

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- January 11, 1972

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.
Charles Betts-
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
Roy Headrick, Subdivision Administrator
Joe Ternus, Director of Traffic and Transportation
John German, Associate Director of Traffic and Transportation
Charles Graves, City Engineer
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of January 3 and 4, 1972.

Present

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

Also Present

Jack Alexander, Asst. Dir. of
Planning
Al Baker, Zoning Administrator
Caroline Schreffler, Adm. Sec.

*Present only on January 3, 1972.

**Present only on January 4, 1972.

C14-71-263 McMain, Mabry, Powell, Montandon and Moffett: A, 1st to B, 2nd
 4500-4514 Avenue F
 106-110 East 45th Street

STAFF REPORT: This case was originally heard by the Zoning Committee in November of 1971, at which time the Committee recommended only re-zoning the corner lot at Avenue F and East 45th Street. The Planning Commission concurred with the recommendation. On December 9, at the request of the applicant, the case was referred back to the Planning Commission.

The area north of 45th Street is predominantly "A" Residence in zoning and use. A 1967 area study concluded that all land use in this area north of 45th Street should remain "A" Residence with the exception of lots having frontage on 45th Street. With the exception of one lot on Speedway Avenue to the northwest, all "B" Residence zoning in the area has frontage on 45th Street. Immediately adjacent to the subject property are zoning cases which have been granted, pending short form subdivisions to join properties to lots fronting on 45th Street. Southeast of the tract is Shipe Park. South of 45th Street there are apartments zoned "B" Residence.

The staff recommends that this case be denied except for the front lot siding on East 45th Street; it is recommended that this lot be granted "B" Residence Second Height and Area. Although the tracts would have frontage on 45th Street as required in the area study of 1967, the intent of preventing encroachment into the established single-family area would be violated by allowing "B" Residence, Second Height and Area to be established for half of the block length north of 45th Street. If this is permitted now, the next step could well be to acquire lots further north and short form them into the existing tract, resulting in the entire block being re-zoned to the detriment of the single-family neighborhood. The streets north of 45th Street are presently inadequate for high-density apartment use, with fifty feet of right-of-way or less.

TESTIMONY

WRITTEN COMMENT

Don J. Jackson: 3810 Medical Parkway	AGAINST
Mr. & Mrs. Michael Jekel: 4526 Avenue F	AGAINST
Truman H. Montandon: applicant	FOR
Mr. & Mrs. W. P. Ross: 4530 Avenue F	FOR
Mrs. Ada F. Mathias: 4528 Avenue F	FOR
Mrs. Lucille Hester: 4519 Avenue F	FOR
Rhodope L. Allen: 4507 Avenue F	FOR
Raymond W. Hawk: 4509 Avenue F	FOR
Mrs. J. M. Kuykendall: 4514 Avenue F	FOR
F. D. Hicks: 4511 Avenue F	FOR
Vera Fredrickson: 4121 Avenue F	FOR

PERSONS APPEARING

Truman H. Montandon: applicant	
Mr. & Mrs. W. P. Ross: 4530 Avenue F	FOR
Mrs. Ada F. Mathias: 4528 Avenue F	FOR
Mrs. Lucille Hester: 4519 Avenue F	FOR
Mrs. J. M. Kuykendall: 4514 Avenue F	FOR
Rhodope L. Allen: 4507 Avenue F	FOR
Raymond W. Hawk: 4509 Avenue F	FOR
F. D. Hicks: 4511 Avenue F	FOR
Vera Fredrickson: 4121 Avenue F	FOR

C14-71-263 McMMain, Mabry, Powell, Montandon and Moffett--Contd.

SUMMARY OF TESTIMONY

Mr. Truman Montandon represented the applicants. It is his opinion that the Hyde Park area is the most ideal section of the City for apartment development, due to the proximity of shopping areas, churches and schools. The tracts under consideration are rental properties with undesirable tenants, and the units are deteriorating. A petition bearing eight signatures favoring this change was presented to the Committee; Mr. Montandon stated that the majority of the owners in this area would prefer new apartment buildings in this area, rather than the present housing. He pointed out the existing apartment development in the area, which he feels has set a precedent for this request. As 45th Street is the busiest street in the area, the side streets would be the most logical access.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that if the single-family residences in this area are to be preserved, apartment traffic should not be allowed to intrude. The Committee reviewed the information and concluded that this request should be denied, but look with favor upon the granting of "B" Residence, First Height and Area, for the three lots nearest 45th Street, with access restricted to 45th Street. This recommendation would be subject to five feet of right-of-way on Avenue F and a short form subdivision.

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

At the Commission meeting, the members discussed the wording of this motion. The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of McMMain, Mabry, Powell, Montandon and Moffett for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 4500-4514 Avenue F and 106-110 East 45th Street be DENIED, but recommend that the three lots adjacent to 45th Street be GRANTED "B" Residence, First Height and Area, subject to a short form subdivision tying these lots together and five feet of right-of-way on Avenue F.

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

C14-71-264 B. M. Hickman: A to B
2608-2610 Wheless Lane

STAFF REPORT: Apartments are proposed for this irregular tract containing 3.38 acres located on Wheless Lane with a frontage of 110 feet, the lot being approximately 747 feet deep. The right-of-way on Wheless Lane varies from 44 feet to 60 feet.

The area around the subject tract is zoned "A" Residence or Interim "A" Residence. There is some commercial zoning to the southeast along Wheless Lane. The area north of Wheless Lane is divided into large, deep lots with development being single-family, a church and vacant land. There is a junior high school to the northwest.

C14-71-264 B. M. Hickman--Contd.

The staff recommends that this case be denied. Although the large tracts would be difficult to develop individually under standard single-family development methods, the intensity of "B" Residence zoning as well as the apartment use itself would constitute an encroachment into the area. This is a very low-density single-family area with large lots on the south as well as the acreage tracts around the subject property. The possibility of platting for single-family or duplex use is still a viable alternative for this area. Wheless Lane is presently inadequate to serve the potential 200 cars or 1600 vehicle trips per day if zoning is granted.

TESTIMONY

WRITTEN COMMENT

D. A. Carlson: 2701 Wheless Lane

FOR

PERSONS APPEARING

D. W. Morris: representing the applicant

SUMMARY OF TESTIMONY

Mr. D. W. Morris represented the applicant. It is felt that the proposed development of this vacant tract will greatly benefit the entire area. This area has changed in the past few years, making the proposed use of apartments desirable at this time. A survey has been made of the area, and all those contacted agreed that this use would be best for the entire area. This tract will provide housing for ninety residents of the City; such housing is greatly needed and will benefit both the City and its residents. It is not economically feasible to develop this tract with single-family homes, and while the streets are inadequate at the present time, Wheless Lane is scheduled for widening. As the residents of the area do not object to this change, it will not constitute an intrusion into the area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that granting this request would be spot zoning, as there is no precedent for apartment zoning in this area; he suggested consideration of a Planned Unit Development. Mr. Faulkner stated that this request is premature, as the predominate use in the area is residential; a lower density than that requested would be more desirable. The Committee reviewed the information and concluded that this request should be denied, but recommend that "BB" Residence, First Height and Area zoning be granted, subject to departmental requirements.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of B. M. Hickman for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area be DENIED, but recommend that "BB" Residence, First Height and Area be GRANTED.

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

C14-71-294 Glen Lewis, Inc.: A to O
3406 Red River Street

STAFF REPORT: A private office is planned for this tract containing 14,000 square feet of land. The area is zoned residential with primarily well preserved single-family dwellings northwest of Harris Avenue and Red River Street. "B" Residence zoning is established to the east across Red River Street. Non-residential zoning in this immediate area has been limited to four cases, all south of Harris Avenue; a shopping center at the northeast corner of Red River and 37th Streets, "O" Office zoning at the northwest of this intersection, and two isolated "O" Office zonings; one on Keith Lane and a church on Red River Street. A case requesting "O" Office zoning on the first lot north of the subject tract was withdrawn in 1969 following concerted neighborhood opposition and the Planning Commission's recommendation for denial. Other cases for more intensive zoning in this area have been submitted and withdrawn since 1962.

The staff recommends that this case be denied. To re-zone the area north of Harris Avenue, other than single-family residential, would be an intrusion into a low-density area. The land use conditions in this area have not basically changed. The right-of-way and existing surfacing of Red River Street are not conducive to additional non-residential traffic.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. Gordon M. Lantz: 2408 Red River Street	FOR
Petition bearing 6 signatures	FOR
Petition bearing 2 signatures	NO OBJECTION
H. H. Rothell, Jr.: 3810 Medical Parkway #209	AGAINST
Four petitions bearing 61 signatures	AGAINST

PERSONS APPEARING

John Selman: representing the applicant	
Glen E. Lewis: applicant	
Gordon M. Lantz: 3408 Red River Street	FOR
Mr. & Mrs. James R. Meyers: 818 East 38th Street	AGAINST
Mr. & Mrs. Allen Smith: 832 East 37th Street	AGAINST
Mr. & Mrs. C. H. Owens: 818 Harris Avenue	AGAINST
Mr. & Mrs. M. R. Legett: 3410 Greenway	AGAINST
Mr. & Mrs. T. E. Wiley: 3510 Greenway	AGAINST
Mr. & Mrs. William Shive: 843 East 38th Street	AGAINST
Marilynne A. Williams: 834 East 37th Street	AGAINST
Mrs. Nattie Lee Collins: 829 East 37th Street	AGAINST
Bryant M. Collins: 2306 Greenlee Drive	AGAINST
Lamar A. Phipps: 821 Harris Avenue	AGAINST
A. W. Meadows: 820 Harris Avenue	AGAINST
Ernie W. Tullis: 837 East 38th Street	AGAINST
Mr. & Mrs. A. L. Horstmann: 838 East 37th Street	AGAINST
Lois Horstmann: 838 East 37th Street	AGAINST
Mrs. Edmund P. Frank: 3313 Hampton Road	AGAINST
Mary, John and Janet Frank: 3313 Hampton Road	AGAINST

C14-71-294 Glen Lewis, Inc.--Contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Selman represented the applicant. The area under consideration is the bottom portion of garage apartments owned by the applicant, who uses this area as a small office. A building permit was obtained to remodel this small office, and construction totaling \$1,950 had been completed when the Building Inspector informed the applicant that a zoning change would be required for this facility. The applicant has a heart condition and needs this facility near his residence; he does not intend to construct additional apartments on this tract.

Mr. Glen Lewis briefly reviewed the history of his property and stated that he uses this office facility approximately three hours per day, five days a week. The owners adjoining this property do not object to this zoning change. The use pattern along Red River Street has changed in recent years, with rental houses, office and commercial uses.

Mr. Selman pointed out the changes in the area and presented pictures of various locations. The proposed change would be the northernmost boundary of zoning along Red River Street, and will serve as a buffer. It is felt that this tract is not suitable for a single-family residence due to the surrounding zoning and the heavy traffic on Red River Street.

Arguments Presented AGAINST:

Three residents of this area spoke in opposition to this request and presented petitions bearing sixty-five signatures registering disapproval. The requested zoning would be an intrusion and a spot zoning, with a highly detrimental effect upon the well-maintained residential neighborhood to the west. They reviewed the past history of the area and the changes in zoning, and presented pictures of the residential development. The homes in the neighborhood are of high quality; this neighborhood is near the University and should be preserved for the benefit of the City. The University of Chicago was cited as an example of development of slums around a campus, which ultimately resulted in a reclamation project by the city of Chicago. The area has not changed, and this fine neighborhood deserves protection. Thirty residents of the area were present in opposition to this request.

Arguments Presented in REBUTTAL:

Mr. Selman stated that many of those opposing this case were residents of the area further than the 300 feet notification area. The applicant does not wish to harm the neighborhood in which he resides, and feels that this request is a logical extension of the existing zoning along Red River Street.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that any citizen of the City may appear to voice approval or disapproval of any zoning change, as many times such a change affects the City as a whole. He feels that the requested zoning is an introduction of a different use into this area, as the other nearby zonings are for residential uses only.

C14-71-294 Glen Lewis, Inc.--Contd.

Mr. Stewart stated that the requested change will not harm the neighborhood to the west; with the existing zoning in this neighborhood and the lack of opposition from the adjacent property owners, this would seem to be a desirable change. The Committee reviewed the information and concluded that this request should be granted, subject to five feet of right-of-way and a five-foot sidewalk easement on Red River Street.

AYE: Messrs. Barrow, Hetherly and Stewart

NAY: Messrs. Taniguchi and Faulkner

At the Commission meeting, the possibility of zoning this lot to a depth of 100 feet was discussed; Mr. Barrow and Mr. Hetherly stated that after visiting this area, they would not vote in favor of this zoning, as it would set a precedent and be an intrusion into a well-maintained residential area.

The members noted the existing zoning across the street from this tract, but were of the opinion that the residential area to the west should be protected.

Mr. John Selman, representing the applicant, requested that this request be postponed, stating that the application will be withdrawn. The Commission then

VOTED: To recommend that the request of Glen Lewis, Inc. for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 3406 Red River Street be POSTPONED.

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

C14-71-295 Doyle Chapman: A to O
5624 Woodrow Avenue

STAFF REPORT: A small office building is proposed for this 7,028 square feet of land south of Theckla Terrace. At this point Woodrow Avenue has fifty feet of right-of-way and is surfaced to forty feet. This area, although basically single-family residential in the past, is in transition as evidenced by the "B" Residence zoning and apartment use covering almost the entire east side of Woodrow Avenue from Houston Street north to Theckla Terrace. There is one isolated case of "O" Office zoning with apartment use adjacent to the south of the subject tract, which was recommended for denial by the Planning Commission but granted by the City Council.

The staff recommends that this case be denied and that "B" Residence First Height and Area be granted subject to fifteen feet of right-of-way on Woodrow Avenue. "B" Residence zoning is compatible with the zoning trend in this area and is a logical extension of this zoning. The right-of-way on Woodrow Avenue lends itself to the increased traffic of "B" Residence zoning. The zoning should not adversely affect the area.

TESTIMONY

WRITTEN COMMENT

None

C14-71-295 Doyle Chapman: A to O--Contd.

PERSONS APPEARING

Doyle Chapman: applicant

SUMMARY OF TESTIMONY

Mr. Doyle Chapman stated that he plans to construct a small office building on this tract, which will be compatible with the area.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, but recommend the granting of "B" Residence, First Height and Area, as compatible with the neighborhood, and subject to fifteen feet of right-of-way on Woodrow Avenue.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Doyle Chapman for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 5624 Woodrow Avenue be DENIED, but recommend that "B" Residence, First Height and Area be GRANTED, subject to fifteen feet of right-of-way on Woodrow Avenue.

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

C14-71-296 Nieves E. Flores, Jr.: A to LR
1810 Riverview Street

STAFF REPORT: A washateria is planned for this 9,580 square feet of land located in east Austin. Riverview Street has fifty feet of right-of-way at this point. With the exception of the "C" Commercial zoning to the immediate north of the subject tract, this area is zoned "A" Residence and developed with well maintained homes. A new junior high school exists one block to the west and a park is approximately two blocks to the south of Chicon Street. This area is scheduled to receive grants for repainting and reconditioning under a "Concentrated Code Enforcement Program", due to its general good condition.

