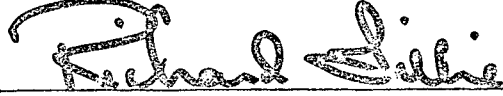
The Commission then

VOTED: To recommend that Section 45-14 of the Austin City Code be amended by deleting Sub-Section (c).

AYE: Messrs. Milstead, Barrow, Chamberlain, Faulkner, Hetherly, Stewart
and Taniguchi.

NAY: Mrs. Mather.

ADJOURNMENT: The meeting was adjourned at 10:15 p.m.


Richard R. Lillie
Executive Secretary