The staff recommends that this case be denied. This less restrictive zoning would be an intrusion into a single-family residential area. Riverview Street is not sufficient for non-residential zoning. The proximity of this site to the junior high school and park makes it ideally suited for continued residential use.

Cl4-71-296 Nieves E. Flores, Jr.--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Nieves Flores, Jr.: applicant

SUMMARY OF TESTIMONY

Mr. Nieves Flores, Jr. stated that the proposed use is needed for the convenience of neighborhood residents.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Nieves E. Flores, Jr. for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area, for property located at 1810 Riverview Street be DENIED.

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

Cl4-71-297 A. E. Maul: A to GR
6708 Manchaca Road

STAFF REPORT: This request is to provide improvements and facilities for office space and a general retail outlet on a tract of land containing 0.92 of an acre. To the north, south and east of the proposed site there are single-family dwellings. To the northeast across Manchaca Road is a church with a grocery store at the south corner of Manchaca Road and Bissel Lane, which was operating prior to annexation and is now a non-conforming use. Four cases of "GR" General Retail zoning in this area were granted recently and one very recent case of "LR" Local Retail zoning was recommended for denial and withdrawn by the applicant prior to City Council hearing. These locations are as follows with cases one through four being requests for "GR" General Retail and case five being one for "LR" Local Retail.

1. 2.94 acres at the northwest corner of Manchaca Road and William Cannon Drive. Both streets are major arterials and the staff recommended that the case be granted.
2. 2.74 acres at the southwest corner of Manchaca Road and William Cannon Drive. Both streets are major arterials and again the staff recommended that the request be granted.

C14-71-297 A. E. Maul--Contd.

3. 19.949 acres at the southwest corner of Manchaca Road and Berkley Avenue, a minor collector street. The staff recommended against this request as Berkley Avenue is not a major arterial and a precedent for strip zoning would be set. The Planning Commission recommended granting the request subject to a buffer zone for residential property to the west and south.
4. 9.95 acres at the northeast corner of Manchaca Road and Matthews Lane which is a minor residential street surfaced to a thirty 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 into a new and expanding residential area. The Planning Commission recommended granting "GR" General Retail on 300 feet south of the street portion of this land. The City Council granted the request on the entire tract.
5. 23,267 square feet at the southwest corner of Matthews Lane and Manchaca Road. The staff recommended denial due to the fact that Matthews Lane is only a minor residential street, its intrusion into a residential neighborhood, and single-family dwellings would face a commercial use. The thirty-six acres of property in this area already zoned "GR" General Retail were considered more than adequate to service the needs of this area. The Planning Commission concurred.

The staff recommends that this case be denied; this property fails to meet the basic requirement for "GR" General Retail zoning as it is not located at the intersection of major arterial streets. The granting of this case would set a precedent for strip zoning and could develop into a situation resembling Burnet Road. The requested zoning would be an intrusion into the existing single-family neighborhood. The four tracts in this area totaling thirty-six acres and approved for commercial uses are considered to be sufficient to serve the needs of this area.

TESTIMONY

WRITTEN COMMENT

Jerry P. Petropoulos: 1923 Barge Street
Richard Layman, Jr.: 6704 Manchaca Road

FOR
FOR

PERSONS APPEARING

Don Cartwright: representing the applicant

SUMMARY OF TESTIMONY

Mr. Don Cartwright, the prospective purchaser of this tract, represented the applicant. The tract is not suitable for residential development, and the shape of the tract makes it difficult to develop. Consideration is being given to the use of a mobile home park for the rear portion of the tract, with the front portion to be used for access and a general retail area. In view of the traffic on Manchaca Road, this is the most economically feasible development.

No one appeared in opposition to this request.

C14-71-297 A. E. Maul--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Taniguchi stated that uses as allowed in the requested zoning would not be desirable for this area. The members discussed a possible special permit application for the use of a mobile home park, and the proposed Mobile Home Ordinance, which would allow this use without commercial zoning for access. They concluded that this request should be denied, but recommend that the one-year waiting period for the re-filing of an application be waived, in order that the applicant may file an application at an earlier time.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of A. E. Maul for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 6708 Manchaca Road be DENIED, but recommend that the one-year waiting period for the re-filing of this application be waived.

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

C14-71-298 W. W. Knap: A, 1st to C, 5th
 1000-1006 East 52nd Street
 5201-5203 Harmon Avenue
 1009-1015 East 53rd Street

STAFF REPORT: Commercial development is proposed for this 39,814 square feet of land located along Interstate 35. A portion of this property is zoned "C" Commercial, First Height and Area. The surrounding neighborhood is zoned and developed with "A" Residence. The "C" Commercial property to the east is in the right-of-way for the planned interchange of 51st Street and Interstate 35. The State Highway Department advises that contracts for construction of this complex will be awarded during 1973. When work is complete the subject property will front on this interchange. There is additional "O" Office and "LR" Local Retail zoning along Interstate 35 with "LR" Local Retail and "GR" General Retail zoning at the intersection of 51st Street and Harmon Avenue.

The staff recommends that this case be denied, but recommends that "GR" General Retail, Fifth Height and Area be granted, subject to five feet of right-of-way on Harmon Avenue, East 52nd and East 53rd Streets. "GR" General Retail zoning allows a wide diversity of use and would be more compatible to the remaining residences than "C" Commercial. Some of the specific uses permitted under "C" Commercial zoning which would be incompatible with the residences are a fair, carnival, car lot, lumber yard, contractor's storage yard or welding shop.

TESTIMONY

WRITTEN COMMENT

Mr. & Mrs. C. D. Whiteside: 1008 East 53rd Street	FOR
Daisy Laybourn: 949 East 51st Street	FOR
Miss Emma Carolson: 1000 East 51st Street	FOR

C14-71-208 W. W. Knapé--Contd.

PERSONS APPEARING

W. W. Knapé: applicant

SUMMARY OF TESTIMONY

Mr. W. W. Knapé stated that his present commercial location is being taken by the Highway Department for right-of-way; this location is ideal for those tenants. He stated that "GR" General Retail zoning would be acceptable.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, but recommend that "GR" General Retail, Fifth Height and Area be granted, as compatible for this area; subject to five feet of right-of-way on Harmon Avenue, five feet of right-of-way on East 52nd Street and five feet of right-of-way on East 53rd Street.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of W. W. Knapé for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Fifth Height and Area be DENIED, but recommend that "GR" General Retail, Fifth Height and Area be GRANTED, subject to five feet of right-of-way on Harmon Avenue, five feet of right-of-way on East 52nd Street and five feet of right-of-way on East 53rd Street.

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

^x
C14-71-299 George Schuster, III, M.D.: A, 1st to B, 2nd
2302 Leon Street

STAFF REPORT: Apartment construction is planned for this 8,802 square feet of land in the University area which is a mixture of multi-family and single-family dwellings. "B" Residence, Second Height and Area zoning is becoming predominant as evidenced by the apartments directly east and west of the subject tract and extending south beyond West 22nd Street. There is "O" Office zoning and use at the southeast corner of Longview and 24th Streets, and a girls' dormitory and service station exist at the south corners of this intersection.

The staff recommends that this case be granted as a logical extension of existing zoning and as it should not adversely affect the area. Leon Street with sixty feet of right-of-way is appropriate for multi-family zoning.

C14-71-299 George Schuster, III, M.D.--Contd.

TESTIMONY

WRITTEN COMMENT

R. D. Jones: 2307 Longview Street
Josephine W. Schmidt: 1013 West 23rd Street
Sidney Donnell: 2218 Leon Street

FOR
NO OBJECTION
NO OBJECTION

PERSONS APPEARING

Stanley Schuster: representing the applicant
James N. Douglas: 2300 Leon Street

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Stanley Schuster represented the applicant. There are presently two structures on the tract, totaling four units, which is a non-conforming use. To remodel and improve these structures, requires a change in zoning.

Arguments Presented AGAINST:

Mr. James Douglas, a nearby property owner, stated that there are many single-family homes in this area. This is a pleasant residential area near the University and should be protected from further intrusion. Mr. Douglas stated that he does not object to the present use of this tract.

Arguments Presented in REBUTTAL:

Mr. Schuster stated that he does not know the applicant's future plans for this tract; however, this zoning change will make the property more salable.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of George Schuster, III, M. D., for a change of zoning from "A" Residence, First Height and Area to "B" Residence Second Height and Area for property located at 2302 Leon Street be GRANTED.

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

C14-71-300 Simon Okon: C to C-2
1906 Guadalupe Street

STAFF REPORT: The applicant is requesting that 1,278 square feet of this 8,400 square foot lot be zoned "C-2" Commercial for the purpose of selling liquor by the drink. Guadalupe Street has 120 feet of right-of-way at this point. "C" Commercial zoning exists along Guadalupe Street from 14th Street to beyond 29th Street. There are four "C-2" Commercial tracts on Guadalupe Street south of 19th Street and one at the intersection of Guadalupe Street and West 29th Street to the north.

The staff recommends that this case be granted, as the proposed use is consistent with the land use in the area.

TESTIMONY

WRITTEN COMMENT

Calvin C. Otto:	1715 Carovel Circle, Birmingham, Alabama	AGAINST
Willisa Weldon:	1715 Carovel Circle, Birmingham, Alabama	AGAINST
Walter Wukasch:	403 West 19th Street	AGAINST

PERSONS APPEARING

None

SUMMARY OF TESTIMONY

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

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Simon Okon for a change of zoning from "C" Commercial, Third Height and Area to "C-2" Commercial, Third Height and Area for property located at 1906 Guadalupe Street be GRANTED.

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

C14-71-301 B. F. McCoy: Interim A, Interim 1st, to C, 1st and 2nd
706-720 Cooper Drive
713-725 West Rundberg Lane
9201-9331 North Lamar Boulevard

STAFF REPORT: A service station with two signs is proposed for this tract encompassing 3.44 acres located in north Austin. North Lamar Boulevard and Rundberg Lane have 120 and 90 feet of right-of-way respectively. Cooper Lane has sixty feet of right-of-way. In clarification, the applicant is requesting Second Height and Area for the area of the signs, totaling 400 square feet each, one at the northeast corner and the other approximately 100 feet south of the northwest corner. "C" Commercial, First Height and Area zoning is requested on the remainder of the tract.

To the south and east is Interim "A" Residence zoning developed with single-family dwellings. West across from the subject tract "GR" General Retail zoning extends from Rundberg Lane to Carpenter Avenue. To the north is Interim "A" Residence zoning, which is primarily undeveloped.

The staff recommends that this case be granted, subject to a six foot privacy fence to the east. The development along North Lamar Boulevard and south of the subject tract is generally "C" Commercial zoning and use. The Master Plan recommends commercial services and semi-industrial uses on North Lamar Boulevard south of Braker Lane.

TESTIMONY

WRITTEN COMMENT

Ol' Bossy Dairy Stores, Inc: P. O. Box 1011
New Braunfels, Texas

FOR

Erwin H. Keiser: 5509 Basswood Lane

AGAINST

PERSONS APPEARING

Don Ferguson: 5509 Basswood Lane

AGAINST

SUMMARY OF TESTIMONY

Mr. Don Ferguson, representing the applicant, stated that this zoning is needed for the proper development of this tract.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as proper zoning along a major thoroughfare, and subject to a six-foot privacy fence on the east boundary of the tract.

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

C14-71-301 B. F. McCoy--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of B. F. McCoy for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First and Second Height and Area for property located at 706-720 Cooper Drive; 713-725 West Rundberg Lane; and 9201-9331 North Lamar Boulevard be GRANTED, subject to a six-foot privacy fence on the east boundary of the tract.

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

C14-71-302 Ralph Vertrees: A to C-2
2301-2303 Polaris Avenue

STAFF REPORT: A package store is proposed for this 13,418 square feet of land located in north Austin. To the south and east are well-maintained single-family dwellings. At the east end of Polaris Avenue there is "BB" Residence zoning. Adjacent on the west is "C-2" Commercial zoning and use with additional commercial to the north and south along Burnet Road. North of Polaris Avenue is Interim "A" Residence zoning and non-conforming uses of a miniature golf course, warehouse and driving range; these were developed prior to annexation.

The staff recommends that this request be denied, as less restrictive zoning would be an intrusion in a residential area and could set a precedent for non-residential development on other undeveloped lots. Polaris Avenue with its fifty feet of right-of-way, very narrow surfacing, and no curb or gutter is not sufficient for commercial traffic. The other streets in this subdivision, Bowling Green, Hathaway Drive and Colfax Avenue fall in this same category. With Polaris Avenue making a dead-end to the east, it would seem logical that additional traffic as the result of re-zoning would employ these very narrow residential streets for access to Burnet Road, thereby competing traffic-wise with the residents. Lanier Junior and Senior High Schools are located a short distance southeast of the subject tract.

TESTIMONY

WRITTEN COMMENT

Petition bearing 32 signatures

AGAINST

PERSONS APPEARING

Glen Cortez: representing the applicant	
Arthur B. Burris: 8602 Bowling Green Drive	AGAINST
P. S. Morey: 8602 Hathaway Drive	AGAINST
Sammye Q. Bryant: 8601 Bowling Green Drive	AGAINST
Mr. & Mrs. James D. Turner: 8611 Bowling Green Drive	AGAINST
George Howard: 8601 Hathaway Drive	AGAINST
J. W. Savage: Route 1, Box 114-C	AGAINST

C14-71-302 Ralph Vertrees--Contd.

SUMMARY OF TESTIMONY

Mr. Glen Cortez, representing the applicant, requested postponement of this request for one month to allow the applicant to obtain a site plan in accordance with Planning Commission and City Council policy.

Four residents of this area spoke in opposition to this request. A petition containing thirty-five signatures opposing this request was presented to the Committee. The residents of this area strongly object to this use, due to the residential character of the area and the narrow and dead-end streets. They feel this use will create a traffic hazard to both adults and children, and that it will have a detrimental effect on property values.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee was of the opinion that a site plan of the metes and bounds of the proposed site is necessary for consideration of this case; they voted to postpone this hearing for one month.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Ralph Vertrees for a change of zoning from "A" Residence, First Height and Area to "C-2" Commercial, First Height and Area for property located at 2301-2303 Polaris Avenue be POSTPONED for one month.

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

C14-71-303 William Mark Day: C to C-2
5601-5617 Airport Boulevard

STAFF REPORT: The applicant is requesting this zoning on 1,485 square feet of a 90,000 square foot tract. The land use along Airport Boulevard is predominately commercial on both sides and the existing uses such as a discount store, grocery store, restaurants, and used car lots reflect this type of zoning. There are no schools in the immediate vicinity. The only residential development is to the east and there is no direct access to this area. There are two "C-2" Commercial zonings south of the subject site, one at a discount store and the other at a grocery store.

The staff recommends that this case be granted as compatible with existing zoning and use.

TESTIMONY

WRITTEN COMMENT

Mrs. Leona Bradverry: 901 East 56th Street

FOR

PERSONS APPEARING

Robert L. Davis: representing the applicant

C14-71-303 William Mark Day--Contd.

SUMMARY OF TESTIMONY

Mr. Robert Davis represented the applicant; he concurred with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of William Mark Day for a change of zoning from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area for property located at 5601-5617 Airport Boulevard be GRANTED.

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

C14-71-304 Jehovah's Witnesses, Allandale Unit: A to O
5611 Clay Avenue

STAFF REPORT: This is a resubmission by the applicant of a zoning request heard on this property by the Planning Commission in September 1971 (C14-71-198). The Planning Commission recommended denial of "O" Office zoning. The City Council subsequently asked the applicant for definite information as to how the property might be used, granted a withdrawal, and waived the six month period normally required for reapplying. The subject tract comprises 14,550 square feet. The surrounding area is predominately "A" Residence; commercial zoning exists several lots to the south, with uses such as a contractor, bed company and two lumber yards. However, commercial zoning does not extend into the single-family residential portion of this neighborhood. The "O" Office zoning on Adams Avenue was recommended for denial by the Planning Commission and granted by the City Council. A request for "B" Residence zoning three lots to the north was denied by the City Council as being an intrusion into the residential area and too intensive. The office zoning to the north on Koenig Lane has justification, as it fronts on a major arterial street.

The staff recommends that this case be denied as an intrusion into a single-family neighborhood. Clay Avenue is a substandard residential street with forty-five feet of right-of-way surfaced to twenty-six feet. Traffic to the north has no direct access to Koenig Lane except over the minor residential streets.

C14-71-304 Jehovah's Witnesses, Allandale Unit--Contd.

TESTIMONY

WRITTEN COMMENT

Lenora D. Taylor: 1300 Cypress Creek Road
Kerrville, Texas

AGAINST

Four petitions bearing 31 signatures

NO OBJECTION

PERSONS APPEARING

Jack W. Ledbetter: representing the applicant

John Horton: Planned Parenthood

FOR

Mr. and Mrs. Pete Davis

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Jack Ledbetter represented the applicants. The congregation has outgrown this church facility and wish to place it on the market. This structure is not usable as a single-family residence, as it has restrooms and off-street parking facilities. Photographs of the structures in this area were displayed; it is felt that the development of offices on this site will be an asset to the neighborhood, which is in a state of deterioration. A petition with thirty-one signatures in favor of this zoning, signed by residents of the area, was presented to the Committee.

Mr. John Horton stated that this structure is being considered for an office for Planned Parenthood; it will be developed with offices, for which it is well-suited. With the existing uses in this area, this would seem to be a compatible use.

Arguments Presented AGAINST:

Mr. and Mrs. Pete Davis stated that this area is predominately residential; they feel that the use of this tract as a church has been an intrusion into this area.

Arguments Presented in REBUTTAL:

Mr. Ledbetter pointed out the uses in the immediate area; one is a monument sales facility, which is a non-conforming use.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Hetherly pointed out that this entire area is not in bad condition; the requested zoning will set a strong precedent for the residential area to the north. Mr. Barrow pointed out the close proximity of commercial uses, such as the lumber yard; he is of the opinion that this area is changing and that this particular tract is not suitable for residential use. A majority of the Committee concluded that this request should be denied as an intrusion.

AYE: Messrs. Taniguchi, Faulkner and Hetherly

NAY: Messrs. Barrow and Stewart

C14-71-304 Jehovah's Witnesses, Allandale Unit--Contd.

At the Commission meeting, Mr. Taniguchi reported that the applicant has submitted a restrictive covenant on this tract for office use only, to revert to "A" Residence zoning if the use changes. The members were of the opinion that this restrictive covenant should be sent to the City Council for their consideration. They discussed the area and the zoning in the area, and a majority concluded that this request should be granted. The Commission

VOTED: To recommend that the request of the Jehovah's Witnesses, Allandale Unit, for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 5611 Clay Avenue be GRANTED, subject to ten feet of right-of-way on Clay Avenue.

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

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

C14-71-305 City of Austin: A, 1st and C, 2nd to B, 2nd
1022-1046 Reinli Street
1015-1047 Clayton Avenue
5800-5920 Sheridan Avenue

STAFF REPORT: Uses as permitted by zoning are proposed for this 10.9 acre tract located in northeast Austin. Capital Plaza Shopping Center is to the south and to the west is "B" Residence zoning and undeveloped "A" Residence zoning.

The staff recommends that this case be granted as compatible with existing zoning and a logical extension thereof. The seventy feet of right-of-way is compatible with the rezoning.

TESTIMONY

WRITTEN COMMENT

Charles O. Betts: 5422 Shoalwood Avenue

FOR

PERSONS APPEARING

None

SUMMARY OF TESTIMONY

The staff reported that this request was submitted by the Property Department; this property will be sold.

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

COMMENTS AND ACTION BY THE COMMITTEE

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

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

C14-71-305 City of Austin--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the City of Austin for a change of zoning from "A" Residence, First Height and Area and "C" Commercial, Second Height and Area to "B" Residence, Second Height and Area for property located at 1022-1046 Reinli Street; 1015-1047 Clayton Avenue; and 5800-5920 Sheridan Avenue be GRANTED.

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

C14-71-306 Non-Commissioned Officers Life Insurance Company and Myers K. Parsons:
3803-3805 Duval Street A to O
506-508 East 38th Street

STAFF REPORT: This is a resubmission of a rezoning application for "O" Office heard and recommended for denial by the Planning Commission in August 1970, (C14-70-142) and subsequently denied by the City Council. The 1970 application covered only the property on East 38th Street; the current application covers the 38th Street tract plus the area on Duval Street, consisting of a total 29,636 square feet. The current right-of-way is sixty feet on Duval and 38th Streets; they are surfaced thirty-six feet and forty feet respectively. "A" Residence zoning and development of single-family residences are adjacent to this property. Hancock Recreation Center and golf course are located to the east of the tract. There is no "O" Office zoning in the immediate area and "B" Residence zoning exists to the southwest across Duval Street and to the north.

The staff recommends that this case be denied, as there have been no changes in this immediate area since the 1970 review. Office use at this point in time would encroach upon the residential property in this area and could set a precedent for further non-residential zoning.

TESTIMONY

WRITTEN COMMENT

Edwin G. Kilian: 509 East 38th Street	FOR
Fred M. Banks: 3009 Dyer Street, Dallas, Texas	FOR
Willis R. Bodine: 3809 Duval Street	AGAINST
J. J. Lagowski: 1114 West 22nd Street	AGAINST
Jack R. Chick: 3810 Duval Street	AGAINST
H. A. Porter: 3705 Liberty Street	AGAINST

PERSONS APPEARING

Silas Maxwell: representing the applicant	
Myers Parsons: Lake Travis	FOR
W. R. Bodine: 3809 Duval Street	AGAINST
J. R. Chick: 3810 Duval Street	AGAINST
J. C. Carlson: 508 Texas Avenue	AGAINST

C14-71-306

Non-Commissioned Officers Life Insurance Company and Myers K. Parsons:

Contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Silas Maxwell represented the applicants. This company wishes to construct a building for their home office facilities at this location, and will probably be forced to locate in another city if this zoning is not granted. This area is predominantly rental houses, which are deteriorating and have very undesirable tenants. In addition, the heavy traffic in this area makes it unsuitable for residential use. Mr. Maxwell stated that this area is primarily housing for University students, whose squalid living conditions make the neighborhood unsuitable for families with small children. The proposed development will be an asset to the area. The selling of Tyler roses at this location is a commercial use.

Mr. Myers Parsons stated that he owns one of the two lots in this application; he agrees that this office use would be suitable at this time.

Arguments Presented AGAINST:

Three residents of this area spoke in opposition to this request. Many of the residents of this area are retired and living on fixed incomes. This change of zoning will lower the value of the area as residential and cause severe losses to these owners. They feel that this neighborhood is a clean and wholesome residential area, with the owners taking pride in their homes and maintaining them. Obvious deterioration has taken place at this location since the time of the previous zoning request; it is felt that one owner's neglect of his property does not reflect the condition of this total area.

Arguments Presented in REBUTTAL:

Mr. Maxwell stated that the improvement of this tract will increase the value of the area. The proposed use will be a good influence on this neighborhood, as it is quiet, and will provide adequate parking to relieve the traffic problems.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Non-Commissioned Officers Life Insurance Company and Myers K. Parsons for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 3803-3805 Duval Street and 506-508 East 38th Street be DENIED.

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

C14-71-307 Kenneth Collinsworth: B to GR
2804 South First Street

STAFF REPORT: An automobile repair shop is proposed for this 1.1 acre tract which is 73 feet wide and 602 feet deep. South First Street has eighty feet of right-of-way but is only surfaced to forty-four feet. The applicant is requesting a zoning change on the first 300 feet. Although the general area is basically "A" Residence, strip zoning has been taking place along South First Street. This is evidenced by two spaced "GR" General Retail classifications to the south. Directly west of the site is "A" Residence zoning with one non-conforming use, a cafe at the corner of El Paso Street and South First Street. There is a two block strip of "LR" Local Retail zoning south of Sacramento Drive. Adjacent to the north is "B" Residence zoning, also to the north is the beginning of "C" Commercial zoning which extends northward to Oltorf Street.

The subject tract was rezoned "B" Residence, First Height and Area during 1969 in conjunction with a special permit for an apartment dwelling group. The staff and the Zoning Committee agreed that the front 275 feet should be a use other than single-family. The Zoning Committee recommended that the first 275 feet of this tract be zoned "B" Residence, First Height and Area. Subsequently the Planning Commission recommended to deny "B" Residence zoning on any part of the tract, but recommended that the applicant work with the Planning Department on an acceptable site plan for development of the property and that it be submitted in conjunction with a request for zoning to the Planning Commission through the special permit procedure. The City Council approved the "B" Residence zoning after three readings. The special permit was approved, but not executed. Recently the applicant advised the Planning Department that he was withdrawing the request for special permit as he wished to construct an automotive repair shop.

The staff recommends that this case be denied as this property is unsuitable for single-family development; however, because of the shape of the site and the adjacent residential area, the most compatible use of this area would be moderately dense apartment construction. Basically this area has not changed since 1969.

TESTIMONY

WRITTEN COMMENT

Forest S. Pearson: 1901 McCall Road
Aaron F. White: 1207 Alta Vista

FOR
AGAINST

PERSONS APPEARING

John Davenport: representing the applicant
Roddy G. Sternnadle: applicant
Denneth D. Collinsworth: applicant
Michael Daniels: 1708 Fort View Road

FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. John Davenport represented the applicant. Financing is not possible for apartment development on this tract, and the applicant plans to sell it to two young men who will operate an automobile frame-straightening service. This use is ideal for this location due to the surrounding uses and the heavy traffic on South First Street.

CL4-71-307 Kenneth Collinsworth--Contd.

Mr. Kenneth Collinsworth, the applicant, stated that the rear portion of this property will not be used at this time; eventually it will be sold to the adjoining property owners. The proposed development will be an asset to this area.

Mr. Roddy Sternnadle, one of the prospective purchasers, stated that this use will not create parking and storage of automobiles. He cited the many businesses along this street, which has very little residential use.

Arguments Presented AGAINST:

One resident of this area spoke in opposition to this request. The residences to the immediate west of this tract are owner-occupied and well-maintained. The proposed use will create disturbing noise and unsightly parking of automobiles.

Arguments Presented in REBUTTAL:

Mr. Davenport stated that this use will not create disturbing noise, as it will be located away from the residences. This development will be an asset to the area and to the City.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed the protection of the residential development to the west. They concluded that this request should be denied, but recommend that "GR" General Retail, First Height and Area be granted on 200 feet adjacent to South First Street, subject to six-foot privacy fencing on either side of the zoned area.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Kenneth Collinsworth for a change of zoning from "B" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2804 South First Street be DENIED, but recommend that "GR" General Retail, First Height and Area be GRANTED on 200 feet adjacent to South First Street, subject to six-foot privacy fencing on either side of the zoned area.

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

C14-71-308 R. N. Snider, M. D.: A to GR(Tr. 1) and B(Tr. 2)

Tract 1: 1300 West Ben White Boulevard
4104-4108 Banister Lane

Tract 2: 4100-4102 Banister Lane
1301-1307 Morgan Lane

STAFF REPORT: A restaurant, service station and apartments are proposed for these two tracts containing 1.3 acres. This area is a mixture of residential and commercial development. Property along Ben White Boulevard is zoned for commercial and retail use. To the north exists "A" Residence zoning with some undeveloped tracts to the northeast.

The staff recommends that this case be granted, subject to five feet of right-of-way on Morgan Lane and right-of-way on Banister Lane to be determined by the Public Works Department. Tract 2 will provide a reasonable buffer zone for the single-family neighborhood to the north. A short form subdivision separating the "GR" General Retail tract from the "B" Residence zoned tract will be required.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Bob Mann: representing the applicant

SUMMARY OF TESTIMONY

Mr. Bob Mann represented the applicants; he had nothing to add to the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as compatible with this area, subject to five feet of right-of-way on Morgan Lane and right-of-way on Banister Lane to be determined by the Public Works Department and a short form subdivision.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of R. N. Snider, M. D., for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area (Tract 1) and "B" Residence, First Height and Area (Tract 2), for property located at 1300 West Ben White Boulevard and 4104-4108 Banister Lane (Tract 1) and 4100-4102 Banister Lane and 1301-1307 Morgan Lane (Tract 2) be GRANTED, subject to five feet of right-of-way on Morgan Lane and right-of-way on Banister Lane to be determined by the Public Works Department and a short form subdivision.

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

C14-71-309 John Felter: O, 1st to GR, 5th
1805-1811 South Interstate Highway 35

STAFF REPORT: Commercial development is proposed for this 2.2 acre tract in an area along the east frontage road of Interstate Highway 35, which is largely a combination of undeveloped "A" Residence zoning and office use. "A" Residence zoning exists to the south and east, with "O" Office on the north which is as yet undeveloped. The subject site is lower in elevation than the well-maintained single-family development to the east.

The staff recommends that this case be denied, but recommends that "O" Office, Fifth Height and Area be granted. This type of zoning and use is consistent with existing use east of Interstate Highway 35 and is considered more compatible than "GR" General Retail to the single-family area.

TESTIMONY

WRITTEN COMMENT

Dr. Joe Smith: 1900 Matagorda Street	AGAINST
Terry J. Sasser: 1948 South Interregional	FOR
Mrs. Charles Duffy: 706 San Antonio	FOR

PERSONS APPEARING

Hoyle Osborne: representing the applicant	
Terry Sasser: representing the applicant	
Sterling Sasser, Sr.: representing the applicant	
Doyle Chapman: 7313 North Lamar Boulevard	FOR
Dr. Joe K. Smith: 1900 Matagorda Street	AGAINST
V. E. Hardy: 1806 Matagorda Street	AGAINST
Edward F. Silvanage: 1704 Fawn Drive	AGAINST
Orin Lerdal: 1810 Matagorda Street	AGAINST
Mr. & Mrs. Milan Carskadon: 1814 Matagorda Street	AGAINST
Mr. & Mrs. W. P. Hefley: 1804 Matagorda Street	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Hoyle Osborne, Planning Consultant, represented the applicant. He displayed a map of the area, showing the zoning pattern along Interstate Highway 35, which is predominately "GR" General Retail, "LR" Local Retail, "O" Office, and "B" Residence zoning. Of prime consideration is the traffic count at this location, which is estimated at over forty thousand cars per day. The planning for this area has already taken place, with precedent set for commercial and office uses adjacent to Interstate Highway 35. Platting of the area adjacent to Interstate Highway 35, leaving a strip between residential development and the highway, would indicate this trend of development. The projected traffic count for Interstate Highway 35 is very high, which will create even more pressure for commercial uses. A buffer should be provided for residential development. The developer feels that the requested zoning is necessary to allow latitude in the possible use for the property.

C14-71-309 John Felter--Contd.

Mr. Sterling Sasser, Sr. stated that he is very familiar with the development along Interstate Highway 35; at this time the City is over-supplied with office facilities, with rentals not filling present development. The need and demand is for retail operations. Allowing this requested zoning will speed up the development along Interstate Highway 35, and is in line with the increase in taxes on this property.

Arguments Presented AGAINST:

Six residents of this area spoke in opposition to this request. They feel that the proposed zoning will lower the value of the residential development, and that the residential area should be protected from commercial traffic and noise. The single-family residential area has traffic congestion created by the apartment development; additional apartments would be objectionable. A buffer zone was requested, and limitation upon the height of the buildings.

Arguments Presented in REBUTTAL:

Mr. Osborne stated that no particular use is proposed for this tract; however, retail and office development have been discussed. The heavy traffic on Interstate Highway 35 creates a need for commercial uses.

Mr. Terry Sasser stated that "GR" General Retail zoning would allow the type of businesses which can afford the cost of the frontage property, with the possibility of office development on the rear of the tract. He also stated that he had no objection to limiting the height of the building to the requirements established under the Sixth Height and Area restrictions.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and discussed development along Interstate Highway 35. They concluded that this request should be denied, but recommend that "GR" General Retail, Sixth Height and Area be granted as proper use for this tract, subject to a twenty-five foot building setback from the rear property line, with six-foot privacy fencing on the rear property line.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John Felter for a change of zoning from "O" Office, First Height and Area to "GR" General Retail, Fifth Height and Area for property located at 1805-1811 South Interstate Highway 35 be DENIED, but recommend that "GR" General Retail, Sixth Height and Area be GRANTED, subject to a twenty-five foot building setback from the rear property line and a six-foot privacy fence on the rear property line.

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

C14-71-310 The Salvation Army, Major Chambless: A to O
2700-2912 South Fifth Street

STAFF REPORT: A community center to be operated by the Salvation Army is proposed for this 10.02 acre tract in south Austin. The subject tract is surrounded by "A" Residence zoning. A high-quality duplex housing project is scheduled for property to the west. This is to be a Turnkey Project for the City of Austin and will consist of 144 units. Although the use of a community-type center by the applicant may be of benefit to the public housing project, the rezoning of this tract would set a precedent for future zoning changes which could be a detriment to an established single-family neighborhood.

The staff recommends that this case be denied as an intrusion into a well-established single-family residential neighborhood. Those lots fronting on South Fifth Street would be facing an "O" Office use. Further, this rezoning establishes a precedent which could be detrimental to the area.

TESTIMONY

WRITTEN COMMENT

R. D. Jones: 805 Capital National Bank Building
Petition bearing 35 signatures

FOR
AGAINST

PERSONS APPEARING

Major Chambless: applicant
Harold Tegge: representing applicant
Lloyd Lockridge: representing applicant
Melvin W. Blancett: 2609 South 4th Street
Victor Valadez, Jr.: 11903 Arabian Trail

AGAINST
AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Harold Legge represented the applicants. He explained that the Salvation Army is a non-profit organization dedicated to service to the community. This is an ideal location for their program of service to young people and the elderly. The center will consist of indoor and outdoor recreational facilities, classes, meetings, etc. This site will not serve as a halfway house for men, as this service is handled at another location. There are approximately five thousand school-age children in this area who would benefit from these services. The Zoning Ordinance does not specify a classification for such a community center, and it is the opinion of the Building Inspection Department that "O" Office zoning is required for this use. The center will require a small administrative office facility, but will not construct office buildings. These facilities will be gradually expanded, which would require re-evaluation of a special permit. It is felt that a special permit procedure would jeopardize the financial support for this project.

Major Chambless of the Salvation Army stated that a large investment will be required for this ten-acre tract. This development will serve the area, and no harmful use would be allowed.

CP14-71-310 The Salvation Army; Major Chambless--Contd.

Arguments Presented AGAINST:

Two residents of this area spoke against this request and presented a petition bearing thirty-five signatures opposing the change of zoning. The residents are not opposed to the use of a community center, but are strongly opposed to the introduction of "O" Office zoning into this residential area. They pointed out that the San Jose Community Center is near enough to serve this area. Streets in this area are inadequate for office development, and such zoning would be highly detrimental to the value of the residential property.

Arguments Presented in REBUTTAL:

Mr. Lloyd Lockridge, Chairman of the Board of the Salvation Army, stated that a detailed study has been made of this Austin community which indicates a great need for this service at this location. The planned construction will be an asset to the neighborhood; such a center must be in a residential area near to the residents it serves.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were of the opinion that the services to be offered are needed in this area; however, the requested zoning is an intrusion. The members concluded that this request should be granted, subject to a restrictive covenant for the use of a community center only, to revert to "A" Residence, First Height and Area zoning if the use is discontinued. In addition, right-of-way is required on South Fifth Street, to be determined by the Public Works Department.

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 Salvation Army; Major Chambless, for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2700-2912 South Fifth Street be GRANTED, subject to a restrictive covenant for use of a community center only, and right-of-way on South Fifth Street to be determined by the Public Works Department.

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

C14-71-311 Joe Crow: Interim A, Interim 1st to GR, 5th
801-943 East Rundberg Lane
9117-9321 North Interstate Highway 35

STAFF REPORT: A shopping center is proposed for this 19.96 acre tract in north Austin. Properties along Interstate Highway 35 have been zoned for general retail and commercial use with the exception of this corner tract. The staff recommends that this case be granted as a logical extension of existing zoning and use.

TESTIMONY

WRITTEN COMMENT

Truman H. Montandon: 2412 North Interregional

FOR

PERSONS APPEARING

Cris Crow: representing the applicant

SUMMARY OF TESTIMONY

Mr. Chris Crow represented the applicant. He had nothing to add to the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Joe Crow for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, Fifth Height and Area for property located at 801-943 East Rundberg Lane and 9117-9321 North Interstate Highway 35 be GRANTED.

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

C14-71-312 Austin Baking Company: C, 1st to C, 2nd
5800 Airport Boulevard

STAFF REPORT: A sign is proposed for this 1,250 square feet out of a 33,341 square foot tract fronting on Airport Boulevard. Property along this section of Airport Boulevard is zoned "C" Commercial and the shopping center to the east is Third Height and Area. The staff recommends that this case be granted as it is compatible with existing height and area development along Airport Boulevard.

TESTIMONY

WRITTEN COMMENT

Donald D. Brown: 5706 Duval Street

FOR

C14-71-312 Austin Baking Company--Contd.

PERSONS APPEARING

John Selman: representing the applicant

SUMMARY OF TESTIMONY

Mr. John Selman represented the applicant; the proposed sign is for the Franklin Federal Savings and Loan facility.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Austin Baking Company for a change of zoning from "C" Commercial, First Height and Area to "C" Commercial, Second Height and Area for property located at 5800 Airport Boulevard be GRANTED.

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

C14-71-313 Fairview Baptist Church: Interim A, Interim 1st to LR, 1st
5600-5612 South First Street
701 Stassney Lane

STAFF REPORT: A neighborhood retail center or service station is proposed for this 29,870 square feet of land at the intersection of South First and Stassney Lane in south Austin. The other three corners at this location are zoned for general or local retail use. General Retail zoning extends along Stassney Lane to the west for several blocks. South First Street and Stassney Lane are classified as major arterials and have right-of-way of eighty feet and 100 feet respectively.

The staff recommends that this case be granted, as a logical extension of zoning in the area, subject to right-of-way on Stassney Lane as determined by the Public Works Department.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Dr. Charles E. Petty: 1206 Fieldcrest Drive
K. C. Hill: 1201 Summitt Street
Glenn Cortez: representing two property owners
Mrs. Harry Quist: 705 Stassney Lane

FOR
FOR
AGAINST
AGAINST

C14-71-313 Fairview Baptist Church--Contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Reverend Charles Petty, pastor of the Fairview Baptist Church, represented the applicants. He stated that required right-of-way has been given to the City.

Arguments Presented AGAINST:

Mr. Glenn Cortez, attorney, represented two property owners in this area who oppose this request. Several well-maintained residences are adjacent to this tract; these owners deserve protection and feel that the requested change is an intrusion. The large amount of general retail zoning in the area is more than adequate to serve the residents. It is felt that a service station at this location will greatly increase traffic, and will have a detrimental effect on this block, which is used residentially. The present use as a church or apartment use is desirable.

Mrs. Harry Quist, 705 Stassney Lane, stated that this adjacent property was sold for use as a church with a day school. She strongly opposes any other use as detrimental to her residential property.

Arguments Presented in REBUTTAL:

Reverend Petty pointed out that present zoning allows a filing station across the street from this tract; the proposed use should not generate additional traffic. At the present time, automobiles drive across the church property; development of this tract will protect the residences with the required fencing.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a proper use at an intersection of two major streets. This recommendation is subject to right-of-way on Stassney Lane to be determined by the Public Works Department and six-foot privacy fencing where the tract adjoins residential use.

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 Fairview Baptist Church for a change of zoning from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area for property located at 5600-5612 South First Street and 701 Stassney Lane be GRANTED, subject to right-of-way on Stassney Lane to be determined by the Public Works Department, and six-foot privacy fencing where the tract adjoins residential property.

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

C14-71-314 Manfred Kerelke: A, 1st to B, 2nd
1301-1305 Newning Avenue

STAFF REPORT: Multiple-family units are proposed for this irregular tract containing 30,908 square feet. Newning Avenue is classified as a minor collector street with sixty feet of right-of-way. This area has been developing into apartment use for several years as evidenced by "B" Residence zoning surrounding the tract.

The staff recommends that this case be granted, subject to a short form subdivision combining the two lots into one.

TESTIMONY

WRITTEN COMMENT

J. Vance Riley: 205 West 7th Street	FOR
Randolph A. Haynes, Jr. 1300 Newning Avenue	FOR
Walter Rosanky: P. O. Box 5091	FOR
Mr. & Mrs. Harvey Smith: 5829 North Sixth Avenue	AGAINST
Glendale, Arizona	

PERSONS APPEARING

Paul Jones: representing the applicant

SUMMARY OF TESTIMONY

Mr. Paul Jones represented the applicant. He concurred with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information. Mrs. Mather stated that apartment development is too heavy in this area, causing over-crowded streets; in addition, there are many nice older homes in the area. A majority of the Committee concluded that this request should be granted as compatible with existing zoning, subject to short form subdivision combining the two lots into one.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Manfred Kerelke for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 1301-1305 Newning Avenue be GRANTED, subject to short form subdivision combining the two lots into one.

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

✓
C14-71-315 M. H. Crockett, Jr.: A, 1st to C, 6th
Rear of 6301-6371 U. S. Highway 290

STAFF REPORT: Uses consistent with the proposed zoning are planned for this 3.162 acre tract. With the exception of the "A" Residence area southwest of the subject tract, this area is non-residential in make-up. There is "C" Commercial zoning and use along U. S. 290 in both directions. This tract is a portion of the frontage property to the north already zoned "C" Commercial.

The staff recommends that this request be granted as a logical extension of adjacent zoning.

TESTIMONY

WRITTEN COMMENT

Alfred Trcka: 1038 Broadview	AGAINST
Texas Hospital Association: 6225 U. S. Highway 290 East	FOR

PERSONS APPEARING

M. H. Crockett, Jr.: applicant

SUMMARY OF TESTIMONY

Mr. M. H. Crockett, Jr. was present on behalf of his request; he concurred with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of M. H. Crockett, Jr. for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Sixth Height and Area for property located at 6301-6371 U. S. Highway 290 be GRANTED.

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

C14-71-316 C. L. Reeves: Interim A, Interim 1st (Pending B, 1st) (Trs. 1 & 2 and
Tract 1 2201-2207 Woodland Avenue 0 (Trs. 3 & 4) to LR (as amended)
1801-1815 Burton Drive
Tract 2 2009-2115 Woodland Avenue
1800-1814 Burton Drive
Tract 3 2008-2114 Woodland Avenue
1714-1732 Burton Drive
Tract 4 2200-2206 Woodland Avenue
1733-1743 Burton Drive

STAFF REPORT: General retail uses are proposed for 3.5 acres encompassing the four corners of the Woodland Avenue and Burton Drive intersection located in southeast Austin. Woodland Avenue is a neighborhood collector with eighty feet of right-of-way and is the only east-west collector street through the area. The land between Interstate Highway 35 and Parker Lane is developed with single-family homes. The area east of Parker Lane started to develop as single-family with the extension of Woodland Avenue. Later it was then modified to permit apartment development, from one tier of lots north of Woodland to Riverside Drive. The area bounded by Riverside Drive, Pleasant Valley Road, Oltorf, and Parker Lane has been developing as medium-density residential except along these same three major arterials which are zoned for local and general retail use.

The subject tracts were zoned "B" Residential in 1970 under case C14-70-105 that covered 14.9 acres from Riverside Drive to Woodland Avenue. The Planning Commission recommended "GR" General Retail fronting Riverside Drive, "O" Office to the immediate south, and a 150-foot buffer zone of "B" Residence zoning north of Woodland Avenue. The City Council agreed with the Planning Commission, but the field notes were in error causing the 150 feet on Woodland Avenue to appear as "O" Office rather than "B" Residence.

The staff recommends that this case be denied because a buffer zone is needed between the intense zoning to the north and south and the residential area to the west. There is local and general retail zoning in the general area which is considered more logical due to its fronting on major arterials.

TESTIMONY

WRITTEN COMMENT

Joe R. Dobson: 1800 Woodland Avenue
William M. Patton: 3809 A Byron Drive

AGAINST
AGAINST

PERSONS APPEARING

C. L. Reeves: applicant
W. M. West: 3505 South Lamar Boulevard
Philip Friday: 900 West Avenue
Mildred Smith: 1804 Woodland Avenue
Mrs. A. R. Cartlidge: 1802 Woodland Avenue
Vernon Kunshick: 1901 Woodland Avenue
C. E. Howard: 1911 Woodland Avenue
William M. Patton: 3809 A Byron Drive

FOR
AGAINST
AGAINST
AGAINST
AGAINST
AGAINST
AGAINST

Cl4-71-316 C. L. Reeves--Contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. C. L. Reeves, the applicant, reviewed the history of the zoning and development in this area and displayed maps of the zoning existing at this time. Of primary consideration is the fact that original plans for this area have changed, and rather than office and single-family residences, multi-family housing is being constructed. The development of a retail convenience center at this location will serve the apartment development and will relieve traffic congestion on the surrounding area streets. An attempt has been made to contact all adjacent property owners; of those contacted, all agreed that this type of development is needed at this location.

Mr. W. M. West, a landowner in this area, stated that this location being at an intersection is ideal for a small shopping center, and this facility is greatly needed for the area.

Arguments Presented AGAINST:

Mr. Phillip Friday represented Mr. Joe Dobson on behalf of the property owners in the single-family residential subdivision to the west of this tract; Mr. Dobson developed this subdivision. The character of this area as low-density development should be maintained. There is no demonstrated need for additional general retail development, and the existing general retail zoning is adequate to serve the needs of the area. Planned development for this area was originally for single-family residences; apartment development will be an intrusion, and the proposed development will completely change the character of the area, which is unfair to the residents who have purchased homes.

Three residents of this area also voiced opposition to this request. These homes were purchased in good faith that the surrounding area would be low-density development; compromises have been made to allow the duplex development as a buffer to apartment development. They feel that the proposed retail development will detrimentally affect the value of their homes, and will increase traffic through the subdivision. This is a beautiful neighborhood and the residents are proud of their homes. Heavy traffic is a danger to the children in the area, and this proposal will create even heavier traffic.

Arguments Presented in REBUTTAL:

Mr. Reeves stated that traffic is heavy through the residential area, and will increase as the planned apartment development is constructed. A retail convenience center at this location will relieve much of this traffic.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Barrow stated that the concern of the area residents is valid; this property could be developed in an undesirable way such as with a filling station. However, shopping facilities would be a convenience to the apartment residents.

C14-71-316 C. L. Reeves--Contd.

Mr. Taniguchi stated that this entire area should have been brought in as a Planned Unit Development, in which retail uses could have been incorporated.

Mr. Faulkner stated that shopping facilities at this site would reduce the flow of traffic on Woodland Avenue and Riverside Drive, which is highly desirable.

The Committee expressed concern as to the quality of this development, and discussed the problem of providing privacy fencing on the west property line, which has an abrupt change in elevation. Mr. Taniguchi suggested a planted screen on the west property line. They reviewed the information, and a majority of the Committee concluded that "LR" Local Retail zoning, as amended by the applicant, should be granted, subject to departmental requirements.

AYE: Messrs. Taniguchi, Barrow, Faulkner and Hetherly

NAY: Mrs. Mather

At the Commission meeting the members discussed the area. Mrs. Mather stated that the development of this intersection with retail uses will increase the traffic through the residential area; there is ample commercial zoning on Riverside Drive to serve the area. With the large number of apartments planned, retail development should be located in the center of the apartment area, not at this location. After further discussion, the Commission

VOTED: To recommend that the request of C. L. Reeves for a change of zoning from Interim A, Interim First Height and Area, pending "B" Residence, First Height and Area (Tracts 1 and 2) and "O" Office, First Height and Area (Tracts 3 and 4) to "LR" Local Retail, First Height and Area (as amended) for property located at 2201-2207 Woodland Avenue and 1801-1815 Burton Drive (Tract 1); 2009-2115 Woodland Avenue and 1800-1814 Burton Drive (Tract 2); 2008-2114 Woodland Avenue and 1714-1732 Burton Drive (Tract 3); and 2200-2206 Woodland Avenue and 1733-1743 Burton Drive (Tract 4) be GRANTED, subject to departmental requirements.

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

NAY: Mrs. Mather

C14-71-317 J. D. Connolly: Interim A, Interim 1st to GR, 1st
7101-7125 Ed Bluestein Boulevard (as amended)

STAFF REPORT: A shopping center is proposed for this tract containing approximately 50 acres, as amended, at the intersection of Ed Bluestein Boulevard and Springdale Road, both classified as major arterials. The property directly across Springdale Road is undeveloped and to the west across Ed Bluestein Boulevard the land areas are zoned "GR", General Retail. The large area to the south and southeast is presently outside the City, however a subdivision covering this area is in process. Since filing this request for rezoning, the applicant has met with the Planning Department staff and agreed to amend his application to exclude the area northeast of the proposed Beacon Drive extension from this application.

The staff recommends that this case be granted, as amended, subject to a subdivision of the tract providing for the dedication of right-of-way for Beacon Drive, Purple Sage Drive and Springdale Road as determined by the Public Works Department.

C14-71-317 J. D. Connolly--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

J. D. Connolly: applicant

SUMMARY OF TESTIMONY

Mr. J. D. Connolly, the applicant, concurred with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as amended, in conformance with the area. This recommendation is subject to a subdivision of the tract providing for the dedication of right-of-way for Beacon Drive, Purple Sage Drive and Springdale Road, as determined by the Public Works Department.

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

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of J. D. Connolly 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 7101-7125 Ed Bluestein Boulevard (as amended) be GRANTED, subject to a subdivision of the tract providing for the dedication of right-of-way for Beacon Drive, Purple Sage Drive and Springdale Road, as determined by the Public Works Department.

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

PLANNED UNIT DEVELOPMENT

C814-71-08 John Baker: North Hills Club Townhouses, a Planned Unit Development
A tract of land surrounded by North Hills Drive,
Valley Side Drive,
Hart Lane,
and East Hill Drive

STAFF REPORT: This application has been filed as required under Section 10-A, Sub-Section A, Paragraph 12 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This 8.623 acre tract was originally platted for apartment use with a proposed 200 units. The special permit released for these apartments expired rendering it void. Zoning on the north, east and west is "B" Residence or more intensive. South of the tract is "A" Residence zoning, with a townhouse group developed to the east of Westside Drive. To the southeast is a church, with the balance of the area being undeveloped.

C814-71-08 John Baker--Contd.

The staff recommendation is that this request be approved. The overall density is very acceptable and the layout works well with the topography and complies generally with the Planned Unit Development guidelines. The site plan has been circulated to the various City Departments and the comments are as follows:

- | | | |
|--------------------|---|--|
| Water and Sewer | - | Water and waste water service is available from existing mains in adjacent streets. No additional fire protection will be required. |
| Parks and Rec. | - | OK. |
| Building Inspector | - | 1. Subdivision is required for individual lots.
2. Although the project is a PUD, apparently the development follows the guidelines of the townhouse requirements of the Ordinance. With regard to this there are some Townhouse requirements which are not met. Among these are: (A) The site plan specifies that all lots are 75'x20', 22', or 24'. This means a 75'x20' lot contains 1,500 square feet (Townhouse Ordinance requires 1,800 sq. ft.). (B) Some of the private yard contains less than the required 400 square feet and does not provide the necessary fencing. (C) The building line on Valleyside Drive is 15 feet instead of the required 25 feet, however the Commission may approve a setback of ten feet when said buildings are located on a minor street. (D) Some of the carports do not set back ten feet from the rear lot line; however, this requirement may also be waived by the Commission. (E) Some of the townhouse groups exceed 200 feet in length. 3. Does not include Building Code approval. 4. If building shown as "Club" on site plan is a private club as defined by the Ordinance it should be so designated. If private club, it cannot be located closer than 150 feet to Valley Road property line. If not private club, designation should be changed to Recreation Building or other. |
| Fire Prevention | - | Install fire extinguishers as buildings are ready for occupancy. |
| Public Works | - | Driveway locations and widths as shown meet with our approval. Recommend curb return radius on all driveways be a minimum of ten feet. Will need request for and approval of driveways before construction begins. |
| Fire Protection | - | Existing fire protection facilities are believed to be adequate. |
| Traffic Engineer | - | 1. No fencing permitted in the 25 foot building setback line area. 2. Sidewalks required on North Hills Drive and Hart Lane. |

C814-71-08 John Baker--Contd.

Planning

-

1. Short form Subdivision required. 2. Fences closer than 25 feet from intersections no higher than three feet solid, should not obstruct vision. 3. Errors on site plan; a. area to the south across Hart Lane is "A" Residential not "B". b. existing townhouses to the south are not shown as required on the site plan. c. existing apartments to the east of the subject tract are not shown on site plan as required. d. street right-of-ways are not shown on site plan. 4. Suggest shifting driveway entering Hart Lane to eliminate awkward offset with Westside Drive; it should not line up with Westside Drive. 5. Label "Westside Drive" and show right-of-way.

Storm Sewer

-

Plat complies.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

John H. Baker: applicant

SUMMARY OF TESTIMONY

The applicant, Mr. John H. Baker, was present. Maintenance of the common areas will be the responsibility of the Homeowners' Association. All departmental requirements will be met.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members reviewed the information, and a majority concluded that this request should be granted, subject to departmental requirements, to include relocation of the driveway entering Hart Lane to eliminate awkward offset with Westside Drive. This driveway should not be lined up with Westside Drive, but moved further to the west. The members were also of the opinion that the 25-foot building setback on Valley Side Drive should be waived, and a 15-foot building setback should be required. In addition, the ten-foot setback for carports on the rear lot line, as required by the Ordinance, should be waived.

AYE: Messrs. Taniguchi, Faulkner and Mrs. Mather

ABSTAIN: Messrs. Barrow and Hetherly

C814-71-08 John Baker--Contd.

At the Commission meeting, the staff reported that the applicant has agreed to all requirements. The Commission then

VOTED: To recommend that the request of Mr. John H. Baker for a Planned Unit Development for a tract of land surrounded by North Hills Drive, Valley Side Drive, Hart Lane and East Hill Drive be GRANTED, subject to departmental requirements, requiring a 15-foot building setback on Valley Side Drive and waiving the ten-foot building setback on the rear lot line.

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

ABSTAIN: Messrs. Barrow and Hetherly

SPECIAL PERMITS

CP14-69-046 J. L. Stansell: Mobile Home Park
Rear of 2707-2905 Del Curto Road

STAFF REPORT: This permit was approved in December of 1969; the owner is now requesting an extension of two years due to the difficulty of arranging for FHA financing. The conditions of the area have changed very little since the permit was granted. The staff recommends this request for an extension of time be granted.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

J. L. Stansell: applicant

John W. Shelton: 3003 Kenney Avenue

AGAINST

SUMMARY OF TESTIMONY

Mr. J. L. Stansell stated that this extension is needed to allow additional time to obtain financing for this development.

No one spoke in 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 APPROVE the request of J. L. Stansell for a two-year extension of a special permit for a mobile home park to be developed on property located at the rear of 2707-2905 Del Curto Road, and authorized the Chairman to sign the necessary resolution upon completion.

CP14-69-046 J. L. Stansell: Mobile Home Park--Contd.

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

CP14-71-061 Walter L. Norris: 64 Unit Apartment Dwelling Group
7077 Grand Canyon Drive

STAFF REPORT: This application has been filed as required under Section 5, Sub-Section 8 Paragraph E and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This is an area of 2.15 acres for the development of a sixty-four one-bedroom apartment project which will be contained in seven buildings. It has a large pool and recreation building and some landscaping added to the remainder of the natural tree cover. The parking scheme will be adequate if modified as indicated, and will provide 106 off-street parking spaces. Grand Canyon Drive is a residential collector street. The site plan has been circulated to the various City Departments and the comments are as follows:

- | | | |
|-----------------------|---|--|
| Office Engineer | - | Driveway plan must be re-drawn, maximum driveway opening is 45 feet. |
| Electric Dept. | - | Easements required : 7.5' at rear property line, 5' at each side property line. |
| Building Inspector | - | 1. Some of the parking spaces show car-ports. If open on three sides and attached to the main dwellings the car-ports could be within 20 feet of the front property line; if detached no closer than 90 feet. 2. A four foot high solid fence is required where any parking area is adjacent to property developed for a residential use. 3. Does not include Building Code approval. 4. The site plan shows width of 58 feet for two rows of 90° angle parking. Parking standards call for sixty feet width for this type of parking. 5. Six-foot fence along rear may be but is not required to be five feet from property line. |
| Water and Sewer Dept. | - | Water and waste water service is available from existing mains in adjacent streets. One additional fire hydrant will be required and is to be located at the north end of the apartments, on the west side of Grand Canyon Drive. |

CP14-71-061 Walter L. Norris--Contd.

- Advanced Planning - 1. Need 25 foot driveways. 2. No head-in parking off Grand Canyon Drive, modify as indicated.
- Fire Prevention - Install fire extinguishers as buildings are ready for occupancy.
- Public Works - Recommend maximum width for head-in/back-out parking be 45 feet and minimum curb radius be five feet. The driveway locations meet with our approval; however, would recommend a minimum width of 25 feet with minimum curb return radius of ten feet. Will need request for, and approval of, driveway and head-in/back-out plans before construction begins.
- Fire Protection - The recommended fire hydrant is indicated in red. This location was picked to save the cost of crossing the street with a main.
- Traffic Engineer - No head-in/back-out parking permitted on Grand Canyon Drive, layout should be revised accordingly.
- Current Planning - A six-foot high solid fence is required on the north and east sides where parking areas are adjacent to property developed for residential uses.

TESTIMONY

WRITTEN COMMENT

Mrs. Kelly McAdams: 1425 Preston Avenue

NO OBJECTION

PERSONS APPEARING

Walter L. Norris: applicant

SUMMARY OF TESTIMONY

Mr. Walter L. Norris stated that the modification of parking would force the drivers to make a U-turn, rather than a 90-degree turn, and would be less safe. Grand Canyon Drive is not a through street and is not heavily traveled. He requested a variance to allow the construction of covered carports within ninety feet of the street; this is allowed through the Board of Adjustment. This will enable the developer to place the carports convenient to the buildings. More than adequate parking will be provided.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the site plan; they were of the opinion that the head-in parking on Grand Canyon Drive was desirable as planned, and approved of the planned covered carport locations. It is felt that sixty feet should be the

CP14-71-061 Walter L. Norris--Contd.

minimum width of the parking lot area, in order to facilitate maneuverability. The members concluded that this request should be granted, as proper use for this site, subject to departmental requirements, except for the head-in parking on Grand Canyon Drive, and requiring the parking area to be sixty feet wide.

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

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Walter L. Norris for a special permit for the construction of a 64-unit Apartment Dwelling Group on property located at 7017-7077 Grand Canyon Drive, subject to departmental requirements, requiring the parking area to be sixty feet in width and permitting head-in parking spaces on Grand Canyon Drive, and authorized the Chairman to sign the necessary resolution upon completion.

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

CP14-71-062 D. B. Barrow: Fire Station
4007-4013 Spicewood Springs Road

STAFF REPORT: This application has been filed as required under Section 10-B and according to the procedures as specified in Section 10-A, Paragraph 3 of the Zoning Ordinance of the City of Austin, Texas. This is a request for the development of a fire station on a tract of land containing 20,350 square feet, which is part of a pending zoning case (C14-71-238) requesting GR, General Retail zoning on this tract. The site plan has been circulated to the various City departments and the comments are as follows:

- | | | |
|-----------------------|---|---|
| Public Works | - | Driveway locations meet with our approval. Would recommend that drive to parking area be a minimum width of 20 feet, rather than 18 feet, and that the island between the two driveways be a minimum ten feet in width, and that the radius on the west side of the apparatus room driveway be a minimum of ten feet. Will need request for, and approval of, driveways before construction begins. |
| Electric Dept. | - | No comment. |
| Water and Sewer Dept. | - | Water and waste water service is available from existing mains in adjacent streets. No additional fire protection will be required. |

CP14-71-062 D. B. Barrow--Contd.

- Building Inspector - 1.Recommend one paved off-street parking space per employee (19 spaces provided). 2.A four-foot solid fence is required where parking area is adjacent to property developed for residential use. 3.Does not include Building Code approval.
- Advanced Planning - 1.Short form subdivision required. 2.Driveway to rear should be twenty feet minimum width.
- Fire Prevention - None.
- Fire Protection - Existing fire protection facilities are believed to be adequate.
- Office Engineer - See comments from Public Works Department.

The staff reported that a revised site plan is being prepared, and requested a continuance of this hearing to the Planning Commission meeting for consideration of the revised site plan.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

C. L. Reeves
Allan R. Rundell

FOR
AGAINST

SUMMARY OF TESTIMONY

Mr. Allan R. Rundell, a property owner in this area, opposes this request. He stated that traffic is heavy and will increase in the future; as there are no controlled lights at the intersections, the fire trucks will be an extreme traffic hazard.

Mr. C. L. Reeves, a property owner in this area, spoke in favor of this request. Fire protection is needed for this area, and this location on a major street is ideal.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee members voted to continue this hearing at the Planning Commission for consideration of the revised site plan.

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

At the Commission meeting, the members reviewed this application. The parking facilities are more than adequate. Short form subdivision is required, and four-foot privacy fencing is required along the east property line. The members were of the opinion that fire station facilities are needed for this area.

CP14-71-062 D. B. Barrow--Contd.

No one spoke in favor of or in opposition to this request; testimony received at the Zoning Committee hearing was read to the members.

The Commission then

VOTED: To APPROVE the request of D. B. Barrow for a special permit for the construction of a fire station on property located at 4007-4013 Spice-wood Springs Road, subject to departmental requirements, short form subdivision and four-foot privacy fencing on the east property line, and authorized the Chairman to sign the necessary resolution upon completion.

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

ABSTAIN: Mr. Barrow

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.

CP14-71-063 City of Austin: Water and Wastewater Department: Addition to the
508-512 West Second Street Green Water Treatment Plant

STAFF REPORT: This application has been filed as required under Section 10-A, 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 is an area of 26,496 square feet for the construction of a mineral sludge dewatering unit and a one-way driveway. The unit will consist of a three story drive-through metal building, the first floor having the controls and loading station for one tank truck and the second floor holding a centrifuge and accessories. The third floor will have the wet-sludge holding tank. The purpose of this unit is to make the disposal of the refuse from this water treatment plant easier and more economical. No odor will be given off by this facility. The site plan has been circulated to the various City Departments and the comments are as follows:

Electric Dept. - Plat complies.

Office Engineer - OK.

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

Advanced Planning - OK.

Building Inspector - 1. Parking spaces are not shown, it is recommended that one parking space be provided per employee.
2. Does not include Building Code approval (building is in Fire Zone #1).

Fire Prevention - Plat complies.

CPI4-71-063 City of Austin--Contd.

- Fire Protection - Existing fire protection facilities are believed to be adequate.
- Public Works - Driveway locations meet with out approval. Will need request for, and approval of, driveways before construction begins.
- Traffic Engineer - OK.
- Storm Sewer - Plat complies.
- Health Dept. - No objections, waste water system to be available.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

W. M. Breneman: representing the applicant

SUMMARY OF TESTIMONY

Mr. W. M. Breneman, Chief Engineer, Water & Wastewater Treatment, was present and concurred with the staff report.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of the City of Austin, Water and Wastewater Department, for a special permit for an addition to the Green Water Treatment Plant on property located at 508-512 West Second 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, Betts 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.

CP14-71-065 Allen Rundell: Radio Tower
3914-3960 Spicewood Springs Road

STAFF REPORT: This application has been filed as required under Section 10-A, Paragraph 5 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. This is an area of 20.75 acres for the location of a 294-foot radio tower for commercial radio telephone operations. The subject tract is bordered on two sides by existing or proposed residential development. The site plan has been circulated to the various City Departments and the comments are as follows:

Electric Dept.	-	Plat complies.
Water and Sewer	-	Water and waste water service is available from existing mains in adjacent streets. No additional fire protection will be required.
Office Engineer	-	OK.
Building Inspector	-	1.The tower is located in the hazard area of Robert Mueller Municipal Airport. The height of the tower must be reviewed and approved by the Airport Advisory Committee. 2.Tower must be marked and lighted to meet FAA standards.
Advanced Planning	-	1.Access to be by private drive 18 feet wide, paved from Spicewood Springs Road. 2.To protect owner of liabilities, access from Greenview Drive should be barricaded and property "POSTED". 3.When the property is subdivided there will be right-of-way required to the north and south of property as indicated (30 feet and 20 feet), and for the extension of Greenview Drive.
Fire Prevention	-	Plat complies.
Fire Protection	-	Existing fire protection facilities are believed to be adequate.
Public Works	-	No objections.
Traffic Engineer	-	Right-of-way for Spicewood Springs Road and Greenview Drive.
Storm Sewer	-	Plat complies.
Health Dept.	-	No objections, waste water system to be available.

TESTIMONY

WRITTEN COMMENT

Petition bearing 84 signatures

ACA-NDI

CP14-71-065 Allen Rundell--Contd.

PERSONS APPEARING

Allen R. Rundell: applicant	
Gerald Ivey: 8000 Hillrise Drive	FOR
Robert E. Lane: 3806 Crowncrest Cove	AGAINST
Frank Little: 3801 Crowncrest Cove	AGAINST
R. D. Shephard: 3803 Crowncrest Cove	AGAINST
Mr. & Mrs. Robert Mills: 3800 Crowncrest Cove	AGAINST
Preston C. Kronkosky: 8101 Hillrise Drive	AGAINST
Mr. & Mrs. David T. Gibson: 8105 Hillrise Drive	AGAINST
Estes L. Lewis: 8109 Hillrise Drive	AGAINST
Paul Gamel: 8108 Hillrise Drive	AGAINST
Walter Brown: 8106 Hillrise Drive	AGAINST
James D. Whitten: 8104 Hillrise Drive	AGAINST
Robert L. Bushy, III: 8103 Hillrise Drive	AGAINST
Mr. & Mrs. Gene Chiles: 8107 Hillrise Drive	AGAINST
Gail L. Sobczak: 3808 Greenvview Drive	AGAINST
Mrs. Rose Mary V. Matthews: 8001 Greenslope	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Allen Rundell displayed pictures of the tower proposed for this location. At the present time this heavily wooded lot is being used primarily by the neighborhood children as a play area. The proposed tower is an ideal use for this elevated tract, and maintenance will be minimal, requiring only a panel truck for service. All Federal Aviation Agency regulations will be met. The tract will be fenced and posted for safety.

Mr. Gerald Ivey, a resident of this area, stated that the tower will be isolated upon this large tract. The tower is for the applicant's business, and will not affect the immediate area in any way, other than visually. While the property is lovely in its natural state, the owner should be able to utilize it. Mr. Ivey stated that he would definitely oppose commerical use for this tract, but the proposed use should not detrimentally affect the neighborhood.

Arguments Presented AGAINST:

Five residents of this area spoke against this request and presented a petition bearing eighty signatures. The safety of the many children living in this area, in addition to the two nearby schools, must be considered. This tower would be surrounded by residential development, in addition to the two schools, should it be blown down or struck by aircraft. The construction of this tower will detrimentally affect property values and could seriously impede the residential growth of the area. The residents of this area strongly oppose this use as an intrusion.

Arguments Presented in REBUTTAL:

Mr. Rundell stated that he had made every effort to inform the residents of the area of his planned development.

COMMENTS AND ACTION BY THE COMMITTEE

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

CP14-71-065 Allen Rundell--Contd.

concern about the visual effect of such a tower, the safety factors, and the protection of the property values of the homeowners in the area.

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

The Commission concurred with the Committee recommendation and

VOTED: To DISAPPROVE the request of Allen R. Rundell for a special permit for the erection of a two-way self-supporting radio tower on property located at 3914-3960 Spicewood Springs Road.

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

CP14-71-066 Dr. F. M. Vanderhoof: Veterinary Clinic
2908 Interstate Highway 35 at East 30th Street

STAFF REPORT: This application has been filed as required under Section 6, Sub-Section 75, Paragraph 6 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin, Texas. The building in question is a 3,000 square foot, ten year old structure which was originally designed to serve as a Blood Bank and offices for the same. The partitions inside and the mechanical equipment were designed and built-in to satisfy the medical and sanitary requirements of such an operation. The original tenants have outgrown the facilities, so that the owner now has a very specialized building to lease. Considering the growth of the area and the possible expansion of the motel to the north, this building may exist another five years making it unjustifiable to remodel the building for total office occupancy at this late date. As with most existing structures, there is very little that can be done to improve them at reasonable cost. The current plans for the expansion of Interstate Highway 35 would necessitate the use of this frontage road as a detour. The construction is to begin during 1972 and last until the "double decking" is completed. The site plan has been circulated to the various City Departments and the comments are as follows:

- | | | |
|--------------------|---|--|
| Office Engineer | - | All driveways shown presently exist even though plan indicates as proposed. OK. |
| Water and Sewer | - | Water and Waste Water Service is available from existing mains in adjacent streets. No additional fire protection will be required. |
| Building Inspector | - | 1.The building and parking is existing and does satisfy the requirements of the Ordinance for the proposed use of verterinary clinic and offices.
2.The present zoning of the property is "C" Commere |
| Fire Prevention | - | Install required fire extinguishers when ready for occupancy. |

CP14-71-066 Dr. F. M. Vanderhoff--Contd.

- Electric Dept. - Plat complies.
- Fire Protection - Existing fire protection facilities are believed to be adequate.
- Public Works - The head-in/back-out parking on west frontage road of Interstate Highway 35, as well as other two driveways are existing and meet with our approval.
- Traffic Engineer - 1.No head-in/back-out parking permitted on frontage road of Interstate Highway 35, revise plan accordingly.
- Current Planning - Curb cuts and ramps to be approved by the Public Works and Traffic Department.
- Health Dept. - No objections. Waste water system to be available.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Terry Sasser: representing the applicant	
Ben Vaughn: Rodeway Inns	AGAINST
Abe Guymon: Rodeway Inns	AGAINST
Joe Manor: Hyltin--Manor Funeral Home	AGAINST
Mr. Armstrong: St. David's Hospital	AGAINST
Mr. Floyd: St. David's Hospital	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Terry Sasser represented the applicants. He concurred with the staff report, except for the requested change in parking, which would be costly, necessitating curb cuts and a ramp. He pointed out the many businesses existing on this frontage road which have such head-in/back-out parking facilities; it would seem unfair to penalize this one tract. It is expected that this property will be sold to the adjacent motel for expansion within five years. The north end of this building will be used for offices, and has a separate air-conditioning system. No outside runs for animals will be used; Dr. Vanderhoof does not board animals and any animals kept overnight would be under sedation. He has practiced in the City for fifteen years and has had no complaints at the present location. It is felt that this use is an ideal interim utilization of this building.

Arguments Presented AGAINST:

Mr. Ben Vaughn and Mr. Abe Guymon represented Rodeway Inns, Inc., which has development adjacent to this site. Of primary concern is the possibility of noise and odors from a veterinary clinic, which would be most objectionable to

CP14-71-066 Dr. F. M. Vanderhoff--Contd.

the motel's customers. A sizeable investment has been made by the motel corporation and protection should be provided for their clientele. Consideration should be given to the testing of the soundproofing of the kennel area, and limitation of this area to the far side of the building. There is no objection to office use at this location.

Two representatives of St. Davids Community Hospital spoke in opposition to this request. The hospital plans expansion of their facilities in this immediate area, and feels that the proposed use will create increased traffic and parking on their parking lot, in addition to objectionable noise. Cole Street is only thirty feet wide and is ingress/egress to the hospital facilities; it cannot handle additional traffic. The proposed use would be detrimental to the general welfare of the area.

Mr. Joe Manor, Hyltin-Manor Funeral Home, Inc., which is located across 30th Street from this tract, stated that his only objection to the proposed use is the noise factor, as it would be disturbing to his customers.

Arguments Presented in REBUTTAL:

Mr. Sasser stated that this facility will not have boarding facilities; the building will be completely sound-proofed and air-conditioned. The applicant has only a three-year lease on this property. This building is suited only for a specialized use and will not detrimentally affect the surrounding uses. Customers of the Rodeway Inns are allowed to keep pets in their rooms. This property should be utilized and this would seem to be a proper interim use.

COMMENTS AND ACTION BY THE COMMITTEE

Mrs. Mather stated that she is familiar with Dr. Vanderhoof's other location, which is quiet. The members discussed the proposed change in parking, and the majority agreed that it would be unfair to require this one owner to alter the parking arrangements. Mr. Taniguchi stated that head-in/back-out parking on this access road, which has a 40-mile per hour speed limit, is against Planning Commission policy and should not be allowed. The members reviewed the information and a majority concluded that this request should be granted, subject to departmental requirements, and waiving the suggested change in the parking area.

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

NAY: Mr. Taniguchi

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Dr. F. M. Vanderhoof for a special permit for the operation of a veterinary clinic and offices on property located at 2908 North Interregional Highway, subject to departmental requirements, and waiving a change in the parking area. The members authorized the Chairman to sign the necessary resolution upon completion.

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

CP14-71-066 Dr. F. M. Vanderhoff--Contd.

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.

CP14-71-067 John R. Lester: 112-Unit Apartment Project
9219-9323 North Plaza Drive
1015-1057 East Rundberg Lane

STAFF REPORT: This application has been filed as required under Section 5-C, Sub-Section 39, Paragraph f, and according to the procedures as specified in Section 10-B, Sub-Section 3 of the Zoning Ordinance of the City of Austin, Texas. A 112-unit apartment project is proposed on this five-acre tract, with ample parking provided by 244 parking spaces. This site plan is a general revision of the original site plan, and has not been circulated to the City departments. Several serious discrepancies were found on the survey of the original plan, necessitating a conference with the applicant. He incorporated the departmental comments into the revised site plan, with the understanding that the new site plan would have to be distributed again for departmental approval. The revised departmental comments are as follows:

- Advanced Planning - All requirements met by revised plat submitted on 1/4/72.
- Electric - Revised plat complies.
- Water and Sewer - Water and wastewater service available from existing mains in adjacent streets. One additional fire hydrant will be required and is to be located in the vicinity of the driveway in the southeast corner. One additional 6-inch main will be necessary and is to extend down the most easterly drive from Rundberg Lane. A fire demand meter may be required.
- Building Inspector - a.Shortform subdivision is required. b.The Expressway and Major Arterial Plan shows an eventual width of 90 feet for Rundberg Lane at this location. c.The covered parking areas, unless attached to the main dwellings, must set back a minimum of 5 feet from the side or rear property lines and at least 90 feet from the front property line (North Plaza Drive). d.A 4-foot solid fence is required where any parking area is adjacent to property developed for residential use. e. Does not include Building Code approval.
- Fire Prevention - Any 3-story building should be equipped with a fire escape as required by State law. Install required fire extinguishers as buildings are ready for occupancy. Buildings 7 and 8 are isolated and would be difficult to reach in case of fire or other emergency.

CP14-71-067 John R. Lester--Contd.

- Storm Sewer - Drainage facility required across the east side of tract that connects to the existing culvert in Rundberg Lane.
- Traffic Engineer - a. Require curb and gutter on Rundberg Lane, and tie-in paving to existing paving--width curb to center line of right-of-way to be 31 feet. b. North Plaza Drive to be 44 feet paving width.
- Director of Public Wks. - Driveway locations meet with our approval. Would recommend that curb return radii be ten feet, rather than 5 feet and 25 feet as shown. Will need request for and approval of driveways before construction begins.
- Office Engineer - O.K.
- Fire Protection - Recommended fire hydrant is indicated in red. Recommend this hydrant be placed with the 4 inch opening facing the street or drive, and that it be approximately 18 inches from the center of the 4 inch opening to the finished grade.

Mr. Jack Alexander, Assistant Director of Planning, reported that the revised site plan is to be circulated to the City departments; however, no problems are expected.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Ronnie Tynes (representing applicant)

Jack Terrell (representing applicant)

SUMMARY OF TESTIMONY

Mr. Ronnie Tynes and Mr. Jack Terrell spoke on behalf of this request. The property has an existing drainage ditch which was acquired by the City through subdivision.

No one appeared in opposition to this request.

COMMENTS AND ACTION BY THE COMMITTEE

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

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

CP14-71-067 John R. Lester--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of John R. Lester for a special permit for the construction of a 112-unit apartment project on property located at 9219-9323 North Plaza Drive and 1015-1057 East Rundberg Lane, subject to departmental requirements and authorized the Chairman to sign the necessary resolution upon completion.

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

SPECIAL PERMIT CASES FOR RECONSIDERATION

CP14-68-017 George Mac Donald: Apartment Dwelling Group
3611-3633 Bull Creek Road
3847-3860 Bull Creek Road
Rear of 3635-3845 Bull Creek Road

The staff reported that this special permit was approved in 1968 for an apartment dwelling group on a tract of twenty-two and one-half acres. The amended site plan involves the redistribution of the approved 111 units. Fifteen units and the swimming pool have been completed on the northeasterly portion of the tract; it is the intention of the developer to complete Phase I, with 62 units, and then proceed with Phase II.

Also amended is the amount of parking, which was originally 312 spaces; 385 spaces are identified; however, there is sufficient room for an additional thirty cars in the paved areas located to the rear of those building groups where the garages are entered from the back. In addition, curb parking on one side of the street should accommodate over eighty cars.

All requirements of the original plan are consistent with the amendment, and it is recommended for approval, subject to departmental requirements.

Mr. Hoyle Osborne, Planning Consultant, represented the applicant. The revised parking will be less utilization of parking bays, as parking at the curb will not hinder traffic.

The Commission reviewed the information and

VOTED: To APPROVE the amendment to a special permit requested by George MacDonald for the construction of an apartment dwelling group on property located at 3611-3633 Bull Creek Road; 3847-3860 Bull Creek Road; and the rear of 3635-3845 Bull Creek Road, subject to departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

CP14-68-017 George MacDonald--Contd.

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

CP14-70-023 Don McElwreath: Veterinary Clinic
7701-7723 Cameron Road

The staff reported that a special permit was granted in 1970 for a veterinary clinic on this tract on the southeast corner of Cameron Road and U. S. Highway 183. The area of the tract is over one acre, and while other development was expected for the tract, it was not specified at that time. It is now proposed to add a wing to the veterinary clinic, and to construct an office building on the rear portion of the tract. More than adequate parking will be provided, and the location of the buildings and the driveways is appropriate. The proposed uses are allowed under the zoning of this tract. The various City departments have no objections to these additions, and the revision to this special permit is recommended for approval.

Mr. Henry Harris represented the applicant; he had nothing to add to the staff report.

The Commission then

VOTED: To APPROVE the request of Don McElwreath for a revision to a special permit for the addition of a wing to the veterinary clinic and the construction of an office building on property located at 7701-7723 Cameron Road, subject to departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

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

CP14-71-046 Sid Jagger: 174-Unit Apartment Dwelling Group
1203-1219 Woodland Avenue

Mr. Richard Lillie, Director of Planning, reported that consideration of this special permit is for information only, in conjunction with subdivision file No. C8-71-142, which will be considered at this meeting. This special permit was required on a portion of the tract on which apartment zoning was granted; several conditions were placed upon this special permit. All the conditions have been met, and are listed below.

CPI4-71-046 Sid Jagger--Contd.

No vehicular access to Fairlawn Drive or Woodland Avenue, with emergency vehicular entrances to each of these streets.

Landscaped hedges, in lieu of fencing, along Fairlawn Drive and Woodland Avenue.

Minimum of forty-six feet width for entrance drive from frontage road of Interstate Highway 35, which is the only entrance to this 174-unit project.

Finished grades for the parking areas and the buildings are shown on the site plan.

A tree location plan has been submitted, showing types of trees and size.

Fencing is required where this tract is adjacent to residential uses; this is a small area on south side of the tract at Fairlawn Drive.

An environmental easement along the creek is required to preserve the natural state of the creek, which is to be cleaned out for adequate flow.

It is felt that all requirements placed upon this special permit by the Planning Commission and the City Council have been reasonably met and that the special permit is ready for release.

R146

SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of December 27, 1971, and requested that this action be made a part of the minutes of this meeting of the Planning Commission.

The staff reported that two referrals have been made to the Planning Commission: C8-71-75 The Great Hills and C8-71-168 Crest Hills, Revised and that no subdivision were appealed to the Commission. The Commission then

VOTED: To ACCEPT the attached report and make the action of the Subdivision Committee of December 27, 1971 a part of the minutes of this meeting of the Planning Commission.

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

PRELIMINARY PLANSC8-71-75 Great Hills - A

Loop 360 and Great Hills Trail

The staff reported that this case was referred to the full Commission due to a problem involving the alignment of Steck Avenue and Great Hills Trail

C8-71-75 Great Hills - A--Contd.

south of Adirondack Trail; this has been resolved by the property owners, with the exception of the dedication of Neeley Lane. The staff therefore recommends approval of this plan, subject to departmental requirements and dedication of sixty feet of right-of-way for Neeley Lane, the east line of which should line up with the existing east line of the existing Neeley Lane, and that the two affected property owners, Baker-Jones-Crow and W. L. Mayfield, work out the amount of property dedication on their properties. This recommendation is based upon the fact that Mr. W. L. Mayfield has agreed to re-submit his preliminary plan, previously withdrawn, which will provide for the extension of Great Hills Trail to Spicewood Springs Road, as recommended by the staff.

Mr. Tom Darmstedter, representing Baker-Jones-Crow, was present at this meeting. This right-of-way will be determined by the two property owners. He reported that the right-of-way is being excavated to ten feet, more than meeting the proposed requirements.

The Commission then unanimously

VOTED: To APPROVE the preliminary plan of GREAT HILLS - A, subject to departmental requirements and dedication of sixty feet of right-of-way for Neeley Lane.

C8-71-168 Crest Hills
East 19th Street and Bundyhill Drive

The staff reported that this owner is requesting referral of this request to the Subdivision Committee to gain adequate time to work out problems of design. The Commission then unanimously

VOTED: To REFER TO THE SUBDIVISION COMMITTEE the preliminary plan of CREST HILLS.

C8-71-169 Westover Hills, Section Eight
Hyridge Drive and Green Valley

The staff reported that this preliminary plan was approved by the Subdivision Committee, subject to departmental requirements, but discussion with the owner has necessitated a change in the plan which should be considered by the full Commission.

This change is in the requirement to cul-de-sac or extend Hyridge Circle (Green Valley) which is presently dedicated to the property line; it has been indicated that the adjoining property owner may purchase the tract, making this cul-de-sac or extension unnecessary. Vacation of this portion of the street is a possibility.

Mr. Ralph L. Stapper and Mr. E. L. Gibson, adjacent property owners, were present at this hearing. No definite plans have been made for purchase of the lot. Mr. A. W. Howard was also present for this hearing. After discussion, the Commission unanimously

C8-71-169 Westover Hills, Section Eight--Contd.

VOTED: To APPROVE the preliminary plan of WESTOVER HILLS, SECTION EIGHT, subject to redistribution and departmental requirements, and with the condition that if a separate lot is present at the end of Green Valley, a cul-de-sac will be provided for access.

FINAL SUBDIVISION PLATS - FILED AND CONSIDERED

Five 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 unanimously

VOTED: To APPROVE the following final subdivision plats:

C8-71-106 Timber Creek, Section Three
Benson Way and Whirlaway Drive

C8-71-142 The Brook
I. H. 35 and Woodland Avenue

C8-71-91 Mesa Park, Section Four
Wind River Road and Fast Horse Drive

C8-71-108 Peppertree Park, Section Two
Ponciana Drive and Lemon Drive

C8-69-087 Village Oaks
U. S. 183 and Shady Oaks Drive

The staff reported that fourteen new final subdivision plats are before the Commission for the first time; 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 final plat C8-71-141, JOHNSTON TERRACE, SECTION EIGHT, pending compliance with departmental requirements, fiscal arrangements, required easements, current tax certificates, consideration of the 25-year flood plain, and revision of Thurgood Circle to comply with Ordinance requirements.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE final plat C8-71-66, MC CALL ESTATES, pending compliance with departmental requirements, fiscal arrangements, required easements and current tax certificates.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE final plat C8-71-54 CAVALIER PARK, SECTION THREE, pending compliance with departmental requirements, fiscal arrangements and required easements.

FINAL SUBDIVISION PLATS--Contd.

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE final plat C8-71-138 BUCK-INGHAM RIDGE, subject to compliance with departmental requirements, fiscal arrangements, and required easements.

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

ABSTAIN: Mr. Hetherly

The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the final plat of C8-71-177 QUAIL CREEK, PHASE III, SECTION III, pending compliance with departmental requirements and required easements.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the final plats of C8-71-178 NORTHWEST HILLS RANCH, 1971 COCHRUM and C8-71-179 QUAIL CREEK WEST, PHASE II, SECTION 8, pending compliance with departmental requirements and fiscal arrangements.

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

<u>C8-71-118</u>	<u>Bales and Warren Subdivision</u>
	Proposed Outer Loop and Hulsey Road
<u>C8-71-152</u>	<u>Turbine West</u>
	Howard Lane and Thermal
<u>C8-71-153</u>	<u>Valley Ridge</u>
	Clawson Road and Valley Ridge
<u>C8-71-151</u>	<u>Lakeway, Section 16 - A</u>
	Lakeway Boulevard
<u>C8-71-186</u>	<u>Cherry Creek, Phase Two, Section Five</u>
	Burrough Cove
<u>C8-71-188</u>	<u>Barton Terrace, Section Seven - A</u>
	Barton Hills Drive and Hollow Creek Drive
<u>C8-70-74</u>	<u>Lakeview Hills, Section One</u>
	Sleepy Hollow and Lakeview

C8-71-135 Apache Shores, Section Six
Deer Trail and Red Fox Road

The staff reported that this is the first appearance of this final plat before the Commission; it is lacking compliance with departmental requirements, and the plat does not comply with preliminary approval. A package treatment plant for sewage disposal was required on the preliminary plan; as this has not been accomplished, it is recommended that this plat be accepted for filing and disapproved, pending departmental requirements.

Mr. Milstead stated that the intent of the Commission on the preliminary approval was that either the package treatment plant or a sewage disposal plan approved by the Health Department would be provided.

C8-71-135 Apache Shores, Section Six--Contd.

Mr. Tom Curtis represented the applicant; he stated that it is the contention of the developer that the Health Department does not have the authority to require a package treatment plant; this has been upheld by the City Attorney. It is felt that if the applicant meets all other departmental requirements, he should be allowed to develop his property.

Mr. Taniguchi stated that this area is sensitive to the pollution of the lake; if no one has the authority to enforce proper controls, it is incumbent upon the Planning Commission to require package treatment plants for this area. In previous discussion of this application, the members felt that if a package treatment plant is not constructed, purchasers of the lots will not be able to develop them, as septic tanks are not allowed in this area by the Health Department.

Mr. Curtis stated that both the plat and contract of sale will state that no building permits will be allowed on the lots until a septic tank has been approved; no misrepresentation will be made. Discussion has been held with the Health Department, with no solution reached.

The members discussed this problem, and agreed that a legal opinion is needed on the requirement of package disposal plants for this area, as pollution is an existing problem which will worsen in the future. The Commission then unanimously

VOTED: To ACCEPT FOR FILING AND DISAPPROVE C8-71-135 APACHE SHORES, SECTION SIX, pending compliance with departmental requirements and consideration of a written opinion from the City Legal Department concerning requirements by the Planning Commission for sewage facilities in this area.

Mr. Richard Lillie, Director of Planning, requested consideration of C8-70-85 THE GREAT HILLS, SECTION I, with regard to the proposed street grading recommendations. This is a recorded subdivision, with utilities, curbs and streets already in place. Only four lots do not fall within the standards as proposed; it is recommended that development of this subdivision be continued, with the exception of these four lots to be placed on the February agenda for consideration of a variance from the street grading recommendations. In addition, a variance will be requested on two lots abutting a storm sewer which is the bottom of a gully, which the developer does not wish to place in a pipe. It is recommended that the subdivision be released, except for these six lots.

Mr. Richard Baker represented the applicants. He concurred with the staff recommendation for this particular subdivision, but voiced concern as to the heavy expense involved in complying with the proposed street grading requirements. Where streets have been constructed, blasting cannot be done, and the necessary machine work will be a heavy expense.

C8-70-85 The Great Hills,--Section I--Contd.

The Commission then unanimously

VOTED: To APPROVE C8-70-85 THE GREAT HILLS, SECTION I, with the exception of six lots which will be considered for variance at the Commission meeting in February, 1972.

C8-69-74 Northwest Hills, Section Four - A
Highland Hills DriveC8-71-94 Highland Hills, Section Eight
Walnut Clay Drive

The staff reported that three variances are being requested on this plat, which includes both of these subdivisions:

1. Sidewalks - It is the recommendation of the staff that no sidewalks be required.
2. Storm sewer drainage - The developer is requesting the use of the deep draws as natural drainageways to preserve the terrain. It is recommended that this variance be granted.
3. Street grading - It is recommended that this subdivision comply with the proposed street grading requirements, with the exception of certain specific tracts. More detailed information on these exceptions will be presented when available.

It is recommended that this subdivision be disapproved, pending fiscal arrangements.

Mr. Tom Bradfield, developer of Highland Hills, Section Eight, concurred with the staff recommendation on sidewalks, as he feels sidewalks are not needed, and with the recommendation on drainage, as the beautiful terrain should be preserved where possible. All fiscal arrangements have been made. Mr. Bradfield expressed his strong opposition to the proposed street grading requirements for all locations, and particularly for this subdivision, which is one-half completed, with contracts out. No prior notice was given of these standards, which are arbitrary and will damage the land in such a way that will take property owners years to overcome. Historically, utilities have been placed in the streets. As for the safety factor, this is a strong consideration in the design of a subdivision, and is a responsibility of the developer. These proposed regulations should be very carefully considered. He suggested that the Commission might wish to delay a decision on this particular subdivision for further consideration of these street grading requirements.

Mr. Chuck Stahl represented Mr. David B. Barrow, Sr., developer of Northwest Hills, Section Four - A. He concurred with the staff recommendation, except for the proposed street grading requirements. He quoted from the Ordinance, stressing the conditions under which the Planning Commission may grant variances, and requested that variances as requested be granted. He stated that great expense is incurred with the delay of the processing of these subdivisions.

C8-69-74 and C8-71-94--Contd.

The members discussed the information and concluded that these plats should be delayed for thirty days to allow the members to visit the sites. The members then

VOTED: To POSTPONE for thirty days NORTHWEST HILLS, SECTION FOUR and HIGHLAND HILLS, SECTION EIGHT.

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

ABSTAIN: Mr. Barrow

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

VOTED: To APPROVE the following short form plats:

<u>C8s-71-284</u>	<u>Armstrong-McCall Subdivision</u>
	<u>Ben White Boulevard</u>
<u>C8s-71-280</u>	<u>Resubdivision Lots 14 & 15, Block B,</u>
	<u>Quail Creek West, Phase 2, Section 5</u>
	<u>Oak Hollow Drive</u>
<u>C8s-71-278</u>	<u>Acres West, Section Two</u>
	<u>Lois Lane and McGee Avenue</u>
<u>C8s-71-105</u>	<u>Larina Drive Addition</u>
	<u>St. Elmo Road and Larina Drive</u>
<u>C8s-71-291</u>	<u>Woodrow R. Lee Subdivision</u>
	<u>Airport Boulevard and Bengston Street</u>
<u>C8s-71-285</u>	<u>S. S. & F. Subdivision No. 1</u>
	<u>Elmont Drive at Pleasant Valley Road</u>
<u>C8s-71-288</u>	<u>Hickman and Turner Addition</u>
	<u>Loop 360</u>
<u>C8s-71-271</u>	<u>Lakeway, Section Twenty-One</u>
	<u>Lohman's Crossing Road</u>
<u>C8s-71-264</u>	<u>Resubdivision Lots 8 & 9, Block F,</u>
	<u>Community of Fairview</u>
	<u>Ramble Lane</u>
<u>C8s-70-006</u>	<u>Rosewood Village, Section Five - A</u>
	<u>Pleasant Valley Road and Neal Street</u>

The staff reported that seven new shortform subdivision plats have been received and have not met requirements; it is recommended that these be accepted for filing and disapproved, pending compliance with departmental requirements.

Short Form Subdivision Plats--Contd.

The Commission then unanimously

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

C8s-71-293	<u>1st Resubdivision Quail Creek, Phase III, Section One</u> <u>Parkfield Drive</u>
C8s-71-294	<u>1st Resubdivision Quail Creek, Section Six</u> <u>Galewood Drive</u>
C8s-71-298	<u>Resubdivision Lot 3, Lela Parkinson,</u> <u>Lot 12, Block 10, Bellvue Park</u>
C8s-72-1	<u>I. H. 35 and Sunnyvale</u> <u>Lane Addition</u>
C8s-72-3	<u>Slaughter Creek Drive</u> <u>Wooten Annex</u>
C8s-72-4	<u>Fairfield Drive and Kramer Drive</u> <u>Resubdivision Lots 13, 14, & 15, Block 2,</u> <u>Hyde Park Annex</u>
C8s-72-5	<u>East 45th Street and Avenue F</u> <u>Resubdivision Lots 24 & 25, Block A, MSZ Addition</u> <u>Montclair Street</u>

The Commission then unanimously

VOTED: To ACCEPT FOR FILING and DISAPPROVE the subdivision plat of the RESUBDIVISION OF LOT 4, ROGERS WILSON SUBDIVISION, pending compliance with departmental requirements and required easements.

VOTED: To ACCEPT FOR FILING and DISAPPROVE the subdivision plat of NORTH-GATE TERRACE ANNEX, pending compliance with departmental requirements, fiscal arrangements, and current tax certificates.

VOTED: To ACCEPT FOR FILING and DISAPPROVE the subdivision plats of the RESUBDIVISION OF LOT C5, N. W. HILLS RANCH and the GOODRICH SUBDIVISION, pending compliance with departmental requirements and current tax certificates.

The staff reported that two short form subdivision plats are requesting a variance on the requirement for the signature of the adjoining owner; it is recommended that this variance be granted. The Commission then unanimously

VOTED: To GRANT THE VARIANCE on the signature of the adjoining owner, and to ACCEPT FOR FILING and DISAPPROVE, pending compliance with departmental requirements, the following plats:

C8s-71-289	<u>Resubdivision of Part of Lots 1, 2, & 3,</u> <u>Block B, Greenwood Heights</u>
C8s-71-295	<u>Greenwood Avenue</u> <u>Turner Addition</u> <u>I. H. 35</u>

PUBLIC HEARINGS

C2-71-1(j) AUSTIN DEVELOPMENT PLAN AMENDMENT

Approximately 18 acres located in northeast Austin on the south side of U. S. Highway 290 East, approximately 1500 feet east of the intersection of Old Manor Road and west of Decker Lane.

Mr. Richard Lillie, Director of Planning, reported that this request is to change the designation of this area from Suburban Residential to a Planned Development Area.

The applicant, Texas Urethanes, has been incorporated for the following purposes: to design, manufacture, construct, buy, sell, lease, hire, apply, import, export and generally deal in urethane chemicals, foam, urethane foam systems, equipment, all component parts and materials in any way related to applying urethane foam, and in connection therewith to own and operate a machine shop, laboratories and any necessary adjuncts. The operations which this corporation conducts or plan to conduct produces no objectional effluent or particle matter, nor does Texas Urethanes plan to manufacture the basic bulk ingredients of urethanes, which would result in the production of objectional effluent, particle matter, or odors.

This proposal has been circulated to all City departments, with approval and routine comments, except for the following: Wastewater will be required to obtain an industrial waste permit and abide by the industrial waste ordinance No. 711 11-A. The area is not suitable for septic tank effluent; it is recommended that the developers submit proposal with the approximate volume of water to be used industrially and for sewage disposal, and number of employees.

The area has some residential and commercial development along the highway; however, it is predominately vacant land. The area is gently rolling and the site is generally sloping from the railroad toward the creek or draw located in the front part of the property adjacent to the highway.

Approximately 400 acres to the south and southwest of this site was approved two years ago for Manufacturing and Related Uses, subject to requirements regarding sanitary sewer effluent, which have been met.

Mr. Bill Davis of Texas Urethanes has assured the Planning Department that his company does not plan to produce objectional effluent odors, nor manufacture the basic bulk ingredients of urethanes. In addition, a proposed contract has been submitted to the Legal Department that is typical for the Planned Development Area.

The approval of this change is recommended, subject to the following conditions:

1. A contract provision for no outdoor display. Outdoor storage would be permitted, provided a six-foot opaque fence is constructed for screening.

C2-71-1(j) Austin Development Plan Amendment--Contd.

2. A 50-foot building setback line to be provided from U. S. Highway 290 and from residential development.
3. The proposed street is to be considered a private drive.
4. The tract shall never be subdivided into two or more parts for the purpose of sale or building unless and until a subdivision plat thereof has been submitted to and approved by the Planning Commission of the City of Austin, Texas.
5. Approval by the City-County Health Department of plans for sewage disposal.

Mr. Lloyd Muennink represented the applicants. This company has been in existence in Austin for the past five years, located at 6911 Ryan Drive. There have been no complaints; this business has no odors, no by-products, and no effluent except for sanitary sewer facilities for employees.

No one appeared in opposition to this request.

The Commission members were of the opinion that the requested change is in keeping with this area. It was then unanimously

VOTED: To recommend that the land use designation for approximately 18 acres of land located in northeast Austin on the south side of U. S. Highway 290 East, approximately 1500 feet east of the intersection of Old Manor Road and west of Decker Lane be changed from Suburban Residential to a Planned Development Area.

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

C10-71-1(AM) STREET VACATION
4100 Block of Bellvue Avenue

The staff reported that this request to vacate Bellvue Avenue between West 42nd Street and Medical Parkway is by the adjoining property owners. The request has been circulated to the various City departments, and is recommended subject to subdivision and right-of-way for West 42nd Street and Medical Parkway.

Mr. John German, Associate Director of the Traffic and Transportation Department, reported that this department's original recommendation was against this street vacation, due to problems of access to the adjoining properties. This problem will be solved with standard driveway approaches for the properties, and approval is recommended.

Mr. Herman Waters represented the applicants, stating that this street vacation will alleviate the traffic and provide parking area for the planned office development.

C10-71-1(AM) Street Vacation--Contd.

The Commission then

VOTED: To recommend that the 4100 Block of Bellvue Avenue be VACATED, subject to subdivision and right-of-way for West 42nd Street and Medical Parkway.

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

C10-71-1(AN) STREET VACATION

Right-of-way alignment of the southeast corner of Berkett Drive and Blarwood Drive.

The staff reported that this request is by the owner of the tract, and was required as part of the subdivision plat. This request has been circulated to the various City departments and the vacation is recommended. The Commission then

VOTED: To recommend the right-of-way alignment of the southeast corner of Berkett Drive and Blarwood Drive be VACATED.

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

C10-71-1(AO) STREET VACATION

1512-1600 West 38th Street

The staff reported that this request is for the vacation of a small portion of right-of-way which was required at one time for the street. It is no longer needed, and no departments object to this vacation. The Commission then

VOTED: To recommend that the portion of 1512-1600 West 38th Street under consideration be VACATED.

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

OTHER BUSINESS

C2-72-5 AMENDMENT TO SUBDIVISION ORDINANCE
Street Grading Recommendations

Mr. Richard Lillie, Director of Planning, reported that clarification of Section 23.37 of the Subdivision Ordinance was requested last month by Mr. H. W. Curington of Bryant-Curington, Inc. The provisions of this section are as follows:

The subdivider shall excavate, fill and grade all alleys and new streets; including sidewalk areas, within the subdivision so that pavements and sidewalks may be constructed along lines and grades approved by the Director of Public Works. In general, the grades of sidewalk areas shall be so established that no extreme or abrupt changes in grade are encountered within blocks, but variations may be allowed by the commission where because of soil conditions, topography or valuable trees, the establishment of such grades would result in undue hardship. New streets and alleys shall be surfaced. Such surfacing shall be constructed in accordance with plans and specifications approved by the Director of Public Works and constructed under his supervision. On any existing street traversing, bordering or abutting a proposed subdivision, the city may require paving by assessment or other appropriate procedure. No street shall be surfaced until the underground utilities which are to be installed in the portion of the street intended for vehicular traffic have been so installed.

Streets and alleys shall be constructed in accordance with the standards set out in this article. (9-24-53, 1.)

The Department of Public Works has interpreted their responsibilities within this section of the Ordinance to be the establishment of grades from property line to property line to provide space within the right-of-way for utilities construction and maintenance; sidewalks; visibility for pedestrians and vehicles; and for construction of concrete driveway approaches, such grading to be established so that no extreme or abrupt changes in grade are encountered within blocks. The Department of Public Works is currently requiring a grade of one-fourth inch rise per foot from the top of the curb to the property line. The Departments of Traffic and Transportation, Water and Waste Water, and Electric concur in this requirement, as does Southwestern Bell Telephone Company and Southern Union Gas Company.

Mr. Jerry Harris, Assistant City Attorney, has reviewed Section 23.37 of the Ordinance and concurs in the interpretation made by the Public Works Department. The Municipal responsibility is clear and the Ordinance provides the language for enforcement.

The Ordinance also provides that where such grades would result in undue hardship, the Planning Commission may allow a variance. A variance request may be considered where soil conditions, topography or valuable trees exist within the street right-of-way. There are, however, no procedures or criteria by which the Planning Commission can review a request for this

C2-72-5 Amendment to Subdivision Ordinance--Contd.

type of variance. The following requirements are proposed and are the result of several meetings at which interested City departments and utilities were in attendance:

Departures from normal right-of-way grading will be permitted at the discretion of the developer, but in no case shall the ground line extend above the maximum limits as indicated.

Construction plans submitted for departmental review and approval will clearly indicate those areas in which the developer proposes to vary from normal right-of-way grading and the extent to which he proposes to vary.

The maximum variation as indicated is based on safety considerations and should be exceeded in no case.

The depth of cover required above the various utilities is determined on the basis of a standard driveway. When the cross-section proposed is to vary from the standard, the depth of the trench (or the location of the utilities) will be affected. The added cost is a matter to be agreed upon between the developer and the individual utilities. These agreements will be a part of the normal consideration in the review process and the individual utility will certify to the Planning Department that agreement has been reached.

This clearly establishes the limits of excavation required in subdivision street rights-of-way. In every case safety must be the prime consideration. Additionally, it is desirable that the responsibility for added costs by departures from normal grading should be agreed upon prior to the construction of the subdivision.

Mr. Lillie stated that representative were present from the Public Works and Traffic and Transportation Departments to give information to the members at this time. A full public hearing on this matter will be conducted at the regular meeting of the Planning Commission in February, after proper notification of interested parties.

Two subdivisions are to be considered under this proposed criteria for a decision at this meeting; C8-69-74 NORTHWEST HILLS, SECTION FOUR- A, and C8-71-94 HIGHLAND HILLS, SECTION EIGHT.

Mr. Charles Graves, City Engineer, discussed the street grading standards. It was stressed that the requirements for right-of-way grading must relate first and foremost to safety of all those traveling the rights-of-way, whether that be in vehicles (including bicycles), or on foot. The second consideration is the importance of the availability of sufficient right-of-way for installation of various utilities and the assurance that the utility mains and services will not be disturbed during the process of constructing residences or other improvements within the subdivision.

Mr. John German, Associate Director, Traffic and Transportation Department, discussed the importance of clearance of right-of-way for the safety of the


C2-72-5 Amendment to Subdivision Ordinance--Contd.

public, both pedestrians and automobile drivers. A concentrated school sidewalk program, has been in effect in the City for the past two years, and has affirmed the need for cleared right-of-way, as in many areas this space is not available for safe school routes and cutting was required.

The members discussed the proposed street grading standards. They expressed concern for public safety, particularly pedestrians. As the hill country is developed, more requests for variances will be received; criteria must be established to handle these requests. Care must be taken not to increase the cost of homes beyond the reach of individual purchaser. They requested additional information on the handling of the downhill side of a street.

The Chairman recognized the interested parties in the Chambers and requested them to participate in the public hearing on this matter to be held at the next meeting of the Planning Commission, February 8th.

ADJOURNMENT: The meeting was adjourned at 12:45 a.m.


Richard R. Lillie
Executive Secretary